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Volume 76

UNITED STATES STATUTES AT LARGE

[87th Cong., 2d Sess.]

Contains laws and concurrent resolutions enacted by the Congress during 1962, Reorganization Plan No. 2 of 1962, proposed amendment to the Constitution, and Presidential proclamations

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Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission PART 213—EXCEPTED SERVICE

Department of Defense

Section 213.3206(a) (1) is amended to authorize a new exception for two Special Projects Directors, GS-15. Effective upon publication in the FEDERAL REGISTER, subparagraph (1) of paragraph (a) of § 213.3206 is amended as set out below.

§ 213.3206 Department of Defense.

(a) *Office of the Secretary.* (1) Professional members of Policy Planning Staff in positions at grades GS-16 and above and two Special Projects Directors, GS-15, Office of Deputy Assistant Secretary (Planning and NSC), Office of the Assistant Secretary of Defense (International Security Affairs).

(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. 64-3715; Filed, Apr. 14, 1964; 8:49 a.m.]

Title 12—BANKS AND BANKING

Chapter II—Federal Reserve System

SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

[Reg. Y]

PART 222—BANK HOLDING COMPANIES

Loans, Discounts, and Extensions of Credit; Interest Bearing Deposits, and Substitution of Borrowers

§ 222.117 Loans, discounts, and extensions of credit: interest-bearing deposits, substitution of borrowers.

(a) The Board of Governors has recently been asked to consider the application of section 6(a) of the Bank Holding Company Act ("the Act") to three different factual situations involving transactions between holding company banks. All three questions pertain to the application of section 6(a)(4) of the Act, under which it is unlawful for a bank "to make any loan, discount or extension of credit to a bank holding company of which it is a subsidiary or to any other subsidiary of such bank holding company."

(b) *Interest-bearing deposits as "loans" or "extensions of credit".* (1) The first question involves (i) an interest-bearing deposit by a bank, which is also a registered bank holding company, with a subsidiary bank, and (ii) an interest-bearing deposit by the subsidiary bank with a branch of its parent bank, the bank holding company.

(2) The last paragraph of section 6(a) of the Act provides in part that "Non-interest-bearing deposits to the credit of a bank shall not be deemed to be a loan or advance to the bank of deposit * * *." On the basis of the clear implication of that language, it is the Board's position that an interest-bearing deposit shall be deemed to be a loan or advance unless the circumstances of a particular case strongly compel a different conclusion.

Assuming that the interest-bearing deposits in the present case are to be deemed to be loans or advances, the deposit by the subsidiary bank with the branch of its parent holding company would be prohibited as a "loan" or "extension of credit" by a "bank", as defined in section 2(c) of the Act, "to a bank holding company of which it is a subsidiary". However, the deposit by the parent bank, the bank holding company, with its subsidiary bank would not be prohibited because, on the basis of the language of section 6(a)(4) of the Act and § 222.6 (Reg. Y), the prohibition does not apply to a loan by a bank which is not itself a subsidiary of a bank holding company.

(c) *Inter-subsidary mortgage loan transfer upon substitution of new borrower.* (1) The second question involves the "transfer" of a home mortgage loan from holding company bank "X" to co-subsidary bank "Y" in connection with the substitution of the purchaser of the home for the seller as borrower. Bank X agrees to forward the loan to Bank Y for the recording of substitution of liability and for collection.

(2) The question is whether such a loan transfer is a sale of paper equivalent to a "discount" prohibited by section 6(a)(4) of the Act in accordance with the Board's decision in the matter of "General Contract Corporation", 44 F.R. Bulletin 260 (1958). In the course of that opinion, the Board took the position, in effect, that bank loans might be participated, without involving a "discount" of the amount of the participation, provided that the participations are "joined at the outset". A subsequent interpretation in 1958, codified as § 222.105, contains examples of the methods by which a loan might be participated "at the outset" so that it would not involve the sale of an asset of the "originating" bank. The Board has also taken the position that upon certain changes in the incidents of a loan it may be regarded as a "new loan" so that the participation of the loan as of the time of such a change becomes permissible as a participation "at the outset".

(3) The substitution of a new borrower in good faith, as in the case of the sale of a mortgaged home by the original borrower thereon and the assumption of the loan by the purchaser, is regarded by the Board as a change permitting the loan to be treated as a "new loan" eligible for participation as of the time of the substitution of borrowers. It is clear that the same principles that determine the eligibility of a loan for participation also determine eligibility for a change of lenders as to the entire amount of the loan.

(4) Therefore, it is the Board's position that the substitution of borrowers on the home mortgage loan as described would permit the loan to be transferred between holding company co-subsidary banks, provided that the transfer is accomplished "at the outset" with respect to the substitution of borrowers, in a manner consistent with the 1958 interpretation cited above.

(d) *Inter-subsidary transfer of corporate loan upon a substitution of borrowers by merger.* (1) The facts pertaining to the third question may be summarized as follows: B Corporation has a line of credit with holding company subsidiary Y Bank. By the terms of a proposed merger of B Corporation into A Corporation, A Corporation is to assume B's loan liability. It is proposed that at the time of the merger, when A Corporation is substituted as borrower on B's old line of credit with Y Bank, Y's co-subsidary X Bank be substituted as lender. X Bank would take a new note from A Corporation, pay off Y Bank, and take an assignment of collateral from Y Bank. Prior to the merger, B Corporation is wholly owned by A Corporation.

(2) If A Corporation's assumption of B Corporation's liability can be regarded as the good faith substitution of a new borrower, that event would permit the outstanding line of credit and advances thereunder to be regarded as a "new loan" eligible for transfer between co-subsidary banks at the time of such substitution, on the same principles as those applied above in the case of the home loan mortgage. However, the fact that prior to the merger B Corporation is wholly owned by A Corporation raises the question whether A Corporation should be regarded as a "new borrower" for the purposes of section 6(a)(4) in this case.

(3) The Board takes the position that, if A Corporation has had no legal liability as to B Corporation's line of credit (or the security given therefor) prior to the merger, then A Corporation may be regarded as a "new borrower" in spite of its stock ownership of B Corporation. However, a substitution of borrowers will not constitute the making of a new loan unless the "new borrower" is in fact entirely new so far as liability on the loan or extension of credit is concerned; when there is a corporate affiliation as in this case, it becomes particularly appropriate to make inquiry as to whether

there is in fact a good faith substitution of borrowers.

(12 U.S.C. 1844)

Dated at Washington, D.C., this 6th day of April 1964.

By order of the Board of Governors.

[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 64-3660; Filed, Apr. 14, 1964;
8:45 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

SUBCHAPTER E—AIRSPACE [NEW]

[Airspace Docket No. 64-EA-20]

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

Revocation of Federal Airway

The purpose of this amendment to Part 71 [New] of the Federal Aviation Regulations is to revoke VOR Federal airway No. 856 (Chicago, Ill., Metropolitan Area to New York, N.Y., Metropolitan Area).

The 800 series airways are designated to indicate preferred routes of flight between major terminal areas for the purpose of segregating opposite direction traffic and generally coincide with existing VOR Federal airways. Victor 856 is designated via low altitude airways. Since the preferred route for aircraft operating from Chicago to New York is now via airways in the intermediate altitude airway structure, Victor 856 no longer serves the purpose for which it was designated. Accordingly, action is taken herein to revoke Victor 856.

Since this action will neither assign nor reassign airspace and will impose no additional burden on any person, notice and public procedure hereon are unnecessary. However, since it is necessary that sufficient time be allowed to permit appropriate changes to be made on aeronautical charts, this amendment will become effective more than 30 days after publication.

In consideration of the foregoing, the following action is taken:

In § 71.123 (29 F.R. 1009) V-856 is revoked.

This amendment shall become effective 0001 e.s.t., June 25, 1964.

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

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

H. B. HELSTROM,
Acting Chief, Airspace Regulations
and Procedures Division.

[F.R. Doc. 64-3661; Filed, Apr. 14, 1964;
8:45 a.m.]

[Airspace Docket No. 63-SO-78]

PART 73—SPECIAL USE AIRSPACE [NEW]

Alteration of Restricted Area

On January 1, 1964, a notice of proposed rule making was published in the

FEDERAL REGISTER (29 F.R. 21) stating that the Federal Aviation Agency was considering amendments to Parts 73 and 71 of the Federal Aviation Regulations which would alter the boundaries of the Goldsboro, North Carolina (Seymour-Johnson AFB), Restricted Area/Military Climb Corridor R-5312 (§ 73.53). The notice stated also that if the proposal was adopted, the description of the Goldsboro, North Carolina, control zone (§ 71.171) would be amended to require approval from appropriate authority prior to operation within that portion of the control zone which coincides with the restricted area/military climb corridor. The description of the control zone is not changed herein since this requirement is specified in § 91.95 of the Federal Aviation Regulations.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. All comments received were favorable.

In consideration of the foregoing and for the reasons stated in the Notice, the following action is taken:

In § 73.53 North Carolina (29 F.R. 1269), R-5312 Goldsboro, North Carolina (Seymour-Johnson AFB), Restricted Area/Military Climb Corridor is amended to read:

R-5312 Goldsboro, N.C. (Seymour-Johnson AFB), Restricted Area/Military Climb Corridor.

Boundaries. From a point of beginning at latitude 35°19'27" N., longitude 78°00'55" W., the area centered on a bearing therefrom of 228°, extending to a point 30 nmi SW, having a width of 2 nmi at the beginning and expanding uniformly to a width of 6 nmi at the outer extremity.

Designated altitudes. Surface to flight level 240 from the point of beginning to 3 nmi SW. 2,000 feet MSL to flight level 240 from 3 to 6 nmi SW of the point of beginning. 5,000 feet MSL to flight level 240 from 6 to 11 nmi SW of the point of beginning. 10,000 feet MSL to flight level 240 from 11 to 15 nmi SW of the point of beginning. 14,000 feet MSL to flight level 240 from 15 to 19 nmi SW of the point of beginning. 16,000 feet MSL to flight level 240 from 19 to 25 nmi SW of the point of beginning. 20,000 feet MSL to flight level 240 from 25 to 30 nmi SW of the point of beginning.

Time of designation. Continuous.

Controlling agency. Federal Aviation Agency, Raleigh-Durham Approach Control.

Using agency. Commander, Seymour-Johnson AFB, N.C.

This amendment shall become effective 0001 e.s.t., June 25, 1964.

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

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

LEE E. WARREN,
Director, Air Traffic Service.

[F.R. Doc. 64-3662; Filed, Apr. 14, 1964;
8:45 a.m.]

Chapter II—Civil Aeronautics Board

SUBCHAPTER A—ECONOMIC REGULATIONS

[Reg. No. ER-402]

PART 298—CLASSIFICATION AND EXEMPTION OF AIR TAXI OPERATORS

Limitation on Exemptions; Definitions

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 9th day of April 1964.

Section 298.21(d) of the Board's Economic Regulations provides that no service by helicopter aircraft shall be offered or performed by an air taxi operator between any two points between which scheduled helicopter service is provided by the holder of a certificate of public convenience and necessity authorizing such service. Section 298.2(f) provides that when used in connection with the continental United States, except Alaska, the term "point" shall mean any airport or place where aircraft may be landed or taken off, including the area within a three-mile radius thereof.

West 30th Street Heliport, now available for use by air taxi operators, and the Pan Am Building Heliport, which is proposed to be placed in operation shortly, are both located in the City of New York and are within three miles of each other. Thus, under the Part 298 provisions above cited, they are to be taken as a single point, and operations by a certificated helicopter operator from the Pan Am Building to other points would preclude air taxi operations between those points and the 30th Street Heliport.

By petition dated March 19, 1964, New York Airways, Inc. (NYA), the holder of a certificate of public convenience and necessity authorizing it to engage in air transportation by helicopter, has requested that the Board "lift the present three-mile rule of Part 298 insofar as it concerns the Pan Am Building and 30th Street Heliports * * * or issue an interim exemption order permitting the continuance of Air Taxi operations at 30th Street (notwithstanding the commencement of operations by NYA at the Pan Am Building Heliport) to the same extent as now permitted by Part 298." No objections have been submitted to the request, and the Port of New York Authority supports it in a letter addressed to the Board on March 25, 1964.

West 30th Street Heliport was constructed and is operated by the Port of New York Authority, a public body, as a unit in its transportation complex, and is available for use by air taxi operators employing helicopters. NYA proposes to commence helicopter services between the Pan Am Building Heliport and the World's Fair Heliport. It will also use the Pan Am Building Heliport for certain other services. Under the terms of Part 298, the inauguration of these services will automatically foreclose the West 30th Street Heliport to air taxi helicopter services to any point served by NYA from the Pan Am Building Heliport.

The petitioner requesting a partial lifting of those restrictions is in the class of carrier for whose protection the restrictions were designed. It does not appear that the requested relief would result in any present subsidy impact, and it will make available to the public air taxi helicopter services without cost to the Government. Under these circumstances, we have determined to amend Part 298 as prayed in the petition. This renders moot the request for an exemption from the existing regulation.

This regulation does not impose any regulatory burden upon any person, it relieves restrictive burdens heretofore existing, and the public interest requires

that it become effective promptly. Accordingly, we find that notice and public procedures thereon are not required, and this amendment may be made effective on less than 30 days' notice.

In consideration whereof, the Civil Aeronautics Board hereby amends Part 298 of its Economic Regulations (14 CFR Part 298), effective on April 15, 1964 by adding a proviso to § 298.2(f), so that it shall read as follows:

(f) "Point" when used in connection with any territory or possession of the United States, or the States of Alaska and Hawaii, means any airport or place where aircraft may be landed or taken off, including the area within a 25-mile radius of such airport or place; when used in connection with the continental United States, except Alaska, it shall have the same meaning except be limited to the area within a three-mile radius of such airport or place: *Provided*, That for the purposes of this part, West 30th Street Heliport and Pan Am Building Heliport, both located in New York City, shall be regarded as separate points.

Effective: April 15, 1964.

Adopted: April 9, 1964.

(Sec. 204(a), 72 Stat. 743; 49 U.S.C. 1324; interpret or apply secs. 411, 416, 72 Stat. 769, 771; 49 U.S.C. 1381, 1386)

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 64-3712; Filed, Apr. 14, 1964; 8:49 a.m.]

Chapter III—Federal Aviation Agency

SUBCHAPTER C—AIRCRAFT REGULATIONS

[Regulatory Docket No. 4094; Amdt. 714]

PART 507—AIRWORTHINESS DIRECTIVES

Douglas Model DC-8 Series Aircraft

Amendment 554, 28 F.R. 3780, AD 63-8-2, as revised by Amendment 643, 28 F.R. 12057, requires removal and inspection of the elevator control tab push rod on Douglas Model DC-8 Series aircraft. Since the issuance of Amendment 554, the manufacturer has designed and obtained FAA approval of a new tab push rod assembly which eliminates the need for the repetitive inspections. Therefore, Amendment 554 as amended by Amendment 643, is being further amended to permit the discontinuance of the repetitive inspections outlined in the AD when a newly designed elevator control tab push rod assembly is substituted for the original push rod assembly.

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

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

Amendment 554, 28 F.R. 3780, AD 63-8-2, as amended by Amendment 643, 28

F.R. 12057, Douglas Model DC-8 Series aircraft, is further amended by:

1. Changing paragraph (d) to read:

(d) The periodic reinspection prescribed by (b) and (c)(2) may be discontinued when:

(1) It is determined that no wear or contact with the guide support assembly has developed during the preceding reinspection interval, or

(2) The elevator control tab push-rod assembly Douglas P/N 3703218 is replaced with Douglas P/N 3703218-501, in accordance with the procedure outlined in DC-8 Service Bulletin No. 27-150 dated November 5, 1963, or by an FAA-approved equivalent part and procedure.

2. Changing the parenthetical reference statement to read:

(Douglas DC-8 Service Bulletins No. 27-51, Reissue No. 1, dated September 25, 1962, and No. 27-150, dated November 5, 1963, covers this same subject)

This amendment shall become effective April 15, 1964.

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

Issued in Washington, D.C., on April 9, 1964.

G. S. MOORE,

Director Flight Standards Service.

[F.R. Doc. 64-3664; Filed, Apr. 14, 1964; 8:45 a.m.]

[Reg. Docket No. 1964; Amdt. 713]

PART 507—AIRWORTHINESS DIRECTIVES

Lycoming VO-540 Series Engines

A proposal to amend Part 507 of the Regulations of the Administrator to include and airworthiness directive requiring replacement of the connecting rod bolts and inspection prior to modification of the connecting rods on Lycoming VO-540 Series engines was published in 29 F.R. 2509.

Interested persons have been afforded an opportunity to participate in the making of the amendment. No objections were received.

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

LYCOMING. Applies to VO-540 Series engines with Serial Numbers 101-43 through 724-43, 727-43 through 743-43, 747-43 and 753-43, except remanufactured engines shipped from Lycoming after October 29, 1962.

Compliance required as indicated.

To preclude the possibility of connecting rod P/N 71947 failure, the inspection and modification set forth in paragraph (c) shall be accomplished at the times specified in paragraphs (a) and (b).

(a) On engines which, as of the effective date of this AD, have less than 550 hours' time in service since new or since overhaul, compliance with (c) is required prior to 600 hours' time in service.

(b) On engines which, as of the effective date of this AD, have 550 or more hours' time in service since new or since overhaul, compliance with (c) is required within the next 50 hours' time in service after the effective date of this AD.

(c) The following shall be accomplished in accordance with the instructions contained in the latest revision of Lycoming Service Bulletin No. 296.

(1) Inspect each connecting rod P/N 71947 for galling on the surface facing the bearing insert.

(2) If there is any evidence of galling, the entire rod assembly shall be replaced.

(3) If there is no evidence of galling, modify the connecting rod P/N 71947 and replace connecting rod bolt P/N 71087 with new stretch bolts P/N 74033 and nut P/N 72796.

This amendment shall become effective May 18, 1964.

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

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

W. LLOYD LANE,

Acting Director.

Flight Standards Service.

[F.R. Doc. 64-3664; Filed, Apr. 14, 1964; 8:45 a.m.]

Title 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of International Commerce, Department of Commerce

SUBCHAPTER B—EXPORT REGULATIONS

[9th General Rev., Export Regs.; Amdt. No. 82]

PART 385—EXPORTATION OF TECHNICAL DATA

General License GTDU; Unpublished Technical Data

Section 385.2 *General licenses*, paragraph (c) *General License GTDU; Unpublished technical data*, subparagraph (4) *Requirement of written assurance for certain data, services, materials, and equipment* is amended in the following respects:

1. The heading of subparagraph (4) is amended;

2. In the introductory portion of subparagraph (4) the three references to "subdivisions (i) and (ii)" are amended to read "subdivisions (i), (ii), and (iii)," and the reference to subdivision (iii) is amended to read subdivision (iv);

3. Subdivision (i) is amended;

4. Subdivisions (ii) and (iii) are redesignated (iii) and (iv) respectively and a new subdivision (ii) is added.

The heading of paragraph (4), as amended, and subdivision (i), as amended, and the new subdivision (ii), read as follows:

§ 385.2 General licenses.

(c) *General License GTDU; Unpublished technical data.* * * *

(4) *Requirement of written assurance for certain data, services, and materials.* * * *

(i) Technical data and services listed in (a) of this subdivision for the plants and processes listed in (b) of this subdivision;

(a) Type of technical data and services:

(1) Proprietary research and the results therefrom;

(2) Processes developed pursuant to research (including technology with regard to component equipment items);

(3) Catalyst production, activation, utilization, reactivation and recovery;

(4) Plant and equipment design and layout to implement the processes; and

(5) Construction and operation of plant and equipment.

(b) Types of plants and processes:

The following plants or processes usable in the treatment of petroleum or natural gas fractions or of products derived directly or indirectly therefrom:²

| | |
|-----------------|----------------------|
| alkylation | oxidation |
| aromatization | oxo process |
| cracking | ozonolysis |
| dehydrogenation | polymerization |
| desulfurization | reduction |
| halogenation | reforming |
| hydrogenation | selective absorption |
| isomerization | selective adsorption |
| nitration | |

(i) Technical data relating to the following commodities usable in processes listed in (b) of subdivision (i) of this subparagraph:

Department
of Commerce
Schedule B
No.

77045... Stationary positive displacement air and gas compressors, reciprocating, capable of receiving a power input of 500 horsepower or greater and specially designed for use in the processing of petroleum, petrochemicals, natural gas or their fractions.

77046... Stationary positive displacement air and gas compressors, reciprocating, over 125 horsepower, having all flow-contact surfaces made of or lined with any of the materials specified.¹

77063... Parts and accessories, n.e.c., specially fabricated for compressors included above under Schedule B No. 77046.

77073... Centrifugal air and gas compressors capable of receiving a power input of 500 horsepower or greater and specially designed for use in the processing of petroleum, petrochemicals, natural gas or their fractions.

77073... Centrifugal air and gas compressors having all flow-contact surfaces made of or lined with any of the material specified.¹

¹The materials applicable to the flow-contact surfaces of this equipment are: (a) 90 percent or more tantalum, titanium, or zirconium, either separately or combined, (b) 50 percent or more cobalt, molybdenum, nickel or tungsten either separately or combined, (c) 13 percent or more silicon, (d) steel alloys containing any combination of chromium, with either or both molybdenum or tungsten in which the sum of the alloying elements exceeds 3 percent of the total, (e) 2.5 percent or more nickel, (f) fluoro and/or silico resins, (g) glass (acid-, heat-, or shock-resistant), (h) ceramics, (i) carbon, (j) graphite, or (k) acid/heat resistant cement.

²This includes plants or processes for the production, extraction, and purification of petroleum products, petrochemical products, and products derived therefrom. Examples of petrochemical products include methane, ethane, propane, butane and other aliphatics, as well as olefins, aromatics, naphthenes, and elements and other compounds.

Department
of Commerce
Schedule B
No.

77076... Axial flow and mixed flow air and gas compressors capable of receiving a power input of 500 horsepower or greater and specially designed for use in the processing of petroleum, petrochemicals, natural gas or their fractions.

77076... Axial flow and mixed flow air and gas compressors having all flow-contact surfaces made of or lined with any of the materials specified.¹

77078... Parts and accessories, n.e.c., specially fabricated for compressors included above under Schedule B Nos. 77073 and 77076.

77101... Centrifugal pumps specially designed for use in the processing of petroleum, petrochemicals, natural gas or their fractions.

77101... Centrifugal pumps having all flow-contact surfaces made of or lined with any of the materials specified.¹

77103... Turbine pumps specially designed for use in the processing of petroleum, petrochemicals, natural gas or their fractions.

77103... Turbine pumps having all flow-contact surfaces made of or lined with any of the materials specified.¹

77105... Rotary pumps specially designed for use in the processing of petroleum, petrochemicals, natural gas or their fractions.

77105... Rotary pumps having all flow-contact surfaces made of or lined with any of the materials specified.¹

77107... Reciprocating power pumps specially designed for use in the processing of petroleum, petrochemicals, natural gas or their fractions.

77107... Reciprocating power pumps having flow-contact surfaces made of or lined with any of the materials specified.¹

77117... Pumps n.e.c., specially designed for use in the processing of petroleum, petrochemicals, natural gas or their fractions.

77117... Pumps, n.e.c., having all flow-contact surfaces made of or lined with any of the materials specified.¹

77119... Parts and accessories, n.e.c., specially fabricated for pumps included above under Schedule B Nos. 77101, 77103, 77105, 77107, and 77117.

77125... Heat exchangers having all flow-contact surfaces made of or lined with any of the materials specified;¹ and specially fabricated parts and accessories, n.e.c.

77450... Pipe valves, iron or steel, specially designed for use in the processing of petroleum, petrochemicals, natural gas or their fractions.

77450... Pipe valves, iron or steel, having all flow-contact surfaces made of or lined with any of the materials specified.¹

77455... Pipe valves, brass, bronze or other nonferrous metals, specially designed for use in the processing of petroleum, petrochemicals, natural gas or their fractions.

77455... Pipe valves, brass, bronze or other nonferrous metals, having all flow-contact surfaces made of or lined with any of the materials specified.¹

77460... Automatic control or regulating pipe valves specially designed for use in the processing of petroleum, petrochemicals, natural gas or their fractions.

Department
of Commerce
Schedule B
No.

77460... Automatic control or regulating pipe valves having all flow-contact surfaces made of or lined with any of the materials specified.¹

77465... Pipe valves, n.e.c., having all flow-contact surfaces made of or lined with any of the materials specified.¹

77567... Nonelectric industrial furnaces (heaters) of the following types: (a) cylindrical having a suspended deflecting cone, or (b) radiant wall employing multiple independently controlled ceramic cup burners.

77570... Parts and accessories, n.e.c., specially designed for the furnaces (heaters) included above under Schedule B No. 77567.

77582... Mixing and blending machines and specially fabricated parts and accessories, n.e.c., having all flow-contact surfaces made of or lined with any of the materials specified.¹

77585... Fractionating columns as follows: (a) having, or having provisions for, 25 or more trays, or (b) having all flow-contact surfaces made of or lined with any of the materials specified;¹ and specially fabricated parts and accessories, n.e.c.

77585... Other processing vessels, non-mixing, n.e.c., having all flow-contact surfaces made of or lined with any of the materials specified;¹ and specially fabricated parts and accessories, n.e.c.

77588... Separators and collectors, industrial process types, n.e.c., and specially fabricated parts and accessories, n.e.c., having all flow-contact surfaces made of or lined with any of the materials specified.¹

77599... Pulsation dampeners, and specially fabricated parts and accessories, n.e.c., having all flow-contact surfaces made of or lined with any of the materials specified.¹

This amendment shall become effective April 15, 1964.

(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. 64-3709; Filed, Apr. 14, 1964; 8:50 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 8592]

PART 13—PROHIBITED TRADE PRACTICES

Friestan Products, Inc., et al.

Subpart—Advertising falsely or misleadingly: § 13.155 Prices: § 13.155-10 Bait. Subpart—Misrepresenting oneself and goods—Prices: § 13.1779 Bait.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Friestan Products, Inc., et al., Philadelphia, Pa., Docket 8592, Mar. 27, 1964]

In the Matter of Friestan Products, Inc., a Corporation, as Friestan Products, and Friestan Distributors, and Morris Friedman and Edwin Hass, Individually and as Officers of Said Corporation

Order requiring Philadelphia sellers of home improvement materials to the public to cease representing in newspaper and other advertising and by statements of their salesmen, that they were offering storm-screen windows at bargain prices when the purported offers were not bona fide but were made to obtain leads to prospects who were then pressured to purchase different and more expensive storm-screen windows.

The order to cease and desist is as follows:

It is ordered, That respondent Friestan Products, Inc., a corporation, trading as Friestan Products, and Friestan Distributors, or under any other name or names, and its officers, and Morris Friedman and Edwin Hass, individually and as officers of said corporation, and respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of storm-screen windows, or any other merchandise in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using in any manner, a sales plan, scheme or device wherein false, misleading or deceptive statements or representations are made in order to obtain leads or prospects for the sale of merchandise or services.

2. Discouraging the purchase of, or disparaging, any merchandise or services which are advertised or offered for sale.

3. Representing, directly or indirectly, that any merchandise or services are offered for sale when such offer is not a bona fide offer to sell said merchandise or services.

By "Decision of the Commission", etc., order requiring report of compliance is as follows:

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

Issued: March 27, 1964.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 64-3668; Filed, Apr. 14, 1964; 8:45 a.m.]

[Docket No. C-726]

PART 13—PROHIBITED TRADE PRACTICES

Guarantee Reserve Life Insurance Company of Hammond

Subpart—Advertising falsely or misleadingly: § 13.260 Terms and conditions: 13.260-40 Insurance coverage.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Guarantee Reserve Life Insurance Company of Hammond, Hammond, Ind., Docket C-726, Mar. 25, 1964]

Consent order requiring a health and accident insurance company with headquarters in Hammond, Ind., to cease misrepresenting the cost, coverage, benefits and conditions of their policies, in circulars, folders and other advertising material disseminated throughout the various states.

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

It is ordered, That respondent Guarantee Reserve Life Insurance Company of Hammond, a corporation, and its officers, agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of any insurance policy or policies, in commerce, as "commerce" is defined in the Federal Trade Commission Act, except in those States where respondent is licensed and regulated by State law to conduct the business of insurance, do forthwith cease and desist from:

A. Representing, directly or by implication:

1. That, for a payment of three cents or any other amount, respondent will issue a policy which will provide indemnification for loss due to sickness and accident for a period of thirty days, or any other length of time, when such policy specifies that any of such benefits shall not accrue until the policy has been in force for thirty days, or such other length of time, from date of issuance.

2. That a policy provides for indemnification for accidental disablement in all instances where the insured is traveling on a train or in a private automobile or as a pedestrian when said policy contains exceptions and limitations concerning the conditions of such travel under which no payment will be made.

3. That a policy provides for indemnification for sickness or disease for a greater length of time or in a greater amount than is actually specified in the policy.

4. That a policy provides for indemnification for all accidental loss of life, hands, feet, eyes or any other part or parts of the body, when such policy provides that no payment will be made for more than one of such losses resulting from any one accident.

5. That a policy provides for indemnification for the death of the insured from any cause when said policy provides that no payment shall be made if the insured commits suicide within a specified time from the date of the policy.

6. That a policy is noncancellable or guaranteed renewable without reduction in benefits for a certain length of time when said policy provides that the benefits therein may be reduced before the said length of time expires.

B. Representing, directly or by implication:

1. That any policy may be continued in effect indefinitely or for many stated period of time unless full disclosure of

any reduction in benefits or any other such provision, condition or limitation contained in the policy is made conspicuously, prominently and in sufficiently close conjunction with the representation as will fully relieve it of all capacity to deceive.

2. That any policy provides for indemnification against disability or loss due to sickness, disease, accident or death, in any amount or for any period of time, unless a statement of all the conditions, exceptions, restrictions and limitations affecting the indemnification actually provided is set forth conspicuously, prominently and in sufficiently close conjunction with the representation as will fully relieve it of all capacity to deceive.

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

Issued: March 25, 1964.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 64-3669; Filed, Apr. 14, 1964; 8:45 a.m.]

Title 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans Administration PART 1—GENERAL PROVISIONS

Ex Parte Communications

In § 1.774, paragraph (e) is added to read as follows:

§ 1.774 Miscellaneous provisions.

(e) *Ex parte communications.* Any communication between a Board member or employee and a party to a proceeding before the Board respecting the merits of such proceeding, which is not made in the presence of, or communicated to, any other party to the proceedings, with a full opportunity on their part to respond, is prohibited. Any communication respecting the merits of any pending appeal, other than those specifically mentioned hereinabove in these regulations, will be in writing with copy simultaneously supplied by the communicant to any other party thereto who shall be afforded a period of 15 calendar days from the date of receipt thereof to file a response, which, with the incoming communication, shall be made a part of the appeal file [Rule 22].

(Secs. 1, 2, 68 Stat. 81, 72 Stat. 1114; 38 U.S.C. 210, 41 U.S.C. 321, 322)

This VA regulation is effective upon publication in the FEDERAL REGISTER.

Approved: April 9, 1964.

By direction of the Administrator.

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

[F.R. Doc. 64-3689; Filed, Apr. 14, 1964; 8:46 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

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

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 3382]

[Montana 063128]

HELENA NATIONAL FOREST, MONTANA

Addition of Lands

By virtue of the authority vested in the Secretary of the Interior by the Act of July 9, 1962 (76 Stat. 140; 43 U.S.C. 315g-1), it is ordered as follows:

The following-described lands within the exterior boundaries of the Helena National Forest are hereby added to and made a part of that forest, subject to existing valid rights, and hereafter shall be subject to all laws and regulations applicable to such national forest:

PRINCIPAL MERIDIAN

T. 8 N., R. 4 E.,
Sec. 18, lot 1 and NE $\frac{1}{4}$ NW $\frac{1}{4}$.

Containing approximately 74 acres.

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

APRIL 9, 1964.

[F.R. Doc. 64-3676; Filed, Apr. 14, 1964;
8:46 a.m.]

[Public Land Order 3383]

[Oregon 014284]

OREGON

Power Site Cancellation No. 203. Partly Cancelling Power Site Classification No. 426 of July 25, 1952

By virtue of the authority contained in the Act of March 3, 1879 (20 Stat. 394; 43 U.S.C. 31), and in section 24 of the Act of June 10, 1920 (41 Stat. 1075; 16 U.S.C. 818), as amended, it is ordered as follows:

1. The order of the Geological Survey, dated July 25, 1952, creating Power Site Classification No. 426, is hereby cancelled so far as it affects the following-described land in Oregon:

WILLAMETTE MERIDIAN

T. 5 N., R. 28 E.,
Sec. 12, lots 9, 10, 11 and 12.

Containing approximately 120 acres.

2. The land is situated in Umatilla County. Topography is rough and rocky.

3. Until 10:00 a.m. on June 16, 1964, the State of Oregon shall have a preferred right of application for the reservation to the State or to any of its political subdivisions, under any statute or regulation applicable thereto, of any of the lands required for a right-of-way for a public highway or as a source of materials for the construction and maintenance of such highways, in accordance with the provisions of section 24 of the Federal Power Act, June 10, 1920, supra. Thereafter the lands shall become subject to application, petition, and selec-

tion generally, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications except preference right applications from the State, received at or prior to 10:00 a.m. on June 16, 1964, shall be considered as simultaneously filed at that time.

4. The lands have been open to applications and offers under the mineral leasing laws and to location under the United States mining laws, subject to the provisions of the Act of August 11, 1955 (69 Stat. 682; 30 U.S.C. 621).

5. The State of Oregon has waived the preference right granted to certain States by the Act of August 27, 1958 (72 Stat. 928; 43 U.S.C. 851, 852).

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

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

APRIL 9, 1964.

[F.R. Doc. 64-3677; Filed, Apr. 14, 1964;
8:46 a.m.]

[Public Land Order 3384]

ALASKA

Partly Revoking Certain Executive Orders

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

1. The Executive order of June 13, 1899, and Executive Order No. 4131 of January 22, 1925, which withdrew lands in connection with the Fort Egbert Military Reservation, are hereby revoked so far as they affect the following-described lands:

[Fairbanks 027725]

EAGLE AREA

Beginning at a point on the northern boundary of U.S. Survey No. 353, Eagle Townsite, distant 1308 feet from Corner No. 1 of said Survey No. 353; thence N. 21°57' W. 470 feet; thence N. 68°03' E. 300 feet; thence N. 21°57' W. 255 feet; thence S. 68°03' W. 735 feet; thence N. 21°57' W. 300 feet; thence S. 68°03' W. 300 feet; thence S. 21°57' E. 450 feet; thence S. 68°03' W. 225 feet; thence S. 21°57' E. 575 feet; thence N. 68°03' E. 960 feet to the point of beginning.

The tract described contains approximately 19 acres of nonpublic land.

