

FEDERAL REGISTER

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Agencies in this issue—

The President
Atomic Energy Commission
Civil Service Commission
Consumer and Marketing Service
Farm Credit Administration
Federal Aviation Agency
Federal Communications Commission
Federal Power Commission
Fish and Wildlife Service
Food and Drug Administration
Foreign-Trade Zones Board
General Services Administration
Housing and Home Finance Agency
Indian Affairs Bureau
International Joint Commission—
United States and Canada
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Land Management Bureau
Saint Lawrence Seaway Development
Corporation
Securities and Exchange Commission
Small Business Administration

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Title 3—THE PRESIDENT

Proclamation 3656

ADDING ELLIS ISLAND TO THE STATUE OF LIBERTY NATIONAL MONUMENT

By the President of the United States of America

A Proclamation

WHEREAS Ellis Island in 1890 was placed under the control of the Federal Bureau of Immigration for development as an immigration station; and

WHEREAS between the years 1892 and 1954 Ellis Island was host to more than 16 million aliens entering this country; and

WHEREAS Ellis Island was a temporary shelter for those who sought refuge, freedom, and opportunity in our country; and

WHEREAS the millions of people who passed through the Ellis Island Depot were important to America for their contribution in making the United States of America the world leader it is today; and

WHEREAS the Statue of Liberty is a symbol to the world of the dreams and aspirations which have drawn so many millions of immigrants to America; and

WHEREAS to all Americans the Statue of Liberty stands eternal as the symbol of the freedom which has been made a living reality in the United States for men of all races, creeds, and national origins who have united in allegiance to the Constitution of the United States and to the imperishable ideals of our free society; and

WHEREAS, by Proclamation No. 1713 of October 15, 1924 (43 Stat. 1968), the Statue of Liberty and the land on which it is situated were established as a national monument in accordance with section 2 of the Act of Congress approved June 8, 1906 (34 Stat. 225; 16 U.S.C. 431); and

WHEREAS Ellis Island, consisting of approximately 27.5 acres, with improvements thereon, and of submerged lands in the rectangle surrounding the island, including the above acreage, aggregating 48 acres, is owned and controlled by the United States; and

WHEREAS the public interest would be promoted by reserving this area for proper protection and preservation as the Statue of Liberty National Monument:

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, under and by virtue of the authority vested in me by section 2 of the Act of Congress approved June 8, 1906 (34 Stat. 225; 16 U.S.C. 431), do proclaim that the property known as Ellis Island, as described in the preamble of this Proclamation, which is owned and controlled by the United States is hereby added to and made a part of the Statue of Liberty National Monument, subject to the limitation contained in the last sentence of this paragraph, and shall be administered pursuant to the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C., secs. 1-3), and acts supplementary thereto and amendatory thereof. Henceforth the Statue of Liberty National Monument shall consist of the Statue of Liberty, Liberty Island, and Ellis Island. Unless provided otherwise by Act of Congress, no funds appropriated to the Department of the Interior for the Administration of the National Monument shall be expended upon the development of Ellis Island.

THE PRESIDENT

Warning is hereby expressly given to all unauthorized persons not to appropriate, injure, destroy, or remove any feature of the National Monument.

So much of Proclamation No. 1713 of October 15, 1924, as relates to Fort Wood, New York, and the Statue of Liberty and the land on which it is situated, is hereby superseded.

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 eleventh day of May 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. 65-5141; Filed, May 12, 1965; 10:08 a.m.]

Rules and Regulations

Title 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration

SUBCHAPTER F—BANKS FOR COOPERATIVES

PART 73—BANKS FOR COOPERATIVES CONSOLIDATED DEBENTURES

Custodian and Acting Custodian

Title 6 of the Code of Federal Regulations is amended by changing § 73.2 (20 F.R. 581) to read as follows:

§ 73.2 Custodian and Acting Custodian.

The Chief, Collateral Section, Farm Credit Administration, shall serve, ex officio, as Custodian of collateral pledged by the Central Bank for Cooperatives for consolidated debentures. The Chief, Securities Section, Farm Credit Administration, shall serve, ex officio, as Acting Custodian of collateral pledged by the Central Bank for Cooperatives for consolidated debentures, in the event the said Custodian is unable to serve for any reason. The Farm Loan Registrar in each farm credit district shall serve, ex officio, as Custodian of collateral pledged by the bank for cooperatives of the district for consolidated debentures; and the Deputy Registrar and any Acting Deputy Registrar in each farm credit district shall serve, ex officio, as Acting Custodian of collateral pledged by the bank for cooperatives of the district for consolidated debentures, in the event the said Custodian is unable to serve for any reason. The operating title of the Farm Loan Registrar when so serving shall be Custodian. The operating title of the Deputy Registrar and any Acting Deputy Registrar when so serving shall be Acting Custodian.

(Sec. 37, 49 Stat. 263, as amended; 12 U.S.C. 1134m)

HAROLD T. MASON,

Acting Governor,

Farm Credit Administration.

[F.R. Doc. 65-5047; Filed, May 12, 1965; 8:47 a.m.]

Title 7—AGRICULTURE

Chapter I—Consumer and Marketing Service (Standards, Inspections, Marketing Practices), Department of Agriculture

SUBCHAPTER A—COMMODITY STANDARDS AND STANDARD CONTAINER REGULATIONS

PART 29—TOBACCO INSPECTION

Subpart C—Standards

MISCELLANEOUS AMENDMENTS

A notice of proposed rule making covering an amendment to the Official Standard Grades for Flue-cured, U.S.

Types 11, 12, 13, and 14, was published in the FEDERAL REGISTER of April 3, 1965 (30 F.R. 4361). Interested persons were given 30 days following publication of the notice in the FEDERAL REGISTER in which to submit written data, views, or arguments with respect to the proposed amendment. No data, views, or arguments were received.

After consideration of all relevant matters concerning the proposal, the proposed amendment, as so published, is adopted without change.

Effective date. In accordance with section 4 of the Administrative Procedure Act (5 U.S.C. 1003), the amendment shall become effective 30 days following the date of publication in the FEDERAL REGISTER.

The amendment is set forth below.

Done at Washington, D.C., this 7th day of May 1965.

G. R. GRANGE,
Deputy Administrator,
Marketing Services.

§ 29.1162 [Amended]

1. a. In § 29.1162 the specifications for grades B4K, B5K, and B6K are amended by changing "medium body" to read "fleshy."

b. Section 29.1162 is further amended by adding grade B4GG after grade B5RG and its specifications. The addition reads as follows:

B4GG—Fair Quality Gray Green Leaf. Immature, tight leaf structure, heavy, normal width. Uniformity, 70 percent; injury tolerance, 20 percent, of which not over 5 percent may be waste or other badly injured tobacco.

§ 29.1163 [Amended]

2. Section 29.1163 is amended by adding grades H4K, H5K, and H6K after grade H6FR and its specifications. The addition reads as follows:

H4K—Fair Quality Variegated Smoking Leaf. Mellow, open leaf structure, medium body, lean in oil, moderate color intensity, normal width. Uniformity, 70 percent; injury tolerance 20 percent, of which not over 5 percent may be waste or other badly injured tobacco.

H5K—Low Quality Variegated Smoking Leaf. Mellow, open leaf structure, medium body, lean in oil, weak color intensity, narrow. Uniformity, 70 percent; injury tolerance 30 percent, of which not over 10 percent may be waste or other badly injured tobacco.

H6K—Poor Quality Variegated Smoking Leaf. Mellow, open leaf structure, medium body, lean in oil, weak color intensity, stringy. Uniformity, 70 percent; injury tolerance 40 percent, of which not over 20 percent may be waste or other badly injured tobacco.

§ 29.1165 [Amended]

3. Section 29.1165 is amended by adding grade X4GK after X4KM and its specifications. The addition reads as follows:

X4GK—Fair Quality Green Variegated Lugs. Immature, close leaf structure, me-

dium body. Uniformity, 70 percent; tolerance, 30 percent waste.

§ 29.1167 [Amended]

4. a. Section 29.1167 is amended by rewording the grade name for N1XL to read as follows:

Best Nondescript from the X Group.

b. Section 29.1167 is further amended by adding grade N1K after N1XL and its tolerance. The addition reads as follows:

N1K—Best Nondescript from the H Group. Tolerance: 60 percent waste.

§ 29.1181 [Amended]

5. a. In § 29.1181 the subheading "16 Grades of Smoking Leaf" is amended to read "19 Grades of Smoking Leaf" and grade symbols under this subheading are amended by adding "H4K," "H5K," and "H6K" after H6FR.

b. In § 29.1181 the subheading "17 Grades of Green" is amended to read "19 Grades of Green" and grade symbols under this subheading are amended by adding "B4GG" between B6GK and B5GG and "X4GK" between X5G and P4G.

c. In § 29.1181 the subheading "9 Grades of Nondescript" is amended to read "10 Grades of Nondescript" and grade symbols under this subheading are amended by adding "N1K" between N1XL and N1F.

(49 Stat. 734; 7 U.S.C. 511m)

[F.R. Doc. 65-5046; Filed, May 12, 1965; 8:47 a.m.]

Chapter X—Consumer and Marketing Service (Marketing Agreements and Orders; Milk), Department of Agriculture

[Milk Order 138]

PART 1138—MILK IN RIO GRANDE VALLEY MARKETING AREA

Order Amending Order

§ 1138.0 Findings and determinations.

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon

certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Rio Grande Valley marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest;

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective not later than the date of publication in the FEDERAL REGISTER. Any delay beyond that date would tend to disrupt the orderly marketing of milk in the marketing area.

The provisions of the said order are known to handlers. The recommended decision of Deputy Administrator was issued April 22, 1965, and the decision of the Assistant Secretary containing all amendment provisions of this order was issued May 6, 1965. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective upon publication in the FEDERAL REGISTER and that it would be contrary to the public interest to delay the effective date of this amendment for 30 days after its publication in the FEDERAL REGISTER. (Sec. 4(c), Administrative Procedure Act, 5 U.S.C. 1001-1011)

(c) *Determinations.*—It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in section 8(c)(9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as hereby amended;

(3) The issuance of the order amending the order is approved or favored by at least two-thirds of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Rio Grande Valley marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended, as follows:

1. Section 1138.7(b)(4) is revised to read as follows:

§ 1138.7 Producer.

(b) * * *

(4) For the purposes of location adjustments pursuant to §§ 1138.52 and 1138.81, milk diverted to a nonpool plant shall be considered to have been received at the location of the pool plant from which diverted when the farm on which the milk is produced is located within the marketing area and at the location of the nonpool plant where received when the farm on which the milk is produced is located outside the marketing area.

2. In § 1138.9, a new paragraph (c) is added to read as follows:

§ 1138.9 Handler.

(c) * * *

(c) A cooperative association with respect to the milk of its member producers which is received from the farm for delivery to the pool plant of another handler in a tank truck owned and operated by or under contract to such cooperative association, if the cooperative association notified the market administrator and the operator of the pool plant to whom the milk is delivered, in writing prior to the first day of the month in which the milk is delivered, that it elects to be a handler for such milk. For purposes of location adjustments to producers such milk is considered to have been received from producers by the cooperative association at the location of the pool plant to which it is delivered.

3. Section 1138.30 is revised to read as follows:

§ 1138.30 Reports of receipts and utilization.

On or before the eighth day after the end of each month, the following handlers shall report to the market administrator in the detail and on forms prescribed by the market administrator for each plant as follows:

(a) Each handler who operates pool plant(s) shall report:

(1) The receipts of producer milk, the average butterfat test, and the pounds of butterfat contained therein;

(2) The quantities of skim milk and butterfat contained in fluid milk products received from other handlers;

(3) The quantities of skim milk and butterfat contained in receipts of other source milk;

(4) The pounds of skim milk and butterfat contained in all fluid milk products on hand at the beginning and at the end of the month;

(5) The utilization of all skim milk and butterfat required to be reported pursuant to this section;

(6) The disposition of fluid milk products in the marketing area on routes; and

(7) Such other information with respect to receipts and utilization as the market administrator may prescribe;

(b) Each handler who operates a partially regulated distributing plant shall report as required in paragraph (a) of this section, except that receipts in Grade A milk shall be reported in lieu of those in producer milk; and

(c) Each cooperative association shall report with respect to milk for which it is a handler pursuant to either § 1138.9(b) or (c) as follows:

(1) Receipts of skim milk and butterfat from producers;

(2) Utilization of skim milk and butterfat for which it is the handler pursuant to § 1138.9(b);

(3) The quantities delivered to each pool plant of another handler pursuant to § 1138.9(c);

(4) The name and number of days of delivery, with the address of any producer not previously reported, the total pounds of milk and the pounds of butterfat received from each producer; and

(5) Such other information as the market administrator may require.

4. In § 1138.41, paragraph (b)(7) is revised to read as follows:

§ 1138.41 Classes of utilization.

(b) * * *

(7) In shrinkage allocated to receipts of skim milk and butterfat pursuant to § 1138.42(b)(1) but not in excess of:

(i) 2 percent of receipts of milk received directly from producers; plus

(ii) 1.5 percent of receipts from a cooperative association in its capacity as a handler pursuant to § 1138.9(c), except that if the handler operating the pool plant notifies the market administrator that he is purchasing such milk on the basis of farm weights determined from farm bulk tank calibrations and individual producer tests, the applicable percentage shall be 2 percent; plus

(iii) 1.5 percent of receipts of milk received in bulk tank lots from other pool plants; plus

(iv) 1.5 percent of receipts of fluid milk products in bulk tank lots from an other order plant, exclusive of the quantity for which Class II utilization was requested by the operator of such plant and the handler; plus

(v) 1.5 percent of receipts of fluid milk products in bulk tank lots from unregulated supply plants, exclusive of the quantity for which Class II utilization was requested by the handler; less

(vi) 1.5 percent of milk disposed of in bulk tank lots to pool plants (when the exceptions specified in subdivision (ii) of this subparagraph applies, the applicable percentage shall be two percent).

5. In § 1138.43, a new paragraph (c) is added to read as follows:

§ 1138.43 Responsibility of handlers and reclassification of milk.

(c) For the purposes of §§ 1138.41 through 1138.46, 1138.50 through 1138.54, and 1138.70 through 1138.72, milk delivered by a cooperative association in its capacity as a handler pursuant to

§ 1138.9(c) shall be classified and allocated as producer milk according to the use or disposition by the receiving handler and the value thereof at class prices shall be included in the receiving handler's net pool obligation pursuant to § 1138.70. For purposes of location adjustments pursuant to § 1138.52 and administrative expense pursuant to § 1138.88, such milk shall be treated as producer milk of the receiving handler.

6. In § 1138.70, the introductory text is revised to read as follows:

§ 1138.70 Computation of the net pool obligation of each pool handler.

The net pool obligation of each pool handler for each pool plant and of each cooperative association in its capacity as a handler pursuant to § 1138.9 (b) or (c) during each month shall be a sum of money computed by the market administrator as follows:

7. In § 1138.80, the introductory text is revised and a new paragraph (e) is added to read as follows:

§ 1138.80 Payment to producers.

Except as provided in paragraphs (c) and (e) of this section, each handler, except a cooperative association, shall make payment to each producer from whom milk is received as specified in paragraphs (a) and (b) of this section:

(e) Each handler who receives milk for which a cooperative association is the handler pursuant to § 1138.9(c), shall, on or before the second day prior to the date payments are due individual producers, pay such cooperative association for such milk as follows:

(1) An advance payment for milk received during the first 15 days of the month at the rate specified in paragraph (a) of this section; and

(2) In making final settlement, the value of such milk at the applicable uniform price, less the amount of advance payment made on such milk.

8. In § 1138.84, paragraph (a) is revised to read as follows:

§ 1138.84 Payments to the producer-settlement fund.

(a) The sum of:

(1) The total of the net pool obligation computed pursuant to § 1138.70 for such handler; and

(2) In the case of a cooperative association which is a handler, the minimum amount due from other handlers pursuant to § 1138.80(e);

(Secs. 1-10, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Effective date. Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on May 7, 1965.

GEORGE L. MEHREN,
Assistant Secretary.

[F.R. Doc. 65-5003; Filed, May 12, 1965; 8:47 a.m.]

Title 10—ATOMIC ENERGY

Chapter I—Atomic Energy Commission

PART 30—LICENSING OF BYPRODUCT MATERIAL

General License for Diagnostic Uses of Certain Byproduct Materials

On June 6, 1964, the Commission published in the FEDERAL REGISTER (29 F.R. 7393) a proposed amendment of its regulation, "Licensing of Byproduct Material", 10 CFR Part 30, which would generally license specified quantities and forms of iodine 131, cobalt 58, cobalt 60, and chromium 51 for use by physicians for diagnostic purposes.

In reference to the proposed amendment the Commission has received numerous comments from licensees, medical societies, and other interested persons. The majority of comments were favorable to the proposed amendment although a number of the letters received by the Commission opposed the amendment. Several specific comments suggested that the scope of the general license be broadened or that certain limitations of the general license be liberalized. It was suggested, for example, that the proposed possession limits for the generally licensed byproduct materials be increased and that iodinated fats and fatty acids for gastrointestinal function studies be added to the general license.

The Commission has given careful consideration to all comments received and has concluded that the proposed general license should be published as an effective rule substantially in the form published on June 6, 1964. There is one difference, however, in the amendment set forth below from the proposed rule published on June 6, 1964. Iodine 125 as iodinated human serum albumin (IHSA) has been added to the general license for determinations of blood and blood plasma volume. A physician is authorized to possess at any one time under the general license not more than 200 microcuries of iodine 125.

A statement of radiation safety considerations for iodine 131, cobalt 58, cobalt 60, and chromium 51 was included in the notice of proposed rule making published on June 6, 1964. The following is a statement of radiation safety considerations for iodine 125.

Statement of radiation safety considerations for iodine 125. Iodine 125, as iodinated human serum albumin, is currently produced and distributed under a product license issued by the Secretary, Department of Health, Education, and Welfare. IHSA-I-125 has a useful shelf life substantially greater than the equivalent product IHSA-I-131.

Iodine 125 has a considerably longer physical half-life (60 days) than I-131 (8 days), but the energy liberated per disintegration is about a factor of 10 less for I-125 than for I-131. In general, the latter consideration tends to make I-125 a less significant source of radiation exposure than I-131, per unit of activity.

From the point of view of external exposure, the dose rate near a given source will be about a factor of 2 less for I-125 than for I-131. More importantly, however, the radiation energies emitted by I-125 are such that it is considerably easier to shield, and under comparable handling conditions, including spills, I-125 would be expected to result in considerably lower external exposures.

Comparable internal radiation dose to the thyroid would be expected from I-125 as from I-131 for a given amount of activity in the form of iodine. In other forms, the I-125 would be expected to result in notably less exposure per unit of activity administered than I-131, since the biological half-lives in the body are controlling and these are independent of the isotope involved.

A major advantage of the use of I-125 over I-131 is that, with appropriate instrumentation, sensitivity can be improved, leading to possible reductions in the amount of activity required for a given medical test. Hence, it is likely that there will be some reduction in future patient exposures for a given medical test resulting from the use of I-125 as opposed to I-131.

In conclusion, there is reason to believe that I-125 may be expected in the future to result in some reduction in exposure. With proper storage, IHSA-I-125 has a longer useful shelf life than IHSA-I-131.

Except for the addition of IHSA-I-125 to the general license, the text of the amendment is the same as the proposed general license published on June 6, 1964. The physician is required to register with the Commission prior to receiving byproduct material under the general license. The general license expressly limits use of the specified materials as to chemical form of the byproduct material, the drug which is labeled by the radioactive material, and the authorized use of the radiopharmaceutical. For example, there are only two authorized uses under the general license for iodine 131: (a) Iodine 131 as iodinated human serum albumin (IHSA) for determinations of blood and blood plasma volume; and (b) iodine 131 as sodium iodide for measurement of thyroid uptake. The authorized use of iodine 125 as iodinated human serum albumin is for determinations of blood and blood plasma volume.

The authorized use of cobalt 58 or cobalt 60 under the general license is for the measurement of intestinal absorption of cyanocobalamin. The authorized use for chromium 51 as sodium radiochromate is for determination of red blood cell volumes and studies of red blood cell survival time.

The limitations set forth in the earlier proposal are retained in this amendment. These include possession limits and limitations on storage and transfer of the radiopharmaceutical. The radiopharmaceutical must be in the form of capsules, disposable syringes, or other forms of prepackaged individual doses.

Radiopharmaceuticals used under the general license may not be administered to a woman known to be pregnant or to

a person under 18 years of age. The general licensee is exempt from the requirements of 10 CFR Part 20 with respect to the byproduct materials covered by the general license.

The radiopharmaceutical manufacturer is required to obtain a specific license authorizing distribution of radiopharmaceuticals for use under the general license. The manufacturer must submit evidence that the radiopharmaceutical is to be manufactured, labeled, and packaged under a new drug application approved by the Food and Drug Administration or a license for a biologic product issued by the Department of Health, Education, and Welfare.

The Atomic Energy Commission will work with the Food and Drug Administration and the Department of Health, Education, and Welfare on their labeling requirements for the generally licensed radiopharmaceuticals and the radiation safety information to be included in the brochures which accompany the generally licensed radiopharmaceuticals.

During the first few years the general license is in effect the Commission will conduct a study to evaluate the effects of the general license. Upon the basis of this experience the Commission will reevaluate the general license and determine whether it should be continued, withdrawn, or expanded to include additional materials and uses.

In view of the limited scope of the general license, the low levels of radiation involved, the manner in which diagnostic radioisotopes are used, and the fact that no processing of the radiopharmaceutical by the physician would be required, the Commission considers that no significant question of radiation safety is presented by the proposed general license.

It is recognized that only limited diagnostic programs are possible under the general license. The specified possession limits are relatively low and only a few forms of radiopharmaceuticals and authorized uses are included. A specific license will be required for those physicians who need a higher possession level, wish to employ other radiopharmaceuticals, or propose to use the specified radiopharmaceuticals for purposes other than those authorized under the general license.

Pursuant to the Atomic Energy Act of 1954, as amended, and the Administrative Procedure Act of 1946, the following amendment of Title 10, Chapter I, Part 30, "Licensing of Byproduct Material," is published as a document subject to codification to be effective thirty (30) days after publication in the *FEDERAL REGISTER*.

1. A new § 30.29 is added to read as follows:

§ 30.29 General license for medical use of certain quantities of byproduct material.

(a) A general license is hereby issued to any physician to receive, possess, transfer, or use for any of the following stated diagnostic uses, in accordance with the provisions of paragraphs (b), (c), and (d) of this section, the following

byproduct materials in capsules, disposable syringes or other forms of prepackaged individual doses:

(1) Iodine 131 as sodium iodide (NaI^{131}) for measurement of thyroid uptake;

(2) Iodine 131 as iodinated human serum albumin (IHSA) for determinations of blood and blood plasma volume;

(3) Iodine 125 as iodinated human serum albumin (IHSA) for determinations of blood and blood plasma volume;

(4) Cobalt 58 for the measurement of intestinal absorption of cyanocobalamin;

(5) Cobalt 60 for the measurement of intestinal absorption of cyanocobalamin;

(6) Chromium 51 as sodium chromate for determination of red blood cell volumes and studies of red blood cell survival time.

NOTE: Section 30.24(k) requires manufacturers of radiopharmaceuticals which are under the general license in this paragraph to include the following statement in the label affixed to the container or in the leaflet or brochure which accompanies the radiopharmaceutical:

This radioactive drug may be received, possessed, and used only by physicians licensed to dispense drugs in the practice of medicine. Its receipt, possession, use, and transfer are subject to the regulations and a general license of the U.S. Atomic Energy Commission or of a State with which the Commission has entered into an agreement for the exercise of regulatory authority.

(Name of manufacturer)

(b) No physician shall receive, possess, use, or transfer byproduct material pursuant to the general license established by paragraph (a) of this section until he has filed Form AEC-482, "Registration Certificate—Medical Use of Byproduct Material Under General License" with the Director, Division of Materials Licensing, U.S. Atomic Energy Commission, Washington, D.C., 20545, and received from the Commission a validated copy of the Form AEC-482 with registration number assigned. The registrant shall furnish on Form AEC-482 the following information and such other information as may be required by that form:

(1) Name and address of the registrant;

(2) A statement that the registrant is a duly licensed physician authorized to dispense drugs in the practice of medicine, and specifying the license number and the State in which such license is valid; and

(3) A statement that the registrant has appropriate radiation measuring instruments to carry out the diagnostic procedures for which he proposes to use byproduct material under the general license of 10 CFR 30.29 and that he is competent in the use of such instruments.

(c) A physician who receives, possesses, or uses a pharmaceutical containing byproduct material pursuant to the general license established by paragraph (a) of this section shall comply with the following:

(1) He shall not possess at any one time, pursuant to the general license in paragraph (a) of this section, more than:

- (i) 200 microcuries of Iodine 131,
- (ii) 200 microcuries of Iodine 125,
- (iii) 5 microcuries of Cobalt 58,
- (iv) 5 microcuries of Cobalt 60, and
- (v) 200 microcuries of Chromium 51.

(2) He shall store the pharmaceutical until administered in the original shipping container or a container providing equivalent radiation protection;

(3) He shall use the pharmaceutical only for the uses authorized by paragraph (a) of this section;

(4) He shall not administer the pharmaceutical to a woman with confirmed pregnancy or to a person under 18 years of age;

(5) He shall not transfer the byproduct material to a person who is not authorized to receive it pursuant to a license issued by the Commission or an agreement State, or in any manner other than in the unopened, labeled shipping container as received from the supplier, except by administering it to a patient.

(d) The registrant possessing or using byproduct material under the general license of paragraph (a) shall report in duplicate to the Director, Division of Materials Licensing, any changes in the information furnished by him in the "Registration Certificate—Medical Use of Byproduct Material Under General License," Form AEC-482. The report shall be submitted within 30 days after the effective date of such change.

(e) Any person using byproduct material pursuant to the general license of paragraph (a) of this section is exempt from the requirements of Part 20 of this chapter with respect to the byproduct materials covered by the general license.

2. A new paragraph (k) is added to § 30.24 to read as follows:

§ 30.24 Special requirements for issuance of special licenses.

(k) *Manufacture and distribution of byproduct materials for medical use under general license.* An application for a specific license to distribute byproduct material for use by physicians under the general license of § 30.29 will be approved if:

(1) the applicant satisfies the general requirements specified in § 30.23;

(2) the applicant submits evidence that the byproduct material is to be manufactured, labeled, and packaged in accordance with a new drug application which the Commissioner of Food and Drugs, Food and Drug Administration, has approved, or in accordance with a license for a biologic product issued by the Secretary, Department of Health, Education, and Welfare;

(3) the following statement, or a substantially similar statement which contains the information called for in the following statement, appears on the label affixed to the container or appears in the leaflet or brochure which accompanies the package:

This radioactive drug may be received, possessed, and used only by physicians licensed to dispense drugs in the practice of medicine. Its receipt, possession, use, and transfer are subject to the regulations and a general license of the U.S. Atomic Energy Commission or of a State with which the

Commission has entered into an agreement for the exercise of regulatory authority.

(Name of manufacturer)

(Sec. 161, 68 Stat. 948; 42 U.S.C. 2201)

Dated at Washington, D.C., this 30th day of April 1965.

For the Atomic Energy Commission.

W. B. McCool,
Secretary.

[F.R. Doc. 65-5015; Filed, May 12, 1965;
8:45 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Docket No. 6485; Amdt. 39-63]

PART 39—AIRWORTHINESS DIRECTIVES

Fairchild Model F-27 Series Aircraft

Amendment 39-40 (30 F.R. 2438), AD 65-5-4, requires inspection and modification of the rudder trim tab on all Fairchild Model F-27 Series aircraft. Subsequent to the issuance of AD 65-5-4, there have been four instances of rudder vibration that caused serious damage to the rudder and rudder trim tab. Accordingly, AD 65-5-4 is being amended to require further rudder trim tab modification. Since the repetitive inspections required by AD 65-5-4 are no longer required on aircraft modified in accordance with this amendment, the amendment limits the applicability of the AD to those aircraft that have not been modified by the manufacturer prior to delivery.

As a situation exists which demands immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than 30 days.

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 of the Federal Aviation Regulations, Amendment 39-40 (30 F.R. 2438), AD 65-5-4, is amended as follows:

(1) The applicability statement is amended by inserting the words "Serial Numbers 1 through 107" immediately after the words "F-27 Series aircraft."

(2) Paragraph (d) is stricken out, paragraph (e) is redesignated as paragraph (f), and the following new paragraphs are inserted after paragraph (c):

(d) Within the next 100 hours' time in service after the effective date of this amendment unless already accomplished, modify the rudder trim tab in accordance with Fairchild Alert Bulletin No. 27-39A, dated March 12, 1965, or later FAA-approved revision, or an equivalent approved by the Chief, Engineering and Manufacturing Branch, FAA Eastern Region.

(e) The repetitive inspections required by paragraphs (a) and (c) may be discontinued when the modification required by paragraph (d) is incorporated.

This amendment becomes effective May 13, 1965.

(Sec. 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1423))

Issued in Washington, D.C., on May 6, 1965.

G. S. MOORE,
Director,
Flight Standards Service.

[F.R. Doc. 65-5019; Filed, May 12, 1965;
8:45 a.m.]

[Docket No. 6410; Amdt. 61-17]

PART 61—CERTIFICATION: PILOTS AND FLIGHT INSTRUCTORS

Airline Transport Pilot Certificate: Additional Instruction Required of Applicant

The purpose of this amendment is to permit an FAA inspector (or examiner) who conducts the flight test more flexibility in determining the amount and type of additional instruction (flight, synthetic trainer, or ground training) required of an applicant for an airline transport pilot certificate, or associated rating, who has failed the required flight test. The amendment also permits the applicant's certifying instructor to determine (if so authorized) the amount and type of required additional instruction.

This amendment was proposed in Notice No. 64-54 and published in the FEDERAL REGISTER on January 6, 1965 (30 F.R. 94). The comments received on the notice all support the proposals, and the Agency has determined to issue the amendment for the reasons stated in the notice.

Interested persons have been afforded an opportunity to participate in the making of this amendment, and due consideration has been given to all matter presented.

In consideration of the foregoing, subparagraph (d) (2) of § 61.27 of Part 61 of the Federal Aviation Regulations is amended, effective May 13, 1965, to read as follows:

§ 61.27 Retesting after failure.

(d) Airline transport: flight test.

(2) Received additional practice or instruction (flight, synthetic trainer, or ground training, or any combination thereof) that is necessary, in the opinion of the Administrator or the applicant's instructor (if the Administrator has authorized him to determine the additional instruction necessary) to prepare the applicant for retesting.

(Sec. 313(a), 314, 601, and 602 of the Federal Aviation Act of 1958 (49 U.S.C. 1354, 1355, 1421, 1422))

Issued in Washington, D.C., on May 3, 1965.

N. E. HALABY,
Administrator.

[F.R. Doc. 65-5020; Filed, May 12, 1965;
8:45 a.m.]

[Airspace Docket No. 64-EA-72]

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

Alteration of Transition Area and Revocation of Control Area Extension

On page 2000 of the FEDERAL REGISTER for February 12, 1965, the Federal Aviation Agency published proposed regulations which would alter the Lima, Ohio, transition area and revoke the Mansfield, Ohio, control area extension.

Interested parties were given 45 days after publication of the proposed regulations to submit written data or views. No objections to the proposed regulations were received. During the pendency of the 45-day period it has become apparent that implementation of an adjacent terminal transition area would be delayed, thus requiring a continuation of the Mansfield, Ohio, control area extension.

In view of the foregoing the proposed regulation is hereby adopted effective 0001 e.s.t., July 22, 1965, except as follows:

1. Delete item 1.

Issued in Jamaica, NY., on April 28, 1965.

WAYNE HENDERSHOT,
Acting Director,
Eastern Region.

Amend § 71.181 of Part 71 of the Federal Aviation Regulations by deleting the description of the Lima, Ohio transition area and inserting in lieu thereof the following:

That airspace extending upward from 700 feet above the surface within a 6-mile radius of the center 40°42'31" N., 84°01'37" W. of Allen County Airport, Lima, Ohio; within 2 miles each side of the Lima VOR 090° radial extending from the 6-mile radius area to 8 miles east of the VOR.

That airspace extending upward from 1,200 feet above the surface bounded by a line beginning at 40°30'00" N., 83°10'00" W. to 40°30'00" N., 83°50'00" W. to 40°29'00" N., 84°14'00" W. to 40°32'00" N., 84°30'00" W. to 40°51'00" N., 84°30'00" W. to 40°50'00" N., 83°30'00" W. to the point of beginning.

(Sec. 307(a) of the Federal Aviation Act of 1958, 72 Stat. 749; 49 U.S.C. 1348)

[F.R. Doc. 65-5025; Filed, May 12, 1965;
8:45 a.m.]

[Airspace Docket No. 63-SW-50]

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

Alteration and Designation of Control Zones, Designation of Transition Area, and Revocation of Control Area Extensions

On February 12, 1965, a notice of proposed rule making was published in the FEDERAL REGISTER (30 F.R. 1995) stating that the Federal Aviation Agency proposed to alter the controlled airspace in the Waco, Tex., terminal area.

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

The Air Transport Association of America (ATA) requested that the minimum en route altitude (MEA) of 2,000 feet for V-15W between Whitney Intersection and the Waco VORTAC be retained in lieu of the proposed increase to 2,500 feet. ATA also requested that the Italy Intersection be redescribed to place it within the proposed portion of the transition area with a floor of 700 feet above the surface to permit the retention of the 2,000-foot MEA on the segment of V-15 between Italy Intersection and the Waco VORTAC.

Action has been initiated to retain the MEA's and redescribe the Italy Intersection, as requested by ATA. That action will not require any changes in the proposed airspace actions contained in the notice.

A requirement no longer exists for the retention of the Fort Worth, Tex., and the Altus, Okla., control area extensions; although not proposed in the notice, action is taken herein to revoke them. Since the revocation of this airspace imposes no additional burden on any person, notice and public procedure thereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., July 22, 1965, as hereinafter set forth.

1. In § 71.171 (29 F.R. 17639) the Waco, Tex. (Municipal Airport), control zone is amended to read:

WACO, TEX. (MUNICIPAL AIRPORT)

That airspace within a 5-mile radius of the Waco Municipal Airport (latitude 31°36'40" N., longitude 97°13'40" W.); within 2 miles each side of the 330° radial from the Waco VORTAC extending from the 5-mile radius zone to 7.5 miles NW of the VORTAC; within 2 miles each side of the Waco ILS localizer N course, extending from the 5-mile radius zone to 5 mile S of the OM; and within 2 miles each side of the Waco VORTAC 098° radial, extending from the VORTAC to a 5-mile radius circle centered at James Connally AFB (latitude 31°38'20" N., longitude 97°04'25" W.); excluding the portion within the Waco, Tex. (James Connally AFB), control zone.

2. In § 71.171 (29 F.R. 17581) the following control zone is added:

WACO, TEX. (JAMES CONNALLY AFB)

That airspace within a 5-mile radius of James Connally AFB (latitude 31°38'20" N., longitude 97°04'25" W.); within 2 miles each side of the Connally AFB ILS localizer N course, extending from the 5-mile radius zone to 7.5 miles N of the OM; within 2 miles each side of the 359° bearing from the Connally RBN, extending from the 5-mile radius zone to 2 miles N of the RBN; and within 2 miles each side of the James Connally TACAN 167° and 352° radials extending from the 5-mile radius zone to 7 miles N and 4.5 miles S of the TACAN.

3. In § 71.171 (29 F.R. 17581) the following control zone is added:

TEMPLE, TEX.

That airspace within a 5-mile radius of the Draughton-Miller Airport, Temple, Tex. (latitude 31°09'10" N., longitude 97°24'25" W.); and within 2 miles each side of the Temple, Tex., VOR 348° radial extending from the 5-mile radius zone to 11.5 miles N of the

VOR. This control zone is effective during the dates and times published in the Airman's Information Manual.

4. In § 71.165 (29 F.R. 17562) the Dallas, Tex., control area extension is revoked.

5. In § 71.165 (29 F.R. 17579) the Waco, Tex., control area extension is revoked.

6. In § 71.165 (29 F.R. 17564) the Fort Worth, Tex., control area extension is revoked.

7. In § 71.165 (29 F.R. 17558) the Altus, Okla., control area extension is revoked.

8. In § 71.181 (29 F.R. 17643) the following transition area is added:

WACO, TEX.

That airspace extending upward from 700 feet above the surface within the area bounded by a line beginning at latitude 32°08'00" N., longitude 96°54'00" W.; to latitude 31°42'00" N., longitude 96°38'00" W.; to latitude 31°28'00" N., longitude 96°41'00" W.; to latitude 31°17'00" N., longitude 96°56'00" W.; to latitude 31°17'00" N., longitude 97°13'00" W.; to latitude 30°56'30" N., longitude 97°25'30" W.; to latitude 30°58'30" N., longitude 97°35'40" W.; to latitude 31°11'00" N., longitude 97°31'00" W.; to latitude 31°27'00" N., longitude 97°34'00" W.; to latitude 31°33'00" N., longitude 97°28'00" W.; to latitude 31°46'00" N., longitude 97°30'00" W.; to latitude 31°59'00" N., longitude 97°24'00" W.; to point of beginning; and that airspace extending upward from 1,200 feet above the surface within the area bounded by a line beginning at latitude 31°13'00" N., longitude 96°38'00" W.; to latitude 31°23'31" N., longitude 97°47'45" W.; to latitude 31°22'33" N., longitude 97°42'45" W.; to latitude 31°20'48" N., longitude 97°40'32" W.; to latitude 31°19'37" N., longitude 97°40'32" W.; to latitude 31°13'45" N., longitude 97°32'35" W.; to latitude 31°06'06" N., longitude 97°32'42" W.; to latitude 30°57'00" N., longitude 97°36'00" W.; to latitude 30°55'00" N., longitude 97°26'00" W.; to latitude 30°48'00" N., longitude 97°14'00" W.; to latitude 30°48'00" N., longitude 97°05'20" W.; to latitude 30°51'00" N., longitude 96°56'00" W.; to latitude 31°17'00" N., longitude 96°11'00" W.; to latitude 31°19'00" N., longitude 95°58'00" W.; to latitude 31°47'00" N., longitude 95°55'00" W.; to latitude 31°47'00" N., longitude 96°22'00" W.; to latitude 32°12'00" N., longitude 96°50'00" W.; to latitude 32°18'00" N., longitude 97°25'00" W.; to latitude 32°07'00" N., longitude 97°46'00" W.; to latitude 32°00'00" N., longitude 98°15'00" W.; to point of beginning.

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

Issued in Fort Worth, Tex., on May 5, 1965.

ARCHIE W. LEAGUE,
Director, Southwest Region.

[F.R. Doc. 65-5024; Filed, May 12, 1965; 8:45 a.m.]

[Airspace Docket No. 65-CE-57]

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

Modification of Control Zone

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to modify a portion of the Aberdeen, S. Dak., control zone.

The Aberdeen, S. Dak., L/MF radio range is being converted to a radio bea-

con on July 22, 1965. Therefore, the control zone designation based on the south course of the radio range must be designated by a bearing on the radio beacon. This action will not alter the Aberdeen control zone configuration.

Since this amendment does not alter the amount of controlled airspace presently designated, it imposes no additional burden on any person. Consequently, 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 July 22, 1965, as hereinafter set forth:

In § 71.171 (29 F.R. 17581) the Aberdeen, S. Dak., control zone is amended by deleting that portion which reads, "Aberdeen RR S course, extending from the 5-mile radius zone to 8 miles S of the RR" and substitute therefor, "152° bearing from the Aberdeen RBN, extending from the 5-mile radius zone to 8 miles S of the RBN".

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

Issued in Kansas City, Mo., on April 29, 1965.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 65-5023; Filed, May 12, 1965; 8:45 a.m.]

[Airspace Docket No. 64-EA-34]

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

Alteration of Control Zone, and Designation and Revocation of Transition Areas

On page 1122 of the Federal Register for February 3, 1965, the Federal Aviation Agency published proposed regulations which would alter the Millinocket, Maine, control zone, designate a 700-foot transition area over Millinocket Municipal Airport, Millinocket, Maine, and revoke the Greenville, Maine, 1200-foot transition area and designate a 1200-foot Millinocket, Maine, transition area.

Interested parties were given 45 days after publication of the proposed regulations in which to submit any written views or data. No objections to the proposed regulations were received.

In view of the foregoing the proposed regulations are hereby adopted effective 0001 e.s.t., July 22, 1965, except as follows:

In item 3 delete "§ 71.165" and insert in lieu thereof "§ 71.181."

Issued in Jamaica, N.Y., on April 28, 1965.

WAYNE HENDERSHOT,
Acting Director,
Eastern Region.

1. Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to delete the description of the Millinocket, Maine, control zone and insert in lieu thereof the following:

Within a 5-mile radius of the center 45° 38'50" N., 68°41'10" W. of Millinocket Airport, within 2 miles each side of a 094° bearing from the Millinocket Radio Beacon extending from the 5-mile radius zone to 7 miles E. of the radio beacon; and within 2 miles each side of the Millinocket VOR 298° radial extending from the 5-mile radius zone to the VOR.

2. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a 700- and 1,200-foot Millinocket, Maine, transition area described as follows:

MILLINOCKET, MAINE

That airspace extending upward from 700 feet above the surface within a 7-mile radius of the center 45°38'50" N., 68°41'10" W. of Millinocket Municipal Airport, Millinocket, Maine; within 2 miles each side of a 094° bearing from the Millinocket RBN extending from the 7-mile radius area to 8 miles E. of the RBN; within 2 miles each side of the Millinocket VOR 298° radial extending from the 7-mile radius area to the VOR.

That airspace extending upward from 1,200 feet above the surface bounded by a line beginning at: 45°58'00" N., 68°38'00" W. to 45°35'00" N., 69°48'00" W. to 45°23'00" N., 69°48'00" W. to 45°23'00" N., 69°30'00" W. to 45°24'00" N., 68°55'00" W. to 45°30'00" N., 68°31'00" W. to 45°27'00" N., 68°20'00" W. to 45°33'00" N., 68°16'00" W. to 45°38'00" N., 67°40'30" W. to the point of beginning.

3. Amend § 71-181 of Part 71 of the Federal Aviation Regulations so as to revoke the Greenville, Maine, 1,200-foot transition area.

(Sec. 307(a) of the Federal Aviation Act 1958; 72 Stat. 749; 49 U.S.C. 1348)

[P.R. Doc. 65-5021; Filed, May 12, 1965; 8:45 a.m.]

[Airspace Docket No. 64-EA-66]

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

Alteration of Control Zone, Designation of Transition Areas

On page 802 of the *FEDERAL REGISTER* of January 26, 1965, there was published a notice of proposed rule making to issue regulations which would alter the Danville, Va. control zone and designate a 700-foot transition area over the Danville Airport, Danville, Va. and a 1,200-foot transition area for the Danville, Va., terminal area.

Interested persons were given 45 days in which to submit written data or views with respect to the proposed regulations. No objection to the proposed regulations were received.

The proposed regulation is hereby adopted without change effective 0001 e.s.t., June 24, 1965.

Issued in Jamaica, N.Y., on March 26, 1965.

WAYNE HENDERSHOT,
Acting Director,
Eastern Region.

1. Amend § 71.171 of Part 71 of the Federal Aviation Regulations by deleting the description of the Danville, Va., control zone and insert in lieu thereof the following:

Within a 5-mile radius of the center 36°34'20" N., 79°20'05" W. of Danville Airport, Danville, Va.; and within 2 miles each side of the Danville VOR 044° and 208° radials extending from the 5-mile radius zone to 7 miles NE and 7 miles SW of the VOR.

2. Amend § 71.181 of Part 71 of the Federal Aviation Regulations by designating a Danville, Va., 700- and 1,200-foot transition area described as follows:

DANVILLE, VA.

That airspace extending upward from 700 feet above the surface within a 7-mile radius of the center 36°34'20" N., 79°20'05" W. of Danville Airport, Danville, Va.; within 2 miles each side of the Danville VOR 044° and 208° radials extending from the 7-mile radius area to 8 miles NE and 8 miles SW of the VOR.

That airspace extending upward from 1,200 feet above the surface bounded by a line beginning at 37°00'00" N., 80°25'20" W. to 37°00'00" N., 78°38'00" W. to 36°33'00" N., 78°43'00" W. to 36°18'30" N., 79°27'00" W., thence along a 35-mile radius arc (centered at 36°06'00" N., 80°01'30" W.) to 36°36'20" N., 80°06'30" W. to 36°46'40" N., 80°07'40" W. to the point of beginning.

(Sec. 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348))

[P.R. Doc. 65-5022; Filed, May 12, 1965; 8:45 a.m.]

Title 21—FOOD AND DRUGS

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

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 121—FOOD ADDITIVES

Subpart D—Food Additives Permitted in Food for Human Consumption

POLYVINYLPIRROLIDONE

The Commissioner of Food and Drugs, having evaluated the data in a petition (FAP 154) filed by General Aniline and Film Corp., 435 Hudson Street, New York 14, N.Y., and other relevant material, has concluded that § 121.1139 should be amended to provide for the safe use of polyvinylpyrrolidone as a clarifying agent in beer. It has also been concluded that the regulation should be amended to clarify the limitation relating to the additive's use in vinegar so that the maximum amount permitted refers to a residual level. 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), § 121.1139 is amended by revising paragraph (a) and by alphabetically adding a new item to the list of foods in paragraph (b) and by changing the limitation relating to vinegar in that list. As amended, the affected portions read as follows:

§ 121.1139 Polyvinylpyrrolidone.

(a) The additive is a polymer of purified vinylpyrrolidone catalytically produced, having an average molecular

weight of 40,000 and a maximum unsaturation of 1.0 percent, calculated as the monomer, except that the polyvinylpyrrolidone used in beer is that having an average molecular weight of 360,000 and a maximum unsaturation of 1.0 percent, calculated as the monomer.

(b) * * *

Food	Limitations
Beer.....	As a clarifying agent, at a residual level not to exceed 10 parts per million.
Vinegar.....	As a clarifying agent, at a residual level not to exceed 40 parts per million.

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 triplicate. 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: May 5, 1965.

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

[P.R. Doc. 65-5050; Filed, May 12, 1965; 8:48 a.m.]

Title 25—INDIANS

Chapter I—Bureau of Indian Affairs, Department of the Interior

SUBCHAPTER L—LEASING AND PERMITTING

PART 131—LEASING AND PERMITTING

Correction of CFR Supplement as of January 1, 1965

An inadvertent omission occurs in Part 131 as it appears in the Title 25 Supplement as of January 1, 1965. The omitted material which follows page 93 in the Supplement reads as follows:

(2) orphaned minors; (3) the undetermined heirs of a decedent's estate; (4) the heirs or devisees to individually owned land who have not been able to agree upon a lease during the three-month period immediately following the date on which a lease may be entered into; provided, that the land is not in

use by any of the heirs or devisees; and (5) Indians who have given the Secretary written authority to execute leases on their behalf.

(b) The Secretary may grant leases on the individually owned land of an adult Indian whose whereabouts is unknown, on such terms as are necessary to protect and preserve such property.

(c) The Secretary may grant permits on Government land.

§ 131.3 Grants of leases by owners or their representatives.

