

# FEDERAL REGISTER

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**Agencies in this issue—**

Agricultural Stabilization and  
Conservation Service  
Atomic Energy Commission  
Civil Aeronautics Board  
Civil Service Commission  
Engineers Corps  
Federal Aviation Agency  
Federal Communications Commission  
Federal Maritime Commission  
Federal Power Commission  
Fish and Wildlife Service  
Food and Drug Administration  
Interior Department  
Internal Revenue Service  
Interstate Commerce Commission  
Land Management Bureau  
National Bureau of Standards  
Securities and Exchange Commission  
Small Business Administration

Detailed list of Contents appears inside.



Just Released

## CODE OF FEDERAL REGULATIONS

(As of January 1, 1966)

Title 32—National Defense (Parts 1-39)  
(Revised)  
\$2.50

Title 33—Navigation and Navigable Waters  
(Pocket Supplement)  
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A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1966, and specifies how they are affected.

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# Rules and Regulations

## Title 5—ADMINISTRATIVE PERSONNEL

### Chapter I—Civil Service Commission

#### PART 831—RETIREMENT

##### Subpart A—Administration and General Provisions

##### Subpart K—Prohibition on Payments of Annuities

###### MISCELLANEOUS AMENDMENTS

Part 831 is amended by adding Subpart K to prescribe the procedures applicable in determining whether payment of an annuity under the Civil Service Retirement Act is prohibited by the Hiss Act. Also § 831.107(a) is amended to provide an exception in recognition of Subpart K. The amendments to Part 831 are set out below.

###### § 831.107 Appeals.

(a) Except as provided in Subpart K of this part, a department, agency, or individual whose rights or interest under the Civil Service Retirement Act are adversely affected by a final action or order of the Bureau of Retirement and Insurance may appeal to the Commission's Board of Appeals and Review from the action or order, as provided in this section.

(Sec. 16, 70 Stat. 758; 5 U.S.C. 2266)

###### Subpart K—Prohibition on Payments of Annuities

Sec.	
831.1101	Scope.
831.1102	Definitions.
831.1103	Computation of time.
831.1104	Notice.
831.1105	Answer; request for hearing.
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831.1108	Witnesses.
831.1109	Evidence.
831.1110	Initial decision.
831.1111	Appeal and review.
831.1112	Final decision.

**AUTHORITY:** The provisions of this Subpart K issued under sec. 16, 70 Stat. 758; 5 U.S.C. 2266.

###### § 831.1101 Scope.

This subpart prescribes the procedures to be followed in determining whether payment of an annuity under the Civil Service Retirement Act is prohibited by the Act of September 1, 1954, as amended, 5 U.S.C. 2281-2288.

###### § 831.1102 Definitions.

As used in this subpart:

(a) "Act" means the Act of September 1, 1954, as amended, 75 Stat. 640-649; 5 U.S.C. 2281-2288, popularly known as the "Hiss Act";

(b) "Annuitant" means an individual who, on the basis of his service, or as a survivor annuitant, has met all the requirements of the Civil Service Retirement Act for title to an annuity and has filed claim therefor.

###### § 831.1103 Computation of time.

In computing a period of time prescribed by this subpart, the day of the action or event after which the designated period of time begins to run is not to be included. The last day of the period so computed is to be included unless it is a Saturday, a Sunday, or a legal holiday in which event the period runs until the end of the next day which is neither a Saturday, a Sunday, nor a legal holiday.

###### § 831.1104 Notice.

When the Director, Bureau of Retirement and Insurance determines that the Act appears to prohibit payment of annuity, he shall notify the annuitant in writing of his intention to withhold payment of the annuity. The notice shall set forth the reasons for this determination. The notice may be served by registered or certified mail and shall inform the annuitant that he is entitled to submit an answer and request a hearing.

###### § 831.1105 Answer; request for hearing.

(a) The annuitant has 30 calendar days from the day he receives the notice within which to submit an answer and to request a hearing. The Director, Bureau of Retirement and Insurance, may extend this time limit for good cause shown. If the annuitant answers, he shall specifically admit, deny, or explain each fact alleged in the notice, unless he states that he is without knowledge. If a hearing is desired, the annuitant must file a specific request therefor with or as a part of his answer.

(b) An annuitant who fails to answer or to request a hearing within the time permitted under paragraph (a) of this section is considered to have waived his right to answer or to a hearing. If an annuitant neither answers nor requests a hearing within the time permitted, or answers but fails to request a hearing, the Director, Bureau of Retirement and Insurance, shall decide the case on the basis of the administrative record, including the notice and any documents, affidavits, or other relevant evidence. The decision of the Director, Bureau of Retirement and Insurance, shall (1) be served on the annuitant or his counsel by certified or registered mail; (2) include a statement of findings and conclusions, with the reasons therefor; and (3) become the final decision of the Commission unless the case is appealed or reviewed pursuant to § 831.1111.

###### § 831.1106 Hearing.

(a) The Commission's hearing examiner shall preside at any hearing held pursuant to this subpart, unless the Commission designates another presiding officer. The presiding officer shall fix the time and place of the hearing after giving due consideration to the convenience of the annuitant. The hearing is open to the public unless otherwise ordered by the Commission or the presiding officer.

(b) The hearing shall be recorded by an official reporter designated by the Commission. The Commission shall furnish to the annuitant, without charge, a copy of the transcript of the hearing.

###### § 831.1107 Powers of presiding officer.

The presiding officer may:

- (a) Administer oaths and affirmations;
- (b) Rule upon offers of proof and receive relevant evidence;
- (c) Fix the time and place of hearing;
- (d) Regulate the course of the hearing;
- (e) Exclude any person from the hearing for contumacious conduct or misbehavior that obstructs the hearing;
- (f) Hold conferences for simplification of the issues, or for any other purpose;
- (g) Dispose of procedural requests or similar matters;
- (h) Authorize the filing of briefs and set the time for filing;
- (i) Make initial decisions; and
- (j) Take any other action in the course of the proceeding consistent with the purposes of this subpart.

###### § 831.1108 Witnesses.

(a) Witnesses shall testify under oath or affirmation and shall be subject to cross-examination.

(b) Each party is responsible for securing the attendance of his witnesses. The Commission has no power of subpoena in these cases.

###### § 831.1109 Evidence.

(a) Rules of evidence are not strictly applied, but the presiding officer shall exclude irrelevant or unduly repetitious evidence.

(b) Each exhibit of a documentary character shall be submitted to the presiding officer, duly marked, and made a part of the record. An exhibit does not become evidence unless received in evidence by the presiding officer.

###### § 831.1110 Initial decision.

(a) Upon completion of a hearing pursuant to § 831.1106, the presiding officer shall make and file an initial decision, a copy of which shall be served on each party or counsel by certified or registered mail.



(b) The initial decision shall include a statement of findings and conclusions, with the reasons therefor, and shall be based upon a consideration of the entire record.

(c) The initial decision shall become the final decision of the Commission unless the case is appealed or reviewed pursuant to § 831.1111.

#### § 831.1111 Appeal and review.

(a) An appeal from an initial decision, or a decision of the Director, Bureau of Retirement and Insurance under § 831.1105(b), may be made to the Commission, with service on the other party, within 30 calendar days from the date of the decision. An appeal shall be in writing and shall state plainly and concisely the grounds for the appeal, with a specific reference to the record when issues of fact are raised. The other party may file an opposition to the appeal within 15 days after service on him. On notice to the parties, the Commission may extend the time limits prescribed in this paragraph.

(b) Within 30 calendar days from the date of an initial decision or a decision of the Director, Bureau of Retirement and Insurance the Commission, on its own motion, may direct that the record be certified to it for review.

#### § 831.1112 Final decision.

(a) On appeal from or review of an initial decision or a decision of the Director, Bureau of Retirement and Insurance, the Commission shall decide the case on the record. The record shall include the notice, answer, transcript of testimony and exhibits, briefs, the initial decision or the decision of the Director, Bureau of Retirement and Insurance, the papers filed in connection with the appeal and opposition to the appeal and all other papers, requests and exceptions filed in the proceeding.

(b) The Commission may adopt, modify, or set aside the findings, conclusions, or order of the presiding officer or the Director, Bureau of Retirement and Insurance.

(c) The final decision of the Commission shall be in writing and include a statement of findings and conclusions, the reasons or basis therefor, and an appropriate order, and shall be served on the parties.

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

[F.R. Doc. 66-6811; Filed, June 22, 1966; 8:45 a.m.]

### PART 890—FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM Miscellaneous Amendments

On November 16, 1965, a notice of proposed rule making was published in the FEDERAL REGISTER (30 F.R. 14329) stating that the Civil Service Commission proposed to amend Part 890 of Title 5 of the Code of Federal Regula-

tions as set forth therein, and that it was proposed to make the amendments effective January 1, 1966. Interested persons were allowed 30 days from the date of publication in which to submit written comments, suggestions, and objections.

Several comments were received, of which some raised sufficient question that it was necessary to postpone the proposed effective date. In the meantime the Commission has proposed a change in regulations to provide an open season. For this reason the amendments to paragraph (d) of § 890.301 and to paragraph (c) of § 890.306 proposed on November 16, 1965, have been dropped. An amendment to § 890.205 has been added to meet the objection of a carrier who feared that the proposed amendments to § 890.202 might be construed so as to produce an unfavorable, and unintended, result on carriers.

The Commission has given full and careful consideration to the objections to the proposed amendment of § 890.201 and to proposed alternatives, and has determined that to avoid hardship to employees who suffer unforeseen injury or illness while in transition between plans and at the same time avoid creating undue administrative problems or appreciable additional liability to carriers, the proposed revision of § 890.201(b)(1), modified as set out below, is desirable. Therefore:

*It is ordered*, That effective on the date of publication in the FEDERAL REGISTER for all amendments except that to § 890.201(b)(1), and effective January 1, 1967, for the amendment to § 890.201(b)(1), Part 890 of Chapter I of Title 5, Code of Federal Regulations is amended as follows:

1. Section 890.201(b)(1) is amended to read as follows:

#### § 890.201 Minimum standards for health benefits plans.

(b) To be qualified to be approved by the Commission, a health benefits plan shall not:

(1) Deny a covered person a benefit provided by the plan for a service performed on or after the effective date of coverage solely because of a preexisting physical or mental condition, or require a waiting period for any covered person for benefits which it provides. This subparagraph does not preclude a plan (i) offering benefits for dentistry or cosmetic surgery, or both, limited to conditions arising after the effective date of coverage, or (ii) with the approval of the Commission, limiting benefits for services performed for a person who, on the effective date of enrollment or change of enrollment, is confined in a hospital or other institution so long as the person is continuously confined therein, but benefits for persons hospitalized on the effective date of enrollment may not be limited (a) if the enrollment or change is because of discontinuance of his former health benefits plan, in whole or in part, or pursuant to an order of the Bureau of Retirement

and Insurance, or (b) if the services are provided for injuries suffered in an accident which occurred, or for an illness first diagnosed or treated, after the date his employing office received a registration to change the covering enrollment from one plan or option to another. In this subparagraph "continuously confined" means one or more periods of confinement without a break of 31 consecutive days between actual confinements except that a carrier, by agreement with the Commission, may provide that a shorter break terminates a continuous confinement.

#### § 890.202 [Amended]

2. Section 890.202 is amended by striking "The Commission shall approve a health benefits plan only when the carrier of the plan meets", and inserting instead "The carrier of an approved health benefits plan must meet", and by striking the words "agree to" in paragraphs (c), (d), (e), and (f).

#### § 890.205 [Amended]

3. Section 890.205 is amended by inserting "or carrier" before the final period in paragraph (a) and by striking "of a plan" in paragraphs (b) and (e).

#### § 890.301 [Amended]

4. Section 890.301(k) is amended by inserting in the final sentence, after "enrollments", "upon termination of the plan in which enrolled".

5. Paragraph (r) of § 890.301 is revoked.

#### § 890.303 [Amended]

6. Section 890.303(b) is amended by striking "full-time, or part-time with a regular tour of duty" and "(3)".

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

[F.R. Doc. 66-6836; Filed, June 22, 1966; 8:45 a.m.]

## Title 7—AGRICULTURE

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

#### SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

#### PART 728—WHEAT

#### Subpart—1967-68 Marketing Year

#### EDITORIAL CHANGES

In F.R. Doc. 66-6040, appearing at pages 7814 and 7815 of the issue of Thursday, June 2, 1966, §§ 728.301, 728.302, and 728.303 are redesignated §§ 728.448, 728.449, and 728.450, respectively. Sections 728.301, 728.302, and 728.303, appearing at 30 F.R. 5467 remain in effect.



Issued at Washington, D.C., this 16th day of June 1966.

ROLAND F. BALLOU,  
Acting Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 66-6872; Filed, June 22, 1966; 8:48 a.m.]

## Title 14—AERONAUTICS AND SPACE

### Chapter I—Federal Aviation Agency [Airspace Docket No. 65—SO—87]

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

##### Alteration of Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the Goldsboro, N.C., transition area.

The Goldsboro, N.C., transition area is described in § 71.181 (31 F.R. 2149). A portion of the 1,200-foot transition area is designated as " \* \* \* thence clockwise along the 15-mile radius circle to the W boundary of V-1W, thence SW 4 NM NW of and parallel to the direct radials between the Myrtle Beach, S.C., VOR and the Kinston, N.C., VOR \* \* \* "

Because of a change in V-213 airway radial, it is necessary to redesignate this portion on the Kinston, N.C., VORTAC 214° radial.

A portion of the 2,700-foot transition area is designated as " \* \* \* on the N by a line 4 NM S of and parallel to the Fayetteville, N.C., VOR 090° radial, on the E by the W boundary of V-213 \* \* \* "

Because of a typographical error in the original description and a change in V-213 airway radial, it is necessary to redesignate this portion on the Fayetteville, N.C., VOR 098° radial and the Kinston, N.C., VORTAC 214° radial.

Since these changes are either less restrictive or editorial in nature and impose no additional burden on any person, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001, e.s.t., August 18, 1966, as hereinafter set forth.

In § 71.181 (31 F.R. 2149) the Goldsboro, N.C., 1,200- and 2,700-foot transition areas are amended to read:

##### GOLDSBORO, N.C.

Including that airspace extending upward from 1,200 feet above the surface bounded on the N by the arc of a 55-mile radius circle centered at latitude 36°57'44" N., longitude 76°24'44" W., on the E by a line extending along the W boundary of V-1 until intercepting an arc of a 15-mile radius circle centered at the Kinston VOR, thence clockwise along the 15-mile radius circle to a line 4 NM NW of and parallel to the Kinston, N.C., VORTAC 214° radial, thence SW along this line to 4 NM S of the Fayetteville, N.C., VOR 098° radial, on the S by a line 4 NM S of and parallel to the Fayetteville, N.C., VOR

098° radial, on the W by a line extending along longitude 78°30'00" W., and on the NW by a line extending through latitude 35°30'00" N., longitude 78°30'00" W. and latitude 36°38'15" N., longitude 77°19'15" W.; including that airspace extending upward from 2,700 feet MSL bounded on the N by a line 4 NM S of and parallel to the Fayetteville, N.C., VOR 098° radial, on the E by a line 4 NM NW of and parallel to the Kinston, N.C., VORTAC 214° radial, on the S by a line extending from latitude 34°17'45" N., longitude 78°25'30" W., to latitude 34°18'30" N., longitude 79°00'00" W., on the W by a line extending from latitude 34°18'30" N., longitude 79°00'00" W., to the intersection of the S boundary of V-525 and longitude 78°30'00" W.

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

Issued in East Point, Ga., on June 15, 1966.

JAMES G. ROGERS,  
Director, Southern Region.

[F.R. Doc. 66-6842; Filed, June 22, 1966; 8:45 a.m.]

[Airspace Docket No. 65—SO—88]

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

##### Alteration of Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the Wilmington, N.C., transition area.

The Wilmington, N.C., transition area is described in § 71.181 (31 F.R. 2149). A portion of the 1,200-foot transition area is designated as " \* \* \* thence NW via a line extending through latitude 33°58'30" N., longitude 78°10'45" W. and the intersection of a line 5 miles S of and parallel to the Wilmington, N.C., VORTAC 272° radial and longitude 78°25'30" W., to a line 4 NM E of and parallel to the direct radials between the Myrtle Beach, S.C., and the Kinston, N.C., VOR's, thence NE 4 NM E of and parallel to the direct radials between the Myrtle Beach, S.C., and Kinston, N.C., VOR's \* \* \* "

Because of the altering of the Myrtle Beach, S.C., transition area and the realigning of V-213, it is necessary to alter this portion of the Wilmington, N.C., transition area to provide compatibility with the Myrtle Beach transition area by releasing a portion of the 1,200-foot transition area.

Since this amendment is less restrictive in nature and imposes no additional burden on any person, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001, e.s.t., August 18, 1966, as hereinafter set forth.

In § 71.181 (31 F.R. 2149) the Wilmington, N.C., transition area is amended to read:

##### WILMINGTON, N.C.

That airspace extending upward from 700 feet above the surface within a 6-mile radius of the New Hanover County Airport (latitude 34°16'15" N., longitude 77°54'05" W.); within 2 miles each side of the ILS localizer SE course, extending from the 6-mile radius

area to 8 miles SE of the LOM; within 2 miles each side of the Wilmington, N.C., VORTAC 017° radial, extending from the 6-mile radius area to 8 miles NE of the VORTAC; and that airspace extending upward from 1,200 feet above the surface bounded by a line extending S along the E boundary of V-229 from the arc of a 55-mile radius circle centered at latitude 36°57'44" N., longitude 76°24'44" W. to the arc of a 60-mile radius circle centered at latitude 34°54'30" N., longitude 76°53'00" W., thence clockwise along this arc to the W boundary of the Cherry Point, N.C., transition area, thence SW and counterclockwise along the boundaries of the Cherry Point transition area, R-5306A, R-5306B, R-5306C, and R-5306B to a point 3 NM from the shoreline, thence SW 3 NM equidistant from the shoreline to a line extending through latitude 33°58'30" N., longitude 77°51'00" W., and latitude 33°58'30" N., longitude 78°10'45" W., thence W along this line to latitude 33°58'30" N., longitude 78°10'45" W., thence NW to the intersection of a line extending from latitude 34°18'40" N., longitude 79°11'00" W., through latitude 34°17'45" N., longitude 78°25'30" W. and the E boundary of V-213, thence NE along the E boundary of V-213 to the E boundary of V-1W, thence NE along the E boundary of V-1W to its intersection with a 15-mile radius circle centered at the Kinston, N.C., VORTAC, thence counterclockwise along this 15-mile radius arc to its intersection with the E boundary of V-213, thence NE along the E boundary of V-213 to its intersection with a 55-mile radius circle centered at latitude 36°57'44" N., longitude 76°24'44" W., thence counterclockwise along the 55-mile radius arc to the point of beginning; and within 5 miles each side of the Wilmington, N.C., localizer SE course, extending from the LOM to 12 miles SE of the LOM.

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

Issued in East Point, Ga., on June 15, 1966.

JAMES G. ROGERS,  
Director, Southern Region.

[F.R. Doc. 66-6843; Filed, June 22, 1966; 8:45 a.m.]

[Airspace Docket No. 65—CE—92]

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

##### Alteration of Federal Airways

##### Correction

In F.R. Doc. 66-6310 appearing in the issue for Thursday, June 9, 1966, at page 8117, delete the second sentence in the first paragraph.

## Title 15—COMMERCE AND FOREIGN TRADE

### Chapter II—National Bureau of Standards, Department of Commerce

#### SUBCHAPTER A—TEST FEE SCHEDULES

#### PART 201—ELECTRICITY

##### Frequency Measurement on Cavity Wavemeters

Under the provisions of 15 U.S.C. 275(a) and 277, § 201.930 of the test fee



schedules of the National Bureau of Standards, Department of Commerce, pertaining to Part 201—Electricity—is amended as provided herein, and is effective upon publication in the FEDERAL REGISTER.

Section 201.930(c) is amended for frequency measurements on fixed or variable cavity wavemeters to extend the former range of 2.6 to 75 GHz upwards to 90 GHz to read as follows:

§ 201.930 Frequency measurement on cavity wavemeters.

(c) Frequency measurements are made on fixed or variable cavity wavemeters having standard type waveguide terminals in the frequency range of 2.6 to 90 GHz.

(Sec. 9, 31 Stat. 1450, as amended; 15 U.S.C. 277. Interprets or applies sec. 7, 70 Stat. 959; 15 U.S.C. 275a)

Dated: June 13, 1966.

A. V. ASTIN,  
Director.

[F.R. Doc. 66-6839; Filed, June 22, 1966; 8:45 a.m.]

SUBCHAPTER B—STANDARD REFERENCE MATERIALS

PART 230—STANDARD REFERENCE MATERIALS

Subpart D—Standards of Certified Properties and Purity

RADIOACTIVITY STANDARDS

Under the provisions of 15 U.S.C. 275a and 277, the following amendment relating to standard reference materials issued by the National Bureau of Standards is effective upon publication in the FEDERAL REGISTER. The amendment renews and revises standard reference material 4997-C.

The following amends Title 15 CFR Part 230.

Section 230.8-5 *Radioactivity standards* (b)(5) *Point-source gamma-ray standards* is amended to renew and revise standard 4997-C as follows:

Sample No.	Radionuclide	Approximate emission rate at time of calibration	Price
4997-D	Manganese-54	$6 \times 10^4$ /s (6-66)	\$53.00

(Sec. 9, 31 Stat. 1450, as amended; 15 U.S.C. 277. Interprets or applies sec. 7, 70 Stat. 959; 15 U.S.C. 275a)

Dated: June 9, 1966.

A. V. ASTIN,  
Director.

[F.R. Doc. 66-6840; Filed, June 22, 1966; 8:45 a.m.]

Title 26—INTERNAL REVENUE

Chapter I—Internal Revenue Service,  
Department of the Treasury

SUBCHAPTER A—INCOME TAX

[T.D. 6886]

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

Miscellaneous Amendments

On April 27, 1965, notice of proposed rule making was published in the FEDERAL REGISTER (30 F.R. 5841) with respect to the amendment of the Income Tax Regulations (26 CFR Part 1) under sections 801, 802, 804, 805, 809, 812, 815, and 817 of the Internal Revenue Code of 1954 (relating to life insurance companies) to reflect the changes made by section 3 of the Act of October 10, 1962 (Public Law 87-790, 76 Stat. 808), section 3 of the Act of October 23, 1962 (Public Law 87-858, 76 Stat. 1134), and section 7(g) of the Self-Employed Individuals Tax Retirement Act of 1962 (76 Stat. 829). After consideration of all such relevant matter as was presented by interested persons regarding the rules proposed, the amendments as proposed are hereby adopted, subject to the changes set forth below:

PARAGRAPH 1. Paragraph (a)(2)(ii) of section 1.801-8, as set forth in paragraph 3 of the notice of proposed rule making is changed.

PAR. 2. Paragraph (g) of section 1.801-8, as set forth in paragraph 3 of the notice of proposed rule making is changed.

PAR. 3. The historical note under § 1.802, as set forth in paragraph 4 of the notice of proposed rule making is changed.

PAR. 4. Section 1.802-2, as set forth in paragraph 5 of the notice of proposed rule making is changed.

PAR. 5. In addition, this Treasury decision amends § 1.817-1, paragraph (a) of § 1.817-2, paragraph (a)(1) of § 1.817-3, and paragraphs (a) and (b) of § 1.817-4 of the regulations.

Because the changes made by paragraph 5 of this Treasury decision merely conform the regulations to reflect the amendment to section 802, made by the Act of October 23, 1962, it is hereby found that it is unnecessary, with respect to such changes to issue this Treasury decision with notice and public procedure thereon under section 4(a) of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective date limitation of section 4(c) of that Act.

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

Approved: June 20, 1966.

STANLEY S. SURREY,  
Assistant Secretary of the  
Treasury.

In order to conform the Income Tax Regulations (26 CFR Part 1) under sections 801, 802, 804, 805, 809, 812, 815, and

817 of the Internal Revenue Code of 1954 to section 3 of the Act of October 10, 1962 (Public Law 87-790, 76 Stat. 808), section 3 of the Act of October 23, 1962 (Public Law 87-858, 76 Stat. 1134), and section 7(g) of the Self-Employed Individuals Tax Retirement Act of 1962 (76 Stat. 829), such regulations are amended as follows:

PARAGRAPH 1. Section 1.801 is amended by revising section 801(g) and the historical note. This amended provision and historical note read as follows:

§ 1.801 Statutory provisions; life insurance companies; definition of life insurance company.

SEC. 801. Definition of life insurance company. \* \* \*

(g) Contracts with reserves based on segregated asset accounts—(1) Definitions.

(A) Annuity contracts include variable annuity contracts. For purposes of this part, an "annuity contract" includes a contract which provides for the payment of a variable annuity computed on the basis of recognized mortality tables and the investment experience of the company issuing the contract.

(B) Contracts with reserves based on a segregated asset account. For purposes of this part, a "contract with reserves based on a segregated asset account" is a contract—

(i) Which provides for the allocation of all or part of the amounts received under the contract to an account which, pursuant to State law or regulation, is segregated from the general asset accounts of the company,

(ii) Which provides for the payment of annuities, and

(iii) Under which the amounts paid in, or the amount paid as annuities, reflect the investment return and the market value of the segregated asset account.