2. Executive Order No. 1194 of April 26, 1910, so far as it withdrew a tract of land at Circle, Alaska, for educational purposes, described by metes and bounds, and now more particularly described as follows, is hereby revoked:

[Fairbanks 030964]

CIRCLE AREA

U.S. Survey 2240.

Containing 1.57 acres.

3. Until 10:00 a.m. on July 9, 1964, the State of Alaska shall have a preferred right to select the land described in paragraph 2 of this order as provided by the Act of July 28, 1956 (70 Stat. 709; 48 U.S.C. 46-3b), and section 6(g) of the Alaska Statehood Act of July 7, 1958 (72

Stat. 339), and the regulations in 43 CFR Part 76. This order shall not otherwise become effective to change the status of the lands until 10:00 a.m. on July 9, 1964. At that time the land shall be open to the operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications except preference right applications from the State received at or prior to 10:00 a.m. on July 9, 1964 shall be considered as simultaneously filed at that time.

Inquiries should be addressed to the Manager, Land Office, Bureau of Land Management, Fairbanks, Alaska.

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

APRIL 9, 1964.

[F.R. Doc. 64-3678; Filed, Apr. 14, 1964;
8:46 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 2—FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS; GENERAL RULES AND REGULATIONS

Miscellaneous Amendments

The Commission having under consideration the desirability of making certain editorial changes in Part 2, Subpart G of its rules and regulations; and

It appearing, that the amendments adopted herein are editorial in nature, and, therefore, prior publication of notice of proposed rule making under the provisions of section 4 of the Administrative Procedure Act is unnecessary, and the amendments may become effective immediately; and

It further appearing, that the amendments adopted herein are issued pursuant to authority contained in sections 4(i), (5) (d) (1) and 303(r) of the Communications Act of 1934, as amended, and § 0.341(a) of the Commission's rules;

It is ordered, This 10th day of April 1964, that effective April 20, 1964, Part 2, Subpart G is amended as set forth below.

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interpret or apply sec. 303, 48 Stat. 1082, as amended; sec. 5, 66 Stat. 713; 47 U.S.C. 303, 155)

Released: April 10, 1964.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

1. Section 2.601 is amended to read as follows:

§ 2.601 General.

This subpart is corrected to April 1, 1964. The Commission does not distribute copies of these documents. Inquiry may be made to the U.S. Government Printing Office concerning availability for purchase.

2. In § 2.603, paragraphs (a) and (c) are amended by the addition of the following new entries in chronological sequence.

§ 2.603 Treaties and other international agreements relating to radio.

(a) * * *

| | | |
|-----------|-----------|--|
| 1963..... | TIAS 5483 | United States-Colombia Agreement regarding Radio Communications between Amateur Stations on Behalf of Third Parties. Effected by exchange of notes at Bogota Nov. 16 and 29, 1963. Entered into force Dec. 29, 1963. |
|-----------|-----------|--|

(c) * * *

| | | |
|-----------|--|---|
| 1963..... | | Partial Revision of the Radio Regulations (Geneva, 1959) with Annexes, Resolutions and Recommendations. Signed at Geneva Nov. 8, 1963. Shall enter into force Jan. 1, 1965. |
|-----------|--|---|

[F.R. Doc. 64-3703; Filed, Apr. 14, 1964; 8:48 a.m.]

Title 50—WILDLIFE AND FISHERIES

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

SUBCHAPTER F—FEDERAL AID TO STATES IN FISH AND WILDLIFE RESTORATION

PART 80—RESTORATION OF GAME BIRDS, FISH AND MAMMALS

Equal Employment Opportunity

Pursuant to the authority vested in the Secretary of the Interior by section 10 of the Federal Aid in Wildlife Restoration Act, as amended (50 Stat. 919; 16 U.S.C. 669i) and by section 10 of the Federal Aid in Fish Restoration Act, as amended (64 Stat. 434; 16 U.S.C. 777i), § 80.21 of Title 50, Code of Federal Regulations, is amended as set forth below. The purpose of this amendment is to make the equal employment opportunity

No. 74—2

provisions of Executive Order 11114 applicable to each project agreement entered into by the Bureau of Sport Fisheries and Wildlife.

In order to assure timely execution of the Bureau's functions under Executive Order 11114, notice and public procedure on this amendment have been deemed impracticable and the amendment shall become effective at the beginning of the day on which it is published in the FEDERAL REGISTER.

The heading and text of § 80.21 are amended to read as follows:

§ 80.21 Equal employment opportunity.

Each project agreement shall contain the equal employment opportunity provisions of Executive Orders 10925 (26 F.R. 1977) and 11114 (28 F.R. 6485), and as they may be amended.

STEWART L. UDALL,
Secretary of the Interior.

APRIL 9, 1964.

[F.R. Doc. 64-3683; Filed, Apr. 14, 1964; 8:46 a.m.]

Proposed Rule Making

FEDERAL AVIATION AGENCY

[14 CFR Part 75 [New]]

[Airspace Docket No. 64-WA-16]

JET ROUTE

Proposed Alteration

The Federal Aviation Agency (FAA) is considering an amendment to Part 75 [New] of the Federal Aviation Regulations, the substance of which is stated below.

Jet Route No. 10 is presently aligned in part from the Farmington, N. Mex., VORTAC to the Denver, Colo., VORTAC. The FAA proposes to alter this segment by realigning it from the Farmington VORTAC via the Gunnison, Colo., VORTAC to the Denver VORTAC. Such action would provide more precise navigational guidance on this segment. There would be no requirement for the designation of the Gunnison VORTAC as a compulsory reporting point.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Airspace Regulations and Procedures Division, Federal Aviation Agency, Washington, D.C., 20553. All communications received within thirty days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Airspace Regulations and Procedures Division. Any data, views or arguments presented during such conference must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Federal Aviation Agency, Office of the General Counsel: Attention Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553.

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 April 8, 1964.

H. B. HELSTROM,
*Acting Chief, Airspace Regulations
and Procedures Division.*

[F.R. Doc. 64-3665; Filed, Apr. 14, 1964;
8:45 a.m.]

[Airspace Docket No. 64-WA-21]

JET ROUTES

Proposed Alteration

The Federal Aviation Agency (FAA) is considering an amendment to Part 75

5168

[New] of the Federal Aviation Regulations, the substance of which is stated below.

Jet Route Nos. 70 and 90 are presently aligned in part from the Seattle, Wash., VORTAC via the intersection of the Seattle VORTAC 091° and the Mullan Pass, Idaho, VOR 269° radials to the Mullan Pass VOR. The FAA proposes to alter these segments of J-70 and J-90 by realigning them via the Ephrata, Wash., VOR. Further, J-90 is presently aligned in part from the Mullan Pass VOR to the Billings, Mont., VORTAC. The FAA proposes to realign this segment of J-90 via the Helena, Mont., VOR. These actions would provide more precise navigational guidance on these jet route segments. There would be no requirement to designate the Ephrata and Helena VORs as compulsory reporting points.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Airspace Regulations and Procedures Division, Federal Aviation Agency, Washington, D.C., 20553. All communications received within thirty days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Airspace Regulations and Procedures Division. Any data, views or arguments presented during such conference must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Federal Aviation Agency, Office of the General Counsel: Attention Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553.

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 April 8, 1964.

H. D. HELSTROM,
*Acting Chief, Airspace Regulations
and Procedures Division.*

[F.R. Doc. 64-3666; Filed, Apr. 14, 1964;
8:45 a.m.]

[Airspace Docket No. 64-WA-22]

JET ROUTE

Proposed Designation

The Federal Aviation Agency (FAA) is considering an amendment to Part 75 [New] of the Federal Aviation Regulations, the substance of which is stated below.

The FAA proposes to designate a jet route from the Memphis, Tenn., VORTAC via the Chattanooga, Tenn., VORTAC to the Spartanburg, S.C., VORTAC. Such action would provide an alternate route between Memphis and the Washington, D.C., and New York City, N.Y., metropolitan areas, which would be beneficial during inclement weather or unfavorable wind conditions on existing routes.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Airspace Regulations and Procedures Division, Federal Aviation Agency, Washington, D.C., 20553. All communications received within thirty days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Airspace Regulations and Procedures Division. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Federal Aviation Agency, Office of the General Counsel: Attention Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553.

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 April 8, 1964.

H. B. HELSTROM,
*Acting Chief, Airspace Regulations
and Procedures Division.*

[F.R. Doc. 64-3667; Filed, Apr. 14, 1964;
8:45 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[17 CFR Part 240]

[Release 34-7290]

NATIONAL SECURITIES EXCHANGES

Restriction of Floor Trading

The Securities and Exchange Commission announced that it has under consideration a proposal to adopt a rule under the Securities Exchange Act of 1934 ("Exchange Act") and particularly sections 11(a) and 23(a) thereof to limit or restrict floor trading on national securities exchanges. In releasing the text of the proposed rule, the Commission invited views and comments of the securities industry and of any interested groups

or persons. The rule makes provision for exemption of smaller national securities exchanges where the volume of floor trading is not substantial.

"Floor trading" is trading by members of national securities exchanges for their own account while personally present on the trading floor of an exchange. For reasons explained below the discussion will relate primarily to floor trading on the New York Stock Exchange.

The functions of members participating in execution of securities transactions on the floor of the New York Stock Exchange ("Exchange") are of three types: specialists, floor brokers, and odd-lot dealers and their associate brokers. The rules of the Exchange permit members of all three types to also engage in floor trading. In his capacity as a floor trader, the member's role is unique, for it is only in that capacity that he is not assigned, and does not assume, any responsibility in the handling of orders on the Exchange. Floor brokers and specialists must meet fiduciary standards of behavior in executing agency orders. Odd-lot dealers acting through their associate brokers on the floor consider themselves obligated to fill every odd-lot order placed with them. Specialists must, in certain situations, buy stock or sell stock. The actions of a member as a floor trader are dictated only by his personal desire to trade profitably, for his own account, on the floor of the Exchange.

At the present time, there are over 400 members of the Exchange who engage intermittently in floor trading. Of these, there are approximately 35 members of the New York Stock Exchange whose primary activity is floor trading. The number of members predominantly engaged in floor trading has remained fairly constant over the years but since 1950 the number of casual floor traders has shown a significant increase. The volume of floor trading, on the other hand, has declined since 1937 from 61 million shares to 44.7 million shares in 1961, or from 6.8 percent of total Exchange purchases and sales to 2.1 percent. At the same time, studies have consistently shown that floor trading is concentrated in the more active stocks. Thus, in certain stocks floor trading has amounted to over 35 percent of total reported volume on selected days; during shorter periods, floor traders have, on occasion, participated in virtually every transaction in particular stocks.

The proposed rule would restrict floor trading by a member of a national securities exchange for any account in which he has an interest or in which he is vested with more than the usual broker's discretion by prohibiting such trading unless it comes under specified exemptions or conditions. The proposed rule would exempt transactions of specialists and odd-lot dealers in the performance of their respective functions. Bona fide arbitrage transactions and stabilizing transactions effected in connection with the distribution of securities would be exempted. Certain other transactions effected with the approval of a floor official to assist in maintaining a fair and

orderly market would also be exempted. Finally the proposed rule exempts transactions effected in conformity with a plan which is designed to eliminate floor trading activities not beneficial to the market adopted by an exchange and approved by the Commission.

The Commission's proposal is directed solely to the question of floor trading and is not concerned with the issue of off-floor trading generally, except where off-floor trading is employed to evade the floor trading restrictions. Furthermore, the Report of the Special Study of Securities Markets made no recommendation in the area of segregation, i.e., that members be prohibited from both dealing in stocks, and acting as brokers, and the Commission is not considering any such proposals.

In view of the interest which has been expressed in this matter, it seems appropriate to provide some explanation of the background of the proposal.

Legislative history. In section 2 of the Exchange Act Congress found it "necessary to provide for regulation and control" of securities transactions and related practices and "to make such regulation and control reasonably complete and effective, in order to * * * insure the maintenance of fair and honest markets * * *." Particular evils at which such regulation was to be directed as set forth in Section 2 were manipulation, excessive speculation and sudden and unreasonable fluctuations in the prices of securities. Goals sought to be obtained are "fair dealing," "a fair and orderly market" and such regulation as is "necessary or appropriate in the public interest or for the protection of investors."¹ To this end, manipulation and the use of manipulative and deceptive devices are defined and prohibited, and excessive trading by members and the activities of certain classes of members are subjected to regulation. It is in the context of these evils and these objectives that the Commission views its duties and responsibilities in respect to floor trading.

Trading by members of exchanges for their own account was a matter which particularly concerned Congress in its consideration of the legislation in 1934. As enacted, that statute included in section 11(a) the following broad grant of authority to the Commission:

SECTION 11. (a) The Commission shall prescribe such rules and regulations as it deems necessary or appropriate in the public interest or for the protection of investors, (1) to regulate or prevent floor trading by members of national securities exchanges, directly or indirectly for their own account or for discretionary accounts * * *.

Earlier drafts of the legislation contemplated complete segregation of the function of broker and dealer and, as an incident thereto, major modifications in the specialist system and the complete prohibition of floor trading. Congressional attention in this area was primarily focused upon the first two of these propositions, and the legislative history with respect to the treatment of floor

trading in the statute is scant. Testimony by proponents of the legislation noted the special advantages enjoyed by floor traders because of their presence on the floor, their tendency to trade with the trend, and the conflicts of interest involved in acting as both a floor trader and commission broker. In defense of floor trading it was argued that the practice contributed to the maintenance of continuous and liquid markets. Thus the theme was set for subsequent discussions of the problem.

The reason for the ultimate decision to vest responsibility in the Commission to regulate or to prohibit floor trading was stated by Congressman Lea on the floor as follows:

When we came to the question of the broker and the dealer, a good deal of controversy was involved as to what control should be established; whether or not these positions should be separated; whether or not we would permit a man to act in the capacity of both broker and dealer; whether or not we should permit floor trading or permit specialists to be on the floor; and other problems.

In attempting to deal with these questions I am candid to admit that the committee proposed to confer a large regulatory power on the regulatory Commission.

There were two reasons for this: the first was that we recognized we are not experts and tried to act with a caution becoming our inexperience. Where in doubt as to what should be done, we thought it better to resolve the doubt in favor of maintaining the present business practices than to establish some fixed rule that might prove unfortunate. In the second place, where we gave the regulatory Commission the power, it would be a flexible power. If the Commission finds a mistake has been made, it can readily change its rules to more favorable ones and thus accomplish the purposes of Congress. (78 Cong. Rec. 7862 (1934))

The reasons for vesting in the Commission the responsibility to regulate or prohibit floor trading were thus essentially two-fold: lack of experience with these problems on the part of Congress, and the need for flexibility. In view of this legislative history, the Commission regards this provision of the Exchange Act as a mandate to attempt regulation of floor trading; but if such regulation does not accomplish the statutory purposes, the alternative, expressly provided by Congress, is prohibition.

Objections to, and defense of, floor trading. Orders to buy and sell securities flow through commission houses to the floor of the Exchange from buyers and sellers in all parts of the world. The Exchange holds itself out as, and in general is, an efficient and effective mechanism for the orderly execution of these orders. It maintains a specialist system designed to provide reasonable price continuity and to maintain a fair and orderly market in each issue traded. The floor trader, however, by his short-swing speculations frequently interferes with the orderly execution of public brokerage orders in a normal fashion through the facilities provided for that purpose by delaying consummation of a public transaction or causing it to be executed at a different price than it otherwise would, to the detriment of one or the other of the public customers involved. Floor traders, to the extent that they engage in destabilizing transactions,

¹ See Exchange Act, section 6(d), section 11, and section 19(b); See also Report of the Special Study of Securities Markets, Pt. 2, pp. 13ff.

make it more difficult for the specialist to perform his functions. The public has no way of knowing the impact of floor traders' activities on the functioning of the market generally or in particular securities.

The potential harmful effect of the floor trader upon prices and, in some instances, upon the volume of trading in a security stems from his central position in the market place, his freedom from obligations such as those to which the specialist is committed, his mobility on the floor, and his agility in the actual trading process.

In pursuance of the Congressional mandate the Commission has since 1934 performed studies of floor trading on at least 15 occasions. The most comprehensive were those conducted in 1936, 1945, and, most recently, in 1962-63 by the Special Study of Securities Markets (Pt. 2, pp. 203-242).

Commission studies make it clear that floor trading possesses special characteristics which result from floor traders' presence on the floor. From this strategic position, trading activity may be observed minutes before it appears on the tape, and bids or offers may be made or withdrawn in a matter of seconds. In addition, presence on the floor carries with it the benefit of what has been termed the "feel of the market"—a heightened sense of market tenor and trend. This is attributable, among other things, to the exchange of observations among floor members, and familiarity with the trading techniques of specialists or floor brokers, with a resulting ability to foresee short-term market movements by informed observation of the activities of other persons on the floor.

This position has important consequences. Being first on the scene as a market movement commences, the floor trader can buy stock quicker and at a lower price, or sell it quicker and at a higher price. This, of course, is done at the expense of some members of the public.

It is thus apparent that the floor trader enjoys certain advantages over public investors as well as other professionals not on the floor. A question consequently arises as to the extent to which the floor trader's ability to exploit these advantages must be restricted in order to meet the statutory objective of "fair and honest markets" and its strictures against sudden and unreasonable fluctuations in securities prices.

There is inherent in floor trading an opportunity and an incentive to engage in a course of conduct which is inconsistent with the statutory purposes and scheme. For example, a floor trader, familiar with the fact that certain commission brokers handle a large number of orders and do not execute them all at once, can anticipate from their appearance in the market that further substantial buying is forthcoming; and, it is extremely doubtful whether trading on this information, which is unavailable to the investing public, is consistent with "fair dealing" or with the anti-fraud provisions of Rule 10b-5 under the Exchange Act (17 C.F.R. 240.10b-5).

Where floor traders rush to a security in which buying exists or is anticipated,

and, by a succession of purchases at rising prices, interspersed with those of the public, arouse and capitalize upon public reaction to the activity shown on the tape, the consequences are hardly distinguishable from those of a manipulation, whether or not a violation of Section 9 of the Exchange Act is intended or can be established. Similar questions arise where he trades in anticipation of the rally which is apt to follow the "clean up" of a large sell order overhanging the market.

Evidence in the Commission's possession indicates that such conduct does occur and, indeed, a substantial number of members on the floor have complained of such activities. In the nature of things, it is impossible to determine how often these things happen. But, as noted, the opportunity and incentive for such conduct is inherent in floor trading; and, while the Exchange endeavors to prevent such abuses, its efforts to do so have not been successful. Indeed, under present concepts of floor trading, these efforts could hardly be expected to be successful except perhaps by an inordinate expenditure of time and money.

These problems are compounded where commission brokers handling public orders simultaneously engage in floor trading. A conflict of interest at once arises between the commission broker's duty of fidelity to his customer and his opportunity to personally profit from his customer's investment decisions—perhaps at the customer's expense. Floor trading may also distract brokers, as well as specialists, from the performance of their responsibilities. This conflict has been recognized in an exchange rule which prohibits a member from trading for his own account in a security if he has an unexecuted customer's market order in that security, and by member firms which have restricted or prohibited floor trading by their floor members. The exchange rule and the voluntary action of some firms do not insure that the floor broker's duty of fidelity to his customer is not compromised by his own floor trading activity.

Floor trading has been defended on the grounds that added market liquidity and continuity have been a beneficial by-product of the presence of professionals on the floor. The exchanges have suggested that this advantage to the market as a whole more than outweighs the possible injury to public investors. Commission studies, however, demonstrate, first, that added liquidity standing alone cannot justify floor trading that is otherwise harmful and, secondly, that floor trading actually tends to have a destabilizing influence on prices. Studies have shown that floor traders are generally buyers in rising markets and sellers in declining markets, with respect to both the market as a whole and to individual stocks. Their trading, as a result, has been found to be inimical to the orderly functioning of the market, tending to accentuate price movements. These studies also have consistently found that floor trading is heavily concentrated in the active stocks, where additional liquidity is least needed. In addition, the maintenance of orderly markets and continuity is the responsi-

bility of the Exchange, which it has implemented by placing affirmative obligations on the specialist.

It was recognized in the Report of the Special Study and again in the report of a consultant retained by the Exchange to study floor trading, that on occasion certain floor traders provide a useful service in the auction market. This service is mainly in the area of providing capital on the floor of the Exchange to aid in the orderly assimilation and liquidation of large blocks of securities without disruption of the auction market. Also, on other occasions, certain floor traders are willing to commit capital to aid in situations where there is temporary imbalance between supply and demand for a stock. These functions are mainly assumed by a small group of well-capitalized traders who are in a position to commit substantial capital for a period of time. However, the Exchange has neither placed any obligation on floor traders to assume these functions which are only voluntarily performed from time to time nor has it restricted floor trading to those members who are most likely to perform these useful functions.

The regulation of floor trading. The history of regulation of floor trading on the New York Stock Exchange under the Exchange Act is described in some detail in the Report of the Special Study of Securities Markets (Pt. 2, pp. 226-237). The following is a summary of certain salient aspects of that history.

Over the years since the enactment of the Exchange Act, the Commission has relied upon rules adopted by the Exchange to regulate and control floor trading rather than adopting its own rules. In 1935, the Commission suggested that the exchanges adopt certain rules to regulate floor trading. The reasons given for this choice were the desire to encourage flexibility in the administration of the rules and to facilitate adaptation of the regulation to varying conditions on the several exchanges.²

When, in 1936, the Commission evaluated the functioning of floor trading, it concluded that, notwithstanding the existence of exchange rules, the undesirable characteristics of floor trading persisted. It was determined, however, not to abolish floor trading but to strengthen its regulation by additional rules. One of these proposals would have required a complete segregation of floor trading from the floor brokerage function. This proposal was not carried into effect.³

The next major evaluation of floor trading occurred in 1945. Following a comprehensive study, the Division of Trading and Exchanges filed with the Commission a report made public on January 16, 1945. This report found that the evils of floor trading persisted; that floor traders enjoyed a "formidable" advantage over the general public; that

² Report on the Feasibility and Advisability of the Complete Segregation of the Functions of Dealer and Broker, p. 60, 1936.

³ The other proposal, adopted in 1937, called the "daylight margin" rule, required each member to have on deposit each night an amount equal to the margin required to carry the maximum position assumed during the day.

floor trading distracted brokers from their duties to the public; and that floor traders traded with the trend and were a destabilizing influence. This report also concluded that the existing exchange rules were ineffective to meet the problem and that the only adequate solution was complete prohibition of floor trading.⁴

The Commission tentatively determined to abolish floor trading in August 1945, but after considering the matter and holding conferences with the Exchange, it determined not to abolish floor trading in light of repeated assurances that the exchanges would develop effective self-regulation of this activity. The Commission said:

We have reviewed the information available to us from the sources just described, including the discussions subsequent to the conference of May 16, and are satisfied that floor trading as now conducted gives an undue advantage to floor traders over the public; that frequently it accelerates market movements and accentuates fluctuations in particular securities or groups of securities; and that more often than not it detracts from the stability of the market. We are convinced that it is essential to make effective as soon as practicable regulation that will minimize or eliminate those influences of floor trading which impair the stability of the market.

The New York Stock Exchange has urged us, in lieu of abolishing floor trading at this time, to afford it the opportunity to apply certain regulations which it believes will minimize the undesirable features of floor trading, yet preserve certain asserted benefits. The New York Curb Exchange has expressed its desire to put similar rules into effect * * * We propose to give (the exchanges) that opportunity * * * If at any time it becomes evident to us that the Exchanges' rules either in the form now proposed, or as they may be modified, are inadequate for the effective regulation of floor trading, we shall reconsider the recommendations of our staff, or any appropriate modification of those recommendations, and take such action as, in our opinion, will provide an adequate solution of the problems created by floor trading.

Shortly after this statement the Exchange adopted rules designed to meet the problem. Two of these rules, Rule 108 dealing with parity or precedence and Rule 109 prohibiting "stopping" of stock for floor traders, have continued in effect substantially unchanged. The more important rule, now Rule 110, has undergone a steady process of amendment and erosion which is described in the Report of the Special Study (Pt. 2, pp. 233-237).⁵

Although various Commission staff studies between 1945 and 1961 reported critically upon floor trading practices, the next major evaluation was the Report of the Special Study. Certain of

the findings of that Report are summarized above under the heading "Objections to, and Defenses of, Floor Trading". The Study concluded that the existing regulation of floor trading by the exchanges "has not only been generally ineffective but in a most important respect it has been misdirected;" and that "despite the great variety and complexity of exchange rules experimented with to date * * * floor traders still retain their significant private trading advantages in a public market, continue to concentrate their activities in the more active stocks, and continue to accentuate price movements." The Study recommended that floor trading be prohibited by Commission rule and that the feasibility of utilizing present floor traders as "auxiliary specialists" be explored.⁶

In a letter to the Congress, dated July 23, 1963, the Commission commented on the Special Study's recommendation as follows:

In light of the very serious and basic problems presented by the continuation of floor trading, as brought out by the Report of the Special Study and as evidenced by prior studies, and of the lengthy and apparently unsuccessful efforts to resolve them, the Commission agrees that a rule proposal abolishing floor trading on the New York and American Stock Exchange should be developed, unless those exchanges demonstrate that its continuation would be consistent with the public interest.

From the earliest days of the Commission's administration of the Act to date, the Commission has relied for the regulation of floor trading upon rules adopted by the exchanges. Numerous approaches have been attempted, and rules have been adopted, amended, and repealed.

One salient fact emerges from this history. Notwithstanding its reliance upon exchange rules, there has been no time in the past thirty years when the Commission, which has the statutory responsibility, has been in a position to make a finding that exchange regulation had satisfactorily resolved the problems of floor trading. Not only has the Commission's staff, as a result of numerous studies, consistently concluded that regulation by the Exchange was inadequate, but on the three occasions in 1936, 1945 and 1962 when the Commission formally addressed itself to the matter, it expressed a similar conclusion.

Current developments. After the release of the Report of the Special Study, with the Commission's comment on floor trading, quoted above, the Exchange stated that it wished to take advantage of the opportunity afforded to it by the Commission. In October, 1963, the Exchange retained Cresap, McCormick & Paget, a management consultant firm, to make a study of floor trading. Also a Special Committee of Governors of the

recommended that the board be increased in size and that the active floor members be given greater representation. The committee also recommended that the Exchange make greater efforts in the areas of public relations and advertising. Finally, it proposed that the Exchange repeal certain floor trading rules which it claimed were inhibiting a free market.

⁶Report of the Special Study, Pt. 2, pp. 241-242.

Exchange was appointed to consider the matter. In formulating a response to the Commission, the Special Committee and the Exchange had available to them not only the Report of the Special Study and the Cresap recommendations, but also the factual and analytical materials developed in the course of that firm's study. The Exchange thus had ample basis upon which to formulate a regulatory program which would isolate and preserve the beneficial aspects of floor trading while effectively eliminating its demonstrated abuses.

After the Exchange received the Cresap report on February 14, 1964, copies were made available to the Commission. On March 4 the Exchange presented to the Commission its own proposals. It was the view of the Commission that neither the recommendations of the Cresap report nor the less restrictive proposals submitted by the Exchange represented any new departure or meaningful change in existing practices. The Exchange was informed that its proposals did not recognize the existence of the problems presented by floor trading and constituted only a series of rules little different from those which had been tried at one time or another during the long history of ineffectual regulation.

In the course of formulating its own position the Commission has studied, among other things, the various materials collected by the Cresap firm. These materials included completed questionnaires which the Cresap firm had sent to all members of the Exchange to elicit their firm's policies or practices and their own experiences, observations and comments on floor trading. A study of the answers of these members, as well as statistical data relied on in the report, were useful to the Commission in the formulation of its own program.

In the course of several meetings with the Exchange held between March 9 and March 30, 1964, the Commission staff presented such a program to the Exchange. The alternative approach suggested by the Commission's staff was directed at preserving the benefits of floor trading while controlling and limiting its harmful effects. This approach was based on several concepts. First, floor trading would in effect be restricted to professionals having substantial capital and capable of supplementing the activities of specialists in acquiring or disposing of blocks, thus eliminating the casual, amateur floor trader whose capital was insufficient to enable him to take or maintain any substantial positions. The shortswing trading with the trend done by this type of floor trader has been one of the principal problems of floor trading and makes no contribution to the market. Secondly, the function of floor trading would have to be sufficiently separated from that of acting as a commission broker so that the floor broker's duty of fidelity to his customer's interest would not be compromised by his floor trading activities. Thirdly, in order to minimize the ability of the floor trader to compete with the investing public, floor traders would not be entitled to priority over public orders. In the fourth place, destabilizing transactions by floor

⁴The report concluded that " * * * [a] review of the exchanges' enforcement of these rules over the past 10 years demonstrates that neither these nor any similar rules administered by the exchanges serve to restrain floor trading in the slightest measurable degree."

⁵The relaxation of the floor trading rules coincided with important changes in 1949-50 in the constitution and policies of the Exchange as a result of proposals made by a group of floor members known as the Committee of 17. In general, the committee

traders would be restricted by methods similar to those proposed by the Exchange but with more rigorous standards. Finally, in view of the regulatory history which has seen cycles of regulation followed by erosion of exchange rules, it was deemed essential that any plan be subject to control by the Commission. This would be done through a rule of the Commission under Section 11 of the Exchange Act generally prohibiting floor trading with an exception for trading conducted pursuant to a plan filed by the Exchange and approved by the Commission, which would leave day to day administration and enforcement of the plan to the Exchange. The Exchange initially refused to accept these principles, contending that they would be tantamount to abolition of floor trading.⁷ However, on March 30, Exchange representatives agreed to accept these proposals and on April 2 the Exchange's Board of Governors approved the basic elements of a plan to implement them which would be filed with the Commission under the rule being proposed today.

As described above, the new pattern of regulation falls into two parts. The first is a Commission rule which generally prohibits floor trading on national securities exchanges, except for transactions "effected in conformity with a plan designed to eliminate floor trading activities which are not beneficial to the market." The New York Stock Exchange has agreed to file under the proposed rule a plan which conforms to the proposals set forth by the Commission in the course of discussions held with the Exchange. The essential elements to be contained in the plan are the following:

1. A member activity known as the "registered trader" would be established by the Exchange.

2. Each member registered as a trader would be required to meet an initial minimum capital requirement of \$250,000 over and above the capital required for the member's other activities.⁸ In order to engage in floor trading, members would also be required to show a familiarity with the requirements applicable to registered traders through an appropriate examination.

3. Registered traders would be prohibited from executing brokerage orders and floor trading in the same security during a single trading session.

4. A series of new rules would compel registered traders to conduct their business in a way calculated to contribute to the orderliness of markets and to prohibit them from engaging in transactions which have disruptive effects:

a. Destabilizing acquisitions of a security above the previous day's closing

⁷Letter to Exchange members from G. Keith Funston, President of the NYSE, dated March 14, 1964, on the subject: Discussion with the SEC on Floor Trading.

On March 19, 1964, the Exchange Board of Governors decided to make certain amendments to the floor trading rules of the Exchange. It was the view of the Commission, that these amendments failed to meet the floor trading problem.

⁸If losses in a registered trader's account exceed about \$75,000, additional capital would have to be deposited.

price in such security would be prohibited;

b. At least 75 percent of all registered trader acquisitions and 75 percent of all liquidations (except for liquidations at a loss) would have to meet a "stabilization" test (i.e., purchases below the last different price and sales above the last different price would be considered stabilizing.) This performance test would be computed on a monthly basis;

c. Present Exchange rules which now prohibit members from trading on the floor in such a way as to "dominate" markets in the acquisition of a position would be extended to cover liquidations of positions.

5. Registered traders in the acquisition of positions would have to yield the floor to orders originated off the floor by giving up priority based on time and parity with, or precedence based on size over, such orders, and would also yield precedence based on size when liquidating positions.⁹

6. The Exchange will, within the limits of system capabilities, proceed with the automation of the surveillance of registered traders' transactions as a first step in the automation of the surveillance of all floor activities.

It is the Commission's present judgment that this new program of regulation should preserve the constructive market purposes of floor trading while eliminating its harmful effects. The part-time occasional floor trader, who was responsible for many of the problems in this area, should disappear. According to the Exchange, during the last six months some 420 members engaged in trading on the floor. Under the new program, the Exchange estimates that about 20 to 30 members would register and thereby be eligible to engage in floor trading. Registered traders would not be in a position to use the knowledge of their customers' orders in their trading activities and their ability to compete with the public generally would be substantially curtailed. A high capital requirement would limit floor trading to those members who can supplement the activities of specialists in acquiring and disposing of blocks. Finally, the Exchange's commitment to automate surveillance would insure that the performance standards in the plan are enforced. It is anticipated that the net effect of

⁹Where two or more parties have placed bids (or offers) in a security at the same price, technical rules of the Exchange determine who is entitled to the transaction. These are known as "priority," "precedence," and "parity." "Priority" holds that the bid or offer which is first in time is entitled to the first execution. If all orders were placed simultaneously, or if the party entitled to priority has effected his transaction, the principle of "precedence" becomes determinative, holding that bids (or offers) are to be executed in order of size. All bids for amounts as large or larger than the amount of stock offered are considered of equal size, or on a "parity." These bidders then "match" (flip a coin) to determine who is entitled to the execution. If none of the bids is as large as the amount offered (or no offer as large as the bid) they are executed in order of size, with parties having bids (or offers) of equal size "matching" to determine the order of execution.

such a plan would be to create a small group of professional dealers whose activities should be of maximum assistance to the public in the execution of orders on the Exchange. The Commission will in the course of its program of exchange inspections determine whether the new program has the desired effects.

The American Stock Exchange has also been studying the question of floor trading and has submitted a statement to the Commission. That exchange has requested that the problem of floor trading on its floor be considered separately upon the ground that it believes that the requirements and problems of its market are different from those of other markets. The Commission has determined to grant this request. However, it is of the view that if the American Stock Exchange wishes to continue floor trading, any plan which it devises to meet its own requirements and problems must at the same time eliminate the detrimental aspects of floor trading described above.

Floor trading on regional exchanges in stocks also traded on the major New York exchanges does not appear to influence price movements or involve special advantages. The Commission has not made a study of floor trading in securities traded only on such regional exchanges which account for only a small part of the total volume on most of these exchanges. Under these circumstances, an exemption for floor trading on such exchanges would appear to be warranted at this time.

The text of the proposed rule is as follows:

§ 240.11a-1 Regulation of floor trading.

(a) No member of a national securities exchange, while on the floor of such exchange, shall initiate, directly or indirectly, any transaction in any security admitted to trading on such exchange, for any account in which such member has an interest, or for any account with respect to which such member has discretion as to the time of execution, the choice of security to be bought or sold, the total amount of any security to be bought or sold, or whether any such transaction shall be one of purchase or sale.