The following may grant leases: (1) Adults, other than those non compos mentis, (2) adults other than those non compos mentis, on behalf of their minor children, and on behalf of minor children to whom they stand in loco parentis when such children do not have a legal representative, (3) the guardian, conservator or other fiduciary, appointed by a state court or by a tribal court operating under an approved constitution or law and order code, of a minor or persons who are non compos mentis or are otherwise under legal disability, (4) tribes or tribal corporations acting through their appropriate officials.

§ 131.4 Use of land of minors.

The natural or legal guardian, or other person standing in loco parentis of minor children who have the care and custody of such children may use the individually owned land of such children during the period of minority without charge for the use of the land if such use will enable such person to engage in a business or other enterprise which will be beneficial to such minor children.

§ 131.5 Special requirements and provisions.

(a) All leases made pursuant to the regulations in this part shall be in the form approved by the Secretary and subject to his written approval.

(b) Except as otherwise provided in this part no lease shall be approved or granted at less than the present fair annual rental.

(1) An adult Indian owner of trust or restricted land may lease his land for religious, educational, recreational or other public purposes to religious organizations or to agencies of the Federal, State or local government at a nominal rental. Such adult Indian may lease land to members of his immediate family with or without rental consideration. For purposes of this section, "immediate family" is defined as the Indian's spouse, brothers, sisters, lineal ancestors, or descendants.

(2) In the discretion of the Secretary, tribal land may be leased at a nominal rental for religious, educational, recreational, or other public purposes to religious organizations or to agencies of Federal, State, or local governments; for purposes of subsidization for the benefit of the tribe; and for homesite purposes to tribal members provided the land is not commercial or industrial in character.

(3) Leases may be granted or approved by the Secretary at less than the fair annual rental when in his judgment such action would be in the best interest of the landowners.

(c) Unless otherwise provided by the Secretary a satisfactory surety bond will be required in an amount that will reasonably assure performance of the contractual obligations under the lease. Such bond may be for the purpose of guaranteeing:

(1) Not less than one year's rental unless the lease contract provides that the annual rental shall be paid in advance.

(2) The estimated construction cost of any improvement to be placed on the land by the lessee.

(3) An amount estimated to be adequate to insure compliance with any additional contractual obligations.

(d) The lessee may be required to provide insurance in an amount adequate to protect any improvements on the leased premises; the lessee may also be required to furnish appropriate liability insurance, and such other insurance as may be necessary to protect the lessor's interest.

(e) No lease shall provide the lessee a preference right to future leases nor shall any lease contain provisions for renewal, except as otherwise provided in this part. No lease shall be entered into more than 12 months prior to the commencement of the term of the lease. Except with the approval of the Secretary no lease shall provide for payment of rent in advance of the beginning of the annual use period for which such rent is paid. The lease contract shall

structure; 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. The rules respecting Radio Communications §§ 401.103-1 to 401.103-8 are 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. The rules respecting Transit Instructions, §§ 401.104-1 to 401.104-47 are 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 feet, shall not transit the Lachine Canal until the same condition has been fulfilled.

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter IV—Saint Lawrence Seaway Development Corporation

PART 401—SEAWAY REGULATIONS AND RULES

Miscellaneous Amendments

The amendments contained herein are of a miscellaneous nature and apply to Subpart B—Rules, of 33 CFR Part 401. The Saint Lawrence Seaway Development Corporation is acting jointly with the St. Lawrence Seaway Authority of Canada in issuing these regulations, pursuant to provisions of the Corporation's enabling act (33 U.S.C. 981 et seq.). The present amendments were first published in the FEDERAL REGISTER on April 8, 1965 in a notice of proposed rule making (30 F.R. 4557-58).

Interested parties were permitted to submit written comments, suggestions or objections with respect to the proposed changes and no objections having been received, they are hereby adopted by the Corporation.

Subpart B—Rules, of 33 CFR Part 401 as revised by 28 F.R. 3754-62 and amended by 29 F.R. 5034-35, is further amended as follows:

I. The rules respecting Condition of Vessels §§ 401.102-1 to 401.102-19 are amended by revising § 401.102-4 (on masts) to account for vertical clearance restrictions at new bridges under con-

§ 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. 10.

(b) Three thousand feet above Lock No. 12—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. The rules respecting Toll Assessment and Collection §§ 401.106-1 to 401.106-10 are 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:

§ 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,

JOSEPH H. MCCANN,

Administrator.

[SEAL]

[P.R. Doc. 45-5038; Filed, May 12, 1965; 8:46 a.m.]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 1—Federal Procurement Regulations

PART 1-3—PROCUREMENT BY NEGOTIATION

Subpart 1-3.8—Price Negotiation Policies and Techniques

MISCELLANEOUS AMENDMENTS

These amendments have been developed for the purpose of clarifying the

requirements for the making of price and costs analyses and the submission of cost or pricing data. In addition, the amendments prescribe a definition of cost or pricing data and a new format for the Certificate of Current Cost or Pricing Data. The amendments also include simplified instructions regarding the use of prescribed clauses and clarification of the provisions of the clauses, particularly with respect to subcontracts.

1. Sections 1-3.807-2, 1-3.807-3, and 1-3.807-4 are amended to read as follows:

§ 1-3.807-2 Requirements for price or cost analysis.

(a) *General.* Some form of price or cost analysis should be made in connection with every negotiated procurement action. The method and degree of analysis, however, is dependent on the facts surrounding the particular procurement and pricing situation. Cost analysis shall be performed in accordance with paragraph (c) of this section when cost or pricing data is required to be submitted under the conditions described in § 1-3.807-3; however, the extent of the cost analysis should be that necessary to assure reasonableness of the pricing result, taking into consideration the amount of the proposed contract and the cost and time needed to accumulate the necessary data for analysis. Price analysis shall be used in all other instances to determine the reasonableness of the proposed contract price. Price analysis may also be useful in corroborating the overall reasonableness of a proposed price where the determination of reasonableness was developed through cost analysis.

(b) *Price analysis.* (1) Price analysis is the process of examining and evaluating a prospective price without evaluation of the separate cost elements and proposed profit of the individual prospective supplier whose price is being evaluated. Price analysis may be accomplished in various ways, including the following:

(i) The comparison of the price quotations submitted;

(ii) The comparison of prior quotations and contract prices with current quotations for the same or similar end items (to provide a suitable basis for comparison, appropriate allowances must be made for differences in such factors as specifications, quantities ordered, time for delivery, Government-furnished materials, and experienced trends of improvement in production efficiency; it must also be recognized that such comparison may not detect an unreasonable current quotation unless the reasonableness of the prior prices was established and unless changes in the general level of business and prices have been considered);

(iii) The use of rough yardsticks (such as dollars per pound, per horsepower, or other units) to point up apparent gross inconsistencies which should be subjected to greater pricing inquiry;

(iv) The comparison of prices set forth in published price lists issued on a competitive basis, published market prices of commodities, and similar indicia, together with discount or rebate arrangements; and

(v) The comparison of proposed prices with estimates of cost independently developed by personnel within the contracting activity.

(2) Price analysis techniques should be used to support or supplement cost analysis wherever appropriate.

(c) *Cost analysis.* (1) Cost analysis is the review and evaluation of a contractor's cost or pricing data (see § 1-3.807-3) and of the judgmental factors applied in projecting from the data to the estimated costs, in order to form an opinion on the degree to which the contractor's proposed costs represent what performance of the contract should cost, assuming reasonable economy and efficiency. It includes the appropriate verification of cost data, the evaluation of specific elements of costs, and the projection of these data to determine the effect on prices of such factors as:

(i) The necessity for certain costs;

(ii) The reasonableness of amounts estimated for the necessary costs;

(iii) Allowances for contingencies;

(iv) The basis used for allocation of overhead costs; and

(v) The appropriateness of allocations of particular overhead costs to the proposed contract.

(2) Appropriate consideration should be given to Part 1-15, which contains general cost principles and procedures for the determination and allowance of costs in connection with the negotiation of cost-reimbursement type contracts, as well as guidelines for use, where appropriate, in the evaluation of costs in connection with negotiated fixed-price type contracts.

(3) Among the evaluations that should be made where the necessary data are available are comparisons of a contractor's or offeror's current estimated costs with:

(i) Actual costs previously incurred by the contractor or offeror;

(ii) The contractor's or offeror's last prior cost estimate for the same or a similar item or with a series of his prior estimates;

(iii) Current cost estimates from other possible sources; and

(iv) Prior estimates of historical costs of other contractors manufacturing the same or similar items.

(4) Forecasting future trends in costs from historical cost experience is of primary importance. An adequate cost analysis must include consideration of future trends in costs. In cases involving production of recently developed, complex equipment, even in periods of relative price stability, trend analysis of basic labor and materials costs should be undertaken.

§ 1-3.807-3 Requirements for cost or pricing data.

(a) The contracting officer shall, except as provided in paragraph (b) of this section, require the prospective contractor or contractors, as the case may be, to submit in writing cost or pricing data and to certify, by use of the certificate in § 1-3.807-4, that, to the best of his knowledge and belief, the cost or pricing data he submitted was accurate, complete, and current, prior to:

(1) The award of any cost-reimbursement type, time and material, labor-hour, incentive, or price redeterminable

contract expected to exceed \$100,000 in amount.

(2) The award of any firm fixed-price, or fixed-price with escalation, negotiated contract expected to exceed \$100,000 in amount.

(3) The pricing of any contract modification expected to exceed \$100,000 in amount to any formally advertised or negotiated contract whether or not cost or pricing data was required in connection with the initial pricing of the contract.

(b) The requirements of paragraph (a) of this section need not be applied where, in the case of (1) thereof, construction contracts or basic research contracts with educational institutions are involved; where, in the case of (2) and (3) thereof, it is determined by the contracting officer that the price negotiated is based on adequate price competition, established catalog or market prices of commercial items sold in substantial quantities to the general public, or prices set by law or regulation; or where, in exceptional cases, the head of the agency or his authorized designee authorizes the waiver of those requirements and states in writing his reasons for such determination (see § 1-3.302(e)).

(c) The furnishing and certification of cost or pricing data shall be required prior to the award of any negotiated contract not expected to exceed \$100,000 in amount, or prior to the pricing of any contract modification not expected to exceed \$100,000 in amount, to any formally advertised or negotiated contract whether or not cost or pricing data were required in connection with the initial pricing of the contract: *Provided*, That it is considered that the circumstances warrant such action. However, certification of the data shall not be required in the case of cost and cost-sharing contracts, the estimated cost of which does not exceed \$100,000 and under which the contractor receives no fee.

(d) Any contractor who has been required to submit and certify cost or pricing data in accordance with this § 1-3.807-3 shall also be required to obtain cost or pricing data from his subcontractors under the circumstances set forth in the appropriate clause in § 1-3.814-3.

(e) Whenever a certificate of cost or pricing data is required, the applicable clause in § 1-3.814-1 shall be included in the contract, and the appropriate clauses in §§ 1-3.814-2 and 1-3.814-3 shall be used if required by those sections. Where such a certificate is required in accordance with § 1-3.807-3(c), those clauses shall be modified, as appropriate.

(f) When there is adequate price competition, cost or pricing data should not be requested regardless of the dollar amount involved. Where, however, cost or pricing data has been furnished, it shall be considered in making decisions on contract prices. As a general rule, cost or pricing data should not be requested when it has been determined that proposed prices are, or are based on, established catalog or market prices of commercial items sold in substantial quantities to the general public. Exceptions to the general rule include the following:

(1) Where, despite the willingness of a number of commercial purchasers to buy an item at such a catalog or market price, the contracting officer finds that that price is not reasonable and supports such finding by an enumeration of the facts upon which it is based, cost or pricing data may be requested if necessary to establish a reasonable price: *Provided*, That such finding is approved at a level, if any, above the contracting officer.

(2) Cost or pricing data may be requested, if necessary, where there is such a disparity between the quantity of the item being procured and the quantity of the same item for which there is such a catalog or market price that the reasonableness of the proposed price cannot be determined by comparing the proposed price with the market or catalog price. Where an item is substantially similar to a commercial item for which there is an established catalog or market price at which substantial quantities are sold to the general public, but the offered price of the former is not considered to be "based on" the price of the latter in accordance with § 1-3.807-1(b)(2), any requirement for cost or pricing data should be limited to that pertaining to the differences between the two items, if this limitation is consistent with assuring reasonableness of the price.

(g) The provisions of this paragraph (g) do not apply to awards of cost-reimbursement type, time and material, labor-hour, incentive, or price redeterminable contracts. Cost or pricing data shall not be requested prior to the award of any contract anticipated to be for \$2,500 or less and generally should not be requested for modifications in those amounts. In procurements where it is anticipated that the contract award or modification will be between \$2,500 and \$10,000, cost or pricing data generally should not be requested. In almost all awards between \$2,500 and \$10,000 and modifications of \$10,000 or less, the administrative costs will outweigh the pricing benefits which might otherwise accrue and some form of price analysis is almost always adequate in these situations. With respect to procurements where the amount of the award or modification is anticipated to be between \$10,000 and \$100,000, cost analysis and the obtaining of cost or pricing data from contractors shall be limited to cases where no satisfactory method of price analysis can be found.

(h) "Cost or pricing data" as used in this Subpart 1-3.8 refers to that portion of the contractor's submission which is factual. The requirement for "cost or pricing data" subject to certification is satisfied when all facts reasonably available to the contractor up to the time of agreement on price and which might reasonably be expected to affect the price negotiations are accurately disclosed to the contracting officer or his representative. The definition of cost or pricing data embraces more than historical accounting data; it also includes, where applicable, such factors as vendor quotations, nonrecurring costs, changes in production methods and production or procurement volume, unit cost trends such

as those associated with labor efficiency, and make-or-buy decisions or any other management decisions which could reasonably be expected to have a significant bearing on costs under the proposed contract. In short, cost or pricing data consist of all facts which can reasonably be expected to contribute to sound estimates of future costs as well as to the validity of costs already incurred. Cost or pricing data, being factual, is that type of information which can be verified. Because the contractor's certificate pertains to "cost or pricing data," it does not make representations as to the accuracy of the contractor's judgment as to the estimated portion of future costs or projections. It does, however, apply to the data upon which the contractor's judgment is based. This distinction between fact and judgment should be clearly understood.

§ 1-3.807-4 Certificate of current cost or pricing data.

Where a certification of cost or pricing data is required in accordance with § 1-3.807-3, a certificate in the form set forth below shall be included in the contract file along with the documents supporting the negotiation. The contractor shall be required to submit the certificate as soon as practicable after agreement is reached on the contract price.

CERTIFICATE OF CURRENT COST OR PRICING DATA

This is to certify that, to the best of my knowledge and belief, cost or pricing data submitted to the Contracting Officer or his representative in support of _____ are accurate, complete, and current as of the date of execution of this certificate.

Firm _____
Name _____
Title _____

(Date of execution)

*For definition of "cost or pricing data," see FPR § 1-3.807-3.

**Describe the proposal, quotation, request for price adjustments, or other submission involved, giving appropriate identifying number (e.g., RFP No. _____).

***As a general rule, this date should be the date when the contract price was agreed to. It is not intended that personal knowledge of the contractor's negotiator limits the responsibility of the contractor if the contractor had available at the time of the agreement information showing that the negotiated price is not based on accurate, complete, and current data. Contractors are expected to make a reasonable check to ascertain whether the concern had any information not personally known to the contractor's negotiator at the time of the agreement and which, in accordance with FPR § 1-3.807-3, should be disclosed to the contracting officer for his consideration. Contractors are not expected to make a complete recheck of all data or develop a new cost estimate after the date of agreement and prior to execution of the contract. However, execution of a Certificate of Current Cost or Pricing Data is not intended to relieve a contractor of the responsibility for disclosing circumstances or events, happening subsequent to the date of certification but known to the contractor prior to the date of contract execution, which could reasonably be expected to have a significant bearing on costs under the proposed contract.

2. Section 1-3.814 is amended to read as follows:

§ 1-3.814 Contract clauses.

Where a certificate of cost or pricing data is required in accordance with § 1-3.807-3, the applicable clause in § 1-3.814-1 shall be included in the contract, and the appropriate clauses in §§ 1-3.814-2 and 1-3.814-3 shall be used if required by those sections.

§ 1-3.814-1 Price reduction for defective cost or pricing data.

(a) The following clause shall be included (1) in cost-reimbursement type, time and material, labor-hour, incentive, or price redeterminable contracts in excess of \$100,000 except where, in accordance with § 1-3.807-3(b), the submission of cost or pricing data is not required with respect to construction contracts or basic research contracts with educational institutions; and (2) in any other negotiated contract in excess of \$100,000 where the price is not based on adequate price competition, established catalog or market prices of commercial items sold in substantial quantities to the general public, or prices set by law or regulation. However, the clause need not be included where, in accordance with § 1-3.807-3(b), the requirement for obtaining cost or pricing data has been waived by the head of the agency. In addition, the clause, appropriately modified in respect to subcontracts of \$100,000 or less, shall be included in other negotiated contracts for which a certificate of cost or pricing data is required in accordance with § 1-3.807-3(c) in connection with the initial pricing of the contract.

PRICE REDUCTION FOR DEFECTIVE COST OR PRICING DATA

(a) If the Contracting Officer determines that any price, including profit or fee, negotiated in connection with this contract was increased by any significant sums because the Contractor, or any subcontractor in connection with a subcontract covered by (c) below, furnished incomplete or inaccurate cost or pricing data or data not current as certified in his Contractor's Certificate of Current Cost or Pricing Data, then such price shall be reduced accordingly and the contract shall be modified in writing to reflect such adjustment.

(b) Failure to agree on a reduction shall be a dispute concerning a question of fact within the meaning of the "Disputes" clause of this contract.

(c) The Contractor agrees to insert the substance of paragraphs (a) and (c) of this clause in each of his cost-reimbursement type, time and material, labor-hour, price redeterminable, or incentive subcontracts hereunder in excess of \$100,000, and in any other subcontract hereunder in excess of \$100,000 unless the price is based on adequate price competition, established catalog or market prices of commercial items sold in substantial quantities to the general public, or prices set by law or regulation. In each such excepted subcontract hereunder which exceeds \$100,000, the Contractor shall insert the substance of the following clause:

PRICE REDUCTION FOR DEFECTIVE COST OR PRICING DATA—PRICE ADJUSTMENTS

(a) This clause shall become operative only with respect to any change or other modification made pursuant to one or more provisions of this contract which involves a price adjustment in excess of \$100,000 that is not based on adequate price competition, established catalog or market prices of commercial items sold in substantial quantities to the general public, or prices set by law or

regulation. The right to price reduction under this clause shall be limited to such price adjustments.

(b) If the Contractor determines that any price, including profit or fee, negotiated in connection with any price adjustment within the purview of paragraph (a) above was increased by any significant sums because the subcontractor or any of his subcontractors in connection with a subcontract covered by paragraph (c) below, furnished incomplete or inaccurate cost or pricing data or data not current as of the date of execution of the subcontractor's certificate of current cost or pricing data, then such price shall be reduced accordingly and the subcontract shall be modified in writing to reflect such adjustment.

(c) The subcontractor agrees to insert the substance of this clause in each subcontract hereunder which exceeds \$100,000.

(b) The following clause shall be included (1) in all negotiated contracts in excess of \$100,000 other than those described in § 1-3.814-1(a), and (2) in all formally advertised contracts in excess of \$100,000 where it is reasonably expected (i) that there will be modifications thereto which will exceed \$100,000 and (ii) that the pricing of such modifications will not be based on adequate price competition, established catalog or market prices of commercial items sold in substantial quantities to the general public, or prices set by law or regulation. However, the clause need not be included where, in accordance with § 1-3.807-3(b), the requirement for obtaining cost or pricing data has been waived by the head of the agency. In addition, the clause, modified as appropriate, shall be included in contracts of this type which do not exceed \$100,000 where a certificate of cost or pricing data is required in accordance with § 1-3.807-3(c) in connection with the pricing of contract modifications.

PRICE REDUCTION FOR DEFECTIVE COST OR PRICING DATA—PRICE ADJUSTMENTS

(a) This clause shall become operative only with respect to any change or other modification made pursuant to one or more provisions of this contract which involves a price adjustment in excess of \$100,000 that is not based on adequate price competition, established catalog or market prices of commercial items sold in substantial quantities to the general public, or prices set by law or regulation. The right to price reduction under this clause shall be limited to such price adjustments.

(b) If the Contracting Officer determines that any price, including profit or fee, negotiated in connection with any price adjustment under this contract was increased by any significant sums because the Contractor or any subcontractor in connection with a subcontract covered by paragraph (d) below furnished incomplete or inaccurate cost or pricing data or data not current as of the date of execution of his Contractor's Certificate of Current Cost or Pricing Data, then such price shall be reduced accordingly and the contract shall be modified in writing to reflect such adjustment.

(c) Failure to agree on a reduction shall be a dispute concerning a question of fact within the meaning of the "Disputes" clause of this contract.

(d) The Contractor agrees to insert the substance of paragraphs (a), (b), and (d) of this clause in each subcontract hereunder that exceeds \$100,000.

(c) The requirement for inclusion of the clauses in paragraphs (a) and (b) of this § 1-3.814-1 in contracts with foreign

governments or agencies thereof may be waived in exceptional cases where the head of the agency or his designee authorizes such waiver and states in writing his reasons for such determination.

§ 1-3.814-2 Audit and records.

(a) The following clause shall be included only in firm fixed-price and fixed-price with escalation negotiated contracts which exceed \$100,000, except (1) where the price negotiated is based on adequate price competition, established catalog or market prices of commercial items sold in substantial quantities to the general public, or prices set by law or regulation, or (2) where, in accordance with § 1-3.807-3(b), the requirement for obtaining cost or pricing data has been waived by the head of the agency. In addition, the clause, appropriately modified, shall be included in contracts of this type which do not exceed \$100,000 where a certificate of cost or pricing data is required in accordance with § 1-3.807-3(c) in connection with the initial pricing of the contract.

AUDIT

(a) For purposes of verifying that cost or pricing data submitted in conjunction with the negotiation of this contract or any contract change or other modification involving an amount in excess of \$100,000 are accurate, complete, and current, the Contracting Officer or his authorized representatives shall, until the expiration of three years from the date of final payment under this contract, have the right to examine those books, records, documents and other supporting data which will permit adequate evaluation of the cost or pricing data submitted, along with the computations and projections used therein, which were available to the Contractor as of the date of execution of his Contractor's Certificate of Current Cost or Pricing Data.

(b) The Contractor agrees to insert the substance of this clause including this paragraph (b) in all subcontracts hereunder in excess of \$100,000, so as to apply until three years after final payment under the subcontract, unless the price is not based on adequate price competition, established catalog or market prices of commercial items sold in substantial quantities to the general public, or prices set by law or regulation. In each such excepted subcontract hereunder in excess of \$100,000, the Contractor shall insert the substance of the following clause to apply until three years after final payment under the subcontract.

AUDIT—PRICE ADJUSTMENTS

(a) This clause shall become operative only with respect to any change or other modification made pursuant to one or more provisions of this contract which involves a price adjustment in excess of \$100,000 unless the price adjustment is based on adequate price competition, established catalog or market prices of commercial items sold in substantial quantities to the general public, or prices set by law or regulation and further provided that such change or other modification to this contract must result from a change or other modification to the Government prime contract.

(b) For purposes of verifying that cost or pricing data submitted in conjunction with a contract change or modification involving an amount in excess of \$100,000 are accurate, complete and current, the Contracting Officer or his authorized representative shall, until the expiration of three years from the date of final payment under this contract, have the right to examine those books, records, documents, and other supporting data which

will permit adequate evaluation of the cost or pricing data submitted, along with the computations and projections used therein, which were available to the Contractor as of the date of execution of the Contractor's Certificate of Current Cost or Pricing Data.

(c) The Contractor agrees to insert the substance of this clause, including this paragraph (c), in all subcontracts hereunder in excess of \$100,000 so as to apply until three years after final payment of the subcontract.

(b) The following clause shall be included (1) in formally advertised contracts which are expected to exceed \$100,000 where it is reasonably expected (i) that there will be modifications thereto which will exceed \$100,000 and (ii) that the pricing of such modifications will not be based on adequate price competition, established catalog or market prices of commercial items sold in substantial quantities to the general public, or prices set by law or regulation, and (2) in firm fixed-price or fixed-price with escalation negotiated contracts which exceed \$100,000 and the price is based on adequate price competition, established catalog or market prices of commercial items sold in substantial quantities to the general public, or prices set by law or regulation. However, the clause need not be included where, in accordance with § 1-3.807-3(b), the requirement for obtaining cost or pricing data has been waived by the head of the agency. In addition, the clause, appropriately modified, shall be included in contracts of this type which do not exceed \$100,000 where a certificate of cost or pricing data is required in accordance with § 1-3.807-3(c) in connection with the pricing of contract modifications. In negotiated contracts, delete from paragraph (b) of the clause the words "the Comptroller General of the United States."

AUDIT-PRICE ADJUSTMENTS

(a) This clause shall become operative only with respect to any change or other modification made pursuant to one or more provisions of this contract which involves a price adjustment in excess of \$100,000 that is not based on adequate price competition, established catalog or market prices of commercial items sold in substantial quantities to the general public, or prices set by law or regulation.

(b) For purposes of verifying that cost or pricing data submitted in conjunction with a contract change or other modification involving an amount in excess of \$100,000 are accurate, complete, and current, the Contracting Officer, the Comptroller General of the United States, or any authorized representatives, shall, until the expiration of three years from the date of final payment under this contract, have the right to examine those books, records, documents and other supporting data which will permit adequate evaluation of the cost or pricing data submitted, along with the computations and projections used therein, which were available to the Contractor as of the date of execution of his Contractor's Certificate of Current Cost or Pricing Data.

(c) The Contractor agrees to insert the substance of this clause in all subcontracts hereunder in excess of \$100,000 so as to apply until three years after final payment under the subcontract and only when the change or other modification to the subcontract results from a change or other modification to the Government prime contract.

(c) The following clause shall be included in cost-reimbursement type, time

and material, labor-hour, incentive or price redeterminable contracts in excess of \$100,000 except where, in accordance with § 1-3.807-3(b), the submission of cost or pricing data is not required with respect to construction contracts or basic research contracts with educational institutions or the requirement for obtaining cost or pricing data has been waived by the head of the agency in accordance with § 1-3.807-3(b). The clause shall be appropriately modified in the case of such contracts which do not exceed \$100,000.

AUDIT AND RECORDS

(a) The Contractor shall maintain books, records, documents, and other evidence and accounting procedures and practices, sufficient to reflect properly all direct and indirect costs of whatever nature claimed to have been incurred and anticipated to be incurred for the performance of this contract. The foregoing constitute "records" for the purposes of this clause.

(b) The Contractor's plants, or such part thereof as may be engaged in the performance of this contract, and his records shall be subject at all reasonable times to inspection and audit by the Contracting Officer or his authorized representative.

(c) The Contractor shall preserve and make available his records (1) until the expiration of three years from the date of final payment under this contract, and (2) for such longer period, if any, as is required by applicable statute, or by other clauses of this contract, or by (1) or (2) below.

(i) If this contract is completely or partially terminated, the records relating to the work terminated shall be preserved and made available for a period of three years from the date of any resulting final settlement.

(ii) Records which relate to (A) appeals under the "Disputes" clause of this contract or (B) litigation or the settlement of claims arising out of the performance of this contract, shall be retained until such appeals, litigation, or claims have been disposed of.

(d) (1) The Contractor shall insert the substance of this clause, including the whole of this paragraph (d), in each subcontract hereunder that is not on a firm fixed-price basis.

(2) The Contractor shall insert the substance of the following clause in each firm fixed-price subcontract hereunder in excess of \$100,000, except those subcontracts covered by subparagraph (3) below:

AUDIT

(a) For purposes of verifying that cost or pricing data submitted in conjunction with the negotiation of this contract or any contract change or other modification involving an amount in excess of \$100,000 are accurate, complete, and current, the Contracting Officer, or his authorized representatives, shall, until the expiration of three years from the date of final payment under this contract, have the right to examine those books, records, documents, and other supporting data which will permit adequate evaluation of the cost or pricing data submitted, along with the computations and projections used therein, which were available to the Contractor as of the date of execution of his Contractor's Certificate of Current Cost or Pricing Data.

(b) The Contractor agrees to insert the substance of this clause including this paragraph (b) in all subcontracts hereunder in excess of \$100,000 where the price is not based on adequate price competition, established catalog or market prices of commercial items sold in substantial quantities to the general public, or prices set by law or regulation.

(3) The Contractor shall insert the substance of the following clause in each firm

fixed-price subcontract hereunder in excess of \$100,000 where the price is based on adequate price competition, established catalog or market prices of commercial items sold in substantial quantities to the general public, or prices set by law or regulation.

AUDIT-PRICE ADJUSTMENTS

(a) This clause shall become operative only with respect to any change or other modification made pursuant to one or more provisions of this contract which involves a price adjustment in excess of \$100,000, that is not based on adequate price competition, established catalog or market prices of commercial items sold in substantial quantities to the general public, or prices set by law or regulation and further provided that such change or other modification to this contract must result from a change or other modification to the Government prime contract.

(b) For purposes of verifying that any cost or pricing data submitted in conjunction with a contract change or other modification involving an amount in excess of \$100,000 are accurate, complete, and current, the Contracting Officer, or his authorized representatives, shall, until the expiration of three years from the date of final payment under this contract, have the right to examine those books, records, documents and other supporting data which will permit adequate evaluation of the cost or pricing data submitted, along with the computations and projections used therein, which were available to the Contractor as of the date of execution of his Contractor's Certificate of Current Cost or Pricing Data.

(c) The Contractor agrees to insert the substance of this clause including this paragraph (c) in all subcontracts hereunder in excess of \$100,000, so as to apply until three years after final payment of the subcontract.

(d) The requirement for inclusion of the clauses in paragraphs (a) and (b) of this § 1-3.814-2 may be waived for contracts with foreign governments or agencies thereof under circumstances where the requirement for the clauses in §§ 1-3.814-1 and 1-3.814-3 may be waived.

(e) The clause in § 1-7.101-10 shall be inserted in all negotiated fixed-price contracts in excess of \$2,500, including contracts awarded under a total set-aside (small business restricted advertising, as defined in § 1-1.701-9) or a partial set-aside (see §§ 1-1.706 and 1-1.804), and a clause containing substantially the same provisions shall be included in all other negotiated contracts in excess of \$2,500. In addition, the right of the contracting agency to inspect the plant and to audit the books and records of any prime contractor or subcontractor engaged in the performance of a cost type contract shall be expressly reserved in any such contract.

§ 1-3.814-3 Subcontractor cost and pricing data.

(a) Where the clause in § 1-3.814-1(a) is included in contracts in excess of \$100,000, the clause in this § 1-3.814-3(a) also shall be included. In addition, the clause, appropriately modified, may be included in contracts of \$100,000 or less which contain the clause in § 1-3.814-1(a).

SUBCONTRACTOR COST AND PRICING DATA

(a) The Contractor shall require subcontractors hereunder to submit in writing cost or pricing data under the following circumstances:

(1) Prior to award of any cost-reimbursement type, time and material, labor-hour,

incentive, or price redeterminable subcontract, the price of which is expected to exceed \$100,000; and

(2) Prior to the award of any other subcontract, the price of which is expected to exceed \$100,000 or to the pricing of any subcontract change or other modification for which the price adjustment is expected to exceed \$100,000, where the price or price adjustment is not based on adequate price competition, established catalog or market prices of commercial items sold in substantial quantities to the general public, or prices set by law or regulation.

(b) The Contractor shall require subcontractors to certify, in substantially the same form as that used in the certificate by the Prime Contractor to the Government, that, to the best of their knowledge and belief, the cost and pricing data submitted under (a) above are accurate, complete, and current as of the date of the execution, which date shall be as close as possible to the date of agreement on the negotiated price of the subcontract or subcontract change or modification.

(c) The Contractor shall insert the substance of this clause including this paragraph (c) in each of his cost-reimbursement type, time and material, labor-hour, price redeterminable, or incentive subcontracts hereunder, and in any other subcontract hereunder which exceeds \$100,000 unless the price thereof is based on adequate price competition, established catalog or market prices of commercial items sold in substantial quantities to the general public, or prices set by law or regulation. In each such expected subcontract hereunder which exceeds \$100,000, the Contractor shall insert the substance of the following clause:

SUBCONTRACTOR COST AND PRICING DATA-PRICE ADJUSTMENTS

(a) Paragraphs (b) and (c) of this clause shall become operative only with respect to any change or other modification made pursuant to one or more provisions of this contract which involves a price adjustment in excess of \$100,000. The requirements of this clause shall be limited to such price adjustments.

(b) The Contractor shall require subcontractors hereunder to submit cost or pricing data under the following circumstances:

(1) Prior to award of any cost-reimbursement type, time and material, labor-hour, incentive, or price redeterminable subcontract, the price of which is expected to exceed \$100,000; and

(2) Prior to award of any other subcontract, the price of which is expected to exceed \$100,000, or to the pricing of any subcontract change or other modification for which the price adjustment is expected to exceed \$100,000, where the price or price adjustment is not based on adequate price competition, established catalog or market prices of commercial items sold in substantial quantities to the general public, or prices set by law or regulation.

(c) The Contractor shall require subcontractors to certify, in substantially the same form as that used in the Certificate by the Prime Contractor to the Government, that, to the best of their knowledge and belief, the cost and pricing data submitted under (b) above are accurate, complete, and current as of the date of the execution, which date shall be as close as possible to the date of agreement on the negotiated price of the contract modification.

(d) The Contractor shall insert the substance of this clause including this paragraph (d) in each subcontract hereunder which exceeds \$100,000.

(b) Where the clause in § 1-3.814-1 (b) is included in contracts in excess of \$100,000, the clause in this § 1-3.814-3

(b) also shall be included. In addition, the clause, appropriately modified, may be included in contracts of \$100,000 or less which contain the clause in § 1-3.814-1(b).

SUBCONTRACTOR COST AND PRICING DATA-PRICE ADJUSTMENTS

(a) Paragraphs (b) and (c) of this clause shall become operative only with respect to any change or other modification made pursuant to one or more provisions of this contract which involves a price adjustment in excess of \$100,000. The requirements of this clause shall be limited to such price adjustments.

(b) The Contractor shall require subcontractors hereunder to submit in writing cost or pricing data under the following circumstances:

(1) Prior to award of any cost-reimbursement type, time and material, labor-hour, incentive, or price redeterminable subcontract, the price of which is expected to exceed \$100,000; and

(2) Prior to award of any other subcontract, the price of which is expected to exceed \$100,000, or to the pricing of any subcontract change or other modification for which the price adjustment is expected to exceed \$100,000, where the price or price adjustment is not based on adequate price competition, established catalog or market prices of commercial items sold in substantial quantities to the general public, or rates or prices set by law or regulation.

(c) The Contractor shall require subcontractors to certify that to the best of their knowledge and belief the cost and pricing data submitted under (b) above are accurate, complete, and current as of the date of the execution, which date shall be as close as possible to the date of agreement on the negotiated price of the contract modification.

(d) The Contractor shall insert the substance of this clause including this paragraph (d) in each subcontract hereunder which exceeds \$100,000.

(c) The requirements for inclusion of the clauses in paragraphs (a) and (b) of this § 1-3.814-3 in contracts with foreign governments or agencies thereof may be waived where the head of the agency of his designee authorizes such waiver and states in writing his reasons for such determination.

(Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c))

Effective date. These regulations are effective July 12, 1965, but may be observed earlier.

Dated: May 7, 1965.

LAWSON B. KNOTT, Jr.,
Acting Administrator
of General Services.

[F.R. Doc. 65-5085; Filed, May 12, 1965;
8:49 a.m.]

Chapter 9—Atomic Energy Commission

PART 9-8—TERMINATION OF CONTRACTS

Policy, Cost-Type Contractor Procurement

The following section is added:

§ 9-8.000-50 Policy, cost-type contractor procurement.

The following sections and subparts in FPR 1-8 and this AECPR 9-8 consti-

tute specific provisions which the contracting officer shall bring to the attention of cost-type contractors as constituting areas which require appropriate treatment in the development of statements of contractor procurement practices in order to carry out the basic AEC procurement policy set forth in AECPR § 9-1.5203.

Section or Subpart	Subject
1-8.101----	Definitions.
1-8.204----	Duties of prime contractor after receipt of notice of termination.
1-8.207----	Accounting review of prime contract settlement proposals and of subcontract settlements.
1-8.208----	Settlement of subcontract claims.
1-8.307-2--	Bases for settlement proposals.
1-8.5-----	Disposition of Termination Inventory.
1-8.704-2--	Suggested clause for subcontracts.
1-8.706----	Subcontract termination clause.

AECPR:	
9-8.307-2--	Bases for settlement proposals.
9-8.5-----	Disposition of Termination Inventory.

(Sec. 161 of the Atomic Energy Act of 1954, as amended, 68 Stat. 948, 42 U.S.C. 2201; sec. 205 of the Federal Property and Administrative Services Act of 1949, as amended, 63 Stat. 390, 40 U.S.C. 486)

Effective date. These amendments are effective upon publication in the FEDERAL REGISTER.

Dated at Germantown, Md., this 5th day of May 1965.

For the U.S. Atomic Energy Commission.

JOSEPH L. SMITH,
Director,
Division of Contracts.

[F.R. Doc. 65-5039; Filed, May 12, 1965;
8:46 a.m.]

**Title 43—PUBLIC LANDS:
INTERIOR**

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

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 3638]

[Utah 0143683]

UTAH

Partial Revocation of Reclamation Withdrawal (Central Utah Project)

Correction

In F.R. Doc. 65-4127 appearing at page 5635 in the issue for Wednesday, April 21, 1965, the following change should be made: A comma should be inserted in the third line of the Uintah Special Meridian land description reading "Sec. 10, SE¼NE¼, S½SW¼SE¼;" so that this line will read "Sec. 10, SE¼NE¼, S½SW¼, SE¼;"

[Public Land Order 3657]
 (Wyoming 0311814, 0309718)

WYOMING

Adjusting Boundaries of Pathfinder National Wildlife Refuge

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. Subject to valid existing rights, the following-described lands are hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws (Ch. 2, Title 30 U.S.C.), and added to and made a part of the Pathfinder National Wildlife Refuge, to be hereafter subject to all laws and regulations applicable to said refuge:

SIXTH PRINCIPAL MERIDIAN

(WYOMING 0311814)

- T. 29 N., R. 84 W.,
 Sec. 5, S $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 7, lots 2, 3, and NE $\frac{1}{4}$ SW $\frac{1}{4}$.
 T. 27 N., R. 85 W.,
 Sec. 13, W $\frac{1}{2}$;
 Sec. 14, E $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 23, E $\frac{1}{2}$ NE $\frac{1}{4}$;
 Sec. 24, NW $\frac{1}{4}$.
 T. 29 N., R. 85 W.,
 Sec. 6, lots 6, 7, and E $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 7, lots 1, 2, N $\frac{1}{2}$ NE $\frac{1}{4}$, and E $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 12, SE $\frac{1}{4}$ NE $\frac{1}{4}$ and N $\frac{1}{2}$ SE $\frac{1}{4}$.
 T. 30 N., R. 85 W.,
 Sec. 25, S $\frac{1}{2}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 26, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 27, S $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 30, S $\frac{1}{2}$ SE $\frac{1}{4}$.
 T. 29 N., R. 86 W.,
 Sec. 12, E $\frac{1}{2}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$.

The areas described aggregate 1,971.97 acres.

2. Executive Order No. 7425 of August 1, 1936, establishing the Pathfinder National Wildlife Refuge, is hereby revoked so far as it affects the following-described lands:

SIXTH PRINCIPAL MERIDIAN

(WYOMING 0309718)

a. Lands in North Platte and Casper-Alcova Reclamation Projects:

- T. 26 N., R. 84 W.,
 Sec. 4, lots 1, 2, S $\frac{1}{2}$ NE $\frac{1}{4}$, and SE $\frac{1}{4}$;
 Sec. 8, NW $\frac{1}{4}$ NE $\frac{1}{4}$;
 Sec. 9, NE $\frac{1}{4}$ and N $\frac{1}{2}$ S $\frac{1}{2}$.
 T. 27 N., R. 84 W.,
 Sec. 5, lots 1 to 4, inclusive, SW $\frac{1}{4}$ NW $\frac{1}{4}$, and W $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 6;
 Sec. 7, lots 1 to 4, inclusive, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 8, NW $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 18, E $\frac{1}{2}$ and E $\frac{1}{2}$ W $\frac{1}{2}$;
 Sec. 19, lot 1, E $\frac{1}{2}$, and E $\frac{1}{2}$ W $\frac{1}{2}$;
 Sec. 20;
 Sec. 28, SW $\frac{1}{4}$;
 Sec. 29;
 Sec. 30, NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, and NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 32, W $\frac{1}{2}$.
 T. 28 N., R. 84 W.,
 Sec. 4, lots 2 to 4, inclusive, SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 5, lots 1 to 4, inclusive, S $\frac{1}{2}$ N $\frac{1}{2}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 6, lots 1 to 5, inclusive, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, and NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 7, lots 3, 4, S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$, and SE $\frac{1}{4}$;
 Sec. 8, N $\frac{1}{2}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$.

- Sec. 9;
 Sec. 10, S $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$;
 Sec. 15, W $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$;
 Sec. 17, NE $\frac{1}{4}$, SW $\frac{1}{4}$, and N $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 18, lots 1, 2, NW $\frac{1}{4}$ NE $\frac{1}{4}$, and E $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 19, E $\frac{1}{2}$ SW $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 20, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ 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. 21, N $\frac{1}{2}$, SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 28, W $\frac{1}{2}$;
 Sec. 30, lots 1 to 4, inclusive, W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, and NE $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 31, S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 32, E $\frac{1}{2}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, and SW $\frac{1}{4}$;
 Sec. 33, NW $\frac{1}{4}$ and W $\frac{1}{2}$ SW $\frac{1}{4}$.
 T. 29 N., R. 84 W.,
 Sec. 16, SW $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 17, E $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 19, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, and S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 20;
 Sec. 21, W $\frac{1}{2}$ E $\frac{1}{2}$ and W $\frac{1}{2}$;
 Sec. 22, NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and S $\frac{1}{2}$;
 Sec. 23;
 Sec. 24, S $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$;
 Sec. 25, W $\frac{1}{2}$;
 Sec. 26, N $\frac{1}{2}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, and S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 27, N $\frac{1}{2}$, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 28, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ 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. 29, W $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, and SE $\frac{1}{4}$;
 Sec. 30, NE $\frac{1}{4}$;
 Sec. 31, E $\frac{1}{2}$;
 Sec. 32;
 Sec. 33;
 Sec. 34, N $\frac{1}{2}$, SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 35, N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, and NE $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 36, W $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$.
 T. 27 N., R. 85 W.,
 Sec. 12, E $\frac{1}{2}$ SE $\frac{1}{4}$.
 T. 28 N., R. 85 W.,
 Sec. 1, S $\frac{1}{2}$ NE $\frac{1}{4}$;
 Sec. 12, NW $\frac{1}{4}$ SE $\frac{1}{4}$, and SW $\frac{1}{4}$;
 Sec. 13, SE $\frac{1}{4}$ NE $\frac{1}{4}$, and NW $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 14, E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, and SE $\frac{1}{4}$;
 Sec. 23, E $\frac{1}{2}$;
 Sec. 25, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, and N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$.

The areas described aggregate 21,562.63 acres.

b. Patented lands:

- T. 26 N., R. 84 W.,
 Sec. 8, SW $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$.
 T. 28 N., R. 84 W.,
 Sec. 5, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 6, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 7, N $\frac{1}{2}$ NE $\frac{1}{4}$;
 Sec. 8, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 17, NW $\frac{1}{4}$;
 Sec. 18, lots 3, 4, 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 SE $\frac{1}{4}$;
 Sec. 19, lots 1 to 4, inclusive, W $\frac{1}{2}$ NE $\frac{1}{4}$, and E $\frac{1}{2}$ NW $\frac{1}{4}$.
 T. 29 N., R. 84 W.,
 Sec. 6, lot 2;
 Sec. 28, S $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 27, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 28, SW $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 29, E $\frac{1}{2}$ NE $\frac{1}{4}$;
 Sec. 35, S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, and NW $\frac{1}{4}$ NW $\frac{1}{4}$.
 T. 28 N., R. 85 W.,
 Sec. 12, NE $\frac{1}{4}$ SE $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 13, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, and S $\frac{1}{2}$;
 Sec. 24;
 Sec. 25, NW $\frac{1}{4}$ NW $\frac{1}{4}$.

The areas described aggregate 3,277.59 acres.

c. Public lands:

- T. 27 N., R. 84 W.,
 Sec. 7, E $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 19, lots 2 to 4, inclusive;
 Sec. 30, lots 1 to 4, inclusive, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 31.

- T. 28 N., R. 84 W.,
 Sec. 3, lots 3, 4, S $\frac{1}{2}$ NW $\frac{1}{4}$, and SW $\frac{1}{4}$;
 Sec. 4, lot 1, SE $\frac{1}{4}$ NE $\frac{1}{4}$, and E $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 10, N $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 15, E $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 16;
 Sec. 17, S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 19, E $\frac{1}{2}$ E $\frac{1}{2}$;
 Sec. 20, N $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, and NW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 29;
 Sec. 30, E $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
 Sec. 31, lots 1 to 4 inclusive, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, and N $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 32, W $\frac{1}{2}$ NW $\frac{1}{4}$.
 T. 29 N., R. 84 W.,
 Sec. 6, lot 1;
 Sec. 16, E $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 17, E $\frac{1}{2}$ SW $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 19, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 21, E $\frac{1}{2}$ E $\frac{1}{2}$;
 Sec. 22, NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, and SW $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 26, N $\frac{1}{2}$ SE $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 30, SE $\frac{1}{4}$;
 Sec. 34, E $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 35, NW $\frac{1}{4}$ SW $\frac{1}{4}$ and S $\frac{1}{2}$ S $\frac{1}{2}$;
 Sec. 36, E $\frac{1}{2}$ NW $\frac{1}{4}$.
 T. 27 N., R. 85 W.,
 Sec. 12, NE $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$.
 T. 28 N., R. 85 W.,
 Sec. 1, lots 1 to 4, inclusive, and S $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 2, lots 1, 2, and S $\frac{1}{2}$ NE $\frac{1}{4}$;
 Sec. 11, SE $\frac{1}{4}$;
 Sec. 14, NW $\frac{1}{4}$ NE $\frac{1}{4}$.

The areas described aggregate 6,765.32 acres.

The areas described in paragraph 2c are located in Natrona and Carbon Counties. Topography ranges from nearly level grassland to steep and mountainous terrain. Access is limited to range trails.

3. Until 10 a.m. on November 5, 1965, the State of Wyoming shall have a preferred right of application to select the lands described in paragraph 2c, 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 June 12, 1965, shall be considered as simultaneously filed at that time. Those filed thereafter shall be considered in the order of filing.

4. Any locatable minerals in the lands described in paragraph 2b which were reserved to the United States at the time the lands were patented and any locatable minerals in the lands described in paragraph 2c will be open to location under the United States mining laws, subject to applicable law, rules and regulations at 10 a.m. on November 5, 1965. Any leasable minerals in the lands described in paragraph 2 belonging to the United States, will be open to applications and offers under the mineral leasing laws at the same date and hour.

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

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

MAY 7, 1965.

[P.R. Doc. 65-5040; Filed, May 12, 1965, 8:47 a.m.]

