

# FEDERAL REGISTER

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Agencies in this issue—

The President  
Civil Aeronautics Board  
Commodity Credit Corporation  
Emergency Planning Office  
Federal Aviation Agency  
Federal Communications Commission  
Federal Maritime Commission  
Federal Power Commission  
Food and Drug Administration  
Immigration and Naturalization  
Service  
Interior Department  
Internal Revenue Service  
Interstate Commerce Commission  
Land Management Bureau  
National Park Service  
Post Office Department  
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## Title 3—THE PRESIDENT

### Proclamation 3651

#### NATIONAL SAFE BOATING WEEK, 1965

By the President of the United States of America

#### A Proclamation

WHEREAS many millions of Americans have the opportunity in this great Nation to enjoy the healthful sport of boating in their leisure hours; and

WHEREAS the importance of boating safety should be impressed upon every individual who pursues this outdoor pastime so that the useless waste of lives and property may be avoided; and

WHEREAS a continued awareness by the public of the need for safety on the waterways can only be assured by recurring emphasis by the boating industry, boating organizations, Federal and State agencies, and boating enthusiasts on the critical necessity for compliance with safe boating principles; and

WHEREAS the Congress of the United States, in seeking to focus national attention on the importance of safe boating practices, by a joint resolution, approved June 4, 1958 (72 Stat. 179), has requested the President to proclaim annually the week which includes July Fourth as National Safe Boating Week:

NOW, THEREFORE, I, LYNDON B. JOHNSON, PRESIDENT OF THE UNITED STATES OF AMERICA, do hereby designate the week beginning July 4, 1965, as National Safe Boating Week.

I strongly urge all Americans to do their utmost during this Week and throughout the year to unite in the pursuit of making boating one of the safest and most enjoyable of all recreational activities.

I also invite the Governors of the States, the Commonwealth of Puerto Rico, and other areas subject to the jurisdiction of the United States of America to join in this observance in order to provide impetus in stressing recreational boating safety during the Week and the entire year.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

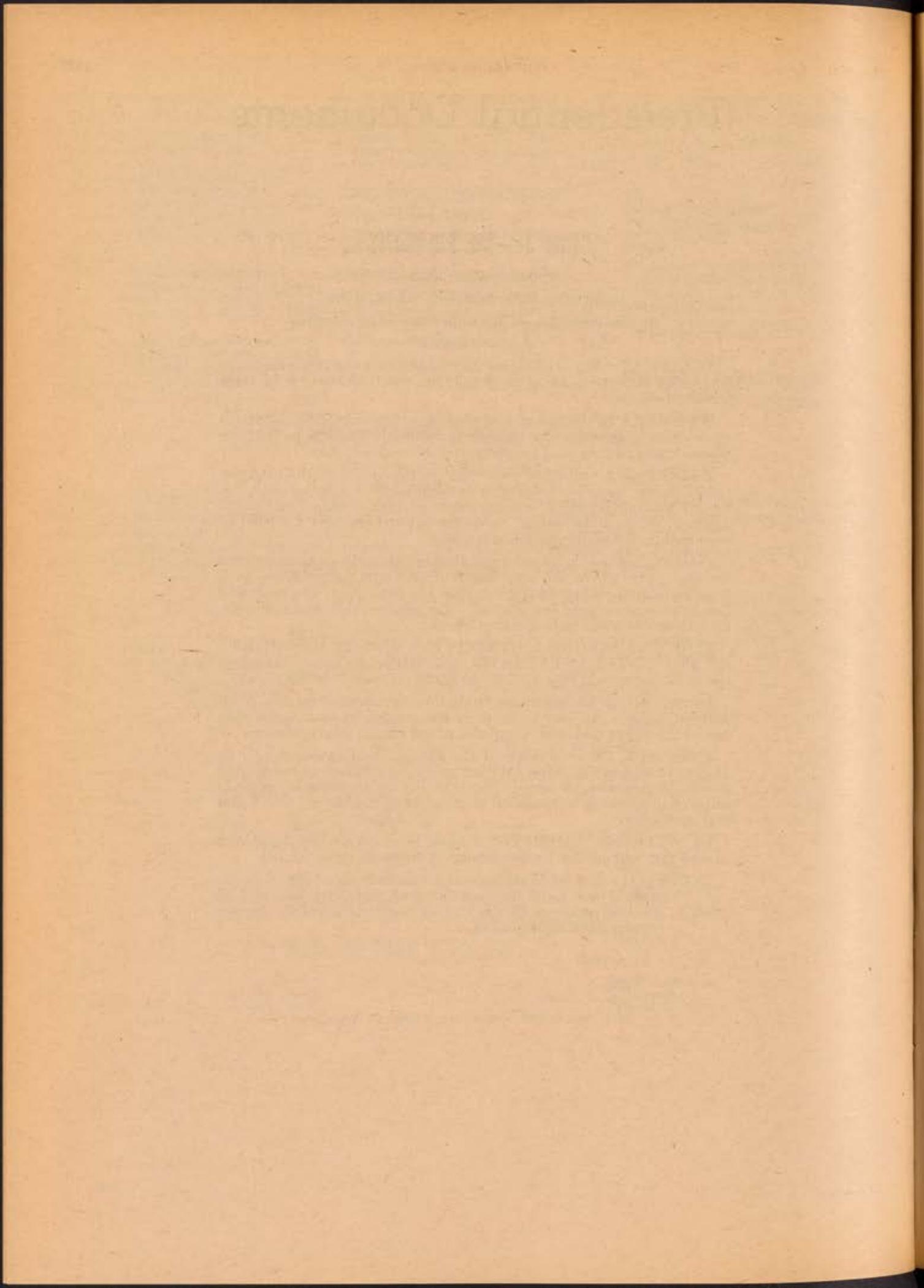
DONE at the City of Washington this second day of April in the year of our Lord nineteen hundred and sixty-five, and of [SEAL] the Independence of the United States of America the one hundred and eighty-ninth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,  
*Secretary of State.*

[F.R. Doc. 65-3698; Filed, Apr. 6, 1965; 2:03 p.m.]



**Executive Order 11214**

**AMENDMENT OF EXECUTIVE ORDER NO. 11052,<sup>1</sup> RELATING TO  
COTTON TEXTILES AND COTTON TEXTILE PRODUCTS**

By virtue of the authority vested in me by Section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854; 76 Stat. 104), and Section 301 of Title 3 of the United States Code, and as President of the United States, Executive Order No. 11052 of September 28, 1962 (28 F.R. 9691), entitled "Cotton Textiles and Cotton Textile Products," is hereby amended as follows:

(1) in Section 1, insert "and the Special Representative for Trade Negotiations" after "Labor";

(2) in the last sentence of Section 2(a), insert "and the Office of the Special Representative for Trade Negotiations" after "Labor"; and

(3) in the last sentence of Section 3, insert "and the Special Representative for Trade Negotiations" after "Labor", and insert "or Office" after "Department".

LYNDON B. JOHNSON

THE WHITE HOUSE,  
April 7, 1965.

[F.R. Doc. 65-3749; Filed, Apr. 7, 1965; 12:05 p.m.]

<sup>1</sup> 3 CFR, 1959-1963 Comp., p. 644; 27 F.R. 9691.

# Rules and Regulations

1. The purpose of these rules is to ensure the smooth operation of the organization and to maintain high standards of conduct and performance.

2. All members must adhere to these rules at all times, both on and off the premises. Failure to do so may result in disciplinary action.

3. Members are expected to show respect and courtesy to all other members and staff at all times.

4. The use of profanity, vulgar language, or threats is strictly prohibited. Any member who engages in such behavior will be subject to immediate suspension.

5. Members must arrive on time for all meetings and events. Late arrivals will be considered disrespectful and may be asked to leave.

6. The organization is an equal opportunity organization. Discrimination on the basis of race, gender, age, or religion is strictly prohibited.

7. Members are encouraged to participate in all activities and to contribute to the success of the organization.

8. These rules are subject to change without notice. Members will be notified of any changes.

9. These rules apply to all members of the organization.

10. The organization reserves the right to modify these rules at any time.

11. Members who violate these rules may be subject to fines or other penalties.

12. The organization is committed to providing a safe and healthy environment for all members.

13. Members are expected to maintain a professional appearance at all times.

14. The organization is a non-profit organization and all funds raised are used for the benefit of the organization.

15. Members are encouraged to report any violations of these rules to the appropriate authority.

16. The organization is committed to transparency and accountability in all its operations.

17. These rules are intended to guide the behavior of all members and to ensure the success of the organization.

18. The organization reserves the right to take any action necessary to enforce these rules.

19. These rules are effective as of the date of their adoption.

20. The organization is committed to the highest standards of integrity and ethical conduct.

21. Members are expected to uphold the values and mission of the organization.

22. The organization is committed to providing excellent customer service to all members.

23. Members are encouraged to provide feedback and suggestions for improvement.

24. The organization is committed to continuous improvement and growth.

25. These rules are intended to create a positive and productive work environment for all members.

26. The organization is committed to the well-being and success of all its members.

27. These rules are subject to the approval of the governing body of the organization.

# Rules and Regulations

## Title 7—AGRICULTURE

### Chapter XIV—Commodity Credit Corporation, Department of Agriculture

#### SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[C.C.C. Grain Price Support Regs., 1965-Crop Rice Supp.]

### PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

#### Subpart—1965-Crop Rice Loan and Purchase Program

The General Regulations Governing Price Support for the 1964 and Subsequent Crops (29 F.R. 2886) issued by the Commodity Credit Corporation, which contain regulations of a general nature with respect to price support loan and purchase operations, are supplemented for the 1965-crop of rice as follows:

Sec.	Purpose.
1421.2740	Applications and loans—final dates.
1421.2741	Eligible rice.
1421.2742	Compliance requirements.
1421.2743	Effect of unknowingly exceeding the acreage allotment.
1421.2744	Application for review and request for reconsideration.
1421.2745	Determination of quality.
1421.2746	Determination of quantity.
1421.2747	Warehouse receipts.
1421.2748	Warehouse charges.
1421.2749	Service charges.
1421.2750	Maturity of loans.
1421.2751	Inspection certificates.
1421.2752	Settlement.
1421.2753	Settlement.
1421.2754	Settlement.

**AUTHORITY:** The provisions of this subpart issued under sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 101, 401, 62 Stat. 1051, as amended, 1054, sec. 302, 72 Stat. 988; 15 U.S.C. 714c, 7 U.S.C. 1421, 1441.

#### § 1421.2740 Purpose.

This subpart contains program provisions which, together with the applicable provisions of the General Regulations Governing Price Support for the 1964 and Subsequent Crops, and the Cooperative Marketing Association Eligibility Requirements for Price Support in Part 1425 of this title, and any amendments thereto, apply to loans and purchases made under the 1965-Crop Rice Price Support Program.

#### § 1421.2741 Applications and loans—final dates.

Producers desiring to obtain price support must file an application therefor not later than March 31, 1966. Producers whose applications are approved may obtain price support loans through March 31, 1966.

#### § 1421.2742 Eligible rice.

(a) *General.* In order to be eligible for price support, rice must meet the re-

quirements of this section in addition to the other eligibility requirements of the program.

(1) *Eligible producer.* The rice must have been produced by an eligible producer.

(2) *Classes.* The rice must be one of the classes or varieties specified in (i) § 1421.2754(a) or (ii) the Official Standards of the United States for Rough Rice other than "Mixed Rough Rice."

(3) *Contamination and poisonous substances.* Rice must not be contaminated by rodents, birds, insects or other vermin or contain mercurial compounds or other substances poisonous to man or animals.

(b) *Grade requirements for loan.* In addition to the requirements of paragraph (a) of this section, rice at the time it is placed under loan must:

(1) Grade U.S. No. 5 or better (rice of special grades shall not be eligible) and

(2) Contain not more than 14 percent moisture.

#### § 1421.2743 Compliance requirements.

Except as provided in § 1421.2744, a producer shall not be eligible for price support on rice produced in 1965 if the 1965 rice acreage on the farm on which such rice is produced is in excess of the farm rice acreage allotment. If a producer has an interest in the 1965 rice crop produced on more than one farm in the same county, he must also be entitled to receive a marketing certificate for each such farm in order to be eligible for price support. If a producer is engaged in the production of rice in more than one county (in the same State or in two or more States) and the requirements of Rice Marketing Quota Regulations § 730.1567(c) of this title (29 F.R. 11901), and any amendments thereto, are applied to such multiple farming unit, he must be entitled to receive a marketing certificate for each such farm, wherever situated, in order to be eligible for price support on his 1965-crop of rice.

#### § 1421.2744 Effect of unknowingly exceeding the acreage allotment.

(a) *Method of determination.* The acreage of rice on a farm shall not be deemed to be in excess of the farm rice acreage allotment unless such allotment is knowingly exceeded. If the farm rice acreage allotment is in fact exceeded, such allotment shall be considered as having been knowingly exceeded unless the operator of the farm establishes to the satisfaction of the county committee in accordance with paragraph (b), (c), or (d) of this section that he and other producers on the farm have not knowingly exceeded the farm rice acreage allotment and the determination of the county committee is reviewed and approved by the State Executive Director.

(b) *Erroneous notice of acreage allotment.* An otherwise eligible producer shall not be ineligible for price support when the farm is overplanted because of

reliance on an erroneous notice of farm rice acreage allotment as provided in the Rice Marketing Quota Regulations, § 730.1595(a) of this title (29 F.R. 11901) and any amendments thereto.

(c) *Erroneous notice of measured acreage.* An otherwise eligible producer shall not be ineligible for price support if the farm is overplanted because of reliance on an erroneous notice of measured acreage as provided in Determination of Acreage and Performance Regulations of Part 718 of this title and any amendments thereto.

(d) *Failure to timely measure acreage or notify operator.* The farm rice acreage allotment for the farm will not be considered to be knowingly exceeded in any case where: (1) Through no fault of the farm operator or any producer on the farm, the acreage was not measured or the farm operator was not timely notified of the measured acreage in time to dispose of the excess acreage prior to harvest; (2) the excess acreage was relatively small; and (3) the farm operator established that because of the relative smallness of the excess and the unavailability to him of any recent measurements of the field acreages on the farm, he had no reason to believe the acreage was in excess of the farm rice acreage allotment. Nothing in this paragraph shall affect any producer's liability for penalties on excess rice determined under the Rice Marketing Quota Regulations for 1964 and Subsequent Crop Years of Part 730 of this title, and any amendments thereto.

#### § 1421.2745 Application for review and request for reconsideration.

Any producer who is dissatisfied with any determination with respect to compliance with his farm rice acreage allotment may appeal from such determination as provided in the Marketing Quota Review Regulations of Part 711 of this title (26 F.R. 10204, November 1, 1961), and any amendments thereto.

#### § 1421.2746 Determination of quality.

(a) *Quality.* The class or variety, grade, grading factors, milling yield, and all other quality factors shall be determined in accordance with the Official Standards of the United States for Rough Rice, whether or not such determinations are made on the basis of an official inspection.

(b) *Loans.* In the case of commingled rice, loans will be made on the quality shown on the warehouse receipt, or supplemental certificate if applicable. In all other cases, loans will be made on the basis of quality shown on the Federal or Federal-State sample inspection certificate based on a representative sample of each lot of rice taken as authorized by the county committee.

#### § 1421.2747 Determination of quantity.

(a) *In Warehouse—(1) Commingled.* The amount of a loan on the quantity of

eligible rice stored commingled in an approved warehouse shall be based on the weight specified on the warehouse receipt representing such rice which is pledged as security for the loan, or on the supplemental certificate, if applicable.

(2) *Identity preserved or modified commingled.* The amount of a loan on the quantity of eligible rice stored identity preserved or modified commingled in an approved warehouse shall be based on a percentage, as determined by the State committee, of the weight specified on the warehouse receipt representing such rice which is pledged as security for the loan, or on the supplemental certificate, if applicable. Such percentage shall not exceed 95 percent of the weight so specified. The State committee's determination shall be made on a State-wide basis or for specified areas within the State. The county committee may lower such percentage on an individual basis when determined to be in the best interest of CCC.

(b) *On farm.* The quantity of rice placed under farm-storage loan shall be determined in accordance with § 1421.67 and shall be expressed in whole units of 100 pounds.

(c) *Bagged or bulk.* In determining the quantity of bagged rice by weight, the gross weight, including bags, shall be used. When necessary to convert bagged rice to a bulk basis or bulk rice to a bagged basis, an adjustment of 0.6 pound for 100 pounds of gross weight shall be made as allowance for the weight of the bag.

#### § 1421.2748 Warehouse receipts.

(a) *General.* Warehouse receipts representing rice in approved warehouse storage placed under warehouse storage loan, delivered in satisfaction of a farm storage loan or for purchase must meet the requirements of this section and the General Regulations Governing Price Support for 1964 and Subsequent Crops and any amendments thereto. A separate warehouse receipt must be submitted for each class or variety, grade, and milling yield of rice. Each warehouse receipt must carry an endorsement by the warehouseman in substantially the following form:

Warehouse charges through April 30, 1966, including, but not limited to, receiving and loading out charges accrued or to accrue, and all other charges incident to the acquisition of the rice by CCC, on the rice represented by this warehouse receipt have been paid or otherwise provided for and a lien for such charges will not be claimed by the warehouseman from CCC or any subsequent holder of the warehouse receipt. If the rice represented by this warehouse receipt is to be loaded out in bags, the warehouseman agrees that any and all right, title and interest which he has in such bags shall pass with the rice when such rice is acquired under the price-support program or shall pass at the time the rice is loaded out, if the rice is not in bags at the time of acquisition by CCC.

(b) *Entries.* Each warehouse receipt, inspection certificate or warehouseman's supplemental certificate properly identified with the warehouse receipt must be issued in accordance with the

Uniform Rice Storage Agreement and must show:

(1) Whether the rice is stored in bulk or in bags,

(2) Whether the rice is to be delivered in bulk or in bags,

(3) Gross weight for bagged rice and net weight for bulk rice.

(4) Class or variety,

(5) Grade,

(6) Grading factors,

(7) Milling yield,

(8) Moisture,

(9) Method of storage (commingled, modified commingled or identity preserved), and

(10) Manner by which rice was received (truck or rail).

(c) *Supplemental certificate.* When required, the supplemental certificate shall be executed by the warehouseman for commingled rice, by the warehouseman and producer for modified-commingled rice and by the producer for identity-preserved rice.

#### § 1421.2749 Warehouse charges.

(a) *Farm-stored loans and purchases.* CCC will assume receiving and warehouse storage charges on rice delivered to an approved warehouse after loan maturity date and acquired by CCC (1) in satisfaction of a farm storage loan or (2) through purchase, except that warehouse storage charges will be assumed by CCC only from and after the date of completion of deposit of such rice in the warehouse.

(b) *Warehouse-stored loans and purchases.* CCC will assume warehouse storage charges accruing on and after the day following the loan maturity date on rice which is in approved warehouse storage under loan and is acquired by CCC and on rice which is in approved warehouse storage on the loan maturity date and is purchased by CCC.

(c) *Refund of prepaid handling charges.* The receiving or the receiving and loading out charges on the rice referred to in paragraph (a) of this section and in § 1421.72(1) may not exceed 8 cents per hundredweight.

#### § 1421.2750 Service charges.

A charge of 1 cent per hundredweight will be made for the quantity of rice acquired by CCC and shall be handled in accordance with § 1421.60(b). In addition, a charge of \$3.50 for each lot sampled will be made in connection with farm-stored loans and for each warehouse receipt for modified-commingled and identity-preserved warehouse stored loans.

#### § 1421.2751 Maturity of loans.

Unless demand is made earlier, loans on rice will mature on April 30, 1966.

#### § 1421.2752 Inspection certificates.

Except in the case of loans on commingled warehouse stored rice, settlement with the producer on all rice acquired by CCC will be based on the quality shown on the Federal or Federal-State lot inspection certificates. Such inspection certificates shall be dated not earlier than 30 days prior to the maturity date. The cost of Federal or Federal-State lot inspections as required

by this section and § 1421.2753 shall not be for the account of CCC.

#### § 1421.2753 Settlement.

Settlement for eligible rice acquired by CCC under loan or by purchase will be made with the producer as provided in § 1421.72 and this section. Where rice is placed under a farm storage loan in an area where a location differential is in effect and is delivered to CCC in satisfaction of the loan in an area where no differential is applicable, settlement for rice acquired by CCC will be made on the basis of the support rate for the area where the rice is delivered. Deliveries of rice shall be in accordance with instructions issued by the county office.

(a) *Commingled warehouse storage.* Settlement for eligible rice stored commingled in an approved warehouse and acquired by CCC under a loan or by purchase shall be made on the basis of the class or variety, and of the grade, quality and quantity as shown on the warehouse receipt or supplemental certificate if applicable. Settlement shall also be made on such a basis (1) where an approved warehouse issues a commingled warehouse receipt for loan rice delivered into the warehouse from farm storage pursuant to instructions of the county office, (2) where an approved warehouse issues commingled warehouse receipts in exchange for warehouse receipts representing rice under identity-preserved or modified-commingled warehouse storage loan and (3) where CCC determines that a warehouseman failed to maintain the identity of rice covered by an identity-preserved warehouse-storage loan or modified-commingled warehouse storage loan. In the case of purchases, the producer shall, not later than the day following the final date for delivery or during such other period of time thereafter as may be specified by the county office, submit to the county office warehouse receipts under which an approved warehouse guarantees the class or variety, and the grade, quality and quantity of rice sold to CCC.

(b) *Modified commingled.* Settlement for eligible rice stored modified commingled in an approved warehouse and acquired by CCC under a loan or purchase shall be made on the basis of the class or variety, grade and quality shown on Federal or Federal-State lot inspection certificates and on the basis of the quantity shown on the warehouse receipt, or supplemental certificate, if applicable. In the case of rice stored modified commingled in approved warehouse storage, the producer shall, within 10 days after the maturity date in the case of loans and at the time of sale under a purchase, furnish to the county office Federal or Federal-State lot inspection certificates.

(c) *Other storage.* Settlement for eligible rice acquired under loan or purchase not covered by paragraph (a) or (b) of this section shall be made on the basis of the class or variety, and of the grade and quality shown on Federal or Federal-State lot inspection certificates and on the basis of the quantity shown on official weight certificates. In the case of rice stored identity preserved in approved warehouse storage (1) if the rice was acquired by CCC under pur-

chase, the producer shall furnish to the county office Federal or Federal-State lot inspection certificates at the time of sale, or (2) if the rice was acquired by CCC under a loan, the producer shall furnish such certificates within 10 days after the maturity date. In the case of rice stored in other than approved warehouse storage and acquired by CCC under a loan or by purchase, the producer shall furnish Federal or Federal-State lot inspection certificates at the time of delivery or sale. Official weight certificates required by this paragraph (c) shall be dated not earlier than 30 days prior to the applicable maturity date covering the rice. The cost of such certificates shall not be for the account of CCC.

(d) *Bagged or bulk rice*—(1) *Farm storage*. The weight of farm-stored bulk rice acquired by CCC on which settlement will be made shall be the net weight of the rice. The weight of farm-stored bagged rice acquired by CCC on which settlement will be made shall be the combined weight of the rice and the bags, and title to the bags will pass to CCC with the rice. CCC shall not otherwise pay any amount representing the value of the bags.

(2) *Warehouse-stored*. Rice in approved warehouse storage shall be acquired by CCC on a bagged or bulk basis in accordance with the manner in which the rice is to be loaded out by the warehouseman as indicated on the warehouse receipt. The quantity for settlement purposes shall be the net weight of the rice when acquired in bulk and the combined net weight of the rice and the bags when acquired in bags. Where the warehouse receipt indicates that rice will be loaded out in bags, title to the bags shall pass to CCC at the time of acquisition of the rice. CCC shall not otherwise pay any amount representing the value of the bags. In the event any person should successfully dispute the passing of title to the bags, the producer shall indemnify CCC for any loss sustained by reason thereof.

§ 1421.2754 Support rates.

The loan rate for rice placed under loan shall be the applicable basic support rate adjusted in accordance with the provisions of this section. The support rate for settlement purposes for rice acquired in satisfaction of loans and through purchases shall be the applicable basic support rate adjusted as provided in paragraphs (b) and (c) of this section and §§ 1421.2753 and 1421.72 and adjusted by such other discounts as may be established by CCC applicable to the grade and quality of the rice on which settlement is made.

(a) *Basic rates*. The basic support rate per 100 pounds of rice shall be computed as follows: Multiply the yield (in pounds per hundredweight) of head rice by the applicable value factor for head rice (as shown in the table below according to class or variety). Similarly, multiply the difference between the total yield and head rice yield (in pounds per hundredweight) by the applicable value factor for broken rice. Add the results of these two computations to obtain the basic loan or purchase rate per 100

pounds of rice and express such rate in dollars and cents, rounded to the nearest whole cent.

VALUE FACTORS FOR HEAD AND BROKEN RICE<sup>1</sup>

Group	Rough rice class or variety	Head rice	Broken rice	Cents per pound	
I.....	Patna (except the varieties Belle Patna, and Century Patna) and Rexora (except the variety Rexark).	8.92	3.80		
II.....	Blue Bonnet, Belle Patna, Vegold, Nira, and Rexark.	8.32	3.80		
III.....	Century Patna, Tara, Fortuna, R.N., and Edith.	7.32	3.80		
IV.....	Blue Rose (including the varieties Improved Blue Rose, Greater Blue Rose, Kamrose, and Arkrose), Calrose, Gulrose, Northrose, La-crosse, Magnolia, Nato, Nova, Zenith (including the varieties Gold Zenith and Golden Rose), Prelude, Lady Wright, and Saturn.	6.82	3.80		
V.....	Pearl, Early Prolific, Calady, and other varieties.	6.77	3.80		

<sup>1</sup> These value factors may be changed. Such changes, if any, will be made by an amendment to this section issued shortly after Aug. 1, 1965.

(b) *Premiums and discounts*. The basic support rates determined under paragraph (a) of this section shall be adjusted by the following applicable premium or discount:

	Cents per 100 pounds
(1) Premium:	
Grade U.S. No. 1.....	10
(2) Discounts:	
Grade U.S. No. 3.....	15
Grade U.S. No. 4.....	30
Grade U.S. No. 5.....	50

(c) *Location differentials*. For rice produced in the following areas; discounts for location (to adjust for transportation costs of moving the rice to an area where competitive milling facilities are available) shall be applied to the basic support rate determined under paragraph (a) of this section and shall be in addition to any adjustment in accordance with paragraph (b) of this section: *Provided, however*, That if such rice is transported and stored in a rice producing area where no location differential is applicable, no deduction shall be made.

DIFFERENTIAL TABLE

Area	Discount per 100 pounds
State of Florida.....	\$0.96
States of North Carolina and South Carolina.....	0.92
Imperial County, Calif., and adjacent counties in Arizona and California.....	1.02
Counties of Holt, Lewis, Lincoln, Marion, Pike, and St. Charles in Missouri and Adams in Illinois.....	0.62
Counties of Lafayette, Little River, and Miller in Arkansas; Bowie in Texas; McCurtain in Oklahoma and Bossier Parish in Louisiana.....	0.255

Effective upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on April 2, 1965.

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

[F.R. Doc. 65-3672; Filed, Apr. 7, 1965; 8:50 a.m.]

SUBCHAPTER C—EXPORT PROGRAMS

[Rev. III, Amdt. 8]

PART 1483—WHEAT AND FLOUR

Subpart—Wheat Export Program—Payment in Kind (GR-345) Terms and Conditions

MISCELLANEOUS AMENDMENTS

The terms and conditions of the Wheat Export Program—Payment in Kind (GR-345) (27 F.R. 6415), as amended (27 F.R. 10741, 28 F.R. 7120, 29 F.R. 4077, 9431, 12067, 15115 and 30 F.R. 532) are further amended as follows:

A new § 1483.103 is added to read as follows:

§ 1483.103 Financial responsibility.

CCC reserves the right to refuse to (a) consider an offer to purchase CCC wheat for export or (b) register a sale of wheat for export payment hereunder, if CCC does not have adequate information of financial responsibility of the offeror to meet contract obligations of the type contemplated in this subpart. If a prospective offeror is in doubt as to whether CCC has adequate information with respect to his financial responsibility, he should either submit a financial statement to the appropriate ASCS Commodity Office prior to making an offer to purchase CCC wheat for export (see § 1483.155), or communicate with such office or with the office specified in § 1483.178 prior to making the exporter's agreement with CCC described in § 1483.140 to determine whether such a statement is desired in his case. When satisfactory responsibility has not been established, CCC reserves the right to consider an offer only upon submission by the offeror of a certified or cashier's check, a bid bond, or other security, acceptable to CCC assuring that if the offer is accepted the offeror will comply with the applicable provisions of this subpart and will furnish a performance bond or other performance security acceptable to CCC.

§ 1483.105 [Amended]

Section 1483.105 *General conditions of eligibility* is amended by adding the following sentence to paragraph (e): "The foregoing exclusion of documentary evidence of exportation which has been or will be used in connection with other export programs is intended to prevent a duplication, in whole or in part, of export payments or allowances under two or more export programs of CCC on the same quantity of wheat; accordingly, nothing herein shall be construed as precluding a bill of lading or other evidence of exportation filed under this subpart from being used as evidence in connection with proof of export required in another export program of CCC, including barter transactions, if CCC determines that such use will not result in any such duplication of export payment or allowance."

§ 1483.121 [Amended]

Section 1483.121(d) is amended by deleting in the fifth sentence the words

"notification telegram" and substituting the words "notice of sale".

§ 1483.125 [Amended]

Section 1483.125(a) (5) is amended by deleting in the second sentence the words "notification telegram" and substituting the words "notice of sale".

Section 1483.127 Declaration of sale and evidence of sale, is amended to change paragraph (b) (6) to read as follows:

§ 1483.127 Declaration of sale and evidence of sale.

(b) \* \* \*

(6) Class and grade of wheat, protein content or sedimentation value if specified in contract, and any additional commodity specifications in the contract.

Section 1483.174 is amended to read as follows:

§ 1483.174 Performance security.

In addition to the performance security under § 1483.157 (b) (3) and (c) (2), CCC reserves the right to require the purchaser to furnish, a surety bond acceptable to CCC conditioned upon his faithful performance of each and all provisions of the contract, or in lieu of such bond a certified check, a cashier's check, or other acceptable security, including an irrevocable letter of credit in form approved by CCC against which CCC may draw with a statement that the money is due CCC. Such bond or other security shall be in an amount determined by CCC sufficient to protect its financial interests under the contract.

§ 1483.178 [Amended]

Section 1483.178 *Submission of reports* is amended by adding a sentence at the end of the section to read as follows: "Exporters are urged to report telephonic Notice of Sale by calling DU 8-7305, 7306 or 2334."

(Secs. 4 and 5, 62 Stat. 1070 and 1072; sec. 2, 63 Stat. 945 as amended; sec. 407, 63 Stat. 1051 as amended; sec. 379d(b), 78 Stat. 181; 15 U.S.C. 714b(c), 7 U.S.C. 1641, 1427, 1379d (b))

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

Signed at Washington, D.C., on April 2, 1965.

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

[F.R. Doc. 65-3675; Filed, Apr. 7, 1965; 8:50 a.m.]

[CCC Flaxseed and Linseed Oil Export Payment-In-Kind Program Regs.; Amdt. 1]

PART 1486—FLAXSEED AND  
LINSEED OIL

Subpart—Flaxseed and Linseed Oil  
Export Payment-In-Kind Program  
(PS-GR-4) Terms and Conditions

MISCELLANEOUS AMENDMENTS

The regulations issued by the Commodity Credit Corporation governing the

Flaxseed and Linseed Oil Export Payment-In-Kind Program (PS-GR-4) (30 F.R. 1178) are amended as follows:

Section 1486.157, *Price*, is amended to read:

§ 1486.157 Price.

The price for flaxseed or linseed oil sold by CCC shall be the domestic market price therefor, as determined by CCC, on the date of sale at the place of delivery and in the manner delivered (such as instore, or f.o.b. cars, trucks, or vessel, for example). The price will be specified in the Confirmation of Sale.

Section 1486.174, *Performance guarantee*, is amended to read:

§ 1486.174 Performance security.

In addition to other performance security required by this subpart, CCC reserves the right to require the exporter to furnish a cash deposit, performance bond, or irrevocable commercial letter of credit, acceptable to CCC, to secure performance of any of his obligations under this subpart.

Paragraph (b) of § 1486.176, *Assignments and setoffs*, is amended to read:

§ 1486.176 Assignments and setoffs.

(b) If the exporter is indebted to CCC, the amount of such indebtedness may be set off against payments due the exporter under an Application for Flaxseed or Linseed Oil Export Payment, Form CCC-520. In the case of an assignment, and notwithstanding such assignment, CCC may set off (1) any amounts due CCC under the terms and conditions of these regulations and (2) any amounts, other than the amounts specified in clause (1) of this paragraph, due CCC, if the assignee was advised of such amounts at the time of acknowledgment by CCC of receipt of the notice of assignment.

In the case of an assignment pursuant to paragraph (a) of this section, any indebtedness of the exporter to CCC which may not be set off under this paragraph (b) may be set off against any amounts due and payable under the regulations which remain after the deductions of amounts (including interest and other charges) due the assignee under the assignment. Setoff as provided in this section shall not deprive the exporter of the right to contest the justness of the indebtedness involved, either by administrative appeal or by legal action.

§ 1486.190 [Redesignated]

Section 1486.190, *Flaxseed and linseed oil*, is renumbered § 1486.191.

§ 1486.191 [Redesignated]

Section 1486.191, *Net bushel of flaxseed*, is renumbered § 1486.190.

The following "Notice to Exporters" is substituted for the "Notice to Exporters" appended to the Flaxseed and Linseed Oil Payment-In-Kind Program regulations published in 30 F.R. 1178:

NOTICE TO EXPORTERS

The Department of Commerce, Bureau of International Commerce, pursuant to regulations under the Export Control Act of 1949, prohibits the exportation or re-exportation by anyone of any commodities under this program to Cuba, the Soviet Bloc or Communist-controlled areas of the Far East including Communist China, North Korea, and the Communist-controlled area of Vietnam, except under validated license issued by the U.S. Department of Commerce, Bureau of International Commerce.

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

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

(Secs. 4 and 5, 62 Stat. 1070 and 1072, as amended, 15 U.S.C. 714b and 714c; sec. 407, 63 Stat. 1055, as amended, 7 U.S.C. 1427; sec. 201(a), 70 Stat. 198, 7 U.S.C. 1851)

*Effective date:* Date of publication in the FEDERAL REGISTER.

Signed at Washington, D.C., this April 1, 1965.

RAYMOND A. IOANES,  
Vice President, Commodity  
Credit Corporation, Administrator,  
Foreign Agricultural  
Service.

[F.R. Doc. 65-3646; Filed, Apr. 7, 1965; 8:48 a.m.]

Title 8—ALIENS AND  
NATIONALITY

Chapter I—Immigration and Naturalization Service, Department of Justice

PART 214—NONIMMIGRANT  
CLASSES

Students; Employment

The following amendment to Chapter I of Title 8 of the Code of Federal Regulations is hereby prescribed:

The sixth sentence of subparagraph (3) *Employment* of paragraph (f) *Students* of § 214.2 *Special requirements for admission, extension, and maintenance of status* is amended to read as follows: "If a student requests permission to accept or continue employment in order to obtain practical training, an authorized school official must certify that the employment is recommended for that purpose and will provide the student with practical training in his field of study and, upon information and belief, would not be available to the student in the country of his foreign residence."

(Sec. 103, 66 Stat. 173; 8 U.S.C. 1103)

This order shall be effective on the date of its publication in the FEDERAL REGISTER. Compliance with the provisions of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003) as to notice of proposed rule making and delayed effective date is unnecessary in this instance because the rule

prescribed by the order relates to agency procedure.

Dated: April 5, 1965.

RAYMOND F. FARRELL,  
Commissioner of  
Immigration and Naturalization.

[F.R. Doc. 65-3651; Filed, Apr. 7, 1965;  
8:48 a.m.]

## Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency  
[Docket No. 6256; Amdt. 39-53]

### PART 39—AIRWORTHINESS DIRECTIVES

#### Hartzell Model HC-12X20 Propellers

The purpose of this amendment is to make certain minor revisions to Airworthiness Directive 64-28-1, Amendment 39-14 (29 F.R. 17797). As pertinent here, AD 64-28-1 now applies to Hartzell Model HC-12X20-1, -2, -3, -5, and -7B propellers equipped with C-49-2B and C-49-2C hub spiders having serial numbers between 4200 and 5200, which are installed on Downer (Republic) RC-2 aircraft. The reference to the Downer "RC-2" aircraft is a typographical error and, as was stated in the notice of proposed rule making on this subject, should be "RC-3." This amendment corrects the error.

In addition to the foregoing, the Agency has been advised by the propeller manufacturer that the hub spider serial numbers listed in the AD are partially incorrect and should be serial numbers 4220 to 5400. Accordingly, this amendment corrects the error with regard to hub spiders with serial numbers from 4200 to 4219. The Agency is issuing a separate notice of proposed rule making that would make AD 64-28-1 applicable to hub spiders with serial numbers from 5201 through 5400.

One other amendment of a clarifying nature is also being made. As pertinent here, paragraphs (b) and (c) of the AD contain requirements to "modify" the hub spiders in accordance with Hartzell Service Bulletin No. 32, amended August 11, 1964. This Service Bulletin actually calls for replacement of the hub spiders, and this amendment substitutes the word "replace" for "modify".

Since these amendments are minor in nature and impose no additional burden on any person, notice and public procedure hereon are unnecessary, and that good cause exists to make them effective with less than 30 days notice.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 39.13 of Part 39 (14 CFR Part 39) is amended by amending AD-64-28-1, Amendment 39-14 (29 F.R. 17797), as follows:

1. The applicability provision is amended to read as follows:

Applies to Models HC-12X20-1, -2, -3, -5, and -7B propellers equipped with C-49-2B and C-49-2C Hub Spiders having serial num-

bers between 4220 and 5200 installed on Downer (Republic) RC-3; Navion, Navion A; and Grumman G-44 Series Aircraft.

2. Paragraphs (b) and (c) are amended by substituting the word "Replace" for the word "Modify" in each paragraph.

This amendment shall become effective April 8, 1965.

(Secs. 313(a), 601, and 603, Federal Aviation Act of 1958; 72 Stat. 752, 775, 776; 49 U.S.C. 1354(a), 1421, 1423)

Issued in Washington, D.C., on April 2, 1965.

C. W. WALKER,  
Acting Director,  
Flight Standards Service.

[F.R. Doc. 65-3605; Filed, Apr. 7, 1965;  
8:45 a.m.]

### SUBCHAPTER E—AIRSPACE

[Airspace Docket No. 65-SO-23]

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

##### Alteration of Control Zone

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to revoke an extension of the Tallahassee, Fla., control zone.

The Tallahassee, Fla., radio beacon is scheduled to be relocated on May 15, 1965, from its present position to the Tallahassee ILS outer marker site. This will make controlled airspace based on the beacon at its existing location unnecessary.

Since this amendment is less restrictive in nature and imposes no additional burden on any person, notice and public procedure hereon are unnecessary and the amendment may become effective without regard to the 30-day statutory period.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., May 15, 1965, as hereinafter set forth.

In § 71.171 (29 F.R. 17581) the Tallahassee, Fla., control zone (30 F.R. 739) is amended by deleting "within 2 miles either side of the 299° bearing from the Tallahassee RBN extending from the 5-mile radius zone to 8 miles NW of the RBN."

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348(a))

Issued in East Point, Ga., on March 30, 1965.

A. O. BASNIGHT,  
Director, Southern Region.

[F.R. Doc. 65-3606; Filed, Apr. 7, 1965;  
8:45 a.m.]

[Airspace Docket No. 65-WA-26]

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

##### Alteration of Federal Airway and Reporting Point, and Revocation of Reporting Point

The purpose of this amendment to Part 71 of the Federal Aviation Regula-

tions is to alter the alignment of the segment of VOR Federal airway No. 265 between Westminster, Md., and Harrisburg, Pa.; alter the description of the Hampton, Pa., domestic low altitude reporting point, and revoke the Berman, Pa., domestic low altitude reporting point.

V-265 is presently designated between Westminster and Harrisburg via the intersection of the Westminster 345° and the Harrisburg 196° radials. Action is taken herein to realign this segment of V-265 via the intersection of the Westminster 346° and the Harrisburg 196° radials. This minor realignment of one degree would permit the centerline of V-265 to intersect with the centerlines of VOR Federal airway No. 223 and with VOR Federal airway No. 474 as amended in Airspace Docket No. 64-EA-45 (30 F.R. 4121). Concurrently, action is taken herein to redesignate the Hampton Intersection to overlie the intersection of the centerlines of these airways. In addition, the Berman Intersection domestic low altitude reporting point would be revoked as it is no longer required for air traffic control purposes.

Since these actions are essentially procedural in nature and involve only very minor changes, notice and public procedure hereon are unnecessary. However, since it is necessary that sufficient time be allowed for appropriate changes to be made on aeronautical charts, these amendments will become effective more than 30 days after publication.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., May 27, 1965, as hereinafter set forth.

1. In § 71.123 (29 F.R. 17509), V-265 is amended by deleting "INT of Westminster 345° and Harrisburg, Pa., 196° radials;" and substituting "INT of Westminster 346° and Harrisburg, Pa., 196° radials;" therefor.

2. Section 71.203 (29 F.R. 17711) is amended as follows:

a. In Hampton INT: "Lancaster, Pa., 255° radials;" is deleted and "Lancaster, Pa., 256° radials;" is substituted therefor.

b. "Berman INT: INT Allentown, Pa., 173°, Yardley, Pa., 284° radials." is deleted.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Washington, D.C., on April 1, 1965.

DANIEL E. BARROW,  
Chief, Airspace Regulations  
and Procedures Division.

[F.R. Doc. 65-3607; Filed, Apr. 7, 1965;  
8:45 a.m.]

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

##### Designation of Federal Airway

On February 4, 1965, a notice of proposed rule making was published in the FEDERAL REGISTER (30 F.R. 1202) stating that the Federal Aviation Agency was considering an amendment to Part 71 of the Federal Aviation Regulations that would designate a VOR Federal airway

[Airspace Docket No. 64-WE-47]

from Greenwood, S.C., to Columbia, S.C. Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. All comments received were favorable.

VOR Federal airway No. 185 extends, in part, from Greenwood to Asheville, N.C. This segment and the airway designated herein form a west alternate to VOR Federal airway No. 53. Therefor, the airway herein designated is described as a portion of a west alternate to V-53.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., June 24, 1965, as hereinafter set forth.

In § 71.123 (29 F.R. 17509), V-53 is amended by deleting "Asheville, N.C.;" and substituting "Asheville, N.C., including a west alternate from Columbia to Asheville via Greenwood, S.C., excluding the airspace between the main airway and this west alternate;" therefor.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Washington, D.C., on April 1, 1965.

DANIEL E. BARROW,  
Chief, Airspace Regulations  
and Procedures Division.

[F.R. Doc. 65-3608; Filed, Apr. 7, 1965; 8:46 a.m.]

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

##### Alteration of Transition Area

On February 26, 1965, a notice of proposed rule making was published in the FEDERAL REGISTER (30 F.R. 2557) stating that the Federal Aviation Agency proposed to alter the transition area at Memphis, Tenn.

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, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., June 24, 1965, as hereinafter set forth.

In § 71.181 (29 F.R. 17643) the Memphis, Tenn., transition area is amended as follows:

Delete " \* \* \* within a 7-mile radius of the Memphis Metropolitan Airport (latitude 35°03'00" N., longitude 89°58'15" W.)" and insert therefor " \* \* \* within a 7-mile radius of the Memphis Metropolitan Airport (latitude 35°03'00" N., longitude 89°58'15" W.); within an 8-mile radius of the West Memphis Airport (latitude 35°08'24" N., longitude 90°-14'00" W.) \* \* \*"

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348(a))

Issued in East Point, Ga., on March 31, 1965.

PAUL H. BOATMAN,  
Acting Director, Southern Region.

[F.R. Doc. 65-3609; Filed, Apr. 7, 1965; 8:46 a.m.]

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

##### PART 73—SPECIAL USE AIRSPACE

##### Designation of Temporary Restricted Area and Alteration of Controlled Airspace

On December 1, 1964, a notice of proposed rule making was published in the FEDERAL REGISTER (29 F.R. 15958) stating the Federal Aviation Agency was considering amendments to Parts 71 and 73 of the Federal Aviation Regulations that would establish a temporary restricted area at Hanksville, Utah, for two periods annually, of no more than 30 days, the first period to be from May 15, 1965, through June 15, 1965, and that would alter the description of the continental control area to reflect the establishment of the restricted area.

On February 16, 1965, a supplemental notice of proposed rule making was published in the FEDERAL REGISTER (30 F.R. 2111) stating the Air Force had advised the Agency that the troops scheduled to use the proposed restricted area could not be in position until May 26, 1965, and proposed changing the time of designation to "0530 to 1800 hours m.s.t., May 26, 1965, through June 26, 1965, unless cancelled sooner by a Notice to Airmen."

Interested persons were afforded an opportunity to participate in the proposed rule making through submission of comments. All comments received were favorable. As requested by one of the users in his comment on this proposal, radar will be fully utilized to minimize the inconvenience to flights that are rerouted when the restricted area is activated.

In consideration of the foregoing, Parts 73 and 71 of the Federal Aviation Regulations are amended, effective 0001 e.s.t., May 26, 1965, as hereinafter set forth.

1. In § 73.64 (29 F.R. 17768), the following is added:

##### R-6411 HANKSVILLE, UTAH

Boundaries: Beginning at latitude 38°34'50" N., longitude 110°33'00" W.; to latitude 38°27'45" N., longitude 110°23'30" W.; to latitude 38°06'40" N., longitude 110°03'50" W.; to latitude 38°01'15" N., longitude 110°-14'30" W.; to latitude 38°23'35" N., longitude 110°31'30" W.; to latitude 38°33'10" N., longitude 110°36'10" W.; thence clockwise along the arc of a circle with a 1.5 nmi radius centered at latitude 38°34'00" N., longitude 110°34'36" W.; to the point of beginning.

Designated altitudes: Surface to FL 600.

Time of designation: The first time of use shall be from 0530 to 1800 hours m.s.t., May 26, 1965, through June 26, 1965, unless cancelled sooner by Notices to Airmen. All subsequent biannual firing periods shall be designated by a rule published in the FEDERAL REGISTER.

Controlling Agency: Federal Aviation Agency, Denver ARTC Center.

Using Agency: Air Force Missile Development Center, Air Force Systems Command, Holloman AFB, N. Mex.

2. In § 71.151 (29 F.R. 17550) "R-6411 Hanksville, Utah" is added.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Washington, D.C., on April 2, 1965.

CLIFFORD P. BURTON,  
Acting Director, Air Traffic Service,  
[F.R. Doc. 65-3610; Filed, Apr. 7, 1965; 8:46 a.m.]

## Title 21—FOOD AND DRUGS

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

#### SUBCHAPTER A—GENERAL

#### PART 8—COLOR ADDITIVES

#### Postponement of Closing Dates of Provisional Listing of Certain Items; Reinstatement of Certain Items in Provisional List

The color additives amendments of 1960 (Public Law 86-618; 74 Stat. 404; 21 U.S.C. 376, note) authorizes the Secretary of Health, Education, and Welfare to postpone the closing date of a provisional listing (including a deemed provisional listing) of a color additive on his own initiative or upon application of an interested person.

Requests have been received to postpone the closing dates of the provisional listings of a number of color additives because scientific investigations necessary for listing these color additives under section 706 of the Federal Food, Drug, and Cosmetic Act have not been completed. It is found that postponement of the closing dates of the provisionally listed color additives included in this order will not be contrary to the interests of the public health. Any extensions so granted are conditioned upon a requirement that a progress report be supplied on or before July 1, 1965.

There was published in the FEDERAL REGISTER of December 15, 1964 (29 F.R. 17089), an order deleting a number of color additives from the provisional list. Subsequently, evidence was submitted that investigations necessary for listing these color additives under section 706 of the Federal Food, Drug, and Cosmetic Act were underway. Accordingly, these two items are reinstated in the provisional list (amendment 3 of this order) conditioned on a requirement that a progress report be supplied on or before July 1, 1965.

The closing date of one of the provisionally listed color additives is not postponed, and its provisional listing therefore automatically terminates on April 1, 1965. The Commissioner of Food and Drugs has no evidence that this color additive is harmful, but the person making the study has concluded that the color would not be commercially useful and has terminated the scientific investigations. The termination of this listing as of April 1, 1965, is indicated by deletion in amendment 1b of this order.

Pursuant to the authority of the Federal Food, Drug, and Cosmetic Act (sec.

203(a)(2), Public Law 86-618; 74 Stat. 404; 21 U.S.C. 376, note), delegated by the Secretary to the Commissioner of Food and Drugs (21 CFR 2.90), § 8.501 *Provisional lists of color additives* is amended in the following respects:

1. Paragraph (b) is amended:  
 a. By changing the closing date of the following items to January 1, 1966:

- D&C Green No. 8 (§ 9.106 of this chapter).
- D&C Yellow No. 7 (§ 9.130 of this chapter).
- D&C Yellow No. 8 (§ 9.131 of this chapter).
- D&C Red No. 8 (§ 9.153 of this chapter).
- D&C Red No. 9 (§ 9.154 of this chapter).
- D&C Red No. 10 (§ 9.155 of this chapter).
- D&C Red No. 11 (§ 9.156 of this chapter).
- D&C Red No. 12 (§ 9.157 of this chapter).
- D&C Red No. 13 (§ 9.158 of this chapter).
- D&C Red No. 31 (§ 9.176 of this chapter).
- D&C Red No. 33 (§ 9.178 of this chapter).
- D&C Red No. 34 (§ 9.179 of this chapter).
- D&C Orange No. 4 (§ 9.201 of this chapter).
- D&C Violet No. 2 (§ 9.270 of this chapter).

b. By deleting the following item:  
 D&C Blue No. 7 (§ 9.243 of this chapter).

2. Paragraph (c) is amended by changing the closing date of the following items to January 1, 1966:

- Ext. D&C Yellow No. 1 (§ 9.301 of this chapter).
- Ext. D&C Yellow No. 7 (§ 9.307 of this chapter).
- Ext. D&C Green No. 1 (§ 9.400 of this chapter).

3. Paragraph (g) is amended by inserting alphabetically the following items:

(g) \* \* \*

	Closing date	Restrictions
Calcium silicate	Jan. 1, 1966	* * *
Copper formate	Jan. 1, 1966	* * *

Notice and public procedure and delayed effective date are not necessary prerequisites to the promulgation of this order, and I so find, because section 203(a)(2) of Public Law 86-618 provides for this issuance.

**Effective date.** This order shall be effective on the date of signature.

(Sec. 203(a)(2), Public Law 86-618; 74 Stat. 404; 21 U.S.C., note under 376)

Dated: April 1, 1965.

GEO. P. LARRICK,  
 Commissioner of Food and Drugs.  
 [F.R. Doc. 65-3665; Filed, Apr. 7, 1965; 8:49 a.m.]

SUBCHAPTER B—FOOD AND FOOD PRODUCTS  
 PART 27—CANNED FRUITS AND FRUIT JUICES

Frozen Concentrated Orange Juice; Order Amending Standard Regarding State Standards

In the matter of amending the identity standard for frozen concentrated orange juice (21 CFR 27.109) to specify the intention of the Federal standard with respect to a State standard of higher or more restrictive requirements:

Having considered the comments received in response to the notice of proposed rulemaking in the above-identified

matter published in the FEDERAL REGISTER of December 30, 1964 (29 F.R. 19109), the Commissioner of Food and Drugs has concluded that the identity standard for frozen concentrated orange juice should be amended as hereinafter set forth. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055, as amended; 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371) and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.90), § 27.109 is amended by adding thereto a new paragraph (f), as follows:

§ 27.109 Frozen concentrated orange juice, frozen orange juice concentrate; identity; label statement of optional ingredients.

(f) Nothing in this section is intended to interfere with the adoption and enforcement by any State, in regulating the production of frozen concentrated orange juice in such State, of State standards, consistent with this section, but which impose higher or more restrictive requirements than those set forth in this section.

Any person who will be adversely affected by the foregoing order may at any time within 30 days following the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C., 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing, and such objections must be supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

**Effective date.** This order shall become effective 60 days from the date of its publication in the FEDERAL REGISTER, except as to any provisions that may be stayed by the filing of proper objections. Notice of the filing of objections or lack thereof will be announced by publication in the FEDERAL REGISTER.

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

Dated: April 2, 1965.

GEO. P. LARRICK,  
 Commissioner of Food and Drugs.  
 [F.R. Doc. 65-3666; Filed, Apr. 7, 1965; 8:49 a.m.]

PART 121—FOOD ADDITIVES

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

RESINOUS AND POLYMERIC COATINGS

The Commissioner of Food and Drugs, having evaluated the data in a petition

(FAP 5B1612) filed by Sherwin-Williams Company, 10909 Cottage Grove Avenue, Chicago, Ill., 60628, and other relevant material, has concluded that the food additive regulations should be amended to provide for the use of certain isodecanoate salts as driers in the production of resinous and polymeric food-contact coatings. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.90), § 121.2514(b)(3)(xxii)(b) is amended by inserting alphabetically in the list of salts a new item, as follows:

§ 121.2514 Resinous and polymeric coatings.

- (b) \* \* \*
- (3) \* \* \*
- (xxii) \* \* \*
- (b) Salts:
- Isodecanoate.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C., 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing, and such objections must be supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

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

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

Dated: April 2, 1965.

GEO. P. LARRICK,  
 Commissioner of Food and Drugs.  
 [F.R. Doc. 65-3669; Filed, Apr. 7, 1965; 8:50 a.m.]

PART 121—FOOD ADDITIVES

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

DEFOAMING AGENTS USED IN COATINGS

The Commissioner of Food and Drugs, having evaluated the data in a petition (FAP 5B1586) filed by Virginia Chemicals and Smelting Company, West Norfolk, Va., and other relevant material, has concluded that the food additive regulations should be amended to provide for the use of additional substances

in the production of defoaming agents used in food-contact coatings. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.90), § 121.2557(d)(3) is amended by inserting alphabetically in the list of substances new items, as follows:

§ 121.2557 Defoaming agents used in coatings.

(d) \* \* \*  
(3) \* \* \*

List of substances	Limitations
Dimers and trimers of unsaturated C <sub>18</sub> fatty acids derived from: Animal and vegetable fats and oils.	For use only at levels not to exceed 0.1% by weight of total coating solids.
Tall oil.	
Polysorbate 60 conforming to the identity prescribed in § 121.1030.	

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C., 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

**Effective date.** This order shall be effective on the date of its publication in the FEDERAL REGISTER.  
(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1))

Dated: April 2, 1965.

GEO. P. LARRICK,

Commissioner of Food and Drugs.

[F.R. Doc. 65-3668; Filed, Apr. 7, 1965; 8:50 a.m.]

## PART 121—FOOD ADDITIVES

### Subpart C—Food Additives Permitted in Feed and Drinking Water of Animals or for the Treatment of Food-Producing Animals

### Subpart D—Food Additives Permitted in Food for Human Consumption

## PART 144—ANTIBIOTIC DRUGS; EXEMPTIONS FROM LABELING AND CERTIFICATION REQUIREMENTS

### Nihydrazone; Antibiotics

1. The Commissioner of Food and Drugs, having evaluated the data sub-

mitted in a petition (FAP 4C1307) filed by Hess and Clark, Division of Richardson-Merrell, Inc., Ashland, Ohio, and other relevant material, has concluded that § 121.237 should be amended to provide for the safe use of nihydrazone with low-level antibiotics for growth promotion and feed efficiency in chicken feed. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.90), § 121.237 is revised to read as follows:

### § 121.237 Nihydrazone.

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

(a) The additive is the chemical 5-nitro-2-furaldehyde acetylhydrazone.  
(b) The antibiotic activities authorized are expressed in terms of the weight of the appropriate antibiotic standard.

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

NIHYDRAZONE IN COMPLETE CHICKEN FEED

Principal ingredient	Grams per ton	Combined with—	Grams per ton	Limitations	Indications for use
1. Nihydrazone.	100			For broilers; for replacement chickens not over 14 weeks of age; not for laying chickens.	Prevention of chronic respiratory disease (air-sac infection). In the presence of chronic respiratory disease (air-sac infection) to reduce mortality and severity of infection and assist in maintaining weight gains and feed efficiency. Prevention of pullorum disease; fowl typhoid; paratyphoid (salmonellosis); coccidiosis caused by <i>E. tenella</i> , <i>E. necatrix</i> , <i>E. mazima</i> , and <i>E. brunetti</i> and histomoniasis (blackhead). Growth promotion and feed efficiency. Do.
a. Nihydrazone.	100	Penicillin.....	2.4-50	As procaine penicillin.....	
b. Nihydrazone.	100	Penicillin+bacitracin.	3.6-50	Not less than 0.6 gm. of penicillin and not less than 3.0 gm. of bacitracin; as procaine penicillin+bacitracin, bacitracin methylene disalicylate, manganese bacitracin, or zinc bacitracin.	
c. Nihydrazone.	100	Bacitracin.....	4-50	As bacitracin, bacitracin methylene disalicylate, manganese bacitracin, or zinc bacitracin.	Do.
d. Nihydrazone.	100	Chlortetracycline.	10-50	As chlortetracycline hydrochloride.	Do.

(e) To assure safe use, the label and labeling of the additive, any combination of additives, and any feed additive supplement, feed additive concentrate, feed additive premix, or complete feed prepared therefrom shall bear, in addition to the other information required by the act, the following:

(1) The name of the additive or additives.

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

(3) Adequate directions and warnings for use, including a statement to the effect that poultry that have survived salmonella outbreaks should not be kept

(1) The numbered line items establish the required limitations and indications for use of the principal ingredient.

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

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

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

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

(d) It is used or intended for use as follows:

for laying-house replacement or breeders unless tests show that they are not carriers.

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

2. Based upon the evaluation of the data before him, and in order to provide further assurance of the safe use of nihydrazone in accordance with § 121.237 of this chapter, the Commissioner has concluded that a tolerance limitation is required prohibiting residues of nihydrazone in eggs. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(4), 72 Stat. 1786; 21 U.S.C. 348

(c) (4)), § 121.1103 is amended by inserting the word "eggs" and, as amended, reads as follows:

§ 121.1103 Nihydrazone.

A tolerance of zero is established for residues of the food additive nihydrazone (5-nitro-2-furaldehyde acetylhydrazone) in the uncooked, edible tissues, byproducts, and eggs of chickens.

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

3. Under the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463 as amended; 21 U.S.C. 357), and delegated to the Commissioner of Food and Drugs by the Secretary (21 CFR 2.90), § 144.26(b) of the antibiotic regulations is amended by adding thereto the following new subparagraph:

§ 144.26 Animal feed containing certifiable antibiotic drugs.

(b) \* \* \*

(60) It is a medicated chicken feed containing antibiotics and nihydrazone in the amounts and for the purposes indicated in § 121.237 of this chapter; its labeling bears adequate directions and warnings for such use; and there has been submitted to the Commissioner, in triplicate, adequate information of the kind described in § 146.10 to establish the safety and efficacy of the article and to guarantee its identity, strength, quality, and purity. The exemption shall expire at the beginning of any act changing the composition of such drug, or the methods used in, and the facilities and controls used for its manufacturing, processing, and packaging, or in its labeling, unless the person who obtained the exemption has submitted to the Commissioner, in triplicate, amended information that describes such proposed changes, and such amendment has been accepted by the Commissioner.

(Sec. 507, 59 Stat. 463 as amended; 21 U.S.C. 357)

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C., 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

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

(Secs. 409(c), 507, 59 Stat. 463 as amended, 72 Stat. 1786; 21 U.S.C. 348(c), 357)

Dated: April 2, 1965.

GEO. P. LARRICK,  
Commissioner of Food and Drugs.  
[F.R. Doc. 65-3667; Filed, Apr. 7, 1965; 8:49 a.m.]

Title 26—INTERNAL REVENUE

Chapter I—Internal Revenue Service,  
Department of the Treasury

SUBCHAPTER A—INCOME TAX

[T.D. 6817]

PART 1—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1953

Authority of Agents To Make Returns of Income and Declarations of Estimated Income Tax for Good Cause

In order to authorize agents to make returns of income and declarations of estimated income tax for good cause, the Income Tax Regulations (26 CFR Part 1) under sections 6012 and 6015 are amended as follows:

PARAGRAPH 1. Paragraph (a) (5) of § 1.6012-1 is amended to read as follows:

§ 1.6012-1 Individuals required to make returns of income.