(b) The provisions of paragraph (a) of this section shall not apply to:

(1) Any transaction by a specialist in a security in which he is so registered on such exchange;

(2) Any transaction by an odd-lot dealer in a security in which he is so registered on such exchange;

(3) Any stabilizing transaction effected in compliance with § 240.10b-7 (Rule 10b-7) to facilitate a distribution of such security in which such member is participating;

(4) Any bona fide arbitrage transaction;

(5) Any transaction made with the prior approval of a floor official of such exchange to permit such member to contribute to the maintenance of a fair and orderly market in such security; and

(6) Any transaction effected in conformity with a plan designed to eliminate floor trading activities which are not

beneficial to the market and which plan has been adopted by an exchange and declared effective by the Commission. For the purpose of this rule, a plan filed with the Commission by a national securities exchange shall not become effective unless the Commission, having due regard for the maintenance of fair and orderly markets, for the public interest, and for the protection of investors, declares the plan to be effective.

(c) For the purpose of this rule the term "on the floor of such exchange" shall include the trading floor; the rooms, lobbies, and other premises immediately

adjacent thereto; other rooms, lobbies and premises made available primarily for use by members generally; and the telephone and other facilities in any such place.

(d) Any national securities exchange may apply for an exemption from the provisions of this rule under section 11(c) of the Act because of the limited volume of transactions on such exchange. (Secs. 11(a) and 23(a), 48 Stat. 891, 901, as amended, 15 U.S.C. 78k, 78w)

All interested persons are invited to submit their views and comments, on the Commission's proposed rule and the

proposed plan of the New York Stock Exchange, to the Securities and Exchange Commission, Washington, D.C., 20549, on or before May 8, 1964. Except where it is requested that such communications not be disclosed, they will be considered available for public inspection.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

APRIL 8, 1964.

[F.R. Doc. 64-3670; Filed, Apr. 14, 1964;
8:45 a.m.]

Notices

ATOMIC ENERGY COMMISSION

STATE OF FLORIDA

Proposed Agreement for Assumption of Certain AEC Regulatory Authority

Notice is hereby given that the U.S. Atomic Energy Commission is publishing for public comment, prior to action thereon, a proposed agreement received from the Governor of the State of Florida for the assumption of certain of the Commission's regulatory authority pursuant to section 274 of the Atomic Energy Act of 1954, as amended.

A résumé, prepared by the State of Florida and summarizing the State's proposed program, was also submitted to the Commission and is set forth below as an appendix to this notice. Attachments referenced in the appendix are included in the complete text of the program. A copy of the program, including proposed Florida regulations, is available for public inspection in the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., or may be obtained by writing to the Director, Division of State & Licensee Relations, United States Atomic Energy Commission, Washington 25, D.C. All interested persons desiring to submit comments and suggestions for the consideration of the Commission in connection with the proposed agreement should send them in triplicate to the Secretary, U.S. Atomic Energy Commission, Washington 25, D.C., within 30 days after initial publication in the FEDERAL REGISTER.

Exemptions from the Commission's regulatory authority which would implement this proposed agreement, as well as other agreements which may be entered into under section 274 of the Atomic Energy Act, as amended, were published as Part 150 of the Commission's regulations in FEDERAL REGISTER issuance of February 14, 1962; 27 F.R. 1351. In reviewing this proposed agreement, interested persons should also consider the aforementioned exemptions.

Dated at Germantown, Md., this 13th day of April 1964.

For the Atomic Energy Commission,

WOODFORD B. MCCOOL,
Secretary to the Commission.

Proposed Agreement Between the United States Atomic Energy Commission and the State of Florida for Discontinuance of Certain Commission Regulatory Authority and Responsibility Within the State

Whereas, The United States Atomic Energy Commission (hereinafter referred to as the Commission) is authorized under section 274 of the Atomic Energy Act of 1954, as amended (hereinafter referred to as the Act) to enter into agreements with the Governor of any State providing for discontinuance of the regulatory authority of the Commission within the State under chapters 6, 7, and 8, and section 161 of the Act with respect to byproduct materials, source materials, and special nuclear materials in quantities not sufficient to form a critical mass; and

Whereas, The Governor of the State of Florida is authorized under section 290.13 of the Florida Nuclear Code (Chapter 290, Florida Statutes, 1961) to enter into this agreement with the Commission; and

Whereas, The Governor of the State of Florida certified on _____, that the State of Florida (hereinafter referred to as the State) has a program for the control of radiation hazards adequate to protect the public health and safety with respect to the materials within the State covered by this agreement, and that the State desires to assume regulatory responsibility for such materials; and

Whereas, The Commission found on _____, 1963, that the program of the State for the regulation of the materials covered by this agreement is compatible with the Commission's program for the regulation of such materials and is adequate to protect the public health and safety; and

Whereas, The State and the Commission recognize the desirability and importance of cooperation between the Commission and the State in the formulation of standards for protection against hazards of radiation and in assuring that State and Commission programs for protection against hazards of radiation will be coordinated and compatible; and

Whereas, The Commission and the State recognize the desirability of reciprocal recognition of licenses and exemption from licensing of those materials subject to this agreement;

Now, therefore, it is hereby agreed between the Commission and the Governor of the State, acting in behalf of the State, as follows:

Article I. Subject to the exceptions provided in articles II, III, and IV, the Commission shall discontinue, as of the effective date of this agreement, the regulatory authority of the Commission in the State under chapters 6, 7, and 8, and section 161 of the Act with respect to the following materials:

- A. Byproduct materials;
- B. Source materials; and
- C. Special nuclear materials in quantities not sufficient to form a critical mass.

Article II. This agreement does not provide for discontinuance of any authority and the Commission shall retain authority and responsibility with respect to regulation of:

- A. The construction and operation of any production or utilization facility;
- B. The export from or import into the United States of byproducts, source, or special nuclear material, or of any production or utilization facility;
- C. The disposal into the ocean or sea of byproduct, source, or special nuclear waste materials as defined in regulations or orders of the Commission;
- D. The disposal of such other byproduct, source, or special nuclear material as the Commission from time to time determines by regulation or order should, because of the hazards or potential hazards thereof, not be so disposed of without a license from the Commission.

Article III. Notwithstanding this agreement, the Commission may from time to time by rule, regulation, or order, require that the manufacturer, processor, or producer of any equipment, device, commodity, or other product containing source, byproduct, or special nuclear material shall not transfer possession or control of such product except pursuant to a license or an exemption from licensing issued by the Commission.

Article IV. This agreement shall not affect the authority of the Commission under subsection 161 b. or 1. of the Act to issue rules, regulations, or orders to protect the common

defense and security, to protect restricted data or to guard against the loss or diversion of special nuclear material.

Article V. The Commission will use its best efforts to cooperate with the State and other agreement States in the formulation of standards and regulatory programs of the State and the Commission for protection against hazards of radiation and to assure that State and Commission programs for protection against hazards of radiation will be coordinated and compatible. The State will use its best efforts to cooperate with the Commission and other agreement States in the formulation of standards and regulatory programs of the State and the Commission for protection against hazards of radiation and to assure that the State's program will continue to be compatible with the program of the Commission for the regulation of like materials. The State and the Commission will use their best efforts to keep each other informed of proposed changes in their respective rules and regulations and licensing, inspection and enforcement policies and criteria, and to obtain the comments and assistance of the other party thereon.

Article VI. The Commission and the State agree that it is desirable to provide for reciprocal recognition of licenses for the materials listed in article I licensed by the other party or by any agreement State. Accordingly, the Commission and the State agree to use their best efforts to develop appropriate rules, regulations, and procedures by which such reciprocity will be accorded.

Article VII. The Commission, upon its own initiative after reasonable notice and opportunity for hearing to the State, or upon request of the Governor of the State, may terminate or suspend this agreement and reassert the licensing and regulatory authority vested in it under the Act if the Commission finds that such termination or suspension is required to protect the public health and safety.

Article VIII. This agreement shall become effective on _____, 1964, and shall remain in effect unless, and until such time as it is terminated pursuant to article VII.

APPENDIX "A"

RADIATION CONTROL IN THE STATE OF FLORIDA

I. Introduction. The radiation control program of the State is designed to regulate all sources of radiation other than those for which regulatory responsibility is to be retained by the U.S. Atomic Energy Commission. As the term "radiation sources" is used hereinafter in this narrative, it is intended to mean those sources under the control of the State. The sources are divided into two major categories: radioactive materials and radiation machines. Radioactive materials, including radium, are to be regulated under a licensing program similar to the existing program of the U.S. Atomic Energy Commission, requiring possession of a license prior to acquisition or use of such materials. Radiation machines will be subject to a registration program involving the reporting of information by the registrant and the right of inspection by the State for compliance with prescribed safety standards.

The program described herein constitutes a continuation of Florida's efforts to modify and improve its activities for the control of radiation hazards, to gain increased knowledge of radiological health significance and to make use of ionizing radiation for the improvement of the public health when and if methods for such use are discovered or developed. An integral part of this program is the assumption of certain responsibilities which the United States Atomic Energy Com-

mission will discontinue under a contemplated agreement between the Commission and the State.

II. History. The first regulations for the control of radiation in the State of Florida were prepared jointly by the Florida Industrial Commission and the Florida State Board of Health and promulgated in April, 1947, by the Florida Industrial Commission. They were embodied in Regulation No. 8, "Radiant Energy" of the "Regulations for the Control and Prevention of Occupational Diseases". These rules were revised in 1957 and in 1960. As a result of this cooperative effort, the Florida Industrial Commission and the Florida State Board of Health have established a very close working relationship in the field of occupational health.

In 1950, the Board of Health conducted a statewide survey of shoe-fitting fluoroscopes, as a result of which the use of almost all of these machines was discontinued; such use is now prohibited. In 1957, a statewide program of radiological surveillance of the environment was started in order to develop baseline knowledge and to enable us to know when increases occurred from fallout or from possible pollution from other sources. The area in the vicinity of the then proposed power reactor to be located in Polk County was examined in much greater detail. This program has continued and has been expanded to include seafood and shell fish beds. Spot samples of citrus and other terrestrial foods have been analyzed. The State of Florida has participated in the national air and precipitation fallout surveillance network since 1957, and now operates two stations (Jacksonville and Miami). To provide a degree of information on which action programs could be based, the State added four more identical stations (Pensacola, Tallahassee, St. Petersburg, and Orlando). In addition to operating a collecting station for the National Pasteurized Milk Surveillance Program (Tampa), the State Board of Health has an active producer milk surveillance program which is statewide in scope and sufficiently detailed in sampling points to permit specifically-localized action programs, should such become necessary. At the request of county medical societies and other organized professional groups and industry, the Board of Health initiated, in 1958, a program of physical inspection and consultation aimed at reducing exposure to the public (as well as the user) from diagnostic and other uses of X-rays. To date, roughly 80 percent of the approximately 3,000 dental, 50 percent of the approximately 3,500 medical, and a number of industrial X-ray installations have been visited. During 1961-63, the Board of Health conducted a research project in an effort to improve this program. One of the outstanding features of this study was a demonstration of the importance of repeated visits. Another research program, currently under way, is designed to establish radiation background levels in various parts of the state and to determine the components of this radiation. These two projects have been supported by the U.S. Public Health Service at approximately \$76,000.00 per annum.

On December 1, 1955, the Honorable Leroy Collins, Governor of Florida, by executive order, created the Florida Nuclear Development Commission to assist the Governor in the promotion of nuclear development within the State of Florida and in cooperation with the other southern states and the Atomic Energy Commission. The Commission consists of nine members to serve at the pleasure of the Governor and without compensation.

In 1957, the legislature enacted chapter 57-178 which created the Florida Nuclear Development Commission as a permanent agency of the State for the development and application of nuclear energy with all its attendant benefits, thus placing the coordination of all nuclear development within

the State on a statutory basis. The Act has subsequently been amended (1961, chapter 61-262) clarifying and broadening the duties of the Commission.

In September of 1959, the Congress of the United States enacted Public Law 86-373, which amended the Atomic Energy Act of 1954, and provided for the transfer of certain regulatory powers from the Atomic Energy Commission to qualified States in accordance with negotiated agreements. This transfer of authority applies to the control of certain categories of radioactive materials and becomes effective when appropriate State legislation has been enacted; and, an agreement has been signed by the Atomic Energy Commission and the Governor of the respective State.

In May of 1960, the Florida Nuclear Development Commission, in recognition of the inevitable and urgent need for the control of radiation by the State launched a drive for an extensive analysis of Public Law 86-373 and its application to the specific needs of this State. It called first on the School of Law at the University of Florida to conduct a study of the many implications connected with the assumption of control of radiation sources by the State. On September 30, 1960, the results of that study were presented to the State Legislative Council, after which many other meetings with various agencies were sponsored by the Florida Nuclear Development Commission to consider the various aspects of such a program.

Inasmuch as State policy and courses of action with respect to atomic energy development and radiation protection have been the subject of legislative consideration in Florida for a number of years, the Legislative Council's Select Committee on Nuclear Legislation conducted public hearings on this subject in 1960 and 1961, with a view toward appraising the desirability or necessity for a broad system of radiation control, including assumption of authority from the Atomic Energy Commission and a licensing or registration program designed to obtain a maximum of information regarding radiation use in Florida.

After such public hearings by the Legislative Council's Select Committee on Nuclear Legislation and consultations with interested governmental agencies, representatives of industry and professional groups that use atomic energy and radiation, it concluded that a comprehensive legislative program for radiation control should be enacted.

Consequently, chapter 61-262 was introduced in the 1961 session of the legislature, which provided the framework for such a program. The bill was derived in large measure from suggested legislation of the Council of State Governments. It was widely circulated and critically reviewed by a number of interested and affected persons and groups, and was revised to take into account appropriate comments. After extensive consideration by committees of the legislature, including several public hearings at which all interested parties were afforded opportunity to be heard, the measure was enacted as the Florida Nuclear Code (chapter 290, part I, Florida Statutes, 1961). At the same legislative session, chapter 61-227 (part 2 of chapter 290, Florida Statutes, 1961) was enacted, which made Florida a party to the Southern Inter-State Nuclear Compact.

The enactment of the Florida Nuclear Code strengthened the framework for the control of radiation activities within the State as follows:

1. Established the Florida Nuclear Commission headed by a director responsible to the Commission. With respect to administrative and regulatory responsibilities, the duties of the Commission are to promote and support a comprehensive program of education and research relative to nuclear development in the field of education, science, agriculture, industry, transportation,

medicine, and all other fields of endeavor which may aid in or be benefited by nuclear development and nuclear science and engineering; to promote the industrial development of Florida (in cooperation with the Florida Development Commission) by attracting new industry based on nuclear science and engineering; to coordinate development and regulatory activities of the State, other States and the Federal Government; to convene a coordinating council consisting of representatives of appropriate State agencies to coordinate action in any matter bearing of the State's nuclear program; and to collect and disseminate information relative to nuclear developments and their effect; and

2. Empowered the Governor of the State to sign an agreement with the Atomic Energy Commission which would transfer to the State control over certain radioactive materials in accordance with Public Law 86-373; and

3. Authorized the Governor of the State to designate a State agency as the regulatory agency to adopt regulations for effectuating the purposes of this legislation, including regulations for the licensing or registration of all radiation sources.

On July 11, 1961, to achieve the objectives of the Florida Nuclear Code (section 290.06) the Florida Nuclear Commission appointed a Coordinating Council and three technical committees. The technical committees include representation from industry, labor, medicine, dentistry, medical physics, health departments, universities, and the legislature. To insure that the many State agencies which have any degree of official concern with nuclear matters are properly represented, the Coordinating Council is composed of the directors (or their designated representatives) of such interested agencies as: Attorney General, State Board of Conservation, State Board of Control, Nuclear Coordinator of Florida State University, Director of Nuclear Activities of University of Florida, Florida State Board of Health, Commissioner of Agriculture, Superintendent of Public Instruction, Department of Public Safety, Department of Water Resources, Florida Development Commission, State Fire Marshal, State Insurance Commissioner, Florida Geological Survey, Florida Industrial Commission, Legislative Reference Bureau, Railroad and Public Utilities Commission, and the Secretary of State.

Prior to the enactment of chapter 61-262 supra in June, 1961, the Florida State Board of Health, in March, 1961, in order to protect the people of the State from the hazardous effects of ionizing radiation, and acting under the authority of the General Public Law (Chapter 381, Florida Statutes) adopted a comprehensive set of regulations pertaining to radiological health, as chapter 34 of the Sanitary Code of the State. To insure the maximum safety of all persons during the manufacture, use, storage, transportation and disposal of radiation sources, the regulations applied to all sources of ionizing radiation and required the registration of all radiation producing machines and radioactive substances; set limits of radiation exposure; defined the responsibilities of users of radiation to radiation workers and to the general public and provided for inspection and enforcement of such regulations.

On February 21, 1962, pursuant to the provisions of chapter 290, Florida Statutes, and the recommendations of the Florida Nuclear Commission, the Honorable C. Farris Bryant, Governor of Florida, designated the Florida State Board of Health (hereinafter referred to as the Board) as the regulatory agency for nuclear control and licensing as contemplated by section 290.10, Florida Statutes.

To implement certain provisions of the Florida Nuclear Code and to insure compatibility with Federal regulations and reciprocity with other agreement States, the Board

of Health revised its 1961 regulations. They now constitute chapters 170J-1 through -4 of the Florida Administrative Code. A copy of these regulations is included in this presentation as "Attachment C".

In redrafting the regulations, language was drawn largely from models developed jointly by the Atomic Energy Commission, the U.S. Public Health Service and the Council of State Governments; and from recommendations of the National Committee on Radiation Protection and Measurement, and Reports of the Federal Radiation Council.

Assistance in drafting the regulations was obtained from a number of individual, agencies and groups, including representatives of the Atomic Energy Commission, the U.S. Public Health Service, the Florida Nuclear Commission, Florida Governmental Agencies, professional associations and industrial groups.

III. The Radiation Control Program—A. Regulations. The principal elements of the program for the control of radiation hazards in the State of Florida are the Florida Nuclear Code (Chapter 290, Florida Statutes) and applicable rules of the State Board of Health.

The radiation regulations of the State Board of Health have been modified in order to achieve:

(1) A comprehensive program covering not only activities over which the State agency has exercised exclusive jurisdiction (e.g., X-rays and radium), but also activities over which authority will be discontinued by the Atomic Energy Commission (byproduct material, source material and special nuclear material in quantities not sufficient to form a critical mass); and

(2) Compatibility between the State's radiation control program and the Atomic Energy Commission's program for the regulation of like radioactive materials as required by § 274.D(2) of the Atomic Energy Act of 1954 as amended.

In developing the regulations to achieve the foregoing objectives, the Board of Health predicated the substantial content of the program, i.e., the radiation protection standards, regulation relating to permissible doses, levels and concentrations, on the guides of the Federal Radiation Council, as approved by the President, and pertinent recommendations of the National Committee on Radiation Protection Measurements.

With respect to other substantive matters such as licensing and precautionary procedures, e.g., surveys, posting, labeling, existing Atomic Energy Regulations and the suggested regulations issued by the Council of State Governments were used as models.

The Board's regulations with regard to burial are more stringent than those of the suggested regulations. This stringency is held as being necessary in the interest of the public health because of the particular and somewhat peculiar geology and hydrology of the State of Florida which necessitates individual appraisal of each proposed site to minimize the probability of underground contamination.

Modification of the laws and regulations has resulted in a State program which is compatible with the Commission's program and those of "agreement States" but which differs from the Commission's program in several respects. This difference is primarily in that the State's comprehensive program covers all radiation sources, including those whose possession and use is subject to registration rather than licensing.

B. Program administration—1. Licensing and registration. Licenses are required for the possession of radioactive materials above exempt amounts of concentrations, regardless of the mode of formation of such materials. Licenses for radioactive materials are of two types, general licenses effective without the filing of applications or the issuance of licensing documents, and specific licenses

issued upon application. Registration is required for radiation producing machines.

It is planned to make preclicensing inspection a part of the evaluation procedure when such preclicensing is deemed to be necessary and practicable. In connection with licensing procedures, provision is made to give opportunity for all interested persons to be heard.

With respect to human use the State Health Officer has appointed highly qualified medical consultants knowledgeable in the clinical use of isotopes and other sources of ionizing radiation to assist in the development of policies, the establishment of criteria and the evaluation of unusual applications for license to apply radioactive substances to humans.

Although the Florida Nuclear Code permits the enactment of municipal ordinances and regulations that are not inconsistent with the code and regulations adopted thereunder, the agency charged with the responsibility of promulgating regulations and issuing licenses is the Florida State Board of Health.

2. Inspection. Inspection for compliance with regulations and with license conditions will be carried on by the State Board of Health and its duly authorized representatives.

The local health departments, under the direction of the Florida State Board of Health, will participate in inspection activities as they develop a radiological health program and demonstrate their capability.

As a part of the preparation for the assumption of regulatory authority from the AEC, State radiological health program personnel have accompanied AEC inspectors on almost all of their license inspections in the State since September, 1959. There are approximately 200 licensees in the State.

Based upon the number and kind of licenses and registrations, a priority system will be established under which inspection of the most hazardous activities will be scheduled at least once each six months, and the remainder on a less frequent basis. Initial priorities will be established on the basis of the preclicensing evaluation and may be modified in accordance with subsequent inspections. It is expected that all licensed activities will be inspected at least once in two years.

Most inspections will be scheduled visits; a significant number may be on an unscheduled basis. A review of the structure of the organization of the establishment and of pertinent operational procedures will be made, especially if changes have occurred since the license was issued or the registration accomplished. Specific responsibilities will be ascertained or confirmed. Inspection visits will usually entail a comprehensive review by the inspector of equipment, facilities and procedures for handling and storage of radioactive material, and an interview with key personnel directly involved. The inspector will review the survey methods and results of personnel monitoring, the posting of signs and labeling, instruction of personnel; and the methods and apparent effectiveness of maintaining control of people in controlled areas. He will review the records of receipts, transfers and inventory of licensed or registered material. He may physically check the inventory. He will examine records concerning disposal to the sewerage system and burial in the soil, if pertinent. He may take measurements of radiation levels. He will meet with management to discuss the results of his inspection. During this meeting, he will discuss questions concerning the regulatory program.

The inspector will prepare a report in sufficient detail to describe the facts and circumstances observed during the inspection. These reports will provide the basis for any necessary enforcement action. The Board will review the operation of this sys-

tem to insure that timely and adequate inspections are performed and that appropriate actions are taken.

In addition, there will be investigations of incidents and complaints involving radiation sources to determine the cause, the steps taken by the licensee or registrant to cope with the incident, whether or not there was non-compliance with a regulation, and the steps taken to avoid recurrence of the incident.

The licensee or registrant will be informed of the results of all inspections, orally at the time of the inspection, and by letter or notice from the Board.

3. Enforcement. Reports of inspections will be evaluated by the State Board of Health to determine the status of compliance with license conditions and regulations. If no item of noncompliance is observed, licensee or registrant will be so informed. If only minor matters of noncompliance, such as improper signs, failure to label, etc., are involved, which at the time of the inspection the licensee or registrant agrees to correct, he will be informed in writing of these matters and that corrective action will be reviewed during the next inspection. If the inspection reveals a noncompliance of a more serious nature, the licensee or registrant will be required to inform the inspecting agency in writing, usually within 15 to 30 days, as to corrective action taken and the date completed. In these cases, the Board will either conduct a prompt follow-up inspection or the matter will be reviewed during a regular inspection to insure that corrective action has, in fact, been accomplished. If the reply does not satisfactorily explain the noncompliance and assure that further violations will be prevented, the Board will take such administrative actions as are available, such as holding a hearing in accordance with section 290.15, Florida Statutes, which also provides for judicial review of the final order resulting from such hearing. There is provision for emergency action without notice or hearing, but such emergency action shall be subject to a prompt hearing afforded the licensee or registrant. Among the enforcement procedures available to the Board are modification, suspension, or revocation of licenses, or injunctive relief, and criminal sanctions afforded in the courts. (Sections 290.15, 290.16, 290.17 and 290.19, Florida Statutes.)

Upon failure to secure administrative relief where applicable, the Board will prepare proper charges against alleged nonlicensed operators or those persons failing to comply with Board orders, for presentation to State Attorneys or local county prosecuting attorneys; accompanying the said charge shall be a request for prosecution together with a trial memorandum setting forth the names of the witnesses and the testimony that may be adduced from the individual witness, and an outline showing the chain of custody on the tangible evidence expected to be introduced at the trial.

C. Emergency planning and capabilities.

1. Under the general coordination of the Florida Nuclear and Space Commission a radiological assistance organization and plan of action have been developed. The State Highway Patrol has assumed the responsibility for alerting, communications and team transportation or escort. Local law enforcement officials will control any possible crowd development. Radiological assistance technical teams, including physicians have been developed at public health and university centers. There are six such teams so located that no point in the State (except Key West) is more than 100 miles from a team. Emphasis at this time is on training, rehearsal and more completely equipping the teams. Personnel of the AEC Savannah Operations Office and of the AEC Pinellas Area Office have assisted in this development.

2. Stimulated by the I¹³¹ levels in Utah and certain other States the Florida State Board of Health convened a meeting of representatives from the Department of Agriculture, milk producer and distributor associations, cattle feed industry, and the University of Florida to discuss possible action programs for the State of Florida. An ad hoc committee has formed with the Department of Agriculture representative as chairman. This committee held several meetings during which a detailed plan of action based on the use of aged feed was drawn up. Specific responsibilities were assigned and lines of communication were established.

D. *Laboratory support.* The radiological laboratory of the State Board of Health is administratively a unit of the Bureau of Laboratories. Technical assistance and direction is supplied by the Division of Radiological and Occupational Health. The laboratory is manned by two radiological chemists and two technicians with part-time clerical assistance. It is located in a new building and was designed specifically for radiological work. Equipment includes: a two detector low beta counting system, windowless proportional counters, one single channel gamma scintillation spectrometer and a 512 channel gamma scintillation spectrometer, beta and alpha scintillation detectors, and an eleven cubic foot muffle furnace. The sample preparation section is complete with full chemical analytical capability.

IV. *Organization and personnel.* The radiation control program is established in the Division of Radiological and Occupational Health, an existing organizational unit of the Florida State Board of Health. There is no absolute line of cleavage between the radiological and occupational health programs, but for clarity of this presentation, they are being considered as separate and distinct. With regard to the Radiological Health Program, Division philosophy requires that there be as much interplay between programs as possible. The reason for this is that we need sufficient breadth of capabilities so that no program will be seriously interfered with by routine absences or emergency situations. A further but perhaps no less serious reason is that some activities in each of the programs are of a routine nature and carry little, if any, psychological challenge or job satisfaction if they constitute the sole function of any one person for extended periods of time. As a further measure of providing broader training and experience, employees are encouraged to avail themselves of general and categorical orientation courses given by the State Board of Health, the U.S. Public Health Service, and the AEC.

The minimum educational and experience requirements for the position categories directly related to the regulatory program as set forth in the Florida Merit System job descriptions (with salaries) are attached in Attachment A. Presented in Attachment B is biographical material for personnel presently employed.

A brief description of the various positions follows:

Director, Division of Radiological and Occupational Health (Health Officer IV). This individual is Director of the Division, being administratively responsible for the combined radiological and occupational health program of the State Board of Health. This person is an M.D. and, in addition to administrative duties, will assist by providing staff medical advice when needed.

Public Health Physicist IV. The person in this position has major technical administrative responsibility for all the radiological health programs of the Division, including the source control program, emergency programs, and environmental surveillance and studies. He will provide direct assistance in the regulatory program as required. (During the initial phase of the program incident to the transfer of authority from the AEC

and pending the addition of personnel he will be responsible for licensing and the review of regulations.)

Public Health Physicist III. There are proposed two positions at this level. One is primarily responsible for licensing and for the development and constant review of regulations. The other, now on duty, will be responsible for the survey and consultation with the user aspects of the program. This concept differs from the AEC inspection and enforcement program only in that, in addition to the detailed inspection and rigid enforcement, we feel a responsibility and will exert considerable effort in assisting the user in improving his physical facilities and his procedures in an attempt to arrive at the least practical exposure to humans to ionizing radiation.

Public Health Physicist II. It is planned that the program will begin with at least two individuals at this level. Each will be responsible for a given area of the State, and will be responsible for prelicensing visits, inspections, as well as preliminary processing of registration forms, making X-ray surveys, and performing other radiological health program work as required in his area.

Upon consummation of an agreement with the Atomic Energy Commission, additional personnel will be employed, as available and necessary to perform license evaluations and to provide supervision over the inspection program.

Requirements as to qualifications and proficiencies of local health department personnel performing Radiological Health duties will be at least as high as for State personnel performing similar duties.

V. *Coordination.* Coordination of the State program for the control of radiation is facilitated through the functions of the Florida Nuclear and Space Commission. All agencies and political subdivisions of the State are required to keep the Commission fully and currently informed as to their activities.

The Coordinating Council of the Florida Nuclear Commission was established early in the development of the radiation control program and its functions and recommendations have been instrumental in developing the present program.

The Florida Nuclear Code provides that any rule, regulation or ordinance, or amendment thereto or repeal thereof primarily or directly relating to Atomic Energy proposed by any department, division, commission or agency of the State of any political subdivision thereof, shall not become effective until 90 days after it has been submitted to the Commission, unless the Commission or the Governor waives such waiting period. If, after consultation with the Commission, the Governor finds any of either the proposed or existing rules to be inconsistent, he may direct the appropriate agency to amend or repeal such rules to achieve consistency (Section 290.09, Florida Statutes).

[F.R. Doc. 64-3744; Filed, Apr. 14, 1964; 8:50 a.m.]

DEPARTMENT OF THE TREASURY

Office of the Secretary

[Dept. Circ. 570, 1963 Rev. Supp. No. 28]

NEW ENGLAND INSURANCE CO. AND STANDARD INSURANCE CO.

Termination of the Authorities of Companies to Qualify as Sureties on Federal Bonds

APRIL 9, 1964.

Notice is hereby given that the Certificates of Authority issued by the Secre-

tary of the Treasury to New England Insurance Company, Springfield, Massachusetts, and The Standard Insurance Company, of Tulsa, Oklahoma, under the provisions of the Act of Congress approved July 30, 1947 (6 U.S.C. 6-13) to qualify as sole sureties on recognizances, stipulations, bonds and undertakings permitted or required by the laws of the United States are hereby terminated effective as of midnight, December 31, 1963.

Springfield Insurance Company, a Massachusetts corporation, holds a Certificate of Authority from the Secretary of the Treasury as an acceptable surety on bonds in favor of the United States. Pursuant to Agreement of Merger dated September 27, 1963, effective midnight December 31, 1963, approved by the Commissioner of Insurance of the Commonwealth of Massachusetts, December 18, 1963, and the Insurance Commissioner of the State of Oklahoma on December 20, 1963, New England Insurance Company, Springfield, Massachusetts and The Standard Insurance Company, of Tulsa, Oklahoma, were merged into Springfield Insurance Company, Springfield, Massachusetts, the surviving company. Springfield Insurance Company acquired all of the assets and assumed all of the liabilities of New England Insurance Company and The Standard Insurance Company. A copy of the Agreement of Merger is on file in the Treasury Department, Bureau of Accounts, Surety Bonds Branch, Washington, D.C., 20226.

No action need be taken by bond approving officers, by reason of the merger, with respect to any bond or other obligations in favor of the United States, or in which the United States has an interest, direct or indirect, issued on or before December 31, 1963, by New England Insurance Company or The Standard Insurance Company pursuant to the Certificates of Authority issued to the Companies by the Secretary of the Treasury.

The merger of the Companies will not affect the underwriting limitation of the surviving corporation, Springfield Insurance Company. Its present limitation of \$9,830,000.00 will remain in effect until a new limitation is established effective June 1, 1964.

[SEAL] GEORGE F. STICKNEY,
Deputy Fiscal Assistant Secretary.

[F.R. Doc. 64-3693; Filed, Apr. 14, 1964; 8:47 a.m.]

[Dept. Circ. 570, 1963 Rev. Supp. No. 27]

STANDARD ACCIDENT INSURANCE CO.

Termination of the Authority to Qualify as Surety on Federal Bonds

APRIL 9, 1964.

Notice is hereby given that the Certificate of Authority issued by the Secretary of the Treasury to Standard Accident Insurance Company, Detroit, Michigan, under the provisions of the Act of Congress approved July 30, 1947 (6 U.S.C. 6-13), to qualify as sole surety on recognizances, stipulations, bonds and undertakings permitted or required by the laws of the United States is hereby

terminated effective as of the close of business December 31, 1963.

Reliance Insurance Company, a Pennsylvania corporation, holds a Certificate of Authority from the Secretary of the Treasury as an acceptable surety on bonds in favor of the United States. Pursuant to Agreement of Merger dated February 8, 1963 and amendment thereto dated August 9, 1963, effective as of the close of business December 31, 1963, approved by the Commissioner of Insurance of the State of Michigan, October 31, 1963 and the Insurance Commissioner and Governor of the State of Pennsylvania, December 18, 1963, Standard Accident Insurance Company, Detroit, Michigan, was merged into Reliance Insurance Company, Philadelphia, Pennsylvania, the surviving company. Reliance Insurance Company acquired all of the assets and assumed all of the liabilities of Standard Accident Insurance Company. Copies of the Agreement of Merger are on file in the Treasury Department, Bureau of Accounts, Surety Bonds Branch, Washington, D.C., 20226.

No action need be taken by bond-approving officers, by reason of the merger, with respect to any bond or other obligations in favor of the United States, or in which the United States has an interest, direct or indirect, issued on or before December 31, 1963 by Standard Accident Insurance Company pursuant to the Certificate of Authority issued to the Company by the Secretary of the Treasury.

The merger will not affect the underwriting limitation of the surviving corporation, Reliance Insurance Company. Its present limitation of \$10,326,000 will remain in effect until a new limitation is established effective June 1, 1964.

GEORGE F. STICKNEY,

Deputy Fiscal Assistant Secretary.

[F.R. Doc. 64-3694; Filed, Apr. 14, 1964; 8:47 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

WYOMING

[W-0308886]

Notice of Proposed Withdrawal and Reservation of Lands

APRIL 8, 1964.

The Corps of Engineers, U.S. Army Engineer District, Omaha, has filed an application, serial number Wyoming 0308886, in behalf of the Department of the Air Force, for the withdrawal of the lands described below, from all forms of appropriation under the public land laws, including the mining laws and the mineral leasing laws, as provided by Executive Order 10355 (43 USC 141), subject to valid existing rights.

The applicant desires the lands for expansion of the Air Force weather research station, Boulder, Wyoming, and for a buffer zone around the basic construction site.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, sugges-

tions, 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, 2002 Capitol Avenue, Cheyenne, Wyoming.

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 land 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 Corps of Engineers in behalf of the Department of the Air Force.

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:

SIXTH PRINCIPAL MERIDIAN, WYOMING

T. 32 N., R. 107 W.

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

The area described aggregates 52.5 acres.

BURTON W. SILCOCK,

Acting State Director.