If a contract ceases to reflect current investment return and current market value, such contract shall not be considered as meeting the requirements of clause (iii) after such cessation.

(2) Life insurance reserves. For purposes of subsection (b)(1)(A) of this section, the reflection of the investment return and the market value of the segregated asset account shall be considered an assumed rate of interest.

(3) Separate accounting. For purposes of this part, a life insurance company which issues contracts with reserves based on segregated asset accounts shall separately account for the various income, exclusion, deduction, asset, reserve, and other liability items properly attributable to such segregated asset accounts. For such items as are not accounted for directly, separate accounting shall be made—

(A) In accordance with the method regularly employed by such company, if such method is reasonable, and

(B) In all other cases, in accordance with the regulations prescribed by the Secretary or his delegate.

(4) Investment yield—(A) In general. For purposes of this part, the policy and other contract liability requirements, and the life insurance company's share of investment yield, shall be separately computed—

(i) With respect to the items separately accounted for in accordance with paragraph (3), and

(ii) Excluding the items taken into account under clause (i).

(B) Capital gains and losses. If, without regard to subparagraph (A), the net short-term capital gain exceeds the net long-term



capital loss, such excess shall be allocated between clauses (i) and (ii) of subparagraph (A) in proportion to the respective contributions to such excess of the items taken into account under each such clause.

(5) *Policy and other contract liability requirements.* For purposes of this part—

(A) With respect to life insurance reserves based on segregated asset accounts, the adjusted reserves rate and the current earnings rate for purposes of section 805(b), and the rate of interest assumed by the taxpayer for purposes of sections 805(c) and 809(a) (2), shall be a rate equal to the current earnings rate determined under section 805 (b) (2) with respect to the items separately accounted for in accordance with paragraph (3) reduced by the percentage obtained by dividing—

(i) Any amount retained with respect to such reserves by the life insurance company from gross investment income (as defined in section 804(b)) on segregated assets, to the extent such retained amount exceeds the deductions allowable under section 804 (c) which are attributable to such reserves, by

(ii) The means of such reserves; and  
(B) With respect to reserves based on segregated asset accounts other than life insurance reserves, an amount equal to the product of—

(i) The rate of interest assumed as defined in subparagraph (A), and  
(ii) The means of such reserves.

shall be included as interest paid within the meaning of section 805(e)(1).

(6) *Increases and decreases in reserves.* For purposes of subsections (a) and (b) of section 810, the sum of the items described in section 810(c) taken into account as of the close of the taxable year shall, under regulations prescribed by the Secretary or his delegate, be adjusted—

(A) By subtracting therefrom an amount equal to the sum of the amounts added from time to time (for the taxable year) to the reserves separately accounted for in accordance with paragraph (3) by reason of appreciation in value of assets (whether or not the assets have been disposed of), and

(B) By adding thereto an amount equal to the sum of the amounts subtracted from time to time (for the taxable year) from such reserves by reason of depreciation in value of assets (whether or not the assets have been disposed of).

The deduction allowable for items described in paragraphs (1) and (7) of section 809(d) with respect to segregated asset accounts shall be reduced to the extent that the amount of such items is increased for the taxable year by appreciation (or increased to the extent that the amount of such items is decreased for the taxable year by depreciation) not reflected in adjustments under the preceding sentence.

(7) *Basis of assets held for qualified pension plan contracts.* In the case of contracts described in subparagraph (A), (B), (C), or (D) of section 805(d)(1), the basis of each asset in a segregated asset account shall (in addition to all other adjustments to basis) be—

(A) Increased by the amount of any appreciation in value, and

(B) Decreased by the amount of any depreciation in value,

to the extent that such appreciation and depreciation are from time to time reflected in the increases and decreases in reserves or other items in paragraph (6) with respect to such contracts.

(8) *Additional separate computations.* Under regulations prescribed by the Secretary or his delegate, such additional separate

computations shall be made, with respect to the items separately accounted for in accordance with paragraph (3), as may be necessary to carry out the purposes of this subsection and this part.

[Sec. 801 as amended by sec. 2, Life Insurance Company Tax Act 1955 (70 Stat. 36); sec. 2, Life Insurance Company Income Tax Act 1959 (73 Stat. 112); sec. 3, Act of October 23, 1962 (Public Law 87-858, 76 Stat. 1134)]

PAR. 2. Section 1.801-2 is amended to read as follows:

**§ 1.801-2 Taxable years affected.**

Section 1.801-1 is applicable only to taxable years beginning after December 31, 1953, and before January 1, 1955, and all references to sections of part I, subchapter L, chapter 1 of the Code are to the Internal Revenue Code of 1954, before amendments. Sections 1.801-3 through 1.801-7 are applicable only to taxable years beginning after December 31, 1957, and all references to sections of part I, subchapter L, chapter 1 of the Code are to the Internal Revenue Code of 1954, as amended by the Life Insurance Company Income Tax Act of 1959 (73 Stat. 112). Section 1.801-8 is applicable only to taxable years beginning after December 31, 1961, and all references to sections of part I, subchapter L, chapter 1 of the Code are to the Internal Revenue Code of 1954, as amended by the Life Insurance Company Income Tax Act of 1959 (73 Stat. 112) and section 3 of the Act of October 23, 1962 (76 Stat. 1134).

PAR. 3. There is inserted immediately after § 1.801-7 the following new section:

**§ 1.801-3 Contracts with reserves based on segregated asset accounts.**

(a) *Definitions.*—(1) *Annuity contracts include variable annuity contracts.* Section 801(g)(1)(A) provides that for purposes of part I, subchapter L, chapter 1 of the Code, an annuity contract includes a contract which provides for the payment of a variable annuity computed on the basis of recognized mortality tables and the investment experience of the company issuing such a contract. A variable annuity differs from the ordinary or fixed dollar annuity in that the annuity benefits payable under a variable annuity contract vary with the insurance company's investment experience with respect to such contracts while the annuity benefits paid under a fixed dollar annuity contract are guaranteed irrespective of the company's actual investment earnings.

(2) *Contracts with reserves based on a segregated asset account.* (i) For purposes of part I, section 801(g)(1)(B) defines the term "contract with reserves based on a segregated asset account" as a contract (individual or group)—

(a) Which provides for the allocation of all or part of the amounts received under the contract to an account which, pursuant to State law or regulation, is segregated from the general asset accounts of the company,

(b) Which provides for the payment of annuities, and

(c) Under which the amounts paid in, or the amount paid as annuities, reflect the investment return and the market value of the segregated asset account.

(ii) The term "contract with reserves based on a segregated asset account" includes a contract such as a variable annuity contract, which reflects the investment return and the market value of the segregated asset account, even though such contract provides for the payment of an annuity computed on the basis of recognized mortality tables, but the term includes such contract only for the period during which it satisfies the requirements of section 801(g)(1)(B) and subdivision (i) of this subparagraph. However, such term does not include a pension contract written on the basis of the so-called new-money concept. Thus, for example, such term does not include a pension contract whereby reserves are credited on the basis of the company's new high yield investments. Furthermore, such term does not include a contract which during the taxable year contains a right to participate in the divisible surplus of the company where such right merely reflects the company's investment return. Nevertheless, the term does include a contract which meets the requirements of section 801(g)(1)(B) and of this subparagraph even if part of the amounts received are, for example, allocated to reserves under provisions of the contract which are written on the basis of the new-money concept. However, such reserves do not qualify as a segregated asset account referred to in section 801(g) and this section.

(iii) If at any time during the taxable year a contract otherwise satisfying the requirements of section 801(g)(1)(B) and subdivision (i) of this subparagraph ceases to reflect current investment return and current market value, such contract shall not be considered as meeting the requirements of section 801(g)(1)(B) (iii) and subdivision (i) (c) of this subparagraph after such cessation. Thus, a contract with reserves based on a segregated asset account includes a contract under which the reflection of investment return and market value terminates at the beginning of the annuity payments, but only for the period prior to such termination. For example, if the purchaser of a variable annuity contract which meets such requirements elects an option which provides for the payment of a fixed dollar annuity, then such contract shall be considered as satisfying such requirements only for the period prior to the time such contract ceases to reflect current investment return and current market value. Furthermore, a group annuity contract which satisfies the requirements of section 801(g)(1)(B) and subdivision (i) of this subparagraph shall be considered as continuing to meet such requirements even though a certificate holder under the group contract elects an option which provides for the payment of a fixed dollar annuity. However, the annuity attributable to such certificate holder shall not be considered as satisfying such re-



quirements as of the time such annuity ceases to reflect current investment return and current market value. On the other hand, a group annuity contract which does not reflect current market value shall not be considered as satisfying such requirements even though a certificate holder under the group contract elects an option which provides for the payment of a variable annuity. However, the variable annuity attributable to such certificate holder shall be considered as satisfying such requirements as of the time such variable annuity commences to reflect current investment return and current market value.

(b) *Life insurance reserves.* Section 801(g)(2) provides that for purposes of section 801(b)(1)(A), the reflection of the investment return and the market value of the segregated asset account shall be considered an assumed rate of interest. Thus, the reserves held with respect to contracts described in section 801(g)(1) and paragraph (a) of this section shall qualify as life insurance reserves within the meaning of section 801(b)(1) and paragraph (a) of § 1.801-4 provided such reserves are required by law (as defined in paragraph (b) of § 1.801-5) and are set aside to mature or liquidate, either by payment or reinsurance, future unaccrued claims arising from such contracts with reserves based on segregated asset accounts involving, at the time with respect to which the reserve is computed, life, health, or accident contingencies. Accordingly, a company issuing contracts with reserves based on segregated asset accounts shall qualify as a life insurance company for Federal income tax purposes if it satisfies the requirements of section 801(a) (relating to the definition of a life insurance company) and paragraph (b) of § 1.801-3.

(c) *Separate accounting.* (1) For purposes of part I, section 801(g)(3) provides that a life insurance company (as defined in section 801(a) and paragraph (b) of § 1.801-3) which issues contracts with reserves based on segregated asset accounts (as defined in section 801(g)(1)(B) and paragraph (a)(2) of this section) shall separately account for each and every income, exclusion, deduction, asset, reserve, and other liability item which is properly attributable to such segregated asset accounts. In those cases where such items are not directly accounted for, separate accounting shall be made—

(i) According to the method regularly employed by the company, if such method is reasonable, and

(ii) In all other cases in a manner which, in the opinion of the district director, is reasonable.

A method of separate accounting for such items as are not accounted for directly will be deemed "regularly employed" by a life insurance company if the method was consistently followed in prior taxable years, or if, in the case of a company which has never before issued con-

tracts with reserves based on segregated asset accounts, the company initiates in the first taxable year for which it issues such contracts a reasonable method of separate accounting for such items and consistently follows such method thereafter. Ordinarily, a company regularly employs a method of accounting in accordance with the statute of the State, Territory, or the District of Columbia, in which it operates.

(2) Every life insurance company issuing contracts with reserves based on segregated asset accounts shall keep such permanent records and other data relating to such contracts as is necessary to enable the district director to determine the correctness of the application of the rules prescribed in section 801(g) and this section and to ascertain the accuracy of the computations involved.

(d) *Investment yield.* (1) For purposes of part I, section 801(g)(4)(A) provides that the policy and other contract liability requirements (as determined under section 805), and the life insurance company's share of investment yield (as determined under sections 804(a) or 809(b)), shall be separately computed—

(i) With respect to the items separately accounted for in accordance with section 801(g)(3) and paragraph (c) of this section, and

(ii) Excluding the items taken into account under subdivision (i) of this subparagraph.

Thus, for purposes of determining both taxable investment income and gain or loss from operations, a life insurance company shall separately compute the life insurance company's share of the investment yield on the assets in its segregated asset account without regard to the policy and other contract liability requirements of, and the investment income attributable to, contracts with reserves that are not based on the segregated asset account. Such separate computations shall be made after any allocation required under section 801(g)(4)(B) and subparagraph (2) of this paragraph.

(2) (i) Section 801(g)(4)(B) provides that if the net short-term capital gain (as defined in section 1222(5)) exceeds the net long-term capital loss (as defined in section 1222(8)), determined without regard to any separate computations under section 801(g)(4)(A) and subparagraph (1) of this paragraph, then such excess shall be allocated between section 801(g)(4)(A)(i) and (ii) and subparagraph (1)(i) and (ii) of this paragraph. Such allocation shall be in proportion to the respective contributions to such excess of the items taken into account under each such section and subparagraph. The allocation under this subparagraph shall be made before the separate computations prescribed by section 801(g)(4)(A) and subparagraph (1) of this paragraph.

(ii) The operation of the allocation required under section 801(g)(4)(B) and subdivision (i) of this subparagraph may be illustrated by the following examples:

*Example (1).* For the taxable year 1962, T, a life insurance company which issues regular life insurance and annuity contracts and contracts with reserves based on segregated asset accounts, had (without regard to section 801(g)(4)(A)) realized short-term capital gains of \$10,000 and short-term capital losses of \$10,000 attributable to its general asset accounts and realized short-term capital gains of \$12,000 attributable to its segregated asset accounts. For the taxable year 1962, the excess of the net short-term capital gain (\$10,000 + \$12,000 - \$10,000, or \$12,000) over the net long-term capital loss (0) was \$12,000. Of the excess of \$12,000, 100 percent was contributed by the segregated asset accounts. Applying the provisions of section 801(g)(4)(B), T would allocate the entire \$12,000 to its segregated asset accounts for such taxable year.

*Example (2).* The facts are the same as in example (1), except that for the taxable year 1962, T had (without regard to section 801(g)(4)(A)) realized short-term capital losses of \$8,000 attributable to its general asset accounts and realized long-term capital gains of \$1,000 and long-term capital losses of \$5,000 attributable to its segregated asset accounts. For the taxable year 1962, the excess of the net short-term capital gain (\$10,000 + \$12,000 - \$8,000, or \$14,000) over the net long-term capital loss (\$5,000 - \$1,000, or \$4,000) was \$10,000. Of the excess of \$10,000, the general asset accounts contributed 20 percent (\$2,000 (\$10,000 - \$8,000) ÷ \$10,000) and the segregated asset accounts contributed 80 percent (\$8,000 (\$12,000 - \$4,000) ÷ \$10,000). Applying the provisions of section 801(g)(4)(B), T would allocate \$2,000 (\$10,000 × 20 percent) to its general asset accounts and \$8,000 (\$10,000 × 80 percent) to its segregated asset accounts for such taxable year.

*Example (3).* W is a life insurance company which issues regular life insurance and annuity contracts and contracts with reserves based on either of two segregated asset accounts, Separate Account C or Separate Account D. For the taxable year 1962, W had (without regard to section 801(g)(4)(A)) realized short-term capital gains of \$16,000 and long-term capital losses of \$15,000 attributable to its general asset accounts, long-term capital gains of \$12,000 and short-term capital losses of \$6,000 attributable to Separate Account C and long-term capital gains of \$7,000 and short-term capital losses of \$5,000 attributable to Separate Account D. For the taxable year 1962, the excess of the net short-term capital gain (\$16,000 - \$6,000 - \$5,000) over the net long-term capital loss (0) was \$5,000. Of the \$5,000 excess, 20 percent (\$1,000 - \$15,000) ÷ \$5,000) was contributed by the general asset accounts, leaving 80 percent as the amount contributed by the segregated asset accounts. Applying the provisions of section 801(g)(4)(B) W would allocate \$1,000 (20 percent of \$5,000) to the general asset accounts, leaving \$4,000 (80 percent of \$5,000) to be allocated among the segregated asset accounts, Separate Account C and Separate Account D. W would allocate \$3,000 of the \$4,000 to Separate Account C computed as follows:

$$\$3,000 = \frac{(\$4,000) \times (\$12,000 - \$6,000)}{(\$12,000 - \$6,000) + (\$7,000 - \$5,000)}$$

W would allocate \$1,000 of the \$4,000 to Separate Account D computed as follows:

$$\$1,000 = \frac{(\$4,000) \times (\$7,000 - \$5,000)}{(\$12,000 - \$6,000) + (\$7,000 - \$5,000)}$$

(e) *Policy and other contract liability requirements.* (1) For purposes of part



I, section 801(g)(5)(A) provides that with respect to life insurance reserves based on segregated asset accounts (as defined in section 801(g)(1)(B) and paragraph (a)(2) of this section), the adjusted reserves rate and the current earnings rate for purposes of section 805(b), and the rate of interest assumed by the taxpayer for purposes of sections 805(c) and 809(a)(2), shall be a rate equal to the current earnings rate determined under section 805(b)(2) and paragraph (a)(2) of § 1.805-5 with respect to the items separately accounted for in accordance with section 801(g)(3), reduced by the percentage obtained by dividing—

(i) Any amount retained with respect to all of the reserves based on a segregated asset account by the life insurance company from gross investment income (as defined in section 804(b) and paragraph (a) of § 1.804-3) on segregated assets, to the extent such retained amount exceeds the deductions allowable under section 804(c) which are attributable to such reserves, by

(ii) The means of such reserves.

(2) For purposes of part I, section 801(g)(5)(B) provides that with respect to reserves based on segregated asset accounts other than life insurance reserves, there shall be included as interest paid within the meaning of section 805(e)(1) and paragraph (b)(1) of § 1.805-8, an amount equal to the product of the means of such reserves multiplied by the rate of interest assumed as defined in section 801(g)(5)(A) and subparagraph (1) of this paragraph.

(3) For purposes of this paragraph, any change in the rate of interest assumed by the taxpayer in calculating the reserve on a contract with reserves based on a segregated asset account for any taxable year beginning after December 31, 1961, which is attributable to an increase or decrease in the current earnings rate, shall not be treated as a change of basis in computing reserves for purposes of section 806(b) (relating to certain changes in reserves) or section 810(d)(1) (relating to adjustment for change in computing reserves).

(4) The provisions of section 801(g)(3) through (5) may be illustrated by the following example. For purposes of this example, it is assumed that all computations have been carried out to a sufficient number of decimal places to insure substantial accuracy and to eliminate any significant error in the resulting tax liability.

*Example.* The books of R, a life insurance company, disclose the following facts with respect to items of investment yield, deductions, assets, and reserves for the taxable year 1962:

(a) Excerpts from Company Financial Statements.

(1) Investment yield	Company regular account	Separate account A	Separate account B
Interest wholly tax-exempt.....	\$100,000	\$3,000	\$1,000
Interest—other.....	10,000,000	8,000	15,000
Dividends received.....	200,000	25,000	27,000
Other items of investment yield.....	100,000	2,000	1,000
Gross investment income.....	10,400,000	38,000	44,000
Less deductions (sec. 804(c)).....	1,000,000	4,000	4,400
Investment yield.....	9,400,000	34,000	39,600
(2) Assets and reserves:			
(i) Assets:			
Jan. 1, 1962.....	190,000,000		
Dec. 31, 1962.....	210,000,000	1,600,000	1,800,000
Mean.....	200,000,000	800,000	900,000
(ii) Life insurance reserves:			
Jan. 1, 1962.....	152,000,000		
Dec. 31, 1962.....	168,000,000	1,600,000	1,640,000
Mean.....	160,000,000	800,000	820,000
(iii) Reserves based on segregated asset accounts other than life insurance reserves:			
Jan. 1, 1962.....			
Dec. 31, 1962.....			120,000
Mean.....			60,000

(b) *Additional facts.* In addition to the facts assumed in (a) above, assume the following: The company retained with respect to reserves based upon segregated asset accounts a total of \$4,720 from gross investment income on Separate Account A and \$5,720 from gross investment income on Separate Account B. With respect to the Company Regular Account computed without regard to the items in either of the separate accounts, the policy and other contract liability requirement is \$6,580,000 and the required interest is \$5,640,000. There are no items of interest paid with respect to the separate accounts other than those computed under section 801(g)(5)(B). Based on these facts, the current earnings rate (sec. 805(b)); adjusted reserves rate (sec. 805(b)); and rate of interest assumed (secs. 805(c) and 809(a)(2)); and the policy and other contract liability requirements are determined for each of the Separate Accounts A and B (and the policy and other contract liability requirements for the Company Regular Account) as set forth in items (c) through (i) below.

(c) *Separate Account A.* The current earnings rate determined under section 805(b)(2) with respect to the items separately accounted for under Separate Account A, prior to the reduction provided for under section 801(g)(5)(A), is 4.25 percent (the investment yield, \$34,000, divided by the mean of the assets, \$800,000). The company retained with respect to such reserves from gross investment income on Separate Account A a total of \$4,720. The company had deductions allowable under section 804(c) with respect to such account of \$4,000. Accordingly, for purposes of section 801(g)(5)(A)(i), the amount retained by the company was \$720 (the total amount retained of \$4,720 less the deductions allowable under section 804(c) of \$4,000). The reduction percentage for purposes of section 801(g)(5)(A) is 0.09 percent (the amount retained of \$720 divided by the mean of the life insurance reserves of \$800,000). Therefore, the adjusted reserves rate and the current earnings rate for purposes of section 805(b), and the rate of interest assumed for purposes of sections 805(c) and 809(a)(2) is equal to 4.16 percent (the

current earnings rate of 4.25 percent less the reduction percentage of 0.09 percent).

The policy and other contract liability requirements with respect to Separate Account A is determined as follows: For purposes of section 805(a)(1) and (2), the amount is \$33,280 (the mean of the life insurance reserves, \$800,000, multiplied by the current earnings rate, as determined under section 801(g)(5)(A), 4.16 percent). Thus, the policy and other contract liability requirement for Separate Account A is \$33,280.

(d) *Separate Account B.* The current earnings rate determined under section 805(b)(2) with respect to the items separately accounted for under Separate Account B, prior to the reduction provided for under section 801(g)(5)(A), is 4.40 percent (the investment yield, \$39,600 divided by the mean of the assets, \$900,000). The company retained with respect to such reserves from gross investment income on Separate Account B a total of \$5,720. The company had deductions allowable under section 804(c) with respect to such account of \$4,400. Accordingly, for purposes of section 801(g)(5)(A)(i) the amount retained by the company was \$1,320 (the total amount retained of \$5,720 less the deductions allowable under section 804(c) of \$4,400). The reduction percentage for purposes of section 801(g)(5)(A) is 0.15 percent (the amount retained of \$1,320 divided by the mean of the reserves based on Separate Account B of \$880,000 (\$820,000 plus \$60,000)). Therefore, the adjusted reserves rate and the current earnings rate for purposes of section 805(b), and the rate of interest assumed for purposes of section 805(c) and 809(a)(2) is equal to 4.25 percent (the current earnings rate of 4.40 percent less the reduction percentage of 0.15 percent).

With respect to reserves based on segregated asset accounts other than life insurance reserves, Separate Account B had such reserves at December 31, 1962, of \$120,000. The mean of such reserves was \$60,000. The rate of interest assumed with respect to such reserves is 4.25 percent, as computed above. Accordingly, there shall be included as interest paid within the meaning of section 805(e)(1) the amount of \$2,550 (the mean of such reserves, \$60,000 multiplied by the rate of interest assumed of 4.25 percent).

The policy and other contract liability requirements with respect to Separate Account B is determined as follows:

(1) For purposes of section 805(a)(1) and (2), the amount is \$34,850 (the mean of the life insurance reserves, \$820,000, multiplied by the current earnings rate, as determined under section 801(g)(5)(A), 4.25 percent).

(2) For purposes of section 805(a)(3), the amount is \$2,550 (the mean of the reserves based on Separate Account B other than life insurance reserves, \$60,000, multiplied by the rate of interest assumed, as determined under section 801(g)(5)(A), 4.25 percent). It has been assumed that there was no other interest paid on Separate Account B within the meaning of section 805(e). If there was other interest paid with respect to Separate Account B that met the requirements of section 805(e), however, then such interest would be included under section 805(a)(3). Thus, the policy and other contract liability requirement for Separate Account B is \$37,400 (\$34,850 + \$2,550).

(e) *Company Regular Account.* The policy and other contract liability requirement with respect to the Company Regular Account is \$6,580,000 (this amount is determined by the company in the manner provided by section 805 (and the regulations thereunder) without regard to either Separate Account A or Separate Account B).



(f) Policyholders' share and company's share of investment yield—section 804. The policyholders' and company's share of investment yield and taxable investment income are computed as follows:

(1) **Company Regular Account:**

Policyholders' share of investment yield. 70% (\$6,580,000 ÷ \$9,400,000).  
Company's share of investment yield (100% less 70%). 30%.

(2) **Separate Account A:**

Policyholders' share of investment yield. 97.8824% (\$33,280 ÷ \$34,000).  
Company's share of investment yield (100% less 97.8824%). 2.1176%.

(3) **Separate Account B:**

Policyholders' share of investment yield. 94.444% (\$37,400 ÷ \$39,600).  
Company's share of investment yield (100% less 94.444%). 5.556%.