(a) *Individual citizen or resident.*  
\* \* \*

(5) *Returns made by agents.* The return of income may be made by an agent if the person liable for the making of the return is unable to make it by reason of illness or continuous absence from the United States for a period of at least 60 days before the date prescribed by law for making the return. A return may also be made by an agent if the taxpayer requests permission, in writing, of the district director for the internal revenue district in which is located the legal residence or principal place of business of the person liable for the making of the return, and such district director determines that good cause exists for permitting the return to be so made. However, assistance in the preparation of the return may be rendered under any circumstances. Whenever a return is made by an agent it shall be accompanied by the prescribed power of attorney, Form 935, except that an agent holding a valid and subsisting general power of attorney authorizing him to represent his principal in making, executing, and filing the income return, may submit a certified copy thereof in lieu of the authorization on Form 935. The agent, as well as the taxpayer, may incur liability for the penalties provided for erroneous, false, or fraudulent returns. For a return of an agent for a nonresident alien individual, see paragraph (b) (6) of this section. For the requirements regarding signing of returns, see § 1.6061-1.

PAR. 2. Paragraph (f) of § 1.6015(a)-1 is amended to read as follows:

§ 1.6015(a)-1 Declaration of estimated income by individuals.

(f) *Declarations made by agents.* The declaration may be made by an agent if, by reason of illness, the person liable for the making of the declaration is unable to make it. The declaration may also be made by an agent if the taxpayer is unable to make the declaration by reason of continuous absence from the United States (including Puerto Rico as if a part of the United States) for a period of at least 60 days prior to the date prescribed by law for making the declaration. In addition, a declaration may be made by an agent if the taxpayer requests permission, in writing, of the district director for the internal revenue district in which is located the legal residence or principal place of business of the person liable for the making of the declaration, and such district director determines that good cause exists for permitting the declaration to be so made. Whenever a declaration is made by an agent it must be accompanied by the prescribed power of attorney, Form 935, except that an agent holding a valid and subsisting general power of attorney authorizing him to represent his principal in making, executing, and filing the declaration, may submit a certified copy thereof in lieu of the authorization on Form 935. The taxpayer and his agent, if any, are responsible for the declaration as made and incur liability for the penalties provided for erroneous, false, or fraudulent declarations.

Because this Treasury decision relates to regulations which are of a liberalizing nature, it is found that it is unnecessary to issue these regulations with notice and public procedure thereon under section 4(a) of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective date limitation of section 4(c) of that Act.

(Sec. 7805 of the Internal Revenue Code of 1954; 68A Stat. 917; 26 U.S.C. 7805)

[SEAL] SHELDON S. COHEN,  
Commissioner of Internal Revenue.  
Approved: April 5, 1965.

STANLEY S. SURREY,  
Assistant Secretary of the Treasury.  
[F.R. Doc. 65-3676; Filed, Apr. 7, 1965; 8:50 a.m.]

Title 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 168—DIRECTORY OF INTERNATIONAL MAIL

Cuba; Prohibitions

The regulations of the Post Office Department in § 168.5 *Individual country regulations*, are amended as follows:

I. In country "Cuba", as amended by 29 F.R. 8009, amend the restrictions in the notes following the headings Postal Union Mail and Parcel Post to read respectively as follows:

**Postal Union Mail**

(Letter packages and 8-ounce merchandise packages are limited to those containing medicines. See Parcel Post Prohibitions.)

**Parcel Post**

(Limited to parcels containing medicines. See Prohibitions.)

II. In country "Cuba", as amended by 29 F.R. 11183, the item *Prohibitions* under the heading of Parcel Post is amended to show restrictions on parcels containing medicines. As so amended, the item *Prohibitions* reads as follows:

*Prohibitions.* Currency, checks, securities and other financial instruments, unless licensed by the United States Treasury Department.

Parcels are limited to those containing medicines. They will not be delivered by the Cuban authorities unless the medicines are in their original containers and are sent in noncommercial quantities. Containers must not be hermetically sealed, and the contents must be fully identifiable.

(R.S. 161, as amended; 5 U.S.C. 22; 39 U.S.C. 501, 505)

HARVEY H. HANNAH,  
*Acting General Counsel.*

[F.R. Doc. 65-3630; Filed, Apr. 7, 1965;  
8:47 a.m.]

## Title 43—PUBLIC LANDS: INTERIOR

### Chapter I—Bureau of Reclamation, Department of the Interior

#### PART 416—RECLASSIFICATION AS IR- RIGIBLE OF HIGH LAND COLUM- BIA BASIN PROJECT, WASHING- TON

This publication revises Part 416 of Title 43 by making editorial and procedural changes required as a result of the Act of October 1, 1962 (76 Stat. 677).

Inasmuch as there are no substantive changes in the regulation, notice and public procedure are deemed unnecessary and the revision, as set forth below, shall become effective on the date of publication in the FEDERAL REGISTER.

STEWART L. UDALL,  
*Secretary of the Interior.*

APRIL 1, 1965.

Sec.	
416.1	Purpose.
416.2	Definitions; address.
416.3	Filing of application.
416.4	Conditions precedent to reclassification.
416.5	Contract with the United States and the Irrigation District.
416.6	Execution of contract by the Irrigation District and the United States.
416.7	Recording of contract.
416.8	Water service charge when no assessment.

AUTHORITY: The provisions of this Part 416 issued under sec. 8, 57 Stat. 14 et seq.; 16 U.S.C. 835 et seq.

**§ 416.1 Purpose.**

The regulations in this part prescribe the policies and procedures under which arable high land within an irrigation district, when included in farm units or water delivery units, or in designated areas served therefrom, on the Columbia Basin Project, Washington, may be reclassified as irrigable so that it will be eligible to receive project irrigation water and be subject to assessment by the irrigation district on the same basis as other lands in farm units or water delivery units, or designated areas served therefrom, of similar quality classed as irrigable.

**§ 416.2 Definitions; address.**

As used in this part:

(a) "Project Manager" means the Project Manager, Columbia Basin Project, Bureau of Reclamation. Communications should be addressed to that officer at Ephrata, Wash.

(b) "Project Act" means the Columbia Basin Project Act (16 U.S.C. 835 et seq.) as amended.

(c) A "farm unit", if platted prior to October 1, 1962, means a farm unit as then referred to in the Project Act. A "farm unit", if platted subsequent to that date, means a unit of land owned, at the time of platting, by the United States suitable for settlement purposes as determined by the Secretary of the Interior.

(d) A "water delivery unit" means a topographically delineated unit of land, irrespective of ownership, that is served by a single turnout (except where an additional turnout is subsequently put in and operated by the project at the expense of the landowner for his own convenience) with a delivery elevation higher than the land therein originally classified as irrigable.

(e) "High land" means arable land that is classified as nonirrigable because of higher elevation than, or an intervening physical barrier in relation to its location with respect to, the turnout and measuring device provided for delivery of water from the project irrigation system to the unit or designated area containing it.

(f) "Reclassified high land" means high land that the United States has reclassified as irrigable.

(g) "Irrigation District" means the particular irrigation district on the Columbia Basin Project in which the land is located.

(h) "Repayment contract" means the contract, together with any amendments thereto, in effect between the United States and the irrigation district providing for payment of construction charges to the United States.

**§ 416.3 Filing of application.**

A landowner or contract purchaser holding high land in a farm unit or water delivery unit or in a designated area served therefrom which is feasible of being irrigated may make application to the Project Manager through the irrigation district, on a form to be provided by the Project Manager, to have all or a portion of the high land reclassified as irrigable.

**§ 416.4 Conditions precedent to reclassification.**

As a condition precedent to reclassification of highland as irrigable, following receipt of an application therefor, the Project Manager shall determine that:

(a) The irrigation block, as defined in the Reclamation Project Act of 1939, containing the high land is in the development period, established pursuant to the repayment contract between the United States and the irrigation district, and the irrigable area of the block has not yet been finally determined by the Secretary of the Interior.

(b) The total irrigable acreage of land held by the landowner, or contract purchaser, for which water is available, including such high land covered by the application as may be reclassified as irrigable, does not exceed the maximum irrigable acreage to which water delivery may be permitted by law as nonexcess lands.

(c) Capacity in the project irrigation distribution system is available under normal conditions to serve the high land.

(d) The landowner or contract purchaser, if he does not own or is not purchasing the land on which the turnout through which the water is to be delivered is located, has obtained an easement to take and convey the water he is or will be entitled to from the turnout to his land.

(e) Reclassification of the high land as irrigable is in the interest of sound project development and the land may reasonably be expected to support project irrigation charges over a continuing period and the irrigation thereof will not create an abnormal drainage problem.

**§ 416.5 Contract with the United States and the Irrigation District.**

If the Project Manager makes those determinations listed in § 416.4, he shall offer a draft of contract to the applicant that would, upon acceptance, reclassify the high land as irrigable and will contain the following provisions and such others as may be appropriate:

(a) The contractor agrees that the reclassified high land will be subject to irrigation assessments for construction, development period water rental, operation and maintenance, and other charges, to land classification and water allotment determinations, and to other provisions of the repayment contract between the United States and the district and to laws, rules, and regulations in the same manner and to the same extent as other project lands heretofore classified as irrigable.

(b) The district will pay the United States on behalf of the reclassified high land, pursuant to the provisions of its repayment contract with the United States, the applicable construction, development period water rental, operation and maintenance, and other charges on such land at the same times and at the same rates as for other land in similar land classes.

(c) An allotment of water will be available to the reclassified high land in the same quantity per acre as for other lands in project farm units and water

delivery units of the same water requirement class or classes (such classes being provided for in the said repayment contract). Irrigation water for the reclassified high land will be delivered through the turnout serving the farm unit or water delivery unit or the designated area served therefrom in which the reclassified high land is located as the turnout now exists or may hereafter be reconstructed. Irrigation water shall be conveyed by the contractor from the said turnout to the reclassified high land at his own expense and without cost to the United States or the district for construction or operation and maintenance of any special facilities required to make water available to the reclassified high land, provided, that the contractor shall not maintain the water surface in the head ditch or ditches receiving water from the said turnout at higher than the level established by the United States or the district as the delivery water surface elevation for the turnout involved.

(d) The contractor, in consideration of the reclassification of high land as irrigable as provided for herein and the agreement to furnish water to such land, expressly waives any rights with respect to the reclassified high land which may be available under laws of the State of Washington or otherwise, such as for decreased construction, development period water rental, operation and maintenance, and other charges, on account of benefits from the Columbia Basin Project being less for the reclassified high land because of its higher elevation than, or intervening physical barriers in relation to its location with respect to, the turnout and measuring device provided for delivery of water from the project irrigation system, as compared to the other lands and the added costs and inconvenience to him of his serving such lands as a result thereof.

(e) Subject to the Federal Reclamation Laws and the repayment contract, as the same may be amended, the provisions of this contract shall be binding on the heirs, devisees, successors or assigns of the Contractor, and the successors and assigns of the United States and the district, and all such provisions are covenants that shall run with and bind the reclassified high land. This contract may not be terminated or amended by or at the request of the Contractor, and it will be understood that the same is for the permanent reclassification of high land as irrigable and is in no sense a temporary contract.

**§ 416.6 Execution of contract by the Irrigation District and the United States.**

Upon execution of the contract by the landowner, and if the land is under contract of sale the contract purchaser, and its return to the Project Manager, the latter shall submit the contract if it is satisfactory to the irrigation district for execution. Upon execution of the contract by the irrigation district and its return to the Project Manager, the Project Manager will execute it on behalf of the United States.

**§ 416.7 Recording of contract.**

After execution by all parties thereto, the contract shall be recorded by the

United States in the office of the appropriate county auditor. The cost of recording shall be borne by the landowner or contract purchaser.

**§ 416.8 Water service charge when no assessment.**

If a contract is fully executed and recorded prior to the end of an irrigation season but subsequent to the date of the annual levy of assessments for the season, the landowner or contract purchaser will be required, as a condition precedent to receiving water service for the reclassified high land that year, to make appropriate payment to the irrigation district for the water service that will be available to the reclassified high land during that irrigation season or the remaining portion thereof.

[P.R. Doc. 65-3643; Filed, Apr. 7, 1965; 8:48 a.m.]

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

**APPENDIX—PUBLIC LAND ORDERS**

[Public Land Order 3585]

[Sacramento 077194; Riverside 04315]

**CALIFORNIA**

**Revocation of Reclamation Withdrawal**

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

1. The order of the Bureau of Reclamation dated February 19, 1952, concurred in by the Bureau of Land Management on February 26, 1952, which withdrew the following described lands for the Upper San Joaquin River Division, Central Valley Project, is hereby revoked:

**MOUNT DIABLO MERIDIAN, CALIF.**

- T. 4 S., R. 24 E. (unsurveyed),  
Sec. 36, NE $\frac{1}{4}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , and NW $\frac{1}{4}$ SE $\frac{1}{4}$ .
- T. 5 S., R. 24 E.,  
Sec. 1, NE $\frac{1}{4}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ , and NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 2, E $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ , and SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 9, E $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 10, S $\frac{1}{2}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , and SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 11, S $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , and E $\frac{1}{2}$ ;  
Sec. 12, W $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ , and SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 14, W $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ , and NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 15, NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ , and S $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 18, NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ , and E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
Sec. 20, NE $\frac{1}{4}$ SE $\frac{1}{4}$ , and S $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 21, NE $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ , and NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 22, N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ , and NW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
Sec. 23, N $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
Sec. 29, W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ , and W $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
Sec. 30, E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 31, NE $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ , and SE $\frac{1}{4}$ SE $\frac{1}{4}$ .

- T. 6 S., R. 24 E.,  
Sec. 5, Lots 4 to 7, incl.;  
Sec. 6, Lots 1, 3, 4, S $\frac{1}{2}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ , and E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 7, Lot 2, NE $\frac{1}{4}$ , and E $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
Sec. 8, NW $\frac{1}{4}$ SW $\frac{1}{4}$ , and S $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
Sec. 16, S $\frac{1}{2}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , and SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 18, E $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
Sec. 22, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , and SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 23, SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 25, S $\frac{1}{2}$ ;  
Sec. 26, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , and SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 35, SW $\frac{1}{4}$ SE $\frac{1}{4}$ , and E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 36, all.
- T. 7 S., R. 24 E.,  
Sec. 1, Lots 1 to 4, incl.;  
Sec. 2, Lots 1, 2, S $\frac{1}{2}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ S $\frac{1}{2}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
Sec. 3, S $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 10, N $\frac{1}{2}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , and E $\frac{1}{2}$ SE $\frac{1}{4}$  (partly unsurv.);  
Sec. 11, W $\frac{1}{2}$ E $\frac{1}{2}$ , NE $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ , and W $\frac{1}{2}$ E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 14, W $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ , and NW $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
Sec. 15, N $\frac{1}{2}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ , and W $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$  (unsurv.);  
Sec. 16, E $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$  (unsurveyed);  
Sec. 21, E $\frac{1}{2}$ E $\frac{1}{2}$ NE $\frac{1}{4}$  (unsurveyed);  
Sec. 22, W $\frac{1}{2}$ W $\frac{1}{2}$ , and W $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 27, W $\frac{1}{2}$ E $\frac{1}{2}$ W $\frac{1}{2}$ , W $\frac{1}{2}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ , and E $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 34, W $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ W $\frac{1}{2}$ NW $\frac{1}{4}$ , and E $\frac{1}{2}$ SW $\frac{1}{4}$ .
- T. 8 S., R. 24 E.,  
Sec. 3, Lot 3, E $\frac{1}{2}$  lot 4, SE $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ , and E $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
Sec. 10, W $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ , and W $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
Sec. 15, W $\frac{1}{2}$ W $\frac{1}{2}$ ;  
Sec. 22, W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ , and SE $\frac{1}{4}$ NW $\frac{1}{4}$ .
- T. 3 S., R. 25 E. (unsurveyed),  
Sec. 33, SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 34, SE $\frac{1}{4}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ , and W $\frac{1}{2}$ SW $\frac{1}{4}$ .
- T. 4 S., R. 25 E. (unsurveyed),  
Sec. 4, NE $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ , and W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 9, E $\frac{1}{2}$ W $\frac{1}{2}$ ;  
Sec. 16, E $\frac{1}{2}$ W $\frac{1}{2}$ , and SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 20, E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ , W $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ , and W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 21, NW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
Sec. 29, NE $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ , and NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 30, NE $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ , and N $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 31, W $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ .
- T. 5 S., R. 25 E.,  
Sec. 1, Lots 6, 7, 8, S $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
Sec. 10, E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ , and E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 11, S $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , and N $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 12, N $\frac{1}{2}$ S $\frac{1}{2}$ , and N $\frac{1}{2}$ ;  
Sec. 15, W $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ , and W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 21, E $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 22, E $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ , and W $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
Sec. 27, W $\frac{1}{2}$ W $\frac{1}{2}$ NW $\frac{1}{4}$ , and W $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
Sec. 28, E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , and E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 33, E $\frac{1}{2}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
Sec. 34, W $\frac{1}{2}$ NW $\frac{1}{4}$ , and S $\frac{1}{2}$ ;  
Sec. 35, NW $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ , and SW $\frac{1}{4}$ SE $\frac{1}{4}$ .

T. 6 S., R. 25 E.,

Sec. 1, Lot 4, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , and SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;Sec. 2, Lots 1, 2, 3, and SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;Sec. 3, Lots 2, 3, 4, and S $\frac{1}{2}$ NW $\frac{1}{4}$ ;Sec. 4, Lots 1 to 4 incl., S $\frac{1}{2}$ N $\frac{1}{2}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ , and N $\frac{1}{2}$ SE $\frac{1}{4}$ ;Sec. 5, Lot 1, S $\frac{1}{2}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;Sec. 7, E $\frac{1}{2}$ SE $\frac{1}{4}$  (unsurveyed);Sec. 8, N $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , and W $\frac{1}{2}$ SW $\frac{1}{4}$ ;Sec. 18, E $\frac{1}{2}$  (unsurveyed);Sec. 19, NE $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , and W $\frac{1}{2}$ SE $\frac{1}{4}$  (partly unsurveyed);Sec. 30, Lots 1, 2, 3, 4, E $\frac{1}{2}$ NW $\frac{1}{4}$ , and NE $\frac{1}{4}$ SW $\frac{1}{4}$ ;

T. 5 S., R. 26 E. (unsurveyed),

Sec. 5, W $\frac{1}{2}$ W $\frac{1}{2}$ NW $\frac{1}{4}$ ;Sec. 6, N $\frac{1}{2}$ , and SW $\frac{1}{4}$ ;Sec. 7, NE $\frac{1}{4}$ NW $\frac{1}{4}$ , and W $\frac{1}{2}$ NW $\frac{1}{4}$ ;

T. 6 S., R. 26 E. (unsurveyed),

Sec. 6, SW $\frac{1}{4}$ , and SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;Sec. 7, N $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , and NE $\frac{1}{4}$ NW $\frac{1}{4}$ ;Sec. 8, S $\frac{1}{2}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , and SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;Sec. 9, S $\frac{1}{2}$ SW $\frac{1}{4}$ , and SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;Sec. 15, SW $\frac{1}{4}$ NW $\frac{1}{4}$ , and W $\frac{1}{2}$ SW $\frac{1}{4}$ ;Sec. 16, N $\frac{1}{2}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;Sec. 21, N $\frac{1}{2}$ NE $\frac{1}{4}$ ;Sec. 22, NW $\frac{1}{4}$ NW $\frac{1}{4}$ .

The areas described, including public lands and national forest lands in the Sierra National Forest, total in the aggregate approximately 20,200 acres. Most of the lands are withdrawn for power and other purposes. About 1,560 acres, comprising those described in Tps. 3 and 4 S., Rs. 24 and 25 E., are public lands.

2. At 10 a.m. on May 7, 1965, subject to the provisions of existing withdrawals, the national forest lands shall be open to such forms of disposition as may by law be made of such lands.

3. Until 10 a.m. on September 30, 1965, the State of California shall have a preferred right of application to select the public lands as provided by R.S. 2276, as amended (43 U.S.C. 852). On and after that date and hour the said lands shall become subject to application, petition and selection 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 a.m., on May 7, 1965, shall be considered as simultaneously filed at that time. Rights under such applications and selections filed after that hour will be governed by the time of filing.

4. The lands have been open to applications and offers under the mineral leasing laws. The public lands released from withdrawal by this order and not otherwise withdrawn from appropriation under the mining laws, will be open to location under the United States mining laws (Chap. 2, Title 30 U.S.C.), at 10 a.m., on September 30, 1965.

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Riverside, Calif., as to those described in Tps. 3 and 4 S., Rs. 24 and 25 E., and Sacramento, Calif., as to the remainder.

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

APRIL 1, 1965.

[F.R. Doc. 65-3631; Filed, Apr. 7, 1965; 8:47 a.m.]

[Public Land Order 3586]

[Oregon 015823]

## OREGON

## Partly Revoking Reclamation Withdrawal; Umatilla Project

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

1. The departmental order of August 16, 1905, withdrawing lands for reclamation purposes, is hereby revoked so far as it affects the following-described lands:

WILLAMETTE MERIDIAN

T. 5 N., R. 28 E.,

Sec. 22, W $\frac{1}{2}$ SE $\frac{1}{4}$ .

Containing 80 acres.

The land is located about two miles southeast of Umatilla, in Umatilla County. Soils are mostly a light sandy loam.

2. The State of Oregon has waived its preferred right of application to select the lands provided by R.S. 2276, as amended (43 U.S.C. 852). At 10 a.m. on May 7, 1965, the lands shall become subject to application, petition, location and selection generally, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on May 7, 1965, shall be considered as simultaneously filed at that time. Those filed thereafter shall be considered in the order of filing.

3. The lands have been open to applications and offers under the mineral leasing laws. They will be open to location under the United States mining laws after 10 a.m. on May 7, 1965.

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

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

APRIL 1, 1965.

[F.R. Doc. 65-3632; Filed, Apr. 7, 1965; 8:47 a.m.]

[Public Land Order 3587]

[Montana 064865]

## MONTANA

## Partly Vacating Public Land Order No. 3406 of June 12, 1964; Partly Revoking Public Land Order No. 1843 of May 4, 1959

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Public Land Order No. 1843 of May 4, 1959, so far as it withdrew the following described national forest lands as part of the Bernice Experimental Forest, is hereby revoked:

PRINCIPAL MERIDIAN

DEER LODGE NATIONAL FOREST

T. 6 N., R. 7 W.,

Sec. 26, lots 6, 7, 8, W $\frac{1}{2}$ SE $\frac{1}{4}$  and SW $\frac{1}{4}$ .

The areas described aggregate 290.48 acres in Jefferson County.

2. Public Land Order No. 3406 of June 12, 1964, so far as it referred to the following described lands while revoking lands withdrawn by Public Land Order No. 1843 of May 4, 1959, is hereby vacated:

PRINCIPAL MERIDIAN

T. 6 N., R. 7 W.,

Sec. 6, lots 6, 7, 8, W $\frac{1}{2}$ SE $\frac{1}{4}$  and SW $\frac{1}{4}$ .

3. At 10 a.m. on May 7, 1965, the lands described in paragraph 1 hereof shall be open to such forms of disposition as may by law be made of national forest lands.

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

APRIL 1, 1965.

[F.R. Doc. 65-3633; Filed, Apr. 7, 1965; 8:47 a.m.]

[Public Land Order 3588]

[Wyoming 0314324]

## WYOMING

## Partly Revoking Air Navigation Site Withdrawal

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

1. The departmental order of July 12, 1938, establishing Air Navigation Site Withdrawal No. 122, Colorado and Wyoming, is hereby revoked so far as it affects the following described land:

SIXTH PRINCIPAL MERIDIAN

T. 36 N., R. 79 W.,

Sec. 5, N $\frac{1}{2}$  of lot 2.

Containing 18.97 acres in Natrona County.

The land is situated about 18 miles north of Casper, Wyo. Vegetation is sparse sagebrush-grassland type.

2. Until 10 a.m. on September 30, 1965, the State of Wyoming shall have a preferred right of application to select the land as provided by R.S. 2276, as amended (43 U.S.C. 852). After that date and hour the land shall become subject to operation of the public land laws generally, including the mining laws, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on September 30, 1965, shall be considered as simultaneously filed at that time. Rights under such applications and selections, filed after that date and hour, shall be considered in the order of filing.

The land has been open to applications and offers under the mineral leasing laws.

Inquiries should be addressed to the Manager, Land Office, Bureau of Land Management, Cheyenne, Wyo.

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

APRIL 1, 1965.

[F.R. Doc. 65-3634; Filed, Apr. 7, 1965; 8:47 a.m.]

[Public Land Order 3589]

[New Mexico 0500255]

**NEW MEXICO**

**Partly Revoking Executive Order No. 6143 of May 23, 1933**

By virtue of the authority vested in the President by section 1 of the Act of June 25, 1910 (36 Stat. 847; 43 U.S.C. 141), and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. The Executive Order of May 23, 1933, which withdrew the public lands in certain described areas in the State of New Mexico for the purpose of aiding the State in making exchange selections as provided by the Act of June 15, 1926 (44 Stat. 746-748), is hereby revoked so far as it affects the following described lands:

**NEW MEXICO PRINCIPAL MERIDIAN**

T. 20 S., R. 17 W.,

Sec. 7, lots 3, 7, 8 and NE $\frac{1}{4}$ SW $\frac{1}{4}$ .

T. 20 S., R. 18 W.,

Sec. 1;

Sec. 3;

Sec. 5;

Sec. 8, N $\frac{1}{2}$ , N $\frac{1}{2}$ S $\frac{1}{2}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$  and S $\frac{1}{2}$ SE $\frac{1}{4}$ .

The areas described aggregate approximately 2,669 acres.

2. Until 10 a.m., on September 30, 1965, the State of New Mexico shall have a preferred right of application to select the lands as provided by R.S. 2276 as amended by section 2 of the Act of August 27, 1958 (72 Stat. 928; 43 U.S.C. 851, 852), on and after that date and hour the lands shall become subject to application, petition, and selection 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 a.m., on September 30, 1965, shall be considered as simultaneously filed at that time.

3. The lands have been open to location for metalliferous minerals and to applications and offers under the mineral leasing laws. They will become subject to location for nonmetalliferous minerals at 10 a.m., on September 30, 1965.

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Post Office Box 1449, Santa Fe, N. Mex., 87501.

JOHN A. CARVER, JR.,

*Under Secretary of the Interior.*

APRIL 1, 1965.

[P.R. Doc. 65-3635; Filed, Apr. 7, 1965; 8:47 a.m.]

[Public Land Order 3590]

[Anchorage 062073]

**ALASKA**

**Partial Revocation of Lighthouse Reserve**

By virtue of the authority vested in the President, and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Executive Order No. 3406 of February 13, 1921, which withdrew public

lands in Alaska for lighthouse purposes, is hereby revoked so far as it affects land at Gray Cliff, Seldovia Harbor, Cook Inlet, identified as U.S. Survey 1619, Tract A, containing 14.12 acres, except 1.64 acres more specifically described as follows:

Beginning at meander corner No. 1, which is the true point of beginning of this description; thence due north, approximately 8.71 chains, to the mean high water line of Seldovia Bay; thence following the meanders of the mean high water line in a southerly and easterly direction to the point of beginning.

The land comprises a high limestone bluff overlooking Seldovia Bay to the south and Katchemak Bay to the west, about one mile north of the town of Seldovia.

2. Until 10 a.m. on July 1, 1965, the State of Alaska shall have a preferred right to select the restored land as provided by the act of July 28, 1956 (70 Stat. 709; 48 U.S.C. 46-3b); section 6(g) of the Alaska Statehood Act of July 7, 1958 (72 Stat. 339), and the regulations in 43 CFR 2222.9 (formerly 43 CFR Part 76).

3. This order shall not otherwise become effective to change the status of the restored land until 10 a.m. on July 1, 1965. At that time it shall be open to the operation of the public land laws generally, including the mining laws, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications, except preference rights applications from the State of Alaska, received at or prior to 10 a.m. on July 1, 1965, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

The land has been open to applications and offers under the mineral leasing laws.

Inquiries should be directed to the Manager, District and Land Office, Bureau of Land Management, Anchorage, Alaska.

JOHN A. CARVER, JR.,

*Under Secretary of the Interior.*

April 1, 1965.

[P.R. Doc. 65-3636; Filed, Apr. 7, 1965; 8:47 a.m.]

[Public Land Order 3591]

[Riverside 06059]

**CALIFORNIA**

**Partly Revoking Public Water Reserve No. 107**

By virtue of the authority vested in the President by section 1 of the Act of June 25, 1910 (36 Stat. 847; 43 U.S.C. 141), and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. The Executive Order of April 17, 1926, creating Public Water Reserve No. 107, is hereby revoked so far as it affects the following-described lands:

**SAN BERNARDINO MERIDIAN**

T. 11 N., R. 8 E.,

Sec. 10, SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;

Sec. 12, SE $\frac{1}{4}$ SE $\frac{1}{4}$ .

The areas described aggregate 80 acres.

The lands are located in the Mojave Desert, near Boron. Vegetation is of the desert type, with creosote bush predominating. Access is by dirt roads.

2. Until 10 a.m. on September 30, 1965, the State of California shall have a preferred right of application to select the lands as provided by R.S. 2276 as amended (43 U.S.C. 852). After that date and hour the lands shall become subject to application, petition, location, and selection generally, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on May 7, 1965, shall be considered as simultaneously filed at that time. Those filed thereafter shall be considered in the order of filing.

3. The lands have been open to applications and offers under the mineral leasing laws and to location for metalliferous minerals. They will be open to location for nonmetalliferous minerals after 10 a.m. on September 30, 1965.

Inquiries concerning the lands shall be addressed to the Manager, Land Office, Bureau of Land Management, Riverside, Calif.

JOHN A. CARVER, JR.,

*Under Secretary of the Interior.*

APRIL 1, 1965.

[P.R. Doc. 65-3637; Filed, Apr. 7, 1965; 8:47 a.m.]

[Public Land Order 3592]

[Anchorage 058564; Misc. 1030461]

**ALASKA**

**Partly Revoking Executive Order No. 6039 of February 20, 1933**

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Executive Order No. 6039 of February 20, 1933, so far as it reserved the following-described public land in Alaska for use of the War Department as a radio station, is hereby revoked:

**KODIAK**

Commencing at a point from which corner No. 7, U.S.S. 562 bears S. 47°30' W., 228.56 feet, the true point of beginning, thence N. 37°00' E., 470.18 feet; N. 43°55' E., 252.45 feet; N. 28°32' E., 257.47 feet; N. 63°19' E., 200.38 feet; S. 34°43' E., 455.16 feet; S. 55°17' W., 429.51 feet; S. 43°29'30" W., 351.97 feet; W. 425.0 feet, to the point of beginning.

Containing 8.72 acres.

2. Subject to any existing valid rights and the requirements of applicable law, the land is hereby opened to settlement and to filing of such applications and selections as are allowable on unsurveyed land in accordance with the following:

a. Until 10 a.m., on July 1, 1965, the State of Alaska shall have a preferred right to select the land in accordance with and subject to the limitations and requirements of 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 2222.9 (formerly 43 CFR Part 76).

b. All other valid applications and selections under the nonmineral public land laws presented at or prior to 10 a.m. on July 1, 1965, will be considered as simultaneously filed at that hour. Rights under such applications and selections filed after that hour will be governed by the time of filing.

3. The land has been open to applications and offers under the mineral leasing laws. It will be open to settlement under the homestead and Alaska homestead laws and to location under the United States mining laws beginning at 10 a.m. on July 1, 1965.

4. Persons claiming preference rights based upon valid settlement, statutory preference or equitable claims must enclose properly corroborated statements in support of their applications, setting forth all facts relevant to their claims.

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

JOHN A. CARVER, JR.,  
*Under Secretary of the Interior.*

APRIL 1, 1965.

[F.R. Doc. 65-3638; Filed, Apr. 7, 1965; 8:47 a.m.]

[Public Land Order 3593]

[Nevada 013136]

#### NEVADA

#### Revoking Withdrawal for Department of the Navy; Sawwave Mountain Gunnery Range

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Public Land Order No. 1632 of May 7, 1958, which withdrew the following described public lands for use of the Department of the Navy as an air-to-air gunnery range, and Public Land Order No. 2932 of February 8, 1963, which extended the jurisdiction and use granted to the Department of the Navy by Public Land Order No. 1632 over and for the lands to May 6, 1968, are hereby revoked:

#### MOUNT DIABLO MERIDIAN

- T. 25 N., R. 25 E.,  
Secs. 1 to 5, incl., and 8 to 17, incl.  
T. 25 N., R. 26 E.,  
Secs. 1 to 18, incl.  
T. 25 N., R. 27 E.,  
Secs. 1 to 18, incl.  
T. 26 N., Rs. 25, 26 and 27 E.  
T. 27 N., Rs. 25, 26 and 27 E.  
T. 28 N., Rs. 25, 26 and 27 E.  
T. 29 N., R. 25 E., unsurveyed.  
T. 29 N., Rs. 26 and 27 E.  
T. 30 N., R. 25 E., unsurveyed.  
T. 30 N., Rs. 26 and 27 E.  
T. 31 N., Rs. 25, 26 and 27 E., unsurveyed.  
T. 32 N., Rs. 25, 26 and 27 E., unsurveyed.  
T. 25 N., R. 28 E.,  
Secs. 4 to 9, incl., and secs. 16 to 18, incl.  
T. 26 N., R. 28 E.,  
Secs. 4 to 9, incl., secs. 16 to 21, incl., and  
secs. 28 to 33, incl.  
T. 27 N., R. 28 E.,  
Secs. 4 to 9, incl., secs. 16 to 21, incl., and  
secs. 28 to 33, incl.  
T. 28 N., R. 28 E.,  
Secs. 4 to 9, incl., secs. 16 to 21, incl., and  
secs. 28 to 33, incl.

- T. 29 N., R. 28 E.,  
Secs. 4 to 9, incl., secs. 16 to 21, incl., and  
secs. 28 to 33, incl.  
T. 30 N., R. 28 E.,  
Secs. 4 to 9, incl., secs. 16 to 21, incl., and  
secs. 28 to 33, incl.  
T. 31 N., R. 28 E.,  
Secs. 4 to 9, incl., secs. 16 to 21, incl., and  
secs. 28 to 33, incl., unsurveyed.  
T. 32 N., R. 28 E.,  
Secs. 4 to 9, incl., secs. 16 to 21, incl., and  
secs. 28 to 33, incl.

The areas described aggregate 519,106 acres in Pershing County.

The lands are situated about 25 miles west of Lovelock and 12 miles east of Gerlach, Nev. Topography ranges from flat valleys to steep mountain ranges. Most of the valleys are waste areas of adobe flats or playa lakes with highly saline soils, and a predominant vegetation of greasewood, shadscale, rabbitbrush and annual forbs. The mountain ranges and slopes have rocky or gravelly soils, with the vegetation being big sagebrush, low sage, rabbitbrush, native bunchgrasses, cheatgrass, annual and perennial forbs, and some junipers at high elevations. There are no permanent streams in the area, and permanent springs are few and widely scattered.

2. Subject to valid existing rights and to the provisions of existing withdrawals and procedures, the lands shall, at 10 a.m. on May 7, 1965, become subject to disposition under the public land laws, including the mining and mineral leasing laws. All valid applications received at or prior to 10 a.m. on May 7, 1965, shall be considered as simultaneously filed at that time. Those filed thereafter shall be considered in the order of filing.

Inquiries concerning the lands should be directed to the Manager, Land Office, Bureau of Land Management, Reno, Nev.

JOHN A. CARVER, JR.,  
*Under Secretary of the Interior.*

APRIL 1, 1965.

[F.R. Doc. 65-3639; Filed, Apr. 7, 1965; 8:47 a.m.]

[Public Land Order 3594]

[Fairbanks 031011]

#### ALASKA

#### Withdrawal for Educational Purposes; Partly Revoking Executive Order of May 4, 1907

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), and by virtue of the authority contained in the Act of May 31, 1938 (52 Stat. 593; 48 U.S.C. 353a), it is ordered as follows:

1. Subject to valid existing rights, the following-described public lands are hereby withdrawn from all forms of appropriations under the public land laws, including the mining laws, but not from leasing under the mineral leasing laws, for school purposes in connection with administration of the affairs of the Indians, Eskimos, and Aleuts of Alaska:

#### BARROW

U.S. Survey No. 4615,  
Block 19.

Containing approximately 2.80 acres.  
2. The Executive Order of May 4, 1907, so far as it withdrew not to exceed forty acres at Barrow for educational purposes, is hereby revoked.

JOHN A. CARVER, JR.,

*Under Secretary of the Interior.*

APRIL 1, 1965.

[F.R. Doc. 65-3640; Filed, Apr. 7, 1965; 8:47 a.m.]

[Public Land Order 3595]

[Wyoming 0304138]

#### WYOMING

#### Withdrawal for Seminoe Reservoir

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

Subject to valid existing rights, the following-described public lands, which are under the jurisdiction of the Secretary of the Interior, are hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws (Chap. 2, Title 30 U.S.C.), but not from leasing under the mineral leasing laws, and reserved for the Seminoe Reservoir, Kendrick Project:

#### SIXTH PRINCIPAL MERIDIAN

- T. 23 N., R. 84 W.,  
Sec. 24, SW $\frac{1}{4}$ NE $\frac{1}{4}$  and NW $\frac{1}{4}$ SE $\frac{1}{4}$ .

Containing approximately 80 acres in Carbon County.

JOHN A. CARVER, JR.,  
*Under Secretary of the Interior.*

APRIL 1, 1965.

[F.R. Dec. 65-3641; Filed, Apr. 7, 1965; 8:47 a.m.]

[Public Land Order 3596]

[Oregon 010101]

#### OREGON

#### Modifying Water Power and Other Withdrawals To Permit Grant of Right-of-Way

By virtue of the authority vested in the President by section 1 of the act of June 25, 1910 (36 Stat. 847; 43 U.S.C. 141), and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), and by virtue of the authority contained in the act of March 3, 1879 (20 Stat. 394; 43 U.S.C. 31), it is ordered as follows:

The Executive Orders of December 19, 1910, and May 17, 1917, creating Powersite Reserves Nos. 167 and 623 respectively, the departmental order of May 3, 1946, establishing Powersite Classification No. 143 and Public Land Order No. 1726 of September 3, 1956, for protection of scenic and recreation areas, are hereby modified to the extent necessary to permit the granting of a highway right-of-way under Revised Stat. 2477 (1875), (43 U.S.C. 932), to Josephine County, Oregon, over the following described lands, as delineated on maps filed with the Bureau of Land Management in Oregon 010101 for the relocation of an existing road.

## WILLAMETTE MERIDIAN

T. 35 S., R. 7 W.,  
Sec. 6, lots 5, 6, 12, and 13.  
T. 35 S., R. 8 W.,  
Sec. 1, lots 4, except patented portion, and  
lots 5, and 8.

The areas described aggregate approximately 228.88 acres.

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

APRIL 1, 1965.

[F.R. Doc. 65-3642; Filed, Apr. 7, 1965;  
8:48 a.m.]

## Title 47—TELECOMMUNICATION

### Chapter I—Federal Communications Commission

[Docket No. 14864; FCC 65-273]

#### PART 0—COMMISSION ORGANIZATION

#### PART 1—PRACTICE AND PROCEDURE

#### PART 73—RADIO BROADCAST SERVICES

##### Miscellaneous Amendments

In the matter of new § 0.418 and amendment of §§ 0.417 (formerly in 0.406), 1.580 (formerly 1.359), and 1.594 (formerly in 1.362) of the Commission's rules Relating to Inspection of Records, to Pre-Grant Procedures, and to Local Notice of Filing or of Designation for Hearing of Broadcast Applications;<sup>1</sup> Docket No. 14864.

1. The Commission has before it for consideration the notice of proposed rule making issued in this proceeding on November 27, 1962 (FCC 62-1218), and the comments and reply comments filed in response to the Notice by a number of broadcast licensees (including two of the national networks), state broadcasters' associations, law firms engaged in the practice of communications law, and by the National Association of Broadcasters.

2. The purpose of this proposal is to enable local inspection to be made of broadcast applications, reports, and related documents that are filed with the Commission by applicants, permittees, and licensees and that are already available for public inspection at the Commission's offices in Washington, D.C. Thus, the proposed rules would have required broadcast applicants, permittees, and licensees to keep for public inspection in the community in which the main

studio is located, or proposed to be located, a file containing a copy of every application and report, amendments, and documents incorporated by reference, which is by the provisions of § 0.417 of the rules open for public inspection at the Commission's offices in Washington, D.C.

3. As we stated in the Notice, it was our belief that, in addition to reports, all applications and related material should be kept on file locally even though not subject to the "local notice" requirements of §§ 1.580 and 1.594 of the rules. It is our desire to make our pre-grant and hearing procedures more effective, and to effectuate the mandate of Congress to permit greater public participation in such proceedings, and we were of the opinion that such a proposal would implement effectively attainment of this goal. However, a study of the comments filed in this proceeding has convinced us that, at least until more experience is gained in this subject, it would be best to restrict local inspection generally to major applications which are subject to the provisions of §§ 1.580 and 1.594, and to ownership reports. The rules adopted herein reflect this view. They also contain language designed to clarify certain ambiguities in the proposal which were pointed out by the comments and to effect other changes found appropriate.

##### DISCUSSION OF COMMENTS

*General statement.* 4. Westinghouse Broadcasting Co., Inc., concurs in the proposal but would modify proposed § 1.526 to specify public inspection "by parties having a bona fide interest therein for a reasonable period of time \* \* \*". Storer Broadcasting Co. also states that subject to certain limitations it will not oppose local inspection of those applications concerning which local notice must be published under Rule 1.580. Columbia Broadcasting System, Inc., takes a similar position. To a substantial degree, however, the comments are in opposition to adoption of the proposed rule.

*Arguments against keeping records for local inspection.* 5. Some object to what is characterized as an intrusion upon the right of broadcasters to privacy. Others suggest that the information proposed to be made available will be of use only to competitors and to cranks, and that there is no substantial evidence of a legitimate demand for the information proposed to be made available locally to the public. It is maintained that responsible groups can by simple request to the station have access to the information they require. Some contend that the public is interested only in programming and can best obtain programming information by listening to or viewing the station involved. Argument is made that much of the data which would be required to be kept is too technical for public use. Substantial opposition fixes upon what, it is contended, will be a heavy burden upon the licensee to meet the requirements for public inspection.

6. The Commission is of the opinion that sound argument has not been advanced to offset the prospective benefit to the public interest. Many of the comments argue that there will be substan-

tial burdens imposed upon broadcasters by the proposal, notably in the form of having to make available physical facilities for the file and for its use by interested members of the public. We have considered the arguments addressed to this point, but we do not believe that this will be such a burden as to make the plan unworkable or unduly burdensome. We have provided for the use of any of several techniques for making the file available to the public. Because of the admittedly novel feature of the proposal, we intend to review its operation as experience accrues, and, if it appears necessary, to modify the rules accordingly.

7. The present proposal is objected to on the grounds that only those members of the public with a "legitimate" interest in any of the proceedings before the Commission have or should have a right to inspection. Some go further and maintain that such persons would have to be "parties in interest" in the technical sense of the term. Another recurring objection is that the proposal is unnecessary because "legitimate" requests for information are not denied, that in any event anyone with serious intent can get the desired information from the Commission's offices in Washington, and that there is little or no public demand for information.

8. With regard to the objection that only persons with a legitimate interest or who are technically parties in interest should have access to local files, we observe that the pre-grant procedures of the FCC are not merely a procedural system for applicants and the Commission. They established basic conditions with respect to the public's right to be informed. Notice is required to be given to the public by Rules 1.580 and 1.594. These rules are based on the pre-grant procedures established by Congress in present sections 309 and 311 of the Act.

9. Congress, in enacting the present pre-grant provisions of the statute, zealously guarded the right of the general public to be informed, not merely the rights of those who have special interests. See, e.g., Senate Report No. 690, 86th Cong., 1st Sess., to accompany S. 1898, "New Pre-Grant Procedure" (August 12, 1959), p. 2: "The proposed procedure provided herein for pre-grant objections would not be workable unless objectors were given a reasonable opportunity to make known their objections. . . ." Note that the simple, non-technical reference is to "objectors." Again, in referring to the section which is now section 309(b) (1), which provides for petitions by "any party in interest," a footnote is appended thereto which states (Id. at p. 3): "Although the right to file a petition to deny is limited to a 'party in interest,' it is not intended to deprive any person of the privilege of filing informal objections to the grant of any authorization." Similar support is found in House Report No. 1800, 86th Cong., 2d Sess., "Communications Act Amendments, 1960" (June 13, 1960), p. 10, where it is stated that "the establishment of the new 'pre-grant' procedure for parties in interest is not intended to preclude any person who is interested in

<sup>1</sup> By Order adopted October 31, 1963, and published in 38 F.R. 12386, Parts 0 and 1 of the rules were editorially revised and renumbered. As a result of this action, as indicated in the caption above, the portions of former §§ 0.406 and 1.362 which were pertinent to the present proceeding now appear in §§ 0.417 and 1.594, respectively; and former § 1.359 has been redesignated § 1.580. For the sake of simplicity, in the remainder of the present document we shall refer only to the new section numbers 0.417, 1.580 and 1.594. In addition, we have decided that the proposed new § 0.418 should be numbered 1.526. The latter number is therefore used in the present document.

doing so from filing formal or informal pleadings with the Commission." It is clearly the mandate of Congress that the public should be fully informed. If we are to follow that mandate, we must see to it that as a practical matter needed information is readily accessible, locally, to all who seek it.

10. Section 311 of the Act was amended in 1960 to authorize the Commission to hold hearings "at a place in, or in the vicinity of, the principal areas to be served by the station involved" in such hearing if the Commission determines that the public interest, convenience, or necessity would be served by conducting such a local hearing. It is self evident that the details of the effectuation of the Congressional purpose were left in the hands of the Commission, just as it is as readily apparent that Congress intended that such hearings should be open to any interested persons. Consistent with Congressional intent to permit any interested person to participate in such hearings or in any phase of the pre-grant procedure, we are now amending our rules to provide that certain information be more easily and readily available to the public. The information is already a matter of public record available at the Commission's offices in Washington. We do but recognize the fact that the existence hundreds, and in some cases thousands, of miles away of a voluminous public file is of little practical value in providing interested persons with the kind of information needed for them to participate in pre-grant procedures as Congress intended.

11. As to the objection that the proposed rules are unnecessary because there is little or no demand for information, we do not base our decision in this proceeding on a widespread articulate demand by the public for the information we propose to make locally available. Our primary purpose in the present proceeding is to make information to which the public already has a right more readily available, so that the public will be encouraged to play a more active part in a dialogue with broadcast licensees.

12. In our Report and Statement of Policy re: Commission en banc Programming Inquiry (Public Notice, FCC 60-970, July 29, 1960), 20 Pike & Fischer R.R. 1901, 1912, we pointed out that broadcast licensees have an obligation to make a "diligent, positive and continuing effort \* \* \* to discover and fulfill the tastes, needs and desires of \* \* \* [their] service area." We stated further that broadcast licensees must "take the necessary steps to inform themselves of the real needs and interests of the areas they serve, and to provide programming which in fact constitutes a diligent effort, in good faith, to provide for those needs and interests." *Id.* at 1913. Therefore, what we proposed was "documented program submission prepared as the result of assiduous planning and consultation covering two main areas: first, a canvass of the listening public who will receive the signal and who constitute a definite public interest figure; second, consultation with leaders in community life \* \* \* organizations,

and others who bespeak the interests which make up the community." *Id.* at 1915. It is clear that the responsibility for the success of such a policy does not rest with the broadcaster alone. The local community should assess its needs and articulate its desire for needed broadcast service. It should encourage an interchange of ideas with local broadcasters that will lead to a defining of realistic and attainable goals that recognize the legitimate interests of the broadcaster as well as of the public. The Congress contemplated such a community role when it adopted the 1960 amendments to the Communications Act, and predicated its action on the fact that the public is entitled to pertinent information concerning broadcast licensees. In this proceeding we seek to enhance the effectiveness of this policy by making practically accessible to the public information to which it is entitled.

13. Many of the comments are based on assumptions that the proposal herein would make available for local inspection matter which is not available for inspection at the Commission's offices in Washington, D.C. That is not the case. The requirement in the proposal makes reference only to applications and reports which are open for public inspection at the offices of the Commission. For example, profit and loss data reported to the Commission in the annual financial report pursuant to Rule 1.611, and transcription contracts filed pursuant to Rule 1.613 are not open to public inspection at the Commission's offices and would not be reached by the rules here proposed.<sup>2</sup>

14. Some parties urge that if applications are required to be maintained locally, then not the entire application but only a portion of it should be so maintained. Some state that it is only necessary to maintain the programming section to make pre-grant procedures more effective. Others say that financial sections of applications should not be on file locally. It is our opinion that the entire application should be made available locally if the purposes of the local notice provisions of the Act are to be made fully effective. All parts of the application are relevant and material to the Commission's consideration of whether a grant would serve the public interest, convenience, and necessity. To shut off the flow of information from local listeners by withholding from them information in the application would be contrary to this philosophy.

15. The following consideration of the five sections of the Form 301 illustrates the importance of filing locally all portions of the application (other application forms could be similarly analyzed):

**SECTION I. Name of Applicant and Facilities Applied for.** This section contains the name and address of the applicant, the fa-

<sup>2</sup> However, various broadcast applications contain a caveat that confidential information incorporated by reference into the application is thereafter open to the public. To this extent, such normally confidential material would have to be kept in the local file if incorporated by reference into an application required to be in the file.

cilities requested, the hours of operation, the minimum daily hours of operation, type of station; station location, and other essential information. This basic information should be available to the local public to enable them to understand what is involved in the application and who the applicants are.

**Sec. II. Legal Qualifications.** This section contains a detailed description of the applicant, citizenship and other statutory qualifications, the business and broadcast interests of the applicant and its principals, and other crucial information. Because the licensee is ultimately accountable for the program service and policies of a broadcast station, it is essential that the public have ready access to ownership information which will identify the principals of the applicant and give relevant information about them.

**Sec. III. Financial Qualifications.** This section contains the applicant's estimates of costs of installation, expected revenues and plans for financing. Objections are raised that placing financial information in the local file would put licensees at a disadvantage with regard to competitors both within and outside the broadcast industry, that this is an invasion of privacy which would open the station's records to cranks and others with no legitimate interest in them, and that there is no reason to keep financial information in the file. We believe, however, that any competitor seriously wishing financial information about an applicant can get it from the Commission's offices in Washington, D.C. In addition, we would point out that broadcasting is a business invested with a public trust and broadcasters engage in this business with a foreknowledge that the operation is subject to public scrutiny. Finally, as to the reason for keeping financial information in the file, we are of the opinion that if such information is kept locally, the Commission might be aided by persons in the area who could bring to light financial information not apparent in the application. Moreover, as was pointed out at pages 55-57 of the Report of the Presiding Officer in Docket No. 14863, in the Matter of Inquiry Into Local Television Programming in Omaha, Nebr., the record in that proceeding supports a requirement that financial information be kept on file together with programming information because of the direct relationship between the financial health of a station and its ability to present locally produced programs.

**Sec. IV. Statement of Program Service.** This section details the applicant's program proposal. Since programming is the essence of a station's public service to its community, giving the local public practical access to material containing promises and other statements about the programming of a station will be conducive to achieving ultimate improvement in the public service which the station renders. The "Omaha Report" mentioned above states, at page 58, that the record in that proceeding indicates that there is a serious need for community leaders and members of the public at large to have more definite information about the programming service provided by their stations. It is argued that the information in section IV is not intelligible to the public, but only to experts in the use of the form. If kept on file locally, the section will give considerable information intelligibly to the public. As revised in Docket No. 13961, even more useful information may be contained in it.

**Sec. V. Engineering Data.** This section contains engineering and other information. Although much of this section may be too technical for the general public, we believe that it should be retained because, among other things, it is the only section which contains the location of the main studio and a description of the station's service area.

## CHANGES IN ORIGINAL PROPOSAL

16. The proposal set out in our notice would have required every applicant, permittee, or licensee to maintain local files containing "a copy of every application and report (including amendments thereto and papers filed therewith and documents incorporated by reference therein) filed by him \* \* \* which [is] \* \* \* open for public inspection at the offices of the Commission." (Emphasis added.) Consideration of this proposal in the light of the record leads us to make the changes discussed below.

**Applications.** 17. We are persuaded by the comments that at present the purpose of making pre-grant procedures more effective will be served by limiting the applications required to be kept on file locally, with a few exceptions, to copies of broadcast applications as to which public notice is required to be given under §§ 1.580 and 1.594 of our rules. The revised rules will require that copies of the following applications be kept in the local file: New main construction permits, construction permits for major changes of facilities of authorized stations, and license renewals. The file must also contain copies of all applications for consent to assignment or transfer under section 310(b) of the Act regardless of whether public notice under § 1.580 or 1.594 is required. In addition, minor applications reporting changes in program service will be required to be filed locally, as will applications for extension of time in which to complete construction of new stations. This means it will not be necessary to maintain a local file with regard to applications for most minor changes in the facilities of an authorized station, licenses to cover construction permits, extensions of time in which to complete authorized construction of other than new stations, authorizations for remote pickup or studio links for use in connection with the operation of broadcast stations, and certain other types of applications. This will serve to limit the local availability requirements to those applications with which the public is most concerned. As experience dictates, the requirements for local filing may be revised or expanded.

**Ownership reports.** 18. As stated previously, we believe it essential for the public to have ready access to ownership information which will identify the principals of the licensee who are responsible for the program service and policies of a broadcast station. Accordingly, the rules adopted herein require that ownership and supplemental ownership reports form a part of the local file.<sup>2</sup> Concerning the contents and number of such reports to be kept on file by multiple owners, see paragraphs 24 and 25.

**Amendments.** 19. The proposal requires local files to contain all amendments to applications and reports required to be kept locally. No distinction is made between major and minor amendments. Although there is no re-

quirement of local notice with regard to minor amendments, we believe that the public should have access to full information on those applications and reports which are to be kept in the local file.

**"Papers filed therewith".** 20. The comments correctly point out that the phrase "papers filed therewith" should be clarified to indicate more specifically what documents are intended to be kept in the local files, since the proposed language is broad enough to be construed to include all of the documents mentioned in § 0.417(a)(5) of the rules as open to public inspection (including such items as pleadings, depositions, and transcripts of testimony). In order to achieve the purposes previously mentioned, we believe that the local file should include all letters, exhibits or other documents filed as part of the application. Thus, for example, exhibits required by the application form or letters of local citizens attached to the application should appear in the local file. In addition, we also believe that such files should include subsequent correspondence between the Commission and the applicant concerning the application, since it often contains facts which shed light on various portions of the application. It is not our view, however, that the local file need contain other items mentioned in § 0.417(a)(5) of the rules such as, for example, pleadings, briefs, transcripts of testimony, and depositions pertaining to hearings on an application. Such material, we believe, would be likely to make the local file so large and cumbersome that its practical utility as a source of information for the average member of the public would be severely restricted. Moreover, by the time a proceeding has reached the stage of an adjudicatory hearing it must be presumed that interested parties in a community have had an opportunity to express their views. We are of the opinion, however, that copies of Initial and Final Decisions in hearing cases should be made a part of the local file, and have made appropriate provision therefor in the rules. The language in the rules which we adopt has been accordingly delimited and is not as broad as originally proposed. We are also of the opinion that, for the sake of providing full information in connection with the ownership and supplemental ownership reports, material filed as part thereof such as, for example, an exhibit, or a Form 323 filed by a holding company under the provisions of instruction 4 of the ownership report, should be maintained in the local file, as should subsequent correspondence concerning the reports.

21. A question arises as to program logs or copies of program logs submitted with renewal applications. It is our belief that they form an important part of applications held for public inspection, and that a copy should be on file locally.

**Documents incorporated by reference.** 22. Various arguments are advanced which urge that documents incorporated by reference into applications or reports should not be required to be kept on file locally. It is stated, for example, that loan agreements, bulk time contracts, consultant agreements, and other contracts filed with the Commission under

§ 1.613 of its rules and open to public inspection at the Commission's offices in Washington, D.C., should not be kept on file locally. We disagree. Incorporation by reference in documents filed with the Commission is permitted where the matter so incorporated already appears in other Commission records and is therefore available to the Commission. This practice is permitted to avoid unnecessary paper work on the part of applicants, permittees or licensees. However, the purpose of disclosure of information to the local public would be defeated if items incorporated by reference were not available in the local file. We do not believe that the expense of preparing copies of such incorporated material for local filing is prohibitive, and in many cases copies are probably already available. Furthermore, as time passes after the adoption of the new rules, it will not be necessary to provide material incorporated by reference if that material is already in the local file. The language of the rules adopted herein so states.

23. Under the provisions of § 1.615(a)(4)(i) of the rules, the licensee must list in ownership reports all contracts still in effect which are required to be filed with the Commission under the provisions of § 1.613. This listing, in effect, incorporates the contracts into the reports by reference since it allows Commission reference to the contracts in its files as needed. Filing an ownership report locally without making copies of the contracts locally available would, for reasons given above, be inconsistent with the policy underlying the new local inspection rules. The new rules are drafted to make it clear that such contracts must be provided in the local file as a supplement to the ownership report if they are open to public inspection at the offices of the Commission.

**Filing by multiple owners.** 24. Some parties raise the question as to whether the language of the proposed rules would require multiple owners to keep at each station the applications they file not only for that station but for all of their other stations. This was not our intent, and the rules as adopted require that the public file to be maintained by the station need contain only the applications and related material pertaining to that station. One other matter concerning multiple owners requires comment. Our rules permit one Ownership Report (FCC Form 323) to be filed for all stations under common ownership. To carry out the purpose of local availability, it is necessary that each station maintain a copy of this report, and the new rules so provide.

**Requests for political time.** 25. Under the provisions of §§ 73.120(d), 73.290(d), 73.590(d), and 73.657(d) of the rules, licensees are required to "keep and permit public inspection of" certain records pertaining to requests for political broadcasting time. No place of retention for such records is specified in those sections. The rule adopted herein provides that such records shall be part of the local file.

**Other matters.** 26. There are a number of comments to the effect that the

<sup>2</sup> Although the notice in this proceeding proposed to keep in the local file every report which was open for public inspection in the Commission's offices, only ownership reports were intended, and the rule which we adopt is changed accordingly.

time allowed for inspection—"during regular business hours"—is too vague and will result in some instances in a round-the-clock period of inspection. We do not so construe the requirement. Broadcasters are free to determine their regular business hours—i.e., those hours during which their normal commercial business is transacted in their communities—and to use these same hours for local inspection. Application of the requirements here with common sense will avoid abuses or hardship either for the broadcaster or members of the public.

27. It has been suggested by several of the parties that the Commission should establish public reference rooms in its regional and field offices, and that the public should be so advised. However, the local availability of the file proposed in § 1.526 could not be accomplished by its availability at our field offices. Except for those communities in which these offices are located, the purpose of this proposal would be defeated.

28. It has also been suggested that, rather than require the keeping of local files as proposed, the rules of the Commission be amended so as to require more detail in the local notice given under the provisions of §§ 1.580 and 1.594. We are of the opinion that adequate detail could not be given in such notices without making them too unwieldy and the cost too burdensome.

29. A specific time period for the retention of records in the file is sought by several parties, with periods of one and two years suggested. As we stated in our notice of proposed rule making, we shall consider establishing limits on the useful duration of the period for which the files would have to be maintained as experience under the new provisions accrues. In two respects, the rules do contain specific retention periods. First, they require that records pertaining to requests for political broadcasting time be kept in the local file for the time period specified in Part 73 of the rules. (The time is two years.) Second, parties whose applications for construction permits are denied may destroy the file after the time indicated in the new § 1.526(e)(1). If the applications are granted, the applicant then becomes a permittee and must, under the provisions of § 1.526(e)(2), retain the material on file indefinitely.

30. In view of the foregoing, the Commission is of the opinion that the public interest would be served by amendment of the rules as set out below.

31. Authority for the amendments adopted herein is contained in sections 4(i), 303(r) and 311 of the Communications Act of 1934, as amended.