[F.R. Doc. 64-3679; Filed, Apr. 14, 1964; 8:46 a.m.]

DEPARTMENT OF AGRICULTURE

Office of the Secretary

OHIO

Designation of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named counties in the State of Ohio natural disasters have caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

OHIO

Adams.
Brown.
Clermont.

Pike.
Scioto.

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after December 31, 1964, except to applicants who previously received emergency or special

livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 10th day of April 1964.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 64-3711; Filed, Apr. 14, 1964; 8:49 a.m.]

DEPARTMENT OF COMMERCE

Bureau of International Commerce

[File No. 26-480]

ANNA WELLEMS ET AL.

Order Denying Export Privileges for an Indefinite Period

In the matter of Anna Wellem's trading as Stemege Handel Mit Steuerungstechnik und Messgerate Wohllebengasse 15 Vienna IV, Austria, File 26-480; respondent.

The Director, Investigations Division, Office of Export Control, Bureau of International Commerce, U.S. Department of Commerce, has applied for an order denying to the above named respondent all export privileges for an indefinite period because the said respondent failed to furnish answers to interrogatories and failed to furnish certain records and other writings specifically requested, without good cause being shown. This application was made pursuant to § 382.15 of the Export Regulations (Title 15, Chapter III, Subchapter B, Code of Federal Regulations).

In accordance with the usual practice, the application for an indefinite denial order was referred to the Compliance Commissioner, Bureau of International Commerce, who after consideration of the evidence has recommended that the application be granted.

The report of the Compliance Commissioner and the evidence in support of the application have been considered.

The evidence presented shows that Anna Wellem's, trading as Stemege Handel Mit Steuerungstechnik Und Messgerate, has a place of business in Vienna, Austria; that she has participated in a transaction involving the exportation from Austria of U.S. origin commodities of a strategic nature; that the aforesaid Investigations Division is conducting an investigation into the details of respondent's participation in said transaction and as to the disposition of said commodities. It is impracticable to subpoena the respondent and relevant and material interrogatories and request to furnish certain specific documents were served on her pursuant to § 382.15 of the Export Regulations. Said respondent has failed to furnish answers to said interrogatories or to furnish the documents requested, as required by said section, and she has not shown good cause for such failure. I find that an order denying export privileges to said respondent for an indefinite period is reasonably necessary to protect the public interest and to achieve effective enforcement of the Export Control Act of 1949, as amended.

Accordingly, it is hereby ordered:

I. All outstanding validated export licenses in which respondent appears or participates in any manner or capacity are hereby revoked and shall be returned forthwith to the Bureau of International Commerce for cancellation.

II. The respondent, her successors or assigns, partners, representatives, agents, and employees hereby are denied all privileges of participating, directly or indirectly, in any manner or capacity, in any transaction involving commodities or technical data exported from the United States in whole or in part, or to be exported, or which are otherwise subject to the Export Regulations. Without limitation of generality of the foregoing, participation prohibited in any such transaction, either in the U.S. or abroad, shall include participation, directly or indirectly, in any manner or capacity, (a) as a party or as a representative of a party to any validated export license application, (b) in the preparation or filing of any export license application or reexportation authorization, or any document to be submitted therewith, (c) in the obtaining or using of any validated or general export license or other export control document, (d) in the carrying on of negotiations with respect to, or in the receiving, ordering, buying, selling, delivering, storing, using, or disposing of any commodities or technical data in whole or in part exported or to be exported from the United States, and (e) in the financing, forwarding, transporting, or other servicing of such commodities or technical data.

III. Such denial of export privileges shall extend not only to the respondent, but also to her agents and employees and to any successor and to any person, firm, corporation, or business organization with which she now or hereafter may be related by affiliation, ownership, control, position of responsibility, or other connection in the conduct of trade or services connected therewith.

IV. This order shall remain in effect until the respondent provides responsive answers, written information and documents in response to the interrogatories heretofore served upon her or gives adequate reasons for failure to do so, except insofar as this order may be amended or modified hereafter in accordance with the Export Regulations.

V. No person, firm, corporation, partnership or other business organization, whether in the United States or elsewhere, without prior disclosure to and specific authorization from the Bureau of International Commerce, shall do any of the following acts, directly or indirectly, or carry on negotiations with respect thereto, in any manner or capacity, on behalf of or in any association with the respondent or any related party, or whereby the respondent or related party may obtain any benefit therefrom or have any interest or participation therein, directly or indirectly: (a) Apply for, obtain, transfer, or use any license, shipper's export declaration, bill of lading, or other export control document relating to any exportation, reexportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States, by, to, or for any such respondent or related party denied export privileges; or (b) order, buy, receive, use, sell, deliver, store, dispose of, forward, transport, finance, or otherwise service or participate in any exportation, reexportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States.

VI. A copy of this order shall be served on respondent.

VII. In accordance with the provisions of § 382.15 of the Export Regulations, the respondent may move at any time to vacate or modify this indefinite denial order by filing with the Compliance Commissioner, Bureau of International Commerce, U.S. Department of Commerce, Washington, D.C., 20230, an appropriate motion for relief, supported by substantial evidence, and may also request an oral hearing thereon, which, if requested shall be held before the Compliance Commissioner at Washington, D.C., at the earliest convenient date.

This order shall become effective on April 10, 1964.

Dated: April 6, 1964.

RAUER H. MEYER,
Acting Director,
Office of Export Control.

[F.R. Doc. 64-3710; Filed, Apr. 14, 1964;
8:49 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

S. B. PENICK & CO.

Notice of Filing of Petition Regarding Food Additives Sanitizing Solutions

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348 (b)(5)), notice is given that a petition (FAP 1360) has been filed by S. B. Penick & Company, 100 Church Street, New York 8, New York, proposing an amendment to § 121.2547 to provide for the safe use of potassium iodide, sodium lauryl sulfate, and sodium *p*-toluenesulfonchloramide as components of sanitizing solutions.

Dated: April 9, 1964.

MALCOLM R. STEPHENS,
Assistant Commissioner
for Regulations.

[F.R. Doc. 64-3690; Filed, Apr. 14, 1964;
8:46 a.m.]

POLYMER INDUSTRIES, INC.

Notice of Filing of Petition Regarding Food Additives Adhesives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348 (b)(5)), notice is given that a petition (FAP 1374) has been filed by Polymer Industries, Inc., Viaduct Road, Springdale, Connecticut, proposing the amendment of paragraph (c)(5) of § 121.2520 *Adhesives* by inserting in the list "Components of Adhesives" the new item "1,4-Butanediol."

Dated: April 9, 1964.

MALCOLM R. STEPHENS,
Assistant Commissioner
for Regulations.

[F.R. Doc. 64-3691; Filed, Apr. 14, 1964;
8:46 a.m.]

DR. SALSBUURY'S LABORATORIES

Notice of Filing of Petition Regarding Food Additive Dimetridazole

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348

(b) (5)), notice is given that petitions (FAP 1092, 1152) have been filed by Dr. Salsbury's Laboratories, Charles City, Iowa, proposing the issuance of a regu-

lation to provide for the safe use of dimetridazole (1,2-dimethyl-5-nitroimidazole) in feed and drinking water of chickens and turkeys, as follows:

TABLE 1—DIMETRIDAZOLE IN FEED

| Principal ingredient | Grams per ton | Combined with— | Grams per ton | Limitations | Indications for use |
|----------------------|---------------------------|----------------|---------------|--|--|
| 1. Dimetridazole. | 91-908 (0.01-0.1%) | | | For turkeys; not for laying turkeys; withdraw 3 days before slaughter. | Prevention and treatment of blackhead (histomoniasis, enterohepatitis); for restoring feed consumption in turkeys affected by blackhead; for growth stimulation and improved feed efficiency. |
| 2. Dimetridazole. | 45, 5-908 (0.005-0.1%) | | | For chickens; not for laying chickens; withdraw 3 days before slaughter. | Prevention and treatment of blackhead (histomoniasis, enterohepatitis); for restoring feed consumption in chickens affected by blackhead; for growth stimulation and improved feed efficiency. |

TABLE 2—DIMETRIDAZOLE IN DRINKING WATER

| Principal ingredient | Amount | Combined with— | Amount | Limitations | Indications for use |
|----------------------|---------|----------------|--------|---|--|
| 1. Dimetridazole. | (0.01%) | | | For turkeys; as sole source of drinking water; not for laying birds; withdraw 3 days before slaughter. | Prevention of black head. |
| 2. Dimetridazole. | (0.02%) | | | For turkeys; as sole source of drinking water; not for laying birds; withdraw 3 days before slaughter. | Treatment of black-head. |
| 3. Dimetridazole. | (0.04%) | | | For turkeys; as sole source of drinking water; treat for 3 days only; not for laying birds; withdraw 3 days before slaughter. | Treatment of severe outbreaks of black-head. |

Dated: April 9, 1964.

MALCOLM R. STEPHENS,
Assistant Commissioner for Regulations.

[F.R. Doc. 64-3692; Filed, Apr. 14, 1964; 8:47 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 14945; Order E-20680]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Regarding Cargo Rates

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 10th day of April 1964.

In the matter of an agreement adopted by Joint Conference 1-2 of the International Air Transport Association relating to cargo rates, Docket No. 14945, Agreement C.A.B. 17479, R-9.¹

There has been filed with the Board pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations, an agreement between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of Joint Conference 1-2 of the International Air Transport Association (IATA) adopted at meetings held in December 1963. The agreement has been assigned the above-designated C.A.B. Agreement number.

The agreement here under consideration provides for the readoption of Resolution 507, which provides in substance that air cargo rates shall be applicable on an airport-to-airport basis only.

Seaboard World Airlines, Inc., by letter, has requested that the Board condition its approval to the effect that ap-

proval is given under the assumption that this resolution in no way restricts the right of member carriers to establish air/surface rates, as long as charges are not absorbed to undercut specified or constructed IATA fares or rates. Seaboard considers that IATA may be improperly assuming jurisdiction over the scope of carrier operations through its common-rating practices and prohibition of trucking arrangements.

Pan American World Airways, Inc., and Trans World Airlines, Inc., have submitted comments in opposition to Seaboard's request for a government reservation. We have examined all comments and the Conference minutes, and conclude that Resolution 507 should be approved without condition.

In coming to this conclusion we take particular note of the fact that the unanimity requirements of IATA preserve the right of individual carriers not to be bound for an indefinite period by IATA resolutions. Seaboard in this instance acquiesced in the readoption of the resolution, albeit not without grave doubts as to the effect on its operations. Under these circumstances, we are reluctant to grant the Seaboard request which could be interpreted as achieving through government action an objective it has been unable to obtain through conference negotiations.

The Board believes that the cargo resolutions as applied by IATA, however, operate to restrict the freedom of a carrier to enter into arrangements for through air/surface transportation on a competitive basis, particularly where

such ground transportation is between points which are common rated to the ultimate origin or destination point. We can perceive no logical bar to a through air/surface arrangement over a reasonably direct routing at charges equal to the IATA rates from origin to destination.² We do not herein purport to affect the authority which any carrier may have to serve any particular point, or to endorse any particular operation. Neither is the matter of a carrier's authority to perform services between any points for IATA to determine. Our concern with the restrictive effect of the resolutions does not mean, of course, that specific rate resolutions stating allowable routing considerations may not be proper, particularly where indicated to prevent undue circuitry. Such resolutions, whether of general or specific application, should be definite and non-discriminatory.

We believe, however, that an equitable solution to this problem in the first instance should be left to the carriers within the framework of IATA. We note in this connection the carriers have directed the working group to give this matter further consideration.

We would add that we are concerned with the termination of Resolution 512 (b). Such a resolution is essential to the maintenance of airport-to-airport rates. Indeed, the absence of an appropriate terminal charge for ground transportation is considered a form of rebate. The absence of a charge for such terminal services would be in violation of the prohibitions against rebating and discrimination contained in sections 403 and 404 of the Act.

The Board, acting pursuant to sections 102, 204(a), and 412 of the Act, does not find Resolution 507 incorporated in R-9 of Agreement C.A.B. 17479, to be adverse to the public interest or in violation of the Act.

Accordingly, it is ordered, That, Agreement C.A.B. 17479, R-9 (insofar as it pertains to Resolution 507), be and hereby is approved.

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

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] MABEL McCART,
Acting Secretary.

[F.R. Doc. 64-3713; Filed, Apr. 14, 1964; 8:49 a.m.]

¹ Resolution 002, Standard Revalidation Resolution, as it pertains to Resolution 507.

² Carriers desiring to participate in combined air surface transportation under such circumstances must show appropriate references thereto in their tariffs filed with the Board.

[Docket No. 14629]

**SERVICE TO ANDERSON,
SOUTH CAROLINA**

Notice of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a hearing in the above-entitled proceeding will be held on May 12, 1964, at 10 a.m., i.e., in the Holiday Room at the Holiday Inn, 3025 North Main Street, Anderson, South Carolina, before the undersigned examiner.

For information concerning the issues involved and other details in this proceeding, interested persons are referred to the prehearing conference report served on March 25, 1964, and other documents which are in the docket of this proceeding on file in the Docket Section of the Civil Aeronautics Board.

Dated at Washington, D.C., April 10, 1964.

[SEAL] JOSEPH L. FITZMAURICE,
Hearing Examiner.

[F.R. Doc. 64-3714; Filed, Apr. 14, 1964;
8:49 a.m.]

**FEDERAL COMMUNICATIONS
COMMISSION**

[Docket Nos. 14585, 14586; FCC 64M-297]

**GROSSCO, INC., AND VALLEY
BROADCASTING CO.**

**Order Scheduling Prehearing
Conference**

In re applications of Grossco, Inc., West Hartford, Connecticut, Docket No. 14585, File No. BPH-3222; The Valley Broadcasting Company, Ansonia, Connecticut, Docket No. 14586, File No. BPH-3241; for construction permits (FM).

On the Examiner's own motion: *It is ordered*, This 6th day of April 1964 that a further prehearing conference, be, and the same is, hereby scheduled for April 16, 1964, at 10:00 a.m. in the Offices of the Commission in Washington, D.C., for the purpose of discussing further proceedings in the above-entitled matter since the lifting of the FM freeze.

Released: April 7, 1964.

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

[F.R. Doc. 64-3704; Filed, Apr. 14, 1964;
8:48 a.m.]

[Docket No. 14730; FCC 64M-293]

**W. A. HENLEY AND KIMBLE
COMMUNICATIONS**

**Memorandum Opinion and Order
Scheduling Prehearing Conference**

In re applications of W. A. Henley, d/b as Kimble Communications, Docket No. 14730, File Nos. 2397/2398-C1-P-62;

for construction permits to establish stations in the Point-to-Point Microwave Radio Service near Kerrville, and at Midway, Texas.

1. By order released August 8, 1963, the Review Board remanded the instant proceeding to the Hearing Examiner on a modified issue. On April 3, 1964, the Commission disposed of an application for review of the Review Board's order by directing that all factual issues should be resolved prior to Commission consideration of the matter.

2. Whether additional hearing sessions will be necessary to prepare an Initial Decision on the modified issues is uncertain. On the one hand, a reasonably complete record has already been made as to relationships between the parties involved, and the applicant may wish to submit its case on the existing record. On the other hand, the applicant may wish to submit additional evidence on the modified issue, or may wish to up-date its showing on the basis of changed facts since the closing of the record. In either event, the applicant should be afforded an opportunity to express its views on the record.

Accordingly, it is ordered, This 3d day of April 1964, that a hearing conference will be held on April 17, 1964, commencing at 9:00 a.m. in the offices of the Commission at Washington, D.C.

Released: April 7, 1964.

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

[F.R. Doc. 64-3705; Filed, Apr. 14, 1964;
8:48 a.m.]

[Docket No. 14974; FCC 64M-303]

SALEM BROADCASTING CO.

Order Continuing Hearing

In re application of Salem Broadcasting Company, Salem, Ohio, Docket No. 14974, File No. BP-13950; for construction permit.

The Hearing Examiner having under consideration petition filed April 8, 1964, on behalf of the applicant requesting changes in certain procedural and hearing dates;

It appearing, that good cause exists why said petition should be granted and there is no objection thereto;

Accordingly, it is ordered, This 9th day of April 1964, that the petition is granted; that the preliminary exchange of engineering exhibits shall be accomplished on or before April 17, 1964; that any further request for engineering materials shall be made on or before April 24, 1964; that the final exchange of engineering material shall be accomplished on or before April 28, 1964, and that the notification of witnesses desired for cross-examination shall be made before April 30, 1964;

It is further ordered, That the hearing herein now scheduled for June 10, 1964, be and the same is hereby rescheduled for May 4, 1964, 10:00 a.m., in the Commission's Offices, Washington, D.C.

Released: April 10, 1964.

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

[F.R. Doc. 64-3706; Filed, Apr. 14, 1964;
8:48 a.m.]

[Docket Nos. 15326-15328; FCC 64M-298]

**SPRINGFIELD TELEVISION BROAD-
CASTING CORP. ET AL.**

Order Continuing Hearing

In re applications of Springfield Television Broadcasting Corporation, Toledo, Ohio, Docket No. 15326, File No. BPCT-3157; D. H. Overmyer, Toledo, Ohio, Docket No. 15327, File No. BPCT-3173; Producers, Inc., Toledo, Ohio, Docket No. 15328, File No. BPCT-3178; for construction permits for new television broadcast stations.

The Hearing Examiner having under consideration the motion for extension of procedural date and continuance of hearing filed in the above-entitled proceeding on April 2, 1964, by Springfield Television Broadcasting Corporation;

It appearing, that the said motion requests an extension of time for the exchange of exhibits to be offered in evidence in the presentation of the direct affirmative cases from May 4, 1964 to May 11, 1964, and that the hearing herein presently scheduled to commence on May 11, 1964, be continued to May 20, 1964;

It further appearing, that all parties have consented to immediate consideration and grant of the said motion and that good cause for a grant thereof is shown:

It is ordered, This 7th day of April 1964 that the said motion is granted and that the time for exchange of the exhibits is extended from May 4, 1964, to May 11, 1964;

It is further ordered, That the hearing herein presently scheduled for May 11, 1964, is continued to May 20, 1964, commencing at 10:00 a.m. in the offices of the Commission at Washington, D.C.

Released: April 8, 1964.

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

[F.R. Doc. 64-3707; Filed, Apr. 14, 1964;
8:48 a.m.]

[Docket Nos. 15204-15207; FCC 64M-295]

WHDH, INC. (WHDH-TV) ET AL.

Order Regarding Procedural Dates

In re applications of WHDH, Inc. (WHDH-TV), Boston, Massachusetts, Docket No. 15204, File No. BRCT-530, for renewal of license; Charles River Civic Television, Inc., Boston, Massachusetts, Docket No. 15205, File No. BPCT-3164; Boston Broadcasters, Inc., Boston, Massachusetts, Docket No. 15206, File No. BPCT-3170; Greater Boston TV Co., Inc., Boston, Massachusetts, Docket No. 15207,

File No. BPCT-3171; for construction permits for new VHF television broadcast stations.

It is ordered, This 6th day of April 1964, that the unopposed motion for continuance, filed by counsel for Boston Broadcasters, Inc. on April 3, 1964, is granted; that the hearing session of April 13, 1964, at 2 p.m. is changed to a further prehearing conference; and that the hearing proper will begin as now scheduled on April 20, 1964, at 10 a.m.

Released: April 7, 1964.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 64-3708; Filed, Apr. 14, 1964;
8:48 a.m.]

FEDERAL MARITIME COMMISSION

CITY OF PHILADELPHIA ET AL. Notice of Agreements Filed for Approval

Notice is hereby given that the following described agreements between the City of Philadelphia (City) and various lessees have 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 No. T-100 with Atlantic and Gulf Stevedoring Company; Agreement No. T-101 with The Baltimore and Ohio Railroad Company and The Schuylkill River East Side Railroad Company; Agreement No. T-102 with Independent Pier Company; Agreement No. T-103 with Jarka Corporation of Philadelphia (Pier 9); Agreement No. T-104 with Jarka Corporation of Philadelphia (Pier 30); Agreement No. T-106 with Lavino Shipping Company; Agreement No. T-108 with Luckenbach Steamship Company; Agreement No. T-113 with Stockard Shipping and Terminal Company; and Agreement No. T-114 with United States Lines Company, provide for the lease of certain terminal property in Philadelphia. Maximum rates for wharfage, dockage, and for use of the pier other than storage may be fixed by City.

Interested parties may inspect the agreements and obtain copies thereof at the Bureau of Domestic Regulation, Federal Maritime Commission, Washington, D.C., 20573, 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 agreements and their position as to approval, disapproval, or modification, together with a request for hearing, should a hearing be desired.

Dated: April 10, 1964.

By order of the Federal Maritime
Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 64-3687; Filed, Apr. 14, 1964;
8:46 a.m.]

LYKES BROS. STEAMSHIP CO., INC., AND ATID CARGO LINES, LTD.

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 9340 between Lykes Bros. Steamship Co., Inc., and Atid Cargo Lines, Ltd., covers an arrangement for the fixing of rates on cargo which Lykes originates at U.S. Gulf and South Atlantic ports, transhipped to vessels of Atid Cargo Lines at Italian ports, and transported by the latter carrier to Haifa and/or Tel Aviv, Israel, under rates and conditions set forth in the agreement.

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: April 10, 1964.

By order of the Federal Maritime
Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 64-3680; Filed, Apr. 14, 1964;
8:46 a.m.]

WILHELMSSEN LINE JOINT SERVICE AND SWEDISH AMERICAN LINE

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 9338 between Wilhelmsen Line, a joint service operating under approved Agreement 7589, and Aktiebolaget Svenska Amerika Linien (Swedish American Line) establishes a rate agreement in the trade from U.S. Gulf ports to Continental European ports, Hamburg/Bayonne range inclusive, as set forth in the agreement.

Interested parties may inspect this agreement and obtain copies thereof at the Bureau of Foreign Regulation, Fed-

eral Maritime Commission, Washington, D.C., 20573, 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: April 10, 1964.

By order of the Federal Maritime
Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 64-3681; Filed, Apr. 14, 1964;
8:46 a.m.]

SOUTH AND EAST AFRICA RATE AGREEMENT

Notice of Filing of Agreement

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

Agreement No 8054-1, between the parties to a memorandum agreement on rates in the trade between U.S. Atlantic and Gulf ports and various ports in Southwest, South and East Africa including islands adjacent thereto and en route, modifies the basic agreement of the parties, No. 8054, to provide for a system of self-policing pursuant to General Order 7.

Interested parties may inspect this agreement and obtain copies thereof at the Bureau of Foreign Regulation, Federal Maritime Commission, Washington, D.C., 20573, 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: April 10, 1964.

By order of the Federal Maritime
Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 64-3682; Filed, Apr. 14, 1964;
8:46 a.m.]

ALASKA STEAMSHIP CO. ET AL. Agreement for Which Approval Is Requested; Corrected Notice

The F.R. Doc. 64-3573 appearing in the FEDERAL REGISTER issue of April 9, 1964 (29 F.R. 4978), is hereby amended in the following respect:

Notice is hereby given that time for filing communications with the Federal Maritime Commission, Washington 25, D.C., of interested parties' position with respect to Agreement DC-12 is hereby extended from April 15, 1964, to April 30, 1964.

Agreement DC-12 between Alaska Steamship Company, Puget Sound-Alaska Van Lines, Alaska Freight Lines, Inc., Alaska Division of Consolidated Freightways and Weaver Brothers, Inc. would provide for the emergency period resulting from the earthquake and tidal wave of March 27, 1964, that such parties would coordinate sailings and sailing schedules; coordinate the handling of priority cargoes; apportion traffic among the carriers; and regulate the volume and character of traffic to be carried.

Dated: April 14, 1964.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 64-3772; Filed, Apr. 14, 1964; 11:37 a.m.]

FEDERAL POWER COMMISSION

[Docket No. AR61-2 etc.]

AREA RATE PROCEEDING ET AL.

Order Severing and Consolidating Proceedings

APRIL 8, 1964.

Area Rate Proceeding, et al., Docket No. AR61-2, et al.; Area Rate Proceeding, et al., Docket No. AR64-2, et al.; Union Producing Company (Operator) et al., Docket No. G-18354, et al.

By Opinion No. 414-A, issued on March 6, 1964, we held that the rates for all sales of natural gas by Union Producing Company (Union) to its pipeline affiliate, United Gas Pipe Line Company (United) would be in issue in the section 5(a) proceeding in Docket No. G-18354 which by Opinion No. 414 we remanded for further hearing on limited issues. We also hold that Union's rates for sales to nonaffiliated pipeline purchasers would be determined in the appropriate area rate proceedings.

There are presently consolidated with the proceedings in Docket Nos. AR61-2 and AR64-2 certain Section 4(e) proceedings involving certain sales by Union to United. It is appropriate that these proceedings be severed from the area proceedings and consolidated with Union's section 5(a) proceeding in Docket No. G-18354 together with other section 4(e) proceedings for sales to United not now consolidated with either proceeding. By the instant severance and consolidation Union's rates for sales to its affiliate, United, will be determined in the Docket No. G-18354 proceeding and its rates for sales to nonaffiliates will be determined in the appropriate area proceedings.

The Commission orders: The proceeding in Docket No. G-20204 is hereby severed from the proceedings in Docket Nos. AR61-2, et al., and the proceedings in

Docket Nos. RI60-54 and RI63-85 are hereby severed from the proceedings in Docket Nos. AR64-2, et al., and together with the proceedings in Docket Nos. G-18689, G-20085, G-20431, RI63-28, RI63-256, RI63-257, RI63-300, and RI64-276, are hereby consolidated with the proceeding in Docket No. G-18354.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 64-3671; Filed, Apr. 14, 1964; 8:46 a.m.]

[Docket No. CP64-117]

ATLANTIC SEABOARD CORP.

Notice of Application

APRIL 9, 1964.

Take notice that on November 26, 1963, as supplemented on February 3 and March 31, 1964, Atlantic Seaboard Corporation (Applicant), 1700 MacCorkle Avenue SE., Charleston, West Virginia, filed an application pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction, acquisition and operation of certain facilities and the activation and operation of a proposed storage field (Storage Field X-77) in Randolph and Pocahontas Counties, West Virginia, and, further, for authority to abandon certain facilities, all as more fully set forth in the application, as supplemented, on file with the Commission and open to public inspection.

The proposed Storage Field X-77 contains an approximate area of 57,200 acres, and Applicant proposes to acquire it, by purchase, together with field facilities and remaining gas reserves, from Hope Natural Gas Company, Columbian Carbon Company and Columbian Carbon Company, Operator.

Further, Applicant proposes herein (1) to construct and operate approximately 2.5 miles of 24-inch pipeline, (2) to convert a 1,000 horsepower compressor unit proposed to be acquired herein for the initial storage operation; (3) to construct and operate a 3,960 horsepower compressor station, consisting of three 1,320 horsepower gas engine driven compressor units; (4) to recondition 22 existing wells for utilization in storage operations, and (5) to drill 25 new wells. Applicant also proposes to abandon by retirement the above-described 1,000 horsepower compressor, together with the adjacent measurement facilities, upon completion of construction of the 3,960 horsepower station herein proposed.

The application indicates that the proposed field will have top storage capacity of 12,195,000 Mcf and a maximum daily withdrawal potential of 240,000 Mcf, when fully developed by 1970.

Applicant states that the estimated market requirements of its existing customers indicate its load factors for gas purchased from its primary supplier, United Fuel Gas Company, will be improved with the activation and operation of proposed Storage Field X-77. Applicant states further that its proposed storage project is necessary to meet the

increasing gas requirements of its customers by the most economical and feasible method.

The estimated total cost of the proposed project is shown to be \$19,090,818. This amount includes \$8,528,070 acquisition costs. The proposed abandonment will result in a total estimated net debit to retirement of \$683,583. Financing for the proposed project will be secured through the parent company, The Columbia Gas System, Inc.

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 April 29, 1964.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 64-3672; Filed, Apr. 14, 1964; 8:46 a.m.]

[Docket Nos. G-20429, G-20430]

DELHI-TAYLOR OIL CORP. AND MAYFAIR MINERALS, INC.

Order Accepting Offer of Settlement Requiring Filing of Contract Amendments, and Terminating Proceedings

APRIL 8, 1964.

On February 25, 1964, Delhi-Taylor Oil Corporation and Mayfair Minerals, Inc. (D & M) submitted an offer of settlement in these proceedings pursuant to § 1.18(e) of the Commission's rules of practice and procedure. The offer involves proposed increased rates for sales of natural gas made to Trunkline Gas Company (Trunkline) by D & M. The offer relates to sales made under Supplement No. 6 to D & M's FPC Gas Rate Schedules No. 1 in Hidalgo County, Texas (Texas R.R. Com. District No. 4). Each of the proposed increased rates of 14.-55861 cents per Mcf was suspended by order of the Commission for the statutory period, and was made effective by

D & M on June 1, 1960, in the above dockets.

Under the terms of the offer, D & M propose to eliminate the favored-nation and price redetermination provisions from each of the rate schedules and to establish a 14.55861 cents¹ per Mcf rate for the subject sales. No protests or objections have been filed to the offer.

The proposed settlement is consistent with the provisions of the Second Amendment to the Commission's Statement of General Policy No. 61-1, issued December 20, 1960, 24 F.P.C. 1107, as amended by Order No. 264, issued March 27, 1963, 20 F.P.C. 589, and its acceptance would serve the public interest.

However, we desire to make it clear that acceptance of D & M's offer of settlement shall not be construed as approval of any future rate increases that may be filed under the subject rate schedules, and is without prejudice to any findings or order of the Commission in any future proceedings, including area rate or other similar proceedings, involving D & M's rates and rate schedules.

The Commission finds. The proposed settlement of each of the above-designated proceedings, on the basis described herein, as more fully set forth in the offer of settlement filed with the Commission by D & M on February 25, 1964, is in the public interest and appropriate to carry out the provisions of the Natural Gas Act and should be approved and made effective as hereinafter ordered.

The Commission orders:

(A) The offer of settlement filed with the Commission by D & M February 25, 1964, is hereby approved in accordance with the provisions of this order.

(B) D & M shall file, within 30 days from the date of issuance of this order, executed contractual amendments to each of its FPC Gas Rate Schedules No.

1 eliminating the favored-nation and price redetermination provisions therefrom. The contractual amendments shall be submitted in accordance with Part 154 of the Commission's regulations under the Natural Gas Act.

(C) Upon notification by the Secretary of the Commission that D & M have each complied with the terms and conditions of the order, the rate and charge of 14.55861 cents per Mcf at 14.65 psia, specified in its offer of settlement shall be effective as of the date of issuance of this order, the above-designated proceedings shall be deemed terminated, and severed from the consolidated area rate proceeding (Texas Gulf Coast Area) in Docket No. AR64-2 without further order of the Commission.

(D) The acceptance by the Commission of D & M's offer of settlement is without prejudice to any findings or determinations that may be made in any proceeding now pending, or hereafter instituted by or against D & M, including area rate or other similar proceedings.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 64-3673; Filed, Apr. 14, 1964;
8:46 a.m.]

[Docket No. RI64-681 etc.]

MIDLAND NATIONAL BANK ET AL.

Order Providing for Hearings on and Suspension of Proposed Changes in Rates²

APRIL 9, 1964.

The Respondents named herein have filed proposed increased rates and charges of currently effective rate schedules for sales of natural gas under Com-

mission jurisdiction, as set forth in Appendix A below.

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

The Commission finds. It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR, Ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act.

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention 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 and 1.37(f)) on or before May 27, 1964.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

| Docket No. | Respondent | Rate schedule No. | Supplement No. | Purchaser and producing area | Amount of annual increase | Date filing tendered | Effective date unless suspended | Date suspended until— | Cents per Mcf | | Rate in effect subject to refund in docket Nos. |
|-------------|--|-------------------|----------------|---|---------------------------|----------------------|---------------------------------|-----------------------|----------------|-------------------------|---|
| | | | | | | | | | Rate in effect | Proposed increased rate | |
| RI64-681... | The Midland National Bank, Trustee, Midland, Tex. | 2 | 2 | El Paso Natural Gas Co. (Sprayberry Driver Unit, Reagan County, Tex.) (R.R. District No. 7-c) (Permian Basin Area). | \$868 | 3-18-64 | 4-18-64 | 9-18-64 | 10.0 | 44 17.2295 | ----- |
| RI64-682... | Belco Petroleum Corp. (Operator), 630 Third Avenue, New York, 17, N.Y. | 7 | 7 | Mountain Fuel Supply Co. (Birch Creek Area, Sublette County, Wyo.). | 11,915 | 3-19-64 | 4-19-64 | 9-19-64 | 15.0 | 44 16.0 | ----- |
| RI64-683... | do. | 4 | 2 | Mountain Fuel Supply Co. (Dry Piney Area Unit, Sublette County, Wyo.). | 19,130 | 3-19-64 | 4-19-64 | 9-19-64 | 15.0 | 44 16.0 | ----- |
| RI64-684... | Edwin L. Cox, 2100 Adolphus Tower, Dallas, Tex., 75202. | 22 | 9 | Natural Gas Pipeline Co. of America (Texas County, Okla.) (Oklahoma Panhandle Area). | 94 | 3-17-64 | 5-10-64 | 10-10-64 | 17.6 | 44 17.6 | RI63-408 |
| do. | do. | 21 | 8 | Natural Gas Pipeline Co. of America (Texas County, Okla.) (Oklahoma Panhandle Area). | 237 | 3-17-64 | 5-10-64 | 10-10-64 | 17.4 | 44 17.6 | RI63-408 |
| do. | do. | 10 | 11 | Natural Gas Pipeline Co. of America (Texas County, Okla.) (Oklahoma Panhandle Area). | 168 | 3-18-64 | 5-10-64 | 10-10-64 | 17.4 | 44 17.6 | RI63-408 |
| RI64-685... | Davidor & Davidor, Inc., 4515 North Santa Fe, Oklahoma City, Okla. | 1 | 4 | Cities Service Gas Co. (N. White Rock Area, Noble County, Okla.) (Oklahoma "Other" Area). | 286 | 3-13-64 | 4-13-64 | 9-13-64 | 11.0 | 44 12.0 | ----- |
| RI64-686... | Sunray DX Oil Company P. O. Box 2039, Tulsa 2, Okla. | 184 | 4 | Panhandle Eastern Pipe Line Co. (S. Hopewell Field, Pratt County, Kans.). | 2,061 | 3-23-64 | 5-1-64 | 11-1-64 | 15.0 | 44 16.0 | ----- |
| RI64-687... | American Petroleum Company of Texas, P. O. Box 2159, Dallas 21, Tex. | 33 | 5 | Texas Eastern Transmission Corp. (Mercedes Field, Hidalgo County, Tex.) (R.R. District No. 4). | 10,028 | 3-16-64 | 5-1-64 | 10-1-64 | 14.6 | 44 15.6 | ----- |

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

² Renegotiated rate increase.

