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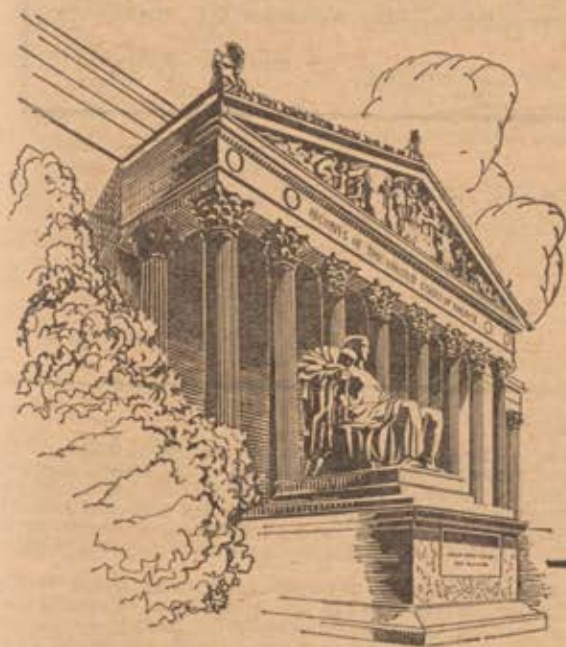
Wednesday, October 13, 1965 • Washington, D.C.

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Conservation Service
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Civil Service Commission
Coast Guard
Commodity Credit Corporation
Consumer and Marketing Service
Customs Bureau
Defense Department
Engineers Corps
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Federal Communications Commission
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Food and Drug Administration
Immigration and Naturalization
Service
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Tariff Commission
Veterans Administration

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Announcing First 5-Year Cumulation

UNITED STATES STATUTES AT LARGE

TABLES OF LAWS AFFECTED
in Volumes 70-74

Lists all prior laws and other Federal instruments which were amended, repealed, or otherwise affected by the provisions of

public laws enacted during the years 1956-1960. Includes index of popular name acts affected in Volumes 70-74.

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Title 3—THE PRESIDENT

Executive Order 11248

PLACING CERTAIN POSITIONS IN LEVELS IV AND V OF THE FEDERAL EXECUTIVE SALARY SCHEDULE

By virtue of the authority vested in me by subsection (f) of Section 303 of the Government Employees Salary Reform Act of 1964, and as President of the United States, it is ordered as follows:

SECTION 1. The following offices and positions are placed in Level IV of the Federal Executive Salary Schedule:

(1) Special Assistant to the Secretary (for Enforcement), Treasury Department.

(2) Principal Deputy Director of Defense Research and Engineering, Department of Defense.

SEC. 2. The following offices and positions are placed in Level V of the Federal Executive Salary Schedule:

(1) Commissioner on Aging, Department of Health, Education, and Welfare.

(2) Principal Deputy Assistant Secretary of Defense (International Security Affairs), Department of Defense.

SEC. 3. Executive Order No. 11244 and Executive Order No. 11245, both dated September 16, 1965, are hereby superseded.

LYNDON B. JOHNSON

THE WHITE HOUSE,
October 10, 1965.

[F.R. Doc. 65-11006; Filed, Oct. 12, 1965; 12:22 p.m.]

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Executive Order 11249

AMENDING REGULATIONS RELATING TO THE SAFEGUARDING OF VESSELS, HARBORS, PORTS, AND WATERFRONT FACILITIES OF THE UNITED STATES

By virtue of the authority vested in me by the Act of August 9, 1950, 64 Stat. 427, which amended section 1 of title II of the Act of June 15, 1917, 40 Stat. 220 (50 U.S.C. 191), and as President of the United States, I hereby prescribe the following amendments of the regulations prescribed by Executive Order No. 10173 of October 18, 1950, as amended by Executive Order No. 10277 of August 1, 1951, and Executive Order No. 10332 of May 19, 1952, which regulations constitute Part 6, Subchapter A, Chapter I, Title 33 of the Code of Federal Regulations:

1. Section 6.01-3 is amended to read as follows:

§ 6.01-3 *Captain of the Port*. "Captain of the Port" as used in this part, means the officer of the Coast Guard, under the command of a District Commander, so designated by the Commandant for the purpose of giving immediate direction to Coast Guard law enforcement activities within his assigned area. In addition, the District Commander shall be Captain of the Port with respect to remaining areas in his District not assigned to officers designated by the Commandant as Captain of the Port.

2. Section 6.01-4 is amended to read as follows:

§ 6.01-4 *Waterfront facility*. "Waterfront facility" as used in this part, means all piers, wharves, docks, and similar structures to which vessels may be secured; areas of land, water, or land and water under and in immediate proximity to them; buildings on such structures or contiguous to them and equipment and materials on such structures or in such buildings.

3. A new section 6.01-5 is added to read as follows:

§ 6.01-5 *Security zone*. "Security zone" as used in this part, means all areas of land, water, or land and water, which are so designated by the Captain of the Port for such time as he deems necessary to prevent damage or injury to any vessel or waterfront facility, to safeguard ports, harbors, territories, or waters of the United States or to secure the observance of the rights and obligations of the United States.

4. Section 6.04-5 is amended to read as follows:

§ 6.04-5 *Preventing access of persons, articles or things to vessels, or waterfront facilities*. The Captain of the Port may prevent any person, article, or thing from boarding or being taken or placed on board any vessel or entering or being taken into or upon or placed in or upon any waterfront facility whenever it appears to him that such action is necessary in order to secure such vessel from damage or injury or to prevent damage or injury to any vessel, or waterfront facility or waters of the United States, or to secure the observance of rights and obligations of the United States.

5. A new section 6.04-6 is added to read as follows:

§ 6.04-6 *Establishing security zones; prohibitions with respect thereto*. The Captain of a Port may establish security zones subject to the terms and conditions specified in § 6.01-5. No person or vessel shall enter a security zone without the permission of the Captain of the Port. No person shall board or take or place any article or thing on board any vessel in a security zone without the permission of the Captain of the Port. No person shall take or place any article or thing upon any waterfront facility in any such zone without such permission.

6. Section 6.04-7 is amended to read as follows:

§ 6.04-7 *Visitation, search, and removal.* The Captain of the Port may cause to be inspected and searched at any time any vessel, waterfront facility, or security zone, or any person, article, or thing thereon or therein, within the jurisdiction of the United States, may place guards upon any such vessel, waterfront facility, or security zone and may remove therefrom any and all persons, articles, or things not specifically authorized by him to go or remain thereon or therein.

LYNDON B. JOHNSON

THE WHITE HOUSE,
October 10, 1965.

[F.R. Doc. 65-11008; Filed, Oct. 12, 1965; 12:22 p.m.]

Executive Order 11250**ADMINISTRATION OF THE PEACE CORPS IN THE DEPARTMENT OF STATE**

By virtue of the authority vested in me by the Peace Corps Act (75 Stat. 612) and Section 301 of Title 3 of the United States Code, and as President of the United States, it is hereby ordered as follows:

SECTION 1. Executive Order No. 11041 of August 6, 1962, is hereby amended as follows:

(1) By substituting for the preamble of the Order the following:

"By virtue of the authority vested in me by the Peace Corps Act (75 Stat. 612) and Section 301 of Title 3 of the United States Code, and as President of the United States, it is ordered as follows:"

(2) By re-lettering subsection (c) of Section 101 as subsection (d) and by inserting immediately before that subsection the following:

"(c) The functions of prescribing regulations and making determinations conferred upon the President by Section 5(b) of the Act of August 24, 1965 (79 Stat. 551), are hereby delegated to the Secretary of State."

(3) By substituting for Section 302 the following:

"SEC. 302. *Determination.* Pursuant to Section 10(d) of the Act, it is hereby determined to be in furtherance of the purposes of the Act that functions authorized thereby may be performed without regard to the applicable laws specified in Sections 1 and 2 and with or without consideration as specified in Section 3 of Executive Order No. 11223 of May 12, 1965 (30 F.R. 6635), but, except as may be inappropriate, subject to limitations set forth in that order."

SEC. 2. The provisions of this Order shall be deemed to have become effective as of August 24, 1965, except that Section 1(3) hereof shall be deemed to have become effective as of May 12, 1965.

LYNDON B. JOHNSON

THE WHITE HOUSE,
October 10, 1965.

[F.R. Doc. 65-11007; Filed, Oct. 12, 1965; 12:22 p.m.]

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Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission PART 213—EXCEPTED SERVICE

Department of Justice

Section 213.3110 is amended to show that 25 positions at GS-11 and above in the Law Enforcement Assistance Program are excepted under Schedule A until December 31, 1966. Effective upon publication in the FEDERAL REGISTER, subparagraph (4) is added to paragraph (a) of § 213.3110 as set out below.

§ 213.3110 Department of Justice.

(a) General. * * *

(4) Until December 31, 1966, 25 professional, technical, and administrative positions at grade GS-11 and above to staff the program under the Law Enforcement Assistance Act of 1965.

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

UNITED STATES CIVIL SERVICE COMMISSION.

[SEAL] MARY V. WENZEL,

Executive Assistant to the Commissioners.

[F.R. Doc. 65-10882; Filed, Oct. 12, 1965; 8:49 a.m.]

Title 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service, Department of Justice

PART 332—PRELIMINARY INVESTIGATION OF APPLICANTS FOR NATURALIZATION AND WITNESSES

PART 336—PROCEEDINGS BEFORE NATURALIZATION COURT

Miscellaneous Amendments

The following amendments to Chapter I of Title 8 of the Code of Federal Regulations are hereby prescribed:

1. Section 332.13 is amended to read as follows:

§ 332.13 Use of record of preliminary investigation.

The record of the preliminary investigation, including the executed and corrected application form and supplements thereto, affidavits, transcripts of testimony, documents and other evidence, shall be submitted to the examiner designated to conduct a preliminary examination pursuant to Part 335 of this chapter,

for his use in examining the petitioner and witnesses.

§ 332.14 [Revoked]

2. Section 332.14 *Notice of proposed recommendation of denial; findings, conclusion, and recommendation* is revoked.

§ 336.12 [Amended]

3. The first sentence of § 336.12 *Written report in lieu of personal representation* is amended to read as follows: "If a preliminary examination has been conducted pursuant to Part 335 of this chapter, and it is impracticable thereafter for a Service representative to be present at the final naturalization hearing, written notice of that fact shall be given by the Service to the court."

4. Section 336.14 is amended to read as follows:

§ 336.14 Presentation of recommendations of designated examiner and the regional commissioner at final hearing.

At the final hearing or prior thereto, in addition to the lists prepared under § 336.13, there shall be presented to the court and made a part of the record in the case, the memoranda of the designated examiner and the regional commissioner prepared pursuant to the provisions of Part 335 of this chapter.

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

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

Dated: October 6, 1965.

RAYMOND F. FARRELL,
Commissioner of
Immigration and Naturalization.

[F.R. Doc. 65-10854; Filed, Oct. 12, 1965; 8:46 a.m.]

Title 13—BUSINESS CREDIT AND ASSISTANCE

Chapter I—Small Business Administration

[Amdt. 13, Rev. 3]

PART 107—SMALL BUSINESS INVESTMENT COMPANIES

Stock Options Granted

Pursuant to authority contained in section 308 of the Small Business Investment Act of 1958, Public Law 85-699, 72 Stat. 694, as amended, there is

amended, as set forth below, Part 107 of Subchapter B, Chapter I of Title 13 of the Code of Federal Regulations, as revised in 29 F.R. 16946-16961, and amended in 30 F.R. 534, 1187, 2652, 2653, 2654, 3635, 3856, 7597, 7651, 8775, 8900, and 11960, by amending § 107.302.

Information and effective date. On August 26, 1965, notice of proposed rule making was published in the FEDERAL REGISTER concerning amendment of the SBIC Regulation with regard to stock options granted by Licensees (30 F.R. 11048). After due and careful consideration of the comments received, the Administration has determined to adopt the formal amendment published herewith, incorporating the August 26, 1965 proposal, as being in furtherance of the best interests of the SBIC program.

New § 107.302(b) authorizes a Licensee to grant stock options to individuals if (1) the exercise price is not less than the market value of the shares at the time the option is issued, and (2) majority approval of stockholders is first obtained. The word "first" has been inserted in the foregoing to make it clear that prior stockholder approval is required. This clarifies, by more precise language, the original purpose that majority approval of stockholders meant prior approval on their part.

The validity of stock options granted by a Licensee pursuant to a plan or agreement adopted prior to the effective date of the present amendment will be governed by the requirements of § 107.302(b) in effect at the time such plan or agreement was adopted.

In view of the determination made by the Administration that it is necessary in the public interest that the revised provisions authorizing Licensees to grant stock options shall be promptly applied to the program authorized by the Small Business Investment Act of 1958, the present amendment shall become effective upon publication in the FEDERAL REGISTER.

The Regulations Governing Small Business Investment Companies are hereby amended by deleting present § 107.302(b) in its entirety and substituting therefor a new § 107.302(b). As amended, § 107.302(b) reads as follows:

§ 107.302 Licensee's stock.

(b) *Options.* A Licensee may, after the effective date hereof, grant stock options upon its stock to an individual if: (1) The exercise price of the option is not less than the fair market value of the stock at the time such option is issued; and (2) majority approval of Licensee's stockholders is first obtained; *Provided, however,* That the validity of any stock option granted by a Licensee pursuant to a stock option plan or agreement adopted prior to the effective date hereof shall be governed by the former

provisions of this paragraph (b) in effect at the time such plan or agreement was adopted.

Dated: October 7, 1965.

Ross D. DAVIS,
Executive Administrator.

[F.R. Doc. 65-10855; Filed, Oct. 12, 1965;
8:46 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Docket No. 1804; Amdt. 39-148]

PART 39—AIRWORTHINESS DIRECTIVES

Boeing Model 75 Series Airplanes

Amendment 579 (28 F.R. 6398), AD 63-13-1, requires repetitive inspection for cracks of the propeller blades of Boeing Model 75 Series airplanes equipped with Pratt and Whitney R-985 or Wright 975 Series engines and Western Propeller Repair Model W2-1 propellers and removal from service of any found cracked. The AD was issued as an immediate remedial action to prevent further propeller blade failures until the basic cause of the failures could be established. As a result of vibration tests conducted on the subject airplanes, the Agency has determined that propeller failures on airplanes equipped with Pratt and Whitney R-985 engines are the result of stresses induced by operation of the engines with excessive wear on the crankshaft flyweights. Amendment 39-50 (30 F.R. 3758), AD 65-7-2, requires inspection and rework or replacement as necessary of the engine crankshaft flyweights and flyweight liners of Pratt and Whitney R-985 Series engines and obviates the need for the propeller inspections on such engines required by Amendment 579. Therefore, AD 63-13-1 is amended to provide for discontinuance of the repetitive inspection on Pratt and Whitney R-985 engines, upon accomplishment of AD 65-7-2.

Since this amendment relieves a restriction and imposes no additional burden on any person, it is found that notice and public procedure hereon are unnecessary 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 579 (28 F.R. 6398), AD 63-13-1, as amended as follows:

1. By deleting the note at the end of the directive.
2. By adding the following paragraph to the directive:

The repetitive inspections required on Pratt and Whitney R-985 engines in this AD are no longer necessary when the engine crankshaft flyweight and flyweight liners

have been reworked or replaced at each overhaul period as detailed in AD 65-7-2.

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

This amendment becomes effective October 13, 1965.

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

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

[F.R. Doc. 65-10839; Filed, Oct. 12, 1965;
8:45 a.m.]

[Docket No. 6688; Amdt. 39-149]

PART 39—AIRWORTHINESS DIRECTIVES

Air Cruisers Emergency Evacuation Slides

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring rework of Air Cruiser emergency evacuation slides on Boeing Model 727 Series airplanes was published in 30 F.R. 7573.

Interested persons have been afforded an opportunity to participate in the making of the amendment. One commentator questioned the need for an AD on this subject since operators of the subject airplanes had already taken steps to accomplish the necessary rework. The AD is being issued to ensure that all affected evacuation slides on the subject airplanes have been modified. There is a specific provision in the AD for all airplanes on which the modification has been accomplished. Another comment requested that the latest revision of the manufacturer's service bulletin be inserted in place of SB-114-65-1. Revision A, dated March 19, 1965. This requested amendment to the AD as originally proposed is not necessary since specific provision has been made in the AD to permit compliance with the AD by accomplishment of the service-bulletin noted therein "or later FAA-approved revision." This provision obviates the need to update the AD with each new service bulletin.

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 is amended by adding the following new airworthiness directive:

AIR CRUISERS. Applies to Emergency Evacuation Slides, P/N 15D22129, installed on Boeing Model 727 Series airplanes.

Compliance required within the next 1,000 hours' time in service after the effective date of this AD unless already accomplished.

To prevent ripping of Air Cruisers emergency evacuation slides, P/N 15D22129, rework and reinforce each slide in accordance with the Accomplishment Instructions specified in Air Cruisers Service Bulletin SB-114-65-1, Revision A, dated March 19, 1965, or later FAA-approved revision, or an equivalent approved by the Chief, Engineering and Manufacturing Branch, FAA Eastern Region.

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

This amendment becomes effective November 12, 1965.

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

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

[F.R. Doc. 65-10840; Filed, Oct. 12, 1965;
8:45 a.m.]

[Airspace Docket No. 64-WE-42]

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

Alteration of Federal Airways; Correction

On September 3, 1965, a rule was published in the FEDERAL REGISTER (30 F.R. 11313) as Federal Register Document 65-9309, stating that V-298 would be altered effective November 11, 1965, by establishing a floor of 11,500 feet MSL for a distance of 85 miles from Pendleton, Oreg., via McCall, Idaho. The distance should read 43 miles. Therefore, action is taken herein to correct Federal Register Document 65-9309 by changing item g. to read 43 miles.

Since this amendment is editorial in nature, notice and public procedure hereon are unnecessary and the amendment may be made effective on less than 30 days' notice. The effective date of the rule, 0001 e.s.t., November 11, 1965, as originally adopted, is retained.

In consideration of the foregoing, effective immediately, Federal Register Document 65-9309 (30 F.R. 11313), item g., is amended to read as follows:

In V-298 "From Pendleton, Oreg., via McCall, Idaho;" is deleted and "From Pendleton, Oreg., 74 miles 12 AGL, 43 miles 115 MSL, 99 MSL via McCall, Idaho;" is substituted therefor.

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

Issued in Washington, D.C., on October 5, 1965.

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

[F.R. Doc. 65-10841; Filed, Oct. 12, 1965;
8:45 a.m.]

Title 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T.D. 56503]

PART 8—LIABILITY FOR DUTIES; ENTRY OF IMPORTED MERCHANDISE

Invoice Details for Linens and Cotton Fabrics

Customs Form 5521 "Invoice Details for Linens" has been abolished. Customs Form 5519, formerly titled, "Invoice Details for Cotton Fabrics" has been revised for use in lieu of the abolished cus-

forms Form 5521, and has been re-titled, "Invoice Details For Cotton Fabrics and Linens." To reflect this change § 8.13(h) of the Customs Regulations is amended as follows:

The number of this Treasury Decision is added to those listed for "Flax, hemp, and ramie fabrics," and "Customs Form 5519" is substituted for "Customs Form 5521" in the sentence following the listing of the additional information required on invoices for this class of merchandise.

(R.S. 251, sec. 624, 46 Stat. 759; 19 U.S.C. 66, 1624)

[SEAL] LESTER D. JOHNSON,
Commissioner of Customs.

Approved: October 6, 1965.

TRUE DAVIS,
Assistant Secretary
of the Treasury.

[F.R. Doc. 65-10895; Filed, Oct. 12, 1965;
8:49 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 C—Food Additives Permitted in Feed and Drinking Water of Animals or for the Treatment of Food-Producing Animals

FOOD ADDITIVES FOR USE IN MILK-PRODUCING ANIMALS

The Commissioner of Food and Drugs, having evaluated the data submitted in a petition (FAP 5D1541) filed by the S. E. Massengill Co., Bristol, Tenn., and other relevant material, has concluded that § 121.249 should be amended to provide for the safe use of a formulation for the treatment of bovine mastitis. 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), § 121.249(a) is amended by adding thereto a new subparagraph (6), reading as follows:

§ 121.249 Food additives for use in milk-producing animals.

(a) * * *

(6) (i) It contains the following ingredients in each 25 milliliters of suspension:

| | |
|---------------------------------------|--------------|
| Neomycin (from neomycin sulfate)..... | 140 mg. |
| Polymyxin B sulfate..... | 50,000 units |
| Potassium sorbate..... | 28.75 mg. |
| Methylcellulose..... | 187.5 mg. |
| Vehicle: Water (deionized)..... | q.s. |

(ii) Treat lactating cows with 25-milliliter dose in each infected quarter

immediately after milking, and allow to remain in the quarter until the next milking. Repeat at 12-hour intervals if necessary.

(iii) Milk that has been taken from animals during treatment and for 72 hours (6 milkings) after the latest treatment must not be used for food.

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

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

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

Dated: October 6, 1965.

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

[F.R. Doc. 65-10892; Filed, Oct. 12, 1965;
8:49 a.m.]

PART 121—FOOD ADDITIVES

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

ADHESIVES

A notice of filing of a food additive petition (FAP 5B1745) proposing that paragraph (c)(5) of § 121.2520 Adhesives be amended by inserting alphabetically in the list "Components of Adhesives" the items 2,2-dimethyl-1,3-propanediol and tetrahydrophthalic acid as monomers in polyester resins named in the subparagraph was published in the FEDERAL REGISTER of May 13, 1965 (30 F.R. 6596). Section 121.2520 was subsequently amended by an order published in the FEDERAL REGISTER of June 29, 1965 (30 F.R. 8267), by the addition of the new substance "Polyester resin prepared from 2,2-dimethyl-1,3-propanediol and tetrahydrophthalic acid" to the list "Components of Adhesives." Comments were received thereafter from the petitioner, American Cyanamid Co., requesting that the new substance be deleted from § 121.2520 and that the item "Polyester resins as described under

§ 121.2514(b)(3)(vii)" in § 121.2520(c)(5) be revised to include the additional two reactants 2,2-dimethyl-1,3-propanediol and tetrahydrophthalic acid, thereby permitting broader use of these two substances as reactants in polyester resins employed in food-packaging adhesives complying with § 121.2520 as originally proposed.

The Commissioner of Food and Drugs has concluded that the data submitted in the original petition (FAP 5B1745) established that polyester resins as described under § 121.2514(b)(3)(vii), with the addition of 2,2-dimethyl-1,3-propanediol to the permitted polyhydric alcohols and tetrahydrophthalic acid to the permitted polybasic acids, are safe for use in food-packaging adhesives used in compliance with the conditions prescribed by § 121.2520. The Commissioner has also concluded that reasonable grounds for the petitioner's request have been shown. Therefore, pursuant to section 409 of the Federal Food, Drug, and Cosmetic Act (Sec. 409, 72 Stat. 1785; 21 U.S.C. 348) and under the authority delegated to the Commissioner of Food and Drugs by the Secretary of Health, Education, and Welfare (21 CFR 2.90), § 121.2520(c)(5) is amended as follows:

1. By deleting the item "Polyester resin prepared from 2,2-dimethyl-1,3-propanediol and tetrahydrophthalic acid" from the list of components.

2. By changing the item "Polyester resins as described under § 121.2514(b)(3)(vii)" in the list "Components of Adhesives," to read as follows:

§ 121.2520 Adhesives.

(c) * * *
(5) * * *

COMPONENTS OF ADHESIVES SUBSTANCES AND LIMITATIONS

Polyester resins as described under § 121.2514(b)(3)(vii), with the addition of 2,2-dimethyl-1,3-propanediol to the permitted polyhydric alcohols and tetrahydrophthalic acid to the permitted polybasic acids.

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

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

(Sec. 409, 72 Stat. 1785; 21 U.S.C. 348)

Dated: October 6, 1965.

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

[F.R. Doc. 65-10893; Filed, Oct. 12, 1965;
8:49 a.m.]

Title 32—NATIONAL DEFENSE

Chapter I—Office of the Secretary of Defense

SUBCHAPTER D—SECURITY

PART 157—CERTIFICATION FOR ACCESS TO SCIENTIFIC AND TECHNICAL INFORMATION

The Director of Defense Research and Engineering has approved the following on September 1, 1965:

Sec.

- 157.1 Purpose.
- 157.2 Applicability and scope.
- 157.3 Definitions.
- 157.4 Policy.
- 157.5 Responsibilities.
- 157.6 Agencies outside DoD.
- 157.7 Cancellations.

AUTHORITY: The provisions of this Part 157 issued under R.S. 161, 5 U.S.C. 22.

§ 157.1 Purpose.

Pursuant to the authority assigned in DoD Directive 5100.36, "DoD Technical Information," December 31, 1962, and DoD Instruction 5129.43, "Assignment of Functions for the Defense Scientific and Technical Information Program," January 22, 1963, this part establishes a certification procedure whereby U.S. Government or U.S. Government-sponsored research and development activities can be registered for access to scientific and technical information under cognizance of the Department of Defense and establishes forms to be used for the purpose.

§ 157.2 Applicability and scope.

(a) This part applies to all Department of Defense components and to those designated representatives of other U.S. Government agencies who approve applications for access to DoD scientific and technical reports and information.

(b) When properly executed, the DoD forms established by this part will be used by dissemination activities as their authority to disseminate scientific and technical information as defined in § 157.3(a). The access afforded through use of these forms does not override special considerations or approvals that affect the flow of controlled information as defined herein.

(c) This part does not apply to primary distribution of scientific and technical information or to inter-library loan within DoD.

§ 157.3 Definitions.

(a) **Scientific and technical information.** Includes documentary, information, and reference products or services

in the form of technical information either generated by or gathered for the research, development, test, and evaluation programs of the Department of Defense. The related bibliographies, indexes, announcements and state-of-the-art studies are also included. The words "technical information" in this part shall refer to Scientific and Technical Information.

(b) **Dissemination activity.** A DoD activity or DoD sponsored activity, such as the Defense Documentation Center for Scientific and Technical Information, DoD Instruction 5100.38, "Defense Documentation Center for Scientific and Technical Information (DDC)," March 29, 1965, an information analysis center, DoD Instruction 5100.45, "Centers for Analysis of Scientific and Technical Information," July 28, 1964, a major technical library, DoD Instruction 5129.43, "Assignment of Functions for the Defense Scientific and Technical Information Program," January 22, 1963, or any secondary distribution or release activity which provides technical information to eligible users beyond the local unit.

(c) **Eligible user.** Any U.S. Government office, U.S. Government contractor, U.S. Government subcontractor, U.S. Government grantee, DoD potential contractor, or other U.S. entity whose eligibility and need to receive DoD technical information has been certified.

(d) **Controlled information.** A generic term which includes all information which is subject to some official restriction on its unlimited dissemination. This includes information subject to protection (1) by security regulations, DoD Instruction 5210.47, "Security Classification of Official Information," December 31, 1964, and DoD Directive 5200.1, "Safeguarding Official Information in the Interests of the Defense of the United States," July 8, 1957, (2) for proprietary, ethical, privileged or certain administrative reasons, DoD Directive 5200.20, "Distribution Statements (Other Than Security) on Technical Documents," March 29, 1965, (3) against unauthorized disclosure of certain official information, DoD Directive 5200.6, "Policy Governing the Custody, Use, and Preservation of DoD Official Information Which Requires Protection in the Public Interest," March 22, 1957, and (4) for reasons requiring special access controls as may be provided by other existing DoD directives and instructions.

§ 157.4 Policy.

(a) The Department of Defense will disseminate its technical information in support of its R.D.T. & E. programs and in support of similar programs within other U.S. Government agencies. This dissemination will be made to organizations whose official U.S. Government connections are certified and whose requests are within the scope of their certified field-of-interest requirements and facility clearances.

(b) A uniform certification procedure will be used for the effective control of the flow of technical information.

(c) Certification shall be according to subject fields and groups of interest and

recorded on DD Form 1540.¹ Such certification is a warranty that the user's official responsibilities require access to technical information which can be described by one or another of the prescribed fields or groups.

§ 157.5 Responsibilities.

(a) The Defense Supply Agency (DSA), through its Defense Documentation Center for Scientific and Technical Information (DDC), DoD Instruction 5100.38, "Defense Documentation Center for Scientific and Technical Information (DDC)," March 29, 1965, the Defense Contract Administration Services Regions, and its Industrial Security program, is assigned responsibility for operation and maintenance of the certification procedures and for maintenance of DD Forms 1540 and 1541.² DSA will:

(1) Develop and distribute such instructions and procedural guidance as may be necessary for use by DoD components, U.S. Government contractors and subcontractors, DoD potential contractors, and other U.S. Government offices to maintain the most effective use of the certification procedures within the terms of this Part and existing security regulations, DoD Instruction 5210.47, "Security Classification of Official Information," December 31, 1964, and DoD Directive 5200.1, "Safeguarding Official Information in the Interests of the Defense of the U.S.," July 8, 1957.

(2) Receive all completed forms, review or screen them for completeness and irregularities, and maintain at DDC the central authority file of eligible users.

(3) Provide the central file with a DD Form 1541 to certify the security classification of information for which an applicant contractor facility is cleared to receive and store DoD classified materials.

(4) Report immediately to the central file any change affecting the facility clearance through submission of a revised DD Form 1541.

(5) Expeditiously notify affected dissemination activities of each new eligible user, along with conditions and scope of coverage, and of any subsequent changes thereto. The central file will also answer specific inquiries from dissemination activities for certification data.

(6) Release information products from DDC to eligible users as follows:

(i) Unclassified technical information in all subject fields-of-interest listed on DD Form 1540 subject to any approvals that may be required for controlled information.

(ii) Classified technical information in those subject fields-of-interest authorized on DD Form 1540 and in accordance with any approvals that may be required for controlled information.

(7) Refer certification matters to the Director of Technical Information, Of-

¹ Filed as part of original document.

² DD Form 1541 may be obtained by request through the regular supply channels of the Military Services and from the Defense Documentation Center of the Defense Supply Agency.

of the Director of Defense Research and Engineering, in instances where approval or decision of that office is required.

(8) Revise and maintain the Industrial Security Manual and related security procedures in conformance with this Part.

(b) Each DoD component conducting, administering, or sponsoring R.D.T. & E. work will:

(1) In advance of requesting reports or information from dissemination activities, submit to DDC an approved DD Form 1540 with only Part I and Part III of the form completed.

(2) Review, approve, modify, or disapprove DD Form 1540 submitted by non-DoD activities or organizations under its cognizance. Personnel selected to authorize DD Form 1540 shall have the technical competence and familiarity with contractor or grantee programs necessary to judge the subject fields-of-interest of the applicant.

(3) Instruct and assist, wherever necessary, its sponsored activities in filling out and submitting DD Form 1540.

(4) Promptly report to DDC any changes in the status of previous certification resulting from such events as change in mission of the DoD component, contract termination, and contract or grant revision.

(5) Designate an office at each appropriate level of the organization with responsibility for:

(i) Promulgation and maintenance of procedures which are responsive to this part and applicable security regulations.

(ii) Review of special cases, such as referral of questions on DD Form 1540 data from DDC, and appropriate modification and resubmittal.

(c) Each dissemination activity will, within the scope of its mission, and upon receipt of an eligible user certification from DDC, make its technical information available to that eligible user in accordance with the terms of the certification and the applicable security and distribution controls.

§ 157.6 Agencies outside DoD.

(a) Components of those Executive Branch Agencies (non-DoD) who participate in the Industrial Security program of DoD and who are in need of technical information, or whose contractors or grantees need such information, will follow the procedures prescribed for DoD components in § 157.5 (b).

(b) Components of those Executive Branch Agencies (non-DoD) who do not participate in the Industrial Security program of DoD and who are in need of technical information, or whose contractors or grantees need such information, shall make specific arrangements with DSA for certification of DD Form 1540 and DD Form 1541.