Title 50—WILDLIFE AND FISHERIES

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

SUBCHAPTER C—THE NATIONAL WILDLIFE REFUGE SYSTEM

PART 26—RESTRICTED OR PROHIBITED ACTS

Search for and Removal of Objects of Antiquity and Valued Objects

Pursuant to the authority vested in the Secretary of the Interior by section 161 of the Revised Statutes (5 U.S.C. 22), Part 26, Title 50, Code of Federal Regulations, is amended as set forth below. The purpose of this amendment is to provide, by means of special regulation, for the collection of valued objects as a recreational use on wildlife refuge areas where special control problems exist.

Notice and public procedure on this amendment have been deemed impracticable because of the proximity of summer recreational programs on conservation areas. The amendment shall be effective upon publication in the *FEDERAL REGISTER*.

1. Section 26.28 is amended to read as follows:

§ 26.28 Search for and removal of objects of antiquity.

Persons are prohibited from searching for or removing from wildlife refuge areas objects of antiquity except as may be authorized by 43 CFR Part 3.

2. A new section is added to read as follows:

§ 26.28a Search for and removal of valued objects.

Persons are prohibited from searching for buried treasure, treasure trove, valuable semi-precious rocks, stones, or mineral specimens unless authorized by special permit or in a special Regulation issued under the provisions of § 28.25 of this chapter.

(R.S. 161, as amended, sec. 2, 33 Stat. 614, as amended, sec. 5, 43 Stat. 651, sec. 5, 45 Stat. 449, sec. 10, 45 Stat. 1224, sec. 4, 48 Stat. 402, as amended, sec. 2, 48 Stat. 1270, sec. 4, 76 Stat. 654; 5 U.S.C. 22, 16 U.S.C. 460k, 695, 725, 690d, 7151, 664; 43 U.S.C. 315a)

STEWART L. UDALL,
Secretary of the Interior.

MAY 7, 1965.

[F.R. Doc. 65-5043; Filed, May 12, 1965; 8:47 a.m.]

PART 33—SPORT FISHING

National Wildlife Refuges, Minn.

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

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

MINNESOTA

RICE LAKE NATIONAL WILDLIFE REFUGE

Sport fishing on the Rice Lake National Wildlife Refuge, Minn., is permitted only on the area designated by signs as open to fishing. This posted area comprising 50 acres is delineated on a map available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis, Minn., 55408. Sport fishing shall be in accordance with all applicable State regulations subject to the following special condition:

(a) The open season for sport fishing on the refuge extends from May 15, 1965, through September 30, 1965, during daylight hours only.

(b) The use of boats without motors is permitted.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife areas generally which are set forth in Title 50, Part 33, and are effective through September 30, 1965.

TAMARAC NATIONAL WILDLIFE REFUGE

Sport fishing on the Tamarac National Wildlife Refuge, Minn., is permitted only on the areas designated by signs as open to fishing. This posted area comprising 9,300 acres is delineated on a map available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis, Minn., 55408. Sport fishing shall be in accordance with all applicable State regulations subject to the following special condition:

(a) The open season for sport fishing on the refuge extends from May 15, 1965, through September 30, 1965, during daylight hours only.

(b) The use of boats is not permitted on Chippewa Lake; the use of boats, without motors, is permitted on Lost and Waubesa Lakes.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife areas generally which are set forth in Title 50, Part 33, and are effective through September 30, 1965.

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

MAY 5, 1965.

[F.R. Doc. 65-5044; Filed, May 12, 1965; 8:47 a.m.]

PART 33—SPORT FISHING

National Wildlife Refuges; Wisconsin

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

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

WISCONSIN

HORICON NATIONAL WILDLIFE REFUGE

Sport fishing on the Horicon National Wildlife Refuge, Wis., is permitted only on the areas designated by signs as open to fishing. The open area comprising 250 acres is delineated on a map available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis, Minn., 55408. Sport fishing shall be in accordance with all applicable State regulations subject to the following conditions:

(a) Open season: Daylight hours May 8, 1965, through September 30, 1965.

(b) The use of boats is prohibited.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through September 30, 1965.

NECEDAH NATIONAL WILDLIFE REFUGE

Sport fishing on the Necedah National Wildlife Refuge, Wis., is permitted only on the areas designated by signs as open to fishing. The open area comprising 500 acres is delineated on a map available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis, Minn., 55408. Sport fishing shall be in accordance with all applicable State regulations subject to the following conditions:

(a) Open season: Daylight hours July 1, 1965, through September 30, 1965.

(b) The use of boats without motors is permitted.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through September 30, 1965.

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

APRIL 23, 1965.

[F.R. Doc. 65-5045; Filed, May 12, 1965; 8:47 a.m.]

Proposed Rule Making

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 121]

FOOD ADDITIVES

Adjuvants for Pesticide Chemicals; Proposed Exemption

At the present time, a number of adjuvants used by the manufacturer as components of pesticide formulations are exempted from the requirements of tolerances under section 408 of the Federal Food, Drug, and Cosmetic Act. Such materials are listed in § 120.1001 (c) and (d) of the pesticide chemical regulations.

The same adjuvants, added to the pesticides by the grower prior to application of the pesticide, are not classified by the U.S. Department of Agriculture as "economic poisons" under the Federal Insecticide, Fungicide, and Rodenticide Act, and therefore are not amenable to regulation under section 408 of the act; however, they are subject to section 409 of the act.

The Commissioner of Food and Drugs has concluded that the food additive regulations issued under section 409 of the act should reflect the authority whereby those adjuvants not subject to section 408 may be used. Accordingly, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(d), 72 Stat. 1787; 21 U.S.C. 348(d)), and under the authority delegated to him by the Secretary of Health, Education, and Welfare (21 CFR 2.90), the Commissioner, on his own initiative, proposes that Part 121 be amended by adding to Subpart B a new section, as follows:

§ 121.102 Adjuvants for pesticide chemicals.

Adjuvants, identified and used in accordance with § 120.1001 (c) and (d) of this chapter, which are added to pesticide use dilutions by a grower or applicator prior to application to the raw agricultural commodity, are exempt from requirements of tolerances under section 409 of the act.

All interested persons are invited to submit their views in writing on the proposal herein within 30 days from the date of publication of this notice in the FEDERAL REGISTER. Such views and comments should be filed, preferably in quintuplicate, with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C., 20201, and may be accompanied by a memorandum or brief in support thereof.

Dated: May 7, 1965.

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

[F.R. Doc. 65-5051; Filed, May 12, 1965; 8:48 a.m.]

6588

FEDERAL AVIATION AGENCY

[14 CFR Part 71]

[Airspace Docket No. 65-SW-11]

CONTROL ZONE AND 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 Silver City, N. Mex., terminal area.

The Federal Aviation Agency, having completed a comprehensive review of the terminal area, proposes the following action:

1. Designate the Silver City, N. Mex., control zone as that airspace within a 5-mile radius of Silver City-Grant County Airport (latitude 32°38'22" N., longitude 108°09'22" W.); and within 2 miles each side of the Silver City VOR 141° radial, extending from the 5-mile radius zone to 8 miles SE of the VOR. This control zone is effective during the dates and times published in the Airman's Information Manual.

2. Designate the Silver City, N. Mex., transition area as that airspace extending upward from 700 feet above the surface within a 7-mile radius of Silver City-Grant County Airport (latitude 32°38'22" N., longitude 108°09'22" W.); and within 5 miles SW and 8 miles NE of the Silver City VOR 141° radial, extending from the VOR to 12 miles SE; and that airspace extending upward from 1,200 feet above the surface within an area bounded by a line beginning at latitude 32°19'00" N., longitude 107°59'00" W.; to latitude 32°35'00" N., longitude 108°37'00" W.; to latitude 33°02'00" N., longitude 107°42'00" W.; to latitude 32°25'00" N., longitude 107°50'00" W.; to point of beginning.

The floors of the airways that would traverse the transition area proposed herein would automatically coincide with the floor of the transition area.

The proposed control zone would provide protection for aircraft executing prescribed instrument approach and departure procedures at Silver City-Grant County Airport. The proposed control zone would be parttime since weather services are not available on a full-time basis. The hours of designation of the proposed control zone would be published in the Airman's Information Manual. The proposed 700-foot floor portion of the transition area would provide required protection for aircraft conducting prescribed instrument operations below 1,500 feet above the surface outside the proposed control zone. The proposed 1,200-foot floor portion of the transition area would provide protection for aircraft executing instrument holding and arrival procedures at or above 1,500 feet above the surface outside the proposed 700-foot floor area.

Certain minor revisions to prescribed instrument procedures would be effected

in conjunction with the actions proposed herein, but operational complexity would not be increased nor would aircraft performance characteristics or established landing minimums be adversely affected.

Specific details of the changes to procedures and minimum instrument flight rules altitudes that would be required may be examined by contacting the Chief, Air Traffic Division, Southwest Region, Federal Aviation Agency, Fort Worth, Tex.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Division, Southwest Region, Federal Aviation Agency, Post Office Box 1689, Fort Worth, Tex., 76101. 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 Chief, Air Traffic Division. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of the Regional Counsel, Southwest Region, Federal Aviation Agency, Fort Worth, Tex. An informal docket will also be available for examination at the Office of the Chief, Air Traffic Division.

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

Issued in Fort Worth, Tex., on May 5, 1965.

ARCHIE W. LEAGUE,
Director, Southwest Region.

[F.R. Doc. 65-5027; Filed, May 12, 1965; 8:45 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 65-CR-50]

TRANSITION AREA AND CONTROL ZONE

Proposed Modification and Designation

The Federal Aviation Agency is considering amendments to Part 71 of the Federal Aviation Regulations which would alter the controlled airspace in the Galesburg, Ill., terminal area.

A terminal VOR with related public instrument approaches is planned for the Galesburg, Ill., airport.

The Galesburg, Ill., transition area is presently designated as that airspace extending upward from 700 feet above the

surface within a 5-mile radius of Galesburg Municipal Airport (latitude 40°-55'30" N., longitude 90°25'50" W.), and within 2 miles each side of the 025° bearing from Galesburg Municipal Airport extending from the 5-mile radius area to 8 miles NE of the airport.

The Federal Aviation Agency, having completed a comprehensive review of the terminal airspace structural requirements in the Galesburg, Ill., terminal area, proposed the following airspace actions:

(1) Designate the Galesburg, Ill., control zone as that airspace within a 5-mile radius of Galesburg, Ill., Municipal Airport (latitude 40°56'24" N., longitude 90°25'46" W.); within 2 miles each side of the Galesburg VOR 019° radial extending from the 5-mile radius zone to 8 miles N of the VOR; and within 2 miles each side of the Galesburg VOR 214° radial extending from the 5-mile radius zone to 8 miles SW of the VOR. This control zone shall be effective during the times established by a notice to airmen and published continuously in the Airmen's Information Manual.

(2) Redesignate the Galesburg, Ill., transition area to comprise that airspace extending upward from 700 feet above the surface within a 5-mile radius of Galesburg, Ill., Municipal Airport (latitude 40°56'24" N., longitude 90°25'46" W.); within 5 miles E and 8 miles W of the Galesburg VOR 019° radial extending from the VOR to 12 miles N of the VOR; and within 5 miles NW and 8 miles SE of the Galesburg VOR 214° radial extending from the VOR to 12 miles SW of the VOR.

The proposed Galesburg control zone will provide protection for aircraft executing prescribed arrival and departure procedures at the Galesburg Municipal Airport during the hours of operation of the weather reporting service to be provided by duly certificated personnel of Ozark Air Lines. The hours during which weather observations are to be made and the information disseminated will be initially specified in the final rule. Normally, 30 days' notice will be given prior to any change thereafter in the hours of operation by a notice to airmen and published continuously in the Airmen's Information Manual. The Galesburg control zone will become effective concurrently with the commissioning of the terminal VOR.

The proposed transition area would provide protection for departing aircraft in their climb from 700 to 1,200 feet above the surface during the times that the control zone is not in effect. It would also provide controlled airspace protection for aircraft executing the prescribed instrument approach procedures during descent to 1,000 feet above the surface when the control zone is in effect and during descent to 700 feet above the surface when the control zone is not in effect.

The floors of the airways which would traverse the transition area proposed herein would automatically coincide with the floor of the transition area.

Specific details of the public instrument approach procedure to be used 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, 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. 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 section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

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

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 65-5028; Filed, May 12, 1965;
8:45 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 64-EA-13]

TRANSITION AREA AND CONTROL ZONES

Proposed Alteration and Designation

The Federal Aviation Agency is considering amendments to Part 71 of the Federal Aviation Regulations that would alter the transition area at Nantucket, Mass., and the control zones at Nantucket, Falmouth, Mass., Hyannis, Mass., and Martha's Vineyard, Mass.; and that would designate a transition area in the Falmouth terminal area.

As parts of these proposals relate to the navigable airspace outside the United States, this notice is submitted in consonance with the ICAO International Standards and Recommended Practices.

Applicability of International Standards and Recommended Practices, by the Air Traffic Service, FAA, in areas outside domestic airspace of the United States is governed by Article 12 and Annex 11 to the Convention on International Civil Aviation (ICAO), which pertains to the establishment of air navigation facilities and services necessary to promoting the safe, orderly and expeditious flow of civil air traffic. Its purpose is to insure that civil flying on international

air routes is carried out under uniform conditions designed to improve the safety and efficiency of air operations.

The International Standards and Recommended Practices of Annex 11 apply in those parts of the airspace under the jurisdiction of a contracting state, derived from ICAO, wherein air traffic services are provided and also whenever a contracting state accepts the responsibility of providing air traffic services over high seas or in airspace of undetermined sovereignty. A contracting state accepting such responsibility may apply the International Standards and Recommended Practices to civil aircraft in a manner consistent with that adopted for airspace under its domestic jurisdiction.

In accordance with Article 3 of the Convention on International Civil Aviation, Chicago, 1944, state aircraft are exempt from the provisions of Annex 11 and its Standards and Recommended Practices. As a contracting state, the United States agreed by Article 3(d) that its state aircraft will be operated in international airspace with due regard for the safety of civil aircraft.

Since this action involves, in part, the designation of navigable airspace outside the United States, the Administrator has consulted with the Secretary of State and the Secretary of Defense in accordance with the provisions of Executive Order 10854.

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, Eastern Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y., 11430. 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 amendments. The proposals 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 Federal Aviation Agency, having completed a comprehensive review of the terminal airspace structure requirements in the Falmouth terminal area (Otis AFB and the Barnstable, Martha's Vineyard, and Chatham airports) and the Nantucket transition area, including studies attendant to the implementation of the provisions of CAR Amendments 60-21/60-29, proposes the airspace actions hereinafter set forth.

1. The Falmouth, Mass., control zone would be redesignated as that area within a 5-mile radius of Otis AFB, Falmouth, Mass., (latitude 41°39'30" N., longitude 70°31'35" W.); within 2 miles each side of the extended centerline of Runway 5,

extending from the 5-mile radius zone to 9 miles northeast of the lift-off end of Runway 5; within 2 miles each side of the Otis TACAN 030° True radial extending from the 5-mile radius zone to 8 miles northeast of the TACAN; within 2 miles each side of the Otis VOR 035° True radial extending from the 5-mile radius zone to 10.5 miles northeast of the VOR; within 2 miles each side of the extended centerline of Runway 14 extending from the 5-mile radius zone to 7.5 miles southeast of the lift-off end of Runway 14; within 2 miles each side of the Otis TACAN 139° True radial extending from the 5-mile radius zone to 7 miles southeast of the TACAN; within 2 miles each side of the extended centerline of Runway 23 extending from the 5-mile radius zone to 8 miles southwest of the lift-off end of Runway 23; within 2 miles each side of the Otis TACAN 224° True radial extending from the 5-mile radius zone to 8 miles southwest of the TACAN; within 2 miles each side of the extended centerline of Runway 32 extending from the 5-mile radius zone to 8 miles northwest of the lift-off end of Runway 32; within 2 miles each side of the Otis TACAN 299° True radial extending from the 5-mile radius zone to 7 miles northwest of the TACAN.

2. The Nantucket, Mass., control zone would be redescribed as that area within a 4-mile radius of Nantucket Memorial Airport, Nantucket, Mass. (latitude 41°-15'15" N., longitude 70°03'40" W.) and within 2 miles each side of the Nantucket VORTAC 045° True radial extending from the 4-mile radius zone to 8 miles northeast of the VOR.

3. The Hyannis, Mass., control zone would be redescribed as that area within a 4-mile radius of Barnstable Airport, Hyannis, Mass. (latitude 41°40'10" N., longitude 70°16'45" W.) and within 2 miles each side of the Hyannis VOR 046° and 226° True radials extending from the 4-mile radius zone to 8 miles northeast of the VOR.

4. The Martha's Vineyard, Mass., control zone would be redescribed as that area within a 4-mile radius of Martha's Vineyard Airport (latitude 41°23'35" N., longitude 70°36'50" W.); within 2 miles each side of the Martha's Vineyard VOR 050° True radial extending from the 4-mile radius zone to 8 miles northeast of the VOR; within 2 miles each side of the 040° True bearing from the Martha's Vineyard RBN, extending from the 4-mile radius zone to 8 miles northeast of the RBN. This control zone would be effective from 0900 to 1700 hours, local time, daily, September 5 through June 22, and 0900 to 1900 hours, local time, daily, June 23 through September 4, annually.

5. A transition area is proposed for Falmouth, Mass. as that airspace extending upward from 700 feet above the surface within a 14-mile radius of Otis AFB, Falmouth, Mass. (latitude 41°39'30" N., longitude 70°31'35" W.); within a 6-mile radius of Barnstable Airport, Hyannis, Mass. (latitude 41°40'10" N., longitude 70°16'45" W.); within 5 miles northwest and 8 miles southeast of the Barnstable Airport ILS localizer northeast course extending from the ILS outer marker to

12 miles northeast of the OM; within a 4-mile radius of the Chatham Airport, Chatham, Mass. (latitude 41°41'20" N., longitude 69°59'25" W.); within a 6-mile radius of Martha's Vineyard Airport, Martha's Vineyard, Mass. (latitude 41°-23'35" N., longitude 70°36'50" W.) and within 5 miles northwest and 8 miles southeast of the Martha's Vineyard VOR 050° True radial extending from the VOR to 12 miles northeast of the VOR; and that airspace extending upward from 1,200 feet above the surface bounded by a line beginning at latitude 42°13'20" N., longitude 70°18'30" W., thence to latitude 42°10'50" N., longitude 70°03'00" W., to latitude 41°40'29" N., longitude 69°46'32" W., to latitude 41°38'00" N., longitude 69°45'10" W., to latitude 41°-21'00" N., longitude 69°45'10" W., to latitude 41°-04'00" N., longitude 70°12'50" W., to latitude 41°09'00" N., longitude 70°-00'00" W., to latitude 41°10'25" N., longitude 70°12'50" W., to latitude 41°-04'00" N., longitude 70°42'30" W., to latitude 41°13'05" N., longitude 70°-42'30" W., to latitude 41°21'00" N., longitude 70°48'00" W., to latitude 41°-42'00" N., longitude 70°48'00" W., to latitude 41°53'30" N., longitude 70°-56'30" W., thence to the point of beginning; and that airspace extending upward from 2,000 feet m.s.l. bounded on the north by Control 1142, on the southeast by Control 1143, and on the west by a line extending through latitude 41°-40'29" N., longitude 69°46'32" W. and latitude 42°10'50" N., longitude 70°-03'00" W., excluding the portion within the Nantucket, Mass., transition area.

6. The Nantucket, Mass., transition area would be redescribed as that airspace extending upward from 700 feet above the surface within a 6-mile radius of Nantucket Memorial Airport, Nantucket, Mass. (latitude 41°15'15" N., longitude 70°03'40" W.); within 2 miles each side of the Nantucket VORTAC 045° True radial extending from the 6-mile radius area to 10 miles northeast of the VOR; and that airspace extending upward from 2,000 feet m.s.l. northeast of Nantucket bounded on the northeast by the arc of a 29-mile radius circle centered at the Nantucket VORTAC, on the southeast by Control 1144, and on the northwest by Control 1143; southeast of Nantucket bounded on the southeast by the arc of a 13-mile radius circle centered on the Nantucket CONSOLAN (monitor site at latitude 41°15'35" N., longitude 70°-09'19" W.), and on the north by Control 1144, and on the southwest by Control 1145; and that airspace from FL 240 to FL 300, inclusive, southwest of Nantucket, bounded on the north by Control 1169, on the east by Control 1145, and on the south and west by the arc of a 10.2-mile radius circle centered on the Nantucket CONSOLAN station.

The control zones, as proposed, are necessary to protect instrument approach and departure procedures at the airports involved. The transition areas proposed are necessary to protect instrument approach and departure procedures as well as holding patterns.

The proposed transition area is contained in part within the Boston, Mass., control area extension. Revocation of the Boston control area extension will

be accomplished at a later date as a part of the CAR Amendments 60-21/60-29 implementation program for adjacent terminal areas.

Certain minor revisions to prescribed instrument procedures would be effected in conjunction with the actions proposed herein, but operational complexities would not be increased nor would aircraft performance characteristics or present landing minimums be adversely affected.

Specific details of the changes to procedures and minimum instrument flight rules altitudes that would be required may be examined by contacting the Chief, Airspace Utilization Branch, Air Traffic Division, Eastern Region, Federal Aviation Agency, John F. Kennedy International Airport, Federal Building, Jamaica, N.Y., 11430.

These amendments are proposed under sections 307(a) and 1110 of the Federal Aviation Act of 1958 (49 U.S.C. 1348, 1510), and Executive Order 10854 (24 F.R. 9565).

Issued in Washington, D.C., on May 3, 1965.

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

[F.R. Doc. 65-5029; Filed, May 12, 1965.
8:45 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 73]

[Docket No. 16005; FCC 65-384]

RADIO BROADCAST SERVICES

Proposed Changes and Correction of Logs

In the matter of amendment to Part 73 of the Commission's rules, which would revise requirements having to do with changes and correction of logs; Docket No. 16005.

1. Notice is hereby given of proposed rule making in the above entitled matter.

2. It has come to the attention of the Commission that certain of its requirements pertaining to the correction of logs—and particularly program logs—have, in view of changing industry practice, become inappropriate, and in fact place a heavy burden on many broadcasters while at the same time failing to attain their objective of assuring reliability and integrity of the logs.

3. With respect to standard broadcast stations, the pertinent provisions of the present rule on log corrections are found in § 73.111(c) which applies without distinction to program, operating and maintenance logs, and reads as follows:

No log or portion thereof shall be erased, obliterated, or willfully destroyed within the period of retention provided by the provisions of this part. Any necessary correction may be made only by the person originating the entry who shall strike out the erroneous portion, initial the correction made, and indicate the date of correction.

The rules relating to FM, noncommercial educational FM, and television

stations are similar (§§ 73.281, 73.581 and 73.669).

4. The purpose of this rule is to assure as nearly as possible the integrity of the log, and the method is one commonly used with most contracts, wills and other important documents. The theory is that the validity of the content of the document is ascertainable so long as there are no erasures or obliterations, and every change is initialed and dated and the authenticity and identity of the initials are provable.

5. However, Commission experience with modern methods of station operation has suggested that different factors are applicable to program, operating and maintenance logs, and that the provisions for log correction need revision not only to conform to changing practices, but also to reflect these differences. Consequently the rules here proposed contain separate provisions to cover the correction of program, operating and maintenance logs in §§ 73.112, 73.113 and 73.114 respectively, leaving in 73.111(c) only the prescription on obliteration or erasure and the instructions as to manner of correction which are common to all three.

6. With a program log the validity of an entry is equal to the accuracy with which it reflects what was in fact broadcast. In other words, the log speaks as of the time of broadcast, and with regard to a correction it is only necessary to know whether the correction represents what was broadcast, not who made the correction or when the correction was made. Thus the proposed new § 73.112 (c) provides for initialing of all corrections, no matter by whom made, by the operator keeping the log, who has actual knowledge of what was broadcast, as a representation that the log as corrected is an accurate record of what was in fact broadcast.

7. As to automatic logs we believe that the person signing the certificate of authentication should have actual knowledge of what was broadcast. The proposed new § 73.112(b)(2) so provides. In § 73.112(c)(2) we have provided for a consistent method of correction of logs kept by automatic logging devices.

8. Also, we are proposing rules (e.g. § 73.112(c) for AM) which would prohibit any correction to a log after the person keeping the log has signed the log when going off duty. We can find no valid reason for permitting any change of the log itself whatsoever after that time. The advantages gained in establishing the integrity of the log would be largely dissipated were the rule to permit later changes or corrections. The person keeping the log has by definition a personal knowledge of the facts and we cannot conceive of any need in the normal course of station operation for a correction arising after that person has signed the log when going off duty, assuming a degree of attentiveness to duty which the Commission reasonably has the right to demand of its licensees. As the new rule itself provides, should there be unusual circumstances in which mistakes or ambiguities in the log are discovered only after it has been signed, any appropriate explanations or correc-

tions can be made the subject of a separate memorandum affixed to the log.

9. The proposed §§ 73.113(d) and 73.114(c) provide for correction of operating and maintenance logs, respectively, in a manner which, in view of the nature of these logs and the way in which they are kept, remains basically the same as at present. Each contains the additional proviso that no changes or corrections shall be made after the operator has signed the log. Section 73.113(e) provides for a consistent method of correction for automatic operating logs.

10. In addition, it was felt that the present § 73.111(d) which permits collection of data in rough form for later transcription into the log, has no applicability to the program log and in fact would negate much of what would be gained by the proposed amendments to § 73.112. Consequently, it is proposed that § 73.111(d) be deleted, and that instead comparable provisions relating to the operating and maintenance logs only be added as §§ 73.113(c) and 73.114 (b) respectively.

11. Finally the proposed amendments would redesignate the paragraphs of § 73.114 so as to conform to the format of §§ 73.112 and 73.113.

12. Similar changes are proposed in the rules governing the other broadcast services (§§ 73.281, 73.282, 73.283, 73.284, 73.581, 73.582, 73.583, 73.584, 73.669, 73.670, 73.671, and 73.672).

13. The Commission feels that the proposed amendments not only relieve the broadcaster of what have been for some time burdensome and impractical requirements, but also go a long way toward providing for the reliability and integrity of program, operating and maintenance logs. Consequently the Commission, on its own motion, is proposing the amendments set forth below.

14. Pursuant to applicable procedures set out in § 1.415 of the Commission's rules and regulations, interested persons may file comments on or before June 14, 1965, and reply comments on or before June 25, 1965. All relevant and timely comments and reply comments will be considered by the Commission before final action is taken in this proceeding. In reaching its decision in this proceeding, the Commission may also take into account other relevant information before it, in addition to the specific comments invited by this notice.

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

16. In accordance with the provisions of § 1.51 of the rules and regulations of the Commission, an original and 14 copies of all written comments and statements shall be furnished to the Commission.

Adopted: May 5, 1965.

Released: May 10, 1965.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

Commissioners Bartley and Wadsworth absent.

1. In § 73.111, paragraph (c) is amended and paragraph (d) is deleted, as follows:

§ 73.111 General requirements relating to logs.

(c) No log or portion thereof shall be erased, obliterated, or willfully destroyed within the period of retention provided by the provisions of this part. Any necessary correction may be made only pursuant to §§ 73.112, 73.113, and 73.114, and only by striking out the erroneous portion and adding the corrected entry, if any, or by attaching to the original log a separate memorandum as provided in those sections.

(d) [Deleted]

2. In § 73.112, paragraph (b)(2) is amended and a new paragraph (c) is added to read as follows:

§ 73.112 Program log.

(b) * * *

(2) Each recording, tape, or other means employed shall be accompanied by a certificate of the operator or other responsible person on duty at the time or other duly authorized agent of the licensee, to the effect that it accurately reflects what was actually broadcast; *Provided*, That whoever signs such certificate of authentication shall have actual personal knowledge of what was broadcast. Any information required to be logged which is not incorporated in the automatic process shall be maintained in a separate log which shall be kept and maintained in accordance with the provisions of this section;

(c) Program logs shall be changed or corrected only in the manner prescribed in § 73.111(c) and only in accordance with the following:

(1) *Manually kept log.* Where, in any program log, or preprinted program log, or program schedule which upon completion is used as a program log, a correction is made either prior to or at the time of broadcast, such correction, no matter by whom made, shall be initialed by the person keeping the log and having actual knowledge of what was broadcast as an indication that the corrected log as initialed by him is an accurate representation of what was in fact broadcast. Such corrections shall be so initialed as soon as practicable after broadcast of the item in question, and in no case after the person keeping the log has signed the log when going off duty. Corrections made at or after the time of broadcast shall be made only by the person keeping the log who has actual knowledge of what was broadcast; but no correction, change, addition, or notation of any kind shall be made in a program log after the person keeping the log has signed the log when going off duty. Should any errors or ambiguities be found after the log has been so signed, corrective explanations shall be made the subject of a separate memorandum, dated and signed by the person who kept the log or by the station manager or an officer of the licensee. Such memorandum shall explain fully the circum-

stances surrounding the errors or ambiguities, and shall be affixed to the original log in question. If written and signed by other than the person who kept the log, the memorandum shall also be signed by the person who kept the log, as agreeing with the contents of the memorandum, or shall contain a satisfactory explanation of why such signature is lacking.

(2) *Automatic logging.* No automatically kept program log shall be altered in any way after record of what was broadcast has been made. Any errors, omissions, or ambiguities found in an automatically kept program log shall be noted and explained in an appendix to the certificate of authentication required by paragraph (b) (2) of this section, and shall be dated and signed by the person signing the certificate or by an officer of the licensee. If written and signed by other than the person signing the certificate, the appendix shall also be signed by the person who signed the certificate, as agreeing with the contents of the appendix, or shall contain a satisfactory explanation of why such signature is lacking.

3. Section 73.113 is amended by addition of the following new paragraphs (c), (d), and (e):

§ 73.113 Operating log.

(c) In preparing the operating log, original data may be recorded in rough form and later transcribed into the log, but in such a case all portions of the original memoranda shall be preserved as a part of the complete log.

(d) *Manually kept log:* Any necessary corrections in a manually kept operating log shall be made only by the person making the original entry, who shall strike out the erroneous portion, initial the correction made, and indicate the date of correction. All corrections in the operating log shall be initialed prior to signature by the person who signs the log when going off duty in accordance with § 73.111(a); and no corrections or changes of any kind shall be made in the operating log after the person keeping the log has signed the log when going off duty. Should any errors or ambiguities be found after the log has been so signed, corrective explanations shall be made the subject of a separate memorandum, dated and signed by the person who kept the log or by the chief engineer or an officer of the licensee. Such memorandum shall explain fully the circumstances surrounding the errors or ambiguities,

and shall be affixed to the original log in question. If written and signed by other than the person who kept the log, the memorandum shall also be signed by the person who kept the log, as agreeing with the contents of the memorandum, or shall contain a satisfactory explanation of why such signature is lacking.

(e) *Automatic logging:* No automatically kept operating log shall be altered in any way after entries have been recorded. Any errors or omissions found in an automatically kept operating log shall be noted and explained in a memorandum signed by the operator on duty who, under the provisions of paragraph (b) (7) of this section, is required to inspect the automatic equipment. Such memorandum shall be affixed to the original log in question.

4. Section 73.114 is revised to read as follows:

§ 73.114 Maintenance log.

(a) The following entries shall be made in the maintenance log:

(1) An entry, each week, of the following where applicable:

(i) A notation indicating the readings of the tower base current ammeter(s) and the associated remote antenna ammeter(s) (actual readings observed prior to remote antenna ammeter recalibration) and indicating calibration of the remote ammeter(s) against the tower base ammeter(s).

(ii) Time and result of test of auxiliary transmitter.

(iii) A notation of all frequency checks and measurements made independently of the frequency monitor and of the correlation of these measurements with frequency monitor indications.

(iv) A notation of the calibration check of automatic recording devices as required by § 73.113(b) (3).

(2) An entry of the date and time of removal from and restoration to service of any of the following equipment in the event it becomes defective:

- (i) Modulation monitor.
- (ii) Frequency monitor.
- (iii) Final stage plate voltmeter.
- (iv) Final stage plate ammeter.
- (v) Base current ammeter(s).
- (vi) Common point ammeter.

(3) Record of tower light inspections where required by § 17.38(d) of this chapter (Part 17—Construction, Marking, and Lighting of Antenna Structures).

(4) Entries made so as to describe fully any experimental operation during the experimental period.

(5) Upon completion of the inspection required by § 73.93(e), the inspecting operator shall enter a signed statement that the required inspection has been made, noting in detail the tests, adjustments, and repairs which were accomplished in order to insure operation in accordance with the provisions of this subpart and the current instrument of authorization of the station. The statement shall also specify the amount of time, exclusive of travel time to and from the transmitter, which was devoted to such inspection duties. If complete repair could not be effected, the statement shall set forth in detail the items of equipment concerned, the manner and degree in which they are defective, and the reasons for failure to make satisfactory repairs.

(6) Any other entries required by the current instrument of authorization of the station and the provisions of this subpart.

(b) In preparing the maintenance log, original data may be recorded in rough form and later transcribed into the log, but in such a case all portions of the original memoranda shall be preserved as a part of the complete log.

(c) Any necessary corrections in the maintenance log shall be made only by the inspecting operator who shall initial and date all changes prior to signing the log. No corrections or changes of any kind shall be made to any entry in the maintenance log after the inspecting operator has signed the log. Should any errors or ambiguities be found after the log has been so signed, corrective explanations shall be made the subject of a separate memorandum, dated and signed by the inspecting operator who made the entry in question or by the chief engineer or an officer of the licensee. Such memorandum shall explain fully the circumstances surrounding the errors or ambiguities, and shall be affixed to the original log in question. If written and signed by other than the inspecting operator who made the entry, the memorandum shall also be signed by the inspecting operator who made the entry, as agreeing with the contents of the memorandum, or shall contain a satisfactory explanation of why such signature is lacking.

5. Sections 73.281, 73.282, 73.283, 73.284, 73.581, 73.582, 73.583, 73.584, 73.668, 73.670, 73.671, and 73.672 will be amended to conform to §§ 73.111, 73.112, 73.113, and 73.114 as amended above.

[F.R. Doc. 65-5075; Filed, May 12, 1965; 8:50 a.m.]

Notices

DEPARTMENT OF THE INTERIOR

Bureau of Land Management ALASKA

Notice of Proposed Withdrawal and Reservation of Lands

MAY 5, 1965.

The Bureau of Indian Affairs has filed an application, Serial Number Fairbanks 034563, for withdrawal of the lands described below, from all forms of appropriation under the public land laws, including the mining laws, mineral leasing laws, grazing laws, and disposal of materials under the Material Act of 1947, as amended. The applicant desires the land for establishment of a native school reserve under the Act of May 31, 1938 (52 Stat. 593; 48 U.S.C. 353a).

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, Fairbanks District and Land Office, Post Office Box 1150, Fairbanks, Alaska.

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

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

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

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

The lands involved in the application:

TULUKSAK, ALASKA

Beginning at corner No. 1, bearing S. 72°40' E. 11 chains from M.C. No. 1, U.S. Survey 875; thence S. 17°20' W. 6.75 chains to corner No. 2, thence S. 72°40' E. 8 chains to corner No. 3, thence N. 17°20' E. 6.75 chains to corner No. 4, thence N. 72°40' W. 8 chains to corner No. 1 and the point of beginning.

The area described aggregates approximately 6.19 acres.

DONALD E. HARDING,
Acting Manager, Fairbanks
District and Land Office.

[F.R. Doc. 65-5068; Filed, May 12, 1965;
8:49 a.m.]

ALASKA

Notice of Proposed Withdrawal and Reservation of Lands

MAY 7, 1965.

The Bureau of Land Management, United States Department of the Interior, has filed an application, Serial Number Fairbanks 034575, for withdrawal of the lands described below, from all forms of appropriation under the public land laws, including the mining laws. The applicant desires the land for establishment of a Bureau of Land Management protective area, under Executive 10355 (43 U.S.C. 141).

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, Fairbanks District and Land Office, Post Office Box 1150, Fairbanks, Alaska.

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

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

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

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

The lands involved in the application are:

WONDER LAKE, ALASKA

Beginning at a point on the northerly boundary of Mt. McKinley National Park

adjacent to Wonder Lake, said point being in the vicinity of the intersection of the boundary with Willow Creek and also being twelve thousand five hundred feet (12,500') southwesterly from the boundary angle point adjacent to the Wonder Lake-Kantishna Road; thence N. 32°51' W. twenty four thousand one hundred sixty-seven feet (24,167') to a point; thence N. 57°09' E. nine thousand five hundred eighty-three feet (9,583') to a point; thence S. 32°51' E. six thousand eight hundred seventy-five feet (6,875') to a point; thence S. 81°06' E. twelve thousand four hundred fifty-five feet (12,455') to a point; thence S. 32°51' E. fifteen thousand feet more or less (15,000' more or less) to a point on the northerly boundary of the park; thence S. 85°02' W. seven thousand five hundred feet (7,500') along the said boundary to the above-mentioned angle point; thence S. 68°40' W. twelve thousand five hundred feet (12,500') to the point of beginning.

The area described aggregates approximately 9,118 acres.

ROSS A. YOUNGBLOOD,
Manager, Fairbanks District
and Land Office.

[F.R. Doc. 65-5067; Filed, May 12, 1965;
8:49 a.m.]

WASHINGTON

Notice of Filing of Protraction Diagrams (Unsurveyed Land)

MAY 6, 1965.

Notice is hereby given that effective at and after 10 a.m. on June 25, 1965, protraction diagram Unit No. 6 is officially filed of record in the Washington Land Office, Room 670 Bon Marche Building, Spokane, Wash., 99201, and is available to the public as a matter of information only. In accordance with Title 43, Code of Federal Regulations, these protractions will become the basic record for describing the land for all authorized purposes. Until this date and time the diagrams have been placed in open files and are available to the public for information only.

WASHINGTON PROTRACTION DIAGRAM NOTICE
OF FILING No. 7

(Unit No. 6)

WILLAMETTE MERIDIAN

T. 26 N., R. 2 W.,
Secs. 3 to 7 inclusive;
Sec. 8, N $\frac{1}{2}$;
Sec. 9, N $\frac{1}{2}$;
Sec. 10, N $\frac{1}{2}$.
T. 27 N., R. 2 W.,
Sec. 4, W $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 5, NW $\frac{1}{4}$, S $\frac{1}{2}$;
Secs. 6 to 8 inclusive;
Sec. 9, W $\frac{1}{2}$;
Sec. 10, W $\frac{1}{2}$;
Secs. 17 to 20 inclusive;
Sec. 21, W $\frac{1}{2}$;
Sec. 28, W $\frac{1}{2}$;
Secs. 29 to 32 inclusive;
Sec. 33, W $\frac{1}{2}$.

- T. 28 N., R. 2 W.,
Secs. 5 to 8 inclusive;
Secs. 17 to 19 inclusive;
Sec. 20, W $\frac{1}{2}$;
Sec. 29, W $\frac{1}{2}$;
Secs. 30 and 31;
Sec. 32, W $\frac{1}{2}$.
- T. 29 N., R. 2 W.,
Sec. 19, W $\frac{1}{2}$;
Sec. 30, W $\frac{1}{2}$;
Sec. 31, NW $\frac{1}{4}$, S $\frac{1}{2}$;
Sec. 32, S $\frac{1}{2}$.
- T. 24 N., R. 3 W.,
Sec. 5, N $\frac{1}{2}$, SW $\frac{1}{4}$;
Sec. 6.
- T. 25 N., R. 3 W.,
Sec. 1, N $\frac{1}{2}$;
Sec. 2, N $\frac{1}{2}$;
Secs. 3 to 11 inclusive;
Sec. 12, S $\frac{1}{2}$;
Secs. 13 to 24 inclusive;
Sec. 26, NW $\frac{1}{4}$, S $\frac{1}{2}$;
Secs. 27 to 35 inclusive.
- T. 26 N., R. 3 W.,
Secs. 1 to 12 inclusive;
Sec. 13, N $\frac{1}{2}$, SW $\frac{1}{4}$;
Sec. 14, N $\frac{1}{2}$, SE $\frac{1}{4}$;
Sec. 15, N $\frac{1}{2}$;
Sec. 16, N $\frac{1}{2}$;
Sec. 17, N $\frac{1}{2}$, SW $\frac{1}{4}$;
Sec. 18;
Sec. 19 excluding mineral survey;
Sec. 20, NW $\frac{1}{4}$, S $\frac{1}{2}$;
Sec. 21, NE $\frac{1}{4}$, S $\frac{1}{2}$;
Sec. 22, NW $\frac{1}{4}$, S $\frac{1}{2}$;
Sec. 23, SW $\frac{1}{4}$;
Sec. 25, S $\frac{1}{2}$;
Sec. 26, NW $\frac{1}{4}$, S $\frac{1}{2}$;
Secs. 27 to 36 inclusive.
- T. 27 N., R. 3 W.,
Secs. 1 to 4 inclusive;
Sec. 5 excluding mineral survey;
Sec. 6 excluding mineral survey;
Sec. 7 excluding mineral survey;
Sec. 8 excluding mineral survey;
Secs. 9 to 17 inclusive;
Sec. 18 excluding mineral survey;
Secs. 19 to 36 inclusive.
- T. 28 N., R. 3 W.,
T. 29 N., R. 3 W.,
Sec. 25, S $\frac{1}{2}$, NE $\frac{1}{4}$, S $\frac{1}{2}$;
Sec. 26, NW $\frac{1}{4}$, S $\frac{1}{2}$;
Sec. 27, E $\frac{1}{2}$, S $\frac{1}{2}$, NW $\frac{1}{4}$, SW $\frac{1}{4}$;
Sec. 28, S $\frac{1}{2}$, NE $\frac{1}{4}$, S $\frac{1}{2}$;
Sec. 29, S $\frac{1}{2}$;
Sec. 31, NE $\frac{1}{4}$, S $\frac{1}{2}$;
Secs. 32 to 36 inclusive.
- T. 23 N., R. 4 W.,
Sec. 3, N $\frac{1}{2}$;
Secs. 4 to 6 inclusive;
Sec. 7, N $\frac{1}{2}$;
Sec. 8, N $\frac{1}{2}$.
- T. 24 N., R. 4 W.,
Sec. 1, N $\frac{1}{2}$;
Sec. 2, N $\frac{1}{2}$;
Sec. 3, N $\frac{1}{2}$;
Sec. 4, N $\frac{1}{2}$, SW $\frac{1}{4}$;
Secs. 5 to 8 inclusive;
Sec. 9, NW $\frac{1}{4}$, S $\frac{1}{2}$;
Sec. 10, NE $\frac{1}{4}$, S $\frac{1}{2}$;
Sec. 11;
Sec. 12, NW $\frac{1}{4}$, S $\frac{1}{2}$;
Secs. 13 to 35 inclusive;
Sec. 36, N $\frac{1}{2}$, SW $\frac{1}{4}$.
- T. 25 N., R. 4 W.,
T. 26 N., R. 4 W.,
Secs. 1 to 12 inclusive;
Sec. 13 excluding mineral survey;
Secs. 14 to 23 inclusive;
Sec. 24 excluding mineral survey;
Secs. 25 to 36 inclusive.
- T. 27 N., R. 4 W.,
T. 28 N., R. 4 W.,
T. 29 N., R. 4 W.,
Secs. 19 to 22 inclusive;
Sec. 23, S $\frac{1}{2}$, NW $\frac{1}{4}$ excluding H.E.S. No. 146;
Sec. 24, S $\frac{1}{2}$;
Secs. 25 to 36 inclusive.
- T. 22 N., R. 5 W.,
Secs. 1 to 4 inclusive;
Sec. 5, SW $\frac{1}{4}$;
Sec. 6, NW $\frac{1}{4}$, S $\frac{1}{2}$;
Secs. 7 to 11 inclusive;
Sec. 12, S $\frac{1}{2}$;
Sec. 13, N $\frac{1}{2}$;
Sec. 16, W $\frac{1}{2}$;
Secs. 17 to 20 inclusive;
Secs. 29 to 32 inclusive.
- T. 23 N., R. 5 W.,
Secs. 1 to 8 inclusive;
Sec. 9, NW $\frac{1}{4}$, S $\frac{1}{2}$;
Sec. 10, NE $\frac{1}{4}$;
Sec. 11, N $\frac{1}{2}$;
Sec. 12, N $\frac{1}{2}$;
Secs. 16 to 22 inclusive;
Sec. 23, NW $\frac{1}{4}$, S $\frac{1}{2}$;
Sec. 25, W $\frac{1}{2}$;
Secs. 26 to 35 inclusive;
Sec. 36, NW $\frac{1}{4}$, S $\frac{1}{2}$.
- T. 24 N., R. 5 W.,
T. 25 N., R. 5 W.,
T. 26 N., R. 5 W.,
T. 27 N., R. 5 W.,
T. 28 N., R. 5 W.,
T. 29 N., R. 5 W.,
Sec. 7, SW $\frac{1}{4}$;
Secs. 18 to 20 inclusive;
Sec. 25, S $\frac{1}{2}$;
Sec. 26, S $\frac{1}{2}$;
Sec. 27, S $\frac{1}{2}$;
Secs. 28 to 36 inclusive.
- T. 22 N., R. 6 W.,
Secs. 1 to 34 inclusive.
- T. 23 N., R. 6 W.,
Secs. 1 to 8 inclusive;
Sec. 9 excluding mineral survey;
Sec. 10, excluding mineral survey;
Secs. 11 to 14 inclusive;
Sec. 15 excluding mineral survey;
Sec. 16 excluding mineral survey;
Secs. 17 to 36 inclusive.
- T. 24 N., R. 6 W.,
T. 25 N., R. 6 W.,
T. 26 N., R. 6 W.,
T. 27 N., R. 6 W.,
T. 28 N., R. 6 W.,
T. 29 N., R. 6 W.,
Secs. 6 to 9 inclusive;
Sec. 10, W $\frac{1}{2}$;
Sec. 13, S $\frac{1}{2}$;
Secs. 14 to 26 inclusive;
Secs. 30 to 36 inclusive.
- T. 23 N., R. 7 W.,
T. 24 N., R. 7 W.,
T. 24 $\frac{1}{2}$ N., R. 7 W.,
Secs. 31 to 36 inclusive.
- T. 25 N., R. 7 W.,
T. 26 N., R. 7 W.,
T. 27 N., R. 7 W.,
T. 28 N., R. 7 W.,
Sec. 1;
Sec. 2 excluding H.E.S. No. 53;
Sec. 3 excluding H.E.S. No. 52 and No. 53;
Sec. 4 excluding H.E.S. No. 52;
Secs. 5 to 10 inclusive;
Sec. 11 excluding H.E.S. No. 53;
Secs. 12 to 36 inclusive.
- T. 29 N., R. 7 W.,
Secs. 1 to 3 inclusive;
Sec. 4, E $\frac{1}{2}$;
Sec. 5, W $\frac{1}{2}$;
Secs. 6 and 7;
Sec. 8, W $\frac{1}{2}$;
Sec. 9, E $\frac{1}{2}$;
Secs. 10 to 15 inclusive;
Sec. 16, NE $\frac{1}{4}$, S $\frac{1}{2}$;
Sec. 7, NW $\frac{1}{4}$;
Secs. 18 and 19;
Secs. 21 to 28 inclusive;
Secs. 30 to 32 inclusive;
Sec. 33, excluding H.E.S. No. 52;
Sec. 34, excluding H.E.S. No. 52;
Secs. 35 and 36.
- T. 30 N., R. 7 W.,
Sec. 30, SW $\frac{1}{4}$, W $\frac{1}{2}$, SE $\frac{1}{4}$, SE $\frac{1}{4}$, SE $\frac{1}{4}$;
Sec. 31;
Secs. 35 and 36.
- T. 23 N., R. 8 W.,
T. 24 N., R. 8 W.,
Secs. 1 to 6 inclusive;
Secs. 8 to 10 inclusive;
Sec. 12, E $\frac{1}{2}$;
Sec. 13, NE $\frac{1}{4}$;
Sec. 15, N $\frac{1}{2}$;
Secs. 16 and 17;
Sec. 20, N $\frac{1}{2}$;
Sec. 25;
Sec. 32, SE $\frac{1}{4}$;
Sec. 33, S $\frac{1}{2}$, N $\frac{1}{2}$ excluding H.E.S. No. 116 and No. 257;
Secs. 34 to 36 inclusive.
- T. 24 $\frac{1}{2}$ N., R. 8 W.,
Secs. 31 to 36 inclusive.
- T. 25 N., R. 8 W.,
T. 26 N., R. 8 W.,
T. 27 N., R. 8 W.,
T. 28 N., R. 8 W.,
T. 29 N., R. 8 W.,
T. 30 N., R. 8 W.,
Sec. 19, S $\frac{1}{2}$;
Sec. 25, S $\frac{1}{2}$;
Sec. 26, S $\frac{1}{2}$;
Sec. 27, NW $\frac{1}{4}$, S $\frac{1}{2}$;
Secs. 28 to 36 inclusive.
- T. 26 N., R. 8 $\frac{1}{2}$ W.,
Secs. 1 and 2;
Secs. 11 to 14 inclusive;
Secs. 23 to 26 inclusive;
Secs. 35 and 36.
- T. 26 N., R. 8 $\frac{1}{2}$ W.,
Secs. 1 and 2;
Secs. 11 to 14 inclusive;
Secs. 23 to 26 inclusive;
Secs. 35 and 36.
- T. 27 N., R. 8 $\frac{1}{2}$ W.,
Secs. 1 and 2;
Secs. 11 to 14 inclusive;
Secs. 23 to 26 inclusive;
Secs. 35 and 36.
- T. 28 N., R. 8 $\frac{1}{2}$ W.,
Secs. 1 and 2;
Secs. 11 to 14 inclusive;
Secs. 23 to 26 inclusive;
Secs. 35 and 36.
- T. 22 N., R. 9 W.,
Secs. 2 to 5 inclusive;
Sec. 7 excluding H.E.S. No. 118;
Secs. 8 to 11 inclusive;
Sec. 14, N $\frac{1}{2}$, SW $\frac{1}{4}$;
Secs. 15 to 21 inclusive;
Sec. 22, N $\frac{1}{2}$, SW $\frac{1}{4}$;
Secs. 28 and 29;
Sec. 32, N $\frac{1}{2}$, SE $\frac{1}{4}$;
Sec. 33, N $\frac{1}{2}$, SW $\frac{1}{4}$.
- T. 23 N., R. 9 W.,
Sec. 1, S $\frac{1}{2}$ excluding H.E.S. No. 142;
Sec. 11, excluding H.E.S. No. 144;
Secs. 12 to 14 inclusive;
Sec. 15 excluding H.E.S. No. 145;
Secs. 22 to 28 inclusive;
Secs. 33 to 36 inclusive.
- T. 24 N., R. 9 W.,
Secs. 1 to 12 inclusive;
Sec. 14, N $\frac{1}{2}$.
- T. 24 $\frac{1}{2}$ N., R. 9 W.,
Secs. 31 to 36 inclusive.
- T. 25 N., R. 9 W.,
T. 28 N., R. 9 W.,
T. 29 N., R. 9 W.,
Secs. 1 to 5 inclusive;
Secs. 8 to 17 inclusive;
Secs. 20 to 28 inclusive;
Sec. 29, N $\frac{1}{2}$;
Sec. 33, N $\frac{1}{2}$, SE $\frac{1}{4}$;
Secs. 34 to 36 inclusive.
- T. 30 N., R. 9 W.,
Sec. 19, E $\frac{1}{2}$;
Secs. 20 to 22 inclusive;
Sec. 23, W $\frac{1}{2}$;
Sec. 26, N $\frac{1}{2}$, NW $\frac{1}{4}$, SW $\frac{1}{4}$, NW $\frac{1}{4}$;
Sec. 27, N $\frac{1}{2}$, N $\frac{1}{2}$, SE $\frac{1}{4}$, NE $\frac{1}{4}$;
Sec. 28, N $\frac{1}{2}$, N $\frac{1}{2}$;
Sec. 29, N $\frac{1}{2}$, NE $\frac{1}{4}$, NW $\frac{1}{4}$;
Sec. 36, E $\frac{1}{2}$.
- T. 24 N., R. 10 W.