\* Metromedia filed a document in this proceeding entitled "Comments of Metromedia, Inc., and Request for Further Amendment of § 1.359 of the rules" in which it not only commented on the proposal in this docket but also requested the Commission to institute a rule making proceeding looking toward amendment of its local notice rules so as to permit operating stations to satisfy the requirements thereof by giving notice over the station only, instead of by publishing in a newspaper and giving notice over the station. This matter will be dealt with separately at another time.

32. Accordingly, it is ordered, That, effective May 14, 1965, Parts 0, 1, and 73 of the Commission's rules are amended as set forth below.

33. It is further ordered, That this proceeding is terminated.

(Secs. 4, 303, 48 Stat. 1066, as amended, 1082, as amended, 5(a), 74 Stat. 892; 47 U.S.C. 154, 303, 311)

Adopted: March 31, 1965.

Released: April 5, 1965.

FEDERAL COMMUNICATIONS  
COMMISSION,

(SEAL) BEN F. WAPLE,  
Secretary.

1. Section 0.417 of the Commission rules and regulations is hereby amended by addition of a note at the end of subparagraph (5) of paragraph (a) of that section to read as follows:

§ 0.417 Inspection of records.

- (a) \* \* \*  
(5) \* \* \*

NOTE: Certain broadcast applications, reports, and records are also available for inspection in the community in which the main studio of the station in question is located or is proposed to be located. See § 1.526 of this chapter.

2. Section 1.526 is hereby added to the Commission rules and regulations to read as follows:

§ 1.526 Records to be maintained locally for public inspection by applicants, permittees, and licensees.

(a) *Records to be maintained.* Every applicant for a construction permit for a new station in the broadcast services shall maintain for public inspection a file for such station containing the material in subparagraph (1) of this paragraph, and every permittee or licensee of a station in the broadcast services shall maintain for public inspection a file for such station containing the material in subparagraphs (1), (2), (3), and (4) of this paragraph, as follows:

(1) A copy of every application tendered for filing by the applicant for such station after May 13, 1965, pursuant to the provisions of this part, with respect to which local public notice is required to be given under the provisions of § 1.580 or § 1.594; and all exhibits, letters and other documents tendered for filing as part thereof, all amendments thereto, copies of all documents incorporated therein by reference, all correspondence between the Commission and the applicant pertaining to the application after it has been tendered for filing, and copies of Initial Decisions and Final Decisions in hearing cases pertaining thereto. Information incorporated by reference which is already in the local file need not be duplicated if the entry making the reference sufficiently identifies the information so that it may be found in the file, and if there has been no change in the document since the date of filing and the applicant, after making the reference, so states.

(2) A copy of every application tendered for filing by the licensee or per-

mittee for such station after May 13, 1965, pursuant to the provisions of this part, which is not included in subparagraph (1) of this paragraph and which involves changes in program service, which requests an extension of time in which to complete construction of a new station, or which requests consent to involuntary assignment or transfer, or to voluntary assignment or transfer not resulting in a substantial change in ownership or control and which may be applied for on FCC Form 316; and copies of all exhibits, letters, and other documents filed as part thereof, all amendments thereto, all correspondence between the Commission and the applicant pertaining to the application after it has been tendered for filing, and copies of all documents incorporated therein by reference. Information incorporated by reference which is already in the local file need not be duplicated if the entry making the reference sufficiently identifies the information so that it may be found in the file, and there has been no change in the document since the date of filing and the licensee, after making the reference, so states.

(3) A copy of every ownership report or supplemental ownership report filed by the licensee or permittee for such station after May 13, 1965, pursuant to the provisions of this part; and copies of all exhibits, letters, and other documents filed as part thereof, all amendments thereto, all correspondence between the permittee or licensee and the Commission pertaining to the reports after they have been filed, and all documents incorporated therein by reference, including contracts listed in such reports in accordance with the provisions of § 1.615(a)(4)(i) and which according to the provisions of § 0.417 of this chapter are open for public inspection at the offices of the Commission. Information incorporated by reference which is already in the local file need not be duplicated if the entry making the reference sufficiently identifies the information so that it may be found in the file, and if there has been no change in the document since the date of filing and the licensee or permittee, after making the reference, so states.

(4) Such records as are required to be kept by §§ 73.120(d), 73.290(d), 73.590(d), and 73.657(d) of this chapter, concerning broadcasts by candidates for public office.

(b) *Responsibility in case of assignment or transfer.* (1) In cases involving applications for consent to assignment of broadcast station construction permits or licenses, with respect to which public notice is required to be given under the provisions of § 1.580 or § 1.594, the file mentioned in paragraph (a) of this section shall be maintained by the assignor. If the assignment is consented to by the Commission and consummated, the assignee shall maintain the file commencing with the date on which notice of the consummation of the assignment is filed with the Commission. The file maintained by the assignee shall cover the period both before and after the time when the notice of consummation of assignment was filed. The assignee is re-

\* Commissioner Loevinger absent.

sponsible for obtaining copies of the necessary documents from the assignor or from the Commission files.

(2) In cases involving applications for consent to transfer of control of a permittee or licensee of a broadcast station, the file mentioned in paragraph (a) of this section shall be maintained by the permittee or licensee.

(c) Station to which records pertain. The file need contain only applications, ownership reports, and related material that concern the station for which the file is kept. Applicants, permittees, and licensees need not keep in the file copies of such applications, reports, and material which pertain to other stations with regard to which they may be applicants, permittees, or licensees, except to the extent that such information is reflected in the materials required to be kept under the provisions of this section.

(d) Location of records. The file shall be maintained at the main studio of the station or at any other accessible place (such as a public registry for documents or an attorney's office) in the community to which the station is or is proposed to be licensed, and shall be available for public inspection at any time during regular business hours.

(e) Period of retention. The records specified in paragraph (a) (4) of this section shall be retained for the periods specified in §§ 73.120(d), 73.290(d), 73.590(d), and 73.657(d) of this chapter (2 years). The records specified in paragraph (a) (1), (2) and (3) of this section shall be retained as follows:

(1) The applicant for a construction permit for a new station shall maintain such a file so long as the application is pending before the Commission or any proceeding involving that application is pending before the courts. (If the application is granted, subparagraph (2) of this paragraph shall apply.)

(2) The permittee or licensee shall maintain such a file so long as an authorization to operate the station is outstanding.

3. Section 1.580 of the Commission's rules and regulations is hereby amended by the addition of a new subparagraph (10) to paragraph (f) as follows:

§ 1.580 Local notice of filing; public notice of acceptance for filing; petitions to deny.

(f) \* \* \* (10) A Statement that a copy of the application, amendment(s), and related material are on file for public inspection at a stated address in the community in which the main studio is maintained or is proposed to be located. See § 1.526.

4. Section 1.594 of the Commission's rules and regulations is hereby amended by the addition of subparagraph (5) to paragraph (d) to read as follows.

§ 1.594 Local notice of designation for hearing.

(d) \* \* \* (5) A statement that a copy of the application, amendment(s), and related material are on file for public inspection at a stated address in the community in which the main studio is maintained or is proposed to be located. See § 1.526.

5. Section 1.615 of the Commission's rules and regulations is hereby amended by the addition of paragraph (f) to read as follows:

§ 1.615 Ownership reports.

(f) A copy of all ownership and supplemental ownership reports and related material filed pursuant to this section shall be maintained and made available for public inspection locally as required by § 1.526.

6. Section 73.120 of the Commission's rules and regulations is hereby amended

by the addition of a note at the end of paragraph (d) of that section to read as follows:

§ 73.120 Broadcasts by candidates for public office.

(d) \* \* \*

NOTE: See § 1.526 of this chapter.

7. Section 73.290 of the Commission's rules and regulations is hereby amended by the addition of a note at the end of paragraph (d) of that section to read as follows:

§ 73.290 Broadcasts by candidates for public office.

(d) \* \* \*

NOTE: See § 1.526 of this chapter.

8. Section 73.590 of the Commission's rules and regulations is hereby amended by the addition of a note at the end of paragraph (d) of that section to read as follows:

§ 73.590 Broadcasts by candidates for public office.

(d) \* \* \*

NOTE: See § 1.526 of this chapter.

9. Section 73.657 of the Commission's rules and regulations is hereby amended by the addition of a note at the end of paragraph (d) of that section to read as follows:

§ 73.657 Broadcasts by candidates for public office.

(d) \* \* \*

NOTE: See § 1.526 of this chapter.

[F.R. Doc. 65-3657; Filed, Apr. 7, 1965; 8:48 a.m.]

# Proposed Rule Making

## DEPARTMENT OF THE TREASURY

Internal Revenue Service

[ 26 CFR Part 1 ]

### INCOME TAXES

#### Disposal of Coal or Domestic Iron Ore With Retained Economic Interest; Percentage Depletion Rate for Ores of Beryllium

Notice is hereby given, pursuant to the Administrative Procedure Act, approved June 11, 1946, that the regulations set forth in tentative form below are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury or his delegate. Prior to the final adoption of such regulations, consideration will be given to any comments or suggestions pertaining thereto which are submitted in writing, in duplicate, to the Commissioner of Internal Revenue, Attention: CC:LR, Washington, D.C., 20224, within the period of 30 days from the date of publication of this notice in the FEDERAL REGISTER. Any person submitting written comments or suggestions who desires an opportunity to comment orally at a public hearing on these proposed regulations should submit his request, in writing, to the Commissioner within the 30-day period. In such case, a public hearing will be held, and notice of the time, place, and date will be published in a subsequent issue of the FEDERAL REGISTER. The proposed regulations are to be issued under the authority contained in section 7805 of the Internal Revenue Code of 1954 (68A Stat. 917; 26 U.S.C. 7805).

[SEAL] SHELDON S. COHEN,  
Commissioner of Internal Revenue.

In order to conform the Income Tax Regulations (26 CFR Part 1) to the amendments made by section 227 of the Revenue Act of 1964 (78 Stat. 97), relating to treatment of certain iron ore royalties, and to the amendments made by section 6 of the Act of September 2, 1964 (Public Law 88-571, 78 Stat. 860), relating to the percentage depletion rate for ores of beryllium, these regulations are amended as follows:

PARAGRAPH 1. Section 1.272 is amended by amending the heading and revising section 272 and by adding a historical note. These amended provisions read as follows:

#### § 1.272 Statutory provisions; disposal of coal or domestic iron ore.

Sec. 272. *Disposal of coal or domestic iron ore.* Where the disposal of coal or iron ore is covered by section 631, no deduction shall be allowed for expenditures attributable to the making and administering of the contract under which such disposition occurs and to the preservation of the economic interest retained under such contract, except that if in any taxable year such expenditures plus the adjusted depletion basis of the coal

or iron ore disposed of in such taxable year exceed the amount realized under such contract, such excess, to the extent not availed of as a reduction of gain under section 1231, shall be a loss deductible under section 165(a). This section shall not apply to any taxable year during which there is no income under the contract.

[Sec. 272 as amended by sec. 227, Rev. Act 1964 (78 Stat. 97)]

PAR. 2. Section 1.272-1 is amended to read as follows:

#### § 1.272-1 Expenditures relating to disposal of coal or domestic iron ore.

(a) *Introduction.* Section 272 provides special treatment for certain expenditures paid or incurred by a taxpayer in connection with a contract (hereafter sometimes referred to as a "coal royalty contract" or "iron ore royalty contract") for the disposal of coal or iron ore the gain or loss from which is treated under section 631(c) as a section 1231 gain or loss on the sale of coal or iron ore. See paragraph (e) of § 1.631-3 for special rules relating to iron ore. The expenditures covered by section 272 are those which are attributable to the making and administering of such a contract or to the preservation of the economic interest retained under the contract. For examples of such expenditures, see paragraph (d) of this section. For a taxable year in which gross royalty income is realized under the contract of disposal, such expenditures shall not be allowed as a deduction. Instead, they are to be added to the adjusted depletion basis of the coal or iron ore disposed of in the taxable year in computing gain or loss under section 631(c). However, where no gross royalty income is realized under the contract of disposal in a particular taxable year, such expenditure shall be treated without regard to section 272.

(b) *In general.* (1) Where the disposal of coal or iron ore is covered by section 631(c), the provisions of section 272 and this section shall be applicable for a taxable year in which there is income under the contract of disposal. (For purposes of section 272 and this section, the term "income" means gross amounts received or accrued which are royalties or bonuses in connection with a contract to which section 631(c) applies.) All expenditures paid or incurred by the taxpayer during the taxable year which are attributable to the making and administering of the contract disposing of the coal or iron ore and all expenditures paid or incurred during the taxable year in order to preserve the owner's economic interest retained under the contract shall be disallowed as deductions in computing taxable income for the taxable year. The sum of such expenditures and the adjusted depletion basis of the coal or iron ore disposed of in the taxable year shall be used in determining the amount of gain or loss with respect to the disposal. See § 1.631-3. For special rule in case of

loss, see paragraph (c) of this section. Section 272 and this section do not apply to capital expenditures, and such expenditures are not taken into account in computing gain or loss under section 631(c) except to the extent they are properly part of the depletable basis of the coal or iron ore.

(2) The expenditures covered under section 272 and this section are disallowed as a deduction only with respect to a taxable year in which income is realized under the coal royalty contract (or iron ore royalty contract) to which such expenditures are attributable. Where no income is realized under the contract in a taxable year, these expenditures shall be deducted as expenses for the production of income, or as a business expense, or they may be treated under section 266 (relating to taxes and carrying charges) if applicable.

(3) The provisions of section 272 and this section apply to a taxable year in which income from the disposal by the owner of coal or iron ore held by him for more than 6 months is subject to the provisions of section 631(c) even though the actual mining of coal or iron ore under the coal royalty contract (or iron ore royalty contract) does not take place during the taxable year. Where the right under the contract to mine coal or iron ore for which advance payment has been made expires, terminates, or is abandoned before the coal or iron ore is mined, and paragraph (c) of § 1.631-3 requires the owner to recompute his tax with respect to such payment, the recomputation must be made without applying the provisions of section 272 and this section.

(c) *Losses.* If, in any taxable year, the expenditures referred to in section 272 and this section plus the adjusted depletion basis (as defined in paragraph (b) (2) of § 1.631-3) of the coal or iron ore disposed of during the taxable year exceed the amount realized under the contract which is subject to section 631(c) during the taxable year, such excess shall be considered under section 1231 as a loss from the sale of property used in the trade or business and, to the extent not availed of as a reduction of gain under that section, shall be a loss deductible under section 165(a) (relating to the deduction of losses generally).

(d) *Examples of expenditures.* (1) The expenditures referred to in section 272 include, but are not limited to, the following items, if such items are attributable to the making or administering of the contract or preserving the economic interest therein: Ad valorem taxes imposed by State or local authorities, costs of fire protection, costs of insurance (other than liability insurance), costs incurred in administering the contract (including costs of bookkeeping and technical supervision), interest on loans, expenses of flood control, legal and technical expenses, and expenses of measuring and checking quantities of

coal or iron ore disposed of under the contract. Whether the interest on loans is attributable to the making or administering of the contract or preserving the economic interest therein will depend upon the use to which the borrowed monies are put.

(2) Any expenditure referred to in this section which is applicable to more than one coal royalty contract or iron ore royalty contract shall be reasonably apportioned to each of such contracts. Furthermore, if an expenditure applies only in part to the making or administering of the contract or the preservation of the economic interest, then only such part shall be treated under section 272. The apportionment of the expenditure shall be made on a reasonable basis. For example, where a taxpayer has other income (such as income from oil or gas royalties, rentals, right of way fees, interest, or dividends) as well as income under section 631(c), and where the salaries of some of its employees or other expenses relate to both classes of income, such expenses shall be allocated reasonably between the income subject to section 631(c) and the other income. Where a taxpayer has more than one coal royalty contract or iron ore royalty contract, expenditures under this section relating to a contract from which no income has been received in the taxable year may not be allocated to income from another contract from which income has been received in the taxable year.

(3) The taxpayer may have expenses which are not attributable even partly to making and administering a coal royalty contract or iron ore royalty contract or to the preservation of the economic interest retained under the contract and, accordingly, are not included in the expenditures described in section 272. These include such items as ad valorem taxes imposed by State or local authorities on property not covered by the contract, salaries, wages, or other expenses entirely incident to the ownership and protection of such property and depreciation of improvements thereon, fire insurance on such property, charitable contributions, and similar expenses unrelated to the making or to the administering of coal royalty contracts or iron ore royalty contracts or preserving the taxpayer's economic interest retained therein.

(e) *Nonapplication of section.* For purposes of section 543, the provisions of section 272 shall have no application. For example, the taxpayer may, for the purposes of section 543(a)(3)(C) or the corresponding provisions of prior income tax laws, include in the sum of the deductions which are allowable under section 162 an amount paid to an attorney as compensation for legal services rendered in connection with the making of a coal royalty contract or iron ore royalty contract (assuming the expenditure otherwise qualifies under section 162 as an ordinary and necessary expense incurred in the taxpayer's trade or business), even though such expenditure is disallowed as a deduction under section 272.

PAR. 3. Paragraph (f) (3) of § 1.535-2 is amended to read as follows:

§ 1.535-2 Adjustments to taxable income.

(f) *Long-term capital gains.*

(3) Section 631(c) (relating to gain or loss in the case of disposal of coal or domestic iron ore) shall have no application in determining the amount of the deduction allowable under section 535 (b) (6).

PAR. 4. Paragraph (e) (2) of § 1.545-2 is amended to read as follows:

§ 1.545-2 Adjustments to taxable income.

(e) *Long-term capital gains.*

(2) Section 631(c) (relating to gain or loss in the case of disposal of coal or domestic iron ore) shall have no application.

PAR. 5. Paragraph (b) (2) of § 1.611-1 is amended to read as follows:

§ 1.611-1 Allowance of deduction for depletion.

(b) *Economic interest.*

(2) No depletion deduction shall be allowed the owner with respect to any timber, coal, or domestic iron ore that such owner has disposed of under any form of contract by virtue of which he retains an economic interest in such timber, coal, or iron ore, if such disposal is considered a sale of timber, coal, or domestic iron ore under section 631 (b) or (c).

PAR. 6. Paragraphs (b) (3) and (e) of § 1.612-3 are amended to read as follows:

§ 1.612-3 Depletion; treatment of bonus and advanced royalty.

(b) *Advanced royalties.*

(3) The payor, at his option, may treat the advanced royalties so paid or accrued in connection with mineral property as follows:

(i) As deductions from gross income for the year the advanced royalties are paid or accrued, or

(ii) As deductions from gross income for the year the mineral product, in respect of which the advanced royalties were paid, is sold.

For an exception to this treatment when the payor is a sublessor of coal or domestic iron ore, see paragraph (b) (3) of § 1.631-3. Every taxpayer must make an election as to the treatment of all such advanced royalties in his return for the first taxable year in which such amounts are paid or accrued. A taxpayer will be considered to have made an election in accordance with the manner in which such items are treated in the return. A failure to deduct any such items for the year paid or accrued will constitute an election to have all such items treated in accordance with subdivision (ii) of this subparagraph. An

election made under this section is binding for the taxable year for which made and for all subsequent years, and the taxpayer must treat all advanced royalties paid or accrued in all subsequent years in the same manner. This paragraph does not grant a new election. Any taxpayer who made an election under Regulation 118, § 39.23(m)-10(e) (1939 Code), or corresponding provisions of prior regulations is, by such election, bound with respect to treatment of such advanced royalties whether paid or accrued before or after December 31, 1953. See section 7807(b) (2). For additional rules relating to elections in the case of partners and partnerships see section 703(b) and the regulations thereunder.

(e) *Cross reference.* In the case of bonuses and advanced royalties received in connection with a contract of disposal of timber covered by section 631(b) or coal or iron ore covered by section 631(c), see that section and the regulations thereunder.

PAR. 7. Section 1.613 is amended by revising sections 613(b) (2) (B) and 613 (b) (6) and adding to the historical note. The amended provisions read as follows:

§ 1.613 Statutory provisions; percentage depletion.

Sec. 613. *Percentage depletion.*

(b) *Percentage depletion rates.* The mines, wells, and other natural deposits, and the percentages, referred to in subsection (a) are as follows:

(2) 23 percent—

(B) If from deposits in the United States—*anorthosite* (to the extent that alumina and aluminum compounds are extracted therefrom), *asbestos*, *bauxite*, *celestite*, *chromite*, *corundum*, *fluorspar*, *graphite*, *ilmenite*, *kyanite*, *mica*, *olivine*, *quartz crystals* (radio grade), *rutile*, *black steatite talc*, and *zircon*, and ores of the following metals: *antimony*, *beryllium*, *bismuth*, *cadmium*, *cobalt*, *columbium*, *lead*, *lithium*, *manganese*, *mercury*, *nickel*, *platinum* and *platinum group metals*, *tantalum*, *thorium*, *tin*, *titanium*, *tungsten*, *vanadium*, and *zinc*.

(6) 15 percent—all other minerals (including, but not limited to, *aplite*, *barite*, *borax*, *calcium carbonates*, *diatomaceous earth*, *dolomite*, *feldspar*, *fullers earth*, *garnet*, *gilsonite*, *granite*, *limestone*, *magnesite*, *magnesium carbonates*, *marble*, *phosphate rock*, *potash*, *quartzite*, *slate*, *soapstone*, *stone* (used or sold for use by the mine owner or operator as dimension stone or ornamental stone), *thenardite*, *tripoli*, *trona*, and (if paragraph (2) (B) does not apply) *bauxite*, *flake graphite*, *fluorspar*, *lepidolite*, *mica*, *spodumene*, and *talc*, including *pyrophyllite*), except that, unless sold on bid in direct competition with a bona fide bid to sell a mineral listed in paragraph (3), the percentage shall be 5 percent for any such other mineral when used, or sold for use, by the mine owner or operator as rip rap, ballast, road material, rubble, concrete aggregates, or for similar purposes. For purposes of this paragraph, the term "all other minerals" does not include—

(A) Soil, sod, dirt, turf, water, or mosses;

or  
(B) Minerals from sea water, the air, or similar inexhaustible sources.

[Sec. 613 as amended by sec. 36, Technical Amendments Act 1958 (72 Stat. 1633); sec. 6, Act of Sept. 2, 1964 (Public Law 88-571, 78 Stat. 860)]

PAR. 8. Subparagraphs (a) (2), (a) (3), and (c) (4) of § 1.613-2 are amended to read as follows:

§ 1.613-2 Percentage depletion rates.

(a) *In general.* \* \* \*

(2) *Production from United States deposits.* A rate of 23 percent is applicable to the minerals listed in this subparagraph if produced from deposits within the United States:

Anorthosite. <sup>2</sup>	Ilmenite.
Asbestos.	Kyanite.
Bauxite.	Mica.
Beryl. <sup>3</sup>	Olivine.
Celestite.	Quartz crystals (radio grade).
Chromite.	Rutile.
Corundum.	Block steatite talc.
Fluorspar.	Zircon.
Graphite.	

Ores of the following metals—

Antimony.	Platinum.
Beryllium. <sup>4</sup>	Platinum group metals.
Bismuth.	Tantalum.
Cadmium.	Thorium.
Cobalt.	Tin.
Columbium.	Titanium.
Lead.	Tungsten.
Lithium.	Vanadium.
Manganese.	Zinc.
Mercury.	
Nickel.	

(3) *Other minerals.* A rate of 15 percent is applicable to the minerals listed in this subparagraph regardless of the situs of the deposits from which the minerals are produced, provided the minerals are not used or sold for use by the mine owner or operator as rip rap, ballast, road material, rubble, concrete aggregates, or for similar purposes. If, however, such minerals are sold or used for the purposes described in the preceding sentence, a rate of 5 percent is applicable to any of such minerals unless sold on bid in direct competition with a bona fide bid to sell any of the minerals listed in subdivision (iii) of subparagraph (1) of this paragraph, in which case the rate is 15 percent. In addition, the provisions of this subparagraph are not applicable with respect to any of the minerals listed herein if the rate prescribed in subparagraph (2) of this paragraph is applicable.

Aplite.	Flake Graphite.
Barite.	Fluorspar.
Bauxite.	Fullers earth.
Beryl. <sup>5</sup>	Garnet.
Borax.	Gilsonite.
Calcium carbonates.	Granite.
Clay, refractory and fire. <sup>6</sup>	Lepidolite.
Diatomaceous earth.	Limestone.
Dolomite.	Magnetite.
Feldspar.	Magnesium carbonates.

<sup>2</sup> The rate prescribed in this subparagraph does not apply except to the extent that alumina and aluminum compounds are extracted therefrom.

<sup>3</sup> Applicable only for taxable years beginning before January 1, 1964.

<sup>4</sup> Applicable only for taxable years beginning after December 31, 1963.

<sup>5</sup> Applicable only for taxable years beginning before Jan. 1, 1964.

<sup>6</sup> Not applicable for taxable years beginning after Dec. 31, 1960.

Marble.  
Mica.  
Phosphate rock.  
Potaash.  
Quartzite.  
Slate.  
Soapstone.  
Spodumene.

Stone (dimension or ornamental).<sup>7</sup>  
Talc (including pyrophyllite).  
Thenardite.  
Tripoli.  
Trona.  
All other minerals.

(c) *Rules for application of paragraph (a) of this section.* \* \* \*

(4) Percentage depletion is not allowable with respect to the income from a disposal of coal (including lignite) or domestic iron ore (as defined in paragraph (e) of § 1.631-3) with a retained economic interest to the extent that such income is treated as from a sale of coal or iron ore under section 631(c) and § 1.631-3. Rents or royalties paid or incurred by a taxpayer with respect to coal (including lignite) or domestic iron ore shall be excluded by such taxpayer in determining "gross income from the property" without regard to the treatment under section 631(c) of such rents and royalties in the hands of the recipient.

PAR. 9. Paragraph (c) (2) of § 1.615-3 is amended to read as follows:

§ 1.615-3 Election to defer exploration expenditures.

(c) *Expenditures made by the owner who retains a nonoperating mineral interest.* \* \* \*

(2) Where a taxpayer receives an amount, in addition to retaining an economic interest, which amount is treated as from the sale or exchange of a capital asset or property treated under section 1231 (except coal or iron ore to which section 631(c) applies), the deferred exploration expenditures shall be allocated between the interest sold and the interest retained in proportion to the fair market values of each interest as of the date of sale. The amount allocated to the interest sold may not be deducted, but shall be a part of the basis of such interest.

PAR. 10. Paragraph (c) (2) of § 1.616-2 is amended to read as follows:

§ 1.616-2 Election to defer.

(c) *Expenditures made by the owner who retains a nonoperating interest.* \* \* \*

(2) Where a taxpayer receives an amount, in addition to retaining an economic interest, which amount is treated as from the sale or exchange of a capital asset or property treated under section 1231 (except coal or iron ore to which section 631(c) applies), the deferred development expenditures shall be allocated between the interest sold and the interest retained in proportion to the fair market value of each interest as of the date of sale. The amount allocated to the interest sold may not be deducted, but shall be a part of the basis of such

<sup>7</sup> The 15-percent rate is applicable only to stone used or sold for use by the mine owner or operator as dimension stone or ornamental stone.

interest for the purpose of determining gain or loss upon the sale thereof.

PAR. 11. Section 1.631 is amended by revising the heading and section 631(c) and by adding a historical note. The amended provisions read as follows:

§ 1.631 Statutory provisions; gain or loss in the case of timber, coal, or domestic iron ore.

Sec. 631. *Gain or loss in the case of timber, coal, or domestic iron ore.* \* \* \*

(c) *Disposal of coal or domestic iron ore with a retained economic interest.* In the case of the disposal of coal (including lignite), or iron ore mined in the United States, held for more than 6 months before such disposal, by the owner thereof under any form of contract by virtue of which such owner retains an economic interest in such coal or iron ore, the difference between the amount realized from the disposal of such coal or iron ore and the adjusted depletion basis thereof plus the deductions disallowed for the taxable year under section 272 shall be considered as though it were a gain or loss, as the case may be, on the sale of such coal or iron ore. Such owner shall not be entitled to the allowance for percentage depletion provided in section 613 with respect to such coal or iron ore. This subsection shall not apply to income realized by any owner as a co-adventurer, partner, or principal in the mining of such coal or iron ore, and the word "owner" means any person who owns an economic interest in coal or iron ore in place, including a sublessor. The date of disposal of such coal or iron ore shall be deemed to be the date such coal or iron ore is mined. In determining the gross income, the adjusted gross income, or the taxable income of the lessee, the deductions allowable with respect to rents and royalties shall be determined without regard to the provisions of this subsection. This subsection shall have no application, for purposes of applying subchapter G, relating to corporations used to avoid income tax on shareholders (including the determinations of the amount of the deductions under section 535(b) (6) or section 545(b) (5)). This subsection shall not apply to any disposal of iron ore—

(1) To a person whose relationship to the person disposing of such iron ore would result in the disallowance of losses under section 267 or 707(b), or

(2) To a person owned or controlled directly or indirectly by the same interests which own or control the person disposing of such iron ore.

[Sec. 631 as amended by sec. 227, Rev. Act 1964 (78 Stat. 97)]

PAR. 12. Section 1.631-3 is amended to read as follows:

§ 1.631-3 Gain or loss upon the disposal of coal or domestic iron ore with a retained economic interest.

(a) *In general.* (1) The provisions of section 631(c) apply to an owner who disposes of coal (including lignite), or iron ore mined in the United States, held for more than 6 months before such disposal under any form or type of contract whereby he retains an economic interest in such coal or iron ore. The difference between the amount realized from disposal of the coal or iron ore in any taxable year, and the adjusted depletion basis thereof plus the deductions disallowed for the taxable year under section 272, shall be gain or loss upon the sale of the coal or iron ore. See paragraph (b) (4) of this section for the

definition of "owner." See paragraph (e) of this section for special rules relating to iron ore.

(2) In the case of such a disposal, the provisions of section 1231 apply, and the coal or iron ore shall be considered to be property used in the trade or business for the taxable year in which it is considered to have been sold, along with other property of the taxpayer used in the trade or business as defined in section 1231(b), regardless of whether the coal or iron ore is property held by the taxpayer primarily for sale to customers in the ordinary course of his trade or business. Whether gain or loss resulting from the disposition of the coal or iron ore which is considered to have been sold will be deemed to be gain or loss resulting from a sale of a capital asset held for more than 6 months will depend on the application of section 1231 to the taxpayer for the taxable year; i.e., if the gains do not exceed the losses, they shall not be considered as gains and losses from sales or exchanges of capital assets but shall be treated as ordinary gains and losses.

(b) *Rules for application of section.*

(1) For purposes of section 631(c) and this section, the date of disposal of the coal or iron ore shall be deemed to be the date the coal or iron ore is mined. If the coal or iron ore has been held for more than 6 months on the date it is mined, it is immaterial that it had not been held for more than 6 months on the date of the contract. There shall be no allowance for percentage depletion provided in section 613 with respect to amounts which are considered to be realized from the sale of coal or iron ore under section 631(c).

(2) The term "adjusted depletion basis" as used in section 631(c) and this section means the basis for allowance of cost depletion provided in section 612 and the regulations thereunder. Such "adjusted depletion basis" shall include exploration or development expenditures treated as deferred expenses under section 615(b) or 616(b), or corresponding provisions of prior income tax laws, and be reduced by adjustments under section 1016(a) (9) and (10), or corresponding provisions of prior income tax laws, relating to deductions of deferred expenses for exploration or development expenditures in the taxable year or any prior taxable years. The depletion unit of the coal or iron ore disposed of shall be determined under the rules provided in the regulations under section 611, relating to cost depletion.

(3) (i) In determining the gross income, the adjusted gross income, or the taxable income of the lessee, the deductions allowable with respect to rents and royalties (except rents and royalties paid by a lessee with respect to coal or iron ore disposed of by the lessee as an "owner" under section 631(c)) shall be determined without regard to the provisions of section 631(c). Thus, the amounts of rents and royalties paid or incurred by a lessee with respect to coal or iron ore shall be excluded from the lessee's gross income from the property for the purpose of determining his percentage depletion without regard to the treatment of such rents or royalties in

the hands of the recipient under this section. See section 613 and the regulations thereunder.

(ii) (a) However, a lessee who is also a sublessor may dispose of coal or iron ore as an "owner" under section 631(c). Rents and royalties paid with respect to coal or iron ore disposed of by such a lessee under section 631(c) shall increase the adjusted depletion basis of the coal or iron ore and are not otherwise deductible.

(b) The provisions of this subdivision may be illustrated by the following example:

*Example.* B is a sublessor of a coal lease; A is the lessor; and C is the sublessee. B pays A a royalty of 50 cents per ton. C pays B a royalty of 60 cents per ton. The amount realized by B under section 631(c) is 60 cents per ton and will be reduced by the adjusted depletion basis of 50 cents per ton, leaving a gain of 10 cents per ton taxable under section 631(c).

(4) (i) The provisions of this section apply only to an owner who has disposed of coal or iron ore and retained an economic interest. For the purposes of section 631(c) and this section, the word "owner" means any person who owns an economic interest in coal or iron ore in place, including a sublessor thereof. A person who merely acquires an economic interest and has not disposed of coal or iron ore under a contract retaining an economic interest does not qualify under section 631(c). A successor to the interest of a person who has disposed of coal or iron ore under a contract by virtue of which he retained an economic interest in such coal or iron ore is also entitled to the benefits of this section. Section 631(c) and this section shall not apply with respect to any income realized by any owner as co-adventurer, partner, or principal in the mining of such coal or iron ore.

(ii) The provisions of this subparagraph may be illustrated by the following examples:

*Example (1).* A owns a tract of coal land in fee. A leases to B the right to mine all the coal in this tract in return for a royalty of 30 cents per ton. B subleases his right to mine coal in this tract to C, who agrees to pay A 30 cents per ton and to pay to B an additional royalty of 10 cents per ton. Section 631(c) applies to the royalties of both A and B, if the other requisites of the section have been met.

*Example (2).* Assume the same facts as in example (1), except that A dies leaving his royalty interest to D. D has an economic interest in the coal in place and qualifies for section 631(c) treatment with respect to his share of the royalties since he is a successor in title to A.

*Example (3).* Assume the same facts as in example (1), except that E agrees to pay a sum of money to C in return for 10 cents per ton on the coal mined by C. E has an economic interest, since he must look solely to the extraction of the coal for the return of his investment. However, E has not made a disposal of coal under a contract wherein he retains an economic interest, and, therefore, does not qualify under section 631(c). E is entitled to depletion on his royalties.

(c) *Payments received in advance of mining.* (1) (i) Where the conditions of paragraph (a) of this section are met, amounts received or accrued prior to mining shall be treated under section

631(c) as received from the sale of coal or iron ore if the contract of disposal provides that such amounts are to be applied as payment for coal or iron ore subsequently mined. For example, advance royalty payments or minimum royalty payments received by an owner of coal or iron ore qualify under section 631(c) where the contract of disposal grants the lessee the right to apply such royalties in payment of coal or iron ore mined at a later time.

(ii) The provisions of this subparagraph may be illustrated by the following example:

*Example.* A acquires coal rights on January 1. On January 30, A enters into a contract of disposal providing that mining shall begin July 2, and mining actually begins no earlier. Any advance payments which A receives qualify under section 631(c).

(2) However, if the right to mine coal or iron ore under the contract expires, terminates, or is abandoned before the coal or iron ore which had been paid for is mined, the taxpayer shall treat payments attributable to the unmined coal or iron ore as ordinary income and not as received from the sale of coal or iron ore under section 631(c). Accordingly, the taxpayer shall recompute his tax liability for the taxable year in which such payments were received. The recomputation shall be made in the form of an amended return where necessary.

(3) Bonuses received or accrued by an owner in connection with the grant of a contract of disposal shall be treated under section 631(c) as received from the sale of coal or iron ore to the extent attributable to coal or iron ore held for more than 6 months. The rules contained in paragraph (d) of § 1.631-2 relating to bonuses in the case of contracts for the disposal of timber shall be equally applicable in the case of bonuses received for the grant of a contract of disposal of coal or iron ore under this section.

(d) *Nonapplication of section.* Section 631(c) shall not affect the application of the provisions of subchapter G, chapter 1 of the Code, relating to corporations used to avoid income tax on shareholders. For example, for the purposes of applying section 543 (relating to personal holding companies), the amounts received from a disposal of coal or iron ore subject to section 631(c) shall be considered as mineral royalties. The determination of whether an amount received under a contract to which section 631(c) applies is "personal holding company income" shall be made in accordance with section 543 and the regulations thereunder, without regard to section 631(c) or this section. See also paragraph (e) of § 1.272-1.

(e) *Special rules with regard to iron ore.* (1) With regard to iron ore, section 631(c) and this section apply only to amounts received or accrued in taxable years beginning after December 31, 1963, attributable to iron ore mined in such taxable years.

(2) Section 631(c) and this section apply only to disposals of iron ore mined in the United States.

(3) For the purposes of section 631(c) and this section, iron ore is any ore which is used as a source of iron, in-

cluding but not limited to taconite and jaspillite.

(4) Section 631(c) shall not apply to any disposal of iron ore to a person whose relationship to the person disposing of such iron ore would result in the disallowance of losses under section 267 or 707(b).

(5) Section 631(c) shall not apply to any disposal of iron ore to a person owned or controlled directly or indirectly by the same interests which own or control the person disposing of the iron ore. The presence or absence of control shall be determined by applying the same standards as are applied under section 482 (relating to the allocation of income and deductions between taxpayers). Section 631(c) (2) and this subparagraph deny section 631(c) treatment in the case of a contract for disposal of iron ore entered into by parties who do not fall within the provisions of section 631(c) (1), e.g., two "brother and sister" corporations, or a parent corporation and its subsidiary.

PAR. 13. Paragraph (b) of § 1.817-2 is amended by revising subparagraphs (1) (ii) and (3) (iii). The amended provisions read as follows:

§ 1.817-2 Treatment of capital gains and losses.

(b) *Modification of sections 1221 and 1231.* (1) In the case of a life insurance company, section 817(a)(1) provides that for purposes of applying section 1231(a) (relating to property used in the trade or business and involuntary conversions), the term "property used in the trade or business" shall be treated as including only—

(ii) The cutting or disposal of timber, or the disposal of coal or iron ore, to the extent considered arising from a sale or exchange by reason of the provisions of section 631 and the regulations thereunder.

(3) Section 1231(a), as modified by section 817(a)(1) and subparagraph (1) of this paragraph, shall apply to recognized gains and losses from the following:

(iii) The cutting or disposal of timber, or the disposal of coal or iron ore, to the extent considered arising from a sale or exchange by reason of the provisions of section 631 and the regulations thereunder.

PAR. 14. Paragraph (c) of § 1.856-3 is amended to read as follows:

§ 1.856-3 Definitions.

(c) *Interests in real property.* The term "interests in real property" includes fee ownership and co-ownership of land or improvements thereon and leaseholds of land or improvements thereon. Such term does not, however, include mineral, oil, or gas royalty interests, as, for example, a retained economic interest in coal or iron ore with respect to which

the special provisions of section 631(c) apply.

PAR. 15. Paragraph (b) (3) (i) of § 1.871-7 is amended to read as follows:

§ 1.871-7 Tax on nonresident alien individuals.

(b) *No United States business; gross income of more than \$15,400.*

(3) *Amounts considered to be capital gains—(i) Items subject to tax.* The tax of 30 percent also applies, pursuant to the provisions of section 871(a)(1), to amounts received during the taxable year from sources within the United States which are described in section 402(a)(2) (determined with the application of section 402(a)(4)), section 631(b) and (c), section 1235, and for taxable years ending after September 2, 1958, section 403(a)(2) and are considered to be gains from the sale or exchange of capital assets. Thus, the tax applies to gain recognized on certain distributions by an exempt employees' trust where the total distributions, with respect to any employee, are paid to the distributee within one taxable year; to the gain recognized on certain payments under annuity contracts purchased by an employer for an employee under certain qualified annuity plans where the total payments are paid to the payee within one taxable year; to gain recognized under specified circumstances on the disposal of timber, coal, and domestic iron ore and considered in accordance with section 1231 to be gain from the sale or exchange of a capital asset; and to gain recognized on certain transfers of patent rights by an individual.

PAR. 16. Paragraph (c) of § 1.881-2 is amended to read as follows:

§ 1.881-2 Tax on nonresident foreign corporations.

(c) *Amounts considered to be capital gains.* The tax of 30 percent also applies, pursuant to the provisions of section 881(a), to amounts received during the taxable year from sources within the United States which are described in section 631(b) and (c) and are considered to be gains from the sale or exchange of capital assets. Thus, the tax applies to gain recognized under specified circumstances on the disposal of timber, coal, and domestic iron ore and considered in accordance with section 1231 to be a gain from the sale or exchange of a capital asset.

PAR. 17. Section 1.1016 is amended by revising section 1016(a)(15) and adding to the historical note. The amended provisions read as follows:

§ 1.1016 Statutory provisions; adjustments to basis.

Sec. 1016. *Adjustments to basis—(a) General rule.* Proper adjustment in respect of the property shall in all cases be made—

(15) For deductions to the extent disallowed under section 272 (relating to disposal

of coal or domestic iron ore), notwithstanding the provisions of any other paragraph of this subsection;

[Sec. 1016 as amended by sec. 4(c), Act of June 29, 1956 (Pub. Law 629, 84th Cong., 70 Stat. 407); sec. 3(d) (1) and (2), Life Insurance Company Income Tax Act 1959 (73 Stat. 139); sec. 8(g)(2), Rev. Act 1962 (76 Stat. 998); sec. 227(b)(5), Rev. Act 1964 (78 Stat. 98)]

PAR. 18. Paragraph (k) of § 1.1016-5 is amended to read as follows:

§ 1.1016-5 Miscellaneous adjustments to basis.

(k) *Deductions disallowed in connection with disposal of coal or domestic iron ore.* Basis shall be adjusted by the amount of the deductions disallowed under section 272 with respect to the disposal of coal or domestic iron ore covered by section 631.

PAR. 19. Section 1.1231 is amended by revising section 1231(b)(2) and adding to the historical note. The amended provisions read as follows:

§ 1.1231 Statutory provisions; property used in trade or business and involuntary conversions.

Sec. 1231. *Property used in the trade or business and involuntary conversions.*

(b) *Definition of property used in the trade or business.* For purpose of this section—

(2) *Timber, coal, or domestic iron ore.* Such term includes timber, coal, and iron ore with respect to which section 631 applies.

[Sec. 1231 as amended by sec. 49, Technical Amendments Act 1958 (72 Stat. 1642); sec. 227, Rev. Act 1964 (78 Stat. 97)]

PAR. 20. Paragraph (a) and (c) (3) of § 1.1231-1 are amended to read as follows:

§ 1.1231-1 Gains and losses from the sale or exchange of certain property used in the trade or business.

(a) *In general.* Section 1231 provides that a taxpayer's gains and losses from the disposition (including involuntary conversion) of assets described in that section as "property used in the trade or business" and from the involuntary conversion of capital assets held for more than 6 months shall be treated as long-term capital gains and losses if the total gains exceed the total losses. If the total gains do not exceed the total losses, all such gains and losses are treated as ordinary gains and losses. Therefore, if the taxpayer has no gains subject to section 1231, a recognized loss from the condemnation (or from a sale or exchange under threat of condemnation) of even a capital asset held for more than 6 months is an ordinary loss. Capital assets subject to section 1231 treatment include only capital assets involuntarily converted. The noncapital assets subject to section 1231 treatment are (1) depreciable business property and business real property held for more than 6 months, other than stock in trade and certain copyrights and artistic property; (2) timber, coal, and iron ore, but only

to the extent that section 631 applies thereto; and (3) certain livestock and unharvested crops. See paragraph (c) of this section.

(c) *Transactions to which section applies.* Section 1231 applies to recognized gains and losses from the following:

(3) The cutting or disposal of timber, or the disposal of coal or iron ore, to the extent considered arising from a sale or exchange by reason of the provisions of section 631 and the regulations thereunder.

PAR. 21. Paragraph (g) (1) (ii) of § 1.1244(c)-1 is amended to read as follows:

§ 1.1244(c)-1 Section 1244 stock defined.

(g) *Gross receipts.* (1) \* \* \*

(ii) The term "royalties" as used in subdivision (i) of this subparagraph means all royalties, including mineral, oil, and gas royalties (whether or not the aggregate amount of such royalties constitutes 50 percent or more of the gross income of the corporation for the taxable year), and amounts received for the privilege of using patents, copyrights, secret processes and formulas, good will, trademarks, trade brands, franchises, and other like property. The term "royalties" does not include amounts received upon the disposal of timber, coal, or domestic iron ore with a retained economic interest to which the special rules of section 631 (b) and (c) apply or amounts received from the transfer of patent rights to which section 1235 applies. For the definition of "mineral, oil, or gas royalties", see paragraph (b) (1) (ii) and (iii) of § 1.543-1. For purposes of this subdivision, the gross amount of royalties shall not be reduced by any part of the cost of the rights under which they are received or by any amount allowable as a deduction in computing taxable income.

PAR. 22. Paragraph (b) (5) (iii) of § 1.1372-4 is amended to read as follows:

§ 1.1372-4 Termination of election.

(b) *Methods of termination.*  
(5) *Personal holding company income.*

(iii) *Royalties.* The term "royalties" as used in section 1372(e) (5) means all royalties, including mineral, oil, and gas royalties (whether or not the aggregate amount of such royalties constitutes 50 percent or more of the gross income of the corporation for the taxable year), and amounts received for the privilege of using patents, copyrights, secret processes and formulas, good will, trademarks, trade brands, franchises, and other like property. The term "royalties" does not include amounts received upon disposal of timber, coal, or domestic iron ore with a retained economic interest with respect to which the special rules of section 631 (b) and (c) apply or amounts received

from the transfer of patent rights to which section 1235 applies. For the definition of "mineral, oil, or gas royalties," see paragraph (b) (1) (iii) of § 1.543-1. For purposes of this subdivision, the gross amount of royalties shall not be reduced by any part of the cost of the rights under which they are received or by any amount allowable as a deduction in computing taxable income.

PAR. 23. Section 1.1402(a) is amended by revising section 1402(a) (3) (B) and adding to the historical note. The amended provisions read as follows:

§ 1.1402(a) *Statutory provisions; definitions; net earnings from self-employment.*

Sec. 1402. *Definitions*—(a) *Net earnings from self-employment.* \* \* \*

(3) There shall be excluded any gain or loss—

(B) From the cutting of timber, or the disposal of timber, coal, or iron ore, if section 631 applies to such gain or loss, or

[Sec. 1402(a) as amended by sec. 201(a) and (c) (4), Social Security Amendments 1954 (68 Stat. 1087, 1089); sec. 201 (e) (2), (g), and (i), Social Security Amendments 1956 (70 Stat. 840-842); sec. 5(b), Act of Aug. 30, 1957 (Pub. Law 85-239, 71 Stat. 523); sec. 103(k), Social Security Amendments 1960 (74 Stat. 938); sec. 227, Rev. Act 1964 (78 Stat. 97)]

PAR. 24. Paragraph (a) (2) of § 1.1402(a)-6 is amended to read as follows:

§ 1.1402(a)-6 *Gain or loss from disposition of property.*

(a) There is excluded any gain or loss:

(2) From the cutting of timber or the disposal of timber, coal, or iron ore, even though held primarily for sale to customers, if section 631 is applicable to such gain or loss; and

[F.R. Doc. 65-3677; Filed, Apr. 7, 1965; 8:50 a.m.]

## FEDERAL AVIATION AGENCY

[ 14 CFR Part 71 ]

[Airspace Docket No. 65-CE-30]

### CONTROL ZONE AND TRANSITION AREA

#### Proposed Designation

The Federal Aviation Agency is considering an amendment to Part 71 of the Federal Aviation Regulations to designate controlled airspace in the Columbus, Nebr., terminal area.

No controlled airspace is presently designated in the Columbus, Nebr., terminal area.

The Federal Aviation Agency, having completed a comprehensive review of the terminal airspace structural requirements in the Columbus, Nebr., terminal area, including studies attendant to the implementation of the provisions of Amendments 60-21 (26 F.R. 570) and 60-29 (27 F.R. 4012) of Part 60 of the

Civil Air Regulations, proposes to take the following airspace actions:

(1) Designate a control zone at Columbus, Nebr., to comprise that airspace within a 5-mile radius of the Columbus Municipal Airport (latitude 41°28'50" N., longitude 97°20'25" W.), and within 2 miles each side of the Columbus VOR 340° and 141° radials, extending from the 5-mile radius zone to 8 miles N and SE of the VOR, and within 2 miles each side of the 330° bearing from the Columbus RBN, extending from the 5-mile radius zone to 8 miles NW of the RBN. This control zone shall be effective during the times established by a Notice to Airmen and continuously published in the Airman's Information Manual.

(2) Designate a transition area at Columbus, Nebr., to comprise that airspace extending upward from 700 feet above the surface within a 6-mile radius of the Columbus Municipal Airport (latitude 41°28'50" N., longitude 97°20'25" W.), and within 8 miles NE and 5 miles SW of the Columbus VOR 141° radial extending from the VOR to 12 miles SE, and within 8 miles W and 5 miles E of the Columbus VOR 340° radial extending from the VOR to 12 miles N and within 8 miles SW and 5 miles NE of the 330° and 150° bearings from the Columbus RBN extending from 2 miles SE of the RBN to 12 miles NW of the RBN.

The proposed control zone and control zone extensions, when effective, will provide protection for aircraft executing prescribed departure and approach procedures at the Columbus, Nebr., Municipal Airport during the hours of operation of the weather reporting service to be provided by the Columbus, Nebr., weather office, operating under the auspices of the Nebraska State Weather Bureau. The normal hours for the taking of these weather observations and the dissemination of this information will be from 0700 to 1900 local time daily. However, scheduled airline service will commence at Columbus in the near future, and in the event of airline schedule changes, these hours may be changed. Normally, 30 days notice will be given prior to any change by a Notice to Airmen and published in the Airman's Information Manual.

The proposed transition area will provide protection for aircraft while they are holding, transitioning, and in the procedure turn areas of the VOR and ADF approach procedures at the Columbus Municipal Airport. That portion of the proposed transition area which lies south of the south edge of VOR Federal Airway No. 172 will underlie the proposed Lincoln transition area extending upward from 1200 feet above the surface. The Lincoln transition area will become effective April 1, 1965 (Airspace Docket No. 64-CE-82).

Relocation of the Columbus RBN will be undertaken as soon as weather conditions permit.

Specific details of the new approach procedures that would be required may be examined by contacting the Chief, Airspace Branch, Air Traffic Division, Central Region, Federal Aviation Agency, 4825 Troost Avenue, Kansas City, Mo., 64110.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Director, Central Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, 4825 Troost Avenue, Kansas City, Mo., 64110. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief. 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 public Docket will be available for examination by interested persons in the office of the Regional Counsel, Federal Aviation Agency, 4825 Troost Avenue, Kansas City, Mo., 64110.

This amendment is proposed under the authority of sec. 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued at Kansas City, Mo., on March 29, 1965.

HENRY L. NEWMAN,  
Acting Director, Central Region.

[F.R. Doc. 65-3612; Filed, Apr. 7, 1965;  
8:46 a.m.]

#### [ 14 CFR Part 71 ]

[Airspace Docket No. 65-CE-33]

### FEDERAL AIRWAY

#### Proposed Alteration

The Federal Aviation Agency is considering an amendment to Part 71 of the Federal Aviation Regulations that would designate a north alternate segment to VOR Federal airway No. 74 from Ponca City, Okla., via the intersection of the Ponca City 094° and the Tulsa, Okla., 319° True radials, to Tulsa.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, 4825 Troost Avenue, Kansas City, Mo., 64110. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

An 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. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

The proposed alternate airway segment would be used by air traffic control for the routing of traffic at altitudes above 10,000 feet MSL between Ponca City and Tulsa when the Vance No. 2 Intensive Student Jet Training Area is in use.

This amendment is proposed under sec. 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Washington, D.C., on April 1, 1965.

DANIEL E. BARROW,  
Chief, Airspace Regulations  
and Procedures Division.

[F.R. Doc. 65-3613; Filed, Apr. 7, 1965;  
8:46 a.m.]

#### [ 14 CFR Part 71 ]

[Airspace Docket No. 65-CE-42]

### TRANSITION AREA

#### Proposed Designation

The Federal Aviation Agency is considering an amendment to Part 71 of the Federal Aviation Regulations which would alter the controlled airspace in the Spencer, Iowa, terminal area.

Having completed a comprehensive review of the terminal airspace structural requirements in the Spencer, Iowa, terminal area, including studies attendant to the implementation of the provisions of Amendments 60-21 and 60-29 of the Civil Air Regulations, the FAA proposes to establish a transition area at Spencer, Iowa.

The proposed Spencer, Iowa, transition area would be designated to comprise that airspace extending upward from 700 feet above the surface within a 5-mile radius of the Spencer, Iowa, Municipal Airport (latitude 43°09'45" N., longitude 95°11'30" W.), and within 2 miles each side of the 191° bearing from the Spencer Municipal Airport, extending from the 5-mile radius to 8 miles S of the airport; and that airspace extending upward from 1,200 feet above the surface within 5 miles W and 8 miles E of the 191° bearing from the Spencer Municipal Airport, extending from the airport to 12 miles S of the airport, and within 5 miles each side of the 011° bearing from the Spencer Municipal Airport, extending from the airport to V-120.

The proposed 700-foot floor transition will provide protection for departing aircraft during their climb from 700 to 1,200 feet above the surface and for aircraft executing the proposed instrument approach procedure during their descent from 1,500 to 700 feet above the surface.

The proposed 1,200-foot floor transition area will provide protection for aircraft while in the procedure turn area of the proposed instrument approach procedure and while holding. The extension of the transition area to VOR Federal Airway No. 120 is necessary to protect aircraft transitioning from the airway system to Spencer Municipal Airport.

Specific details of the new approach procedures that would be required may be examined by contacting the Chief, Airspace Branch, Air Traffic Division, Central Region, Federal Aviation Agency,

4825 Troost Avenue, Kansas City, Mo., 64110.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Director, Central Region, ATTN: Chief, Air Traffic Division, Federal Aviation Agency, 4825 Troost Avenue, Kansas City, Mo., 64110. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief. 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 public Docket will be available for examination by interested persons in the office of the Regional Counsel, Federal Aviation Agency, 4825 Troost Avenue, Kansas City, Mo., 64110.

This amendment is proposed under the authority of sec. 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued at Kansas City, Mo., on March 30, 1965.

EDWARD C. MARSH,  
Director, Central Region.

[F.R. Doc. 65-3614; Filed, Apr. 7, 1965;  
8:46 a.m.]

## FEDERAL COMMUNICATIONS COMMISSION

#### [ 47 CFR Part 73 ]

[Docket No. 15935; FCC 65-276]

### FM BROADCAST STATIONS

#### Proposed Table of Assignments

In the matter of amendment of § 73.202, Table of Assignments, FM Broadcast Stations (Kirksville, Mo., Rensselaer, Ind., Golden Meadow, La., Xenia, Ohio, Atlantic, Iowa, Omaha and Lincoln, Nebr., Ralls and Lamesa, Tex., Skowhegan, Maine, Park Rapids, Minn., Ukiah, Calif., Cincinnati, Ohio, Tasley, Va., Hamilton, Ala., Booneville and Starkville, Miss., Savannah, Tenn.), Docket No. 15935, RM-701, RM-705, RM-711, RM-714, RM-715, RM-721, RM-716, RM-717, RM-722, RM-726, RM-728, RM-729.

1. Notice is hereby given of proposed rule making in connection with the above-listed requests to change the FM Table of Assignments, § 73.202 of the Commission's rules and regulations. All of the proposals conform to the minimum mileage separations. All proposed assignments within 250 miles of the United States-Canadian border require coordination with the Canadian Government under the terms of the Canadian-United States FM Agreement of 1947 and the Working Arrangement of 1963.

2. *RM-701. Kirksville, Mo.* On December 22, 1964, Community Broadcasters, Inc., licensee of Station KIRX(AM), Kirksville, Mo., filed a petition for rule making seeking the assignment of Channel 233 to that city. Kirksville, a city with a population of 13,123 persons<sup>1</sup>, has been assigned Class A Channel 228A. It has a Class IV standard broadcast station, licensed to petitioner. Community submits that Kirksville is the largest city in its county (Adair), that it is 55 miles distant from the nearest city of comparable size, that it is a major population, manufacturing, and educational center of a large area, and that the surrounding counties are largely rural in nature. Community urges that a Class C facility is necessary to serve the city and large rural trade area surrounding it and that because of this fact and its remoteness from any large city or metropolitan area, Kirksville merits the assignment of a Class C channel.

3. We are of the view that the proposal warrants consideration and invite comments on the following:

City	Channel No.	
	Present	Proposed
Kirksville, Mo.....	228A	228A, 233

Since we have attempted not to mix Class A and C assignments in the same community in order to avoid competitive inequality as far as possible, comments are also invited on this matter.

4. *RM-705. Rensselaer, Ind.* (Jasper County Broadcasting Corp.) and *RM-711. Golden Meadow, La.* (Little Eagle Broadcasting). In these two petitions, it is requested that a Class A assignment be made to a community not now having an FM assignment. Both communities have a daytime-only AM facility and are of sufficient size to warrant an FM assignment. Comments are therefore invited on the following:

City	Channel No.	
	Present	Proposed
Rensselaer, Ind.....		249A
Golden Meadow, La.....		232A

5. *RM-714. Xenia, Ohio.* On January 12, 1965, Greene Information Center, Inc., licensee of Station WGIC(AM), Xenia, Ohio, filed a petition requesting the addition of Channel 237A to the existing assignment of Channel 280A in Xenia. Xenia, population 20,445, is the county seat and largest community in Greene County (population 94,642). WGIC is a daytime-only station and is operated by petitioner. Station WHBM operates on Channel 280A, the only FM assignment in the city. Petitioner submits that as a daytime-only station it cannot operate before sunrise and after sunset at Xenia and that because it is located near the western border of the eastern standard time zone its hours of operation vary greatly, making the op-

eration highly uneconomical. It outlines its past efforts to obtain an FM station and contends that the addition of Channel 237A to Xenia would result in achieving a more effective and efficient use of available facilities. Finally, petitioner states that the assignment can be made in full conformance with the rules provided a site about 4 miles southeast of the city is utilized.

6. We are of the view that the proposal merits rule making and invite comments on the petitioner's proposal as follows:

City	Channel No.	
	Present	Proposed
Xenia, Ohio.....	280A	237A, 280A

7. *RM-715. Atlantic, Iowa.* On February 19, 1965 Nishna Valley Broadcasting Corp., licensee of Station KJAN(AM), Atlantic, Iowa, filed an amended petition seeking the assignment of Channel 279 to Atlantic by substituting Channel 270 for 279 at Omaha, Nebr. and substituting Channel 245 for 270 at Lincoln, Nebr. Atlantic has a population of 6,890 persons and Station KJAN (daytime-only) is the only station in the community. Nishna Valley submits that Cass County, in which Atlantic is located, does not have an FM assignment, that the nearest FM assignments are more than 50 miles distant and that the proposal would serve the public interest. No applications are pending for the assignments which would be changed by the proposal.

8. Our past policy has been to assign Class A channels to the smaller communities and Class B or C assignments to the larger cities and metropolitan areas, with exceptions made in those cases where the small community was remotely located with respect to large cities and surrounded by rural areas. Atlantic may be a community which warrants a Class C assignment and comments are invited on this consideration as well as the petitioner's proposal, as follows:

City	Channel No.	
	Present	Proposed
Atlantic, Iowa.....		270
Lincoln, Nebr.....	237A, 270, 274, 292A, 297	237A, 245, 274, 292A, 297
Omaha, Nebr.....	222, 231, 241, 253, 260, 264, 279, 283	222, 231, 241, 253, 260, 264, 270, 283

9. *RM-716. Ralls, Tex.* On January 21, 1965, KCLR, Inc., licensee of Station KCLR(AM), Ralls, Tex., filed a petition for rule making requesting the assignment of Class C Channel 278 to Ralls. Ralls is a community of 2,229 persons and is the largest community (though not the county seat) of Crosby County, which has a population of 10,347 persons. KCLR is a daytime-only station. Ralls is situated about 27 miles from Lubbock, which has assigned six Class C assignments. KCLR states that two small communities within 25 miles of Ralls (Floydada and Slaton) have been as-

signed Class A channels but that it does not wish to apply for either of these assignments, since it would prefer not to move the only assignment in a community. It further states that the proposal conforms to all the rules.