(c) Components of the Legislative and Judicial Branches, their contractors, and their grantees in need of unclassified information may process the portion of DD Form 1540 indicated for unclassified information and submit it directly to the Defense Documentation Center. Certification for classified information, if

needed, must be approved by the Director of Technical Information, O.D.D.R. & E., DoD Instruction 5100.38, "Defense Documentation Center for Scientific and Technical Information (DDC)," March 29, 1965. In these cases, submission of the completed DD Form 1540 must be accompanied by DD Form 1541.

§ 157.7 Cancellations.

Before 1 January 1966, all existing certifications on DDC Form 20 (Registration Application) and DDC Form 62 (Facility Clearance Register) will be converted to the new forms, DD Form 1540 and DD Form 1541, and DDC Forms 20 and 62 will be canceled on that date.

MAURICE W. ROCHE,
 Director, Correspondence and
 Directives Division, OASD
 (Administration).

[F.R. Doc. 65-10837; Filed, Oct. 12, 1965;
 8:45 a.m.]

**Title 33—NAVIGATION AND
 NAVIGABLE WATERS**

**Chapter II—Corps of Engineers,
 Department of the Army**

PART 203—BRIDGE REGULATIONS

Hudson River, N.Y.

Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U.S.C. 499), § 203.185 governing the operation of the Troy-Menands Bridge across the Hudson River, N.Y., is hereby amended by revoking paragraph (h) (4), and § 203.190 is hereby amended by adding a new paragraph (f) (10-a) to include the Troy-Menands Bridge, effective 30 days after publication in the FEDERAL REGISTER, as follows:

§ 203.185 Hudson River, N.Y.; bridges at Albany and Troy.

(h) * * *
 (4) *Troy-Menands Bridge.* [Revoked]

§ 203.190 Navigable waters in the State of New York and their tributaries; bridges where constant attendance of bridge tenders is not required.

(f) * * *
 (10-a) Hudson River; State of New York highway (Troy-Menands) bridge between Albany and Rensselaer Counties. The draw need not be opened for the passage of vessels, and the special regulations contained in paragraphs (b) to (e) inclusive, of this section shall not apply to this bridge.

(Regs., Sept. 24, 1965, 1507-32 (Hudson River, N.Y.)—ENG CW-ON; Sec. 5, 28 Stat. 362; 33 U.S.C. 499)

L. H. WALKER, JR.,
 Brigadier General, U.S. Army,
 Acting The Adjutant General.

[F.R. Doc. 65-10838; Filed, Oct. 12, 1965;
 8:45 a.m.]

**Title 38—PENSIONS, BONUSES,
 AND VETERANS' RELIEF**

**Chapter I—Veterans Administration
 PART 3—ADJUDICATION**

**Subpart A—Pension, Compensation,
 and Dependency and Indemnity
 Compensation**

**WAR ORPHANS' EDUCATIONAL ASSISTANCE;
 CERTIFICATION**

In § 3.807, paragraphs (b) (5) and (c) (2) are amended and paragraph (c) (3) is revoked so that the amended material reads as follows:

§ 3.807 War orphans' educational assistance; certification.

(b) *Service.* * * *
 (5) An induction period (effective Sept. 14, 1960). "Induction period" means the following periods: September 16, 1940, through December 6, 1941; January 1, 1947, through June 26, 1950; February 1, 1955, through the day before the first date on which inductions are no longer made.

(c) *Service connection.* * * *
 (2) In claims based on service during an induction period, the standards and criteria for determining service connection, either direct or presumptive, based on peacetime service are applicable.

(3) [Revoked]
 (72 Stat. 1114; 38 U.S.C. 210)
 This VA Regulation is effective September 30, 1965.

Approved: October 7, 1965.
 By direction of the Administrator.
 [SEAL] CYRIL F. BRICKFIELD,
 Deputy Administrator.

[F.R. Doc. 65-10869; Filed, Oct. 12, 1965;
 8:47 a.m.]

Title 47—TELECOMMUNICATION

**Chapter I—Federal Communications
 Commission**

**PART 73—RADIO BROADCAST
 SERVICES**

**Table of Assignments; FM Broadcast
 Stations in Pascagoula, Miss.**

Report and order. 1. The Commission has before it for consideration its notice of proposed rule making, FCC 65-720, issued in this proceeding on July 30, 1965, and published in the FEDERAL REGISTER on August 4, 1965 (30 F.R. 9696), proposing to substitute Channel 256 for 255 at Pascagoula, Miss., in response to a petition for rule making from Crest Broadcasting Co., Inc., licensee of Station WPMP-FM on Channel 255 at Pascagoula. Petitioner also requested a Show Cause Order as to why its license should not be modified to specify operation on Channel 256 in lieu of 255 but the Com-

mission stated that it would take such further action as may be appropriate in the event the proposal was adopted.

2. Crest states that since the start of operations on program test authority on December 15, 1964, Station WPMP-FM has received complaints that its signal caused interference to the audio reception of Station WALA-TV, Mobile, Ala. It alleges that the strong FM signal is "blanketing" the television receivers in the immediate area of the WPMP-FM transmitter and causing an image to be generated within the receivers on the second harmonic of WPMP-FM and capturing the audio in the television receivers. At petitioner's request, the Commission, on March 15, 1965, granted special temporary authority to operate on Channel 256 in order to determine whether such operation would eliminate the interference. Crest states that there has been no interference since it began operations on Channel 256. No oppositions to the proposed amendment were filed.

3. On several occasions we have said that in our view the interference described in the above petition is basically a problem of transmitter and receiver design and ordinarily not a factor in the assignment of FM channels. In the past, however, we have made changes in assignments where a simple solution to the problem was found to be acceptable to all parties concerned. Here, the change in frequency can be accomplished in conformance with our rules, and without adverse effect on any other assignment; and the modification is accomplished with only a change in the crystal exciter in the transmitter and a slight tuning of the transmitter stages. The proposal is a simple and expeditious solution of the problem and does not adversely affect the public interest. We believe therefore that it should be adopted.

4. Authority for the adoption of the amendment contained herein is contained in sections 4(i), 303, 307(b), and 316 of the Communications Act of 1934, as amended.

5. In view of the foregoing: *It is ordered*, That effective November 15, 1965, the FM Table of Assignments contained in § 73.202 of the Commission's Rules and Regulations is amended, insofar as the community named is concerned, to read as follows:

| | |
|----------------------|-------------|
| City | Channel No. |
| Pasagoula, Miss..... | 256, 285A |

6. *It is further ordered*, That effective November 15, 1965, the outstanding license held by Crest Broadcasting Co., Inc., for radio station WPMP-FM is modified to specify operation on Channel 256 in lieu of 255, subject to the following conditions:

(a) The licensee shall inform the Commission in writing by October 25, 1965, of acceptance of this modification.

(b) The licensee shall submit to the Commission by October 25, 1965, all information necessary to the issuance of a construction permit for operation on Channel 256, including any changes in antenna and transmission line.

(c) Upon expiration of the outstanding special temporary authorization, the licensee shall submit (within 30 days) the measurement data normally required of an applicant for a FM broadcast station license.

7. *It is further ordered*, That this proceeding is terminated.

(Secs. 4, 303, 307, 48 Stat. 1066, 1082, 1083, as amended, Sec. 316, 66 Stat. 717; 47 U.S.C. 154, 303, 307, 316)

Adopted: October 6, 1965.

Released: October 8, 1965.

FEDERAL COMMUNICATIONS
COMMISSION,¹

[SEAL] BEN F. WAPLE,
Secretary.

[P.R. Doc. 65-10897; Filed, Oct. 12, 1965;
8:50 a.m.]

Title 7—AGRICULTURE

Chapter VIII—Agricultural Stabilization and Conservation Service (Sugar), Department of Agriculture

SUBCHAPTER B—SUGAR REQUIREMENTS AND QUOTAS

[Sugar Reg. 811, Amdt. 6]

PART 811—CONTINENTAL SUGAR REQUIREMENTS AND AREA QUOTAS

Requirements, Quotas and Quota Deficits for 1965

Basis and purpose and bases and considerations. This amendment is issued pursuant to the authority vested in the Secretary of Agriculture by the Sugar Act of 1948, as amended (61 Stat. 922, as amended), hereinafter referred to as the "Act." The purpose of this amendment to Sugar Regulation 811 (29 F.R. 18149, 30 F.R. 2206, 2397, 4314, and 10183) is to determine and to prorate and allocate the deficits in quotas established pursuant to the Act.

Section 204(a) of the Act provides that the Secretary shall from time to time determine whether any area or country will be unable to fill its quota or proration of a quota. On the basis of the quota established for Puerto Rico and the Virgin Islands for the calendar year 1965 in § 811.31 of this part and the supply of sugar expected to be available from those areas for marketing in the continental United States during the calendar year 1965, it is herein found that Puerto Rico will be unable to fill its quota by 325,000 short tons, raw value and the Virgin Islands will be unable to fill its quota by 10,000 short tons, raw value. Accordingly, quota deficits of 335,000 short tons, raw value, are determined and prorated between the Philippines and Western Hemisphere countries as a group. Total deficits herein determined include a deficit previously determined of 200,000 short tons, raw value for Puerto Rico. The deficits determined herein for Puerto Rico and the Vir-

gin Islands will not decrease marketing opportunities within their respective quotas.

Effective date. This action establishes additional deficits of 135,000 short tons, raw value, that may be authorized for importation from the Republic of the Philippines and Western Hemisphere countries as a group. In order to insure an orderly flow of sugar into the United States during the remainder of 1965 for the mutual benefit of consumers and the sugar industry, it is essential at this time that all persons selling and purchasing sugar for consumption in the continental United States be promptly informed of the changes in marketing opportunities. Therefore, it is hereby determined and found that compliance with the notice, procedure, and effective date requirements of the Administrative Procedure Act is unnecessary, impracticable, and contrary to the public interest and this amendment shall be effective upon publication in the FEDERAL REGISTER.

By virtue of the authority vested in the Secretary of Agriculture by the Act, Part 811 of this chapter is hereby amended by amending §§ 811.31, 811.32 and 811.33 as follows:

1. § 811.31 is amended by amending paragraph (a) (2) to read as follows:

§ 811.31 Quotas for domestic areas.

(a) * * *

(2) It is hereby determined pursuant to section 204(a) of the Act that for the calendar year 1965 Puerto Rico and the Virgin Islands will be unable by 325,000 and 10,000 short tons, raw value, respectively to fill the quotas established for such areas in subparagraph (1) of this paragraph. Pursuant to section 204(b) of the Act the determination of such deficits shall not affect the quotas established in subparagraph (1) of this paragraph.

* * *

2. Section 811.32 is amended to read as follows:

§ 811.32 Proration and allocation of deficits and quotas in effect.

The deficits in the quotas determined in paragraph (a) (2) of § 811.31 amounting to 335,000 short tons, raw value, are hereby prorated, pursuant to section 204(a) of the Act, between the Republic of the Philippines and Western Hemisphere countries named in section 202 (c) (3) (A), of the Act which are in diplomatic relations with the United States by prorating 105,216 tons to the Republic of the Philippines, and by allocating the remainder of the deficit amounting to 229,784 short tons, raw value, to such Western Hemisphere countries as a group for importation into the United States during the period October 1, 1965, through December 16, 1965, on the basis of applications submitted pursuant to Part 817 of this chapter and proposals to purchase United States agricultural commodities submitted and accepted in accordance with the requirements and procedures established in § 811.37.

3. Section 811.33 is amended by amending paragraph (b) (2) thereof to read as follows:

¹ Commissioners Henry and Hyde absent.

§ 811.33 Quotas for foreign countries.

(b) * * *

(2) In addition to the quantity of 1,050,000 short tons, raw value, for the Republic of the Philippines in subparagraph (1) of this paragraph, a quantity of 105,216 short tons, raw value, representing a proration of quota deficits as provided in § 811.32, is added to and established as a part of the quota for such country. Such quantity of 105,216 short tons, raw value, of sugar may be imported during the period of October 1, 1965, through December 16, 1965, only as raw sugar in accordance with procedures set forth in Part 817 of this chapter.

(Sec. 403, 61 Stat. 932; 7 U.S.C. 1153)

Issued at Washington, D.C., this 8th day of October 1965.

JOHN A. SCHNITTKER,
Acting Secretary.

[P.R. Doc. 65-10919; Filed, Oct. 12, 1965; 8:51 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[C.C.C. Grain Price Support Regs.; 1964—Tung Oil Warehouse-Stored Loan and Purchase Program, Amtd. 1]

PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

Subpart—1964-Crop Tung Oil Warehouse-Stored Loan and Purchase Program

EXTENSION OF LOAN MATURITY DATE

In order to provide for extension of the loan maturity date and to provide that loan collateral tung oil not redeemed by December 31, 1965, may be placed in a pool for disposition on behalf of producers by a CCC approved cooperative marketing association, the 1964 Tung Oil Warehouse-Stored Loan and Purchase Program Regulations (29 P.F.R. 14781) are hereby amended as follows:

1. Section 1421.3581 is hereby amended to read as follows:

§ 1421.3581 Service charge.

Notwithstanding the provisions of paragraph (b) of § 1421.60 of the general regulations, a charge of six cents per hundredweight will be made for the quantity of tung oil tendered for purchase by CCC and for tung oil tendered

to CCC for loan which is not redeemed by December 31, 1965. Such service charges will be deducted from loan or purchase proceeds.

2. Section 1421.3582 is hereby amended to read as follows:

§ 1421.3582 Storage and handling charges.

Except as provided in § 1421.72(1) of the general regulations, CCC will not pay or assume the cost of storage, transportation, sampling, insurance, testing, and analysis accruing on tung oil prior to delivery of the oil for purchase or prior to October 31, 1965, on tung oil placed under loan, nor will CCC pay or assume any handling or processing charges which are necessary to prepare the tung oil to meet eligibility requirements. CCC and any subsequent holders of warehouse receipts covering tung oil shall be entitled to any unexpired portion of the storage time and outloading services to which the producer becomes entitled under any contract between the producer and the warehouseman.

3. Section 1421.3583 is hereby amended to read as follows:

§ 1421.3583 Maturity of loans.

Loans will mature on demand but not later than December 31, 1965: *Provided, however,* That loans will be extended by CCC (but will remain payable on demand) for producers who enter into agreements with CCC not later than December 31, 1965, on a form prescribed by CCC, which will provide that (a) the producer's right to obtain release of the pledged tung oil by paying the principal amount of the note, plus charges and interest, shall terminate on December 31, 1965, (b) after December 31, 1965, the producer's pledged tung oil may be pooled with 1964-crop pledged tung oil of other producers, and sold by a CCC approved cooperative marketing association pursuant to the terms of a contract between the association and CCC, (c) the producer shall have the right to share ratably with other producers whose pledged tung oil is included in the pool in any net gains remaining upon sale of all the pledged tung oil in the pool after deducting from the sales proceeds the expenses of storing, handling and marketing the tung oil and the total amount paid out with respect to such pledged tung oil, including the total amount of the loans thereon plus charges and interest, and (d) the net gain derived from marketing the tung oil in the pool, if any, will be distributed among the participants in the pool in proration to the

quantity of the tung oil placed in the pool, except that if CCC should determine that the net gains are insufficient to justify the cost of distributing, the net gains may be credited to the pool of any subsequent crop year instead of being distributed to participants in the pool.

4. Paragraph (a) of § 1421.3585 is hereby amended as follows:

§ 1421.3585 Settlement.

(a) *Tung oil stored in approved warehouses.* Settlement with producers for eligible tung oil stored in approved warehouses which is tendered to CCC for loan or purchase shall be made on the basis of the weights shown on the warehouse receipts issued by such warehouse.

5. Section 1421.3586 is hereby amended to read as follows:

§ 1421.3586 Release of tung oil under loan.

Notwithstanding the provisions of paragraph (c) of § 1421.68 of the general regulations, a producer may at any time on or before December 31, 1965, or such earlier date as CCC may make demand, obtain release of the tung oil under loan by paying to CCC the principal amount of the note, plus charges and accrued interest. Partial release prior to December 31, 1965, or such earlier date as CCC may make demand, may be arranged with the county committee by paying the amount of the loan represented by the quantity of tung oil to be released, plus charges and accrued interest. However, the quantity to be released must equal the quantity covered by one or more warehouse receipts. If the producer has authorized another person to act as his agent solely for the purpose of receiving the warehouse receipts, such authorization must be in writing and must be made within 15 days prior to redemption of the warehouse receipts by repayment.

(Sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072; secs. 201, 401, 63 Stat. 1052, as amended; 1054; 15 U.S.C. 714c. 1446, 1421)

Effective date. This amendment shall become effective upon filing with the Office of the Federal Register for publication.

Signed at Washington, D.C., October 7, 1965.

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

[P.R. Doc. 65-10867; Filed, Oct. 12, 1965; 8:47 a.m.]

Proposed Rule Making

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 27]

CANNED PRUNE JUICE

Proposal To List Ascorbic Acid (Vitamin C) as Optional Ingredient

Notice is given that the National Prune Juice Packers Association, Inc., 41 West 57th Street, New York, N.Y., 10019, has filed a petition proposing that the definition and standard of identity for canned prune juice (21 CFR 27.60), a water extract of dried prunes, be amended to list ascorbic acid (vitamin C) as an optional ingredient. The petition proposes that the added ascorbic acid shall amount to not less than 30 milligrams in each 6 fluid ounces of the finished food, and that labels shall bear the statement "vitamin C added" or "with vitamin C added."

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055, as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371) and in accordance with the authority delegated to the Commissioner of Food and Drugs by the Secretary of Health, Education, and Welfare (21 CFR 2.90), all interested persons are invited to submit their views in writing regarding the proposal published herein. Such views and comments should be submitted, preferably in quintuplicate, addressed to the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C., 20201, within 60 days following the date of publication of this notice in the FEDERAL REGISTER.

Dated: October 6, 1965.

MALCOLM R. STEPHENS,
Assistant Commissioner
for Regulations.

[P.R. Doc. 65-10894; Filed, Oct. 12, 1965;
8:49 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and
Conservation Service

[7 CFR Part 724]

FLUE-CURED (TYPES 11, 12, 13, AND 14) TOBACCO

Notice of Determinations Regarding Marketing Quotas on Acreage-Poundage Basis for 1966-67 Marketing Year

Pursuant to the Agricultural Adjustment Act of 1938, as amended, and as

further amended through the addition of section 317 by Public Law 89-12, approved April 12, 1965 (7 U.S.C. 1281 et seq., hereinafter referred to as the "Act"), the Secretary under section 317 is preparing to (1) determine and announce on an acreage-poundage basis, with respect to flue-cured (types 11, 12, 13, and 14) tobacco for the 1966-67 marketing year, (a) the amount of the national marketing quota, (b) the national average yield goal, (c) the national acreage allotment, and (d) the reserve acreage for making corrections in farm acreage allotments, adjusting inequities, and for establishing allotments for new farms, and (2) issue regulations for the determination of 1966 farm acreage allotments and farm marketing quotas in accordance with section 317 of the Act. Flue-cured tobacco farmers approved marketing quotas on an acreage-poundage basis for Flue-cured tobacco for the 1965-66, 1966-67 and 1967-68 marketing years on May 4, 1965 (30 F.R. 9299).

Subsection 317(a) of the Act contains, for the purposes of section 317, the following definitions:

1. "National marketing quota" for any kind of tobacco for a marketing year means the amount of the kind of tobacco produced in the United States which the Secretary estimates will be utilized during the marketing year in the United States and will be exported during the marketing year, adjusted upward or downward in such amount as the Secretary, in his discretion determines is desirable for the purpose of maintaining an adequate supply or for effecting an orderly reduction of supplies to the reserve supply level. Any such downward adjustment shall not exceed 15 per centum of such estimated utilization and exports.
2. "National average yield goal" for any kind of tobacco means the yield per acre which on a national average basis the Secretary determines will improve or insure the usability of the tobacco and increase the net return per pound to the growers. In making this determination the Secretary shall give consideration to such Federal-State production research data as he deems relevant.
3. "National acreage allotment" means the acreage determined by dividing the national marketing quota by the national average yield goal.
4. "Farm acreage allotment" for a tobacco farm, other than a new tobacco farm, means the acreage allotment determined by adjusting uniformly the acreage allotment established for such farm for the immediately preceding year, prior to any increase or decrease in such allotment due to undermarketing or overmarketing and prior to any reduction under subsection 317(f), so that the total of all allotments is equal to the national acreage allotment less the reserve provided in subsection 317(e) with further downward or upward adjustment to reflect any adjustment in the farm marketing quota for overmarketing or undermarketing and to reflect any reduction required under subsection 317(f), and including any adjustment for errors or inequities from the reserve. In determining farm acreage allotments for Flue-cured tobacco for 1965, the 1965 farm

allotment determined under section 313 shall be adjusted in lieu of the acreage allotment for the immediately preceding year.

5. "Preliminary farm yield" for Flue-cured tobacco means a farm yield per acre determined by averaging the yield per acre for the 3 highest years of the 5 consecutive crop years beginning with the 1959 crop year except that if that average exceeds 120 per centum of the community average yield the preliminary farm yield shall be the sum of 50 per centum of the average of the 3 highest years and 50 per centum of the national average yield goal but not less than 120 per centum of the community average yield, and if the average of the 3 highest years is less than 80 per centum of the community average yield the preliminary farm yield shall be 80 per centum of the community average yield. In counties where less than 500 acres of Flue-cured tobacco were allotted for 1964, the county may be considered as one community. If Flue-cured tobacco was not produced on the farm for at least 3 years of the 5-year period the average of the yields for the years in which tobacco was produced shall be used instead of the 3-year average. If no Flue-cured tobacco was produced on the farm in the 5-year period but the farm is eligible for an allotment because Flue-cured tobacco was considered to have been produced under applicable provisions of law, a preliminary farm yield for the farm shall be determined under regulations of the Secretary taking into account preliminary farm yields of similar farms in the community.

6. "Farm yield" means the yield of tobacco per acre for a farm determined by multiplying the preliminary farm yield by a national yield factor which shall be obtained by dividing the national average yield goal by a weighted national average yield computed by multiplying the preliminary farm yield for each farm by the acreage allotment determined pursuant to paragraph (4) of subsection 317(a) for the farm prior to adjustments for overmarketing, undermarketing, or reductions required under subsection 317(f) and dividing the sum of the products by the national acreage allotment.

7. "Farm marketing quota" for any farm for any marketing year shall be the number of pounds of tobacco obtained by multiplying the farm yield by the acreage allotment prior to any adjustment for undermarketing or overmarketing, increased for undermarketing or decreased for overmarketing by the number of pounds by which marketings of tobacco from the farm during the immediately preceding marketing year, if marketing quotas were in effect under the program established by section 317, is less than or exceeds the farm marketing quota for each year: *Provided*, That the farm marketing quota for any marketing year shall not be increased for undermarketing by an amount in excess of the number of pounds determined by multiplying the acreage allotment for the farm for the immediately preceding year prior to any increase or decrease for undermarketing or overmarketing by the farm yield. If on account of excess marketings in the preceding marketing year the farm marketing quota for the marketing year is reduced to zero pounds without reflecting the entire reduction required, the additional reduction required shall be made for the subsequent marketing year or years.

Subsection 317(d) of the Act requires the Secretary to determine and announce the national marketing quota, national

acreage allotment, and national average yield goal for the 1966-67 marketing year for Flue-cured tobacco on or before December 1, 1965.

Subsection 317(e) provides that (1) no farm acreage allotment or farm yield shall be established for a farm on which no tobacco was produced or considered produced under applicable provisions of law for the immediately preceding 5 years, (2) for each marketing year for which acreage-pounding quotas are in effect under section 317 the Secretary in his discretion may establish a reserve from the national acreage allotment in an amount equivalent to not more than 1 per centum of the national acreage allotment to be available for making corrections of errors in farm acreage allotments, adjusting inequities, and for establishing acreage allotments for new farms which are farms on which tobacco was not produced or considered produced during the immediately preceding 5 years, (3) the part of the reserve held for apportionment to new farms shall be allotted on the basis of land, labor, and equipment available for the production of tobacco, crop rotation practices, soil and other physical factors affecting the production of tobacco and the past tobacco-producing experience of the farm operator, and (4) the farm yield for any farm for which a new farm acreage allotment is established shall be determined on the basis of available productivity data for the land involved and farm yields for similar farms, and shall not exceed the community average yield.

Subsection 317(f) provides that only the provisions of the last two sentences of subsection 313(g) of the Act shall apply with respect to acreage-pounding programs established under section 317. The acreage reductions required under the last two sentences shall be in addition to any other adjustments made pursuant to section 317 and when acreage reductions are made the farm marketing quota shall be reduced to reflect such reductions. The provisions of the next to the last sentence of such subsection 313(g) pertaining to the filing of any false report with respect to the acreage of tobacco grown on the farm shall also be applicable to the filing of any false report with respect to the production or marketings of tobacco grown on a farm for which an acreage allotment and a farm yield are established as provided in section 317. In establishing acreage allotments and farm yields for other farms owned by the owner displaced by acquisition of his land by any agency, as provided in section 378 of the Act, increases or decreases in such acreage allotments and farm yields as provided in section 317 shall be made on account of marketings below or in excess of the farm marketing quota for the farm acquired by the agency. Acreage allotments and farm marketing quotas determined under section 317 may (except in case of Burley tobacco, or other kinds of tobacco not subject to section 316) be leased under the terms and conditions contained in section 316 and 317 of the Act provided

the authority contained in section 316 which expires with the 1965 crop year is extended by law to cover crop years subsequent to the 1965 crop year.

The Act (7 U.S.C. 1301(b)) defines the "total supply" of Flue-cured tobacco for any marketing year as the carryover at the beginning of the marketing year plus the estimated production in the United States during the calendar year in which such marketing year begins. "Reserve supply level" is defined as the normal supply plus 5 per centum thereof. "Normal supply" is defined as a normal year's domestic consumption and exports, plus 175 per centum of a normal year's domestic consumption and 65 per centum of a normal year's exports. A "normal year's domestic consumption" is defined as the yearly average quantity produced in the United States and consumed in the United States during the 10 marketing years immediately preceding the marketing year in which such consumption is determined, adjusted for current trends in such consumption. A "normal year's exports" is defined as the yearly average quantity produced in the United States which was exported from the United States during the 10 marketing years immediately preceding the marketing year in which such exports are determined, adjusted for current trends in such exports.

Subsection 313(i) of the Act provides that notwithstanding any other provision of the Act, whenever after investigation the Secretary determines with respect to any kind of tobacco that a substantial difference exists in the usage or market outlets for any one or more of the types comprising such kind of tobacco and that the quantity of tobacco of such type or types to be produced under the marketing quotas and acreage allotments established pursuant to section 313 would not be sufficient to provide an adequate supply for estimated market demands and carryover requirements for such type or types of tobacco, the Secretary shall increase the marketing quotas and acreage allotments for farms producing such type or types of tobacco in the preceding year to the extent necessary to make available a supply of such type or types of tobacco adequate to meet such demands and carryover requirements. Subsection 313(i) further provides that the increases in farm marketing quotas and acreage allotments shall be made on the basis of the production of such type or types of tobacco during the period of years considered in establishing farm marketing quotas and acreage allotments for such kind of tobacco, that the additional production authorized by this subsection shall be in addition to the national marketing quota established for such kind of tobacco pursuant to section 312 of the Act, and that the increase in acreage under such subsection shall not be considered in establishing future State or farm acreage allotments.

The subjects and issues involved in the proposed determinations are:

1. The amount of the national marketing quota on an acreage-pounding

basis for Flue-cured tobacco for the 1966-67 marketing year.

2. The amount of the national average yield goal.

3. The amount of the national acreage allotment.

4. The amount of acreage to be reserved from the national acreage allotment for making corrections in farm acreage allotments, adjusting inequities, and for establishing acreage allotments for new farms.

5. Whether the Secretary should take any action with respect to Flue-cured tobacco under section 313(i) of the Act.

6. The provisions of regulations for determining farm acreage allotments and farm marketing quotas under section 317 of the Act.

Consideration will be given to data, views, and recommendations pertaining to the proposed determinations, rules and regulations covered by this notice which are submitted in writing to the Director, Policy and Program Appraisal Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C., 20250. All written submissions made pursuant to the notice will be made available for public inspection at such times and in a manner convenient to the public business (7 CFR 1.27(b)). All submissions must be postmarked not later than 30 days from the date of filing of this notice with the Director, Office of the Federal Register.

Signed at Washington, D.C., on October 6, 1965.

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

[P.R. Doc. 65-10866; Filed, Oct. 12, 1965; 8:47 a.m.]

Consumer and Marketing Service

[7 CFR Part 929]

CRANBERRIES

Extension of Time for Submitting Written Data, Views, or Arguments With Respect to Expenses and Rate of Assessment for 1965-66 Fiscal Period, Carryover of Unexpended Funds and Handler Reports

The time within which written data, views, or arguments in connection with the notice of proposed rule making with respect to expenses and rate of assessment for the 1965-66 fiscal period, carryover of unexpended funds, and handler reports (30 P.R. 12485) is hereby extended to not later than October 20, 1965.

Dated: October 8, 1965.

F. L. SOUTHERLAND,
Acting Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[P.R. Doc. 65-10900; Filed, Oct. 12, 1965; 8:51 a.m.]

[7 CFR Part 970]

CARROTS GROWN IN SOUTH TEXAS

Limitation of Shipments

Consideration is being given to the issuance of the limitation of shipments, hereinafter set forth, which was recommended by the South Texas Carrot Committee, established pursuant to Marketing Agreement No. 142 and Marketing Order No. 970, as amended (7 CFR Part 970), regulating the handling of carrots grown in designated counties in south Texas. This program is effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

All persons who desire to submit written data, views, or arguments in connection with this proposal may file the same in quadruplicate with the Hearing Clerk, Room 112, U.S. Department of Agriculture, Washington, D.C., 20250, not later than the seventh day after the publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)). The proposal is as follows:

§ 970.306 Limitation of shipments.

During the period from November 1, 1965, through June 30, 1966, no handler shall package or load carrots on Sundays, or handle any lots of carrots grown in the production area unless such carrots meet the grade requirements of paragraph (a) of this section, and one of the size designations of paragraph (b) of this section, and meet the container and pack requirements of paragraphs (c) and (d) of this section, or unless such carrots are handled in accordance with provisions of paragraphs (e), (f), (g), and (h) of this section.

(a) *Minimum grade requirements.* U.S. No. 1, or better, and which are "fairly clean," "fairly well colored," and "fairly well formed."

(b) *Sizing requirements.*—(1) *Medium-to-large.* Three-fourths inch minimum diameter to 1½ inches maximum diameter, 5½ inches minimum length, with an average of 30 percent by count 1 inch minimum diameter or larger and no sample with less than 15 percent by count 1 inch or larger in diameter.

(2) *Jumbos.* One inch minimum diameter to 2 inches maximum diameter and 6 inches minimum length.

(c) *Container requirements.* (1) Carrots may be handled only in containers classified by weight as follows:

- (i) One pound;
- (ii) Two pounds;
- (iii) Five pounds;
- (iv) Twenty-five pounds;
- (v) Fifty pounds; and
- (vi) Seventy-five to eighty pounds.

(2) "Jumbos," as specified in paragraph (b)(2) of this section, may be handled only in 25, 50, and 75-80 pound containers.

(3) The container requirements of this paragraph shall not, but the pack requirements of paragraph (d) of this section shall, be applicable to carrots handled for export.

(d) *Pack requirements.* (1) Master containers for 1-pound, 2-pound, or 5-pound packages shall contain the following number of packages only:

- (i) Twenty-four 1-pound packages;
- (ii) Forty-eight 1-pound packages;
- (iii) Twenty-four 2-pound packages; or
- (iv) Ten 5-pound packages.

(2) (i) Average gross weight of master containers is to be computed by multiplying the allowable number of packages therein by their weight classification, with respective tare allowances added. Tare allowances for crates, or their equivalents in other containers, are 4 pounds for crates Nos. 4015 and 3820, and 2 pounds for crate No. 5055. Crate designations are carrier numbers.