³ Pressure base is 14.65 psia.

⁴ Periodic rate increase.

⁵ Pressure base is 15.025 psia.

⁶ The stated effective date is the effective date requested by Respondent.

⁷ Subject to a downward Btu adjustment.

⁸ Favored-nation rate increase.

¹ Rate is inclusive of tax reimbursement and 0.25 cent hydration allowance paid by buyer.

² Does not consolidate for hearing or dispose of the several matters herein.

The Midland National Bank, Trustee, requests an effective date of February 1, 1964, for its proposed renegotiated rate increase. Belco Petroleum Corporation (Operator) and Belco Petroleum Corporation request an effective date of March 1, 1964, for their proposed periodic rate increases. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit an earlier effective date for the aforementioned producers' rate filings and such requests are denied.

All of the proposed increased rates and charges exceed the applicable area price level for increased rates as set forth in the Commission's Statement of General Policy No. 61-1, as amended (18 CFR, Ch. I, Part 2, § 2.56).

[F.R. Doc. 64-3675; Filed, Apr. 14, 1964; 8:46 a.m.]

[Docket No. G-19191 etc.]

HUMBLE OIL & REFINING CO. ET AL.

Notice of Extension of Time

MARCH 3, 1964.

Humble Oil & Refining Company (Operator) et al., Docket No. G-19191; Chicago Mill and Lumber Company, et al., Docket No. G-19192; Sunray DX Oil Company, Docket No. CI60-85; Wheelless Drilling Company (Operator), et al., Docket No. CI61-587.

Upon consideration of the motion filed on February 18, 1964 by Humble Oil & Refining Company for an extension of time within which to file prepared evidence and for postponement of the hearing in the above-designated matters;

Notice is hereby given that: the time is extended to and including April 8, 1964 within which applicants shall serve their written cases in chief upon intervenors, if any, and staff; the time is extended to and including April 22, 1964 for service of answering cases prepared in writing by staff and intervenors, if any; the hearing presently scheduled for March 30, 1964 is postponed to April 29, 1964.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 64-3674; Filed, Apr. 14, 1964; 8:46 a.m.]

INTERAGENCY TEXTILE ADMINISTRATIVE COMMITTEE

COTTON TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN BRAZIL

Limitation on Entry or Withdrawal From Warehouse

APRIL 10, 1964.

On October 25, 1963, 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, requested the Government of Brazil to restrain the level of exports to the United

States of cotton textile products in Category 9 to a designated level for the twelve-month period beginning October 28, 1963, and ending October 27, 1964.

There is published below a letter of April 1, 1964, from the Chairman, President's Cabinet Textile Advisory Committee, to the Commissioner of Customs, prohibiting, effective April 14, 1964, for the period ending October 27, 1964, the entry or withdrawal from warehouse for consumption in the United States of cotton textile products in Category 9, produced or manufactured in Brazil, which were exported to the United States from Brazil on or after October 28, 1963.

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

THE SECRETARY OF COMMERCE

PRESIDENT'S CABINET TEXTILE ADVISORY COMMITTEE

Washington 25, D.C.
April 1, 1964.

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

DEAR MR. COMMISSIONER: The United States Government on October 25, 1963, in furtherance of the objectives of, and under the terms of, the Long Term Arrangement Regarding International Trade done at Geneva on February 9, 1962, requested the Government of Brazil to restrain the export of cotton textile products in Category 9 to the United States during the twelve-month period beginning October 28, 1963. The Long Term Arrangement is an agreement contemplated by Section 204 of the Agricultural Act of 1956, as amended.

Under the terms of the Long Term Arrangement, including Article 6 relating to non-participants, and in accordance with the procedures outlined in Executive Order 11052 of September 28, 1962, you are directed to prohibit, effective April 14, 1964, and for the period extending through October 27, 1964, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textile products in Category 9, produced or manufactured in Brazil, in excess of the adjusted level of restraint provided:

| Category | 12-month level of restraint | Adjusted level of restraint |
|----------|-----------------------------|-----------------------------|
| 9 | 500,000 square yards..... | 0 |

The adjusted level of restraint has been corrected to reflect entries made during the period October 28, 1963, through February 29, 1964.

In carrying out this directive, you shall allow entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textile products in Category 9, produced or manufactured in Brazil, when the cotton textile products sought to be entered have been exported to the United States from Brazil prior to October 28, 1963, even though the restraint level has been filled.

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

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

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

Sincerely yours,

LUTHER H. HODGES,
Secretary of Commerce, and Chairman,
President's Cabinet Textile
Advisory Committee.

[F.R. Doc. 64-3716; Filed, Apr. 14, 1964; 8:49 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 300]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

APRIL 10, 1964.

The following letter-notices of proposals to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission, under the Commission's Deviation Rules Revised, 1957 (49 CFR 211.1(c)(8)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 211.1(d)(4)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 211.1(e)) at any time but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's Deviation Rules Revised, 1957, will be numbered consecutively for convenience in identification and protests if any should refer to such letter-notices by number.

No. MC 3470 (Deviation No. 1), THE FLEET TRANSPORT COMPANY, 1301 Towson Street, Baltimore, Md., 21230, filed March 30, 1964. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over a deviation route as follows: (1) From Baltimore, Md., over the Baltimore-Washington Parkway to junction Maryland Highway 175, thence over Maryland Highway 175 to Waterloo, Md., and return over the same route, for operating convenience only, and (2) from Baltimore over Interstate Highway 695 to junction Maryland Highway 3, thence over Maryland Highway 3 to junction U.S. Highway 50, thence over U.S. Highway 50 to Washington, D.C., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Baltimore over U.S. Highway 1 to Alexandria, and return over the same route.

No. MC 38170 (Deviation No. 1), WHITE STAR TRUCKING, INC., 1750 Southfield, Lincoln Park, Mich., 48146, filed April 1, 1964. Attorney: Wilhelmina Boersma, 2850 Penobscot Building, Detroit, Mich., 48226. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over deviation routes as follows: (A) From Toledo, Ohio, over Ohio Highway 120 to junction U.S. Highway 23, thence over U.S. Highway 23 to Flint, Mich.; (B) from Toledo, over Ohio Highway 120 to its junction with U.S. Highway 23, thence over U.S. Highway 23 to junction Interstate Highway 96, thence over Interstate Highway 96 to junction Michigan Highway 218, thence over Michigan Highway 218 to Wixom, Mich.; (C) from Toledo, over Ohio Highway 120 to junction U.S. Highway 23, thence over U.S. Highway 23 to junction Interstate Highway 94, thence over Interstate Highway 94 to junction Tyler Road, thence over Tyler Road to Willow Run, Mich.; (D) from Toledo over Interstate Highway 75 to junction U.S. Highway 24, thence over U.S. Highway 24 to junction Interstate Highway 94, thence over Interstate Highway 94 to junction Tyler Road, thence over Tyler Road to Willow Run, Mich.; (E) from Detroit, Mich., over Interstate Highway 96 to junction Michigan Highway 218, thence over Michigan Highway 218 to Wixom, Mich.; (F) from Detroit, over Interstate Highway 96 to junction U.S. Highway 23, thence over U.S. Highway 23 to Flint, Mich.; (G) from Detroit, over Interstate Highway 75 to junction Michigan Highway 54, thence over Michigan Highway 54 to Flint, Mich., and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over pertinent service routes as follows: From Toledo over U.S. Highway 25 to Detroit, thence over U.S. Highway 10 to Flint, also from Toledo over U.S. Highway 24 to junction U.S. Highway 25, thence over U.S. Highway 25 to Detroit, thence over U.S. Highway 10 to Flint, also from Toledo over alternate U.S. Highway 24 (not Interstate Highway 75) to Detroit, thence over U.S. Highway 10 to Flint, from Toledo over U.S. Highway 25 to Detroit, or over U.S. Highway 25 to junction U.S. Highway 24, thence over U.S. Highway 24 to Detroit, from Toledo over U.S. Highway 24 or U.S. Highway 25 to their junction north of Flat Rock, Mich., thence over U.S. Highway 24 to Hand, Mich., thence over Michigan Highway 17 to Willow Run, Mich., from Toledo over U.S. Highway 24 to junction Michigan Highway 112 (now Interstate Highway 94) thence over Michigan Highway 112 to Willow Run, from Toledo over U.S. Highway 25 to junction U.S. Highway 24, thence over U.S. Highway 24 to its junction Michigan Highway 112 thence over Michigan Highway 112 to Willow Run, from Toledo over alternate U.S. Highway 24 to Detroit, Mich., thence over U.S. Highway 112 (now U.S. Highway 12) to Rawsonville Road, thence over Rawsonville Road to Willow Run, and return over the same routes.

No MC 108298 (Deviation No. 2), ELLIS TRUCKING CO., INC., 1600 Oliver

Avenue, Indianapolis 7, Ind., filed April 1, 1964. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Cairo, Ill., over U.S. Highway 51 to Memphis, Tenn., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Mound City, Ill., over U.S. Highway 51 via Cairo, Ill., to junction U.S. Highway 60, thence over U.S. Highway 60 to Sikeston, Mo., thence over U.S. Highway 61 to Memphis, Tenn., and return over the same route.

MOTOR CARRIERS OF PASSENGERS

No. MC 46047 (Deviation No. 2), READING TRANSPORTATION COMPANY, 415 Reading Terminal, Philadelphia, Pa., 19107, filed March 29, 1964. Attorney Harold B. Vikoren (same address as applicant). Carrier proposes to operate as a *common carrier*, by motor vehicle of *passengers and their baggage*, over a deviation route as follows: From Philadelphia, Pa., over the Schuylkill Expressway and the Pennsylvania Turnpike, to junction Pennsylvania Highway 10 at Morgantown, Pa., thence over Pennsylvania Highways 10 and 23 to junction Interstate Highway 176, thence over Interstate Highway 176 to Reading, Pa., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers over a pertinent service route, as follows: From Philadelphia over U.S. Highway 422 to Reading, and return over the same route.

No. MC 59238 (Deviation No. 3), VIRGINIA STAGE LINES, INCORPORATED, 403 East Water Street, Charlottesville, Va., filed April 1, 1964. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, over a deviation route as follows: From Richmond, Va., over Interstate Highway 95 to its interchange with U.S. Highway 1, approximately 3 miles south of Fredericksburg, Va., thence over U.S. Highway 1 and Alternate U.S. Highway 1 Bypass to Fredericksburg, and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and their baggage over a pertinent service route as follows: From Richmond over Virginia Highway 2 and U.S. Highway 17 to Fredericksburg, and return over the same route.

By the Commission.

[SEAL] HAROLD D. McCoy,
Secretary.
[F.R. Doc. 64-3696; Filed, Apr. 14, 1964;
8:47 a.m.]

[Notice 625]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

APRIL 10, 1964.

Section A. The following publications are governed by the new Special Rule

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

APPLICATIONS ASSIGNED FOR ORAL HEARING

SECTION A

MOTOR CARRIERS OF PROPERTY

No. MC 22254 (Sub-No. 43), filed March 31, 1964. Applicant: TRANS-AMERICAN VAN SERVICE, INC., 7540 South Western Avenue, Chicago, Ill. Applicant's attorney: John C. Bradley, Suite 618, Perpetual Building, 1111 E Street NW., Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission (1) between points in Alaska, and (2) between points in Alaska, on the one hand, and, on the other points in the United States (except Hawaii).

HEARING: May 4, 1964, at the Federal Office Building, Seattle, Wash., before Examiner F. Roy Linn.

No. MC 22278 (Sub-No. 14), filed April 8, 1964. Applicant: TAKIN BROS. FREIGHT, INC., 2125 Commercial Street, Waterloo, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described by the Commission, in appendix I to the report in *Descriptions of Motor Carrier Certificates, Packinghouse Products*, 61 M.C.C. 209 and 766, from Columbus Junction, Iowa, to points in Illinois, Indiana, Iowa, Minnesota, Nebraska, and Wisconsin.

HEARING: May 11, 1964, at the offices of the Interstate Commerce Commission, Washington, D.C., before Examiner James Anton.

SECTION B

MOTOR CARRIERS OF PROPERTY

No. MC 19227 (Sub-No. 79), (CORRECTION), filed August 26, 1963, published in the FEDERAL REGISTER issue of April 1, 1964, and republished as corrected this issue. Applicant: LEONARD BROS. TRANSFER, INC., 2595 Northwest 20th Street, Miami, Fla. Applicant's attorney: William O. Turney, 20001 Massachusetts Avenue NW., Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities the transportation of which because of size, weight or fragile character requires special equipment or*

special handling and of related parts, attachments, accessories, materials, and supplies when their transportation is incidental to the transportation of commodities which by reason of size, weight, or fragile character require special equipment or special handling, between points in California, on the one hand and, on the other, points in Texas and New Mexico.

NOTE: Applicant proposes to combine the proposed operations with its present authority. This republication is for the purpose of correctly stating the operations proposed, and to indicate that if granted they will be combined with existing authority.

HEARING: Remains as assigned May 26, 1964, at the Baker Hotel, Dallas, Tex., before Examiner Laurence E. Masoner. This assignment is for applicant's presentation only. A continued hearing at Los Angeles, Calif., is contemplated at the discretion of the presiding examiner.

No. MC 29566 (Sub-No. 83), filed November 18, 1963. Applicant: SOUTHWEST FREIGHT LINES, INC., 1400 Kansas Avenue, Kansas City 4, Kans. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Gypsum products, building materials, roofing materials, and insulating materials, and materials and supplies used in the installation of such commodities (except liquid commodities, in bulk, in tank vehicles), from the plant site of Bestwall Gypsum Co., located near Blue Rapids, Kans., to points in Arkansas, and empty containers or other such incidental facilities (not specified) used in transporting the above-described commodities, and returned shipments thereof, on return.*

NOTE: Common control may be involved.

HEARING: May 19, 1964, at the Pickwick Motor Inn, McGee and 10th Street, Kansas City, Mo., before Examiner Theodore M. Tahan.

No. MC 31879 (Sub-No. 10), filed September 9, 1963. Applicant: EXHIBITORS FILM DELIVERY & SERVICE, INC., 120 West 17th Street, Kansas City, Mo. Applicant's attorney: Erle W. Francis, Veterans of Foreign Wars Building, 214 West Sixth Street, Topeka, Kans. 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, those requiring special equipment, and those injuring or contaminating to other lading), from, to, and between all points within the following-described area and all points located on or within 5 miles from the following highways: From Kansas City, Mo., over U.S. Highway 50 to Lee's Summit, Mo., thence over bypass U.S. Highway 71 to Junction Missouri Highway 58; thence over Missouri Highway 58 to junction U.S. Highway 50; thence over U.S. Highway 50 to junction U.S. Highway 63; thence over U.S. Highway 63 to junction U.S. Highway 36; thence over U.S. Highway 36 to St. Joseph, Mo.; thence over U.S. Highway 71 to junction U.S. Highway 6; thence over U.S. Highway 6 to Omaha, Nebr.; thence over U.S. Highway 73 to U.S. Highway*

30; thence over U.S. Highway 30 to junction U.S. Highway 77; thence over U.S. Highway 77 to Junction U.S. Highway 36; thence over U.S. Highway 36 to Junction U.S. Highway 75; thence over U.S. Highway 75 to Topeka, Kans.; thence over U.S. Highway 40 to Lawrence, Kans.; thence over U.S. Highway 59 to Junction Interstate Highway 35; thence over Interstate Highway 35 to Kansas City, Mo.; thence over city streets of Kansas City, Mo., the point of beginning.

NOTE: Applicant states authority sought is subject to the following restrictions: (a) No service shall be rendered in the transportation of any package or article weighing more than 50 pounds or being 110 inches in length and girth combined, and each package or article shall be considered as a separate and distinct shipment; (b) no service shall be rendered between department stores, mail order stores, specialty shops and retail stores and the branches or warehouses of such stores; or between department stores, mail order stores, specialty shops and retail stores or the branches or warehouses thereof, on the one hand, and on the other, the premises of the customers of such stores; and (c) no service shall be provided in the transportation of packages or articles weighing in the aggregate more than 70 pounds from any one consignor to any one consignee on any one day. Common control may be involved.

HEARING: May 25, 1964, at the Pickwick Motor Inn, McGee and 10th Streets, Kansas City, Mo., before Examiner Theodore M. Tahan.

No. MC 52709 (Sub-No. 231), filed November 15, 1963. Applicant: RINGSBY TRUCK LINES, INC., 3201 Ringsby Court, Denver, Colo., 80216. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Alcoholic liquors and neutral spirits, in bulk, in tank vehicles, from Atchison, Kans., to points in Oregon.*

NOTE: Common control may be involved.

HEARING: May 18, 1964, at the Pickwick Motor Inn, McGee and 10th Street, Kansas City, Mo., before Examiner Theodore M. Tahan.

No. MC 92983 (Sub-No. 428), filed December 12, 1963. Applicant: ELDON MILLER, INC., Post Office Drawer 617, Kansas City, Mo. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Acids and chemicals, in bulk, from points in Kansas City commercial zone to points in Illinois, Indiana, Louisiana, and Washington.*

HEARING: May 20, 1964, at the Pickwick Motor Inn, McGee and 10th Street, Kansas City, Mo., before Examiner Theodore M. Tahan.

No. MC 92983 (Sub-No. 430), filed December 16, 1963. Applicant: ELDON MILLER, INC., Post Office Box 617, Kansas City, Mo. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Acids and chemicals, in bulk, from Des Moines, Iowa, to points in Louisiana, Oregon, and Pennsylvania.*

HEARING: May 20, 1964, at the Pickwick Motor Inn, McGee and 10th Street, Kansas City, Mo., before Examiner Theodore M. Tahan.

No. MC 105387 (Sub-No. 26), filed December 23, 1963. Applicant: R. A. CORBETT (Grace Lee Corbett, Independent Executrix), doing business as R. A. CORBETT TRANSPORT, Post Office Box 86, Lufkin, Tex. Applicant's attorney: Ewell H. Muse, Jr., Suite 415, 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, in bulk, in tank vehicles, (1) from Shreveport and Bossier City, La., to points in Oklahoma, and (2) from Shreveport and Bossier City, La., and Waskom, Tex., and points within 5 miles thereof, to Arkadelphia, Conway, Danville, and points within 8 miles thereof, DeQueen, Driggs, El Dorado, Foreman, Fort Smith, Pine Bluff, Prescott, and Russellville, Ark.*

HEARING: June 1, 1964, at the Washington-Youree Hotel, Shreveport, La., before Examiner William A. Royall.

No. MC 113908 (Sub-No. 132), filed December 13, 1963. Applicant: ERICKSON TRANSPORT CORPORATION, Main Post Office Box 706, 706 West Tampa, Springfield, Mo. Applicant's attorney: Turner White, III, 805 Woodruff Building, Springfield, Mo., 65806. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Alcoholic liquor and grain alcohol, in bulk, in tank vehicles, from Atchison, Kans., to points in Oregon.*

HEARING: May 18, 1964, at the Pickwick Motor Inn, McGee and 10th Street, Kansas City, Mo., before Examiner Theodore M. Tahan.

No. MC 117094 (Sub-No. 9), filed December 26, 1963. Applicant: HOFER, INC., Post Office Box 583, Pittsburg, Kans. Applicant's attorney: John E. Jandera, 641 Harrison Street, Topeka, Kans. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Feed and feed ingredients, between points in the Kansas City, Kans.-Mo., commercial zone, Sioux City, Iowa, and Goodman, Mo., on the one hand, and, on the other, points in Missouri, Kansas, Nebraska, Iowa, Illinois, Indiana, Minnesota, Wisconsin, North Dakota, South Dakota, Oklahoma, Texas, Tennessee, Louisiana, Mississippi, Alabama, Arkansas, Kentucky, West Virginia, and that part of Colorado lying on and east of U.S. Highway 87.*

NOTE: Applicant states the above-described operations will be limited to a transportation service to be performed under a continuing contract, or contracts with R. L. Vaughan, doing business as Vaughn Sales Co.

HEARING: May 22, 1964, at the Pickwick Motor Inn, McGee and 10th Street, Kansas City, Mo., before Examiner Theodore M. Tahan.

No. MC 117119 (Sub-No. 125) (RE-PUBLICATION), filed November 12, 1963, published in FEDERAL REGISTER issue of January 8, 1964, and republished, this issue. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. Applicant's attorney: John H. Joyce, 26 North College, Fayetteville, Ark. By application filed November 12, 1963, applicant seeks a certificate of public con-

venience and necessity authorizing operation, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of frozen foods, from Belvidere, Ill., to New Orleans and Baton Rouge, La., and points in Arkansas, Mississippi, and the Memphis, Tenn., commercial zone, when previously stopped for partial unloading in the States of Kentucky, Alabama, and Tennessee, other than the Memphis, Tenn., commercial zone. The application was referred to Francis A. Welch for hearing and the recommendation of an appropriate order thereon. Hearing was held on February 12, 1964 at Little Rock, Ark. At the hearing it was observed that authorization of service by applicant without the "less truckload" limitation is in excess of the scope of the application as filed and as published in the FEDERAL REGISTER. Such a grant amounts, in effect, to the allowance of an amendment broadening the authority sought in the application. A report and order, served April 7, 1964, which became effective March 30, 1964, finds that the present and future public convenience and necessity require operation by applicant as a common carrier by motor vehicle, in interstate or foreign commerce, over irregular routes, of frozen foods, from Belvidere, Ill., to New Orleans and Baton Rouge, La., and points in Arkansas, Mississippi, Kentucky, Alabama, and Tennessee. The examiner further finds that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder; and that an appropriate certificate should be issued. Issuance of authority herein shall be withheld until the lapse of 30 days from the date of such republication in the FEDERAL REGISTER, during which period any proper party in interest may file a petition for further hearing.

No. MC 117119 (Sub-No. 131), filed December 23, 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: *Frozen foods*, from Kansas City, Kans., to Montezuma, Ga., Norfolk, Grand Island, and North Platte, Nebr., Hutchinson, Kans., Seabrook, N.J., Grand Forks and Minot, N. Dak.

HEARING: May 21, 1964, at the Pickwick Motor Inn, McGee and 10th Street, Kansas City, Mo., before Examiner Theodore M. Tahan.

No. MC 119990 (Sub-No. 1), filed April 29, 1963. Applicant: MERCHANTS DELIVERY CO., a corporation, 1212 East 18th Street, Kansas City, Mo. Applicant's attorney: Lee Reeder, Suite 1010, 1012 Baltimore Avenue, Kansas City 5, Mo. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *General commodities* (except classes A and B explosives, commodities in bulk, those requiring special equipment, and those injurious or contaminating to other

lading), from, to, and between points within following-described area, and points located on or within five (5) miles of the following highways, from St. Joseph, Mo., over U.S. Highway 59 to Atchison, Kans., thence over U.S. Highway 73 to junction Kansas Highway 20, thence over Kansas Highway 20 to junction U.S. Highway 75, thence over U.S. Highway 75 to U.S. Highway 24, thence over U.S. Highway 24 to junction U.S. Highway 77, thence over U.S. Highway 77, thence over U.S. Highway 7, to junction U.S. Highway 40, thence over U.S. Highway 40 to junction U.S. Highway 59, thence over U.S. Highway 59 to junction U.S. Highway 169, thence over U.S. Highway 169, to junction U.S. Highway 160, thence over U.S. Highway 160 to U.S. Highway 75, thence over U.S. Highway 75 to junction U.S. Highway 166, thence over U.S. Highway 166 to U.S. Highway 59, thence over U.S. Highway 59, to Oklahoma Highway 10, thence over Oklahoma Highway 10 to junction Oklahoma Highway 10C, thence over Oklahoma Highway 10C to junction Missouri-Oklahoma State line, thence south on Missouri-Oklahoma State line to junction U.S. Highway 60, thence over U.S. Highway 60, to junction U.S. Highway 71, thence over U.S. Highway 71 to Harrisonville, thence over Missouri Highway 2 to junction Missouri Highway 131, thence over Missouri Highway 131 to junction Missouri Highway 58, thence over Missouri Highway 58 to U.S. Highway 50, thence over U.S. Highway 50 to Jefferson City, thence over U.S. Highway 63 to U.S. Highway 36, thence over U.S. Highway 36, to St. Joseph, Mo., the point of beginning.

NOTE: Applicant states the proposed service is restricted to (a) no service shall be rendered in the transportation of any package or article weighing more than fifty (50) pounds or exceeding 110 inches in length and girth combined, and each package or article shall be considered as a separate and distinct shipment, (b) no service shall be rendered between department stores, mail order stores, specialty shops, and retail stores and the branches or warehouses of such store, or between department stores, mail order stores, specialty shops, and retail stores or the branches or warehouses thereof, on the one hand, and, on the other, the premises of the customers of such stores, and (c) no services shall be provided in the transportation of packages or articles weighing in the aggregate more than seventy (70) pounds from any one consignor to any one consignee on any one day.

HEARING: May 25, 1964, at the Pickwick Motor Inn, McGee and 10th Street, Kansas City, Mo., before Examiner Theodore M. Tahan.

No. MC 125392 (Sub-No. 2) (REPUBLICATION), filed August 18, 1963, published FEDERAL REGISTER issue of November 20, 1963, and republished this issue. Applicant: FOAM TRUCKERS, INC., 143 Scholes Avenue, Clifton, N.J. Applicant's attorney: Morton E. Kiel, 140 Cedar Street, New York 6, N.Y. By application filed August 18, 1963, as amended, applicant seeks a permit authorizing operation, in interstate or foreign commerce as a contract carrier by motor vehicle, over irregular routes, of urethane foam (except in bulk, in tank vehicles), from the plant site of Nopco

Chemical Co. located in Plainfield and Piscataway Township, N.J., to points in Connecticut, Delaware, Massachusetts, New York, Rhode Island, Maryland, and points in Pennsylvania located on and west of a line beginning at the Pennsylvania-New York State line and extending along U.S. Highway 15 to junction U.S. Highway 111, thence over U.S. Highway 111 to the Pennsylvania-Maryland State line, and returned shipments on return. The application was referred to Examiner Armin G. Clement for hearing and the recommendation of an appropriate order thereon. Hearing was held on January 6, 1964 at New York, N.Y. At the hearing an amendment was proposed to change the origin area from "Plainfield and Dunellen, N.J." to "the plant site of Nopco Chemical Co. located in Plainfield-Piscataway Township, N.J." Applicant moved also to amend the application so as to include the eastern half of Pennsylvania, instead of the western half, in this application. A report and order, served April 7, 1964, which became effective April 2, 1964, finds that applicant is fit, willing, and able properly to perform the service of a contract carrier by motor vehicle and to conform to the provisions of the Interstate Commerce Act and with the lawful requirements, rules, and regulations of the Commission thereunder, and that operation, in interstate or foreign commerce by applicant as a contract carrier by motor vehicle, under a continuing contract with Nopco Chemical Co. of Newark, N.J., of urethane foam (except in bulk, in tank vehicles), from the plant site of Nopco Chemical Co. located in Plainfield and Piscataway Township, N.J., to points in Connecticut, Delaware, Massachusetts, New York, Rhode Island, Maryland, and points in Pennsylvania located on and east of a line beginning at the Pennsylvania-New York State line and extending along U.S. Highway 15 to junction U.S. Highway 111, thence over U.S. Highway 111 to the Pennsylvania-Maryland State line, and returned shipments on return, will be consistent with the public interest and the national transportation policy; that an appropriate permit should be granted after the lapse of 30 days from the date of republication in the FEDERAL REGISTER of a corrected statement of the authority sought herein, provided that no petitions for further hearing are received during that period.

No. MC 125717 (Sub-No. 1), filed December 17, 1963. Applicant: NORMAN JOSEPH CHOPLIN, doing business as JOE CHOPLIN, 1301 North Spring, Independence, Mo. Applicant's attorney: Frank W. Taylor, Jr., 1221 Baltimore Avenue, Kansas City 5, Mo. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Dairy replacement products, and rejected, outdated, and damaged commodities* being returned to the shipper, between Kansas City, Mo., on the one hand, and, on the other, points in Texas, Oklahoma, and Kansas.

HEARING: May 19, 1964, at the Pickwick Motor Inn, McGee and 10th Streets, Kansas City, Mo., before Examiner Theodore M. Tahan.

APPLICATIONS FOR CERTIFICATES OR PERMITS WHICH ARE TO BE PROCESSED CONCURRENTLY WITH APPLICATIONS UNDER SECTION 5 GOVERNED BY SPECIAL RULE 1.240 TO THE EXTENT APPLICABLE

No. MC 115180 (Sub-No. 11), filed March 30, 1964. 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: *Meats, meat products, meat byproducts and articles* distributed by meat packinghouses, as described in sections A and C, appendix I in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, except commodities in bulk, in tank vehicles and not restricted to shipments moving to or from packinghouses, between Allentown, Pa., on the one hand, and, on the other, New York, N.Y., Baltimore, Md., Wilmington, Del., and points in New Jersey.

Note: Applicant states the reason for the instant application is that it seeks, in another proceeding before the Commission to purchase J. H. Glowatsky Trucking, Inc. J. H. Glowatsky Trucking, Inc., now has a restriction in its general commodity, with usual exceptions, authority reading "in truckload lots only." The instant application is for the removal of this restriction against the commodities shown above so that applicant would be able to tack its present authority on the commodities specified to that of Glowatsky for through movements without truckload restriction. This application is to be handled concurrently with MC-F-8710, published FEDERAL REGISTER issue of April 8, 1964. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., and Washington, D.C.

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-8713. Authority sought for purchase by SHIPPERS DISPATCH, INC., 1216 West Sample Street, South Bend 24, Ind., of a portion of the operating rights of McNAMARA MOTOR EXPRESS, INC., 433 East Parsons Street, Kalamazoo, Mich., and for acquisition by ALFRED D. HUFFMAN, 1601 Inwood Road, South Bend, Ind., and ROY L. ROELKE, 1741 Wall Street, South Bend, Ind., of control of such rights through the purchase. Applicants' attorneys: Ferdinand Born, 1019C of C Building, Indianapolis, Ind., and Jack Goodman, 39 South La Salle Street, Chicago 3, Ill. 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 South Bend, Ind., and St. Louis, Mo., serving all intermediate and certain off-route points, between Frankfort, Ill., and St. Louis, Mo., serving all intermediate

points, between Chicago, Ill., and Chicago, Ill., between Chicago, Ill., and St. Louis, Mo., serving the intermediate points of Joliet and Peoria, Ill., and Fort Madison, Iowa, between Mokenca, Ill., and junction U.S. Highway 41 and Indiana Highway 2, serving no intermediate points, between Chicago, Ill., and junction U.S. Highway 6, and Indiana Highway 2 at Westville, Ind., serving all intermediate points, several alternate routes for operating convenience only, with certain restriction; and *empty vehicles*, to be used in conducting operations otherwise authorized, between Frankfort, Ill., and Joliet, Ill. Vendee is authorized to operate as a common carrier in Indiana, Ohio, Illinois, Michigan, and Missouri. Application has been filed for temporary authority under section 210a(b).

No. MC-F-8714. Authority sought for control and merger by MID-AMERICAN TRUCK LINES, INC., 900 North Indiana Avenue, Kansas City 20, Mo., of the operating rights and property of WHITE OWL EXPRESS, INC., 212 Osmun Street, Pontiac, Mich., and for acquisition by LEE SHALHOPE, 1500 West 33d Street, Chicago, Ill., and LEROY WOLFE, also of Kansas City 20, Mo., of control of such rights and property through the transaction. Applicants' attorneys: Axelrod, Goodman & Steiner, 39 South La Salle Street, Chicago 3, Ill. Operating rights sought to be controlled and merged: *General commodities*, excepting, among others, household goods and commodities in bulk, as a common carrier, over regular routes, between Mottville, Mich., and junction Indiana Highway 212 and U.S. Highway 20, between the junction of U.S. Highway 112 and unnumbered highways, and the Ford Willow Run Plant (near Ypsilanti, Mich.), serving no intermediate points, between Detroit, Mich., and Ypsilanti, Mich., serving the intermediate point of the Ford Willow Run Plant (near Ypsilanti, Mich.), between the Chrysler Corporation Tank Arsenal (located near Detroit, Mich.), and Detroit, Mich., the junction of U.S. Highway 10 and Eleven Mile Road (located near Berkley, Mich.), and Ferndale, Mich., serving no intermediate points, between Niles, Mich., and junction U.S. Highways 12 and 24 near Detroit, Mich., between Ypsilanti, Mich., and Ann Arbor, Mich., serving no intermediate points; *general commodities*, except those of unusual value, and except high explosives, household goods (when transported as a separate and distinct service in connection with so-called "household movings"), commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, between Pontiac, Mich., and Chicago, Ill., serving certain intermediate and off-route points, MID-AMERICAN TRUCK LINES, INC., is authorized to operate as a common carrier in Missouri, Illinois, Kansas, and Nebraska. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-8715. Authority sought for purchase by EAGLE MOTOR LINES, INC., 830 North 33d Street, Birmingham, Ala., of a portion of the operating rights

of LOWTHER TRUCKING COMPANY, Post Office Box 2115, Charlotte, N.C., and for acquisition by F. W. EDWARDS AND O. M. COOK, SR., both of Birmingham, Ala., of control of such rights through the purchase. Applicants' attorney and representative: Donald L. Morris, 937 Bank for Savings Building, Birmingham, Ala., and J. Wesley Lowther, Post Office Box 2115, Charlotte 1, N.C. Operating rights sought to be transferred: *Pipe and pipe fittings, cast iron meter boxes, manhole frames and manhole covers*, except those which because of size or weight require the use of special equipment, and except pipe and pipe fittings such as are included in the first findings of the Commission in *T. E. Mercer Extension—Oil Field Commodities*, 74 M.C.C. 459,543, as a common carrier over irregular routes, from Swan, Tex., to points in Alabama, Florida, Mississippi, North Carolina, and South Carolina; and *wallboard*, from Diboll, Tex., and points within five (5) miles thereof, to points in Alabama, Florida (except Jacksonville), Mississippi, North Carolina, and South Carolina. Vendee is authorized to operate as a common carrier in Georgia, Mississippi, Tennessee, Alabama, Florida, Louisiana, Texas, Virginia, Arkansas, North Carolina, South Carolina, Iowa, Kansas, Missouri, Illinois, Michigan, Ohio, Wisconsin, Kentucky, and Indiana. Application has been filed for temporary authority under section 210a(b).