10. Ralls is the type of community for which the Class A channels were intended since it is quite small and is located near a large city which has a number of wide-area assignments. The two communities which the petitioner cites as having a Class A assignment are both larger than Ralls. No showing has been made that a Class A channel would not adequately serve this community. In view of this, comments are invited on the following proposal to assign Channel 252A to Ralls. This assignment would require the deletion of Channel 251 at Lamesa (unoccupied and not applied for); but this should be deleted anyhow because it is short-spaced to Channel 250 at Odessa, Tex. Comments are invited on the following; which would substitute another channel for 251 at Lamesa:

City	Channel No.	
	Present	Proposed
Ralls, Tex.....		252A
Lamesa, Tex.....	251, 262	262, 284

11. *RM-717. Skowhegan, Maine.* On March 1, 1965, Community Broadcasting Service, licensee of FM Station WABI-FM, and TV Station WABI-TV, Bangor, Maine filed an amended petition requesting the Commission to delete Channel 244A from Skowhegan, Maine, and to substitute Channel 296A. No application has been filed for Channel 244A at Skowhegan. The purpose of the requested change is to permit Station WABI-FM to move from its present site (Copeland Hill, 5.5 miles southeast of Bangor) to a new site (Dixmont, 17 miles WSW of Bangor). Petitioner states that the proposed move of both the FM and TV stations would improve their service to the public and remove what the FAA believes to be a hazard to air navigation at the present site.

12. We are of the view that the proposal merits rule making and invite comments on the following:

City	Channel No.	
	Present	Proposed
Skowhegan, Maine.....	244A	296A

13. *RM-722. Park Rapids, Minn.* On February 8, 1965, De La Hunt Broadcasting Corp., licensee of Station KPRM(AM), Park Rapids, Minn., filed a petition requesting the assignment of Channel 279 to Park Rapids. Park Rapids is the largest community in Hubbard County and is its county seat. It has a population of 3,047 persons. There is a Class IV AM station in operation but no FM assignment in the community. Petitioner urges the assignment of a Class C channel and states that Channel 279 may be assigned without disturbing any other assignment. Normally, our policy is to assign Class A

<sup>1</sup> All population figures herein are those of the 1960 U.S. Census.

channels to small communities and Class B or C channels to the larger cities and metropolitan areas. We have made exceptions to this policy in those cases where the small community was in a largely rural area and was far removed from any large city. This appears to be the case in Park Rapids. Comments are invited on this aspect of the proposal as well as the following:

City	Channel No.	
	Present	Proposed
Park Rapids, Minn.....		279

14. *RM-726. Ukiah, Calif.* On February 9, 1965, Woodrow W. White and John Oliveira, d/b/a J & W Broadcasters, applicant for a new FM station on Channel 228A at Ukiah, filed a petition seeking the assignment of a second Class A channel (232A) to Ukiah. Ukiah has a population of 9,900 and is the largest community and county seat of Mendocino County, which has a population of 51,059. Two AM stations are in operation in that community (one daytime-only and one Class IV). There are on file two applications for the sole FM assignment in the city. Petitioners submit that unless a second assignment is made to Ukiah a long and costly hearing will be necessary and that service will be delayed for at least 18 months. They further urge that the city needs a choice of service from local FM stations and that the assignment can be made in full conformance with the rules.

15. We are of the view that the proposal warrants rule making and invite comments on petitioner's proposal as follows:

City	Channel No.	
	Present	Proposed
Ukiah, Calif.....	228A	228A, 232A

16. *RM-728. Cincinnati, Ohio.* On February 12, 1965, Radio Station WPAY, Inc., licensee of FM Station WPAY-FM, Portsmouth, Ohio, filed a petition seeking the deletion of Channel 282 from Cincinnati, Ohio. WPAY points out that at the time the FM Table of Assignments was adopted WAEF-FM was operating on Channel 282 at Cincinnati with the following short spacings:

WPAY-FM, Channel 281 Portsmouth, Ohio, 86 miles instead of required 135.<sup>2</sup>  
 WMUN, Channel 281, Muncie, Ind., 86 miles instead of 105 miles.  
 WAJC, Channel 283, Indianapolis, 103 miles instead of 105 miles.

Since that time WAEF-FM has been authorized to operate on Channel 253. WPAY-FM urges that, but for the existence of the Channel 282 assignment at Cincinnati, it could, under the recently adopted § 73.213, apply for the maximum facilities authorized for its class of station. If the requested amendment is not adopted WPAY-FM would be limited to 50 kw and 2000 feet antenna height.

<sup>2</sup> WPAX-FM is located in Zone II in Kentucky.

An application requesting 97.1 kw ERP has been filed with the Commission. As a result WPAY urges that we delete Channel 282 at Cincinnati from the Table. It submits that the Table provides for seven other FM assignments in Cincinnati and three additional assignments in nearby Hamilton, that there is no need for the retention of this assignment, and that there is no area within 50 miles of Cincinnati where this assignment may be used in compliance with the spacing rules.

17. We stated in the Fourth Report and Order (FCC 64-919) issued on October 9, 1964 in Docket 14185, that with respect to short spaced stations which turn in their licenses, the action we take will depend on the number of assignments in the area, the need for assignments elsewhere, and the shortages involved. We are of the view that the proposal before us merits rule making and invite comments on the petitioner's request as follows:

City	Channel No.	
	Present	Proposed
Cincinnati, Ohio.....	223, 227, 231, 253, 270, 274, 282, 286	223, 227, 231, 253, 270, 274, 286

18. *RM-729. Tasley, Va.* On February 15, 1965 Accomack-Northampton Broadcasting Co., Inc., licensee of Station WESR(AM), Tasley, Va., filed a petition requesting the assignment of Channel 277 to Tasley. Tasley is an unincorporated area with a population of 742 persons. It is located near the central portion of the Eastern Shore region of Virginia close to several small communities, the largest of which is Onancock (population 1,745). The Eastern Shore area consists of two counties, Accomack with a population of 30,635 and Northampton with a population of 16,966. There is only one AM station in the region, WESR (daytime-only) and no FM assignment. Petitioner points out that the nearest Class A assignment is about 25 miles (Pocomoke City, Md.) and the nearest Class B assignment is over 50 miles (Ocean City, Md.). It is urged that there is a need for the Class B assignment because of the isolation of the area, and the need to bring nighttime service to this predominantly rural region.

19. Tasley, because of the distance from any large city or metropolitan area and because of the rural nature of the surrounding area, may be the type of community which merits a departure from our policy of generally making Class A assignments to small communities. We believe therefore, that comments should be invited on the petitioner's proposal as follows:

City	Channel No.	
	Present	Proposed
Tasley, Va.....		277

20. *RM-721. Hamilton, Ala.* On February 13, 1965, Kate F. Fite, licensee of Station WERH(AM), Hamilton, Ala., filed an amended petition for rule mak-

ing proposing the assignment of Class C Channel 248 to Hamilton by making other changes in the Table as follows:

City	Channel No.	
	Present	Proposed
Hamilton, Ala.....		248
Starkville, Miss.....	249A	259A
Booneville, Miss.....	269A	257A
Savannah, Tenn.....	249A	269A

Hamilton is a community of 1,934 persons and is located in the northwest section of the State. Station WERH is a daytime-only station and no FM assignments are within 25 miles of Hamilton. Petitioner urges that a Class C assignment is needed to serve a nighttime primary AM "white area," and since a large area surrounding Hamilton does not receive any FM service and is not expected to receive such service. Petitioner further urges that this community merits an exception to the policy of assigning Class A channels to the smaller communities on the grounds that it is far removed from a large city or metropolitan area, the nearest metropolitan area being at Tuscaloosa, about 70 miles distant, and that the area is largely a rural one. There is an application on file for Channel 249A at Savannah, Tenn. (BPH-4475), and this would have to be amended in the event the proposal is adopted.

21. The Commission is of the view that rule making is warranted in this case and invites comments on the following proposal:

City	Channel No.	
	Present	Proposed
Hamilton, Ala.....		248
Starkville, Miss.....	249A	269A
Booneville, Miss.....	269A	257A
Savannah, Tenn.....	249A	269A

22. Authority for the adoption of the amendments proposed herein is contained in sections 4(i), 303, and 307(b) of the Communications Act of 1934, as amended.

23. Pursuant to applicable procedures set out in § 1.415 of the Commission's rules, interested parties may file comments on or before May 3, 1965, and reply comments on or before May 14, 1965. All submissions by parties to this proceeding or by persons acting in behalf of such parties must be made in written comments, reply comments or other appropriate pleadings.

24. In accordance with the provisions of § 1.419 of the rules, an original and 14 copies of all written comments, replies, pleadings, briefs, or other documents shall be furnished the Commission.

Adopted: March 31, 1965.

Released: April 5, 1965.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] BEN F. WAPLE,  
Secretary.

[F.R. Doc. 65-3659; Filed, Apr. 7, 1965; 8:48 a.m.]

<sup>3</sup> Commissioner Loevinger absent.

## FEDERAL MARITIME COMMISSION

[ 46 CFR Part 537 ]

[Docket No. 1194]

## CONFERENCE AGREEMENT PROVISIONS RELATING TO CONCERTED ACTIVITIES

## Amended Notice of Proposed Rule Making

The Commission previously published proposed rules in this docket in the FEDERAL REGISTER issue of August 6, 1964 (29 F.R. 11384). In accordance with the provisions of section 4, Administrative Procedure Act (5 U.S.C. 1003) and sections 15 and 43 of the Shipping Act, 1916, notice is hereby given that the Federal Maritime Commission is considering modifying § 537.2(a) of the proposed rules as originally published. As modified, § 537.2(a) would read as follows:

## § 537.2 Provisions of agreements.

(a) A provision stating the exact manner in which the joint business of the parties may be carried out, i.e., full conference meeting, agents' meeting, principals' meeting, owners' meeting, through committees or subcommittees, telephone or oral polls, or through any other procedure by which the business of the joint parties may be conducted. This provision shall also include quorum requirements, and the types of vote necessary to take various actions; i.e., majority, two-thirds, three-fourths, majority plus one, unanimous, etc., and also include a requirement that all votes be fully reported, that is, the vote of each individual member by name, on each question voted on, shall be reported.

Interested parties may comment on this modification by submitting an original and 15 copies of written statements, data, views, or arguments pertaining thereto and any request for oral argument, should the same be desired, to the Secretary, Federal Maritime Commission, Washington, D.C., 20573. All such communications received by close of business May 3, 1965, will be considered.

By the Commission.

[SEAL]

THOMAS LESI,  
Secretary.[F.R. Doc. 65-3652; Filed, Apr. 7, 1965;  
8:48 a.m.]

## SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

[ 33 CFR Part 401 ]

## SEAWAY RULES

## Notice of Proposed Rule Making

Notice is hereby given that the Saint Lawrence Seaway Development Corporation, acting jointly with the St. Law-

rence Seaway Authority of Canada pursuant to provisions of its enabling act (33 U.S.C. 981 et seq.), proposes to adopt miscellaneous amendments with respect to Subpart B—Rules, of 33 CFR Part 401.

Interested parties may submit written comments and suggestions in connection with the amendments proposed herein to the Saint Lawrence Seaway Development Corporation, Seaway Circle, Massena, N.Y. (Attention: Counsel). Formal adoption of these amendments by the Seaway agencies is contemplated for the 1965 navigation season of the St. Lawrence Seaway.

Proposed amendments in Subpart B—Rules, of 33 CFR Part 401, as revised by 28 F.R. 3754-62 and amended by 29 F.R. 5034, are set forth below.

I. It is proposed that the rules respecting condition of vessels, §§ 401.102-1 to 401.102-19, be amended by revising § 401.102-4 (on masts) to account for vertical clearance restrictions at new bridges under construction; by revising § 401.102-8 (on drainage pipes) for clarification; by revising § 401.102-14 (on hand lines) to preclude the use of materials of insufficient tensile strength and by adding § 401.102-20 (on oily-water separators) in the interest of protecting the Seaway from pollution by oil, as follows:

## § 401.102-4 Masts.

No vessel shall transit any part of the Seaway if a mast on the vessel extends more than one hundred and seven feet above water level, and no vessel shall transit the Lachine Canal if a mast on the vessel extends more than fifty-nine feet above water level.

## § 401.102-8 Discharge pipes.

No vessels shall transit with pipes which discharge onto the top of a tie-up or lock wall. Discharge pipes will be rigged to assure that overboard discharge will be diverted into the water.

## § 401.102-14 Hand lines.

Hand lines must be of Manila or other acceptable material and must have a minimum diameter of one-half inch and a minimum length of one hundred feet and must not be knotted or weighted when they are to be used in the chamber of a lock.

## § 401.102-20 Oily-water separators.

It is strongly recommended that vessels which cannot contain waste oil products or bilge water containing waste oil products shall be equipped with oily-water separators or other such equipment for the extraction of oil products from waste water before discharge.

II. It is further proposed that the rules respecting radio communications, §§ 401.103-1 to 401.103-8, be amended by revising § 401.103-2 for clarification, as follows:

## § 401.103-2 Radio-telephone frequencies.

The Seaway stations operate on the following assigned VHF frequencies:

156.8 Mcs—Safety and calling.  
156.7 Mcs—Working (Canadian stations).  
156.6 Mcs—Working (Eisenhower station).

The Seaway stations maintain a listening watch, for emergency only, on 2182 Kcs.

III. It is further proposed that the rules respecting transit instructions, §§ 401.104-1 to 401.104-47, be amended by revising § 401.104-8 (on masts) respecting vertical clearance restrictions; by deleting § 401.104-16 which pertained to the Lachine Canal, no longer in operation; by deleting the words "Lachine Canal" in subsection (a) of § 401.104-30 (on turning basins) and by adding § 401.104-48 on the prevention of oil pollution, as follows:

## § 401.104-8 Furnishing information re masts.

Vessels, whose masts extend more than one hundred and ten feet above water level, shall not transit any part of the Seaway until precise information concerning the height of the masts has been furnished to the dispatcher or officer in charge; and vessels, whose masts extend more than fifty-four, shall not transit the Lachine Canal until the same condition has been fulfilled.

## § 401.104-16 [Deleted]

## § 401.104-30 Turning basins.

A vessel shall not be turned about in any canal, except at the following turning basins and, in the case of those in the South Shore and Welland Canals, except with authorization from the dispatcher.

## South Shore Canal:

- (a) Turning Basin No. 1.
- (b) Turning Basin No. 2.

## Welland Canal:

- (a) Opposite St. Catharines Wharf for vessels up to three hundred and fifty feet.
- (b) Between Bridge 8 and Bridge 9 for vessels up to five hundred and fifty feet.
- (c) Three thousand feet south of Bridge 12 for vessels up to six hundred feet.
- (d) North of Lock No. 8 for vessels up to five hundred and fifty feet.

## Lachine Canal:

- (a) [Deleted]
- (b) Below Lock No. 4.

## Cornwall Canal:

- (a) Above Lock No. 19.
- (b) Three thousand feet above Lock No. 18—with permission of the Canal Superintendent.

## Third Welland Canal:

- (a) Above Lock No. 1 at Port Dalhousie.

## § 401.104-48 Prevention of oil pollution.

No vessel in transit shall discharge, dump or pump oil products or bilge containing oil products into the Seaway or adjacent waters. A record shall be kept by vessels of each location within the Seaway or adjacent waters where bilge water has been discharged.

IV. It is lastly proposed that the rules respecting toll assessment and collection, §§ 401.106-1 to 401.106-10, be amended by deleting § 401.106-8 which dealt with through transits of the Lachine Canal; and by revising § 401.106-10 (on off-loaded weights) for the purpose of clarification, as follows:

## PROPOSED RULE MAKING

§ 401.106-8 [Deleted]

§ 401.106-10 Off-loaded weights.

The loaded or manifest weight of cargo must be shown for tolls assessment purposes, except in the case of petroleum products where gallonage meters are not available at the point of loading, in which case off-loaded weights will be acceptable.

(68 Stat. 93-97, 33 U.S.C. 981-990, as amended)

SAINT LAWRENCE  
SEAWAY DEVELOPMENT  
CORPORATION,

[SEAL] JOSEPH H. McCANN,  
*Administrator.*

[P.R. Doc. 65-3600; Filed, Apr. 7, 1965;  
8:45 a.m.]

# Notices

## CIVIL AERONAUTICS BOARD

[Docket 15949]

### MOHAWK STUDENT FARES

#### Notice of Prehearing Conference

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on April 20, 1965, at 10 a.m., e.s.t. in Room 925, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Examiner James S. Keith.

Dated at Washington, D.C., April 5, 1965.

[SEAL] FRANCIS W. BROWN,  
Chief Examiner.

[P.R. Doc. 65-3679; Filed, Apr. 7, 1965;  
8:50 a.m.]

[Docket 11908 etc.]

### REOPENED TRANSATLANTIC CHARTER INVESTIGATION

#### Notice of Prehearing Conference

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on May 4, 1965, at 10 a.m., d.e.s.t., in Room 911, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Examiner Ralph L. Wisner.

In order to facilitate the conduct of the conference, interested parties are instructed to submit to the Examiner and other parties on or before April 22, 1965: (1) Formal motions with respect to the proceeding, including motions to consolidate or expand (such motions should be filed separately and comply with the Board's rules of practice, with 20 copies being filed with the Docket Section); (2) proposed statements of issues; (3) proposed stipulations, if any; (4) requests for information; (5) statements of positions of parties; and (6) proposed procedural dates.

Dated at Washington, D.C., April 5, 1965.

[SEAL] FRANCIS W. BROWN,  
Chief Examiner.

[P.R. Doc. 65-3680; Filed, Apr. 7, 1965;  
8:50 a.m.]

## FEDERAL COMMUNICATIONS COMMISSION

[FCC 65-267]

### STANDARD BROADCAST APPLICATIONS READY AND AVAILABLE FOR PROCESSING

APRIL 2, 1965.

Notice is hereby given, pursuant to § 1.571(c) of the Commission rules, that on May 11, 1965 the standard broadcast

applications listed below will be considered as ready and available for processing. Pursuant to § 1.227(b)(1) and § 1.591(b) of the Commission's rules, an application, in order to be considered with any application appearing on the attached list or with any other application on file by the close of business on May 10, 1965, which involves a conflict necessitating a hearing with an application on this list, must be substantially complete and tendered for filing at the offices of the Commission in Washington, D.C., by whichever date is earlier: (a) The close of business on May 10, 1965, or (b) the earlier effective cut-off date which a listed application or any other conflicting application may have by virtue of conflicts necessitating a hearing with applications appearing on previous lists.

The attention of any party in interest desiring to file pleadings concerning any pending standard broadcast application pursuant to section 309(d)(1) of the Communications Act of 1934, as amended, is directed to § 1.580(l) of the Commission rules for provisions governing the time of filing and other requirements relating to such pleadings.

Adopted: March 31, 1965.

### FEDERAL COMMUNICATIONS COMMISSION,<sup>1</sup>

[SEAL] BEN F. WAPLE,  
Secretary.

Applications from the top of the processing line:

- BP-16351 KBEW, Blue Earth, Minn.  
Faribault County Broadcasting Co.  
Has: 1560 kc, 250 w, Day.  
Req: 1560 kc, 1 kw, Day.
- BP-16390 New, Jamestown, Ky.  
Russell Broadcasting Corp.  
Req: 1060 kc, 1 kw, Day.
- BP-16392 KOLT, Scottsbluff, Nebr.  
Hilliard Co.  
Has: 1320 kc, 1 kw, 5 kw-LS, DA-2, U.  
Req: 1320 kc, 1 kw, 5 kw-LS, DA-N, U.
- BP-16398 New, Oconto, Wis.  
Robert Henry Koeller.  
Req: 1260 kc, 1 kw, Day.
- BP-16406 KRUN, Ballinger, Tex.  
Central West Broadcasting Co.  
Has: 1400 kc, 250 w, S.H.  
Req: 1400 kc, 250 w, 1 kw-LS, S.H.
- BP-16407 WEWO, Laurinburg, N.C.  
Scotland Broadcasting Co.  
Has: 1080 kc, 1 kw, Day.  
Req: 1080 kc, 5 kw, 1 kw (C.H.), Day.
- BP-16414 New, St. Anthony, Idaho.  
Theodore W. Austin.  
Req: 1400 kc, 250 w, 1 kw-LS, U.
- BP-16415 KOAL, Price, Utah.  
Eastern Utah Broadcasting Co.  
Has: 1230 kc, 250 w, U.  
Req: 1230 kc, 250 w, 1 kw-LS, U.
- BP-16420 WLUV, Loves Park, Ill.  
Loves Park Broadcasting Co.  
Has: 1520 kc, 500 w, Day.  
Req: 1520 kc, 1 kw, 500 w (C.H.), Day.

<sup>1</sup> Commissioner Loevinger absent.

- BP-16421 WOKB, Winter Garden, Fla.  
Everbach Broadcasting Co., Inc.  
Has: 1600 kc, 1 kw, Day.  
Req: 1600 kc, 5 kw, DA, Day.
- BP-16424 WCNW, Fairfield, Ohio.  
Walter L. Follmer, Inc.  
Has: 1560 kc, 1 kw, DA, Day  
(Hamilton, Ohio).  
Req: 1560 kc, 5 kw, 1 kw (C.H.), DA-2, Day.
- BP-16425 New, Clinton, Miss.  
Clinton Broadcasting Co.  
Req: 1110 kc, 1 kw, Day.
- BP-16426 New, Portage, Mich.  
Portage Broadcasting Corp.  
Req: 1560 kc, 1 kw, DA, Day.
- BP-16428 New, Cochran, Ga.  
Bleckley County Broadcasting Co.  
Req: 1440 kc, 1 kw, Day.
- BP-16429 KVBR, Brainerd, Minn.  
Greater Minnesota Broadcasting Corp.  
Has: 1340 kc, 250 w, U.  
Req: 1340 kc, 250 w, 1 kw-LS, U.  
New, Natchez, Miss.  
Twin-State Radio, Inc.  
Req: 1390 kc, 5 kw, DA, Day.
- BP-16456 New, Window Rock, Ariz.  
The Navajo Bible School & Mission.  
Req: 1300 kc, 1 kw, Day.
- BP-16457 WCRW, Chicago, Ill.  
WCRW, Inc.  
Has: 1240 kc, 250 w, S-WEDC, WSBC.  
Req: 1240 kc, 250 w, 1 kw-LS, S-WEDC, WSBC.
- BP-16458 New, Lemmon, S. Dak.  
Lemmon Broadcasting Co., Inc.  
Req: 1400 kc, 250 w, U.
- BP-16460 WPHC, Waverly, Tenn.  
Humphreys County Broadcasting Co.  
Has: 1540 kc, 1 kw, 500 w. (C.H.), Day.  
Req: 1060 kc, 1 kw, Day.
- BP-16461 New, Sioux Center, Iowa.  
Tri-State Broadcasters.  
Req: 1070 kc, 500 w, Day.
- BP-16462 WIVK, Knoxville, Tenn.  
Dick Broadcasting Co., Inc. of Tennessee.  
Has: 860 kc, 1 kw, Day.  
Req: 850 kc, 50 kw, DA, Day.
- BP-16464 New, Brunswick, Md.  
Elektra Broadcasting Corp.  
Req: 1520 kc, 250 w, Day.
- BP-16465 New, Wheaton, Ill.  
Central DuPage County Broadcasting Co.  
Req: 1530 kc, 500 w (250 w, C.H.), Day.
- BP-16466 New, Wilkesboro, N.C.  
Wilkesboro Broadcasting Co.  
Req: 1240 kc, 100 w, U.
- BP-16470 New, Atoka, Okla.  
Bill Hoover.  
Req: 1110 kc, 5 kw, DA, Day.
- BP-16471 New, Arlington Heights, Ill.  
Jerome F. Cerny.  
Req: 1530 kc, 1 kw, DA, Day.
- BP-16472 WVOC, Battle Creek, Mich.  
WVOC, Inc.  
Has: 1500 kc, 1 kw, DA, Day.  
Req: Changes in directional antenna system.
- BP-16474 New, Carlsbad, N. Mex.  
Kolob Broadcasting Co.  
Req: 930 kc, 1 kw, Day.
- BP-16475 New, Allendale, S.C.  
All-Fair Broadcasting Co.  
Req: 1460 kc, 500 w, Day.
- BP-16476 New, Homestead, Fla.  
Redlands Broadcasting Co., Inc.  
Req: 1430 kc, 500 w, Day.

- BP-16478 New, Natick, Mass.  
Home Service Broadcasting Corp.  
Req: 1060 kc, 1 kw, DA, Day.
- BP-16480 New, Barnesville, Ga.  
Barnesville Broadcasting Co.  
Req: 1090 kc, 500 w, Day.
- BP-16485 KGFX, Pierre, S. Dak.  
Black Hills Radio, Inc.  
Has: 630 kc, 200 w, Day.  
Req: 1060 kc, 10 kw, DA, Day.
- BP-16486 WAGL, Lancaster, S.C.  
Palmetto Broadcasting System, Inc.  
Has: 1560 kc, 1 kw, 500 w (C.H.), Day.  
Req: 1560 kc, 10 kw, 500 w (C.H.), Day.
- BP-16487 KQOT, Yakima, Wash.  
KQOT, Inc.  
Has: 940 kc, 250 w, Day.  
Req: 930 kc, 1 kw, Day.
- BMP-11448 WLLI, Brookneal, Va.  
Lester L. Williams.  
Has: CP-1230 kc, 250 w, U.  
Req: 1230 kc, 250 w, 1 kw-LS, U.
- BP-16488 New, Trenton, Tenn.  
Trentone, Inc.  
Req: 1500 kc, 1 kw, Day.
- BP-16489 WJES, Johnston, S.C.  
The Edgefield Saluda Radio Co.  
Has: 1570 kc, 250 w, D.  
Req: 810 kc, 1 kw, D.
- BP-16492 WPEG, Winston-Salem, N.C.  
WPEG, Inc.  
Has: 1550 kc, 1 kw, Day.  
Req: 1560 kc, 10 kw, DA, Day.
- BP-16493 New, Memphis, Tex.  
M.W.C. Broadcasting Co.  
Req: 1130 kc, 1 kw, DA, Day.
- BP-16494 New, Vernon, Ala.  
Lamar County Broadcasting Co.  
Req: 1380 kc, 1 kw, Day.
- BP-16495 New, Vivian, La.  
North Caddo Broadcasting Co.  
Req: 1600 kc, 500 w, Day.
- BP-16496 WDVA, Danville, Va.  
Virginia - Carolina Broadcasting Corp.  
Has: 1250 kc, 1 kw, 5 kw-LS, DA-N, U.  
Req: 1250 kc, 5 kw, DA-N, U.
- BP-16501 New, Madison, Ala.  
Goodman Broadcasting Co.  
Req: 1110 kc, 1 kw, D.
- BP-16502 WFMI, Montgomery, Ala.  
Fine Music, Inc.  
Has: 1500 kc, 500 w, D.  
Req: 1000 kc, 10 kw, 5 kw (C.H.), D.
- BP-16509 KGNS, Laredo, Tex.  
Southwestern Operating Co.  
Has: 1300 kc, 500 w, D.  
Req: 1300 kc, 1 kw, D.
- BP-16510 WVSC, Somerset, Pa.  
Radio Station WVSC, Inc.  
Has: 990 kc, 250 w, Day.  
Req: 990 kc, 5 kw, DA, Day.
- BP-16511 New, Chatham, Va.  
George G. Beasley.  
Req: 1080 kc, 1 kw, D.
- BP-16513 New, Athens, Tenn.  
3 J's Broadcasting Co.  
Req: 1390 kc, 500 w, D.
- BP-16514 KRBA, Lufkin, Tex.  
Darrell E. Yates.  
Has: 1340 kc, 250 w, U.  
Req: 1340 kc, 250 w, 1 kw-LS, U.
- BP-16515 New, Englewood, Tenn.  
Norman Thomas & Associates, Inc.  
Req: 1090 kc, 1 kw, D.
- BP-16517 KISN, Vancouver, Wash.  
Star Broadcasting Inc.  
Has: 910 kc, 1 kw, DA-N, U.  
Req: 910 kc, 1 kw, 5 kw-LS, DA-2, U.
- BP-16518 KDBM, Dillon, Mont.  
Vigilante Broadcasting Co., Inc.  
Has: 800 kc, 1 kw, D.  
Req: 1490 kc, 250 w, 1 kw-LS, U.

- BP-16519 New, Sparta, N.C.  
H. Sid Comer.  
Req: 1060 kc, 250 w, D.
- BP-16523 New, Martinsburg, Pa.  
Beacon Broadcasting Concern.  
Req: 1110 kc, 5 kw, 1 kw (C.H.), Day.
- BP-16545 New, Colonial Heights, Tenn.  
Ogram Broadcasting Corp.  
Req: 1090 kc, 1 kw, D.
- BP-16546 KTOW, Sand Springs, Okla.  
Big Chief Broadcasting Co. of Tulsa, Inc.  
Has: 1340 kc, 250 w, U.  
Req: 1340 kc, 250 w, 1 kw-LS, U.
- BP-16555 New, Beckley, W. Va.  
Christian Broadcasting Corp.  
Req: 1060 kc, 10 kw, 1 kw (C.H.), D.
- BP-16560 New, Wagoner, Okla.  
Lum-A Humphries, Trading as Wagoner Radio Co.  
Req: 1530 kc, 250 w, D.
- BP-16570 New, Yoakum, Tex.  
H. H. Huntley.  
Req: 1130 kc, 10 kw, DA, Day.
- BP-16589 KGIW, Alamosa, Colo.  
Darrel K. Burns.  
Has: 1450 kc, 250 w, U.  
Req: 1450 kc, 250 w, 1 kw-LS, U.
- BP-16601 WXTN, Lexington, Miss.  
Holmes County Broadcasting Co.  
Has: 1150 kc, 500 w, D.  
Req: 1000 kc, 5 kw, D.

Application deleted from Public Notice of July 27, 1964 (Mimeo #55075) (29 F.R. 11168)

- BP-16256 New, Yoakum, Tex.  
H. H. Huntley.  
Req: 1130 kc, 5 kw, DA-Day.  
(Assigned new File Number BP-16570.)  
[P.R. Doc. 65-3660; Filed, Apr. 7, 1965; 8:48 a.m.]

[Docket No. 13439; FCC 65-239]

### AMERICAN TELEPHONE & TELEGRAPH CO.

#### Regulations and Charges Regarding Private Line Teletypewriter Service

In the matter of American Telephone & Telegraph Co., Docket No. 13439; regulations and charges for certain equipment on an 82-B-1 type relay system for use in connection with private line teletypewriter service.

1. This docket involved an investigation into the regulations and charges applicable to an 82-B-1 relay system to be used in connection with private line teletypewriter service supplied to the United States Navy. These regulations and charges were contained in A.T.&T. Co. Tariff F.C.C. No. 208, 8th Revised Page 35A and 3d Revised Page 35 CA, filed on behalf of California Water & Telephone Co. (California Water).

2. On July 12, 1960, California Water filed a motion which inter alia requested that the investigation in Docket No. 13439 be dismissed. The United States of America, through its Administrator of General Services, filed, on July 21, 1960, an opposition to the motion of California Water to dismiss the proceeding, based primarily on a comparison of the rates filed on behalf of California Water and the lower rates of A.T.&T. Co., for similar equipment and service. The Commission, in Order FCC 60-1226, released October 18, 1960, denied this request in

substantial part. In taking this action, the Commission noted that it was engaged in investigating private line rates of the A.T.&T. Co. in Docket No. 11645 and that any conclusions which might be reached in that proceeding might affect the regulations and charges being investigated in Docket No. 13439. In view of the foregoing, the Commission found that it was in the public interest to continue the investigation in Docket No. 13439 pending final Commission action in Docket No. 11645.

3. The Commission, in FCC 63-66, released January 30, 1963, issued its Final Decision in Docket No. 11645, 34 F.C.C. 217.<sup>1</sup> In this connection, we found that the effective rates for the 82-B-1 equipment were not excessive and that an increase in these rates was justified. In this regard, the Commission authorized A.T.&T. to file revised rates applicable to 82-B-1 units of equipment which will produce earnings at the 7 1/4 percent level based on specified cost data. With respect to California Water, it has submitted additional cost data in justification of the presently effective rates; and a review of the cost data in light of the principles of the "Private Line" case (Docket No. 11645) indicates that the rates will not produce an excessive return. In addition, a comprehensive analysis of the detailed cost data established the reasonableness of the operating expenses. The argument made by the General Services Administrator that these rates are higher than the rates of A.T.&T. Co for similar service or equipment does not justify a continuation of the investigation, in view of the material submitted with regard to the cost to California Water of furnishing the service.

4. In view of the foregoing, the investigation in Docket No. 13439 is now moot and should be terminated. Therefore, it is ordered, That Docket No. 13439 be terminated.

Adopted: March 31, 1965.

Released: April 2, 1965.

FEDERAL COMMUNICATIONS COMMISSION,<sup>2</sup>

[SEAL] BEN F. WAPLE,  
Secretary.

[P.R. Doc. 65-3661; Filed, Apr. 7, 1965; 8:48 a.m.]

[Docket Nos. 15932, 15933; FCC 65M-417]

### ASSOCIATED TELEVISION CORP., AND CAPITOL CITY TELEVISION CO.

#### Order Scheduling Hearing

In reapplications of Associated Television Corp., St. Paul, Minn., Docket No. 15932, File No. BPCT-318; Dell O. Gustafson, tr/as Capitol City Television Co., St. Paul, Minn., Docket No. 15933,

<sup>1</sup>The decision was stayed by the U.S. Court of Appeals for the 7th Circuit pending review, but became effective Oct. 1, 1964, after affirmation by that court. Since a petition for writ of certiorari in the U.S. Supreme Court was denied on Mar. 29, 1965, Wilson & Co., Inc. et al. v. U.S., this matter can now be disposed of.

<sup>2</sup>Commissioner Loevinger absent.

File No. BPCT-3428; for construction permit for new television broadcast station (Channel 23).

*It is ordered.* This 5th day of April 1965, that Arthur A. Gladstone shall preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence at 10 a.m., June 30, 1965; that the initial prehearing conference in the proceeding shall be convened by the presiding officer at 10 a.m., April 28, 1965; and that all proceedings shall be held in the Offices of the Commission, Washington, D.C.; *And it is further ordered.* That counsel for parties to the proceeding at the time of their appearance at the initial prehearing conference shall be prepared to discuss to the fullest extent applicable, in light of the governing issues, all of the pertinent points enumerated in § 1.251 of the Commission's rules of practice and procedure.

Released: April 5, 1965.

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

[P.R. Doc. 65-3662; Filed, Apr. 7, 1965;  
8:48 a.m.]

[Docket Nos. 15930, 15931; FCC 65M-416]

**SERGIO MARTINEZ CARABALLO AND  
CARIBBEAN BROADCASTING CORP.**

**Order Scheduling Hearing**

In re applications of Sergio Martinez Caraballo, Arecibo, P.R., Docket No. 15930, File No. BPH-3783; Caribbean Broadcasting Corp., Arecibo, P.R., Docket No. 15931, File No. BPH-4724; for construction permits.

*It is ordered.* This 5th day of April 1965, that Charles J. Frederick shall serve as the presiding officer in the above-entitled proceeding; that the hearings therein shall commence at 10 a.m. on May 19, 1965; and that a prehearing conference shall be convened at 9 a.m. on April 21, 1965; *And it is further ordered.* That all proceedings shall be held in the Offices of the Commission, Washington, D.C.

Released: April 5, 1965.

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

[P.R. Doc. 65-3663; Filed, Apr. 7, 1965;  
8:48 a.m.]

[Docket No. 15829; FCC 65M-415]

**SOUTHWESTERN BELL TELEPHONE  
CO.**

**Memorandum Opinion and Order  
Changing Place of Hearing**

In the matter of the application of Southwestern Bell Telephone Co., Docket No. 15829, File No. P-C-5706; for a certificate under section 221(a) of the Communications Act of 1934, as amended, to acquire the telephone plant and properties of the DeSoto Mutual Telephone Co., located in and around the community of DeSoto, Kans.

No. 67—6

1. This concerns a joint motion in behalf of State Independent Telephone Association of Kansas (Telephone Association) and The Wheat State Telephone Co., Inc. (Wheat State), filed March 22, 1965, for field hearing in the above-entitled proceeding. It is opposed by the applicant.

2. Upon consideration of an appropriate request for public hearing on the above-captioned application filed jointly by Telephone Association and Wheat State, the Chief of the Commission's Common Carrier Bureau (acting under delegated authority), by order released February 10, 1965, assigned the application for public hearing to be held in Washington, D.C., to determine whether applicant's acquisition of the telephone plant and properties of DeSoto Mutual Telephone Co., located in the vicinity of DeSoto, Kans., will be of advantage to the persons to be served and in the public interest. Telephone Association and Wheat State are among the parties to this proceeding, and, therefore, have standing for purposes of filing the instant motion in which they seek a change in the place of hearing from Washington, D.C., to a location near DeSoto, Kans.

3. Having alleged (a) that there will be available as witnesses in this hearing a number of local residents; (b) that their testimony will relate to the issue of whether this proposed acquisition would be advantageous to the communities affected and otherwise in the public interest; and (c) that "a true public hearing," within the meaning of the governing statute, would, in effect, be denied to them unless it is held in the vicinity in which they reside—Telephone Association and Wheat State demonstrate that the field hearing which they seek would be the most effective means of obtaining a full record in this proceeding. Applicant's opposition to the motion is without merit, for, contrary to its contention, it would be inappropriate at this time to find that all of the testimony to be elicited from the public witnesses aforementioned will prove to be irrelevant; nor is it significant, for purposes of disposing of this pleading, that heretofore the acquisition in question was accomplished "pursuant to orders of the District Court of Johnson County." A public hearing in this matter is mandatory, such hearing having been requested by a telephone company and an association of telephone companies (section 221(a) of the Communications Act), and, as stated by the Bureau Chief in his order of February 10, 1965, instituting the proceeding, supra, "Since the certificate in question confers immunity from the anti-trust laws, it should not be issued unless and until all material questions raised as to propriety of the transaction in terms of statutory requirements are resolved." It would appear that the facts essential to a resolution of these questions are obtainable only by the field hearing sought by the moving parties.

Accordingly, it is ordered, This 2d day of April 1965, that the joint motion of State Independent Telephone Association of Kansas and The Wheat State Telephone Co. is granted; and that the place of hearing in the above-entitled

proceeding is hereby changed from Washington, D.C., to Kansas City, Kans., and shall there be convened by the Presiding Hearing Examiner on May 3, 1965.

Released: April 5, 1965.

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

[P.R. Doc. 65-3664; Filed, Apr. 7, 1965;  
8:49 a.m.]

**FEDERAL MARITIME COMMISSION**

[Docket No. 1212; Agreements 9060-2, 9060-3]

**ADRIATIC/NORTH ATLANTIC RANGE  
FREIGHT POOL**

**Modifications of Agreements Filed  
for Approval**

The parties to Agreements 9060 and 9060-1 which provide for the pooling of revenue on cargoes moving from Venice, Italy, to North Atlantic Range discharging ports of the west coast of Italy, Sicilian, and Adriatic Ports/North Atlantic Range Conference trade have filed for approval of the Commission under section 15 of the Shipping Act, 1916; (1) a modification (9060-2), to the agreement which modifies the handling charges applicable to cargo rated on a lump-sum basis; and (2) a modification (9060-3) which provides for the automatic extension of the duration of the basic agreement after December 31, 1964, for one year at a time, notice of withdrawal by either party prior to November 30th of any year, and that a party resigning prior to November 30th has no right to withdraw its resignation.

Whereas, the Commission has instituted a proceeding in Docket No. 1212 to determine inter alia whether Agreements 9060 and 9060-1 should be approved, disapproved, or modified.

Whereas, a prehearing conference will be scheduled to be held before presiding examiner Paul D. Page, Jr., at such time as certain documents are made available in these matters;

Now therefore, it is ordered, That the proceeding, Docket 1212, be enlarged to include the question as to whether Agreements 9060-2 and 9060-3 should be approved, disapproved, or modified pursuant to section 15 of the Shipping Act, 1916.

It is further ordered, That the first paragraph of Article 19 of basic Agreement 9060 be modified to read, as follows:

This Freight Pool Agreement which is subject to approval of the Federal Maritime Commission shall be effective as from January 1, 1963, and remain in effect until such time as the Commission approves, disapproves, cancels, or modifies Agreements 9060, 9060-1, 9060-2, and 9060-3, or until otherwise ordered by the Commission.

It is further ordered, That the foregoing modification to basic Agreement 9060 be, and the same is hereby, approved pursuant to section 15 of the Shipping Act, 1916.

It is further ordered, That this approval shall become effective at such time as the Federal Maritime Commis-

sion receives written notice that the parties have agreed to the foregoing modification; and

*It is further ordered*, That such approval shall be null and void unless the agreement so modified is filed with the Commission not later than sixty (60) days from the date of service of this order.

By the Commission.

[SEAL]

THOMAS LIST,  
Secretary.

[F.R. Doc. 65-3653; Filed, Apr. 7, 1965;  
8:48 a.m.]

[Docket No. 65-7]

### IMPOSITION OF SURCHARGE AT U.S. ATLANTIC AND GULF PORTS ON CARGO MOVING BETWEEN SAID PORTS AND LATIN AMERICAN PORTS

#### Order of Investigation and Hearing

The common carriers by water and those conferences of common carriers by water listed in Appendix A below and hereby made respondents to this proceeding and all of which are operating in the foreign commerce of the United States between ports in the United States and Latin America, have filed under section 18(b), Shipping Act, 1916, to become effective approximately 30 days from the date of filing, an emergency 10-percent surcharge on freight rates named in their respective tariffs. Where any reasons have been given, the surcharge is alleged to be necessary to recompense the respondents for exceptional costs resulting from "extraordinary conditions" in U.S. Atlantic and Gulf ports causing unusual obstructions to and delays in their service, resulting from the recent strike of longshoremen.

The Commission has received communications from persons who will be affected by the increased costs of shipping which will result from the surcharge, protesting its imposition on the grounds that the surcharge is unwarranted, unconscionable, detrimental to the commerce of the United States, and contrary to the public interest. It also appears that the imposition of the surcharge is being applied to all U.S. Atlantic and Gulf Coast ports served by the common carriers without regard to whether such ports were equally affected by the longshoremen strike.

The respondent conferences are operating in accordance with agreements approved by the Commission pursuant to section 15 of the Shipping Act, 1916, and under exclusive patronage contracts approved by the Commission pursuant to section 14b of the Act. Under these exclusive patronage contracts respondent conferences are prohibited from increasing rates on less than 90 days' notice, except upon the occurrence of "extraordinary conditions" as provided in Article 10 of those contracts.

The imposition of the surcharge by the respondent conferences may be detrimental to the commerce of the United States and contrary to the public interest, in violation of section 15, and may

be in violation of their approved dual rate contract. Further, the imposition of the surcharge at all U.S. Atlantic and Gulf ports may be in violation of section 16 First of the Shipping Act, 1916, which makes it—

unlawful for any common carrier by water \* \* \* either alone or in conjunction with any other person, directly or indirectly: First. To make or give any undue or unreasonable preference or advantage to any person, locality, or description of traffic in any respect whatsoever, or to subject any particular person, locality, or description of traffic to any undue or unreasonable prejudice or disadvantage in any respect whatsoever.

and may also be in violation of section 17, which provides in part:

That no common carrier by water in foreign commerce shall demand, charge, or collect any rate, fare, or charge which is unjustly discriminatory between shippers or ports \* \* \*

and may also be in violation of section 18(b) (5), which provides:

The Commission shall disapprove any rate or charge filed by a common carrier by water in the foreign commerce of the United States or conference of carriers which, after hearing, it finds to be so unreasonably high or low as to be detrimental to the commerce of the United States.

Upon consideration of the foregoing the Commission is of the opinion that an investigation should be undertaken to:

(1) Determine whether the imposition of the surcharge may be violative of sections 15, 16 First, 17 and 18(b) (5) of the Shipping Act;

(2) Determine whether the longshoremen strike constitutes an "extraordinary condition" within the contemplation of Article 10 of the conferences' dual rate contracts; and

(3) Afford an opportunity to the protestants to publicly participate in such investigation.

*Therefore, it is ordered*, Pursuant to sections 15 and 22 of the Shipping Act, 1916, that the Commission, upon its own motion, enter upon an investigation to determine whether the imposition of the surcharge by the respondents is in violation of sections 15, 16, 17, or 18(b) (5) of the Shipping Act, 1916.

*It is further ordered*, That this proceeding be assigned for public hearing before an examiner of the Commission's Office of Hearing Examiners and that the hearings be held at a date and place to be determined and announced by the presiding examiner; and that the proceeding be expedited;

*It is further ordered*, That notice of this Order be published in the FEDERAL REGISTER and that a copy thereof and notice of hearing be served upon respondents; and

*It is further ordered*, That any person, other than respondents, who desires to become a party to this proceeding and to participate therein, shall file a petition to intervene with the Secretary, Federal Maritime Commission, Washington, D.C., 20573, on or before April 19, 1965, with copy to respondents;

*And it is further ordered*, That all future notices issued by or on behalf of the Commission in this proceeding, in-

cluding notice of time and place of hearing or prehearing conference, shall be mailed directly to all parties of record.

By the Commission.

[SEAL]

THOMAS LIST,  
Secretary.

#### APPENDIX A

Atlantic and Gulf/West Coast of South America Conference (2744).  
Atlantic and Gulf/Panama Canal Zone, Colon and Panama City Conference (3868).  
U.S. Atlantic & Gulf-Jamaica Conference (4610).  
Leeward & Windward Islands & Guianas Conference (7540).  
East Coast Colombia Conference (7590).  
West Coast South America Northbound Conference (7890).  
United States Atlantic and Gulf/Haiti Conference (8120).  
Atlantic and Gulf/West Coast of Central America and Mexico Conference (8300).  
United States Atlantic and Gulf-Santo Domingo Conference (6080).  
C. D. Marshall, Chairman, 11 Broadway, New York, N.Y., 10004.

#### MEMBERS

Alcoa Steamship Co., Inc. (4610, 7540, 8120, 6080), 17 Battery Place, New York, N.Y., 10004.  
Booth Lamport West Indies Service—Joint Service (7540):  
(A) The Booth Steamship Co., Ltd., Booth American Shipping Corp., agents, 17 Battery Place, New York, N.Y., 10004.  
(B) Lamport & Hoyt Line Ltd., Ibid.  
Compania Colombiana de Navegacion Maritima (Coldemar Line) (2744, 3868, 7590), 79 Pine Street, New York, N.Y., 10005.  
Compania Sud Americana de Vapores (Chillean Line) (2744, 7890), 29 Broadway, New York 6, N.Y.  
Dovar, S.A. International Shipping & Trading Co. (Dovar Line) (4610, 8120), 29 Broadway, New York 6, N.Y.  
Flota Mercante Dominicana, C. por A. (Dominican Steamship Line) (6080), 80 Broad Street, New York 4, N.Y.  
Flota Mercante Granacolombiana, S.A. (Granacolombiana (New York) Inc. (2744, 3868, 7590, 7890), 79 Pine Street, New York, N.Y., 10005.  
Grace Line Inc. (Grace Line) (2744, 3868, 4610, 7540, 7590, 7890, 8120, 8300, 6080), 3 Hanover Square, New York, N.Y., 10004.  
Gulf & South America Steamship Co., Inc. (2744, 3868, 7890), Lykes Bros. Steamship Co., Inc., agents, Commerce Building, 821 Gravier Street, New Orleans 12, La.  
Lykes Bros. Steamship Company, Inc. (6080, 7590, 8120), Commerce Building, 821 Gravier Street, New Orleans 12, La.  
Marina Mercante Nicaraguense, S.A. (Mamenic Line) (3868, 8120, 8300), American Hemisphere Marine Agencies, Inc., 26 Broadway, New York 4, N.Y.  
Moore-McCormack Lines, Inc. (American Republic Line) (7540), 2 Broadway, New York, N.Y., 10004.  
N.V. Nedlloyd Lijnen (Nedlloyd Lines Inc.) (7890), 25 Broadway, New York, N.Y., 10004.  
Royal Netherlands Steamship Co. (N.V. Koninklijke Nederlandsche Stoomboot Maatschappij) (4610, 7540, 8120, 8300, 6080), 25 Broadway, New York, N.Y., 10004.  
States Marine Lines—Joint Service (8300):  
(A) States Marine Lines, Inc., States Marine-Isthmian Agency, Inc., agent, 90 Broad Street, New York, N.Y., 10004.  
(B) Global Bulk Transport, Inc., Ibid.  
United Fruit Co. (3868, 4610, 7590, 8300), Pier 3, North River, New York, N.Y., 10005.  
West Coast Line, Inc. (2744, 3868, 7890)—Joint Service, 67 Broad Street, New York 4, N.Y.:  
(A) West Coast Line, Inc. (Ibid).

(B) A/S Sobral, Olvind Lorentzen, Inc., general agents, 21 West Street, New York, N.Y., 10006.

## NONCONFERENCE CARRIERS

American Plate Line, c/o Hansen & Tidemann, Inc., 19 Rector Street, New York 6, N.Y.

Atlantic Lines, Ltd., c/o Chester, Blackburn & Roder, Inc., 1 Whitehall Street, New York 4, N.Y.

Asta Line, c/o Jan C. Ulterwyk Co., Inc., 238 East Davis Boulevard, Tampa, Fla.

Delta Steamship Lines, Inc., 1300 Hibernia Bank Building, New Orleans 12, La.

Grace Line, 3 Hanover Square, New York 4, N.Y.

Ozark Navigation, Inc., 700 West Wall Street, Post Office Box 1415, Southside Station, Springfield, Mo.

Peruvian State Line (Corporacion Peruana de Vapores), c/o Hansen & Tidemann, Inc., 19 Rector Street, New York 6, N.Y.

Royal Netherlands Steamship Co., 25 Broadway, New York 4, N.Y.

Surinam Navigation Co., Ltd., c/o Hansen & Tidemann, Inc., 1616 Pere Marquette Building, New Orleans, La.

Tica Line, c/o Dovar Shipping Agency, Inc., 24 State Street, New York, N.Y., 10004.

[F.R. Doc. 65-3654; Filed, Apr. 7, 1965; 8:48 a.m.]

## FEDERAL POWER COMMISSION

[Project No. 2317]

## APPALACHIAN POWER CO.

## Notice of Application for License

APRIL 2, 1965.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a-825r) by Appalachian Power Co. (correspondence to: H. B. Cohn, Vice President, Appalachian Power Co., Post Office Box 7, Church Street Station, New York, N.Y., 10008) for license for proposed Project No. 2317, consisting of three developments, to be known as the Upper Project, the Lower Project, and the Bluestone Power Installation, to be located on the New River, in Grayson County, Va., Ashe and Alleghany Counties, N.C., and Summers County, W. Va., in the vicinity of Fries, Galax, and Independence, Va.; Sparta and Jefferson, N.C., and Hinton, W. Va. The proposed project will affect a Government dam and lands of the United States at the Bluestone Flood Control Project owned by the United States and operated by the U.S. Corps of Engineers.

The proposed project would consist of: Upper Project (pumped storage) (1) a rock-fill dam with an impervious clay core; (2) a gated concrete ogee spillway in an excavated channel to the left of the dam; (3) two earth and rock-filled dikes; (4) a reservoir with an area of about 16,600 acres at elevation 2497 feet and a total storage capacity of 1,288,000 acre-feet of which about 160,000 acre-feet would be devoted to flood control storage; (5) six tunnels equipped with headgates; (6) a powerhouse with an initial installation of three vertical shaft reversible (motor-generator) pump turbines each with a capacity of 225,000

horsepower as a pump connected to a 150,000 kilowatt generator with space for three similar units; Lower Project (pumped storage) (1) a concrete gravity dam with a gated spillway section; (2) a gated intake section and a non-overflow section; (3) a reservoir with an area of about 2,850 acres at elevation 2290 feet and a total storage capacity of about 152,760 acre-feet of which 86,500 acre-feet would be devoted to power purposes; (4) a powerhouse with an installation of two 55,000-horsepower turbines each connected to a 40,000-kilowatt generator; Bluestone Power Installation a powerhouse to be located at the Bluestone Flood Control Dam with an initial installation of two turbines each with a capacity of 40,000 horsepower connected to a 30,000 kilowatt generator. (Six penstocks were provided in the Dam during construction so that four additional units may be installed at a future date); and substations with step-up facilities would be located near each powerhouse; switching stations (not part of the project) would be located near the Upper and Lower Projects on Applicant's interconnected primary transmission system; and transmission lines extending between each substation and the respective switching station.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is May 18, 1965. The application is on file with the Commission for public inspection.

GORDON M. GRANT,  
Acting Secretary.

[F.R. Doc. 65-3617; Filed, Apr. 7, 1965; 8:46 a.m.]

[Project No. 2469]

## ARIZONA PUBLIC SERVICE CO.

## Notice of Land Withdrawal; Arizona

APRIL 2, 1965.

Conformable to the provisions of section 24 of the Act of June 10, 1920, as amended, notice is hereby given that the lands hereinafter described, insofar as title thereto remains in the United States, are included in power Project No. 2469 for which application for license (minor-part) was filed April 30, 1964, by Arizona Public Service Co., of Phoenix, Ariz. Under said section 24 these lands are from the date of filing of said application reserved from entry, location or other disposal under the laws of the United States until otherwise directed by the Commission or by Congress.

## GILA AND SALT RIVER MERIDIAN

All portions of the following subdivisions lying within 60 feet of the center line survey of the transmission line location as delimited upon revised map, designated "Exhibit J and K, sheet 1 of 1" entitled "Right-of-Way, Glen Canyon to Utah State Line, 230 kv Transmission

Line", filed in the office of the Federal Power Commission, April 30, 1964, as supplemented December 21, 1964 (FPC No. 2469-2):

T. 41 N., R. 7 E.,  
Sec. 2: SW $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 3: Lots 2, 3, 4, S $\frac{1}{2}$ NE $\frac{1}{4}$ ;  
Sec. 11: NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
Sec. 12: SW $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ .  
T. 42 N., R. 7 E.,  
Sec. 33: Lot 1, NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 34: W $\frac{1}{2}$ SW $\frac{1}{4}$ .  
T. 41 N., R. 8 E.,  
Sec. 7: Lots 3, 4, SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 17: S $\frac{1}{2}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ , S $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 18: N $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
Sec. 21: NW $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 22: N $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 25: N $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
Sec. 26: S $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
Sec. 27: N $\frac{1}{2}$ , NE $\frac{1}{4}$ .

The area reserved pursuant to the filing of this application is approximately 148.98 acres of which approximately 6.00 acres have been previously withdrawn for Power Site Reserve No. 446 or Water Power Designation No. 7.

The general determination made by the Commission at its meeting of April 17, 1922 (2d Ann. Rept. 128), with respect to the lands reserved for transmission line right-of-way only, is applicable to those portions of the above described lands occupied for that purpose.

Copies of the afore-mentioned project map, Exhibit J and K, sheet 1 of 1 (FPC No. 2469-2) have been transmitted to the Bureau of Land Management and Geological Survey, Department of the Interior.

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 65-3618; Filed, Apr. 7, 1965; 8:46 a.m.]

[Docket No. G-4590 etc.]

## H. L. BROWN ESTATE ET AL.

## Findings and Order After Hearing; Correction

MARCH 5, 1965.

In the Findings and Order After Statutory Hearing Issuing Certificates of Public Convenience and Necessity, Amending Certificates, Permitting and Approving Abandonment of Service, Terminating Certificate, Terminating Rate Proceeding, Substituting Respondent, Redesignating Proceedings, Requiring Filing of Surety Bond, and Accepting Related Rate Schedules and Supplements for Filing, issued November 10, 1964, and published in the FEDERAL REGISTER November 20, 1964 (F.R. Doc. 64-11720; 29 F.R. 15587-15590); change Docket Nos. "G-4590" and "G-4591" to read Docket No. "17945" in the caption; finding paragraph (5); and ordering paragraph (G).

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 65-3619; Filed, Apr. 7, 1965; 8:46 a.m.]

[Docket No. CP65-293]

**GAS SERVICE, INC.****Notice of Application**

MARCH 31, 1965.

Take notice that on March 23, 1965, Gas Service, Inc. (Applicant), Nashua, N.H., filed in Docket No. CP65-293 an application pursuant to section 7(a) of the Natural Gas Act for an order of the Commission directing Tennessee Gas Transmission Co. (Tennessee) to establish physical connection of its natural gas transmission facilities with the facilities proposed to be constructed by Applicant, and to sell and deliver natural gas to Applicant for resale and distribution in Tilton, Franklin, Northfield, and Laconia, N.H., and contiguous environs, all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicant seeks physical connection of its proposed lateral transmission facilities with Tennessee's pipeline at a point near Concord, N.H., and the sale and delivery of the third year maximum day requirements of Applicant for the above service area of 1,090 Mcf at such connection.

The total estimated volumes of natural gas involved to meet Applicant's annual and peak day requirements for the initial 3-year period of proposed operations are stated to be:

	First year	Second year	Third year
Annual (Mcf).....	224,000	23,800	254,200
Peak day (Mcf)....	892	990	1,090

Total estimated cost of Applicant's proposed construction is stated to be \$424,496, and will be financed by the issuance of Series "C" bonds to the Massachusetts Mutual Life Insurance Co.

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 30, 1965.

GORDON M. GRANT,  
*Acting Secretary.*

[F.R. Doc. 65-3620; Filed, Apr. 7, 1965;  
8:46 a.m.]

[Docket No. G-5965 etc.]

**HAYS OIL & GAS CO. ET AL.****Findings and Order; Correction**

MARCH 26, 1965.

In the Findings and Order After Statutory Hearing Issuing Certificates of Public Convenience and Necessity, Amending Certificates, Permitting and Approving Abandonment of Service, Terminating Certificates, Substituting Respondent, Making Successors Co-Respondents, Redesignating Proceedings, Requiring Filing of Certain Agreements and Undertakings and Accepting Certain Agreements and Undertakings for Filing, Accepting Related Rate Schedules and Supplements for Filing and Permitting Withdrawal of Intervention, issued March 15, 1965, and published in

the FEDERAL REGISTER March 23, 1965 (F.R. Doc. 65-2864; 30 F.R. 3794); in the chart change FPC Gas Rate Schedule "No. 43" to FPC Gas Rate Schedule "No. 55" relating to Docket No. CI65-709.

JOSEPH H. GUTRIDE,  
*Secretary.*

[F.R. Doc. 65-3621; Filed, Apr. 7, 1965;  
8:46 a.m.]

[Docket No. RI65-491 etc.]

**MARATHON OIL CO. ET AL.****Order Providing for Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund; Correction**

MARCH 5, 1965.

In the Order Providing for Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund, issued February 5, 1965 and published in the FEDERAL REGISTER February 13, 1965 (F.R. Doc. 65-1557; 30 F.R. 2050), change Docket No. "RI64-519" to read Docket No. "RI64-549" in the last column of the chart of Appendix "A".

JOSEPH H. GUTRIDE,  
*Secretary.*

[F.R. Doc. 65-3622; Filed, Apr. 7, 1965;  
8:46 a.m.]

[Docket No. RP65-50]

**NATURAL GAS PIPELINE COMPANY OF AMERICA****Order Instituting Investigation and Requiring Reporting of Cost and Revenue Data**

APRIL 2, 1965.

Natural Gas Pipeline Co. of America (Natural) is engaged in the transportation of natural gas in interstate commerce and in the sale for resale of natural gas in interstate commerce for ultimate distribution to the public, and therefore is a natural gas company within the Natural Gas Act.

On the basis of data available to the Commission, it appears that the rates, charges, or classifications demanded, observed, charged, or collected in connection with the sales or transportation of natural gas by Natural, subject to the jurisdiction of the Commission, and the rules, regulations, practices, and contracts relating thereto, may be unjust, unreasonable, unduly discriminatory or preferential.

The company itself is most familiar with its books and records. It is appropriate, therefore, that Natural prepare and submit a report of its cost and revenue data for calendar year 1964, as hereinafter prescribed. It is not intended that the submittal of cost and revenue data by the company will be a substitute for the investigative responsibility of the staff nor will it preclude staff examination of the books or records of the company to the extent deemed necessary.