T. 24½ N., R. 10 W.,
 Sec. 31 excluding H.E.S. No. 115;
 Secs. 32 to 36 inclusive;
 T. 28 N., R. 10 W.,
 T. 29 N., R. 10 W.,
 Sec. 5, NW¼, S½;
 Secs. 6 to 9 inclusive;
 Sec. 10, NW¼, S½;
 Secs. 15 to 22 inclusive;
 Secs. 27 to 34 inclusive;
 T. 30 N., R. 10 W.,
 Sec. 4, S½;
 Sec. 5, S½;
 Sec. 6, S½;
 Secs. 7 to 18 inclusive;
 Sec. 19, N½;
 Sec. 20, N½;
 Sec. 21, N½;
 Sec. 22, N½;
 Sec. 23, N½, excluding mineral survey;
 Sec. 24, N½, excluding mineral survey;
 T. 24 N., R. 10½ W.,
 Sec. 1, S½;
 Sec. 2, S½;
 Secs. 11 to 14 inclusive;
 Secs. 23 to 26 inclusive;
 Secs. 35 and 36;
 T. 28 N., R. 11 W.,
 Sec. 1, N½;
 Sec. 2, N½;
 Secs. 3 to 9 inclusive;
 Secs. 17 and 18;
 T. 29 N., R. 11 W.,
 Sec. 1, S½;
 Sec. 2, S½;
 Secs. 11 to 14 inclusive;
 Sec. 15, E½, SW¼;
 Sec. 16, SE¼;
 Sec. 19, NW¼, S½;
 Sec. 20, S½;
 Sec. 21, E½, SW¼;
 Secs. 22 to 36 inclusive;
 T. 30 N., R. 11 W.,
 Secs. 3 to 5 inclusive;
 Sec. 8, N½;
 Sec. 9, N½;
 Secs. 10 and 11;
 Sec. 12, W½, SE¼;
 Secs. 13 to 15 inclusive;
 Sec. 20, E½;
 Secs. 21 to 24 inclusive;
 T. 29 N., R. 12 W.,
 Sec. 8, S½;
 Sec. 9, S½;
 Sec. 16, N½, SW¼;
 Secs. 17 to 19 inclusive;
 Sec. 20, N½, SW¼;
 Sec. 21, NW¼;
 Sec. 25, W½, SE¼;
 Sec. 26, NE¼, S½;
 Sec. 29, W½;
 Sec. 30;
 Sec. 35, N½, SE¼;
 Sec. 36, N½, SW¼;
 T. 30 N., R. 12 W.,
 Secs. 3 to 5 inclusive;
 Sec. 6, NE¼, NE¼, SE¼, E½SW¼,
 SW¼SW¼;
 Sec. 7, NE¼, E½NW¼, NW¼NW¼,
 N½SE¼;
 Sec. 8, N½, N½SW¼, SE¼SW¼, SE¼;
 Sec. 9, N½N½;
 Sec. 10, SE¼, E½SW¼, SW¼SW¼,
 N½NW¼;
 Sec. 11, SW¼, W½SE¼, SE¼SE¼;
 Sec. 12, S½S½;
 Secs. 13 and 14;
 Sec. 15, NE¼, E½NW¼, NW¼NW¼,
 N½SE¼, SE¼SE¼;
 Sec. 17, N½NE¼, NE¼NW¼;
 Sec. 23, N½NE¼, NE¼NW¼;
 Sec. 24, N½N½;
 T. 31 N., R. 12 W.,
 Sec. 30, NW¼, S½;
 Sec. 31;
 Sec. 32, NW¼, S½;
 T. 29 N., R. 13 W.,
 Sec. 13, S½S½;
 Sec. 23, NE¼NE¼, S½NE¼, SE¼;
 Secs. 24 and 25;
 Sec. 26, NE¼, N½SE¼, SE¼SE¼;
 Sec. 30, N½N½.

Copies of this diagram are for sale at the Washington State Land Office, Bureau of Land Management, Room 670 Bon Marche Building, Spokane, Wash., 99201.

JOHN E. BURT, Jr.,
 Officer in Charge.

[F.R. Doc. 65-5068; Filed, May 12, 1965;
 8:49 a.m.]

[Group 419]

CALIFORNIA

Notice of Filing of Plats of Survey; Order Providing for Opening of Public Lands.

MAY 5, 1965.

1. Plats of survey of the lands described below will be officially filed in the District and Land Office, Riverside, Calif., effective 10 a.m. on June 7, 1965.

SAN BERNARDINO MERIDIAN, CALIF.

T. 14 S., R. 22 E.,
 Sec. 16: N½ and SE¼;
 Sec. 17: N½;
 Sec. 35: Lots 1 through 8, incl.;
 Sec. 36: All.

The area described aggregates 1,772.31 acres. Plat of survey accepted March 3, 1965.

T. 14 S., R. 23 E.,
 Sec. 16: All;
 Sec. 36: All.

The area described aggregates 1,280.00 acres. Plat of survey accepted March 18, 1965.

2. Except for and subject to valid existing rights, it is presumed that title to the following described lands passed to the State of California upon acceptance of the plats of survey:

SAN BERNARDINO MERIDIAN, CALIF.

T. 14 S., R. 22 E.,
 Sec. 16: N½ and SE¼;
 Sec. 36: All.

T. 14 S., R. 23 E.,
 Sec. 16: All;
 Sec. 36: N½, SW¼, N½SE¼, SW¼SE¼,
 W½SE¼SE¼ and NE¼SE¼SE¼.

The area described aggregates 2,390.00 acres.

3. The following described lands have been withdrawn by Public Land Order 3262 of October 29, 1963 (28 F.R. 11731), from all forms of appropriation under the public land laws, including the mining but not the mineral leasing laws, subject to valid existing rights for use of the Bureau of Reclamation in connection with the Senator Wash Pump Storage Project:

SAN BERNARDINO MERIDIAN, CALIF.

T. 14 S., R. 23 E.,
 Sec. 36: SE¼SE¼SE¼.

The area described aggregates 10.00 acres.

4. The following described lands are open to application, location, selection, and petition as outlined in paragraph 6 below. No application for these lands will be allowed under the homestead, desert land, small tract, or any other non-mineral public land law, unless the lands have already been classified upon consideration of an application. Any ap-

plication that is filed will be considered on its merits. The lands will not be subject to occupancy or disposition until they have been classified:

SAN BERNARDINO MERIDIAN, CALIF.

T. 14 S., R. 22 E.,
 Sec. 17: N½;
 Sec. 35: Lots 1 through 8, incl.

The area described aggregates 652.31 acres.

5. Land use characteristics: The lands described in paragraph 4 above lie south and west of the Chocolate Mountains approximately 2 miles southwest and 5 miles southeast of Picacho Peak and about 14 miles north of Winterhaven in Imperial County, Calif. Elevations range from 850 to 1,000 feet above mean sea level. The climate in the area is extremely arid and vegetation is sparse and of no economic significance.

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

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

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

(2) All valid applications and selections under the nonmineral public land laws and applications and offers under the mineral leasing laws presented prior to 10 a.m. on June 7, 1965, will be considered as simultaneously filed at that hour. Rights under such applications and selections and offers filed after that hour will be governed by the time of filing.

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

7. Inquiries concerning these lands should be addressed to the Manager, District and Land Office, Bureau of Land Management, 1414 Eighth Street, Post Office Box 723, Riverside, Calif., 92502.

HALL H. McCLAIN,
 Manager.

[F.R. Doc. 65-5041; Filed, May 12, 1965;
 8:47 a.m.]

[Serial No. Idaho 016390]

IDAHO

Notice of Proposed Withdrawal and Reservation of Lands

MAY 6, 1965.

The Bonneville Power Administration has filed an application Serial Number Idaho 016390 for the withdrawal of the lands described below, from all forms of appropriation under the public land laws including the mining and mineral leasing laws and disposal of materials under the Act of July 31, 1947 (61 Stat. 681; 30 U.S.C. 601-604), as amended. The applicant desires the land for the construction and operation of the Idaho Substation.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, Post Office Box 2237, Boise, Idaho, 83701.

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

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

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

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

The lands involved in the application are:

BOISE MERIDIAN, IDAHO

- T. 11 S., R. 26 E.,
 Sec. 34, a parcel of land described as beginning at a point in the south line of said section 34, S. 89°42' E., 3128.3 feet from the southwest corner of said section 34.
 From the point of beginning,
 N. 0°18' E., 230 feet;
 S. 89°42' E., 398.5 feet to a point in the highway right-of-way line;
 S. 27°54' E., along said westerly line, 34 feet;
 N. 89°42' W., 224.5 feet;
 S. 0°18' W., 200 feet, to a point in the south line of said section 34;
 N. 89°42' W. 190 feet, along said south line to the point of beginning.

NOTICES

The area as described contains 1.15 acres, more or less in Cassia County, Idaho.

EUGENE E. BABIN,
 Acting Land Office Manager.

[F.R. Doc. 65-5042; Filed, May 12, 1965;
 8:47 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration
 ELANCO PRODUCTS CO.

Notice of Withdrawal of Petition for Food Additives Tylosin, Arsanilic Acid

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

In accordance with § 121.52 *Withdrawal of petitions without prejudice* of the procedural food additive regulations (21 CFR 121.52), Elanco Products Co., a division of Eli Lilly & Co., Indianapolis, Ind., 46206, has withdrawn its petition (FAP 3D1039), published in the FEDERAL REGISTER of June 5, 1963 (28 F.R. 5537), proposing the issuance of a regulation to provide for the safe use in swine feed of a combination of arsanilic acid at 90 grams per ton with tylosin at 20 to 40 grams per ton of complete feed.

The withdrawal of this petition is without prejudice to a future filing.

Dated: May 5, 1965.

MALCOLM R. STEPHENS,
 Assistant Commissioner
 for Regulations.

[F.R. Doc. 65-5053; Filed, May 12, 1965;
 8:48 a.m.]

AMERICAN CYANAMID CO.

Notice of Filing of Petition for Food Additives Adhesives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 5B1745) has been filed by American Cyanamid Co., Wayne, N.J., 07470, proposing that paragraph (c)(5) of § 121.2520 *Adhesives* be amended by inserting alphabetically in the list "Components of Adhesives" two items, as follows:

- 2.2-Dimethyl-1,3-propanediol as a monomer in polyester resins named in this subparagraph.
 Tetrahydrophthalic acid as a monomer in polyester resins named in this subparagraph.

Dated: May 6, 1965.

MALCOLM R. STEPHENS,
 Assistant Commissioner
 for Regulations.

[F.R. Doc. 65-5052; Filed, May 12, 1965;
 8:48 a.m.]

FOREIGN-TRADE ZONES BOARD

[Order 66]

SAN FRANCISCO FOREIGN-TRADE ZONE NO. 3

Extension of Time To Occupy Present Sites

Pursuant to the authority granted in the Foreign-Trade Zones Act of June 18, 1934, as amended (48 Stat. 998-1003; 19 U.S.C. 81a-81u), the Foreign-Trade Zones Board has adopted the following order which is promulgated for the information and guidance of all concerned:

Whereas, the Foreign-Trade Zones Board, acting on a request of the San Francisco Port Authority and by Board Order No. 44, dated May 5, 1958, did establish the temporary location of Foreign-Trade Zone No. 3 at Pier No. 46C (33 Berry Street and 128-130 King Street) for a period of not to exceed three (3) years.

Whereas, the Foreign-Trade Zones Board, acting on subsequent requests of the San Francisco Port Authority, did grant two extensions of time for the temporary location of Zone No. 3, the most recent of which permitted operation at the temporary location until June 30, 1965.

Whereas, the San Francisco Port Authority, Grantee of Foreign-Trade Zone No. 3, by letter of November 6, 1964, did request permission to operate Zone No. 3 at its temporary location for an additional three (3) years, i.e. until June 30, 1968.

Now, therefore, the Foreign-Trade Zones Board, after reviewing the San Francisco Port Authority request for a three (3) year extension of time (June 30, 1965, to June 30, 1968), for the operation of Foreign-Trade Zone No. 3 at its present temporary location, approves an extension of the operation of Zone No. 3 at its present location for an indefinite period of time, provided that continued operation of the zone at such location beyond June 30, 1968, will automatically terminate the temporary status of that location and thereafter it will be the permanent zone site.

It is found that compliance with the notice, public rule making procedure, and effective date requirements of the Administrative Procedure Act (5 U.S.C. 1003) is unnecessary in connection with the issuance of this order, because its application is restricted to one foreign-trade zone, and is of a nature that it imposes no burden on the parties of interest. The effective date is, therefore, upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., this 5th day of May 1965.

[SEAL] JOHN T. CONNOR,
 Secretary of Commerce, Chairman and Executive Officer,
 Foreign-Trade Zones Board.

Attest:

RICHARD H. LAKE,
 Executive Secretary,
 Foreign-Trade Zones Board.

[F.R. Doc. 65-5080; Filed, May 12, 1965;
 8:46 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 15493]

SOUTHERN AIRWAYS, INC.

Notice of Hearing

Renewal of Southern Airways, Inc., segments 1(b), 6, 8, 9, and 10, and Anniston, Alabama on segment 1.

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a hearing on the above-entitled application is assigned to be held on June 8, 1965, at 10 a.m., local time, in the National Guard Armory, Crossville, Tenn., before Examiner Joseph L. Fitzmaurice.

Dated at Washington, D.C., May 6, 1965.

(SEAL) JOSEPH L. FITZMAURICE,
Hearing Examiner.

[F.R. Doc. 65-5071; Filed, May 12, 1965;
8:49 a.m.]

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service
ORGANIZATION, FUNCTIONS, AND
DELEGATIONS OF AUTHORITY

Pursuant to order of the Secretary dated February 8, 1965, appearing in 30 F.R. 2160, changing the name of the Agricultural Marketing Service to Consumer and Marketing Service, the statement of Organization, Functions, and Delegations of Authority of the Agricultural Marketing Service, appearing in 30 F.R. 1260, is hereby amended by changing the term "Agricultural Marketing Service" to "Consumer and Marketing Service" wherever it appears and by changing the term "AMS" to "C&MS" wherever it appears.

Section 1, General, is amended by deleting the word "and" after the last semicolon, changing the period at the end of the statement to semicolon and adding the following "and warehouse examination functions, but not including the functions of inventory management."

The name "Special Services Division" is changed to read, "Transportation and Warehouse Division" wherever it appears in sections 2, 5, and 11. Section 5(i) is further amended so as to read:

(1) Transportation and Warehouse Division. The Transportation and Warehouse Division is responsible for:

(1) Administering the U.S. Warehouse Act, as amended;

(2) Warehouse examination functions in connection with warehouses storing commodities pursuant to contracts or agreements with Commodity Credit Corporation;

(3) Administering provisions of section 201 of the Agricultural Adjustment Act of 1938, section 203(j) of the Agricultural Marketing Act of 1946, as amended, and certain related authorities covering adjustment in freight rates and services for agricultural products and farm supplies;

(4) Acting for, or assisting on assignment from, the Office of the Administrator

in directing and coordinating and planning activities and operations assigned C&MS with respect to civil defense and defense mobilization; and

(5) Executing other marketing services programs and activities as assigned.

The name "Marketing Information Division" is changed to "Information

Division" wherever it appears in sections 3 and 9.

Issued at Washington, D.C., this 10th day of May 1965.

S. R. SMITH,
Administrator.

[F.R. Doc. 65-5072; Filed, May 12, 1965;
8:49 a.m.]

SCOTT COUNTY LIVESTOCK AUCTION ET AL.

Notice of Changes in Names of Posted Stockyards

It has been ascertained, and notice is hereby given, that the names of the livestock markets referred to herein, which were posted on the respective dates specified below as being subject to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), have been changed as indicated below.

ARKANSAS

Original name of stockyard, location, and date of posting	Current name of stockyard and date of change in name
Scott County Livestock Auction, Waldron, Dec. 17, 1958.	Scott County Livestock Auction, Inc., Jan. 18, 1965.

CALIFORNIA

Gridley Auction Yard, Gridley, Nov. 18, 1959.	Gridley Auction & Sales Yard, Jan. 13, 1965.
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FLORIDA

Hardee Livestock Market, Wauchula, Feb. 25, 1960.	Hardee Livestock Market, Inc., Aug. 20, 1964.
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GEORGIA

Vidalia Livestock Market, Vidalia, Apr. 21, 1961.	Vidalia Livestock Auction, Inc., Jan. 15, 1965.
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IOWA

Ankeny Sales Pavilion, Ankeny, Apr. 29, 1957.	Farmers Livestock Market Co., Mar. 29, 1965.
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KANSAS

Mound City Sales Co., Mound City, Apr. 19, 1963.	Mound City Livestock Auction Co., Jan. 11, 1965.
Osborne Livestock Commission Co., Osborne, Apr. 24, 1950.	The Osborne Livestock Commission Co., Jan. 1, 1965.

NEW YORK

N. Johncox Sons, Palmyra, Aug. 1, 1960.	Steuben County Livestock Market, Mar. 19, 1965.
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TEXAS

Huntsville Auction Co., Huntsville, May 12, 1959.	Huntsville Livestock Auction Co., Mar. 25, 1965.
Farmer's & Rancher's Commission Co., Tyler, Feb. 21, 1961.	Farmers & Ranchers Livestock Commission Co., Dec. 16, 1964.

UTAH

Salina Auction Co., Salina, Jan. 28, 1955.	Producers Livestock Marketing Association, Apr. 2, 1965.
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WYOMING

Riverton Auction, Riverton, June 27, 1950.	Riverton Livestock Auction, Mar. 1, 1965.
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Done at Washington, D.C., this 10th day of May 1965.

K. A. POTTER,
Acting Chief, Rates and Registrations Branch, Packers and
Stockyards Division, Consumer and Marketing Service.

[F.R. Doc. 65-5073; Filed, May 12, 1965; 8:49 a.m.]

FEDERAL COMMUNICATIONS
COMMISSION

[Docket No. 15962; FCC 65-308]

WILLIAM S. HOGIN

Order Designating Applications for
Consolidated Hearing on Stated
Issues

In re application of William S. Hogin, Phoenix, Ariz., Docket No. 15962; for renewal of General Class amateur operator and station license, call sign K7DHF.

At a session of the Federal Communications Commission, held at its offices in Washington, D.C., on the 21st day of April 1965:

The Commission having under consideration the application of William S. Hogin, 3043 North 56th Street, Phoenix, Ariz., for renewal of his General Class amateur operator and station license, K7DHF, filed on July 9, 1964, pursuant to § 97.47 of the Commission's rules; and

It appearing, that William S. Hogin, formerly held a General Class amateur operator and station license, K7DHF, which expired on May 18, 1964; and

It further appearing, that on January 17, 1964, William S. Hogin, in attempting

to obtain a second General Class amateur operator and station license violated § 97.129 of the Commission's rules, and Title 18, section 1001 of the U.S. Code; in that he used the alias of Bill X. Hogin, and gave a false birth date without disclosing that he already held a valid General Class amateur operator and station license, K7DHF; and

It further appearing, that, except for the facts set forth above, the applicant is legally and technically qualified to hold the license for which the captioned application has been made; and

It further appearing, that in view of the foregoing, the Commission is unable to find that the public interest, convenience, and necessity would be served by the grant of the captioned application:

It is ordered, Pursuant to sections 309(e) and 303(d) of the Communications Act of 1934, as amended, that the captioned application is designated for hearing, at a time and place to be specified by subsequent order, upon the following issues:

1. To determine the facts and circumstances concerning the filing of an application for a General Class amateur radio operator and station license in the name of Bill X. Hogin on January 17, 1964, particularly with regard to the answers to the following items on the application form: Name of applicant, date of birth, and current call sign, if presently licensed.

2. To determine whether the answers to the items on the application as set forth in the first issue were falsely stated by the applicant William S. Hogin.

3. To determine whether the applicant possesses the requisite qualifications to be, and may be relied upon to carry out his responsibilities as, a General Class amateur radio operator and station licensee.

4. To determine whether, in the light of the evidence adduced under the foregoing issues, the public interest, convenience, and necessity would be served by the grant of the captioned application.

It is further ordered, That, the burden of proceeding with the introduction of evidence and the burden of proof on all issues shall be on the applicant; and

It is further ordered, That to avail himself of the opportunity to be heard, the applicant, in person or by his attorney, shall within 20 days of the mailing of this order, file with the Commission, in triplicate, a written appearance stating that he will appear on the date fixed for hearing and present evidence on the issues specified in this order.

Released: May 10, 1965.

FEDERAL COMMUNICATIONS
COMMISSION,¹

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-5076; Filed, May 12, 1965;
8:50 a.m.]

¹ Commissioners Lee and Cox absent.

[Docket Nos. 16001-16003; FCC 65-379]

TELEVISION BROADCASTERS, INC. (KBMT) AND TEXAS GOLDCOAST TELEVISION, INC. (KPAC-TV)

Memorandum Opinion and Order Designating Applications for Con- solidated Hearing on Stated Issues

In re applications of Television Broadcasters, Inc. (KBMT), Beaumont, Tex., Docket No. 16001, File No. BPCT-3266, for construction permit; Television Broadcasters, Inc. (KBMT), Beaumont, Tex., Docket No. 16003, File No. BRCT-560; Texas Goldcoast Television, Inc. (KPAC-TV), Port Arthur, Tex., Docket No. 16002, File No. BRCT-389; for renewal of licenses.

1. The Commission has before it for consideration a Petition for Reconsideration filed February 8, 1965, by KSLA-TV, Inc., licensee of Television Broadcast Station KSLA-TV, Channel 12, Shreveport, La., a Petition for Reconsideration filed February 8, 1965, by Texas Goldcoast Television, Inc., licensee of Television Broadcast Station KPAC-TV, Channel 4, Port Arthur, Tex., and various pleadings filed in connection therewith. By Memorandum Opinion and Order released January 8, 1965 (FCC 65-15, 4 R.R. 2d 119), the Commission granted without hearing the above-captioned application of Television Broadcasters, Inc., licensee of Television Broadcast Station KBMT, Channel 12, Beaumont, Tex., which requested a construction permit to make certain changes in the facilities of that station. The Commission considered the pleadings filed in connection with the application and found that the public interest, convenience, and necessity would be served by a grant of the application and that no substantial and material questions of fact had been raised warranting designation of the application for hearing. The Commission waived § 73.610 of its rules to permit operation at short-spacing to the cochannel station in Shreveport, La., and the grant was conditioned to require the applicant to provide "equivalent protection" to the cochannel station in accordance with applicant's representations to the Commission. We are now asked to reconsider our action and to designate the application for hearing on issues requested by the petitioner Texas Goldcoast Television, Inc. (hereinafter KPAC). Petitioner KSLA-

¹ The Commission also has before it for consideration: (a) Opposition filed Mar. 16, 1965, by applicant against both Petitions for Reconsideration, and (b) Reply filed Apr. 19, 1965, by Texas Goldcoast Television, Inc., to (a), above. The parties requested and were granted extensions of time within which to file their various pleadings. The Petition for Reconsideration filed by Texas Goldcoast was originally captioned "Petition for Reconsideration and Stay", but was subsequently corrected to delete the words "and Stay" in order to conform to § 1.42(e) of the Commission's rules.

TV, Inc. (hereinafter KSLA), also requests reconsideration on the basis that the conditions attached to the grant do not, in fact, assure that the applicant will provide the "equivalent protection" which it has undertaken to provide. KSLA requests that if the Commission does not reconsider and designate the application for hearing, the conditions should nevertheless be modified to assure the "equivalent protection" which was promised. The applicant has indicated that it would be agreeable to such modification. Accordingly, in view of our disposition of this matter, we believe that it would be appropriate to provide for the additional conditions requested by KSLA.

2. Petitioner KPAC requests reconsideration on the basis of four principal questions which it alleges that the Commission resolved erroneously. First KPAC states that the Commission erred in its determination that the grant to KBMT would, inter alia, improve ABC's competitive position in the market vis-a-vis the other two national networks because circumstances have so changed since the application and original pleadings were filed that the basis for the Commission's determination of competitive imbalance no longer exists. Second, KPAC contends that while the Commission discussed television services available in the two areas in which applicant's Grade B signal would be lost in the event of a grant, the Commission did not consider the television services available in the gain area. Third, petitioner alleges that the Commission accepted at face value the allegations of applicant's aeronautical consultant with respect to the possibilities of locating a tower at any site other than that which it has selected and the likelihood of securing clearance from the Federal Aviation Agency for any other site. Finally, petitioner attacks the validity of the programming survey made by the applicant pursuant to the Commission's letter to the applicant of July 29, 1964. Petitioner also complains that it was never served by the applicant with a copy of the programming survey.

3. KPAC argues that the Commission discussed the television services available in the areas which would lose KBMT's Grade B signal in the event of a grant of the application, but that it did not discuss the television services available in the gain area. Thus, KPAC argues, no consideration was given to whether there is a need for the proposed new service. Petitioner now comes in, for the first time, with a showing of the television services available in the gain area and suggests that these figures demonstrate that there is no need for the new service proposed. Using petitioner's own computations, it appears that there are between two and six other television broadcast services available in the Grade B gain area. Approximately one-third of this area, however, has but two services available and applicant's improved

signal would bring the third television service and the first ABC signal to this area. In the remainder of the gain area, there appears to be one or two other ABC signals available. No part of the two loss areas, however, is without at least one ABC Grade B signal in addition to that presently provided by applicant. On the basis of petitioner's figures, the area which will receive a first ABC Grade B service consists of 28,187 persons in an area of 1,462 square miles. In the western loss area, the bulk of the area consists of the waters of Galveston Bay and East Bay and the loss of populated land area is, therefore, insignificant. On balance, consideration of these facts does not lead us to a result different from that which we reached in our original deliberations.

4. Prior to a grant of the application, applicant had submitted an affidavit by its aeronautical consultant which expressed the opinion that, for various reasons, a proposal to locate applicant's transmitter at any site which would meet the spacing requirements and still enable it to achieve its objectives would meet with objections by the Federal Aviation Agency. KPAC has now submitted an affidavit from its own aeronautical consultant which, in most respects, disputes the opinion of the applicant's expert. It seems to us, however, that petitioner could have secured its expert's affidavit and submitted it in timely fashion consistent with § 1.106(c) of the Commission's rules. Petitioner made no effort in the 2-month period between February 20, 1964, when applicant's aeronautical consultant's affidavit was filed, and April 30, 1964, when petitioner filed its reply, to dispute the opinion of applicant's expert. More important, however, is the fact that petitioner made no attempt to show that a site other than that chosen by the applicant was available to the applicant which would meet the spacing requirements, meet air safety criteria, and permit applicant to achieve its objectives. The Commission, however, had before it a letter from the Federal Aviation Agency dated July 14, 1964, in which that agency stated:

The KPAC-TV petition is reported as suggesting an increase of height of the existing KBMT-TV (sic) antenna. The antenna is at the maximum height now which would not have an adverse effect on air navigation. Another suggestion offered by KPAC-TV in its petition, according to the region [FAA's Southwest Regional Office], is that there is another area to which KBMT-TV could move. The region advises that the site selected by KBMT-TV is in an area between two other 1,049-foot towers and, therefore, is in the most acceptable location from an aeronautical standpoint. The region further advises the site would be in an area conforming to the antenna farm area concept.

It is apparent, from the foregoing, that the Federal Aviation Agency strongly supported the proposed site and this support was recognized in our Memorandum Opinion and Order granting the application. In the light of these facts, we are not persuaded that petitioner's showing warrants reversal of our prior decision.

5. KPAC attacks the validity of the survey made by the applicant pursuant

to the Commission's letter of July 29, 1964. Petitioner makes the grave charge that the "purported KBMT survey is not only manifestly superficial and contrived—it is of highly questionable veracity." Petitioner suggests that the survey was fraudulent because, based on a "check survey" conducted by KPAC subsequent to applicant's survey, many of the persons allegedly interviewed categorically denied having been contacted by KBMT. In many instances, KPAC shows that the responses made by interviewees differ substantially from those reported by KBMT. Applicant, however, has furnished affidavits from these same people in which they deny that they were ever contacted by KPAC or that they said what KPAC reported them as having said. In effect, these affidavits purport to demonstrate that the KPAC "check survey", and not the KBMT survey, was contrived and fraudulent. KPAC has not furnished affidavits from its interviewees and, in fact, only furnished affidavits from its interviewers in response to KBMT's pleadings. The Commission is gravely concerned where, as here, it appears that one or both of the Commission's licensees may have attempted to deceive and mislead the Commission. We have before us conflicting claims, charges, and countercharges which we cannot resolve on the basis of the pleadings alone. We will, therefore, designate this matter for hearing on issues related to the facts and circumstances surrounding the conduct and content of the surveys made by KBMT and KPAC and the basis for the representations made by the parties to the Commission. Moreover, we believe that the applications for renewal of the licenses of Stations KBMT and KPAC-TV should also be designated for hearing in a consolidated proceeding with KBMT's application for a construction permit. We will provide for a field hearing in Beaumont, Tex., and will order an expedited proceeding. We recognize that, in order to permit immediate consideration of the renewal applications, it will be necessary to waive § 1.580(b) of our rules and our order so provides. Processing of the renewal applications has not been completed and it is possible that the parties may wish to request enlargement of the issues in this proceeding to enable the Hearing Examiner to consider such additional questions as may be raised as a result of the normal processing of the renewal applications.

6. The basic thrust of KPAC's request for reconsideration is its contention that, since the filing of the application and the pleadings filed in connection therewith, the competitive position of ABC vis-a-vis the other national networks has changed to the extent that ABC is now at least equal to the other networks nationally and, in some respects, leads the other networks. At the outset, we note that the material furnished by the petitioner to support this proposition consists of excerpts from articles contained in various trade publications and newspapers. More important, however, is the fact that the material which the petitioner has offered in support of its contentions is

related to the national position of the networks and does not refute the Commission's findings that, in the Beaumont-Port Arthur market, ABC has competitively inferior facilities available to it. The Commission's decision was based upon findings, supported by the pleadings, that in the Beaumont-Port Arthur market, the facilities available to ABC were inferior to those available to the other national networks, resulting in a significant competitive imbalance in that market. Assuming, arguendo, that the petitioner made a prima facie showing that ABC is on a par nationally with the other networks, it would not follow that ABC has the opportunity to be competitive in the Beaumont-Port Arthur market. The petitioner must make a prima facie showing that equal opportunities to be competitive exist in the Beaumont-Port Arthur market for all of the networks. With respect to this narrow issue, petitioner has alleged nothing which has not already been considered by the Commission in reaching its original decision. We stated, in our original opinion, that it was neither our purpose nor function to assure competitive equality in any given market, but that it was our duty to provide, when possible and feasible, the opportunity for effective competition among the networks. When we have done that, we have done all that we can under the present statutory scheme in promoting a more effective competitive climate.

7. Finally, KPAC attacks the Commission's action of July 29, 1964, by which the Commission sent a letter to the applicant requiring the applicant to furnish additional information in the form of a programming submission and affording the applicant an opportunity to make any necessary surveys and changes in its programming proposal to reflect its efforts to accommodate the needs and interests of the people in the new area which it proposed to serve. Petitioner characterizes this action by the Commission as an "effort by the Commission in an adversary situation, to assist the applicant, in meeting his burden of proof * * *" and "an apparent disposition on the part of the Commission to assist the applicant in meeting its burden of proof and in making a case for waiver." Such assertions can only be the result of a lack of knowledge and understanding of the Commission's purpose and functions. Such action by the Commission is neither unique nor unprecedented. *KTBS, Inc.*, FCC 63-359, 25 RR 301. It is well within the authority of the Commission to require additional information from applicants² and the Commission's rules contemplate that the Commission may require an applicant to amend its application, even in an adversary proceeding.³ KPAC further complains that it was not served by applicant with a copy of the survey results and states that there is serious question as to whether the survey does not violate §§ 1.65, 1.513(d), and

² Section 308(b) of the Communications Act of 1934, as amended.

³ Section 1.514(b) of the Commission's rules. See also §§ 1.506(b) and 1.508(b) of the rules.

1.522 of the Commission's rules.⁴ The Commission's rules, however, do not require the applicant to serve upon petitioners copies of information furnished in response to the Commission's request. Petitioners were served with copies of the Commission's letter to applicant and were on notice of the date by which the information had to be furnished. Applicant's response was submitted on September 28, 1964, and the application was granted in January 1965, but at no time during that 3-month period during which the information was on file as a matter of public record did the petitioner express any objection to lack of service or complain that it was not aware of the contents of the amendment. Moreover, with respect to § 1.65 of the rules, we need only point out that the section became effective December 22, 1964, after the survey was submitted. Petitioner's allegations with respect to possible violation of § 1.513(d) have been discussed in paragraph 5, supra.

8. In connection with petitioner's lack of diligence in the matter of the affidavit of its aeronautical consultant as well as with respect to the matters of its failure to complain about not having been served with a copy of applicant's survey and its failure to furnish information as to other television services available in the proposed gain area, we think that the language of the Court of Appeals in *Colorado Radio Corp. v. Federal Communications Commission*, 73 U.S. App. D.C. 225, 118 F. 2d 24, is relevant:⁵

[w]e cannot allow the appellant to sit back and hope that a decision will be in its favor, and then, when it isn't, to parry with an offer of more evidence.

9. We have considered carefully the matters set forth in the request for reconsideration and the pleadings filed in connection therewith. We have stated that petitioner's allegations of ABC's competitive equality or superiority nationally, even if proved, would be insufficient to show that ABC has available to it in the Beaumont-Port Arthur market a reasonably competitive facility. We have again weighed the losses against the gains and we have considered other television broadcast services available in the gain and loss areas and we have found, on balance, that the substantial public benefit to be derived from increased Grade A and Grade B coverage and the improvement of signal strength to a vast number of persons, in our judgment, far outweigh the detriment suffered as the

result of the loss of applicant's signal to a comparatively small number of persons. Moreover, we have no doubt that the elimination of the waste of a significant portion of applicant's signal over water areas results in a more efficient use of the frequency within the intent and meaning of section 307(b) of the Communications Act. No challenge has been offered to this proposition. In the light of the facts of this case, we conclude that, except with respect to matters pertaining to the surveys conducted by KBMT and KPAC, no substantial and material questions of fact have been raised by the petitioners sufficient to warrant a hearing. We will provide, in this order, that if our grant, which we here set aside, is reinstated as a result of the hearing, it shall be subject to conditions set forth below. These conditions will be imposed in lieu of those originally imposed and are intended to assure that KBMT will provide the "equivalent protection" to KSLA which it has undertaken to provide.

10. The Commission, having determined to reconsider its action granting application of Television Broadcasters, Inc., to the extent indicated herein and for the reasons set forth herein, is unable to make the statutory finding that a grant of the application would serve the public interest, convenience, and necessity, and is of the opinion that the grant must be set aside and the application designated for hearing on the issues set forth below. In reconsidering our said action, however, we reaffirm our finding that, except as indicated by the issues set forth below, the applicant is legally, technically, and financially qualified to construct and operate as proposed.

Accordingly, it is ordered, That the Petitions for Reconsideration filed herein by KSLA-TV, Inc., and Texas Goldcoast Television, Inc., are granted to the extent indicated herein and are otherwise denied, and, pursuant to § 1.106(k)(3) of the Commission's rules, the grant of the application (BPCT-3266) of Television Broadcasters, Inc., for a construction permit, made by the Commission by Memorandum Opinion and Order released January 8, 1965 (FCC 65-15, 4 RR 2d 119), is hereby set aside.

It is further ordered, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the above-captioned applications of Television Broadcasters, Inc., for a construction permit (BPCT-3266) and for renewal of license (BRCT-560) and Texas Goldcoast Television, Inc., for renewal of license (BRCT-389) are designated for hearing in a consolidated proceeding, to be held in Beaumont, Tex., at a time to be specified in a subsequent order, upon the following issues:

1. To determine the facts and circumstances surrounding the programming survey made by Television Broadcasters, Inc., and the "check survey" made by Texas Goldcoast Television, Inc., and the preparation and submission of the results thereof to the Commission.

2. To determine, in the light of the evidence adduced pursuant to the foregoing issue, whether the principals, agents, employees, or representatives of Television Broadcasters, Inc., or Texas Goldcoast Television, Inc., have made misrepresentations to the Commission or have in any manner, attempted to deceive or mislead the Commission.

3. To determine, in the light of the evidence adduced pursuant to the foregoing issues, whether the applicants have the requisite qualifications to be broadcast licensees.

4. To determine, in the light of the evidence adduced pursuant to the foregoing issues, whether a grant of the application of Television Broadcasters, Inc., for renewal of license would serve the public interest, convenience, and necessity.

5. To determine, in the light of the evidence adduced pursuant to the foregoing issues, whether a grant of the application of Television Broadcasters, Inc., for a construction permit would serve the public interest, convenience, and necessity.

6. To determine, in the light of the evidence adduced pursuant to issues 1, 2, and 3, above, whether a grant of the application of Texas Goldcoast Television, Inc., for renewal of license would serve the public interest, convenience, and necessity.

It is further ordered, That, pursuant to § 1.3 of the Commission's rules, and upon the Commission's own motion, § 1.580(b) of the Commission's rules is hereby waived.

It is further ordered, That the Hearing Examiner shall expedite the hearing and shall make full use of his authority to utilize, among other procedures, pre-hearing conferences, the filing of stipulations of facts and issues, incorporation by reference, and such other devices as may be necessary and proper to expedite the hearing.

It is further ordered, That, in the event that it is determined, as a result of the hearing hereby ordered, that the renewal application of Television Broadcasters, Inc., should be granted and that the Commission's grant of the application of Television Broadcasters, Inc., for a construction permit should be reinstated, such reinstated grant shall be made subject to the conditions set forth below, in lieu of those conditions originally imposed.

It is further ordered, That, to avail themselves of the opportunity to be heard, the applicants herein, pursuant to § 1.221(e) of the Commission's rules, in person or by attorney, shall, within twenty (20) days of the mailing of this order, file with the Commission, in triplicate, a written appearance stating an intention to appear on the date set for the hearing and present evidence on the issues specified in this Order.

It is further ordered, That the applicants herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594(a) of the Commission's rules, give notice of the hearing within the time and in the man-

⁴Section 1.65 of the Commission's rules is concerned with an applicant's responsibility for the continuing completeness and accuracy of information contained in an application pending before the Commission. It has no relevance to the matter now pending.

Section 1.522 of the rules pertains to the amendment of applications after designation for hearing and is therefore totally inapplicable to this matter.

Section 1.513(d) of the rules pertains to sanctions and criminal penalties for willful false statements made to the Commission.

⁵See also *Springfield Television Broadcasting Corporation v. Federal Communications Commission*, 117 U.S. App. D.C. 214, 328 F. 2d 186, 1 RR 2d 2083.

ner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.594(g) of the rules.

Adopted: May 5, 1965.

Released: May 10, 1965.

FEDERAL COMMUNICATIONS
COMMISSION,*

[SEAL] BEN F. WAPLE,
Secretary.

Subject to the following conditions:

1. The horizontal effective radiated visual power in the direction of Station KSLA-TV, Shreveport, La., shall not exceed 15.7 dbk (37.1 kw).

2. An appropriate reference antenna shall be installed on the main antenna structure for the purpose of making ratio field intensity measurements with the transmitting antenna in the direction of Station KSLA-TV at the time of initial operation and subsequent periodic checks during regular operation. The reference antenna shall be installed in a manner to minimize coupling to the main antenna elements, the tower structure, and guy wires. Provisions shall be made for coupling the transmitter output either to the reference antenna or to the main transmitting antenna and suitable means shall be available for accurately determining and maintaining the relative power inputs to the main and reference antennas.

3. Monitoring locations shall be selected for the purpose of obtaining relative field intensity measurements between the reference and main antenna to establish that the limited radiation specified above in the direction of KSLA-TV is not exceeded. At least two monitoring locations on the radial connecting the KBMT transmitting antenna and Station KSLA-TV shall be selected. Comparative radiation measurements of the KBMT transmitting antenna shall be made during equipment tests and at least once each 90 days at the selected monitoring locations. Records of such measurements shall be maintained and made available to the Commission upon request.

4. The application for license shall include the following:

(a) Horizontal plane radiation pattern obtained from measurements performed by the manufacturer for the transmitting antenna prior to its installation.

(b) Vertical radiation patterns obtained from measurements by the manufacturer for the transmitting antenna prior to its installation for at least the azimuths toward Station KSLA-TV.

(c) An affidavit by a qualified and licensed surveyor that the proper azimuthal orientation of the transmitting antenna to achieve the radiation limitations prescribed above for Station KSLA-TV was established at the time of the antenna installation.

(d) Description of the reference antenna installation with appropriate measured radiation patterns.

(e) Description of monitoring locations on the radial connecting the KBMT transmitting antenna and Station KSLA-TV.

(f) Comparative field intensity measurements obtained during equipment tests between the reference and main antenna at the selected monitoring points together with a description of equipment and technique employed.

* Commissioner Bartley absent; Commissioners Lee and Cox concurring. Concurring statement of Commissioner Lee filed as part of original document.

(g) Description of means employed to monitor power input to the reference and main transmitting antennas during field measurements required in (f), above.

[P.R. Doc. 65-5077; Filed, May 12, 1965; 8:50 a.m.]

[Docket No. 15871; FCC 65M-572]

SOUTHINGTON BROADCASTERS

**Memorandum and Order Following
Prehearing Conference**

In re application of Fitzgerald C. Smith trading as Southington Broadcasters, Southington, Conn., Docket No. 15871, File No. BP-16405; for construction permit.

At a prehearing conference held on April 20, 1965, all parties agreed to the schedule of procedures set forth below:

May 11, 1965—Applicant will exchange with the other parties its showing responsive to the issue on financial qualifications.

May 21, 1965—On or before this date the other parties will inform applicant whether or not they wish to cross examine applicant's principals on its financial showing.

May 25, 1965—Hearing (continued from May 17, 1965).

So ordered.

Dated: May 6, 1965.

Released: May 7, 1965.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[P.R. Doc. 65-5078; Filed, May 12, 1965; 8:50 a.m.]

[Docket Nos. 15303, 15304; FCC 65M-573]

**CASCADE BROADCASTING CO. AND
SUNSET BROADCASTING CO.
(KNDX-FM)**

Order Continuing Hearing

In re applications of Cascade Broadcasting Co., Yakima, Wash., Docket No. 15303, File No. BPH-4072; David Zander Pugsley trading as Sunset Broadcasting Co. (KNDX-FM), Yakima, Wash., Docket No. 15304, File No. BPH-4180; for construction permits.

The Hearing Examiner having under consideration a petition for continuance of hearing filed May 5, 1965, by Cascade Broadcasting Co.:

It appearing, that the hearing is now scheduled to commence on May 10, 1965; and

It further appearing, that considerable delays have been encountered in this proceeding so that normally an extension of the length requested should not be granted but that a continuance is desirable because of the Hearing Examiner's schedule, including the expectation of hospitalization; and

It further appearing, that the other applicant in this proceeding has no objection to a continuance.

It is ordered, This 6th day of May 1965, that the date for commencement

of hearing is continued from May 10 to June 14, 1965.