(ii) Master containers of packages with the following weight classifications may not weigh more than their average gross weight, plus the following tolerances:

- (a) One-pound packages, 22.5 percent.
- (b) Over 1-pound and including 2-pound packages, 15 percent.
- (c) Over 2-pound packages, 10 percent.

(iii) Containers weighing 25 pounds or more may not exceed an average of 10 percent of the net weight of contents.

(e) *Minimum quantities.* Pursuant to § 970.52(c)(2) any person subject to this part may handle, except for export, up to but not to exceed 100 pounds of carrots per calendar month without regard to the requirements of this section or to the inspection and assessment requirements of this part, but this exception may not apply to any portion of a shipment of over 100 pounds of carrots.

(f) *Handling carrots not grown in production area.* Carrots packed, but not grown, within the production area shall meet the requirements of paragraphs (a), (b), (c), and (d) of this section unless they are handled as a distinct entity in accordance with safeguards under §§ 970.120-970.125.

(g) *Special purpose shipments.* The requirements set forth in paragraphs (a), (b), (c), and (d) of this section, and the inspection and assessment requirements of this part, shall not be applicable to carrots handled for:

- (1) Canning or freezing;
- (2) Relief or charity;
- (3) Experimental purposes; and
- (4) Livestock feed only if mechanically mutilated in accordance with § 970.127 *Handling of culls.*

(h) *Safeguards.* Each handler of carrots falling to meet the requirements of paragraphs (a), (b), (c), and (d) of this section, which (1) are packed but not grown within the production area under paragraph (f) of this section, or (2) are handled for canning or freezing, relief or charity, or experimental purposes under paragraph (g) of this sec-

tion shall, prior to handling, apply for and obtain a Certificate of Privilege from the committee. This shall require the handler to furnish reports and documents as the committee may require showing that the carrots were handled in accordance with conditions specified in the certificate. Certificates are not required on carrots for canning or freezing if processed within Cameron, Starr, Willacy, and Hidalgo Counties.

(i) *Inspection.* (1) No handler may handle any carrots for which inspection is required unless an appropriate inspection certificate has been issued with respect thereto and the certificate is valid at the time of shipment.

(2) No handler may transport or cause the transportation of any shipment of carrots by motor vehicle for which an inspection certificate is required unless each shipment is accompanied by a copy of the inspection certificate applicable thereto.

(3) For administration of this part each inspection certificate is valid for only 72 hours following completion of inspection as shown on the certificate.

(j) *Definitions.* The terms "U.S. No. 1," and "fairly well colored" shall have the same meaning as set forth in the U.S. Standards for Topped Carrots (§§ 51.2360-51.2381 of this title) including the tolerances set forth therein with the following exceptions: (1) The tolerance for off-size shall be as follows: (i) 5 percent for carrots in any lot which are larger than the specified maximum diameter; and (ii) 10 percent for carrots in any lot which are smaller than the specified minimum diameter or shorter than the specified minimum length; (2) for grade and size determinations each sample shall consist of 50 carrots. When individual packages contain at least 50 carrots, the sample is drawn from one package; when individual packages contain less than 50 carrots, a sufficient number of adjoining packages are opened to form a 50-carrot sample. Each sample is restricted to not more than double the tolerance for defects and off-size; *Provided*, That not more than one carrot which is frozen or affected by soft rot may be permitted in any package weighing approximately 3 pounds or less; *And provided further*, That the averages for the entire lot are within the tolerances specified; (3) percentages shall be calculated on the basis of count. The term "fairly clean" means that the individual carrot is reasonably free from dirt or other foreign matter. The term "fairly well formed" means that the individual carrot is not forked, or misshapen to the extent that the appearance is materially affected. The term "load" means to put carrots aboard a railroad car, truck, or other vehicle thereby placing carrots in the current of commerce within the production area or between the production area and any point outside thereof. All other terms used in this section shall have the same meaning as when used in Marketing Agreement No. 142, and this part (Order No. 970).

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

Dated: October 8, 1965.

F. L. SOUTHERLAND,
Acting Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[P.R. Doc. 65-10910; Filed, Oct. 12, 1965; 8:51 a.m.]

[7 CFR Parts 1061, 1064]

[Docket Nos. AO 327-A8, AO 23-A28]

MILK IN ST. JOSEPH, MO., AND GREATER KANSAS CITY MARKETING AREAS

Notice of Rescheduled Hearing on Proposed Amendments to Tentative Marketing Agreement and Orders

Because a hearing on 12 Midwest milk markets is scheduled to reconvene in Chicago on November 2 and interested persons in St. Joseph, Mo., and Greater Kansas City are also interested persons in the Chicago proceeding, it is found necessary to reschedule the hearing in this proceeding presently set for November 2, 1965, with respect to proposed amendments to the tentative marketing agreements and to the orders regulating the handling of milk in the St. Joseph, Mo., and Greater Kansas City marketing areas, notice of which was published in the FEDERAL REGISTER of September 30, 1965 (30 F.R. 12487).

Pursuant to the provisions of § 900.8 of the Rules of Practice and Procedure Governing Proceedings to Formulate Marketing Agreements and Marketing Orders (7 CFR 900.8), notice is hereby given that the said public hearing will be held beginning at 9:30 a.m., local time, on November 22, 1965, at the Bellerive Hotel, 214 East Armour Street, Kansas City, Mo.

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

CLARENCE H. GIRARD,
Deputy Administrator,
Regulatory Programs.

[P.R. Doc. 65-10868; Filed, Oct. 12, 1965; 8:47 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 39]

[Docket No. 6961]

AIRWORTHINESS DIRECTIVES

Lockheed Models 188A and 188C Series Airplanes

The Federal Aviation Agency is considering amending Part 39 of the Federal Aviation Regulations by adding an airworthiness directive applicable to Lockheed Models 188A and 188C Series airplanes. There have been instances of cracks emanating from the barrel-nut access holes of the outer wing front cap fittings on the subject airplanes. Since this condition is likely to exist or develop in other airplanes of the same type design, the proposed AD would require

inspection, and replacement where necessary, of the upper and lower outer wing front cap fittings on the subject airplanes.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. All communications received on or before November 12, 1965, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

This amendment is proposed under the authority of sections 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1423).

In consideration of the foregoing, it is proposed to amend § 39.13 of Part 39 of the Federal Aviation Regulations by adding the following new airworthiness directive:

LOCKHEED. Applies to Models 188A and 188C Series airplanes.

Compliance required as indicated. To detect fatigue cracks emanating from the barrel-nut access holes of the outer wing front cap fittings at the Wing Station 65 joint, accomplish the following unless already accomplished:

(a) Inspect the lower cap fittings P/N 807352-1 and -2, by visual means, for cracks emanating from the barrel-nut access holes within 1,100 hours' time in service after the effective date of this AD.

(b) Inspect the lower and upper cap fittings P/N 807352-1 and -2 and P/N 807354-1 and -2, by dye penetrant method or an FAA-approved equivalent, for cracks emanating from the barrel-nut access holes and by visual means for burrs at the forward edge of the access holes within 3,000 hours' time in service after compliance with (a).

(c) Replace any cracked fittings found during the inspection of (a) or (b) before further flight, with new de-burred fittings of the same part number.

(d) De-burr all fittings on which burrs have been found during the inspection of (b), before further flight, in accordance with Lockheed Service Bulletin 88/SB-633A, Section 2.D.(4).

(Lockheed Service Bulletin 88/SB-633A, in part, covers this same subject).

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

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

[P.R. Doc. 65-10842; Filed, Oct. 12, 1965; 8:45 a.m.]

[14 CFR Part 39]

[Docket No. 6962]

AIRWORTHINESS DIRECTIVES

Macchi Model AL60 and AL60-B Airplanes

The Federal Aviation Agency is considering amending Part 39 of the Fed-

eral Aviation Regulations by adding an airworthiness directive applicable to Macchi Model AL60 and AL60-B airplanes. There have been failures of the threaded shank of the eyebolts located at the elevator center hinge on the subject airplanes. Since this condition is likely to exist or develop in other airplanes of the same type design, the proposed AD would require inspection and replacement where necessary of the eyebolts on the subject airplanes.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. All communications received on or before November 12, 1965, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

This amendment is proposed under the authority of sections 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1423).

In consideration of the foregoing, it is proposed to amend § 39.13 of Part 39 of the Federal Aviation Regulations by adding the following new airworthiness directive:

MACCHI. Applies to all Model AL60 and AL60-B airplanes.

Compliance required as indicated. To prevent further failures of the threaded shank of the eyebolt, Heim Company Part No. M44-14, located at the elevator center hinge, accomplish the following:

(a) Within 25 hours time in service after the effective date of this AD, visually, or by use of other FAA-approved methods, inspect the threaded shank of the eyebolt, Heim Company Part No. M44-14.

(b) If no cracks are found, repeat the inspection specified in (a) at intervals not to exceed 25 hours time in service from the previous inspection.

(c) If cracks are found, replace the eyebolt. If the replacement eyebolt is of the same part number, the repetitive inspections required by (b) must be continued.

(d) The repetitive inspection required by (b) may be discontinued when Aermacchi Modification No. AL60/24, installation of eyebolt Heim Company Part No. MD46-15, or an FAA-approved equivalent is accomplished.

(Aeronautica Macchi Service Bulletin No. AL60/11 and Modification Bulletin No. AL60/24 covers this subject).

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

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

[P.R. Doc. 65-10843; Filed, Oct. 12, 1965; 8:45 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Parts 1, 43, 51]

[Docket No. 16221; FCC 65-896]

CERTAIN TELEPHONE COMPANIES Exemption From Filing Annual Reports

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

2. The Commission proposes to amend its rules so as to exempt additional small telephone companies from being required to file annual reports on its Form M. The additional companies which the Commission proposes to so exempt are those operating telephone exchanges (as distinguished from those operating point-to-point toll and maritime radio services) and having annual operating revenues not exceeding \$1,000,000. It is believed that telephone exchange operating companies in this size range (\$100,000 to \$1,000,000 annual operating revenues) can be excused from filing annual reports without handicapping the Commission in the performance of its regulatory functions and without significant loss to its statistics compilation and public information activities.

3. One reason the Commission believes it can safely dispense with requiring annual reports from telephone companies operating telephone exchanges and falling within the \$100,000 to \$1,000,000 annual revenues size range is that they have only small amounts of interstate business and apply the effective nationwide toll rate schedules to that. From this point of view, however, there are other even smaller companies who have not been required to file annual reports since 1953. All, or nearly all, of their business is interstate and is thus of concern to the Commission and not to State or local regulatory bodies. These companies also have their own individual rate schedules in many instances. In order to provide the Commission with necessary information from these smaller companies, it is provided in the proposal herein that telephone companies not operating telephone exchanges and companies in the maritime radio services whose annual operating revenues are between \$50,000 and \$100,000 shall file annual reports on our Form M.

4. It is proposed to amend the first sentence of paragraph (a) of § 43.21 of Part 43 of the Commission's rules to read as follows:

(a) Licensees in the Domestic Public Land Mobile Radio Services, communication common carriers having annual operating revenues in excess of \$1,000,000, communication common carriers not operating telephone exchanges including those operating to overseas points or in the Maritime radio services and having annual operating revenues in excess of \$50,000, and certain companies (as indicated in paragraph (c) of this section)

directly or indirectly controlling such carriers shall file with the Commission annual reports as provided in this section. * * *

5. In order to conform Annual Report Form M to Part 43 of the rules as proposed for amendment, the following changes in Annual Report Form M are proposed:

(a) Revise General Instructions 1 and 2 on page 1 to read as follows:

1. This annual report form is prescribed for the use of telephone companies operating telephone exchanges and having annual operating revenues in excess of \$1,000,000 and telephone companies not operating telephone exchanges, including those operating to overseas points or in the Maritime radio services, and having annual operating revenues in excess of \$50,000. Each company subject hereto (hereinafter referred to as the "respondent") shall prepare its annual report to the Commission in the form and manner herein prescribed and shall file two copies of such annual report with the Commission at its offices in Washington, D.C., not later than March 31 of the year following that for which the report is made. (See particularly § 43.21(a) of the Commission's rules.)

2. Immediately upon publication of its annual report to stockholders for the period covered by this report, each respondent shall file two copies thereof with the Commission. If no annual report to stockholders is published that fact shall be stated as provided on the title page of this report form.

(b) Amend the instructions with respect to minimum requirements for separate items to be reported in Schedules 16, 17, 19, 20, 21, 22, 28, 29, 30, 33, 37, 38, 41, and 43 by deleting reference to Class A and Class B companies including the amount specified for Class B companies.

(c) In Schedule 34 delete instruction 1 reading: "Class B companies may use only lines 15, 33, 39, 40 and 41" and delete the designation 2 for present instruction 2.

(d) In Schedule 35 delete the instruction reading: "Class B companies may use only lines 10, 11 to 23, inclusive, 26, 33, 36, 37, 45, 50, 51, 58, 61, and 62."

6. In order to coordinate the provisions of Part 1 (Practice and Procedure) of the rules with the amendments proposed for Part 43, the Commission proposes to amend subparagraphs (3), (4), and (5) of § 1.785 of Part 1 by deleting therefrom the words "classes A and B."

7. If the foregoing amendments are adopted, it will also be necessary to amend Part 51 (Occupational Classification and Compensation of Employees of Class A and Class B Telephone Companies) of the rules as follows:

(a) Revise the title to read "Occupational Classification and Compensation of Employees of Telephone Companies."

(b) Amend the text of § 51.1 to read as follows:

§ 51.1 Companies subject to the rules in this part.

The rules and regulations in this part apply to those telephone companies required to file Annual Report Form M with the Commission in compliance with § 43.21(a) of this chapter.

8. It is proposed to make any amendments to the rules concerning reports adopted as a result of this proceeding effective for the calendar year 1965 reports. The amendments to the numbered Parts of the Commission's rules would be given an effective date of December 31, 1965.

9. This notice of proposed rule making is issued under authority of sections 4(i) and 219 of the Communications Act of 1934, as amended.

10. Pursuant to applicable procedures set forth in § 1.415 of the Commission's rules, interested persons may file comments on or before November 12, 1965, and reply comments on or before November 26, 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.

11. In accordance with the provisions of § 1.419 of the Commission's rules and regulations, an original and 14 copies of all statements or briefs shall be furnished to the Commission.

Adopted: October 6, 1965.

Released: October 8, 1965.

FEDERAL COMMUNICATIONS
COMMISSION,¹

[SEAL] BEN F. WAPLE,
Secretary.

[P.R. Doc. 65-10899; Filed, Oct. 12, 1965;
8:50 a.m.]

[47 CFR Part 25]

[Docket No. 16220; FCC 65-895]

DEVELOPMENTAL STATIONS IN COMMUNICATION-SATELLITE SERVICE Issuance of Authorizations

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

2. The Commission proposes to amend Part 25 of the rules and regulations by adding a new Subpart E entitled "Applications and Authorizations" and include therein a new § 25.390 *Developmental operation*. The progress to date in the implementation of the Communications Satellite Act of 1962 has brought us to the point where we can be assured of the establishment of a global commercial communication-satellite system in the near future. With this goal in sight, we believe it appropriate now to focus attention on the possible future developments in the field of communication-satellite technology.

3. To this end, the proposed rules establish procedures for the filing and processing of applications which seek authorization to engage in developing new techniques, and the development and testing of new equipment intended for use in the communication-satellite service.

4. It is believed that the adoption of these rules will enable the Commission

¹ Commissioner Hyde absent.

to carry out its continuing responsibility to study new uses of radio and generally encourage the larger and more effective use of radio in the public interest. At the same time, it is expected that adoption thereof will stimulate further practical advances in the field of communication-satellite technology.

5. These rules pertain to the Communication-satellite service only. Persons proposing experimental operations in basic research or development of equipment for use in other phases of the space effort (such as Space Research) should continue to apply for Experimental authorizations under the provisions of Part 5 of the Commission's rules.

6. Pursuant to applicable procedures set forth in § 1.415 of the Commission's rules, interested persons may file comments on or before November 10, 1965, and reply comments on or before November 24, 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.

7. Authority for the amendments herein proposed is contained in section 201(c)(11) of the Communications Satellite Act of 1962 (47 U.S.C. 701 et seq.) and sections 4(i) and 303(g) of the Communications Act of 1934, as amended.

8. In accordance with the provisions of § 1.419 of the Commission's rules and regulations, an original and 14 copies of all statements, briefs or comments shall be furnished the Commission.

Adopted: October 6, 1965.

Released: October 8, 1965.

FEDERAL COMMUNICATIONS
COMMISSION,¹

[SEAL] BEN F. WAPLE,
Secretary.

It is proposed to add a new Subpart E to Part 25, to read as follows:

Subpart E—Applications and Authorizations

§§ 25.351-25.389 [Reserved]

§ 25.390 Developmental operation.

(a) *Scope of service.* Communication-satellite developmental stations will be permitted to conduct the following types of operations:

(1) The development of new techniques which give promise of improvement in the Communication-satellite Service.

(2) The development and testing of equipment intended for use in the Communication-satellite Service.

(3) Path loss tests necessary to the location of newly proposed earth stations in the Communication-satellite Service.

(b) *Eligibility.* An authorization for developmental operation of a station in

the Communication-satellite Service may be issued only to parties qualified to make a definite contribution to the development of the Communication-satellite Service.

(c) *A station license may not be granted to or held by:*

(1) Any alien or the representative of any alien.

(2) Any foreign government or the representative thereof.

(3) Any corporation organized under the laws of any foreign government.

(4) Any corporation of which any officer or director is an alien.

(5) Any corporation of which more than one-fifth of the capital stock is owned of record or voted by: Aliens or their representatives; a foreign government or representatives thereof; or any corporation organized under the laws of a foreign country.

(6) Any corporation directly or indirectly controlled by any other corporation of which any officer or more than one-fourth of the directors are aliens, if the Commission finds that the public interest will be served by the refusal or revocation of such license.

(7) Any corporation directly or indirectly controlled by any other corporation of which more than one-fourth of the capital stock is owned of record or voted by aliens or their representatives, or by a foreign government or representative thereof, or by any corporation organized under the laws of a foreign government, if the Commission finds that the public interest will be served by the refusal or revocation of such license.

(d) *Forms to be used.* (1) A separate application for construction permit shall be submitted on FCC Form 401 for each earth station and for each space station. (A space station may consist of one or more identical units). Each earth station application shall be accompanied by FCC Form 401-A in triplicate in all cases when:

(i) The antenna structures proposed to be erected will exceed an overall height of 200 feet above ground level, except where the antenna is mounted on top of an existing manmade structure other than an antenna structure and does not increase the overall height of such manmade structure by more than 20 feet, or

(ii) The antenna structures proposed to be erected will exceed an overall height of 1 foot above the established airport (landing area) elevation for each 100 feet of distance, or fraction thereof, from the nearest point of the nearest runway of such landing area, except that where the antenna does not exceed 20 feet above the ground or if the antenna is mounted on top of an existing manmade structure (other than an antenna structure) or natural formation and does not increase the overall height of such manmade structure or natural formation by more than 20 feet.

(2) Upon completion of construction, an application for license may be submitted on FCC Form 403.

(e) *Showing required.* Each application for developmental operation shall be accompanied by a showing that:

(1) The applicant has an organized plan leading to a specific objective, in the development of the Communication-satellite Service.

(2) A point has been reached in the program where actual transmission by radio is essential to the further progress thereof.

(3) The public interest, convenience, or necessity will be served by the proposed operation.

(4) In the event that the applicant seeks authority to construct and operate a space station, the application shall contain a statement which discloses that arrangements have been made between the applicant and an entity authorized to operate an earth station, for transmission of communications signals to or reception of communications signals from such earth station.

(5) In the event that the applicant seeks authority to construct and operate an earth station, the application shall contain a statement which discloses that arrangements have been made between the applicant and an entity authorized to operate a space station, for transmission of communications signals to or reception of communications signals from such space station.

(f) *Supplementary statement required.* Every application for authority to engage in developmental operation shall be accompanied by a statement signed by the applicant in which it is agreed that any authorization issued pursuant thereto will be accepted with the express understanding of the applicant that it is subject to change in any of its terms or to cancellation in its entirety at any time, upon reasonable notice but without a hearing, if, in the opinion of the Commission, circumstances should so require.

(g) *Additional authority required for test of satellite in orbit.* Authorization for the construction of a space station of one or more units shall include the authority for the conduct of performance tests on the ground; however, such construction permits shall not include authority to test such station in orbit. Authority to test a satellite in orbit may be obtained only upon approval of a separate application therefor, which shall be submitted after construction has been completed. The separate application should include a statement setting forth in detail the arrangements which have been made for launch of the spacecraft.

(h) *Frequencies available for assignment.* Stations engaged in developmental operations may be authorized to use frequencies allocated to the Communication-satellite Service. When developmental earth stations propose to operate in bands shared with terrestrial stations, the applications shall include a showing of coordination pursuant to § 25.203(c). Applications proposing the operation or performance testing of communication-satellite space stations on the ground must include a showing that harmful interference will not be caused to the operation of licensed terrestrial stations. Requests for frequencies other than those allocated to the Communication-satellite Service must be supported

¹ Commissioner Hyde absent.

by a showing that the allocated frequencies are unsuitable. Such applications must be accompanied by a petition requesting the allocation of frequencies for the use proposed to be made by the applicant, and setting forth the reasons in support of such use.

(i) *Interference.* The operation of any station engaged in developmental operations shall be subject to the condition that no harmful interference is caused to the operation of stations authorized on a regular basis under the provisions of this Chapter.

(j) *Notification to the National Radio Astronomy Observatory.* In order to minimize possible harmful interference at the National Radio Astronomy Observatory site located at Green Bank, Pocahontas County, W. Va., and at the Naval Radio Research Observatory site at Sugar Grove, Pendleton County, W. Va., any applicant for a station authorization other than mobile, temporary base, temporary fixed, Citizens Radio, Civil Air Patrol, or Amateur seeking a station license for a new station, a construction permit to construct a new station or to modify an existing station license in a manner which would change either the frequency, power, antenna height or directivity, or location of such a station within the area bounded by 39° 15' N. on the north, 78° 30' W. on the east, 37° 30' N. on the south and 80° 30' W. on the west shall, at the time of filing such application with the Commission, simultaneously notify the Director, National Radio Astronomy Observatory, Post Office Box No. 2, Green Bank, W. Va., 24944, in writing, of the technical particulars of the proposed station. Such notification shall include the geographical coordinates of the antenna, antenna height, antenna directivity if any, proposed frequency, type of emission, and power. In addition, the applicant shall indicate in his application to the Commission the date notification was made to the Observatory. After receipt of such applications, the Commission will allow a period of 20 days for comments or objections in response to the notifications indicated. If an objection to the proposed operation is received during the 20-day period from the National Radio Astronomy Observatory for itself or on behalf of the Naval Radio Research Observatory, the Commission will consider all aspects of the problem and take whatever action is deemed appropriate.

(k) *Limitations on use.* Stations used for developmental operation shall be constructed and used in such a manner as to conform with all of the technical and operating requirements of this part unless deviation therefrom is specifically provided in the instrument of authorization. The rendition of communication service for hire is not permitted under any developmental authorization unless specifically authorized by this Commission.

(l) *Special provisions.* Where some phases of the developmental programs are not covered by the provisions of this chapter, the Commission may spec-

ify supplemental or additional requirements or conditions in each case, as deemed necessary in the public interest, convenience, or necessity. The Commission may from time to time require a station engaged in developmental work to conduct such special tests as it finds are reasonable or desirable in connection with the authorized developmental program.

(m) *Term of authorization.* Licenses for developmental operation shall be issued for a term of one year, renewable upon request, pursuant to the provisions of paragraph (o) of this section.

(n) *Report of operation.* A report on the results of the developmental program shall be filed within 60 days of the expiration of the authorization. A licensee may request that its reports and associated material not be made public and the Commission will honor such request unless it appears that the public interest requires disclosure. The report shall include comprehensive and detailed information on the following:

- (1) The final objective.
- (2) Analysis of the results of operation obtained to date.
- (3) Number of hours of operation on each frequency.
- (4) Copies of any published reports.

(o) *Renewal of license.* If the developmental program cannot be concluded during the license term an application for renewal of license should be submitted on FCC Form 405 within 90 days but not later than 30 days prior to the end of the license term. The report of operation as provided in paragraph (n) of this section and in addition, a statement in which the need for continuation of the program is clearly explained, should be attached. In any case in which the licensee has in accordance with the provisions of the chapter, made timely and sufficient application for renewal of license, no license with reference to any activity of continuing nature shall expire until the disposition of such application shall have been finally determined.

[F.R. Doc. 65-10900; Filed, Oct. 12, 1965; 8:50 a.m.]

[47 CFR Parts 1, 17, 73]

[Docket No. 16030]

ESTABLISHMENT AND USE OF ANTENNA FARM AREAS

Order Extending Time for Filing Comments and Reply Comments

1. The dates for filing comments and reply comments in this proceeding are presently October 7, 1965, and October 22, 1965, respectively. On October 5, 1965, the Association of Maximum Service Telecasters, Inc. (AMST), filed a motion for additional time to file comments, stating that analysis of the proposed rules has required extensive research into legislative materials and other documents; that the press of other professional commitments and the complexity and volume of the materials being studied now make it necessary to request an

extension of time of one week in order for them to file adequately documented comments which, it is stated, should be useful to the Commission in resolving the important issues involved in this proceeding.

2. The Commission is of the view that the requested extension of time should be granted and accordingly: *It is ordered,* This 6th day of October 1965, that the time for filing comments is extended from October 7, 1965, to October 14, 1965, and for filing reply comments from October 22, 1965, to October 29, 1965.

3. This action is taken pursuant to authority found in sections 4(d), 5(d)(1) and 303(r) of the Communications Act of 1934, as amended, and § 0.281(d)(8) of the Commission's rules.

Released: October 7, 1965.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-10898, Filed, Oct. 12, 1965; 8:50 a.m.]

INTERSTATE COMMERCE COMMISSION

[49 CFR Part 52]

[No. 34648]

RAILROAD CONSOLIDATION PROCEDURE

Notice of Proposed Rule Making

SEPTEMBER 23, 1965.

Notice is hereby given, pursuant to section 4 of the Administrative Procedure Act, that the Commission has under consideration amendment of the special instructions governing railroad consolidation procedure under section 5 of the Interstate Commerce Act.

A complete statement of the proposed amendment is set forth below:

§ 52.6 Special rules governing prepared statements and exhibits.

(a) These rules govern the filing and distribution of prepared statements of witnesses and exhibits proposed to be offered by applicants in support of (1) applications filed under section 5(2) of the Interstate Commerce Act respecting control, lease and unification of the franchises and properties of rail carriers subject to part I of the Act; and (2) related applications filed (i) under section 20a seeking authority to issue securities or assume obligations, and (ii) under section 1(18) of the Act seeking to abandon or construct lines.

(b) Except as may be authorized by the Commission upon good cause shown prior to the filing of the application, applicants shall transmit to the Commission concurrently with the original application under section 5 and each related original application, but not as a part thereof, a copy of each exhibit which they propose to offer in evidence and all such prepared statements of witnesses.

(c) Upon request by parties of record, applicants shall distribute a copy of each exhibit and statement of each witness submitted under paragraph (b) of this section to such parties of record and shall afford such parties reasonable access to working papers and underlying data supporting the applicants' exhibits or submitted statements.

Rail carriers affected by the proposed rules herein and other interested parties who desire to do so should present written views or comments for our consideration as soon as practicable and not later than 30 days from the date of publication of this notice in the FEDERAL REGISTER. The Commission will consider all such responses before deciding the matter herein, after which such an order as may be found appropriate will be entered. An original and 14 copies of any such responses should be submitted.

Notice shall be given to rail carriers hereby affected and to the general public by depositing a copy of this notice in the Office of the Secretary of the Commission for public inspection and by filing a copy with the Director, Office of the Federal Register, Washington, D.C.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 65-10871; Filed, Oct. 12, 1965;
8:48 a.m.]

SMALL BUSINESS ADMINISTRATION

[13 CFR Part 121]

SIZE STANDARDS

Definition of Small Business Manufacturer; Correction

The section of the Small Business Size Standards Regulation (Revision 5) referred to in the last paragraph of the above-cited notice (30 F.R. 11734 dated Sept. 14, 1965) should read "§ 121.3-8" in lieu of "§ 121.2-3".

Dated: September 22, 1965.

PADRAIC P. FRUCHT,
*Assistant Administrator
For Economics.*

[F.R. Doc. 65-10856; Filed, Oct. 12, 1965;
8:46 a.m.]

Notices

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Bureau Order 698, Amdt. 10]

ASSISTANT DIRECTOR, ADMINISTRATION, AND CHIEF, DIVISION OF ADMINISTRATIVE SERVICES, WASHINGTON OFFICE

Delegation of Authority Regarding Contracts and Leases

OCTOBER 6, 1965.

A new subparagraph (7) is added to section 1(b), as follows:

SEC. 1. Authority of certain offices to enter into contracts and leases. * * *

(b) * * *

(7) The Assistant Director, Administration, and the Chief, Division of Administrative Services, Washington Office are authorized (1) to enter into contracts pursuant to section 302(c)(10) of the Federal Property and Administrative Services Act of 1949, as amended, and (2) to grant authority to field Contracting Officers to enter into contracts pursuant to section 302(c)(10) of the Federal Property and Administrative Services Act of 1949, as amended, upon submission of a Determination and Findings by the field Contracting Officer.

J. P. BEIRNE,
Acting Associate Director.

[F.R. Doc. 65-10853; Filed, Oct. 12, 1965; 8:46 a.m.]

[Fairbanks 034799]

ALASKA

Notice of Proposed Withdrawal and Reservation of Lands

The Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, U.S. Department of the Interior, has filed an application, Serial Number Fairbanks 034799, 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 an administrative site.

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 ad-

justing 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 Sport Fisheries and Wildlife.

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:

FORT YUKON, ALASKA

Lots 1, 2, 3, and 4, Block 21, U.S. Survey 2760 A and B (Townsite of Fort Yukon, Alaska).

The area described aggregates approximately 42,091 square feet.

JAMES W. WATTS,
Acting State Director.

[F.R. Doc. 65-10916; Filed, Oct. 12, 1965; 8:51 a.m.]

TARIFF COMMISSION

[332-46]

TEXTURED OR TEXTURIZED YARNS

Notice of Hearing Regarding Separate Tariff Classification

Notice is hereby given that the U.S. Tariff Commission has ordered a public hearing to be held in connection with the investigation instituted under section 332 of the Tariff Act of 1930 (19 U.S.C. 1332) to ascertain the feasibility and desirability of a separate tariff

classification in the Tariff Schedules of the United States for those yarns of manmade fibers commonly referred to as "textured" or "texturized" yarns.

The hearing will be held in the Hearing Room, Tariff Commission Building, Eighth and E Streets NW., Washington, D.C., at 10 a.m., e.s.t. on November 8, 1965. Interested parties desiring to appear and to be heard should notify the Secretary of the Commission, in writing, at least 3 days in advance of the date set for the hearing.

Issued: October 8, 1965.

By order of the Commission.

[SEAL]

DONN N. BENT,
Secretary.

[F.R. Doc. 65-10896; Filed, Oct. 12, 1965; 8:50 a.m.]

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

HUMANELY SLAUGHTERED LIVESTOCK

Identification of Carcasses; Changes in Lists of Establishments

Pursuant to section 4 of the Act of August 27, 1958 (7 U.S.C. 1904), and the statement of policy thereunder in 9 CFR 381.1, the lists (30 F.R. 8908-8911, 9962-9963, and 11398) of establishments which are operated under Federal inspection pursuant to the Meat Inspection Act (21 U.S.C. 71 et seq.) and which use humane methods of slaughter and incidental handling of livestock are hereby amended as follows:

The reference to Lubbock Packing Co., establishment 266, and the reference to swine with respect to such establishment are deleted.