The Commission finds:

(1) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act, that an investigation be instituted by the Commission, upon its own motion, into and concerning all rates, charges, or classifications demanded, observed, charged, or collected by Natural for or in connection with any transportation or sale of natural gas, subject to the jurisdiction of the Commission, and any rules, regulations, practices, or contracts affecting such rates, charges, or classifications.

(2) It is necessary and appropriate, in order to expedite such investigation that Natural submit the cost and revenue report hereinafter prescribed.

The Commission orders:

(A) Under authority of sections 4 (a) and (b), 5, 10, 14, 15 and 16 of the Natural Gas Act an investigation of Natural is hereby instituted for the purpose of enabling the Commission to determine whether, with respect to any transportation or sale of natural gas, subject to the jurisdiction of the Commission, made or proposed to be made by Natural, any of the rates, charges, or classifications demanded, observed, charged, or collected, or any rules, regulations, practices, or contracts affecting such rates, charges or classifications, are unjust, unreasonable, unduly discriminatory, or preferential.

(B) On or before April 30, 1965, Natural shall report to the Commission cost and revenue data conforming with subsection (f) of § 154.63 of the Commission regulations under the Natural Gas Act (except statements N and P). The data shall utilize calendar year 1964 adjusted for changes in revenues and costs which are known and are measurable with reasonable accuracy at the time of filing and which will become effective within 9 months after the base period. The 12 months base period shall be adjusted to eliminate nonrecurring items (except minor amounts so specified), but this shall not preclude Natural from including items clearly designated as such, which, on the basis of existing facts, detailed in the report, it can show will be experienced or from including an appropriate normalizing adjustment, in lieu of a specified nonrecurring item. Working papers prepared in conjunction with the cost and revenue data shall be included in the report submitted and all statements, schedules and working papers shall be prepared in accordance with the classifications provided in the Uniform System of Accounts. All adjustments and estimates shall be explained and the bases and procedures used in the derivation thereof shall be submitted in detail to permit ready analysis and verification thereof. Ten sets of the cost and revenue data shall be served upon the Commission, and Natural shall simultaneously serve copies of such data upon all of its jurisdictional customers and the State commission of each State in which it does business.

(C) Further orders in this proceeding will specify the dates for any formal hearing under section 5 of the Natural Gas Act which the Commission on further consideration of the matter deems appropriate and will provide an oppor-

tunity for intervention in such hearing by interested parties.

By the Commission.

[SEAL]

GORDON M. GRANT,  
Acting Secretary.

[P.R. Doc. 65-3623; Filed, Apr. 7, 1965;  
8:46 a.m.]

[Docket No. RP65-45 etc.]

### OHIO FUEL GAS CO. ET AL.

#### Order Providing for Hearing, Suspending Proposed Revised Tariff Sheets, Allowing Proposed Revised Tariff Sheets To Become Effective Subject to Refund Obligation and Consolidating Proceedings

APRIL 1, 1965.

The Ohio Fuel Gas Co., Docket No. RP65-45; Atlantic Seaboard Corp., Docket No. G-16401; Home Gas Co., Docket No. G-16402; Kentucky Gas Transmission Corp., Docket No. G-16403; The Manufacturers Light and Heat Co., Docket No. G-16404.

The Ohio Fuel Gas Co. (Ohio Fuel), an affiliate of the Columbia Gas System, on March 1, 1965, tendered for filing certain tariff sheets<sup>1</sup> comprising its proposed CDS-1-PR and CDS-1A-PR (Contract Demand-Partial Requirements) Rate Schedules and related tariff changes to its FPC Gas Tariff, Third Revised Volume No. 1 to become effective April 1, 1965. The proposed CDS-1-PR and CDS-1A-PR Schedules contain a minimum monthly and annual commodity charge which would apply to both present and future customers which purchase part of their gas requirements from other sources than Ohio Fuel. The term "Other Sources", as defined in the tariff is not intended to include affiliates of the Columbia System, temporary emergency suppliers, peak day suppliers if taken from Ohio Fuel are not cut back, suppliers of boiler fuel gas, or gas produced from local gas fields. The proposed schedules contain the same monthly demand and commodity rates contained in Ohio Fuel's CDS-1 and CDS-1A Rate Schedules. The proposed minimum bill, however, is expanded to include minimum monthly and annual commodity charges in addition to a monthly demand charge, in comparison to a minimum bill comprised only of the demand charge in Ohio Fuel's CDS Rate Schedules applicable to full-requirements customers.

Ohio Fuel states that one of its larger purchasers under its CDS-1 Rate Schedule, the Cincinnati Gas and Electric Co., intends to begin purchasing gas from another source in the near future, which it is claimed will result in an annual loss of revenues to Ohio Fuel of approximately \$525,000 on the basis of its latest filed rates.

<sup>1</sup> Consisting of Original Sheets Nos. 16 through 16E, 17 through 17E, 41A, 53A, 56, 57, and 68; First Revised Sheets Nos. 40, 41, and 53; Second Revised Sheets Nos. 1, 11, 21, 23, and 55; Third Revised Sheet No. 6; Eighth Revised Sheet No. 24 and Nineteenth Revised Sheet No. 22.

In support of its proposal Ohio Fuel claims that a customer purchasing part of its requirements from another source will cut back on its purchases from Ohio Fuel during off peak periods in order to meet the high load factor requirements of the other supplier. It is claimed that this diversion of load will result in a shifting of fixed capacity costs from the partial requirements customer to Ohio Fuel's remaining customers in disregard of the fact that Ohio Fuel installed facilities and made long-term commitments in order to meet the requirements of its customers. The purpose of the proposed PR Schedules is to provide a minimum commodity bill to partial requirements customers at a level consistent with the load factor requirements which Ohio Fuel has been certificated to supply such customer.

The proposed changes in rates, charges, classifications or services provided for in the tariff sheets tendered by Ohio Fuel on March 1, 1965 have not been shown to be justified and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful. They should therefore be suspended and hearing held thereon as hereinafter ordered.

Ohio Fuel's filing is identical to the PR Schedules proposed by its Columbia affiliates Atlantic Seaboard Corp., Home Gas Co., Kentucky Gas Transmission Corp. and the Manufacturers Light and Heat Co. on which hearing was held in Docket No. G-16401, et al. Those schedules were modified and revised PR Schedules ordered in Commission Opinion No. 368, 28 FPC 860. That opinion was set aside and remanded by the D.C. Court of Appeals in *Lynchburg Gas Co. v. FPC*, 336 F.2d 942. By order of January 28, 1965, the Commission reopened Docket No. G-16401, et al., provided for further hearing therein, and reinstated the originally filed PR Schedules as legally effective rate schedules, subject to refund. Since Ohio Fuel's proposed PR Schedules are identical to those involved in Docket No. G-16401, et al., it appears appropriate and in the public interest to consolidate for hearing Docket No. RP65-45 with the proceedings in Docket No. G-16401, et al., and we shall so order.

In view of the consolidation we are ordering herein and the present posture of the proceedings in Docket No. G-16401, et al. it will be necessary to provide Ohio Fuel an opportunity to serve proposed evidence in the consolidated proceedings and to revise the presently scheduled procedure in Docket No. G-16401, et al., so as to allow the Staff and interveners in that docket and any additional interveners in Docket No. RP65-45, to serve proposed evidence in the consolidated proceedings and to postpone the presently scheduled date for the prehearing conference in Docket No. G-16401, et al. in order to provide for prehearing conference in the consolidated proceedings.

The Commission further finds:

(1) It is necessary and proper in the public interest, and to aid in the enforcement of the provisions of the Natural Gas Act, that the Commissioner enter upon a hearing concerning the lawfulness of Ohio Fuel's proposed changes in rates,

charges, classifications, and services, and that the above-designated tariff sheets be suspended and the use thereof deferred as hereinafter ordered.

(2) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act, that the proposed tariff changes be made effective as hereinafter provided and that Ohio Fuel be required to file a motion and an undertaking as hereinafter ordered and conditioned.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Presiding Examiner, as hereinafter provided, concerning the lawfulness of the rates, charges, classifications, and services contained in Ohio Fuel's FPC Gas Tariff, Third Revised Volume No. 1, as proposed to be amended by the above-mentioned revised tariff sheets.

(B) Pending such hearing and decision thereon, Ohio Fuel's proposed revised tariff sheets identified above hereby are suspended and their use deferred until April 2, 1965: *Provided, however*, That within 20 days from the date of this order, Ohio Fuel shall file a motion as required by section 4(e) of the Natural Gas Act and concurrently execute and file with the Secretary of the Commission the agreement and undertaking described in (D) below, unless Ohio Fuel is advised to the contrary within 15 days after filing such agreement and undertaking the agreement and undertaking shall be deemed to have been accepted.

(C) Ohio Fuel shall refund at such times and in such amounts to persons entitled thereto, and in such manner as may be required by final order of the Commission, the portion of rates and charges found by the Commission in this proceeding not justified, together with interest thereon at the rate of 7 percent per annum from the date of payment to Ohio Fuel until refunded; shall bear all costs of any such refunding; shall keep accurate accounts in detail of all amounts received by reason of the tariff sheets made effective as of April 2, 1965, for each billing period, specifying by whom and in whose behalf such amounts were paid, and shall report (original and four copies) in writing and under oath, to the Commission monthly, for each billing period and for each purchaser, the billing determinants of natural gas sales to such purchasers, and the revenues resulting therefrom as computed under the tariff sheets in effect immediately prior to April 2, 1965, and under the tariff sheets herein allowed to become effective, together with the differences in the revenues so computed.

(D) As a condition of this order, Ohio Fuel shall execute and file in triplicate with the Secretary of this Commission, its written agreement and undertaking to comply with the terms of Paragraph (C) hereof, signed by a responsible officer of the corporation, evidenced by proper authority from the Board of Directors, and accompanied by a certificate showing

service of copies thereof upon all purchasers under the tariff sheet involved as follows:

Agreement and Undertaking of the Ohio Fuel Gas Co. to comply with the Terms and Conditions of Paragraph (C) of Federal Power Commission's Order Issued -----, 1965, in Docket No. -----

In conformity with the requirements of the order issued -----, 1965, in Docket No. ----- the Ohio Fuel Gas Co. hereby agrees and undertakes to comply with the terms and conditions of Paragraph (C) of said order, and has caused this agreement and undertaking to be executed and sealed in its name by its officers, thereupon duly authorized in accordance with the terms of the resolution of its Board of Directors, a certified copy of which is appended hereto this ----- day of -----, 1965.

THE OHIO FUEL GAS COMPANY

By -----

(President)

Attest:

-----  
(Secretary)

(E) If Ohio Fuel shall, in conformity with the terms and conditions of its agreement and undertaking, make the refunds as may be required by order of the Commission in this proceeding, the undertaking shall be discharged, otherwise it shall remain in full force and effect.

(F) Pursuant to § 1.20(b) of the Commission's rules of practice and procedure, the proceedings in Docket No. G-16401, et al. and Docket No. RP65-45 be and they hereby are consolidated for the purpose of hearing on all matters at issue therein.

(G) Ohio Fuel shall serve its proposed testimony and exhibits constituting its direct case upon all parties to the consolidated proceedings on or before April 12, 1965.

(H) The Commission staff shall serve its proposed testimony and exhibits upon all parties on or before April 19, 1965.

(I) The interveners proposing to present evidence shall serve their proposed testimony and exhibits upon all parties on or before May 3, 1965.

(J) The prehearing conference scheduled for April 27, 1965, in Docket No. G-16401, et al. is postponed and hereby is scheduled in the consolidated proceedings herein for May 11, 1965.

(K) Notices of intervention and petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the Commission's rules of practice and procedure, §§ 1.8 and 1.37(f) (18 CFR 1.8 and 1.37(f)), on or before April 9, 1965. Any party heretofore permitted to intervene in Docket No. G-16401, et al. may participate in these proceedings to the extent provided in the order granting them permission to intervene.

By the Commission.<sup>1</sup>

[SEAL]

GORDON M. GRANT,  
Acting Secretary.

[F.R. Doc. 65-3624; Filed, Apr. 7, 1965;  
8:46 a.m.]

<sup>1</sup> Statement of Commissioner Ross filed as part of original document.

[Docket No. E-7214]

## PENNSYLVANIA POWER & LIGHT CO.

### Notice of Application

APRIL 1, 1965.

Take notice that on March 22, 1965, an application was filed with the Federal Power Commission, pursuant to section 203 of the Federal Power Act by Pennsylvania Power & Light Co. (Applicant), seeking an order authorizing the acquisition of certain electric facilities of the Woolrich Woolen Mills (Woolrich), and to consolidate and merge such facilities with those of the Applicant.

Applicant is incorporated under the laws of the Commonwealth of Pennsylvania with its principal business office at Allentown, Pa. Applicant is engaged principally in the generation, transmission, distribution, and sale of electric energy serving a 10,000 square-mile-territory which embraces 20 counties, including Clinton County, in central eastern Pennsylvania, which has a population of approximately 2,265,000.

Woolrich is a corporation organized under the laws of the Commonwealth of Pennsylvania, engaged in the manufacture of woolen products in Clinton County, Pa. It supplies its own electricity for its operations and by an extension of its lines, has supplied the residences of the adjacent village, which at one time was inhabited chiefly by "mill" people.

The facilities to be acquired constitute a grounded neutral overhead electric distribution system of both single and three-phase facilities. This system now provides service to about 189 residential and 13 small commercial consumers. Most of these facilities are located upon private lands of Woolrich and are presently used to supply electricity to the aforementioned consumers and for street lighting in the village by Woolrich. The facilities to be acquired comprise all of the electric facilities of Woolrich not directly associated with the mill operation. The consideration for the proposed acquisition is \$140,000, which Applicant represents was arrived at by arms length negotiation.

Upon acquisition, Applicant proposes to tie this system directly to its own power sources and supply all consumers as Applicant's customers. Applicant states that this will result in decreases in bills for residential electric service. Applicant also states that it will supply a street lighting service pursuant to its filed tariffs and agreement with the local political subdivision. According to the application, consummation of the proposed transaction will not require any formal change in any contract for the purchase, sale or interchange of electric energy, except that Applicant, as successor, will assume Woolrich's rights and obligations to supply street lighting in the village.

Applicant submits that the proposed acquisition will be in the public interest because it will mean that the electric service to the residents of the village of

Woolrich will be provided by a public utility company and Applicant believes that supply of essential electric service by a public utility of its size and competence, fully aware of its legal obligations to provide present and future service on a adequate, continuous, safe and economic basis, is in the interest of customers and the public generally.

Any person desiring to be heard or to make any protest with reference to said application should on or before April 23, 1965, file with the Federal Power Commission, Washington, D.C., 20426, petitions or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). The application is on file and available for public inspection.

GORDON M. GRANT,  
Acting Secretary.

[F.R. Doc. 65-3625; Filed, Apr. 7, 1965;  
8:46 a.m.]

[Docket No. RI65-38 etc.]

## SINCLAIR OIL & GAS CO. ET AL.

### Order Providing for Hearings on and Suspension of Proposed Changes in Rates; Correction

MARCH 19, 1965.

In the Order Providing for Hearings on and Suspension of Proposed Changes in Rates, issued July 29, 1964, and published in the FEDERAL REGISTER August 12, 1964 (F.R. Doc. 64-7984; 29 F.R. 11542), insert Footnote<sup>2</sup> after Docket No. RI65-43, Socony Mobil Oil Co. (Operator), Rate Schedule No. 26, Supplement No. 12.

Add a new footnote to read as follows:

<sup>2</sup> Not applicable to acreage added by Supplement No. 10 (conditioned temporary certificate prohibits a change in rate).

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 65-3626; Filed, Apr. 7, 1965;  
8:46 a.m.]

[Docket Nos. RI65-538, RI65-539]

## UNION TEXAS PETROLEUM ET AL.

### Order Shortening Suspension Period

APRIL 1, 1965.

By order issued March 11, 1965, in Docket Nos. RI65-538 and RI65-539, proposed increased rates from 18.0¢ to 18.2430¢ per Mcf, designated as Supplement No. 8 to Union Texas Petroleum, a division of Allied Chemical Corp. (Operator) et al. FPC Gas Rate Schedule No. 12, and Supplement No. 15 to Union Texas Petroleum, a division of Allied Chemical Corp.'s FPC Gas Rate Schedule No. 64 (both referred to herein as Union Texas), were suspended until August 19, 1965, and thereafter until made effective as prescribed by the Natural Gas Act. Union Texas sells the gas involved to El Paso Natural Gas Co. from the Perkins Plant, Coke County, Tex., and the Benedum Plant, Upton County, Tex., respec-

tively (R.R. District No. 7-C) (Permian Basin Area).

Since Union Texas' proposed rate increases of 0.2430¢ per Mcf represent tax reimbursement, we believe it appropriate to shorten the suspension periods to permit the proposed rates to become effective as of the date of the issuance of this order as hereinafter provided.

The Commission finds: The suspension order in the above-designated proceedings should be amended and the proposed rates permitted to become effective subject to refund as of the date of the issuance of this order, as hereinafter provided.

The Commission orders:

(A) The suspension order issued in the above-designated proceedings is hereby amended by changing the date in the "Date Suspended Until" column with respect to the above-designated supplements to the date of the issuance of this order.

(B) The above-designated rate supplements shall become effective subject to refund on the date of issuance of this order, if within 20 days from the date of issuance of this order, Respondent shall execute and file in each of its proceedings an agreement and undertaking to comply with the refunding and reporting procedures required by the Natural Gas Act and § 154.102 of the regulations thereunder, accompanied by a certificate showing service of copy thereof upon the purchaser under the rate schedule involved. Unless Respondent is advised to the contrary within 15 days after the filing of its agreement and undertakings, the agreements and undertakings shall be deemed to have been accepted.

(C) In all other respects, the order issued March 11, 1965, in the above-designated proceedings shall remain unchanged and in full force and effect.

By the Commission.

[SEAL] JOSEPH H. GUTRIE,  
Secretary.

[P.R. Doc. 65-3627; Filed, Apr. 7, 1965;  
8:47 a.m.]

## SMALL BUSINESS ADMINISTRATION

[Delegation of Authority 30]

### CHICAGO

#### Delegation of Authority To Conduct Program Activities in Regional Area

I. Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30 (Midwestern Area, Chicago, Ill.), 30 F.R. 3252, the following authority is hereby redelegated to the specific positions as indicated herein:

A. *Size determinations (Delegated to the positions as indicated below).* To make initial size determinations in all cases within the meaning of the Small Business Size Standards Regulations, as amended, and further, to make product classification decisions for financial assistance purposes only. Product classification decisions for procurement purposes are made by contracting officers.

B. *Eligibility determinations (Delegated to the positions as indicated below).* To determine eligibility of applicants for assistance under any program of the Agency in accordance with Small Business Administration standards and policies.

C. *Chief, Financial Assistance Division (and Assistant Chief, if assigned).* 1. Item I.A. (Size Determinations for Financial Assistance only.)

2. Item I.B. (Eligibility Determinations for Financial Assistance only.)

3. To approve the following:

a. Business and disaster loans not exceeding \$350,000 (SBA share).

b. Section 502 loans—direct \$50,000 and participation loans where the bank's share is 10 percent or more—\$100,000.

4. Decline loan applications in the categories described in Item I.C.3.b., above.

5. To decline business and disaster loans of any amount.

6. To disburse unsecured disaster loans.

7. To enter into business and disaster loan participation agreements with banks.

8. To execute loan authorizations for Washington approved loans and loans approved under delegated authority, said execution to read as follows:

(Name), Administrator  
By \_\_\_\_\_  
(Name)  
(Title of person signing)

9. To cancel, reinstate, modify and amend authorizations for business or disaster loans.

10. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.

11. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents; and certify to the participating bank that such documents are in compliance with the participation authorization.

12. To approve service charges by participating bank not to exceed 2 percent per annum on the outstanding balance on construction loans and loans involving accounts receivable and inventory financing.

13. To take all necessary actions in connection with the administration, servicing, collection and liquidation of all loans and other obligations or assets, including collateral purchased; and to do and to perform and to assent to the doing and performance of all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing:

a. The assignment, endorsement, transfer and delivery (but in all cases without representation, recourse, or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in, or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator;

b. The execution and delivery of contracts of sale or of lease or sublease, quit-claim, bargain and sale or special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or in part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

c. The approval of bank applications for use of liquidity privilege under the loan guaranty plan.

D. *Chief, Loan Processing and Administration Section.* 1. To approve amendments and modifications of loan conditions for loans that have been fully disbursed.

2. Items I.C.3. and 4.

3. To decline business and disaster loans of any amount.

4. Items I.C.7. through 11.

5. Item I.C.13.—Only the authority for servicing, administration, and collection, including subitems a. and b.

6. Item I.A. (Size Determinations for Financial Assistance only.)

7. Item I.B. (Eligibility Determinations for Financial Assistance only.)

E. *Chief, Loan Liquidation Section.* Item I.C.13.—Only the authority for liquidation, including collateral purchased, and subitems a. and b.

F. [Reserved]

G. [Reserved]

H. *Chief, Procurement and Management Assistance.* 1. Item I.A. (Size Determinations on PMA Activities only.)

2. Item I.B. (Eligibility Determinations on PMA Activities only.)

I. *Regional Counsel.* To disburse approved loans.

J. *Administrative Assistant.* 1. To purchase reproductions of loan documents, chargeable to the revolving fund, requested by United States Attorney in foreclosure cases.

2. To (a) purchase all office supplies and expendable equipment, including all desk-top items, and regular office equipment; (b) contract for repair and maintenance of equipment and furnishings; (c) contract for services required in setting up and dismantling and moving SBA exhibits and (d) issue Government bills of lading.

3. In connection with the establishment of Disaster Loan Offices, to (a) obligate Small Business Administration to reimburse General Services Administration for the rental of office space; (b) rent office equipment; and (c) procure (without dollar limitation) emergency supplies and materials.

4. To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by this Administration.

II. The authority delegated herein cannot be redelegated.

III. The authority delegated herein to a specific position may be exercised by any SBA employee designated as Acting in that position.

IV. All previously delegated authority is hereby rescinded without prejudice to

actions taken under such Delegations of Authority prior to the date hereof.

Effective date: February 1, 1965.

RICHARD E. LASSAR,  
Regional Director, Chicago, Ill.

[F.R. Doc. 65-3601; Filed, Apr. 7, 1965;  
8:45 a.m.]

[Delegation of Authority 30]

### DETROIT

#### Delegation of Authority To Conduct Program Activities in Regional Area

I. Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30—Midwestern Area, Chicago, Ill., 30 F.R. 3252, the following authority is hereby redelegated to the specific positions as indicated herein:

A. *Size determinations delegated to the positions as indicated below.* To make initial size determinations in all cases within the meaning of the Small Business Size Standards Regulations, as amended, and further, to make product classification decisions for financial assistance purposes only. Product classification decisions for procurement purposes are made by contracting officers.

B. *Eligibility determinations (delegated to the positions as indicated below).* To determine eligibility of applicants for assistance under any program of the Agency in accordance with Small Business Administration standards and policies.

C. *Chief, Financial Assistance Division (and Assistant Chief, if assigned).* 1. Item I.A. (Size determinations for Financial Assistance only.)

2. Item I.B. (Eligibility determinations for Financial Assistance only.)

3. To approve the following:  
a. Business and disaster loans not exceeding \$350,000 (SBA share).

b. Section 502 loans—direct \$50,000 and participation loans where the bank's share is 10 percent or more—\$100,000.

4. Decline loan applications in the categories described in Item I.C. 3.b., above.

5. To decline business and disaster loans of any amount.

6. To disburse unsecured disaster loans.

7. To enter into business and disaster loan participation agreements with banks.

8. To execute loan authorizations for Washington approved loans and loans approved under delegated authority, said execution to read as follows:

(Name), Administrator

By \_\_\_\_\_

(Name)

(Title of person signing)

9. To cancel, reinstate, modify and amend authorizations for business or disaster loans.

10. To extend the disbursement period on all loan authorizations or undischarged portions of loans.

11. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents; and certify to the participating bank that such documents are in compliance with the participation authorization.

12. To approve service charges by participating bank not to exceed 2 percent per annum on the outstanding balance on construction loans and loans involving accounts receivable and inventory financing.

13. To take all necessary actions in connection with the administration, servicing, collection and liquidation of all loans and other obligations or assets, including collateral purchased; and to do and to perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing:

a. The assignment, endorsement, transfer and delivery (but in all cases without representation, recourse or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator;

b. The execution and delivery of contracts of sale or of lease or sublease, quit-claim, bargain and sale or special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or in part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

c. The approval of bank applications for use of liquidity privilege under the loan guaranty plan.

D. *Chief, Loan Processing and Administration Section.* 1. To approve amendments and modifications of loan conditions for loans which have been fully disbursed.

2. Items I.C. 3. and 4.

3. To decline business and disaster loans of any amount.

4. Items I.C. 7. through 11.

5. Item I.C. 13.—only the authority for servicing, administration, and collection, including subitems a. and b.

6. Item I.A. (Size Determinations for Financial Assistance only.)

7. Item I.B. (Eligibility Determinations for Financial Assistance only.)

E. *Chief, Loan Liquidation Section.* Item I.C. 13.—only the authority for liquidation, including collateral purchased, and subitems a. and b.

F. *Reserved.*

G. *Reserved.*

H. *Chief, Procurement and Management Assistance.* 1. Item I.A. (Size Determinations on PMA Activities only)

2. Item I.B. (Eligibility Determinations on PMA Activities only.)

I. *Regional Counsel.* To disburse approved loans.

J. *Administrative Assistant.* 1. To purchase reproductions of loan documents, chargeable to the revolving fund, requested by United States Attorney in foreclosure cases.

2. To (a) purchase all office supplies and expendable equipment, including all

desk-top items, and regular office equipment; (b) contract for repair and maintenance of equipment and furnishings; (c) contract for services required in setting up and dismantling and moving SBA exhibits and (d) issue Government bills of lading.

3. In connection with the establishment of Disaster Loan Offices, to (a) obligate Small Business Administration to reimburse General Services Administration for the rental of office space; (b) rent office equipment; and (c) procure (without dollar limitation) emergency supplies and materials.

4. To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by this Administration.

II. The authority delegated herein cannot be redelegated.

III. The authority delegated herein to a specific position may be exercised by any SBA employee designated as Acting in that position.

IV. All previously delegated authority is hereby rescinded without prejudice to actions taken under such Delegations of Authority prior to the date hereof.

Effective date: February 1, 1965.

ROBERT F. PHILLIPS,  
Regional Director, Detroit, Mich.

[F.R. Doc. 65-3602; Filed, Apr. 7, 1965;  
8:45 a.m.]

[Delegation of Authority 30]

### SIOUX FALLS, S. DAK.

#### Delegation of Authority To Conduct Program Activities in Regional Area

I. Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30—Rocky Mountain Area, Denver, Colo., 30 F.R. 2741, the following authority is hereby redelegated to the specific positions as indicated herein:

A. *Size determinations (Delegated to the positions as indicated below).* To make initial size determinations in all cases within the meaning of the Small Business Size Standards Regulations, as amended, and further, to make product classification decisions for financial assistance purposes only. Product classification decisions for procurement purposes are made by contracting officers.

B. *Eligibility determinations (Delegated to the positions as indicated below).* To determine eligibility of applicants for assistance under any program of the Agency in accordance with Small Business Administration standards and policies.

C. *Chief, Financial Assistance Division (and Assistant Chief, if assigned).* 1. Item I.A. (Size Determinations for Financial Assistance only.)

2. Item I.B. (Eligibility Determinations for Financial Assistance only.)

3. To approve the following:

a. Business and disaster loans not exceeding \$350,000 (SBA share).

b. Section 502 loans—direct \$50,000 and participation loans where the bank's share is 10 percent or more—\$100,000.

4. Decline loan applications in the categories described in Item I.C. 3.b., above.

5. To decline business and disaster loans of any amount.

6. To disburse unsecured disaster loans.

7. To enter into business and disaster loan participation agreements with banks.

8. To execute loan authorizations for Washington-approved loans and loans approved under delegated authority, said execution to read as follows:

(Name), Administrator  
By \_\_\_\_\_  
(Name)  
(Title of person signing)

9. To cancel, reinstate, modify and amend authorizations for business or disaster loans.

10. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.

11. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents; and certify to the participating bank that such documents are in compliance with the participation authorization.

12. To approve service charges by participating bank not to exceed 2 percent per annum on the outstanding balance on construction loans and loans involving accounts receivable and inventory financing.

13. To take all necessary actions in connection with the administration, servicing, collection and liquidation of all loans and other obligations or assets, including collateral purchased; and to do and to perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing:

a. The assignment, endorsement, transfer and delivery (but in all cases without representation, recourse or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor; licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator;

b. The execution and delivery of contracts of sale or of lease or sublease, quit-claim, bargain and sale or special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or in part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

c. The approval of bank applications for use of liquidity privilege under the loan guaranty plan.

D. Chief, Loan Processing and Administration Section. 1. To approve amendments and modifications of loan conditions for loans that have been fully disbursed.

2. Items I.C. 3. and 4.

3. To decline business and disaster loans of any amount

4. Items I.C. 7. through 11.

5. Item I.C. 13.—only the authority for servicing, administration, and collection, including subitems a. and b.

6. Item I.A. (Size Determinations for Financial Assistance only.)

7. Item I.B. (Eligibility Determinations for Financial Assistance only.)

E. Chief, Loan Liquidation Section. Item I.C. 13.—only the authority for liquidation, including collateral purchased, and subitems a. and b.

F. [Reserved]

G. [Reserved]

H. [Reserved]

I. Regional Counsel. To disburse approved loans.

J. Administrative Assistant. 1. To purchase reproductions of loan documents, chargeable to the revolving fund, requested by United States Attorney in foreclosure cases.

2. To (a) purchase all office supplies and expendable equipment, including all desk-top items, and regular office equipment; (b) contract for repair and maintenance of equipment and furnishing; (c) contract for services required in setting up and dismantling and moving SBA exhibits and (d) issue Government bills of lading.

3. In connection with the establishment of Disaster Loan Offices to (a) obligate Small Business Administration to reimburse General Services Administration for the rental of office space; (b) rent office equipment; and (c) procure (without dollar limitation) emergency supplies and materials.

4. To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by this Administration.

II. The authority delegated herein cannot be redelegated.

III. The authority delegated herein to a specific position may be exercised by any SBA employee designated as Acting in that position.

IV. All previously delegated authority is hereby rescinded without prejudice to actions taken under such Delegations of Authority prior to the date hereof.

Effective date: February 1, 1965.

EDWIN JENISON,  
Acting Regional Director,  
Sioux Falls, S. Dak.

[P.R. Doc. 65-3603; Filed, Apr. 7, 1965; 8:45 a.m.]

[Delegation of Authority 30]

CONCORD, N.H.

Delegation of Authority To Conduct Program Activities in Regional Area

I. Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30—Boston, 30 F.R. 3251, the following authority is hereby redelegated to the specific positions as indicated herein:

A. Size determinations (Delegated to the positions as indicated below). To make initial size determinations in all

cases within the meaning of the Small Business Size Standards Regulations, as amended, and further, to make product classification decisions for financial assistance purposes only. Product classification decisions for procurement purposes are made by contracting officers.

B. Eligibility determinations (Delegated to the positions as indicated below). To determine eligibility of applicants for assistance under any program of the Agency in accordance with Small Business Administration standards and policies.

C. Chief, Financial Assistance Division (and Assistant Chief, if assigned).

1. Item I.A. (Size Determinations for Financial Assistance only.)

2. Item I.B. (Eligibility Determinations for Financial Assistance only.)

3. To approve the following:

a. Direct loans not exceeding \$100,000.

b. Participation loans not exceeding \$250,000. (SBA share.)

c. Simplified bank participation loans not exceeding \$350,000. (SBA share.)

d. Simplified early maturities participation loans not exceeding \$350,000. (SBA share.)

e. Direct disaster loans not exceeding \$350,000.

f. Participation disaster loans not exceeding \$350,000. (SBA share.)

4. To decline as follows:

a. Business loans not exceeding \$250,000. (SBA share.)

b. Disaster loans not exceeding \$350,000. (SBA share.)

5. To disburse unsecured disaster loans.

6. To enter into business and disaster loan participation agreements with banks.

7. To execute loan authorizations for Washington approved loans and for loans approved under delegated authority, said execution to read as follows:

Name, Administrator  
By \_\_\_\_\_  
(Name)  
(Title of person signing)

8. To cancel, reinstate, modify and amend authorizations for business or disaster loans.

9. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.

10. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents; and certify to the participating bank that such documents are in compliance with the participation authorization.

11. To approve service charges by participating bank not to exceed 2 percent per annum on the outstanding balance on construction loans involving accounts receivable and inventory financing.

12. To take all necessary actions in connection with the administration, servicing, and collection of all loans and other obligations or assets; and to do and perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing:

a. The assignment, endorsement, transfer and delivery (but in all cases without representation, recourse or war-

ranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator;

b. The execution and delivery of contracts of sales or of lease or sublease, quitclaim, bargain and sale or special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or in part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

D. *Chief, Loan Processing and Administration Section.* 1. To approve amendments and modifications of loan conditions for loans that have been fully disbursed.

2. Items I.C. 3. and 4.

3. Items I.C. 6. through 10.

4. Item I.C. 12.—only the authority for servicing, administration, and collection, including subitems a. and b.

5. Item I.A. (Size Determinations for Financial Assistance only.)

6. Item I.B. (Eligibility Determinations for Financial Assistance only.)

E. [Reserved]

F. [Reserved]

G. [Reserved]

H. *Chief, Procurement and Management Assistance Division.* 1. Item I.A. (Size Determinations on PMA Activities only.)

2. Item I.B. (Eligibility Determinations on PMA Activities only.)

I. *Reserved.*

J. *Administrative Assistant.* 1. To (a) make emergency purchases chargeable to the administrative expense fund, not in excess of \$25 in any one object class in any one instance but not more than \$50 in any one month for total purchases in all object classes; (b) make purchases not in excess of \$10 in any one instance for "one-time use items" not carried in stock subject to the total limitations set forth in (a) of this paragraph; (c) to contract for the repair and maintenance of equipment and furnishings in an amount not to exceed \$25 in any one instance; and (d) purchase printing from the General Services Administration where centralized reproduction facilities have been established by GSA.

2. In connection with the establishment of Disaster Loan Offices, to (a) obligate Small Business Administration to reimburse General Services Administration for rental of office space; (b) rent office equipment; (c) procure (without dollar limitation) emergency supplies and materials.

3. To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by this Administration.

II. The authority delegated herein cannot be redelegated.

III. The authority delegated herein to a specific position may be exercised by any SBA employee designated as Acting in that position.

IV. All previously delegated authority is hereby rescinded without prejudice to actions taken under such delegations of Authority prior to the date hereof.

Effective date: February 1, 1965.

JOSAPHAT T. BENOIT,

Regional Director, Concord, N.H.

[F.R. Doc. 65-3604; Filed, Apr. 7, 1965; 8:45 a.m.]

## INTERSTATE COMMERCE COMMISSION

[Notice 754]

### MOTOR CARRIER, BROKER, WATER CARRIER, AND FREIGHT FOR- WARDER APPLICATIONS

APRIL 2, 1965.

The following applications are governed by Special Rule 1.247<sup>1</sup> 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 rule. 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 2229 (Sub-No. 128), filed March 29, 1965. Applicant: RED BALL MOTOR FREIGHT, INC., 3177 Irving Boulevard, Post Office Box 10837, Dallas, Tex., 75207. Applicant's attorneys: Jerry Prestridge, 12th Floor Capital National Bank Building, Austin, Tex., and Charles D. Mathews (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, (except those of unusual value, Classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment and those injurious or

contaminating to other lading), between Memphis, Tenn., and Oklahoma City, Okla.: from Memphis over U.S. Highway 70 to Little Rock, Ark., thence over U.S. Highway 65 to junction U.S. Highway 64, thence over U.S. Highway 64 to junction U.S. Highway 266, thence over U.S. Highway 266 to junction U.S. Highway 62, thence over U.S. Highway 62 to Oklahoma City, Okla., serving no intermediate points, but serving Oklahoma City for purpose of joinder only, as an alternate route for operating convenience only in connection with applicant's presently authorized regular route operations between Memphis, Tenn., and Denver, Colo.

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

No. MC 2392 (Sub-No. 37), filed March 22, 1965. Applicant: WHEELER TRANSPORT SERVICE, INC., Box 432, Genoa, Nebr. Applicant's attorney: R. E. Powell, 100-06 Terminal Building, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer and urea*, in bulk and in bags, from Nebraska City, Nebr., to points in Iowa, Kansas, Minnesota, Missouri, North Dakota, and South Dakota, and *damaged and rejected shipments* of the above commodities, on return.

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

No. MC 3114 (Sub-No. 25), filed March 17, 1965. Applicant: T. H. COMPTON, INC., Great Cacapon, W. Va. Applicant's attorney: William P. Sullivan, 1825 Jefferson Place NW., Washington, D.C., 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, in bulk, between points in Morgan County, W. Va., on the one hand, and, on the other, points in Maryland and West Virginia.

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

No. MC 3582 (Sub-No. 5), filed March 17, 1965. Applicant: CARDINALE TRUCKING CORPORATION, Mt. Pleasant Avenue, Whippany, N.J. Applicant's attorney: Harris J. Klein, 280 Broadway, New York, N.Y. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Plastic articles* (other than expanded), including *plastic dishes, and plastic cups* (other than expanded), (2) *plastic articles*, cellular, including *plastic cups*, cellular, and (3) *caps, covers, ends, hands, rings, and tops* (other than formed from sheet-plastic or plastic film), from Centerville, Holmdel Township, Monmouth County, N.J., to Washington, D.C., Baltimore, Md., and points in Massachusetts, Rhode Island, Connecticut, those in that part of New York, south and east of a line beginning at Granville, N.Y., and extending along New York Highway 149, to Hartford, N.Y., thence along New York Highway 196, through South Hartford to Hudson Falls, N.Y., thence along New York Highway 32B to Glen Falls, N.Y., thence along U.S. Highway 9 to Saratoga Springs, N.Y., thence along New York Highway 50, to Ballston Spa, N.Y.

<sup>1</sup> Copies of Special Rule 1.247 can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C., 20423.

thence along New York Highway 67, to Amsterdam, N.Y., thence along New York Highway 5 to Chittenango, N.Y., thence along New York Highway 13, to Horseheads, N.Y., thence along New York Highway 14, to the New York-Pennsylvania State line, and points in that part of Pennsylvania on, south and east of a line beginning at the Delaware River opposite Hancock, N.Y., and extending along Pennsylvania Highway 570, to Thompson, Pa., thence along Pennsylvania Highway 70, to Carbon-dale, Pa., thence along U.S. Highway 6, to Scranton, Pa., thence along U.S. Highway 11, to the Pennsylvania-Maryland State line, and those in that part of Delaware on and north of U.S. Highway 40.

NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 13087 (Sub-No. 27), filed March 19, 1965. Applicant: STOCKBERGER TRANSFER & STORAGE, INC., 524 Second Street SW., Mason City, Iowa. Applicant's representative: William A. Landau, 1307 East Walnut, Des Moines 16, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, dairy products, and articles distributed by meat packinghouses*, as described in Sections A, B, and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles) from points in Wisconsin to points in Iowa, Kansas, Nebraska, Ohio, and Missouri.

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

No. MC 14702 (Sub-No. 8), filed March 18, 1965. Applicant: OHIO FAST FREIGHT, INC., Post Office Box 808, Warren, Ohio, 44482. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles*, between Pittsburgh, Donora, and Vandergrift, Pa., on the one hand, and, on the other, points in the Lower Peninsula of Michigan, Indiana, Illinois, and St. Louis, Mo.

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

No. MC 19227 (Sub-No. 91), filed March 8, 1965. Applicant: LEONARD BROS. TRANSFER, INC., 2595 Northwest 20th Street, Miami, Fla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, which because of size or weight require the use of special equipment and *related parts* moving in connection therewith, and *articles*, weighing 15,000 pounds or more, self-propelled or not, and not requiring special equipment, together with *related machinery, tools, parts and supplies* moving in conjunction therewith, between points in Florida and California.

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

No. MC 21170 (Sub-No. 65), filed March 19, 1965. Applicant: BOS LINES,

INC., 408 South 12th Avenue, Marshalltown, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses* as described in Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk in tank vehicles), from Sioux City, Iowa to points in Colorado, Connecticut, Delaware, the District of Columbia, Illinois, Indiana, Kansas, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, New Hampshire, New Jersey, New York, Ohio, Oklahoma, Pennsylvania, Rhode Island, Nebraska, Vermont, West Virginia, Virginia, Wisconsin, and Kentucky.

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

No. MC 21170 (Sub-No. 66), filed March 19, 1965. Applicant: BOS LINES, INC., 408 South 12th Avenue, Marshalltown, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles), from Darr, Nebr., and points within five (5) miles thereof, to points in Colorado, Kansas, Missouri, Iowa, Minnesota, Wisconsin, Illinois, Indiana, Kentucky, Ohio, Pennsylvania, New York, Vermont, Connecticut, Rhode Island, Massachusetts, New Hampshire, Maine, Maryland, Delaware, District of Columbia, Virginia, West Virginia, New Jersey, Tennessee, Alabama, North Carolina, South Carolina, Florida, Georgia, and Michigan.

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

No. MC 21170 (Sub-No. 67), filed March 19, 1965. Applicant: BOS LINES, INC., 408 South 12th Avenue, Marshalltown, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses* as described in Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles), from Minden, Nebr. and points within 5 miles thereof, to points in Colorado, Kansas, Missouri, Iowa, Minnesota, Wisconsin, Illinois, Indiana, Kentucky, Ohio, Pennsylvania, New York, Vermont, Connecticut, Rhode Island, Massachusetts, New Hampshire, Maine, Maryland, Delaware, the District of Columbia, Virginia, West Virginia, New Jersey, Tennessee, Alabama, North Carolina, South Carolina, Florida, Georgia, and Michigan.

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

No. MC 21170 (Sub-No. 68), filed March 19, 1965. Applicant: BOS LINES, INC., 408 South 12th Avenue, Marshall-

town, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses* as described in Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles), from Lexington, Nebr. and points within 5 miles thereof, to points in Colorado, Kansas, Missouri, Iowa, Minnesota, Wisconsin, Illinois, Indiana, Kentucky, Ohio, Pennsylvania, New York, Vermont, Connecticut, Rhode Island, Massachusetts, New Hampshire, Maine, Delaware, the District of Columbia, Virginia, Maryland, West Virginia, New Jersey, Tennessee, Alabama, North Carolina, South Carolina, Florida, and Georgia.

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

No. MC 30837 (Sub-No. 308), filed March 17, 1965. Applicant: KENOSHA AUTO TRANSPORT CORPORATION, 4519 76th Street, Kenosha, Wis. Applicant's attorney: Paul F. Sullivan, 910 17th Street NW., Washington, D.C., 20306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ambulances, funeral cars, and coaches*, in secondary movements, in truckaway service, from Cincinnati, Ohio, to points in the United States (except Alaska and Hawaii).

NOTE: The purpose of the subject application is to eliminate the Lima, Ohio gateway. Applicant states it presently operates in the transportation of motor vehicles throughout the United States. The authority sought does in no way duplicate any of the present operating rights of applicant. Exception: Applicant in its Certificate MC 30837 has secondary truckaway authority between points and places in Ohio and presently serves the States of Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia from Cincinnati, Ohio by routing its equipment over the Lima, Ohio gateway. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 30844 (Sub-No. 174), filed March 17, 1965. Applicant: KROBLIN REFRIGERATED XPRESS, INC., Post Office Box 218, Sumner, Iowa. Applicant's attorney: Truman A. Stockton, Jr., The 1650 Grant Street Building, Denver 3, Colo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in Sections A and C to the report in *Descriptions in Motor Carrier Certificates—Packinghouse Products*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from Postville, Iowa to points in Connecticut, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, and the District of Columbia.

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

No. MC 32430 (Sub-No. 6), filed March 12, 1965. Applicant: FERGUSON

TRANSFER COMPANY, a corporation, 320 North Front Street, Coos Bay, Ore. Applicant's attorney: George O. Tamblin, III., Public Service Building, Portland, Ore., 97204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wood chips*, (1) from points in Humboldt County, Calif. to Brookings, Ore. and (2) between points in Curry County, Ore.

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

No. MC32528 (Sub-No. 31), filed March 18, 1965. Applicant: CECIL E. VALLEE, E. H. VALLEE, EFFIE VALLEE ALBAUGH, AND HELEN VALLEE WITHERS, a partnership, doing business as UNION CITY TRANSFER, 1295 Railroad Avenue, Beaumont, Tex. Applicant's attorney: John H. Benckenstein, 1350 Petroleum Building, Post Office Box 551, Beaumont, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Heavy and cumbersome commodities* which, because of size and weight, require the use of special equipment, between points in Louisiana, Mississippi, and Texas.

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

No. MC 35442 (Sub-No. 4), filed March 15, 1965. Applicant: W. CLARENCE OWENS AND HALLETT W. OWENS, a partnership, doing business as W. W. OWENS & SONS TRANSFER & STORAGE, 501 Ward Street, Elizabeth City, N.C. Applicant's attorney: Russell E. Twiford, Carolina Building, Elizabeth City, N.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Castings and steel*, from Elizabeth City, N.C. to Newark, N.J. and New York City, N.Y., (2) *scrap metal, tubes, iron, steel, and rags*, from Elizabeth City, N.C. to Richmond, Va., Washington, D.C., and Baltimore, Md., (3) *iron and steel*, from Baltimore, Md., to Elizabeth City, N.C., (4) *canned goods and bleaches*, from Richmond, Va. to Elizabeth City, N.C., (5) *malt beverages*, from Baltimore, Md. and Atlanta, Ga., to Elizabeth City, N.C., (6) *paper and paper products*, from Baltimore, Md. and Downingtown, Pa. to Elizabeth City, N.C., and (7) *lumber, veneer and lumber products*, from Elizabeth City, N.C. to Emporia and Franklin, Va.

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

No. MC 37926 (Sub-No. 16), filed March 16, 1965. Applicant: R. H. WRIGHT, INC., Main Street, Greensboro, Md. Applicant's representative: Donald E. Freeman, 172 East Green Street, Westminster, Md. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sugar*, from Philadelphia, Pa., to Dover, Del.

NOTE: Applicant states it is presently authorized to perform the service herein sought. It only seeks to eliminate the gateway of Greensboro, Md. If a hearing is deemed

necessary, applicant requests it be held at Washington, D.C.

No. MC 42487 (Sub-No. 619), filed March 16, 1965. Applicant: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Drive, Menlo Park, Calif. Applicant's attorney: Robert C. Stetson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid petroleum and petroleum products*, in bulk, in tank vehicles, from Moses Lake and points within 5 miles thereof, and Spokane, Wash., to points in Wasco, Sherman, Gilliam, Morrow, Umatilla, Wallowa, Union, and Baker Counties, Ore.

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

No. MC 43654 (Sub-No. 62), filed March 23, 1965. Applicant: DIXIE OHIO EXPRESS, INC., Post Office Box 750, 237 Fountain Street, Akron 9, Ohio. Applicant's attorney: Robert H. Kinker, 711 McClure Building, Frankfort, Ky., 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), (1) between Birmingham, Ala., and Baton Rouge La., from Birmingham over U.S. Highway 31 to Mobile (also from Birmingham over U.S. Highway 31 to Flomaton, Ala., thence over U.S. Highway 29 to Pensacola, Fla., thence over U.S. Highway 90 to Mobile), thence over U.S. Highway 90 to New Orleans, La., thence over U.S. Highway 61 to Baton Rouge, and return over the same route, serving all intermediate points, and the off-route points of Pace, Fla., and Geismar and Grammercy, La., and off-route points within 15 miles of Birmingham, Mobile, and Montgomery, Ala., Pensacola, Fla., and New Orleans and Baton Rouge, La., (2) between Birmingham, Ala., and New Orleans, La., from Birmingham over U.S. Highway 11 to New Orleans, and return over the same route, serving no intermediate points, but serving off-route points within 15 miles of Birmingham, Ala., and New Orleans, La.

NOTE: Applicant states it will tack the above proposed authority with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Mobile, Ala., or New Orleans, La.

No. MC 44639 (Sub-No. 14), filed March 16, 1965. Applicant: SAM MAITA, IRVING LEVIN, AND ABE LEVIN, a partnership, doing business as L. & M. EXPRESS CO., 220 Ridge Road, Lyndhurst, N.J. Applicant's attorney: Herman B. J. Weckstein, 1060 Broad Street, Newark 2, N.J. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Wearing apparel* on hangers, from Lynchburg, Va., to New York, N.Y., and (2) *materials and supplies* used in the manufacture of wearing apparel, from New York, N.Y., to Lynchburg, Va.

NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 48958 (Sub-No. 75), filed March 24, 1965. Applicant: ILLINOIS-CALIFORNIA EXPRESS, INC., 510 East 51st Avenue, Denver, Colo. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), serving Domingo, N. Mex., as an off-route point in connection with applicant's authorized regular route operations.

NOTE: If a hearing is deemed necessary, applicant does not specify any particular area.

No. MC 49567 (Sub-No. 6), filed March 10, 1965. Applicant: ROY R. GOLDEN AND LEONARD E. GOLDEN, a partnership, doing business as GOLDEN BROS., 224 East McClure Street, Kewanee, Ill. Applicant's representative: George S. Mullins, 4704 West Irving Park Road, Chicago, Ill., 60641. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Dust collectors, precipitators, including motors and parts thereof*, for the account of American Standard Industrial Division, Kewanee, Ill., between Kewanee, Ill., on the one hand, and, on the other, points in Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Nebraska, Ohio, Pennsylvania, and Wisconsin.

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

No. MC 50493 (Sub-No. 25), filed March 16, 1965. Applicant: P.C.M. TRUCKING, INC., 1063 Main Street, Orefield, Pa. Applicant's attorney: Frank A. Doocey, 506 Hamilton Street, Allentown, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dical phosphate (feed grade)*, in bags, from Bartow, Fla., and points within five (5) miles thereof to Orefield, Pa.

NOTE: Applicant holds contract carrier authority in MC 115859 Sub 1, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 52629 (Sub-No. 61), filed March 22, 1965. Applicant: HUBER & HUBER MOTOR EXPRESS, INC., Post Office Box 1000, Staunton, Va. Applicant's attorney: Francis W. McInerney, 1000 Sixteenth Street NW., Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Foodstuffs* (except commodities in bulk), serving Champaign, Ill., as an off-route point in connection with applicant's authorized regular route operations, between Peoria, Ill., and Indianapolis, Ind.

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

No. MC 52657 (Sub-No. 637), filed March 12, 1965. Applicant: ARCO AUTO CARRIERS, INC., 2140 West 79th Street, Chicago, Ill., 60620. Applicant's attorney: G. W. Stephens, 121 West Doty Street, Madison, Wis. Authority sought

to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Materials, supplies, and parts*, used in the manufacture, assembly, and servicing of bodies, cabs, hoists (including powered gates), trailers, spreaders, containers, machine shop and lubrication units and mixers, when moving in mixed loads with bodies, cabs, hoists (including powered gates), trailers, spreaders, containers, machine shop and lubrication units and mixers, from Gallon, Bucyrus, Marion, Cardington, and Wapakoneta, Ohio to points in the United States.

**NOTE:** Applicant states it presently holds authority under MC 52657, and subs thereto to transport bodies, cabs, hoists (including powered gates), trailers, spreaders, containers, mixers, and machine shop and lubrication units from the above origin points to the above destination territory. Applicant further states the purpose of this application is to render a complete service, and no duplication of authority is sought. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 52657 (Sub-No. 638), filed March 12, 1965. Applicant: ARCO AUTO CARRIERS, INC., 2140 West 79th Street, Chicago, Ill., 60620. Applicant's attorney: G. W. Stephens, 121 West Doty Street, Madison, Wis. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Bodies, cabs, hoists, lift gates, trailers, spreaders, and containers* (except containers having a capacity of 5 gallons or less or having a capacity of 9 cubic feet or less), from Lima, Ohio, to points in the United States, and (2) *materials, supplies, and parts* used in the manufacture, assembly, and servicing of the above described commodities when moving in mixed loads with any of such commodities, from Lima, Ohio, to points in the United States.

**NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 52709 (Sub-No. 264), filed March 18, 1965. Applicant: RINGSBY TRUCK LINES, INC., 3201 Ringsby Court, Denver, Colo., 80216. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, livestock, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between Kearney, Nebr., and Kansas City, Mo.: From Kearney over Nebraska Highway 44 to junction U.S. Highway 6 about 7 miles west of Minden, Nebr., thence over U.S. Highway 6 to junction Nebraska Highway 10 at or near Minden (also from Kearney over Nebraska Highway 10 to junction U.S. Highway 6 at or near Minden), thence over Nebraska Highway 10 to the Nebraska-Kansas State line, thence over Kansas Highway 8 to junction U.S. Highway 36 at or near Athol, Kans., thence over U.S. Highway 36 to junction Kansas Highway 181 near Lebanon, Kans., thence over Kansas Highway 181 to junction U.S. Highway 24 near Downs, Kans., thence over U.S. Highway 24 to

Kansas City, and return over the same route, serving no intermediate points as an alternate route for operating convenience only, in connection with applicant's regular route operations, but serving Kearney, Minden, and Franklin, Nebr., for the purpose of joinder only.

**NOTE:** If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 52869 (Sub-No. 78), filed March 18, 1965. Applicant: NORTH-EARN TANK LINE, a corporation, 511 Pleasant Street, Miles City, Mont. Applicant's attorney: Alan Foss, First National Bank Building, Fargo, N. Dak., 58102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, from the plant site of the Kaneb Pipe Line Co.'s terminal located at or near Jamestown, N. Dak., to points in Montana, Minnesota, North Dakota, and South Dakota.

**NOTE:** If a hearing is deemed necessary, applicant requests it be held at Pierre, S. Dak., Bismarck, N. Dak., or Minneapolis, Minn.

No. MC 55811 (Sub-No. 83), filed March 18, 1965. Applicant: CRAIG TRUCKING, INC., Albany, Ind. 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: *Foodstuffs* (except in bulk) from Champaign, Ill., and points in the Champaign, Ill., commercial zone thereof, to points in Indiana, Michigan, Ohio, that part of Kentucky within ten (10) miles of the Kentucky-Illinois State line, the Kentucky-Indiana State line and the Kentucky-Ohio State line; that part of West Virginia within ten (10) miles of the West Virginia-Ohio State line; that part of Pennsylvania within ten (10) miles of the Pennsylvania-Ohio State line; points in Allegheny, Beaver, Butler, Lawrence, Mercer, and Washington Counties, Pa., and Jeannette, Schenley, and South Connellsville, Pa. and points within ten (10) miles of Jeannette, Schenley, and South Connellsville, Pa.

**NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 59367 (Sub-No. 19), filed March 19, 1965. Applicant: DECKER TRUCK LINE, INC., Post Office Box 915, Port Dodge, Iowa. Applicant's representative: William A. Landau, 1307 East Walnut, Des Moines, Iowa, 50316. 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*, as described in Sections A, B, and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from points in Wisconsin to points in Iowa, Kansas, Nebraska, Ohio, and Missouri.

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

No. MC 61396 (Sub-No. 126), filed March 17, 1965. Applicant: HERMAN BROS., INC., 2501 North 11th Street, Omaha, Nebr. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Cement*, from the plant site of River Cement Co., located at Memphis, Tenn., to points in Arkansas, Kentucky, Mississippi, Alabama, Tennessee, and points in Missouri south of U.S. Highway 60, and returned and rejected shipments of the commodity specified above, on return.

**NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 61396 (Sub-No. 127), filed March 17, 1965. Applicant: HERMAN BROS., INC., 2501 North 11th Street, Omaha, Nebr. Applicant's attorney: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Acids, chemicals, fertilizers, and fertilizer ingredients*, from East Dubuque, Ill., to points in Illinois, Indiana, Wisconsin, Iowa, Missouri, Kansas, Nebraska, South Dakota, and Minnesota.

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

No. MC 61396 (Sub-No. 128), filed March 17, 1965. Applicant: HERMAN BROS., INC., 2501 North 11th Street, Omaha, Nebr. Applicant's attorney: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Acids and chemicals*, in bulk, in tank vehicles, from Tri-City Regional Port District Complex in Madison County, Ill., to points in Arkansas, Indiana, Illinois, Iowa, Kansas, Kentucky, Missouri, Nebraska, and Tennessee.

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

No. MC 61396 (Sub-No. 129), filed March 19, 1965. Applicant: HERMAN BROS., INC., 2501 North 11th Street, Omaha, Nebr. Applicant's attorney: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Liquid animal feed ingredients* not produced from animal fats or vegetable oils, in bulk, in tank vehicles, from Crete, Nebr., to points in Kansas, Colorado, Oklahoma, Texas, Arkansas, Iowa, South Dakota, North Dakota, Minnesota, Wyoming, Missouri, Illinois, Wisconsin, and New Mexico.

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

No. MC 61396 (Sub-No. 130), filed March 22, 1965. Applicant: HERMAN BROS., INC., 2501 North 11th Street, Omaha, Nebr. Applicant's attorney: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Caramel coloring, burnt sugar, liquid sugar, and blends thereof*, in bulk, in tank vehicles, from Clinton,

Iowa, to points in Alabama, Connecticut, Delaware, the District of Columbia, Florida, Georgia, Illinois, Indiana, Iowa, Kansas (except Bonner Springs), Kentucky, Louisiana, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, Oklahoma, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, West Virginia, and Wisconsin.

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

No. MC 64112 (Sub-No. 23) (CLARIFICATION), filed February 23, 1965, published FEDERAL REGISTER issue March 17, 1965, and republished this issue. Applicant: NORTHEASTERN TRUCKING COMPANY, a corporation, 2508 Starita Road, Charlotte, N.C. Applicant's representative: W. Delbert Turner, Sr., 1415 East Boulevard, Post Office Box 3661, Charlotte, N.C., 28203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Textiles*, in truck loads from Farmville, N.C., to Penn Argyll, Pa.

NOTE: The purpose of this republication is to add the words "in truck loads." If a hearing is deemed necessary, applicant requests it be held at Charlotte, N.C.

No. MC 66900 (Sub-No. 28), filed March 17, 1965. Applicant: HOUFF TRANSFER, INCORPORATED, Post Office Box 91, Weyers Cave, Va. Applicant's attorney: Harold G. Hernly, 711 14th Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron or steel castings*, rough, wheels, balance or fly, *agricultural implement parts* (other than hand), from Lynchburg, Va., to New Holland, Pa.

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

No. MC 70083 (Sub-No. 8), filed March 24, 1965. Applicant: DRAKE MOTOR LINES, INC., York Street and Aramingo Avenue, Philadelphia, Pa. Applicant's attorney: Herbert Burstein, 160 Broadway, New York, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, which have an immediate prior or subsequent movement by air, between Philadelphia, Pa., on the one hand, and, on the other, Newark, N.J., and New York, N.Y.

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

No. MC 73464 (Sub-No. 96), filed March 15, 1965. Applicant: JACK COLE COMPANY, a corporation, Post Office Box 274, 1900 Vanderbilt Road, Birmingham, Ala. Applicant's attorney: Thomas Harper, Post Office Box 43, Fort Smith, Ark., 72902. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment

and those injurious or contaminating to other lading), (1) between junction Alabama Highway 5 and U.S. Highway 11, and Baton Rouge, La.; (a) from junction Alabama Highway 5 and U.S. Highway 11 over U.S. Highway 11 to junction Mississippi Highway 26 at Poplarville, Miss., thence over Mississippi Highway 26 to the Mississippi-Louisiana State line, thence over Louisiana Highway 26 to Bogalusa, La., thence over Louisiana Highway 21 to junction U.S. Highway 190, thence over U.S. Highway 190 to Baton Rouge and return over the same route, serving the intermediate points of Bogalusa and Zee, La.; (b) from junction Alabama Highway 5 and U.S. Highway 11 over U.S. Highway 11 to junction U.S. Highway 80 near York, Ala., thence over U.S. Highway 80 to Vicksburg, Miss., thence over U.S. Highway 61 to Baton Rouge and return over the same route, serving no intermediate points; and (2) between Wagarville, Ala., and Baton Rouge, La.; from Wagarville over U.S. Highway 84 to Natchez, Miss., thence over U.S. Highway 61 to Baton Rouge and return over the same route, serving no intermediate points and serving those off-route points within a 20-mile radius of Baton Rouge, La., in (1) and (2) above.