(g) The company's share of investment yield under section 804 is determined as follows:

Life insurance company's share of investment yield (\$2,820,000 ÷ \$719.99 ÷ \$2,200.18)			\$2,822,920.17
Less:			
Company's share of interest wholly tax-exempt (\$30,000 ÷ \$63.53 ÷ \$55.56)		\$30,119.09	
85 percent of company's share of dividends received (but not to exceed 85% of taxable investment income computed without regard to this deduction) (85% × \$62,029.52) (\$60,000 ÷ \$529.40 ÷ \$1,500.12)		52,725.09	
Small business deduction (10% of investment yield, \$9,473,600, not to exceed \$25,000)		25,000.00	107,844.18
Taxable investment income			2,715,075.99

(i) **Required interest—section 809(a)(2)—**  
(1) **Separate Account A.** The rate of interest assumed by the company, with respect to Separate Account A is 4.16 percent (see (c) above). The required interest for purposes of section 809(a)(2) is determined as follows:

Life insurance reserves: 4.16% (rate assumed) times \$800,000 (mean of life insurance reserves) \$33,280.00

(2) **Separate Account B.** The rate of interest assumed by the company with respect to Separate Account B is 4.25 percent (see (d) above). The required interest for purposes of section 809(a)(2) is determined as follows:

(1) Life insurance reserves: 4.25% (rate assumed) times \$820,000 (mean of life insurance reserves) \$34,850.00

(1) **Company Regular Account:**

Policyholders' share of investment yield. 60% (\$5,640,000 ÷ \$9,400,000).  
Company's share of investment yield (100 percent—60%). 40%.

(2) **Separate Account A:**

Policyholders' share of investment yield. 97.8824% (\$33,280 ÷ \$34,000).  
Company's share of investment yield (100%—97.8824 percent). 2.1176%.

(3) **Separate Account B:**

Policyholders' share of investment yield. 94.444% (\$37,400 ÷ \$39,600).  
Company's share of investment yield (100%—94.444%). 5.556%.

Investment yield (from item (a)(1))	Company regular account (30 percent times each amount in item (a)(1))	Separate account A (2.1176 percent times each amount in item (a)(1))	Separate account B (5.556 percent times each amount in item (a)(1))
Interest wholly tax-exempt	\$30,000	\$63.53	\$55.56
Interest—other	3,000,000	169.41	833.40
Dividends received	60,000	529.40	1,500.12
Other items of gross investment income	30,000	42.35	55.56
Less deductions	3,120,000	804.69	2,444.64
	300,000	84.70	244.46
Investment yield	2,820,000	719.99	2,200.18

(h) **Taxable investment income.** The company's taxable investment income (without regard to any excess of net long-term capital gain over net short-term capital loss) is determined as follows:

(k) The company's share of investment yield under section 809 is determined as follows:

Investment yield (from item (a)(1))	Company regular account (40 percent times each amount in item (a)(1))	Separate account A (2.1176 percent times each amount in item (a)(1))	Separate account B (5.556 percent times each amount in item (a)(1))
Interest wholly tax-exempt	\$40,000	\$63.53	\$55.56
Interest—other	4,000,000	169.41	833.40
Dividends received	80,000	529.40	1,500.12
Other items of gross investment income	40,000	42.35	55.56
Less deductions	4,160,000	804.69	2,444.64
	400,000	84.70	244.46
Investment yield	3,700,000	719.99	2,200.18

(l) **Deductions under section 809(d)(8).** For purposes of section 809(d)(8), the life insurance company's share of each of such items is determined as follows:

(1) Wholly tax-exempt interest (\$40,000 ÷ \$63.53 ÷ \$55.56) \$40,119.09  
(2) Dividends received 85% × \$82,029.52 (\$80,000 ÷ \$529.40 ÷ \$1,500.12) (it is assumed for purposes of this example that this amount does not exceed 85% of the gain from operations as computed under sec. 809(d)(8)(B)) 69,725.09

(f) **Increases and decreases in reserves.** (1) Section 801(g)(6) provides that for purposes of section 810 (a) and (b) (relating to adjustments for increases or decreases in certain reserves), the sum of the items described in section 810(c) and paragraph (b) of § 1.810-2 taken into account as of the close of the taxable year shall be adjusted—

(i) By subtracting therefrom the sum of any amounts added from time to time (for the taxable year) to the reserves separately accounted for in accordance with section 801(g)(3) and paragraph (c) of this section by reason of realized or unrealized appreciation in value of the assets held in relation thereto, and

(ii) By adding thereto the sum of any amounts subtracted from time to time (for the taxable year) from such reserves by reason of realized or unrealized depreciation in the value of such assets.

(2) The provisions of subparagraph (1) of this paragraph may be illustrated by the following example:

**Example.** Company M, a life insurance company issuing only contracts with reserves based on segregated asset accounts as defined in section 801(g)(1)(B) and paragraph (a)(2) of this section (other than contracts described in section 805(d)(1)(A), (B), (C), or (D)), increased its life insurance reserves held with respect to such contracts during the taxable year 1962 by \$275,000. Of the total increase in the reserves, \$100,000 was attributable to premium receipts, \$50,000 to dividends and interest, \$100,000 to unrealized appreciation in the value of the assets held in relation to such reserves, and \$25,000 to realized capital gains on the sale of such assets. As of the close of the taxable year



1962, the reserves held by company M with respect to all such contracts amounted to \$1,275,000. However, under section 801(g) (6) and this subparagraph, this amount must be reduced by the \$100,000 unrealized asset value appreciation and the \$25,000 of realized capital gains. Accordingly, for purposes of section 810 (a) and (b), the amount of these reserves which is to be taken into account as of the close of the taxable year 1962 under section 810(c) is \$1,150,000 (\$1,275,000 less \$125,000). However, for purposes of section 810 (a) and (b), the amount of these reserves which is to be taken into account as of the beginning of the taxable year 1963 under section 810(c) is \$1,275,000 (the amount as of the close of the taxable year 1962 before reduction of \$125,000 for unrealized appreciation and realized capital gains).

(3) (i) Under section 801(g) (6), the deduction allowable for items described in section 809(d) (1) and (7) (relating to death benefits and assumption reinsurance, respectively) with respect to segregated asset accounts shall be reduced to the extent that the amount of such items is increased for the taxable year by appreciation (or shall be increased to the extent that the amount of such items is decreased for the taxable year by depreciation) not reflected in adjustments required to be made under subparagraph (1) of this paragraph.

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

*Example.* On June 30, 1962, X, a life insurance company, reinsured a portion of its insurance contracts with reserves based on segregated asset accounts with Y, a life insurance company, under an agreement whereby Y agreed to assume and become solely liable under the contracts reinsured. The reserves on the contracts reinsured by X were \$90,000, of which \$10,000 was attributable to unrealized appreciation in the value of the assets held in relation to such reserves. However, no amounts had been added to the reserves by reason of the unrealized appreciation of \$10,000 and consequently, the \$10,000 was not reflected in adjustments to reserves under section 809(g) (6) or subparagraph (1) of this paragraph. Under the reinsurance agreement, X made a payment of \$90,000 in cash to Y for assuming such contracts. Applying the provisions of section 809(d) (7), and assuming no other such reinsurance transactions by X during the taxable year, X would have an allowable deduction of \$90,000 as a result of this payment on June 30, 1962. However, applying the provisions of section 801(g) (6) and this subparagraph, the actual deduction allowed would be \$80,000 (\$90,000 less \$10,000). See section 806(a) and § 1.802-3 for the adjustments in reserves and assets to be made by X and Y as a result of this transaction. For the treatment by Y of this \$90,000 payment, see section 809(c) (1) and paragraph (a) (1) (i) of § 1.809-4.

(g) *Basis of assets held for certain pension plan contracts.* Section 801(g) (7) provides that in the case of contracts described in section 805(d) (1) (A), (B), (C), or (D) (relating to the definition of pension plan reserves), the basis of each asset in a segregated asset account shall (in addition to all other adjustments to basis) be (i) increased by the amount of any appreciation in value, and (ii) decreased by the amount of any depreciation in value; but only to the extent that such appreciation and de-

preciation are reflected in the increases and decreases in reserves, or other items described in section 801(g) (6), with respect to such contracts. Thus, there shall be no capital gains tax payable by a life insurance company on appreciation realized on assets in a segregated asset account to the extent such appreciation has been reflected in reserves, or other items described in section 801(g) (6), for contracts described in section 805(d) (1) (A), (B), (C), or (D), based on segregated asset accounts.

(h) *Additional separate computations.* [Reserved for regulations to be issued under section 801(g) (8).]

PAR. 4. Section 1.802 is amended by revising section 802(a) (2) and the historical note. This amended provision and historical note read as follows:

**§ 1.802 Statutory provisions; life insurance companies; tax imposed; life insurance company taxable income defined.**

SEC. 802. *Tax imposed—(a) Tax imposed—*

(1) *In general.* \* \* \*

(2) *Alternative tax in case of capital gains.* If for any taxable year beginning after December 31, 1961, the net long-term capital gain of any life insurance company exceeds the net short-term capital loss, then, in lieu of the tax imposed by paragraph (1), there is hereby imposed a tax (if such tax is less than the tax imposed by such paragraph) which shall consist of the sum of—

(A) A partial tax, computed as provided by paragraph (1), on the life insurance company taxable income determined by reducing the taxable investment income, and the gain from operations, by the amount of such excess, and

(B) An amount equal to 25 percent of such excess.

[Sec. 802 as amended by sec. 2, Life Insurance Company Tax Act 1955 (70 Stat. 38); sec. 2, Life Insurance Company Income Tax Act 1959 (73 Stat. 115); sec. 3, Act of October 23, 1962 (Pub. Law 87-858, 76 Stat. 1134); sec. 235(c) (1), Rev. Act 1964 (78 Stat. 126)]

PAR. 5. Section 1.802-2 is amended to read as follows:

**§ 1.802-2 Taxable years affected.**

Section 1.802(b)-1 is applicable only to taxable years beginning after December 31, 1953, and before January 1, 1955, and all references to sections of part I, subchapter L, chapter 1 of the Code are to the Internal Revenue Code of 1954, before amendments. Sections 1.802-3 through 1.802-5 (other than paragraph (f) (2) of § 1.802-3), except as otherwise provided therein, are applicable only to taxable years beginning after December 31, 1957, and all references to sections of part I, subchapter L, chapter 1 of the Code are to the Internal Revenue Code of 1954, as amended by the Life Insurance Company Income Tax Act of 1959 (73 Stat. 112) and section 235(c) (1) of the Revenue Act of 1964 (78 Stat. 126). Paragraph (f) (2) of § 1.802-3 is applicable only to taxable years beginning after December 31, 1961, and all references to sections of part I, subchapter L, chapter 1 of the Code are to the Internal Revenue Code of 1954, as amended by the Life Insurance Company Income Tax Act of 1959 (73 Stat. 112), section 3 of

the Act of October 23, 1962 (76 Stat. 1134) and section 235(c) (1) of the Revenue Act of 1964 (78 Stat. 126).

PAR. 6. Paragraph (f) of § 1.802-3 is amended to read as follows:

**§ 1.802-3 Tax imposed on life insurance companies.**

(f) *Tax imposed in case of certain capital gains—(1) Taxable years beginning after December 31, 1958, and before January 1, 1962.* For taxable years beginning after December 31, 1958, and before January 1, 1962, if the net long-term capital gain (as defined in section 1222(7)) of any life insurance company exceeds its net short-term capital loss (as defined in section 1222(6)), section 802(a) (2) imposes a separate tax equal to 25 percent of such excess. This separate 25 percent tax rate applies whether or not there is life insurance company taxable income, taxable investment income, or a gain or loss from operations for the taxable year. For taxable years beginning after December 31, 1958, and before January 1, 1962, only the excess (if any) of net short-term capital gain (as defined in section 1222(5)) over net long-term capital loss (as defined in section 1222(8)) shall be taken into account in computing taxable investment income and gain or loss from operations. See sections 804(b) and 809(b). Except as modified by section 817 (rules relating to certain gains and losses), the general rules of the Code relating to gains and losses (such as the rules for determining the amount, characterization, and treatment thereof) shall apply with respect to life insurance companies.

(2) *Alternative tax in case of capital gains for taxable years beginning after December 31, 1961.* For taxable years beginning after December 31, 1961, if the net long-term capital gain (as defined in section 1222(7)) of any life insurance company exceeds its net short-term capital loss (as defined in section 1222(6)), section 802(a) (2) imposes an alternative tax in lieu of the tax imposed by section 802(a) (1), if and only if such alternative tax is less than the tax imposed by section 802(a) (1). The alternative tax is the sum of (i) a partial tax, computed as provided by section 802(a) (1), on the life insurance company taxable income determined by reducing the taxable investment income, and the gain from operations, by the amount of the excess of its net long-term capital gain over its net short-term capital loss, and (ii) an amount equal to 25 percent of such excess. In the computation of the partial tax, the deductions provided by sections 170 (as modified by section 809 (e) (3)), 243, 244, 245 (as modified by sections 804(a) (5) and 809(d) (8) (B)), and the limitation provided by section 809(f), shall not be recomputed as a result of the reduction of taxable investment income, and gain from operations, by the amount of such excess. Except as modified by section 817 (rules relating to certain gains and losses), the general rules of the Code relating to gains and losses (such as the rules for determining the amount, characteriza-



tion, and treatment thereof) shall apply with respect to life insurance companies.

PAR. 7. Section 1.804 is amended by revising section 804(a)(2) and the historical note. This amended provision and historical note read as follows:

**§ 1.804 Statutory provisions; life insurance companies; taxable investment income.**

SEC. 804. *Taxable investment income.*—(a) *In general.*—(1) *Exclusion of policyholders' share of investment yield.* \* \* \*

(2) *Taxable investment income defined.* For purposes of this part, the taxable investment income for any taxable year shall be an amount (not less than zero) equal to the amount (if any) by which the net long-term capital gain exceeds the net short-term capital loss plus the sum of the life insurance company's share of each and every item of investment yield (including tax-exempt interest, partially tax-exempt interest, and dividends received), reduced by—

- (A) The sum of—
- (i) The life insurance company's share of interest which under section 103 is excluded from gross income,
  - (ii) The deduction for partially tax-exempt interest provided by section 242 (as modified by paragraph (3)) computed with respect to the life insurance company's share of such interest, and
  - (iii) The deductions for dividends received provided by sections 243, 244, 245 (as modified by paragraph (5)) computed with respect to the life insurance company's share of the dividends received; and
- (B) The small business deduction provided by paragraph (4).

For purposes of the preceding sentence, the life insurance company's share of any item shall be that percentage which, when added to the percentage obtained under the second sentence of paragraph (1), equals 100 percent.

[Sec. 804 as added by sec. 2, Life Insurance Company Tax Act 1955 (70 Stat. 41); amended by sec. 2, Life Insurance Company Income Tax Act 1959 (73 Stat. 115); sec. 3, Act of October 23, 1962 (Public Law 87-858, 76 Stat. 1134)]

PAR. 8. Section 1.804-1 is amended to read as follows:

**§ 1.804-1 Taxable years affected.**

Sections 1.804-2 through 1.804-4 (other than paragraph (d)(1)(ii) of § 1.804-2) are applicable only to taxable years beginning after December 31, 1957, and all references to sections of part I, subchapter L, chapter 1 of the Code are to the Internal Revenue Code of 1954, as amended by the Life Insurance Company Income Tax Act of 1959 (73 Stat. 112). Paragraph (d)(1)(ii) of § 1.804-2 is applicable only to taxable years beginning after December 31, 1961, and all references to sections of part I, subchapter L, chapter 1 of the Code are to the Internal Revenue Code of 1954, as amended by the Life Insurance Company Income Tax Act of 1959 (73 Stat. 112) and section 3 of the Act of October 23, 1962 (Public Law 87-858, 76 Stat. 1134).

PAR. 9. Paragraph (d)(1) of § 1.804-2 is amended to read as follows:

**§ 1.804-2 Taxable investment income.**

(d) *Taxable investment income of a life insurance company.*—(1) *Definition.*

(i) *Taxable years beginning after December 31, 1957, and before January 1, 1962.*

For taxable years beginning after December 31, 1957, and before January 1, 1962, section 804(a)(2) defines the term "taxable investment income", for purposes of part I, subchapter L, chapter 1 of the Code, as an amount (not less than zero) equal to the sum of the life insurance company's share (as determined in paragraph (c) of this section) of each and every item of investment yield (including tax-exempt interest, partially tax-exempt interest, and dividends received), reduced by the sum of—

(a) The life insurance company's share of interest which under section 103 is excluded from gross income,

(b) The deduction for partially tax-exempt interest provided by section 242 (as modified by section 804(a)(3) and subparagraph (2)(i) of this paragraph) computed with respect to the life insurance company's share of such interest,

(c) The deductions for dividends received provided by sections 243, 244, and 245 (as modified by section 804(a)(5) and subparagraph (2)(ii) of this paragraph) computed with respect to the life insurance company's share of the dividends received, and

(d) The small business deduction provided by section 804(a)(4). For purposes of part I, such small business deduction shall be an amount equal to 10 percent of the investment yield for the taxable year (but not to exceed \$25,000).

(ii) *Taxable years beginning after December 31, 1961.* For taxable years beginning after December 31, 1961, section 804(a)(2) defines the term "taxable investment income", for purposes of part I, as an amount (not less than zero) equal to the amount (if any) by which the net long-term capital gain exceeds the net short-term capital loss, plus the sum of the life insurance company's share (as determined under paragraph (c) of this section) of each and every item of investment yield (including tax-exempt interest, partially tax-exempt interest, and dividends received), reduced by the sum of the items specified in subdivision (i) (a) through (d) of this subparagraph.

PAR. 10. Section 1.805 is amended by revising section 805(d)(1) and the historical note. This amended provision and historical note read as follows:

**§ 1.805 Statutory provisions; life insurance companies; policy and other contract liability requirements.**

SEC. 805. *Policy and other contract liability requirements.*

(d) *Pension plan reserves.*—(1) *Pension plan reserves defined.* \* \* \*

(A) \* \* \*

(B) Purchased under contracts entered into under plans which (as of the time the contracts were entered into) were deemed to be plans described in section 403(a), or plans meeting the requirements of section 165(a)(3), (4), (5), and (6) of the Internal Revenue Code of 1939;

(C) Provided for employees of the life insurance company under a plan which, for the taxable year, meets the requirements of section 401(a)(3), (4), (5), (6), (7), and (8)); or

[Sec. 805 as amended by sec. 2, Life Insurance Company Tax Act 1955 (70 Stat. 43); sec. 2, Life Insurance Company Income Tax Act 1959 (73 Stat. 118); sec. 7, Self-Employed Individuals Tax Retirement Act 1962 (76 Stat. 828)]

PAR. 11. Section 1.805-3 is amended to read as follows:

**§ 1.805-3 Taxable years affected.**

Sections 1.805-1 and 1.805-2 are applicable only to taxable years beginning after December 31, 1953, and before January 1, 1955, and all references to sections of part I, subchapter L, chapter 1 of the Code are to the Internal Revenue Code of 1954, before amendments. Sections 1.805-4 through 1.805-8, except as otherwise provided therein, are applicable only to taxable years beginning after December 31, 1957, and all references to sections of part I, subchapter L, chapter 1 of the Code are to the Internal Revenue Code of 1954, as amended by the Life Insurance Company Income Tax Act of 1959 (73 Stat. 112) and the Self-Employed Individuals Tax Retirement Act of 1962 (76 Stat. 809).

PAR. 12. Paragraph (b) of § 1.805-7 is amended by revising subparagraphs (2) and (3). These amended provisions read as follows:

**§ 1.805-7 Pension plan reserves.**

(b) *Pension plan reserves defined.* \* \* \*

(2) Purchased under contracts entered into under plans which (as of the time the contracts were entered into) were deemed to be plans—

(i) Meeting the requirements of section 165(a)(3), (4), (5), and (6) of the Internal Revenue Code of 1939, for taxable years beginning before January 1, 1954, and ending before August 17, 1954, or

(ii) Described in section 403(a) of the Internal Revenue Code of 1954;

(3) Provided for employees of the life insurance company under a plan which for the taxable year—

(i) Meets the requirements of section 401(a)(3), (4), (5), and (6), of the Internal Revenue Code of 1954 before amendment, if such taxable year begins before January 1, 1963, and

(ii) Meets the requirements of section 401(a)(3), (4), (5), (6), (7), and (8) of the Internal Revenue Code of 1954 as amended by section 2 of the Self-Employed Individuals Tax Retirement Act of 1962 (76 Stat. 809), if such taxable year begins after December 31, 1962.

(For purposes of subparagraph (3) of this paragraph, the term "employees" includes full-time life insurance salesmen treated as employees under section 7701(a)(20)); or

PAR. 13. Section 1.809 is amended by revising section 809(b)(1) and (2), by revising section 809(d)(6), by revising section 809(f)(2), and by revising the historical note. These amended provisions and historical note read as follows:

**§ 1.809 Statutory provisions; life insurance companies; in general.**

SEC. 809. *In general.* \* \* \*

(b) *Gain and loss from operations.*—(1) *Gain from operations defined.* For purposes



of this part, the term "gain from operations" means the amount by which the sum of the following exceeds the deductions provided by subsection (d);

(A) The life insurance company's share of each and every item of investment yield (including tax-exempt interest, partially tax-exempt interest, and dividends received);

(B) The amount (if any) by which the net long-term capital gain exceeds the net short-term capital loss; and

(C) The sum of the items referred to in subsection (c).

(2) *Loss from operations defined.* For purposes of this part, the term "loss from operations" means the amount by which the sum of the deductions provided by subsection (d) exceeds the sum of—

(A) The life insurance company's share of each and every item of investment yield (including tax-exempt interest, partially tax-exempt interest, and dividends received);

(B) The amount (if any) by which the net long-term capital gain exceeds the net short-term capital loss; and

(C) The sum of the items referred to in subsection (c).

(d) *Deductions.* For purposes of subsections (b) (1) and (2), there shall be allowed the following deductions:

(6) *Certain accident and health insurance and group life insurance.* An amount equal to 2 percent of the premiums for the taxable year attributable to accident and health insurance contracts (other than those to which paragraph (5) applies) and group life insurance contracts. The deduction under this paragraph for the taxable year and all preceding taxable years shall not exceed an amount equal to 50 percent of the premiums for the taxable year attributable to such contracts.

(f) *Limitation on certain deductions.* \* \* \*

(2) *Application of limitation.* The limitation provided by paragraph (1) shall apply first to the amount of the deduction under subsection (d) (3), then to the amount of the deduction under subsection (d) (6), and finally to the amount of the deduction under subsection (d) (5).

[Sec. 809 as added by sec. 2, Life Insurance Company Income Tax Act 1959 (73 Stat. 121); amended by sec. 2, Act of June 27, 1961 (Public Law 87-59, 75 Stat. 120); sec. 3, Act of October 10, 1962 (Public Law 87-790, 76 Stat. 808); sec. 3, Act of October 23, 1962 (Public Law 87-858, 76 Stat. 1134)]

PAR. 14. Section 1.809-1 is amended to read as follows:

§ 1.809-1 Taxable years affected.

Sections 1.809-2 through 1.809-8, except as otherwise provided therein, are applicable only to taxable years beginning after December 31, 1957, and all references to sections of part I, subchapter L, chapter 1 of the Code are to the Internal Revenue Code of 1954, as amended by the Life Insurance Company Income Tax Act of 1959 (73 Stat. 112), the Act of June 27, 1961 (75 Stat. 120), the Act of October 10, 1962 (76 Stat. 808), and the Act of October 23, 1962 (76 Stat. 1134).

PAR. 15. Paragraph (a) of § 1.809-2 is amended to read as follows:

§ 1.809-2 Exclusion of share of investment yield set aside for policyholders.

(a) *In general.* Section 809 provides the rules for determining the gain or loss from operations of a life insurance company, which amount is necessary to determine life insurance company taxable income. In order to determine gain or loss from operations, a life insurance company must first determine the share of each and every item of its investment yield (as defined in section 804(c) and paragraph (a) of § 1.804-4) set aside for policyholders (as computed under section 809(a)(1) and paragraph (b) of this section), as this share is excluded from gain or loss from operations (as defined in section 809(b)(1) and (2) and paragraphs (a) and (b) of § 1.809-3, respectively). The life insurance company shall then add its share of each and every item of its investment yield to the sum of the items comprising gross amount (as described in section 809(c) and paragraph (a) of § 1.809-4). In addition, the life insurance company shall, for taxable years beginning after December 31, 1961, add the amount (if any) by which its net long-term capital gain exceeds its net short-term loss. From the sum so computed (which includes the capital gains item only for taxable years beginning after December 31, 1961) there shall then be subtracted the deductions provided in section 809(d) and paragraph (a) of § 1.809-5. The amount thus obtained is the gain or loss from operations for the taxable year.

PAR. 16. Paragraphs (a) and (b) of § 1.809-3 are amended to read as follows:

§ 1.809-3 Gain and loss from operations defined.

(a) *Gain from operations.* For purposes of part I, subchapter L, chapter 1 of the Code, section 809(b)(1) defines the term "gain from operations" as the excess of the sum of (1) the life insurance company's share of each and every item of investment yield (including tax-exempt interest, partially tax-exempt interest, and dividends received), (2) the items of gross amount taken into account under section 809(c) and paragraph (a) of § 1.809-4, and (3) for taxable years beginning after December 31, 1961, the amount (if any) by which the net long-term capital gain exceeds the net short-term capital loss, over the sum of the deductions provided by section 809(d) and § 1.809-5.