Released: May 7, 1965.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[P.R. Doc. 65-5079; Filed, May 12, 1965; 8:50 a.m.]

[Docket No. 15996; FCC 65-371]

**YPSILANTI BROADCASTING CO.
(WYSI)**

**Order Designating Application for
Hearing on Stated Issues**

In re application of Ypsilanti Broadcasting Co. (WYSI), Ypsilanti, Mich., Docket No. 15996, File No. BP-16005; has: 1480 kc, 500 w, DA-D, Day; req: increase antenna height, change directional pattern.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 5th day of May, 1965:

The Commission having under consideration the above-captioned and described application, as amended on December 11, 1964; informal objection filed on November 4, 1963, by Gerity Broadcasting Co. (Gerity), licensee of standard broadcast Station WABJ, Adrian, Mich., as supplemented on March 24, 1965, and related pleadings and correspondence;

It appearing, that Gerity in its informal objection, as supplemented, alleges that the proposal would cause objectionable interference and asks that the Commission either deny the application or designate it for hearing; and

It further appearing, that the proposed operation may cause objectionable interference to adjacent channel Station WABJ, Adrian, Mich.; and

It further appearing, that except as indicated by the issues specified below, the applicant is legally, technically, financially, and otherwise, qualified to operate as proposed; however, the Commission is unable to make the statutory finding that a grant of this application would serve the public interest, convenience, and necessity, and is of the opinion that it must be designated for hearing on the issues set forth below:

It is ordered, That pursuant to section 309(e) of the Communications Act of 1934, as amended, the application is designated for hearing at a time and place to be specified by subsequent order, upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the proposed operation of Station WYSI and the availability of other primary service to such areas and populations.

2. To determine whether, operating as proposed, WYSI would cause objectionable interference to Station WABJ, Adrian, Mich., or any other existing standard broadcast stations and, if so,

the nature and extent thereof, the areas and populations affected thereby and the availability of other primary service to such areas and populations.

3. To determine, in the light of the evidence adduced pursuant to the foregoing issues, whether a grant of the application would serve the public interest, convenience, and necessity.

It is further ordered, That Gerity Broadcasting Co., licensee of Radio Station WABJ is made a party to the proceeding.

It is further ordered, That the relief requested by WABJ is granted to the extent indicated and in all other respects is denied.

It is further ordered, That in the event the instant application is granted, the construction permit shall contain the following special conditions:

A complete non-directional proof of performance in addition to the required proof on the directional antenna system shall be submitted before program test authority is granted.

The permittee shall be responsible for purchasing and installing such additional filters, traps, or other devices as may be necessary to eliminate any re-radiation, cross-modulation or other harmful interaction which may result to Community Service Broadcasters, Inc., Ypsilanti, Mich., (WYNZ).

It is further ordered, That to avail themselves of the opportunity to be heard, the applicant and party respondent herein, pursuant to §1.221 of the Commission's rules, in person or by

attorney, shall within 20 days of the mailing of this order, file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

Released: May 10, 1965.

FEDERAL COMMUNICATIONS
COMMISSION,¹

[SEAL] BEN F. WAPLE,
Secretary.

[P.R. Doc. 65-5080; Filed, May 12, 1965;
8:50 a.m.]

FEDERAL POWER COMMISSION

[Docket No. RI65-603, etc.]

BARBARA OIL CO. (OPERATOR),
ET AL.

Order Providing for Hearings on and Suspension of Proposed Changes in Rates^{1a}

MAY 5, 1965.

The respondents named herein have filed proposed increased rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A below.

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

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until	Cents per Mcf		Rate in effect subject to refund in docket No.
									Rate in effect	Proposed increased rate	
RI65-603...	Barbara Oil Co. (Operator), et al. 33 South Clark St., Chicago, Ill.	3	4	Cities Service Gas Co. (Hardtner Field, Barber County, Kans.).	\$1,440	4-12-65	5-22-65	10-22-65	\$13.0	\$14.0	RI60-51
RI65-604...	Union Oil Co. of California, Union Oil Center, Los Angeles, Calif., 90017.	16	14	Natural Gas Pipeline Co. of America (Camrick Southeast Gas Pool, Beaver County, Okla.) (Panhandle Area)	80	4-9-65	5-10-65	10-10-65	\$17.6	\$17.8	RI64-703
	Union Oil Co. of California.	23	13	Natural Gas Pipeline Co. of America (Camrick Southeast Gas Pool, Boyd Area, Beaver County, Okla.) (Panhandle Area)	350	4-9-65	5-10-65	10-10-65	\$17.4	\$17.6	RI64-703
RI65-605...	B. W. Vinson, 1901 First National Bldg., Tulsa, Okla.	1	1	Michigan Wisconsin Pipe Line Co. (Laverne Field, Harper County, Okla.) (Panhandle Area)	327	4-12-65	5-13-65	10-13-65	\$17.0	\$19.5	
RI65-606...	W. H. Hunt, 1401 Elm St., Dallas, Tex., 75202.	7	1	South Texas Natural Gas Gathering Co. (El Benadito Area, Starr County, Tex.) (R.R. District No. 4)	160	4-15-65	5-10-65	10-10-65	14.5	\$15.5	
RI65-607...	Thomas C. Canan (Operator), et al. 230 Oil and Gas Bldg., Wichita Falls, Tex.	1	3	Trunkline Gas Co. (Dunn Field, Jim Wells County, Tex.) (R.R. District No. 4)	2,839	4-16-65	5-17-65	10-17-65	\$13.3748	\$14.3944	
RI65-608...	Sun Oil Co., 1608 Walnut St., Philadelphia, Pa., 19103, Attention: Mr. C. E. Webber.	60	12 ^(b)	Northern Natural Gas Co. (Eumont Pool, Lea County, N. Mex.) (Permian Basin Area)	820	4-8-65	5-9-65	10-9-65	9.5011	\$11.7212	

¹ The stated effective date is the effective date requested by Respondent.

² Renegotiated rate increase.

³ Pressure base is 14.65 p.s.i.a.

⁴ Subject to a downward B.T.U. adjustment.

⁵ Periodic rate increase.

⁶ The stated effective date is the 1st day after expiration of the required statutory notice.

⁷ Subject to an upward B.T.U. adjustment of 0.01 cent per B.T.U. above 1,000 to a maximum of 1,300. Respondent states that gas is above 1,000 B.T.U.

⁸ Includes 0.25 cent per Mcf paid by buyer for delivery of gas dehydrated by seller.

⁹ Applicable only to acreage added by Supplement Nos. 2 and 4.

¹⁰ Includes partial reimbursement for full 2.55 percent New Mexico Emergency School Tax.

¹¹ School Tax.

Union Oil Co. of California requests that its proposed rate increase contained in Supplement No. 13 to its FPC Gas Rate Schedule No. 23 be permitted to become effective as of May 8, 1965. W. H. Hunt and Thomas C. Canan (Operator), et al., request retroactive effective dates of July 1, 1964, and January 1,

increases. Good cause has not been shown 1965, respectively, for their proposed rate

Commissioners Bartley and Loevinger absent.

¹² Does not consolidate for hearing or disposition of the several matters herein.

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

The Commission orders:

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

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

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

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before June 23, 1965.

By the Commission.

[SEAL] JOSEPH H. GUTHRIE,
Secretary.

for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit earlier effective dates for the aforementioned producers' rate filings and such requests are denied.

All of the proposed increased rates and charges exceed the applicable area price level

for increased rates as set forth in the Commission's Statement of General Policy No. 61-1, as amended (18 CFR, Ch. I, Pt. 2, § 2.56).

[F.R. Doc. 65-4961; Filed, May 12, 1965; 8:45 a.m.]

[Docket No. RI65-602]

SUN OIL CO.

Order Providing for Hearing on and Suspension of Proposed Change in Rate; Effective Subject To Refund

MAY 5, 1965.

Respondent named herein has filed a proposed change in rate and charge of a currently effective rate schedule for the sale of natural gas under Commission jurisdiction, as set forth in Appendix A below.

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

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter

upon a hearing regarding the lawfulness of the proposed change, and that the supplement herein be suspended and its use be deferred as ordered below.

The Commission orders:

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

(B) Pending hearing and decision thereon, the rate supplement herein is suspended and its use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act: *Provided, however*, That the supplement to the rate schedule filed by respondent shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order respondent shall execute and file under its above-designated docket number with the Secretary of the Commission its

agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, accompanied by a certificate showing service of a 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 undertaking, such agreement and undertaking shall be deemed to have been accepted.

(C) Until otherwise ordered by the Commission, neither the suspended supplement, nor the rate schedule sought to be altered, shall be changed until disposition of this proceeding or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before June 23, 1965.

By the Commission.

[SEAL]

JOSEPH H. GUTRIE,
Secretary.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf		Rate in effect subject to refund in docket No.
									Rate in effect	Proposed increased rate	
RI65-602...	Sun Oil Co., Post Office Box 2880, Dallas, Tex. 75221, Attention: Mr. R. L. Sullivan.	68	4	Coastal States Gas Producing Co. ¹ (East Mathis Field, San Patricio County, Tex.) (R.R. District No. 4).	(7)	4-8-65	5-9-65	5-10-65	11.358	12.3676	

¹ No deliveries are currently being made under this contract.

² The stated effective date is the 1st day after expiration of the required statutory notice.

³ The suspension period is limited to 1 day.

⁴ Periodic rate increase.

⁵ Pressure base is 14.65 p.s.i.a.

⁶ Includes tax reimbursement.

⁷ Coastal States Gas Producing Co. resells the subject gas to Natural Gas Pipeline Co. of America under its FPC Gas Rate Schedule No. 23.

Sun Oil Co. (Sun) requests that its proposed periodic rate increase be permitted to become effective as of May 1, 1965. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit an earlier effective date for Sun's rate filing and such request is denied.

Sun proposes a periodic increase from 11.358 cents to 12.3676 cents per Mcf, inclusive of applicable tax reimbursement, for gas sold to Coastal States Gas Producing Co. (Coastal States) from the East Mathis Field, San Patricio County, Tex. (Texas Railroad District No. 4). Coastal States, in turn, resells such gas, together with gas it purchases from other producers in the area, to Natural Gas Pipeline Co. of America pursuant to its FPC Gas Rate Schedule No. 23. Sun's filing reflects that no deliveries are currently being made under its rate schedule. The proposed increased rate is based upon a fixed periodic escalation provision¹ of Sun's contract with Coastal States, effective as of May 1, 1965.

The resale rate presently being collected by Coastal States under its FPC Gas Rate Schedule No. 23 is a redetermined rate of 14.5 cents per Mcf, which is in effect subject to refund in Docket No. G-17733. The 14.5 cent per Mcf rate was determined to be the price for the 5-year period commencing December 1, 1959. The contract comprising Coastal States' FPC Gas Rate Schedule No. 23, provides for further price redeterminations for the 5-year periods beginning December 1,

1963 and 1968, but in no event would the price be less than 14.5 cents and 15.5 cents per Mcf for such periods, respectively. Coastal States has not made any filing to reflect a price redetermination as of December 1, 1963.

Sun's recent company-wide settlement proposal, accepted by the Commission's order issued October 1, 1964, in Docket Nos. G-8288, et al., contains a moratorium, until August 1, 1967, against Sun filing any increased rates in excess of the applicable area ceiling levels for all of the rate schedules involved in that settlement, which includes the rate schedule involved herein. Although Sun's proposed 12.3676 cent per Mcf rate is below the applicable area increased rate ceiling and therefore permitted to be filed pursuant to the aforementioned moratorium, it is suspended for 1 day from May 9, 1965, the date of expiration of the statutory notice, because Coastal States' 14.5 cent per Mcf rate is presently involved in a rate suspension proceeding in Docket No. G-17733, and because the increased rate ceiling is applicable to the sale by Coastal States.

[F.R. Doc. 65-4968; Filed, May 12, 1965; 8:45 a.m.]

[Docket No. E-7223]

NORTHERN STATES POWER CO.

Notice of Application

MAY 6, 1965.

Take notice that on April 30, 1965, Northern States Power Co., a Minnesota

corporation with its principal business office at Minneapolis, Minn., and doing business in the States of Minnesota, North Dakota, and South Dakota, filed an application with the Federal Power Commission, pursuant to section 204 of the Federal Power Act, seeking authority to issue, from time to time, its promissory notes in amounts not exceeding an aggregate of \$27,000,000 at any one time outstanding to evidence short-term borrowings from commercial banks.

According to the application, promissory notes will be issued on various days and for various periods of time, but no note will mature more than 12 months after date of issue or renewal nor shall the maturity date of any note be later than August 31, 1966. Applicant states that the interest rate will be a rate that to the best knowledge and belief of the officers making the borrowings, does not exceed the prime loan interest rate at the time and place of making.

Applicant represents that it is its present intention, if, in the opinion of its directors and officers, market and economic conditions are favorable, to obtain funds for the prepayment of all or substantially all of its promissory notes described above by offering to the holders of its Common Stock the right to subscribe for one share of Common Stock for each 20 shares held. Applicant expects this rights offering to produce about \$27

¹ Sun's first periodic increase was due on May 1, 1960, and at subsequent 5-year periods thereafter.

million of new capital. Under the proposed time schedule, the subscriptions will be received in August of this year. Application for the authorization of the issuance of additional Common Stock is expected to be filed with the Federal Power Commission on or about June 18, 1965.

According to the application, the proceeds from the bank borrowings to be evidenced by the promissory notes described above will be added to the general funds of the Applicant to pay in part the expenditures made and to be made in 1965 in connection with the Applicant's construction program. Included among Applicant's expenditures for its 1965 construction program are approximately \$3 million for construction of its Allen S. King plant in Oak Park Heights, Minn., \$4.7 million for construction of the 58,000 kw generating plant at Faribault, Minn., and \$2.3 million for the Pathfinder atomic power plant of 66,000 kw capacity near Sioux Falls, S. Dak.

Any person desiring to be heard or to make any protest with reference to said application should on or before May 25, 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.

JOSEPH H. GUTRIDE,
Secretary.

[P.R. Doc. 65-5034; Filed, May 12, 1965;
8:46 a.m.]

[Docket No. RI65-582]

SUN OIL CO.

Order Amending Order Providing for Hearings on and Suspension of Proposed Changes in Rates

MAY 6, 1965.

On March 16, 1965, Sun Oil Co. (Sun) filed with the Commission a proposed change in rate, from 16.0 cents to 18.0 cents per Mcf, designated as Supplement No. 2 to Sun's FPC Gas Rate Schedule No. 174, which pertains to its jurisdictional sales of natural gas from the Coynosa Field, Pecos County, Tex. (Texas Railroad District No. 8) (Permian Basin Area) to El Paso Natural Gas Co. The Commission by order issued April 14, 1965, suspended Sun's proposed rate increase and deferred the use thereof for 5 months until September 16, 1965, and thereafter until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

On April 12, 1965, Sun tendered an amended rate increase filing, designated as Supplement No. 1 to Supplement No. 2 to Sun's FPC Gas Rate Schedule No. 174, to reflect the tax reimbursement portion of Sun's aforementioned periodic rate increase which was suspended by the Commission's order issued April 14, 1965, in Docket No. RI65-582. Sun states that it inadvertently omitted the amount of reimbursement for tax from its proposed

periodic rate increase. After revision to reflect the contractually provided for tax reimbursement, the proposed rate is 18.2430 cents per Mcf, with an increase in annual amount of \$4,860 over the previously reported amount of \$40,000, and exceeds the area ceiling for increased rates in Texas Railroad District No. 8, as did the previously suspended rate in said docket. Since Sun's corrective rate filing is for tax reimbursement, we believe that it would be in the public interest to accept the corrected rate filing subject to the suspension proceeding in Docket No. RI65-582, with the suspension period of such corrective rate filing to terminate concurrently with the suspension period (September 16, 1965) ordered in said docket.

Sun requests a retroactive effective date of August 1, 1964, the contractually provided effective date, for its proposed corrective rate filing. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit an earlier effective date for Sun's proposed rate filing and such request is denied.

The Commission finds: Good cause exists for amending the Commission's order issued on April 14, 1965, in Docket No. RI65-582, to the extent hereinafter provided.

The Commission orders:

(A) Sun's increased rate filing, designated as Supplement No. 1 to Supplement No. 2 to Sun's FPC Gas Rate Schedule No. 174, is hereby accepted for filing subject to the suspension proceeding in Docket No. RI65-582. The suspension period for such rate filing shall terminate concurrently with the suspension period (September 16, 1965) presently in effect in said docket.

(B) In all other respects, the order issued by the Commission on April 14, 1965, in Docket No. RI65-582, shall remain unchanged and in full force and effect.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[P.R. Doc. 65-5035; Filed, May 12, 1965;
8:46 a.m.]

[Docket No. E-6684]

VIRGINIA ELECTRIC & POWER CO.

Notice of Postponement of Hearing

MAY 6, 1965.

Upon consideration of the request filed on April 28, 1965, by counsel for Virginia Electric & Power Co. for postponement of the hearing presently scheduled to commence at 10 a.m., e.d.s.t., on May 25, 1965:

Notice is hereby given that the hearing is postponed to June 1, 1965, at 10 a.m., e.d.s.t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C.

JOSEPH H. GUTRIDE,
Secretary.

[P.R. Doc. 65-5036; Filed, May 12, 1965;
8:46 a.m.]

HOUSING AND HOME FINANCE AGENCY

Office of the Administrator

REGIONAL DIRECTOR OF COMMUNITY FACILITIES, REGION I (NEW YORK)

Redelegation of Authority With Respect to Advances for Public Works Planning (First and Second Programs)

The Regional Director of Community Facilities, Region I (New York), Housing and Home Finance Agency, in connection with the liquidation of the first and second programs of advances for public works planning (under Title V of War Mobilization and Reconversion Act of 1944, as amended, 50 U.S.C. App. 1671 note, and Act of October 13, 1949, entitled "An Act to provide for the advance planning of non-Federal public works," as amended, 40 U.S.C. 451; and pursuant to section 702(h) of the Housing Act of 1954, as amended, which subsection (h) was added by section 602 of the Housing Act of 1964, 40 U.S.C. 462(h) (herein called the "Act")) is hereby authorized within the Region:

1. To amend or modify agreements with public agencies for planning advances.

2. To make determinations concerning the liability of a public agency for repayment of an advance, including:

a. To determine the proportionate amount of an advance repayable pursuant to section 702(h)(1) of the Act, 40 U.S.C. 462(h)(1), if the public agency undertakes to construct only a portion of the public work planned.

b. To terminate all or a portion of the liability for repayment of an advance pursuant to section 702(h)(2) of the Act, 40 U.S.C. 462(h)(2).

c. To terminate an agreement for an advance pursuant to section 702(h)(2) of the Act, 40 U.S.C. 462(h)(2).

(62 Stat. 1283 (1948), as amended by 64 Stat. 80 (1950), 12 U.S.C. 1701c; Housing and Home Finance Administrator's delegation effective Jan. 15, 1965 (30 P.R. 3565, March 17, 1965))

Effective as of the 23d day of March 1965.

[SEAL] LESTER EISNER, Jr.,
Regional Administrator,
Region I.

[P.R. Doc. 65-5054; Filed, May 12, 1965;
8:48 a.m.]

REGIONAL DIRECTOR OF COMMUNITY FACILITIES, REGION I (NEW YORK)

Redelegation of Authority With Respect to Advances for Public Works Planning (Third Program)

The Regional Director of Community Facilities, Region I (New York), Housing and Home Finance Agency, with respect

to the third program of advances for public works planning under section 702 of the Housing Act of 1954, as amended (particularly by section 6 of the Public Works Acceleration Act and section 602 of the Housing Act of 1964), 40 U.S.C. 462 (herein called the "Act"), is hereby authorized within the Region:

1. To execute agreements with public agencies and Indian tribes involving advances to aid in planning proposed public works.

2. To make determinations concerning the liability of a public agency or Indian tribe for repayment of an advance, including:

a. To determine the proportionate amount of an advance repayable pursuant to section 702(h)(1) of the Act, 40 U.S.C. 462(h)(1), if the public agency or Indian tribe undertakes to construct only a portion of the public work planned.

b. To terminate all or a portion of the liability for repayment of an advance pursuant to section 702(h)(2) of the Act, 40 U.S.C. 462(h)(2).

c. To terminate an agreement for an advance pursuant to section 702(h)(2) of the Act, 40 U.S.C. 462(h)(2).

d. To determine the amount of the advance which the public agency or Indian tribe is relieved of liability to repay pursuant to section 702(g) of the Act, 40 U.S.C. 462(g), if construction of the planned public works project or a portion thereof is initiated as a result of a grant under the Public Works Acceleration Act.

This redelegation supersedes the redelegation effective June 20, 1963 (29 F.R. 7132, May 29, 1964).

(62 Stat. 1283 (1948), as amended by 64 Stat. 80 (1950), 12 U.S.C. 1701c; Housing and Home Finance Administrator's delegation effective Jan. 15, 1965 (30 F.R. 3565, Mar. 17, 1965))

Effective as of the 23d day of March 1965.

[SEAL] LESTER EISNER, JR.,
Regional Administrator,
Region I.

[F.R. Doc. 65-5055; Filed, May 12, 1965; 8:48 a.m.]

REGIONAL DIRECTOR OF COMMUNITY FACILITIES, REGION III (ATLANTA)

Redelegation of Authority With Respect to Advances for Public Works Planning (First and Second Programs)

The Regional Director of Community Facilities, Region III (Atlanta), Housing and Home Finance Agency, in connection with the liquidation of the first and second programs of advances for public works planning (under Title V of War Mobilization and Reconversion Act of 1944, as amended, 50 U.S.C. App. 1671 note, and Act of October 13, 1949, entitled "An Act to provide for the advance planning of non-Federal public works," as amended, 40 U.S.C. 451; and pursuant to section 702(h) of the Housing Act of 1954, as amended, which subsection (h) was added by section 602 of the Housing

Act of 1964, 40 U.S.C. 462(h) (herein called the "Act")) is hereby authorized within the Region:

1. To amend or modify agreements with public agencies for planning advances.

2. To make determinations concerning the liability of a public agency for repayment of an advance, including:

a. To determine the proportionate amount of an advance repayable pursuant to section 702(h)(1) of the Act, 40 U.S.C. 462(h)(1), if the public agency undertakes to construct only a portion of the public work planned.

b. To terminate all or a portion of the liability for repayment of an advance pursuant to section 702(h)(2) of the Act, 40 U.S.C. 462(h)(2).

c. To terminate an agreement for an advance pursuant to section 702(h)(2) of the Act, 40 U.S.C. 462(h)(2).

(62 Stat. 1283 (1948), as amended by 64 Stat. 80 (1950), 12 U.S.C. 1701c; Housing and Home Finance Administrator's delegation effective Jan. 15, 1965 (30 F.R. 3565, Mar. 17, 1965))

Effective as of the 15th day of January 1965.

[SEAL] EDWARD H. BAXTER,
Acting Regional Administrator,
Region III.

[F.R. Doc. 65-5056; Filed, May 12, 1965; 8:48 a.m.]

REGIONAL DIRECTOR OF COMMUNITY FACILITIES, REGION III (ATLANTA)

Redelegation of Authority With Respect to Advances for Public Works Planning (Third Program)

The Regional Director of Community Facilities, Region III (Atlanta), Housing and Home Finance Agency, with respect to the third program of advances for public works planning under section 702 of the Housing Act of 1954, as amended (particularly by section 6 of the Public Works Acceleration Act and section 602 of the Housing Act of 1964), 40 U.S.C. 462 (herein called the "Act"), is hereby authorized within the Region:

1. To execute agreements with public agencies and Indian tribes involving advances to aid in planning proposed public works.

2. To make determinations concerning the liability of a public agency or Indian tribe for repayment of an advance, including:

a. To determine the proportionate amount of an advance repayable pursuant to section 702(h)(1) of the Act, 40 U.S.C. 462(h)(1), if the public agency or Indian tribe undertakes to construct only a portion of the public work planned.

b. To terminate all or a portion of the liability for repayment of an advance pursuant to section 702(h)(2) of the Act, 40 U.S.C. 462(h)(2).

c. To terminate an agreement for an advance pursuant to section 702(h)(2) of the Act, 40 U.S.C. 462(h)(2).

d. To determine the amount of the advance which the public agency or Indian tribe is relieved of liability to repay pursuant to section 702(g) of the Act, 40

U.S.C. 462(g), if construction of the planned public works project or a portion thereof is initiated as a result of a grant under the Public Works Acceleration Act.

This redelegation supersedes the redelegation effective September 10, 1963 (28 F.R. 9853, September 10, 1963).

(62 Stat. 1283 (1948), as amended by 64 Stat. 80 (1950), 12 U.S.C. 1701c; Housing and Home Finance Administrator's delegation effective Jan. 15, 1965 (30 F.R. 3565, Mar. 17, 1965))

Effective as of the 15th day of January 1965.

[SEAL] EDWARD H. BAXTER,
Acting Regional Administrator,
Region III.

[F.R. Doc. 65-5057; Filed, May 12, 1965; 8:48 a.m.]

REGIONAL DIRECTOR OF COMMUNITY FACILITIES, REGION IV (CHICAGO)

Redelegation of Authority With Respect to Advances for Public Works Planning (First and Second Programs)

The Regional Director of Community Facilities, Region IV (Chicago), Housing and Home Finance Agency, in connection with the liquidation of the first and second programs of advances for public works planning (under Title V of War Mobilization and Reconversion Act of 1944, as amended, 50 U.S.C. App. 1671 note, and Act of October 13, 1949, entitled "An Act to provide for the advance planning of non-Federal public works," as amended, 40 U.S.C. 451; and pursuant to section 702(h) of the Housing Act of 1954, as amended, which subsection (h) was added by section 602 of the Housing Act of 1964, 40 U.S.C. 462(h) (herein called the "Act")) is hereby authorized within the Region:

1. To amend or modify agreements with public agencies for planning advances.

2. To make determinations concerning the liability of a public agency for repayment of an advance, including:

a. To determine the proportionate amount of an advance repayable pursuant to section 702(h)(1) of the Act, 40 U.S.C. 462(h)(1), if the public agency undertakes to construct only a portion of the public work planned.

b. To terminate all or a portion of the liability for repayment of an advance pursuant to section 702(h)(2) of the Act, 40 U.S.C. 462(h)(2).

c. To terminate an agreement for an advance pursuant to section 702(h)(2) of the Act, 40 U.S.C. 462(h)(2).

(62 Stat. 1283 (1948), as amended by 64 Stat. 80 (1950), 12 U.S.C. 1701c; Housing and Home Finance Administrator's delegation effective Jan. 15, 1965 (30 F.R. 3565, Mar. 17, 1965))

Effective as of the 13th day of May 1965.

[SEAL] JOHN P. MCCOLLUM,
Regional Administrator,
Region IV.

[F.R. Doc. 65-5058; Filed, May 12, 1965; 8:48 a.m.]

REGIONAL DIRECTOR OF COMMUNITY FACILITIES, REGION IV (CHICAGO)

Redelegation of Authority With Respect to Advances for Public Works Planning (Third Program)

The Regional Director of Community Facilities, Region IV (Chicago), Housing and Home Finance Agency, with respect to the third program of advances for public works planning under section 702 of the Housing Act of 1954, as amended (particularly by section 6 of the Public Works Acceleration Act and section 602 of the Housing Act of 1964), 40 U.S.C. 462 (herein called the "Act"), is hereby authorized within the Region:

1. To execute agreements with public agencies and Indian tribes involving advances to aid in planning proposed public works.

2. To make determinations concerning the liability of a public agency or Indian tribe for repayment of an advance, including:

a. To determine the proportionate amount of an advance repayable pursuant to section 702(h)(1) of the Act, 40 U.S.C. 462(h)(1), if the public agency or Indian tribe undertakes to construct only a portion of the public work planned.

b. To terminate all or a portion of the liability for repayment of an advance pursuant to section 702(h)(2) of the Act, 40 U.S.C. 462(h)(2).

c. To terminate an agreement for an advance pursuant to section 702(h)(2) of the Act, 40 U.S.C. 462(h)(2).

d. To determine the amount of the advance which the public agency or Indian tribe is relieved of liability to repay pursuant to section 702(g) of the Act, 40 U.S.C. 462(g), if construction of the planned public works project or a portion thereof is initiated as a result of a grant under the Public Works Acceleration Act.

This redelegation supersedes the redelegation effective September 10, 1963 (28 F.R. 9853, September 10, 1963).

(62 Stat. 1283, (1948), as amended by 64 Stat. 80 (1950), 12 U.S.C. 1701c; Housing and Home Finance Administrator's delegation effective Jan. 15, 1965 (30 F.R. 3565, Mar. 17, 1965))

Effective as of the 13th day of May 1965.

[SEAL] JOHN P. MCCOLLUM,
Regional Administrator,
Region IV.

[F.R. Doc. 65-5059; Filed, May 12, 1965;
8:48 a.m.]

REGIONAL DIRECTOR OF COMMUNITY FACILITIES, REGION V (FORT WORTH)

Redelegation of Authority With Respect to Advances for Public Works Planning (First and Second Programs)

The Regional Director of Community Facilities, Region V (Fort Worth), Housing and Home Finance Agency, in con-

nection with the liquidation of the first and second programs of advances for public works planning (under Title V of War Mobilization and Reconversion Act of 1944, as amended, 50 U.S.C. App. 1671 note, and Act of October 13, 1949, entitled "An Act to provide for the advance planning of non-Federal public works," as amended, 40 U.S.C. 451; and pursuant to section 702(h) of the Housing Act of 1954, as amended, which subsection (h) was added by section 602 of the Housing Act of 1964, 40 U.S.C. 462(h) (herein called the "Act")) is hereby authorized within the Region:

1. To amend or modify agreements with public agencies for planning advances.

2. To make determinations concerning the liability of a public agency for repayment of an advance, including:

a. To determine the proportionate amount of an advance repayable pursuant to section 702(h)(1) of the Act, 40 U.S.C. 462(h)(1), if the public agency undertakes to construct only a portion of the public work planned.

b. To terminate all or a portion of the liability for repayment of an advance pursuant to section 702(h)(2) of the Act, 40 U.S.C. 462(h)(2).

c. To terminate an agreement for an advance pursuant to section 702(h)(2) of the Act, 40 U.S.C. 462(h)(2).

(62 Stat. 1283 (1948), as amended by 64 Stat. 80 (1950), 12 U.S.C. 1701c; Housing and Home Finance Administrator's delegation effective Jan. 15, 1965 (30 F.R. 3565, Mar. 17, 1965))

Effective as of the 13th day of May 1965.

[SEAL] HENRY G. CREEL, Jr.,
Acting Regional Administrator,
Region V.

[F.R. Doc. 65-5060; Filed, May 12, 1965;
8:48 a.m.]

REGIONAL DIRECTOR OF COMMUNITY FACILITIES, REGION V (FORT WORTH)

Redelegation of Authority With Respect to Advances for Public Works Planning (Third Program)

The Regional Director of Community Facilities, Region V (Fort Worth), Housing and Home Finance Agency, with respect to the third program of advances for public works planning under section 702 of the Housing Act of 1954, as amended (particularly by section 6 of the Public Works Acceleration Act and section 602 of the Housing Act of 1964), 40 U.S.C. 462 (herein called the "Act"), is hereby authorized within the Region:

1. To execute agreements with public agencies and Indian tribes involving advances to aid in planning proposed public works.

2. To make determinations concerning the liability of a public agency or Indian tribe for repayment of an advance, including:

a. To determine the proportionate amount of an advance repayable pursuant to section 702(h)(1) of the Act, 40 U.S.C. 462(h)(1), if the public agency or Indian tribe undertakes to construct

only a portion of the public work planned.

b. To terminate all or a portion of the liability for repayment of an advance pursuant to section 702(h)(2) of the Act, 40 U.S.C. 462(h)(2).

c. To terminate an agreement for an advance pursuant to section 702(h)(2) of the Act, 40 U.S.C. 462(h)(2).

d. To determine the amount of the advance which the public agency or Indian tribe is relieved of liability to repay pursuant to section 702(g) of the Act, 40 U.S.C. 462(g), if construction of the planned public works project or a portion thereof is initiated as a result of a grant under the Public Works Acceleration Act.

This redelegation supersedes the redelegation effective September 10, 1963 (28 F.R. 9853, September 10, 1963).

(62 Stat. 1283 (1948), as amended by 64 Stat. 80 (1950), 12 U.S.C. 1701c; Housing and Home Finance Administrator's delegation effective Jan. 15, 1965 (30 F.R. 3565, Mar. 17, 1965))

Effective as of the 13th day of May 1965.

[SEAL] HENRY G. CREEL, Jr.,
Acting Regional Administrator,
Region V.

[F.R. Doc. 65-5061; Filed, May 12, 1965;
8:48 a.m.]

REGIONAL DIRECTOR OF COMMUNITY FACILITIES, REGION VI (SAN FRANCISCO)

Redelegation of Authority With Respect to Advances for Public Works Planning (First and Second Programs)

The Regional Director of Community Facilities, Region VI (San Francisco), Housing and Home Finance Agency, in connection with the liquidation of the first and second programs of advances for public works planning (under Title V of War Mobilization and Reconversion Act of 1944, as amended, 50 U.S.C. App. 1671 note, and Act of October 13, 1949, entitled "An Act to provide for the advance planning of non-Federal public works," as amended, 40 U.S.C. 451; and pursuant to section 702(h) of the Housing Act of 1954, as amended, which subsection (h) was added by section 602 of the Housing Act of 1964, 40 U.S.C. 462(h) (herein called the "Act")) is hereby authorized within the Region:

1. To amend or modify agreements with public agencies for planning advances.

2. To make determinations concerning the liability of a public agency for repayment of an advance, including:

a. To determine the proportionate amount of an advance repayable pursuant to section 702(h)(1) of the Act, 40 U.S.C. 462(h)(1), if the public agency undertakes to construct only a portion of the public work planned.

b. To terminate all or a portion of the liability for repayment of an advance pursuant to section 702(h)(2) of the Act, 40 U.S.C. 462(h)(2).

c. To terminate an agreement for an advance pursuant to section 702(h)(2) of the Act, 40 U.S.C. 462(h)(2).

(62 Stat. 1283 (1948), as amended by 64 Stat. 80 (1950), 12 U.S.C. 1701c; Housing and Home Finance Administrator's delegation effective Jan. 15, 1965 (30 F.R. 3565, Mar. 17, 1965))

Effective as of the 13th day of May 1965.

[SEAL] ROBERT B. PITTS,
Regional Administrator,
Region VI.

[F.R. Doc. 65-5062; Filed, May 12, 1965;
8:48 a.m.]

REGIONAL DIRECTOR OF COMMUNITY FACILITIES, REGION VI (SAN FRANCISCO)

Redelegation of Authority With Respect to Advances for Public Works Planning (Third Program)

The Regional Director of Community Facilities, Region VI (San Francisco), Housing and Home Finance Agency, with respect to the third program of advances for public works planning under section 702 of the Housing Act of 1954, as amended (particularly by section 6 of the Public Works Acceleration Act and section 602 of the Housing Act of 1964), 40 U.S.C. 462 (herein called the "Act"), is hereby authorized within the Region:

1. To execute agreements with public agencies and Indian tribes involving advances to aid in planning proposed public works.

2. To make determinations concerning the liability of a public agency or Indian tribe for repayment of an advance, including:

a. To determine the proportionate amount of an advance repayable pursuant to section 702(h) (1) of the Act, 40 U.S.C. 462(h) (1), if the public agency or Indian tribe undertakes to construct only a portion of the public work planned.

b. To terminate all or a portion of the liability for repayment of an advance pursuant to section 702(h) (2) of the Act, 40 U.S.C. 462(h) (2).

c. To terminate an agreement for an advance pursuant to section 702(h) (2) of the Act, 40 U.S.C. 462(h) (2).

d. To determine the amount of the advance which the public agency or Indian tribe is relieved of liability to repay pursuant to section 702(g) of the Act, 40 U.S.C. 462(g), if construction of the planned public works project or a portion thereof is initiated as a result of a grant under the Public Works Acceleration Act.

This redelegation supersedes the redelegation effective September 10, 1963 (28 F.R. 9853, September 10, 1963).

(62 Stat. 1283 (1948), as amended by 64 Stat. 80 (1950), 12 U.S.C. 1701c; Housing and Home Finance Administrator's delegation effective Jan. 15, 1965 (30 F.R. 3565, Mar. 17, 1965))

Effective as of the 13th day of May 1965.

[SEAL] ROBERT B. PITTS,
Regional Administrator,
Region VI.

[F.R. Doc. 65-5063; Filed, May 12, 1965;
8:48 a.m.]

No. 22—6

DIRECTOR FOR NORTHWEST OPERATIONS, REGION VI (SEATTLE, WASH.)

Redelegation of Authority With Respect to Community Facilities Programs

1. The Director for Northwest Operations, Region VI, at Seattle, Wash., is hereby authorized within his jurisdiction (the counties of Adams, Benewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lemhi, Lewis, Nez Perce, Shoshone, Valley, and Washington, in the State of Idaho; and the States of Alaska, Montana, Oregon and Washington) to exercise the authority delegated by the Housing and Home Finance Administrator to each Regional Administrator under the programs administered under the Community Facilities Administration, including the following:

(a) Advances for public works planning (first and second programs) authorized under Title V of War Mobilization and Reconversion Act of 1944, as amended, 50 U.S.C. App. 1671 note; and Act of October 13, 1949, as amended, 40 U.S.C. 451 (29 F.R. 3565, March 17, 1965);

(b) Advances for public works planning (third program) authorized under subsections 702 (a), (c), (g), and (h) of the Housing Act of 1954, as amended, 40 U.S.C. 462 (a), (c), (g), and (h) (29 F.R. 3565, March 17, 1965);

(c) Loans for housing for educational institutions authorized under Title IV of the Housing Act of 1950, as amended, 12 U.S.C. 1749-1749c (25 F.R. 5801, June 23, 1960);

(d) Public facility loans authorized under section 202 (a)-(d) of the Housing Amendments of 1955, as amended, 42 U.S.C. 1492 (a)-(d) (27 F.R. 10593, October 31, 1962);

(e) Grants-in-aid authorized under section 202(e) of the Housing Amendments of 1955, as amended by section 5(b) of the Public Works Acceleration Act, 42 U.S.C. 1492(e) (27 F.R. 10593, October 31, 1962);

(f) Loans for housing for the elderly authorized under section 202 of the Housing Act of 1959, as amended, 12 U.S.C. 1701q (29 F.R. 5921, May 5, 1964);

(g) Loans and grants authorized under sections 7 and 8 of the Area Redevelopment Act, 42 U.S.C. 2506 and 2507 (26 F.R. 7992, August 25, 1961).

2. This redelegation supersedes the redelegation effective September 10, 1963 (28 F.R. 9852, September 10, 1963).

(62 Stat. 1283 (1948), as amended by 64 Stat. 80 (1950), 12 U.S.C. 1701c; Housing and Home Finance Administrator's delegation effective January 15, 1965 (30 F.R. 3565, Mar. 17, 1965))

Effective as of the 13th day of May 1965.

[SEAL] ROBERT B. PITTS,
Regional Administrator,
Region VI.

[F.R. Doc. 65-5064; Filed, May 12, 1965;
8:48 a.m.]

INTERNATIONAL JOINT COMMISSION—UNITED STATES AND CANADA

PEMBINA RIVER DEVELOPMENT

Public Hearings

The International Joint Commission will conduct Public Hearings at 10 a.m., local time, in the Village Hall, Manitou, Manitoba, on June 9, 1965, and at 10 a.m., local time, in the School Gymnasium, Waltham, N. Dak., on June 10, 1965, on the question of the possible cooperative development of the Pembina River.

On April 3, 1962, the Governments of Canada and the United States requested the Commission to determine what plan or plans of cooperative development of the water resources of the Pembina River Basin would be practicable, economically feasible, and to the mutual advantage of the two countries having in mind:

(a) Domestic water supply and sanitation;

(b) Control of floods;

(c) Irrigation; and,

(d) Any other beneficial uses.

Upon receipt of this Reference, the Commission established the International Pembina River Engineering Board to carry out the necessary technical investigations upon which to base a report to the Governments. The Board's report has been received and is available for inspection at the places listed hereunder. A summary of the report may be obtained by writing to the Commission.

Pursuant to the above, the purpose of the Hearings is to receive testimony and evidence with respect to the information contained in the report of the Board.

At the Hearings, all interested persons will be given an opportunity to express their views but, for accuracy of the record, statements of fact should be submitted in writing. Where written submissions are filed with the Secretaries, either before or at the Hearings, fifty (50) copies should be provided.

Locations in the United States where the report of the Board may be examined:

Public Library, Waltham, N. Dak.
Clerk of the District Court, Pembina County, Cavalier, N. Dak.

Postmaster, U.S. Post Office, Pembina, N. Dak.
U.S. Customs House, Neche, N. Dak.
County Judge, Cavalier County, Langdon, N. Dak.

North Dakota State Water Conservation Commission, 1301 State Capitol, Bismarck, N. Dak.

William A. Bullard, Secretary, U.S. Section, International Joint Commission, Room B-208, 1711 New York Avenue NW., Washington, D.C. 20440.

D. G. Chance, Secretary, Canadian Section, International Joint Commission, Room 303, 75 Albert Street, Ottawa 4, Ontario, Canada.

WILLIAM A. BULLARD,
Secretary, U.S. Section,
International Joint Commission.

MAY 6, 1965.

[F.R. Doc. 65-5037; Filed, May 12, 1965;
8:46 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-4276]

MICHIGAN CONSOLIDATED GAS CO. AND AMERICAN NATURAL GAS CO.

Notice of Proposed Issuance and Sale of Common Stock to Holding Com- pany and Charter Amendment

MAY 7, 1965.

Notice is hereby given that American Natural Gas Co. ("American Natural"), 30 Rockefeller Plaza, New York, N.Y., 10020, a registered holding company, and Michigan Consolidated Gas Co. ("Michigan Consolidated"), a public-utility subsidiary company of American Natural, have filed a joint application-declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(b), 9, 10, and 12(f) of the Act and rule 43 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the joint application-declaration, on file at the office of the Commission, for a statement of the transactions therein proposed which are summarized below.

Michigan Consolidated proposes to issue and sell to American Natural, its sole common stockholder, 360,000 additional shares of common stock, \$14 par value, and American Natural proposes to acquire these shares for cash at par, or for a total consideration of \$5,040,000. In connection therewith, Michigan Consolidated proposes to amend its articles of Incorporation pursuant to Michigan law so as to increase its authorized capital stock from 8,980,000 shares to 9,340,000 shares. Upon such issuance and sale, Michigan Consolidated will have outstanding 9,340,000 shares of common stock of an aggregate par value of \$130,760,000.

The proceeds from the sale of the common stock are to be used by Michigan Consolidated to finance, in part, its construction program for 1965, the cost of which is estimated at approximately \$55,000,000.

Expenses in connection with the proposed issuance and sale of common stock are estimated at \$14,100, including Federal original issue tax of \$5,040, State commission fees of \$7,560, and counsel fees of \$1,000.

The proposal to amend the charter and the proposed issuance and sale of the common stock are subject to the jurisdiction of the Michigan Public Service Commission, the State commission of the State in which Michigan Consolidated is organized and doing business. Michigan Consolidated has filed an application with said State commission requesting the requisite authorization a copy of which, when issued, will be filed herein by amendment. The filing states that no other State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than June 4, 1965, request in writing that a hearing be

held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said joint application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the applicants-declarants at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed contemporaneously with the request. At any time after said date, the joint application-declaration, as filed or as it may be amended, may be granted and permitted to become effective as provided in rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in rules 20(a) and 100 thereof or take such other action as it may deem appropriate.

For the Commission (pursuant to delegated authority).

[SEAL]

ORVAL L. DuBOIS,
Secretary.[F.R. Doc. 65-5031; Filed, May 12, 1965;
8:46 a.m.]

SMALL BUSINESS ADMINISTRATION

[License No. 05-0030]

SOUTHERN EQUITIES, INC.

Suspension of License

Notice is hereby given of the entry of an Order suspending the License of Southern Equities, Inc., License No. 05-0030, for a period of eighteen (18) months. The order was contained in an Initial Decision by the Hearing Examiner which became the Decision of the Administration as of the close of business on April 20, 1965, pursuant to § 109.20(a) of the Administration's rules of practice (13 CFR 109.20(a)). In accordance with the provisions of § 109.25 of the Administration's rules of practice, the suspension period commenced as of the start of business on April 21, 1965. The text of the order is as follows:

ORDER

It is ordered, That the License (No. 05-0030) of Southern Equities, Inc., the respondent herein, be and the same is hereby suspended for a period of eighteen (18) months from and after the date upon which this Order becomes final: *Provided, however*, That said suspension shall not operate to prevent respondent from tendering the surrender of its license and taking such action as shall be necessary to carry out any requirements of the Small Business Administration pursuant to the surrender of the license, as set forth in the Act and Regulations.

JOHN LEWIS,
Hearing Examiner.

FEBRUARY 12, 1965.

Dated: May 6, 1965.

ROSS D. DAVIS,
Acting Administrator.[F.R. Doc. 65-5049; Filed, May 12, 1965;
8:47 a.m.]

[Delegation of Authority 4.1]

ASSISTANT DEPUTY ADMINISTRATOR FOR FINANCIAL ASSISTANCE (BUSI- NESS LOANS ASSISTANCE)

Delegation on Financial Assistance

I. Pursuant to the authority delegated by the Administrator to the Deputy Administrator for Financial Assistance in Delegation of Authority No. 4, as amended (29 F.R. 5489, 29 F.R. 18194), there is hereby redelegated to the Assistant Deputy Administrator for Financial Assistance (Business Loans Assistance) the following authority:

A. To approve or decline business and disaster loan applications, including reconsiderations thereof, and to execute authorizations and modifications pertaining to such loans.

B. To approve amendments of loan authorizations in loans that: (a) Have, or (b) have not been fully disbursed.

C. To take all necessary actions in connection with the servicing, administration, collection, and liquidation of partially or fully disbursed loans, other obligations and acquired property, but is not authorized:

1. To sell any primary obligation or other evidence of indebtedness owed to the Agency for a sum less than the total amount due thereon.

2. To accept or reject a compromise settlement of an indebtedness owed to the Agency for a sum less than the total amount due thereon.

3. To exercise any rights under the "Management Agreement" clause of a Loan Agreement.

4. To deny liability of the Small Business Administration under the terms of a participation agreement, or the assertion of a claim for recovery from a participating bank under any alleged violation of a participation agreement.

II. The authority delegated herein may be redelegated.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Assistant Deputy Administrator for Financial Assistance (Business Loans Assistance).

IV. All authority previously delegated by the Deputy Administrator to the Assistant Deputy Administrator for Financial Assistance (Business Loans Assistance) is hereby rescinded without prejudice to actions taken under all such delegations of authority prior to date hereof.

V. All actions taken by the Assistant Deputy Administrator for Financial Assistance (Business Loans) authorized by this redelegation, but taken prior to this redelegation, are hereby ratified.

Effective date: April 13, 1965.

LOGAN B. HENDRICKS,
Deputy Administrator
for Financial Assistance.[F.R. Doc. 65-5016; Filed May 12, 1965;
8:45 a.m.]