The following table lists species at additional establishments and additional species at previously listed establishments that have been reported as being slaughtered and handled humanely:

| Name of establishment | Establishment No. | Cattle | Calves | Sheep | Goats | Swine | Horses |
|------------------------------------|-------------------|--------|--------|-------|-------|-------|--------|
| Camp Packing Co., Inc. | 174 | () | () | | | | |
| Stockmen's Meat Packing Co., Inc. | 258 | () | | | | () | |
| Farm Pac Kitchens, Inc. | 266 | () | | | | | |
| Bravo Foods, Inc. | 646 | () | | | | () | |
| Bob Evans Farm. | 952 | | | | | | |
| New establishments reporting: 5. | | | | | | | |
| The Eckert Packing Co. | 79 | | | () | | | |
| H. Graver Co. | 103 | | () | () | | | |
| Wally Schilling & Co., Inc. | 235 | | | | | | |
| Rea Serum Co. | 280 | () | | | | | |
| James Allan & Sons | 305 | | | | | () | |
| Memphis Butchers Association, Inc. | 488 | | | () | () | | |
| Walden Packing Co., Inc. | 886 | | () | | | | |
| Sambo Packing Co. | 892 | | () | | | | |
| Species added: 12. | | | | | | | |

Done at Washington, D.C., this 8th day of October 1965.

R. K. SOMERS,
Deputy Administrator, Consumer and Marketing Service.

[F.R. Doc. 65-10911; Filed, Oct. 12, 1965; 8:51 a.m.]

MONROE LIVESTOCK MARKET 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.

| Original name of stockyard, location, and date of posting | Current name of stockyard and date of change in name |
|---|---|
| ALABAMA | |
| Monroe Livestock Market, Monroeville, May 1, 1961. | Monroe Livestock Market, Inc., July 28, 1965. |
| ARIZONA | |
| Arizona Livestock Auction, Phoenix, Nov. 5, 1957. | Arizona Livestock Auction, Inc., July 1, 1965. |
| ARKANSAS | |
| Hope Livestock Commission Co., Hope, Dec. 18, 1958. | Hope Livestock Commission, Apr. 20, 1965. |
| IDAHO | |
| Jerome Livestock Commission Co., Jerome, Mar. 29, 1950. | Tink's Livestock Commission, Inc., July 26, 1965. |
| IOWA | |
| Algona Livestock Market, Algona, May 16, 1959. | Algona Livestock Auction, Aug. 15, 1965. |
| Marvel-Edge Livestock Market Center, Inc., Webster City, Feb. 10, 1941. | Marvel Livestock Market Center, Inc., Mar. 1, 1965. |
| KANSAS | |
| Coffey County Community Sale, Burlington, June 16, 1959. | Coffey County Livestock Market, July 1, 1965. |
| LOUISIANA | |
| La. Delta Auction Co., Tallulah, June 21, 1957. | Tallulah Livestock Auction, July 15, 1965. |
| West Monroe Livestock Auction, Inc., West Monroe, Mar. 29, 1957. | West Monroe Livestock Auction, Aug. 16, 1965. |
| MISSOURI | |
| Neosho Livestock Auction, Neosho, June 4, 1959. | Neosho Livestock Auction Co., June 15, 1965. |
| Tuesday Community Sale, Butler, June 5, 1959. | Butler Community Sale, June 5, 1965. |
| NEW YORK | |
| Kimball Stand Commission Sales, Jamestown, Aug. 11, 1960. | Norvel Reed & Sons, Inc., July 1, 1965. |
| NORTH CAROLINA | |
| Asheville Livestock Yard, Asheville, Sept. 26, 1957. | Asheville Livestock and Implement Co., Inc., July 17, 1965. |
| OREGON | |
| Salem Auction Yard, Salem, May 14, 1960. | Salem Auction Yard, Inc., July 1, 1965. |
| SOUTH DAKOTA | |
| Willow Lake Sales Co., Willow Lake, June 24, 1959. | Willow Lake Sales Co., July 1, 1965. |
| TEXAS | |
| Hico Commission Co., Hico, Sept. 11, 1961. | Hico Livestock Commission, July 26, 1965. |
| O. L. Colley Livestock Commission Co., Mount Pleasant, May 18, 1950. | C & S Livestock Commission Co., July 1, 1965. |
| Wharton Livestock Commission Co., Wharton, Oct. 26, 1951. | Wharton County Livestock Commission Co., Feb. 20, 1964. |

Done at Washington, D.C., this 6th day of October 1965.

J. R. BRANNIGAN,
*Acting Chief, Rates and Registrations Branch, Packers and
Stockyards Division, Consumer and Marketing Service.*

[F.R. Doc. 65-10912; Filed, Oct. 12, 1965; 8:51 a.m.]

PIKE COUNTY LIVESTOCK EXCHANGE
ET AL.

Posted Stockyards

Pursuant to the authority delegated under the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), on the respective dates specified below it was ascertained that the livestock markets named below were stockyards within the definition of that term con-

tained in section 302 of the Act, as amended (7 U.S.C. 202), and notice was given to the owners and to the public by posting notice at the stockyards as required by said section 302.

Name and location of stockyard, and date of posting

ARKANSAS

Pike County Livestock Exchange, Glenwood, Sept. 24, 1965.

KENTUCKY

Farmers Livestock Sales, Inc., Louisa, Sept. 23, 1965.

Hart County Livestock Market, Munfordville, Sept. 25, 1965.

Ratliff Stockyards, Mt. Sterling, Sept. 20, 1965.

LOUISIANA

Webster Livestock Commission Co., Minden, Sept. 28, 1965.

TENNESSEE

Gallatin Stockyards, Gallatin, Sept. 9, 1965.

Lewis Brothers Livestock & Commission Sales Co., Cleveland, Jan. 22, 1965.

TEXAS

East Texas Livestock Commission Co., Palestine, Sept. 13, 1965.

Done at Washington, D.C., this 6th day of October 1965.

J. R. BRANNIGAN,
*Acting Chief, Rates and Registrations Branch, Packers and
Stockyards Division, Consumer and Marketing Service.*

[F.R. Doc. 65-10913; Filed, Oct. 12, 1965; 8:51 a.m.]

Office of the Secretary

TEXAS

Designation of Areas for Emergency Loans

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

TEXAS

Lamar,
Waller.

Washington.

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after June 30, 1966, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 8th day of October 1965.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 65-10914; Filed, Oct. 12, 1965; 8:51 a.m.]

NORTH DAKOTA

Designation of Area for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named county in the State of North Dakota natural disasters have caused a

need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

NORTH DAKOTA
Wells

Pursuant to the authority set forth above, emergency loans will not be made in the above-named county after December 31, 1966, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 8th day of October 1965.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 65-10915; Filed, Oct. 12, 1965;
8:51 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. SA-385]

AIRCRAFT ACCIDENT AT MONTOURSVILLE, PA.

Notice of Hearing

In the matter of investigation of accident involving aircraft of U.S. registry N8415H, which occurred at Montoursville, Pa., on July 23, 1965.

Notice is hereby given that an accident investigation hearing on the above matter will be held commencing at 1 p.m. (local time) on Thursday, October 28, 1965, in the Pickwick Room of the Holiday Inn, Williamsport, Pa.

Dated this 6th day of October 1965.

[SEAL] RICHARD G. RODRIGUEZ,
Hearing Officer.

[F.R. Doc. 65-10880; Filed, Oct. 12, 1965;
8:48 a.m.]

[Docket No. 16349]

DOMESTIC SERVICE MAIL RATE INVESTIGATION

Notice of Prehearing Conference

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on November 4, 1965, at 10 a.m. e.d.s.t. in Room 911, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Examiner Ralph L. Wiser.

In order to facilitate the conduct of the conference interested parties are instructed to submit to the Examiner and other parties on or before October 29, 1965, (1) proposed statements of issues; (2) proposed stipulations; (3) requests for information; (4) statements of positions of parties; and (5) proposed procedural dates.

Dated at Washington, D.C., October 7, 1965

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 65-10881; Filed, Oct. 12, 1965;
8:48 a.m.]

CIVIL SERVICE COMMISSION

NURSE AND NURSE ANESTHETIST SERIES

Minimum Educational Requirements for Positions

In accordance with section 5 of the Veterans' Preference Act of 1944, as amended, the Civil Service Commission has decided that previously approved minimum educational requirements for positions in the Nurse Series, GS-610, and the Nurse Anesthetist Series, GS-605, should be superseded by revised requirements. Identification of the superseded requirements, the revised requirements, the duties of the positions, and the reasons for the Commission's decision that these requirements are necessary are set forth below.

THE NURSE SERIES, GS-610 (GRADE GS-4 AND ABOVE AND ALL SPECIALIZATIONS)

THE NURSE ANESTHETIST SERIES, GS-605 (GRADE GS-9 AND ABOVE AND ALL SPECIALIZATIONS)

Superseded requirements. The following material supersedes that previously appearing in 5 CFR 24.6 (published originally in 20 F.R. 9380, Dec. 15, 1955). The superseded material appeared in both places under the heading of "Graduate Nurse, GS-610 all grades; and Public Health Nurse GS-615-6/15 and Nursing Consultant GS-615-7/15." The superseded material covered Graduate Nurse, GS-610 all grades only. The minimum educational requirements established previously for Public Health Nurse, GS-615-6/15 and Nursing Consultant GS-615-7/15 are still in effect. Nurse Anesthetist positions, formerly classified in the Nurse Series, GS-610, are now classified in the new series, Nurse Anesthetist, GS-605, established by the new classification standard for such positions. This standard is a part of the June 1965 issuance of position classification standards.

Minimum educational requirements. For all grades of all positions in these two series, applicants must meet the requirements in A, B, C, or D below:

A. Graduation with a bachelor's or higher degree in nursing from a school of professional nursing, approved by the legally designated State accrediting agency at the time the program was completed by the candidate.

B. Graduation from a 3-year (at least 30 months) diploma program of professional nursing approved by the legally designated State accrediting agency at the time the program was completed by the candidate.

C. Graduation from an associate degree program or other program of at least 2 years in length, in a school of professional nursing approved by the legally designated State accrediting agency at the time the program was completed by the candidate.

D. Graduation from school of professional nursing (including foreign

schools), of at least 2 years in length other than one covered by A, B, or C above, provided that the professional nurse training and the nursing knowledge acquired therefrom are substantially comparable and equivalent to that of graduates of an approved school as described above. Such comparability must be evidenced through active, current registration as a professional nurse in a State, District of Columbia, the Commonwealth of Puerto Rico, or a territory of the United States. Candidates for positions in the Nurse Series, GS-610, which involve highly technical and scientific functional areas of professional nurse work must meet the requirements described in A above.

NOTE: The grade level for which professional nurses are qualified is identified in the Civil Service Commission qualification standard. For example, without experience or training in addition to the basic academic preparation, applicants may qualify as follows:

1. "Quality" graduate with Bachelor of Science in Nursing qualifies for GS-6.
2. Graduate with Bachelor of Science in Nursing qualifies for GS-5.
3. Graduate of 3-year (at least 30 months) diploma program qualifies for GS-5.
4. Graduate of associate degree program qualifies for GS-4. For higher levels of Nurse positions and for all Nurse Anesthetist positions, applicants must meet additional experience or educational requirements appropriate to the nature of the work and to the grade level.

Duties. Positions in the Nurse Series, GS-610, require a knowledge of professional nursing and the ability to apply the principles and practices of professional nursing. Many nurses are engaged in providing, supervising, or administering direct nursing care to patients in hospitals, clinics, or other medical care facilities, and in programs provided by management to deal with the health of employees in relation to their work.

A few nurse positions are engaged entirely or primarily with research on nursing problems, with the teaching or training function, or with advising on nursing programs. Research nurses perform, supervise, or consult on experimentation with and/or systematic search, inquiry, investigation or observation into procedures and functions of nursing in hospitals and clinics, into other nursing matters. Nurses engaged in the training or teaching function are concerned with administration, supervision, or instruction in a program of training student nurses, graduate nurses, practical nurses, or an inservice program of training for nurses and auxiliary nursing service employees. Nurses engaged in the consultative and advisory function furnish advisory services to nurses giving direct service to patients. Advisory service covers such phases of the field of nursing as program development and the quality of nursing care.

Nurse Anesthetist positions are engaged in the administration of anesthetic agents and supportive treatments to patients undergoing surgery or other medical procedures. In addition to a knowl-

edge of professional nursing, nurse anesthetists must have a good working knowledge of anatomy, physiology, chemistry, and pharmacology in relation to anesthesia for nurses and skill in and understanding of administration of anesthetic agents.

Reasons for the requirements. Nurses, Series GS-610, must have knowledge of the principles, practices, and techniques of professional nursing and skill in their application. These knowledges and skills are indispensable for providing, supervising, or administering direct nursing care to patients; for teaching nursing; for doing research in one or more phases of the field of nursing; or for giving consultative and advisory service on nursing. The only method by which the necessary knowledges, skills, and training may be acquired is through successful completion of a course of study in a school of professional nursing in which the student received classroom instruction in the principles, practices, and techniques of professional nursing. Approved programs also include supervised clinical practice. Both classroom and clinical practice instruction are provided by trained instructors who can give specific guidance and evaluate the progress of the training competently.

Nurse Anesthetists perform work which cannot be performed successfully without formalized professional training required for positions in the Nurse Series, GS-610. This professional education is basic to the requirement for further specialized education or experience appropriate to Nurse Anesthetist work.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
*Executive Assistant to
the Commissioners.*

[F.R. Doc. 65-10883; Filed, Oct. 12, 1965;
8:49 a.m.]

STUDENT NURSE, ST. ELIZABETH'S HOSPITAL

Revoked Minimum Educational Requirements

In accordance with section 5 of the Veterans' Preference Act of 1944, as amended, the Civil Service Commission has decided that previously approved minimum educational requirements for Student Nurse, St. Elizabeth's Hospital should be revoked. Identification of the revoked requirements and the reasons for the Commission's decision that these requirements should be revoked are set forth below:

STUDENT NURSE, ST. ELIZABETH'S HOSPITAL

Revoked requirements. The revoked material appeared in 5 CFR 24.5 (published originally in 20 F.R. 9380, Dec. 15, 1955). The revoked material appeared in both places under the heading of "Student Nurse, St. Elizabeth's Hospital," and covered applicants for enrollment in the school of nursing at St. Elizabeth's Hospital.

The item in its entirety is revoked.
Reasons for revoking requirements. The school of nursing at St. Elizabeth's Hospital no longer exists.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
*Executive Assistant to
the Commissioners.*

[F.R. Doc. 65-10884; Filed, Oct. 12, 1965;
8:49 a.m.]

FEDERAL AVIATION AGENCY

DIRECTOR, AIR TRAFFIC SERVICE

Delegation of Authority

Authority under Part 77 of the Federal Aviation Regulations (14 CFR Part 77) has been delegated to the Director, Air Traffic Service, (1) to decide, upon a petition initiated under § 77.37(a), whether a determination issued under § 77.19 or § 77.35, or a revision or an extension of the determination under § 77.39(c), should be reviewed, and also to decide the procedural basis upon which the review will be made; and (2) to affirm, revise, or reverse such a determination. Where a petition under § 77.37(a) precipitates a policy determination which the Director or the General Counsel concludes is of such a controversial nature that the matter should be considered by the Administrator, the Director will refer the petition, together with his recommendations and those of the General Counsel, to the Administrator for action. The general provisions of Subpart D, section 1 of the FAA Organization Statement (30 F.R. 3400) apply to these delegations except that the Director, Air Traffic Service, may not redelegate the authority conferred by these delegations.

This statement supersedes, effective upon publication, the notices of delegation dated July 20, 1965, and July 23, 1965 (30 F.R. 9499).

Issued in Washington, D.C., on October 7, 1965.

WILLIAM F. MCKEE,
Administrator.

[F.R. Doc. 65-10844; Filed, Oct. 12, 1965;
8:45 a.m.]

[OE Docket No. 65-WE-3]

STAR BROADCASTING, INC.

Affirmation of Determination of No Hazard to Air Navigation

The Federal Aviation Agency was notified by Form FAA-117 dated September 23, 1964, that Star Broadcasting, Inc., Portland, Ore., proposed to construct four antenna towers spaced 360.2 feet apart on a line bearing 102° True. The proposed towers would be located approximately 3.5 miles southeast of Portland International Airport and 4.5 miles west of Troutdale Airport at latitude 45°33'28" north, longitude 122°30'09" west. The overall height of the towers would be 296 feet above mean sea level (AMSL) (276 feet above ground).

On June 3, 1965, the Western Regional Office of the Federal Aviation Agency issued a determination in Aeronautical Study No. WE-OE-4204 pursuant to § 77.35 of the Federal Aviation Regulations (FAR) that the proposed structure would not be a hazard to air navigation. The determination was premised upon the disclosure in the aeronautical study that the structure would have no substantial adverse effect on aircraft operations in the Portland International Airport/Troutdale Airport area.

On July 2, 1965, Pacific Power and Light Co., Portland, Ore., submitted a petition for review of the determination pursuant to § 77.37, FAR (30 F.R. 9330).

The petition set forth the following issues:

1. The determination is erroneous since it did not reflect properly the effect of the proposed towers on aeronautical operations conducted between Portland International Airport and Troutdale Airport, and through Columbia River Gorge.

2. The determination is erroneous since an increase of 100 feet in the minimum operating altitude for the above flights would probably be required.

On August 9, 1965, the petition for review was granted on the basis of written materials (30 F.R. 10168) pursuant to § 77.37(c) (1) FAR.

Besides the material already available, the review included information submitted in reply to the notice of grant of review, discussions with the construction sponsor, petitioner, local pilots, and other interested persons. In addition, a survey flight was conducted over the area between Portland International and Troutdale Airports including the Columbia River Gorge.

In the determination of no hazard to air navigation issued by the Region, it was determined that the towers would be located well outside of all airport traffic patterns; would not affect instrument flight rules operations procedures, or minimum altitudes; and would have no effect on visual flight rules operations at the Portland International and Troutdale Airports.

The Aircraft Owners and Pilots Association (AOPA) alone submitted comments in objection to the proposed structures. AOPA found the structures would be located close to a railroad, an interstate highway, and a river, providing visual en route guidance to traffic in the area. No information was submitted or developed during the course of the review to indicate that flight is conducted at an altitude which would be effected adversely by the towers.

The flight survey and discussions with local pilots established that flight is not and would not be conducted between Portland International Airport and Troutdale Airport below 500 feet or through the Columbia River Gorge below 700 feet. Generally, a higher minimum altitude is maintained.

It was noted during the survey that the area between the two airports contained major highways, private homes, a public park, industrial and commercial

establishments and bathing beaches. It was also noted that there are two towers 318 feet AMSL north of the Troutdale Airport and under the airport traffic pattern. These towers and populated areas would be the primary factors governing the minimum altitude pilots would maintain between Portland International Airport and Troutdale Airport.

Based on the review, it is concluded that the determination, issued by the Agency's Western Region in Aeronautical Study No. WE-OE-4204, reflected properly the effect the proposed towers would have on aeronautical operations between Portland International Airport and Troutdale Airport, and through the Columbia River Gorge. It is further concluded that current flight altitudes are of such height that no change would be required should the towers be constructed.

Therefore, pursuant to the authority delegated to me by the Administrator (30 F.R. 9499), the determination of no hazard to air navigation issued by the Agency's Western Regional Office in Aeronautical Study No. WE-OE-4204 is affirmed. Accordingly, the determination is final as of this date.

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

ARCHIE W. LEAGUE,
Director, Air Traffic Service.

[F.R. Doc. 65-10845; Filed, Oct. 12, 1965; 8:45 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 16072; FCC 65M-1308]

AMERICAN TELEPHONE AND TELEGRAPH CO.

Order Continuing Hearing

In the matter of American Telephone and Telegraph Co., Docket No. 16072; revision of definition of service point in connection with private line services and channels (20th revised page 18, American Telephone and Telegraph Co. Tariff FCC No. 134).

On the unopposed oral request of counsel for A.T. & T., to obtain additional time to furnish requested information: *It is ordered*, This 7th day of October 1965, that present procedural dates are further extended as follows:

Furnishing of written case:

By A.T. & T.—From November 1, 1965 to January 17, 1966.

By AP and GSA from November 10, 1965 to January 26, 1966.

Hearing: From November 23, 1965 to February 7, 1966.

Released: October 8, 1965.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-10901; Filed, Oct. 12, 1965; 8:50 a.m.]

[Docket No. 15806; FCC 65M-1309]

BOCA BROADCASTERS

Order Continuing Hearing

In re application of Boca Broadcasters, Inc., Pompano Beach, Fla., Docket No. 15806, File No. BPH-4605; for a construction permit.

On the Hearing Examiner's own motion: *It is ordered*, This 8th day of October 1965, that a further conference in the above-entitled matter be and the same is hereby scheduled for October 12, 1965, at 9 a.m., in the Offices of the Commission, Washington, D.C.; and, that the hearing presently scheduled for October 11, 1965, is hereby continued to a date to be set at the aforesaid conference.

Released: October 8, 1965.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-10902; Filed, Oct. 12, 1965; 8:50 a.m.]

[Docket Nos. 16033, 16034; FCC 65R-369]

EASTERN LONG ISLAND BROADCASTERS, INC., AND REUNION BROADCASTING CORP.

Order Amending Issues

In re applications of Eastern Long Island Broadcasters, Inc., Sag Harbor, N.Y., Docket No. 16033, File No. BPH-4321; Reunion Broadcasting Corp., East Hampton, N.Y., Docket No. 16034, File No. BPH-4460; for construction permits.

The Review Board having under consideration a motion to further enlarge issues, filed on August 31, 1965, by Reunion Broadcasting Corp. (Reunion), and the Broadcast Bureau's comments on motion to further enlarge issues, filed on September 10, 1965; ¹

It appearing, That Reunion requests enlargement of issues to determine the character qualifications of one Fitzgerald C. Smith, the majority stockholder and president of Eastern Long Island Broadcasters, Inc. (Eastern); and

It further appearing, That the Review Board has enlarged issues to inquire into the character qualifications of Fitzgerald C. Smith in another proceeding (Southington Broadcasters, FCC 65R-290, released Aug. 4, 1965) and that no opposition has been filed by Eastern to the instant motion to enlarge issues;

¹ The Broadcast Bureau opposes the motion to further enlarge issues and refers to its comments on Reunion's petition to enlarge issues, filed July 16, 1965, wherein the Bureau suggested a consolidation for the purpose of hearing the character issue in Southington Broadcasters, Docket No. 15871; and that the determination therein be considered in the above-captioned proceeding. The granting of such a consolidation is beyond the present scope of the delegations to the Review Board (see secs. 0.361 and 0.365 of the Commission's rules); however, we note that a motion requesting such action was filed by Reunion with the Commission on Aug. 31, 1965.

It is ordered, This 5th day of October 1965, That the motion to further enlarge issues, filed on August 31, 1965, by Reunion Broadcasting Corp., is granted; and that the issues are enlarged by the addition of the following issue:

To determine, should it be found in the proceeding for a new standard broadcast station in Southington, Conn. (Fitzgerald C. Smith, trading as Southington Broadcasters, Docket No. 15871) that Fitzgerald C. Smith does not possess the requisite character qualifications to be a licensee of the Commission, whether Eastern Long Island Broadcasters, Inc., possesses the requisite qualifications to be a licensee of the Commission.²

Released: October 7, 1965.

FEDERAL COMMUNICATIONS
COMMISSION,³

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-10903; Filed, Oct. 12, 1965; 8:50 a.m.]

[Docket Nos. 16209, 16210; FCC 65M-1304]

ELYRIA-LORAIN BROADCASTING CO. ET AL.

Order Scheduling Prehearing Conference

In re applications of Elyria-Lorain Broadcasting Co., Docket No. 16209, File Nos. BR-2173, BRH-571, for renewal of licenses of Stations WEOL AM and FM, Elyria, Ohio; and Loren M. Berry Foundation (transferor), and The Lorain County Printing and Publishing Co. (transferee), Docket No. 16210, File No. BTC-4707; for transfer of control of Elyria-Lorain Broadcasting Co.

Upon verbal request of counsel for the Broadcast Bureau: *It is ordered*, This 8th day of October 1965, that the prehearing conference now scheduled for October 22, 1965, be and the same is hereby rescheduled for October 26, 1965, 9 a.m., in the Commission's Offices, Washington, D.C.

Released: October 7, 1965.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-10904; Filed, Oct. 12, 1965; 8:50 a.m.]

[Docket Nos. 16116-16118; FCC 65M-1307]

HUNTINGDON BROADCASTERS, INC., ET AL.

Order Following Prehearing Conference

In re applications of Huntingdon Broadcasters, Inc., Huntingdon, Pa., Docket No. 16116, File No. BPH-4394; WDAD, Inc., Indiana, Pa., Docket No. 16117, File No. BPH-4415; Clearfield Broadcasters, Inc., Clearfield, Pa., Dock-

² This Order is similar to the Order adopted by the Board in the Lebanon, Pa., AM broadcast proceeding (Docket Nos. 15835 et al.), Lebanon Valley Radio, FCC 65R-340, released Sept. 15, 1965.

³ Board Member Nelson not participating.

et No. 16118, File No. BPH-4416; for construction permits.

It appearing, that agreements on certain procedural dates reached at the Prehearing Conference held this day should properly be formalized and publicized by issuance of an order:

Accordingly, it is ordered, This 7th day of October 1965, that:

(1) A Further Prehearing Conference will be held on November 4, 1965, at 9 a.m., in the offices of the Commission at Washington, D.C.

(2) The hearing heretofore scheduled to commence on November 4, 1965, is postponed to December 14, 1965, at 10 a.m., in the offices of the Commission at Washington, D.C.

Released: October 8, 1965.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-10905; Filed, Oct. 12, 1965;
8:50 a.m.]

[Docket No. 15450; FCC 65E-370]

MIDWEST TELEVISION, INC.

Memorandum Opinion and Order Amending Issues

In re application of Midwest Television, Inc., Springfield, Ill., Docket No. 15450, File No. BPCT-2846; for construction permit for new television broadcast station.

1. The Review Board has before it for consideration a motion to modify issue, filed by Midwest Television, Inc. (Midwest) on May 14, 1965.¹

2. This proceeding involves the application of Midwest for a construction permit for a new UHF television broadcast station on channel 49, in Springfield, Ill.² Midwest is the licensee of television broadcast station WCIA in Champaign, Ill., and station WMBD-TV in Peoria, Ill. Midwest admits, in its opposition filed August 5, 1964, to a previously filed pleading,³ that 78 percent of the total population and 65 percent of the area within the calculated Grade B contour of the proposed Springfield station will be

¹The Review Board also has before it the following pleadings: (1) opposition to motion to modify issue, filed June 28, 1965, by Plains Television Corp.; (2) Broadcast Bureau's comments on motion to modify issue, filed June 28, 1965; and (3) reply of Midwest Television, Inc., filed July 12, 1965.

²The Commission adopted a revised Table of Assignments for UHF television broadcast channels (Docket No. 14229, FCC 65-544) and changed the Springfield, Ill., channel assignment so as to replace channels 26 and 36 with channels 49 and 55. Midwest filed a motion for leave to amend its application, on July 29, 1965, to specify channel 49 in lieu of channel 26, which was granted by Order, FCC 65M-1079, released Aug. 19, 1965; the coverage contours will not be affected by this change.

³In paragraph 8 of the subject pleading, Midwest incorporates its Aug. 5, 1964, Opposition to Petition to Dismiss and Statement of Position and Contingent Request for Alternative Relief.

encompassed by the Grade B contour of station WCIA and 8 percent of the total population and 21 percent of the total area within the proposed Grade B contour of the Springfield station will be encompassed by the Grade B contour of station WMBD-TV.

3. The Commission, by Order, FCC 64-387, released May 4, 1964, designated Midwest's application with the since-dismissed mutually exclusive application of Springfield Telecasting Co. (BPCT-2838) for a hearing in a consolidated proceeding. Included among the several issues is Issue No. 2 which seeks a determination " * * * whether a grant of the Midwest application would be consistent with the provisions of § 73.636 of the Commission's rules with regard to 'duopoly' and concentration of control." At the time the Commission's designation Order was released, § 73.636(a) was worded as follows:

No license for a television broadcast station shall be granted to any party (including all parties under common control) if: (1) Such party directly or indirectly owns, operates, or controls another television broadcast station which serves substantially the same area * * *.

4. On June 9, 1964, the Commission released a Report and Order, FCC 64-445, 2 R.R. 2d 1588, revising § 73.636(a) (1) of the rules to provide that:

No license for a television broadcast station shall be granted to any party (including all parties under common control) if: (1) Such party directly or indirectly owns, operates, or controls one or more television broadcast stations and the grant of such license will result in overlap of the Grade B contours of the existing and proposed stations, computed in accordance with § 73.684.

The Commission in Note 4 to § 73.636(a) (1) provided that television stations which are "primarily satellite operations" shall be exempt from the Grade B contour overlap prohibitions and will be considered on a case-by-case basis to determine whether such overlap exists with a commonly owned, operated, or controlled station as to be against the public interest. Whether or not a particular station which does not present a substantial amount of locally originated programming is primarily a satellite operation will be determined on the facts of the particular case. The amended rule is to be applied to pending applications in hearing as well as to new applications. Nonconforming applications not amended to achieve compliance were to be dismissed when the new rules became effective on July 15, 1964. See the Commission's Memorandum Opinion and Order, FCC 64-904, 3 R.R. 2d 1554.

5. Midwest, in view of the overlap involved, requests in the present motion a modification of Issue No. 2, supra, to include a waiver clause with regard to Rule 73.636. The Broadcast Bureau and Plains Television Corp. (Plains), licensee of station WICS-TV, in Springfield, Ill., an intervenor in this proceeding, oppose the motion.

6. In support of its motion, Midwest contends that Springfield, Ill., with a

population of 150,000 persons within the metropolitan area, is not a separate television market but part of the Springfield-Decatur-Champaign-Danville television market. Furthermore, because of its geographical location, the low population density, and the existence of other stations providing both local and network services, Midwest maintains that the area is not economically viable and cannot support a second local television station. These allegations are based on economic data attached to the instant motion. In order to utilize channel 49 and prevent it from lying fallow, Midwest asserts that the limited type of operation proposed in its application must be employed. Specifically, the operation proposed is claimed to be primarily a satellite as the locally originated programming will account for 190 minutes or 2.67 percent of the total 118 hours of weekly broadcasting and the balance of the proposed programming will be rebroadcast from Midwest's commonly owned WCIA station.⁴ Midwest argues that even a station which proposed no live programming would probably have an operating loss. However, it is willing to assume such an operating loss as the expense for an opportunity which a Springfield station would provide in the origination of news and public affairs programs for use on WCIA-TV and WMBD-TV, thereby improving its overall programming in central Illinois.

7. Midwest refers to Tr. 99-100 wherein in the Examiner agreed with counsel for Midwest that the scope of Issue No. 2, supra, would encompass a showing of the extent and nature of the contour overlap; and whether Midwest's proposed station is primarily a satellite operation and whether the overlap is contrary to the public interest. Furthermore, Midwest could present evidence as to why the satellite form of operation is appropriate for Springfield. It is argued by Midwest that the evidence to be adduced under the scope of Issue No. 2 is the same as that which would be presented if a waiver clause is added. However, Midwest requests a waiver clause in the event that its proposed operation is found not to be primarily a satellite operation and therefore excepted from the amended overlap rule.

8. The Broadcast Bureau opposes the inclusion of a waiver clause on the basis that Midwest has not set forth substantial and material facts sufficient to support a threshold showing that a waiver be granted. Cited are Dover Broadcasting Co., Inc., FCC 65-404, released May 13, 1965; United States v. Storer Broadcasting Co., 351 U.S. 192 (1956); and

⁴It cannot be determined from Midwest's application (Sec. IV-B) which programs will be locally originated in Springfield since it has termed live programs originating in its station WCIA as live sustaining and apparently included these in the overall percentage for live sustaining. See Exhibit No. 16 which offers an explanation. In Midwest's opposition to Springfield's motion to dismiss, it asserted that only 2.67 percent of the programming will be locally originated in Springfield; however, this cannot be verified from the application.