(b) *Loss from operations.* For purposes of part I, section 809(b)(2) defines the term "loss from operations" as the excess of the sum of the deductions provided by section 809(d) and § 1.809-5 over the sum of (1) the life insurance company's share of each and every item of investment yield (including tax-exempt interest, partially tax-exempt interest, and dividends received), (2) the items of gross amount taken into account under section 809(c) and paragraph (a) of § 1.809-4, and (3) for taxable years beginning after December 31, 1961, the amount (if any) by which the net long-

term capital gain exceeds the net short-term capital loss.

PAR. 17. Section 1.809-4 is amended by revising paragraph (a), and by revising paragraph (b) and the heading thereof. These amended provisions read as follows:

§ 1.809-4 Gross amount.

(a) *Items taken into account.* For purposes of determining gain or loss from operations under section 809(b)(1) and (2), respectively, section 809(c) specifies three categories of items which shall be taken into account. Such items are in addition to the life insurance company's share of the investment yield (as determined under section 809(a)(1) and paragraph (c) of § 1.809-2), and the amount (if any) by which the net long-term capital gain exceeds the net short-term capital loss (such capital gains item is included in determining gain or loss from operations only for taxable years beginning after December 31, 1961). The additional three categories of items taken into account are:

(b) *Treatment of net long-term capital gains.* For taxable years beginning before January 1, 1962, any net long-term capital gains (as defined in section 1222(7)) from the sale or exchange of a capital asset (or any gain considered to be from the sale or exchange of a capital asset under applicable law) shall be excluded from the determination of gain or loss from operations of a life insurance company. On the other hand, with respect to taxable years beginning after December 31, 1961, the amount (if any) by which the net long-term capital gain exceeds the net short-term capital loss (as defined in section 1222(6)) shall be taken into account in determining gain or loss from operations under section 809. However, for any taxable year beginning after December 31, 1958, the excess of net short-term capital gain (as defined in section 1222(5)) over net long-term capital loss (as defined in section 1222(8)) is included in computing investment yield (as defined in section 804(c)) and, to that extent, is taken into account in determining gain or loss from operations under section 809.

PAR. 18. Section 1.809-5 is amended by revising the heading of paragraph (a) (6) and by revising paragraph (a) (6) (i). These amended provisions read as follows:

§ 1.809-5 Deduction.

(a) *Deductions allowed.* Section 809 (d) provides the following deductions for purposes of determining gain or loss from operations under section 809(b)(1) and (2), respectively:

(6) *Certain accident and health insurance and group life insurance.* (i) For taxable years beginning before January 1, 1963, an amount equal to two percent of the premiums for the taxable year attributable to group life insurance contracts, group accident and health in-



## RULES AND REGULATIONS

insurance contracts, or group accident and health insurance contracts with a life feature. For taxable years beginning after December 31, 1962, the deduction shall be an amount equal to two percent of the premiums for the taxable year attributable to group life insurance contracts, accident and health insurance contracts (other than those to which section 809(d)(5) applies), or accident and health insurance contracts with a life feature (other than those to which section 809(d)(5) applies). For purposes of section 809(d)(6) and this subparagraph, the term "premiums" means the net amount of the premiums and other consideration attributable to such contracts taken into account under section 809(c)(1). The deduction allowed by section 809(d)(6) and this subparagraph for the taxable year and all preceding taxable years shall not exceed 50 percent of the net amount of the premiums attributable to such contracts for the taxable year. For example, assume that premiums attributable to group life insurance and group accident and health insurance contracts are \$103,000 for the taxable year 1962. Assume further that there are \$3,000 of return premiums attributable to such contracts for the taxable year. Under the provisions of section 809(d)(6) and this subparagraph, a deduction (determined without regard to section 809(f) of \$2,000 (2 percent of \$100,000 (\$103,000-\$3,000)) is allowed. Assuming that the company continues to receive net premiums of \$100,000 attributable to such contracts for 15 years, the cumulative amount of these deductions is \$30,000 (\$2,000 for 15 years). If, in the sixteenth year, net premiums attributable to such contracts amount to \$60,000, no deduction shall be allowed under section 809(d)(6) and this subparagraph since the cumulative amount of these deductions (\$30,000) equals 50 percent of the current year's premiums (\$60,000) from such contracts.

PAR. 19. Paragraphs (b) and (c) of § 1.809-7 are amended to read as follows:

§ 1.809-7 Limitation on certain deductions.

(b) *Application of limitation.* Section 809(f)(2) provides a priority system for applying the limitation contained in section 809(f)(1) and paragraph (a) of this section. Under this priority system, the limitation shall be applied in the following order—

(1) For taxable years beginning before January 1, 1962:

(i) First to the amount of the deduction under section 809(d)(6) (relating to group life, accident, and health insurance);

(ii) Then to the amount of the deduction under section 809(d)(5) (relating to certain nonparticipating contracts); and

(iii) Finally to the amount of the deduction under section 809(d)(3) (relating to dividends to policyholders).

(2) For taxable years beginning after December 31, 1961, the limitation shall be applied in the following order:

(i) First to the amount of the deduction under section 809(d)(3);

(ii) Then to the amount of the deduction under section 809(d)(6); and

(iii) Finally to the amount of the deduction under section 809(d)(5).

Thus, for taxable years beginning after December 31, 1961, the limitation and priority system would operate first to disallow a deduction under section 809(d)(5), then a deduction under section 809(d)(6), and finally a deduction under section 809(d)(3). For purposes of applying the 50 percent limitation contained in section 809(d)(6) with respect to a taxable year beginning after December 31, 1961, the amount of the deductions for taxable years beginning before January 1, 1962, shall be determined by applying the priority system contained in subparagraph (1) of this paragraph.

(c) *Illustration of principles.* The operation of the limitation and priority system provided by section 809(f) and

this section may be illustrated by the following examples:

*Example (1).* Assume the following facts with respect to M, a life insurance company, for the taxable year 1958:

Gain from operations computed without regard to the deductions under sec. 809(d)(3), (5), and (6)-----	\$100,000,000
Taxable investment income-----	83,000,000
Tentative deduction for group life, accident, and health insurance under sec. 809(d)(6)-----	4,000,000
Tentative deduction for certain nonparticipating contracts under sec. 809(d)(5)-----	6,000,000
Tentative deduction for dividends to policyholders under sec. 809(d)(3)-----	10,000,000

In order to determine the limitation on the deductions under section 809(d)(3), (5), and (6), M would make up the following schedule:

(1) Statutory amount provided under sec. 809(f)(1)-----	\$250,000
(2) Gain from operations computed without regard to the deductions under sec. 809(d)(3), (5), and (6)-----	\$100,000,000
(3) Taxable investment income-----	83,000,000
(4) Excess of item (2) over item (3)-----	17,000,000
(5) Limitation on deductions under sec. 809(d)(3), (5), and (6) (item (1) plus item (4))-----	17,250,000

Since the total tentative deductions under section 809(d)(3), (5), and (6) (\$20,000,000) exceeds the limitation on such deductions (\$17,250,000), M would make up the following schedule to determine the application of the priority system:

(6) Maximum possible deduction under sec. 809(d)(3), (5), and (6) (item (5))-----	\$17,250,000
(7) Deduction for group life, accident, and health insurance under sec. 809(d)(6) (not in excess of item (6))-----	4,000,000
(8) Maximum possible deduction under sec. 809(d)(5) (item (6) less item (7))-----	13,250,000
(9) Deduction for certain nonparticipating contracts under sec. 809(d)(5) (not in excess of item (8))-----	6,000,000
(10) Maximum possible deduction under sec. 809(d)(3) (item (8) less item (9))-----	7,250,000
(11) Deduction for dividends to policyholders under sec. 809(d)(3) (not in excess of item (10))-----	7,250,000

Thus, as a result of the application of the limitation and priority system for the taxable year 1958, M shall be allowed a deduction of \$4,000,000 under section 809(d)(6), \$6,000,000 under section 809(d)(5), and only \$7,250,000 of the \$10,000,000 tentative deduction under section 809(d)(3).

*Example (2).* The facts are the same as in example (1), except that the taxable year is 1962. Since the total tentative deductions under section 809(d)(3), (5), and (6) (\$20,000,000) exceeds the limitation on such deductions (\$17,250,000), M would make up the following schedule to determine the application of the priority system:

(1) Maximum possible deductions under sec. 809(d)(3), (5), and (6) (item (5) in example (1))-----	\$17,250,000
(2) Deduction for dividends to policyholders under sec. 809(d)(3) (not in excess of item (1))-----	10,000,000
(3) Maximum possible deduction under sec. 809(d)(6) (item (1) less item (2))-----	7,250,000
(4) Deduction for certain accident, health, and group life insurance under sec. 809(d)(6) (not in excess of item (3))-----	4,000,000

(5) Maximum possible deduction under sec. 809(d)(5) (item (4) less item (5))-----
 3,250,000 |

(6) Deduction for certain nonparticipating contracts under sec. 809(d)(5) (not in excess of item (5))-----
 3,250,000 |

Thus, as a result of the application of the limitation and priority system for the taxable year 1962, M shall be allowed a deduction of \$10,000,000 under section 809(d)(3), \$4,000,000 under section 809(d)(6), and only \$3,250,000 of the \$6,000,000 tentative deduction under section 809(d)(5).

PAR. 20. Section 1.812 is amended by revising section 812(e)(2)(B) and the historical note. This amended provision and historical note read as follows:

§ 1.812 Statutory provisions; life insurance companies; operations loss deduction.

SEC. 812. *Operations loss deduction.* \* \* \*  
 (e) *Rules relating to new companies.* \* \* \*  
 (2) *Limitations on 8-year carryover.* \* \* \*  
 (B) *Nonqualified corporation defined.* For purposes of subparagraph (A), the term "nonqualified corporation" means any corporation connected through stock ownership with any other corporation (except a corporation taxable under part II or part III of this subchapter), if either of such corpora-



tions possesses at least 50 percent of the voting power of all classes of stock of the other such corporation. For purposes of subparagraph (A), a corporation shall be treated as becoming a nonqualified corporation at any time at which it becomes a party to a reorganization (other than a reorganization which is not described in any subparagraph of section 368(a)(1) other than subparagraphs (E) and (F) thereof).

[Sec. 812 as added by sec. 2, Life Insurance Company Tax Act 1955 (70 Stat. 45); amended by sec. 2, Life Insurance Company Income Tax Act 1959 (73 Stat. 127); sec. 3, Act of October 23, 1962 (Public Law 87-858, 76 Stat. 1134)]

PAR. 21. Section 1.812-1 is amended to read as follows:

§ 1.812-1 Taxable years affected.

Sections 1.812-2 through 1.812-8, except as otherwise provided therein, are applicable only to taxable years beginning after December 31, 1957, and all references to sections of part I, subchapter L, chapter 1 of the Code are to the Internal Revenue Code of 1954, as amended by the Life Insurance Company Income Tax Act of 1959 (73 Stat. 112) and the Act of October 23, 1962 (76 Stat. 1134).

PAR. 22. Paragraph (b)(2) of § 1.812-6 is amended to read as follows:

§ 1.812-6 Rules relating to new companies.

(b) *Limitations on 8-year carryover.* \* \* \*

(2) Section 812(e)(2)(B) defines the term "nonqualified corporation" for purposes of section 812(e)(2)(A) as any corporation connected through stock ownership with any other corporation (except a corporation taxable under part II or part III, subchapter L, chapter 1 of the Code) where either of such corporations possesses at least 50 percent of the total combined voting power of all classes of stock entitled to vote of the other corporation. Such definition shall apply with respect to all taxable years beginning after December 31, 1954, except that in the case of a nonqualified corporation, as defined in section 812(e)(2)(B) prior to its amendment by section 3(d) of the Act of October 23, 1962 (76 Stat. 1137), a loss from operations for a taxable year beginning in 1955 shall not be an operations loss carryover to the taxable year 1961, and there shall be no reduction in the portion of such loss from operations which may be carried to the taxable year 1962 or 1963 by reason of an offset (as defined in section 812(d) and paragraph (a) of § 1.812-5) with respect to the taxable year 1961. For purposes of the first sentence of this subparagraph, a corporation shall be treated as becoming a nonqualified corporation at any time it becomes a party to a reorganization other than a reorganization described in section 368(a)(1)(E) or (F).

PAR. 23. Section 1.815 is amended by revising sections 815(c)(2)(C) and (3)(B) and by revising the historical

note. These amended provisions and historical note read as follows:

§ 1.815 Statutory provisions; life insurance companies; distributions to shareholders.

Sec. 815. *Distribution to shareholders—*

(c) *Policyholders surplus account.* \* \* \*

(2) *Additions to account.* \* \* \*  
(C) The deduction for accident and health insurance and group life insurance contracts provided by section 809(d)(6) (as limited by section 809(f)).

(3) *Subtractions from account.* \* \* \*  
(B) The amount (determined without regard to section 802(a)(3)) by which the tax imposed for the taxable year by section 802(a) is increased by reason of section 802(b)(3).

[Sec. 815 as added by sec. 2, Life Insurance Company Income Tax Act of 1959 (73 Stat. 129); amended by sec. 3, Act of October 10, 1962 (Public Law 87-790, 76 Stat. 808); sec. 3(b), Act of October 23, 1962 (Public Law 87-858, 76 Stat. 1136)]

PAR. 24. Section 1.815-1 is amended to read as follows:

§ 1.815-1 Taxable years affected.

Sections 1.815-2 through 1.815-6, except as otherwise provided therein, are applicable only to taxable years beginning after December 31, 1957, and all references to sections of part I, subchapter L, chapter 1 of the Code are to the Internal Revenue Code of 1954, as amended by the Life Insurance Company Income Tax Act of 1959 (73 Stat. 112), the Act of October 10, 1962 (76 Stat. 808), and the Act of October 23, 1962 (76 Stat. 1134).

PAR. 25. Paragraphs (b)(3) and (c)(1)(ii) of § 1.815-4 are amended to read as follows:

§ 1.815-4 Policyholders surplus account.

(b) *Additions to policyholders surplus account.* \* \* \*

(3) The deduction allowed or allowable under section 809(d)(6) (as limited by section 809(f)) for taxable years beginning before January 1, 1963, for group life and group accident and health insurance contracts, and for taxable years beginning after December 31, 1962, for accident and health insurance and group life insurance contracts.

(c) *Subtractions from policyholders surplus account.* (1) \* \* \*

(ii) The amount (determined without regard to section 802(a)(3)) by which the tax imposed for taxable years beginning before January 1, 1962, by section 802(a)(1), and for taxable years beginning after December 31, 1961, by section 802(a), is increased by reason of section 802(b)(3).

PAR. 26. Section 1.817-1, paragraph (a) of § 1.817-2, paragraph (a)(1) of § 1.817-3, and paragraphs (a) and (b) of § 1.817-4 are amended to read as follows:

§ 1.817-1 Taxable years affected.

Except as otherwise provided therein, §§ 1.817-2 through 1.817-4 are applicable only to taxable years beginning af-

ter December 31, 1957, and all references to sections of part I, subchapter L, chapter 1 of the Code are to the Internal Revenue Code of 1954, as amended by the Life Insurance Company Income Tax Act of 1959 (73 Stat. 112) and section 3 of the Act of October 23, 1962 (76 Stat. 1134).

§ 1.817-2 Treatment of capital gains and losses.

(a) *In general.* For taxable years beginning after December 31, 1958, and before January 1, 1962, if the net long-term capital gain (as defined in section 1222(7)) of any life insurance company exceeds its net short-term capital loss (as defined in section 1222(6)), section 802(a)(2) prior to its amendment by section 3 of the Act of October 23, 1962 (76 Stat. 1134), imposes a separate tax equal to 25 percent of such excess. For taxable years beginning after December 31, 1961, if the net long-term capital gain of any life insurance company exceeds its net short-term capital loss, section 802(a)(2) imposes an alternative tax in lieu of the tax imposed by section 802(a)(1), if and only if such alternative tax is less than the tax imposed by section 802(a)(1). Except as modified by section 817 (rules relating to certain gains and losses), the general rules of the Code relating to gains and losses, such as subchapter O (relating to gain or loss on disposition of property), subchapter P (relating to capital gains and losses), etc., shall apply with respect to life insurance companies.

§ 1.817-3 Gain on property held on December 31, 1958, and certain substituted property acquired after 1958.

(a) *Limitation on gain recognized on property held on December 31, 1958.*

(1) Section 817(b)(1) limits the amount of gain that shall be recognized on the sale or other disposition of property other than insurance and annuity contracts (and contracts supplementary thereto) and property described in section 1221(1) (relating to stock in trade or inventory-type property) if:

(i) The property was held (or treated as held within the meaning of paragraph (c)(1) of this section) by a life insurance company on December 31, 1958;

(ii) The taxpayer has been a life insurance company at all times on and after December 31, 1958, including the date of the sale or other disposition of the property; and

(iii) The fair market value of the property on December 31, 1958, exceeds the adjusted basis for determining gain as of such date.

The gain on the sale or other disposition of such property shall be limited to an amount (but not less than zero) equal to the amount by which the gain (determined without regard to section 817(b)(1)) exceeds the difference between fair market value of such property on December 31, 1958, and the adjusted basis for determining gain as of such date. Accordingly, the tax imposed un-



der section 802(a) shall apply with respect to the amount of gain so limited. In addition, in the case of a stock life insurance company, the amount of such gain shall be taken into account under section 815(b) (2) (A) (ii) for purposes of determining the amount to be added to the shareholders surplus account (as defined in section 815(b) and § 1.815-3) for the taxable year. Furthermore, the amount of the gain (determined without regard to section 817(b)(1) and this paragraph) which is not taken into account under section 802(a) and under paragraph (f) of § 1.802-3 by reason of the application of section 817(b)(1) shall be included in other accounts (as defined in § 1.815-5) by such a company for the taxable year.

\* \* \* \* \*

§ 1.817-4 Special rules.

(a) *Limitation on capital loss carryovers.* Section 817(c) provides that a net capital loss (as defined in section 1222(10)) for any taxable year beginning before January 1, 1959, shall not be taken into account. For any taxable year beginning after December 31, 1958, the provisions of part II, subchapter P, chapter 1 of the Code (relating to the treatment of capital losses) shall be applicable to life insurance companies for purposes of determining the tax imposed by section 802(a) and § 1.802-3 (relating to the imposition of tax in case of capital gains).

(b) *Gain on transactions occurring prior to January 1, 1959.* For purposes of part I, subchapter L, chapter 1 of the Code, section 817(d) provides that—

(1) There shall be excluded from tax any gain from the sale or exchange of a capital asset, and any gain considered as gain from sale or exchange of a capital asset, which results from sales or other dispositions of property prior to January 1, 1959; and

(2) Any gain after December 31, 1958, resulting from the sale or other disposition of property prior to January 1, 1959, which, but for this subparagraph would be taken into account under section 1231, shall not be taken into account under section 1231.

For example, if a life insurance company makes an installment sale of a capital asset prior to January 1, 1959, and payments are received after such date, any capital gain attributable to such sale shall not be taken into account for purposes of section 802(a). Furthermore, any gain referred to in subparagraphs (1) and (2) and the preceding sentence shall not be taken into account in determining the excess of the net short-term capital gain over the net long-term capital loss (and for taxable years beginning after December 31, 1961, the excess of the net long-term capital gain over the net short-term capital loss) for purposes of computing taxable investment income under section 804(a) (2) or gain or loss from operations under section 809(b).

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

[F.R. Doc. 66-6879; Filed, June 22, 1966; 8:48 a.m.]

## Title 33—NAVIGATION AND NAVIGABLE WATERS

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

#### PART 202—ANCHORAGE REGULATIONS

##### Morro Bay Harbor, Calif.

Pursuant to the provisions of section 1 of an Act of Congress approved April 22, 1940 (54 Stat. 150; 33 U.S.C. 180), § 202.125 governing the use and navigation of special anchorage areas in Morro Bay Harbor, Calif., is hereby amended in its entirety redesignating the boundaries of the areas, effective 30 days after publication in the FEDERAL REGISTER, as follows:

##### § 202.125 Morro Bay Harbor, Calif.

(a) *Area A-1.* Opposite the City of Morro Bay, beginning 50 feet west of the intersection of the west channel line and the prolongation of the center line of Seventh Street; thence in a generally southeasterly direction and parallel to the channel line for a distance of 450 yards; thence 166° and parallel to the revetment for a distance of 1,025 yards; thence 270° for a distance of 200 yards; thence 346° for a distance of about 1,425 yards to meet the prolongation of the center line of Seventh Street; and thence to the point of beginning.

(b) *Area A-2.* Beginning at a point 322° and 150 feet from the high water line on the most westerly part of Fairbanks Point; thence continuing on this bearing for a distance of 1,346 feet; thence 52° for a distance of 450 feet and thence generally southeasterly parallel to and 150 feet from the mean high water line to the point of beginning.

NOTE: Moorings and boating activities will be allowed in these areas conforming to applicable City of Morro Bay ordinances and regulations adopted pursuant thereto.

[Regs., June 10, 1966, 1507-32 (Morro Bay, Calif.)—ENG CW—ON] (sec. 1, 54 Stat. 150; 33 U.S.C. 180)

J. C. LAMBERT,  
Major General, U.S. Army,  
The Adjutant General.

[F.R. Doc. 66-6841; Filed, June 22, 1966; 8:45 a.m.]

## Title 43—PUBLIC LANDS: INTERIOR

### Subtitle A—Office of the Secretary of the Interior

#### PART 17a—RULES FOR PROCEEDINGS UNDER TITLE VI, CIVIL RIGHTS ACT OF 1964

Part 17a, reading as follows, is added to Subtitle A of 43 CFR:

Sec.  
17a.1 Purpose.  
PROCEEDINGS PRIOR TO HEARING  
17a.2 Notice of hearing or opportunity for hearing.

Sec.  
17a.3 Answer to notice.  
17a.4 Request for hearing.  
17a.5 Failure to request a hearing; failure both to request a hearing and to answer.  
17a.6 Who presides.  
17a.7 Authority of presiding officer.  
17a.8 Testimony and cross-examination.  
17a.9 Exhibits.  
17a.10 Affidavits.  
17a.11 Depositions.  
17a.12 Admissions as to facts and documents.  
17a.13 Evidence.  
17a.14 Offer of proof.  
17a.15 Briefs; proposed findings and conclusions.

#### THE RECORD

17a.16 Official transcript.  
17a.17 Record for decision; record to be public.

#### DECISIONS

17a.18 Notification of right to file exceptions.  
17a.19 Final review by Secretary.

#### GENERAL PROVISIONS

17a.20 Service—how made.  
17a.21 Date of service.  
17a.22 Certificate of service.  
17a.23 Service on all parties.  
17a.24 Extension of time or postponement.  
17a.25 Computation of time.  
17a.26 Parties.  
17a.27 Complainants not parties.  
17a.28 Suspension of rules.

AUTHORITY: The provisions of this Part 17a are issued under 43 CFR 17.8 and R.S. 161, 5 U.S.C. 22.

#### § 17a.1 Purpose.

Section 17.8 of this title provides for a formal proceeding looking to the suspension or termination of, or the refusal to grant or continue, Federal financial assistance for failure of an applicant or a recipient to comply with the regulation in Part 17 of this title on Nondiscrimination in Federally-Assisted Programs of the Department of the Interior—Effectuation of the Civil Rights Act of 1964. This Part 17a comprises rules of procedure for such proceedings which supplement § 17.8 of this title. The definitions set forth in § 17.12 of this title apply also to this Part 17a.

#### PROCEEDINGS PRIOR TO HEARING

##### § 17a.2 Notice of hearing or opportunity for hearing.

A proceeding is initiated, as provided in § 17.8 of this title, by mailing to an applicant or recipient a notice of hearing fixing a date therefor or a notice of an opportunity for a hearing. Such a notice advises him of the action proposed to be taken, the specific provision of Part 17 of this title under which the proposed action is to be taken, and the matters of fact or law asserted as the basis of the action.

##### § 17a.3 Answer to notice.

The applicant or recipient may file an answer to the notice within 20 days after service thereof. The answer shall admit or deny specifically and in detail each allegation of the notice, unless the applicant or recipient is without knowledge, in which case his answer should so state, and the statement will be deemed a



denial. Allegations of fact in the notice not denied or controverted by answer shall be deemed admitted. Matters alleged as affirmative defenses shall be separately stated and numbered. Failure of the applicant or recipient to file an answer within the 20-day period following service of the notice may be deemed a confession of all matters of fact recited in the notice.

§ 17a.4 Request for hearing.

Within 20 days after service of a notice of opportunity for hearing which does not fix a date for hearing the respondent, either in his answer or in a separate document, may request a hearing.

§ 17a.5 Failure to request a hearing; failure both to request a hearing and to answer.

The failure of the applicant or recipient to request a hearing shall be deemed a waiver of hearing and consent to submission of the case to the presiding officer for decision on the written record. The failure of an applicant or recipient to file an answer and to request a hearing shall be deemed a waiver of all right to participate in the proceedings and to constitute his consent to the making of a decision on the basis of such information as is available.

PRESIDING OFFICER

§ 17a.6 Who presides.