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

No. MC 76436 (Sub-No. 23), filed March 10, 1965. Applicant: SKAGGS TRANSFER, INC., 2400 Ralph Avenue, Louisville, Ky. Applicant's attorney: Rudy Yessin, 6th Floor McClure Building, Frankfort, Ky., 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except household goods as defined by the Commission, articles of unusual value, commodities in bulk, commodities injurious or contaminating to other lading, and commodities which require special equipment), between Louisville and Munfordville, Ky., over U.S. Highway 31-W, serving no intermediate points; restricted against service between Louisville, Ky., and Nashville, Tenn.

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

No. MC 77424 (Sub-No. 19), filed March 12, 1965. Applicant: WENHAM TRANSPORTATION, INC., 3200 East 79th Street, Post Office Box 6931, Cleveland, Ohio. Applicant's attorney: James E. Wilson, Perpetual Building, 1111 E Street, NW., Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, and except Classes A and B explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), from Marshall, Mich., to Charleroi, Pa.

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

No. MC 83539 (Sub-No. 140), filed March 22, 1965. Applicant: C & H TRANSPORTATION CO., INC., 1935 West Commerce Street, Post Office Box 5976, Dallas, Tex., 75222. Applicant's attorney: W. T. Brunson, 419 Northwest Sixth Street, Oklahoma City, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, namely *grader blades*, *rock bolts*, and *grinding balls, bars or shapes*, from Minnequa, Colo., to points in Alabama, Connecticut, Delaware, the District of Columbia, Georgia, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, and Wisconsin.

NOTE: Applicant states it now holds no authority that will tack with that sought herein. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo., or Washington, D.C.

No. MC 94350 (Sub-No. 54), filed March 24, 1965. Applicant: TRANSIT HOMES, INC., 210 West McBee Avenue, Post Office Box 1628, Greenville, S.C. Applicant's attorney: Henry P. Willimon, Box 1075, Greenville, S.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers* designed to be drawn by passenger automobiles, in initial movements, from points in Spartanburg and Anderson Counties, S.C., to points in Louisiana and States east of the Mississippi River, namely Alabama, Connecticut, Delaware, District of Columbia, Florida, Georgia, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, and Wisconsin.

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

No. MC 97068 (Sub-No. 5), filed March 18, 1965. Applicant: H. S. ANDERSON TRUCKING COMPANY, a corporation, Post Office Box 29, Port Arthur, Tex. Applicant's attorney: John H. Benckenstein, 1350 Petroleum Building, Post Office Box 551, Beaumont, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Heavy and cumbersome commodities* which, because of size or weight, require the use of special equipment, between points in Louisiana, Mississippi, and Texas.

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

No. MC 100666 (Sub-No. 70), filed March 17, 1965. Applicant: MELTON TRUCK LINES, INC., Post Office Box 7295, Shreveport, La. Applicant's attorney: Wilburn L. Williamson, 443-54 American National Building, Oklahoma City 2, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transport-

ing: *Boards* composed of wood fiber and cement combined, and *accessories therefor* when moving incidental to and in the same vehicle with such boards, from the plant site of the National Gypsum Co. at Arkadelphia, Ark., to points in Iowa, Illinois, Wisconsin, and Missouri.

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

No. MC 103880 (Sub-No. 335), filed March 17, 1965. Applicant: PRODUCERS TRANSPORT, INC., 215 East Waterloo Road, Akron, Ohio, 44306. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizers* (except anhydrous ammonia), in bulk, in tank vehicles, from Mt. Vernon, Ind., to points in Indiana, Illinois (except points in the East St. Louis, Ill., commercial zone), Kentucky and Missouri (except points in the St. Louis, Mo., commercial zone).

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

No. MC 106398 (Sub-No. 265), filed March 15, 1965. Applicant: NATIONAL TRAILER CONVOY, INC., 1925 National Plaza, Tulsa, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers* designed to be drawn by passenger automobiles, in initial movements, in truckaway service, from points in East Carroll Parish, La., to points in the United States (except Alaska and Hawaii).

NOTE: If a hearing is deemed necessary, applicant requests it be held at Baton Rouge, La.

No. MC 106485 (Sub-No. 8), filed March 22, 1965. Applicant: LEWIS TRUCK LINES, INC., Post Office Box 12, Fargo, N. Dak. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), (1) between Lisbon and Ellendale, N. Dak., from Lisbon over North Dakota Highway 32 to junction North Dakota Highway 13, thence over North Dakota Highway 13 to junction North Dakota Highway 1, thence over North Dakota Highway 1 to junction North Dakota Highway 11, thence over North Dakota Highway 11 to Ellendale, and return over the same route, serving all intermediate points, and (2) between Milnor and Oakes, N. Dak., from Milnor, over North Dakota Highway 13 to junction North Dakota Highway 1, thence over North Dakota Highway 1 to Oakes, and return over the same route, serving all intermediate points.

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

No. MC 106968 (Sub-No. 3) (CLARIFICATION), filed February 25, 1965, published FEDERAL REGISTER, issue of

March 17, 1965, and republished as clarified this issue. Applicant: ROBERT B. WHITE, doing business as BOB WHITE'S HORSE TRANSPORTATION, Post Office Box 64, San Ysidro, Calif. Applicant's attorney: Phil Jacobson, 510 W. 6th Street, Los Angeles 14, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Race horses*, and in the same vehicle with such horses, *supplies and equipment* used in the transportation, care and exhibition of such horses, and the *personal effects of their attendants*, between points in Maricopa County, Ariz., on the one hand, and, on the other, the ports of entry on the International Boundary line between the United States and Mexico, located at or near El Paso, Tex.

NOTE: The purpose of this republication is to clarify that applicant states that he proposes to tack the proposed authority with his present authority from points in California to points in Maricopa County, Ariz., so as to permit service from the California points to ports of entry located at or near El Paso, Tex. If a hearing is deemed necessary, applicant requests it be held at San Diego, Calif.

No. MC 107002 (Sub-No. 240), filed March 18, 1965. Applicant: HEARIN-MILLER TRANSPORTERS, INC., Post Office Box 1123, Highway 80 West, Jackson, Miss., 39205. Applicant's attorneys: Harry C. Ames, Jr., 529 Transportation Building, Washington, D.C., 20006, and H. D. Miller, Jr., Post Office Box 1250, Jackson, Miss., 39205. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Phosphatic fertilizer solutions* and (2) *fertilizer compounds*, in bulk, from the plant site of National Phosphate Corp., 4 miles north of Hahnville, St. Charles Parish, La., to points in Alabama, Arkansas, Kentucky, Louisiana, Mississippi, Missouri, Oklahoma, Tennessee, and Texas.

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

No. MC 107002 (Sub-No. 241), filed March 18, 1965. Applicant: HEARIN-MILLER TRANSPORTERS, INC., Post Office Box 1123 (Highway 80 West), Jackson, Miss. Applicant's attorney: E. Stephen Heasley, 529 Transportation Building, Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Nitrogen, oxygen, hydrogen, argon, and helium*, in bulk, (1) from the plant site of Air Products & Chemicals, Inc., located in Orleans Parish, La., to points in the United States, including Alaska and Hawaii, and (2) from Long Beach and Lathrop, Calif., Granite City, Ill., Burns Harbor, Ind., Ashland, Ky., Cleveland, Ohio, Pittsburgh, Pa., Delaware City, Del., and Baltimore Md., to the plant site of Air Products & Chemicals, Inc., located in Orleans Parish, La.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Jackson, Miss., or New Orleans, La.

No. MC 107151 (Sub-No. 22), filed March 18, 1965. Applicant: H. F.

JOHNSON, INC., Post Office Box 1403, Billings, Mont. Applicant's attorney: Hugh Sweeney, Billings State Bank Building, Billings, Mont. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, as described in Appendix XIII to the report in *Descriptions in Motor Carriers Certificates*, 61 M.C.C. 209, from points in Montana and Wyoming, to ports of entry on the international boundary line between the United States and Canada located in Montana and North Dakota, and *contaminated and rejected shipments*, on return.

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

No. MC 107403 (Sub-No. 615), filed March 18, 1965. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. Applicant's attorneys: Harry C. Ames, Jr., and E. Stephen Heasley, 529 Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Nitrogen, oxygen, hydrogen, argon and helium*, in bulk, (1) from the plant site of Air Products and Chemicals, Inc., located in Orleans Parish, La., to points in the United States, and (2) from Long Beach and Lathrop, Calif.; Granite City, Ill.; Burns Harbor, Ind.; Ashland, Ky.; Cleveland, Ohio; Pittsburgh, Pa.; Delaware City, Del., and Baltimore, Md., to the plant site of Air Products and Chemicals, Inc., located in Orleans Parish, La.

NOTE: If a hearing is deemed necessary, applicant requests it be held at New Orleans, La., or Jackson, Miss.

No. MC 107496 (Sub-No. 364), filed March 10, 1965. Applicant: RUAN TRANSPORT CORPORATION, Keosauqua at Third, Des Moines, Iowa. Applicant's attorney: H. L. Fabritz, Box 855, Des Moines, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer, fertilizer materials, and fertilizer ingredients* including but limited to nitrogen fertilizer solutions, from Carmel, Ind., and points within five (5) miles thereof, to points in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Ohio, and Wisconsin.

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

No. MC 107605 (Sub-No. 15), filed March 15, 1965. Applicant: ADVANCE-UNITED EXPRESSWAYS, INC., 2601 Broadway Road, Minneapolis, Minn. 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 regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the plant site of the American Can Co., Bottle Division, Valley Park, Minn., as

an off-route point in connection with applicant's regular-route operations.

**NOTE:** If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 107839 (Sub-No. 64), filed March 19, 1965. Applicant: DENVER-ALBUQUERQUE MOTOR TRANSPORT, INC., 5135 York, Denver, Colo. Applicant's attorney: Duane W. Acklie, Box 2028, Lincoln, Nebr., 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat byproducts* as described in Section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Denver and Greeley, Colo., to points in Florida.

**NOTE:** Applicant states that it presently holds authority from Denver, Colo., to enumerated points in Florida on "meats" and seeks no duplicate authority but merely to clarify or supplement existing commodity description. If a hearing is deemed necessary applicant requests it be held at Denver, Colo.

No. MC 107871 (Sub-No. 37), filed March 18, 1965. Applicant: BONDED FREIGHTWAYS, INC., 441 Kirkpatrick Street West, Post Office Box 1012, Syracuse, N.Y. Applicant's attorney: Herbert M. Canter, Mezzanine, Warren Parking Center, 345 South Warren Street, Syracuse, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bulk commodities* (excluding cement), (1) between points in New York, (2) between points in Massachusetts, (3) from points in New York and Massachusetts, to points in Massachusetts, Connecticut, Rhode Island, New Hampshire, and Vermont, and (4) from points in New York, to points in Pennsylvania.

**NOTE:** Applicant states service as proposed restricted to shipments having a prior movement by rail. If a hearing is deemed necessary, applicant requests it be held at New York City, N.Y.

No. MC 107871 (Sub-No. 38), filed March 22, 1965. Applicant: BONDED FREIGHTWAYS, INC., 441 Kirkpatrick Street West, Post Office Box 1012, Syracuse, N.Y., 13201. Applicant's attorney: Herbert M. Canter, Mezzanine, Warren Parking Center, 345 South Warren Street, Syracuse, N.Y., 13202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry cement and mortar*, in bulk, from points in Massachusetts, to points in Connecticut, Massachusetts, Rhode Island, and New Hampshire, restricted to shipments having a prior movement by rail.

**NOTE:** No duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 107871 (Sub-No. 39), filed March 25, 1965. Applicant: BONDED FREIGHTWAYS, INC., 441 Kirkpatrick Street West, Post Office Box 1012, Syracuse, N.Y. Applicant's attorney: Herbert M. Canter, Mezzanine, Warren Parking Center, 345 South Warren Street, Syracuse, N.Y. Authority sought to operate as a *common carrier*, by motor

vehicle, over irregular routes, transporting: *Soda ash*, in bulk, from Solvay, N.Y., to Crestwood Industrial Park, located at or near Mountain Top, Pa.

**NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 107906 (Sub-No. 19), filed March 25, 1965. Applicant: TRANSPORT MOTOR EXPRESS, INC., Post Office Box 958, Meyer Road, Fort Wayne, Ind. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Foodstuffs*, serving Champaign, Ill., as an off-route point in connection with applicant's presently authorized regular route operations.

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

No. MC 108449 (Sub-No. 198) (AMENDMENT), filed February 11, 1965, published in FEDERAL REGISTER, issue of March 3, 1965, amended March 29, 1965, and republished as amended this issue. Applicant: INDIANHEAD TRUCK LINE, INC., 1947 West County Road "C," St. Paul, Minn., 55113. Applicant's attorney: Glenn W. Stephens, 121 West Doty Street, Madison 3, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids, chemicals, fertilizers and fertilizer ingredients*, in bulk, in tank vehicles, from East Dubuque, Ill., and points in Illinois within 10 miles thereof, to points in Illinois, Indiana, Wisconsin, Iowa, Missouri, Kansas, Nebraska, South Dakota, and Minnesota.

**NOTE:** The purpose of this republication is to more clearly set forth the proposed operation. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 109124 (Sub-No. 10), filed March 22, 1965. Applicant: SENTILE TRUCKING CORPORATION, 210 Alexis Road, Toledo, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles*, between the plant site of the Bethlehem Steel Corp., Burns Harbor, Porter County, Ind., on the one hand, and, on the other, points in Ohio, West Virginia, Illinois, Pennsylvania, and the lower peninsula of Michigan.

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

No. MC 109478 (Sub-No. 81) (AMENDMENT), filed February 12, 1965, published FEDERAL REGISTER issue March 10, 1965, and republished as amended this issue. Applicant: WORSTER MOTOR LINES, INC., East Main Road, Rural Delivery No. 1, North East, Pa. Applicant's attorney: William W. Knox, 23 West Tenth Street, Erie, Pa., 16501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid sugar, invert sugar, syrups, blends or mixtures of syrups and/or sugar*, in bulk, in tank vehicles, from the town of Montezuma, Cayuga County, N.Y. to

points in Connecticut, Delaware, the District of Columbia, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Virginia, West Virginia, Vermont, and Rhode Island, and returned, refused and rejected shipments, on return.

**NOTE:** The purpose of this republication is to include returned, refused, and rejected shipments, on return. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 110420 (Sub-No. 428), filed March 17, 1965. Applicant: QUALITY CARRIERS, INC., Post Office Box 339, 100 South Calumet Street, Burlington, Wis. 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: *Flavoring syrup*, in bulk, in stainless steel tank vehicles, from Louisville, Ky., to points in the United States (except Alaska and Hawaii).

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

No. MC 110525 (Sub-No. 714), filed March 18, 1965. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. Applicant's attorneys: Leonard A. Jaskiewicz, 1155 15th Street NW., Madison Building, Washington, D.C., and Edwin H. van Deusen, 520 East Lancaster Avenue, Downingtown, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Rosin sizing*, in bulk, in tank vehicles, from Nitro, W. Va., to Rumford, Maine.

**NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 110525 (Sub-No. 715), filed March 19, 1965. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. Applicant's attorneys: Leonard A. Jaskiewicz, 1155 15th Street NW., Washington, D.C., 20005, and Edwin H. van Deusen, 520 East Lancaster Avenue, Downingtown, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer solutions*, in bulk, from Havre de Grace, Md. to points in Delaware and Pennsylvania (excluding points within twenty-five (25) miles of Philadelphia, Pa.).

**NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 110878 (Sub-No. 28), filed March 24, 1965. Applicant: ARGO TRUCKING COMPANY, INC., Elberton, Ga. Applicant's attorney: Monty Schumacher, 1375 Peachtree Street NE., Suite 693, Atlanta, Ga., 30309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt*, in bags, cartons, and blocks, from points in Fort Bend and Harris Counties, Tex. to Pensacola, Fla.

**NOTE:** Applicant states it proposes to tack the authority sought with its Certificate No. MC-110878 (Sub-No. 23) authorizing the

transportation of the involved commodities from the same origin points to points in Alabama, Georgia, Mississippi, South Carolina, and Tennessee, for the purpose of handling shipments requiring multiple deliveries. If a hearing is deemed necessary, applicant does not specify place.

No. MC 110988 (Sub-No. 121), filed March 19, 1965. Applicant: KAMPO TRANSIT, INC., 200 West Cecil Street, Neenah, Wis. Applicant's attorney: E. Stephen Heisley, Transportation Building, Washington, D.C., 20006. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Chemicals* (except hydrofluosilicic acid), in bulk, in tank or hopper-type vehicles, from Mason City, Iowa to points in Wisconsin.

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

No. MC 111231 (Sub-No. 64), filed March 15, 1965. Applicant: JONES TRUCK LINES, INC., 610 East Emma Avenue, Springdale, Ark. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Baby foods, cereal foods preparation, bakery goods and baby supplies*, from the plant and warehouse sites of Gerber Products Co., Fort Smith, Ark., to points in Kansas, Missouri, Arkansas, Oklahoma, Texas and Louisiana.

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

No. MC 111748 (Sub-No. 10), filed March 24, 1965. Applicant: HARVEY L. WILLIAMS, JR., doing business as WILLIAMS MOVING & STORAGE CO., Tarkio, Mo. Applicant's attorney: Carl V. Kretsinger, Suite 510 Professional Building, Kansas City, Mo., 64106. 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 Appendix I to the report in *Descriptions in Motor Carrier Certificates* 61 M.C.C. 766, between points in Atchison County, Mo., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii).

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

No. MC 111812 (Sub-No. 279), filed March 17, 1965. Applicant: MIDWEST COAST TRANSPORT, INC., Wilson Terminal Building, Post Office Box 747, Sioux Falls, S. Dak., 57101. Applicant's attorney: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr., 68102. 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, from Duluth, Minn., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New

Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and Washington, D.C.

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

No. MC 111812 (Sub-No. 280), filed March 22, 1965. Applicant: MIDWEST COAST TRANSPORT, INC., Wilson Terminal Building, Post Office Box 747, Sioux Falls, S. Dak., 57101. Applicant's attorney: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr., 68102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Cooked bakery products and bakery products ingredients* in vehicles equipped with mechanical refrigeration, from Seelyville, Ind. to points in Kansas, Nebraska, New Mexico, Arizona, California, Nevada, Utah, Wyoming, Idaho, Oregon, Washington, and Montana.

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

No. MC 112148 (Sub-No. 31), filed March 19, 1965. Applicant: JAMES H. POWERS, INC., Melbourne, Iowa. Applicant's representative: William A. Landau, 1307 East Walnut, Des Moines, Iowa, 50316. 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*, as described in Sections A, B, and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from points in Wisconsin to points in Iowa, Kansas, Nebraska, Ohio, and Missouri.

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

No. MC 112617 (Sub-No. 194), filed March 22, 1965. Applicant: LIQUID TRANSPORTERS, INC., Post Office Box 5135, Cherokee Station, Louisville 5, Ky. Applicant's attorney: Leonard A. Jaskiewicz, 600 Madison Building, 1155 15th Street NW., Washington, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Liquid latices*, in bulk, in tank vehicles, from points in Jefferson County, Ky. to points in California.

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

No. MC 113362 (Sub-No. 63), filed March 16, 1965. Applicant: ELLSWORTH FREIGHT LINES, INC., 220 East Broadway, Eagle Grove, Iowa. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, other than frozen, from points in Cumberland County, N.J. to points in Iowa, Minnesota, Nebraska, North Dakota, South Dakota, Wisconsin, and Milan, Ill.

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

No. MC 113362 (Sub-No. 64), filed March 22, 1965. Applicant: ELLS-

WORTH FREIGHT LINES, INC., 220 East Broadway, Eagle Grove, Iowa. Applicant's attorney: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products; compounded oils and greases; rust preventatives and rust-removing compounds; brake fluid; carbon, gum and sludge-removing compounds; car undercoating; body sealer and sound deadening compounds*; all in containers, from Kansas City, Kans. to points in Iowa and Nebraska.

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

No. MC 113495 (Sub-No. 17), filed March 24, 1965. Applicant: GREGORY HEAVY HAULERS, INC., No. 2 Main Street, Post Office Box 5266, Nashville, Tenn. Applicant's attorney: Robert M. Pearce, 221 St. Clair, Frankfort, Ky. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Building or roofing tile and slabs*, from the plant site of Flintkote Co., Inc., located at or near Richmond, Va., to points in Illinois, Indiana, Kentucky, Missouri, Tennessee, and Wisconsin, and *rejected shipments of the commodities specified above*, on return.

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

No. MC 113651 (Sub-No. 80), filed March 23, 1965. 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: *Meat, meat products and meat byproducts, articles distributed by meat packinghouses, and such commodities as are used by meat-packers in the conduct of their business when destined to and for use by meat-packers*, as described in Sections A, C, and D of Appendix I to the report in *Descriptions in Motor Carrier Certificates* 61 M.C.C. 209 and 766 (except hides and commodities in bulk in tank vehicles), from Garden City, Kans., and points within ten (10) miles thereof, to points in Maine, Vermont, New Hampshire, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Ohio, Indiana, Virginia, West Virginia, Delaware, Maryland, the District of Columbia, North Carolina, South Carolina, Georgia, Alabama, Florida, Kentucky, Tennessee, Iowa, Louisiana, and Mississippi.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Wichita, Kans.

No. MC 113651 (Sub-No. 81), filed March 22, 1965. 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 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, and hides), from points in Dakota County, Nebr., to points in Kentucky, Tennessee, North Carolina, South Carolina, Georgia, Alabama, Florida, Louisiana, and Mississippi.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Sioux City, Iowa, or Washington, D.C.

No. MC 113678 (Sub-No. 113), filed March 18, 1965. Applicant: CURTIS, INC., 770 East 51st Avenue, Denver, Colo. Applicant's attorney: Duane W. Acklie, Post Office Box 2028, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products*, from Parson, Salina, and Moline, Kans., to points in Colorado, New Mexico, Arizona, California, and points in Texas on and west of U.S. Highway 87 to Big Springs, Tex., and on and north of U.S. Highway 80.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Denver, Colo.

No. MC 113678 (Sub-No. 115), filed March 22, 1965. Applicant: CURTIS, INC., 770 East 51st Avenue, Denver, Colo., 80216. Applicant's attorney: Duane W. Acklie, Post Office Box 2028, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, raw and manufactured, from points in Nebraska bounded on the east by U.S. Highway 81, on the west by U.S. Highway 83, on the north by the Nebraska-South Dakota State line, and on the south by the Nebraska-Kansas State line, including points on said highway boundaries, to points in North Dakota, South Dakota, Colorado, Kansas, Oklahoma, Wyoming, and Sioux City, Iowa, and *damaged and rejected shipments*, on return.

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

No. MC 113678 (Sub-No. 116), filed March 23, 1965. Applicant: CURTIS, INC., 770 East 51st Avenue, Denver, Colo. Applicant's attorney: Duane W. Acklie, Post Office Box 2028, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods, prepared foods, and essence of fruits and berries*, (1) from points in New York, located on and west of a line beginning at Cape Vincent, N.Y., and extending along New York Highway 12E to Watertown, N.Y., and thence along U.S. Highway 11 to the New York-Pennsylvania State line, to points in Arkansas, Colorado, Iowa, Kansas, Louisiana, Minnesota, Mississippi, Missouri, Nebraska, North Dakota, Oklahoma, South Dakota, Tennessee, Texas, and Wisconsin, and (2) from points in Texas, to points in Michigan, New York, Ohio, and Pennsylvania.

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

No. MC 113855 (Sub-No. 102), filed March 24, 1965. 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: *Radioactive source, special nuclear and byproduct materials, radioactive material shipping containers, nuclear reactor component parts and related equipment*, between points in Alameda and Santa Clara Counties, Calif., on the one hand, and, on the other, points in the United States (except points in Hawaii).

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

No. MC 113678 (Sub-No. 117), filed March 24, 1965. Applicant: CURTIS, INC., 770 East 51st Avenue, Denver, Colo. Applicant's attorney: Duane W. Acklie, Post Office Box 2028, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products, including compounded oil and grease, iron and steel rust preventive and removing compound, and carbon, gum, and sludge removing compounds, and car undercoating, body sealer, and sound deadener compound*, in containers, from Kansas City, Kans., to points in Arkansas, Colorado, Iowa, Missouri, Nebraska, New Mexico, Oklahoma, Utah, and Wyoming.

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

No. MC 113855 (Sub-No. 103), filed March 25, 1965. Applicant: INTERNATIONAL TRANSPORT, INC., Highway 52, South, Rochester, Minn. Applicant's attorney: Gene P. Johnson, First National Bank Building, Fargo, N. Dak. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Irrigation systems and parts for irrigation systems*, from points in Douglas County, Nebr., to points in Arizona, Arkansas, California, Idaho, Kansas, Louisiana, Missouri, Montana, Nevada, New Mexico, Oklahoma, Oregon, Texas, Utah, and Washington.

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

No. MC 114019 (Sub-No. 130), filed March 12, 1965. 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: *Meats, meat products, meat byproducts, and articles* distributed by meat packinghouses, as described in Appendix I, to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except liquids, in bulk, in tank vehicles, and except hides), from the plant site of the Platte Valley Packing Co., located in Dawson County, Nebr., to points in West Virginia, Virginia, Maryland, Delaware, Pennsylvania, New York, New Jersey, Maine, New Hampshire, Connecticut, Massachusetts, Vermont, Rhode Island, and Washington, D.C., restricted to

traffic originating at the plant site and/or cold storage facilities utilized by Platte Valley Packing Co. in Dawson County, Nebr.

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

No. MC 114045 (Sub-No. 176), filed March 11, 1965. 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: *Meat, 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 (except commodities in bulk, in tank vehicles and hides), from points in Dakota County, Nebr., to points in Virginia, Maryland, the District of Columbia, New Jersey, New York, Pennsylvania, Connecticut, Delaware, and Massachusetts.

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

No. MC 114211 (Sub-No. 75), filed March 19, 1965. Applicant: WARREN TRANSPORT, INC., Post Office Box 420, Waterloo, Black Hawk County, Iowa. Applicant's attorney: Charles W. Singer, 33 North La Salle Street, Chicago, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tractors, tractor attachments, farm machinery and agricultural implements and parts* for commodities specified above when moving incidental with units for which the parts are intended, from Atlanta, Ga., and points within ten (10) miles thereof, to points in the United States (except points in Alaska and Hawaii).

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

No. MC 115162 (Sub-No. 111), filed March 22, 1965. Applicant: WALTER POOLE, doing business as POOLE TRUCK LINE, Post Office Box 310, Evergreen, Ala. Applicant's representative: Robert E. Tate, 2031 Ninth Avenue South, Birmingham, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods*, from points in Michigan, to points in Tennessee.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Grand Rapids, or Lansing, Mich.

No. MC 115295 (Sub-No. 2), filed March 12, 1965. Applicant: BOB UTGARD, doing business as UTGARD TRUCKING, Star Prairie, Wis. Applicant's representative: A. R. Fowler, 2288 University Avenue, St. Paul, Minn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal and poultry feed*, from New Richmond, Wis., to points in Dakota and Scott Counties, Minn.

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

No. MC 115331 (Sub-No. 116), filed March 15, 1965. Applicant: TRUCK TRANSPORT, INCORPORATED, 707 Market Street, St. Louis, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Syrups, sweeteners, corn syrup and blends* from Granite City, Ill., to points in Arkansas, Louisiana, Kentucky, and Tennessee.

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

No. MC 115331 (Sub-No. 118), filed March 15, 1965. Applicant: TRUCK TRANSPORT, INCORPORATED, 707 Market Street, St. Louis, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Syrups, sweeteners and blends*, in bulk, in tank vehicles from Edinburg, Ind., to points in Indiana, Michigan, Ohio, Illinois, Pennsylvania, Kentucky, West Virginia, and Wisconsin.

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

No. MC 115331 (Sub-No. 119), filed March 15, 1965. Applicant: TRUCK TRANSPORT, INCORPORATED, 707 Market Street, St. Louis, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Corn products, dry*, from Mt. Vernon, Ind. to Millstadt, Ill., St. Louis, and Salem, Mo.

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

No. MC 115331 (Sub-No. 120), filed March 24, 1965. Applicant: TRUCK TRANSPORT, INCORPORATED, 707 Market Street, St. Louis, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids, chemicals, fertilizer, fertilizer solutions and fertilizer compounds*, in bulk, from the plant site of the National Phosphate Corporation located near Hahnville, La., to points in Alabama, Arkansas, Kentucky, Mississippi, those in Missouri on and south of the Missouri River, Oklahoma, Tennessee, and Texas.

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

No. MC 115331 (Sub-No. 121), filed March 24, 1965. Applicant: TRUCK TRANSPORT, INCORPORATED, 707 Market Street, St. Louis, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wood preservatives*, in bulk, from St. Louis, Mo., to Carbondale, Ill.

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

No. MC 115331 (Sub-No. 121), filed March 24, 1965. Applicant: TRUCK TRANSPORT, INCORPORATED, 707 Market Street, St. Louis, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wood preservatives*, in bulk, from St. Louis, Mo., to Carbondale, Ill.

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

No. MC 115491 (Sub-No. 59), filed March 19, 1965. Applicant: COMMERCIAL CARRIER CORPORATION, 502 East Bridgers Avenue, Auburndale, Fla. Applicant's attorney: M. Craig Massey, 223 South Florida Avenue, Post Office Drawer J, Lakeland, Fla., 33802. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, between points in Florida.

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

No. MC 115491 (Sub-No. 60), filed March 23, 1965. Applicant: COMMERCIAL CARRIER CORPORATION, 502 East Bridgers Avenue, Post Office Box 67, Auburndale, Fla. Applicant's attorney: Thomas F. Kilroy, Suite 1250, Federal Bar Building, 1815 H Street NW., Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat by-products, dairy products and articles distributed by meat packinghouses*, as described in Sections A, B, and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Dakota City, Nebr., to points in Alabama, Georgia, Florida, Tennessee, Mississippi, South Carolina, and North Carolina.

NOTE: If a hearing is deemed necessary, applicant does not specify place of hearing.

No. MC 115651 (Sub-No. 8), filed March 26, 1965. Applicant: KANEY TRANSPORTATION, INC., 1023 East Alum Street, Freeport, Ill., 61033. Applicant's representative: George S. Mullins, 4704 West Irving Park Road, Chicago, Ill., 60641. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Fertilizer, fertilizer materials and ingredients, and chemicals*, liquid, in bulk, in tank trailers, and (2) *fertilizer, fertilizer materials and ingredients, and chemicals*, dry, in bulk, in hopper trailers, from the site of the Apple River Chemical Co., located about seven (7) miles east of Galena, Ill., to points in Illinois, Indiana, Iowa, Minnesota, Missouri, South Dakota, and Wisconsin.

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

No. MC 115841 (Sub-No. 227), filed March 17, 1965. 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: *Foodstuffs*, from Council Bluffs, Iowa and Omaha, Nebr., to Nashville, Tenn., restricted to traffic moving to Nashville, Tenn. for storage-in-transit and subsequent movement beyond.

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

No. MC 116077 (Sub-No. 179), filed March 22, 1965. Applicant: ROBERTSON TANK LINES, INC., Post Office Box 9527, 5700 Polk Avenue, Houston, Tex., 77011. Applicant's attorney: Thomas E. James, 721 Brown Building, Austin, Tex.,

78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Alumina*, in bulk, from points in East Baton Rouge Parish, La., to points in Texas.

NOTE: If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 117119 (Sub-No. 204), filed March 15, 1965. 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: *Poultry equipment*, from Vineland, N.J., to Springdale and Batesville, Ark., and Lubbock and Center, Tex.

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

No. MC 117119 (Sub-No. 205), filed March 18, 1965. 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: *Prepared foodstuffs requiring refrigeration*, from Denison, Tex., to points in Arkansas, Louisiana, Mississippi, Missouri, and Mobile, Ala., and Pensacola, Fla.

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

No. MC 117119 (Sub-No. 206), filed March 24, 1965. 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: *Baby foods and baby supplies*, from the plant site of Gerber Products Co., located at Fort Smith, Ark., to points in New Mexico and Colorado.

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

No. MC 117686 (Sub-No. 49), filed March 22, 1965. Applicant: HIRSCHBACH MOTOR LINES, INC., 3324 U.S. Highway 75 North, Post Office Box 417, Sioux City, Iowa. Applicant's attorney: J. Max Harding, Box 2028, Lincoln, Nebr., 68501. 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 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, B, C, and D of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk in tank vehicles), from points in Iowa to points in Louisiana and Mississippi, and damaged and rejected shipments of the above commodities, on return.

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

No. MC 117686 (Sub-No. 50), filed March 22, 1965. Applicant: HIRSCHBACH MOTOR LINES, INC., 3324 U.S. Highway 75 North, Sioux City, Iowa. Applicant's attorney: J. Max Harding, Box 2028, Lincoln, Nebr., 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products, articles* distributed by meat packing-houses, 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, B, C, and D of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from Wichita, Kans., to points in Alabama, Georgia, Louisiana, Mississippi, and Memphis, Tenn.

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

No. MC 118292 (Sub-No. 8), filed March 16, 1965. Applicant: BALLENTINE PRODUCE, INC., Alma, Ark. Applicant's attorney: Lester M. Bridgeman, 1027 Woodward Building, Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Russellville, Ark., to points in Alabama, Georgia, Mississippi, Florida, Louisiana, Tennessee, Texas, Colorado, Oklahoma, Kansas, Missouri, Nebraska, Iowa, Illinois, and Michigan.

NOTE: Applicant holds contract carrier authority in MC 118434, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark., or Washington, D.C.

No. MC 118535 (Sub-No. 21), filed March 18, 1965. Applicant: JIM TIONA, JR., 803 West Ohio Street, Butler, Mo. Applicant's attorney: Tom B. Kretsinger, Suite 510, Professional Building, Kansas City, Mo., 64106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Dry fertilizer materials, dry fertilizer, and urea*, from Pryor and Tulsa, Okla., to points in Delaware, Florida, Georgia, Maryland, New Jersey, New York, North Carolina, Pennsylvania, South Carolina, Virginia, and West Virginia and *damaged, returned and rejected shipments*, on return; and (2) *dry fertilizer materials, dry fertilizer, and urea*, in bulk, from Atlas, Mo., to points in Alabama, Arkansas, Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Tennessee, Texas, and Wisconsin and *damaged, returned and rejected shipments*, on return.

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

No. MC 119118 (Sub-No. 17), filed March 23, 1965. Applicant: LEWIS W. McCURDY AND MARGARET J. McCURDY, a partnership, doing business as McCURDY'S TRUCKING CO., 571 Unity

Street, Latrobe, Pa. Applicant's attorney: Paul F. Sullivan, Barr Building, 910 17th Street NW., Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, in containers, and *related advertising material* moving therewith, from Newark, N.J., to Oil City and Erie, Pa.

NOTE: Applicant is also authorized to conduct operations as a contract carrier in Permit MC 116564, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa.

No. MC 119531 (Sub-No. 36) (AMENDMENT), filed March 9, 1965, published FEDERAL REGISTER issue March 31, 1965, and republished as amended this issue. Applicant: DIECKBRADER EXPRESS, INC., 5391 Wooster Road, Cincinnati, Ohio. Applicant's attorney: Charles W. Singer, 33 North La Salle Street, Chicago, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Glass containers*, from Streator, Ill., to Battle Creek and Detroit, Mich., and points in Indiana and Ohio, and (2) *chemicals* used in the manufacture of glass containers, and *paper and paper products*, from points in Michigan, to Streator, Ill., and Lawrenceburg, Ind.

NOTE: The purpose of this republication is to more clearly show (2) above, in lieu of way published previously. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 119767 (Sub-No. 63), filed March 22, 1965. Applicant: BEAVER TRANSPORT CO., a corporation, 100 South Calumet Street, Burlington, Wis. 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: *Feed and feed ingredients*, in bulk and in bags, from the plant sites of Darling & Co. located at Cedar Rapids, Iowa, and at or near Alpha, Iowa, to points in Illinois, Minnesota, Missouri, Nebraska, and Wisconsin.

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

No. MC 120073 (Sub-No. 4), filed March 12, 1965. Applicant: GREAT PLAINS TRANSPORTATION COMPANY, a corporation, Holdrege, Nebr. Applicant's attorney: Donald E. Leonard, Post Office Box 2028, Lincoln, Nebr., 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except Classes A and B explosives and those requiring special equipment), serving Wray, Colo., 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 Omaha, Nebr.

No. MC 121567 (Sub-No. 1), filed March 19, 1965. Applicant: GREY TRANSFER & STORAGE, INC., 647 East Indianapolis Street, Wichita, Kans., 67211. Applicant's attorney: Russell S. Bernhard, 1625 K Street NW., Washington, D.C., 20006. Authority sought to op-

erate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), restricted to traffic having an immediately prior or immediately subsequent movement by air, between Wichita Municipal Airport, Wichita, Kans., on the one hand, and, on the other, points in Butler, Cowley, Harper, Harvey, Kingman, Marion, McPherson, Reno, Rice, Sedgwick, and Sumner Counties, Kans., and Kay County, Okla.

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

No. MC 123048 (Sub-No. 59), filed March 18, 1965. Applicant: DIAMOND TRANSPORTATION SYSTEM, INC., 1919 Hamilton Avenue, Racine, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tractors, tractor attachments, farm machinery and agricultural implements and parts* for commodities named above when moving incidental with units for which the parts are intended, from Atlanta, Ga., and points within 10 miles thereof, to points in the United States (except Alaska and Hawaii), and *rejected shipments*, on return.

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

No. MC 123069 (Sub-No. 6), filed March 18, 1965. Applicant: ALLER & SHARP, INC., 817 West Fifth Avenue, Columbus, Ohio. 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: *Foodstuffs* (except commodities in bulk), from Champaign, Ill., and points in the Champaign, Ill., commercial zone, to points in Ohio and West Virginia.

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

No. MC 123075 (Sub-No. 12), filed March 15, 1965. Applicant: HARVEY D. SHUPE AND HOWARD YOST, a partnership, doing business as SHUPE & YOST, 2721 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: *Animal and poultry mineral feed mixtures*, from the warehouse of the Leslie Salt Co. at Salt Lake City, Utah, and the plant site of the Leslie Salt Co. at Lake Point, Utah, to points in Colorado, Wyoming, that part of Nebraska on and west of U.S. Highway 83 and that part of South Dakota on and west of U.S. Highway 83, and *exempt commodities*, on return.

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

No. MC 123322 (Sub-No. 12), filed March 8, 1965. Applicant: BEATTY MOTOR EXPRESS, INC., Jefferson Avenue Extension, Washington, Pa. Appli-

cant's attorney: Henry M. Wick, Jr., 1515 Park Building, Pittsburgh, Pa., 15222. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prefabricated houses (other than metal), in pieces or sections, materials, equipment, and supplies* used in the construction or sale thereof, when moving to construction sites in the same vehicle at the same time as such prefabricated houses, from Eighty-Four, Pa., to points in New York on and west of U.S. Highway 11, and returned shipments of the commodities specified above, on return.

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

No. MC 123502 (Sub-No. 14), filed March 16, 1965. Applicant: FREE STATE STONE SERVICE, INC., 10 Vernon Avenue, Glen Burnie, Md. Applicant's representative: Donald E. Freeman, 172 East Green Street, Post Office Box 880, Westminster, Md., 21157. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Ferrous sulphate, moist* (except when used as a fertilizer and fertilizer material), in bulk, in dump vehicles, from Baltimore, Md. to points in Middlesex, Somerset, Union, Essex and Hudson Counties, N.J., and (2) *lime and limestone products*, in bulk, in dump vehicles, from points in Shenandoah County, Va., to points in Delaware, Connecticut, Maryland, New Jersey, New York, Ohio, Pennsylvania, Virginia, West Virginia, and the District of Columbia.

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

No. MC 123639 (Sub-No. 27) (AMENDMENT), filed March 1, 1965, published in the FEDERAL REGISTER March 25, 1965, and amended March 26, 1965, and republished as amended this issue. Applicant: J. B. MONTGOMERY, INC., 5150 Brighton Boulevard, Denver, Colo. Applicant's attorney: Charles W. Singer, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, and meat byproducts, dairy products, and 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, B, C, and D of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from points in Dakota County, Nebr., to points in Arizona, Colorado, Illinois, California, Michigan, Ohio, Indiana, Iowa, and Kansas.

NOTE: The purpose of this republication is to show the origin as points in Dakota County, Nebr. instead of Dakota City, Nebr. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 123922 (Sub-No. 8), filed March 19, 1965. Applicant: CHARTER BULK SERVICE, INC., 72 St. Charles Street, Newark, N.J. Applicant's attorney: Charles J. Williams, 1060 Broad

Street, Newark, N.J., 07102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid and dry bulk commodities, in tank and hopper-type vehicles*, from Camden and Jersey City, N.J., to points in Connecticut, Delaware, District of Columbia, Illinois, Indiana, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia.

NOTE: Applicant states the above authority sought is to be restricted to shipments having a prior movement by railroad. No duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 124211 (Sub-No. 30), filed March 18, 1965. Applicant: HILT TRUCK LINE, INC., 1813 Yolande Street, Post Office Box 824, Lincoln, Nebr. Applicant's attorney: J. Max Harding, 605 South 14th Street, Post Office Box 2028, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pipe, conduit and tubing, from Fairbury, Ill. to points in Colorado, Kansas, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, Utah and Wyoming, and damaged and rejected shipments*, on return.

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

No. MC 124236 (Sub-No. 15), filed March 22, 1965. Applicant: CHEMICAL EXPRESS, INC., 305 Simons Building, Dallas 1, Tex. Applicant's attorney: William D. White, Jr., 2420 Republic National Bank Building, Dallas 1, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, in bulk, from rail points in Colorado, New Mexico, Kansas, Louisiana, and Oklahoma, to points in Colorado, New Mexico, Kansas, Louisiana, and Oklahoma, with prior movement by rail from points in Texas.

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

No. MC 124951 (Sub-No. 8), filed March 11, 1965. Applicant: WATHEN TRANSPORT, INC., Post Office Box 237, Henderson, Ky. Applicant's attorney: Robert M. Pearce, 221 St. Clair Street, Frankfort, Ky. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer*, from Nashville and Centerville, Tenn., Louisville, Ky., and Wilson Dam, Ala. to points in Illinois, Indiana, and Kentucky.

NOTE: Applicant is also authorized to conduct operations as a contract carrier in Permit MC 119309, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 125512 (Sub-No. 3), filed March 22, 1965. Applicant: RONALD DETJENS, 1315 Sherman Avenue, Wausau, Wis. Applicant's attorney: Edward Solie, Executive Building, Suite 100, 4513 Vernon Boulevard, Madison 5, Wis. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Wood chips*, in

bulk, from the plant site and facilities of Johnson Lumber Co. located at or near Hermansville, Mich. to Tomahawk, Rothschild, and Nekoosa, Wis.

NOTE: Applicant states the above proposed operations will be limited to a service to be performed under a continuing contract or contracts with Johnson Lumber Co., Hermansville, Mich. If a hearing is deemed necessary, applicant requests it be held at Madison, Wis.

No. MC 125708 (Sub-No. 16), filed March 11, 1965. Applicant: HUGH MAJOR, 150 Sinclair, South Roxana, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles*, from Greenville, Ill., to points in Illinois.

NOTE: Applicant holds contract carrier authority in MC 116434 and Subs, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 125708 (Sub-No. 17), filed March 15, 1965. Applicant: HUGH MAJOR, 150 Sinclair, South Roxana, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Flooring and floor covering*, from Granite, Ill., to points in Illinois, Indiana, Kentucky, and Wisconsin.

NOTE: Applicant holds contract carrier authority in MC 116434 and Subs, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 125722 (Sub-No. 10), filed March 17, 1965. Applicant: GREAT WESTERN PACKERS EXPRESS, INC., Box 16886, Denver, Colo. Applicant's attorney: Charles W. Singer, Tower Suite 3600, 33 North La Salle Street, Chicago, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products and vegetable products*, from points in Colorado, east of the Continental Divide, to points in Arizona.

NOTE: Applicant states no duplicative authority is sought by the service as proposed above. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 125813 (Sub-No. 2), filed March 23, 1965. Applicant: FRANK A. CRESSLER, doing business as CRESSLER'S TRUCKING, Rural Delivery No. 3, Shippensburg, Pa. Applicant's attorney: James W. Hagar, Commerce Building, Harrisburg, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Soy bean oil meal*, from Indianapolis and Frankfort, Ind., to points in Cumberland and Franklin Counties, Pa.

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

No. MC 126422 (Sub-No. 2), filed March 22, 1965. Applicant: QUALITY TRANSPORT, INC., 3100 Intracoastal Drive, New Orleans, La. Applicant's attorney: Clarence Rareshide, 2307 American Bank Building, New Orleans 12, La. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*,

from points in Louisiana to points in Alabama and Florida.

**NOTE:** If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 126468 (Sub-No. 2), filed March 22, 1965. Applicant: DANIEL P. BEYEL, doing business as D. P. BEYEL, Box 253A, Erial Road, Blackwood, N.J. Applicant's representative: James H. Sweeney, 902 Spruce Avenue, Oaklyn, N.J. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Automotive parts* (other than body parts), used or obsolete, for the accounts of Eastern Auto Body Co. and Green Spring Co., between Philadelphia, Pa., and Turnersville, N.J., on the one hand, and, on the other, points in Alabama, Connecticut, Delaware, District of Columbia, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Virginia, Vermont, West Virginia, and Wisconsin, Kansas City, Kans., Kansas City, Mo., St. Louis, Mo., and Dallas, Tex.

**NOTE:** Applicant states that the above proposed transportation will include (a) in-transit services of storage, banding, sorting, marking or labeling, when required, and (b) the furnishing of drivers experienced in the identification of automotive parts. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 126816 (Sub-No. 1) (CORRECTION), filed March 8, 1965, published in FEDERAL REGISTER issue of March 25, 1965, and republished as corrected this issue. Applicant: BRADLEY AIR FREIGHT, INC., 193 Turnpike Road, Windsor Locks, Conn. Applicant's attorney: Francis E. Barrett, Jr., 182 Forbes Building, Forbes Road, Braintree, Mass., 02184.

**NOTE:** The above-entitled application appeared in the March 25, 1965, issue of the FEDERAL REGISTER under the incorrect Docket No. MC 126707 (Sub-No. 2). The purpose of this republication is to correct applicant's docket number to MC-126816 (Sub-No. 1).

No. MC 126822 (Sub-No. 2) (CORRECTION), filed January 14, 1965, published FEDERAL REGISTER issue of February 3, 1965, and republished as corrected this issue. Applicant: PASSAIC GRAIN & WHOLESALE CO., INC., Post Office Box 23, Passaic, Mo. Applicant's attorney: Carl V. Kretsinger, Suite 510 Professional Building, Kansas City, Mo., 64106.

**NOTE:** The purpose of this republication is to show applicant's change in name as Passaic Grain & Wholesale Co., Inc., in lieu of Eldon Corban, doing business as CORBAN TRUCK LINE.

No. MC 126874 (Sub-No. 1), filed March 19, 1965. Applicant: F. G. McGAVOCK, J. A. LANGLOIS, AND C. C. SNIDER, copartners, doing business as F. G. McGAVOCK & ASSOCIATES, 3820 Colorado Boulevard, Pasadena, Calif. Applicant's attorney: R. Y. Schureman, 1010 Wilshire Boulevard, Los Angeles, Calif., 90017. Authority sought to operate as a *common carrier*, by motor ve-

hicle, over irregular routes, transporting: *Shippers materials and equipment* for demonstration or display in an operating display room with self-contained power and air conditioning, except in a trailer designed to be drawn by a passenger automobile, between points in the United States (except Alaska and Hawaii).

**NOTE:** If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 126890 (Sub-No. 1), filed March 12, 1965. Applicant: FRANCIS L. SARGENT, doing business as ROY SARGENT, 1491 Islington Street, Portsmouth, N.H. Applicant's attorney: Robert J. Gallagher, 111 State Street, Boston, Mass. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Processed fish*, from the ports on entry located on the international boundary line between the United States and Canada located at or near Holton, Vanceboro, Calais, and Bar Harbor, Maine, to points in Maine, New Hampshire, that part of Massachusetts east of the Connecticut River, Rhode Island, Connecticut, the New York, N.Y., commercial zone, Essex and Union Counties, N.J., and the Philadelphia, Pa., commercial zone.

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

No. MC 127000, filed February 17, 1965. Applicant: JILL HINTON, doing business as GIL & SON TRANSPORTERS, Box 93, Camino, Calif., 95709. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mobile homes*, between points in California, Oregon, Nevada, Arizona, and Idaho.

**NOTE:** If a hearing is deemed necessary, applicant requests it be held at Carson City, Nev.

No. MC 127018 (Sub-No. 1), filed March 18, 1965. Applicant: BOYD & ASSOCIATES, INC., 50 West North Street, Jackson, Mich. Applicant's attorney: William B. Elmer, 22644 Gratiot Avenue, Kaiser Building, East Detroit, Mich., 48021. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *General commodities*, moving in express service, from points in Jackson County, Mich., to ports of entry on the international boundary line between the United States and Canada at Detroit, Mich., and to Toledo, Clyde, Marion, and Fostoria, Ohio; North Manchester and South Bend, Ind., and Chicago, Ill., and *refused, damaged and rejected shipments*, on return. (2) *General commodities*, moving in air express service, restricted to shipments having a prior or subsequent movement by air carrier, between points in Jackson County, Mich., on the one hand, and, on the other, the Detroit Metropolitan Airport located in Romulus Township, Wayne County, Mich.; the Detroit Willow Run Airport located in Ypsilanti Township, Washtenaw County, Mich., and in Van Buren Township, Wayne County,

Mich., and the Detroit City Airport, located in Detroit, Mich.

**NOTE:** If a hearing is deemed necessary, applicant requests it be held at Lansing, Mich.

No. MC 127043, filed March 5, 1965. Applicant: ELBERT W. CROW, doing business as CROW-TOW, 3615 Southeast 31st Street, Amarillo, Tex. Applicant's attorney: Dale Winget, 419 West 10th, Amarillo, Tex. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *House trailers*, designed to be drawn by passenger automobiles, and *component parts* thereof, when shipped therewith, by truckaway, or towaway service, in initial movements, (a) from Carrollton, Mo., Arkansas City, and McPherson, Kans., Argos, Ind., and Broken Arrow, Okla., to Amarillo, Tex., under a continuing contract with Fred Smith Mobile Homes, Amarillo, Tex., (b) (1) from Newton, Kans., to Amarillo, Tex., and (2) between Amarillo, Tex., and Albuquerque, N. Mex., under a continuing contract with Christianson, Inc., doing business as Alamo Trailer Sales, Amarillo, Tex., (c) from Hutchinson, Kans., Chickasha, Okla., Omaha, and York, Nebr., and Oxnard, Calif., to Amarillo, Tex., under a continuing contract with Rex Trailer Sales, Inc., Amarillo, Tex., (d) from Cabot, Ark., to Amarillo, Tex., under a continuing contract with Prichard Mobile Homes, Amarillo, Tex., (e) (1) from Newton, Kans., and Texarkana, Ark., to Amarillo, Tex., and (2) between Liberal, Kans., and Amarillo, Tex., under a continuing contract with Plains Mobile Homes Co., Amarillo, Tex., and (f) from Newport, Ark., to Amarillo, Tex., under a continuing contract with Tumbleweed Mobile Homes, Amarillo, Tex.

**NOTE:** Applicant states the service as proposed above, will include transportation of rejected shipments of the commodities specified, on return. If a hearing is deemed necessary, applicant requests it be held at Amarillo, Tex.

No. MC 127061, filed March 11, 1965. Applicant: L. C. WALSON, Post Office Box 56, Dover, Idaho. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Treated poles, piling and bridge timber* between points in Washington, Idaho, Montana, and Oregon.

**NOTE:** If a hearing is deemed necessary, applicant requests it be held at Spokane, Wash.

No. MC 127062, filed February 23, 1965. Applicant: KARL MARKUS, doing business as MARKUS TRUCKING, 810 Mayor Magrath Drive, Lethbridge, Alberta, Canada. Applicant's attorney: J. F. Meglen, 207 Behner Building, 2822 Third Avenue North, Billings, Mont., 59101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm machinery and parts*, between the port of entry located on the international boundary line between the United States and Canada located at or near Sweetgrass, Mont., on the one hand, and, on the

other, points in Montana, Colorado, New Mexico, Texas, Oklahoma, Kansas, Nebraska, South Dakota, North Dakota, and Wyoming.

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

No. MC 127065, filed March 12, 1965. Applicant: YELLOW LTD., 35 Afterglow, Verona, N.J. Applicant's attorney: Eugene L. Cohn, One North La Salle Street, Chicago 2, Ill. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Gypsum, gypsum wallboard, gypsum products and related articles, and building materials* when accompanying a shipment of the aforesaid gypsum, gypsum wallboard, gypsum products or related articles, and *supplies and materials* used in the installation and distribution of the aforesaid commodities (except commodities in bulk), between the plant site of the Flintkote Co. at Camden, N.J., and points in Delaware, Connecticut, Maryland, Massachusetts, Pennsylvania, New Hampshire, New York, Rhode Island, Vermont, and Virginia, restricted to a transportation service to be performed under a continuing contract, or contracts, with the Flintkote Co., East Rutherford, N.J.

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

No. MC 127070, filed March 15, 1965. Applicant: DAVID KAPLAN, 43 Joan Drive, Yonkers, N.Y. Applicant's attorney: Morris Honig, 150 Broadway, New York 38, N.Y. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *New furniture, uncrated, lamps and lamp shades*, between New York, N.Y., on the one hand, and, on the other, points in New Jersey and Connecticut.

NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 127076, filed March 15, 1965. Applicant: RANDALL L. SPROUSE AND LE ROY PACK, a partnership doing business as ASHEVILLE DELIVERY SERVICE, 299 Murdock Avenue, Asheville, N.C. Applicant's attorney: A. W. Flynn, Jr., 201-205 Jefferson Building, Greensboro, N.C. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Toilet preparations, tooth brushes, insecticides, and bathroom and household sprays, and premiums consisting of general merchandise such as irons, blankets and similar items which are shipped's gifts to its dealers for their sales efforts*, from Asheville, N.C., to points in Cherokee, Graham, Clay, Swain, Buncombe, Macon, Jackson, Haywood, Transylvania, Madison, Henderson, Yancey, Mitchell, McDowell, Rutherford, Polk, Avery, Burke, Watauga, Caldwell, Ashe, Alleghany, and Wilkes Counties, N.C.

NOTE: Applicant states the service as proposed above to be restricted against the transportation of any parcel, package, or article weighing more than 70 pounds from one consignor at any one location to one consignee at any location on any one day.

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

No. MC 127078, filed March 17, 1965. Applicant: HARRY LEVINE, 3 Warren Street, Ellenville, N.Y. Applicant's attorney: John J. Brady, Jr., 75 State Street, Albany, N.Y. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Pocket knives, and partially completed parts thereof*, uncrated, in open tote boards and open tote boxes, between Ellenville, N.Y., and Providence, R.I.

NOTE: Applicant states the proposed service to be in interplant operations under continuing contract with Ulster Knife Co., Inc. Applicant has common carrier authority under MC 119370, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Albany, N.Y.

No. MC 127080, filed March 17, 1965. Applicant: THE SPRINGDALE FARMS PRODUCE COMPANY, INC., 71 North & Backus, Post Office Box 152, Springdale, Ark. Applicant's attorney: A. Alvis Lane, Pennsylvania Building, Washington, D.C. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from the plant sites and storage facilities of Springdale Farms Service Co., Inc., located within the city limits of Springdale, Ark., to points in Colorado, Idaho, Illinois, Iowa, Kansas, Minnesota, Missouri, Montana, Nebraska, North Dakota, Oklahoma, Oregon, South Dakota, Utah, Washington, Wisconsin, and Wyoming, and *foodstuffs and materials and supplies, used in the processing and packaging of foodstuffs, on return*.

NOTE: Applicant states the proposed service to be restricted to service performed under continuing contract for Springdale Farms Service Co., Inc., of Springdale, Ark. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 127084, filed March 19, 1965. Applicant: GEORGES CARRIERS, INC., 62-47 60th Street, Ridgewood (Queens), N.Y. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J., 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plumbing fixtures and supplies*, from the plant site of the Jamaica Manufacturing Co., Wyandanch, N.Y., to New York, N.Y., on traffic having a subsequent movement out of state by other carriers.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 127087, filed March 24, 1965. Applicant: GALE HERSHBERGER, doing business as BUD'S TRUCKING COMPANY, Veedersburg, Ind. Applicant's attorney: Warren C. Moberly, 1213 Fletcher Trust Building, Indianapolis, Ind. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, building supplies, plumbing, heating, and electrical supplies*, from the site of Wickes Lumber Co. approximately 1½ miles northeast of Hillsboro, Ind., on Indiana Highway 341 to points in Champaign, DeWitt, Douglas, Edgar,

Ford, Iroquois, and Vermilion Counties, Ill., and *rejected shipments, on return*.

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

No. MC 127090, filed March 24, 1965. Applicant: PACIFIC STORAGE, INC., 1721 Jefferson Street, Tacoma, Wash. Applicant's attorney: George H. Hart, 1100 IBM Building, Seattle, Wash., 98101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Grays Harbor, Mason, Pierce, and Thurston Counties, Wash., restricted to shipments having prior or subsequent movement beyond Washington, and further restricted to pickup and delivery service incidental to and in connection with packing, crating and containerization or unpacking, uncrating and decontainerization of such shipments.

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

No. MC 127091, filed March 22, 1965. Applicant: H. F. RODEHEAVER, doing business as THE RODEHEAVER COMPANY, East Main, Kingwood, W. Va. Applicant's attorney: Thomas W. Lewis, Kingwood, W. Va. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mobile homes*, between points in Pennsylvania, Maryland, Ohio, Virginia, Kentucky, West Virginia, and the District of Columbia.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Wheeling, W. Va.

No. MC 127092, filed March 22, 1965. Applicant: GEORGE A. WHITNEY, 1065 South Main Street, Torrington, Conn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Repossession or disabled vehicles in truckaway service, by use of vehicles equipped as wreckers, and by use of tilt body vehicles*, between Torrington, Conn., on the one hand, and, on the other, points in New York, Massachusetts, Vermont, Rhode Island, Maine, and New Hampshire.

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

No. MC 127093, filed March 22, 1965. Applicant: BASIL J. SMEESTER AND JOSEPH G. SMEESTER, doing business as SMEESTER BROTHERS TRUCKING, 1330 South Jackson, Iron Mountain, Mich. Applicant's attorney: William B. Elmer, 22644 Gratiot Avenue, Kaiser Building, East Detroit, Mich., 48021. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Road-building machinery and equipment, mining machinery and equipment, quarry machinery and equipment, foundry machinery and equipment, sand and gravel processing machinery and equipment, material handling machinery and equipment, cranes, graders, loaders, tractors, shovels, steel mill machinery and equipment; railroad construction and maintenance*.

nance machinery and equipment including switches, crossings, frogs, guard rails, switch stands, rail braces, and other materials and supplies used in connection with or incidental to the construction, repair and maintenance of railroads; logging equipment and machinery, pulp and paper mill machinery and equipment, pumps, valves, stokers, forge shop materials and supplies, fork lift trucks, scrap metal processing equipment and machinery, from Baraga, Mich., and Duluth, Minn., to points in the continental United States; and (2) parts, materials and supplies used in connection with the manufacture or repair of the commodities described above in (1), (a) from Chicago, Ill., Greenville, Ala., and Portland, Oreg., to Baraga, Mich., and Duluth, Minn., and (b) between Duluth, Minn., and Baraga, Mich.

NOTE: Applicant states they will transport refused, rejected and damaged shipments, on return in (1) and (2) (a) above, and between specified points in (2) (b). Applicant further states the above proposed operations will be performed under a continuing contract or contracts with Pettibone Mulliken Corp. and its divisions and subsidiary companies. If a hearing is deemed necessary, applicant requests it be held at Lansing, Mich.

No. MC 127096, filed March 15, 1965. Applicant: HENNES TRUCKING CO., a corporation, 320 South 19th Street, Milwaukee, Wis. Applicant's attorney: Paul F. Beery, 44 East Broad Street, Columbus, Ohio, 43215. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Cement, from Boardman, Mahoning County, Ohio, to points in Pennsylvania and West Virginia.