American Colonial Broadcasting Corp., FCC 64R-494, released October 2, 1964. The Bureau also asserts that a compelling public interest to grant a waiver cannot be shown by Midwest as Springfield has an operating local station and the satellite exception was not intended to apply to such a situation. John S. Thompson, et al., FCC 65-429, released May 24, 1965, is cited.

9. Plains and the Bureau contend that Midwest's present motion was not timely filed pursuant to § 1.229 of the Commission's rules and that good cause for the delay has not been shown. The motion to seek a waiver clause was filed almost 1 year after the revision of § 73.636, and even if Midwest's petition for reconsideration of the revised rules were considered good cause for delay, the Commission disposed of the petition on October 15, 1964, leaving a 6-month period before the motion was filed. The fact that Midwest raised the request for a waiver clause in a "Statement to the Hearing Examiner", filed on July 15, 1964, and again raised the same request in its opposition to Springfield's petition to dismiss, filed with the Examiner on August 5, 1964, is considered by the Bureau as procedurally incorrect and never properly before the Review Board for decision. Midwest recognizes, in its reply, that its request for a waiver clause may not have been procedurally correct but urges that substance should be put before form and its motion considered by the Board.

10. The procedural question of whether Midwest's present motion is timely filed or good cause exists for delay must be resolved before reaching the merits of the present motion. The request for a waiver issue made by Midwest in its statement to the Hearing Examiner, supra, and in its opposition pleading to Springfield's petition to dismiss should have been directed to the Review Board for consideration as required by § 1.291(a)(2). It is also clear, in view of § 1.229, that a request to enlarge an issue should not be contained in an opposition pleading but in a separate petition to enlarge issues. See Milam & Lansman, FCC 64R-561, 4 RR 2d 463, and Saul Miller, FCC 62R-122, 24 RR 550. Moreover, the time delay is nowhere satisfactorily explained. However, due to the importance of the present problem which stems from the revised rules we will consider the merits of Midwest's request on our own motion.

11. The Commission's Report and Order (FCC 64-445, 2 RR 2d 1588 (1964)) stated that basic considerations in adopting the new rules were " * * * to promote maximum diversification of program and service viewpoints and to prevent undue concentration of economic power contrary to the public interest." In adopting the fixed standard, the Commission stated that " * * * with full recognition of the responsibilities that accompany the exercise of discretion, we have concluded that our present ad hoc approach to duopoly problems should be abandoned and that an attempt must be made to particularize our conception of the public interest through the adoption

of a fixed overlap rule." The restrictive standard of prohibiting a Grade B overlap for television was intended to " * * * have the effect of limiting future ownership to a maximum of two stations in most states and, thus, will act indirectly to curb regional concentration of ownership as well as ownership itself."

12. However, the adoption of a fixed overlap rule did not mean that all flexibility was lost. As the Commission stated in its Memorandum Opinion and Order, FCC 64-904, 3 RR 2d 1554, " * * * a request for waiver of the new rule which showed on its face that application of the rule would be inappropriate would be entitled to a hearing. * * * However, only requests " * * * which set forth reasons, sufficient, if true, to justify a waiver need be accorded such treatment."

13. It is clear, therefore, that the Commission's objectives in enacting the fixed overlap rule (such as diversity of programming and a prevention of concentration of control) must be offset by a compelling public need which shows that the application of the rule would be inappropriate and a waiver warranted. Midwest's allegations, even if true, fail to meet the burden of such a threshold showing. That Springfield is presently served by two UHF stations, one of which is local, and a VHF station is unquestioned. Midwest's proposed station would provide a stronger signal to Springfield than does WCIA at present, but its programming is admittedly duplicative of WCIA's to a large extent. The allegation that Channel 49 would not be utilized otherwise is general and conclusionary and others, who do not violate the Grade B overlap rules, may be willing to assume the alleged financial risk.

14. In view of the foregoing and considering the substantial overlap between the proposed Springfield station's and WCIA's Grade B contours (encompassing 78 percent of the total population and 65 percent of the total area within the estimated Grade B contour of the Springfield station) it cannot be said that Midwest has made a showing sufficient to warrant the addition of the waiver issue.

15. Midwest, in order to avoid a denial of its application as not being in conformity to § 73.636, must show at the hearing that the operation proposed is primarily a satellite within the meaning of Note 4 to § 73.636(a)(1) of the Commission's rules. If it makes such a showing, it must also establish that the public interest would be served by assigning the channel for a satellite operation in the face of the fact that Springfield has a local operating "independent" television station. John S. Thompson, et al., supra. Since Midwest's application was designated for hearing prior to the revision of § 73.636(a)(1) of the rules, it is appropriate to clarify the issues in this proceeding on the Review Board's own motion.

16. Midwest further contends that the use of the F(50,50) field intensity chart in Figure 9 of § 73.699, required by the amended overlap rules, is inappropriate in calculating UHF contours because the

field strengths indicated are too optimistic for UHF service. It urges that "Appendix A" curves would give a more realistic contour and, if employed, would demonstrate that no overlap exists between the proposed Springfield station and WMBD-TV and substantially less overlap between WCIA and the proposed station (no percentages are given).⁶ In reference to Midwest's request that UHF contours be calculated by use of "Appendix A" curves, the Examiner said: (Tr. 131) "If you endeavor to make a different showing from the one formerly authorized, I will have to decide whether I am going to receive this in evidence or whether I am going to require that you go to the Review Board or whether I am going to certify the question on my own motion to the Review Board as to whether I should entertain any different showing."

17. In regard to the method of computing UHF Grade B contours the Commission in its Memorandum Opinion and Order, FCC 64-904, supra, stated, "We adhere to our original decision to use Figure 9 in calculating UHF Grade B contours for the purpose of the overlap rules pending the adoption of new curves * * *. However, as a matter of policy, in the meantime individual cases in which the applicant can show that it is in the public interest to use different criteria will be dealt with on an ad hoc basis." However, the initial determination of whether a different method of computation, than that presently required by the Rules, would be appropriate lies with the Examiner.

Accordingly, it is ordered, This 7th day of October 1965, That the "motion to modify issue" filed by Midwest Television, Inc. on May 14, 1965, is denied; and, on the Board's own motion, that Issue 2 in this proceeding is revised to read as follows:

2. To determine whether Midwest Television, Inc. proposes primarily a satellite operation within the meaning of Note 4 to § 73.636(a)(1) of the Commission's rules, and whether a satellite form of operation would be in the public interest.

Released: October 8, 1965.

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

[P.R. Doc. 65-10906; Filed, Oct. 12, 1965;
8:50 a.m.]

[Docket No. 16203; FCC 65M-1806]

JOHN R. MUISE

Order Advancing Date of Hearing

In the matter of application for a radiotelephone second class operator li-

⁶ Rescinded "Appendix A" curves. Docket No. 11532, T.R.R. Report No. 2, 14-16, 13 RR 1571, 1588.

⁷ The Commission in a Notice of Proposed Rule-Making, FCC 65-383, Docket No. 18004, released May 10, 1965, proposed to revise the method of calculating field strength curves.

license filed by John Ronald Muise, also known as Ron Walker, 6812 West Kinnickinnic, Milwaukee, Wis., and the suspension of his restricted radiotelephone operator permit, Docket No. 16203.

It is ordered, This 7th day of October 1965, that the place of hearing in the above-entitled proceeding is changed from Washington, D.C., to Milwaukee, Wis.; and that the said hearing shall commence on October 27, 1965, in lieu of October 25, 1965, as heretofore prescribed.

Released: October 8, 1965.

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

[F.R. Doc. 65-10907; Filed, Oct. 12, 1965;
8:51 a.m.]

[Docket No. 16213; FCC 65M-1301]

STAR BROADCASTING, INC.

Order Scheduling Hearing

In the matter of cease and desist order to be directed against Star Broadcasting, Inc., licensee of broadcast station KISN, Vancouver, Wash., Docket No. 16213.

It is ordered, This 6th day of October 1965, that James D. Cunningham shall serve as presiding officer in the above-entitled proceeding; and that the hearing therein shall be convened in Vancouver, Wash., on November 17, 1965.

Released: October 7, 1965.

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

[F.R. Doc. 65-10908; Filed, Oct. 12, 1965;
8:51 a.m.]

FEDERAL MARITIME COMMISSION

INDEPENDENT OCEAN FREIGHT FORWARDER APPLICATIONS

Notice of Revisions

Notice is hereby given of the cancellation of the following independent ocean freight forwarder licenses.

Olympic Shipping Co., Inc., 24 Stone Street, New York, N.Y.; License No. 535, canceled Sept. 1, 1965.

Export Packing & Crating Co., Inc., First Avenue and 51st Street, Brooklyn, N.Y.; License No. 573, canceled Sept. 20, 1965.

John H. Faunce, New York, Inc., 26 Broadway, New York, N.Y.; License No. 919, canceled Sept. 24, 1965.

Notice is hereby given of changes in the following applications for independent ocean freight forwarder licenses filed pursuant to section 44, Shipping Act, 1916 (75 Stat. 522 and 46 U.S.C. 841(b)).

GRANDFATHER APPLICANTS

Thomas A. Corcoran, 377 West Street, New York, N.Y.; Application No. 380, denied Sept. 15, 1965.

Notice is hereby given that the following applicants have filed with the Fed-

eral Maritime Commission, applications for licenses as independent ocean freight forwarders, pursuant to section 44(a) of the Shipping Act, 1916 (75 Stat. 522 and 46 U.S.C. 841(b)).

Persons knowing of any reason why any of the following applicants should not receive a license are requested to communicate with the Director, Bureau of Domestic Regulation, Federal Maritime Commission, Washington, D.C., 20573. Protests received within 60 days from the date of publication of this notice in the FEDERAL REGISTER will be considered.

Bryon Forwarding Co. (A. L. Byron, d.b.a.), 3410 Turner Drive, Houston, Tex.; A. L. Bryon, proprietor.

Narovi Shipping Corp. (Nashipco), 808 Northeast Second Avenue, Eagle Building, Suites 1 through 3, Miami, Fla.; F. A. Rovirosa, president; J. F. Ledo, vice president; Dave Madaula, Secretary.

Notice is hereby given of changes in the following independent ocean freight forwarder licenses.

ADDRESS CHANGE

Cobal International, Inc., 30 Church Street, Room 732, New York, N.Y.; License No. 196.

CHANGE OF NAME

San Diego Traffic Services to San Diego International Services, 608 10th Avenue Terminal, Post Office Box 948, San Diego, Calif.; License No. 668.

Black & Geddes (Elizabeth M. Hegarty, d.b.a.) to Black & Geddes (Louis F. Gallina, d.b.a.), 11 Broadway, New York, N.Y.; License No. 358.

John H. Faunce, Philadelphia, Inc., to John H. Faunce, Inc., 721 Chestnut Street, Philadelphia, Pa.; License No. 712.

GRANDFATHERS LICENSED

September 1965

Comparato Air Cargo Express (a division of Comparato Enterprises Ltd.), 301 East 34th Street, New York, N.Y.; License No. 248, issued Sept. 28, 1965.

LATE AND NON LICENSED

September 1965

Speed-Freight, Inc., 24-26 East 13th Street, New York, N.Y.; License No. 1092, issued Sept. 15, 1965.

Hermann Ludwig of America, Inc., 233 Broadway, New York, N.Y.; License No. 1094, issued Sept. 30, 1965.

Dated: October 7, 1965.

THOMAS LISI,
Secretary.

[F.R. Doc. 65-10889; Filed, Oct. 12, 1965;
8:49 a.m.]

LYKES BROS. STEAMSHIP CO., INC., AND THOS. & JAS. HARRISON (HARRISON LINE)

Notice of Agreement Filed for Approval

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

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 301; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 10 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter), and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. W. J. Amoss, Jr.
Vice President—Traffic
Lykes Bros. Steamship Co., Inc.
Post Office Box 53068
New Orleans, La.

Agreement No. 7616-2 between Lykes Bros. Steamship Co., Inc., and Thos. & Jas. Harrison (Harrison Line) modifies Agreement No. 7616, as amended, by providing suspension of the Agreement effective May 31, 1965, through February 28, 1966. This amendment, if approved, will automatically terminate and will be deleted from the agreement on and after March 1, 1966, unless subsequently extended by the parties with Commission approval. Agreement 7616, as amended, presently provides for the apportionment of sailings and the pooling and apportionment of revenue derived from traffic moving in the trade from U.S. Gulf ports to United Kingdom ports.

Dated: October 8, 1965.

By order of the Federal Maritime
Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 65-10890; Filed, Oct. 12, 1965;
8:49 a.m.]

SOUTH AND EAST AFRICA RATE AGREEMENT

Notice of Agreement Filed for Approval

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

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 301; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 10 days after publication of this notice

in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter), and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. Elmer C. Maddy
Kirlin, Campbell & Keating
One Twenty Broadway
New York, N.Y. 10005

Agreement 8054-4, between the parties to the South and East Africa Rate Agreement, will, concurrently with the approval of Agreement 9502, noticed in the FEDERAL REGISTER of September 29, 1965, delete the outbound trade from U.S. Atlantic and Gulf ports to the specified South and East African ports. The modified trade of Agreement 8054 will then be from various ports in Southwest, South and East Africa, including the Islands in the Indian Ocean (Reunion, Mauritius, the Comores and Seychelles and Madagascar) and the Islands of Ascension and St. Helena to U.S. Atlantic and Gulf ports, under terms and conditions set forth in the agreement.

Dated: October 7, 1965.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 65-10891; Filed, Oct. 12, 1965;
8:49 a.m.]

FEDERAL POWER COMMISSION

[Project No. 2541]

CASCADE POWER CO.

Notice of Application for License for Constructed Project

OCTOBER 5, 1965.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a-825r) by Cascade Power Co. (correspondence to: Mr. C. W. Pickelsimer, Jr., Post Office Box 348, Brevard, N.C., 28712) for license for constructed Project No. 2541, located on Little River in the County of Transylvania, near the Town of Brevard, N.C.

The unnamed existing project consists of: (1) A concrete dam 300 feet long and 80 feet high; (2) a reservoir of approximately 100 acres; (3) a 5-foot diameter penstock consisting of a wooden section 1,000 feet long and a steel section 125 feet long; (4) a surge tank 8 feet in diameter and 30 feet high; (5) a brick powerhouse containing generators having an estimated capacity of 825 kw; and (6) a substation located adjacent to powerhouse.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is November 19, 1965. The application is on file

with the Commission for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 65-10846; Filed, Oct. 12, 1965;
8:45 a.m.]

[Docket No. CP62-154]

EL PASO NATURAL GAS CO.

Notice of Petition To Amend

OCTOBER 5, 1965.

Take notice that on September 27, 1965, El Paso Natural Gas Co. (Petitioner), Post Office Box 1492, El Paso, Tex., 79999, filed in Docket No. CP62-154 a petition to amend the order of the Commission issued in said docket October 17, 1962 (28 FPC 614) which order authorized Petitioner to sell and deliver on an interruptible, best efforts basis, under its Rate Schedule G-X-2, FPC Gas Tariff, Original Volume No. 1, during the calendar year 1962, up to 25,700,000 Mcf of natural gas (at 14.9 p.s.i.a.) to Southern California Gas Co. and Southern Counties Gas Co. of California (jointly Southern) for resale by Southern in its southern California market area. By the instant filing Petitioner seeks amendment of said order pursuant to a service agreement between Petitioner and Southern dated September 1, 1965, providing for extended service to Southern, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

Petitioner states that service to Southern under Rate Schedule G-X-2 during portions of 1963 and portions of 1964 through April 30, 1964, was authorized to be continued by successive temporary certificates and service to Southern under Rate Schedule G-X-2 for a period continuing through December 31, 1965, was authorized to be continued by order issued on August 31, 1964 (32 FPC 674).

The petition states that as evidenced by Southern's letter dated August 11, 1965, Southern has again requested extension of G-X-2 service for the calendar year 1966, and Petitioner seeks amendment of the said order of October 17, 1962, necessary to make such service available to Southern.

Under the aforementioned service agreement between the parties dated September 1, 1965, the desired extension of service under Rate Schedule G-X-2 is proposed to be rendered by means of existing facilities and upon terms and conditions identical to those applicable to the G-X-2 service last certificated for the 16-month period terminating December 31, 1965.

Protest or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10) on or before October 28, 1965.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 65-10847; Filed, Oct. 12, 1965;
8:46 a.m.]

[Docket No. G-8932]

EL PASO NATURAL GAS CO.

Notice of Petition To Amend

OCTOBER 5, 1965.

Take notice that on September 27, 1965, El Paso Natural Gas Co. (Petitioner), Post Office Box 1492, El Paso, Tex., 79999, filed in Docket No. G-8932 a petition to amend the order of the Commission issued in said docket November 25, 1955 (14 FPC 157), as amended by order issued October 26, 1956 (16 FPC 1094) which order authorized Pacific Northwest Pipeline Corp. (Pacific), Petitioner's predecessor in the instant matter, to import up to 303,462 Mcf of natural gas per day at a point on the International Boundary near Sumas, Wash. By the instant filing, Petitioner requests an amendment of the aforementioned order so as to authorize importation at the Sumas import point of up to 50,575 Mcf of natural gas per day in addition to the presently authorized quantity of 303,462 Mcf for a limited term commencing upon receipt of such amendment and continuing through April 30, 1966, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

Petitioner states that the quantity of natural gas presently imported under the authority granted in Docket No. G-8932 originates and is purchased by Westcoast Transmission Co. Ltd. (Westcoast) in fields situated in the Provinces of Alberta and British Columbia, Canada, and that following such purchase, Westcoast transports, sells and delivers such gas to Petitioner at the Sumas import point on a firm basis under an Agreement dated December 11, 1954.

By a Permit issued pursuant to Executive Order No. 10485 on November 25, 1955, in Docket No. G-8933 (14 FPC 157) Pacific was authorized to construct, operate and maintain facilities on the international boundary at the Sumas import point and to connect such facilities with other facilities of Pacific and facilities of Westcoast. As so authorized, such facilities are utilized for the importation of gas purchased and received by Petitioner from Westcoast under authority of the said order issued November 25, 1955, in Docket No. G-8932.

The additional quantity of 50,575 Mcf is proposed to be purchased from Westcoast on an interruptible basis pursuant to an Agreement between the parties dated September 20, 1965. Petitioner states that in accordance with this agreement such gas as it may request and Westcoast may have available, up to 50,575 Mcf per day, would be delivered at the Sumas import point together with the authorized firm quantity of 303,462 Mcf. The rate for the interruptible quantity is stated by Petitioner to be 28.0 cents per Mcf (at 14.9 p.s.i.a.).

Petitioner states that the import facilities installed at the Sumas point under authority granted in Docket No. G-8933 are adequate, without modification or enlargement, to accommodate importation of the proposed additional quantity of natural gas and no modification or

enlargement of Petitioner's facilities situated in the United States would be required to utilize such gas as may be imported under the amended authorization sought.

The petition states that a grant of the amended authorization would, to the extent required by demand and climatic factors and facility limitations, provide Petitioner with an additional supply of natural gas during the forthcoming heating season for satisfaction of natural gas requirements served by its system, particularly those served in the States of Washington, Oregon, and Idaho.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before October 28, 1965.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 65-10848; Filed, Oct. 12, 1965;
8:46 a.m.]

[Docket No. RP65-50]

NATURAL GAS PIPELINE CO. OF AMERICA

Notice of Proposed Settlement

OCTOBER 5, 1965.

Take notice that Natural Gas Pipeline Co. of America (Natural), on September 29, 1965, submitted for approval by the Commission a proposed settlement agreement with respect to its rates and charges, including the treatment of supplier refunds and liberalized depreciation.

Subject to the conditions set forth in that agreement, Natural proposes to file revised tariff sheets reducing the demand charges of its two part rates by 13 cents per Mcf and reducing the straightline General Service rates by approximately 0.85 cent per Mcf. Natural requests waiver of the Commission's Regulations so that the proposed tariff sheets may become effective January 1, 1966, and states that the proposed rate reductions will result in a decrease in revenues of approximately \$3,500,000 annually, based on estimated billing units for the year 1966. In addition, Natural will refund \$527,018, representing amounts collected prior to January 1, 1965, relating to the invalidated Texas Dedicated Reserve Tax, and its obligations regarding refunds and rate reductions with respect to that invalidated tax would thereby be satisfied and terminated. The agreement also provides for flow-through of refunds from suppliers, and for refunds and rate reductions, under the conditions specified, relating to liberalized depreciation and accumulated deferred tax balances.

Comments or protests concerning the proposed settlement may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.10) on or before October 19, 1965.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 65-10849; Filed, Oct. 12, 1965;
8:46 a.m.]

[Docket No. CP65-119]

UNITED GAS PIPE LINE CO.

Notice of Petition To Amend

OCTOBER 5, 1965.

Take notice that on September 29, 1965, United Gas Pipe Line Co. (Petitioner), 1525 Fairfield Avenue, Shreveport, La., filed in Docket No. CP65-119 a petition to amend the order of the Commission issued in said docket January 5, 1965, by requesting authorization to expend the sum of \$2,000,000 during the calendar year 1965, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

The aforementioned order issued in Docket No. CP65-119 authorized Petitioner during the 3 years commencing January 1, 1965, to construct and operate natural gas pipeline facilities and compression facilities for the testing and development of underground reservoirs for the storage of natural gas located near the route of Petitioner's pipeline system. The total expenditure for the 3-year period was limited to \$3,000,000 with not more than \$1,000,000 to be spent for any 1-year period.

In support of the proposed amendment Applicant states that it has been actively engaged in making studies and acquiring rights and options in connection with a proposed underground storage project to be known as the Bistineau Gas Storage Field, Bossier and Bienville Parishes, La. Applicant further states that numerous options which have been obtained must be exercised prior to January 1, 1966, and it appears that in the exercise of such options the amount of money expended under its present authorization would exceed the sum of \$1,000,000 for the year 1965. Applicant believes that it would be in the public interest to exercise these options and not be faced with renegotiations for such rights with the present owners if such options expired.

Applicant states that it is in the process of preparing and will shortly file its application for a permanent certificate of public convenience and necessity authorizing the construction and operation of the proposed Bistineau Gas Storage Field. Applicant further states, however, that it would appear that such application probably will not be processed, cleared and a certificate issued prior to January 1, 1966, and, therefore, it would be necessary to expend in excess of \$1,000,000 under the budget authorization for the year 1965.

Accordingly, Applicant requests that the above mentioned order issued in Docket No. CP65-119 be amended to authorize a total expenditure of \$2,000,000 during the year 1965.

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

regulations under the Natural Gas Act (157.10) on or before October 29, 1965.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 65-10850; Filed, Oct. 12, 1965;
8:46 a.m.]

[Project No. 2546]

WISCONSIN PUBLIC SERVICE CORP.

Notice of Application for License for Constructed Project

OCTOBER 5, 1965.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a-825r) by Wisconsin Public Service Corp. (correspondence to: C. A. McKenna, Secretary, Wisconsin Public Service Corp., 1029 North Marshall Street, Milwaukee, Wis., 53201) for a license for constructed Project No. 2546, known as the Sandstone Rapids Hydroelectric Station, located on the Peshtigo River, in the community of Crivitz in the town of Stephenson, in Marinette County, Wis.

The existing project consists of: (1) A dam consisting of an earth section 420 feet long, and approximately 28 feet high; a concrete gravity section about 100 feet long and 46 feet high; a tainter gate section 102 feet long consisting of six gates 12 feet high and 14 feet wide; a trash sluice section 17 feet long and a spillway 40 feet long; (2) a reservoir at a normal elevation 116.0 feet having an area of 150 acres; (3) a powerhouse of structural steel, reinforced concrete and brick, housing two vertical turbines each rated at 2,500 hp. connected to two generators each rated at 1,920 kw. Also four transformers (single phase, 2,200 kv.-a., 6,900 v. to 69,000 v.); and (4) appurtenant electrical and mechanical facilities.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is November 24, 1965. The application is on file with the Commission for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 65-10851; Filed, Oct. 12, 1965;
8:46 a.m.]

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Area 551]

ALABAMA

Declaration of Disaster Area

Whereas, it has been reported that during the month of September 1965, because of the effects of certain disasters, damage resulted to residences and business property located in Mobile County in the State of Alabama;

Whereas, the Small Business Administration has investigated and has received other reports of investigations of conditions in the area affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such area constitute a catastrophe within the purview of the Small Business Act, as amended.

Now, therefore, as Executive Administrator of the Small Business Administration, I hereby determine that:

1. Application for disaster loans under the provisions of section 7(b)(1) of the Small Business Act, as amended, may be received and considered by the Office below indicated from persons or firms whose property, situated in the aforesaid County and area adjacent thereto, suffered damage or destruction resulting from a flood and accompanying conditions occurring on or about September 30 and October 1, 1965.

Office:

Small Business Administration Regional Office
2030 First Avenue North
Birmingham, Ala. 35203

2. A temporary office will be established in Mobile, Ala., as need indicates, address to be announced locally.

3. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to April 30, 1966.

Dated: October 1, 1965.

ROSS D. DAVIS,
Executive Administrator.

[F.R. Doc. 65-10857; Filed, Oct. 12, 1965;
8:46 a.m.]

[License No. 04-0035]

GRANITE CAPITAL CORP.

Order Revoking License

Whereas, Granite Capital Corp. was incorporated under the laws of the State of North Carolina solely to perform the functions of a small business investment company.

Whereas, Granite Capital Corp. was licensed by the Small Business Administration as a small business investment company.

Whereas, section 308 of the Small Business Investment Act of 1958, as amended, provides that the license of a small business investment company may be forfeited if said small business investment company is determined and adjudged by a Court of the United States to have violated, or failed to comply with, the provisions of the Small Business Investment Act.

Whereas, the Federal District Court for the Western District of North Carolina by its Order dated September 6, 1965, in United States of America v. Granite Capital Corporation, Civil Action No. 527, determined and adjudged noncompliance with and violations of the Act and the regulations promulgated thereunder, to wit:

Granite Capital Corp. is capitally impaired in that its accumulated retained earnings

deficit is in excess of 50 percent of its paid-in capital and paid-in surplus. Such impairment is a violation of the Small Business Investment Act and the regulations promulgated thereunder.

Now therefore, as Deputy Administrator for Investment of the Small Business Administration and by the authority vested in me by the Small Business Investment Act of 1958, as amended, I hereby revoke License No. 04-0035 issued to Granite Capital Corp., and cause notice of this revocation to be published in the FEDERAL REGISTER.

Dated: October 1, 1965.

SMALL BUSINESS
ADMINISTRATION,
RICHARD E. KELLEY,
Deputy Administrator
for Investment.

[F.R. Doc. 65-10858; Filed, Oct. 12, 1965;
8:47 a.m.]

[Delegation of Authority 30 (Jackson, Miss. Region), Disaster 1]

MANAGER, DISASTER FIELD OFFICE, GULFPORT, MISS.

Delegation Relating to Financial Assistance Functions

I. Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30 (Atlanta), 30 F.R. 2884, as amended by 30 F.R. 8080, there is hereby redelegated to the Manager of Gulfport, Miss., Disaster Field Office, the following authority:

A. Financial assistance. 1. To approve:
a. Direct disaster loans not exceeding \$100,000.

b. Participation disaster loans not exceeding \$350,000.

2. To decline disaster loans in any amount.

3. To enter into disaster loan participation agreements with banks.

4. To execute loan authorizations for Washington and the Area Office approved loans and for disaster loans approved under delegated authority, said execution to read as follows:

(Name), Administrator,

By: _____
Manager, Disaster Field Office.

5. To cancel, reinstate, modify and amend authorizations for disaster loans approved under delegated authority.

6. To disburse unsecured disaster loans.

7. To extend the disbursement period on disaster loan authorizations or undischursed portions of disaster loans.

II. The authority delegated herein may not be redelegated.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Manager of the disaster field office.

Effective date. September 28, 1965.

GEORGE A. FEILD,
Regional Director, Jackson, Miss.

[F.R. Doc. 65-10859; Filed, Oct. 12, 1965;
8:47 a.m.]

[Delegation of Authority 30 (New York Area),
Revision 1, Amdt. 1]

NEW YORK AREA

Delegation of Authority To Conduct Program Activities in Regional Offices

Pursuant to the authority delegated to the Area Administrator by Delegation of Authority No. 30 (Revision 10), 30 F.R. 972, as amended, 30 F.R. 2742 and 11984; Delegation of Authority 30 F.R. 9078 is amended by the addition of Item I.A.13.d and the revision of Item III to read as follows:

I. * * *

A. Financial assistance. * * *

13. * * *

d. To take final action on an offer of compromise of any claim provided such claim is in concurrence with the majority recommendation of the appropriate Regional Office Claims Review Committee on claims not in excess of \$5,000 (including CPC advances but excluding interest) or the unanimous recommendation of said committee on claims in excess of \$5,000 but not exceeding \$100,000 (including CPC advances but excluding interest).

III. The specific authority delegated in subsection I.A.12; subsection I.A.13.d; subsections I.C. 1 and 2, and subsection I.D.1 herein cannot be redelegated. These are indicated by asterisks (**). The specific authority in the remaining subsections may be redelegated to appropriate subordinate positions within the regions.

Effective date. September 23, 1965.

CHARLES H. KRIGER,
Area Administrator, New York Area.

[F.R. Doc. 65-10860; Filed, Oct. 12, 1965;
8:47 a.m.]

[Delegation of Authority 30 (Northeastern Area), Amdt. 1]

NORTHEASTERN AREA

Delegation of Authority To Conduct Program Activities in Regional Offices

Pursuant to the authority delegated to the Area Administrator by Delegation of Authority No. 30 (Revision 10), 30 F.R. 972, as amended, 30 F.R. 2742 and 11984; Delegation of Authority 30 F.R. 3251, is amended by the Addition of Item I.A.13.d and the revision of Item IV to read as follows:

I.A. Financial assistance. 13.d. To take final action on an offer of compromise of any claim provided such claim is in concurrence with the majority recommendation of the appropriate Regional Office Claims Review Committee on claims not in excess of \$5,000 (including CPC advances but excluding interest) or the unanimous recommendation of said committee on claims in excess of \$5,000 but not exceeding \$100,000 (including CPC advances but excluding interest).

IV. The specific authority delegated in subsection I.A.12; subsection I.A.13.d;

subsections I.C. 1 and 2, and subsection I.D.1 herein cannot be redelegated. These are indicated by asterisks (**). The specific authority in the remaining subsections may be redelegated to appropriate subordinate positions within the regions.

Effective date. September 30, 1965.

THOMAS J. NOONAN,
Area Administrator,
Northeastern Area.

[P.R. Doc. 65-10862; Filed, Oct. 12, 1965;
8:47 a.m.]

[Delegation of Authority 30-6, Amdt. 2,
Southwestern Area, Dallas, Tex.]

SOUTHWESTERN AREA

Delegation of Authority To Conduct Program Activities in Regional Offices

I. Pursuant to the authority delegated to the Area Administrator by Delegation of Authority No. 30 (Revision 10), 30 F.R. 972, dated January 29, 1965, Amendment 1, 30 F.R. 2742, dated March 3, 1965, Amendment 2, 30 F.R. 11984, dated September 18, 1965, and Amendment 3, 30 F.R. 12434, dated September 29, 1965; Delegation of Authority No. 30-6, 30 F.R. 3253, dated March 9, 1965, Amendment 1, 30 F.R. 9339, dated July 27, 1965, is further amended by the addition of Item I.A.13.d., revision of Item I.C.1., and revision of Item III to read as follows:

I. * * *
A. *Financial assistance.* * * *
**13. * * *

d. To take final action on an offer of compromise of any claim provided such claim is in concurrence with the majority recommendation of the appropriate Regional Office Claims Review Committee on claims not in excess of \$5,000 (including CPC advances but excluding interest) or the unanimous recommendation of said committee on claims in excess of \$5,000 but not exceeding \$100,000 (including CPC advances but excluding interest).