No. MC-F-8716. Authority sought for purchase by THE BESL TRANSFER COMPANY, 5550 Este Avenue, Cincinnati, Ohio, 45232, of the operating rights of P. J. METZ SONS, INC., 1128 Straight Street, Cincinnati, Ohio, 45214, and for acquisition by RAYMOND A. BESL, 6211 Gray Road, Fairfield, Ohio, CLARA BESL, 5591 Colerain Avenue, Cincinnati, Ohio, and ALFRED BESL, 5480 Fox Road, Cincinnati, Ohio, of control of such rights through the purchase. Applicants' attorneys: John L. Muething, 3701 Carew Tower, Cincinnati 2, Ohio, and Jack B. Josselson, Atlas Bank Building, Cincinnati 2, Ohio. Operating rights sought to be transferred: *General commodities*, excepting, among others, household goods and commodities in bulk, as a common carrier over irregular routes, between points in Ohio within 5 miles of Cincinnati, including Cincinnati, between Cincinnati, Ohio, and points in Ohio, within 5 miles of Cincinnati, on the one hand, and, on the other, points in Kentucky within 10 miles of the intersection of Second and Court Streets, in Covington, Ky.; *heavy machinery and commodities requiring special equipment or handling*, by reason of their size or weight, between points in Hamilton County, Ohio, on the one hand, and, on the other, points in Ohio, those in Dearborn County, Ind., and those in that part of Kentucky within 10 miles of the southern limits of Cincinnati, Ohio; and *commodities*, which because of their size or weight, require the use of special equipment, between Cincinnati, and points in Ohio, Indiana, and Kentucky, within 25 miles of Cincinnati, on the one hand, and, on the other, points in Illinois, Indiana, Kentucky, Michigan, New York, Missouri, Pennsylvania, and West Virginia.

Vendee is authorized to operate as a *common carrier* in Ohio, Indiana, and Kentucky. Application has been filed for temporary authority under section 210a(b).

No. MC-F-8717. Authority sought for control by PUGET SOUND TRUCK LINES, INC., Pier 62, Seattle, Wash., 98101, of PUGET SOUND TRUCKING CO., Pier 62, Seattle, Wash., 98101, upon the latter's institution of operations in interstate or foreign commerce, as a contract carrier by motor vehicle, for which application has been made, as described below, and for acquisition by PUGET SOUND FREIGHT LINES, also of Seattle, Wash., and, in turn by, C. H. CARLANDER, H. E. LOVEJOY, J. KNOX WOODRUFF, JEAN LOVEJOY, L. S. CARLANDER, all of Seattle, Wash., and G. W. FOSS, 705 Dock Street, Tacoma, Wash., of control of PUGET SOUND TRUCKING CO., through the acquisition by PUGET SOUND TRUCK LINES, INC. Applicants' attorney: Charles J. Keever, 2112 Washington Building, Post Office Box 340, Seattle, Wash., 98111. Operating rights sought to be controlled: Authority applied for in pending application in No. MC-124578 Sub-3, filed January 24, 1964, for a contract carrier permit to transport palletized cans, palletized can ends, in cartons, pallet pack sleeves, caps, divider sheets, and pallets, over irregular routes between Portland, Oreg., on the one hand, and Olympia, Tumwater, Lacey, and Seattle, Wash., on the other hand. PUGET SOUND TRUCK LINES, INC., is authorized to operate as a *common carrier* in Washington and Oregon. Application has not been filed for temporary authority under section 210a(b).

By the Commission.

[SEAL] HAROLD D. McCoy,
Secretary.

[F.R. Doc. 64-3697; Filed, Apr. 14, 1964;
8:47 a.m.]

[Notice 626]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

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

APPLICATIONS ASSIGNED FOR ORAL HEARING

The applications immediately following are assigned for hearing at the time

and place designated in the notice of filing as here published in each proceeding. All of the proceedings are subject to the special rules of procedure for hearing outlined below:

Special rules of procedure for hearing.

(1) All of the testimony to be adduced by applicant's company witnesses shall be in the form of written statements which shall be submitted at the hearing at the time and place indicated.

(2) All of the written statements by applicant's company witnesses shall be offered in evidence at the hearing in the same manner as any other type of evidence. The witnesses submitting the written statements shall be made available at the hearing for cross-examination, if such becomes necessary.

(3) The written statements by applicant's company witnesses, if received in evidence, will be accepted as exhibits. To the extent the written statements refer to attached documents such as copies of operating authority, etc., they should be referred to in written statement as numbered appendices thereto.

(4) The admissibility of the evidence contained in the written statements and the appendices thereto, will be at the time of offer, subject to the same rules as if the evidence were produced in the usual manner.

(5) Supplemental testimony by a witness to correct errors or to supply inadvertent omissions in his written statement is permissible.

SECTION A

MOTOR CARRIERS OF PROPERTY

No. MC 21170 (Sub-No. 45), filed April 8, 1964. Applicant: BOS LINES, INC., 408 South 12th Avenue, Marshalltown, Iowa. Applicant's attorney: Donald A. Morken, 1000 First National Bank Building, Minneapolis, Minn., 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Minneapolis, St. Paul, South St. Paul, Inver Grove, West St. Paul, Newport, North St. Paul, Columbia Heights, Robbinsdale, St. Louis Park, Hopkins, Edina, Richfield, Red Rock, McCarron's Lake, Fort Snelling, State Fairgrounds, Bloomington, and Plymouth, Minn.

HEARING: April 30, 1964, in Room B-29, Federal Building and U.S. Court House, 110 South Fourth St., Minneapolis, Minn., before Joint Board No. 145, or, if the Joint Board waives its right to participate, before Examiner Harry M. Shooman.

No. MC 113828 (Sub-No. 61), filed April 7, 1964. Applicant: O'BOYLE TANK LINES, INCORPORATED, 4848 Cordell Avenue, Washington 14, D.C. Applicant's attorney: William P. Sullivan, 1825 Jefferson Place NW., Washington 36, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products, including naphtha*, but (excluding other acids and chemicals, in bulk, in tank vehicles, from the outlets or terminals of

the Plantation Pipeline Company in Roanoke County, Va., to points in West Virginia and points in Buchanan and Tazewell Counties, Va.

HEARING: May 11, 1964, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Leo M. Pellerzi.

No. MC 115491 (Sub-No. 44), filed March 20, 1964. Applicant: COMMERCIAL CARRIER CORPORATION, 502 East Bridgers Avenue, Auburndale, Fla. Applicant's attorney: W. Craig Massey, 223 South Florida Avenue, Drawer J, Lakeland, Fla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products, and articles distributed by meat packinghouses*, as described in Sections A and C, Appendix I, in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, and 766, from the plant site of Armour and Company located at or near Emporia, Kans., to points in Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, and Louisiana.

NOTE: Applicant states the proposed service will be restricted to shipments originating at the plant site of Armour and Co., and further restricted against tacking at origin, also against commodities in bulk, in tank vehicles.

HEARING: May 4, 1964, at the Midland Hotel, Chicago, Ill., before Examiner William E. Messer.

No. MC 115915 (Sub-No. 22), filed April 3, 1964. Applicant: FRED E. HAGEN, doing business as HAGEN TRUCK LINES, 6120 North 16th Street, Omaha, Nebr. Applicant's attorney: J. Max Harding, Box 2028, Lincoln, Nebr. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products and articles distributed by meat packinghouses*, as described in Sections A and C, Appendix I, in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, except commodities in bulk in tank vehicles, from the plant site of Armour and Company located at or near Emporia, Kans., to points in California, Idaho, Illinois, Iowa, Minnesota, Montana, Nebraska, North Dakota, Oregon, South Dakota, Washington, Wisconsin, and Wyoming. RESTRICTION: Authority sought is limited to shipments originating at the plant site of Armour and Company and further restricted against tacking at origin.

HEARING: May 4, 1964, at Midland Hotel, Chicago, Ill., before Examiner William E. Messer.

No. MC 124123 (Sub-No. 18) (CORRECTION), filed March 23, 1964, published FEDERAL REGISTER, issue of April 1, 1964, and republished, this issue. Applicant: SCHWERMAN TRUCKING CO. OF ILL., INC., 611 South 28th Street, Milwaukee 46, Wis. Applicant's attorney: James R. Ziperski (same address as applicant). The purpose of this corrected notice is to give applicant's correct name as shown above in lieu of SCHWERMAN TRUCKING CO. OF ILLINOIS, INC., as shown in previous publication.

No. MC 124174 (Sub-No. 25), filed April 6, 1964. Applicant: MOMSEN

TRUCKING CO., a corporation, Highway 71 and 18 North, Spencer, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products, and articles distributed by meat packinghouses*, as described in Sections A and C, Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk in tank vehicles) from the plant site of Armour & Company, at or near Emporia, Kans., to points in Illinois, Indiana, Iowa, Nebraska, Minnesota, and Wisconsin.

NOTE: Common control may be involved.

HEARING: May 4, 1964, at Midland Hotel, Chicago, Ill., before Examiner William E. Messer.

No MC 124306 (Sub-No. 3) (AMENDMENT), filed July 21, 1963, published in FEDERAL REGISTER, issue January 29, 1964, and republished as amended this issue. Applicant: KENAN TRANSPORT COMPANY, a corporation, Post Office Box 2933, West Durham Station, Durham, N.C. Applicant's attorney: W. T. Croft, Federal Bar Building, 1815 H Street NW., Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products, including specifically naphtha*, in bulk, in tank vehicles, from (1) Montvale, Va., to points in West Virginia, (2) from the Colonial Pipeline Terminals, at or near Selma, N.C., to points in Virginia, and (3) from the Colonial Pipeline Terminals, at or near Norfolk, Va., to points in North Carolina, and *returned or rejected shipments of the above named commodities*, in (1), (2), and (3), on return.

NOTE: Applicant has a pending contract application in MC 124645, therefore dual operations may be involved. The purpose of this republication is to change the territorial descriptions from that previously published to that specified above.

HEARING: May 25, 1964, at the Federal Building, 400 North Eighth Street, Richmond, Va., before Joint Board No. 292, or, if the Joint Board waives its right to participate, before Examiner Leo M. Pellerzi.

No. MC 125949, filed January 23, 1964. Applicant: MOLNER TRANSPORT, INC., 504 South Kane Street, Baltimore 24, Md. Applicant's attorney: Edward G. Villalon, Perpetual Building, 1111 E Street NW., Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, from Colonial Pipe Line Terminals located in Fairfax County, Va., to points in Maryland and the District of Columbia.

HEARING: May 25, 1964, at the Federal Building, 400 North Eighth Street, Richmond, Va., before Joint Board No. 68, or, if the Joint Board waives its right to participate, before Examiner Leo M. Pellerzi.

No. MC 126151, filed April 2, 1964. Applicant: STEUART PETROLEUM COMPANY, a corporation, 4646 40th Street NW., Washington, D.C. Appli-

cant's attorney: John C. Bradley, Suite 618, Perpetual Building, 1111 E Street NW., Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, from oil pipeline terminals, storage and other facilities, located at or near Newington, Fairfax County, Va., to points in Virginia, West Virginia, Maryland, and the District of Columbia.

HEARING: May 11, 1964, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Leo M. Pellerzi.

No. MC 126151 (Sub-No. 1), filed April 2, 1964. Applicant: STEUART PETROLEUM COMPANY, a corporation, 4646 40th Street NW., Washington, D.C. Applicant's attorney: John C. Bradley, Suite 618, Perpetual Building, 1111 E Street NW., Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, from oil pipeline terminals, storage and other facilities in or near Fairfax City, Va., to points in Virginia, West Virginia, Maryland, and the District of Columbia.

HEARING: May 11, 1964, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Leo M. Pellerzi.

SECTION B

MOTOR CARRIERS OF PROPERTY

No. MC 3114 (Sub-No. 20), filed August 25, 1963. Applicant: T. H. COMPTON, INC., Great Cacapon, W. Va. Applicant's attorney: Dale C. Dillon, 1825 Jefferson Place NW., Washington 36, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from terminals on the Colonial Pipe Line located in Fairfax City and Fairfax County, Va., to points in Berkeley, Jefferson and Morgan Counties, W. Va., and Romney, W. Va., and Cumberland, La Vale, Hagerstown, Hancock, Ellicott City, Frederick, and Westminster, Md.

HEARING: May 25, 1964, at the Federal Building, 400 North Eighth Street, Richmond, Va., before Joint Board No. 63, or, if the Joint Board waives its right to participate, before Examiner Leo M. Pellerzi.

No. MC 103383 (Sub-No. 3), filed August 8, 1963. Applicant: SAFETY TANK LINES, INC., Post Office Box 344, Danville, Va. Applicant's attorney: Jno. C. Goddin, Insurance Building, 10 South Tenth Street, Richmond 19, Va. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank trucks, from the Montvale terminal of the pipe line located at or near Montvale, Va., to points in West Virginia and Tazewell County, Va.

HEARING: May 25, 1964, at the Federal Building, 400 North Eighth Street, Richmond, Va., before Joint Board No. 245, or, if the Joint Board waives its right to participate, before Examiner Leo M. Pellerzi.

No. MC 103383 (Sub-No. 4), filed September 16, 1963. Applicant: SAFETY TANK LINES, INC., Post Office Box 344, Danville, Va. Applicant's attorney: John C. Goddin, 10 South 10th Street, Richmond 19, Va. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank trucks, from the Fairfax Terminal of the pipeline located at or near Fairfax, Va., to points in West Virginia and Tazewell County, Va.

HEARING: May 25, 1964, at the Federal Building, 400 North Eighth Street, Richmond, Va., before Joint Board No. 245, or, if the Joint Board waives its right to participate before Examiner Leo M. Pellerzi.

No. MC 113828 (Sub-No. 35) (AMENDMENT), filed June 7, 1963, published in FEDERAL REGISTER issue June 19, 1963, amended March 17, 1964, and republished as amended this issue. Applicant: O'BOYLE TANK LINES, INCORPORATED, 4848 Cordell Avenue, Washington 14, D.C. Applicant's attorney: Dale C. Dillon, 1825 Jefferson Place, NW., Washington 36, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from the terminal of the Colonial Pipe Line Co. at or near Montvale, Va., to points in West Virginia and points in Buchanan and Tazewell Counties, Va., and *returned and rejected shipments*, on return.

NOTE: The purpose of this republication is to add Buchanan County to the destination territory.

HEARING: May 25, 1964, at the Federal Building, 400 North Eighth Street, Richmond, Va., before Joint Board No. 245, or, if the Joint Board waives its right to participate before Examiner Leo M. Pellerzi.

No. MC 118416 (Sub-No. 2), filed September 15, 1963. Applicant: GREEN MOTOR LINES, INCORPORATED, 1420 East Ninth Street Road, Richmond, Va. Applicant's attorney: Jno. C. Goddin, Insurance Building, 10 South 10th Street, Richmond 19, Va. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank trucks, (1) from the Montvale terminal of the pipe line located at or near Montvale, Va., to points in West Virginia and Tazewell County, Va., and (2) from the Fairfax terminal of the pipeline located at or near Fairfax, Va., to points in West Virginia and Tazewell County, Va.

NOTE: Applicant is also authorized to operate as a contract carrier in MC 109654; therefore, dual operations may be involved.

HEARING: May 25, 1964, at the Federal Building, 400 North Eighth Street, Richmond, Va., before Joint Board No. 245, or, if the Joint Board waives its right to participate before Examiner Leo M. Pellerzi.

By the Commission.

[SEAL] HAROLD D. McCoy,
Secretary.

[F.R. Doc. 64-3698; Filed, Apr. 14, 1964; 8:47 a.m.]

[Notice 627]

MOTOR CARRIER, BROKER, WATER CARRIER AND FREIGHT FORWARDER APPLICATIONS

APRIL 10, 1964.

Important notice. The following applications are governed by § 1.247¹ of the Commission's general rules of practice (49 CFR 1.247), published in the FEDERAL REGISTER, issue of December 3, 1963, effective January 1, 1964. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the FEDERAL REGISTER. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with § 1.40 of the general rules of practice which requires that it set forth specifically the grounds upon which it is made and specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and six (6) copies of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such request shall meet the requirements of § 1.247(d)(4) of the special rules. Subsequent assignment of these proceedings for oral hearing, if any, will be by Commission order which will be served on each party of record.

No. MC 10297 (Sub-No. 17), filed March 30, 1964. Applicant: CAPITOL MOTOR TRANSPORTATION CO., INC., 69 Norman Street, Everett, Mass. Applicant's representative: Bert Collins, 140 Cedar Street, New York 6, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Stone*, cut and uncut, rough and finished, from Franklin County, Ala., to points in Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, and Maine and *rejected, returned, and damaged shipments* on return.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

No. MC 10761 (Sub-No. 152), filed April 2, 1964. Applicant: TRANS-AMERICAN FREIGHT LINES, INC., 1700 North Waterman Avenue, Detroit 9, Mich. Applicant's attorney: Howell Ellis, Suite 616-618, 111 Monument Circle, Indianapolis 4, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by meat-packing houses*, as described in appendix A and C in *Description Case*, Ex Parte MC 45, also, *supplies, equipment, and materials* used in the conduct of such

¹ Copies of § 1.247 can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C., 20423.

business, from the plant site of Agar Packing Co., at or near Monmouth, Ill., to points in Arkansas, Connecticut, Delaware, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Missouri, Nebraska, New Hampshire, New Jersey, New York, Ohio, Oklahoma, Pennsylvania, Rhode Island, Texas, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia, and *returned or rejected shipments*, on return.

NOTE: If a hearing is deemed necessary applicant requests it be held at Chicago, Ill.

No. MC 11207 (Sub-No. 224), filed March 27, 1964. Applicant: DEATON TRUCK LINE, INC., 3409 10th Avenue North, Birmingham, Ala. Applicant's attorney: A. Alvis Layne, Pennsylvania Building, Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement asbestos products, and fittings, materials, and accessories for the installation or transportation thereof*, from Ragland, Ala., to points in Alabama, Georgia, Florida, Tennessee, North Carolina, South Carolina, Kentucky, Virginia, Missouri, Arkansas, Mississippi, Louisiana, Texas, Oklahoma, and Kansas, and only *empty containers or other such incidental facilities* (not specified) used in transporting the commodities specified above, on return.

NOTE: If a hearing is deemed necessary applicant requests it be held at Birmingham, Ala.

No. MC 20783 (Sub-No. 70), filed April 3, 1964. Applicant: TOMPKINS MOTOR LINES, INC., 638 Langley Place, Decatur, Ga. 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: *Canned fruit and vegetables, and canned fruit and vegetable juices*, from points in Florida to points in Illinois, Indiana, Kentucky, Michigan, Ohio, Tennessee, points in that part of Minnesota on and south of Minnesota Highway 28, beginning at the Minnesota-South Dakota State line, thence eastward to the junction of U.S. Highway 52, thence over U.S. Highway 52 to the junction of Minnesota Highway 95, thence over Minnesota Highway 95 to the Minnesota-Wisconsin State line, and points in that part of West Virginia on and west of U.S. Highway 19 beginning at the West Virginia-Virginia State line running northward to the West Virginia-Pennsylvania State line. RESTRICTION: Service to points in West Virginia to be restricted to stop-off in-transit deliveries.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Tampa, Fla.

No. MC 20783 (Sub-No. 71), filed April 6, 1964. Applicant: TOMPKINS MOTOR LINES, INC., 638 Langley Place, Decatur, Ga. 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: *Meats, meat products, and articles distributed by meat packinghouses* (ex-

cept hides and commodities in bulk, in tank vehicles), as described in sections A and C of appendix I in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, including *supplies, equipment and materials* used in the conduct of such business, from Monmouth, Ill., to points in Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 25798 (Sub-No. 114), filed April 3, 1964. Applicant: CLAY HYDER TRUCKING LINES, INC., Post Office Box 1075, Dade City, Fla. Applicant's attorney: Thomas F. Kilroy, 1815 H Street NW., Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products and articles distributed by meat packinghouses*, from the plant site of Swift & Co., located at or near Grand Island, Nebr., to points in Tennessee, Kentucky, West Virginia, Maryland, District of Columbia, North Carolina, South Carolina, and Virginia.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 37755 (Sub-No. 4), filed March 31, 1964. Applicant: LLOYD GRAHEM, Ozawie, Kans. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer*, from Joplin, Mo., and points within 10 miles thereof, to Valley Falls, Kans., and points within 16 miles of Valley Falls.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Topeka, Kans.

No. MC 52709 (Sub-No. 240), filed April 2, 1964. Applicant: RINGSBY TRUCK LINES, INC., 3201 Ringsby Court, Denver, Colo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits, frozen vegetables, frozen berries, frozen juices, frozen fish, and frozen foods*, (1) from points in California, Oregon, Washington, and Idaho, to Laramie, Wyo., and (2) from Laramie, Wyo., to Denver, Colo., Omaha, Nebr., El Paso and Dallas, Tex., Oklahoma City and Tulsa, Okla., Kansas City and Wichita, Kans., Kansas City, Mo., Little Rock, Ark., and the District of Columbia.

NOTE: Applicant states shipments in (1) will be "for storage in transit and subsequent outbound movement," and service in (2) will be restricted to traffic having a prior inbound movement from the origin territory of California, Oregon, Washington, or Idaho. Common control may be involved. If a hearing is deemed necessary applicant requests it be held at Portland, Ore.

No. MC 64932 (Sub-No. 340), filed April 3, 1964. Applicant: ROGERS CARTAGE CO., a corporation, 1439 West 103d Street, Chicago, Ill. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizers*, in bulk, in tank vehicles, from Monmouth, Ill., and points

within ten (10) miles thereof, to points in Iowa.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 82841 (Sub-No. 6), filed March 31, 1964. Applicant: R. D. TRANSFER, INC., 801 Livestock Exchange Building, Omaha, Nebr. 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: *Farm machinery*, from Rock Island and Moline, Ill., to points in Wyoming.

NOTE: Applicant states it holds authority to perform this service by tacking. The purpose of this application is to eliminate the necessity of operating via gateways in Douglas, Elbert, El Paso, or Lincoln Counties, Colo. If a hearing is deemed necessary, applicant requests it be held at Cheyenne, Wyo.

No. MC 85934 (Sub-No. 30), filed April 2, 1964. Applicant: MICHIGAN TRANSPORTATION COMPANY, a corporation, 3601 Wyoming Avenue, Dearborn, Mich. Applicant's attorney: Rex Eames, 1800 Buhl Building, Detroit, Mich. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Building materials* (not including prefabricated buildings, complete, knocked down, or in sections), (a) from L'Anse, Mich., to points in Wisconsin, Illinois, Minnesota, Iowa, North Dakota, South Dakota, Nebraska, and Missouri, (b) from Lagro, Ind., to points in New York, Ohio, Pennsylvania, Wisconsin, Michigan, Illinois, Minnesota, Iowa, North Dakota, South Dakota, Nebraska, and Missouri, and (c) from Fort Dodge, Iowa, to points in New York, Indiana, Ohio, Pennsylvania, Wisconsin, Illinois, Minnesota, North Dakota, South Dakota, Nebraska, and Missouri, and (2) *materials and supplies*, used or useful in the manufacture or processing of building materials or in the maintenance of the plant, from points in the destination states listed in (a), (b) and (c) above, to the origins named therein.

NOTE: Common control may be involved. If a hearing is deemed necessary applicant requests it be held at Lansing, Mich.

No. MC 93393 (Sub-No. 6), filed March 30, 1964. Applicant: EDWIN H. NELSON AND ALFRED S. NELSON, doing business as NIGHTWAY TRANSPORTATION CO., a partnership, 4106 South Emerald Avenue, Chicago, Ill. Applicant's attorney: Joseph M. Scanlon, 111 West Washington Street, Chicago 2, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses* (other than commodities in bulk, in tank vehicles), as described in sections A, C, and D, appendix I, in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from the plant site of the Agar Packing Co., located at or near Monmouth, Ill., to points in Indiana, Kentucky, and Ohio.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 99284 (Sub-No. 3), filed March 27, 1964. Applicant: SULLIVAN'S MOTOR DELIVERY, INC., 1019 West Canal Street, Box 1405, Milwaukee, Wis., 53201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Graphic arts materials*, between Milwaukee, Racine, and Kenosha, Wis., and Chicago, Ill.

NOTE: Applicant is also authorized to conduct operations as a contract carrier in Permit MC 116487 and Subs thereunder; therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Milwaukee, Wis.

No. MC 99734 (Sub-No. 1), filed April 3, 1964. Applicant: VINCENT DURKEE, doing business as VINCENT L. DURKEE DRAYAGE, 2225 Ingalls, San Francisco, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except livestock, automobiles, trucks, buses, commodities in dump truck equipment, commodities mechanically mixed in transit, furniture and used household goods, liquid commodities in bulk, gasoline, explosives, and commodities requiring refrigeration), to, from and between points in the San Francisco-East Bay Cartage Zone, Calif., as set forth below: San Francisco-East Bay Cartage Zone includes that area embraced by the following boundary: Beginning at the point where the San Francisco-San Mateo County boundary line meets the Pacific Ocean; thence easterly along said boundary line to Lake Merced Boulevard; thence southerly along said Lake Merced Boulevard and Lynnewood Drive to South Mayfair Avenue; thence westerly along said South Mayfair Avenue to Crestwood Drive; thence southerly along Crestwood Drive to Southgate Avenue; thence westerly along Southgate Avenue to Maddux Drive; thence southerly and easterly along Maddux Drive to a point 1 mile west of U.S. Highway 101; thence southeasterly along an imaginary line 1 mile west of and paralleling U.S. Highway 101 (El Camino Real) to its intersection with the southerly boundary line of the city of San Mateo; thence northeasterly, northwesterly, northerly and easterly along said southerly boundary to Bayshore Highway (U.S. 101 Bypass); thence leaving said boundary line and continuing easterly along the projection of last said course to its intersection with Belmont (or Angelo) Creek; thence northeasterly along Belmont (or Angelo) Creek to Seal Creek; thence westerly and northerly to a point 1 mile south of Toll Bridge Road; thence easterly along an imaginary line 1 mile southerly and paralleling Toll Bridge Road and San Mateo Bridge and Mount Eden Road to its intersection with State Sign Route 17; thence continuing easterly and northeasterly along an imaginary line 1 mile south and southeasterly of and paralleling Mount Eden Road and Jackson Road to its intersection with an imaginary line 1 mile easterly of and paralleling State Sign Route 9; thence northerly along said imaginary line 1 mile easterly of and paralleling State Sign Route 9 to its intersection with "B" Street, Hayward;

thence easterly and northerly along "B" Street to Center Street; thence northerly along Center Street to Castro Valley Boulevard; thence westerly along Castro Valley Boulevard to Redwood Road; thence northerly along Redwood Road to William Street; thence westerly along William Street and 168th Avenue to Foothill Boulevard; northwesterly along Foothill Boulevard to the southerly boundary line of the city of Oakland; thence easterly and northerly along the Oakland boundary line to its intersection with the Alameda-Contra Costa County boundary line; thence northwesterly along last said line to its intersection with Arlington Avenue (Berkeley); thence northwesterly along Arlington Avenue to a point 1 mile northeasterly of San Pablo Avenue (U.S. Highway 40); thence northwesterly along an imaginary line 1 mile easterly of and paralleling San Pablo Avenue (U.S. Highway 40) to its intersection with County Road No. 20 (Contra Costa County); thence westerly along County Road No. 20 to Broadway Avenue (also known as Balboa Road); thence northerly along Broadway Avenue (also known as Balboa Road) to U.S. Highway 40; thence northerly along U.S. Highway 40 to Rivers Street; thence thence westerly along Rivers Street to 11th Street; thence northerly along 11th Street to Johns Avenue; thence westerly along Johns Avenue to Collins Avenue; thence northerly along Collins Avenue to Morton Avenue; thence westerly along Morton Avenue to the Southern Pacific Co. right-of-way and continuing westerly along the prolongation of Morton Avenue to the shoreline of San Pablo Bay; thence southerly and westerly along the shoreline and waterfront of San Pablo Bay to Point San Pablo; thence southerly along an imaginary line from Point San Pablo to the San Francisco Waterfront at the foot of Market Street; thence westerly along said waterfront and shoreline to the Pacific Ocean; thence southerly along the shoreline of the Pacific Ocean to the point of beginning.

NOTE: If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

No. MC 102567 (Sub-No. 94), filed March 30, 1964. Applicant: EARL CLARENCE GIBBON, doing business as EARL GIBBON PETROLEUM TRANSPORT, 235 Benton Road, Bossier City, La. Applicant's attorney: Jo E. Shaw, Bettes Building, Houston, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Potable water*, in bulk, in tank vehicles, from points in Arkansas to points in the United States (except Alaska and Hawaii).

NOTE: If a hearing is deemed necessary applicant requests it be held at Houston, Tex.

No. MC 103066 (Sub-No. 19), filed March 27, 1964. Applicant: STONE TRUCKING COMPANY, a corporation, Post Office Box 2014, Tulsa, Okla. Applicant's attorney: Austin L. Hatchell, Suite 1102, Perry-Brooks Building, Austin 1, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pipe, pipeline machinery, materials, and sup-*

plies used in connection with the construction, operation, maintenance, servicing, repair and dismantling of pipelines between points in the United States (except California).

NOTE: Applicant states no duplicating authority is requested. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., or Dallas, Tex.

No. MC 103378 (Sub-No. 287), filed April 2, 1964. Applicant: PETROLEUM CARRIER CORPORATION, 369 Margaret Street, Jacksonville, Fla. Applicant's attorney: Martin Sack, Atlantic National Bank Building, Jacksonville 2, Fla. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Turpentine*, in bulk, in tank vehicles, from Valdosta, Ga., to Jacksonville, Fla.

NOTE: If a hearing is deemed necessary applicant requests it be held at Jacksonville, Fla.

No. MC 104149 (Sub-No. 173), filed March 30, 1964. Applicant: OSBORNE TRUCK LINE, INC., 520 North 31st Street, Birmingham, Ala. Applicant's attorney: Maurice F. Bishop, 325-29 Frank Nelson Building, Birmingham, Ala. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Cement asbestos products, and fittings, materials, and accessories* for the installation and transportation thereof, from Ragland, Ala., and points within 3 miles thereof, to points in Alabama, Georgia, Florida, Tennessee, North Carolina, South Carolina, Kentucky, Virginia, Missouri, Arkansas, Mississippi, Louisiana, Texas, Oklahoma, and Kansas, and *empty containers or other such incidental facilities* (not specified) used in transporting the above-named commodities, on return.

NOTE: If a hearing is deemed necessary applicant requests that it be held at Birmingham, Ala.

No. MC 105733 (Sub-No. 31) (AMENDMENT), filed February 12, 1964, published in the FEDERAL REGISTER issue of March 11, 1964, and republished, as amended, this issue. Applicant: H. R. RITTER TRUCKING CO., INC., 928 South Hazelwood Avenue, Rahway, N.J. Applicant's attorney: John R. Mahoney, 26 Broadway, New York 4, N.Y. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gases*, in bulk, in tank vehicles, from points on the Allegheny Pipeline Co., and Texas Eastern Transmission Corp. (Little Big Inch Division) pipelines in New York, and from points in Cortland and Washington Counties, N.Y., to points in Massachusetts, New Jersey, New York, Pennsylvania, Vermont, New Hampshire, Maine, Rhode Island, and Connecticut.

NOTE: The purpose of this republication is to show the origin area as indicated above, rather than "from points in Schuyler, Tompkins, and Albany Counties, N.Y.," as previously published. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 107107 (Sub-No. 301), filed March 27, 1964. Applicant: ALTERMAN TRANSPORT LINES, INC., Post Office Box 458, Allapattah Station, Miami, Fla.

Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses* as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, and *supplies, equipment and materials* used in the conduct of such business (meat packinghouses), from the plant site of Agar Packing Co., located at or near Monmouth, Ill., to points in Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 107403 (Sub-No. 548), filed March 27, 1964. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Sand*, in bulk, between points in Knox and Perry Counties, Ohio, on the one hand, and, on the other, points in Pennsylvania, West Virginia, Kentucky, Indiana, and Michigan.

NOTE: Common control may be involved. If a hearing is deemed necessary applicant requests that it be held at Washington, D.C.

No. MC 107403 (Sub-No. 549), filed April 1, 1964. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Mill scale*, in dump equipment, from Jackson, Mich., to points in Ohio (except points in Ashtabula, Cuyahoga, Franklin, Lake, Licking, Muskingum, Summit, and Wayne Counties, Ohio).

NOTE: Applicant does not specify location, in case hearing is deemed necessary.

No. MC 107515 (Sub-No. 479), filed April 2, 1964. Applicant: REFRIGERATED TRANSPORT CO., INC., 290 University Avenue SW., Atlanta, Ga., 30310. Applicant's attorney: Paul M. Daniell, Suite 214-217, Grant Building, Atlanta 3, Ga. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, articles distributed by meat packinghouses, and supplies, equipment, and material* used in the conduct of such business as described in sections A, C, and D of Appendix I in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, from the plant site of Agar Packing Co. at or near Monmouth, Ill., to points in Tennessee (except Memphis), Alabama, Georgia, Florida, South Carolina, North Carolina, Delaware, Maryland, Pennsylvania, New Jersey, New York, Connecticut, Massachusetts, Rhode Island, Maine, Vermont, New Hampshire, Indiana, Ohio, and the District of Columbia.

NOTE: Applicant states the proposed service will be restricted against tacking or interlining at origin or destination, and excludes liquid commodities in bulk, in tank vehicles. If a hearing is deemed necessary applicant requests it be held at Chicago, Ill.

No. MC 107757 (Sub-No. 21), filed March 27, 1964. Applicant: M. C.

SLATER, INC., Post Office Box 369, Granite City, Ill. Applicant's attorney: B. W. LaTourette, Jr., Suite 1230, Boatmen's Bank Building, St. Louis 2, Mo. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, dangerous explosives, livestock, household goods, as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading), serving Champ, Mo., also known as Champ Industrial Village, as an off-route point in connection with applicant's authorized regular route operations.

NOTE: If a hearing is deemed necessary applicant requests it be held at St. Louis, Mo.

No. MC 108453 (Sub-No. 26), filed April 2, 1964. Applicant: G & A TRUCK LINE, INC., 404 West Peck Avenue, White Pigeon, Mich. Applicant's attorney: William P. Sullivan, 1825 Jefferson Place NW., Washington 36, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Lumber, wood paneling, wood doors, and wood products*, from Goshen and Mishawaka, Ind., to points in Calhoun, Kalamazoo, Branch, Cass, Saint Joseph, Berrien, and Van Buren Counties, Mich.

NOTE: Applicant states that the proposed service is to be performed under a continuing contract or contracts with the Weyerhaeuser Co. of Tacoma, Wash. If a hearing is deemed necessary applicant requests that it be held at Lansing, Mich., or Indianapolis, Ind.

No. MC 109306 (Sub-No. 1), filed April 1, 1964. Applicant: OLIVER J. SOUTHWARD, doing business as SOUTHWARD TRUCKING COMPANY, 103 North Water Street, Post Office Box 206, Clinton, Ind. Applicant's attorney: Robert W. Loser, 409 Chamber of Commerce Building, Indianapolis, Ind. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Sand, gravel, crushed stone and black top*, in bulk, in dump vehicles, from points in Vigo, Vermillion, Parke, and Putnam Counties, Ind., to points in Clark, Cumberland, Coles, Douglas, Effingham, and Edgar Counties, Ill.