NOTE: Applicant is also authorized to conduct operations as a contract carrier in Permit MC 111862 and subs, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

#### MOTOR CARRIERS OF PASSENGERS

No. MC 96318 (Sub-No. 8), filed March 24, 1965. Applicant: YELLOW COACH LINES, INC., 19 Center Street, Pittsfield, Mass. Applicant's attorney: Frank Daniels, 15 Court Square, Boston, Mass., 02108. 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, limited to the transportation of not more than eleven (11) 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 separate seat or seats, beginning and ending at points in Berkshire County, Mass., and extending to New York, N.Y.

NOTE: Applicant states that in Certificate MC 96318, Sub 4, it is authorized operations similar to those hereinbefore described, but limited to seven (7) passengers. If the above application is approved, applicant states it will surrender its present certificate, MC 96318, Sub 4. If a hearing is deemed necessary, applicant requests it be held at Pittsfield, Mass.

No. MC 96318 (Sub-No. 9), filed March 24, 1965. Applicant: YELLOW COACH LINES, INC., 19 Center Street,

Pittsfield, Mass. Applicant's attorney: Frank Daniels, 15 Court Square, Boston, Mass., 02108. 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 special operations consisting of round trip, conducted sightseeing and pleasure tours, beginning and ending at points in Berkshire County, Mass., and extending to points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Maryland, Pennsylvania, Florida, and the District of Columbia.

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

No. MC 113430 (Sub-No. 13), filed March 15, 1965. Applicant: PROVIDENCE ARROW LINE, INC., Room 2211, 625 8th Avenue, New York, N.Y. Applicant's attorney: John R. Sims, Jr., Post Office Box 9101, Arlington, Va., 22009. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, and *express and newspapers*, in the same vehicle with passengers (1) between junction U.S. Highway 7 and Connecticut Highway 35 north of Ridgefield, Conn., and White Plains, N.Y.; from junction U.S. Highway 7 and Connecticut Highway 35 over U.S. Highway 7 to junction U.S. Highway 1 (also from Ridgefield over Connecticut Highway 33 to junction U.S. Highway 7, thence over U.S. Highway 7 to junction U.S. Highway 1), thence over U.S. Highway 1 (Connecticut Avenue) to junction Connecticut Highway 123 (New Canaan Ave.), thence over Connecticut Highway 123 to junction Interstate Highway 95 (Connecticut Turnpike) at Interchange No. 15, thence over Interstate Highway 95 (Connecticut Turnpike) to the Connecticut-New York State line, thence over Interstate Highway 95 (New England Thruway or New England Section New York State Thruway) to junction Cross Westchester Expressway at Interchange No. 13, thence over Cross Westchester Expressway to White Plains, and return over the same route, serving all intermediate points, and (2) between Pound Ridge, N.Y. and Darien, Conn.; from Pound Ridge over New York Highway 394 to the New York-Connecticut State line, thence over Connecticut Highway 29 to Exit 9, Interstate Highway 95 at or near Darien, and return over the same route, serving all intermediate points.

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

No. MC 118848 (Sub-No. 9), filed March 19, 1965. Applicant: DOMENICO BUS SERVICE, INC., 764 Kennedy Boulevard, Bayonne, N.J. Applicant's attorney: Charles J. Williams, 1060 Broad Street, Newark, N.J., 07102. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers, (1) between junction Ross Avenue and Hylan Boulevard in or near New Dorp, and junction Arden Avenue

and Hyland Boulevard, Staten Island, N.Y., from junction Ross Avenue and Hylan Boulevard over Hylan Boulevard to junction Arden Avenue, and return over the same route, serving all intermediate points and (2) between junction Jewett Avenue and Forest Avenue in or near Port Richmond, and junction Bay Street and Swan Street, in or near Tompkinsville, Staten Island, N.Y., from junction Jewett Avenue and Forest Avenue over Forest Avenue to junction Victory Boulevard, thence over Victory Boulevard to junction Bay Street, thence over Bay Street to junction Swan Street, thence over Swan Street to junction Van Duzer Street, thence over Van Duzer Street to junction Julian Street, thence over Julian Street to junction Bay Street, thence over Bay Street to junction Swan Street, and return over the same route, serving all intermediate points.

NOTE: Applicant states the above proposed operations will be performed in conjunction with operations authorized in Certificate No. MC 118848 Sub 4, authorizing operations between the Borough of Richmond, N.Y. and the Borough of Manhattan, N.Y., through New Jersey. If a hearing is deemed necessary, applicant requests it be held at Newark, N.J.

No. MC 124372 (Sub-No. 7), filed March 11, 1965. Applicant: BROWN'S CONNECTICUT AIRPORT SERVICE, INC., Eastbound Railroad Station, Stamford, Conn. Applicant's representative: Charles H. Trayford, 220 East 42d Street, New York 17, N.Y. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, and *pets*, limited to the transportation of not more than 11 passengers in any one vehicle, not including the driver thereof, in special operations, between Bridgeport, Conn., on the one hand, and, on the other, Kennedy International Airport and LaGuardia Airport, New York, N.Y., restricted to the transportation of passengers having a prior or subsequent movement by air.

NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 125569 (Sub-No. 12), filed March 24, 1965. Applicant: VALLEY TRANSPORTATION COMPANY, a corporation, 829 State Street, Lemoyne, Pa. Applicant's attorney: S. Harrison Kahn, 733 Investment Building, Washington, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in special operations during the authorized racing season of each year, (1) beginning and ending at Lancaster, Pa., and extending to the Pimlico Race Course, Baltimore, Md., (2) beginning and ending at Lancaster, Pa., and extending to the Laurel Race Course, Laurel, Md., (3) beginning and ending at Lancaster, Pa., and extending to the Timonium Race Course, Timonium, Md., (4) beginning and ending at Lancaster, Pa., and extending to Hagerstown Race Course, Hagerstown, Md., (5) beginning and ending at Lancaster, Pa., and extending to Bowie Race Course, Bowie, Md., (6) beginning and ending at Lan-

caster, Pa., and extending to Charles Town Race Track and Shenandoah Downs Race Track, Charles Town, W. Va., (7) beginning and ending at Lancaster, Pa., and extending to Delaware Park Race Course, Stanton, Del., and (8) beginning and ending at Lancaster, Pa., and extending to Marlboro Race Track, Marlboro, Md.

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

No. MC 125569 (Sub-No. 13), filed March 22, 1965. Applicant: VALLEY TRANSPORTATION COMPANY, a corporation, 829 State Street, Lemoyne, Pa. Applicant's attorney: S. Harrison Kahn, Suite 733 Investment Building, Washington, D.C. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, and *express, mail and newspapers* in the same vehicle with passengers, (1) between Harrisburg and Marysville, Pa., from Harrisburg over city streets to bridges across the Susquehanna River, thence over bridges to U.S. Highway 11, thence over U.S. Highway 11 to junction U.S. Highways 11 and 15, thence over U.S. Highways 11 and 15 to Marysville, and return over the same route, serving all intermediate points; (2) between Harrisburg and Carlisle, Pa., from Harrisburg over city streets to bridges across the Susquehanna River, thence over bridges to U.S. Highway 11, thence over U.S. Highway 11 to Carlisle, and return over the same route, serving all intermediate points; and (3) between Harrisburg and Harrisburg Greater Airport, New Cumberland, Pa., from Harrisburg over city streets to bridges across the Susquehanna River, thence over bridges to U.S. Highway 11, thence over U.S. Highway 11 to junction Bridge Street, New Cumberland, Pa., thence over Bridge Street to junction Old York Road, thence over Old York Road to junction Market Street, thence over Market Street to Greater Harrisburg Airport Terminal, and return over the same route, serving all intermediate points.

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

No. MC 125707 (Sub-No. 1), filed March 18, 1965. Applicant: SQUAMISH COACH LINES, LTD., Squamish, British Columbia, Canada. Applicant's representative: J. Stewart Black, 1322 Laburnum Street, Vancouver 9, B.C., Canada. 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 charter operations, beginning and ending at ports of entry on the international boundary line between the United States and Canada located in Washington, and extending to points in Washington, Oregon, California, Nevada, and Colorado.

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

No. MC 126880, filed January 11, 1965. Applicant: VICTOR WILKINS, doing business as VERNAL BUS LINES, 343

South Vernal Avenue, Vernal, Utah. Applicant's attorney: Irene Warr, 419 Judge Building, Salt Lake City 11, Utah. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *Passengers and their baggage* and *express* in the same vehicle with passengers, (1) between Vernal, Utah and Green River, Wyo., from Vernal over Utah Highway 44 to junction Utah Highway 43, thence over Utah Highway 43 to the Utah-Wyoming State line, thence over Wyoming Highway 530 to Green River, and return over the same route, serving all intermediate points (except Linwood and Manila, Utah); (2) between Linwood, Utah and the Flaming Gorge Dam site near Linwood and Manila, Utah, over unnumbered highway, serving all intermediate points (except Linwood and Manila, Utah); (3) between junction Utah Highway 44 and unnumbered highway near Green Lake, Utah and Flaming Gorge Dam site, near Linwood and Manila, Utah, over unnumbered highway, serving all intermediate points (except Linwood and Manila, Utah); (4) between Rock Spring, Wyo. and Flaming Gorge Dam site, near Linwood and Manila, Utah, over unnumbered highway, serving all intermediate points (except Linwood and Manila, Utah).

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

#### APPLICATIONS FOR BROKERAGE LICENSES MOTOR CARRIERS OF PASSENGERS

No. MC 12888 (Sub-No. 1), filed March 15, 1965. Applicant: MARY ANN SATTERWHITE, CHARLOTTE EDWARDS ANDERSON, AND CATHERINE BROMELEY DAGGETT, doing business as, EMERY TRAVEL SERVICE, Hotel Emery, Bradford, Pa. Applicant's attorney: Philip M. Browning, Jr., 1515 Park Building, Pittsburgh, Pa., 15222. For a license (BMC 5) to engage in operations as a broker at Bradford, Pa., in arranging for transportation, by motor vehicle, in interstate or foreign commerce, of *Passengers and their baggage*, both of individuals and in groups for pleasure, educational and sight-seeing trips, in charter and special operations and round-trip all-expense tours, beginning and ending at points in Elk, Cameron, Potter and McKean Counties, Pa. and extending to points in the United States, including Alaska and Hawaii.

No. MC 12947, filed March 12, 1965. Applicant: THE BEREA BUS LINE CO., a corporation, 36 South Rocky River Drive, Berea, Ohio. Applicant's attorney: S. Harrison Kahn, Suite 733 Investment Building, Washington, D.C. For a license (BMC 5) to engage in operations as a broker at Berea, Ohio, in arranging for the transportation in interstate or foreign commerce by motor vehicle of *passengers and their baggage*, both as individuals and groups, in (1) special, charter and regular route operations, and (2) all-expense tours, between points in the United States.

NOTE: Applicant is also authorized to conduct operations as a common carrier of passengers in Certificate MC 8387 and sub, therefore dual operations may be involved.

#### APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN REQUESTED

##### MOTOR CARRIERS OF PROPERTY

No. MC 1375 (Sub-No. 11), filed March 1, 1965. Applicant: BELL LINES, INC., 6414 McCorkle Avenue SE., Charleston 4, W. Va. Applicant's attorney: Francis W. McInerney, 1000 Sixteenth Street NW., Washington, D.C., 20036. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: (A) *General commodities* (except those of unusual value, and except Classes A and B explosives, livestock, commodities in bulk, and those requiring special equipment), Part I—*Request for off-route authority in connection with applicant's existing regular routes*; (1) between Indianapolis, Ind., and Winston-Salem, N.C.; (a) from Indianapolis over U.S. Highway 40 to Richmond, Ind., thence over U.S. Highway 35 via Chillicothe and Gallipolis, Ohio to Charleston, W. Va., thence over U.S. Highway 60 to Clifton Forge, Va., thence over U.S. Highway 220 to Madison, N.C., and thence over U.S. Highway 311 to Winston-Salem, and return over the same route, serving all intermediate points and points in the following counties or portions thereof as off-route points: (A) Marion, Hancock, Henry, and Wayne, Ind. located on and south of U.S. Highway 40, (B) Preble, Montgomery, Greene, Fayette, Ross, Jackson, and Gallia, Ohio, (C) Mason, Putnam, Kanawha, Fayette, and Greenbrier, W. Va., (D) Botetourt, Roanoke, Franklin, and Henry, Va. and points in Allegheny, Va. on and south of U.S. Highway 60, and (E) Rockingham, Stokes, Forsyth, Guilford, Davie, Davidson, and Yadkin, N.C., and (b) between Indianapolis and Winston-Salem, over U.S. Highway 52, via Cincinnati and Portsmouth, Ohio, Huntington, W. Va., and Wytheville, Va., serving all intermediate points and points in the following counties or portions thereof as off-route points: (A) points in Marion and Hancock (south of U.S. Highway 40 and east of U.S. Highway 31) and Shelby, Franklin, Rush, and Dearborn, Ind., (B) Hamilton, Clermont, Brown, Adams, Scioto, and Lawrence, Ohio, (C) Cabell, Wayne, Mingo, Wyoming, McDowell, and Mercer, W. Va., (D) Bland, Wyth, and Carroll, Va., and (E) Surry, Stokes, Guilford, Forsyth, Yadkin, Davie, Davidson, and Rockingham, N.C., (2) between Cleveland, Ohio and Charleston, W. Va., over U.S. Highway 21, via Marietta, Ohio, and Parkersburg, W. Va., serving all intermediate points and points in the following counties as off-route points: (A) Cuyahoga, Lorain, Medina, Lake, Geauga, Summit, Portage, Stark, Tuscarawas, Guernsey, Noble, and Washington, Ohio, and (B) Wood, Pleasants, Ritchie, Wirt, Jackson, Kanawha, Putnam, Clay, Roane, Lincoln, Boone, and Fayette, W. Va., (3) between Cleveland and Marietta, Ohio; from Cleveland over Ohio Highway 3 to Wooster, Ohio, thence over Ohio Highway 76 to Coshocton, Ohio, thence over Ohio Highway 16 to junction Ohio Highway 77, and thence over Ohio Highway 77 to Marietta, and return over the same route, serving all intermediate points and off-route points

In Cuyahoga, Lorain, Medina, Lake, Geauga, Wayne, Holmes, Coshocton, Muskingum, Morgan, and Washington Counties, Ohio, (4) between Pittsburgh, Pa. and Wytheville, Va.; from Pittsburgh over U.S. Highway 22 to Weirton, W. Va., thence over West Virginia Highway 2 via Wheeling, W. Va. to Parkersburg, W. Va., thence over U.S. Highway 21 via Charleston, Beckley and Princeton, W. Va., to Wytheville, and return over the same route, serving all intermediate points and points in the following counties as off-route points: (A) Allegheny, Beaver, Butler, Armstrong, Westmoreland, and Washington, Pa., (B) Hancock, Brooke, Ohio, Marshall, Wetzell, Tyler, Pleasants, Wood, Ritchie, Wirt, Jackson, Kanawha, Putnam, Clay, Roane, Lincoln, Boone, Fayette, Raleigh, Mercer, McDowell, Wyoming, Monroe, and Summers, W. Va., and (C) Tazewell, Bland, and Wythe, Va., (5) between Pittsburgh, Pa. and Charleston, W. Va.; from Pittsburgh over U.S. Highway 19 via Washington, Pa. and Weston, W. Va., to Sutton, W. Va., thence over West Virginia Highway 4 to Charleston, and return over the same route, serving all intermediate points and points in the following counties as off-route points:

(A) Allegheny, Beaver, Butler, Armstrong, Westmoreland, Fayette, Washington, and Greene, Pa., and (B) Monongalia, Marion, Taylor, Harrison, Lewis, Braxton, Clay, Kanawha, Putnam, Roane, Lincoln, Boone, and Fayette, W. Va., (6) between Washington, Pa. and Wheeling, W. Va., over U.S. Highway 40, serving all intermediate points and points in Washington County, Pa., and Ohio County, W. Va., (7) between Charleston and Beckley, W. Va.; from Charleston over U.S. Highway 119 via Marmet, W. Va., to Racine, W. Va., thence over West Virginia Highway 3 to Beckley, and return over the same route, serving all intermediate points and points in Kanawha, Putnam, Clay, Roane, Lincoln, Boone, and Raleigh Counties, W. Va., as off-route points, (8) between Charleston, W. Va., and Wytheville, Va.; from Charleston over U.S. Highway 60 via Huntington, W. Va., to Ashland, Ky., thence over U.S. Highway 23 via Paintsville, Pikeville, and Jenkins, Ky., to Norton, Va., thence over Virginia Highway 70 to St. Paul, Va., thence over Virginia Highway 64 via Dickensonville, Va., to Hansonville, Va., thence over U.S. Highway 19 to Abingdon, Va., and thence over U.S. Highway 11 to Wytheville, and return over the same route, serving all intermediate points and points in the following counties as off-route points:

(A) Kanawha, Putnam, Lincoln, Boone, Fayette, Clay, Roane, Jackson, Cabell, and Wayne, W. Va., (B) Boyd, Greenup, Carter, Lawrence, Johnson, Floyd, Pike, and Letcher, Ky., and (C) Wise, Russell, Washington, Smyth, and Wythe, Va., (9) between Princeton, W. Va., and Fort Chiswell, Va.; from Princeton over U.S. Highway 219 to junction Virginia Highway 8, thence over Virginia Highway 8 to Pearisburg, Va., thence over Virginia Highway 100 to junction Virginia Highway 8, thence over Virginia Highway 8 to Draper, Va., thence over Virginia Highway 101 to junction U.S. Highway

11, and thence over U.S. Highway 11 to Fort Chiswell, and return over the same route, serving all intermediate points and points in the following counties as off-route points:

(A) Mercer, W. Va., and (B) Giles, Pulaski, and Carroll, Va., (10) between points in North Carolina as follows: (a) from Charlotte over U.S. Highway 21 to Elkin, thence over North Carolina Highway 268 to junction U.S. Highway 601, and thence over U.S. Highway 601 to Mount Airy, and return over the same route, serving all intermediate points and points in Mecklenburg, Gaston, Union, Cabarrus, Iredell, Yadkin, and Surry Counties, N.C., as off-route points, (b) from Charlotte over U.S. Highway 29 via Salisbury, Lexington, and High Point to Greensboro, thence over U.S. Highway 70 to Durham, and return over the same route, serving all intermediate points and points in Mecklenburg, Gaston, Union, Cabarrus, Rowan, Davidson, Guilford, Alamance, Orange, and Durham Counties, N.C., as off-route points, (c) from Charlotte over U.S. Highway 29 to Gastonia, thence over U.S. Highway 321 to Conover, thence over U.S. Highway 70 to Statesville, thence over U.S. Highway 64 to Mocksville, thence over U.S. Highway 158 to Winston-Salem, and thence over U.S. Highway 421 to Greensboro, and return over the same route, serving all intermediate points and points in Mecklenburg, Gaston, Union, Cabarrus, Lincoln, Catawba, Davie, Forsyth, Stokes, Rockingham, Guilford, and Davidson Counties, N.C., as off-route points, (d) between Winston-Salem and Lexington, N.C., over U.S. Highway 52, serving all intermediate points and points in Forsyth, Stokes, Rockingham, Guilford, Yadkin, Davie and Davidson Counties, N.C., as off-route points, and (e) between Winston-Salem and High Point, N.C., over U.S. Highway 311, serving all intermediate points and points in Forsyth, Stokes, Rockingham, Guilford, Yadkin, Davie, and Davidson Counties, N.C., as off-route points, (11) between Jenkins, Ky., and Kermit, W. Va.; from Jenkins over U.S. Highway 119 to Whitesburg, Ky., thence over Kentucky Highway 15 to Jackson, Ky., thence over Kentucky Highway 30 to Salyersville, Ky., and thence over Kentucky Highway 40 via Paintsville, Ky., to Kermit, and return over the same route, serving all intermediate points and points in the following counties as off-route points:

(A) Letcher, Knott, Perry, Breathitt, Magoffin, Johnson, and Martin, Ky., and (B) Mingo, W. Va., (12) between Pikeville, Ky., and Racine, W. Va.; over U.S. Highway 119, serving all intermediate points and points in the following counties as off-route points: (a) Pike, Ky., and (b) Mingo, Logan, and Boone, W. Va., (13) between points in West Virginia as follows: (a) Between Parkersburg and junction West Virginia Highways 14 and 4, via Spencer over West Virginia Highway 14, serving all intermediate points and points in Wood, Pleasants, Ritchie, Wirt, Jackson, Roane, and Kanawha Counties, W. Va., as off-route points, (b) from Parkersburg over U.S. Highway 50 to Grafton, thence over U.S. Highway 250 to Norton, and return

over the same route, serving all intermediate points and points in Wood, Pleasants, Ritchie, Wirt, Jackson, Doddridge, Harrison, Taylor, Barbour, and Randolph Counties, W. Va., as off-route points, (c) from Spencer over U.S. Highway 119 to Buckhannon, thence over West Virginia Highway 4 to Elkins, and return over the same route, serving all intermediate points and points in Roane, Calhoun, Gilmer, Lewis, Upshur, and Randolph Counties, W. Va., as off-route points, (14) between points in Ohio as follows: (a) between Portsmouth and Columbus, over U.S. Highway 23, serving all intermediate points and points in Scioto, Pike, Ross, Pickaway, Franklin, Madison, Union, Delaware, Licking, and Fairfield Counties, Ohio, as off-route points, (b) between Piketon and Hillsboro over Ohio Highway 124, serving all intermediate points and points in Pike and Highland Counties, Ohio, as off-route points, and (c) from Cincinnati over U.S. Highway 50 via Chillicothe to Londonderry, thence over unnumbered highways to Richmond Dale, and return over the same route, serving all intermediate points and points in Hamilton, Butler, Warren, Clermont, Brown, Highland, and Ross Counties, Ohio, as off-route points.

(B) *General commodities* (except those of unusual value, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), (1) between Charlotte, N.C., and Rock Hill, S.C., over U.S. Highway 21, serving all intermediate points and points in the following counties as off-route points: (a) Mecklenburg, Gaston, Lincoln, Cabarrus, and Union, N.C., and (b) York, S.C., (2) between junction U.S. Highway 21 and unnumbered highway (North of Rock Hill, S.C.) and Red River Mills (Red River, S.C.), over unnumbered highway, serving all intermediate points and points in York County, S.C., as off-route points, (3) between points in South Carolina, as follows: (a) between Rock Hill and Great Falls, over U.S. Highway 21, (b) from Rock Hill over South Carolina Highway 5 to York, thence over U.S. Highway 321 to Clover, and return over the same route, (c) from Rock Hill over South Carolina Highway 72 to Chester, thence over South Carolina Highway 9 to Lancaster, and return over the same route, (d) between junction South Carolina Highway 72 and 901 and junction South Carolina Highway 9, over South Carolina Highway 901, (e) between Bascomville and Great Falls, over South Carolina Highway 99, serving all intermediate points and points in York, Chester, and Lancaster Counties, S.C., as off-route points in (a) through (e) above, (C) *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading).

(1) Between Mount Airy, N.C., and Galax, Va.; from Mount Airy over Business Route U.S. Highway 52 (formerly portion U.S. Highway 52) to junction U.S. Highway 52, thence over U.S. High-

way 52 to Hillsville, Va., thence over U.S. Highway 221 to Galax, and return over the same route, (2) between the North Carolina-Virginia State line and Galax, Va.; from the North Carolina-Virginia State line over U.S. Highway 21 to Independence, Va., thence over U.S. Highway 221 to Galax, and return over the same route, (3) between the North Carolina-Virginia State line and Galax, Va., over Virginia Highway 89, serving all intermediate points and points in the following counties as off-route points: (a) Surry, N.C., and (b) Carroll and Grayson, Va., and (D) *General commodities* (except those of unusual value, high explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between Independence, Va., and Wytheville, Va., over U.S. Highway 21, serving all intermediate points and points in Grayson and Wythe Counties, Va., as off-route points. (A) *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading).

*Part II—Request for conversion from irregular route authority to additional regular routes and off-route authority in connection therewith.* SOUTH CAROLINA ROUTES: (1) between Charleston, S.C., and Cross Roads, N.C.; from Charleston, over U.S. Highway 52 to Sallsbury, N.C., and thence over U.S. Highway 601 to Cross Roads, and return over the same route, (2) between junction U.S. Highways 176 and 52 near Mt. Holly, S.C. and Pineville, N.C.; from junction U.S. Highways 176 and 52 over U.S. Highway 176 to junction South Carolina Highway 310, thence over South Carolina Highway 310 to junction South Carolina Highway 6, thence over South Carolina Highway 6 to Santee, S.C., thence U.S. Highway 301 to Summerton, S.C., thence U.S. Highway 15 to Sumter, S.C., and thence U.S. Highway 521 to Pineville, and return over the same route, (3) between Charleston, and Georgetown, S.C., over U.S. Highways 17 and 701, (4) between Charleston and Greenville, S.C.; from Charleston, over Interstate Highway 26 to junction U.S. Highway 276, thence over U.S. Highway 276 to Greenville, and return over the same route, (5) between North Augusta, S.C. and Asheville, N.C., over U.S. Highway 25, (6) between North Augusta and Columbia, S.C., over U.S. Highway 1, (7) between Orangeburg and Great Falls, S.C., over U.S. Highway 21, (8) between Columbia and Chester, S.C., over U.S. Highway 321, (9) between Columbia and Lake City, S.C., over U.S. Highway 378, (10) between Georgetown and Sumter, S.C., over U.S. Highway 521, (11) between Anderson, S.C. and Gastonia, N.C., over U.S. Highway 29, (12) between Greenville, S.C., and Charlotte, N.C., over Interstate Highway 85, (13) between Seneca and Greenville, S.C.; from Seneca over South Carolina Highway 59 to junction U.S. Highway 123, and thence over U.S. Highway 123

to Greenville, and return over the same route, (14) between Anderson and Clemson, S.C., over South Carolina Highway 28.

(15) Between Anderson and Greenville, S.C.; over South Carolina Highway 20, (16) between Cheraw, S.C., and Monroe, N.C.; from Cheraw over South Carolina Highway 9 to Pageland, S.C., and thence over U.S. Highway 601 to Monroe, and return over the same route, (17) between Cheraw, S.C. and Laurinburg, N.C.; from Cheraw over South Carolina Highway 9 to Bennettsville, S.C., and thence over U.S. Highway 401 to Laurinburg, and return over the same route, (18) between Chester, and Spartanburg, S.C., over South Carolina Highway 9, (19) between Clover, S.C., and Gastonia, N.C., over U.S. Highway 21, serving all intermediate points on the routes specified in (1) through (19) above and all off-route points in South Carolina. RESTRICTION: Service will be restricted to traffic moving to, from, or through points in North Carolina. (B) *General commodities* (except those of unusual value, and except dangerous explosives, livestock, commodities in bulk, and those requiring special equipment).

ROUTES IN NORTH CAROLINA, VIRGINIA, KENTUCKY AND TENNESSEE: (20) between Charlotte, and Lincolnton, N.C., over North Carolina Highway 27, (21) between Charlotte, and Wilson, N.C.; from Charlotte over U.S. Highway 74 to Laurinburg, N.C., thence over U.S. Highway 401 to Fayetteville, N.C., and thence over U.S. Highway 301 to Wilson, and return over the same route, (22) between junction U.S. Highway 74 and 220 near Rockingham, N.C. and Greensboro, N.C., over U.S. Highway 220, (22a) between Albemarle and Raleigh, N.C.; from Albemarle over North Carolina Highway 27 to Carthage, thence over U.S. Highways 15 and 501 to junction U.S. Highway 1, and thence over U.S. Highway 1 to Raleigh, and return over the same route, (23) between Raeford and Candor, N.C., over North Carolina Highway 211.

(24) Between Fayetteville and Mocksville, N.C.; from Fayetteville over North Carolina Highway 87 to Sanford, N.C., thence over U.S. Highway 421 to Siler City, N.C., and thence over U.S. Highway 64 to Mocksville, and return over the same route, (25) between Ramseur and High Point, N.C.; from Ramseur over North Carolina Highway 22 to junction unnumbered highway, thence over unnumbered highway to junction U.S. Highways 220 and 311, and thence over U.S. Highway 311 to High Point, and return over the same route, (26) between Thomasville and Winston-Salem, N.C.; over North Carolina Highway 109, (27) between North Wilkesboro and Wilson, N.C.; from North Wilkesboro over U.S. Highway 421 to Winston-Salem, N.C., thence over Interstate Highways 40 and 85 to Durham, N.C., thence over U.S. Highway 70 to Raleigh, N.C., thence over U.S. Highway 64 to Zebulon, N.C., and thence over U.S. Highway 264 to Wilson, and return over the same route, (28) between North Wilkesboro and Elkin, N.C., over North Carolina Highway 268, (29) between Asheville and Conover, N.C.,

over U.S. Highway 70, (30) between Asheville and Kings Mountain, N.C., over U.S. Highway 74, (31) between Charlotte and New London, N.C.; from Charlotte over North Carolina Highway 27 to Albemarle, N.C., and thence over North Carolina Highway 740 to New London, and return over the same route, (32) between Greensboro, N.C. and Clifton Forge, Va.; from Greensboro over U.S. Highway 29 to Lynchburg, Va., thence over U.S. Highway 501 to Buena Vista, Va., and thence over U.S. Highway 60 to Clifton Forge, and return over the same route, (33) between Hillsboro, N.C. and Danville, Va.; from Hillsboro over North Carolina Highway 86 to the North Carolina-Virginia State line, thence over Virginia Highway 86 to Danville, and return over the same route, (34) between Mount Airy, N.C. and the North Carolina-Virginia State line, over North Carolina Highway 89, (35) between Asheville, N.C. and Kingsport, Tenn., over U.S. Highway 23, (36) between Danville and Bassett, Va.; from Danville over U.S. Highway 58 to Martinsville, and thence over Virginia Highway 57 to Bassett, and return over the same route.

(37) Between Lynchburg, and Bedford, Va., over Virginia Highway 297, (38) between Lynchburg and Draper, Va.; from Lynchburg over U.S. Highway 460 to Christiansburg, and thence over U.S. Highway 11 to Draper, and return over the same route, (39) between Lexington and Daleville, Va., over U.S. Highway 11, (40) between Independence, Va. and junction U.S. Highways 58 and 11 near Abingdon, Va., over U.S. Highway 58, (41) between Hansonville, Va. and Bluefield, Va.-W. Va., over U.S. Highway 19, (42) between Damascus, Va. and junction Virginia Highway 91 and U.S. Highway 19 near Tazewell, over Virginia Highway 91, (43) between Claypool, Va. and Fords Branch, Ky., over U.S. Highway 460, (44) between Abingdon, Va. and Greeneville, Tenn.; from Abingdon over U.S. Highway 58 to Bristol, Va.-Tenn., thence over U.S. Highway 11-W to Kingsport, Tenn., thence over Tennessee Highway 81 to Haw Crossroads, Tenn., and thence over Tennessee Highway 93 to Greeneville, and return over the same route, (45) between Bristol, Va.-Tenn. and Greeneville, Tenn.; from Bristol over U.S. Highways 11-E and 19 to Hillcrest, Tenn., thence over U.S. Highway 19-E to Elizabeth, Tenn., thence over U.S. Highway 321 to Johnson City, and thence over U.S. Highway 11-E and 411 to Greeneville, and return over the same route, (46) between Jonesboro, Tenn. and Haw Crossroads, Tenn., over Tennessee Highway 81, (47) between Hillcrest, Tenn. and junction U.S. Highways 411 and 23, over U.S. Highway 411, (48) between Bristol, Va.-Tenn. and junction Kentucky Highways 15 and 80 near Hazard, Ky.; from Bristol, Va.-Tenn. over U.S. Highway 421 to Hyden, Ky. and thence over Kentucky Highway 80 to junction Kentucky Highway 15, and return over the same route, (49) between Duffield and Norton, Va., over U.S. Highway 23, (50) between Dot and Ewing, Va., over U.S. Highway 58, (51) between Big Stone Gap and Jonesville,

Va., over U.S. Highway Alternate 58, (52) between Dwarf, Ky. and junction Kentucky Highway 80 and U.S. Highways 23 and 460 near Allen, Ky., over Kentucky Highway 80.

(53) Between junction Kentucky Highway 7 and U.S. Highway 460 near Salyersville, Ky., and junction Kentucky Highway 1 and U.S. Highway 23 near Greenup, Ky., over Kentucky Highway 7, via Grayson, (54) between Sandy Hook and Louisa, Ky., over Kentucky Highway 32, (55) between Greenup and Ashland, Ky., over U.S. Highway 23, (56) between Olive Hill and Ashland, Ky., over U.S. Highway 60, serving all intermediate points specified on routes 20 through 56 and off-route points in North Carolina, Virginia, Kentucky, and Tennessee as follows: (1) North Carolina—off-route service is sought in North Carolina at all points east of U.S. Highway 301 and west of U.S. Highway 25, (2) Virginia—off-route service is sought at points in Virginia located south and west of a line described by U.S. Highway 60 and U.S. Highway 501 beginning at the West Virginia-Virginia State line, thence over U.S. Highway 80 to the junction of U.S. Highway 501, thence to the Virginia-North Carolina line, and (3) Kentucky and Tennessee—off-route service is sought at all points in Tennessee and Kentucky located within 125 miles of Bluefield, W. Va. (C) *General commodities* (except those of unusual value, and except dangerous explosives, livestock, commodities in bulk, and those requiring special equipment), WEST VIRGINIA ROUTES: (57) between junction U.S. Highway 19 and 60 near Lookout, W. Va. and Sutton, W. Va., over U.S. Highway 19, (58) between Gauley Bridge, W. Va. and junction West Virginia Highways 16 and 4 near Clay, W. Va., over U.S. Highway 16, (59) between Princeton and Charleston, W. Va., over the West Virginia Turnpike, (60) between junction West Virginia Highway 10 and U.S. Highway 21 near Kegley, W. Va., and Huntington, W. Va., over West Virginia Highway 10, (61) between junction U.S. Highway 119 and West Virginia Highway 3 and West Hamlin, W. Va., over West Virginia Highway 3, (62) between St. Albans and Henderson, W. Va., over West Virginia Highway 17, (63) between Huntington and Parkersburg, W. Va., over West Virginia Highway 2.

(64) Between Henderson and Ripley, W. Va.; from Henderson over West Virginia Highway 62 to Mason, W. Va., thence over U.S. Highway 33 to Ripley, and return over the same route, (65) between Ravenswood and Sandyville, W. Va., over West Virginia Highway 56, (66) between Ivydale and Ellenboro, W. Va., over West Virginia Highway 16, (67) between Pike and St. Marys, W. Va., over U.S. Highway Alternate 50, (68) between New Martinsville and Gypsy, W. Va., over West Virginia Highway 20, (69) between New Martinsville and Purs-glove, W. Va., over West Virginia Highway 7, (70) between Wheeling and Fairmont, W. Va., over U.S. Highway 250, (71) between Morgantown, W. Va. and junction West Virginia Highway 76 and U.S. Highways 119 and 250; from Morgantown over West Virginia Highway 73

to Bridgeport, W. Va., thence over West Virginia Highway 76 to junction U.S. Highways 119 and 250, and return over the same route, (72) between Morgantown and Grafton, W. Va., over U.S. Highway 119, (73) between junction U.S. Highways 119 and 50 near Grafton, W. Va., and Macomber, W. Va., over U.S. Highway 50, (74) between Macomber and Easton, W. Va.; from Macomber over West Virginia Highway 72 to Kingwood, W. Va., thence over West Virginia Highway 26 to Bruceton Mills, W. Va., and thence over West Virginia Highway 73 to Easton, and return over the same route, (75) between Reedsville and Terra Alta, W. Va., over West Virginia Highway 92, serving all intermediate points on Routes 57 through 75 above and all off-route points in West Virginia, except those located east of U.S. Highway 220. OHIO ROUTES WITH WEST VIRGINIA AND PENNSYLVANIA CONNECTIONS:

(76) Between Chesapeake and Cleveland, Ohio; from Chesapeake over Ohio Highway 7 to Youngstown, Ohio, and thence over U.S. Highway 422 to Cleveland, and return over the same route, (77) between junction Ohio Highway 7 and U.S. Highway 50 near Coolville, Ohio and Perrysburg, Ohio; from junction Ohio Highway 7 and U.S. Highway 50 to Athens, Ohio, thence over U.S. Highway 33 to Columbus, Ohio, thence over U.S. Highway 23 to Perrysburg, and return over the same route, (78) between Athens, Ohio and Londonderry, Ohio, over U.S. Highway 50, (79) between Jackson, Ohio and junction Ohio Highway 124 and U.S. Highway 23 near Pike-ton, Ohio, over Ohio Highway 124, (80) between Cincinnati, Ohio and Wheeling, W. Va.; from Cincinnati over U.S. Highway 22 to Zanesville, Ohio, thence over U.S. Highways 22 and 40 to Cambridge, Ohio, thence over U.S. Highway 40 to Wheeling, and return over the same route, (81) between Cincinnati and Toledo, Ohio; from Cincinnati over U.S. Highway 25 to junction Interstate Highway 75, and thence over Interstate Highway 75 to Toledo, and return over the same route, (82) between Dayton and Toledo, Ohio; from Dayton over Ohio Highway 49 to Greenville, Ohio, thence over U.S. Highway 127 to junction U.S. Highway 24 near Defiance, Ohio, and thence over U.S. Highway 24 to Toledo, and return over the same route, (83) between Springfield and Van Wert, Ohio; from Springfield over U.S. Highway 68 to Bellefontaine, Ohio, thence over Ohio Highway 117 to Lima, Ohio, thence over U.S. Highway 30-S to junction U.S. Highway 30 and thence over U.S. Highway 30 to Van Wert, and return over the same route.

(84) Between Hamilton and Dayton, Ohio; from Hamilton over Ohio Highway 129 to junction Ohio Highway 4, and thence over Ohio Highway 4 to Dayton, and return over the same route, (85) between Excello and Oxford, Ohio, over Ohio Highway 73, (86) between Red Ball and Somerville, Ohio; from Red Ball over Ohio Highway 122 to junction Ohio Highway 744, thence over Ohio Highway 744 to Somerville, and return over the same route, (87) between

Bellefontaine and Findlay, Ohio, over U.S. Highway 68, (88) between Dayton and Springfield, Ohio; from Dayton over Ohio Highway 444 to junction Ohio Highway 4, and thence over Ohio Highway 4 to Springfield, and return over the same route, (89) between Harbor Hills and Perrysburg, Ohio; from Harbor Hills over Ohio Highway 13 to Mansfield, Ohio, thence over U.S. Highway 30-W to Bucyrus, Ohio, thence over Ohio Highway 100 to Tiffin, Ohio, thence over Ohio Highway 53 to junction U.S. Highway 20 and thence over U.S. Highway 20 to Perrysburg, and return over the same route, (90) between Findlay and Tiffin, Ohio, over Ohio Highway 224, (91) between Upper Sandusky and Bucyrus, Ohio, over U.S. Highway 30-W, (92) between Mansfield and Medina, Ohio, over U.S. Highway 42, (93) between junction U.S. Highway 20 and Ohio Highway 53 near Freemont, Ohio and junction U.S. Highways 250 and 21 near Strasburg, Ohio; from junction U.S. Highway 20 and Ohio Highway 53 over U.S. Highway 20 to Norwalk, Ohio, and thence over U.S. Highway 250 to junction U.S. Highway 21 near Strasburg, and return over the same route, (94) between Columbus and Mount Vernon, Ohio, over Ohio Highway 3, (95) between Columbus and Newark, Ohio, over Ohio Highway 16, (96) between Hebron and Newark, Ohio, over Ohio Highway 79, (97) between Dover, Ohio and Wheeling, W. Va., over U.S. Highway 250, (98) between Cambridge, Ohio and Weirton, W. Va., over U.S. Highway 22, (99) between Zanesville, Ohio and Richmond, Ind., over U.S. Highway 40, (100) between Toledo, Ohio and Erie, Pa.; from Toledo over Ohio Highway 2 to Cleveland, and thence over U.S. Highway 20 to Erie, and return over the same route, (101) between Youngstown, Ohio and Kittanning, Pa., over U.S. Highway 422, (102) between Massillon, Ohio and junction Ohio Highway 8 and U.S. Highway 422; from Massillon over Ohio Highway 236 to junction Ohio Highway 93, thence over Ohio Highway 93 to Akron, Ohio, thence over Ohio Highway 8 to junction U.S. Highway 422, and return over the same route.

(103) Between Massillon and Youngstown, Ohio; from Massillon over U.S. Highway 30 to Canton, Ohio, thence over U.S. Highway 62 to Youngstown, and return over the same route, (104) between junction Ohio Highways 7 and 165 near North Lima, Ohio and Pittsburgh, Pa.; from junction Ohio Highways 7 and 165 over Ohio Highway 165 to junction Ohio Highway 617, thence over Ohio 617 to the Ohio-Pennsylvania State line, thence over Pennsylvania Highway 351 to Enon Valley, Pa., thence over Pennsylvania Highway 551 to West Mayfield, Pa., and thence over Pennsylvania Highway 65 to Pittsburgh, and return over the same route, serving all intermediate points on Routes 76 through 104 above and off-route service is sought in Ohio as follows: At points in Ohio east and south of a line beginning at the Indiana-Ohio State line and extending along U.S. Highway 40 to the junction of Ohio Highway 13, thence over Ohio Highway 13 to Mans-

field, Ohio, thence over U.S. Highway 42 to Cleveland. PENNSYLVANIA ROUTES AND OHIO, WEST VIRGINIA AND VIRGINIA CONNECTING ROUTES: (105) between New Castle and Pittsburgh, Pa.: from New Castle over Pennsylvania Highway 18 to Monaca, thence over unnumbered highway through Aliquippa to junction Pennsylvania Highway 51, thence over Pennsylvania Highway 51 to Pittsburgh, and return over the same route. (106) between Butler, and Pittsburgh, Pa., over Pennsylvania Highway 8, (107) between Kittanning and Pittsburgh, Pa.: from Kittanning over Pennsylvania Highway 66 to junction Pennsylvania Highway 128, thence over Pennsylvania Highway 128 to junction Pennsylvania Highway 28, and thence over Pennsylvania Highway 28 to Pittsburgh, and return over the same route.

(108) Between Washington and Greensburg, Pa.: from Washington over Pennsylvania Highway 136 to junction Interstate Highway 70 and thence over Interstate Highway 70 to Greensburg, and return over the same route. (109) between Greensburg and Pittsburgh, Pa.: over U.S. Highway 30, (110) between Weirton, W. Va. and Zelenople, Pa.; from Weirton over West Virginia Highway 2 to junction West Virginia Highway 66 to Chester, W. Va., thence from Chester, W. Va., to East Liverpool, Ohio, thence over Ohio Highway 39 to the Ohio-Pennsylvania State line, and thence over Pennsylvania Highway 68 to Zelenople, and return over the same route. (111) between Rich Creek, Va. and Erie, Pa.; from Rich Creek over U.S. Highway 219 to Parsons, W. Va., thence over West Virginia Highway 72 to junction West Virginia Highway 38, thence over West Virginia Highway 38 to Nesbittville, W. Va., thence over West Virginia Highway 92 to Morgantown, W. Va., thence over U.S. Highway 119 to Uniontown, Pa., thence over Pennsylvania Highway 51 to Pittsburgh, Pa., and thence over U.S. Highway 19 to Erie, and return over the same route, serving all intermediate points named on Routes 105 through 111 above and off-route points in Pennsylvania west of U.S. Highway 219, restricted to traffic moving to, through or from points in Ohio or West Virginia.

NOTE: Applicant states the routes requested herein in Part II are intended to be joinable with applicant's existing regular routes at common junction points. This application is filed pursuant to MC-C-4366, effective May 1, 1964, which provides the special rules for conversion of irregular route to regular motor carrier operations.

SPECIAL NOTE: Protests to this application may be filed within 45 days instead of 30 days.

No. MC 2401 (Sub-No. 25), filed February 26, 1965. Applicant: MOTOR FREIGHT CORPORATION, 2345 South 13th Street, Terre Haute, Ind. Applicant's attorney: A. Charles Tell, 44 East Broad Street, Columbus, Ohio. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, com-

modities in bulk, and commodities requiring special equipment), (A) between Harrison, Ohio-Ind. and Louisville, Ky.: (1) from Harrison over U.S. Highway 52 to junction Ohio Highway 128 (U.S. 50 Bypass), thence over Ohio Highway 128 to junction U.S. Highway 50, thence over U.S. Highway 50 to junction Indiana Highway 62, thence over Indiana Highway 62 to junction Interstate Highway 65 at or near Jeffersonville, Ind., thence over Interstate Highway 65 to Louisville, and return over the same route. (2) from Harrison over U.S. Highway 52 to junction Ohio Highway 128 (U.S. 50 Bypass) thence over Ohio Highway 128 to junction U.S. Highway 50, thence over U.S. Highway 50 to junction Indiana Highway 7, and thence over Indiana Highway 7 to junction Indiana Highway 3, thence over Indiana Highway 3 to junction Indiana Highway 62, thence over Indiana Highway 62 to junction Interstate Highway 65 at or near Jeffersonville, Ind., thence over Interstate Highway 65 to Louisville, and return over the same route, and (3) from Harrison over U.S. Highway 52 to junction Ohio Highway 128 (U.S. 50 Bypass), thence over Ohio Highway 128 to junction U.S. Highway 50, thence over U.S. Highway 50 to junction Interstate Highway 65 approximately three (3) miles east of Seymour, Ind., thence over Interstate Highway 65 to Louisville, and return over the same route, serving those off-route points which are within 10 miles of Harrison, Ohio-Ind. in connection with the regular route operations proposed above and serving all intermediate points on shipments moving from, to or through Harrison, Ohio-Ind. and points within 10 miles thereof, and (B) between Harrison, Ohio-Ind. and Lexington, Ky.:

(1) From Harrison, over U.S. Highway 52 to junction Ohio Highway 264, thence over Ohio Highway 264 to junction U.S. Highway 50, thence over U.S. Highway 50 to junction Interstate Highway 75, thence over Interstate Highway 75 to Lexington, and return over the same route. (2) from Harrison, over U.S. Highway 52 to junction Ohio Highway 264, thence over Ohio Highway 264 to junction U.S. Highway 50, thence over U.S. Highway 50 to junction U.S. Highway 25, and thence over U.S. Highway 25 to Lexington, and return over the same route, serving those off-route points which are within ten (10) miles of Harrison, Ohio-Ind., in connection with the regular route operations proposed above and serving all intermediate points on shipments moving from, to or through Harrison, Ohio-Ind., and points within 10 miles thereof. RESTRICTION: The above described regular routes shall not be tacked with applicant's irregular route authority in Docket No. MC-51255 (Sub-No. 13) authorizing the transportation of general commodities between Harrison, Ohio-Ind., and points within 10 miles thereof, on the one hand, and, on the other, points in the described territory in Ohio, Indiana, and Kentucky.

NOTE: Applicant states that upon the granting of the above described regular routes, it agrees to have its irregular route authority in Docket No. MC-51255 (Sub-No. 13) between Harrison, Ohio-Ind., and points within ten (10) miles thereof on the one

hand, and, on the other, points in the described territory in Ohio, Indiana, and Kentucky correspondingly restricted so as to prevent service over said irregular routes between points proposed to be served on the above described regular routes. Applicant seeks no duplicating authority. This application is filed pursuant to MC-C-4366, effective May 1, 1964, which provides the special rules for conversion of irregular route to regular motor carrier operations.

SPECIAL NOTE: Protests to this application may be filed within 45 days instead of 30 days.

No. MC 13123 (Sub-No. 32), filed March 1, 1965. Applicant: WILSON FREIGHT FORWARDING COMPANY, a corporation, 3636 Follett Avenue, Cincinnati, Ohio. Applicant's attorney: Milton H. Bortz, 3636 Follett Avenue, Cincinnati 23, Ohio. 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), (1) between Bloomfield, Conn. and junction New Jersey Highway 28 and the western boundary of Middlesex County, N.J., from Bloomfield, over Connecticut Highway 189 (formerly Connecticut Highway 9) to junction Connecticut Highway 71 in Hartford, Conn., thence over Connecticut Highway 71 to junction U.S. Highway 5, thence over U.S. Highway 5 to junction Interstate Highway 95, thence over Interstate Highway 95 to junction U.S. Highway 1 at or near the George Washington Bridge, thence over U.S. Highway 1 to junction New Jersey Highway 28 at Elizabeth, N.J., thence over New Jersey Highway 28 to junction with the western boundary of Middlesex County, N.J., and return over the same route; (2) between junction Interstate Highways 95 and 287 and junction U.S. Highway 9 and Interstate Highway 95, at or near the George Washington Bridge, from junction Interstate Highways 95 and 287 over Interstate Highway 287 to junction U.S. Highway 9, thence over U.S. Highway 9 to junction Interstate Highway 95 at or near the George Washington Bridge, and return over the same route; (3) between junction U.S. Highways 1 and 46 and Liberty, N.Y., from junction U.S. Highways 1 and 46 over U.S. Highway 46 to junction New Jersey Highway 17, thence over New Jersey Highway 17 to the New Jersey-New York State line, thence over New York Highway 17 to Liberty, and return over the same route.

(4) Between junction U.S. Highways 9W and 1 and Clintondale, N.Y., from junction U.S. Highways 9W and 1 over U.S. Highway 9W to junction New York Highway 55, thence over New York Highway 55 to Clintondale, and return over the same route; (5) between junction U.S. Highway 9 and Interstate Highway 95 and Bloomfield, Conn., from junction U.S. Highway 9 and Interstate Highway 95 over U.S. Highway 9 to junction U.S. Highway 44, thence over U.S. Highway 44 to junction Connecticut Highway 189 (formerly Connecticut Highway 9),

thence over Connecticut Highway 189 to Bloomfield, and return over the same route.

**NOTE:** Applicant states it will serve all intermediate points and all off-route points in Hudson, Bergen, Middlesex, Passaic, Union, and Essex Counties, N.J., and points in Connecticut and New York within 100 miles of Fairview, N.J., on the above described routes 1 through 5. This application is filed pursuant to MC-C-4368, effective May 1, 1964, which provides the special rules for conversion of irregular route to regular motor carrier operations.

**SPECIAL NOTE:** Protests to this application may be filed within 45 days instead of 30 days.

No. MC 13569 (Sub-No. 10), filed February 26, 1965. Applicant: THE LAKE SHORE MOTOR FREIGHT COMPANY, a corporation, 1200 South State Street, Girard, Ohio. Applicant's attorneys: Herbert Baker and James R. Stiverson, 50 West Broad Street, Columbus 15, Ohio. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, 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 (other than those requiring special equipment and rigging because of weight or bulk), and those injurious or contaminating to other lading), (1) between Niagara Falls, N.Y., and Erie, Pa., from Niagara Falls over New York Highway 265 to Buffalo, N.Y., thence over U.S. Highway 62 to the junction of U.S. Highway 20, thence over U.S. Highway 20 to Silver Creek, N.Y., thence over New York Highway 5 to New York-Pennsylvania State line, thence over Pennsylvania Highway 5 to Erie, and return over the same route, serving all intermediate points, (2) between Lockport, N.Y., and Erie, Pa., from Lockport over New York Highway 78 to the junction of New York Highway 5, thence over New York Highway 5 to Buffalo, N.Y., thence over U.S. Highway 62 to the junction of U.S. Highway 20, thence over U.S. Highway 20 to Erie, and return over the same route, serving all intermediate points, (3) between Syracuse, N.Y., and Erie, Pa., from Syracuse over New York Highway 5 to Auburn, N.Y., thence over U.S. Highway 20 to Waterloo, N.Y., thence over New York Highway 96 to Rochester, N.Y., thence over New York Highway 33 to junction of New York Highway 78, thence over New York Highway 78 to DePew, N.Y., thence over U.S. Highway 20 to Erie, and return over the same route, serving all intermediate points.

(4) Between Syracuse, N.Y., and Erie, Pa., from Syracuse over U.S. Highway 11 to Cortland, N.Y., thence over New York Highway 13 to Elmira, N.Y., thence over New York Highway 17E to East Corning, N.Y., thence over New York Highway 17 to Jamestown, N.Y., thence over New York Highway 17J to Mayville, N.Y., thence over New York Highway 17 to Westfield, N.Y., thence over U.S. Highway 20 to Erie, and return over the same route, serving all intermediate points, (5) between Niagara Falls, N.Y., and

Franklin, Pa., from Niagara Falls over U.S. Highway 62 to Franklin, Pa., and return over the same route, serving all intermediate points, (6) between Toledo and Cleveland, Ohio, from Toledo over Ohio Highway 2 to Sandusky, Ohio, thence over U.S. Highway 6 to Cleveland, and return over the same route, serving all intermediate points, (7) between Toledo, Ohio, and Pittsburgh, Pa., from Toledo over Ohio Highway 120 to Lemoine, Ohio, thence over U.S. Highway 20 to Norwalk, Ohio, thence over Ohio Highway 18 to Akron, Ohio, and thence by existing regular routes to Pittsburgh, and return over the same route, serving all intermediate points, (8) between Findlay, Ohio, and Pittsburgh, Pa., from Findlay over U.S. Highway 224 to junction Ohio Highway 18, thence over Ohio Highway 18 to Tiffin, Ohio, thence over Ohio Highway 100 to Swander, Ohio, thence over U.S. Highway 224 to Barberton, Ohio, thence by existing regular routes to Pittsburgh, and return over the same routes, serving all intermediate points, (9) between Lima, Ohio, and Pittsburgh, Pa., from Lima over U.S. Highway 30S to Mansfield, Ohio, thence over U.S. Highway 30 to Lisbon, Ohio, thence by existing regular routes to Pittsburgh, and return over the same routes, serving all intermediate points.

(10) Between Lima, Ohio, and Erie, Pa., from Lima over U.S. Highway 25 to Beaver Dam, Ohio, thence over U.S. Highway 30N to junction Ohio Highway 96, thence over Ohio Highway 96 to Ashland, Ohio, thence over U.S. Highway 42 to Cleveland, Ohio, thence over existing regular routes to Erie, and return over the same routes, serving all intermediate points, (11) between Toledo and Maple Grove, Ohio (Bettsville, Ohio), from Toledo over Ohio Highway 120 to Lemoine, Ohio, thence over Ohio Highway 12 to Bettsville, thence over unnumbered highway to Maple Grove, and return over the same route, serving all intermediate points, (12) between Marion and Maple Grove, Ohio, from Marion over U.S. Highway 23 to Fostoria, Ohio, thence over Ohio Highway 12 to Bettsville, Ohio, thence over unnumbered highway to Maple Grove, and return over the same route, serving all intermediate points, (13) between Cincinnati, Ohio, and Pittsburgh, Pa., from Cincinnati over U.S. Highway 127 to Hamilton, Ohio, thence over Ohio Highway 4 to Springfield, Ohio, thence over U.S. Highway 40 to Washington, Pa., thence over Pennsylvania Highway 519 to Pittsburgh, Pa., and return over the same route, serving all intermediate points, (14) between Marion, Ohio, and Pittsburgh, Pa. (by way of Glenmont, Ohio), from Marion over Ohio Highway 95 to Mt. Gilead, Ohio, thence over U.S. Highway 42 to Mansfield, Ohio, thence over Ohio Highway 39 to Nashville, Ohio, thence over Ohio Highway 514 to the junction of Ohio Highway 520, thence over Ohio Highway 520 to the junction of U.S. Highway 62, thence over U.S. Highway 62 to Millersburg, Ohio, thence over Ohio Highway 39 to New Philadelphia, Ohio, thence over U.S. Highway 250 to Cadiz, Ohio, thence over U.S. Highway 22 to Pittsburgh, and return over the same

route, serving all intermediate points, (15) between Louisville, Ohio, and Pittsburgh, Pa., from Louisville over Ohio Highway 44 to East Canton, Ohio, thence over U.S. Highway 30 to Lisbon, Ohio, thence over existing regular routes to Pittsburgh, and return over the same route, serving all intermediate points.

(16) Between Yorkville, Ohio, and Pittsburgh, Pa., from Yorkville over Ohio Highway 7 to Steubenville, Ohio, thence over U.S. Highway 22 to Pittsburgh, and return over the same route, serving all intermediate points, (17) between Yorkville, Ohio, and Pittsburgh, Pa., from Yorkville over Ohio Highway 7 to Bridgeport, Ohio, thence over U.S. Highway 40 to Washington, Pa., thence over U.S. Highway 19 to Pittsburgh, and return over the same route, serving all intermediate points, (18) between South Amherst, Ohio, and Pittsburgh, Pa., from South Amherst over Ohio Highway 113 to Elyria, Ohio, thence over existing regular routes to Pittsburgh, and return over the same routes, serving all intermediate points, (19) between Cincinnati, Ohio, and Pittsburgh, Pa., from Cincinnati over U.S. Highway 127 to Hamilton, Ohio, thence over Ohio Highway 4 to Springfield, Ohio, thence over U.S. Highway 40 to Columbus, Ohio, thence over Ohio Highway 16 to Newcomerstown, Ohio, thence over U.S. Highway 36 to Uhrichsville, Ohio, thence over U.S. Highway 250 to Cadiz, Ohio, thence over U.S. Highway 22 to Pittsburgh, and return over the same route, serving all intermediate points, (20) between Johnstown, Pa., and Cleveland, Ohio, from Johnstown over Pennsylvania Highway 56 to Armagh, Pa., thence over U.S. Highway 22 to Pittsburgh, Pa., thence over existing routes to Cleveland, Ohio, and return over the same routes, serving all intermediate points, (21) between Allenport, Pa., and Cleveland, Ohio, from Allenport over Pennsylvania Highway 88 to Pittsburgh, Pa., thence over existing regular routes to Cleveland, and return over the same routes, serving all intermediate points.

(22) Between Monessen, Pa., and Cleveland, Ohio, from Monessen over Pennsylvania Highway 906 to junction of Pennsylvania Highway 51, thence over Pennsylvania Highway 51 to Pittsburgh, Pa., thence over existing regular routes to Cleveland, and return over the same routes, serving all intermediate points, (23) between Vandergrift, Pa., and Cleveland, Ohio, from Vandergrift over Pennsylvania Highway 56 to the junction of Pennsylvania Highway 356, thence over Pennsylvania Highway 356 to Butler, Pa., thence to Cleveland, over existing regular routes, and return over the same routes, serving all intermediate points, and the off-route point of West Leechburg, Pa., en route, (24) between Reading, Pa., and Cleveland, Ohio, from Reading over U.S. Highway 222 to Lancaster, Pa., thence over U.S. Highway 230 to Harrisburg, Pa., thence over U.S. Highway 22 to Ebensburg, Pa., thence over U.S. Highway 422 to Butler, Pa., thence over existing regular routes to Cleveland, and return over the same routes, serving all intermediate points, (25) between Scranton, Pa., and Cleveland, Ohio, from

Scranton over U.S. Highway 11 to Wilkes-Barre, Pa., thence over U.S. Highway 309 to Hazleton, Pa., thence over Pennsylvania Highways 29 and 93 to Berwick, Pa., thence over U.S. Highway 11 to Chambersburg, Pa.

Thence over U.S. Highway 30 to Pittsburgh, thence over existing regular routes to Cleveland, and return over the same routes, serving all intermediate points, (26) between Scranton, Pa., and Cleveland, Ohio, from Scranton over U.S. Highway 11 to Wilkes-Barre, Pa., thence over U.S. Highway 309 to Dallas, Pa., thence over Pennsylvania Highway 118 to Hughesville, Pa., thence over U.S. Highway 220 to Duncansville, Pa., thence over U.S. Highway 22 to Ebensburg, Pa., thence over U.S. Highway 422 to Butler, Pa., thence over existing regular routes to Cleveland, and return over the same routes, serving all intermediate points, (27) between Grove City, Pa., and Cleveland, Ohio, from Grove City over Pennsylvania Highway 58 to Mercer, Pa., thence over existing regular routes to Cleveland, and return over the same routes, serving all intermediate points, and (28) between Wheeling, W. Va., and Youngstown, Ohio, from Wheeling over U.S. Highway 40 to Bridgeport, Ohio, thence over Ohio Highway 7 to East Liverpool, Ohio, thence over existing regular routes to Youngstown, and return over the same routes, serving all intermediate points.