C. *Procurement and Management Assistance (Only for Regional Director, Dallas).* **1. To approve applications for Certificates of Competency received from small business concerns which are located within the geographical jurisdiction of the area office when the total value of the contract to be awarded as a result of the issuance of a COC does not exceed \$350,000.

III. The specific authority delegated in subsection I.A.12; subsection I.A.13.d; I.C.1 and 2, and subsection I.D.1 herein cannot be redelegated. These are indicated by asterisks (**). The specific authority in the remaining subsections may be redelegated to appropriate subordinate positions within the regions.

Effective date. October 4, 1965.

ROBERT E. WEST,
Area Administrator,
Southwestern Area.

[P.R. Doc. 65-10863; Filed, Oct. 12, 1965;
8:47 a.m.]

[Delegation of Authority 30—Fargo, N. Dak.,
Region, Rev. 1]

FARGO REGIONAL AREA

Delegation of Authority To Conduct Program Activities

Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30—Rocky Mountain Area, 30 F.R. 2742, as amended, 30 F.R. 8080, 30 F.R. 8426; Delegation of Authority 30 F.R. 5776 is hereby revised to read as follows:

I. The following authority is hereby redelegated to the specific positions as indicated herein:

A. *Size determinations (delegated to the positions as indicated below).* To make initial size determinations in all cases within the meaning of the Small Business Size Standards Regulations, as amended, and, further, to make product classification decisions for financial assistance purposes only. Product classification decisions for procurement purposes are made by contracting officers.

B. *Eligibility determinations (delegated to the positions as indicated below).* To determine the eligibility of applicants for assistance under any program of the agency in accordance with Small Business Administration standards and policies.

C. *Chief, Financial Assistance Division (and Assistant Chief, if assigned).* 1. Item I.A. (Size Determinations for Financial Assistance only.)

2. Item I.B. (Eligibility Determinations for Financial Assistance only.)

3. To approve business and disaster loans not exceeding \$350,000 (SBA share).

4. To disburse unsecured disaster loans.

5. To enter into business and disaster loan participation agreements with banks.

6. To execute loan authorizations for Washington and Area approved loans and loans approved under delegated authority, said execution to read as follows:

(Name), Administrator,
By _____
(Name)
Title of person signing.

7. To cancel, reinstate, modify, and amend authorizations for business or disaster loans.

8. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.

9. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents; and to certify to the participating bank that such documents are in compliance with the participation authorization.

10. To approve service charges by participating bank not to exceed 2 percent per annum on the outstanding principal balance on construction loans and loans involving accounts receivable and inventory financing.

11. To take all necessary actions in connection with the administration, servicing, collection, and liquidation of all loans and other obligations or assets, in-

cluding collateral purchased; and to do and to perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing:

a. The assignment endorsement, transfer, and delivery (but in all cases without representation, recourse or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents, and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator;

b. The execution and delivery of contracts of sale or lease or sublease, quitclaim, bargain and sale or special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or in part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

c. The approval of bank applications for use of liquidity privilege under the loan guaranty plan.

D. [Reserved]

E. [Reserved]

F. [Reserved]

G. [Reserved]

H. *Chief, Procurement and Management Assistance.* 1. Item I.A. (Size Determinations on PMA Activities only.)

2. Item I.B. (Eligibility Determinations on PMA Activities only.)

I. *Regional Counsel.* To disburse approved loans.

J. *Administrative Assistant.* 1. To purchase reproductions of loan documents, chargeable to the revolving fund, requested by United States Attorney in foreclosure cases.

2. To (a) purchase all office supplies and expendable equipment, including all desk-top items, and rent regular office equipment; (b) contract for repair and maintenance of equipment and furnishings; (c) contract for services required in setting up and dismantling and moving SBA exhibits and (d) issue Government bills of lading.

3. In connection with the establishment of Disaster Loan Offices, to (a) obligate Small Business Administration to reimburse General Services Administration for the rental of office space; (b) rent office equipment; and (c) procure (without dollar limitation) emergency supplies and materials.

4. To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by this Administration.

II. The authority delegated herein cannot be redelegated.

III. The authority delegated herein to a specific position may be exercised by any SBA employee designated as Acting in that position.

IV. All previously delegated authority is hereby rescinded without prejudice to

actions taken under such Delegations of Authority prior to the date hereof.

Effective date. September 17, 1965.

ROGER B. PHELPS,
Regional Director, Fargo, N. Dak.

[F.R. Doc. 65-10861; Filed, Oct. 12, 1965;
8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

[Ex Parte No. MC-1 (Sub-No. 1)]

PAYMENT OF RATES AND CHARGES OF MOTOR CARRIERS

Credit Regulations; Household Goods

SEPTEMBER 30, 1965.

At the request of respondents, the dates for the filing of verified statements by all parties; the filing of reply statements; and the request for a hearing for the purpose of cross-examination in the above-entitled proceeding (30 F.R. 7363) are postponed as follows:

(1) The date for filing verified statements by all parties is postponed to January 17, 1966;

(2) The date for filing reply statements is postponed to February 17, 1966;

(3) The date for requesting a hearing for the purpose of cross-examining any witness submitting a verified statement is postponed to March 3, 1966;

(4) In the event a hearing for the purpose of cross-examination is not requested, the date for all parties to file briefs is postponed to April 18, 1966;

(5) Service of the indicated documents shall be made (in addition to those required to be filed with the Commission) upon the parties listed in the service list attached to the Commission's notice dated July 21, 1965, in this proceeding.

(6) The Commission's order of March 31, 1965, in this proceeding and the procedures therein specified, except as modified herein, remain in full force and effect in all other respects.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 65-10872; Filed, Oct. 12, 1965;
8:48 a.m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

OCTOBER 8, 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. 40057—*Freight all kinds from and to points in southwestern territory.* Filed by Southwestern Freight Bureau, agent (No. B-8767), for interested rail carriers. Rates on freight all kinds, less-than-carload, including only articles

rated higher than class 70, from and to points in Arkansas, Louisiana, Missouri, Oklahoma, and Texas, also Kansas City, Kans., and Memphis, Tenn., for distances from 761 to 1,500 miles, inclusive.

Grounds for relief—Motortruck competition.

Tariff—Supplement 62 to Southwestern Freight Bureau, agent, tariff ICC 4387.

FSA No. 40058—*Iron or steel pipe or tubing from Geneva and Pipemill, Utah.* Filed by Southwestern Freight Bureau, agent (No. B-8764), for interested rail carriers. Rates on iron or steel pipe or tubing, and other iron or steel articles named in the application, in carloads, from Geneva and Pipemill, Utah, to points in southwestern territory.

Grounds for relief—Market competition.

Tariff—Supplement 74 to Southwestern Freight Bureau, agent, tariff ICC 4526.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 65-10873; Filed, Oct. 12, 1965;
8:48 a.m.]

[Notice 826]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

OCTOBER 8, 1965.

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

The publications hereinafter set forth reflect the scope of the applications as filed by applicants, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

APPLICATIONS ASSIGNED FOR ORAL HEARING

MOTOR CARRIERS OF PROPERTY

No. MC 111812 (Sub-No. 318), filed October 4, 1965. Applicant: MIDWEST COAST TRANSPORT, INC., Wilson Terminal Building, Post Office Box 747, Sioux Falls, S. Dak., 57101. Applicant's representatives: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr., 68102, and William J. Walsh (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Humboldt, Tenn., to points in Connecticut, Delaware, Illinois, Indiana, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia.

HEARING: October 26, 1965, at the Claridge Hotel, Memphis, Tenn., before Examiner Lyle C. Farmer.

No. MC 113843 (Sub-No. 92) (Amendment), filed July 6, 1965, published FEDERAL REGISTER issue of July 29, 1965, amended September 30, 1965, and republished as amended this issue. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass., 02210. Applicant's representative: William J. Boyd, 30 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except frozen foods and commodities in bulk, in tank vehicles), from points in New York located on and west of a line beginning at Cape Vincent, N.Y., and extending along New York Highway 12E to Watertown, N.Y., thence along U.S. Highway 11 to the New York-Pennsylvania State line to points in Illinois, Indiana, Michigan, Kentucky, and Ohio. NOTE: The purpose of this republication is to add the destination States of Kentucky and Ohio and to show the postponed hearing date as set forth below.

HEARING: November 17, 1965, at 9:30 o'clock a.m., at the offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Francis A. Welch.

No. MC 113855 (Sub-No. 117) (Republication), filed September 20, 1965, published FEDERAL REGISTER issue of September 30, 1965, and republished this issue. Applicant: INTERNATIONAL TRANSPORT, INC., Highway 52, South, Rochester, Minn. Applicant's representative: 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: *Electrical transformers* which, by reason of size or weight, require the use of special equipment, and *electrical transformers other than those described above* when transported in mixed loads with the shipments of transformers requiring special equipment, from Pittsburgh, Pa., to points in Arizona, California, Colorado, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Mississippi, Missouri, Montana, Nebraska, Nevada, North Dakota, Oregon, South Dakota, Utah, Washington, and Wyoming. NOTE: The purpose of this republication is to reflect the hearing information.

HEARING: November 1, 1965, at the offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Edith H. Cockrill.

No. MC 59609 (Sub-No. 6) (Republication), filed February 15, 1965, published FEDERAL REGISTER issue of March 17, 1965, and republished, this issue. Applicant: HARRY CROW & SON, INC., 1808 52d Street, Kenosha, Wis. By application filed February 15, 1965, as amended, applicant seeks a certificate of public convenience and necessity authorizing operation, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of scrap and salvage material, in dump and self-

unloading vehicles, between points in Illinois and Indiana, on the one hand, and, on the other, points in Wisconsin, except liquid and dry commodities, in bulk, in tank or hopper type vehicles and ferroalloys, in bulk, from Chicago, Ill., to points in Wisconsin. An order of the Commission, Operating Rights Board No. 1, dated September 28, 1965, and served October 5, 1965, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of waste and scrap materials, except in bulk, between points in Illinois and Indiana, on the one hand, and, on the other, points in Wisconsin; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other parties, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a certificate herein will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file an appropriate protest or other pleading.

No. MC 111729 (Sub-No. 88) (Republication), filed June 4, 1965, published FEDERAL REGISTER issue of June 24, 1965, and republished, this issue. Applicant: ARMORED CARRIER CORPORATION, 222-17 Northern Boulevard, Bayside, N.Y. Applicant's representative: Russell S. Bernhard, Commonwealth Building, 1625 K Street NW., Washington 6, D.C. By application filed June 4, 1965, applicant seeks a certificate of public convenience and necessity authorizing operation, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of the commodities and from, to, or between the points substantially as indicated below, subject to the restriction that no service shall be performed under the authority granted herein for any bank or banking institution; namely, any national bank, State bank, Federal Reserve bank, savings and loan association, or savings bank. An order of the Commission, Operating Rights Board No. 1, dated September 24, 1965, and served October 1, 1965, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of (1) exposed film and prints (except motion picture film used primarily for commercial theater and television exhibition) (a) from points in West Virginia to Detroit, Mich., and (b) from points in La Crosse County, Wis. (except La Crosse, Wis.), to Aurora, Ill.; (2) processed film and prints, complimentary replacement film, labels, envelopes, packaging materials and advertising literature moving therewith (except motion picture film used primarily for com-

mercial theater and television exhibition) (a) from Detroit, Mich., to points in West Virginia, and (b) from Aurora, Ill., to points in La Crosse County, Wis. (except La Crosse, Wis.); (3) whole human blood and blood derivatives, between Toledo, Ohio, on the one hand, and, on the other, Detroit, Mich.; and (4) business papers and records, and audit and accounting media (except cash letters) (a) between Cincinnati, Ohio, on the one hand, and, on the other, Boyers, Pa., and Ashland, Ky., and (b) between Cleveland, Ohio, on the one hand, and, on the other, points in Michigan and West Virginia. Because it is possible that other parties, who have relied upon the notice of the application as published may have an interest in and would be prejudiced by the lack of proper notice of the authorities described in the findings in this order, a notice of the authorities actually granted will be published in the FEDERAL REGISTER, and any proper party in interest may file an appropriate pleading within a period of 30 days following the date of such publication.

No. MC 111729 (Sub-No. 89) (Correction), filed June 4, 1965, published FEDERAL REGISTER issues of June 24, 1965, and October 7, 1965, respectively, and republished, this issue. Applicant: ARMORED CARRIER CORPORATION, 222-17 Northern Boulevard, Bayside, N.Y. Applicant's representative: Russell S. Bernhard, 1625 K Street NW., Washington 6, D.C. The date of an order of the Commission, Operating Rights Board No. 1, dated September 11, 1965, and served September 27, 1965, was in error. The correct date should be September 16, 1965. The findings in the corrected order of the Commission, dated September 16, 1965, and served October 6, 1965, remain the same.

No. MC 126504 (Sub-No. 2) (Republication), filed June 11, 1965, published FEDERAL REGISTER issue of July 9, 1965, and republished this issue. Applicant: BENEDETTO TRUCKING CO., INC., 1345 Dumont Avenue, Brooklyn, N.Y. Applicant's representative: Arthur J. Piken, 160-16 Jamaica Avenue, Jamaica 32, N.Y. By application filed June 11, 1965, applicant seeks a permit authorizing operations, in interstate or foreign commerce, as a contract carrier by motor vehicle, over irregular routes, of the commodities and for the shipper indicated in the findings herein from the piers and appraisers' stores and public warehouses in the New York, N.Y., commercial zone as defined by the Commission to Mount Kisco, N.Y.

An order of the Commission, Operating Rights Board No. 1, dated September 29, 1965, and served October 5, 1965, finds that operation by applicant, in interstate or foreign commerce, as a contract carrier by motor vehicle, over irregular routes, of woodenware, stainless steel flatware, enamelware, stoneware, stainless steel holloware, sterling silver flatware, glassware, household linens, candles and cast iron candlesticks, from points in that portion of the New York, N.Y., commercial zone as defined in the fifth supplemental report in *Commercial*

Zones and Terminal Areas, 53 M.C.G. 451; within which local operations may be conducted under the exemption provided by section 203(b)(8) of the Interstate Commerce Act (the exempt zone) to Mount Kisco, N.Y., under a continuing contract with Dansk Designs, of Mount Kisco, N.Y., will be consistent with the public interest and the national transportation policy; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other parties, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a permit herein will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file an appropriate protest of other pleading.

No. MC 31321 (Petition for Clarification and Modification of Certificate, and for Waiver of Rule 1.101(e) of the Commission's General Rules of Practice), filed September 20, 1965. Petitioner: SOUTHWESTERN TRANSFER COMPANY, INC., El Paso, Tex. Petitioner's representative: William D. Traub, 10 East 40th Street, New York, N.Y., 10016. Petitioner states it is a common carrier by motor vehicle, operating under Certificate No. MC 31321 which authorizes the transportation of heavy machinery and equipment requiring special facilities for loading and unloading the same and road construction machinery and equipment, over irregular routes, between points in Arizona and New Mexico, and those in Texas west of the eastern boundary lines of Lipscomb, Hemphill, Wheeler, Collingsworth, Hall, Motley, Dickens, Kent, Scurry, Howard, Glasscock, Reagan, Crockett, and Val Verde Counties, Tex. It is with respect to the "heavy machinery and equipment" commodity description that clarification and modification is sought. By the instant petition, petitioner requests that Rule 1.101(e) of the Commission's general rules of practice be waived to permit the filing of this petition, and it is requested that the Commission find that the "heavy machinery and equipment requiring special facilities for loading and unloading the same" description contained in petitioner's certificate is ambiguous, indefinite, and impossible of exact interpretation, fails to reflect all of the commodities intended to be authorized in the grant of authority, and should be modified, or, in the alternative, that the matter be assigned for oral hearing so as to allow it to adduce evidence in justification of the relief sought. Any person or persons desiring to participate in this proceeding, may, within 30 days from the date of this publication in the FEDERAL REGISTER, file an appropriate pleading, consisting of an original and six copies each.

No. MC 55777 (Sub-No. 4) (PETITION FOR WAIVER OF RULE 1.101(e)), RE-

CONSIDERATION, AND MODIFICATION OF EXISTING CERTIFICATE), filed September 22, 1965. Petitioner: MILLS TRANSFER CO., Gallipolis, Ohio. Petitioner's representative: Paul F. Sullivan, 1815 H Street NW., Washington, D.C., 20006. Petitioner holds authority in No. MC 55777 (Sub-No. 4), to conduct operations as a motor common carrier, transporting, in part, iron and steel, from points in Illinois, Ohio, Pennsylvania, and West Virginia to Gallipolis and Wellston, Ohio. By the instant petition, petitioner requests that the provisions of Rule 1.101(e) of the Commission's rules of practice be waived, that this petition be accepted for filing, and that the proceeding be reopened solely for the purpose of redescribing its "iron and steel" authority to conform to the present Commission practice of describing steel hauling by use of the generic description of "iron and steel and iron and steel articles as described in appendix V in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209". Any person or persons desiring to participate in this proceeding, may, within 30 days from the date of this publication in the FEDERAL REGISTER, file an appropriate pleading, consisting of an original and six copies each.

No. MC 117694 (Sub-No. 1), and No. MC 117694 (Sub-No. 2) (PETITION FOR MODIFICATION OF PERMITS), filed September 9, 1965. Petitioner: ALVA E. MAUK, doing business as MAUK TRANSFER, Atlantic, Iowa. Petitioner's representative: Robert E. Dreher, 212 Equitable Building, Des Moines, Iowa. Petitioner holds Permit in No. MC 117694 Sub-No. 1 as follows to transport: IRREGULAR ROUTES: *Animal and poultry feed*, between Atlantic, Iowa, and Elkhorn, Nebr.; from Atlantic, Iowa, to Chillicothe, Mo., Fairmont, Minn., and Aurora, Beemer, and Plainview, Nebr., with no transportation for compensation on return except as otherwise authorized; from Independence, Iowa, to Fairmont, Minn., and Fond du Lac, Seymour, Mineral Point, and Deerfield, Wis., with no transportation for compensation on return except as otherwise authorized; from West Liberty, Iowa, to Chillicothe, Mo., and Ashton, Lyndon, and Bushnell, Ill., with no transportation for compensation on return except as otherwise authorized; from Cherokee, Iowa, to Fairmont, Minn., Plainview, Beemer, and Aurora, Nebr., and points in South Dakota, with no transportation for compensation on return except as otherwise authorized. *Animal and poultry feed ingredients*, from points in Minnesota, Wisconsin, South Dakota, Nebraska (except Omaha and Nebraska City), and Illinois (except Quincy, Rock Falls, Sterling, Moline, East Moline, Rock Island, and Chicago Heights, and points in the Chicago, Ill., commercial zone as defined by the Commission), to Atlantic, West Liberty, Cherokee, and Independence, Iowa, with no transportation for compensation on return except as otherwise authorized. Restriction: The above-described operations are limited to a transportation service to be performed, under a continuing contract, or contracts, with Walnut Grove Products Co.,

Inc., of Atlantic, Iowa. In No. MC 117694 Sub-No. 2 Petitioner holds authority to transport.

Irregular routes: *Animal and poultry feed*, from Atlantic, Independence, and Cherokee, Iowa, to points in Colorado, Illinois, Minnesota, Nebraska, South Dakota, Wisconsin, that part of Kansas on and north of U.S. Highway 54, and that part of Missouri on and north of a line beginning at St. Louis and extending along U.S. Highway 50 to Jefferson City, thence along U.S. Highway 54 to the Missouri-Kansas State line, with no transportation for compensation on return except as otherwise authorized; from West Liberty, Iowa, to points in Colorado, Nebraska, South Dakota, Illinois (except Moline and Chicago), that part of Kansas on and north of U.S. Highway 54, Minnesota (except St. Paul and Minneapolis), and that part of Missouri on and north of a line beginning at St. Louis and extending along U.S. Highway 50 to Jefferson City, thence along U.S. Highway 54 to the Missouri-Kansas State line, with no transportation for compensation on return except as otherwise authorized.

From Elkhorn, Nebr., to points in Colorado, Iowa, Minnesota, South Dakota, that part of Kansas on and north of U.S. Highway 54, and that part of Missouri on and north of a line beginning at St. Louis and extending along U.S. Highway 50 to Jefferson City, thence along U.S. Highway 54 to the Missouri-Kansas State line, with no transportation for compensation on return except as otherwise authorized; *Animal and poultry feed ingredients*, from points in Colorado and Nebraska, to Atlantic, Cherokee, Independence, and West Liberty, Iowa, with no transportation for compensation on return except as otherwise authorized; *Animal and poultry feed ingredients* (except those in liquid form, in bulk, in tank vehicles), from Quincy, Rock Falls, Sterling, Moline, East Moline, Rock Island, and Chicago Heights, Ill., and that portion of the Chicago, Ill., commercial zone, as defined by the Commission, which lies in Illinois, to Atlantic, Cherokee, Independence, and West Liberty, Iowa, with no transportation for compensation on return except as otherwise authorized; from points in Iowa and Minnesota, to Elkhorn, Nebr., with no transportation for compensation on return except as otherwise authorized. Restriction: The operations authorized herein are limited to a transportation service to be performed, under a continuing contract, or contracts, with the Walnut Grove Products Co., Inc., of Atlantic, Iowa. By the instant petition, petitioner requests the Commission to enter an order modifying his permits to provide that the service to be rendered by him be rendered under a continuing contract or contracts with the W. R. Grace & Co., in lieu of Walnut Grove Products Co., Inc. Any person or persons desiring to oppose the relief sought herein, may, within 30 days from the date of this publication in the FEDERAL REGISTER, file an appropriate plead-

ing, consisting of an original and six copies each.

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

No. MC 32839 (Sub-No. 15), filed September 27, 1965. Applicant: E. A. SCHLAIRET TRANSFER CO., a corporation, 701 Harcourt Road, Box 271, Mt. Vernon, Ohio. Applicant's representatives: Paul F. Beery, 100 East Broad Street, Columbus Center, Columbus, Ohio, 43215; and Norbert E. Miller, 1525 Carew Tower, Cincinnati 2, Ohio. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (A) *General commodities*, (1) between Marion, Ohio, on the one hand, and, on the other, points in Ohio; (2) between Newark, Ohio, on the one hand, and, on the other, points in Ohio; (3) between Columbus, Ohio, and points in Franklin County, Ohio, on the one hand, and, on the other, points in Ohio; (B) *general commodities* (except household goods, office furniture and fixtures), between Mt. Vernon, Ohio, on the one hand, and, on the other, points in Ohio; (C) *general commodities* (except household goods, logs, ties, lumber, and sawmill supplies), between Utica, Ohio, and points in Morgan, Miller, Clay, Harrison, and Pleasant Townships, Knox County, Ohio, and Burlington, Washington, Eden and Newton Townships, Licking County, Ohio, on the one hand, and, on the other, points in Ohio; (D) *general commodities* (except lime, brick, building block, plaster, plasterboard, lath, drain tile, sewer tile, building materials, sand, gravel, stone, crushed stone, rock, crushed rock, asphalt, slag, road surfacing material, cement, cinders, dirt, concrete, dry loose, bulk commodities, coal, commodities usually transported in dump vehicles and unloaded by dumping, bulk commodities in tank vehicles, scrap iron, heavy machinery, safes, filling station equipment, household goods, office furniture and fixtures, houses and buildings, house trailers and/or mobile houses and personal effects, feed and fertilizer), between points in Brown and Berlin Townships, Delaware County, Ohio, on the one hand, and, on the other, points in Ohio, restricted against service to Leonardsburg (Brown Township), Delaware County, Ohio; (E) *general commodities* (except household goods), between Loveland, Ohio, and Cincinnati, Ohio, on the one hand, and, on the other, points in Ohio. Note: Applicant states that it intends to tack the above proposed authority with that authority previously granted in Certificate Nos. MC 32839, MC 32839 (Sub-No. 13) and MC 32839 (Sub-No. 14), wherein applicant is authorized to serve specific points and areas in Ohio. This is a matter filed simultaneously with No. MC-F 9226, published in FEDERAL REGISTER issue of October 6, 1965.

No. MC 109825 (Sub-No. 8), filed September 27, 1965. Applicant: GENERAL FREIGHT SYSTEM, INCORPORATED,

115 Park Avenue, East Hartford, Conn. Applicant's representative: Thomas W. Murrett, 410 Asylum Street, Hartford, Conn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between points in Massachusetts. NOTE: This is a matter directly related to MC-F 9224, which was published in the FEDERAL REGISTER, issue of October 6, 1965.

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers under sections 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto (49 CFR 1.240).

MOTOR CARRIERS OF PROPERTY

No. MC-F-9227. Authority sought for purchase by TRANSAMERICAN FREIGHT LINES, INC., 1700 North Waterman Avenue, Detroit 9, Mich., of the operating rights of NIGRO FREIGHT LINES, INCORPORATED, 284 Locust Street, Hartford, Conn., and for acquisition by ROBERT B. GOT-FREDSON and CHARLOTTE B. GOT-FREDSON, also of Detroit, Mich., of control of such rights through the purchase. Applicants' attorney: Howell Ellis, Suite 616-618 Fidelity Building, 111 Monument Circle, Indianapolis, Ind. Operating rights sought to be transferred: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier*, over regular routes, between Worthington, Mass., and Springfield, Mass., between Windsor, Mass., and Springfield, Mass., serving all intermediate and certain off-route points, between Manchester, Conn., and Boston, Mass., serving certain intermediate and off-route points; *general commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, liquors, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, between Hartford, Conn., and Atlanta, Ga., serving certain intermediate and off-route points on southbound movements; *asbestos, cloth and yarn, pipe covering, and oil burner wicking (plain and metallic)*, from Davidson, N.C., to Hartford, Conn., serving certain intermediate and off-route points, restricted to delivery only; *amonias, silicate soda and glauber salts*, from Camden, N.J., to Charlotte, N.C., serving no intermediate points; *empty metal drums*, from Charlotte, N.C., to Camden, N.J., serving no intermediate points; *acids*, in barrels, drums, and bags, from Marcus Hook, Pa., to Charlotte, N.C., serving the intermediate

point of Claymont, Del.; *empty glass carboys*, from Charlotte, N.C., to Marcus Hook, Pa., serving the intermediate point of Claymont, Del.; *epsom salts, insecticides, and baking soda*, from Baltimore, Md., to Charlotte, N.C., serving no intermediate points; *general commodities*, excepting, among others, household goods and commodities in bulk, over regular and irregular routes, between points in Providence County, R.I., and Boston, Mass., serving no intermediate points.

Restriction: Service is limited to the transportation of shipments which either originate at, or are destined to, points south of the Virginia-North Carolina State line; *household goods* as defined by the Commission, over irregular routes, between Worthington, Mass., and points within 15 miles thereof, on the one hand, and, on the other, points in Connecticut, New York, and New Jersey; *livestock*, between Worthington, Mass., and points within 15 miles thereof, on the one hand, and, on the other, Danbury, Conn., and New York, N.Y.; *paper and composition board*, from certain points in Connecticut, to certain points in Rhode Island, New York, and Massachusetts; *materials, supplies, and equipment* used or useful in the manufacture of paper and composition board, from the above destination points and territories to the above origin points; *packinghouse products and beverages*, from Providence, R.I., to Willimantic, Conn.; *paperboard and composition board*, from Manchester, Conn., to points in that portion of Massachusetts west of U.S. Highway 5; *waste paper*, from points in that portion of Massachusetts west of U.S. Highway 5 to Manchester, Conn.; *materials, supplies, and equipment*, used in the manufacture of paper and composition board, between Manchester, Conn., and Hoosick Falls, N.Y.; *paper, paperboard, and composition board*, from Manchester, Conn., to Clyde, N.Y.; *wood*, from Worthington, Mass., and points within 15 miles thereof, to Hartford, Conn.; *grain*, from Albany, N.Y., to Hinsdale, Mass.; *automobiles, trucks, and chassis*, from Buffalo, N.Y., to points in that part of Massachusetts on and west of U.S. Highway 5; and *evergreens*, from certain points in Massachusetts, to certain points in New York, and New Jersey. Vendee is authorized to operate as a *common carrier*, in New York, Illinois, Indiana, Iowa, Michigan, Ohio, Pennsylvania, Nebraska, Oklahoma, Texas, Kansas, Minnesota, Missouri, Wisconsin, Connecticut, Delaware, Maine, Maryland, New Hampshire, New Jersey, Rhode Island, Vermont, West Virginia, Massachusetts, Arkansas, Tennessee, Kentucky, Virginia, and the District of Columbia. Application has been filed for temporary authority under section 210a(b).

No. MC-F-9228. Authority sought for control by HARRIS J. KLEIN, 280 Broadway, New York, N.Y., 10007, of CARMIC LEASING CORP., 49-40 New Maspeth Avenue, Maspeth, N.Y., 11378. Applicants' attorney: William Biederman, 280 Broadway, New York, N.Y., 10007. Operating rights sought to be controlled: Authority applied for in No. MC-125524, covering the transportation of *such com-*

modities, as are used, sold, or dealt in by retail chain and department stores, under a continuing contract with J. J. Newberry Co., of New York, N.Y., as a *contract carrier* over irregular routes, (1) from points within the New York, N.Y., commercial zone to the sites of the retail stores of J. J. Newberry Co., in Pennsylvania, New Jersey, New York, Connecticut, Maryland, Ohio, Delaware, Virginia, Newell, Morgantown, and Martinsburg, W. Va., Peabody, Mass., Charlotte, Gastonia, Monroe, Hickory, and Reidsville, N.C., Johnston and Camden, S.C., and (2) from points in the destination territory in (1) above to points in the New York, N.Y., commercial zone. HARRIS J. KLEIN holds no authority from this Commission. However, he controls RICHARDS FREIGHT LINES, INC., 1001 North Keyser Avenue, Post Office Box 828, Scranton 11, Pa., which is authorized to operate as a *common carrier* in Pennsylvania, New York, and New Jersey. Application has not been filed for temporary authority under section 210a(b). NOTE: This application filed pursuant to order of Division 1 dated September 14, 1965, in Docket No. MC-125524.

No. MC-F-9229. Authority sought for purchase by SCHERFF'S TRUCK LINE, INC., 305 East Main Street, California, Mo., of the operating rights of S. S. S. FREIGHT LINES, INC., Rural Route No. 1, Jefferson City, Mo. Applicants' attorney Herman W. Huber, 101 East High Street, Jefferson City, Mo. Operating rights sought to be transferred: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier*, over regular routes, from National Stockyards, Ill., to Lohman, Mo., serving certain intermediate and off-route points; and *livestock and poultry*, from Lohman, Mo., to National Stockyards, Ill., serving certain intermediate and off-route points. Vendee is authorized to operate as a *common carrier* in Missouri, Kansas, Illinois, Oklahoma, and Iowa. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-9230. Authority sought for control by HALL'S MOTOR TRANSIT COMPANY, Fifth and Vine Streets, Sunbury, Pa., of ACCELERATED TRANSPORT-PONY EXPRESS, INC., 34 West Lee Street, Hagerstown, Md., and for acquisition by JOHN N. HALL, 1151 South 21st Street, Harrisburg, Pa., and W. LEROY HALL, 300 West Willow Street, Carlisle, Pa., of control of ACCELERATED TRANSPORT-PONY EXPRESS, INC., through the acquisition by HALL'S MOTOR TRANSIT COMPANY. Applicants' attorneys and representative: John E. Fullerton, 1151 South 21st Street, Harrisburg, Pa., T. E. Petty, 2440 16th Street NW., Washington 9, D.C., and M. E. Brunner, Fifth and Vine Streets, Sunbury, Pa. Operating rights sought to be controlled: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier* over regular routes, between Waynesboro, Pa., and New York, N.Y., between Berkeley Springs, W. Va., and Hagerstown, Md., serving certain

intermediate and off-route points, with restrictions; *general commodities*, except those of unusual value, and except dangerous explosives, livestock, alcoholic beverages, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, between Hagerstown, Md., and Washington, D.C., between Hagerstown, Md., and New York, N.Y., between Hagerstown, Md., and Baltimore, Md., serving all intermediate and certain off-route points, between Washington, D.C., and Baltimore, Md., service is not authorized over this route, except that trucks may be dispatched, for pickup or delivery of traffic moving to or from Hagerstown, Md., between Washington, D.C., and Trenton, N.J., serving certain intermediate points, with restrictions; *general commodities*, except those of unusual value, and except dangerous explosives, livestock, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467.