Either a hearing examiner designated in accordance with the provisions of section 11 of the Administrative Procedure Act or the head of the bureau or office administering the Federal financial assistance involved will be the presiding officer in each proceeding.

§ 17a.7 Authority of presiding officer.

- The presiding officer may:
- (a) Arrange and issue notice of the date, time and place of hearings, or, upon due notice to the parties, change the date, time and place of hearings previously set;
  - (b) Hold conferences to settle, simplify, or fix the issues in a proceeding or to consider other matters that may aid in the expeditious disposition of the proceeding;
  - (c) Require parties to state their position with respect to the various issues in the proceeding;
  - (d) Administer oaths and affirmations;
  - (e) Rule on motions and other procedural matters;
  - (f) Regulate the course of the hearing and the conduct of persons therein;
  - (g) Examine witnesses and direct witnesses to testify;
  - (h) Receive, rule on, exclude or limit evidence;
  - (i) Fix the time for filing motions, briefs, or other matters; and
  - (j) Take any action authorized by the rules in this part or in conformance with the provisions of the Administrative Procedure Act (5 U.S.C. 1001-1011).

HEARING PROCEDURES

§ 17a.8 Testimony and cross-examination.

Testimony at the hearing shall be given under oath or affirmation. The presiding officer may require or permit that the direct testimony of any witness be prepared in writing and served on all parties in advance of the hearing. Such testimony may be adopted by the witness at the hearing and filed as part of the record thereof. Unless authorized by the presiding officer, a witness will not be permitted to read prepared testimony into the record. A witness may be cross-examined on any matter material to the proceeding without regard to the scope of his direct examination.

§ 17a.9 Exhibits.

Each exhibit should have a brief title endorsed upon it or attached to it stating what it purports to show. Exhibits comprising statistical compilations and calculations should show the sources of the information used and the statistical methods employed. Proposed exhibits shall be exchanged prior to the hearing, if the presiding officer so requires, and proposed exhibits not so exchanged may be denied admission in evidence. The authenticity of all proposed exhibits exchanged prior to hearing will be deemed admitted unless written objection thereto is filed prior to the hearing or unless good cause is shown at the hearing for failure to file such written objection.

§ 17a.10 Affidavits.

An affidavit is not inadmissible as such. Unless the presiding officer fixes another time, affidavits shall be filed and served on the parties not later than 15 days prior to the hearing.

§ 17a.11 Depositions.

The presiding officer may authorize the testimony of any witness to be taken by deposition.

§ 17a.12 Admissions as to facts and documents.

Not later than 15 days prior to the scheduled date of the hearing, any party may serve upon an opposing party a written request for the admission of the genuineness and authenticity of any relevant documents described in and exhibited with the request, or for the admission of the truth of any relevant matters of fact stated in the request. Each of the matters in respect of which an admission is requested shall be deemed admitted, unless, within a period designated in the request (not less than 10 days after service thereof) or within such further time as the presiding officer may allow upon motion and notice, the party to whom the request is directed serves upon the requesting party a sworn statement either denying specifically the matters in respect of which an admission is requested or setting forth in detail the reasons why he cannot truthfully either admit or deny such matters. Copies of requests for admission and answers thereto shall be served on all parties. Any admission made by a party to such request is only for the purposes of the

pending proceeding or any proceeding or action instituted for the enforcement of any order entered in the pending proceeding and shall not constitute an admission by him for any other purpose or be used against him in any other proceeding or action.

§ 17a.13 Evidence.

Technical rules of evidence shall not apply to a hearing, but the presiding officer shall seek to obtain the production of the most credible evidence available and may exclude irrelevant, immaterial, or repetitious evidence. Objections to evidence shall be timely and briefly state the ground relied upon.

§ 17a.14 Offer of proof.

If the presiding officer sustains an objection to the admission of evidence, the party affected may submit for the record as an offer of proof a summary written statement of the substance of the excluded evidence, and the objecting party may make an offer of proof in rebuttal.

§ 17a.15 Briefs; proposed findings and conclusions.

At the conclusion of a hearing, the presiding officer shall fix the time for filing briefs, which may contain proposed findings of fact and conclusions of law, and, if reply briefs are permitted, he shall fix the time for filing such briefs.

THE RECORD

§ 17a.16 Official transcript.

A transcript shall be made of the oral evidence given in a hearing. Transcripts of testimony in hearings will be supplied by the official reporter to the parties and to the public at rates not to exceed the maximum rates fixed by contract between the Department and the reporter. Upon notice to all parties, the presiding officer may authorize corrections to the transcript which involve matters of substance.

§ 17a.17 Record for decision; record to be public.

The transcript of testimony, exhibits, and all papers and requests filed in the proceedings, shall constitute the exclusive record for decision and may be inspected and copied.

DECISIONS

§ 17a.18 Notification of right to file exceptions.

The provisions of § 17.9 of this title govern the making of decisions by hearing examiners and heads of bureaus or offices. A hearing examiner shall, in any initial decision made by him, specifically inform the applicant or recipient of his right under § 17.9 to file exceptions with the head of a bureau or office. In instances in which the record is certified to the head of a bureau or office or he reviews the decision of a hearing examiner, the head of the bureau or office shall give the applicant or recipient a notice of certification or notice of review which specifically informs the applicant or recipient that, within a stated period, which shall not be less than 30 days after service of the notice, he may file briefs



or other written statements of his contentions.

#### § 17a.19 Final review by Secretary.

Paragraph (c) of § 17.9 of this title requires that a final decision of the head of a bureau or office which provides for the imposition of any sanction be promptly transmitted to the Secretary, who may approve or vacate any such decision or remit or mitigate any sanction imposed. The head of a bureau or office shall notify the applicant or recipient of the date upon which he submits such a decision to the Secretary. The applicant or recipient shall have 20 days following service upon him of such notice to submit to the Secretary exceptions to the decision and supporting briefs or memoranda suggesting remission or mitigation of the sanctions proposed. The bureau or office shall have 10 days after the filing of the exceptions and briefs in which to reply.

#### GENERAL PROVISIONS

#### § 17a.20 Service—how made.

Service shall be made by personal delivery of one copy to each person to be served or by mailing by first-class mail, properly addressed with postage prepaid. When a party has appeared by attorney or other representative, service upon such attorney or representative will be deemed service upon the party.

#### § 17a.21 Date of service.

The date of service shall be the day when the matter is deposited in the U.S. mail or is delivered in person.

#### § 17a.22 Certificate of service.

The original of every document filed and required to be served upon parties to a proceeding shall be endorsed with a certificate of service signed by the party making service or by his attorney or representatives, stating that such service has been made, the date of service, and the manner of service, whether by mail or personal delivery.

#### § 17a.23 Service on all parties.

A hearing examiner and the head of a bureau or office shall file and serve on all parties copies of any notices that he may issue and copies of any correspondence that he may have with a party. Each party shall serve on all other parties copies of all documents (such as pleadings, motions, briefs) which the party files with the hearing examiner or the head of the bureau or office.

#### § 17a.24 Extension of time or postponement.

A request for extension of time should be made to a hearing examiner or the head of a bureau or office with respect to matters pending before him. Such a request shall be served on all parties and set forth the reasons for the request. Extensions may be granted upon a showing of good cause by the applicant. From the designation of a hearing examiner as presiding officer until

the issuance of his decision, such requests should be addressed to him.

#### § 17a.25 Computation of time.

In computing any period of time under the rules in this part, the period begins with the day following the act or event and includes the last day of the period unless it is a Saturday, Sunday, or Federal legal holiday, in which event the period runs until the end of the next day which is not a Saturday, Sunday, or Federal legal holiday. When the period of time prescribed or allowed is less than 7 days, intermediate Saturdays, Sundays, and Federal legal holidays shall be excluded from the computation.

#### § 17a.26 Parties.

An applicant or recipient to whom a notice of hearing or a notice of an opportunity for hearing has been mailed shall be a party to the proceeding, as shall the bureau or office administering the Federal financial assistance with which the proceeding is concerned. An individual who is a party may appear in person or by counsel in any proceeding. Individuals also may appear in a representative capacity as provided in the regulations on Practice Before the Department of the Interior in Part 1 of this title.

#### § 17a.27 Complainants not parties.

A person submitting a complaint pursuant to paragraph (b) of § 17.6 of this title is not a party to the proceedings governed by this part.

#### § 17a.28 Suspension of rules.

Upon notice to all parties, the head of a bureau or office or the hearing examiner may, with respect to matters pending before him, modify or waive any rule in this part if he determines that no party will be unduly prejudiced and the ends of justice will thereby be served.

Part 17a shall become effective upon publication in the FEDERAL REGISTER.

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

JUNE 17, 1966.

[F.R. Doc. 66-6862; Filed, June 22, 1966;  
8:47 a.m.]

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

#### APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 4039]

[Fairbanks 031915]

#### ALASKA

#### Partial Revocation of Public Land Order No. 3943

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

1. Public Land Order No. 3943 of March 2, 1966, so far as it withdrew in Tract 1, Richardson Clear Creek Area, lands in excess of one-quarter mile of

Clear Creek or certain of its channels is hereby revoked.

2. Until 10 a.m. on September 16, 1966, the State of Alaska shall have a preferred right to select the lands as provided by the act of July 28, 1956 (70 Stat. 709; 48 U.S.C. 46-3b), section 6(g) of the Alaska Statehood Act of July 7, 1958 (72 Stat. 339), and the regulations in 43 CFR 2222.9. After that time the lands shall be open to the operation of the public land laws generally, including the mining laws, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on September 16, 1966, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

The lands have been open to applications and offers under the mineral leasing laws.

Inquiries concerning the lands should be addressed to the Manager, Fairbanks District and Land Office, Fairbanks, Alaska.

HARRY R. ANDERSON,  
*Assistant Secretary of the Interior.*

JUNE 17, 1966.

[F.R. Doc. 66-6855; Filed, June 22, 1966;  
8:46 a.m.]

[Public Land Order 4040]

[Idaho 016816]

#### IDAHO

#### Withdrawal for Civil Works, Asotin Dam and Reservoir Project

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

1. Subject to valid existing rights, the following described public lands, which are under the jurisdiction of the Secretary of the Interior, are hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws (30 U.S.C., Ch. 2), but not from leasing under the mineral leasing laws, and reserved for use of the Corps of Engineers, Department of the Army, for the proposed Asotin Dam and Reservoir Project:

#### BOISE MERIDIAN

T. 32 N., R. 5 W.,  
Sec. 11, NE $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
Sec. 15, lots 2, 3, and NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 29, lot 1;  
Sec. 34, lot 3.

The areas described aggregate 191.50 acres in Nez Perce County.

2. Pending authorization of the project, this withdrawal does not alter the applicability of the public land laws governing the use of the lands under lease, license, or permit, or governing the disposal of their mineral or vegetative resources other than under the mining laws, subject to the conditions that such use or disposition will be consistent with



the purposes for which the lands are withdrawn.

HARRY R. ANDERSON,  
Assistant Secretary of the Interior.

JUNE 17, 1966.

[F.R. Doc. 66-6856; Filed, June 22, 1966;  
8:46 a.m.]

[Public Land Order 4041]

[Anchorage 067694]

**ALASKA**

**Exclusion of Lands From Chugach and Tongass National Forests**

By virtue of the authority vested in the President by Chapter 2, section 1 of the act of June 4, 1897 (30 Stat. 34, 36; 16 U.S.C. 473), and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

The following described tracts of public land in Alaska, occupied as homesites, are hereby excluded from the Chugach and Tongass National Forests and restored, subject to valid existing rights, and the provisions of existing withdrawals, for purchase as homesites under section 10 of the act of May 14, 1898 (30 Stat. 409), as amended by the act of May 26, 1934 (48 Stat. 809; 48 U.S.C. 461):

**CHUGACH NATIONAL FOREST**

U.S. SURVEY 3306

Latitude 60°30'10" N., longitude 149°48'00" W.,

(a) Lot 16 (Homesite No. 154, Slaughter Creek Group), 1.34 acres.

(b) Lot 12a (Homesite No. 167, Slaughter Creek Group), 1.59 acres.

(c) Lot 13a (Homesite No. 194, Slaughter Creek Group), 2.46 acres.

**TONGASS NATIONAL FOREST**

U.S. SURVEY 3590

Latitude 59°33' N., longitude 139°44' W.,  
Lot C (Homesite No. 1149, Yakutat Home-site Group), 0.50 acre.

HARRY R. ANDERSON,  
Assistant Secretary of the Interior.

JUNE 17, 1966.

[F.R. Doc. 66-6857; Filed, June 22, 1966;  
8:46 a.m.]

**Title 50—WILDLIFE AND FISHERIES**

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

**PART 32—HUNTING**

**Chincoteague National Wildlife Refuge, Va.**

The following special regulations are issued and are effective on date of publication in the FEDERAL REGISTER.

§ 32.22 Special regulations; big game; for individual wildlife refuge areas.

**VIRGINIA**

**CHINCOTEAGUE NATIONAL WILDLIFE REFUGE**

Public hunting of Sika deer on the Chincoteague National Wildlife Refuge, Va., is permitted only on the area designated by signs as open to hunting. This open area, comprising 8,496 acres, is delineated on maps available at refuge headquarters, Chincoteague, Va., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 809 Peachtree-Seventh Building, Atlanta, Ga., 30323. Hunting shall be in accordance with all applicable State regulations governing the hunting of Sika deer subject to the following conditions:

(1) Sika deer and free ranging goats may be taken during the following open seasons: Archery hunt only—October 12 through October 15, 1966; Shotgun and archery hunt—October 19 through October 22, 1966.

(2) Bag limits: Sika deer—one per license year, either sex. Goats—no limit.

(3) A hunter may not continue to hunt goats after he has taken a deer.

(4) Weapons: Archers must use broad-head arrows with blades at least 7/8" wide and bows capable of propelling any arrow in their possession 125 yards. Archers must not have firearms in their possession during the 4-day bow hunt, October 12-15. Shotguns, 20 gauge or larger, not capable of holding more than three shells will be permitted during the shotgun hunt. Rifle-shotgun combinations will not be permitted. Possession

of any firearm or ammunition not stipulated in these regulations is prohibited on the refuge.

(5) Dogs are prohibited.

(6) Hunting hours: 6 a.m. to 5:15 p.m. Possession of loaded weapons before or after legal hunting hours is prohibited.

(7) All hunters must check out and successful hunters must have their deer tagged at the check station before leaving the refuge. Check out must be no later than 6:15 p.m.

(8) Carrying loaded firearms in or shooting from a vehicle is prohibited.

(9) Shooting within 100 yards of the public beach road or the deer check station is prohibited.

(10) Camping and fires are prohibited.

(11) During the second hunt, October 19-22, all hunters must furnish and wear red, yellow, or orange caps, hats, vests, shirts, or coats while on the hunting area.

(12) All hunters under 18 years old must be accompanied by an adult.

(13) Three hundred permits per day will be issued for the 4-day shotgun hunt, October 19-22. Permits will be issued on a first received, first issued basis from September 1 through September 30, 1966. Permit applications must be by mail or in person. All hunters must exhibit their hunting license, deer tag, permit, game, and vehicle contents to Federal and State officers upon request.

(14) All hunters must enter and leave the refuge by the toll bridge operated by the Chincoteague-Assateague Bridge and Beach Authority. Entering and leaving the refuge by boat is prohibited.

(15) Preseason scouting will be permitted on the refuge from sunrise to sunset on the 3 days preceding each hunt, October 9-11 and October 16-18, 1966.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through October 22, 1966.

W. L. TOWNS,  
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

[F.R. Doc. 66-6852; Filed, June 22, 1966;  
8:46 a.m.]



# Proposed Rule Making

## DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[ 50 CFR Part 32 ]

### EUFULA NATIONAL WILDLIFE REFUGE, ALABAMA AND GEORGIA

#### Hunting

Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by the Migratory Bird Conservation Act of February 18, 1929, as amended (45 Stat. 1222, 16 U.S.C. 715), the Migratory Bird Hunting Stamp Act of 1934, as amended (48 Stat. 451; 16 U.S.C. 718d), and the Fish and Wildlife Coordination Act, as amended (48 Stat. 401; 16 U.S.C. 661), it is proposed to amend 50 CFR 32.11 by the addition of Eufaula National Wildlife Refuge, Alabama and Georgia, to the list of areas open to the hunting of migratory game birds, as legislatively permitted.

It has been determined that the regulated hunting of migratory game birds may be permitted as designated on Eufaula National Wildlife Refuge without detriment to the objectives for which the area was established.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rulemaking process. Accordingly, interested persons may submit written comments, suggestions, or objections, with respect to this proposed amendment, to the Director, Bureau of Sport Fisheries and Wildlife, Washington, D.C., 20240, within 30 days of the date of publication of this notice in the FEDERAL REGISTER.

Section 32.11 is amended by the addition of the following area as one where hunting of migratory game birds is authorized:

#### § 32.11 List of open areas; migratory game birds.

\* \* \* \* \*

ALABAMA

Eufaula National Wildlife Refuge.

\* \* \* \* \*

GEORGIA

Eufaula National Wildlife Refuge.

\* \* \* \* \*

JOHN S. GOTTSCHALK,  
Director.

JUNE 16, 1966.

[F.R. Doc. 66-6853; Filed, June 22, 1966;  
8:46 a.m.]

[ 50 CFR Parts 32, 33 ]

### ERIE NATIONAL WILDLIFE REFUGE, PA.

#### Hunting and Fishing

Notice is hereby given that pursuant to the authority vested in the Secretary

of the Interior by the Migratory Bird Conservation Act of February 18, 1929, as amended (45 Stat. 1222; 16 U.S.C. 715), and the Migratory Bird Hunting Stamp Act of 1934, as amended (48 Stat. 451; 16 U.S.C. 718d), it is proposed to amend 50 CFR 32.11, 32.21, 32.31, and 33.4 by the addition of Erie National Wildlife Refuge, Pa., to the list of areas open to the hunting of migratory game birds, upland game, and big game and to the list of areas open to sport fishing.

It has been determined that sport fishing and the regulated hunting of upland game, big game, and migratory game birds may be permitted as designated on Erie National Wildlife Refuge, Pa., without detriment to the objectives for which the area was established.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rule making process. Accordingly, interested persons may submit written comments, suggestions, or objections, with respect to this proposed amendment, to the Director, Bureau of Sport Fisheries and Wildlife, Washington, D.C., 20240, within 30 days of the date of publication of this notice in the FEDERAL REGISTER.

1. Section 32.11 is amended by the addition of the following area as one where hunting of migratory game birds is authorized.

#### § 32.11 List of open areas; migratory game birds.

\* \* \* \* \*

PENNSYLVANIA

Erie National Wildlife Refuge.

\* \* \* \* \*

2. Section 32.21 is amended by the addition of the following area as one where hunting of upland game is authorized:

#### § 32.21 List of open areas; upland game.

\* \* \* \* \*

PENNSYLVANIA

Erie National Wildlife Refuge.

\* \* \* \* \*

3. Section 32.31 is amended by the addition of the following area as one where hunting of big game is authorized:

#### § 32.31 List of open areas; big game.

\* \* \* \* \*

PENNSYLVANIA

Erie National Wildlife Refuge.

\* \* \* \* \*

4. Section 33.4 is amended by the addition of the following area as one where sport fishing is authorized:

#### § 33.4 List of open areas; sport fishing.

\* \* \* \* \*

PENNSYLVANIA

Erie National Wildlife Refuge.

\* \* \* \* \*

JOHN S. GOTTSCHALK,  
Director.

JUNE 16, 1966.

[F.R. Doc. 66-6854; Filed, June 22, 1966;  
8:46 a.m.]

## FEDERAL AVIATION AGENCY

[ 14 CFR Part 71 ]

[Airspace Docket No. 66-WA-8]

### CONTROL AREA AND REPORTING POINT

#### Proposed Revocation

The Federal Aviation Agency has under consideration a proposal to amend Part 71 of the Federal Aviation Regulations with respect to controlled airspace in the vicinity of North Bend, Oreg.

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

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

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

In accordance with Article 3 of the Convention on International Civil Aviation, Chicago, 1944, state aircraft are exempt from the provisions of Annex 11 and its Standards and Recommended Practices. As a contracting state, the



United States agreed by Article 3(d) that its state aircraft will be operated in international airspace with due regard for the safety of civil aircraft.

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

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Western Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, 5651 West Manchester Avenue, Post Office Box 90007, Los Angeles, Calif., 90009. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. An informal docket will also be available for examination at the office of the Regional Air Traffic Division Chief.

The Federal Aviation Agency is considering the revocation of Control 1420 which extends from 20 miles southwest of the North Bend VOR to the eastern boundary of the Oakland, Calif., Oceanic Control Area. It has been determined that this offshore control area is no longer required for air traffic control purposes. The latest peak day en route traffic survey showed only one aircraft movement utilized Control 1420. Therefore, it appears that the retention of this control area is unjustified as a continued assignment of controlled airspace. In addition, it is also proposed to revoke the Gateway Pine reporting point.

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

Issued in Washington, D.C., on June 17, 1966.

T. McCORMACK,  
Acting Chief, Airspace and  
Air Traffic Rules Division.

[F.R. Doc. 66-6845; Filed, June 22, 1966;  
8:45 a.m.]

## SMALL BUSINESS ADMINISTRATION

[ 13 CFR Part 107 ]

### SMALL BUSINESS INVESTMENT COMPANIES

#### Long-Term Loans and Enforcement

Notice is hereby given that pursuant to authority contained in section 308 of the

Small Business Investment Act of 1958, Public Law 85-699, 72 Stat. 694, as amended, it is proposed to amend, 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, 11960, 13005, 14095, 14850, 14851, and 31 F.R. 2815, 4954 and 4954-4955, by amending § 107.650 and adding a new § 107.903. Prior to final adoption of such amendment, consideration will be given to any comments or suggestions pertaining thereto which are submitted in writing, in triplicate, to the Investment Division, Small Business Administration, Washington, D.C., 20416, within a period of fifteen (15) days of the date of this notice in the FEDERAL REGISTER.

**Information.** Under § 107.650(b), funds disbursed by a licensee pursuant to a 5-year commitment may, notwithstanding the minimum maturity requirements of §§ 107.503 and 107.602, be repayable as follows: (1) Funds advanced during the first 2 years may have a common maturity date coinciding with the termination date of the 5-year commitment; and (2) funds subsequently advanced during the commitment period may be for a period of 3 years from respective dates of disbursement.

A licensee's commitment to advance funds up to a stipulated maximum amount, to be disbursed at the request of a small business concern, constitutes a form of financing which may be of considerable value to such concern. In some cases, the commitment may be used as a basis for establishing needed lines of credit. In addition, the privilege of drawing down funds, as required by the small business concern, insures against its being compelled to accept amounts in excess of its needs at any given time. This affords it an opportunity to keep its overall financing costs down to a necessary minimum.

The proposed amendment removes from § 107.650(b) the fixed requirement that disbursements must be made pursuant to a 5-year commitment, i.e., a commitment kept "open" for a period of 5 years. Under the amendment, the repayment provisions would apply to all situations where a licensee enters into a commitment, whether for a period of 5 years or for a lesser period, to finance a small business concern up to a stipulated maximum amount, disbursement thereof to be made at the request of such concern. This revision relieves an existing restriction under present § 107.650(b), and imposes no additional burdens or requirements on Licensees or other parties.

The revised provisions of § 107.650(b) will authorize disbursements to be repaid as follows: (1) Funds advanced during the first 2 years of the commitment period may become due and payable 5 years after the date of the commitment; and (2) funds subsequently advanced during the commitment period may be for a period of 3 years from respective dates of disbursement. In other words, the debt obligation for each disbursement made to the small business concern

will mature at least 5 years after the date of the commitment.

The proposed amendment also adds a new § 107.903 declaring, in substantial part, that the following acts constitute violations of the regulations: (1) Non-performance by a licensee of any terms of a debenture, loan agreement, note, or other document or agreement relating to its indebtedness on account of funds advanced by SBA; and (2) any false statement, misrepresentation, or failure to state a material fact in any document filed with SBA pursuant to the provisions of the Act or regulations.

The interpretative rules embodied in new § 107.903 clarify the underlying requirements intrinsic to faithful performance by a licensee of its obligations toward SBA in connection with loans and other similar agreements consummated with SBA, and licensee's applications, reports, or other documents submitted to SBA.

It is proposed to amend the Regulations Governing Small Business Investment Companies as follows:

1. By amending paragraph (b) of § 107.650 so that it would read as follows:

#### § 107.650 Commitments.

(b) *Repayment period as to funds advanced pursuant to licensee's commitment.* (1) Where a licensee enters into a commitment to finance an eligible small business concern up to a stipulated maximum amount, disbursement of the whole or any part thereof to be made on the request of such concern in accordance with the conditions of the commitment, it shall be lawful (notwithstanding the maturity provisions of §§ 107.503 and 107.602) to provide for repayment as follows: (i) Any funds advanced during the first 2 years of the commitment period may become due and payable 5 years after date of the commitment; and (ii) any funds subsequently advanced during the commitment period may be for a period of 3 years from respective dates of disbursement.

(2) Repayment of each advance made shall not be required at an annual average rate in excess of the principal amount thereof divided by the number of years of the applicable repayment period.