[Delegation of Authority 4.2]

ASSISTANT DEPUTY ADMINISTRATOR FOR FINANCIAL ASSISTANCE (ECONOMIC DEVELOPMENT ASSISTANCE)

Delegation on Financial Assistance

I. Pursuant to the authority delegated by the Administrator to the Deputy Administrator for Financial Assistance in Delegation of Authority No. 4, as amended (29 F.R. 5489 and 29 F.R. 18194), there is hereby redelegated to the Assistant Deputy Administrator for Financial Assistance (Economic Development Assistance) the following authority:

A. To approve the establishment of Small Business Development Centers to assist in making loans under the Economic Opportunity Act of 1964.

B. To approve or decline loans made under the Economic Opportunity Act of 1964, including reconsiderations thereof, and to execute authorizations and modifications pertaining to such loans.

C. To approve amendments of loan authorizations in loans in I.B., above, that: (a) Have, or (b) have not been fully disbursed.

D. To take all necessary actions in connection with the servicing, administration, collection and liquidation of partially or fully disbursed loans in I.B., above, other obligations and acquired property, but is not authorized:

1. To sell any primary obligation or other evidence of indebtedness owed to the Agency for a sum less than the total amount due thereon.

2. To accept or reject a compromise settlement of an indebtedness owed to the Agency for a sum less than the total amount due thereon.

3. To exercise any rights under the "Management Agreement" clause of a Loan Agreement.

4. To deny liability of the Small Business Administration under the terms of a participation agreement, or the assertion of a claim for recovery from a participating bank under any alleged violation of a participation agreement.

E. To take all necessary actions in connection with the servicing and liquidation of partially or fully disbursed loans made by the Area Redevelopment Administration in accordance with the Memorandum of Understanding between the Small Business Administration and the Area Redevelopment Administration dated January 16, 1963, as revised.

F. To determine eligibility of disaster loan applicants within the framework of prior determinations.

G. To authorize acceptance of disaster loan applications after expiration of the original disaster period.

H. To extend the original disaster period resulting from a disaster declaration.

II. The authority delegated herein may be redelegated.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Assistant Deputy Administrator for Financial Assistance (Economic Development Assistance).

IV. All authority previously delegated by the Deputy Administrator to the As-

sistant Deputy Administrator for Financial Assistance (Economic Development Assistance) is hereby rescinded without prejudice to actions taken under all such delegations of authority prior to date hereof.

V. All actions taken by the Assistant Deputy Administrator for Financial Assistance (Economic Development Assistance) authorized by this redelegation, but taken prior to this redelegation are hereby ratified.

Effective date: April 13, 1965.

LOGAN B. HENDRICKS,
Deputy Administrator
for Financial Assistance.

[F.R. Doc. 65-5017; Filed, May 12, 1965;
8:45 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 766]

MOTOR CARRIER, BROKER, WATER CARRIER, AND FREIGHT FOR- WARDER APPLICATIONS

MAY 7, 1965.

The following applications are governed by Special Rule 1.247¹ of the Commission's general rules of practice (49 CFR 1.247), published in the FEDERAL REGISTER, issue of December 3, 1963, effective January 1, 1964. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the FEDERAL REGISTER. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with § 1.40 of the general rules of practice which requires that it set forth specifically the grounds upon which it is made and specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and six (6) copies of the protests 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 981 (Sub-No. 17) (CORRECTION) filed April 8, 1965, published FEDERAL REGISTER issue April 28, 1965, corrected and republished this issue. Applicant: ABLE TRANSPORTATION, INC., 5017 Washington Road, Kenosha, Wis. Applicant's attorney: Charles W.

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

Singer, Tower Suite 3600, 33 North La Salle Street, Chicago, 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, commodities requiring special equipment, and those injurious or contaminating to other lading), serving the plant site of Bethlehem Steel Co., located at Burns Harbor, Porter County, Ind., as an off-route point in connection with applicant's presently authorized regular route authority from Chicago, Ill., to Winterset, Iowa, and from Chicago, Ill., to Iowa City, Iowa.

NOTE: The purpose of this republication is to show the service as proposed will be over regular routes, in lieu of irregular routes as shown in previous publication. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 1641 (Sub-No. 63) filed April 22, 1965. Applicant: PEAKE TRANSPORT SERVICE, INC., Box 366, Chester, Nebr. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Anhydrous ammonia and liquid fertilizer solutions, in bulk, in tank vehicles, from the Consumers Cooperative Association plant located near Fort Dodge, Iowa, to points in Nebraska, North Dakota, South Dakota, Minnesota, Missouri, Kansas, Wisconsin, and Illinois.

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

No. MC 2202 (Sub-No. 277), filed April 20, 1965. Applicant: ROADWAY EXPRESS, INC., 1077 Gorge Boulevard, Post Office Box 471, Akron, Ohio, 44309. Applicant's attorney: Paul M. Daniell, 1600 First Federal Building, Atlanta, Ga., 30303. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: General commodities (except those of unusual value, Classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), between Columbus, Ga., on the one hand, and, on the other, points in Russell County, Ala.

NOTE: Applicant states that it proposes to tack points in Russell County, Ala., with its existing operations from and to Columbus, Ga., and points within its commercial zone. Applicant also states that the proposed operation will be restricted to traffic destined to or originating at points presently served by applicant. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ga.

No. MC 2428 (Sub-No. 16) (AMENDMENT), filed March 23, 1965, published FEDERAL REGISTER issue of April 14, 1965, amended April 27, 1965, and republished as amended this issue. Applicant: H. PRANG TRUCKING CO., INC., 112 New Brunswick Avenue, Hopelawn (Perth Amboy), N.J. Applicant's attorney: Morton E. Klei, 140 Cedar Street, New York 6, N.Y. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Roofing, roofing material and supplies,

paint, shingles, asbestos, asbestos products, felt, cement, and asphalt (except liquid asphalt, in bulk, in tank vehicles), (1) from Perth Amboy, N.J., to points in New Jersey, Connecticut, Delaware, Maryland, Massachusetts, New York, Pennsylvania, Rhode Island, and the District of Columbia, and (2) from points in New Jersey, Connecticut, Delaware, Maryland, Massachusetts, New York, Pennsylvania, Rhode Island, and the District of Columbia, to Perth Amboy, N.J.

NOTE: The purpose of this republication is to clearly set forth the authority sought. Applicant states the proposed operations will be under continuing contract with Philip Carey Manufacturing Co. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 2900 (Sub-No. 116), filed April 21, 1965. Applicant: RYDER TRUCK LINES, INC., 2050 Kings Road, Jacksonville, Fla. Applicant's attorney: Paul M. Daniell, 1600 First Federal Building, Atlanta, Ga., 30303. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: General commodities (except those of unusual value, Classes A and B explosives, tobacco, liquor, commodities in bulk, commodities requiring special equipment, and household goods as defined by the Commission), between Columbus, Ga., on the one hand, and, on the other, points in Russell County, Ala.

NOTE: Common control may be involved. Applicant states that it proposes to tack points in Russell County, Ala., with its existing operations from and to Columbus, Ga., and points within its commercial zone. Applicant also states that the above proposed operation will be restricted to traffic destined to or originating at points presently served by applicant. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ga.

No. MC 6078 (Sub-No. 47) (CLARIFICATION) filed April 8, 1965, published FEDERAL REGISTER issue April 28, 1965, and republished as clarified this issue. Applicant: D. F. BAST, INC., 1425 North Maxwell Street, Allentown, Pa. Applicant's representative: Bert Collins, 140 Cedar Street, New York 6, N.Y.

NOTE: Applicant states it is not seeking to serve any points not presently authorized, but is requesting authority to eliminate present gateways at Allentown and Bethlehem, Pa., in connection with parts (1) and (2). The purpose of this republication is to clarify the above note by adding the word "not" (not presently authorized). If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 11220 (Sub-No. 92), filed April 12, 1965. Applicant: GORDON'S TRANSPORTS, INC., 185 West McLeamore Avenue, Memphis, Tenn. Applicant's attorney: James W. Wrape, 2111 Sterick Building, Memphis, Tenn. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities (except automobiles set up on wheels, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Chicago, Ill., and Vincennes, Ind.; from Chicago over Illinois Highway 50 to junction U.S.

Highway 54, thence over U.S. Highway 54 to junction Illinois Highway 49, thence over Illinois Highway 49 to junction U.S. Highway 24, thence over U.S. Highway 24 to junction Illinois Highway 1, approximately two (2) miles east of Watseka, Ill., thence over Illinois Highway 1 to Lawrenceville, Ill., and thence over U.S. Highway 50 to Vincennes, and return over the same route, serving no intermediate points.

NOTE: Applicant states it proposes to join the proposed route at Vincennes with its present authority in MC 11220 Sub 79 between Chicago, Ill., and Pulaski, Tenn. If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn.

No. MC 14215 (Sub-No. 6), filed April 21, 1965. Applicant: ROBERT H. SMITH, doing business as ROBERT SMITH TRUCK SERVICE, Stony Hollow Boulevard, Post Office Box 23, Steubenville, Ohio. Applicant's attorney: James R. Stiversen, 50 West Broad Street, Columbus 15, Ohio. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Such bulk commodities as are transported in dump vehicles, between points in those parts of Ohio, Pennsylvania, and West Virginia within 75 miles of Steubenville, Ohio, on the one hand, and, on the other, points in Pleasants County, W. Va.

NOTE: Applicant states the purpose of this application is to remove the gateways of Belmont, Guernsey, Jefferson, Monroe, Noble, and Harrison Counties, Ohio, on movements to and from Pleasants County, W. Va. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 14903 (Sub-No. 2), filed April 21, 1965. Applicant: FRY'S HORSE TRANSPORTATION, INC., Grove City, Ohio. Applicant's attorney: James R. Stiversen, 50 West Broad Street, Columbus 15, Ohio. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Livestock (other than ordinary), and in connection therewith, personal effects of attendants, and supplies and equipment (including mascots) used in the care and/or exhibition of such animals, between points in Arizona, California, Colorado, and New Mexico.

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

No. MC 16742 (Sub-No. 4), filed April 21, 1965. Applicant: DUNMIRE BROTHERS, INC., Plain City, Ohio. Applicant's attorney: James R. Stiversen, 50 West Broad Street, Columbus 15, Ohio. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Livestock (other than ordinary livestock), and in connection therewith personal effects of attendants, and supplies and equipment (including mascots) used in the care and/or exhibition of such animals, between points in Arizona, California, Colorado, and New Mexico.

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

No. MC 21170 (Sub-No. 82) filed April 30, 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: Ingredients such as are used in the manufacture of medicinal additives for animal and poultry feeds (except commodities in bulk, in tank vehicles), from points in Illinois, Kentucky, New Jersey, and New York, to Charles City, Iowa.

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

No. MC 25869 (Sub-No. 42), filed April 21, 1965. Applicant: NOLTE BROS. TRUCK LINE, INC., 2509 "O" Street, Post Office Box 184, South Omaha, Nebr. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Iron and steel articles, from Omaha, Nebr., to points in Nebraska.

NOTE: Applicant states that the purpose of this application is for tacking or joining with its present authority. If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr.

No. MC 29566 (Sub-No. 102), filed April 16, 1965. Applicant: SOUTHWEST FREIGHT LINES, INC., 1400 Kansas Avenue, Kansas City, Kans. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Advertising matter; articles distributed by wholesale or retail suppliers, marketers, or distributors of petroleum products and such commodities as are used by wholesale or retail suppliers, marketers, or distributors of petroleum products in the conduct of their businesses, when shipped in mixed loads with petroleum products (presently authorized), from Ponca City, Okla., to points in Illinois, Iowa, Nebraska, and Missouri.

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

No. MC 29566 (Sub-No. 103), filed April 19, 1965. Applicant: SOUTHWEST FREIGHT LINES, INC., 1400 Kansas Avenue, Kansas City, Kans. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Meats, meat products, and meat byproducts, and articles distributed by meat packinghouses as described in sections A and C of Appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles and except hides), between Sioux Falls, S. Dak., and Arkansas City and Wichita, Kans.

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

No. MC 29886 (Sub-No. 204), filed April 29, 1965. Applicant: DALLAS & MAVIS FORWARDING CO., INC., 4000 West Sample Street, South Bend, Ind. Applicant's attorney: Charles M. Pieroni (same as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Trucks, tractors, truck chassis, partially or completely assembled, and (2) parts and accessories thereof when moving with the above-specified commodities, in initial movements, in drive-

away and truckaway service, from Indianapolis, Ind., to points in the United States (except points in Hawaii).

Note: If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky., or Chicago, Ill.

No. MC 30844 (Sub-No. 175), filed April 21, 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 by-products, 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 points in Dawson County, Nebr., to points in Colorado, Connecticut, Delaware, District of Columbia, Illinois, Indiana, Iowa, Maine, Maryland, Massachusetts, Michigan, Minnesota, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, and Wisconsin.

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

No. MC 30844 (Sub-No. 176), filed April 21, 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 by-products, 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, Connecticut, Delaware, District of Columbia, Illinois, Indiana, Iowa, Maine, Maryland, Massachusetts, Michigan, Minnesota, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, and Wisconsin.

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

No. MC 30844 (Sub-No. 177), filed April 21, 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: *Foodstuffs, canned, prepared, or preserved (other than frozen)*, from points in Delaware and Maryland, points in Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, Ocean, and Salem Counties, N.J., and points in Accomack and Northampton Counties, Va., 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 Washington, D.C., or Baltimore, Md.

No. MC 31389 (Sub-No. 66) (CLARIFICATION), filed February 18, 1965, published FEDERAL REGISTER issue of March 25, 1965, and republished as clarified this issue. Applicant: McLEAN TRUCKING COMPANY, a corporation, Post Office Box 213, Winston-Salem, N.C. Applicant's attorney: David G. MacDonald, 1000 16th Street NW., Washington, D.C., 20036. The purpose of this republication is to substitute U.S. Highway 25 in place of U.S. Highway 276 as shown in section (4), irregular-route authority, of the previous publication, to read as follows: (4) Points in North Carolina more than 100 miles from and west of a north-south line drawn through High Point which are both on and south of U.S. Highway 70 and on or east of U.S. Highway 25.

No. MC 31600 (Sub-No. 587), filed April 15, 1965. Applicant: P. B. MURTRIE MOTOR TRANSPORTATION, INC., Calvary Street, Waltham, Mass. Applicant's attorney: E. Stephen Heisley, Transportation Building, Washington, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Bulk commodities (except 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 the service as proposed is to be restricted to shipments having a prior movement by rail. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 31600 (Sub-No. 588), filed April 15, 1965. Applicant: P. B. MURTRIE MOTOR TRANSPORTATION, INC., Calvary Street, Waltham, Mass. Applicant's attorney: E. Stephen Heisley, Transportation Building, Washington, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Dry cement and mortar*, in bulk, from points in Massachusetts, to points in Connecticut, Massachusetts, Rhode Island, and New Hampshire.

Note: Applicant states "no duplicate authority is being sought." If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 36181 (Sub-No. 3), filed April 27, 1965. Applicant: ARNOLD N. GILMER, doing business as ARNOLD N. GILMER MOVING & STORAGE, Aberdeen, Md. Applicant's attorney: William T. Croft, Federal Bar Building, 1815 H Street NW., Washington 6, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Household goods, office furniture and equipment, and store fixtures*, between points in Harford and Cecil Counties, Md., on the one hand, and, on the other, points in Baltimore County, Md., and Baltimore, Md.

Note: If a hearing is deemed necessary, applicant does not specify location.

No. MC 40647 (Sub-No. 7), filed April 19, 1965. Applicant: W. A. McDANIEL, doing business as McDANIEL MOTOR

EXPRESS, Post Office Box 74, North Middletown, Ky. Applicant's attorney: George M. Catlett, Suite 703-706, McClure Building, Frankfort, Ky., 40601. Authority sought to operate as a common carrier, by motor vehicle, over irregular and regular routes, transporting: *IRREGULAR ROUTES: Steel fencing, gates and posts, staples, nails, barbed and smooth wire rolls, and galvanized roofing*, from Kokomo, Ind., to Paris and Millersburg, Ky. *REGULAR ROUTES: General commodities*, (1) between North Middletown, Ky., and Paris, Ky., over U.S. Highway 460, serving all intermediate points and those off-route points within a 3-air mile radius of the specified route, including the termini; (2) between Paris, Ky., and Lexington, Ky., over U.S. Highways 68 and 27, serving all intermediate points and those off-route points within a 3-air mile radius of the specified route, including the termini; (3) between North Middletown, Ky., and Little Rock, Ky., from North Middletown over Kentucky Highway 956 to Plum, Ky., thence over Kentucky Highway 537 to Little Rock and return over the same route, serving all intermediate points and those off-route points within a 3-air mile radius of the specified route, including the termini; and (4) between North Middletown, Ky., and Lexington, Ky., over Kentucky Highway 956, serving the intermediate points of Austerlitz, Clintonville, and Avon, Ky., and those off-route points within a 3-air mile radius of the termini and specified intermediate points on the route described in (4) above.

Note: If a hearing is deemed necessary, applicant requests it be held at Lexington, Ky.

No. MC 42286 (Sub-No. 1), filed April 16, 1965. Applicant: RIZZO TRUCKING, INC., 71 North Fifth Street, Brooklyn, N.Y., 11211. Applicant's attorney: Morris Honig, 150 Broadway, New York 38, N.Y. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, packinghouse products, and commodities used by packinghouses*, (1) between New York, N.Y., on the one hand, and, on the other, points in Westchester County, N.Y.; (2) between Elmsford and Mount Kisco, N.Y., on the one hand, and, on the other, points in Bergen, Essex, Hudson, and Passaic Counties, N.J., and (3) between Newark, N.J., on the one hand, and, on the other, Elmsford and New York, N.Y.

Note: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 42487 (Sub-No. 623), filed April 16, 1965. Applicant: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Drive, Menlo Park, Calif. Applicant's attorney: R. C. Stetson, 175 Linfield Drive, Menlo Park, Calif. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Benzene sulfonyl chloride*, liquid, in bulk, in tank vehicles, from Salem, Ohio, to Richmond, Calif.

Note: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

No. MC 44783 (Sub-No. 1), filed April 19, 1965. Applicant: THE MAHONING EXPRESS COMPANY, a corporation, 168 South Meridian Avenue, Youngstown, Ohio. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Culverts, guardrail and retaining wall*, from Girard, Ohio, and Neville Island, Pa., to points in Wisconsin, Illinois, Indiana, Kentucky, Michigan, Ohio, Pennsylvania, West Virginia, New York, and New Jersey, and refused, returned, or rejected shipments of the above-specified commodities, on return.

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

No. MC 48957 (Sub-No. 24), filed April 26, 1965. Applicant: CROWN MOTOR FREIGHT CO., a corporation, 832 East 28th Street, Paterson 3, N.J. Applicant's attorney: S. S. Eisen, 140 Cedar Street, New York, N.Y. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Rayon, rayon yarn, rayon fiber, rayon yarn products, rayon waste, synthetic yarn, synthetic fiber, synthetic staple fiber, synthetic fiber products*, from Lewistown, Pa., to points in New York, New Jersey, Connecticut, Rhode Island, and Massachusetts.

NOTE: Applicant states that "no duplicating authority is sought." If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 50002 (Sub-No. 48), filed April 16, 1965. Applicant: T. CLARENCE BRIDGE AND HENRY W. BRIDGE, a partnership, doing business as BRIDGE BROTHERS, North Santa Fe Trail, Post Office Box 588, Lamar, Colo. Applicant's attorney: C. Zimmerman, 503 Schweiter Building, Wichita, Kans., 67202. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, in tank vehicles, and *dry urea*, in bulk, from the plant site of American Cyanamid Co., located at Avondale, La., to points in Alabama, Arkansas, Florida, Georgia, Kansas, Kentucky, Louisiana, Mississippi, Missouri, North Carolina, Oklahoma, South Carolina, Tennessee, and Texas, and rejected and damaged shipments, on return.

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

No. MC 52458 (Sub-No. 201), filed April 23, 1965. Applicant: T. I. McCORMACK TRUCKING COMPANY, INC., U.S. Route 9 at Green Street, Woodbridge, N.J. Applicant's attorney: Chester A. Zyblut, 1000 Connecticut Avenue NW., Washington, D.C., 20036. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Dry sugar*, in bulk, from the Town of Montezuma, Cayuga County, N.Y., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania,

Virginia, West Virginia, Vermont, Rhode Island, and the District of Columbia.

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

No. MC 52564 (Sub-No. 4), filed April 22, 1965. Applicant: ELLIOTT DELIVERY SERVICE, INC., 2130 24th Place NE., Washington 8, D.C. Applicant's attorney: Albert F. Beasley, Investment Building, 15th and K Streets NW., Washington 5, D.C. Authority sought to operate as a common carrier, by motor vehicle, over regular and irregular routes, transporting: *REGULAR ROUTES* (1) *Motion picture films and such supplies* as are incidental to and used in the exhibition of motion picture films and the maintenance and operation of motion picture theaters, newspapers, magazines, periodicals, notions, novelties, groceries, bakery supplies, and dry ice, between Washington, D.C., and Lexington, Va.: (a) From Washington over U.S. Highway 211 to junction U.S. Highway 50, thence over U.S. Highway 50 to junction Virginia Highway 723, thence over Virginia Highway 723 via Boyce, Va., to junction U.S. Highway 50, thence over U.S. Highway 50 to Winchester, Va., thence over U.S. Highway 11 via Stephens City, Va., to Lexington, and return over the same route, serving all intermediate points, and (b) from Washington to Boyce, Va., as specified above, thence over U.S. Highway 340 to junction Virginia Highway 277, thence over Virginia Highway 277 to Stephens City, Va., and thence to Lexington as specified above, and return over the same routes, serving all intermediate points; and (2) between junction U.S. Highways 50 and 29, and junction U.S. Highway 29 and the northern boundary of Amherst County, Va.:

From junction U.S. Highways 50 and 29 over U.S. Highway 29 to junction northern boundary of Amherst County, and return over the same route, serving no intermediate points and restricted to traffic moving to or from Washington, D.C. *IRREGULAR ROUTES: Motion picture films and such supplies* as are incidental to and used in the exhibition of motion picture films and the maintenance and operation of motion picture theaters, newspapers, magazines, periodicals, notions, novelties, groceries, bakery supplies, and dry ice, (a) between Bristol, Tenn., and points in Wyoming, Mercer, Raleigh, Summers, Monroe, and Greenbrier Counties, W. Va., and those in that part of Virginia south of and including Bath, Rockbridge, and Amherst Counties, Va., and west of U.S. Highway 29, including points on the indicated portions of the highway specified, and (b) between Washington, D.C., on the one hand, and, on the other, points in the irregular route territory described above.

NOTE: The purpose of this application is to combine applicant's irregular route operation in the handling of "notions, novelties, groceries, bakery supplies and dry ice" from Washington, D.C., to points on the said regular routes with its regular routes operation, so as to conduct a single, regular routes, scheduled operation, between Washington,

D.C., and Lexington, Va. No commodities have been added, and no additional territory or routes or duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 52953 (Sub-No. 30), filed April 16, 1965. Applicant: ET & WNC TRANSPORTATION COMPANY, a corporation, 132 Legion Street, Johnson City, Tenn. Applicant's attorney: Russell R. Sage, 2001 Massachusetts Avenue NW., Washington, D.C., 20036. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading), between Bristol, Tenn., and New York, N.Y.: (1) from Bristol over U.S. Highway 11 to junction U.S. Highway 340 (also from Bristol over Interstate Highway 81 to junction U.S. Highway 340), thence over U.S. Highway 340 to junction U.S. Highway 250, thence over U.S. Highway 250 to junction U.S. Highway 29, thence over U.S. Highway 29 to junction Interstate Highway 66, thence over Interstate Highway 66 to junction Interstate Highway 495, thence over Interstate Highway 495 to junction Interstate Highway 95, thence over Interstate Highway 95 to junction U.S. Highway 1 (also from junction Interstate Highways 66 and 495, over Interstate Highway 495 to junction U.S. Highway 1), thence over U.S. Highway 1 to junction Maryland Highway 176, thence over Maryland Highway 176 to junction Washington-Baltimore Expressway, thence over Washington-Baltimore Expressway to Baltimore, Md., thence over U.S. Highway 40 to junction U.S. Highway 13, thence over U.S. Highway 13 to junction Pennsylvania Highway 291.

Thence over Pennsylvania Highway 291 to Philadelphia, Pa., thence over U.S. Highway 1 to New York (also from junction U.S. Highways 40 and 13 south of Wilmington, Del., over U.S. Highway 40 to junction U.S. Highway 130, thence over U.S. Highway 130 to junction U.S. Highway 1; also from Philadelphia, Pa., across the Tacony-Palmyra Bridge to junction New Jersey Highway 73, thence over New Jersey Highway 73 to junction U.S. Highway 130, thence over U.S. Highway 130 to junction U.S. Highway 1), and return over the same route, serving the intermediate points of Washington, D.C., Baltimore, Md., and Philadelphia, Pa., and those off-route points located within 35 miles of Philadelphia, Pa., and points in New Jersey within 35 miles of the New York, N.Y., commercial zone; and (2) from Bristol over U.S. Highway 11 to junction U.S. Highway 22 (also from Bristol over Interstate Highway 81 to junction U.S. Highway 22), thence over U.S. Highway 22 to junction U.S. Highway 1 (also from junction U.S. Highway 22 and Interstate Highway 78 (or junction Interstate Highways 81 and 78), over Interstate Highway 78 to junction U.S. Highway 1), thence over U.S.

Highway 1 to New York and return over the same route, serving no intermediate points and those off-route points in New Jersey within 35 miles of the New York, N.Y. commercial zone.

NOTE: Applicant states that the purpose of this application is to change applicant's existing gateway from Asheville to Bristol, Tenn., on movements to and from New York, Philadelphia, Baltimore and Washington, D.C. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Johnson City, Tenn.

No. MC 58813 (Sub-No. 59), filed April 21, 1965. Applicant: SELMAN'S EXPRESS, INC., 460 West 35th Street, New York, N.Y. Applicant's attorney: Solomon Granett, 1740 Broadway, New York, N.Y. 10019. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Wearing apparel*, loose, on hangers only, from West Palm Beach, Fla., to New York, N.Y., and (2) *materials and supplies* used in the manufacture of wearing apparel, from New York, N.Y., to West Palm Beach, Fla.

NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 61592 (Sub-No. 34), filed April 21, 1965. Applicant: JENKINS TRUCK LINE, INC., 3708 Elm Street, Bettendorf, Iowa, 52722. Applicant's attorney: Val M. Higgins, 1000 First National Bank Building, Minneapolis, Minn., 55402. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *refabricated buildings*, complete, knocked down or in sections and when transported in connection with the transportation of such buildings, *component parts thereof* and *equipment and materials incidental* to the erection and completion of such buildings, from Fairborn, Ohio, and points within 5 miles thereof to points in Ohio and Indiana.

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

No. MC 61592 (Sub-No. 35), filed April 21, 1965. Applicant: JENKINS TRUCK LINE, INC., 3708 Elm Street, Bettendorf, Iowa. Applicant's attorney: Val M. Higgins, 1000 First National Bank Building, Minneapolis, Minn. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Trailers*, from Birmingham, Ala., to points in the United States (except points in Hawaii).

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

No. MC 72442 (Sub-No. 15), filed April 21, 1965. Applicant: AKERS MOTOR LINES, INCORPORATED, Post Office Box 579, Gastonia, N.C., 28053. Applicant's attorney: Alan E. Serby, Suite 1600, First Federal Building, Atlanta, Ga., 30303. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, tobacco, liquor, commodities in bulk, commodities requiring special equipment and household goods as defined by the Commission), between Columbus, Ga., on the

one hand, and, on the other, points in Russell County, Ala.

NOTE: Applicant states that it proposes to tack points in Russell County, Ala., with its existing operations from and to Columbus, Ga., and points within its commercial zone. Applicant also states that the above proposed operation will be restricted to traffic destined to or originating at points presently served by applicant. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ga.

No. MC 73165 (Sub-No. 195) filed March 19, 1965. Applicant: EAGLE MOTOR LINES, INC., 830 North 33d Street, Birmingham, Ala. Applicant's attorney: Maurice P. Bishop, 325-29 Frank Nelson Building, Birmingham 3, Ala. 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 *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 west of the Tennessee River in Tennessee and Kentucky, points in Missouri on and south of U.S. Highway 66, points in Arkansas, Mississippi, and points in Alabama on and north of U.S. Highway 278 (except Decatur), and points in Louisiana east of the Mississippi River.

NOTE: Applicant states it desires and proposes to tack any authority received under this application with authority authorized in its existing certificates. If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn.

No. MC 76478 (Sub-No. 9), filed April 23, 1965. Applicant: CHESTER CARRIERS, INC., 1245 Manheim Pike, Lancaster, Pa. Applicant's representative: Bernard N. Gingerich, Quarryville, Pa. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Slag* (boiler), dried, crushed and/or screened, in bulk and/or in containers, from points in Lower Penns Neck Township, Salem County, N.J., and Passaic, N.J., to points in Connecticut, the District of Columbia, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, and Virginia.

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

No. MC 80428 (Sub-No. 47), filed April 20, 1965. Applicant: MCBRIDE TRANSPORTATION, INC., Main Street, Goshen, N.Y. Applicant's attorney: Martin Werner, 2 West 45th Street, New York 36, N.Y. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Dry sugar*, in bulk, 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, Vermont, Virginia, Rhode Island, and West Virginia, and *returned, refused and rejected shipments* of the above commodities, on return.

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

No. MC 83539 (Sub-No. 144), filed April 26, 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: *Conduit, pipe, or tubing*, plastic, or fibre (bituminized or indurated), with or without fittings, from Sherman, Tex., to points in Alabama, Arkansas, Georgia, Missouri, New York, and Oklahoma.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C. or Dallas, Tex.

No. MC 94350 (Sub-No. 55), filed April 19, 1965. Applicant: TRANSIT HOMES, INC., 210 West McBee Avenue, Box 1628, Greenville, S.C. Applicant's attorney: Henry P. Willimon, 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 Laurens County, S.C. (except Cross Hill and Clinton, S.C.), to points in Louisiana, Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Maine, Maryland, Michigan, Massachusetts, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, Ohio, and the District of Columbia, and *damaged and rejected shipments*, on return.

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

No. MC 102567 (Sub-No. 103), filed April 20, 1965. Applicant: EARL CLARENCE GIBBON, doing business as EARL GIBBON PETROLEUM TRANSPORT, 235 Benton Road, Bossier City, La. Applicant's attorney: Jo. E. Shaw, 641 Bettes Building, Houston, Tex. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, in tank vehicles and *urea*, dry, in bulk, from the plant site of American Cyanamid Co., Avondale, La., to points in Alabama, Arkansas, Florida, Georgia, Kansas, Kentucky, Louisiana, Mississippi, Missouri, North Carolina, Oklahoma, South Carolina, Tennessee, and Texas.

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

No. MC 105556 (Sub-No. 48), filed April 20, 1965. Applicant: HOUCK TRANSPORT COMPANY, a corporation, Box 559, Glendive, Mont. Applicant's attorney: Franklin S. Longan, Suite 319 Securities Building, Billings, Mont., 59101. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, (1) from Aberdeen, S. Dak.,

and points within fifteen (15) miles thereof, to points in Minnesota, Montana, North Dakota, and Wyoming, and (2) from Jamestown, N. Dak., and points within fifteen (15) miles thereof (except from the site of the pipeline terminal of Standard Oil Co., and/or American Oil Co., approximately twelve (12) miles west of Jamestown, N. Dak., on U.S. Highway 10), to points in Minnesota, Montana, South Dakota, and North Dakota.

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

No. MC 106401 (Sub-No. 19), filed April 21, 1965. Applicant: JOHNSON MOTOR LINES, INC., 2426 North Graham Street, Post Office Box 10877, Charlotte 1, N.C. Applicant's attorney: Paul M. Daniell, 1600 First Federal Building, Atlanta, Ga., 30303. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: General commodities (except those of unusual value, Classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Columbus, Ga., on the one hand, and, on the other, points in Russell County, Ala.

NOTE: Applicant states that it proposes to tack points in Russell County, Ala., with its existing operations from and to Columbus, Ga., and points within its commercial zone. Applicant also states that the above-proposed operation will be restricted to traffic destined to or originating at points presently served by applicant. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ga.

No. MC 106715 (Sub-No. 7), filed April 26, 1965. Applicant: SKAGGS FREIGHT LINES, INC., 422 Toronto Street, Dallas, Tex. Applicant's attorney: Benjamin E. Pickering, 2414 Mercantile Bank Building, Dallas, Tex. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Uncratered, new or used, unassembled or dismantled aeroplanes, and aeroplane parts, (1) from points in Oklahoma, to points in Colorado, Wyoming, Utah, New Mexico, Nebraska, and Kansas, and (2) between points in Colorado, Wyoming, Utah, New Mexico, Nebraska, Texas, and Kansas (except Wichita and points within five (5) miles of Wichita).

NOTE: Applicant presently holds authority in the identical territory to transport "uncratered, new or used, unassembled or dismantled aeroplanes, and aeroplane parts, when transported along with an aeroplane". Applicant seeks no duplication of authority. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 106968 (Sub-No. 4), filed April 19, 1965. 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 West Sixth Street, Suite 723, 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 the port of entry on the international boundary between the United States and Mexico located at or near San Ysidro, Calif., on the one hand, and, on the other, the port of entry on the international boundary between the United States and Mexico located at or near El Paso, Tex.

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

No. MC 107002 (Sub-No. 249), filed April 16, 1965. Applicant: HEARIN-MILLER TRANSPORTERS, INC., Post Office Box 1123 (Highway 80 West), Jackson, Miss. Applicant's attorney: Harry C. Ames, Jr., 529 Transportation Building, Washington, D.C., 20006. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Anhydrous ammonia, in bulk, in tank vehicles, and dry urea, in bulk, from the plant site of American Cyanamid in Avondale, La., to points in Alabama, Arkansas, Florida, Georgia, Kansas, Kentucky, Louisiana, Mississippi, Missouri, North Carolina, Oklahoma, South Carolina, Tennessee, and Texas.

NOTE: Applicant states no duplication of authority is sought. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 107002 (Sub-No. 250), filed April 20, 1965. Applicant: HEARIN-MILLER TRANSPORTERS, INC., Post Office Box 1123, Highway 80 West, Jackson, Miss. Applicant's attorney: E. Stephen Heisley, Transportation Building, Washington, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Processed clay, in bulk, from Jackson, Miss., to points in Alabama, Florida, Georgia, Iowa, Missouri, New Jersey, North Carolina, Pennsylvania, South Carolina, Tennessee, Virginia, and West Virginia.

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

No. MC 107496 (Sub-No. 373), filed April 19, 1965. Applicant: RUAN TRANSPORT CORPORATION, Keosauqua Way at Third, Des Moines, Iowa. Applicant's attorney: H. L. Fabritz (address same as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Cement, in bulk, from the Dundee Cement Co., located at or near Castleton, Ind., to points in Illinois and Ohio.

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

No. MC 107496 (Sub-No. 374), filed April 20, 1965. Applicant: RUAN TRANSPORT CORPORATION, Keosauqua Way at Third, Des Moines, Iowa. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Anhydrous ammonia, in bulk, in tank vehicles, and urea, in bulk, from the plant site of the American Cyanamid Co., located at Avondale, La., to points in Alabama, Arkansas, Florida, Georgia, Kansas, Kentucky, Louisiana, Mississippi, Missouri,

North Carolina, Oklahoma, South Carolina, Tennessee, and Texas.

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

No. MC 107515 (Sub-No. 510), filed April 21, 1965. Applicant: REFRIGERATED TRANSPORT CO., INC., 290 University Avenue SW., Atlanta, Ga. Applicant's attorney: Paul M. Daniell, Suite 1600 First Federal Building, Atlanta, Ga. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Frozen foods, from Lafayette, Ind., to points in North Carolina, and South Carolina.

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

No. MC 107515 (Sub-No. 511), filed April 20, 1965. Applicant: REFRIGERATED TRANSPORT CO., INC., 290 University Avenue SW., Atlanta, Ga. Applicant's attorney: Paul M. Daniell, Suite 1600 First Federal Building, Atlanta, Ga., 30303. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Canned goods, from points in Florida, to points in Alabama, Georgia, South Carolina, North Carolina, Tennessee, Mississippi, Louisiana, and Kentucky.

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

No. MC 107698 (Sub-No. 35), filed April 26, 1965. Applicant: BONANZA, INC., Post Office Box 5526, Midwest City, Okla. 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, transporting: Foodstuffs, from Springdale, Ark., and points within five (5) miles thereof, to points in Arizona, Colorado, Idaho, Montana, Nebraska, New Mexico, Utah, Wyoming, and Alpine, Ashley, El Paso and Pecos, Tex.

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

No. MC 107698 (Sub-No. 36), filed April 26, 1965. Applicant: BONANZA, INC., Post Office Box 5526, Midwest City, Okla. 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, transporting: Oleomargarine, from Dallas, Tex., to points in Utah, Idaho, Montana, Washington, and Oregon.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla.

No. MC 107698 (Sub-No. 37), filed April 30, 1965. Applicant: BONANZA, INC., Post Office Box 5526, Midwest City, Okla. 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, transporting: Frozen foods, po-

tato products, frozen or unfrozen, and juice and juice concentrates, frozen or unfrozen, from points in Washington, Oregon, and Idaho, to points in Kansas, Missouri, Mississippi, and Memphis, Tenn.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla.

No. MC 109397 (Sub-No. 117), filed April 19, 1965. Applicant: TRI-STATE MOTOR TRANSIT CO., a corporation, Post Office Box 113, Joplin, Mo. Applicant's attorney: Max G. Morgan, 443-54 American National Building, Oklahoma City, Okla. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Acids and chemicals*, in drums or packages and not in bulk, from Millsdale, Ill., to Fieldsboro, N.J.; and (2) *citric acid*, in drums and packages and not in bulk, from Fieldsboro, N.J., to points in Ohio, Michigan, Illinois, Missouri, Indiana, Kentucky, Kansas, Minnesota, and Wisconsin.

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

No. MC 109497 (Sub-No. 11), (CORRECTION) filed March 4, 1965, published FEDERAL REGISTER issue March 25, 1965, corrected and republished April 1, 1965, and corrected and republished this issue. Applicant: A. F. COMER TRANSPORT SERVICE, INC., Post Office Box 711, Rocky Mount, N.C. Applicant's attorney: Louis Reznick, 5009 Keokuk Street, Washington 16, D.C.

NOTE: The purpose of this republication is to show that reference to the "Planters National Bank and Trust Company, Administrator" as shown in previous publications, is to be eliminated, as they are no longer Administrator.

No. MC 109637 (Sub-No. 279), filed April 19, 1965. Applicant: SOUTHERN TANK LINES, INC., 4107 Bells Lane, Louisville, Ky. 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 109693 (Sub-No. 18), filed April 19, 1965. Applicant: GRAIN BELT TRANSPORTATION COMPANY, a corporation, 625 Livestock Exchange Building, Kansas City, Mo. Applicant's attorney: Tom B. Kretsinger, Suite 510 Professional Building, Kansas City, Mo. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Combines and parts thereof*, from points in the Kansas City, Mo.-Kans., commercial zone, as defined by the Commission, to points in Arkansas, Louisiana, and Mississippi, and *retendered, damaged, and refused shipments*, of the commodities specified above, on return.

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

No. MC 110103 (Sub-No. 4), filed April 15, 1965. Applicant: WALTER E. COY, doing business as COY BROS., Box 416, Canfield, Ohio. Applicant's attorney: Paul F. Beery, 44 East Broad Street, Columbus, Ohio. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (1) *Clay and clay products*, in bulk, from points in Hillsville Township, Lawrence County, Pa., to points in Ohio, Michigan, West Virginia, Indiana, and New York, and Ashland, Ky., and (2) *clay, clay products, and high temperature cement*, in bulk, from Canfield, Ohio, to points in Michigan, West Virginia, New York, Pennsylvania, and Indiana, and Ashland, Ky.

NOTE: Applicant states the proposed service as shown above in (1) and (2), will be performed for the account of The American Fire Clay & Products Co., Canfield, Ohio. Applicant herein is already a contract carrier serving this shipper. It is further noted that applicant has common carrier authority under MC 109521, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 110166 (Sub-No. 15), filed April 19, 1965. Applicant: TENNESSEE CAROLINA TRANSPORTATION, INC., Nance Lane, Post Office Box 7308, Nashville, Tenn. 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, and those requiring special equipment), between Woodbury, Tenn., and Auburndown, Tenn.: From Woodbury over Tennessee Highway 145 to Auburndown, and return over the same route, serving all intermediate points.

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

No. MC 110193 (Sub-No. 88), filed April 21, 1965. Applicant: SAFEWAY TRUCK LINES, INC., 20450 Ireland Road, South Bend, Ind. Applicant's representative: Walter J. Kobos (address same as applicant). 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*, 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, Rhode Island, and the District of Columbia, and *empty containers and incidental supplies* used in transporting the above-described commodities, on return.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Detroit, Mich.

No. MC 110193 (Sub-No. 89), filed April 21, 1965. Applicant: SAFEWAY TRUCK LINES, INC., 20450 Ireland Road, South Bend, Ind. Applicant's rep-

resentative: Walter J. Kobos (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except liquids in bulk, in tank vehicles, and except hides), from Taylorville, Ill., to points in Connecticut, Massachusetts, and Rhode Island, and (2) *empty containers and pallets*, from points in Connecticut, Massachusetts, and Rhode Island to Taylorville and Chicago, Ill.

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

No. MC 110525 (Sub-No. 723), filed April 16, 1965. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. Applicant's attorneys: Leonard A. Jaskiewicz, 1155 15th Street, 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: *Chemicals*, in bulk, between points in St. Charles Parish, La., on the one hand, and, on the other, points in the United States (except points in Alaska, and Hawaii).

NOTE: If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 110525 (Sub-No. 724), filed April 16, 1965. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. Applicant's attorneys: Leonard A. Jaskiewicz, 1155 15th Street, Madison Building, 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: *Anhydrous ammonia*, in bulk, and *urea*, dry, in bulk, from the plant site of American Cyanamid at Avondale, La., to points in Alabama, Arkansas, Florida, Georgia, Kansas, Kentucky, Louisiana, Missouri, North Carolina, Oklahoma, South Carolina, Tennessee, and Texas.

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

No. MC 110698 (Sub-No. 302), filed April 20, 1965. Applicant: RYDER TANK LINE, INC., Post Office Box 8418, Greensboro, N.C. 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 irregular routes, transporting: *Anhydrous ammonia*, in bulk, in tank vehicles and *dry urea*, in bulk, from the plant site of the American Cyanamid Co. at Avondale, La., to points in Alabama, Arkansas, Florida, Georgia, Kansas, Kentucky, Louisiana, Mississippi, Missouri, North Carolina, Oklahoma, South Carolina, Tennessee, and Texas.

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

No. MC 110988 (Sub-No. 128), filed April 15, 1965. Applicant: KAMPO TRANSIT, INC., 200 West Cecil Street, Neenah, Wis. Applicant's attorney: E. Stephen Helsley, Transportation Building, Washington, D.C., 20006. 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 111170 (Sub-No. 98), filed April 19, 1965. Applicant: WHEELING PIPE LINE, INC., Post Office Box 1718, El Dorado, Ark. 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: *Anhydrous ammonia*, in bulk, in tank vehicles, and *dry urea*, in bulk, from the plant site of American Cyanamid Co. at Avondale, La., to points in Alabama, Arkansas, Florida, Georgia, Kansas, Kentucky, Louisiana, Mississippi, Missouri, North Carolina, Oklahoma, South Carolina, Tennessee, and Texas.

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

No. MC 111397 (Sub-No. 69), filed April 19, 1965. Applicant: DAVIS TRANSPORT, INC., 1345 South Fourth Street, Paducah, Ky. Applicant's attorney: Herbert S. Melton, Jr., Suite 215, Katterjohn Building, Box 1284, Avondale Station, Paducah, Ky. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, in tank vehicles, and *dry urea*, in bulk, from the plant site of American Cyanamid Co., Avondale, La., to points in Alabama, Arkansas, Florida, Georgia, Kansas, Kentucky, Louisiana, Mississippi, Missouri, North Carolina, Oklahoma, South Carolina, Tennessee, and Texas.

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

No. MC 111401 (Sub-No. 171), filed April 19, 1965. Applicant: GROEN-DYKE TRANSPORT, INC., Post Office Box 632, 2510 Rock Island Boulevard, Enid, Okla. Applicant's attorney: Thomas E. James, 721 Brown Building, Austin, Tex. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, in tank vehicles, and *dry urea*, in bulk, from the plant site of American Cyanamid Co. located at Avondale, La., to points in Alabama, Arkansas, Florida, Georgia, Kansas, Kentucky, Louisiana, Mississippi, Missouri, North Carolina, Oklahoma, South Carolina, Tennessee, and Texas.

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

No. MC 111401 (Sub-No. 172), filed April 19, 1965. Applicant: GROEN-DYKE TRANSPORT, INC., 2510 Rock Island Boulevard, Post Office Box 632, Enid, Okla. 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 111611 (Sub-No. 16), filed April 26, 1965. Applicant: NOERR MOTOR FREIGHT, INC., 205 Washington Avenue, Lewistown, Pa. Applicant's attorney: John E. Fullerton, 509 North Second Street, Harrisburg, Pa., 17101. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Rayon*, *rayon yarn*, *rayon fiber*, *rayon yarn products*, *rayon waste*, *synthetic yarn*, *synthetic fiber*, *synthetic staple fiber*, *synthetic fiber products*, from Lewistown, Pa., to points in Connecticut, Massachusetts, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, and Virginia.

NOTE: Applicant states that no duplicating authority or additional territory areawise is being sought by this application. Applicant presently has authority, inter alia, to transport rayon and rayon yarn from Lewistown, Pa., to points in the various States named herein at MC 111611. This application seeks merely to add thereto the additional related commodities herein named in which its present shipper deals. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 112595 (Sub-No. 26), filed November 4, 1964. Applicant: FORD BROTHERS, INC., 510 Riverside Drive, Coal Grove, Ohio (Mailing address: Post Office Box 419, Ironton, Ohio). Applicant's attorney: Charles F. Dorrill, 600 5th Avenue, Huntington, W. Va. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Liquid petroleum* and *petroleum products*, (1) between Kenova, W. Va., Catlettsburg, Covington, Leach, and Maysville, Ky., and Marietta, Ohio, on the one hand, and, on the other, points in the territory bounded by a line beginning at Coal Grove, Ohio, and extending along U.S. Highway 52 to the Ohio-Indiana State line, thence along the Ohio-Indiana State line to junction Ohio Highway 73, thence along Ohio Highway 73 to junction U.S. Highway 127, thence along U.S. Highway 127 to junction U.S. Highway 35, thence along U.S. Highway 35 to Dayton, Ohio, thence along Ohio Highway 4 to Springfield, Ohio, thence along U.S. Highway 68 to Urbana, Ohio, thence along U.S. Highway 36 to junction U.S. Highway 250, thence along U.S. Highway 250 to Wheeling, W. Va., thence along West Virginia Highway 88 to junction U.S. Highway 250, thence along U.S. Highway 250 to Philippi, W. Va., thence along U.S. Highway 119 to Buckhannon, W. Va., thence

along West Virginia Highway 4 through Rock Cave, W. Va., to junction U.S. Highway 19, thence along U.S. Highway 19 to Bluefield, W. Va., thence along U.S. Highway 52 to Kermit, W. Va.