Commodities in bulk, and those requiring special equipment, from New Market, Va., to Winchester, Va., between Hagerstown, Md., and New Market, Va., between Winchester, Va., and certain points in West Virginia, between Harrisburg, Pa., and Philadelphia, Pa., serving all intermediate and certain off-route points, between Allentown, Pa., and Lancaster, Pa., between Lancaster, Pa., and Philadelphia, Pa., serving all intermediate points, between Lancaster, Pa., and Harrisburg, Pa., serving no intermediate points, between Gettysburg, Pa., and Taneytown, Md., serving all intermediate points, between Schuylkill Haven, Pa., and Lancaster, Pa., between Reading, Pa., and Downingtown, Pa., between Harper's Ferry, W. Va., and Frederick, Md., for operating convenience only, serving no intermediate points; *general commodities*, between Washington, D.C., and Winchester, Va., *eggs*, and *returned or rejected merchandise*, from Winchester, Va., to Washington, D.C., serving no intermediate points, with restriction; *ginger ale*, in truckload lots, from Newville, Pa., to Winchester, Va., serving no intermediate points; *empty motor vehicle equipment*, between Baltimore, Md., and Philadelphia, Pa., serving no intermediate points; (A) *sugar*, over irregular routes, from New York, N.Y., to Baltimore, Md., Chambersburg, Pa., and Thomas, W. Va.; *electric motors*, from New York, N.Y., to Martinsburg, W. Va., and Winchester, Va.; *pipe nipples*, from Greenstone, Pa., to Wilmington, Del., certain points in New Jersey, and Pennsylvania; *congoleum rugs*, from Hightstown, N.J., to Hagerstown, Md.; *canned goods*, from Swedesboro, N.J., to Hagerstown, Md.; *soap and oil*, from Vineland, N.J., to Hagerstown, Md.; *lumber cross ties*, from Hagerstown, Md., to Camden, N.J.; *packinghouse products*, from Hagerstown, Md., to Martinsburg, W. Va., Winchester, Va., and certain points in Pennsylvania; *malt*, from Hagerstown, Md., to Martinsburg, W. Va.; *mining machinery*, from Hagerstown, Md., to certain points in Pennsylvania, Cumberland, Md., and Riverton, Va.;

steel rails and fishplates, from Hagerstown, Md., to Riverton, Va.; *stoves*, between Hagerstown, Md., and Middletown, Pa.; *insecticides, fungicides, materials* used in the manufacture thereof, and *empty containers*, used in connection therewith, between Hagerstown, Md., New York, N.Y., and certain points in New Jersey, on the one hand, and, on the other, certain points in New Jersey, Pennsylvania, Maryland, Virginia, and West Virginia, with exceptions.

(B) *General commodities*, excepting among others, commodities in bulk, but not excepting household goods, between Frederick, Md., and points in Maryland within 10 miles of Frederick, on the one hand, and, on the other, Frederick, Md., and points in that part of Maryland, Pennsylvania, and West Virginia within 50 miles of Frederick; *farm machinery and implements*, from certain points in Pennsylvania, to certain points in Maryland; *coal* from certain points in Pennsylvania, to points in Frederick County, Md.; (C) *fresh and dried fruits and fruit products*, from certain points in West Virginia, to certain points in Ohio; *paper, paperboard, strawboard, and cardboard*, from Halltown, W. Va., to points in North Carolina; *waste and scrap paper*, from points in North Carolina to Halltown, W. Va.; *fruit and ice*, from certain points in Virginia, to New York, N.Y., and points in Maryland and Pennsylvania; *general commodities*, excepting, among others, household goods and commodities in bulk, between certain points in West Virginia, on the one hand, and, on the other, points in Maryland, New Jersey, New York, Pennsylvania, Virginia, West Virginia, and the District of Columbia, traversing Delaware for operating convenience only; (D) between points in New Jersey, on the one hand, and, on the other, certain points in New York, and Pennsylvania (with exceptions); (E) *contractors equipment*, between Hagerstown, Md., on the one hand, and, on the other, points in Pennsylvania and West Virginia within 100 miles of Hagerstown; (F) *rayon, rayon products and materials, and empty cones, cases, and trays used in the manufacture and handling thereof*, between points within 5 miles of Parkersburg, W. Va., on the one hand, and, on the other, points in Pennsylvania; *synthetic yarn and fibre*, from Parkersburg, W. Va., and points within 5 miles of Parkersburg, to points in Pennsylvania; (G) *drugs*, from Newark, N.J., to Chambersburg, Pa.; *apple products*, from Peach Glen, Pa., to Winchester, Va., and Atlantic City, N.J.; *packinghouse products and byproducts*, including fresh meats, from Harrisburg, Pa., to certain points in Maryland; numerals (A) through (G) have a specified combination provision; and *general commodities*, excepting, among others, household goods and commodities in bulk, between points within 8 miles of Fairview, Md., including Fairview, between Fairview, Md., and points within 8 miles of Fairview, on the one hand, and, on the other, points in Maryland and Pennsylvania within 50 miles of Fairview. HALL'S

MOTOR TRANSIT COMPANY, is authorized to operate as a *common carrier* in Pennsylvania, New York, New Jersey, Ohio, Maryland, Delaware, Virginia, and the District of Columbia. Application has been filed for temporary authority under section 210a(b).

No. MC-F-9231. Authority sought for control by THOMAS PALUMBO, MD 25, McCall Place, Newburgh, N.Y., of STANDARD TRUCKING CO., 587 Fayette Street, Perth Amboy, N.J. Applicants' attorney: Charles H. Trayford, 220 East 42d Street, New York, N.Y., 10017. Operating rights sought to be controlled: *Insulation materials*, as a *contract carrier*, over irregular routes, from Perth Amboy, N.Y., to certain specified counties in Connecticut, Delaware, Pennsylvania, and New York; *roofing materials, asphalt and asbestos building materials, and asphalt paving materials*, from Perth Amboy, N.Y., to certain specified counties in Connecticut, Delaware, Pennsylvania, and New York; *commodities, used or useful in the manufacture of roofing materials, asphalt and asbestos building materials, asphalt paving materials, and insulating materials*, from points in the Connecticut, Delaware, Pennsylvania, and New York Counties immediately above, to Perth Amboy, N.J.; *plaster, plaster board, chip board, gypsum blocks, lime, metal lath, metal lath products, fiber board, insulation board, paints, paper bags, rockwool insulation, and other insulation materials*, between Long Island City and Harlem River, N.Y., and Perth Amboy and Newark, N.J., on the one hand, and, on the other, points in New Jersey, and certain specified counties in New York, and Pennsylvania; *such commodities*, as are dealt in by persons engaged in the manufacture of insulation materials, roofing materials, asphalt and asbestos building materials, and asphalt paving materials, from Perth Amboy, N.Y., to the District of Columbia, points in Maryland, and certain specified counties in Delaware, New York, Pennsylvania, Virginia, and West Virginia, from Lyndhurst, N.J., to certain specified counties in Connecticut, and New York; *such commodities*, as are used in the manufacture of insulation materials, roofing materials, asphalt and asbestos building materials, and asphalt paving materials, from all points in the District of Columbia, and Maryland, and certain specified counties in Delaware, New York, Pennsylvania, Virginia, and West Virginia, to Perth Amboy, N.J.; and *asphalt, in packages*, from Bayonne, N.J., to certain specified counties in Connecticut, Delaware, New York, and Pennsylvania.

THOMAS PALUMBO holds no authority from this Commission. However, he is affiliated with (1) C & T HAULAGE, INC., (2) STELLA TRUCKING, INC., both of MD 25, McCall Place, Newburgh, N.Y., and (3) JEFF MOTOR LINES, INC., Greenbush Road, Box 123, Orangeburg, N.Y., which are authorized to operate as *contract carriers* in (1) New York, Vermont, Maine, New Hampshire, Massachusetts, Connecticut, Rhode Island, New Jersey, Pennsylvania, Ohio,

Maryland, Delaware, Virginia, North Carolina, South Carolina, Georgia, Florida, and the District of Columbia; (2) New York, Pennsylvania, Maryland, New Jersey, Massachusetts, Connecticut, Maine, and Rhode Island; and (3) New York, Connecticut, Delaware, Maryland, Massachusetts, New Jersey, Pennsylvania, Rhode Island, and the District of Columbia. Application has been filed for temporary authority under section 210a(b).

No. MC-F-9232. Authority sought for control and merger by BE-MAC TRANSPORT COMPANY, INC., 7400 North Broadway, St. Louis, Mo., 63147, of the operating rights and property of GRAND RAPIDS MOTOR EXPRESS, INC., 1520 Steele Avenue, Grand Rapids, Mich., and for acquisition by GEORGE R. GOODE, and P. W. GOODE, both of St. Louis, Mo., of control of such rights and property through the transaction. Applicants' attorney: Charles M. M. Shepherd, 20 South Central Avenue, Clayton (St. Louis), Mo., 63105. Operating rights sought to be controlled and merged: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier*, over regular routes, between Chicago, Ill., and Grand Rapids, Mich., serving all intermediate and certain off-route points, between junction U.S. Highway 31 and Allegan County Highway at Saugatuck, Mich., and junction unnumbered highway and U.S. Highway 31, approximately 4 miles south of Holland, Mich., serving all intermediate points; and *frozen fruits, frozen berries, and frozen vegetables*, over irregular routes, from Chicago, Ill., to points in the Lower Peninsula of Michigan. BE-MAC TRANSPORT COMPANY, INC., is authorized to operate as a *common carrier* in Oklahoma, Missouri, Illinois, and Wisconsin. Application has not been filed for temporary authority under section 210a(b). NOTE: If a hearing is deemed necessary, applicant requests it to be held at St. Louis, Mo.

No. MC-F-9234. Authority sought for purchase by G & G HAULAGE CO., INC., 215 Henderson Street, Jersey City, N.J., of the operating rights of TERMINAL TRANSPORTATION CO., INC., Building 146 Coastwise Street, Port Newark, N.J., and for acquisition by ABE TELBAUM, 229 Rues Lane, East Brunswick, N.J., of control of such rights through the purchase. Applicants' representative: Bert Collins, 140 Cedar Street, New York, N.Y. Operating rights sought to be transferred: *Steel products, building materials, and cork products*, as a *common carrier* over irregular routes, between Newark, N.J., on the one hand, and, on the other, New York, N.Y., points in Rockland, Westchester, Nassau, Sullivan, Orange, Broome, Ulster, Dutchess, and Putnam Counties, N.Y., and points in New Jersey. Vendee is authorized to operate as a *common carrier* in New Jersey, Connecticut, New York, and Pennsylvania. Application has been filed for temporary authority under section 210a(b).

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 65-10874; Filed, Oct. 12, 1965;
8:48 a.m.]

[Notice 328]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

OCTOBER 8, 1965.

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

The publications hereinafter set forth reflect the scope of the applications as filed by applicants, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

APPLICATIONS ASSIGNED FOR ORAL HEARING MOTOR CARRIERS OF PROPERTY

The applications immediately following are assigned for hearing at the time and place designated in the notice of filing as here published in each proceeding. All of the proceedings are subject to the Special Rules of Procedure for Hearing outlined below:

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

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

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

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

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

No. MC 117119 (Sub-No. 245) (RE-PUBLICATION), filed August 30, 1965, published in FEDERAL REGISTER issue of September 15, 1965, and republished

this issue. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. Applicant's representative: John H. Joyce, 26 North College, Fayetteville, Ark. 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*, from points in Atchison County, Mo., to points in California, Arizona, New Mexico, Oklahoma, Arkansas, Louisiana, Illinois, Mississippi, and Texas. NOTE: The purpose of this republication is to reflect the hearing information.

HEARING: November 15, 1965, at the Pickwick Motor Inn, McGee and 10th Streets, Kansas City, Mo., before Examiner Charles J. Murphy.

No. MC 117119 (Sub-No. 268) (RE-PUBLICATION), filed September 13, 1965, published in FEDERAL REGISTER issue of September 30, 1965, and republished this issue. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. Applicant's representative: John H. Joyce, 26 North College, Fayetteville, Ark. 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 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 the plantsite of Missouri Beef Packers, Inc., located at or near Phelps City, Mo., to points in Utah, Nevada, Washington, Oregon, Idaho, Montana, and Wyoming, restricted to traffic originating at the plantsite of Missouri Beef Packers, Inc. NOTE: The purpose of this republication is to reflect the hearing information.

HEARING: November 15, 1965, at the Pickwick Motor Inn, McGee and 10th Streets, Kansas City, Mo., before Examiner Charles J. Murphy.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 65-10875; Filed, Oct. 12, 1965;
8:48 a.m.]

[Notice 368]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

OCTOBER 8, 1965.

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

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and

form provided in such rules (49 CFR 211.1(e)) at any time, but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

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

MOTOR CARRIERS OF PROPERTY

No. MC 29988 (Deviation No. 20), DENVER CHICAGO TRUCKING CO., INC., 45th Street at Jackson, Denver, Colo., 80216. Carrier's representative: David Axelrod, 39 South La Salle Street, Chicago, Ill., 60603. Filed September 27, 1965. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Denver, Colo., over U.S. Highway 36 to Springfield, Ill., thence over U.S. Highway 66 (Interstate Highway 55) to Chicago, Ill., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Denver, Colo., over U.S. Highway 6 to Sterling, Colo., thence over U.S. Highway 138 to junction U.S. Highway 30, thence over U.S. Highway 30 to junction Alternate U.S. Highway 30, thence over Alternate U.S. Highway 30 to Chicago, Ill., and return over the same route.

No. MC 43475 (Deviation No. 3) GLENNING MOTORWAYS, INC., 1665 West County Road C, St. Paul, Minn., 55113, filed September 30, 1965. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over deviation routes as follows: (1) From junction Minnesota Highways 36 and 100 (at North St. Paul, Minn.) over Minnesota Highway 100 to junction Minnesota Highways 36 and 95, thence over Minnesota Highway 95 to junction U.S. Highway 12, and (2) from junction U.S. Highway 10 and Minnesota Highway 32 over Minnesota Highway 32 to junction Minnesota Highway 102 (just north of Fertile, Minn.) thence over Minnesota Highway 102 to junction Minnesota Highway 9 (southeast of Crookston, Minn.), and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over pertinent service routes as follows: (1) From junction Minnesota Highways 36 and 100 (at North St. Paul, Minn.) over Minnesota Highway 100 to junction U.S. Highway 12, thence over U.S. Highway 12 to junction Minnesota Highway 95, and (2) from junction U.S. Highway 10 and Minnesota Highway 32 over U.S. Highway 10 to junction Minnesota Highway 9, thence over Minnesota Highway 9 to junction Minnesota Highway 102 (south of Crookston, Minn.), and return over the same routes.

No. MC 59680 (Deviation No. 29), STRICKLAND TRANSPORTATION CO., INC., Post Office Box 5689, Dallas, Tex., 75222, filed September 13, 1965, should be corrected to No. MC 59680 (Deviation No. 29), STRICKLAND TRANSPORTATION CO., INC., AND STRICKLAND TRANSPORTATION CO., INC., OPERATOR OF TRACY TRUCKING CO., Post Office Box 5689, Dallas, Tex., 75222, filed September 13, 1965. Published in FEDERAL REGISTER issue of September 29, 1965.

No. MC 59680 (Deviation No. 32), STRICKLAND TRANSPORTATION CO., INC., Post Office Box 5689, Dallas, Tex., 75222, filed September 27, 1965. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From St. Louis, Mo., over U.S. Highway 40 to junction Interstate Highway 465 near Indianapolis, Ind., thence over Interstate Highway 465 and Indiana Highway 100 (bypassing Indianapolis) to junction U.S. Highway 40, thence over U.S. Highway 40 to junction U.S. Highway 42, thence over U.S. Highway 42 (bypass Ashland, Ohio U.S. Highway 42 bypass) to Cleveland, Ohio, and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From St. Louis, Mo., over City U.S. Highway 66 to junction U.S. Highway 66, thence over U.S. Highway 66 to junction Illinois Highway 48, thence over Illinois Highway 48 to junction U.S. Highway 54, thence over U.S. Highway 54 to Gilman, Ill., thence over U.S. Highway 24 to Napoleon, Ohio, thence over U.S. Highway 6 to Lorain, Ohio, thence over Ohio Highway 57 to junction Ohio Highway 254, thence over Ohio Highway 254 to Cleveland, Ohio, and return over the same route.

No. MC 59680 (Deviation No. 33), STRICKLAND TRANSPORTATION CO., INC., Post Office Box 5689, Dallas, Tex., 75222, filed September 27, 1965. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From St. Louis, Mo., over U.S. Highway 66 to Springfield, Ill., thence over U.S. Highway 66 to Chicago, Ill., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From St. Louis, Mo., over City U.S. Highway 66 to junction U.S. Highway 66, thence over U.S. Highway 66 to junction Illinois Highway 48, thence over Illinois Highway 48 to junction U.S. Highway 54, thence over U.S. Highway 54 via Onarga, Gilman, and Kankakee, Ill., to Chicago, Ill., and return over the same route.

No. MC 59680 (Deviation No. 34), STRICKLAND TRANSPORTATION CO., INC., Post Office Box 5689, Dallas, Tex., 75222, filed September 27, 1965. Carrier proposes to operate as a *common*

carrier, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Chicago, Ill., over Alternate U.S. Highway 30 to junction U.S. Highway 6, thence over U.S. Highway 6 to junction Indiana Turnpike at Westpoint Interchange, thence over Indiana Turnpike to the Ohio-Indiana State line, thence over Ohio Turnpike to Interchange No. 10 at junction U.S. Highway 42, thence over U.S. Highway 42 to Cleveland, Ohio, and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Chicago, Ill., over Alternate U.S. Highway 30 via Calumet City, Ill., to junction U.S. Highway 6, thence over U.S. Highway 6 to Lorain, Ohio, thence over Ohio Highway 57 to junction Ohio Highway 254, thence over Ohio Highway 254 to Cleveland, Ohio, and return over the same route.

No. MC 59680 (Deviation No. 35), STRICKLAND TRANSPORTATION CO., INC., Post Office Box 5689, Dallas, Tex., 75222, filed September 27, 1965. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Boston, Mass., over Interstate Highway 95 to Newark, N.J., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: (1) From Boston, Mass., over Massachusetts Highway 9 to West Brookfield, Mass., thence over Massachusetts Highway 67 to junction U.S. Highway 20, thence over U.S. Highway 20 to Springfield, Mass., thence over Alternate U.S. Highway 5 to Hartford, Conn., thence over Connecticut Highway 9 to Middletown, Conn., thence over Connecticut Highway 17 to New Haven, Conn., and thence over U.S. Highway 1 to Newark, N.J., and (2) from Boston, Mass., over U.S. Highway 20 to Springfield, Mass., thence over U.S. Highway 5 to New Haven, Conn., and thence over U.S. Highway 1 to Newark, N.J., and return over the same routes.

No. MC 59680 (Deviation No. 36), STRICKLAND TRANSPORTATION CO., INC., Post Office Box 5689, Dallas, Tex., 75222, filed September 27, 1965. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Richfield, Ohio, via Ohio Highway 303 to junction Ohio Highway 44, thence over Ohio Highway 44 to junction Interstate Highway 90, thence over Interstate Highway 90 and New York State Thruway to New York, N.Y., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Richfield, Ohio, over U.S. Highway 21 to Cleveland, Ohio, thence over Ohio Highway 84 to junction Ohio Highway 46, thence over

Ohio Highway 46 to Ashtabula, Ohio, 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 Batavia, N.Y., thence over New York Highway 5 to Albany, N.Y., thence over New York Highway 9J to junction U.S. Highway 9, thence over U.S. Highway 9 to Newark, N.J., and return over the same route.

No. MC 59680 (Deviation No. 37), STRICKLAND TRANSPORTATION CO., INC., Post Office Box 5689, Dallas, Tex., 75222, filed September 27, 1965. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over a deviation route as follows: From Newark, N.J., over the New Jersey Turnpike to exit gate 4 near Fellowship, N.J., thence over New Jersey Highway 73 to junction New Jersey Highway 38, thence over New Jersey Highway 38 to junction U.S. Highway 30, thence over U.S. Highway 30 to Philadelphia, Pa., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Philadelphia, Pa., by bridge to Camden, N.J., thence over New Jersey Highway 70 to junction New Jersey Highway 72, thence over New Jersey Highway 72 to junction U.S. Highway 9, thence over U.S. Highway 9 to Newark, N.J., and return over the same route.

No. MC 59680 (Deviation No. 38), STRICKLAND TRANSPORTATION CO., INC., Post Office Box 5689, Dallas, Tex., 75222, filed September 27, 1965. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over a deviation route as follows: From Boston, Mass., over Massachusetts Turnpike (Interstate Highway 90) to Springfield, Mass., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Boston, Mass., over Massachusetts Highway 9 to West Brookfield, Mass., thence over Massachusetts Highway 67 to junction U.S. Highway 20, thence over U.S. Highway 20 to Springfield, Mass., and return over the same route.

No. MC 59680 (Deviation No. 39), STRICKLAND TRANSPORTATION CO., INC., Post Office Box 5689, Dallas, Tex., 75222, filed September 27, 1965. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over a deviation route as follows: From Hartford, Conn., over Interstate Highway 91 to Springfield, Mass., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: Between Springfield, Mass., and Hartford, Conn., over U.S. Highways 5 and 5A, and return over the same routes.

No. MC 107500 (Deviation No. 27) (Cancels Deviation No. 15), BURLINGTON TRUCK LINES, INC., 796 South Pearl Street, Galesburg, Ill., filed September 29, 1965. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over deviation routes as follows: (1) From Galesburg, Ill., over Interstate Highway 74 to Peoria, Ill.; and (2) from Galesburg, Ill., over Interstate Highway 74 to junction Interstate Highway 80-280, thence over Interstate Highway 80-280 to Moline, Ill.; and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over pertinent service routes as follows: (1) From Galesburg, Ill., over U.S. Highway 150 to Peoria, Ill.; and (2) from Davenport, Iowa, over U.S. Highway 6 to Moline, Ill., thence over U.S. Highway 150 to Galesburg, Ill.; and return over the same routes.

MOTOR CARRIERS OF PASSENGERS

No. MC 1515 (Deviation No. 267) GREYHOUND LINES, INC. (Western Division), Market and Fremont Streets, San Francisco, Calif., 94106. Carrier's representative: W. T. Meinhold, 371 Market Street, San Francisco, Calif., 94105. Carrier proposes to operate as a common carrier, by motor vehicle, of passengers and their baggage, and express, newspapers, and mail, in the same vehicle with passengers, over a deviation route as follows: From junction unnumbered highway and California Highway 17 (North Scotts Valley Junction), over California Highway 17 to junction unnumbered highway (South Scotts Valley Junction), and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the above-specified property over a pertinent service route as follows: From junction California Highway 9 and U.S. Highway 101 (Sunnyvale Junction), over California Highway 9 to Saratoga, thence over unnumbered highway to Los Gatos, thence over California Highway 17 to Santa Cruz, and return over the same route.

No. MC 41905 (Deviation No. 3), ILLINI-SWALLOW LINES, INC., 118-120 South Walnut Street, Champaign, Ill., filed September 27, 1965. Carrier's representative: Harry J. Harman, 1110-1112 Fidelity Building, Indianapolis, Ind., 46204. Carrier proposes to operate as a common carrier, by motor vehicle, of passengers and their baggage, and express and newspapers, in the same vehicle with passengers, over a deviation route as follows: From junction Indiana Highway 130 and Interstate Highway 74, 3 miles west of Veedersburg, Ind., over Interstate Highway 74 to junction Indiana Highway 39 at or near Lizton, Ind., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the above-specified property over pertinent service routes as follows: (1) From Indianapolis, Ind., over U.S. Highway

136 (formerly Indiana Highway 34) to Crawfordsville, Ind., and return over the same route; and (2) from Champaign, Ill., over U.S. Highway 150 to Danville, Ill., thence over U.S. Highway 136 (formerly Illinois Highway 10) to the Illinois-Indiana State line, and thence over U.S. Highway 136 (formerly Indiana Highway 34) to Indianapolis; and return from Indianapolis over U.S. Highway 52 to Lebanon, Ind., thence over Indiana Highway 32 to Crawfordsville, Ind., thence over U.S. Highway 136 (formerly Indiana Highway 34) to the Indiana-Illinois State line, thence over U.S. Highway 136 (formerly Illinois Highway 10) to Danville, and thence over U.S. Highway 150 to Champaign.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 65-10876; Filed, Oct. 12, 1965; 8:48 a.m.]

[Notice 64]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

OCTOBER 8, 1965.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules in Ex Parte No. MC 67 (49 CFR Part 240) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protest must be specific as the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined, at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the Field Office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 2253 (Sub-No. 26 TA), filed October 6, 1965. Applicant: CAROLINA FREIGHT CARRIERS CORPORATION, Post Office Box 697, Cherryville, N.C. Applicant's representative: 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, Class A and B explosives, household goods, as defined by the Commission, commodities in bulk, commodities requiring the use of special equipment), between Columbus, Ga., on the one hand, and, on the other, the plantsites of the Georgia Kraft Co., do-

ing business as Alabama Kraft Co.; Mead Corp.; and, Inland Container Corp.; located at or near Cottonton, Ala., known as Mahrt, Ala., for 180 days. Supporting shippers: The Mead Corp., Talbott Tower, Dayton, Ohio, 45402; Inland Container Corp., Indianapolis, Ind.; and The Rust Engineering Co., 2316 Fourth Avenue North, Birmingham, Ala., 35203. Send protests to: Jack K. Huff, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 206, 327 North Tryon Street, Charlotte, N.C.

No. MC 20722 (Sub-No. 16 TA), filed October 6, 1965. Applicant: M & G CONVOY, INC., 590 Elk Street, Buffalo, N.Y., 14210. Applicant's representative: Walter N. Bieneman, Suite 1700, One Woodward Avenue, Detroit, Mich., 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Boats* (not exceeding 24 feet in length), and *cradles and trailers therefor*, from Little Ferry Railroad, Ridgefield, N.J., to points in New Jersey and New York, restricted to traffic originating at the plant of Chrysler Boat Corp. in Plano, Tex., and moving from Little Ferry Railroad, Ridgefield, N.J., in mixed shipments with automobiles and trucks. On return movements, applicant will transport empty cradles, for 180 days. Supporting shipper: Chrysler Corp., Post Office Box 1976, Detroit Mich., 48231. Send protests to: George M. Parker, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 324 Post Office Building, Buffalo, N.Y., 14203.

No. MC 61264 (Sub-No. 21 TA), filed October 6, 1965. Applicant: PILOT FREIGHT CARRIERS, INC., Post Office Box 615, Cherry Street at Polo Road, Winston-Salem, N.C. Applicant's representative: Alan E. Serby, 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, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring the use of special equipment), between Columbus, Ga., on the one hand, and, on the other, the plantsites of the Georgia Kraft Co., doing business as Alabama Kraft Co., Mead Corp.; and Inland Container Corp.; located at or near Cottonton, Ala., now known as Mahrt, Ala., for 150 days. Supporting shippers: The Mead Corp., Talbott Tower, Dayton, Ohio, 45402; The Rust Engineering Co., 2316 Fourth Avenue North, Birmingham, Ala., 35203; and Inland Container Corp., Indianapolis, Ind. Send protests to: Jack K. Huff, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 206, 327 North Tryon Street, Charlotte, N.C., 28202.

No. MC 64994 (Sub-No. 68 TA), filed October 6, 1965. Applicant: HENNIS FREIGHT LINES, INC., Post Office Box 612, Winston-Salem, N.C., 27102. Applicant's representative: 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, Class A and B explosives, household goods, as defined by the Commission, commodities in bulk, commodities requiring the use of special equipment), between Columbus, Ga., on the one hand, and, on the other, the plantsites of the Georgia Kraft Co., doing business as Alabama Kraft Co.; Mead Corp.; and, Inland Container Corp.; located at or near Cottonton, Ala., now known as Mahrt, Ala., for 180 days. Supporting shippers: The Mead Corp., Talbott Tower, Dayton, Ohio, 45402; Inland Container Corp., Indianapolis, Ind.; the Rust Engineering Co., 2316 Fourth Avenue North, Birmingham, Ala., 35302. Send protests to: Jack K. Huff, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 206, 327 North Tryon Street, Charlotte, N.C., 28202.

No. MC 76177 (Sub-No. 305 TA), filed October 6, 1965. Applicant: BAGGETT TRANSPORTATION COMPANY, 2 South 32d Street, Birmingham, Ala. Applicant's representative: Paul M. Daniell, 1600 First Federal Building, Atlanta, Ga., 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *General commodities* (except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring the use of special equipment), (a) between Columbus, Ga., on the one hand, and, on the other, the plantsites of the Georgia Kraft Co., doing business as Alabama Kraft Co.; Mead Corp.; and, Inland Container Corp.; located at or near Cottonton, Ala., now known as Mahrt, Ala., and (b) serving the plantsites of Georgia Kraft Co., doing business as Alabama Kraft Co., Mead Corp., and Inland Container Corp., at or near Cottonton, Ala., now known as Mahrt, Ala., as off-route points in connection with the carrier's otherwise authorized operations, for 150 days. Supporting shippers: The Mead Corp., Talbott Tower, Dayton, Ohio, 45402; The Rust Engineering Co., 2316 Fourth Avenue North, Birmingham, Ala., 35203; Inland Container Corp., Indianapolis, Ind. Send protests to: B. R. McKenzie, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 1325 City Federal Building, Birmingham, Ala., 35203.

No. MC 106401 (Sub-No. 20 TA), filed October 6, 1965. Applicant: JOHNSON MOTOR LINES, INC., 2426 North Graham Street, Post Office Box 10877, Charlotte, N.C. Applicant's representative: Alan E. Serby, Suite 1600, First Federal Building, Atlanta, Ga., 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *General commodities* (except those of unusual value, class A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring the use of special equipment), (a) between Columbus, Ga., on the one

hand, and, on the other, the plantsites of the Georgia Kraft Co., doing business as Alabama Kraft Co.; Mead Corp.; and, Inland Container Corp.; located at or near Cottonton, Ala., now known as Mahrt, Ala., and (b) serving the plantsites of Georgia Kraft Co., doing business as Alabama Kraft Co., Mead Corp., and Inland Container Corp. at or near Cottonton, Ala., now known as Mahrt, Ala., as off-route points in connection with the carrier's otherwise authorized operations, for 180 days. Supporting shippers: The Mead Corp., Talbott Tower, Dayton, Ohio; Inland Container Corp., Indianapolis, Ind.; and the Rust Engineering Co., 2316 Fourth Avenue, North Birmingham, Ala. Send protests to: Jack K. Huff, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 206-327 North Tryon Street, Charlotte, N.C., 28202.