2. By adding a new § 107.903, which would read as follows:

#### § 107.903 Violations based on false filings and non-performance of agreements with SBA.

The following shall constitute a violation of the regulations in this part:

(a) Nonperformance by a licensee of any of the terms, conditions, or requirements of any debenture, loan agreement, note, or other document or agreement relating to its indebtedness to SBA on account of § 107.301 or § 107.402 funds.

(b) Any false statement knowingly made, or misrepresentation or failure to state a material fact necessary in order to make the statement not misleading in the light of the circumstances



**PROPOSED RULE MAKING**

under which the statement was made, in any document submitted by a licensee to SBA pursuant to applicable provisions of the Act or regulations.

Dated: June 10, 1966.

**BERNARD L. BOUTIN,**  
*Administrator.*

[F.R. Doc. 66-6871; Filed, June 22, 1966;  
8:48 a.m.]

**INTERSTATE COMMERCE  
COMMISSION**

[ 49 CFR Part 178 ]

[Ex Parte No. MC-29 (Sub-No. 1)]

**OPERATIONS OF BROKERS OF PAS-  
SENGER TRANSPORTATION****Special Procedure and Service List**

JUNE 16, 1966.

*Notice to the parties.* On May 13, 1966, the Commission served an order (31 F.R. 7288) in the above-entitled proceeding, which included a service list of those parties who notified the Commission that they desire to participate in this proceeding. The following name was inadvertently omitted from that list, and should be included as a party of record:

Frank Daniels, Counsel for Michaud Bus Lines, Inc., 15 Court Square, Boston, Mass., 02108.

[SEAL]

**H. NEIL GARSON,**  
*Secretary.*

[F.R. Doc. 66-6885; Filed, June 22, 1966;  
8:49 a.m.]



# Notices

## DEPARTMENT OF THE INTERIOR

Bureau of Land Management  
CALIFORNIA

### Notice of Partial Termination of Proposed Withdrawal and Reservation of Lands

JUNE 16, 1966.

Notice of an application Serial No. Sacramento 047049, for withdrawal and reservation of lands was published as FEDERAL REGISTER Document No. 57-7081 on pages 6995 and 6996 of the issue for August 30, 1957. The applicant agency has canceled its application insofar as it involved the lands described below. Therefore, pursuant to the regulations contained in 43 CFR Subpart 2311, such lands will be at 10 a.m., on July 18, 1966, relieved of the segregative effect of the above-mentioned application.

The lands involved in this notice of termination are:

MOUNT DIABLO MERIDIAN  
ADMINISTRATIVE SITE  
*American Camp Addition*

T. 3 N., R. 15 E.,  
Sec. 30, S $\frac{1}{2}$  lot 2, lot 3, SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ ,  
SE $\frac{1}{4}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , and NW $\frac{1}{4}$ NW $\frac{1}{4}$   
SE $\frac{1}{4}$ .

A strip of land 200 feet on each side of the centerline of the Sonora Pass Highway Project 38-H, State of California Route 108 through the following legal subdivisions:

T. 3 N., R. 17 E.,  
Sec. 30, SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ .

CAMPGROUNDS

*Eagle Meadow Road*

T. 5 N., R. 19 E.,  
Sec. 4, W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$  and E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ .

*Lumsden*

T. 1 S., R. 18 E.,  
Sec. 24, N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ .

The areas described aggregate approximately 236.48 acres.

R. J. LITTEN,  
*Chief, Lands Adjudication Section,  
Sacramento Land Office.*

[F.R. Doc. 66-6874; Filed, June 22, 1966;  
8:48 a.m.]

## CALIFORNIA

### Notice of Proposed Withdrawal and Reservation of Lands

JUNE 16, 1966.

The U.S. Department of the Navy, Southwest Division, Naval Facilities Engineering Command, has filed an application, Serial Number Riverside 07692, for the withdrawal of lands described below from all forms of appropriation under the public land laws, the mining

and mineral leasing laws, as well as for disposal of material under the Act of July 21, 1947 (61 Stat. 681; 30 U.S.C. 601-604) as amended, subject to valid existing rights. The applicant desires the land for a U.S. Navy Electronics Laboratory for research and development work.

For 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, 1414 Eighth Street, Box 723, Riverside, Calif., 92502.

The Department's regulations (43 CFR 2311.1-3(c)) provide that the authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, to eliminate lands need for purposes more essential than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

The authorized officer 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 applicant agency.

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.

The lands involved in the application are:

SAN BERNARDINO MERIDIAN, CALIFORNIA

NAVY ELECTRONICS LABORATORY, SAN DIEGO,  
CALIFORNIA

All that portion of "Fort Rosecrans Military Reservation and the Naval Fuel Depot," located within Point Loma in the County of San Diego, State of California, as shown on Miscellaneous Map No. 129, filed in the Office of the County Recorder of said County of San Diego, April 16, 1934, more particularly described as follows:

Beginning at a point on the southerly boundary line of the Cabrillo National Monument as described in Presidential Proclamation No. 3273 of the FEDERAL REGISTER of the United States in Volume 24, No. 25 dated February 5, 1959, which said point bears S. 60°21'52" W., 360.26 feet from Old Lighthouse as shown on said Miscellaneous Map No. 129, the coordinates of which said Old Lighthouse are south 23,687.80 and west

16,850.10 (Old Town Coordinate Grid System) said point of beginning being shown on city of San Diego Engineer's drawing 8722-D and identified thereon as "Station 1," having coordinates of south 28,865.94 and west 17,163.23 (Old Town Coordinate Grid System); thence S. 0°28'33" E., 410.00 feet; thence S. 8°09'35" E., 356.67 feet; thence S. 3°20'11" E., 1116.07 feet to a point shown on city of San Diego Engineer's drawing 8722-D and identified thereon as "G" and having coordinates of south 30,743.16 and west 17,044.25 (Old Town Coordinate Grid System); thence N. 82°28'52" W., 848.21 feet to a point shown on city of San Diego Engineer's drawing 8722-D and identified thereon as "F" and having coordinates of south 30,632.17 and west 17,885.17 (Old Town Coordinate Grid System); thence N. 82°28'52" W. on a prolongation of the aforementioned line to an intersection with the ordinary high water mark of the Pacific Ocean; thence Northerly along said ordinary high water mark to an intersection with the southerly boundary line of the Cabrillo National Monument which said boundary line bears S. 89°31'35" W. from the point of beginning; Thence N. 89°31'35" E., along said southerly boundary to a point shown on city of San Diego Engineer's drawing 8722-D and identified thereon as "E" and having coordinates of south 28,873.45 and west 18,071.55 (Old Town Coordinate Grid System); thence N. 89°31'35" E., 908.35 feet along said boundary line of the Cabrillo National Monument to the point of beginning.

The above described area aggregates 42.85 acres, more or less.

HALL H. McCLAIN,  
*Manager.*

[F.R. Doc. 66-6858; Filed, June 22, 1966;  
8:46 a.m.]

## COLORADO

### Notice of Proposed Withdrawal and Reservation of Lands

JUNE 17, 1966.

The U.S. Forest Service of the Department of Agriculture has filed an application, Serial Number Colorado 0128265, for the withdrawal from location and entry under the General Mining Laws, subject to existing valid claims, certain public lands in the sections and townships described below.

The applicant desires the land to develop a public recreation area in the Routt National Forest.

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 Land Office Manager, Bureau of Land Management, Department of the Interior, Colorado Land Office, Room 15019, Federal Building, 1961 Stout Street, Denver, Colo., 80202.

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



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.

The lands affected are:

SIXTH PRINCIPAL MERIDIAN, COLORADO  
ROUTT NATIONAL FOREST

T. 6 N., R. 77 W.,  
In Secs. 26 and 35.

Lands proposed to be withdrawn in the above designated areas aggregate approximately 120 acres.

W. F. MEEK,  
Manager, Land Office,  
Denver, Colo.

[F.R. Doc. 66-6859; Filed, June 22, 1966;  
8:46 a.m.]

## IDAHO

### Notice of Filing of Idaho Protraction Diagrams

JUNE 15, 1966.

Notice is hereby given that effective at and after 10 a.m. on July 21, 1966, the following protraction diagrams are officially filed of record in the Idaho Land Office, Room 327, Federal Building, Boise, Idaho, 83701. In accordance with Title 43, Code of Federal Regulations, these protractions will become the basic record for describing the lands for all authorized uses. Until this date and time the diagrams have been placed in open files and are available to the public for information only.

#### IDAHO PROTRACTION DIAGRAMS

Nos. 67, 73, 76, 77, 104

BOISE MERIDIAN

Approved May 11, 1966

No. 73

T. 13 N., Rs. 14 and 15 E.  
T. 14 N., Rs. 13, 14 and 15 E.

No. 76

T. 12 N., Rs. 13, 14 and 15 E.  
T. 13 N., R. 13 E.

No. 104

Ts. 14 and 15 S., R. 44 E.

BOISE MERIDIAN

Approved May 17, 1966

No. 67

T. 14 N., Rs. 10, 11 and 12 E.  
T. 15 N., Rs. 11 and 12 E.

No. 77

T. 12 N., R. 12 E.  
T. 13 N., Rs. 10, 11 and 12 E.

Copies of these diagrams are for sale at one dollar (\$1.00) each by the Cadastral Engineering Office, Bureau of Land Management, Post Office Box 2237, Boise, Idaho, 83701.

ORVAL G. HADLEY,  
Manager, Land Office, Boise, Idaho.

[F.R. Doc. 66-6860; Filed, June 22, 1966;  
8:47 a.m.]

## Fish and Wildlife Service

[Docket No. G-366]

### CHESTER R. HUMPHRIES

#### Notice of Loan Application

Chester R. Humphries, 216 Lagoon Drive, Russell Park, Fort Myers, Fla., 33901, has applied for a loan from the Fisheries Loan Fund to aid in financing the purchase of a used 61.6-foot registered length wood vessel to engage in the fishery for shrimp.

Notice is hereby given pursuant to the provisions of Public Law 89-85 and Fisheries Loan Fund Procedures (50 CFR Part 250, as revised Aug. 11, 1965), that the above entitled application is being considered by the Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior, Washington, D.C., 20240. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, Bureau of Commercial Fisheries, within 30 days from the date of publication of this notice. If such evidence is received it will be evaluated along with such other evidence as may be available before making a determination that the contemplated operations of the vessel will or will not cause such economic hardship or injury.

HAROLD E. CROWTHER,  
Acting Director,  
Bureau of Commercial Fisheries.

JUNE 20, 1966.

[F.R. Doc. 66-6875; Filed, June 22, 1966;  
8:48 a.m.]

## Office of the Secretary

### ALVIN C. HOPE

#### Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b) (6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past 6 months:

- (1) None.
- (2) None.
- (3) None.
- (4) None.

This statement is made as of May 1, 1966.

Dated: June 14, 1966.

ALVIN C. HOPE.

[F.R. Doc. 66-6861; Filed, June 22, 1966;  
8:47 a.m.]

## CIVIL SERVICE COMMISSION

### MICROBIOLOGIST IN WASHINGTON, D.C., METROPOLITAN AREA

#### Manpower Shortage

Positions for which there is determined to be a manpower shortage.

Under the provisions of section 7(b) of the Administrative Expenses Act of 1946, as amended, relating to the payment of travel and transportation expenses of appointees, the Civil Service Commission has found, effective June 9, 1966, that there is a manpower shortage in the Washington, D.C., Metropolitan Area for the positions of Microbiologists, GS-403-5, 7, and 9.

UNITED STATES CIVIL SERVICE COMMISSION,

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

[F.R. Doc. 66-6877; Filed, June 22, 1966;  
8:48 a.m.]

## CIVIL AERONAUTICS BOARD

[Docket 17403]

### LEEWARD ISLANDS AIR TRANSPORT SERVICES, LTD.

#### Notice of Prehearing Conference

Application for a foreign air carrier permit to engage in foreign air transportation for the carriage of persons, property, and mail: "Between the coterminal points Antigua, B.W.I., Barbuda, B.W.I., Montserrat, B.W.I., St. Kitts, B.W.I., Nevis, B.W.I., Anguilla, B.W.I. and British Virgin Islands, the intermediate point St. Maarten, N.W.I., and the coterminal points St. Croix, Virgin Islands, St. Thomas, Virgin Islands, San Juan, Puerto Rico, and beyond to Santo Domingo, Dominican Republic" together with authority to engage in charter trips in foreign air transportation subject to the terms, conditions and limitations prescribed in Part 212 of the Board's economic regulations.

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on June 28, 1966, at 10 a.m., e.d.s.t., in Room 911, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Examiner Joseph L. Fitzmaurice.

Dated at Washington, D.C., June 17, 1966.

[SEAL] FRANCIS W. BROWN,  
Chief Examiner.

[F.R. Doc. 66-6876; Filed, June 22, 1966;  
8:48 a.m.]



# FEDERAL POWER COMMISSION

[Docket Nos. G-2661, etc.]

## BURLINGTON BANK & TRUST CO., ET AL.

### Notice of Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates<sup>1</sup>

JUNE 15, 1966.

Take notice that each of the Applicants listed herein has filed an application or petition pursuant to section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service heretofore authorized as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

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 1.3 or 1.10) on or before July 7, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on all ap-

<sup>1</sup> This notice does not provide for consolidation for hearing of the several matters covered herein, nor should it be so construed.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
G-2661 E 5-16-66	Burlington Bank & Trust Co., Trustee (successor to H. E. Trovillo, deceased), 222 North Main St., Burlington, Iowa, 52601.	Colorado Interstate Gas Co., Hugoton Field, Kearny County, Kans.	10.0	14.65
G-2635 D 3-31-66	Mobil Oil Corp., Post Office Box 2444, Houston, Tex., 77001.	Arkansas Louisiana Gas Co., Colquitt Field, Claiborne Parish, La.	Assigned	

Filing code: A-Initial service.

B-Abandonment.

C-Amendment to add acreage.

D-Amendment to delete acreage.

E-Succession.

F-Partial succession.

See footnotes at end of table.

plications in which no protest or petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a protest or petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be given: *Provided, however*, That pursuant to § 2.56, Part 2, Statement of General Policy and Interpretations, Chapter I of Title 18 of the Code of Federal Regulations, as amended, all permanent certificates of public convenience and necessity granting applications, filed after April 15, 1965, without further notice, will contain a condition precluding any filing of an increased rate at a price in excess of that designated for the particular area of production for the period prescribed therein unless at the time of filing such certificate application, or within the time fixed herein for the filing of protests or petitions to intervene the Applicant indicates in writing that it is unwilling to accept such a condition. In the event Applicant is unwilling to accept such condition the application will be set for formal hearing.

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

JOSEPH H. GUTRIDE,  
Secretary.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
CJ161-222 A 8-12-60 E 3-30-66	H. P. Sears <sup>4</sup> (successor to Sun-set International Petroleum Corp., 624 Amarillo Petroleum Bldg., Amarillo, Tex., 79101)	El Paso Natural Gas Co., acreage in Ochiltree County, Tex.	17.0	14.65
CJ162-00 C 6-3-66	Sam K. Nielsen, Post Office Box 280, Okmulgee, Okla., 74447.	Michigan Wisconsin Pipe Line Co., acreage in Major County, Okla.	19.5	14.65
CJ163-20 D 6-6-66	Humble Oil & Refining Co., Post Office Box 2180, Houston, Tex., 77001.	Arkansas Louisiana Gas Co., Arkoma Area, Latimer County, Ark.	Assigned	
CJ165-396 C 4-18-66	Rodman Oil Co., Post Office Box 3823, Odessa, Tex., 79780.	Northern Natural Gas Co., East Ozona Canyon Field, Crockett County, Tex.	16.0	14.65
CJ166-183 C & D 5-23-66	George P. Hill, Independent Executor of the Estate of Houston Hill, deceased (formerly George P. and Houston Hill d.b.a. Hill & Hill), 1325 Fort Worth National Bldg., Fort Worth, Tex.	Panhandle Eastern Pipe Line Co., Mocane-LaVerne Field, Beaver County, Okla.	17.0	14.65
CJ166-738 A 2-15-66	Union Oil Co. of California, Union Oil Center, Los Angeles, Calif., 90017.	Northern Natural Gas Co., Den-nison Field, Sutton County, Tex.	16.0	14.65
CJ166-1047 A 4-29-66	Aztec Oil & Gas Co., 2000 First National Bank Bldg., Dallas, Tex., 75202.	El Paso Natural Gas Co., Eumont Gas Pool, Lea County, N. Mex.	12.5	14.65
CJ166-1161 B 5-20-66	T. F. Hunter Estate, 1112 First Wichita Falls, Tex., 76801.	Lone Star Gas Co., East Pan-handle Field, Collingsworth County, Tex.	(7)	
CJ166-1164 A 5-16-66	J. A. Schill, et al., c/o Lucille Schill Snyder, agent, Snyderburg, Pa., 16257.	United Natural Gas Co., Knox and Faint Townships, Clarion County, Pa.	24.31	15.325
CJ166-1169 A 5-23-66	J. W. Baton, Post Office Box 1214, Kilgore, Tex., 75662.	Lone Star Gas Co., Danville (Henderson) Field, Rusk and Gregg Counties, Tex.	14.0	14.65
CJ166-1221 A 5-25-66	Thelma Bauerdorf and Constance Cartwright, Trustees under Will of George F. Bauerdorf, deceased, c/o Marcella J. LePine, agent, Suite 211, 9563 Wilshire Blvd., Beverly Hills, Calif., 90210.	Mississippi River Transmission Corp., Hico-Knowles Field, Lincoln Parish, La.	11.57	15.025
CJ166-1222 B 6-2-66	Ralph A. Johnston and Estate of William G. Johnston, c/o Vanson, Elkins, Weems & Seards, 1100 First City National Bank Bldg., Houston, Tex., 77002.	Natural Gas Pipeline Co. of America, Fairbanks Area, Harris County, Tex.	(9)	
CJ166-1223 A 5-31-66	Fancis F. Pickett, et al., 1104 Fourth St., Hills Blvd., Rock-wood, Mo., 61103.	Equitable Gas Co., Glenville District, Gilmer County, W. Va.	25.0	15.325
CJ166-1224 B 5-31-66	Columbian Fuel Corp., 401 Drexel Ave., Bartlesville, Okla., 74004.	Consolidated Gas Supply Corp., acreage in Boone County, W. Va.	(11)	
CJ166-1225 A 5-31-66	A. C. Radford, Trustee, Post Office Box 6, Winfield, W. Va., 26213.	Kentucky-West Virginia Gas Co., Brushy Fork of Blaine Creek, Lawrence County, Ky.	17.0	15.225
CJ166-1126 B 6-2-66	Gulf Oil Corp., Post Office Box 1889, Tulsa, Okla., 74102.	Cities Service Gas Co., Rhodes Field, Barber County, Kans.	Depleted	
CJ166-1227 A 6-2-66	Texaco, Inc., Post Office Box 92332, Houston, Tex., 77062.	United Fuel Gas Co., West Delta Block 73 Field, Offshore Louisiana.	17.0	15.025
CJ166-1228 A 5-27-66	Trice Production Co. (Operator), et al., Post Office Drawer 2322, Longview, Tex., 75603.	Lone Star Gas Co., Pone Field, Rusk County, Tex.	16.56	14.65
CJ166-1229 A 5-31-66	Hammond Producing Co., 304 4th Ave., Warren, Pa.	Pennsylvania Gas Co., Sheffield Township, Warren County, Pa.	12 32.0 12 28.0	14.73 14.73

## NOTICES



## NOTICES

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
CI66-1230 A 5-31-66	W. B. Boyd, trustee, Prestonsburg, Ky., 41653.	Kentucky-West Virginia Gas Co., Prater Creek, Floyd County, Ky.	12.0	15.225
CI66-1231 A 5-31-66	Forest Chemical Co., c/o Charles F. McNeal, treasurer, Sheffield, Pa., 16347.	Pennsylvania Gas Co., Cherry Grove Township, Warren County, Pa.	<sup>12</sup> 32.0 <sup>13</sup> 28.0	14.73 14.73
CI66-1232 B 6-1-66	Okmar Oil Co., Post Office Box 548, Marietta, Ohio, 45750.	Penova Interests, Miller Tract, Calhoun, and Ritchie Counties, W. Va.	Uneconomical	-----
CI66-1233 A 6-2-66	RMW Lease, a partnership, c/o H. R. Holden, attorney-in-fact, Ronning & Bailey, 312 Juliana St., Parkersburg, W. Va., 26102.	Pennzoil Co., Murphy District, Ritchie County, W. Va.	12.0	15.325
CI66-1234 A 6-6-66	Sinclair Oil & Gas Co., Post Office Box 321, Tulsa, Okla., 74102.	Panhandle Eastern Pipe Line Co., South Bishop Field, Ellis County, Okla.	<sup>14</sup> 18.156	14.65
CI66-1235 A 6-7-66	An-Son Corp., 3814 North Santa Fe, Oklahoma City, Okla., 73118.	Northern Natural Gas Co., Northeast Holland Field, Beaver County, Okla.	17.0	14.65
CI66-1236 (G-7214) F 5-31-66	John E. Huff (successor to Standard Oil Co. of Texas), 1010 San Jacinto Bldg., Houston, Tex., 77002.	Texas Eastern Transmission Corp., Adams Ranch Field, Jasper County, Tex.	16.0	14.65
CI66-1237 B 6-6-66	F. Julius Fols, et al., 1077 San Jacinto Bldg., Houston, Tex., 77002.	Texas Eastern Transmission Corp., South Range Field, Karnes and Goliad Counties, Tex.	Depleted	-----
CI66-1238 A 6-6-66	Bowers Drilling Co., Inc., 1434 Wichita Plaza, Wichita, Kans., 67202.	Cities Service Gas Co., I. L. S. Pool, Barber County, Kans.	14.0	14.65
CI66-1239 A 6-6-66	Banquete Gas Co., a division of Crestmont Oil & Gas Co., 2622 Mission St., San Marino, Calif.	United Gas Pipe Line Co., Wildcat Field, Wharton County, Tex.	15.0	14.65
CI66-1242 A 5-27-66	Payne Producing Co., Post Office Box 60005, Corpus Christi, Tex., 78401.	United Gas Pipe Line Co., West Calallen Field, Nueces County, Tex.	<sup>15</sup> 13.1664	14.65
CI66-1243 A 6-2-66	Alco Oil & Gas Corp., Post Office Box 2027, OCS, Lafayette, La., 70505.	Tennessee Gas Pipeline, a division of Tenneco, Inc., <sup>16</sup> South Crowley Field, Acadia Parish, La.	<sup>17</sup> 20.0	15.02
CI66-1244 A 6-7-66	Blaho Oil & Gas Co., c/o Stanley Young, agent, 45 Congress St., Salem, Mass., 01971.	Carnegie Natural Gas Co., Union District, Ritchie County, W. Va.	20.0	15.325
CI66-1245 A 6-6-66	W. A. Moncrief, Petroleum Bldg., Ninth at Commerce, Fort Worth, Tex., 76102.	Arkansas Louisiana Gas Co., Excelsior Field, Marion County, Tex.	12.8	14.65
CI66-1246 (C162-7) F 6-3-66	P. F. Beeler (successor to Oklahoma Natural Gas Co.), Post Office Box 1016, Albuquerque, N. Mex., 87103.	Northern Natural Gas Co., Council Grove Formation, Beaver County, Okla.	18.0	14.65
CI66-1247 A 6-6-66	E. C. Sidwell (Operator), et al., Post Office Box 2475, Pampa, Tex., 79065.	El Paso Natural Gas Co., acreage in Beaver County, Okla.	17.0	14.65
CI66-1248 (G-17888) F 6-6-66	E. C. Sidwell (Operator), et al. (successor to Shell Oil Co.).	do-----	<sup>18</sup> 19.5	14.65

<sup>1</sup> Formerly Socony Mobil Oil Co., Inc.

<sup>2</sup> Original application for certificate filed by Nichols Petroleum, Ltd., partnership.

<sup>3</sup> Application for certificate filed by Applicant (H. F. Sears) to continue service previously rendered by Sunset International Petroleum Corp., pursuant to temporary authorization.

<sup>4</sup> By letter filed June 2, 1966, Applicant advised willingness to accept a permanent certificate conditioned similarly to the certificates issued under Opinion Nos. 390 and 390-A.

<sup>5</sup> Successor in interest to Sunac Petroleum Corp. (successor to Nichols Petroleum, Ltd., partnership).

<sup>6</sup> Amendment to add and delete acreage and request for change in name of certificate holder.

<sup>7</sup> Change of Purchaser.

<sup>8</sup> This is a June 7, 1954, sale.

<sup>9</sup> Includes 1 cent per Mcf tax reimbursement.

<sup>10</sup> Well covered by subject contract has ceased to produce and lease has lapsed by its own terms.

<sup>11</sup> The requirements of the contract for the sale of a limited quantity of gas have been satisfied.

<sup>12</sup> Six winter months.

<sup>13</sup> Six summer months.

<sup>14</sup> Includes 1.156 cents upward B.t.u. adjustment.

<sup>15</sup> Includes 0.1664 cent Mcf tax reimbursement.

<sup>16</sup> Formerly Tennessee Gas Transmission Co.

<sup>17</sup> Includes 1.5 cents per Mcf tax reimbursement.