Thence along the West Virginia-Kentucky State line to Catlettsburg, Ky., thence along U.S. Highway 23 to Ashland, Ky., and thence across the Ohio River to the point of beginning, including points on the indicated portions of the highways specified, (2) between Huntington, Parkersburg and St. Marys, W. Va., and Ashland, Ky., on the one hand, and, on the other, points in Ohio, (3) between Ironton and Middleport, Ohio, on the one hand, and, on the other, points in West Virginia, (4) between Kenova, W. Va., Catlettsburg, Covington, Leach, and Maysville, Ky., and Marietta, Ohio, on the one hand, and, on the other, points in that part of Ohio north of a line beginning at the Ohio-Indiana State line and extending in an easterly direction along Ohio Highway 73 to junction U.S. Highway 127, thence along U.S. Highway 127 to junction U.S. Highway 35, thence along U.S. Highway 35 to Dayton, Ohio, thence along Ohio Highway 4 to Springfield, Ohio, thence along U.S. Highway 68 to Urbana, Ohio, thence along U.S. Highway 36 to junction U.S. Highway 250, thence along U.S. Highway 250 to the Ohio-West Virginia State line; points in that part of West Virginia south of U.S. Highway 52 between Bluefield, and Williamson, W. Va.; and those in Virginia and West Virginia east of a line beginning at Wheeling, W. Va., and extending in a southerly direction along West Virginia Highway 88 to junction Highway 250 to Philippi, W. Va., thence along U.S. Highway 119 to Buckhannon, W. Va.

Thence along West Virginia Highway 4 through Rock Cave, W. Va., to junction U.S. Highway 19, and thence along U.S. Highway 19 to Bluefield, W. Va., and west of a line beginning at Bluefield, and extending in a northerly direction along U.S. Highway 19 to junction U.S. Highway 219, thence along U.S. Highway 219 to the West Virginia-Maryland State line, near Breedlove, W. Va., thence along the West Virginia-Maryland State line and the West Virginia-Pennsylvania State line to the Ohio River, including points on the indicated portions of the highways specified, (5) between Ironton and Middleport, Ohio, Huntington and Kenova, W. Va., and points in Kanawha County, W. Va., on the one hand, and, on the other, points in Kentucky located on and east of U.S. Highway 31-W, (6) between points in Kanawha County, W. Va., on the one hand, and, on the other, points in Ohio, (7) between Leach and Catlettsburg, Ky., and Kenova, W. Va., on the one hand, and, on the other, points in Virginia located on and west of a line extending over U.S. Highway 33 from the West Virginia-Virginia State line to its junction with U.S. Highway 15, thence on and west of U.S. Highway 15 to the North Carolina-Virginia State line, (8) from Sandyville, W. Va., to Morenci, Mich., (9) between points in Hamilton, Franklin, and Licking Counties, Ohio, on the one hand, and, on the other, points in Kentucky on and east of U.S. Highway

31-W, (10) between points in Scioto County, Ohio, on the one hand, and, on the other, points in Kentucky on and east of U.S. Highway 31-W, and (11) from Cobb (Kanawha County), W. Va., and Leach (Boyd County), Ky., to Morenci, Mich.

Note: This application was accompanied by a Motion to Dismiss. If a hearing is deemed necessary, applicant requests it be held at Ashland, Ky.

No. MC 112617 (Sub-No. 189), filed April 16, 1965. Applicant: LIQUID TRANSPORTERS, INC., Post Office Box 5135, Cherokee Station, Louisville 5, Ky. Applicant's attorney: L. 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: *Anhydrous ammonia and liquid fertilizer solutions*, in bulk, from Finney, Ohio to points in Kentucky.

Note: If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky. or Columbus, Ohio.

No. MC 112801 (Sub-No. 24), filed April 19, 1965. Applicant: TRANSPORT SERVICE CO., a corporation, Post Office Box 272, Cicero Station, Chicago, Ill. Applicant's attorney: Leonard A. Jaskiewicz, Madison Building, 1155 15th Street NW., Washington, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, in tank vehicles, and *dry urea*, in bulk, from the plant site of American Cyanamid Co. located at or near Avondale, La., to points in Alabama, Arkansas, Florida, Georgia, Kansas, Kentucky, Louisiana, Mississippi, Missouri, North Carolina, Oklahoma, South Carolina, Tennessee, and Texas.

Note: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 113267 (Sub-No. 151), filed April 26, 1965. Applicant: CENTRAL & SOUTHERN TRUCK LINES, INC., Post Office Box 548, Caseyville, Ill., 62232. Applicant's attorney: R. H. Burroughs, Post Office Box 548, Caseyville, Ill., 62232. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Yeast*, requiring mechanical refrigeration, from St. Louis, Mo., to points in Kentucky, Tennessee, and Alabama.

Note: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 113336 (Sub-No. 79), filed April 26, 1965. Applicant: PETROLEUM TRANSIT COMPANY, INC., Post Office Box 921, Lumberton, N.C. Applicant's attorney: James E. Wilson, 1111 E Street NW., Washington 4, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Commodities in bulk*, from Decatur, Ala., and points in Morgan County, Ala., to points in Alabama, Georgia, Mississippi, Tennessee, North Carolina, South Carolina, Kentucky, Virginia, West Virginia, Illinois, Indiana, and Ohio.

Note: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 113678 (Sub-No. 124) (AMENDMENT), filed April 5, 1965, published FEDERAL REGISTER issue April 21, 1965, amended April 26, 1965, and republished as amended this issue. Applicant: CURTIS, INC., 770 East 51st Avenue, Denver, Colo. 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 dairy products*, from Denver, Greeley, and Colorado Springs, Colo., to points in California.

Note: Applicant states the proposed service restricted to traffic originating in Colorado and destined to California. The purpose of this republication is to show destination to be California in lieu of Colorado as shown in previous publication. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 113855 (Sub-No. 106), filed April 26, 1965. Applicant: INTERNATIONAL TRANSPORT, INC., South Highway 52, Rochester, Minn. Applicant's attorney: Gene P. Johnson, First National Bank Building, Fargo, N. Dak., 58102. 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 Cattaraugus County, N.Y., on the one hand, and, on the other, points in the United States (except Hawaii).

Note: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 114091 (Sub-No. 67), filed April 20, 1965. Applicant: HUFF TRANSPORT CO., INC., Fern Valley Road, Louisville, Ky. Applicant's attorney: Rudy Yessin, Sixth Floor, McClure Building, Frankfort, Ky. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, in tank vehicles and *dry urea* in bulk, from the plant site of American Cyanamid Co. located at or near Avondale, La., to points in Alabama, Arkansas, Florida, Georgia, Kansas, Kentucky, Louisiana, Mississippi, Missouri, North Carolina, Oklahoma, South Carolina, Tennessee, and Texas.

Note: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 114718 (Sub-No. 11), filed April 21, 1965. Applicant: OHIO VALLEY MOTOR FREIGHT, INC., Moore's Junction, Marietta, Ohio. Applicant's attorney: James R. Stiverson, 50 West Broad Street, Columbus 15, Ohio. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Ferro chrome*, in bulk, in dump vehicles, from Baltimore, Md., Philadelphia, Pa., and Newport News, Va., to points in Ohio, Michigan, Pennsylvania, and West Virginia.

Note: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 115180 (Sub-No. 15), filed April 20, 1965. Applicant: ONLEY REFRIGERATED TRANSPORTATION, INC., 408 West 14th Street, New York, N.Y. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts, articles distributed by meat packinghouses and such commodities as are used by meatpackers in the conduct of their business when destined to and for use by meatpackers 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 Pennsylvania, Connecticut, New York, New Jersey, Maryland, Delaware, Virginia, West Virginia, and the District of Columbia.*

Note: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C. or Wichita, Kans.

No. MC 115180 (Sub-No. 16), filed April 20, 1965. Applicant: ONLEY REFRIGERATED TRANSPORTATION, INC., 408 West 14th Street, New York, 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: *Meats, meat products, and meat byproducts, articles distributed by meat packinghouses and such commodities as are used by meatpackers in the conduct of their business when destined to and for use by meatpackers 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 Mason City, Iowa, to points in Pennsylvania, Connecticut, New York, New Jersey, Maryland, Delaware, Virginia, West Virginia, and the District of Columbia.*

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

No. MC 115491 (Sub-No. 60) (AMENDMENT), filed March 23, 1965, published in FEDERAL REGISTER issue of April 8, 1965, amended April 27, 1965, and republished as amended this issue. 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: *Meat, meat products and 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, from points in Dakota County, Nebr., and Sioux City,

Iowa, to points in Alabama, Georgia, Florida, Tennessee, Mississippi, South Carolina, and North Carolina.

NOTE: The purpose of this republication is to broaden the scope of the origin territory. If a hearing is deemed necessary, applicant does not specify place of hearing.

No. MC 115491 (Sub-No. 66), filed March 23, 1965. Applicant: COMMERCIAL CARRIER CORPORATION, 502 East Bridgers Avenue, (Post Office Box 67), Auburndale, Fla. Applicant's attorney: Thomas P. 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 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, from points in Dakota County, Nebr., and Sioux City, Iowa, to points in Massachusetts, Rhode Island, Connecticut, New York, Pennsylvania, Virginia, West Virginia, New Jersey, Maryland, Delaware, and the District of Columbia.

NOTE: If a hearing is deemed necessary, applicant does not specify place of hearing.

No. MC 115491 (Sub-No. 67), filed April 19, 1965. Applicant: COMMERCIAL CARRIER CORPORATION, 502 East Bridgers Avenue, Auburndale, Fla. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Syrup, liquid sugar, and blends thereof*, from Decatur, Ill., to points in Alabama, Florida, and Georgia.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Tampa, Fla., Chicago, Ill., or Washington, D.C.

No. MC 115826 (Sub-No. 40) (AMENDMENT), filed January 5, 1965, published in *FEDERAL REGISTER*, issue of January 20, 1965, amended April 27, 1965, and republished as amended this time. Applicant: W. J. DIGBY, INC., 1960 31st Street, Post Office Box 5088, Terminal Annex, Denver, Colo. Applicant's attorney: Michael T. Corcoran, 1360 Locust Street, Denver, Colo., 80220. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Confectionery, syrups, sauces, toppings, and chocolate products* (except in bulk, in tank vehicles), and *advertising materials and displays and dispensing equipment and premiums*, when moving in connection with confectionery, syrups, sauces, toppings, and chocolate products (except in bulk, in tank vehicles), from Oakdale, Calif., to points in Colorado, Arizona, Utah, New Mexico, Nevada, Wyoming, Montana, Idaho, Oregon, Texas, and Washington.

NOTE: The purpose of this republication is to add Arizona, New Mexico, and Texas to the destination States. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 115826 (Sub-No. 58), filed April 30, 1965. Applicant: W. J. DIGBY, INC., Box 5088, Terminal Annex, Denver,

Colo. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from Springdale, Ark., and points within 5 miles thereof to points in Arizona, Colorado, Idaho, Montana, Nebraska, New Mexico, Utah, Wyoming, and Alpine, Ashley, El Paso and Pecos, Tex.

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

No. MC 115826 (Sub-No. 59), filed April 30, 1965. Applicant: W. J. DIGBY, INC., Box 5088, Terminal Annex, Denver, Colo. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Malt beverages, and related advertising material*, from Golden, Colo., to points in California, Kansas, Nevada, New Mexico, Oklahoma, Texas, Utah, and Wyoming.

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

No. MC 115841 (Sub-No. 236), filed April 27, 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: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses* (except commodities in bulk or tank vehicles, and hides), from the plant site of the Platte Valley Packing Co., located in Dawson County, Nebr., to points in Kentucky, Virginia, North Carolina, South Carolina, Georgia, Florida, Tennessee, Alabama, Mississippi, and Louisiana.

NOTE: Applicant states the proposed operations will be restricted to traffic originating at the plant site and/or cold storage facilities utilized by Platte Valley Packing Co. in Dawson County, Nebr. If a hearing is deemed necessary, applicant does not specify place of hearing.

No. MC 116014 (Sub-No. 18) filed April 22, 1965. Applicant: RALPH OLIVER AND MRS. SCOTT OLIVER, A Partnership, doing business as OLIVER TRUCKING CO., North Bloomfield Road, Winchester, 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: *Iron and steel and iron and steel articles*, between points in Kentucky.

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

No. MC 116077 (Sub-No. 180), filed April 19, 1965. Applicant: ROBERTSON TANK LINES, INC., Post Office Box 9527, 5700 Polk Avenue, Houston, Tex. Applicant's attorney: Thomas E. James, 721 Brown Building, Austin, Tex. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, in tank vehicles, and *dry urea*, in bulk, from the plant site of American Cyanamid Co. located at Avondale, La., to points in Alabama, Arkansas, Florida, Georgia, Kansas, Kentucky, Louisiana, Mississippi, Missouri, North Carolina, Oklahoma, South Carolina, Tennessee, and Texas.

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

No. MC 116722 (Sub-No. 15), filed April 19, 1965. Applicant: DENVER-CLIMAX TRUCK LINE, INC., 1380 Umattilla Street, Denver 4, Colo. Applicant's attorney: John P. Thompson, 450 Capitol Life Building, Denver, Colo., 80203. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *Classes A and B explosives and general commodities* (except those of unusual value, commodities in bulk, and those requiring special equipment), between Leadville, Colo., and junction U.S. Highway 6 and Colorado Highway 91 in Summit County, Colo., from Leadville over U.S. Highway 24 to junction U.S. Highway 6, thence over U.S. Highway 6 to junction Colorado Highway 91, and return over the same route, serving all intermediate points and the off-route point of Homestead Water Diversion Project near Minturn, in Eagle County, Colo.

NOTE: Applicant states it proposes to tack the authority sought to its present authority, MC 116722 Sub Nos. 2 and 5, as to render service between points presently authorized, and points involved in present application. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 117547 (Sub-No. 13), filed April 23, 1965. Applicant: BELL TRANSPORTATION CO., INC., 113 West 42d Street, Suite 1004, New York, N.Y., 10036. Applicant's attorney: George H. Rosen, 291 Broadway, New York 7, N.Y. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Passenger automobiles*, which are owned by persons traveling by air under military orders, in drive-a-way service, between McGuire Air Force Base, Fort Dix, and Wrightstown, N.J., on the one hand, and, on the other, New York, N.Y., and points in the New York commercial zone, as defined by the Commission.

NOTE: Applicant states no duplication of authority is sought. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 117686 (Sub-No. 48) (AMENDMENT), filed February 18, 1965, published in *FEDERAL REGISTER* issue March 10, 1965, and republished as amended this issue. 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, and 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 Sioux City, Iowa, and points in Dakota County, Nebr., to points in Alabama, Arkansas, Georgia, Kansas, Louisiana, Mississippi, Missouri, Oklahoma, Tennessee, and Texas, and *damaged and*

jected shipments of the above commodities, on return.

NOTE: The purpose of this republication is to add the origin point of Sioux City, Iowa. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa, or Omaha, Nebr.

No. MC 117867 (Sub-No. 1), filed April 30, 1965. Applicant: JOHN W. SMITH, 1716 Alexander Circle, Pueblo, Colo. Applicant's attorney: Michael T. Corcoran, 1360 Locust Street, Denver, Colo., 80220. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Bananas, coconuts, and pineapples, from New Orleans, La., Mobile, Ala., Gulfport, Miss., and Freeport, Tex., to points in Colorado, and exempt commodities, on return.

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

No. MC 118142 (Sub-No. 19), filed April 19, 1965. Applicant: M. BRUENGER & COMPANY, INC., 6330 North Broadway, Wichita, Kans. Applicant's attorney: James F. Miller, 7501 Mission Road, Shawnee Mission, Kans. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Bananas, from Mobile, Ala., Gulfport, Miss., Houston and Freeport, Tex., to Wichita, Kans.

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

No. MC 118196 (Sub-No. 31), filed April 15, 1965. Applicant: RAYE AND COMPANY TRANSPORTS, INC., Highway 71 North, Post Office Box 613, Carthage, Mo. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Dairy products, from Parsons, Salina, and Moline, Kans., to points in Colorado, New Mexico, Arizona, California, and points in that part of 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 does not specify place of hearing.

No. MC 119489 (Sub-No. 6), filed April 21, 1965. Applicant: PAUL ABLER, doing business as CENTRAL TRANSPORT CO., Post Office Box 596, Norfolk, Nebr. 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: Anhydrous ammonia and liquid fertilizer solutions, in bulk, in tank vehicles, from Fort Dodge, Iowa, and points within 10 miles thereof, to points in Kansas, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, and Illinois, and damaged and rejected shipments of the same commodities on return.

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

No. MC 119531 (Sub-No. 34) (AMENDMENT), filed February 9, 1965, published FEDERAL REGISTER issue of February 25, 1965, amended April 30, 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, Suite

3600, Chicago 2, Ill. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Paper products, from Piqua, Ohio, to points in Illinois, Indiana, Kentucky, Michigan, New York, and Pennsylvania and (2) materials and supplies from points in Illinois, Indiana, Kentucky, Michigan, New York, and Pennsylvania to Piqua, Ohio. Restriction against the transportation of commodities in bulk and tank vehicles.

NOTE: The purpose of this republication is to add: (a) The restriction and (b) New York as a destination State in (1) and origin State in (2) above. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 119767 (Sub-No. 73), filed April 23, 1965. Applicant: BEAVER TRANSPORT CO., a corporation, 100 South Calumet Street, Burlington, Wis. Applicant's representative: Fred H. Figge, Post Office Box 339, Burlington, Wis. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Canned and/or preserved foodstuffs from North Chicago, Ill., to St. Louis, Mo., and Louisville, Ky.

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

No. MC 119767 (Sub-No. 75), filed May 3, 1965. Applicant: BEAVER TRANSPORT CO., a corporation, 100 South Calumet Street, Burlington, Wis. Applicant's representative: Fred H. Figge, Post Office Box 339, Burlington, Wis. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Bakery goods, from Seeleyville, Ind., to Thief River Falls, Minn.

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

No. MC 119777 (Sub-No. 36), filed April 22, 1965. Applicant: LIGON SPECIALIZED HAULER, INC., Post Office Box 31, Madisonville, Ky. 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: Iron and steel and iron and steel articles, between points in Kentucky.

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

No. MC 119778 (Sub-No. 87), filed April 19, 1965. Applicant: REDWING CARRIERS, INC., Box 34, Powderly Station, Birmingham, Ala. Applicant's attorney: Frank B. Hand, Jr., 921 17th Street NW., Washington 6, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Anhydrous ammonia, in bulk, in tank vehicles and dry urea, in bulk, from the plant site of the American Cyanamid Co., located at or near Avondale, La., to points in Alabama, Arkansas, Florida, Georgia, Kansas, North Carolina, Louisiana, Oklahoma, Mississippi, Missouri, Kentucky, South Carolina, Tennessee, and Texas.

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

No. MC 119829 (Sub-No. 14), filed April 22, 1965. Applicant: F. J. EGNER & SON, INC., 3969 Congress Parkway, West Richfield, Ohio. Applicant's attorney: Taylor C. Burneson, 3430 Leveque-Lincoln Tower, 50 West Broad Street, Columbus, Ohio. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Syrups, sugars, flavoring compounds, and sweetenings, including corn syrup and sucrose, and products and blends thereof, in bulk, in tank vehicle, from points in Williams County, Ohio, to points in Indiana, Michigan, and West Virginia.

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

No. MC 119939 (Sub-No. 5), filed April 21, 1965. Applicant: W. & M. TRANSPORTATION CO., INC., Route 11 North, Ridgeway, W. Va. Applicant's representative: C. F. Germelman, Post Office Box 81, Winchester, Va., 22601. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Foodstuffs, other than frozen, from points in Shenandoah County, Va., to points in Georgia and Florida, and exempt commodities, on return.

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

No. MC 120543 (Sub-No. 25) (AMENDMENT), filed January 25, 1965, published FEDERAL REGISTER issue February 17, 1965, amended and republished this issue. Applicant: FLORIDA REFRIGERATED SERVICE, INC., U.S. Highway 301, North, Dade City, Fla. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Canned goods, from points in Florida, to points in Pennsylvania, New Jersey, New York, Connecticut, Rhode Island, Massachusetts, New Hampshire, Maine, North Carolina, and Vermont.

NOTE: The purpose of this republication is to delete the commodities as shown in previous publication and include North Carolina as a destination State. If a hearing is deemed necessary, applicant requests it be held at Tampa, Fla.

No. MC 125081 (Sub-No. 1), filed April 14, 1965. Applicant: EUGENE C. USERY, Marshall, Mo. Applicant's attorney: Joseph R. Navy, 117 West High Street, Jefferson City, Mo. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Farm supplies and supplies incidental to animal husbandry, from points in Illinois, to points in Saline, Carroll, Chariton, Howard, Cooper, Pettis, and Lafayette Counties, Mo., (2) paper and paper articles as described in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209, 289-291 (App. XI), from Nashville, Tenn., to points in Saline, Carroll, Chariton, Howard, Cooper, Pettis, and Lafayette Counties, Mo., and (3) salt, from Hutchinson, Kans., to points in Saline, Carroll, Chariton, How-

ard, Cooper, Pettis, and Lafayette Counties, Mo.

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

No. MC 125708 (Sub-No. 19), filed April 19, 1965. Applicant: HUGH MAJOR, 150 Sinclair, South Roxana, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Wooden posts, poles, beams, pillars, pallets*, (2) *lumber* not included in (1), and (3) *articles of wood manufacture*, from points in Illinois on and south of U.S. Highway 50, to points in Indiana, Ohio, Michigan, Wisconsin, Iowa, Nebraska, and Minnesota.

NOTE: Applicant is authorized to conduct operations as a contract carrier in Permit MC 116434 and subs thereunder, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 126183 (Sub-No. 1), filed April 26, 1965. Applicant: L. S. BOWERS, R. L. BOWERS, AND R. E. ROBINSON, doing business as BOWERS & SON, 2030 Blake Street, Denver, Colo. Applicant's attorney: Marion F. Jones, Suite 420, Denver Club Building, Denver, Colo., 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Business machines*, between Denver, Colo., and points in Denver County, Colo., on the one hand, and, on the other, points in Colorado.

NOTE: Applicant states it presently holds authority, in MC 126183, to transport uncrated store and office furnishings, fixtures, and equipment and component parts of the commodities described above, between Denver, Colo., and points in Denver County, Colo., on the one hand, and, on the other, points in Colorado, which would probably include most business machines. There may, however, be some business machines that are not covered by this description. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 126427 (Sub-No. 2), filed April 21, 1965. Applicant: PALMER TRANSPORTATION, INC., Chester, N.Y. Applicant's attorney: Edward M. Alfano, 2 West 45th Street, New York 36, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry sugar*, in bulk, from the Town of Montezuma, Cayuga County, N.Y., to points in Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Virginia, Vermont, Rhode Island, and West Virginia, and returned, refused, and rejected shipments of the same commodities, on return.

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

No. MC 126516 (Sub-No. 3), filed April 16, 1965. Applicant: GEORGE K. HALL, doing business as SKYLINE MOTORS, West 15th Street, Beaver Falls, Pa. Applicant's attorney: Russell S. Bernhard, 1625 K Street NW., Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over

irregular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Greater Pittsburgh Airport, Allegheny County, Pa., on the one hand, and, on the other, points in Mercer County, Pa., restricted to traffic having an immediately prior or subsequent movement by air.

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

No. MC 126578 (Sub-No. 2) (AMENDMENT), filed March 1, 1965, published FEDERAL REGISTER issue March 25, 1965, and republished as amended this issue. Applicant: CHARLES E. GLAS, doing business as SERVUS TRUCKING CO., 12822 South Justine, Calumet Park, Ill. Applicant's attorney: Charles W. Singer, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Boots and shoes*, rubber or plastic, or plastic or rubber and canvas combined, from Rock Island, Ill., to Holyoke, Mass.; Stow, Toledo, Akron, and Columbus, Ohio; Baltimore, Md.; New York, N.Y., and Kingston and Pittsburgh, Pa., and (2) *raw products, equipment, materials, and supplies*, used or useful in the manufacture and sale of boots and shoes, rubber or plastic, or plastic or rubber and canvas combined, from New York, N.Y.; Palmerton, Pa.; Belpre, Akron, and Ashland, Ohio; Institute, W. Va.; Havre de Grace, Md.; Naugatuck, Conn.; Holyoke and Melrose, Mass.; Louisville, Ky.; Sayreville and Brunswick, N.J., and Baltimore, Md.; to Rock Island, Ill.

NOTE: The purpose of this republication is to add the origin points of Melrose, Mass.; Brunswick, N.J.; and Baltimore, Md.; in (2) above. Applicant states the above-proposed operations will be for the account of The Servus Rubber Co. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 126811 (Sub-No. 1), filed March 24, 1965. Applicant: B & B SERVICES, INC., 1821 Joy Road, Columbus, Ga. Applicant's attorney: Wade H. Tomlinson, Jr., Post Office Drawer 160, Columbus, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between Columbus, Ga., on the one hand, and, on the other, points in Chattahoochee, Stewart, Quitman, Randolph, Terrell, Webster, Sumter, Schley, Marion, Taylor, Talbot, Upson, Meriwether, Pike, Harris, Troupe, Heard, Muscogee, and Macon Counties, Ga., and points in Russell, Barber, Bullock, Macon, Lee, Chambers, Tallapoosa, and Randolph Counties, Ala.

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

No. MC 126837 (AMENDMENT), filed December 24, 1964, published FEDERAL REGISTER issue January 13, 1965, and republished as amended this issue. Applicant: KAN-BRICK TRUCKING, INC., Box 126, Hoisington, Kans. Applicant's

attorney: M. John Carpenter, Laklin at Baker, Great Bend, Kans., 67530. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Brick, stone, fireplace units, firebrick, flue liners, clay, and various related items*, from Hoisington, Kans., to points in Kansas, Texas, Missouri, Oklahoma, Colorado, Nebraska, and Wyoming, (2) *stone*, from Canon City, Denver, Longmont, and Lyons, Colo., to Hoisington, Kans., and (3) *firebrick* from Denver, Colo., to Hoisington, Kans., and rejected and returned brick, stone, firebrick, and related items, on return.

NOTE: Applicant states the above-proposed operations will be limited to service for the account of Kansas Brick and Tile Co., Inc. The purpose of this republication is to add (2) and (3) above, and to state that the above operations will be limited to service for the account of Kansas Brick and Tile Co., Inc. If a hearing is deemed necessary, applicant requests it be held at Wichita, Kans.

No. MC 126965 (Sub-No. 2), filed April 27, 1965. Applicant: CLIFFORD B. PINKLE, JR., 800 Bloomfield Avenue, Clifton, N.J. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J., 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Computing tapes, discs, cylinder, and memorandum data*, between Passaic, N.J., points in the New York, N.Y. commercial zone and Naugatuck, Conn.

NOTE: Applicant states the proposed operation will be for the account of U.S. Rubber Co. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 127042 (Sub-No. 3), filed April 21, 1965. Applicant: HAGEN, INC., 4420 Floyd Street, Sioux City, Iowa. Applicant's attorney: J. Max Harding, Box 2028, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts, dairy products, articles distributed by meat packinghouses, and such commodities as are used by meatpackers in the conduct of their business when destined to and for use by meatpackers*, 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 Idaho, Illinois, Kansas, Minnesota, Missouri, Montana, Nebraska, North Dakota, Oklahoma, South Dakota, Wisconsin, and Wyoming, and damaged and rejected shipments of the above commodities, on return.

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

No. MC 127067 (Sub-No. 1), filed April 26, 1965. Applicant: McLEE TRUCKING COMPANY, INC., 384 Lillian Drive, Memphis, Tenn. Applicant's attorney: James N. Clay III, 340 Sterick Building, Memphis, Tenn. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Feed and feed ingredients*, between

points in Alabama, Arkansas, Georgia, Kentucky, Louisiana, Mississippi, Missouri, and Texas, on the one hand, and, on the other, Memphis, Tenn.

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

No. MC 127077, filed March 15, 1965. Applicant: CONTRACTORS TRANSPORT CORP., 300 Sixth Street South, Arlington 2, Va. Applicant's attorney: Ernie Adamson, Box 62, Middleburg, Va. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Machinery, contractors equipment, and construction materials and supplies*, between points in the District of Columbia, Virginia, West Virginia, and Maryland on and north of U.S. Highway 60 and on and east of U.S. Highway 522, and points in York and Lancaster Counties, Pa., including all points on the highways indicated and all points in the States indicated which are on the boundary of said States.

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

No. MC 127140 (AMENDMENT), filed April 6, 1965, published in FEDERAL REGISTER issue of April 21, 1965, amended April 29, 1965, and republished as amended this issue. Applicant: PADUCAH EXPRESS, INC., 603 McDonald Court, Nashville, Tenn. Applicant's attorney: Walter Harwood, Nashville Bank and Trust Building, Nashville 3, Tenn. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment)*, (1) between Nashville, Tenn., and Paducah, Ky.: From Nashville over U.S. Highway 41A to Clarksville, Tenn., thence over U.S. Highway 79 to Paris Landing, Tenn., thence over Tennessee Highway 119 to the Tennessee-Kentucky State line, thence over Kentucky Highway 121 to Murray, Ky., thence over U.S. Highway 641 to junction U.S. Highway 68, thence over U.S. Highway 68 to Paducah, and return over the same route, serving all intermediate points in Kentucky; (2) from Nashville, over U.S. Highway 41 to Hopkinsville, Ky., thence over U.S. Highway 68 to junction U.S. Highway 641, and return over the same route for joinder only, serving no intermediate points; (3) from junction U.S. Highway 68 and Tennessee Highway 80, near the Tennessee River, over Tennessee Highway 80 to junction U.S. Highway 641, at or near Hardin, Ky., and return over the same route, for joinder only, serving no intermediate points; and (4) from Clarksville, Tenn., over U.S. Highway 41A to junction U.S. Highway 68 at Hopkinsville, Ky., and return over the same route, for joinder only, serving no intermediate points.

NOTE: The purpose of this republication is to add the following routes Nos. (2), (3), and (4). If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn.

No. MC 127185, filed April 20, 1965. Applicant: GATEWAY TRANSFER CO., INC., 1815 Coke Street, Post Office Box 526, Laredo, Tex. Applicant's attorney: Jerry Prestridge, Post Office Box 1148, Austin, Tex., 78763. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *General commodities, including commodities of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk (other than liquids) and commodities which require special equipment because of size or weight*, between Laredo, Tex., and points within 5 miles thereof, on the one hand, and, on the other, the boundary of the United States and Mexico at an international bridge approximately 25 miles northwest of Laredo, Tex.

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

No. MC 127186, filed April 21, 1965. Applicant: PAUL P. LANIER, Box 492, Ironton, Ohio. Applicant's attorney: Earl N. Merwin, 85 East Gay Street, Columbus 15, Ohio. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Expanded plastic in high cube closed van equipment*, (1) from the shipper's plant and/or warehouse located in Hamilton Township, Lawrence County, Ohio, to points in Alabama, Delaware, the District of Columbia, Georgia, Kentucky, Maryland, New Jersey, Nassau and Suffolk Counties, N.Y., and New York, N.Y., and points in the New York commercial zone, North Carolina, that part of Pennsylvania east of U.S. Highway 219, South Carolina, Tennessee, Virginia, and West Virginia, and (2) from the shipper's plant and/or warehouse located in Royersford, Montgomery County, Pa., to Hamilton Township, Lawrence County, Ohio, and rejected and refused expanded plastic, in connection with routes (1) and (2) above, on return.

NOTE: Applicant states the above-proposed operations will be under a continuing contract with Dow Chemical Co., Midland, Mich. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 127193, filed April 20, 1965. Applicant: LEONARD BROS. VAN & STORAGE CO., a corporation, 7040 West Fort Street, Detroit, Mich., 48209. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Personal effects and property used or to be used in a dwelling when a part of the equipment or supply of such dwelling*, (2) *furniture fixtures, equipment, and the property of stores, offices, museums, institutions, hospitals, or other establishments when a part of the stock, equipment, or supply of such stores, offices, museums, institutions, hospitals, or other establishments*, and (3) *articles including objects of art, displays, and exhibits*, which because of the unusual nature or value require specialized handling and equipment which usually is employed in moving household goods, between points in that part of Michigan bounded by a line beginning at Flint, Mich., and extending along Michigan Highway 21 to Port Huron, Mich., thence along the shores of

the St. Clair River, Lake St. Clair, the Detroit River, and Lake Erie to the Michigan-Ohio State line, thence along the Michigan-Ohio State line to U.S. Highway 23, thence north along U.S. Highway 23 to Flint, Mich., and point of beginning, including service to Flint, Port Huron, and Ann Arbor, Mich.

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

MOTOR CARRIERS OF PASSENGERS

No. MC 127107, filed March 31, 1965. Applicant: ADAM & EVE FOR TRAVEL, INC., 7106 Castor Avenue, Philadelphia, Pa., 19149. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Limousine passenger service and baggage of passengers in the same vehicle*, (1) beginning and ending at Philadelphia, Pa., and points in Montgomery and Bucks Counties, Pa., and extending to piers in New York City, N.Y., and (2) beginning and ending at Philadelphia, Pa., and points in Montgomery and Bucks Counties, Pa., and extending to points in Sullivan and Ulster Counties, N.Y.

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

APPLICATIONS FOR BROKERAGE LICENSES

MOTOR CARRIERS OF PASSENGERS

No. MC 12949, filed April 9, 1965. Applicant: JACOB L. STEISEL, 130 West 42d Street, New York 36, N.Y. For a license (BMC 5) to engage in operations as a broker at New York, N.Y., in arranging for the transportation in interstate or foreign commerce, by motor vehicle, of passengers and their baggage, in charter operations, beginning and ending at points in New York and extending to points in the United States.

No. MC 12951, filed April 16, 1965. Applicant: GEORGE K. NERVIG, doing business as NERVIG TRAVEL SERVICE, 317 South Phillips Avenue, Sioux Falls, S. Dak. Applicant's attorney: Gene E. Pruitt, Northwestern Bank Building, Sioux Falls, S. Dak., 57102. For a license (BMC 5) to engage in operations as a broker at Sioux Falls, S. Dak., in arranging for the transportation in interstate or foreign commerce of passengers and their baggage, between points in the United States, including Alaska and Hawaii.

APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN REQUESTED

MOTOR CARRIERS OF PROPERTY

No. MC 2245 (Sub-No. 4) filed February 19, 1965. Applicant: THE O.K. TRUCKING COMPANY, a corporation, 1810 South Street, Cincinnati, Ohio, 45204. 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 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 Cincinnati, Ohio,

and Clarksburg, W. Va., over U.S. Highway 50; (2) between Parkersburg and Buckhannon, W. Va., from Parkersburg over West Virginia Highway 47 to junction U.S. Highway 119, thence over U.S. Highway 119 to Buckhannon, and return over the same route; (3) between Newport, Ohio (Washington County), and Pike, W. Va., over Alternate U.S. Highway 50; (4) between Weston and Morgantown, W. Va., over U.S. Highway 19; (5) between Elkins and Fairmont, W. Va., from Elkins over U.S. Highway 33 to Buckhannon, thence over West Virginia Highway 20 to junction West Virginia Highway 73 near Clarksburg, thence over West Virginia Highway 73 to Fairmont, and return over the same route; (6) between Ravenswood Works, W. Va. (about 4 miles south of Ravenswood), and Weirton, W. Va.; over West Virginia Highway 2; (7) between Belpre, Ohio, and Weirton, W. Va., from Belpre, Ohio, over Ohio Highway 7 to Steubenville, Ohio.

Thence across the Ohio River to Weirton, return over the same route; (8) between Huntington and Bluefield, W. Va., over U.S. Highway 52; (9) between Huntington and Welch, W. Va., from Huntington over West Virginia Highway 10 to junction West Virginia Highway 16, thence over West Virginia Highway 16 to Welch, and return over the same route; (10) between Naugatuck and Logan, W. Va., from Naugatuck over West Virginia Highway 65 to junction U.S. Highway 119, thence over U.S. Highway 119 to Logan and return over the same route; (11) between Dayton, Ohio, and Bluefield, W. Va., from Dayton, over U.S. Highway 35 to Point Pleasant, W. Va., thence over West Virginia Highway 2 to junction West Virginia Highway 17 at Henderson, W. Va., thence over West Virginia Highway 17 to junction U.S. Highway 60 near St. Albans, W. Va., thence over U.S. Highway 60 to Charleston, W. Va., thence over West Virginia Turnpike to junction U.S. Highway 219, thence over U.S. Highway 219 to junction U.S. Highway 21, and thence over U.S. Highway 21 to Bluefield, W. Va., and return over the same route; (12) between Charleston, W. Va., and Bluefield, W. Va., from Charleston over U.S. Highway 21 to junction West Virginia Highway 3, thence over West Virginia Highway 3 to junction West Virginia Highway 20 at Hinton, thence over West Virginia Highway 20 to junction U.S. Highway 52.

Thence over U.S. Highway 52 to Bluefield, and return over the same route; (13) between Charleston, W. Va., and Oak Hill, W. Va., from Charleston over U.S. Highway 21 to the Kanawha River, thence across the Kanawha River to Montgomery, and thence over West Virginia Highway 61 to Oak Hill and return over the same route; (14) between Portsmouth and Columbus, Ohio, over U.S. Highway 23; (15) between Cincinnati and Cleveland, Ohio, from Cincinnati over Interstate Highway 71 to junction Ohio Highway 18, thence over Ohio Highway 18 to Cleveland and return over the same route, serving the off-route points of Avon Lake, Madison, and Painesville; (16) between Cincinnati, Ohio, and Wheeling, W. Va., from Cin-

cinnati over Interstate Highway 75 to junction U.S. Highway 40 and Interstate Highway 70, thence over U.S. Highway 40 and Interstate Highway 70 to Wheeling, W. Va., and return over the same route; (17) between Cambridge, Ohio, and Weirton, W. Va., over U.S. Highway 22; (18) between Cincinnati, Ohio, and Vandalia, Ohio, from Cincinnati over U.S. Highway 127 to Hamilton, thence over Ohio Highway 4 to junction Ohio Highway 73.

Thence over Ohio Highway 73 to junction Interstate Highway 75, and thence over Interstate Highway 75 to Vandalia (also from Cincinnati to Vandalia over Interstate Highway 75), and return over the same route, and; (19) between Dayton, Ohio, and junction Ohio Highway 4 and U.S. Highway 40, from Dayton over Ohio Highway 4 to junction U.S. Highway 40, and return over the same route, serving all intermediate points, and all points in the State of West Virginia as off-route points in connection with the above-described routes. To the extent that the foregoing regular routes duplicate the carrier's existing authority, such routes shall not be construed as conferring more than one operating right severable for sale or otherwise.

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 18088 (Sub-No. 34), filed March 1, 1965. Applicant: FLOYD & BEASLEY TRANSFER COMPANY, INC., Post Office Drawer 8, Sycamore, Ala. Applicant's attorney: John W. Cooper, 805 Title Building, Birmingham, Ala., 35203. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: (A) *Textile products*, (1) between Sycamore, Ala., and Atlanta, Ga.; (a) from Sycamore over Alabama Highway 21 to junction U.S. Highway 78, thence over U.S. Highway 78 to Atlanta (also from Sycamore over Alabama Highway 21 to junction Interstate Highway 20, thence over Interstate Highway 20 to Atlanta), and return over the same route, serving all intermediate points; (b) from Sycamore over Alabama Highway 21 to junction U.S. Highway 78, thence over U.S. Highway 78 to Atlanta (also from Sycamore over Alabama Highway 21 to junction Interstate Highway 20, thence over Interstate Highway 20 to Atlanta), and return over the same route, serving all intermediate points; (c) from Sycamore over Alabama Highway 21 to junction U.S. Highway 78, thence over U.S. Highway 78 to Atlanta (also from Sycamore over Alabama Highway 21 to junction Interstate Highway 20, thence over Interstate Highway 20 to Atlanta), and return over the same route, serving all intermediate points; (d) from Sycamore over Alabama Highway 21 to junction U.S. Highway 78, thence over U.S. Highway 78 to Atlanta (also from Sycamore over Alabama Highway 21 to junction Interstate Highway 20, thence over Interstate Highway 20 to Atlanta), and return over the same route, serving all intermediate points; (e) from Sycamore over Alabama Highway 21 to junction U.S. Highway 78, thence over U.S. Highway 78 to Atlanta (also from Sycamore over Alabama Highway 21 to junction Interstate Highway 20, thence over Interstate Highway 20 to Atlanta), and return over the same route, serving all intermediate points; (f) from Sycamore over Alabama Highway 21 to junction U.S. Highway 78, thence over U.S. Highway 78 to Atlanta (also from Sycamore over Alabama Highway 21 to junction Interstate Highway 20, thence over Interstate Highway 20 to Atlanta), and return over the same route, serving all intermediate points; (g) from Sycamore over Alabama Highway 21 to junction U.S. Highway 78, thence over U.S. Highway 78 to Atlanta (also from Sycamore over Alabama Highway 21 to junction Interstate Highway 20, thence over Interstate Highway 20 to Atlanta), and return over the same route, serving all intermediate points; (h) from Sycamore over Alabama Highway 21 to junction U.S. Highway 78, thence over U.S. Highway 78 to Atlanta (also from Sycamore over Alabama Highway 21 to junction Interstate Highway 20, thence over Interstate Highway 20 to Atlanta), and return over the same route, serving all intermediate points; (i) from Sycamore over Alabama Highway 21 to junction U.S. Highway 78, thence over U.S. Highway 78 to Atlanta (also from Sycamore over Alabama Highway 21 to junction Interstate Highway 20, thence over Interstate Highway 20 to Atlanta), and return over the same route, serving all intermediate points; (j) from Sycamore over Alabama Highway 21 to junction U.S. Highway 78, thence over U.S. Highway 78 to Atlanta (also from Sycamore over Alabama Highway 21 to junction Interstate Highway 20, thence over Interstate Highway 20 to Atlanta), and return over the same route, serving all intermediate points; (k) from Sycamore over Alabama Highway 21 to junction U.S. Highway 78, thence over U.S. Highway 78 to Atlanta (also from Sycamore over Alabama Highway 21 to junction Interstate Highway 20, thence over Interstate Highway 20 to Atlanta), and return over the same route, serving all intermediate points; (l) from Sycamore over Alabama Highway 21 to junction U.S. Highway 78, thence over U.S. Highway 78 to Atlanta (also from Sycamore over Alabama Highway 21 to junction Interstate Highway 20, thence over Interstate Highway 20 to Atlanta), and return over the same route, serving all intermediate points; (m) from Sycamore over Alabama Highway 21 to junction U.S. Highway 78, thence over U.S. Highway 78 to Atlanta (also from Sycamore over Alabama Highway 21 to junction Interstate Highway 20, thence over Interstate Highway 20 to Atlanta), and return over the same route, serving all intermediate points; (n) from Sycamore over Alabama Highway 21 to junction U.S. Highway 78, thence over U.S. Highway 78 to Atlanta (also from Sycamore over Alabama Highway 21 to junction Interstate Highway 20, thence over Interstate Highway 20 to Atlanta), and return over the same route, serving all intermediate points; (o) from Sycamore over Alabama Highway 21 to junction U.S. Highway 78, thence over U.S. Highway 78 to Atlanta (also from Sycamore over Alabama Highway 21 to junction Interstate Highway 20, thence over Interstate Highway 20 to Atlanta), and return over the same route, serving all intermediate points; (p) from Sycamore over Alabama Highway 21 to junction U.S. Highway 78, thence over U.S. Highway 78 to Atlanta (also from Sycamore over Alabama Highway 21 to junction Interstate Highway 20, thence over Interstate Highway 20 to Atlanta), and return over the same route, serving all intermediate points; (q) from Sycamore over Alabama Highway 21 to junction U.S. Highway 78, thence over U.S. Highway 78 to Atlanta (also from Sycamore over Alabama Highway 21 to junction Interstate Highway 20, thence over Interstate Highway 20 to Atlanta), and return over the same route, serving all intermediate points; (r) from Sycamore over Alabama Highway 21 to junction U.S. Highway 78, thence over U.S. Highway 78 to Atlanta (also from Sycamore over Alabama Highway 21 to junction Interstate Highway 20, thence over Interstate Highway 20 to Atlanta), and return over the same route, serving all intermediate points; (s) from Sycamore over Alabama Highway 21 to junction U.S. Highway 78, thence over U.S. Highway 78 to Atlanta (also from Sycamore over Alabama Highway 21 to junction Interstate Highway 20, thence over Interstate Highway 20 to Atlanta), and return over the same route, serving all intermediate points; (t) from Sycamore over Alabama Highway 21 to junction U.S. Highway 78, thence over U.S. Highway 78 to Atlanta (also from Sycamore over Alabama Highway 21 to junction Interstate Highway 20, thence over Interstate Highway 20 to Atlanta), and return over the same route, serving all intermediate points; (u) from Sycamore over Alabama Highway 21 to junction U.S. Highway 78, thence over U.S. Highway 78 to Atlanta (also from Sycamore over Alabama Highway 21 to junction Interstate Highway 20, thence over Interstate Highway 20 to Atlanta), and return over the same route, serving all intermediate points; (v) from Sycamore over Alabama Highway 21 to junction U.S. Highway 78, thence over U.S. Highway 78 to Atlanta (also from Sycamore over Alabama Highway 21 to junction Interstate Highway 20, thence over Interstate Highway 20 to Atlanta), and return over the same route, serving all intermediate points; (w) from Sycamore over Alabama Highway 21 to junction U.S. Highway 78, thence over U.S. Highway 78 to Atlanta (also from Sycamore over Alabama Highway 21 to junction Interstate Highway 20, thence over Interstate Highway 20 to Atlanta), and return over the same route, serving all intermediate points; (x) from Sycamore over Alabama Highway 21 to junction U.S. Highway 78, thence over U.S. Highway 78 to Atlanta (also from Sycamore over Alabama Highway 21 to junction Interstate Highway 20, thence over Interstate Highway 20 to Atlanta), and return over the same route, serving all intermediate points; (y) from Sycamore over Alabama Highway 21 to junction U.S. Highway 78, thence over U.S. Highway 78 to Atlanta (also from Sycamore over Alabama Highway 21 to junction Interstate Highway 20, thence over Interstate Highway 20 to Atlanta), and return over the same route, serving all intermediate points; (z) from Sycamore over Alabama Highway 21 to junction U.S. Highway 78, thence over U.S. Highway 78 to Atlanta (also from Sycamore over Alabama Highway 21 to junction Interstate Highway 20, thence over Interstate Highway 20 to Atlanta), and return over the same route, serving all intermediate points.

Thence over Interstate Highway 20 to junction Georgia Highway 100, thence over Georgia Highway 100 to junction Georgia Highway 120, thence over Georgia Highway 120 to Marietta, Ga.,

thence over Interstate Highway 75 to Atlanta and return over the same route, serving all intermediate points; (2) between Sycamore, Ala., and Greenville, S.C.; (a) from Sycamore to Atlanta as described above, thence over U.S. Highway 23 to Cornelia, Ga., thence over U.S. Highway 123 to Greenville (also from Atlanta over Interstate Highway 85 to Greenville), and return over the same route, serving all intermediate points; (b) from Sycamore to Atlanta as described above, thence over U.S. Highway 29 (also over U.S. Highway 78) to Athens, Ga., thence over U.S. Highway 29 to Greenville (also from Athens over U.S. Highway 72 to Greenwood, S.C., thence over U.S. Highway 25 to Greenville), and return over the same route, serving all intermediate points; (3) between Birmingham, Ala., and Atlanta, Ga., over U.S. Highway 78 (also over Interstate Highway 20), serving all intermediate points; (4) between Birmingham, Ala., and Greenville, S.C.; from Birmingham over U.S. Highway 78 (also over Interstate Highway 20) to Atlanta, Ga., thence as described above to Greenville and return over the same route, serving all intermediate points; (5) between Birmingham, Ala., and Chattanooga, Tenn., over U.S. Highway 11 (also over Interstate Highway 59), serving all intermediate points; (6) between Atlanta, Ga., and Lanett, Ala., over U.S. Highway 29 (also over Interstate Highway 85), serving all intermediate points; (7) between Greenville, S.C., and Lanett, Ala., over U.S. Highway 29 (also over Interstate Highway 85), serving all intermediate points.