NOTE: If a hearing is deemed necessary applicant requests it be held at Indianapolis, Ind. No duplicating authority is sought.

No. MC 109397 (Sub-No. 90), filed March 27, 1964. Applicant: TRI-STATE MOTOR TRANSIT CO., a corporation, Post Office Box 113, Joplin, Mo. Applicant's attorney: Max G. Morgan, 443-54 American National Building, Oklahoma City 2, Okla. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Source, special nuclear, byproducts materials, radioactive materials, and related reactor-experiment equipment, component parts and associated materials*, between facilities of the United States Government and Government contractors located at or near Shippingport, Pa., on the one hand, and, on the other, points in Allegheny County, Pa.

NOTE: Applicant states the proposed service in Allegheny County shall be restricted to tacking with its existing Sub-68 authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 109533 (Sub-No. 19), filed March 31, 1964. Applicant: OVERNITE TRANSPORTATION COMPANY, a corporation, 1100 Commerce Road, Post Office Box 1216, Richmond, Va. Applicant's attorney: William T. Croft, Federal Bar Building, 1815 H Street NW., Washington 6, D.C. 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, liquids in bulk, in tank vehicles, dangerous explosives, and commodities the transportation of which requires the use of special equipment by reason of size or weight), between Asheville, N.C., and Nashville, Tenn., from Asheville over U.S. Highway 70 to junction thereof with U.S. Highway 70S at or near Crossville, Tenn., thence over U.S. Highway 70S to junction thereof with Tennessee Highway 26 at or near Sparta, Tenn., thence over Tennessee Highway 26 to junction thereof with U.S. Highway 70N at or near Lebanon, Tenn., thence over U.S. Highway 70N to Nashville and return over the same route, serving Knoxville, Tenn., as an intermediate point and Lowland, Madison, Oak Ridge, and Old Hickory, Tenn., as off-route points.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Charlotte, N.C.

No. MC 111812 (Sub-No. 244), filed April 3, 1964. Applicant: MIDWEST COAST TRANSPORT, INC., Wilson Terminal Building, Post Office Box 747, Sioux Falls, S. Dak. Applicant's attorney: Donald L. Stern, 924 City National Bank Building, Omaha 2, Nebr. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Meats, meat products, meat byproducts and articles distributed by meat packinghouses, as described in appendix I to Descriptions in Motor Carrier Certificates 61 M.C.C. 209 and 766, from Ottumwa, Iowa, to points in Kentucky.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Des Moines, Iowa.

No. MC 111812 (Sub-No. 245), filed April 3, 1964. Applicant: MIDWEST COAST TRANSPORT, INC., Post Office Box 747, 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: Frozen fruits, frozen berries, and frozen vegetables, from points in California, Oregon, and Washington, to American Falls, Boise, Nampa, and Pocatello, Idaho, and Ontario, Oreg., for storage-in-transit and subsequent outbound movement to points in Illinois, Iowa, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, and Wisconsin.

NOTE: Applicant states that no duplicating authority is sought. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 113267 (Sub-No. 130), filed March 30, 1964. Applicant: CENTRAL & SOUTHERN TRUCK LINES, INC., 312 West Morris Street, Caseyville, Ill. Applicant's representative: Frederick H. Figge, 410 O'Farrell Street, Collinsville, Ill. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Meats, meat products, meat byproducts, articles distributed by meat packinghouses and such commodities as are used by meat packers in the conduct of their business when destined to and for use by meat packers as described in sections A, C, and D, of appendix I in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766, from the plant site and/or warehouse facilities utilized by Agar Packing Co., located at or near Monmouth, Ill., to points in Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia.

NOTE: Applicant states the proposed operations will be restricted against the transportation of commodities in bulk in tank vehicles. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 113267 (Sub-No. 131), filed April 2, 1964. Applicant: CENTRAL & SOUTHERN TRUCK LINES, INC., 312 West Morris Street, Caseyville, Ill. Applicant's representative: Fred H. Figge (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Canned and preserved food products, from points in Spaulding and Pike Counties, Ga., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Carolina, Ohio, Oklahoma, South Carolina, Tennessee, and Wisconsin.

NOTE: Applicant states that the proposed service is to be restricted against the transportation of commodities in bulk in tank vehicles. If a hearing is deemed necessary applicant requests that it be held at Atlanta, Ga.

No. MC 113651 (Sub-No. 68), filed March 30, 1964. Applicant: INDIANA REFRIGERATOR LINES, INC., 2404 North Broadway, Muncie, Ind. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Meats, meat products, meat byproducts, and articles distributed by meat packinghouses, as described in sections A and C, appendix I, in Descriptions in Motor Carrier Certificates 61 M.C.C. 209 and 766, from the plant site of Swift & Co., at or near Grand Island, Nebr., to points in Connecticut, Delaware, Indiana, Maryland, Massachusetts, Maine, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, New Hampshire, Vermont, Virginia, West Virginia, and the District of Columbia.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 113651 (Sub-No. 69), filed March 30, 1964. Applicant: INDIANA REFRIGERATOR LINES, INC., 2404 North Broadway, Muncie, Ind. Applicant's attorney: Henry A. Dillon (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transport-

ing: Meats, meat products, and meat by-products and articles distributed by meat packinghouse, as described in sections A and C of appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209, from Muncie, Ind., to points in Kansas.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 113651 (Sub-No. 70), filed March 30, 1964. Applicant: INDIANA REFRIGERATOR LINES, INC., 2404 North Broadway, Muncie, Ind. Applicant's attorneys: Mario Pieroni, 523 Johnson Building, Muncie, Ind., and Charles Singer, 33 North La Salle Street, Suite 3600, Chicago, Ill. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Meat, meat products, and meat byproducts, and articles distributed by meat packinghouses, as described in sections A and C of appendix I to the report in Descriptions in Motor Carrier Certificates 61 M.C.C. 209 and 766, and equipment, materials, and supplies used in the conduct of such business (except commodities in bulk, in tank vehicles), between the plant site of the Agar Packing Co. at Monmouth, Ill., on the one hand, and, on the other, points in Pennsylvania, New York, New Jersey, Delaware, Maryland, District of Columbia, Ohio, Virginia, West Virginia, Indiana, North Carolina, South Carolina, Alabama, Florida, Georgia, Massachusetts, Rhode Island, Tennessee, Kentucky, Maine, Connecticut, Vermont, and New Hampshire.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 113843 (Sub-No. 79), filed March 30, 1964. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Canned, prepared, and preserved foodstuffs, from points in Delaware, and Maryland, and that portion of Virginia east of the Chesapeake Bay and south of the Chesapeake and Delaware Canal, to points in Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, West Virginia, Wisconsin, and points in Pennsylvania on and west of U.S. Highway 219.

NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests that it be held at Washington, D.C.

No. MC 113843 (Sub-No. 80), filed March 30, 1964. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Meats, meat products, meat byproducts, and articles distributed by meat packinghouses, as described in sections A and C of appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766, and equipment, materials and supplies used in the conduct of such business, from the plant site of Agar Packing Co., located at Monmouth, Ill., to points in Connecticut, Delaware, Maine, Maryland,

Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia.

NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 113855 (Sub-No. 90), filed April 2, 1964. Applicant: INTERNATIONAL TRANSPORT, INC., Highway 52, South, Rochester, Minn. Applicant's attorney: Alan Foss, First National Bank Building, Fargo, N. Dak. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural machinery, implements, and parts, and tractor attachments and parts*, from points in California to points in the United States, including Alaska but excluding Hawaii.

NOTE: If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

No. MC 113908 (Sub-No. 141), filed March 30, 1964. Applicant: ERICKSON TRANSPORT CORPORATION, Post Office Box 3180, Springfield, Mo., 65804. Applicant's attorney: Turner White, 805 Woodruff Building, Springfield, Mo., 65806. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic materials*, in bulk, in tank vehicles, from Springdale, Pa., to Fort Smith, Ark.

NOTE: If a hearing is deemed necessary, applicant requests it be held in Washington, D.C.

No. MC 114019 (Sub-No. 117), filed April 3, 1964. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 South Pulaski Road, Chicago, Ill. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (other than frozen), *bird and fish foods* (pet foods), and *pet supplies, pressed wood pulp, impregnated (fire starters) and buffing and polishing compounds*, from Rochester, N.Y., to points in Iowa, Minnesota, Nebraska, North Dakota, South Dakota, and Milan, Ill.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 114019 (Sub-No. 118), filed April 3, 1964. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 South Pulaski Road, Chicago, Ill. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (other than frozen), from Milton, Pa., to points in Iowa, Minnesota, Nebraska, North Dakota, and South Dakota.

NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 114045 (Sub-No. 133), filed April 1, 1964. Applicant: TRANS-COLD EXPRESS, INC., Post Office Box 5842, Dallas, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts*

and articles, distributed by meat packinghouses, as described in sections A and C of appendix I, in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from the plant site of Swift & Co., located at or near Grand Island, Nebr., to points in Arkansas, Kansas, Louisiana, Oklahoma, and Texas.

NOTE: If a hearing is deemed necessary applicant requests it be held at Dallas, Tex.

No. MC 114533 (Sub-No. 88), filed April 3, 1964. Applicant: B. D. C. CORPORATION, 4970 South Archer Avenue, Chicago, Ill. Applicant's attorney: Carl L. Steiner, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Accounting media, business reports, and records*, between the plant site of the Pure Oil Co. in Schaumburg Township, Ill., on the one hand, and, on the other, Indianapolis, Kokomo, and Richmond, Ind., Bay City, Flint, Grand Rapids, Kalamazoo, Lansing, and Pontiac, Mich., Lake Geneva and Waukesha, Wis., and Cleveland and Toledo, Ohio.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 115180 (Sub-No. 12), filed April 2, 1964. Applicant: ONLEY REFRIGERATED TRANSPORTATION, INC., 408 West 14th Street, New York, N.Y. Applicant's representative: George A. Olson, 69 Tonnele Avenue, Jersey City 6, N.J. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses*, as described in appendix A and C in *Description Case, Ex Parte MC 45*, and *supplies, equipment, and materials* used in the conduct of such business (except commodities in bulk in tank vehicles, and hides), from the plant site of Agar Packing Co. located at Monmouth, Ill., to points in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Maryland, West Virginia, Delaware, Virginia, and the District of Columbia.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 115826 (Sub-No. 28), filed April 1, 1964. Applicant: W. J. DIGBY, INC., 1960 31st Street, Denver, Colo. Applicant's attorney: Michael T. Corcoran, 1360 Locust Street, Denver, Colo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products, and commodities distributed by meat packinghouses* as defined in sections A, B, and C, of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Denver, Colo., to points in Arizona and California.

NOTE: If a hearing is deemed necessary applicant requests it be held at Denver, Colo.

No. MC 115841 (Sub-No. 171), filed April 2, 1964. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., Post Office Box 2169, Birmingham, Ala. Authority sought to operate as a

common carrier, by motor vehicle, over irregular routes, transporting: *Cotton, textiles, and textile products*, made of natural or synthetic fibers, *metallic yarn, dry goods, rugs, carpeting, carpeting products, and manufactured textile products*, between points in North Carolina and South Carolina, on the one hand, and, on the other, points in Arizona, California, Idaho, Nevada, Oregon, Utah, and Washington.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbia, S.C.

No. MC 115841 (Sub-No. 171), filed April 2, 1964. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., 1215 Bankhead Highway West, Post Office Box 2169, Birmingham, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cotton, textiles and textile products*, made of natural or synthetic fibres, *dry goods, metallic yarn and mixtures thereof, rugs, carpeting products, and manufactured textile products*, between points in Alabama, Georgia, and Tennessee, on the one hand, and, on the other, points in Idaho, Oregon, Utah, and Washington.

NOTE: If a hearing is deemed necessary applicant requests it be held at Chattanooga, Tenn.

No. MC 116227 (Sub-No. 2), filed March 30, 1964. Applicant: DUANE POLMAN, doing business as POLMAN TRANSFER, Route 3, Wadena, Minn. Applicant's attorney: James F. Greenstein, Twin City Federal Building, 112 East Sixth Street, St. Paul 1, Minn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Limestone*, crushed, ground or pulverized, in bags and (2) *dicalcium phosphate* in bags, from Alden, Iowa, to points in Minnesota and empty containers or other such incidental facilities used in transporting the above-described commodities on return.

NOTE: Applicant is also authorized to conduct operations as a contract carrier in Permit MC 108523; therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Fargo, N. Dak.

No. MC 116273 (Sub-No. 23), filed March 26, 1964. Applicant: D & L TRANSPORT, INC., 3800 South Laramie Avenue, Chicago, Ill. Applicant's attorney: Carl L. Steiner, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal tar pitch*, in bulk, in tank vehicles, from Chicago, Ill., to Newburg, Ind., and points within 5 miles thereof.

NOTE: If a hearing is deemed necessary, applicant requests that it be held at Chicago, Ill.

No. MC 117119 (Sub-No. 143), filed April 2, 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 La Porte, Ind., to points in Tennessee and Arkansas.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark.

No. MC 117574 (Sub-No. 91), filed March 29, 1964. Applicant: DAILY EXPRESS, INC., Post Office Box 39, M.R. No. 3, Carlisle, Pa. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Logs, pallets, wood chips or shavings, poles, mine timber, wood flour or fiber in bags, bulk or packages, wood fiber products, firing strips and crating lumber, (2) fasteners, mouldings and other accessories and supplies for use in erection or installation of items in (1) above, between points in Lycoming, Tioga, Sullivan, Bradford Counties, Pa., on the one hand, and, on the other, points in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, West Virginia, North Carolina, Ohio, Indiana, Illinois, Michigan, Missouri, Wisconsin, Kentucky, and the District of Columbia.

NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 117574 (Sub-No. 92), filed March 30, 1964. Applicant: DAILY EXPRESS, INC., Post Office Box 39, M.R. No. 3, Carlisle, Pa. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Radiators, air heating or cooling, iron or steel combined with other metal; radiators, air heating or cooling, aluminum, brass, bronze or copper; cooling or freezing equipment and machines; condensers, equalizers, or exchangers, gas or liquid; coolers, heat exchangers, or equalizers for air, gas, or liquids; air coolers, heaters, humidifiers, dehumidifiers or washers and blowers or fans combined; blowers, rotary, or exhaust fans, iron; compressors or pumps, gas or liquid, electric motors, or parts; machinery parts, iron or steel; machinery parts, aluminum, brass, bronze or copper; and (2) parts, attachments and accessories of and for the commodities described in (1) above, from La Crosse, Wis., to points in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Delaware, Maryland, Pennsylvania, Virginia, and the District of Columbia.

NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests that it be held at Milwaukee, Wis.

No. MC 117574 (Sub-No. 93), filed April 3, 1964. Applicant: DAILY EXPRESS, INC., Post Office Box 39, M.R. No. 3, Carlisle, Pa. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Plastic display signs, gasoline pumps, fans, automobile hoists, air compressors and blowers, display racks, and initial stock, accessories and advertising material for gasoline service stations, between points in Dauphin, Lancaster, and Perry Counties, Pa., on the one hand,

and, on the other, points in the United States (except Hawaii).

NOTE: Applicant did not specify place of hearing if one is deemed necessary.

No. MC 117815 (Sub-No. 21), filed April 2, 1964. Applicant: PULLEY FREIGHT LINES, INC., 2341 Easton Boulevard, Des Moines, Iowa, 50317. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines 16, Iowa. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Meats, meat products, and commodities used by packinghouses, as described in sections A, C, and D of appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except liquid commodities in bulk in tank vehicles), (1) from the plant site of Agar Packing Co., at or near Monmouth, Ill., to points in Iowa, Kansas, Minnesota, Missouri, Nebraska, Wisconsin, and the upper peninsula of Michigan, and (2) from points in Iowa to the plant site of Agar Packing Co., at or near Monmouth, Ill.

NOTE: If a hearing is deemed necessary applicant requests it be held at Chicago, Ill.

No. MC 118175 (Sub-No. 3), filed March 30, 1964. Applicant: HARVEY W. MCCOY, 938 Custer Avenue, Billings, Mont., 59102. Applicant's attorney: Jerome Anderson, Suite 300, First National Bank Building, Billings, Mont., 59101. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Frozen vegetables, frozen fruit, frozen fish, frozen fruit juices, frozen fowl, frozen berries, frozen potato products, frozen pies, frozen processed foods, from Seattle, Wenatchee, Prosser, and Arlington, Wash., and Weston and Portland, Oreg., to Billings, Great Falls, Missoula, Livingston, and Bozeman, Mont.

NOTE: If a hearing is deemed necessary applicant requests it be held at Billings, Mont.

No. MC 118196 (Sub-No. 18), filed March 31, 1964. Applicant: RAYE & COMPANY TRANSPORTS, INC., Highway 71 North, Post Office Box 613, Carthage, Mo. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Salvaged dairy products, and (2) commodities, the transportation of which is partially exempt under the provisions of section 203(b)(6) of the Interstate Commerce Act if transported in vehicles not used in carrying any other property, when moving in the same vehicle at the same time with salvaged dairy products, from points in Colorado, New Mexico, Arizona, and California, to points in Oklahoma, Kansas, Missouri, and Arkansas, and empty containers or other such incidental facilities (not specified), used in transporting the commodities specified above, on return.

NOTE: If a hearing is deemed necessary applicant requests it be held at Kansas City, Mo.

No. MC 119321 (Sub-No. 6), filed March 30, 1964. Applicant: THOMAS E. BUBER, INC., 308 Antoine Street,

Wyandotte, Mich. Applicant's attorney: John M. Veale, Suite 1700, 1 Woodward Avenue, Detroit, Mich. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Brick, tile, refractory products and refractory materials, between points in the Lower Peninsula of Michigan and points in Illinois and Indiana.

NOTE: If a hearing is deemed necessary applicant requests it be held at Lansing, Mich.

No. MC 119362 (Sub-No. 1), filed March 30, 1964. Applicant: URBAN F. DEWALL, DEWALL TRUCKING SERVICE, 2224 23d Avenue, Rockford, Ill. Applicant's attorney: Eugene L. Cohn, 1 North La Salle Street, Chicago 2, Ill. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (1) Corrugated pulpboard boxes, knocked down, and shipping containers, knocked down, including necessary partitions and separators used therein, from Rockford, Ill., to points in Columbia (except Columbus), Crawford, Dane (except Madison), Dodge, Grant, Green, Iowa, Jefferson, Kenosha (except City of Kenosha), Lafayette, Milwaukee (except City of Milwaukee), Ozaukee (except Port Washington), Racine, Richland, Rock (except Beloit), Sauk, Walworth (except Whitewater), Washington, Waukesha, and Wood (except Marshfield), Counties, Wis. (2) Corrugated pulpboard boxes, knocked down, and shipping containers, knocked down, including necessary partitions and separators used therein, from Antigo, Manitowoc, and Sheboygan, Wis., and points in Columbia, Crawford, Dane, Dodge, Grant, Green, Iowa, Jefferson, Kenosha, Lafayette, Milwaukee, Ozaukee, Racine, Richland, Rock, Sauk, Walworth, Washington, Waukesha, and Wood Counties, Wis. to Rockford, Ill. RESTRICTION: The proposed operations are to be performed under a continuing contract or contracts, with the Weyerhaeuser Co. of Tacoma, Wash.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 119697 (Sub-No. 8), filed April 3, 1964. Applicant: CHRISPENS TRUCK LINES, INC., 348 West 42d Place, Chicago, Ill. Applicant's attorney: Joseph M. Scanlan, 111 West Washington Street, Chicago 2, Ill. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Meat, meat products, meat byproducts, and articles distributed by meat packinghouses, other than commodities in bulk, in tank vehicles, as described in sections A, C, and D, appendix I, in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766, from the plant site of Agar Packing Co. at or near Monmouth, Ill., to points in Indiana and Ohio.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 119765 (Sub-No. 5), filed March 31, 1964. Applicant: HENRY G. NELSEN, 1548 Locust Street, Avoca, Iowa. Applicant's attorney: Joseph M.

Scanlan, 111 West Washington Street, Chicago 2, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products, and articles distributed by meat packinghouses*, other than commodities in bulk, in tank vehicles, as described in sections A, B, and C, appendix I, in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from the site of the plant of Swift & Co., at or near Grand Island, Nebr., to points in Illinois and Wisconsin.

NOTE: If a hearing is deemed necessary applicant requests it be held at Chicago, Ill.

No. MC 119792 (Sub-No. 15), filed March 30, 1964. Applicant: CHICAGO SOUTHERN TRANSPORTATION COMPANY, a corporation, 4000 Packers Avenue, Chicago, Ill. Applicant's attorney: Joseph M. Scanlon, 111 West Washington Street, Chicago 2, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses* (other than commodities in bulk, in tank vehicles), as described in sections A, C and D, appendix I to *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from the plant site of Agar Packing Co., located at or near Monmouth, Ill., to points in Arkansas, Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 119810 (Sub-No. 11), filed March 27, 1964. Applicant: NEBRASKA EASTERN EXPRESS, INC., Livestock Exchange Building, Omaha, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat byproducts and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, and *equipment, materials, and supplies, used in the conduct of such business* (except liquid commodities, in bulk, in tank vehicles, and except canned goods not requiring refrigeration), from the plant site of Agar Packing Co., located at or near Monmouth, Ill., to Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, and Washington, D.C.

NOTE: Common control may be involved. If a hearing is deemed necessary applicant requests it be held at Chicago, Ill.

No. MC 119894 (Sub-No. 3), filed March 31, 1964. Applicant: BOWARD TRUCK LINE, INC., Post Office Box 293, Staunton, Va. Applicant's attorney: M. Bruce Morgan, 804 Warner Building, 501 13th Street NW., Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pulpboard*, not corrugated and *wrapping paper*, in truck-load lots, from Covington, Va., to Tyrone, Pa., and Williamsburg, Pa.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 119894 (Sub-No. 4), filed March 31, 1964. Applicant: BOWARD TRUCK LINE, INC., Post Office Box 293, Staunton, Va. Applicant's attorney: M. Bruce Morgan, 804 Warner Building, 501 13th Street NW., Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Damaged and re-used furniture*, returned to the manufacturer, from Washington, D.C., Wilmington, Del., Camden, Trenton, and Brunswick, N.J., Annapolis, and Union Bridge, Md., Buffalo, Rochester, and Syracuse, N.Y., and points in the New York, N.Y., commercial zone, points in Allegheny County, Pa., and points in Pennsylvania on and east of U.S. Highway 11, to Staunton, Waynesboro, Harrisonburg, McGaheysville, and Bridge-water, Va.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 120582 (Sub-No. 2), filed March 18, 1964. Applicant: McMINN-VILLE FREIGHT LINE, INC., McMinnville, Tenn. Applicant's attorney: Charles H. Hudson, Jr., 417 Stahlman Building, Nashville, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: (A) *General commodities*. Regular routes: (1) Between Nashville, Tenn. and McMinnville, Tenn., from Nashville over Tennessee Highway 1 to Murfreesboro, Tenn., thence over Tennessee Highway 2 to Manchester, Tenn., thence over Tennessee Highway 55 to McMinnville, and return over the same route, serving the intermediate points of Morrison and Summitville, Tenn., and the off-route point of Viola, Tenn., restricted against service between Nashville, Tenn., and Manchester, Tenn.; (2) between McMinnville, Tenn., and Manchester, Tenn., over Tennessee Highway 55, serving all intermediate points, restricted against service between Nashville, Tenn., and Manchester, Tenn., by interchange or any other method; and (3) between Nashville, Tenn., and McMinnville, Tenn., over U.S. Highway 70S, serving no intermediate points, as an alternate route, for operating convenience only, in connection with applicant's authorized regular-route operations. Irregular routes: (B) *Molding sand*, loose, in bulk, in dump trailers, from Sewanee and Chattanooga, Tenn., to McMinnville, Tenn., (C) *coke*, loose, in bulk, in dump trailers, from Chattanooga, Tenn., to McMinnville, Tenn., (D) *rough castings and forgings*, loose, in bulk, in dump trailers, from McMinnville, Tenn., to Daisy and Chattanooga, Tenn., (E) *pig iron*, loose, in bulk, in dump trailers, from Rockwood, Tenn., to McMinnville, Tenn., and (F) *pig iron*, loose, in bulk, in dump trailers and dump trucks, from Birmingham, Ala., and points in its commercial zone, to McMinnville, Tenn., and points in its commercial zone.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn.

No. MC 124174 (Sub-No. 24), filed April 1, 1964. Applicant: MOMSEN TRUCKING CO., a corporation, Highway 71 and 18 North, Spencer, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Feed ingredients* including, but not limited to, *diacalcium phosphate*, from Montpelier, Iowa, and points within 5 miles thereof, to points in Iowa, Nebraska, Missouri, Illinois, Minnesota, Kansas, Wisconsin, North Dakota, and South Dakota.

NOTE: Common control may be involved. Applicant does not specify where he wishes hearing to be held if one is deemed necessary.

No. MC 124211 (Sub-No. 19), filed April 2, 1964. Applicant: HILT TRUCK LINES, INC., 1813 Yolande Street, Box 824, Lincoln, Nebr. Applicant's attorney: J. Max Harding, NSEA Building, 14th and J Streets, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C, appendix I, in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk in tank vehicles), from the plant site of Swift & Co. at Grand Island, Nebr., to Milwaukee and Madison, Wis., St. Louis, Union, and St. Joseph, Mo., and points in Illinois.

NOTE: If a hearing is deemed necessary applicant requests that it be held at Chicago, Ill.

No. MC 124212 (Sub-No. 24), filed March 2, 1964. Applicant: MITCHELL TRANSPORT, INC., 21111 Chagrin Boulevard, Cleveland 22, Ohio. Applicant's attorney: J. A. Kundtz, 1050 Union Commerce Building, Cleveland, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, from the plant site of Lehigh Portland Cement Co., located at Baltimore, Md., to points in Virginia, New Jersey, Pennsylvania, Delaware, and Washington, D.C., and *empty containers or other such incidental facilities* (not specified) used in transporting the above-specified commodity, on return.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 124324 (Sub-No. 1), filed March 27, 1964. Applicant: MURPHY TRUCKING CO., INC., Denver, Ind. Applicant's attorney: Donald W. Smith, Suite 511, Fidelity Building, Indianapolis 4, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Feed and feed ingredients*, from points in Lucas, Sandusky, and Ottawa Counties, Ohio, and Monroe and Lenawee Counties, Mich., to points in Indiana.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 124418 (Sub-No. 2), filed April 3, 1964. Applicant: D-H-R TRUCKING, INC., Harrisburg, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transport-

ing: *Road building machinery, equipment and parts therefor* when moving in connection therewith, between points in Illinois, Indiana, Kentucky, and Missouri.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Springfield, Ill.

No. MC 124578 (Sub-No. 3) (AMENDMENT), filed January 24, 1964, published in FEDERAL REGISTER issue of February 6, 1964, amended March 30, 1964, and republished, as amended, this issue. Applicant: PUGET SOUND TRUCKING CO., a corporation, Pier 62, Seattle 1, Wash. Applicant's attorney: Charles J. Keever, Washington Building, Post Office Box 340, Seattle 11, Wash. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Palletized cans, palletized can ends, pallet pack sleeves, caps and divider sheets and pallets*, between Portland, Oreg., and points in Washington.

NOTE: The purpose of this republication is to broaden the scope of the proposed operation.

No. MC 124770 (Sub-No. 3), filed April 2, 1964. Applicant: FRANK G. TELLERI, doing business as TELLERI TRUCKING CO., 335 Allen Street, Post Office Box 521, Elizabeth, N.J. Applicant's representative: Bert Collins, 140 Cedar Street, New York 6, N.Y. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meats*, in vehicles equipped with mechanical refrigeration and "tram" meat rails, from Hoboken, N.J., to points in Pennsylvania on and east of U.S. Highway 15, points in Westchester, Nassau, Suffolk, and Albany Counties, N.Y., Baltimore and Landover, Md., and the District of Columbia, and *rejected, returned, damaged shipments*, on return.

NOTE: Applicant states the proposed service will be under contract with Jefferson Packing Company, Hoboken, N.J. If a hearing is deemed necessary applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 124886 (Sub-No. 1), filed March 29, 1964. Applicant: PHILIP PICARIELLO, doing business as P & F CARRIERS, 478 Farnham Avenue, Lodi, N.J. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City 6, N.J. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Nitrocellulose solutions*, in bulk, in tank vehicles, from the site of the plant of Cellofilm Corporation in Woodbridge, N.J., to Detroit, Mich.

NOTE: Applicant is authorized to conduct operations as a common carrier in Certificate No. MC 26570 and Subs thereunder; therefore dual operations may be involved. If a hearing is deemed necessary applicant requests it be held at Washington, D.C.

No. MC 125000 (Sub-No. 3), filed April 2, 1964. Applicant: LEWIS G. HERRING, 2211 Hamilton (Post Office Box 1456), Pampa, Tex. Applicant's attorney: Joe T. Lanham, Suite 1009, Perry-Brooks Building, Austin 1, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular

routes, transporting: *Sand, gravel, crushed stone, and related mineral aggregates, including but not limited to rock, stone, caliche and dirt*, in bulk, in motor vehicles, between points in Armstrong, Briscoe, Carson, Castro, Childers, Collingsworth, Dallam, Deaf Smith, Donley, Gray, Hall, Hansford, Hartley, Hemphill, Hutchinson, Lipscomb, Moore, Ochiltree, Oldham, Parmer, Potter, Randall, Roberts, Sherman, Swisher, and Wheeler Counties, Texas, points in Colfax, Curry, DeBaca, Guadalupe, Harding Quay, Roosevelt, San Miguel, and Union Counties, N. Mex., points in Beaver, Beckham, Cimarron, Custer, Dewey, Ellis, Greer, Harmon, Harper, Jackson, Kiowa, Major, Roger Mills, Texas, Tillman, Washita, Woods, and Woodward, Counties, Okla., points in Clark, Finney, Ford, Grant, Gray, Hamilton, Haskell, Hodgeman, Kearny, Meade, Morton, Seward, Stanton, and Stevens Counties, Kans., and points in Baca, Bent, Crowley, Las Animas, and Prowers Counties, Colo.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Amarillo, Tex.

No. MC 125258 (Sub-No. 4), filed March 27, 1964. Applicant: MURRAY STOVAL, WARREN WISE, PAUL KLINE AND EARL WISE, a partnership, doing business as STOVAL, WISE, KLINE & WISE, 103 Circle Drive, Thermopolis, Wyo. Applicant's attorney: Ward A. White, Post Office Box 578, 1600 Van Lennen Avenue, Cheyenne, Wyo. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Beer*, (1) from Milwaukee, Wis., and Salt Lake City, Utah, to Thermopolis, Wyo., and (2) from Milwaukee, Wis., to Casper, Wyo.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Casper or Cheyenne, Wyo.

No. MC 125657 (Sub-No. 2), filed April 1, 1964. Applicant: FLOYD DELBERT BAZE, doing business as BAZE TRUCKING, 4879 Martin Street, Mira Loma, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Camper and vacation trailers*, by truckaway method, from points in California, to points in Oregon, Washington, Idaho, Utah, Nevada, Arizona, Colorado, and New Mexico.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 125988 (Sub-No. 2), filed April 3, 1964. Applicant: A. GORNO, INC., 12451 Haggerty Road, Belleville, Mich. Applicant's attorney: Wilhelmina Boersma, 2850 Penobscot Building, Detroit, Mich. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pig iron, unfinished castings, coke, scrap metals, finished castings, and limestone*, in dump vehicles, between Belleville, Mich., on the one hand, and, on the other, points in Ohio, Indiana, Illinois, New York, and Pennsylvania, and ports of entry on the International Boundary line between the United States and Canada, located at or near Detroit and Port Huron, Mich.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich. Applicant states proposed service will be under a continuing contract or contracts with Huron Valley Steel Corp.

No. MC 126004, filed February 11, 1964. Applicant: DANIEL R. RICHARDSON, doing business as TOWN & COUNTRY MOBILE HOME SALES, 802 North First Street, Artesia, N. Mex. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Mobile homes*, from Artesia, N. Mex., to points in the United States.

NOTE: If a hearing is deemed necessary applicant requests it be held at Albuquerque, N. Mex.

No. MC 126023 (Sub-No. 1), filed March 30, 1964. Applicant: LYLE L. HARRISON, 1220 Fourth Street, Lewiston, Idaho. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sand, gravel and asphaltic concrete*, between points in Nez Perce and Latah Counties, Idaho, and points in Asotin, Garfield, and Whitman Counties, Wash.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Spokane, Wash.

No. MC 126025 (AMENDMENT), filed February 19, 1964, published in FEDERAL REGISTER issue March 4, 1964, amended April 8, 1964, and republished as amended this issue. Applicant: BALLARD TRANSFER OF WASHINGTON, INC., doing business as BALLARD TRANSFER CO., 2417 Northwest Market Street, Seattle, Wash. Applicant's representative: Joseph O. Earp, 411 Lyon Building, 607 Third Avenue, Seattle 4, Wash. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, (1) from Seattle, Wash., to points in Idaho, (2) between Seattle, Wash., and points in Oregon.

NOTE: Applicant states the above-proposed operations will be performed under a continuing contract with Northwest Steel Rolling Mills, Inc., of Seattle, Wash. The purpose of this republication is to show the two (2) movements above, in lieu of previously published movement. If a hearing is deemed necessary applicant requests it be held at Seattle, Wash.

No. MC 126145, filed March 30, 1964. Applicant: PHILLIPS TRUCKING, a corporation, 20299 Valley Boulevard, Rialto, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry manufactured and chemical fertilizer*, in bulk, in hopper, pneumatic, and dump-type vehicles, from points in California, to points in Arizona, and *refused and contaminated shipments*, on return.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 126147, filed April 1, 1964. Applicant: FREDERICK S. GREGG, doing business as FRED S. GREGG, 1602 South Spring Street, Springfield, Ill. Applicant's attorney: Mack Stephenson, 922 First National Bank Building, Springfield, Ill. Authority sought to

operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Pastries*, in insulated vehicles, from St. Louis, Mo., to Centralia, Vandalia, Effingham, Mattoon, Decatur, Taylorville, and Springfield, Ill., and *empty containers or other such incidental facilities* (not specified) used in transporting the above-named commodities, on return.

NOTE: If a hearing is deemed necessary applicant requests that it be held at Springfield, Ill.