No. MC 107475 (Sub-No. 57 TA), filed October 6, 1965. Applicant: DANCE FREIGHT LINES, INC., Office: 920 Dance Court, Cincinnati, Ohio, 45203. Applicant's representative: Paul M. Daniell, 1600 First Federal Building, Atlanta, Ga., 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *General commodities* (except those of unusual value, class A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring the use of special equipment), (a) between Columbus, Ga., on the one hand, and, on the other, the plantsites of the Georgia Kraft Co., doing business as Alabama Kraft Co.; Mead Corp.; and, Inland Container Corp.; located at or near Cottonton, Ala., now known as Mahrt, Ala.; and (b) serving the plantsites of Georgia Kraft Co., doing business as Alabama Kraft Co.; Mead Corp., and Inland Container Corp. at or near Cottonton, Ala., now known as Mahrt, Ala., as off-route points in connection with the carrier's otherwise authorized operations, for 150 days. Applicant proposes to tack any authority applied for and granted, to authority presently held in Docket No. MC 107475 and subnumbers. Supporting shippers: The Rust Engineering Co., 2316 Fourth Avenue, North Birmingham, Ala., 35203; the Mead Corp., Talbott Tower, Dayton, Ohio, 45402; and Inland Container Corp., Indianapolis, Ind. Send protests to: Emil P. Schwab, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 1010 Federal Building, 550 Main Street, Cincinnati, Ohio, 45202.

No. MC 114939 (Sub-No. 35 TA), filed October 6, 1965. Applicant: BULK CARRIERS LIMITED, Box 10, Cooksville, Ontario, Canada. Applicant's representative: Frank E. O'Brien (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Soya bean flakes*, in bulk, in tank, in pneumatic trailers, from Decatur, Ill., to ports of entry on the international boundary between the United States and Canada, at or near Detroit and Port Huron, Mich., for 150 days. Supporting

shipper: General Foods Corp., 250 North Street, White Plains, N.Y., 10602. Send protests to: George M. Parker, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 324 Post Office Building, Buffalo, N.Y., 14203.

No. MC 127586 (Sub-No. 1 TA), filed October 6, 1965. Applicant: MASON HENRY DOLLAR AND JAMES PAUL ELLIOT, a partnership, West Jefferson, N.C., 28694. Applicant's representative: Wade E. Vannoy, Jr., West Jefferson, N.C., 28694. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Coal, in dump vehicles, from Lebanon, Va., to points in Ashe and Alleghany counties, N.C., for 180 days. Supporting shippers: Board of Education, John F. Woodruff, Alleghany County, Sparta, N.C., 28675; and Ashe County Board of Education, Frank James, Jefferson, N.C., 28640. Send protests to: Jack K. Huff, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 206-327 North Tryon Street, Charlotte, N.C., 28202.

No. MC 127586 (Sub-No. 2 TA), filed October 6, 1965. Applicant: MASON HENRY DOLLAR AND JAMES PAUL ELLIOT, a partnership, West Jefferson, N.C., 28694. Applicant's representative: Wade E. Vannoy, Jr., West Jefferson, N.C., 28694. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Stoker coal, in dump vehicles, from Virginia City, Va., to Lansing, N.C., for 180 days. Supporting shipper: Sprague Electric Co., Lansing, N.C., 28643. Send protests to: Jack K. Huff, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 206, 327 North Tryon Street, Charlotte, N.C., 28202.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 65-10877; Filed, Oct. 12, 1965;
8:48 a.m.]

[Notice 1245]

MOTOR CARRIER TRANSFER PROCEEDINGS

OCTOBER 3, 1965.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-67961. By order of September 30, 1965, Transfer Board approved the transfer to Cromartie Transport Co., a corporation, Wilmington, N.C., of the operating rights issued by the Commission December 31, 1963, under corrected certificate of Registration No. MC-99713 (Sub-No. 1), to J. D. Raynor, doing business as Raynor Truck Lines, Wilmington, N.C., authorizing the transportation of general commodities, except those requiring special equipment, over regular routes, between specified points in North Carolina; and commodities of the kind and variety ordinarily handled by wholesale and retail grocery stores, from Wilmington to points in North Carolina in and east of the counties of Stokes, Forsyth, Randolph, Moore, and Scotland. Russell R. Sage, 2001 Massachusetts Avenue NW, Washington, D.C., attorney for applicants.

No. MC-FC-68123. By order of September 30, 1965, Transfer Board approved the transfer to W. R. Rivers, Jackson, Miss., of a portion of Certificate No. MC-82625, issued February 24, 1956, to Azalea Motor Lines, Inc., Mobile, Ala., authorizing the transportation of general commodities, except class A and B explosives and commodities in bulk, in tank vehicles over regular routes, between Mobile, Ala., and Dauphin Island, Ala., serving all intermediate points; and general commodities, except class A and B explosives and commodities in bulk, in tank vehicles, over irregular routes, between points on Dauphin Island, Ala. Dudley W. Conner, Conner Building, Hattiesburg, Miss., attorney for applicants.

No. MC-FC-68136. By order of September 30, 1965, Transfer Board approved the transfer to Tisch & Drews, Inc., Oconto Falls, Wis., of the operating rights in Permits Nos. MC-117200, MC-117200 (Sub-No. 3), MC-117200 (Sub-No. 4), and MC-117200 (Sub-No. 6) issued September 8, 1958, October 2, 1963, June 24, 1963, and March 11, 1964, respectively, to Allen Tisch and Merdon Drews, a partnership, doing business as Tisch & Drews, Oconto Falls, Wis., authorizing the transportation, over irregular routes, of: Pulp used in the manufacture of paper, lime, and paper products, inedible salt, and coal, in bulk, between points in Wisconsin, Pennsylvania, and Michigan. Eugene E. Behling, Oconto Falls, Wis., 54154, attorney for applicants.

No. MC-FC-68145. By order of September 30, 1965, Transfer Board approved the transfer to Ralph N. Simons, Algona, Iowa of Permit No. MC-114016, issued April 5, 1963, to Paul A. James, Algona, Iowa, authorizing the transportation of livestock, livestock feeds, packinghouse tankage, bone meal, and meat scraps, over irregular routes, between Austin, Minn., and Fremont, Nebr., on the one hand, and, on the other, points in that part of Iowa bounded by a line beginning at the Iowa-Minnesota State line and extending south along U.S. Highway 69 to its junction with unnumbered county road at Goodell, Iowa, thence west along said unnumbered

county road through Kanawha, Iowa, to its junction with Iowa Highway 60, thence south along Iowa Highway 60 to its junction with Iowa Highway 3, thence west along Iowa Highway 3 to its junction with U.S. Highway 169, thence south along U.S. Highway 169 to its junction with U.S. Highway 20, thence along U.S. Highway 20 to junction U.S. Highway 71, thence north along U.S. Highway 71 to its junction with Iowa Highway 3, thence east along Iowa Highway 3 to Pocahontas, Iowa, thence north along Iowa Highway 17 to Emmetsburg, Iowa, thence east along U.S. Highway 18 to its junction with Iowa Highway 44, thence north along Iowa Highway 44 to Armstrong, Iowa, thence east along Iowa Highway 9 to its junction with U.S. Highway 169, thence north along U.S. Highway 169 to the Iowa-Minnesota State line, thence east along the Iowa-Minnesota State line to point of beginning, excluding all points on the indicated portions of the highways specified other than Kanawha and Storm Lake, Iowa. Clayton L. Wornson, 206 Brick & Tile Building, Mason City, Iowa, representative for applicants.

No. MC-FC-68171. By order of September 30, 1965, Transfer Board approved the transfer to Louise C. Kimball, Millerton, N.Y., of the operating rights in Certificate No. MC-125109, issued December 3, 1963, and Permit No. MC-19362, issued November 13, 1961, to Eugene B. Kimball, Millerton, N.Y., authorizing the transportation, as a common and a contract carrier, over irregular routes, of Cattle (other than ordinary), between points in New York, Connecticut, Massachusetts, Maryland, Illinois, New Jersey, Virginia, Pennsylvania, and Tennessee, and ground and pulverized limestone, from Falls Village, Conn., to specified points and portions of Rhode Island, New York, and Massachusetts. Dual operations were authorized. John J. Brady, Jr., 75 State Street, Albany, N.Y., attorney for applicants.

No. MC-FC-68174. By order of September 29, 1965, Transfer Board approved the transfer to F & S Co., Inc., Tooele, Utah, of Certificate No. MC-120279 (Sub-No. 1) issued March 21, 1962, to F. G. McFarland and S. R. Hullinger, a partnership, doing business as McFarland & Hullinger, Tooele, Utah, authorizing the transportation, over irregular routes, of uranium and vanadium ores, in bulk, from points in San Juan County, Utah, to Naturita, Durango, and Uravan, Colo., and Thompson, Utah, with no transportation for compensation on return except as otherwise authorized; and from points in Arizona within a radius of 25 miles of a point at the junction of unnumbered Arizona Highway and Utah Highway 47 (near Gouldings Trading Post on Utah Highway 47 approximately 2 miles from said junction), to uranium and vanadium ore concentrating plantsites at or near Mexican Hat and Monticello, Utah, with no transportation for compensation on return except as otherwise authorized. Sanford M. Stoddard, 800 Continental Bank Building, Salt Lake City, Utah, attorney for applicants.

No. MC-FC-68175. By order of September 29, 1965, Transfer Board approved the transfer to F & R Enterprises, Inc., Lovelock, Nev., of Certificate No. MC-16001 issued June 3, 1944, to Dodge Construction, Inc., Fallon, Nev., authorizing the transportation of ore, con-

centrates, contractors' machinery and equipment, and such machinery, materials, supplies, and equipment, as are used by persons engaged in the mining and milling of ore, over irregular routes, between points in Nevada within 200 miles of Fallon, Nev., including Fallon.

Bertram S. Silver, 140 Montgomery Street, San Francisco, Calif. 94104, representative for applicants.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 65-10878; Filed, Oct. 12, 1965; 8:48 a.m.]

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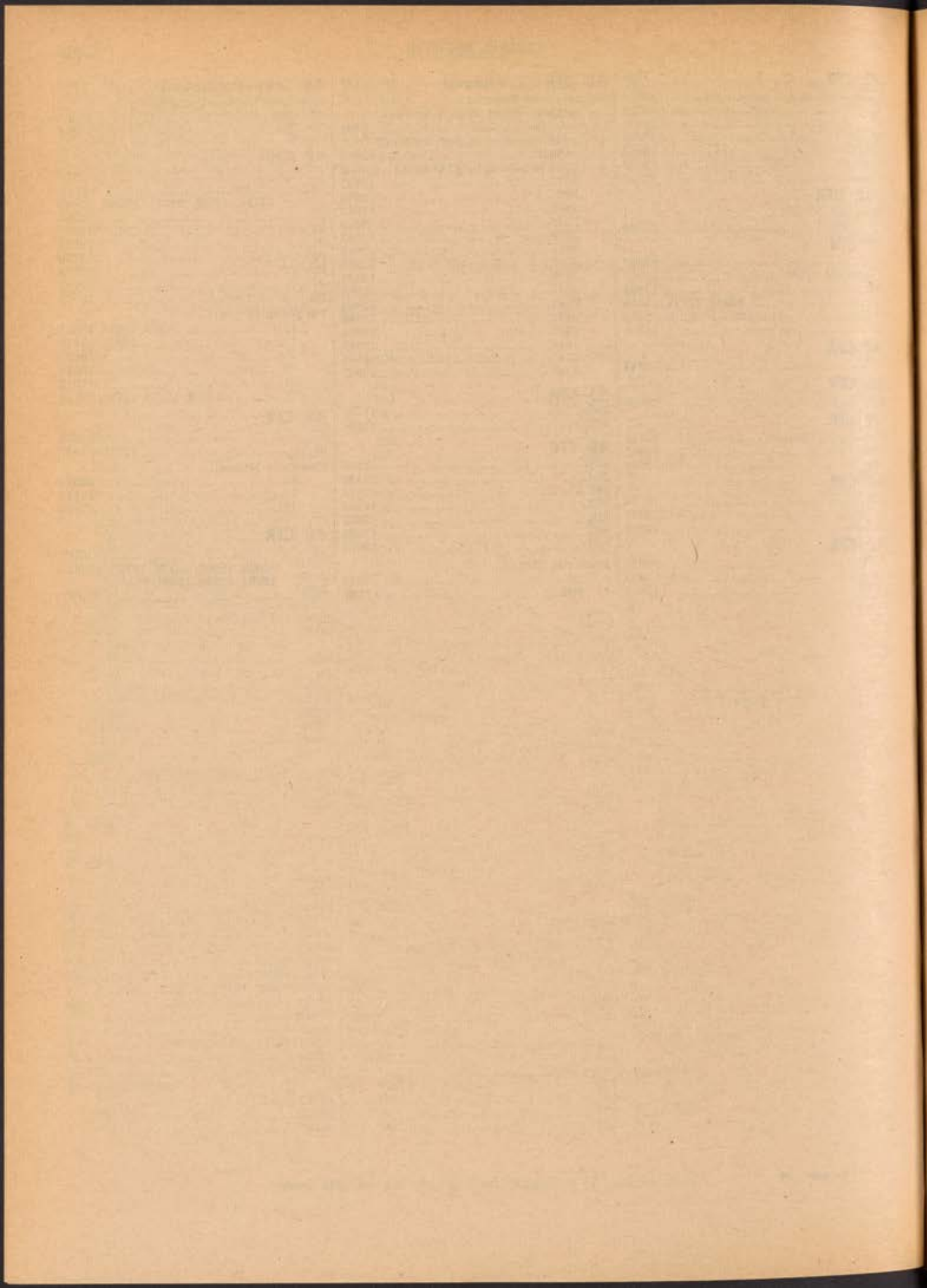
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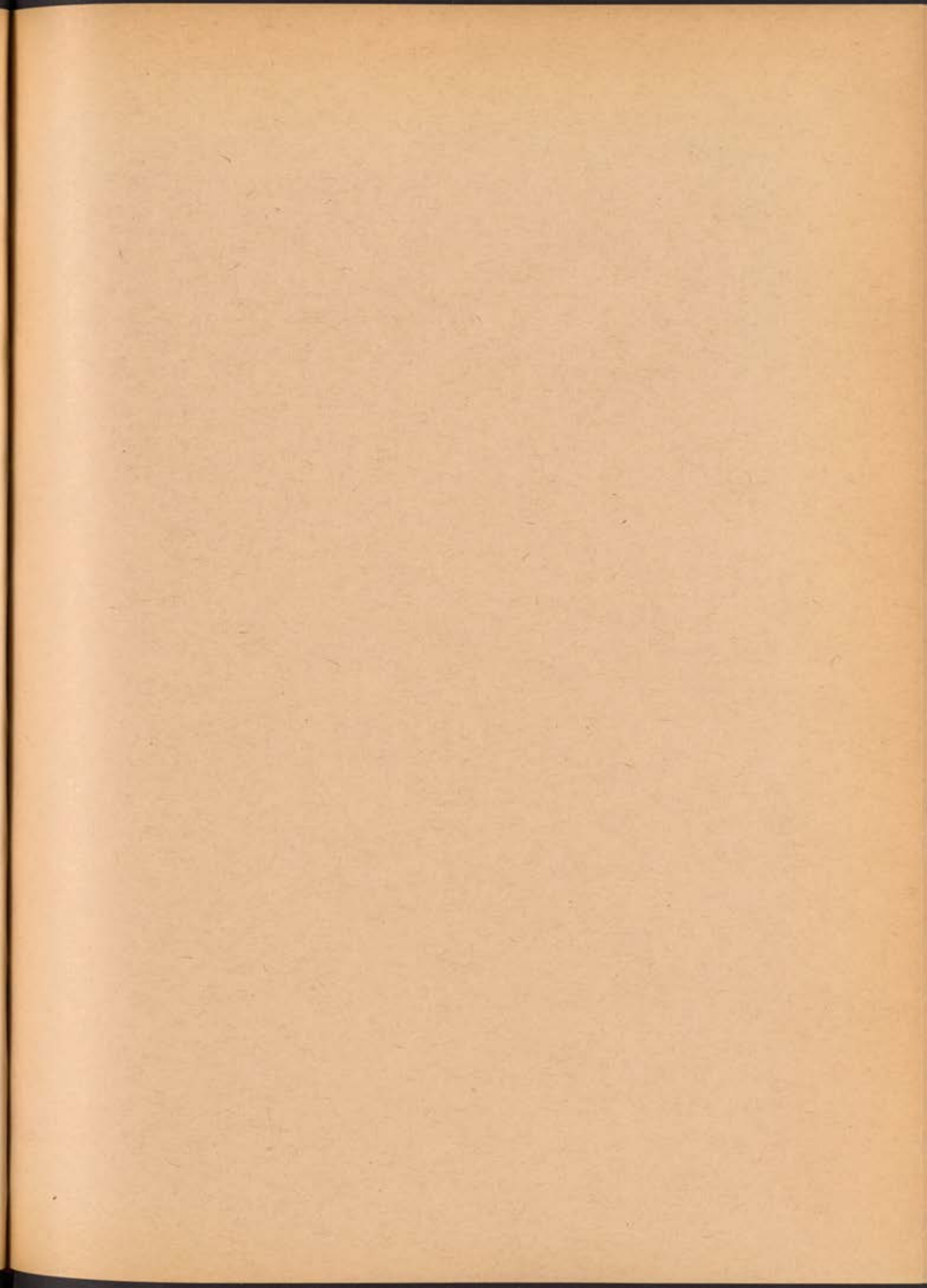
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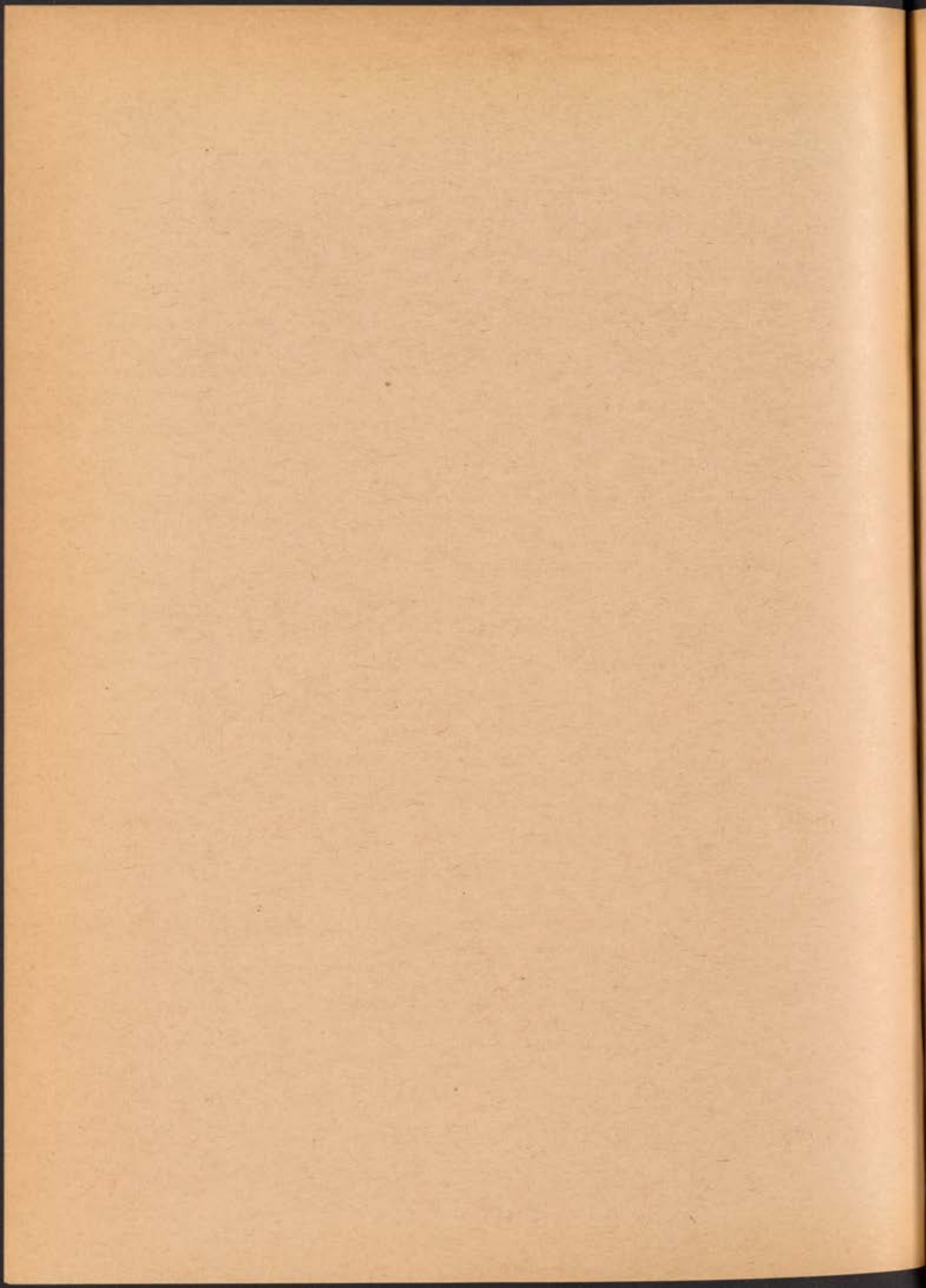
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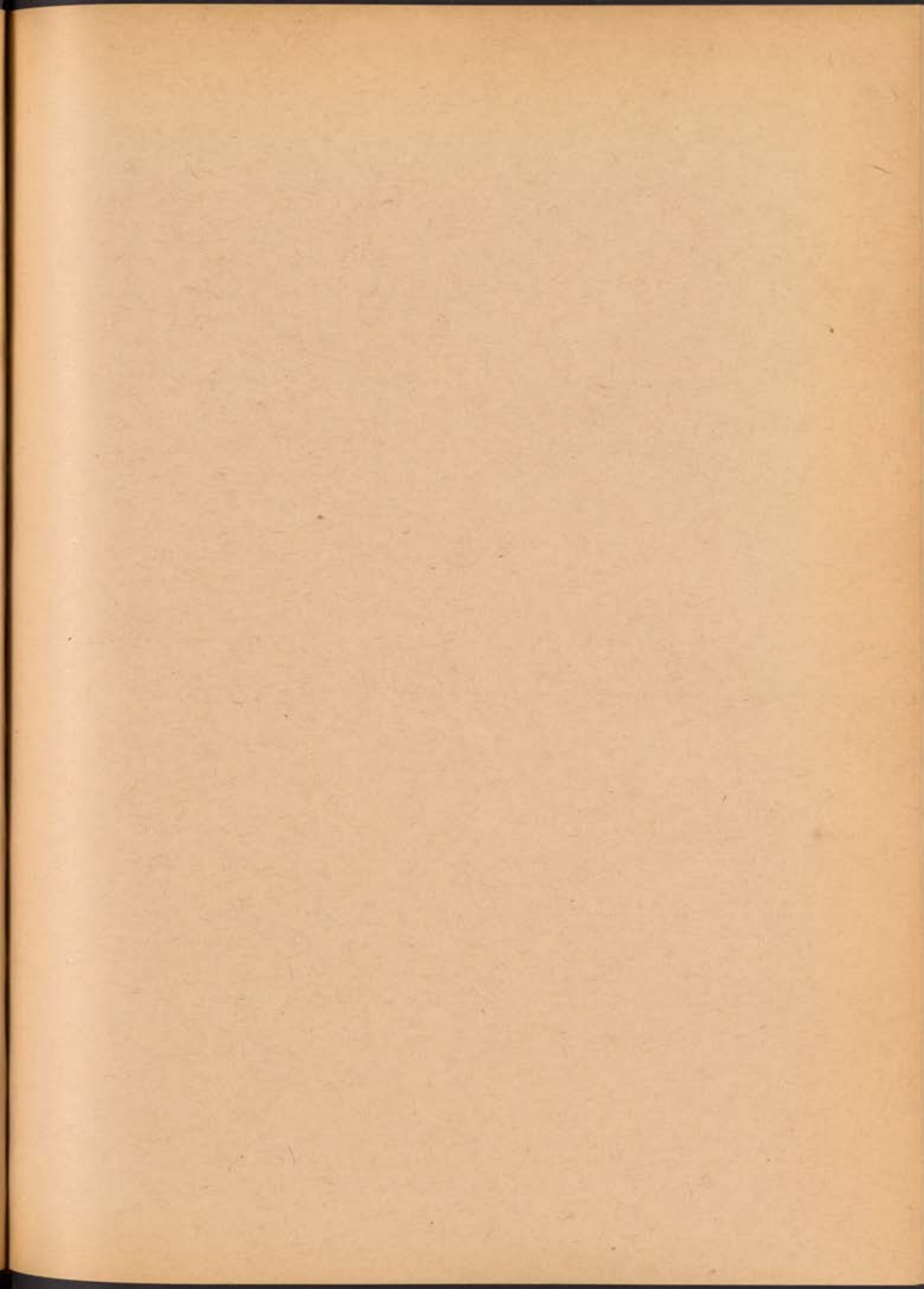
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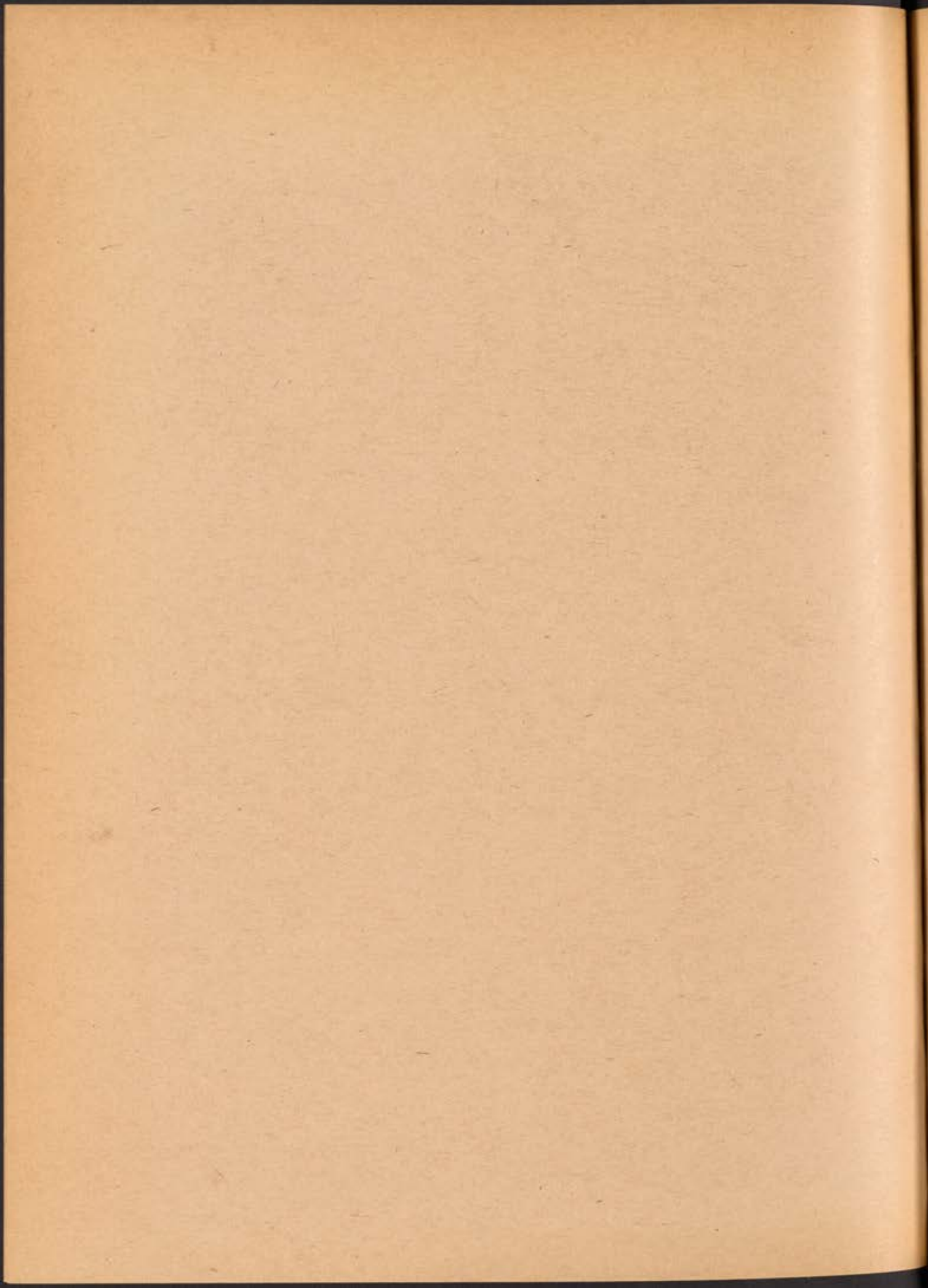
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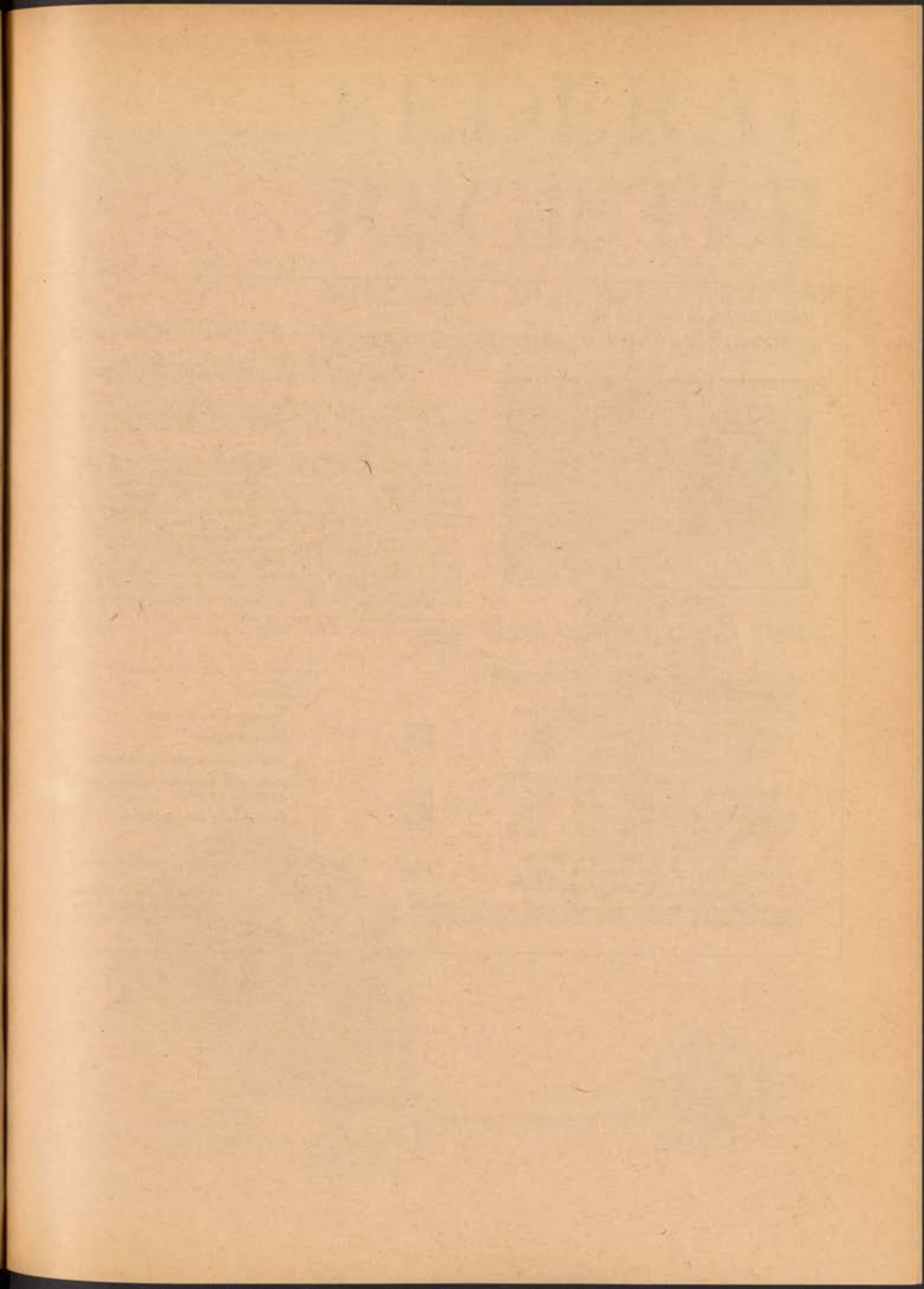












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