(8) Between Sycamore, Ala., and Chattanooga, Tenn.; from Sycamore over Alabama Highway 21 to Talladega, Ala., thence over Alabama Highway 77 to Attalla, Ala., thence over U.S. Highway 11 to Chattanooga (also from Attalla over Interstate Highway 59 to Chattanooga), and return over the same route, serving all intermediate points; (9) between Sycamore, Ala., and Birmingham, Ala.; (a) from Sycamore over Alabama Highway 21 to junction unnumbered road, thence over unnumbered road to junction Alabama Highway 76, thence over Alabama Highway 76 to Childersburg, Ala., thence over U.S. Highway 280 to Birmingham and return over the same route, serving all intermediate points; (b) from Sycamore over Alabama Highway 21 to Talladega, Ala., thence over Alabama Highway 77 to junction U.S. Highway 78, thence over U.S. Highway 78 to Birmingham (also from Talladega over Alabama Highway 77 to junction Interstate Highway 20, thence over Interstate Highway 20 to Birmingham), and return over the same route, serving all intermediate points; and (c) from Sycamore over Alabama Highway 21 to junction unnumbered road, thence over unnumbered road to junction Alabama Highway 76, thence over Alabama Highway 76 to Childersburg, Ala., thence over Alabama Highway 25 to Columbiana, Ala.

Thence over Alabama Highway 70 to Siluria, Ala., thence over Alabama Highway 119 to junction U.S. Highway 31, thence over U.S. Highway 31 to Birmingham (also from Siluria over Alabama Highway 119 to junction Interstate Highway

way 65, thence over Interstate Highway 65 to Birmingham), and return over the same route, serving all intermediate points; (b) *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) from Atlanta, Ga., to Sycamore, Ala.; (a) from Atlanta over U.S. Highway 78 to junction Alabama Highway 21, thence over Alabama Highway 21 to Sycamore (also from Atlanta over Interstate Highway 20 to junction Alabama Highway 21, thence over Alabama Highway 21 to Sycamore), serving no intermediate points; (b) from Atlanta over Georgia Highway 166 to the Georgia-Alabama State line, thence over Alabama Highway 46 to junction U.S. Highway 78, thence over U.S. Highway 78 to junction Alabama Highway 21 (also from the Georgia-Alabama State line over Alabama Highway 46 to junction Interstate Highway 20, thence over Interstate Highway 20 to junction Alabama Highway 21), thence over Alabama Highway 21 to Sycamore, serving no intermediate points; (c) from Atlanta over Interstate Highway 75 to Marietta, Ga.

Thence over Georgia Highway 120 to junction U.S. Highway 78, thence over U.S. Highway 78 to junction Alabama Highway 21, thence over Alabama Highway 21 to Sycamore (also from Marietta over Georgia Highway 120 to junction Georgia Highway 100, thence over Georgia Highway 100 to junction Interstate Highway 20, thence over Interstate Highway 20 to junction Alabama Highway 21, thence over Alabama Highway 21 to Sycamore), serving no intermediate points; (2) from Greenville, S.C., to Sycamore, Ala.; (a) from Greenville over U.S. Highway 123 to Cornelia, Ga., thence over U.S. Highway 23 to Atlanta, Ga., thence as described above to Sycamore (also from Greenville over Interstate Highway 85 to Atlanta), serving all intermediate points in South Carolina; (b) from Greenville over U.S. Highway 29 to Athens, Ga., thence over U.S. Highway 29 (also U.S. Highway 78) to Atlanta, thence to Sycamore as described above (also from Greenville over U.S. Highway 25 to Greenwood, S.C., thence over U.S. Highway 72 to Athens), serving all intermediate points in South Carolina; (3) from Atlanta, Ga., to Birmingham, Ala., over U.S. Highway 78 (also over Interstate Highway 20), serving all intermediate points on U.S. Highway 78 and Alabama Highway 202 (formerly U.S. Highway 78) between Birmingham and Anniston, Ala., and the off-route point of Cropwell, Ala.; (4) from Greenville, S.C., to Birmingham, Ala.; from Greenville to Atlanta as described above, thence over U.S. Highway 78 (also over Interstate Highway 20) to Birmingham, serving all intermediate points in South Carolina and on U.S. Highway 78 and Alabama Highway 202 (formerly U.S. Highway 78) between Birmingham and Anniston, Ala., and the off-route point of Cropwell, Ala.; (5) from Chattanooga, Tenn., to Birmingham, Ala., over U.S. Highway 11 (also

over Interstate Highway 59), serving no intermediate points; (6) from Chattanooga, Tenn., to Sycamore, Ala.; from Chattanooga over Interstate Highway 59 to junction Alabama Highway 77 at Attalla, Ala.

Thence over Alabama Highway 77 to junction Alabama Highway 21 at Talladega, Ala., thence over Alabama Highway 21 to Sycamore, serving no intermediate points; (7) between Birmingham, Ala., and Anniston, Ala.; from Birmingham over U.S. Highway 78 to junction Alabama Highway 202 (formerly U.S. Highway 78), thence over Alabama Highway 202 to Anniston (also from Birmingham over Interstate Highway 20 to Anniston), and return over the same route, serving all intermediate points and the off-route point of Cropwell, Ala.; (8) from Birmingham, Ala., to Sycamore, Ala.; from Birmingham over U.S. Highway 280 to Childersburg, Ala., thence over Alabama Highway 76 to junction unnumbered road, thence over unnumbered road to junction Alabama Highway 21, thence over Alabama Highway 21 to Sycamore, serving no intermediate points; and (9) from Atlanta, Ga., to Anniston, Ala., over U.S. Highway 78 (also over Interstate Highway 20), 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-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 22214 (Sub-No. 15), filed March 1, 1965. Applicant: ACCELERATED TRANSPORT-PONY EXPRESS, INC., 23 and 61 West Lee Street, Hagerstown, Md. Applicant's attorney: Spencer T. Money, Suite 411, Park Lane Building, 2025 Eye Street NW., Washington, D.C., 20006. 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 Hagerstown, Md., and Wheeling, W. Va., (a) from Hagerstown over U.S. Highway 11 to junction West Virginia Highway 9 at or near Martinsburg, W. Va., thence over West Virginia Highway 9 to junction U.S. Highway 522 at Berkeley Springs, thence over U.S. Highway 522 to junction U.S. Highway 40 at Hancock, Md., thence over U.S. Highway 40 to Wheeling, and return over the same route, serving no intermediate points, and (b) from Hagerstown over U.S. Highway 11 to junction U.S. Highway 50 at Winchester, Va., thence over U.S. Highway 19 at Clarksburg, W. Va., thence over U.S. Highway 19 to junction West Virginia Highway 20 at or near Shinnston, W. Va., thence over West Virginia Highway 20 to junction West Virginia Highway 2 at New Martinsville, thence over West Virginia Highway 2 to Wheeling,

and return over the same route, serving no intermediate points; (2) between Hagerstown, Md., and Clarksburg, W. Va., from Hagerstown over U.S. Highway 11 to junction U.S. Highway 50 at Winchester, Va.

Thence over U.S. Highway 50 to Clarksburg, and return over the same route, serving no intermediate points; (3) between Hagerstown, Md., and Parkersburg, W. Va., (a) from Hagerstown over U.S. Highway 11 to junction U.S. Highway 50 at Winchester, Va., thence over U.S. Highway 50 to Parkersburg, and return over the same route, serving no intermediate points, and (b) from Hagerstown over U.S. Highway 11 to junction West Virginia Highway 9 at or near Martinsburg, W. Va., thence over West Virginia Highway 9 to junction U.S. Highway 522 at Berkeley Springs, thence over U.S. Highway 522 to junction U.S. Highway 40 at Hancock, Md., thence over U.S. Highway 40 to Wheeling, W. Va., thence over West Virginia Highway 2 to Parkersburg, and return over the same route, serving no intermediate points; (4) between Hagerstown, Md., and Charleston, W. Va., (a) from Hagerstown over U.S. Highway 11 to junction U.S. Highway 50 at Winchester, Va., thence over U.S. Highway 50 to junction U.S. Highway 21 at Parkersburg, W. Va., thence over U.S. Highway 21 to Charleston, and return over the same route, serving no intermediate points, and (b) from Hagerstown over U.S. Highway 11 to junction Virginia Highway 42 at Harrisonburg, thence over Virginia Highway 42 to junction U.S. Highway 60 at or near Clifton Forge, thence over U.S. Highway 60 to Charleston, and return over the same route, serving no intermediate points; (5) between Hagerstown, Md., and Huntington, W. Va., (a) from Hagerstown over U.S. Highway 11 to junction U.S. Highway 50 at Winchester, Va., thence over U.S. Highway 50 to junction West Virginia Highway 2 at Parkersburg.

Thence over West Virginia Highway 2 to Huntington, and return over the same route, serving no intermediate points, and (b) from Hagerstown over U.S. Highway 11 to junction Virginia Highway 42 at Harrisonburg, Va., thence over Virginia Highway 42 to junction U.S. Highway 60 at or near Clifton Forge, thence over U.S. Highway 60 to Huntington, 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 route to regular motor carrier operations.

SPECIAL NOTE: Protests to this application may be filed within 45 days instead of 30 days.

No. MC 25869 (Sub-No. 43), filed April 21, 1965. Applicant: NOLTE BROS. TRUCK LINE, INC., Post Office Box 184, South Omaha Station, 2509 O Street, South Omaha, Nebr. Applicant's attorney: Duane C. Acklie, Box 2028, Omaha, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packing-houses*, as described in sections A and C,

Appendix I, in *Descriptions in Motor Carrier Certificates* 61 M.C.C. 209 and 766 (except liquids in bulk, in tank vehicles and hides), from points in Saunders County, Nebr., to points in Kentucky.

No. MC 312220 (Sub-No. 22), filed March 1, 1965. Applicant: DANIELS MOTOR FREIGHT, INC., Post Office Box 2037, Warren, Ohio. Applicant's attorney: Francis J. Ortman, National Press Building, Washington 4, D.C. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), (1) between Warren, Ohio, and Baltimore, Md.; (a) from Warren over Ohio Highway 169 to junction U.S. Highway 422, thence over U.S. Highway 422 to junction U.S. Highway 22, thence over U.S. Highway 22 to junction U.S. Highway 220, thence over U.S. Highway 220 to junction U.S. Highway 30, thence over U.S. Highway 30 to junction Interstate Highway 70, thence over Interstate Highway 70 to junction U.S. Highway 40 (also over U.S. Highway 30 to junction Pennsylvania Highway 126, thence over Pennsylvania Highway 126 to the Pennsylvania-Maryland State line, thence over U.S. Highway 522 to junction U.S. Highway 40), thence over U.S. Highway 40 to Baltimore and return over the same route, serving all intermediate points, limited to the transportation of shipments originating at, or destined to, points east of 75 miles of Youngstown, Ohio; (b) from Warren over Ohio Highway 169 to Niles, Ohio, thence over Ohio Highway 46 to Austintown, Ohio, thence over Ohio Highway 18 to junction Interstate Highway 80S (Ohio Turnpike).

Thence over Interstate Highway 80S to junction Pennsylvania Turnpike, thence over the Pennsylvania Turnpike to junction Interstate Highway 83 (at Interchange No. 18), thence over Interstate Highway 83 to Baltimore and return over the same route, serving all intermediate points, limited to the transportation of shipments originating at, or destined to, points east of 75 miles of Youngstown, Ohio; (2) between Warren, Ohio, and Philadelphia, Pa.; (a) from Warren over Ohio Highway 169 to junction U.S. Highway 422, thence over U.S. Highway 422 to junction U.S. Highway 19, thence over U.S. Highway 19 to junction Pennsylvania Turnpike (Interchange No. 3), thence over the Pennsylvania Turnpike to junction U.S. Highway 11 (Interchange No. 16), thence over U.S. Highway 11 to junction U.S. Highway 230, thence over U.S. Highway 230 to junction U.S. Highway 30, thence over U.S. Highway 30 to junction U.S. Highway 202, thence over U.S. Highway 202 to junction Interstate Highway 76, thence over Interstate Highway 76 to Philadelphia and return over the same route, serving all intermediate points, limited to the transportation of shipments originating at, or destined to, points east of 75 miles of Youngstown, Ohio; (b) from Warren over Highway 169 to Niles, Ohio, thence over Ohio Highway 46 to Austintown, Ohio, thence over Ohio Highway 18 to

junction Ohio Turnpike, thence over Ohio Turnpike to junction Pennsylvania Turnpike, thence over the Pennsylvania Turnpike to junction Interstate Highway 76, thence over Interstate Highway 76 to Philadelphia and return over the same route, serving all intermediate points, limited to the transportation of shipments originating at, or destined to, points east of 75 miles of Youngstown, Ohio; (3) between Warren, Ohio, and York, Pa.; from Warren over Ohio Highway 169 to junction U.S. Highway 422.

Thence over U.S. Highway 422 to junction U.S. Highway 22, thence over U.S. Highway 22 to junction U.S. Highway 220, thence over U.S. Highway 220 to junction Pennsylvania Turnpike (Interchange No. 11), thence over the Pennsylvania Turnpike to junction Pennsylvania Highway 75 (Interchange No. 14), thence over Pennsylvania Highway 75 to junction U.S. Highway 30, thence over U.S. Highway 30 to York and return over the same route, serving all intermediate points, limited to the transportation of shipments originating at, or destined to, points east of 75 miles of Youngstown, Ohio; (4) between Warren, Ohio, and New York, N.Y.; (a) from Warren over Ohio Highway 169 to junction U.S. Highway 422, thence over U.S. Highway 422 to junction U.S. Highway 22, thence over U.S. Highway 22 to junction U.S. Highway 1, thence over U.S. Highway 1 to New York (via the Holland Tunnel or Lincoln Tunnel), and return over the same route, serving all intermediate points, limited to the transportation of shipments originating at, or destined to, points east of 75 miles of Youngstown, Ohio; (b) from Warren over Ohio Highway 169 to Niles, Ohio, thence over Ohio Highway 46 to Austintown, Ohio, thence over Ohio Highway 18 to junction Ohio Turnpike, thence over the Ohio Turnpike to junction Pennsylvania Turnpike, thence over the Pennsylvania Turnpike to junction Interstate Highway 95 (New Jersey Turnpike), thence over Interstate Highway 95 to New York and return over the same route, serving all intermediate points, limited to the transportation of shipments originating at, or destined to, points east of 75 miles of Youngstown, Ohio; (5) between Warren, Ohio, and St. Louis, Mo.; from Warren over Ohio Highway 169 to Niles, Ohio, thence over Ohio Highway 46 to Austintown, Ohio.

Thence over Ohio Highway 18 to Rootstown, Ohio, thence over Ohio Highway 44 to junction U.S. Highway 224, thence over U.S. Highway 224 to junction Interstate Highway 71, thence over Interstate Highway 71 to Columbus, Ohio, thence over U.S. Highway 40 to St. Louis (also over Interstate Highway 71 to junction U.S. Highway 36, thence over U.S. Highway 36 to Marysville, Ohio, thence over Ohio Highway 4 to junction U.S. Highway 40, thence over U.S. Highway 40 to St. Louis), and return over the same route, serving all intermediate points, limited to the transportation of shipments originating at, or destined to, points west of 75 miles of Youngstown, Ohio; (6) between Warren, Ohio, and Indianapolis, Ind.; from Warren over Ohio Highway 169 to Niles, Ohio, thence

over Ohio Highway 46 to Austintown, Ohio, thence over Ohio Highway 18 to Rootstown, Ohio, thence over Ohio Highway 44 to junction U.S. Highway 224, thence over U.S. Highway 224 to junction Interstate Highway 71, thence over Interstate Highway 71 to junction U.S. Highway 30, thence over U.S. Highway 30 to junction U.S. Highway 30N, thence over U.S. Highway 30N to Delphos, Ohio, thence over U.S. Highway 30 to Fort Wayne, Ind.

Thence over Indiana Highway 37 to Indianapolis (also from Fort Wayne over Indiana Highway 37 to junction Indiana Highway 100, thence over Indiana Highway 100 to junction U.S. Highway 421, thence over U.S. Highway 421 to Indianapolis), and return over the same route, serving all intermediate points, limited to the transportation of shipments originating at, or destined to, points west of 75 miles of Youngstown, Ohio; (7) between Warren, Ohio, and Chicago, Ill.; (a) from Warren over Ohio Highway 5 to junction Ohio Highway 14, thence over Ohio Highway 14 to junction Ohio Turnpike (Interchange No. 13), thence over the Ohio Turnpike to junction Ohio Highway 250 (Interchange No. 7), thence over Ohio Highway 250 to junction Ohio Highway 113, thence over Ohio Highway 113 to junction U.S. Highway 20, thence over U.S. Highway 20 to junction U.S. Highway 6, thence over U.S. Highway 6 to junction Indiana Highway 53; thence over Indiana Highway 53 to junction Interstate Highway 90 (also over Indiana Highway 53 to junction Interstate Highway 94, thence over Interstate Highway 94 to Chicago), thence over Interstate Highway 90 to Chicago (also from junction Ohio Highway 113 and U.S. Highway 20 over U.S. Highway 20 to junction Interstate Highway 90, thence over Interstate Highway 90 to Chicago), and return over the same route, serving all intermediate points, limited to the transportation of shipments originating at, or destined to, points west of 75 miles of Youngstown, Ohio; (b) from Warren over Ohio Highway 5 to junction Interstate Highway 80 (Ohio Turnpike at Interchange No. 14).

Thence over Interstate Highway 80 to junction Interstate Highway 90, thence over Interstate Highway 90 to Chicago (also over Interstate Highway 80 to junction Interstate Highway 94, thence over Interstate Highway 94 to Chicago) and return over the same route, serving all intermediate points, limited to the transportation of shipments originating at, or destined to, points west of 75 miles of Youngstown, Ohio; (c) from Warren over Ohio Highway 5 to junction Interstate Highway 80 (Ohio Turnpike at Interchange No. 14), thence over Interstate Highway 80 to junction Ohio Highway 120, thence over Ohio Highway 120 to Toledo, Ohio, thence over U.S. Highway 24 to Fort Wayne, Ind., thence over U.S. Highway 30 to junction Indiana Highway 53, thence over Indiana Highway 53 to junction Interstate Highway 90, thence over Interstate Highway 90 to Chicago (also over Indiana Highway 53 to junction Interstate Highway 94, thence over Interstate Highway 94 to Chicago), and return over the same

route, serving all intermediate points, limited to the transportation of shipments originating at, or destined to, points west of 75 miles of Youngstown, Ohio; (8) between Warren, Ohio, and Saginaw, Mich.; (a) from Warren over Ohio Highway 5 to junction Ohio Highway 82, thence over Ohio Highway 82 to junction U.S. Highway 20, thence over U.S. Highway 20 to junction Ohio Highway 120, thence over Ohio Highway 120 to junction U.S. Highway 25, thence over U.S. Highway 25 to junction U.S. Highway 24, thence over U.S. Highway 24 to junction Michigan Highway 50.

Thence over Michigan Highway 50 to junction U.S. Highway 23, thence over U.S. Highway 23 to junction Michigan Highway 46, thence over Michigan Highway 46 to Saginaw and return over the same route, serving all intermediate points, limited to the transportation of shipments originating at, or destined to, points west of 75 miles of Youngstown, Ohio; (b) from Warren over Ohio Highway 5 to junction Ohio Highway 14, thence over Ohio Highway 14 to junction Ohio Highway 82, thence over Ohio Highway 82 to junction U.S. Highway 20, thence over U.S. Highway 20 to junction U.S. Highway 23, thence over U.S. Highway 23 to junction Michigan Highway 46, thence over Michigan Highway 46 to Saginaw and return over the same route, serving all intermediate points, limited to the transportation of shipments originating at, or destined to, points west of 75 miles of Youngstown, Ohio; (c) from Warren over Ohio Highway 5 to junction Ohio Turnpike (Interchange 14), thence over the Ohio Turnpike to junction Ohio Highway 120 (Interchange 5), thence over Ohio Highway 120 to Toledo, Ohio, thence over Interstate Highway 75 to Saginaw and return over the same route, serving all intermediate points, limited to the transportation of shipments originating at, or destined to, points west of 75 miles of Youngstown, Ohio; (9) between Warren, Ohio, and Cleveland, Ohio; (a) from Warren over U.S. Highway 422 to Cleveland and return over the same route, serving all intermediate points; (b) from Warren over Ohio Highway 5 to junction Ohio Turnpike (Interchange No. 14), thence over the Ohio Turnpike to junction U.S. Highway 21 (Interchange No. 11).

Thence over U.S. Highway 21 to Cleveland (also over Ohio Highway 5 to junction Ohio Highway 14, thence over Ohio Highway 14 to Cleveland) and return over the same route, serving all intermediate points; (10) between Warren, Ohio, and Ashtabula, Ohio; from Warren over Ohio Highway 169 to Niles, Ohio, thence over Ohio Highway 46 to Ashtabula and return over the same route, serving all intermediate points; (11) between Warren, Ohio, and Elmira, N.Y.; from Warren over Ohio Highway 5 to junction Ohio Highway 7, thence over Ohio Highway 7 to junction Interstate Highway 90, thence over Interstate Highway 90 to junction New York Highway 5, thence over New York Highway 5 to junction U.S. Highway 20, thence over U.S. Highway 20 to junction New York Highway 63, thence over New York Highway 63 to junction U.S. Highway 15,

thence over U.S. Highway 15 to junction New York Highway 17, thence over New York Highway 17 to Elmira and return over the same route, serving all intermediate points, limited to the transportation of shipments originating at, or destined to, points east of 75 miles of Youngstown, Ohio; (12) between Warren, Ohio, and Schenectady, N.Y.; (a) from Warren over Ohio Highway 5 to junction Ohio Highway 7, thence over Ohio Highway 7 to junction Interstate Highway 90, thence over Interstate Highway 90 to junction New York Highway 146 (New York Thruway Interchange No. 25).

Thence over New York Highway 146 to Schenectady (also over Interstate Highway 90 to junction New York Highway 365 (New York Thruway Interchange No. 33), thence over New York Highway 365 to Rome, N.Y., thence over New York Highway 49 to junction Interstate Highway 90 (New York Thruway Interchange No. 31), thence over Interstate Highway 90 to junction New York Highway 146 (New York Thruway Interchange No. 25)), and return over the same route, serving all intermediate points, limited to the transportation of shipments originating at, or destined to, points east of 75 miles of Youngstown, Ohio; (b) from Warren over Ohio Highway 5 to junction Ohio Highway 7, thence over Ohio Highway 7 to junction Interstate Highway 90, thence over Interstate Highway 90 to junction New York Highway 5, thence over New York Highway 5 to junction U.S. Highway 20, thence over U.S. Highway 20 to junction U.S. Highway 15, thence over U.S. Highway 15 to junction Interstate Highway 90 (New York Thruway Interchange No. 46), thence over Interstate Highway 90 to junction New York Highway 146 (New York Thruway Interchange No. 25) (also over Interstate Highway 90 to junction New York Highway 365 (New York Thruway Interchange No. 33), thence over New York Highway 365 to Rome, N.Y., thence over New York Highway 49 to junction Interstate Highway 90 (New York Thruway Interchange No. 31), thence over Interstate Highway 90 to junction New York Highway 146 (New York Thruway Interchange No. 25)).

Thence over New York Highway 146 to Schenectady and return over the same route, serving all intermediate points, limited to the transportation of shipments originating at, or destined to, points east of 75 miles of Youngstown, Ohio; (13) between Warren, Ohio, and Syracuse, N.Y.; (a) from Warren over Ohio Highway 5 to junction Ohio Highway 7, thence over Ohio Highway 7 to junction Interstate Highway 90, thence over Interstate Highway 90 to junction New York Highway 5, thence over New York Highway 5 to junction U.S. Highway 20, thence over U.S. Highway 20 to junction U.S. Highway 15, thence over U.S. Highway 15 to junction Interstate Highway 90 (New York Thruway Interchange No. 46), thence over Interstate Highway 90 to junction Interstate Highway 81 (New York Thruway Interchange No. 36) (also over U.S. Highway 15 to Rochester, N.Y., thence over Interstate Highway 490 to junction Interstate Highway 90 (New York Thruway Interchange

No. 31), thence over Interstate Highway 90 to junction Interstate Highway 81), thence over Interstate Highway 81 to Syracuse and return over the same route, serving all intermediate points, limited to the transportation of shipments originating at, or destined to, points east of 75 miles of Youngstown, Ohio; (b) from Warren over Ohio Highway 5 to junction Ohio Highway 7, thence over Ohio Highway 7 to junction Interstate Highway 90, thence over Interstate Highway 90 to junction New York Highway 5 (also over Interstate Highway 90 to junction Pennsylvania Highway 97, thence over Pennsylvania Highway 97 to Erie, Pa., thence over Pennsylvania Highway 8 to junction Interstate Highway 90, thence over Interstate Highway 90 to junction New York Highway 5), thence over New York Highway 5 to junction U.S. Highway 20, thence over U.S. Highway 20 to junction New York Highway 78, thence over New York Highway 78 to junction New York Highway 33, thence over New York Highway 33 to Rochester, N.Y., thence over Interstate Highway 490 to junction Interstate Highway 90 (New York Thruway Interchange No. 45).

Thence over Interstate Highway 90 to junction Interstate Highway 81 (New York Thruway Interchange No. 36) thence over Interstate Highway 81 to Syracuse and return over the same route, serving all intermediate points, limited to the transportation of shipments originating at, or destined to, points east of 75 miles of Youngstown, Ohio; (c) from Warren over Ohio Highway 5 to junction Ohio Highway 7, thence over Ohio Highway 7 to junction Interstate Highway 90, thence over Interstate Highway 90 to junction New York Highway 5, thence over New York Highway 5 to junction U.S. Highway 20, thence over U.S. Highway 20 to junction New York Highway 5, thence over New York Highway 5 to Syracuse and return over the same route, serving all intermediate points limited to the transportation of shipments originating at, or destined to, points east of 75 miles of Youngstown, Ohio; (d) from Warren over Ohio Highway 5 to junction Ohio Highway 7, thence over Ohio Highway 7 to junction Interstate Highway 90, thence over Interstate Highway 90 to junction Interstate Highway 81 (New York Thruway Interchange No. 36) (also over Interstate Highway 90 to junction U.S. Highway 15 (New York Thruway Interchange No. 46), thence over U.S. Highway 15 to Rochester, N.Y., thence over Interstate Highway 490 to junction Interstate Highway 90 (New York Thruway Interchange No. 45), thence over Interstate Highway 90 to junction Interstate Highway 81 (New York Thruway Interchange No. 36)).

Thence over Interstate Highway 81 to Syracuse and return over the same route, serving all intermediate points, limited to the transportation of shipments originating at, or destined to, points east of 75 miles of Youngstown, Ohio; (e) from Warren over Ohio Highway 5 to junction Ohio Highway 7, thence over Ohio Highway 7 to junction Interstate Highway 90, thence over Interstate Highway 90 to junction New York Highway 17 (New York Thruway Interchange No. 60),

thence over New York Highway 17 to Elmira, N.Y., thence over New York Highway 13 to junction U.S. Highway 11 (also Interstate Highway 81), thence over U.S. Highway 11 (also Interstate Highway 81) to Syracuse and return over the same route, serving all intermediate points, limited to the transportation of shipments originating at, or destined to, points east of 75 miles of Youngstown, Ohio; and (14) between Cleveland, Ohio, and junction Interstate Highway 90 and Ohio Highway 7; from Cleveland over Interstate Highway 90 to junction Ohio Highway 7 (also over U.S. Highway 20 to junction Ohio Highway 7, thence over Ohio Highway 7 to junction Interstate Highway 90), and return over the same route, serving all intermediate points, restricted to the transportation of shipments originating at or destined to Bradford, Pa., and points in New York east of a line beginning at Oswego, N.Y., and extending along New York Highway 57 to Syracuse, N.Y., and thence along U.S. Highway 11 to the New York-Pennsylvania State line; applicant proposes to serve as off-route points to the above-described regular-routes, all points in the irregular-route territory of Daniels Motor Freight, Inc., as presently defined in Certificates of Public Convenience and Necessity No. MC 31220 and MC 31220 (Sub-No. 17), dated September 21, 1956, and February 21, 1958, respectively.

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 35628 (Sub-No. 262), filed April 19, 1965. Applicant: INTERSTATE MOTOR FREIGHT SYSTEM, a corporation, 134 Grandville, SW., Grand Rapids, Mich. Applicant's attorney: Leonard D. Verdier, Jr., Michigan Trust Building, Grand Rapids, Mich., 49502. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities (except Classes A and B explosives, household goods as defined by the Commission and commodities in bulk), between Kansas City, Kans., and St. Louis, Mo., over U.S. Highway 40, serving no intermediate points, as an alternate route for operating convenience only in connection with applicant's authorized regular-route operations.

NOTE: Applicant states that no shipments shall be transported over the above-proposed route between Kansas City, Kans., and Kansas City, Mo., on the one hand, and, on the other, points on or south of U.S. Highway 50 and west of the Cincinnati, Ohio, commercial zone.

No. MC 41116 (Sub-No. 21), filed April 26, 1965. Applicant: MRS. LOIS M. FOGLEMAN, doing business as FOGLEMAN TRUCK LINE, Post Office Box 603, Crowley, La. Applicant's attorney: Austin L. Hatchell, Suite 1102, Perry Brooks Building, Austin 1, Tex. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Bags, bagging, steel cotton

bale ties, burlap, and twine, between Crowley, La., or the one hand, and, on the other, points in Colorado.

NOTE: Applicant proposes to transport rejected shipments, on return. Applicant states the proposed service to be under continuing contract with Crowley Industrial Bag Co., Inc., of Crowley, La. Applicant has common carrier authority under MC 123993 and subs thereunder, therefore, dual operations may be involved.

No. MC 52979 (Sub-No. 11), filed February 23, 1965. Applicant: HUNT TRUCK LINES, INC., West Highway Street, Rockwell City, Iowa. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines 16, Iowa. Authority sought to operate as a common carrier, by motor vehicle, over 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) from Chicago, Ill., over Illinois East-West Tollway and Illinois Highway 56 to junction U.S. Highway 30, thence over U.S. Highway 30 to junction Iowa Highway 17, thence over Iowa Highway 17 to junction unnumbered highway, thence over unnumbered highways to junction U.S. Highway 20, near Somers, Iowa, thence over U.S. Highway 20 to Rockwell City, Iowa, and return over the same route, with no transportation for compensation on return except as otherwise authorized, serving no intermediate points but serving the off-route points of Lake City, Sac City, Manson, Fonda, Lohrville, Lake View, Humboldt, Pocahontas, Storm Lake, Cherokee, Carroll, Holstein, Ida Grove, Mapleton, Denison, Manning, Audubon, Harlan, Danbury, Coon Rapids, Remsen, Marcus, and LeMars, Iowa; (2) between Minneapolis, Minn., and Rockwell City, Iowa, from Minneapolis over U.S. Highway 169 to junction U.S. Highway 20, thence over U.S. Highway 20 to Rockwell City, and return over the same route, serving all intermediate points in Iowa and off-route points in Buena Vista, Calhoun, Carroll, Greene, Humboldt, Kossuth, Palo Alto, Pocahontas, Sac, and Webster Counties, Iowa.

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 55337 (Sub-No. 15), filed February 24, 1965. Applicant: ELKTON TRUCKING COMPANY, a corporation, Elkton, Md. Applicant's attorney: James E. Wilson, Perpetual Building, 1111 E Street NW., Washington, D.C. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities (except those of unusual value, and except dangerous explosives, household goods as defined in Practices of Motor Common Carriers of Household Goods, 17 M.C.C. 467, commodities in bulk, and those requiring special equipment), (1) between Baltimore, Md., and New York, N.Y., (a) from Baltimore over U.S. Highway 40 to junction U.S. High-

way 130, thence over U.S. Highway 130 to junction U.S. Highway 1 and thence over U.S. Highway 1 to New York; (b) from Baltimore over Interstate Highway 95 to the Delaware Memorial Bridge, thence across Delaware Memorial Bridge to New Jersey Turnpike, thence over New Jersey Turnpike to Holland Tunnel, and thence via Holland Tunnel to New York, and return over the same routes, serving all intermediate points on (a) and (b) above; (2) between Baltimore, Md., and Allentown, Pa., from Baltimore over U.S. Highway 1 to Oxford, Pa., thence over Pennsylvania Highway 10 to junction U.S. Highway 30, thence over U.S. Highway 30 to junction Pennsylvania Highway 113, thence over Pennsylvania Highway 113 to junction Pennsylvania Highway 100, thence over Pennsylvania Highway 100 to Trexlertown, Pa., and thence over U.S. Highway 222 to Allentown, and return over the same route, serving all intermediate points; and (3) between Elkton, Md., and Allentown, Pa., from Elkton over Maryland Highway 279 to the Maryland-Delaware State line.

Thence over Delaware Highway 2 to Elsmere, Del., thence over Delaware Highway 141 to junction U.S. Highway 202, thence over U.S. Highway 202 to Westchester, Pa., thence over Pennsylvania Highway 100 to Trexlertown, Pa., and thence over U.S. Highway 222 to Allentown, and return over the same route, serving all intermediate points and in connection with each of the above-described routes all off-route points in that part of Maryland on and bounded by a line extending from Baltimore over Maryland Highway 45 (formerly U.S. Highway 111) to Towson, Md., thence along Maryland Highway 146 to Jacksonville, Md., thence along Maryland Highway 145 to junction Maryland Highway 165, thence along Maryland Highway 165 to the Maryland-Pennsylvania State line, thence along the Maryland-Pennsylvania State line to junction Maryland-Delaware State line, thence along the Maryland-Delaware State line to junction U.S. Highway 40, thence along U.S. Highway 40 to Elkton, thence south to the Elk River, thence along the western branch of the Elk River to the shore of Chesapeake Bay, thence along the shore of Chesapeake Bay to Baltimore, points in those portions of Pennsylvania, New Jersey, and Delaware bounded by a line beginning at the Maryland-Pennsylvania State line and extending along Pennsylvania Highway 10 (formerly U.S. Highway 122) to Reading, Pa., thence along Pennsylvania Highway 61 (formerly U.S. Highway 122) to Hamburg, Pa., thence along U.S. Highway 22 to Newark, N.J.

Thence along U.S. Highway 1 to junction U.S. Highway 130, thence along U.S. Highway 130 to junction U.S. Highway 40, thence along U.S. Highway 40 to the Maryland-Delaware State line, thence along the Maryland-Delaware State line to the Maryland-Pennsylvania State line, and thence along the Maryland-Pennsylvania State line to the point of beginning.

NOTE: Applicant states service is not proposed between any two intermediate and/or off-route points in the above described Maryland-Delaware State line.

land territory or between any two intermediate and/or off-route points in the above-described Pennsylvania, New Jersey, and Delaware territory. This application is filed pursuant to MC-C 4366, effective May 1, 1964, which provides the special rules of 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 89723 (Sub-No. 38), filed April 21, 1965. Applicant: **MISSOURI PACIFIC TRUCK LINES, INC.**, 210 North 13th Street, St. Louis, Mo., 63103. Applicant's attorney: **Robt. S. Davis**, 1218 Olive Street, St. Louis 3, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, between Hot Springs, Ark., and the Ouachita Job Corps Conservation Center near Royal, Ark.; from Hot Springs over U.S. Highway 270 to junction Forest Road No. 93, thence over Forest Road No. 93 to the Ouachita Job Corps Conservation Center near Royal, Ark., and return over the same route, serving no intermediate points.

NOTE: Applicant is a wholly owned subsidiary of Missouri Pacific Railroad Co., a common carrier by rail.

No. MC 105457 (Sub-No. 57), filed March 1, 1965. Applicant: **THURSTON MOTOR LINES, INC.**, 601 Johnson Road, Charlotte, N.C. Applicant's attorney: **John C. Bradley**, Suite 618 Perpetual Building, 1111 E Street NW., Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, livestock, high 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 High Point, N.C., and Front Royal, Va., (a) from High Point over North Carolina Highway 68 to junction U.S. Highway 220, thence over U.S. Highway 220 to Roanoke, Va., thence over U.S. Highway 11 to Strasburg, Va., thence over Virginia Highway 55 to Front Royal, and return over the same route, (b) from High Point over North Carolina Highway 68 to junction U.S. Highway 158 at or near Stokesdale, N.C., thence over U.S. Highway 158 to Reidsville, N.C., thence over U.S. Highway 29 to Madison, Va., thence over Virginia Highway 231 to Sperryville, Va., thence over U.S. Highway 211 to junction U.S. Highway 522, thence over U.S. Highway 522 to Front Royal, and return over the same route; (2) between junction U.S. Highway 11 and U.S. Highway 340 at or near Greenville, Va., and Front Royal, Va., over U.S. Highway 340; (3) between Roanoke, Va., and Lynchburg, Va., over U.S. Highway 460; (4) between Bedford, Va., and Alta Vista, Va., over Virginia Highway 43; and (5) between Charlotte, N.C., and Roanoke, Va., from Charlotte over U.S. Highway 21 to Wytheville, Va.

Thence over U.S. Highway 11 to Roanoke (also from Dublin, Va., over Virginia Highway 100 to Narrows, Va., thence over U.S. Highway 460 to Chris-

tiansburg, Va.), and return over the same route.

NOTE: Applicant states it proposes to serve all intermediate points on the above described routes, and in connection with (1) through (5) above, all off-route points in that part of Virginia on and west of a line beginning at the Potomac River near Point of Rocks, Md., and extending along U.S. Highway 15 to junction U.S. Highway 50, near Aldie, Va., thence along U.S. Highway 50 to Middleburg, Va., thence along Virginia Highway 626 to The Plains, Va., thence along Virginia Highway 245 to junction Virginia Highway 17, thence along Virginia Highway 17 to Warrenton, Va., and thence along U.S. Highway 15 to the Virginia-North Carolina State line. Applicant states service will be restricted to the handling of traffic moving to, from or through either Charlotte or Roanoke Rapids, N.C. No duplication of 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 to regular motor carrier operations.

SPECIAL NOTE: Protests to this application may be filed within 45 days instead of 30 days.

No. MC 111871 (Sub-No. 7), filed February 24, 1965. Applicant: **SOUTHEASTERN FREIGHT LINES**, a corporation, Highway 378, West Columbia, S.C. Applicant's attorney: **James E. Wilson**, Perpetual Building, 1111 E Street NW., Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, and except dangerous explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, M.C.C. 467, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), (1) between Atlanta, Ga., and Dalton, Ga., over U.S. Highway 41, serving all intermediate points; (2) between Atlanta, Ga., and Spartanburg, S.C., from Atlanta over U.S. Highway 23 to Cornelia, Ga., thence over U.S. Highway 123 to Greenville, S.C., and thence over U.S. Highway 29 to Spartanburg, and return over the same route, serving all intermediate points; (3) between La Grange, Ga., and Greenville, S.C., over U.S. Highway 29, serving all intermediate points; (4) between Atlanta, Ga., and Athens, Ga., over U.S. Highway 78, serving all intermediate points; (5) between Atlanta, Ga., and Valdosta, Ga., over U.S. Highway 41, serving all intermediate points; (6) between Cordele, Ga., and Albany, Ga., from Cordele over Georgia Highway 257 to junction U.S. Highway 82, thence over U.S. Highway 82 to Albany, and return over the same route, serving all intermediate points; (7) between Griffin, Ga., and junction U.S. Highways 19 and 80 near Carsonville, Ga., over U.S. Highway 19, serving all intermediate points; (8) between Columbus, Ga., and Savannah, Ga., over U.S. Highway 80, serving all intermediate points; (9) between Macon, Ga., and Warrenton, Ga., from Macon over U.S. Highway 129 to Gray, Ga.

Thence over Georgia Highway 22 to Warrenton, and return over the same route, serving all intermediate points; (10) between Atlanta, Ga., and Charleston, S.C., from Atlanta over U.S. Highway 278 to Thomson, Ga., thence over

U.S. Highway 78 to Charleston, and return over the same route, serving all intermediate points; (11) between Athens, Ga., and Thomson, Ga., over U.S. Highway 78, serving all intermediate points; (12) between Athens, Ga., and Rock Hill, S.C., from Athens over Georgia Highway 72 to the Georgia-South Carolina State line, thence over South Carolina Highway 72 to Rock Hill, and return over the same route, serving all intermediate points; (13) between Washington, Ga., and Myrtle Beach, S.C., from Washington over U.S. Highway 378 to Conway, S.C., thence over U.S. Highway 501 to Myrtle Beach, and return over the same route, serving all intermediate points; (14) between Alken, S.C., and Cheraw, S.C., over U.S. Highway 1, serving all intermediate points; (15) between Thomasville, Ga., and Savannah, Ga., from Thomasville over U.S. Highway 84 to Waycross, Ga., thence over U.S. Highway 82 to Midway, Ga., and thence over U.S. Highway 17 to Savannah, and return over the same route, serving all intermediate points; (16) between Savannah, Ga., and Myrtle Beach, S.C., over U.S. Highway 17, serving all intermediate points; (17) between Savannah, Ga., and Rock Hill, S.C., from Savannah over U.S. Highway 321 to Columbia, S.C., and thence over U.S. Highway 21 to Rock Hill, and return over the same route, serving all intermediate points; (18) between Charleston, S.C., and Greenville, S.C., from Charleston over U.S. Highway 176 to Columbia, S.C., thence over U.S. Highway 76 to Laurens, S.C.

Thence over U.S. Highway 221 to junction U.S. Highway 276, and thence over U.S. Highway 276 to Greenville, and return over the same route, serving all intermediate points; (19) between junction U.S. Highways 76 and 52 near Goose Creek, S.C., and Cheraw, S.C., over U.S. Highway 52, serving all intermediate points.

NOTE: Applicant states in connection with the above-described routes, service is proposed to and from all off-route points in South Carolina and Georgia, restricted against service between any two intermediate and/or off-route points in Georgia or between any two intermediate and/or off-route points in South Carolina. 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 114194 (Sub-No. 101), filed April 20, 1965. Applicant: **KREIDER TRUCK SERVICE, INC.**, 8003 Collinsville Road, East St. Louis, Ill., 62201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Syrups, sweeteners, corn syrup, and blends*, in bulk, from Granite City, Ill., to points in Minnesota, Wisconsin, and Michigan, and *rejected shipments*, on return.

No. MC 118922 (Sub-No. 2), filed March 19, 1965. Applicant: **W. L. CARTER**, doing business as **CARTER TRUCKING CO.**, Box 126, Locust Grove, Ga. Applicant's attorney: **Bates Block**, Sixth Floor, First National Bank Building, Atlanta, Ga. Authority sought to

operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Children's miniature cars, lawnmowers, rollers, and parts for each*, between the plant site of McDonough Power Equipment, Inc., McDonough, Ga., on the one hand, and, on the other, points in Florida, Alabama, Tennessee, South Carolina, North Carolina, Virginia, Ohio, Mississippi, Louisiana, Kentucky, Texas, Missouri, Illinois, West Virginia, Pennsylvania, New Jersey, Wisconsin, Indiana, Maryland, Delaware, Michigan, Minnesota, Iowa, Arkansas, and Oklahoma; and (2) *raw materials* when used for the manufacture of the above-described commodities, between points in the above-described destination States on the one hand, and, on the other, the plant site of McDonough Power Equipment, Inc., McDonough, Ga.

By the Commission.

[SEAL]

BERTHA F. ARMES,
Acting Secretary.

[P.R. Doc. 65-4999; Filed, May 12, 1965;
8:45 a.m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

MAY 10, 1965.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 39751—*Liquid caustic soda to Cedartown, Ga.* Filed by O. W. South, Jr., agent (No. A-4673), for interested rail carriers. Rates on liquid caustic soda, in tank car-loads, from Geismar, La., to Cedartown, Ga.

Grounds for relief—Market competition.

Tariff—Supplement 57 to Southern Freight Association, agent, tariff I.C.C. S-397.

FSA No. 39752—*Dry concrete mixture from Omaha, Nebr.* Filed by Western Trunk Line Committee, agent (No. A-

2404), for interested rail carriers. Rates on concrete mixture, dry, consisting of physical mixture in the same bag of cement and aggregates, in carloads, from Omaha, Nebr., to points in Kansas, Missouri, North Dakota, and South Dakota.

Grounds for relief—Market competition.

Tariffs—Supplements 172 and 28 to Western Trunk Line Committee, agent, tariffs I.C.C. A-4308 and A-4527, respectively.

By the Commission.

[SEAL]

BERTHA F. ARMES,
Acting Secretary.

[P.R. Doc. 65-5069; Filed, May 12, 1965;
8:49 a.m.]

[Second Rev. S. O. 562; Pfahler's I.C.C. Order
186]

RAILROADS SERVING ILLINOIS, IOWA, MINNESOTA, MISSOURI, WISCONSIN

Diversion and Rerouting of Traffic

In the opinion of R. D. Pfahler, agent, railroads serving the States of Illinois, Iowa, Minnesota, Missouri, and Wisconsin are unable to transport traffic routed over their lines because of flood conditions.

It is ordered, That:

(a) Rerouting of traffic: Railroads serving the States of Illinois, Iowa, Minnesota, Missouri, and Wisconsin being unable to transport traffic in accordance with shippers routing because of flood conditions are hereby authorized to divert and reroute such traffic over any available route to expedite the movement regardless of the routing shown on the waybill. The billing covering all such cars rerouted shall carry a reference to this order as authority for the rerouting.

(b) Concurrence of receiving roads to be obtained: The railroad desiring to divert or reroute traffic under this order shall confer with the proper transportation officer of the railroad to which such traffic is to be diverted or rerouted, and shall receive the concurrence of such

other railroad before the rerouting or diversion is ordered.

(c) Notification to shippers: Each carrier rerouting cars in accordance with this order shall notify each shipper at the time each car is rerouted or diverted and shall furnish to such shipper the new routing provided under this order.

(d) Inasmuch as the diversion or rerouting of traffic by said agent is deemed to be due to carrier's disability, the rates applicable to traffic diverted or rerouted by said agent shall be the rates which were applicable at the time of shipment on the shipments as originally routed.

(e) In executing the directions of the Commission and of such agent provided for in this order, the common carriers involved shall proceed even though no contracts, agreements, or arrangements now exist between them with reference to the divisions of the rates of transportation applicable to said traffic; divisions shall be, during the time this order remains in force, those voluntarily agreed upon by and between said carriers; or upon failure of the carriers to so agree, said divisions shall be those hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act.

(f) Effective date: This order shall become effective at 12:01 a.m., May 8, 1965.

(g) Expiration date: This order shall expire at 11:59 p.m., May 21, 1965, unless otherwise modified, changed, suspended, or annulled.

It is further ordered, That this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement and by filing it with the Director, Office of the Federal Register.

Issued at Washington, D.C., May 7, 1965.

INTERSTATE COMMERCE
COMMISSION,
R. D. PFAHLER,
Agent.

[SEAL]

[P.R. Doc. 65-5070; Filed, May 12, 1965;
8:49 a.m.]

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