NOTE: Applicant states it intends serving points in Ohio on and east of U.S. Highway 42, and on and south of U.S. Highway 40, as off-route points in conjunction with its existing regular route authority. Duplications with present authority will be eliminated. This application is filed pursuant to MC-C-4366, effective May 1, 1964, which provides the special rules for conversion of irregular routes to regular route motor carrier operations.

SPECIAL NOTE: Protests to this application may be filed within 45 days instead of 30 days.

No. MC 17778 (Sub-No. 36), filed February 26, 1965. Applicant: YALE TRANSPORT CORP., 460 12th Avenue, New York, N.Y. Applicant's attorney: Herbert Burstein, 160 Broadway, New York, N.Y. 10038. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: (A) General commodities (except household goods as defined by the Commission, Classes A and B explosives, and commodities requiring dump truck service), between New York, N.Y. and Farmingdale, Long Island, N.Y., over New York Highway 24, serving all intermediate points and off-route points in Nassau County, Long Island, N.Y. within 30 miles of Farmingdale, Long Island, N.Y.; (B) general commodities (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), (1) between Boston, Mass. and Greenwich, Conn., (a) over U.S. Highway 1, serving all intermediate points and off-route points in Connecticut and Massachusetts within 35 miles of Boston, Mass.; Hartford, Conn.; Providence, R.I.; Springfield, Mass.; Worcester, Mass. and those off-route points in Connecticut within 40 miles of New Haven, Conn., (b)

from Boston, Mass. over Massachusetts Highway 9 to Worcester, thence over Massachusetts Highway 12 to junction U.S. Highway 20, thence over U.S. Highway 20 to Springfield, thence over U.S. Highway 5 to East Hartford, Conn., thence over U.S. Highway 44 (formerly U.S. Highway 5) to Hartford, thence over Maple Avenue (formerly U.S. Highway 5) to junction U.S. Highway 5 south of Hartford (also from East Hartford over U.S. Highway 5 by Charter Oak Bridge to Hartford, thence to junction Maple Avenue south of Hartford), thence over U.S. Highway 5 to New Haven, thence over U.S. Highway 1 to Greenwich, and return over the same route, serving all intermediate points and off-route points in Connecticut and Massachusetts within 35 miles of Boston, Mass.; Hartford, Conn.; Providence, R.I.; Springfield, Mass.; Worcester, Mass. and those off-route points in Connecticut within 40 miles of New Haven, Conn.

(c) From Boston, Mass. to Springfield as specified above, thence over Alternate U.S. Highway 5 to Hartford, Conn., thence to Greenwich as specified above, and return over the same route, serving all intermediate points and off-route points specified in (b) above. (d) From Boston, Mass. over U.S. Highway 20 to junction Massachusetts Highway 15, thence over Massachusetts Highway 15 to the Massachusetts-Connecticut State line, thence over Connecticut Highway 15 to junction U.S. Highway 5, thence over U.S. Highway 5 to Hartford, Conn., thence as specified above to Greenwich, and return over the same route, serving all intermediate points and off-route points in Connecticut and Massachusetts within 35 miles of Boston, Mass.; Hartford, Conn.; Providence, R.I.; Springfield, Mass.; Worcester, Mass. and those off-route points in Connecticut and Massachusetts within 35 miles of Boston, Mass.; Hartford, Conn.; Providence, R.I.; Springfield, Mass.; Worcester, Mass. and those off-route points in Connecticut within 40 miles of New Haven, Conn., (e) from Boston, Mass. to Hartford, Conn. as specified above, thence over U.S. Highway 5 to junction Connecticut Highway 15, thence over Connecticut Highway 15 to junction U.S. Highway 5, thence over U.S. Highway 5 to New Haven, thence as specified above to Greenwich, and return over the same route, serving all intermediate points and off-route points in Connecticut and Massachusetts within 35 miles of Boston, Mass.; Hartford, Conn.; Providence, R.I.; Springfield, Mass.; Worcester, Mass. and those off-route points in Connecticut within 40 miles of New Haven, Conn., (2) between Jersey City and New Brunswick, N.J., from Jersey City, N.J. over U.S. Highway 1 to junction New Jersey Highway 18, thence over New Jersey Highway 18 to New Brunswick, and return over the same route, serving all intermediate points and off-route points in Hudson, Essex, Union, Morris, Middlesex, Passaic, and Bergen Counties, N.J. within 30 miles of Jersey City, N.J. or 15 miles of New Brunswick, N.J.

(a) From Boston, Mass. to Hartford, Conn. as specified above, thence over U.S. Highway 5 to junction Connecticut Highway 15, thence over Connecticut Highway 15 to junction U.S. Highway 5, thence over U.S. Highway 5 to New Haven, thence as specified above to Greenwich, and return over the same route, serving all intermediate points and off-route points in Connecticut and Massachusetts within 35 miles of Boston, Mass.; Hartford, Conn.; Providence, R.I.; Springfield, Mass.; Worcester, Mass. and those off-route points in Connecticut within 40 miles of New Haven, Conn., (2) between Jersey City and New Brunswick, N.J., from Jersey City, N.J. over U.S. Highway 1 to junction New Jersey Highway 18, thence over New Jersey Highway 18 to New Brunswick, and return over the same route, serving all intermediate points and off-route points in Hudson, Essex, Union, Morris, Middlesex, Passaic, and Bergen Counties, N.J. within 30 miles of Jersey City, N.J. or 15 miles of New Brunswick, N.J.

NOTE: Common control may be involved. This application is filed pursuant to MC-C-4366, effective May 1, 1964, which provides

the special rules for conversion of irregular route to regular motor carrier operations.

SPECIAL NOTE: Protests to this application may be filed within 45 days instead of 30 days.

No. MC 18535 (Sub-No. 46), filed March 16, 1965. Applicant: O. ALEX HICKLIN, doing business as HICKLIN MOTOR LINE, Box 377, St. Matthews, S.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Sand, gravel, crushed stone, stabilizer and aggregates, in bags and in bulk, from points in South Carolina to points in Georgia.

No. MC 29647 (Sub-No. 35), filed March 1, 1965. Applicant: CHARLTON BROS. TRANSPORTATION COMPANY, INC., 552 Jefferson Street, Hagerstown, Md. Applicant's attorney: Spencer T. Money, 411 Park Lane Building, Washington, D.C. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities (except dangerous explosives, commodities of unusual value, and household goods as defined by the Commission), (1) between Hancock, Md., and Altoona, Pa.: from Hancock over U.S. Highway 522 to the Maryland-Pennsylvania State line, thence over Interstate Highway 70 to Brezewood, Pa., thence over U.S. Highway 30 to Everett, Pa., thence over Pennsylvania Highway 26 to junction Pennsylvania Highway 868, thence over Pennsylvania Highway 868 to junction Pennsylvania Highway 36, thence over Pennsylvania Highway 36 to Altoona, Pa., and return over the same route, serving no intermediate points; (2) between Hancock, Md., and Johnstown, Pa.: from Hancock over U.S. Highway 522 to the Maryland-Pennsylvania State line, thence over Interstate Highway 70 to Brezewood, Pa., thence over U.S. Highway 30 to Bedford, Pa., thence over U.S. Highway 220 to Cessna, Pa., thence over Pennsylvania Highway 56 to Johnstown, Pa., and return over the same route, serving no intermediate points; (3) between Hancock, Md., and Jeannette, Pa.:

(a) From Hancock over U.S. Highway 522 to the Maryland-Pennsylvania State line, thence over Interstate Highway 70 to Brezewood, Pa., thence over U.S. Highway 30 to Greensburg, Pa., thence over Pennsylvania Highway 130 to Jeannette, Pa., and return over the same route, serving no intermediate points; and (b) from Brezewood, Pa., over Pennsylvania Turnpike west to New Stanton Interchange, thence over U.S. Highway 119 to Greensburg, Pa., thence over Pennsylvania Highway 130 to Jeannette, Pa., and return over the same route, serving no intermediate points; (4) between Cumberland, Md., and Altoona, Pa.: from Cumberland over U.S. Highway 220 to Altoona, and return over the same route, serving no intermediate points; (5) between Cumberland, Md., and Jeannette, Pa.: (a) From Cumberland over U.S. Highway 40 to junction U.S. Highway 219, thence over U.S. Highway 219 to Somerset, Pa., thence over Pennsylvania Turnpike to New Stanton Interchange, thence over U.S. Highway 119 to Greensburg, Pa., thence over Pennsylvania Highway 130 to Jeannette, and return over the same

route, serving no intermediate points; and (b) from Cumberland over U.S. Highway 40 to junction U.S. Highway 219, thence over U.S. Highway 219 to junction U.S. Highway 30, thence over U.S. Highway 30 to Greensburg, Pa., thence over Pennsylvania Highway 130 to Jeannette, Pa., and return over the same route, serving no intermediate points; (6) between Cumberland, Md., and Uniontown, Pa.: from Cumberland over U.S. Highway 40 to Uniontown, and return over the same route, serving no intermediate points; and (7) *General commodities* (except those of unusual value, Class A and B explosives, alcoholic beverages, film, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading); between Philadelphia, Pa., and Hoboken, N.J.: (a) From Philadelphia over U.S. Highway 1 to Hoboken, and return over the same route, serving no intermediate points, and (b) from Philadelphia to Camden, N.J., thence over U.S. Highway 130 to New Brunswick, N.J., thence over U.S. Highway 1 to Hoboken, and return over the same route, serving no intermediate points.

**NOTE:** This application is filed pursuant to MC-C-4366, effective May 1, 1964, which provides the special rules for conversion of irregular to regular motor carrier operations.

**SPECIAL NOTE:** Protests to this application may be filed within 45 days instead of 30 days.

No. MC 38172 (Sub-No. 8), filed March 1, 1965. Applicant: THE WHITE TRANSPORTATION COMPANY, a corporation, Post Office Box 36, West Lafayette, Ohio. Applicant's attorney: Paul F. Beery, 44 East Broad Street, Columbus, Ohio, 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading), (1) between Columbus, Ohio, and Akron, Ohio; (a) from Columbus over Ohio Highway 16 to Coshocton, Ohio, thence over Ohio Highway 76 to Wooster, Ohio, thence over Ohio Highway 5 to junction U.S. Highway 21, thence over U.S. Highway 21 to junction U.S. Highway 224, thence over U.S. Highway 224 to Akron and return over the same route, serving all intermediate points; (b) from Columbus over Interstate Highway 71 to junction U.S. Highway 224, thence over U.S. Highway 224 to Akron and return over the same route, serving all intermediate points; (c) from Columbus over Ohio Highway 16 to Newcomerstown, Ohio, thence over U.S. Highway 21 to junction U.S. Highway 224, thence over U.S. Highway 224 to Akron and return over the same route, serving all intermediate points; (2) between Columbus, Ohio, and Newark, Ohio; from Columbus over U.S. Highway 40 to junction Interstate Highway 70, thence over Interstate Highway 70 to junction Ohio High-

way 79, thence over Ohio Highway 79 to Newark and return over the same route, serving all intermediate points; (3) between Columbus, Ohio, and Duffey, Ohio; from Columbus over U.S. Highway 40 to junction Interstate Highway 70, thence over Interstate Highway 70 to Zanesville, Ohio, thence over Ohio Highway 60 (formerly Ohio Highway 77) to Marietta, Ohio, thence over Ohio Highway 7 to Duffey and return over the same route, serving all intermediate points and the off-route point of Philo, Ohio; and (4) between Columbus, Ohio, and Byesville, Ohio; from Columbus over U.S. Highway 40 to junction Interstate Highway 70, thence over Interstate Highway 70 to Zanesville, Ohio, thence over U.S. Highway 40 to Cambridge, Ohio, thence over U.S. Highway 21 to Byesville and return over the same route, serving all intermediate points; in connection with (1) through (4) above, service to and from the intermediate, off-route and terminal points is to be limited to traffic received, delivered or interchanged at Columbus, Ohio, and no service is sought to and from any West Virginia point within the commercial zone of any point on Ohio Highway 7.

**NOTE:** Applicant states that no duplicating authority is sought. This application is filed pursuant to MC-C-4366, effective May 1, 1964, which provides the special rules for conversion of irregular-route to regular-route motor carrier operations.

**SPECIAL NOTE:** Protests to this application may be filed within 45 days instead of 30 days.

No. MC 39300 (Sub-No. 5), filed February 24, 1965. Applicant: MIDDLE STATES MOTOR FREIGHT, INC., 5723 Este Avenue, Cincinnati, Ohio, 45232. Applicant's attorney: Jack B. Josselson, Atlas Bank Building, Cincinnati, Ohio, 45202. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), (1) between the junction U.S. Highway 35 and U.S. Highway 40 and Columbus, Ohio; (a) From the junction U.S. Highway 35 and U.S. Highway 40 over U.S. Highway 40 (part of which now bears the designation Ohio Highway 440), to Columbus, and (b) from the junction U.S. Highway 35 and Interstate Highway 70, over Interstate Highway 70 to Columbus, and return over the same routes, serving all intermediate points, (2) between Dayton, Ohio, and Springfield, Ohio; (a) From Dayton over U.S. Highway 35 to Xenia, Ohio, thence over U.S. Highway 68 to Springfield, (b) from Dayton over Ohio Highway 4 to Springfield, and (c) from Dayton over Ohio Highway 4 to junction Ohio Highway 444, thence over Ohio Highway 444 to junction U.S. Highway 40, thence over U.S. Highway 40 to Springfield, and return over the same routes, serving all intermediate points; and (3) between Dayton, Ohio, and Vandalla, Ohio; from Dayton over Interstate Highway 75 to Vandalla, and

return over the same route, serving all intermediate points.

**NOTE:** This application is filed pursuant to MC-C-4366, effective May 1, 1964, which provides the special rules for conversion of irregular to regular motor carrier operations.

**SPECIAL NOTE:** Protests to this application may be filed within 45 days instead of 30 days.

No. MC 42487 (Sub-No. 618), filed February 25, 1965. Applicant: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Drive, Menlo Park, Calif. Applicant's attorney: Eugene T. Lilpfer, Universal Building, North 1875 Connecticut Avenue NW., Washington, D.C., 20009. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading), (1) between Rockford, Ill., and Beloit, Wis.: From Rockford over U.S. Highway 51 to Beloit, and return over the same route, serving all intermediate points; (2) between Rockford, Ill., and Chicago, Ill.: From Rockford over U.S. Highway 20 to Chicago, and return over the same route, serving all intermediate points; and (3) between Rockford, Ill., and Poplar Grove, Ill.: From Rockford over Illinois Highway 173 to Poplar Grove, and return over the same route, serving all intermediate points.

**NOTE:** This application is filed pursuant to MC-C-4366, effective May 1, 1964, which provides the special rules for conversion of irregular to regular motor carrier operations.

**SPECIAL NOTE:** Protests to this application may be filed within 45 days instead of 30 days.

No. MC 52932 (Sub-No. 9), filed March 1, 1965. Applicant: NORTH PENN TRANSFER, INC., Box 230, Lansdale, Pa. Applicant's representative: John W. Frame, Post Office Box 626, 2207 Old Gettysburg Road, Camp Hill, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), (1) between Lansdale, Pa., and Washington, D.C.; from Lansdale over Pennsylvania Highway 63 to junction U.S. Highway 202, thence over U.S. Highway 202 to junction U.S. Highway 13, thence over U.S. Highway 13 to junction U.S. Highway 40, thence over U.S. Highway 40 to junction U.S. Highway 1, and thence over U.S. Highway 1 to Washington, and return over the same route, serving the intermediate points of Wilmington, Del., and Baltimore, Md., and off-route points in New Castle County, Del., and those in Pennsylvania within twenty (20) miles of Lansdale, (2) between Lansdale, Pa., and New York, N.Y.: from Lansdale over Pennsylvania Highway 463 to junction U.S. Highway 611,

thence over U.S. Highway 611 to Junction Pennsylvania Highway 132, thence over Pennsylvania Highway 132 to junction U.S. Highway 1, and thence over U.S. Highway 1 to New York, and return over the same route, serving all intermediate points (except those intermediate points in Pennsylvania beyond a twenty (20) mile radius of Lansdale), those in the New York, N.Y., commercial zone as defined by the Commission, off-route points in Pennsylvania within twenty (20) miles of Lansdale, and off-route points in New Jersey (except those points in New Jersey lying on the regular routes as defined above), and (3) between Lansdale, Pa., and New York, N.Y.; from Lansdale over Pennsylvania Highway 463 to junction U.S. Highway 202, thence over U.S. Highway 202 to junction U.S. Highway 22, and thence over U.S. Highway 22 to New York, and return over the same route, serving all intermediate points (except those intermediate points in Pennsylvania beyond a 20-mile radius of Lansdale).

NOTE: This application is filed pursuant to MC-C-4366, effective May 1, 1964, which provides the special rules for conversion of irregular route to regular motor carrier operations.

SPECIAL NOTE: Protests to this application may be filed within 45 days instead of 30 days.

No. MC 75185 (Sub-No. 249), filed March 1, 1965. Applicant: SERVICE TRUCKING CO., INC., Post Office Box 276, Federalsburg, Md. Applicant's attorney: Francis W. McInerney, 1000 16th Street NW., Washington, D.C., 20036. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: (1) *General commodities* (except those of unusual value, Classes A and B explosives, livestock, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, and those requiring special equipment), (a) between Wilmington, Del. and Cape Charles, Va., from Wilmington, Del. over U.S. Highway 13 to junction U.S. Highway 301, thence over U.S. Highway 301 to junction U.S. Highway 213, thence over U.S. Highway 213 to junction U.S. Highway 50, thence over U.S. Highway 50 to junction U.S. Highway 13, thence over U.S. Highway 13 to Cape Charles, Va. (see Note A), (b) between Dover, Del. and Pocomoke City, Md., over U.S. Highway 113 (see Note A), (c) between Baltimore and Chesapeake City, Md., from Baltimore over Maryland Highway 2 to junction U.S. Highway 50-U.S. Highway 301, thence over U.S. Highways 50-301 to Queenstown, thence over U.S. Highway 301 to junction U.S. Highway 213, thence over U.S. Highway 213 to Chesapeake City (see Note A), (d) between Washington, D.C. and Lewes, Del., from Washington, D.C. over U.S. Highway 50 to junction Maryland Highway 404, thence over Maryland Highway 404 to the Maryland-Delaware State line, thence over Delaware Highway 404 to junction Delaware Highway 18, thence over Delaware Highway 18 to Lewes, Del. (see Note A), (e) between Smyrna, Del. and Mardela Springs, Md., from Smyrna, Del. over Delaware Highway 300 to junction

Delaware Highway 11, thence over Delaware Highway 11 to the Delaware-Maryland State line, thence over Maryland Highway 302 to junction Maryland Highway 454, thence over Maryland Highway 454 to junction Maryland Highway 311, thence over Maryland Highway 311 to junction Maryland Highway 313.

Thence over Maryland Highway 313 to Mardela Springs, Md. (see Note A), (f) between Milford, Del. and Salisbury, Md., from Milford, Del. over Delaware Highway 14 to the Delaware-Maryland State line, thence over Maryland Highway 528 to junction U.S. Highway 50, thence over U.S. Highway 50 to Salisbury, Md. (see Note A), (g) between Salisbury, Md. and Nelsonia, Va., from Salisbury, Md. over Maryland Highway 12 to Maryland-Virginia State line, thence over Virginia Highway 679 to Nelsonia, Va. (see Note A), (h) between Salisbury and Crisfield, Md., from Salisbury over U.S. Highway 13 to junction Maryland Highway 413, thence over Maryland Highway 413 to Crisfield (see Note A), (i) between Easton, Md. and Seaford, Del., from Easton, Md. over Maryland Highway 331 to junction Maryland Highway 318, thence over Maryland Highway 318 to junction Maryland Highway 313, thence over Maryland Highway 313 to junction Maryland Highway 577, thence over Maryland Highway 577 to Maryland-Delaware State line, thence over Delaware Highway 20 to Seaford, Del. (see Note A).

NOTE A: Applicant will return over the same routes in (1) (a) through (i) above, serving all intermediate points and all off-route points located on the Del-Mar-Va Peninsula.

(The Del-Mar-Va Peninsula as used in this application are those portions of Delaware, Maryland, and Virginia located east of the Chesapeake Bay and south of the Chesapeake and Delaware Canal.) (2) *General commodities* (except those of unusual value, Classes A and B explosives, livestock, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, and those requiring special equipment), serving points in New Jersey within (30) thirty miles of City Hall, New York, N.Y. as off-route points in connection with applicant's existing regular routes between Baltimore, Md. and New York, N.Y. and between Willards, Md. and New York, N.Y.

NOTE: This application is filed pursuant to MC-C-4366, effective May 1, 1964, which provides the special rules for conversion of irregular route to regular motor carrier operations.

SPECIAL NOTE: Protests to this application may be filed within 45 days instead of 30 days.

No. MC 75651 (Sub-No. 59), filed March 1, 1965. Applicant: R. C. MOTOR LINES, INC., Post Office Box 2501, 2500 Laura Street, Jacksonville, Fla., 32202. Applicant's representative: L. H. Blow (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, commodities requir-

ing refrigerator, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, those requiring special equipment, quarry products, artificial stone, quarry machinery and machinery incidental to the manufacture, preparation for use, or erection of artificial or natural stone), (1) between New York, N.Y., and Boston, Mass.; (a) from New York over Interstate Highway 95 to Boston and return over the same route, serving the intermediate point of Providence, R.I., and serving New London, Conn., for the purpose of joining only and serving all off-route points within 25 miles of Boston, Mass.; (b) from New York over Interstate Highway 95 to New Haven, Conn., thence over U.S. Highway 5 to junction Connecticut Highway 15, thence over Connecticut Highway 15 to the Connecticut-Massachusetts State line, thence over Massachusetts Highway 15 to junction U.S. Highway 20, thence over U.S. Highway 20 to junction Massachusetts Highway 9, thence over Massachusetts Highway 9 to Boston and return over the same route, serving no intermediate points and serving the off-route point of Worcester, Mass., and all off-route points within 25 miles of Boston, Mass.; (2) between New London, Conn., and Providence, R.I.; from New London over the Connecticut Turnpike to junction U.S. Highway 6, thence over U.S. Highway 6 to Providence and return over the same route, serving no intermediate points, as an alternate route for operating convenience only, in connection with (1) (a) and (b) above; (3) between Providence, R.I., and Boston, Mass., over U.S. Highway 1, serving no intermediate points, as an alternate route for operating convenience only, in connection with (1) (a) and (b) above; and (4) between Providence, R.I., and Worcester, Mass.; from Providence over Rhode Island Highway 146 to the Rhode Island-Massachusetts State line, thence over unnumbered highway to Massachusetts Highway 122, thence over Massachusetts Highway 122 to junction Massachusetts Highway 122A, thence over Massachusetts Highway 122A to Worcester and return over the same route, serving no intermediate points, as an alternate route for operating convenience only, in connection with (1) (a) and (b) above.

NOTE: This application involves the rights of R. C. Motor Lines, Inc.—Operator of Bianchi Motor Transportation, Inc., pending approval in MC-F 8970. This application is filed pursuant to MC-C-4366, effective May 1, 1964, which provides the special rules for conversion of irregular-route to regular-route motor carrier operations.

SPECIAL NOTE: Protests to this application may be filed within 45 days instead of 30 days.

No. MC 101619 (Sub-No. 9), filed February 26, 1965. Applicant: HOVER TRUCKING CO., a corporation, 1425 South 11th Street, Niles, Mich. Applicant's attorney: Ferdinand Born, 1019 Chamber of Commerce Building, Indianapolis, Ind., 46204. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except those

of unusual value, Classes A and B explosives, commodities in bulk and those requiring special equipment), (1) in a circuitous manner from Niles, Mich., over Michigan Highway 40 to Dowagiac, Mich., thence over Michigan Highway 62 to junction Michigan Highway 140, thence over county road known as Pipestone Road (Berrien County Highway 801) through Sodus, Mich., to junction county road known as Knickerson Avenue, thence over Knickerson Avenue to junction Michigan Highway 139, thence over Michigan Highway 139 to Benton Harbor, Mich., thence return over the above described routes to junction Pipestone Road and Michigan Highway 140, thence over Michigan Highway 140 through Berrien Center, Mich., to junction U.S. Highway 31, thence over U.S. Highway 31 to Niles, Mich., serving all intermediate points and the off-route points of Cassopolis, Coloma, Watervliet, Hartford, Keeler, Riverside, Decatur, Glenwood, Wakelee, Marcellus, and Millburg, Mich.; (2) in a circuitous manner from Niles, Mich., over U.S. Highway 31 to Berrien Springs, Mich., thence over county road known as Shawnee Road to Bridgman, Mich., thence over Red Arrow Highway (formerly U.S. Highway 12) to junction business route Interstate Highway 94, thence over business route Interstate Highway 94 to St. Joseph, Mich., thence return over the above described routes to Bridgman, Mich., thence over Red Arrow Highway to junction county road known as Sawyer Road, thence over Sawyer Road through Sawyer, Mich., to junction county road known as California Road, thence over California Road to New Troy, Mich., thence over county road known as Glendora Road to junction county road known as Cleveland Avenue, thence over Cleveland Avenue through Gallen, Mich., to junction U.S. Highway 12, thence over U.S. Highway 12 to Niles, Mich., serving all intermediate points and the off-route points of Baroda, Glendora, Derby, and Hinchman, Mich.

(3) Between Niles, Mich., and Goshen, Ind.; from Niles over U.S. Highway 12 to Mottville, Mich., thence over Michigan Highway 103 to the Michigan-Indiana State line, thence over Indiana Highway 15 to Goshen and return over the same route, serving all intermediate points and the off-route points of Benton, and Middlebury, Ind., and Constantine, White Pigeon, Three Rivers, Jones and Vandalla, Mich.; (4) between junction Michigan Highway 62 and U.S. Highway 12 and Goshen, Ind.; from junction Michigan Highway 62 and U.S. Highway 12 over Michigan Highway 62 to the Michigan-Indiana State line, thence over Indiana Highway 23 to Granger, Ind., thence over unnumbered highway to junction U.S. Highway 20, thence over U.S. Highway 20 to Elkhart, Ind., thence over Indiana Highway 120 to Bristol, Ind., thence over Indiana Highway 15 to Goshen and return over the same route, serving all intermediate points and the off-route points of Benton and Middlebury, Ind., and Constantine, White Pigeon, Three Rivers, Jones and Vandalla, Mich.; (5) between Goshen, Ind., and Elkhart, Ind., over

U.S. Highway 33, serving all intermediate points and the off-route points of Benton and Middlebury, Ind., and Constantine, White Pigeon, Three Rivers, Jones and Vandalla, Mich.; (6) between Goshen, Ind., and New Paris, Ind., over Indiana Highway 15, serving all intermediate points and the off-route points of Benton and Middlebury, Ind., and Constantine, White Pigeon, Three Rivers, Jones and Vandalla, Mich.; (7) between Elkhart, Ind., and South Bend, Ind., over U.S. Highway 20 (also between Elkhart and South Bend over U.S. Highway 33), serving all intermediate points and the off-route points of Benton and Middlebury, Ind., and Constantine, White Pigeon, Three Rivers, Jones and Vandalla, Mich.; (8) between Niles, Mich., and Bremen, Ind.; from Niles over U.S. Highway 31 to South Bend, Ind., thence over U.S. Highway 33 to junction Indiana Highway 331.

Thence over Indiana Highway 331 to Bremen and return over the same route, serving all intermediate points and the off-route points of Warsaw, Milford, Leesburg, Atwood, Mentone, Etna Green, Culver, Donaldson, and Jintown, Ind.; (9) between South Bend, Ind., and Syracuse, Ind.; from South Bend over U.S. Highway 20 to Elkhart, Ind., thence over Indiana Highway 13, thence over Indiana Highway 13 to Syracuse and return over the same route, serving all intermediate points and the off-route points of Warsaw, Milford, Leesburg, Atwood, Mentone, Etna Green, Culver, Donaldson, and Jintown, Ind.; (10) between South Bend, Ind., and Bremen, Ind.; from South Bend over U.S. Highway 31 to Plymouth, Ind., thence over U.S. Highway 30 to Bourbon, Ind., thence over Indiana Highway 331 to Bremen and return over the same route, serving all intermediate points and the off-route points of Warsaw, Milford, Leesburg, Atwood, Mentone, Etna Green, Culver, Donaldson, and Jintown, Ind.; (11) between Nappanee, Ind., and junction U.S. Highways 6 and 31, over U.S. Highway 6, serving all intermediate points and the off-route points of Warsaw, Milford, Leesburg, Atwood, Mentone, Etna Green, Culver, Donaldson, and Jintown, Ind.; (12) between junction Indiana Highways 19 and 4 and Wakarusa, Ind., over Indiana Highway 4, serving all intermediate points and the off-route points of Warsaw, Milford, Leesburg, Atwood, Mentone, Etna Green, Culver, Donaldson, and Jintown, Ind.; (13) between Niles, Mich., and Michigan City, Ind.; from Niles over U.S. Highway 31 to South Bend, Ind., thence over Indiana Highway 23 to Walkerton, Ind., thence over U.S. Highway 6 to junction U.S. Highway 35.

Thence over U.S. Highway 35 to Michigan City and return over the same route, serving all intermediate points and the off-route points of Buchanan, Dayton, Mich., and Knox, Kingsbury, Rolling Prairie, Lydick, Pinola, Otis, Wellsboro, Westville, and Stillwell, Ind.; (14) between South Bend, Ind., and New Buffalo, Mich.; from South Bend over U.S. Highway 20 to junction Indiana Highway 2, thence over Indiana Highway 2

to La Porte, Ind. (also from South Bend over Indiana Highway 2 to La Porte), thence over U.S. Highway 35 to junction Indiana Highway 39, thence over Indiana Highway 39 to the Indiana-Michigan State line, thence over county road known as La Porte Road to New Buffalo and return over the same route, serving all intermediate points and the off-route points of Buchanan, Dayton, Mich., and Knox, Kingsbury, Rolling Prairie, Lydick, Pinola, Otis, Wellsboro, Westville, and Stillwell, Ind.; (15) between Michigan City, Ind., and junction Red Arrow Highway (formerly U.S. Highway 12) and Sawyer Road, near Sawyer, Mich.; from Michigan City over U.S. Highway 12 to New Buffalo, Mich., thence over Red Arrow Highway (formerly U.S. Highway 12) to junction Sawyer Road near Sawyer, Mich., and return over the same route, serving all intermediate points and the off-route points of Buchanan, Dayton, Mich., and Knox, Kingsbury, Rolling Prairie, Lydick, Pinola, Otis, Wellsboro, Westville, and Stillwell, Ind.

NOTE: This application is filed pursuant to MC-C-4366, effective May 1, 1964, which provides the special rules for conversion of irregular-route to regular-route motor carrier operations.

SPECIAL NOTE: Protests to this application may be filed within 45 days instead of 30 days.

No. MC 105808 (Sub-No. 7), filed February 26, 1965. Applicant: PLYMOUTH ROCK TRANSPORTATION CORP., 10 Binney Street, Cambridge, Mass. Applicant's attorney: Francis P. Barrett, Professional Building, 25 Bryant Avenue, East Milton (Boston), Mass., 02186. 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, livestock, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk and those requiring special equipment), between New York, N.Y., and Boston, Mass., as follows: (a) From New York over U.S. Highway 1 to Boston; (b) from New York over Interstate Highway 95 to Boston; (c) from New York over Interstate Highway 95 to junction Rhode Island Highway 3, thence over Rhode Island Highway 3 to Providence, R.I., thence over U.S. Highway 1 (also U.S. Highway 1A) to Boston; (d) from New York over Interstate Highway 95 (also over U.S. Highway 1) to junction Rhode Island Highway 2, thence over Rhode Island Highway 2 to Providence, thence to Boston as specified above; (e) from New York to Providence, R.I., as specified above, thence over U.S. Highway 44 to junction Massachusetts Highway 24, thence over Massachusetts Highway 24 to junction Massachusetts Highway 128, thence over Massachusetts Highway 128 to Southeast Expressway, thence over Southeast Ex-

pressway to Boston; (f) from New York over Interstate Highway 95 (also over U.S. Highway 1) to New London, Conn., thence over the Connecticut Turnpike (Connecticut Highway 52) to Connecticut-Rhode Island State line, thence over U.S. Highway 6 to Providence, thence to Boston as specified above; (g) from New York over Interstate Highway 95 (also U.S. Highway 1) to New Haven, Conn., thence over U.S. Highway 5 to Hartford, Conn., thence over Connecticut Highway 15 to Massachusetts-Connecticut State line, thence over Massachusetts Highway 15 to junction U.S. Highway 20, thence over U.S. Highway 20 to junction Massachusetts Highway 9, thence over Massachusetts Highway 9 (also U.S. Highway 20) to Boston; (h) from New York to Massachusetts-Connecticut State line as specified above, thence over Massachusetts Highway 15 to junction Interstate Highway 90 (Massachusetts Turnpike), thence over Interstate Highway 90 to Boston.

No. MC 109538 (Sub-No. 16), filed February 26, 1965. Applicant: CHIPPEWA MOTOR FREIGHT, INC., 2645 Harlem Street, Eau Claire, Wis. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk and those requiring special equipment), (1) between Eau Claire, Wis., and Mondovi, Wis., over Wisconsin Highway 37, serving all intermediate points; (2) between Eau Claire, Wis., and Eleva, Wis., over Wisconsin Highway 93, serving all intermediate points; (3) between Eau Claire, Wis., and Black River Falls, Wis.; from Eau Claire over U.S. Highway 53 to junction U.S. Highway 10, thence over U.S. Highway 10 to junction Wisconsin Highway 27, thence over Wisconsin Highway 27 to Black River Falls and return over the same route, serving all intermediate points; (4) between Mondovi, Wis., and Fairchild, Wis., over U.S. Highway 10, serving all intermediate points; (5) between Fairchild, Wis., and Black River Falls, Wis., over U.S. Highway 12, serving all intermediate points; (6) between Hixton, Wis., and Neillsville, Wis., over Wisconsin Highway 95, serving all intermediate points; (7) between Hudson, Wis., and Frederic, Wis., over Wisconsin Highway 35, serving all intermediate points; (8) between Roberts, Wis., and junction Wisconsin Highways 46 and 35 near Milltown, Wis.; from Roberts over U.S. Highway 12 to junction Wisconsin Highway 65, thence over Wisconsin Highway 65 to junction U.S. Highway 8, thence over U.S. Highway 8 to junction Wisconsin Highway 46, thence over Wisconsin Highway 46 to junction Wisconsin Highway 35 near Milltown and return over the same route, serving all intermediate points.

(i) From New York to New Haven as specified above, thence over U.S. Highway 5 (also U.S. Highway 5A) to Massachusetts-Connecticut State line, thence over U.S. Highway 5 to Springfield, Mass., thence over Interstate Highway 90 (also U.S. Highway 20) to Boston; (j) from

New York to New Haven, Conn. as specified above, thence over U.S. Highway 5 to Hartford, thence over Interstate Highway 91 to Springfield, thence to Boston as specified above; (k) from New York to New Haven, Conn., as specified above, thence over U.S. Highway 5 to junction Connecticut Highway 15, thence over Connecticut Highway 15 to junction Interstate Highway 91, thence over Interstate Highway 91 to Hartford, thence to Boston as specified above; (l) from New York, N.Y., to New Haven, Conn., as specified above, thence over Interstate Highway 95 to junction Connecticut Highway 100, thence over Connecticut Highway 100 to junction Connecticut Highway 80, thence over Connecticut Highway 80 to junction Connecticut Highway 22, thence over Connecticut Highway 22 to junction Connecticut Highway 17, thence over Connecticut Highway 17 to junction Connecticut Highway 9, thence over Connecticut Highway 9 to Hartford, thence to Boston as specified above; and (m) from New York over U.S. Highway 1A to junction Interstate Highway 87, thence over Interstate Highway 87 to junction Interstate Highway 287, thence over Interstate Highway 287 to junction Interstate Highway 84 at or near White Plains, N.Y., thence over Interstate Highway 84 to Hartford, Conn., thence to Boston as specified above; and return over the same routes, serving the intermediate point of Providence, R.I., and the off-route points of Newark, N.J., and those in New Jersey within 15 miles of Newark, those in Providence County, R.I., and those in Suffolk and Middlesex Counties, Mass.

NOTE: This application is filed pursuant to MC-C-4366, effective May 1, 1964, which provides the special rules for conversion of irregular route to regular motor carrier operations.

SPECIAL NOTE: Protests to this application may be filed within 45 days instead of 30 days.

(9) Between Somerset, Wis., and junction Wisconsin Highway 64 and County Highway M near Sand Creek, Wis., over Wisconsin Highway 64, serving all intermediate points; (10) between Star Prairie, Wis., and Osceola, Wis., over County Highway M, serving all intermediate points; (11) between St. Croix Falls, Wis., and Hawkins, Wis., over U.S. Highway 8, serving all intermediate points; (12) between Baldwin, Wis., and Spooner, Wis., over U.S. Highway 63, serving all intermediate points; (13) between junction Wisconsin Highways 64 and 46 and junction Wisconsin Highway 46 and U.S. Highway 8, over Wisconsin Highway 46, serving all intermediate points; (14) between Luck, Wis., and Rice Lake, Wis., over Wisconsin Highway 48, serving all intermediate points; (15) between Cameron, Wis., and Spooner, Wis., over U.S. Highway 53, serving all intermediate points; (16) between Menomonie, Wis., and junction Wisconsin Highways 48 and 25 near Rice Lake, Wis., over Wisconsin Highway 25, serving all intermediate points; (17) between Colfax, Wis., and Glenwood City, Wis., over Wisconsin Highway 170, serving all intermediate points; (18) between Connorsville, Wis., and Turtle Lake, Wis., over County Highway K, serving all intermediate points; (19) between Wood-

ville, Wis., and junction County Highway D and Wisconsin Highway 64, over County Highway D, serving all intermediate points; (20) between junction Wisconsin Highway 46 and County Highway F near Amery, Wis., and junction County Highway F and Wisconsin Highway 65, over County Highway F, serving all intermediate points; (21) between Deronda, Wis., and junction County Highway C and Wisconsin Highway 65; from Deronda over County Highway P to junction County Highway C, thence over County Highway C to junction Wisconsin Highway 65 and return over the same route, serving all intermediate points.

(22) Between Clayton, Wis., and Range, Wis., over County Highway D, serving all intermediate points; (23) between Chetek, Wis., and Prairie Farm, Wis.; from Chetek over County Highway I to junction County Highway A, thence over County Highway A to Prairie Farm and return over the same route, serving all intermediate points; (24) between Connorsville, Wis., and Menomonie, Wis.; from Connorsville over Wisconsin Highway 79 to junction U.S. Highway 12, thence over U.S. Highway 12 to Menomonie and return over the same route, serving all intermediate points; (25) between junction U.S. Highway 12 and Wisconsin Highway 128 near Hersey, Wis., and junction Wisconsin Highways 128 and 64, over Wisconsin Highway 128, serving all intermediate points; (26) between junction U.S. Highway 8 and County Highway F near Poskin, Wis., and junction County Highway F and Wisconsin Highway 64, over County Highway F, serving all intermediate points; (27) between Dallas, Wis., and Holcombe, Wis.; from Dallas over County Highway U to Sand Creek, Wis., thence over County Highway M to Holcombe and return over the same route, serving all intermediate points; (28) between Chippewa Falls, Wis., and Elk Mound, Wis.; from Chippewa Falls over Wisconsin Highway 29 to junction U.S. Highway 12, thence over U.S. Highway 12 to Elk Mound and return over the same route, serving all intermediate points; (29) between Bloomer, Wis., and Bruce, Wis.; from Bloomer over U.S. Highway 53 to junction Wisconsin Highway 64, thence over Wisconsin Highway 64 to junction Wisconsin Highway 40, thence over Wisconsin Highway 40 to Bruce and return over the same route, serving all intermediate points; and (30) between Cornell, Wis., and Gilman, Wis., over Wisconsin Highway 64, serving all intermediate points; in connection with the above described routes, applicant proposes to serve the off-route points of Arland, Boardman, Burkhardt, Canton, Cylon, Huntington, Jewett, Ubet, and Wanderoos, Wis.

NOTE: This application is filed pursuant to MC-C-4366, effective May 1, 1964, which provides the special rules for conversion of irregular-route to regular-route motor carrier operations.

SPECIAL NOTE: Protests to this application may be filed within 45 days instead of 30 days.

No. MC 111231 (Sub-No. 61), filed February 26, 1965. Applicant: JONES TRUCK LINES, INC., 610 East Emma Avenue, Springdale, Ark. Applicant's

attorney: Wentworth E. Griffin, 1221 Baltimore Avenue, Kansas City 5, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except dangerous explosives and livestock), (1) between Gateway, Ark., and Berryville, Ark.: From Gateway over U.S. Highway 62 to Berryville, and return over the same route, serving all intermediate points; (2) between Berryville, Ark., and Springdale, Ark.: from Berryville over Arkansas Highway 21 to junction Arkansas Highway 68, thence over Arkansas Highway 68 to Springdale, and return over the same route, serving all intermediate points; (3) between Fayetteville, Ark., and Muskogee, Okla.: From Fayetteville over U.S. Highway 62 to Muskogee, and return over the same route, serving all intermediate points; (4) between Vinita, Okla., and Stilwell, Okla.: From Vinita over U.S. Highway 66 to junction U.S. Highway 59, thence via U.S. Highway 59 to Stilwell, and return over the same route, serving all intermediate points; (5) between Wagner, Okla., and Stilwell, Okla.: From Wagner over Oklahoma Highway 51 to Stilwell, and return over the same route, serving all intermediate points; (6) between Grove, Okla., and Monett, Mo.: From Grove, over Oklahoma Highway 25 to the Oklahoma-Missouri State line, thence over Missouri Highway 90 to junction Missouri Highway 59, thence over Missouri Highway 59 to junction U.S. Highway 71, thence over U.S. Highway 71 to Neosho, thence over U.S. Highway 60 to Monett, and return over the same route, serving all intermediate points.

(7) Between Monett, Mo., and Springdale, Ark.: From Monett over Missouri Highway 37 to junction U.S. Highway 62, thence over U.S. Highway 62 to Springdale, and return over the same route, serving all intermediate points; (8) between Muskogee, Okla., and Vinita, Okla.: From Muskogee over U.S. Highway 69 to junction U.S. Highways 60 and 66, thence over U.S. Highways 60 and 66 to Vinita, and return over the same route, serving all intermediate points; (9) between Neosho, Mo., and Seneca, Mo.: From Neosho over U.S. Highway 60 to Seneca, and return over the same route, serving all intermediate points; (10) between Bentonville, Ark., and Pryor, Okla.: From Bentonville over Arkansas Highway 72 to the Arkansas-Oklahoma State line, thence over Oklahoma Highway 20 to Pryor, and return over the same route, serving all intermediate points; (11) between Eureka Springs, Ark., and Huntsville, Ark.: From Eureka Springs over Arkansas Highway 23 to Huntsville, and return over the same route, serving all intermediate points; (12) between Siloam Springs, Ark., and the junction of Missouri Highway 59 and U.S. Highway 71 at or near Lanagan, Mo.: From Siloam Springs over Arkansas Highway 59 to the Arkansas-Missouri State line, thence over Missouri Highway 59 to junction U.S. Highway 71 at or near Lanagan, and return over the same route, serving all intermediate points; and (13) service is requested, in connection with the

above described routes and other authorized regular routes of the applicant, to and from all points and places in Benton, Washington, and Madison Counties, Ark., those in Carroll and Newton Counties, Ark., on and west of Arkansas Highway 21, those in Delaware, Adair, and Cherokee Counties, Okla., those in Muskogee, Wagoner, Mayes, and Craig Counties, Okla., located on and east of U.S. Highway 69, and on and south of U.S. Highway 66, and those on and south of U.S. Highway 60, and on and west of Missouri Highway 37 in McDonald, Newton, and Barry Counties, Mo., not on a described regular route, as off-route points.

NOTE: This application is filed pursuant to MC-C 4366, effective May 1, 1964, which provides the special rules of conversion of irregular to regular motor carrier operations.

SPECIAL NOTE: Protests to this application may be filed within 45 days instead of 30 days.

No. MC 113212 (Sub-No. 7), filed March 1, 1965. Applicant: MID COLUMBIA MOTOR FREIGHT, INC., 1404 NW. Overton Street, Portland, Oreg., 97209, Applicant's attorney: Earle V. White, Fifth Avenue Building, 2130 SW. Fifth Avenue, Portland 1, Oreg. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, livestock, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), (1) *eastbound only*; from Portland, Oreg., over Interstate Highway 80N to The Dalles, Oreg., serving all intermediate and off-route points within 5 miles of the above specified highway east of Cascade Locks, Oreg.; (2) between Goldendale, Wash., and Hood River, Oreg. (a) from Goldendale over U.S. Highway 97 to junction U.S. Highway 830, thence over U.S. Highway 830 to Interstate Bridge (west of White Salmon, Wash.), thence over Interstate Bridge to Hood River, and return over the same route, serving all intermediate points and off-route points within 5 miles of the above specified highways; (b) from Goldendale over U.S. Highway 97 to junction U.S. Highway 830, thence over U.S. Highway 830 to The Dalles Interstate Bridge, thence over The Dalles Interstate Bridge to The Dalles, thence over Interstate Highway 80N to Hood River, and return over the same route, serving all intermediate points and off-route points within 5 miles of the above specified highways; and (c) from Goldendale over U.S. Highway 97 to Maryhill Interstate Bridge, thence over Maryhill Interstate Bridge to Interstate Highway 80N, thence over Interstate Highway 80N through The Dalles to Hood River, and return over the same route, serving all intermediate points and off-route points within 5 miles of the above specified highways.

NOTE: This application is filed pursuant to MC-C-4366, effective May 1, 1964, which provides the special rules for conversion of irregular to regular motor carrier operations.

SPECIAL NOTE: Protests to this application may be filed within 45 days instead of 30 days.

No. MC 123061 (Sub-No. 26), filed March 19, 1965. Applicant: LEATHAM BROTHERS, INC., 46 Orange Street, Salt Lake City, Utah. Applicant's attorney: Harry D. Pugsley, Suite 600 El Paso Natural Gas Building, 315 East Second South, Salt Lake City, Utah, 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Laminated wood products, lumber and timbers* (fabricated or not fabricated), and related hardware items moving with the wood products and timbers, (a) from points in Oregon and Washington, to points in Idaho, Colorado, Utah and Wyoming; (b) from points in Idaho, to points in New Mexico, Arizona, California, Nevada, Utah, Colorado, Montana, and Wyoming, and (c) from points in Montana, to points in Idaho and Utah; (2) *lumber* from points in Montana to points in Idaho and Utah.

NOTE: Applicant states it presently holds authority in MC 123061, Sub 17 to transport lumber from points in Montana west of the Continental Divide to Salt Lake City, Logan and Smithfield, Utah. No duplicating authority is sought.

No. MC 124048 (Sub-No. 23), filed March 19, 1965. Applicant: SCHWERMAN TRUCKING CO. OF INDIANA, INC., 611 South 28th Street, Milwaukee, Wis., 53246. Applicant's attorney: James R. Ziperski (address same as applicant's). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, from Elkhart, Ind. to points in Michigan and Cook County, Ill.

No. MC 125777 (Sub-No. 53), filed March 18, 1965. Applicant: JACK GRAY TRANSPORT, INC., 3200 Gibson Transfer Road, Hammond, Ind. 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: *Sand*, in bulk, in hydraulic dump vehicles (other than hopper or tank vehicles), from points in Ste. Marie Township, Green Lake County, Wis., to points in Illinois.

No. MC 126058 (Sub-No. 2), filed March 1, 1965. Applicant: BRUCE E. BISHOP, doing business as BEST-WAY TRUCK LINE, 3930 Blake Street, Denver, Colo. Applicant's attorney: William J. Ryan, Carter Building, 211-213 South Kansas, Norton, Kans. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission and commodities requiring special equipment), between Denver, Colo., and Kirk, Colo., from Denver over U.S. Highway 36 to junction Colorado Highway 57, thence over Colorado Highway 57 to Kirk, and return over the same route, serving no intermediate points, but serving points within 15 miles of Kirk (except Cope and Idalia, Colo.), as off-route points.

NOTE: This application is filed pursuant to MC-C-4366, effective May 1, 1964, which provides the special rules for conversion of irregular route to regular motor carrier operations.

**SPECIAL NOTE:** Protests to this application may be filed within 45 days instead of 30 days.

No. MC 126978 (Sub-No. 1), filed March 15, 1965. Applicant: ROBERT DUBE, doing business as DUBE TRANSFER, 1016 Fifth Avenue West, Williston, N. Dak. Applicant's attorney: John R. Davidson, Suite 200, American State Bank Building, Williston, N. Dak., 58801. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Such commodities as are sold by mail order houses, for the account of Montgomery-Ward & Co., Inc., and rejected shipments and trade-ins, between Williston, N. Dak., on the one hand, and, on the other, points in Richland, Sheridan, Daniels, and Roosevelt Counties, Mont.

By the Commission.

[SEAL] BERTHA F. ARMES,  
Acting Secretary.

[F.R. Doc. 65-3572; Filed, Apr. 7, 1965;  
8:45 a.m.]

[Notice 1153]

### MOTOR CARRIER TRANSFER PROCEEDINGS

APRIL 5, 1965.

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 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 174(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-67670. By order of March 30, 1965, the Transfer Board approved the transfer to Robert F. Suggett, New York (Bronx), N.Y., of the operating rights of George T. Kaylor, doing business as West Course Pigeon Training, Holbrook, N.Y., in Certificate No. MC-124879, issued November 14, 1963, authorizing the transportation, over irregular routes, of homing pigeons, and in connection therewith, supplies and equipment used in the care of such pigeons, and supplies and equipment used in the care of homing pigeons, from and to specified points in New York, New Jersey, and Pennsylvania, varying with the commodities specified. Martin Werner, 2 West 45th Street, New York 36, N.Y., attorney for applicants.

No. MC-FC-67685. By order of March 30, 1965, the Transfer Board approved the transfer to F. G. Adams Co., Inc., Lynn, Mass., of the Certificate of Registration in No. MC-114777 (Sub-No. 2), issued April 14, 1964, to W. S. Rees, Inc., Cambridge, Mass., authorizing transpor-

tation in interstate and foreign commerce corresponding to the grant of authority in Certificate No. MC-1592, issued June 17, 1954, by the Massachusetts Department of Public Utilities. Arthur A. Wentzell, Post Office Box 720, Worcester, Mass., 01601, practitioner for applicants.

No. MC-FC-67690. By order of March 30, 1965, the Transfer Board approved the transfer to George T. Kaylor, doing business as Empire Pigeon Carriers, Holbrook, N.Y., of the operating rights of George Kennell, East Meadow, N.Y., issued March 29, 1956, in Certificate No. MC-114452, authorizing the transportation, over irregular routes, of homing pigeons, in crates, and, in connection therewith, equipment and supplies used in the care of such pigeons, from points in Kings, Queens, Nassau, and Suffolk Counties, N.Y., to points in New Jersey, Pennsylvania, Delaware, Maryland, the District of Columbia, Virginia, North Carolina, and South Carolina, and empty crates used in the outbound transportation of homing pigeons, from the above-described destination points to points in Kings, Queens, Nassau, and Suffolk Counties, N.Y. Martin Werner, 2 West 45th Street, New York, N.Y., attorney for transferee. Morton E. Kiel, 140 Cedar Street, New York, N.Y., attorney for transferor.

No. MC-FC-67694. By order of March 30, 1965, the Transfer Board approved the transfer to Hensley Freight Lines, Inc., Marion, Texas, of Certificate of Registration No. MC-57969 (Sub-No. 1), issued May 13, 1964, to Almee Hensley, doing business as Hensley Freight Line, Marion, Texas, evidencing the right of the holder thereof to engage in interstate or foreign commerce, corresponding in scope to the service authorized by the Certificate of Convenience and Necessity No. 2892 dated August 9, 1935, issued by the Railroad Commission of Texas. Phillip Robinson, 721 Brown Building, Austin, Tex., attorney for transferor.

No. MC-FC-67695. By order of March 30, 1965, the Transfer Board approved the transfer to Ryan Trucking, Inc., Irwin, Ohio, of the operating rights issued by the Commission May 24, 1957, under Permit No. MC-115681, to Seth Ingram, Milford Center, Ohio, authorizing the transportation, over irregular routes, of road building and road maintenance equipment, and parts and accessories therefore when transported in the same vehicle with such commodities, between Marion, Ohio, on the one hand, and, on the other, points in the United States within 750 miles of Marion.

No. MC-FC-67696. By order of March 30, 1965, the Transfer Board approved the transfer to Allstar Moving & Storage, Inc., 631 North Lovers Lane, Wauwatosa, Wis., of the operating rights in Certificate No. MC-1871 issued July 18, 1962 to Hazel M. Trautmann, doing business as Admiral Moving & Storage Service, 1229 North 24th Place, Milwaukee, Wis., authorizing the transportation, over irregular routes, of: Household goods, as defined by the Commission, between Milwaukee, Wis., and points within 8 miles thereof, on the one hand, and,

on the other, points in Illinois, Indiana, Minnesota, and Iowa.

No. MC-FC-67697. By order of March 30, 1965, the Transfer Board approved the transfer to Alexander M. Dickie, Trustee of estate of Daniel C. Fessenden, doing business as California Warehouse Co., Los Angeles, Calif., of the operating rights in Certificate No. MC-5169 issued August 27, 1953 to Daniel C. Fessenden, doing business as California Warehouse Co., Los Angeles, Calif., and the Certificate of Registration No. MC-5169 (Sub-No. 3) issued October 1, 1964, covering operations in the transportation of General commodities, with exceptions between points in California. Ivan McWhinney, 639 South Spring Street, Los Angeles, Calif., attorney for applicants.

No. MC-FC-67698. By order of March 30, 1965, the Transfer Board approved the transfer to James H. DeLong, Inc., Orefield, Pa., of the operating rights in Certificate No. MC-21720 issued February 7, 1950 to William M. Stegmeier, doing business as Panther Valley Carriers, Tamaqua, Pa., authorizing the transportation, over regular and irregular routes, of Malt beverages, between Northampton, Pa., and Charleston, S.C., and from Northampton, Pa., to specified points in Maryland, New York, New Jersey, and the District of Columbia, Agricultural commodities, from points in Lehigh and Northampton Counties, Pa., to points in New York, New Jersey, Delaware, Maryland, and the District of Columbia, and fertilizer, from Cateret, N.J., and Baltimore, Md., to points in Lehigh and Northampton, Counties, Pa. E. Drummond King, 512 Hamilton Street, Allentown, Pa., 18101, attorney for applicants.

No. MC-FC-67699. By order of March 30, 1965, the Transfer Board approved the transfer to Redman Van Lines, a corporation, Salt Lake City, Utah, of the operating rights in Certificate No. MC-69062 issued May 12, 1948 to Overland Moving Co., a corporation, Salt Lake City, Utah, authorizing the transportation over regular routes, of: General commodities and household goods, between points in Utah. William S. Richards, 1007 Walker Bank Building, Salt Lake City, Utah, 84111, attorney for applicants.

[SEAL] BERTHA F. ARMES,  
Acting Secretary.

[F.R. Doc. 65-3656; Filed, Apr. 7, 1965;  
8:48 a.m.]

## DEPARTMENT OF THE INTERIOR

Bureau of Land Management  
OREGON

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

MARCH 30, 1965.

Notice of an application, Serial No. Oregon 013237, for withdrawal and

reservation of lands was published as Federal Register Document No. 63-3569 on page 3364 of the issue for April 5, 1963. The applicant agency has cancelled its application insofar as it involved the lands described below. Therefore, pursuant to the regulations contained in 43 CFR, Subpart 2311, such lands will be at 10 a.m., on April 12, 1965, relieved of the segregative effect of the above-mentioned application.

The lands involved in this notice of termination are:

## OREGON

## WILLAMETTE MERIDIAN

T. 12 S., R. 41 E.,  
 Sec. 4, W $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
 Sec. 8, SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 9, NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 Sec. 16, NE $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ .

The total area aggregates 320 acres.

DOUGLAS E. HENRIQUES,  
 Manager.

[P.R. Doc. 65-3644; Filed, Apr. 7, 1965;  
 8:48 a.m.]

## IDAHO

### Notice of Proposed Withdrawal and Reservation of Lands

## Correction

In F.R. Doc. 58-5832, appearing at page 5794 of the issue for Thursday, July 31, 1958, the following corrections are made in the land description:

1. On page 5794, under *South Fork of Payette River (No. 24) Forest Highway Roadside Zone*, T. 10 N., R. 10 E., the entry for Section 29 should read "Sec. 29, SE $\frac{1}{4}$ SE $\frac{1}{4}$ ".

2. On page 5798, under *Grimes Creek (No. 847) Forest Development Road Roadside Zone*, T. 5 N., R. 3 E., the entry for Section 14 should read "Sec. 14, NW $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ ".

3. On page 5800, under *Sheepsteater Hot Springs Recreation Area*, the last line should read "Total area 25.01 acres" instead of "Total area 25.10 acres".

4. On page 5800, under *Alexander Flat Administrative Site*, T. 5 N., R. 8 E., the entry for Section 16 should read "Sec. 16, Lots 1, 2, NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ ".

5. On page 5801, under *Stolle Meadows Administrative Site*, "T. 15 N., R. 6 N.," should read "T. 15 N., R. 6 E.,".

## National Park Service

[Order 5, Amdt. 1]

### YELLOWSTONE NATIONAL PARK, WYO.

#### Delegation of Authority; Assistant Superintendent, Operations

Delegation of authority regarding execution of contracts for construction, supplies, equipment or services.

Section 1 of Order No. 5, issued May 21, 1963 (28 F.R. 4681), is hereby amended as follows:

1. *Assistant Superintendent (Operations)*. The Assistant Superintendent (Operations) may execute and approve contracts not in excess of \$200,000 for construction, supplies, equipment, or services in conformity with applicable regulations and statutory authority and subject to availability of appropriations. This authority may be exercised by the Assistant Superintendent (Operations) in behalf of any coordinated area.

(National Park Service Order No. 14 (19 F.R. 8824), as amended; 39 Stat. 535, 16 U.S.C. Sec. 2; Midwest Region Order No. 3 (21 F.R. 1404))

Dated: March 16, 1965.

JOHN S. McLAUGHLIN,  
 Superintendent,  
 Yellowstone National Park.

[P.R. Doc. 65-3629; Filed, Apr. 7, 1965;  
 8:47 a.m.]

## Office of the Secretary

## EDWARD F. ZIEGLER

#### Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b) (6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past six months:

- (1) None.
- (2) None.
- (3) None.
- (4) None.

This statement is made as of March 19, 1965.

Dated: March 19, 1965.

EDWARD F. ZIEGLER.

[P.R. Doc. 65-3645; Filed, Apr. 7, 1965;  
 8:48 a.m.]

## OFFICE OF EMERGENCY PLANNING

### WATCHES, MOVEMENTS AND PARTS

#### Investigation of Imports

Notice is hereby given that in accordance with the provisions of section 232 of the Trade Expansion Act of 1962 and OEP Regulation No. 4, the Director of the Office of Emergency Planning has ordered an investigation to determine whether or not watches, movements and parts are being imported into the United States in such quantities or under such circumstances as to threaten to impair the national security.

Dated: April 6, 1965.

BUFORD ELLINGTON,  
 Director,  
 Office of Emergency Planning.

[P.R. Doc. 65-3716; Filed, Apr. 7, 1965;  
 9:45 a.m.]

### IMPORTS OF RESIDUAL FUEL OIL TO BE USED AS FUEL

Notice is hereby given that under section 6(a) of the Presidential Proclamation No. 3279 of March 10, 1959, the Director of the Office of Emergency Planning has ordered an investigation of the national security basis for the present control of imports of residual fuel oil to be used as fuel. The investigation will cover the geographic components of the present program. Subareas, as well as interrelationships among the geographic components of the program, will be considered. Interested parties should within 30 days (ending May 7) file written statements. Rebuttal material will be accepted through June 7, 1965. All submissions should be on letter-size paper and 25 copies should be sent to the Director, Office of Emergency Planning, Washington, D.C., 20504. All public material filed will be open for inspection at the OEP Information Office, Room 513, 17th and F Streets NW.

Dated: April 7, 1965.

BUFORD ELLINGTON,  
 Director, Office of  
 Emergency Planning.

[P.R. Doc. 65-3747; Filed Apr. 7 1965;  
 11:10 a.m.]

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