<sup>18</sup> Effective rate subject to refund in Docket No. RI65-632.

[P.R. Doc. 66-6757; Filed, June 22, 1966; 8:45 a.m.]

[Docket No. RI66-410]

### HILL & MEEKER ET AL.

#### Order Providing for Hearing on and Suspension of Proposed Change in Rate

JUNE 15, 1966.

On May 16, 1966,<sup>1</sup> Hill & Meeker (Operator) et al. (Hill & Meeker)<sup>2</sup> tendered for filing a proposed change in their presently effective rate schedule for sales of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is designated as follows:

<sup>1</sup> Amended by notice of change filed May 31, 1966, to reflect tax reimbursement.

<sup>2</sup> Address is: 1220 Vaughn Building, Midland, Tex., 79701, Attention: Mr. Joe S. Hill.



Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf		Rate in effect subject to refund in docket Nos.
									Rate in effect	Proposed increased rate	
R166-410...	Hill & Meeker (Operator), et al., 1220 Vaughn Bldg., Midland, Tex., 79701, Attn.: Mr. Joe S. Hill.	# 1	2	El Paso Natural Gas Co. (Pecos Valley Devonian Field, Pecos County, Tex.), (R.R. District No. 8) (Permian Basin Area).	\$443	5-16-66	6-16-66	11-16-66	* 15.6488	** 16.6584	(10).

\* Basic contract dated Sept. 16, 1960.

† Amended by notice of change filed May 31, 1966, to reflect tax reimbursement.

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

§ Periodic rate increase.

¶ Pressure base is 14.65 p.s.i.a.

\* Base rate of 16.5 cents per Mcf plus 0.1584 cent per Mcf tax reimbursement.

† Base rate of 15.5 cents per Mcf plus 0.1488 cent per Mcf tax reimbursement.

‡ Rate in effect subject to refund in Docket No. R161-317 which is consolidated in order to show cause issued Aug. 5, 1965, in Docket Nos. AR 61-1, et al.

Hill & Meeker request that their proposed rate increase be permitted to become effective as of August 1, 1964, the contractually provided effective date. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit an earlier effective date for Hill & Meeker's rate filing and such request is denied.

Hill & Meeker proposes a periodic and partial tax reimbursement increase from 15.6488 cents to 16.6584 cents per Mcf, amounting to \$443 annually, for a sale of "old" gas-well gas to El Paso Natural Gas Co. in the Permian Basin Area of Texas. The proposed increased rate exceeds the applicable area base rate of 14.5 cents per Mcf prescribed by Opinion No. 468.

The contract involved was executed on September 16, 1960, and thus covers a sale of "old" gas under Opinion No. 468. Such contract contains quality provisions which do not conform to the quality standards prescribed in Opinion No. 468, as amended. Hill & Meeker have not filed a rate schedule quality statement for the subject sale since they are not Respondents in the Permian Basin Opinion.<sup>11</sup> Hill & Meeker are Respondents in the "Order To Show Cause" issued August 5, 1965, in Docket No. AR61-1, et al.

Since Hill & Meeker's proposed rate increase exceeds the applicable area base rate of 14.5 cents per Mcf prescribed by Opinion Nos. 468 and 468-A, we conclude that such rate should be suspended as ordered herein for 5 months from June 16, 1966, the expiration date of the statutory notice.

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

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the proposed change, and that Supplement No. 2 to Hill & Meeker's FPC Gas Rate Schedule No. 1 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regu-

<sup>11</sup> No Permian Basin sales were on file with the Commission by Respondents when Docket No. AR61-1, et al., was ordered by the Commission.

lations under the Natural Gas Act (18 CFR, Ch. I), a public hearing shall be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 2 to Hill & Meeker's FPC Gas Rate Schedule No. 1.

(B) Pending such hearing and decision thereon, Supplement No. 2 to Hill & Meeker's FPC Gas Rate Schedule No. 1 is hereby suspended and the use thereof deferred until November 16, 1966, and thereafter until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplement hereby suspended, nor the rate schedule sought to be altered thereby, shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before August 3, 1966.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 66-6758; Filed, June 22, 1966;  
8:45 a.m.]

[Docket No. CP64-37]

### CHANDELEUR PIPE LINE CO.

#### Notice of Petition To Amend

JUNE 16, 1966.

Take notice that on June 6, 1966, Chandeaur Pipe Line Co. (Petitioner), Starks Building, Fourth and Walnut Streets, Louisville, Ky., 40201, filed in Docket No. CP64-37 a petition to amend the order issued in said docket on December 16, 1963 (30 FPC 1515), which order authorized Petitioner to construct and operate approximately 72 miles of 12-inch pipeline, together with related measuring and regulating facilities, for the transportation of natural gas in interstate commerce. By the instant filing, Petitioner seeks authority to increase the volumes of gas authorized to be transported from the Main Pass Block 41 gas field located on the Outer Continental Shelf in the Gulf of Mexico to a point on shore at a refinery and related facilities near Pascagoula, Miss., for Petitioner's sole customer and 100 percent owner, Standard Oil Co., incorpor-

ated in Kentucky (Kyso), 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 facilities authorized in the instant docket have been used for the transportation of approximately 50,000 Mcf of natural gas on a maximum day and approximately 30,000 Mcf of natural gas on an average day from the Main Pass Block 41 gas field.

Petitioner states that Kyso has begun construction of a \$22 million ammonia fertilizer plant and a multi-million-dollar paraxylene plant at its refinery at Pascagoula, Miss., and that the ammonia fertilizer plant will be completed in early 1967 and the paraxylene plant in mid-1967. Petitioner further states that on or about April 1, 1967, Kyso will commence to increase its purchases and, in the latter part of 1967 when both additions are operating at design capacity, will purchase a total average day volume of 85,000 Mcf and that on the same date, the maximum daily quantity will be approximately 112,000 Mcf.

The petition to amend states that Petitioner requires no new facilities to increase its maximum daily flow to 112,000 Mcf and accordingly its cost of service per Mcf will be reduced by the increased flows. Kyso and Petitioner have therefore agreed to amend their contract (Petitioner's FPC Gas Rate Schedule T-1), effective January 1, 1968, when it is expected that both the ammonia plant and the paraxylene plant will be on stream, to provide for a rate of 2.85 cents per Mcf transported instead of the initial and current rate of 8.10 cents per Mcf transported.

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 July 13, 1966.

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 66-6846; Filed, June 22, 1966;  
8:45 a.m.]

[Docket No. E-7234]

### DETROIT EDISON CO. AND CONSUMERS POWER CO.

#### Order Continuing Proceedings

JUNE 16, 1966.

Upon consideration of the joint request by Respondent companies and Commis-



sion staff filed June 8, 1966, the respective dates for service of prepared testimony and further hearing in this proceeding are continued for a period of 45 days. The continuance of 60 days as requested by Respondents and staff is denied.

By the Commission.

JOSEPH H. GUTRIDE,  
*Secretary.*

[F.R. Doc. 66-6847; Filed, June 22, 1966;  
8:45 a.m.]

[Docket Nos. CS66-135 etc.]

H. W. REGISTER ET AL.

**Notice of Applications for "Small Producer" Certificates<sup>1</sup>**

JUNE 16, 1966.

Take notice that each of the Applicants listed herein has filed an application pursuant to section 7(c) of the Natural Gas Act and § 157.40 of the regulations thereunder for a "small producer" certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce from the Permian Basin area of Texas and New Mexico, all as more fully set forth in the applications which are on file with the Commission and open to public inspection.

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 July 8, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on all applications in which no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter believes that a grant of the certificates is required by the public convenience and necessity. Where a protest or petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

JOSEPH H. GUTRIDE,  
*Secretary.*

<sup>1</sup> This notice does not provide for consolidation for hearing of the several matters covered herein, nor should it be so construed.

Docket Nos.	Date filed	Name of applicant
CS66-135.....	5-23-66	H. W. Register, Post Office Box 543, Corsicana, Tex., 75111.
CS66-136.....	5-24-66	E. B. Clark (Operator), et al., 503 City National Bank Bldg., Wichita Falls, Tex., 76301.
CS66-137.....	5-18-66	Ryan Consolidated Petroleum Corp., c/o Ray Ormand, President, 710 First National Bank Bldg., Odessa, Tex., 79769.
CS66-138.....	5- 6-66	Bruce Walkup, 30th Floor, 650 California St., San Francisco, Calif., 94108.
CS66-139.....	5-31-66	Mrs. Thomas Cassidy, 16 Cliffview Dr., Norwalk, Conn., 06850.

[F.R. Doc. 66-6848; Filed, June 22, 1966;  
8:45 a.m.]

[Docket No. CP66-398]

**TENNESSEE GAS PIPELINE CO.**

**Notice of Application**

JUNE 16, 1966.

Take notice that on June 6, 1966, Tennessee Gas Pipeline Co., a division of Tenneco Inc. (Applicant), Post Office Box 2511, Houston, Tex., 77001, filed in Docket No. CP66-398 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing an increase in contract demand service to United Fuel Gas Co. (United Fuel) of 25,500 Mcf per day of natural gas on a long term basis, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to render the aforementioned contract demand service through the use of its authorized pipeline capacity and, when appropriate, through utilization of a transportation agreement between Texas Gas Transmission Corp. (Texas Gas) and Applicant.<sup>1</sup>

Applicant states that the increased service to United Fuel on a long term basis can be accomplished initially (from Nov. 1, 1966, to Sept. 1, 1967) through utilization of available surplus gas supplemented when appropriate by the transportation service furnished by Texas Gas. Applicant further states that from and after September 1, 1967, it will have available sufficient unallocated capacity to assign to the proposed additional service to United Fuel.

Applicant is now serving United Fuel under the terms of a Gas Sales Contract dated May 16, 1963, which provides for the sale and delivery of 534,000 Mcf of natural gas per day.

Applicant currently has pending before the Commission its application in Docket No. CP66-303 filed on March 24, 1966 (31 F.R. 5672) wherein it is requesting a temporary and permanent certificate of public convenience and necessity authorizing the construction and operation of

<sup>1</sup> The application by Texas Gas to render transportation service for Applicant was filed on May 13, 1966, in Docket No. CP66-364 (31 F.R. 7648).

14.18 miles of 36-inch O.D. loop pipeline on the Delta-Portland portion of its mainline system. Applicant states that its application in Docket No. CP66-303 will, on a temporary basis, supplement and effectuate its proposal in the instant docket.

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 July 11, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

JOSEPH H. GUTRIDE,  
*Secretary.*

[F.R. Doc. 66-6849; Filed, June 22, 1966;  
8:46 a.m.]

**ATOMIC ENERGY COMMISSION**

**STATE OF ALABAMA**

**Proposed Agreement for Assumption of Certain AEC Regulatory Authority**

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

A resume, prepared by the State of Alabama and summarizing the State's proposed program, was also submitted to the Commission and is set forth below as an appendix to this notice. A copy of the program, including proposed Alabama regulations, is available for public inspection in the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., or may be obtained by writing to the Director, Division of State and Licensee Relations, U.S. Atomic Energy Commission, Washington, D.C., 20545. All interested persons desiring to submit comments and suggestions for the consideration of the Commission in connection with the proposed agreement should send them, in triplicate, to the Secretary, U.S. Atomic Energy Commis-



sion, Washington, D.C., 20545, within 30 days after initial publication in the FEDERAL REGISTER.

Exemptions from the Commission's regulatory authority which would implement this proposed agreement, as well as other agreements which may be entered into under section 274 of the Atomic Energy Act, as amended, were published as Part 150 of the Commission's regulations in FEDERAL REGISTER issuances of February 14, 1962, 27 F.R. 1351; April 3, 1965, 30 F.R. 4352; September 22, 1965, 30 F.R. 12069; and March 19, 1966, 31 F.R. 4668. In reviewing this proposed agreement, interested persons should also consider the aforementioned exemptions.

Dated at Washington, D.C., this 27th day of May 1966.

For the Atomic Energy Commission.

W. B. McCool,  
Secretary.

PROPOSED AGREEMENT BETWEEN THE U.S. ATOMIC ENERGY COMMISSION AND THE STATE OF ALABAMA FOR DISCONTINUANCE OF CERTAIN COMMISSION REGULATORY AUTHORITY AND RESPONSIBILITY WITHIN THE STATE PURSUANT TO SECTION 274 OF THE ATOMIC ENERGY ACT OF 1954, AS AMENDED

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

Whereas, the Governor of the State of Alabama is authorized under Act Number 582, Regular Session, 1963, to enter into this Agreement with the Commission; and

Whereas, the Governor of the State of Alabama certified on April 25, 1966, that the State of Alabama (hereinafter referred to as the State) has a program for the control of radiation hazards adequate to protect the public health and safety with respect to the materials within the State covered by this Agreement, and that the State desires to assume regulatory responsibility for such materials; and

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

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

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

Whereas, this agreement is entered into pursuant to the provisions of the Atomic Energy Act of 1954, as amended;

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

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

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

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

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

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

ART. IV. This Agreement shall not affect the authority of the Commission under subsection 161 b. or d. of the Act to issue rules, regulations, or orders to protect the common defense and security, to protect restricted data or to guard against the loss or diversion of special nuclear material.

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

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

ART. VII. The Commission, upon its own initiative after reasonable notice and opportunity for hearing to the State, or upon request of the Governor of the State, may terminate or suspend this Agreement and reassert the licensing and regulatory au-

thority vested in it under the Act if the Commission finds that such termination or suspension is required to protect the public health and safety.

ART. VIII. This Agreement shall become effective on October 1, 1966, and shall remain in effect unless, and until such time as it is terminated pursuant to Article VII.

Done at Montgomery, State of Alabama, in triplicate, this day of -----

For the United States Atomic Energy Commission.

For the State of Alabama.

GEORGE C. WALLACE,  
Governor.

POLICIES AND PROCEDURES FOR THE CONTROL OF RADIATION

FOREWORD

The 1963 Regular Session of the Legislature of the State of Alabama enacted a Radiation Control Law which authorizes the Governor of Alabama to enter into an agreement with the U.S. Atomic Energy Commission for the purpose of assuming from the Commission certain regulatory functions for the use of byproduct material, source material, and special nuclear material in quantities not sufficient to form a critical mass. Among other provisions, the Radiation Control Law authorizes the State:

(1) To institute and maintain a regulatory program for all sources of ionizing radiation so as to provide for (a) compatibility with the standards and regulatory programs of the Federal Government, (b) a single, effective system of regulation within the State, and (c) a system consonant insofar as possible with those of other states; and

(2) To institute and maintain a program to permit development and utilization of sources of ionizing radiation for peaceful purposes consistent with the health and safety of the public.

Act 582, Regular Session, 1963, establishes the State Board of Health as the state radiation control agency for regulating, licensing, and inspecting sources and uses of radioactive materials including radium and accelerator produced isotopes, and machines and devices producing ionizing radiation. A Radiation Advisory Board of Health consisting of nine members appointed by the Governor was established under the provisions of this Act to advise the State Board of Health in carrying out the provisions of the law.

In this narrative a chronology outlining the development of the present system of radiation protection and control in Alabama will be presented along with plans, practices, and policies which will be undertaken by the Agency.

History. The Alabama State Department of Public Health became initially involved in limited control and study of the uses of ionizing radiation in 1953 when the Bureau of Sanitation made a study of fluoroscopic shoe fitting machines in Alabama. The possession or use of these machines is now prohibited by regulations adopted by the State Board of Health.

In 1957, the State of Alabama, Water Improvement Commission, which is housed within the Alabama State Department of Public Health, became interested in the levels of radioactivity in the streams of the State. Accordingly, plans were made, equipment purchased, and stream sampling stations were established throughout the State. During the summer of 1958, samples were collected from these sampling stations and analyzed for gross alpha and beta activity. This activity has continued since that time. In 1964, this activity was taken over and expanded by the newly formed Division of Radiological Health—an organizational division of the Bureau of Sanitation.



In 1963, a physical survey was conducted of all known dental X-ray units in the State; and, when necessary, filtration and collimation were added to bring them into compliance with the recommendations of the American Academy of Oral Roentgenology. A total of 945 dental X-ray units were surveyed. Currently, all dental X-ray units which are registered with the Agency are in compliance with the recommendations for filtration and collimation of the American Academy of Oral Roentgenology.

The Jefferson County Board of Health organized a radiological health program in 1962 and initiated a physical survey of all medical X-ray units during the same year. Since this time, a program has been in progress to bring all of the medical X-ray units in Jefferson County into compliance with the recommendations contained in National Bureau of Standards Handbook 76. Presently, over 98 percent of the 340 units in Jefferson County are in compliance with these recommendations.

In 1964, all X-ray units in the State were registered. Units were located by letters to all members of the healing arts profession listed in the roster of the Medical Association of the State of Alabama and to selected industries as shown in the Directory of Industries published by the Alabama State Chamber of Commerce. Following registration, the Division of Radiological Health performed a physical survey of the medical X-ray units in Alabama, except those in Jefferson County which had been previously surveyed. A total of 828 radiographic and 439 fluoroscopic units were inspected. Letters were written to the owners of deficient units requesting that the deficiencies noted in the survey be corrected. On May 19, 1965, the State Board of Health adopted rules and regulations governing the use of X-rays in the healing arts.

A radium leak testing program was conducted jointly by personnel of the Alabama State Department of Public Health and the Jefferson County Board of Health in Jefferson County during 1964. This program revealed that 4 of the 10 radium facilities in Jefferson County had leaking or contaminated sources. The following year personnel of the Alabama State Department of Public Health extended this leak testing program to all counties in the State. Of the additional 30 facilities, a total of 13 were found to have leaking or contaminated sources of radium. All owners of leaking or contaminated sources of radium voluntarily disposed of the leaking radium or had it reencapsulated.

Shortly after its establishment in 1963, the Division of Radiological Health became interested in Project Dribble. This project was a joint undertaking of the U.S. Department of Defense and the U.S. Atomic Energy Commission in which a 5 kiloton nuclear device was detonated in a salt dome located near Hattiesburg, Miss. The Division was concerned with the possibility that the detonation might vent and thus spread radioactive fallout in Alabama. Although the U.S. Public Health Service was responsible for off-site monitoring during this project, the Division of Radiological Health established a sampling program to determine the quantity of radioactive materials present in the air, in milk from samples collected throughout the State, and in the streams of the State both prior to and following the detonation. No venting occurred following the detonation but valuable experience was gained by laboratory personnel.

Members of the staff of the Alabama State Department of Public Health have accompanied members of the AEC staff on their inspections of licensees within the State for many years. Within the last 3 years, Alabama personnel have accompanied AEC inspectors on 81 percent of the inspections within the State. During this period they

have become familiar with the inspection of licensees of radioactive materials. Also during this period, staff members have accompanied AEC personnel on investigations of incidents involving radioactive materials in Alabama. Further experience was gained when on several occasions staff members were requested to locate lost radium needles.

**Program description.** The State Board of Health was designated by Act 582, Regular Session, 1963, as the State Radiation Control Agency in Alabama and has the authority for regulating, licensing, and inspecting sources and uses of radioactive materials and machines and devices producing ionizing radiation. The radiation control program will be carried out by the Division of Radiological Health—an organizational division of the Bureau of Sanitation. Through an understanding with the Agency, medical X-ray registration and inspection activities may be conducted at the county level; however, licensing and inspection of radioactive materials will be conducted exclusively by the Agency.

The Agency is responsible for responding to emergency situations and is adequately staffed with qualified personnel. Emergency supplies and equipment to carry out this responsibility are available. Communications within the Agency and with county health departments have been established. Arrangements will be made with the State Highway Patrol to provide prompt notification of any transportation accident involving radioactive materials.

**Licensing and registration.** The radiation control program of the State of Alabama will regulate all sources of ionizing radiation including radium, accelerator-produced nuclides in non-exempt quantities, and machine-produced radiation such as medical and dental X-ray units. All X-ray units have been registered with the Agency. Specific licenses will be issued to authorize the possession and use of radioactive materials, including radium and accelerator-produced nuclides, in quantities not exempted or generally licensed by the Agency. Criteria for the possession of byproduct, source, and special nuclear materials will be compatible with those established by the U.S. Atomic Energy Commission.

The licensing program will be essentially the same as that presently used by the U.S. Atomic Energy Commission. The Agency will utilize applicable criteria contained in Atomic Energy Commission publications as general guides in the evaluation of license applications. The director and assistant director of the Division of Radiological Health will evaluate all license applications. Other individuals will assist in this function as they acquire competence through experience and training. Prelicensing visits will be made when determined necessary. For routine applications, both medical and non-medical, the State Health Officer will issue specific licenses on behalf of the State Board of Health.

A Medical Advisory Committee will advise the State Board of Health through the State Health Officer on nonroutine medical uses of radioactive materials. This Committee currently consists of four radiologists and an internist who are experienced in the medical use of radioisotopes.

**Inspections.** Staff personnel will conduct inspections of licensees and registrants to determine compliance with regulations promulgated by the Agency and to determine the adequacy of the radiation protection program. Inspections will be performed under the supervision of the assistant director of the Division of Radiological Health. A radiation physicist and two radiation specialists will perform inspections of radiation producing machines. Three radiation physicists assigned to the radioactive materials program will perform all materials inspections. Inspection personnel are qualified by training

in the field of radiological health to perform these inspections. Materials inspections will be compatible with those now performed by the Division of Compliance of the U.S. Atomic Energy Commission.

Staff members will be kept current on developments in the field of radioactive materials by continued training in appropriate courses conducted by the USAEC and USPHS. The following frequency for the inspection of licensees in Alabama is proposed but may be either increased or decreased depending upon individual circumstances and the experience of the Agency.

Industrial radiographers—once each 6 months.

Operations involving waste disposal—once each 6 months.

Academic—once each 12 months.

Medical and hospital—once each 12 months.

Other categories—depending on the hazards associated with the program.

It is anticipated that all specific licensees will be inspected at least once each calendar year. The inspections may be announced or unannounced, except prelicensing evaluations will be scheduled.

Before the termination of each inspection, the inspector will confer with the licensee to discuss the results of his inspection, presenting oral recommendations or suggestions if indicated. The inspector will submit in writing comprehensive reports to the Director of the Division of Radiological Health relating facts and circumstances observed during the inspection. The report will enumerate violations, if any, and include recommendations. Recommendations made by field personnel will be subject to the critical review of senior staff members of the Division of Radiological Health. The licensee will be notified of the results of the inspection, including any indicated recommendations, by letter from the Agency as soon as practical.

**Enforcement.** If during the course of an inspection only minor items of noncompliance such as failure to label, improper signs, etc., are noted and the licensee agrees to correct the items of noncompliance at the time of the inspection, these items of noncompliance will be reviewed during the course of the next inspection.

If items of noncompliance of a more serious nature are found, the licensee will be required to correct such items within a specified period of time. The licensee will be required to inform the Agency in writing within thirty days, or less if specified, of the corrective action taken and the date the corrective action was completed. Follow-up inspections may be conducted by the Agency or the matter may be reviewed at the next regular inspection of the licensee to insure that adequate corrective action has been accomplished. In certain cases, items of noncompliance may be enforced by administrative procedures such as amending the license.

Under the provisions of Act Number 582 of the Alabama Law, Regular Session, 1963, the Agency has authority to initiate immediate legal action against a licensee who is in violation of the rules and regulations issued under the provisions of this Act. If in the opinion of the Agency a person is engaged in or is about to engage in any act or practice in violation of the provisions of this Act or rules and regulations issued thereunder, the State's Attorney General at the request of the Agency may make application for a court order enjoining such acts or practices or direct compliance with the rules and regulations promulgated under the provisions of this Act.

If the Agency should determine that an emergency exists, it has the authority to impound or order the impounding of any source of ionizing radiation in the possession of any person who is not equipped to observe or who fails to observe the provisions of the



the Act or any rules or regulations issued thereunder.

It is proposed that full legal measures will be employed only in those instances where there is continued noncompliance after notice, willful negligence on the part of the licensee, or where a serious potential hazard exists. Provisions of the Act provide for appropriate punishment of any violations of the Act or rules and regulations promulgated under the provisions of the Act.

Act Number 582 duly authorizes representatives of the Agency to enter at all reasonable times upon any private or public property for the purpose of determining whether or not there is compliance with or violations of the provisions of this Act or rules and regulations issued thereunder.

**Hearings.** Act Number 582 provides for a hearing on the record upon the request by any person whose interest may be affected by the issuance or modification of rules and regulations relating to the control of sources of ionizing radiation or for granting or suspending, revoking or amending a license or

for determining compliance with rules and regulations of the Agency. Whenever the Agency finds that an emergency exists requiring immediate action to protect the public health and safety, the Agency may without notice or hearing issue a regulation or order reciting the existence of such emergency and requiring that such action be taken as is necessary to meet the emergency. Such regulation or order shall become effective immediately. However, anyone aggrieved by such order shall on application to the Agency be afforded a hearing within thirty days. On the basis of such hearing, the emergency regulation or order shall be continued, modified, or revoked within thirty days after such hearing.

Any final order entered in any proceeding shall be subject to judicial review by the Circuit Court of Montgomery County in the manner prescribed for taking appeals from orders of the Alabama Public Service Commission as provided in Code 1960, Title 48, section 79 and following.