No. MC 126149, filed April 3, 1964. Applicant: DENNY MOTOR FREIGHT, INC., 201 Ellen Court, New Albany, Ind. Applicant's attorney: Donald W. Smith, Suite 511, Fidelity Building, Indianapolis 4, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Prefabricated buildings*, complete, knocked down or in sections, and when transported in connection with the transportation of such buildings, *component parts* thereof and *equipment and materials* incidental to the erection and completion of such buildings, from New Albany, Ind., and points within one (1) mile thereof, to points in Pennsylvania, Kentucky, Missouri, Ohio, and Illinois; (2) *flavoring syrup, liquid sugar, and invert sugar*, in bulk, in tank vehicles, from Louisville, Ky., to points in Alabama, Arkansas, Florida, Georgia, Iowa, Louisiana, Maryland, Illinois, Indiana, Michigan, Minnesota, Mississippi, Missouri, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Virginia, West Virginia, Wisconsin, and the District of Columbia; (3) *farm machinery and farm implements* when transported in special equipment, from Louisville, Ky., to points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Louisiana, Mississippi, North Carolina, Ohio, Oklahoma, South Carolina, Tennessee, Texas, Virginia, Colorado, Connecticut, Delaware, Iowa, Kansas, Maryland, Michigan, Minnesota, Missouri, Nebraska, New York, Pennsylvania, Vermont, and Wisconsin; and (4) *agricultural machinery, and implements and parts* as described in Appendix XII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, from Louisville, Ky., to points in West Virginia.

NOTE: Applicant is presently authorized to operate as a contract carrier under Permit No. MC 104201, and holds authority to transport the same commodities within the identical territory (set forth above), as follows: (1) May be found in MC 104201 (Sub-No. 29); (2) in MC 104201 (Sub-No. 32); (3) in MC 104201 (Subs-Nos. 34 and 35), and (4) in MC 104201 (Sub-No. 38). The purpose of this application, therefore, is to convert applicant's contract carrier authority to common carrier authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., Washington, D.C., and St. Louis, Mo.

No. MC 126150, filed April 3, 1964. Applicant: DEAN J. McCLURE, doing business as McCLURE TRUCKING CO., U.S. Highway 6 West, Kendallville, Ind. Applicant's attorney: Donald W. Smith, Suite 511, Fidelity Building, Indianapolis 4, Ind. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Tractors*

(not including tractors with vehicle beds, bed frames, or fifth wheels), and *attachments and parts* thereof when moving incidental to and in the same vehicle with said tractors, from East Moline, Rock Island, Canton, Melrose Park, and Broadview, Ill., and Louisville, Ky., to points in Indiana on and north of U.S. Highway 40.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 126154, filed April 2, 1964. Applicant: DOMENIC MARCHI, 508 North Stephenson Avenue, Iron Mountain, Mich. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, (1) from Minneapolis, Minn., to points in Dickinson, Iron, Gogebic, Delta, and Menominee Counties, Mich., (2) from Duluth, Minn., to points in Gogebic, Iron, Dickinson, Delta, and Menominee Counties, Mich. (3) from Milwaukee, Wis., to points in Dickinson, Iron, Gogebic, Delta, Menominee, and Houghton Counties, Mich., and (4) from La Crosse, Wis., to points in Dickinson, Iron, Gogebic, Delta, and Menominee Counties, Mich., and *empty containers or other such incidental facilities* (not specified) used in transporting the above-specified commodities, on return.

NOTE: Applicant holds contract carrier authority in MC 113997, and by the instant application requests a change from his present authority permit as a contract carrier to a common carrier. If a hearing is deemed necessary, applicant requests it be held at Lansing, Mich.

No. MC 126155, filed March 27, 1964. Applicant: GLEN R. WALL, Lanark, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commercially prepared livestock feed*, in bags, packages and in bulk, from West Bank, Iowa, to points in Carroll, Stephenson, Whiteside, and Ogle Counties, Ill., and *empty containers or other such incidental facilities* (not specified) used in transporting the above-described commodities, and *damaged shipments*, on return.

NOTE: If a hearing is deemed necessary applicant requests it be held at Freeport, Ill.

No. MC 126158, filed March 30, 1964. Applicant: OTHO SMITH, doing business as SMITHWAY, 33 Oolitic Road, Bedford, Ind. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum pipe, aluminum tubing, aluminum sheet, flat, corrugated, or coiled, aluminum angles and extruded shapes, aluminum rivets, aluminum pipe fittings and aluminum rods, aluminum plate and coil*, (1) from the plant site of the Kaiser Aluminum and Chemical Corp. located at or near Bedford, Ind., to points in Wisconsin, Illinois, Kentucky, West Virginia, Ohio, and Michigan, and (2) from Ravenswood, W. Va., to the plant site of Kaiser Aluminum and Chemical Corp. located at or near Bedford, Ind., under a continuing contract with Kaiser Aluminum and Chemical Corp. of Bedford, Ind., and *empty containers or other*

such incidental facilities (not specified) used in transporting the commodities specified, and *rejected shipments* on return in (1) and (2) above.

NOTE: If a hearing is deemed necessary applicant requests it be held at Indianapolis, Ind.

No. MC 126159, filed April 1, 1964. Applicant: ROC-SALT TRANSPORT, INC., 4875 North 32d Street, Milwaukee, Wis. Applicant's attorney: Frank M. Coyne, 1 West Main Street, Madison, Wis., 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt and salt products*, from Chicago, Ill., to points in Wisconsin and the Upper Peninsula of Michigan.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Madison, Wis.

MOTOR CARRIERS OF PASSENGERS

No. MC 35690 (Sub-No. 1), filed March 30, 1964. Applicant: CENTRAL N.Y. COACH LINES, INC., 313 Broad Street, Utica, N.Y., 13501. Applicant's attorney: James H. Gilroy, Jr., First National Bank Building, Utica, N.Y., 13503. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers, in round-trip special operations consisting of all-expense sightseeing or pleasure tours, beginning and ending at points in Herkimer, Oneida, and Madison Counties, N.Y., and extending to points in the United States, including Alaska, but excluding Hawaii.

NOTE: Common control may be involved. If a hearing is deemed necessary applicant requests it be held at Utica or Syracuse, N.Y.

No. MC 126052 (AMENDMENT), filed February 27, 1964, published in FEDERAL REGISTER issue of March 11, 1964, amended March 31, 1964, and republished as amended this issue. Applicant: EDWARD P. SCHEIBLY, JR., Box No. 6, Rural Delivery No. 1, Rensselaer, N.Y. 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 Albany, N.Y., and North Adams, Mass., from Albany north over Broadway through Menands, N.Y., and Watervliet, N.Y., to Troy, N.Y., thence east over New York Highway 2 to junction U.S. Highway 7, thence north over U.S. Highway 7 to Williamstown, Mass., thence east over Massachusetts Highway 2 to North Adams, Mass., and return over the same route, serving all intermediate points.

NOTE: The purpose of this republication is to delete the previously described route through North Pownal and Pownal, Vt. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Albany, N.Y.

No. MC 126114, filed March 16, 1964. Applicant: WILLINGHAM BUS LINES, INC., doing business as AZTEC BUS LINES, 4437 Twain Avenue, San Diego, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passen-*

gers and their baggage, in charter or special operations, in round-trip or one-way service, beginning and/or ending at San Diego, Calif., and extending to points in California, Arizona and Nevada.

Note: If a hearing is deemed necessary, applicant requests it be held at San Diego, Calif.

APPLICATION FOR BROKERAGE LICENSES

MOTOR CARRIERS OF PASSENGERS

No. MC 12900 filed March 23, 1964. Applicant: WM. A. WILSON, doing business as WILSON TRAVEL CLUB, 1213 Capitol Street, Houston, Tex. Applicant's attorney: Joe G. Fender, 2033 Norfolk Street, Houston 6, Tex. For a license (BMC 5) to engage in operations as a broker at Houston, Tex., in arranging for transportation in interstate or foreign commerce, by motor vehicle, of passengers and their baggage, between points in the United States.

APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN ELECTED

MOTOR CARRIERS OF PROPERTY

No. MC 29886 (Sub-No. 188), filed March 30, 1964. Applicant: DALLAS & MAVIS FORWARDING CO., INC., 4000 West Sample Street, South Bend, Ind. Applicant's attorney: Charles M. Pieroni (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Wallboard, fibre and pulpwood, from the plant site of the Upson Co., Lockport, N.Y., to points in Lake, Porter, La Porte, Starke, Marshall, St. Joseph, Elkhart, and Lagrange Counties, Ind., and points in Calhoun, Branch, St. Joseph, Kalamazoo, Cass, Van Buren, and Berrien Counties, Mich.

Note: Common control may be involved.

No. MC 30319 (Sub-No. 131), filed March 30, 1964. Applicant: SOUTHERN PACIFIC TRANSPORT COMPANY, a corporation, 810 North San Jacinto Street, Post Office Box 4054, Houston 14, Tex. Applicant's attorney: Edwin N. Bell, 1600 Esperson Building, Houston, Tex. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities (except those of unusual value, dangerous explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), between Iowa, La., and New Orleans, La., from Iowa over U.S. Highway 165 to junction U.S. Highway 190 thence over U.S. Highway 190 to junction U.S. Highway 61, thence over U.S. Highway 61 to New Orleans; and return over the same route as an alternate route for operating convenience only, serving no intermediate points.

No. MC 58135 (Sub-No. 2), filed March 30, 1964. Applicant: FOGG'S TRANSPORTATION, INC., 76 Cross Street, Portland, Maine. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities, from U.S. Highway 202 at a point approximately four (4) miles north of Greene, Maine, over Maine Highway 106 to Leeds, Maine, and return over the same route, serving no intermediate or off-route points.

No. MC 107500 (Sub-No. 76), filed March 30, 1964. Applicant: BURLINGTON TRUCK LINES, INC., 796 South Pearl Street, Galesburg, Ill. Applicant's attorney: R. J. Schreiber, 548 West Jackson Boulevard, Chicago, Ill. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities (except those of unusual value, and except dangerous explosives, household goods as defined in Practices of Motor Common Carriers of Household Goods, 17 M.C.C. 467, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between Roseville and St. Augustine, Ill., over Illinois Highway 116, for operating convenience only, serving no intermediate or off-route points, in connection with applicant's authorized regular route operations.

No. MC 114106 (Sub-No. 43), filed April 1, 1964. Applicant: MAYBELLE TRANSPORT COMPANY, a corporation, Post Office Box 573, 1820 South Main Street, Lexington, N.C. Applicant's attorney: William P. Sullivan, 1825 Jefferson Place NW., Washington 36, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Corn syrup, and blends of liquid sugar and corn syrup, in bulk, in tank vehicles, from Lexington, N.C., to points in Florida.

Note: Applicant is also authorized to conduct operations in Permit No. MC 115176 and Subs thereunder; therefore dual operations may be involved.

No. MC 123075 (Sub-No. 10), filed April 1, 1964. Applicant: HARVEY D. SHUPE AND HOWARD YOST, doing business as SHUPE & YOST, a partnership, 271 Eighth Avenue, Greeley, Colo. Applicant's attorney: Michael T. Corcoran, 1360 Locust Street, Denver, Colo., 80220. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Fertilizer, from the plant site of Leslie Salt Co., located at Lake Point, Utah, to points in Colorado and Wyoming, and to points in Nebraska and South Dakota on and west of U.S. Highway 83, and exempt commodities, on return.

No. MC 125035 (Sub-No. 5), filed April 3, 1964. Applicant: RAY E. BROWN, doing business as RAY E. BROWN TRUCKING, 1132 55th Street NE., North Canton, Ohio. Applicant's attorney: Fred H. Zollinger, First National Bank Building, Canton, Ohio, 44702. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Ice cream and ice cream confections such as but not limited to fudgesicles, popsicles, eskimo pies, ice cream bars, ice cream sandwiches, drum sticks and creamsicles, from Wheeling, W. Va., to Columbus, Akron, and Shelby, Ohio, and empty containers or other such incidental facilities (not specified) used in transporting the above described commodities, including the dollies upon which ice cream containers are loaded, on return.

No. MC 126057 (Sub-No. 1), filed March 16, 1964. Applicant: MARQUARD EXPRESS, INC., 2726 Brentwood Boulevard, St. Louis, Mo., 63144.

Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities, between Marquand, Mo., and St. Louis, Mo.: (1) from Marquand, over County Highway A to junction U.S. Highway 67, thence over U.S. Highway 67 to St. Louis, and return over the same route, serving Fredericktown, Mo., as an intermediate point, and (2) from Marquand, over County Highway A to Missouri Highway 51, thence over Missouri Highway 51 to junction U.S. Highway 61, thence over U.S. Highway 61 to St. Louis, and return over the same route, serving no intermediate points.

MOTOR CARRIERS OF PASSENGERS

No. MC 7257 (Sub-No. 7), filed March 25, 1964. Applicant: PROVINCIAL TRANSPORT COMPANY, a corporation, 1188 Dorchester Boulevard West, Montreal, Quebec, Canada. Applicant's attorney: Anthony C. Vance, 2001 Massachusetts Avenue NW., Washington 6, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Passengers and their baggage, in the same vehicle, in round trip charter operations, beginning and ending at ports of entry on the international boundary line between the United States and Canada located in Maine, New Hampshire, Vermont, and New York and extending to points in the United States (except Alaska and Hawaii). RESTRICTION: The proposed authority herein will be restricted to charter parties originating at authorized points in Canada.

Note: Common control may be involved. Applicant states no duplication of authority is sought.

No. MC 116385 (Sub-No. 3), filed March 30, 1964. Applicant: ANTHONY S. KASPER, doing business as NIAGARA FRONTIER SCENIC TOURS, 7900 Pine Avenue Boulevard, Niagara Falls, N.Y. Applicant's attorney: Clarence E. Rhoney, 94 Oakwood Avenue, North Tonawanda, N.Y. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Passengers and their baggage, in special operations, in round trip sight-seeing and pleasure tours, limited to the transportation of not more than eight (8) passengers in any one vehicle, not including the driver thereof and not including children under ten (10) years of age who do not occupy a seat or seats, in seasonal operations between April 15 and October 1, inclusive, of each year, between the ports of entry on the international boundary line between the United States and Canada located at Niagara Falls and Lewiston, N.Y., and points in Niagara County, N.Y., within six (6) miles of Niagara Falls, N.Y., including Niagara Falls, N.Y.

No. MC 116943 (Sub-No. 3), filed April 1, 1964. Applicant: EMPIRE STATE SCENIC TOURS AND INFORMATION, INC., 1139 Niagara Falls Boulevard, Buffalo, N.Y. Applicant's representative: Raymond A. Richards, 35 Curtice Park, Webster, N.Y. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Passengers and

their baggage, in special operations, in round trip sightseeing and pleasure tours, limited to the transportation of not more than eight (8) passengers in any one vehicle, not including the driver thereof, and not including children under ten (10) years of age who do not occupy a seat or seats, during the season from May 1 to October 31 of each year, beginning and ending at points in Niagara County, N.Y., and those points in Erie County, N.Y., on U.S. Highway 62 and north of New York Highway 324, and extending to ports of entry on the international boundary line between the United States and Canada at Niagara Falls, N.Y.

NOTE: Applicant states it is presently certificated to perform the above transportation, restricted to seven (7) passengers. The sole purpose of this application is to have the "7 passengers" increased to "8 passengers."

By the Commission.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 64-3699; Filed, Apr. 14, 1964;
8:47 a.m.]

NOTICE OF FILING OF MOTOR CARRIER INTRASTATE APPLICATIONS

APRIL 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, page 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.

State Docket No. C-102, Case No. 1, filed October 23, 1963. Applicant: HOOKER MOTOR FREIGHT, INC., 326 Pleasant Street SW., Grand Rapids, Mich. Applicant's attorney: John M. Veale, Suite 1700, 1 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 Grand Rapids, Mich., and Lansing, Mich., over Interstate Highway 96, serving no intermediate points, for operating convenience only; (2) between junction U.S. Highway 31 and Interstate Highway 96 and Grand Rapids, Mich., over Interstate Highway 96, provided that no freight originating at Muskegon, Mich., or points intermediate to Grand Rapids shall be transported to Grand Rapids or vice versa on this route; and (3) between Freeport, Mich., and Middleville, Mich., over unnumbered county road.

HEARING: April 23, 1964, at 9:30 a.m., on the Fifth Floor, Lewis Cass Building, South Walnut Street, Lansing, Mich.

Requests for procedural information, including the time for filing protests, concerning this application 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. MC-4516 Sub-1, filed March 24, 1964. Applicant: W. C. KEYT AND CHARLES A. HERSHISER, doing business as COOKEVILLE MOTOR LINE, 611 Mulberry, Nashville, Tenn. Applicant's attorney: Walter Harwood, 515 Nashville Bank and Trust Building, Nashville, Tenn. Certificate of public convenience and necessity sought to operate a freight service as follows: Between Nashville and Cookeville, Tenn., (1) over U.S. Highway 70N, and (2) over Interstate Highway 40, utilizing segments of Interstate Highway 40, as it becomes completed and open to traffic, as alternate routes in conjunction with applicant's authorized regular-route service.

HEARING: May 7, 1964, at 9:30 a.m., in the Commission's Court Room, C-1-110 Cordell Hull Building, Nashville, Tenn.

Requests for procedural information, including the time for filing protests, concerning this application should be addressed to the Tennessee Public Service Commission, Cordell Hull Building, Nashville, Tenn., 37219, and should not be directed to the Interstate Commerce Commission.

State Docket No. H-4885, filed March 17, 1964. Applicant: WENDELL HAUPERT, doing business as HAUPERT EXPRESS, Woodbury Building, Marshalltown, Iowa. Applicant's attorney: Robert R. Rydell, 1020 Savings and Loan Building, Des Moines, Iowa. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Interstate Commerce Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between Marshalltown, Iowa, and Ogden, Iowa, over U.S. Highway 30, serving all intermediate points.

HEARING: April 28, 1964, at 10:00 a.m., in the office of the Iowa State Commerce Commission, Des Moines, Iowa.

Requests for procedural information, including the time for filing protests, concerning this application should be addressed to the Iowa State Commerce Commission, State Capitol, Des Moines 19, Iowa, and should not be directed to the Interstate Commerce Commission.

State Docket No. 9278, filed March 26, 1964. Applicant: SAIA MOTOR FREIGHT LINE, INC., Post Office Box 10157, Station No. 1, Naval Air Station, Houma, La. Applicant's attorney: Joseph L. Waitz, Post Office Box 590, Houma, La. Certificate of public convenience and necessity sought to operate a freight service as follows: Transporta-

tion of *general commodities*, (1) from, to, and between New Orleans, La. and Norco, La., over Louisiana Highway 48 to intersection Bonnet Carre Spillway Bridge, thence over Bonnet Carre Spillway Bridge, which is U.S. Highway 61; from, to, and between intersection Louisiana Highway 44 and Bonnet Carre Spillway Bridge on U.S. Highway 61, thence over Louisiana Highway 44 to Burnside, La.; and from, to, and between Burnside, La., and Baton Rouge, La., over Louisiana Highway 30. For the purpose of clarity, it is understood that the second portion of this application is from, to, and between New Orleans and Baton Rouge, La., serving all points, over the road commonly referred to as the Old River Road, connecting Baton Rouge and New Orleans, La., (2) from, to, and between Geismar, La., and Baton Rouge, La., over Louisiana Highway 73, serving all points; (3) from, to, and between New Orleans, La., and Baton Rouge, La., over U.S. Highway 61 (commonly known as the Airline Highway); from, to, and between Baton Rouge, La., and Kinder, La., over U.S. Highway 190, serving all intermediate points; from, to, and between Kinder, La., and Iowa, La., over U.S. Highway 165, serving all intermediate points; and (4) from, to, and between Opelousas, La., over Louisiana Highway 10 to intersection U.S. Highway 167, thence over U.S. Highway 167 to Ville Platte, La., serving all points, thence over Louisiana Highway 29 to Tate Cove, La., serving all points, including the Cabot Corbin Plant located near Tate Cove, La.; from, to, and between Tate Cove, La., and the Cabot Corbin Plant, over Louisiana Highway 29, from, to, and between Eunice, La., serving all points.

And State Docket No. 9279, filed March 26, 1964. Applicant: (same as above). Applicant's attorney: (same as above). Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of *general commodities* (1) from, to, and between Baton Rouge, La., and Shreveport, La., from Baton Rouge over U.S. Highway 190 to intersection U.S. Highway 71, thence over U.S. Highway 71 through Alexandria, La., to Shreveport; serving all intermediate points (2) from, to, and between Iowa, La., and Alexandria, La., over U.S. Highway 165, serving all intermediate points; (3) from, to, and between Eunice, La., and Meeker, La., or to intersection U.S. Highway 167 and U.S. Highway 71, over U.S. Highway 167 to Turkey Creek, La., thence over Louisiana Highway 13 to Eunice, serving all intermediate points; and (4) from, to, and between Lake Charles, La., and Shreveport, La., over U.S. Highway 171, serving all intermediate points.

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

Requests for procedural information, including the time for filing protests, concerning these applications should be addressed to the Louisiana Public Service Commission, Box 4035, Capitol Station, Baton Rouge, La., and should not be directed to the Interstate Commerce Commission.

State Docket No. A46314, filed March 24, 1964. Applicant: LUCIANO GIUDICE, CHARLOTTE GIUDICE, CHARLES TRAINA, AND JOHN TRAINA, a co-partnership, doing business as AUTO FAST FREIGHT, 564 Rialto Avenue, San Bernardino, Calif. Applicant's attorney: Donald Murchison, 211 South Beverly Drive, Beverly Hills, Calif. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of *general commodities*, with the usual exceptions, (1) between all points and places in the Los Angeles Basin Territory as described in Item No. 270-1 of Minimum Rate Tariff No. 2, issued by the Public Utilities Commission of the State of California; (2) the said Los Angeles Basin Territory and Crestline, Lake Arrowhead, and Big Bear Lake, and points and places along California Highways 18, 30 and U.S. Highway 66, and all points within five (5) miles laterally of said highways named; and (3) the said Los Angeles Basin Territory and Yermo, via U.S. Highways 66, 466, and 91, including the off-route points of United States Marine Corps Depot at or near Daggett, and Daggett, inclusive, and all points within five (5) miles laterally of said highways named.

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

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

State Docket No. L-12059 Case No. 3, filed March 16, 1964. Applicant: EVERETT DELIVERY SERVICE, INC., 4220 East Davison, Detroit 12, Mich. Applicant's representative: Gene F. Everett, 19980 Garfield, Detroit 40, Mich. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of *film* for Eastman Kodak Co., for the purpose of processing, between Detroit, Mich., and points within fifty (50) miles thereof.

HEARING: May 5, 1964, at 9:30 a.m., in the offices of the Commission, Lewis Cass Building, Lansing, Mich.

Requests for procedural information, including the time for protests, concerning this application 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.

By the Commission.

[SEAL] HAROLD D. McCoy,
Secretary.

[F.R. Doc. 64-3700; Filed, Apr. 14, 1964;
8:47 a.m.]

[Notice 968]

MOTOR CARRIER TRANSFER PROCEEDINGS

APRIL 10, 1964.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations pre-

scribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following-numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC 66689. By order of April 2, 1964, the Transfer Board approved the transfer to Jersey Express Inc., East Rutherford, N.J., of certificate in No. MC 116453 issued July 26, 1963, to Michael Della Fave, doing business as Jersey Carriers, Lyndhurst, N.J., authorizing the transportation over irregular routes, of such merchandise as is dealt in by novelty stores, from Lyndhurst, N.J., to New York, N.Y.; paint pigments, from New York, N.Y., to Newark, N.J.; sheet paper, between Lyndhurst, and Newark, N.J., on the one hand, and, on the other, New York, N.Y.; ladies' undergarments, and textiles, materials, and supplies used in the manufacture of ladies' undergarments, between New York, N.Y., on the one hand, and, on the other, Lyndhurst, N.J., and points within 12 miles of Lyndhurst. Michael Della Fave, Post Office Box 401, Lyndhurst, N.J., 07071, representative for applicants.

No. MC-FC 66714. By order of April 2, 1964, the Transfer Board approved the transfer to Al's Truck Line, Inc., Davenport, Iowa, of certificate in No. MC 71199 issued March 30, 1944 to Albert L. Machamer, doing business as Al's Truck Line, Davenport, Iowa, authorizing the transportation of general commodities, excluding household goods and commodities in bulk, between Keithsburg, Ill., and Davenport, Iowa, with service to and from all intermediate points and the off-route points of Bettendorf, Iowa, and Moline, Sherrard, Matherville, Edgington, Millersburg, and New Boston, Ill. William A. Landau, 1307 East Walnut Street, Des Moines 16, Iowa, representative for applicants.

No. MC-FC 66715. By order of April 2, 1964, the Transfer Board approved the transfer to Chesnut Co., Inc., Arnett, Okla., of the operating rights issued by the Commission June 3, 1938, June 3, 1938, August 6, 1940, July 25, 1942, October 12, 1951, April 15, 1947, and November 24, 1947, under Certificates Nos. MC 34553, MC 34553 (Sub-No. 1), MC 34553 (Sub-No. 2), MC 34553 (Sub-No. 3), MC 34553 (Sub-No. 9), MC 34553 (Sub-No. 11), and MC 34553 (Sub-No. 13), respectively, to A. V. Chesnut, Arnett, Okla., authorizing the transportation, of petroleum products, in bulk, between Ponca City and Enid, Okla., on the one hand, and, on the other, points in Ochiltree, Lipscomb, Hemphill, and Gray Counties, Tex.; from Ponca City, Okla., to points in Hutchinson County, Tex.; absorption oil, in bulk, in tank trucks, over irregular routes, from Cushing, Okla., to the plant of the Texhoma, Natural Gas Co., near Stinnett, Tex., and to

Fritsh, Hutchinson County, Tex.; from Cushing, Okla., and points within 3 miles thereof, to Skellytown, Tex., and points within 20 miles thereof, and Stinnett, Tex., and points within 15 miles thereof; petroleum products, in bulk, in tank trucks, over irregular routes, from Ponca City, Okla., to points in Hansford and Moore Counties, Tex., from Borger and Pampa, Tex., and points within 5 miles of each, to Arnett, Buffalo, Erick, Fargo, Laverne, Reydon, Sayre, and Shattuck, Okla.; between Borger, Tex., and points within 5 miles thereof, on the one hand, and, on the other, points in Alfalfa, Harper, Woods, Woodward, Ellis, Dewey, Major, Custer, Roger Mills, Beckham, and Washita Counties, Okla., except from Borger and points within 5 miles thereof to Buffalo, Erick, Fargo, Laverne, Reydon, Sayre and Shattuck, Okla.; gasoline, in bulk, in tank trucks, over irregular routes, from Laverne, Okla., and points within 3 miles of Laverne, to points in Hemphill, Lipscomb, and Ochiltree Counties, Tex.; and rejected shipments of gasoline, in bulk, in tank trucks, over irregular routes, from the above-specified destination points to origin points. Wilburn L. Williamson, 450 American National Building, Oklahoma City, Okla., 37102, attorney for applicants.

No. MC-FC 66724. By order of April 2, 1964, the Transfer Board approved the transfer to Reliable Transfer Corp., Juneau, Alaska, of certificate in No. MC 123297 issued May 16, 1963 to Carl V. Lindstrom and Elmer E. Lindstrom, a partnership, doing business as Reliable Transfer, Juneau, Alaska, authorizing the transportation over irregular routes of general commodities, including household goods but excluding commodities in bulk, between points within 25 miles of Juneau, Alaska. R. Boochever, Post Office Box 1121, Juneau, Alaska, attorney for applicants.

No. MC-FC 66727. By order of April 2, 1964, the Transfer Board approved the transfer to Thomas R. Hogarth, doing business as Hogarth's Towing & Wrecker Service, 1136 Broadmoor, Macedonia, Ohio, of the operating rights in certificate in No. MC 110943 (Sub-No. 1) issued August 15, 1961, to Long Distance Towing, Inc., Akron, Ohio, authorizing the transportation, over irregular routes, of: Wrecked and disabled motor vehicles, and replacement or repair parts or equipment for same, between points in a specified portion of Ohio, on the one hand, and, on the other, points in Illinois, Indiana, Kentucky, Massachusetts, Michigan, Missouri, New York, Pennsylvania, Virginia, and West Virginia. Edwin C. Reminger, 905 Leader Building, Cleveland 14, Ohio, attorney for applicants.

No. MC-FC 66735. By order of April 2, 1964, the Transfer Board approved the transfer to Hyman S. Scher, doing business as Sanford Moving & Storage Co., 1999 Jerome Avenue, New York, N.Y., of the operating rights issued by the Commission October 28, 1942, under certificate in No. MC 25199 to Ben R. Kolinsky and Hyman S. Scher, a partnership, doing business as Sanford Moving & Storage Co., 1999 Jerome Avenue, New York, N.Y., authorizing the transportation of:

Household goods, as defined by the Commission, over irregular routes, between New York, N.Y., on the one hand, and, on the other, points in Connecticut, New Jersey, and Pennsylvania.

No. MC-FC 66739. By order of April 2, 1964, the Transfer Board approved the transfer to Redigo Trucking, Inc., Philadelphia, Pa., of certificate in No. MC 11431, issued May 29, 1961, to George H. Wood, Jr., Philadelphia, Pa., authorizing the transportation of gears and gear wheels, drugs, sheet metal products, and iron fencing and accessories, over irregular routes, between Philadelphia, Pa., on the one hand, and, on the other, points in Delaware and New Jersey. Morris J. Winokur, 1920 Two Penn Center Plaza, Philadelphia, Pa. 19102, attorney for applicants.

No. MC-FC 66742. By order of April 2, 1964, the Transfer Board approved the transfer of Certificate of Registration No. MC 98442 (Sub-No. 1) evidencing the rights of the holder thereof to engage in interstate or foreign commerce, corresponding in scope to the service authorized by the Certificate of Public Convenience and Necessity No. 2749 issued by the Massachusetts Department of Public Utilities, from John H. Gilbert, doing business as Gilbert Truck, Millbury, Mass., to Frank Stankiewicz, doing business as FS Trucking, Worcester, Mass. Arthur A. Wentzell, 539 Hartford Turnpike, Shrewsbury, Mass., representative for applicants.

No. MC-FC 66744. By order of April 2, 1964, the Transfer Board approved the transfer to Towing Service, Inc., doing business as Bishop Towing Service, St. Paul, Minn., of certificate in No. MC 109741, issued January 6, 1949, to Joseph C. Zabel, doing business as Bishop Towing Service, St. Paul, Minn., authorizing the transportation of wrecked or disabled motor vehicles, and tractors for replacement of wrecked or disabled tractors, in truckaway service, over irregular routes, between points in Illinois, Iowa, Minnesota, North Dakota, South Dakota, and Wisconsin. A. R. Fowler, 2288 University Avenue, St. Paul, Minn. 55114, representative for applicants.

[SEAL]

HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 64-3701; Filed, Apr. 14, 1964;
8:47 a.m.]

[Rev. S.O. 562; Taylor's I.C.C. Order No.
172-A]

ILLINOIS CENTRAL RAILROAD Order Vacated

Upon further consideration of Taylor's I.C.C. Order No. 172 (Illinois Central Railroad) and good cause appearing therefor:

It is ordered, That:

(a) Taylor's I.C.C. Order No. 172 be, and it is hereby vacated and set aside.

(b) Effective date: This order shall become effective at 9:00 a.m., April 10, 1964.

It is further ordered, That this order shall be served upon the Association of

American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement and by filing it with the Director, Office of the Federal Register.

Issued at Washington, D.C., April 10, 1964.

INTERSTATE COMMERCE
COMMISSION,
CHARLES W. TAYLOR,
Agent.

[F.R. Doc. 64-3702; Filed, Apr. 14, 1964;
8:47 a.m.]

[Notice 968-A]

MOTOR CARRIER TRANSFER PROCEEDINGS

APRIL 13, 1964.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's general rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 30 days from the date of service of the order. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC 66106. By order of April 10, 1964, Division 3, acting as an Appellate Division, approved the transfer to Booth Freight Lines, Inc., Clifton, N.J., of Certificate in No. MC 59463, issued July 13, 1956, to Towers Transportation, Inc., Jersey City, N.J., authorizing the transportation of: General commodities, excluding household goods, commodities in bulk, and other specified commodities between New York, N.Y., on the one hand, and, on the other, points in Bergen, Essex, Mercer, Union, Hudson, Middlesex, and Passaic Counties, N.J. Charles J. Williams, 1060 Broad Street, Newark 2, N.J., attorney for applicants.

No. MC-FC 66107. By order of April 10, 1964, Division 3, acting as an Appellate Division, approved the transfer to Towers Transportation, Inc., Jersey City, N.J., of Certificate in No. MC 6958, issued October 5, 1949, to James J. Morrissey, Inc., New York, N.Y., authorizing the transportation of: General commodities, excluding household goods, commodities in bulk, and other specified commodities between New York, N.Y., on the one hand, and, on the other, points in New Jersey within 40 miles of New York. Charles J. Williams, 1060 Broad Street, Newark 2, N.J., attorney for transferee. William D. Traub, 10 East 40th Street, New York 16, N.Y., practitioner for transferor.

[SEAL]

HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 64-3739; Filed, Apr. 14, 1964;
8:49 a.m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

APRIL 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. 38953: *Sand from Riverton, Ind., to Mattoon, Ill.* Filed by Illinois Freight Association, agent (No. 237), for and on behalf of Illinois Central Railroad Co. Rates on sand, as described in the application, in carloads, from Riverton, Ind., to Mattoon, Ill.

Grounds for relief: Motortruck competition.

Tariff: Supplement 109 to Illinois Central Railroad Co., tariff I.C.C. A-11687.

FSA No. 38954: *Joint Motor-rail rates—Niagara Frontier.* Filed by Niagara Frontier Tariff Bureau, Inc., agent (No. 20), for interested carriers. Rates on property moving on class and commodity rates over joint routes of applicant rail and motor carriers, between points in Central States and Middlewest territories, on the one hand, and points in provinces of Ontario and Quebec, Canada, on the other.

Grounds for relief: Motortruck competition.

Tariff: Supplement 12 to Niagara Frontier Tariff Bureau, Inc., agent, tariff MF-I.C.C. 59.

FSA No. 38955: *Joint Motor-rail rates—Niagara Frontier.* Filed by Niagara Frontier Tariff Bureau, Inc., agent (No. 21), for interested carriers. Rates on property moving on class and commodity rates over joint routes of applicant rail and motor carriers, between points in official territory, on the one hand, and points in provinces of Ontario and Quebec, Canada, on the other.

Grounds for relief: Motortruck competition.

Tariff: Supplement 12 to Niagara Frontier Tariff Bureau, Inc., agent, tariff MF-I.C.C. 59.

FSA No. 38956: *Gravel from Muscatine, Iowa to points in southern territory.* Filed by Illinois Freight Association, agent (No. 238), for interested rail carriers. Rates on gravel, as described in the application, in carloads, from Muscatine, Iowa, to specified points in southern territory.

Grounds for relief: Carrier competition.

Tariff: Supplement 6 to Illinois Freight Association, agent, tariff I.C.C. 1017.

By the Commission.

[SEAL]

HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 64-3695; Filed, Apr. 14, 1964;
8:47 a.m.]

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