One week—Control of Particulate Emissions.  
One week—Control of Gaseous Emissions.  
One week—Meteorological Aspects of Air Pollution.

Atomic Energy Commission Courses:  
Three weeks—Orientation Course in AEC Regulatory Practices and Procedures, Bethesda.

#### EXPERIENCE

Seventeen years total experience in Sanitary Engineering, Alabama State Department of Public Health. Fifteen years in stream pollution control. Two years as Director of Division of Radiological Health, responsibilities for directing and administering a comprehensive program in radiation control involving the medical and industrial x-ray field, radioactive materials regulatory program, environmental surveillance and the environmental health laboratory.

JAMES EDWARD COWAN

#### EDUCATION AND TECHNICAL TRAINING

B.A., Science, Western Carolina College, 1949.  
M.S. P.H., Sanitary Science, University of North Carolina, 1950.

M.P.H., Radiation Health, University of Pittsburgh, 1961.

U.S. Public Health Service Courses:  
Two weeks—Basic Radiological Health.  
Two weeks—Reactor Safety and Hazards Evaluation.

Two weeks—Radionuclide Protection.  
One week—Medical X-Ray Protection.  
One week—Management of Nuclear Emergencies.

Two weeks—Medical Aspects of Radiological Health.

One week—Radium Hazards and Control.  
Atomic Energy Commission Courses:

Two weeks—Orientation Course in AEC Regulatory Practices and Procedures, Bethesda.

One week—Dose and Dosimetric Determinations, ANL, Chicago.

Other Training:  
Three weeks—Presbyterian Hospital, X-Ray Department, Pittsburgh.

Five weeks—Westinghouse Testing Reactor, Health Physics Department, Pittsburgh.

One week—Radiological Monitors Instructor Course—FCDA, Austin, Texas.

#### EXPERIENCE

Regular Corps, U.S. Public Health Service; 12 years generalized public health experience in local, State, and Federal agencies; 2 years, Radiation Control Program, Division of Occupational Health and Radiation Control, Texas State Department of Health; 2 years, Division of Radiological Health, Alabama State Department of Health, experienced in licensing, inspection, and other aspects of radiological health.

CECIL MERRITT CORK

#### EDUCATION AND TECHNICAL TRAINING

B.S., Civil Engineering, Auburn University, 1964.

U.S. Public Health Service Courses:  
One week—Community Air Pollution.  
One week—Elements of Air Quality Management.

One week—Control of Particulate Emissions.  
One week—Source Sampling for Atmospheric Survey.

One week—Combustion Evaluation—Sources and Control Devices.

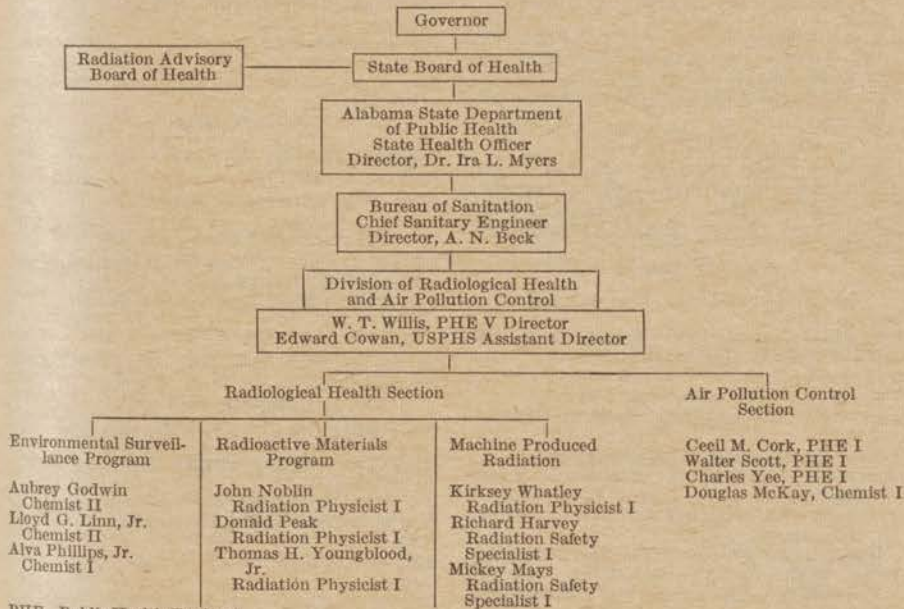
One week—Design of Air Pollutant Sampling Trains.

Two weeks—Atmospheric Survey.  
One week—Control of Gaseous Emissions.

#### EXPERIENCE

One year, Public Health Engineer I, Division of Radiological Health, Alabama State Department of Public Health. Has accompanied Radiation Physicists on radium surveys.

#### ORGANIZATIONAL CHART



PHE—Public Health Engineer.

#### ALABAMA RADIATION CONTROL PERSONNEL

The Division of Radiological Health is an existing organizational unit of the Bureau of Sanitation, Alabama State Department of Public Health. Technical personnel engaged in the existing programs of the Division are listed below; also, listed below are personnel of the air pollution program who will be used in radiological health in emergency and unusual situations where additional personnel are needed.

Bureau of Sanitation—Chief, Arthur N. Beck, B.S., M.S.

Division of Radiological Health—Director, W. T. Willis, B.S., M.S.; Assistant Director, J. Edward Cowan, B.S., M.P.H.; Radiation Physicist I: John Noblin, B.S., Donald W. Peak, A.B., Kirksey E. Whatley, B.S., Thomas H. Youngblood, Jr., B.S.; Chemist II: Aubrey V. Godwin, B.S., Lloyd G. Linn, Jr., B.S.; Chemist I, Alva Phillips, B.S.; Radiation Safety Specialist: Richard E. Harvey, R. X-Ray Technician, Mickey T. Mays, R. X-Ray Technician.

Air Pollution Program—Director, W. T. Willis, B.S., M.S.; Public Health Engineer I: Charles Yee, B.S., Cecil M. Cork, B.S., Walter E. Scott, B.S.; Chemist I, Douglas McKay, BS.

#### Education and Experience of staff members:

WILLIAM THOMAS WILLIS

#### EDUCATION AND TRAINING

B.S. Civil Engineering, Alabama Polytechnic Institute, 1948.

S.M. Sanitary Engineering, Harvard University, 1952.

U.S. Public Health Service Courses:  
One week—Detection and Control of Radioactive Pollutants in Water.

Two weeks—Sanitary Engineering Aspects of Nuclear Energy Course.

Two weeks—Basic Radiological Health Course.

One week—Medical X-Ray Protection Course.

Two weeks—Occupational Radiation Protection.

One week—Engineering Management of Radiation Accidents.

One week—Civil Defense Training Course for Food and Drug Officials.

Two weeks—Reactor Safety and Hazards Evaluation.

One week—Community Air Pollution.

One week—Measurement of Airborne Radioactivity.

One week—Elements of Air Quality Management.



## AUBREY V. GODWIN

## EDUCATION AND TECHNICAL TRAINING

A.A., Chemistry, Southwest Mississippi Junior College, 1958.

B.A., Chemistry, University of Mississippi, 1961.

Educational Leave, Mr. Godwin is presently on educational leave attending the University of Michigan where he will receive an MPH degree in 1966.

## U.S. Public Health Service Courses:

Two weeks—Basic Radiological Health.

Two weeks—Occupational Radiation Protection.

Two weeks—Radionuclide Analysis by Gamma Spectroscopy.

Two weeks—Radiochemical Analysis and Instrumentation, On-the-job training, Southeastern Radiological Health Laboratory, Montgomery.

## Other Training:

Two weeks—C.B.R. Refresher Course, Fort McClellan.

One week—Civil Defense for Food and Drug Officials, Montgomery.

## EXPERIENCE

Two and one-half years experience as Chemist, Water Quality Surveillance, Alabama State Department of Public Health; Two years experience in all aspects of radiochemistry, Division of Radiological Health, Alabama State Department of Public Health. Duties have included broad experience in chemical preparation of samples, and operation of counting equipment, including a 400-channel gamma spectrometer. For seven months, served as Chief Chemist with responsibilities for the operation of the Division's Environmental Radiation Laboratory. Concurrently, 3 years in C.R.B., Army National Guard.

## RICHARD E. HARVEY

## EDUCATION AND TECHNICAL TRAINING

Registered X-ray Technician. Two years X-ray technician course. Norwood Clinic, Birmingham, Alabama.

## U.S. Public Health Service Courses:

Two weeks—Basic Radiological Health.

One week—Radium Hazards and Control.

Two weeks—Medical X-Ray Protection.

One week—Radiological Health for X-Ray Technologist.

## EXPERIENCE

Six months experience with medical X-ray program, Division of Radiological Health.

## LLOYD G. LINN, JR.

## EDUCATION AND TECHNICAL TRAINING

B.S., Chemistry, Birmingham Southern College, 1963.

## U.S. Public Health Service Courses:

Two weeks—Radionuclide Analysis by Gamma Spectroscopy.

Two weeks—Basic Radiological Health.

One week—Measurement of Airborne Radioactivity.

Two weeks—Analysis of Radionuclides in Water.

Two weeks—Radiochemical Analysis and Instrumentation, On-the-job training, Southeastern Radiological Health Laboratory, Montgomery.

Two weeks—Chemical Analyses for Water Quality.

One week—Pesticide Residue Analysis of Foods.

## Other Training:

Infrared Spectroscopy, ACS Short Course School, 150th Annual ACS National Convention, Atlantic City.

RCA Course in Nuclear Instrumentation.

One week—Gas Chromatography.

## EXPERIENCE

One year, 4 months experience as chemist, water quality surveillance, Alabama State

Department of Public Health. Two years experience in all aspects of radiochemistry, Division of Radiological Health, Alabama State Department of Public Health. Duties have included all phases of sample preparation and radioanalysis. Serving as Acting Chief Chemist with responsibilities for the operation of the Division's Environmental Radiation Laboratory while Mr. Godwin is on educational leave.

## MICKEY T. MAYS

## EDUCATION AND TECHNICAL TRAINING

Registered X-Ray Technician. Air Force Medical Service School, Gunter Air Force Base, Montgomery, Alabama.

## U.S. Public Health Service Courses:

Two weeks—Basic Radiological Health.

Two weeks—Medical X-ray Protection.

## EXPERIENCE

Four years as X-ray technician, Maxwell Air Force Base, Montgomery, Alabama.

## DOUGLAS L. MCKAY

## EDUCATION AND TECHNICAL TRAINING

B.S., Chemistry, Florence State College, 1966.

## U.S. Public Health Service Courses:

Two weeks—Basic Radiological Health.

Two weeks—Analysis of Atmospheric Organics.

## EXPERIENCE

Three months, chemist, Jefferson County Health Department, Birmingham, Alabama.

Three months, chemist, Alabama State Department of Public Health, Montgomery, Alabama.

## JOHN W. NOBLIN

## EDUCATION AND TECHNICAL TRAINING

B.S., Mathematics, Troy State College, 1962.

## U.S. Public Health Service Courses:

One week—Radium Hazards and Control.

Two weeks—Basic Radiological Health.

Two weeks—Occupational Radiation Protection.

Two weeks—Medical X-ray Protection.

One week—Measurement of Airborne Radioactivity.

One week—Radionuclide Analysis by Gamma Spectroscopy.

## U.S. Atomic Energy Commission Courses:

Three weeks—Orientation Course in AEC Regulatory Practices and Procedures, Bethesda.

Ten weeks—Health Physics, Institute of Nuclear Studies, Oak Ridge.

## Other Training:

One week—Radiological Defense Officer Course.

## EXPERIENCE

Two years experience as Radiation Physicist, Division of Radiological Health. Experienced in survey and inspection techniques of radioactive materials. Planned and conducted statewide onsite survey of all radium facilities in Alabama.

## DONALD W. PEAK

## EDUCATION AND TECHNICAL TRAINING

A.B. in Physics and Mathematics, Huntingdon College.

One and one-half years graduate study, Nuclear Science, Auburn University.

Educational Leave, Mr. Peak is presently on educational leave attending North Carolina State College where he will receive an M.S. degree in Radiation Protection and Safety in 1966.

## U.S. Public Health Service Courses:

Two weeks—Basic Radiological Health.

One week—Radium Hazards and Control.

Two weeks—Occupational Radiation Protection.

Two weeks—Medical X-ray Protection.

## EXPERIENCE

Ten months experience with Division of Radiological Health, Alabama State Department of Public Health. Experience includes work in the Alabama state-wide radium survey.

## ALVA PHILLIPS, JR.

## EDUCATION AND TECHNICAL TRAINING

B.S., Engineering Technology, Troy State College, 1965.

## U.S. Public Health Service Courses:

Two weeks—Basic Radiological Health.

Two weeks—Radionuclide Analysis by Gamma Spectroscopy.

## EXPERIENCE

Three months, Chemist, Division of Radiological Health.

## WALTER E. SCOTT

## EDUCATION AND TECHNICAL TRAINING

B.S., Civil Engineering, University of Alabama, 1966.

## U.S. Public Health Service Courses:

Two weeks—Basic Radiological Health.

One week—Elements of Air Quality Management.

One week—Source Sampling for Atmospheric Pollutants.

One week—Design of Pollutant Sampling Trains.

## EXPERIENCE

Three months, Engineer, Air Pollution Control Program.

## KIRKSEY E. WHEATLEY

## EDUCATION AND TECHNICAL TRAINING

B.S., Mathematics, Troy State College, 1965.

## U.S. Public Health Service Course:

Two weeks—Basic Radiological Health.

## EXPERIENCE

Two months, Division of Radiological Health.

## CHARLES K. YEE

## EDUCATION AND TECHNICAL TRAINING

B.S., Chemical Engineering, Auburn University, 1963.

## U.S. Public Health Service Courses:

One week—Meteorological Aspects of Air Pollution.

One week—Elements of Air Quality Management.

One week—Combustion Evaluation—Sources and Control Devices.

One week—Analysis of Atmospheric Inorganic.

Two weeks—Analysis of Atmospheric Organic.

## EXPERIENCE

Nine months Public Health Engineer I, Environmental Health Laboratory, Alabama State Department of Public Health.

## THOMAS H. YOUNGLOOD, JR.

## EDUCATION AND TECHNICAL TRAINING

B.S. in Science, Troy State College, 1965.

## U.S. Public Health Service Courses:

Two weeks—Basic Radiological Health.

Two weeks—Occupational Radiation Protection.

Two weeks—Medical X-ray Protection.

One week—Radium Hazards and Control.

## U.S. Atomic Energy Commission:

Ten weeks—Health Physics, Institute of Nuclear Studies, Oak Ridge.

## EXPERIENCE

Nine months, Division of Radiological Health, Alabama State Department of Public Health. Worked with state-wide radium survey program.

[F.R. Doc. 66-6021; Filed, June 1, 1966; 8:46 a.m.]



[Docket No. 27-40]

**ATOMIC DISPOSAL CO., INC.****Notice of Amendment of Byproduct and Source Material License**

Please take notice that the Atomic Energy Commission has issued Amendment No. 1 to License No. 12-11286-1, held by Atomic Disposal Company, Inc. This amendment provides for a change in the designation of individuals authorized to conduct operations for Atomic Disposal Company, Inc.

The persons who will conduct operations for the licensee are Mr. Carl J. Collica, Dr. Robert K. Clark, Dr. Louis Chandler, and Dr. Walter Moos. Drs. Clark, Chandler, and Moos have each had several years of training and experience in the radiation field and have demonstrated their competency to conduct the operations authorized in the license. Mr. Collica has been previously authorized to conduct operations for the licensee. The Commission has determined that these individuals are qualified to conduct operations for Atomic Disposal Company, Inc.

The Commission has determined that prior public notice of proposed issuance of this amendment is not required since the amendment does not involve significant hazard considerations different from those previously evaluated.

Within fifteen (15) days from the date of publication of this notice in the FEDERAL REGISTER, any person whose interest may be affected by this proceeding may file a petition for leave to intervene. Requests for a hearing and petitions to intervene shall be filed in accordance with the Commission's regulations (10 CFR Part 2). If a request for a hearing or a petition for leave to intervene is filed within the time prescribed in this notice, the Commission will issue a notice of hearing or an appropriate order. Petitions to intervene or requests for public hearing may be filed with the Secretary, U.S. Atomic Energy Commission, Washington, D.C., 20545.

For further details with respect to this amendment see the application dated May 3, 1966, which is available for public inspection in the Commission's Public Document Room, 1717 H Street NW., Washington, D.C.

The text of the amendment is attached to this notice.

For the Atomic Energy Commission.

Dated at Bethesda, Md., June 16, 1966.

LYALL JOHNSON,  
Acting Director,

Division of Materials Licensing.

[License No. 12-11286-1, Amdt. 1]

License No. 12-11286-1 is amended as follows:

Condition 2. is amended to read:  
2. Operations shall be conducted by Carl J. Collica, Dr. Robert K. Clark, Dr. Louis Chandler, or Dr. Walter S. Moos.

Date of issuance: June 16, 1966.

For the Atomic Energy Commission.

LYALL JOHNSON,  
Acting Director,

Division of Materials Licensing.

[F.R. Doc. 66-6838; Filed, June 22, 1966; 8:45 a.m.]

**SECURITIES AND EXCHANGE COMMISSION**

[File No. 70-4389]

**AMERICAN ELECTRIC POWER CO., INC.****Order Postponing Hearing**

JUNE 17, 1966.

These proceedings relate to an application filed by American Electric Power Co., Inc., 2 Broadway, New York, N.Y., 10008, pursuant to sections 9 and 10 of the Public Utility Holding Company Act of 1935, regarding a proposal to purchase, pursuant to tenders, shares of the common stock of Michigan Gas & Electric Co. By order of June 2, 1966 (Release 35-15492), a hearing was scheduled for June 22, 1966, upon said application.

Counsel for the applicant company has requested a postponement of the hearing to June 28, 1966. Counsel for Michigan Gas & Electric Co. has requested a postponement until July 6, 1966. The Division of Corporate Regulation opposes any extension beyond the date requested by the applicant company. It appearing appropriate to grant a brief postponement.

It is ordered, That the hearing herein is postponed to June 29, 1966, at the same hour and place.

For the Commission (pursuant to delegated authority).

[SEAL]

ORVAL L. DUBOIS,  
Secretary.

[F.R. Doc. 66-6863; Filed, June 22, 1966; 8:47 a.m.]

[File No. 54-240]

**AMERICAN GAS CO.****Notice of Filing and Order for Hearing**

JUNE 15, 1966.

Notice is hereby given that American Gas Co. ("American"), 546 South 24th Avenue, Omaha, Nebr., 68105, a registered holding company and a gas utility company, has filed with this Commission a plan, and amendments thereto ("plan"), pursuant to section 11(e) of the Public Utility Holding Company Act of 1935 ("Act"). The plan, which is in two parts, proposes the liquidation and dissolution of American, and various steps incident thereto, including, in Part I, the sale by American of all of its gas utility properties and other assets, except the common stock of its gas utility subsidiary company, American Gas Co. of Wisconsin, Inc. ("Wisconsin"). All interested persons are referred to the plan, which is summarized below, for a complete statement of the proposed transactions.

American, an Iowa corporation, is engaged in the sale at retail of natural gas to approximately 2,748 customers in seven communities located in southwest Iowa and northwest Missouri. American Gas Pipeline Co. ("Pipeline Company"), a wholly owned subsidiary company of American, owns and operates 1.1 miles of gas transmission line through

which American receives its gas supply for one of its distribution areas. Wisconsin is engaged in the sale of natural gas at retail in 18 communities in north-central Wisconsin. Wisconsin was organized in 1960 by American which now owns 88 percent of its outstanding common stock, the remainder being owned by the State of Wisconsin Investment Board. American purchases part of its gas requirements from Northern Natural Gas Co. ("Northern Natural"), a gas pipe line company which also distributes natural gas at retail in various communities in the State of Iowa, among other states.

As of March 31, 1966, American's assets, per books, exclusive of current assets and deferred charges, consisted of (i) \$1,990,087 representing its utility plant and other property at original cost, less related depreciation reserve, and (ii) \$1,590,500 and \$30,000 representing its investments, at cost, in the common stocks of Wisconsin and Pipeline Company, respectively. Current liabilities totaling \$585,661, including \$434,000 of notes payable to banks, exceeded current assets by \$340,626. At the same date American had outstanding \$700,000 principal amount of 6½ percent First Mortgage Bonds, Series A, due 1985 ("Bonds"), held by the State of Wisconsin Investment Board, and \$2,300,000 principal amount of 6½ percent Sinking Fund Subordinated Debentures, due 1978 ("Debentures"), publicly held except for \$58,100 principal amount held by American. American's corporate gross income for the calendar year 1965 amounted to \$59,577, and after deduction of interest charges of \$197,328 and other income deductions of \$18,753, its net loss amounted to \$156,504.

American states that the standards of section 11(b) (1) of the Act do not permit the retention within its holding-company system of its own gas utility properties along with those of Wisconsin.

Part I of the plan provides for the sale by American to Northern Natural of substantially all its properties and assets, including the common stock of Pipeline Company but not including American's holdings of 88 percent of the outstanding common stock of Wisconsin. The purchase price, to be paid in cash, will be \$2,170,000, plus amounts to be determined for various miscellaneous assets, including inventory of pipe and supplies, appliances, receivables, and certain property additions. The net proceeds from the sale will be used by American (1) to prepay and retire its Bonds at the outstanding principal amount of \$700,000 plus accrued interest; (2) to deposit in an escrow account \$42,000 representing the redemption premium on the Bonds as of September 30, 1966, pending a determination under Part II of the plan as to whether the redemption premium is payable; (3) to pay its short-term notes to banks in aggregate amounts which will not exceed \$570,000 plus accrued interest; and (4) to pay, or provide for, operating and other expenses estimated at \$165,000, including expenses incurred in connection with the plan. The balance of the proceeds of the sale will be used as provided in Part II of the plan.



American has requested consideration and approval of Part I of the plan at the earliest possible date and prior to Commission action with respect to Part II of the plan. Part I of the plan is subject to approval by the Commission under section 11(e) and other applicable provisions of the Act, and, at the request of American, it is to be enforced in an appropriate District Court of the United States, as provided in section 11(e) of the Act.

American proposes in Part II of the plan (1) to pay such amount, if any, as may be determined to be due as a redemption premium on the Bonds; (2) to satisfy the claims of the holders of its Debentures, partly in cash and partly with shares of common stock of Wisconsin; (3) to distribute, pro rata to its stockholders, any remaining cash and shares of the common stock of Wisconsin; and (4) to dissolve American.

Further details regarding Part II of the plan, including the amount of cash to be paid and the number of shares of Wisconsin common stock to be delivered to the holders of the Debentures, will be filed at a later date by amendment to the plan. Public notice of such later filing and of a hearing to be held on Part II of the plan will be given to all interested persons, who will be afforded an opportunity to be heard with respect thereto.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a public hearing be held with respect to Part I of the plan, and that interested persons be afforded an opportunity to be heard at such hearing with respect to the matters proposed in Part I of the plan;

*It is ordered*, That a hearing be held with respect to Part I of the plan on July 14, 1966, at 10 a.m., at the Office of the Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C., 20549. On such date the Hearing Room Clerk will advise as to the room in which the hearing will be held.

*It is further ordered*, That a Hearing Examiner, hereafter to be designated, shall preside at said hearing. The officer so designated is hereby authorized to exercise all powers granted to the Commission under section 18(c) of the Act and to a hearing officer under the Commission's rules of practice.

The Division of Corporate Regulation of the Commission having advised the Commission that it has made a preliminary examination of Part I of the plan and that, upon the basis thereof, the following matters and questions are presented for consideration, without prejudice, however, to the presentation of additional matters and questions upon further examination:

1. Whether the consideration to be received by American for its utility properties and other assets to be sold is reasonable, and whether competitive conditions have been maintained in effecting such sale;

2. Whether Part I of the plan, as filed or as it may be modified or amended, is necessary to effectuate the

provisions of section 11(b) of the Act and fair and equitable to the persons affected thereby;

3. Whether, in general, the transactions proposed in Part I of the plan satisfy the applicable provisions of the Act.

*It is further ordered*, That the Secretary of the Commission shall serve notice of such hearing by mailing a copy of this notice and order by certified mail to American, Wisconsin, the Federal Power Commission, the Iowa State Commerce Commission, the Missouri Public Service Commission, and the Wisconsin Public Service Commission; that American mail a copy of this notice and order to the Omaha National Bank, the Continental Illinois National Bank & Trust Co. of Chicago, the State of Wisconsin Investment Board, and to all holders of record of the common stock of American, at least 20 days prior to the date herein fixed as the date for hearing; and that notice to all other persons be given by a general release of the Commission and by publication of this notice and order in the FEDERAL REGISTER.

*It is further ordered*, That any person desiring to participate at the hearing on Part I of the plan may, not later than July 11, 1966, make a request therefor in writing, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by Part I of the plan which he desires to controvert. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon American at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed contemporaneously with the request.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F.R. Doc. 66-6864; Filed, June 22, 1966;  
8:47 a.m.]

[811-1314]

#### FIRST EQUITY SECURITY LIFE INSURANCE CO. SEGREGATED INVESTMENT ACCOUNT

##### Notice of Application

JUNE 17, 1966.

Notice is hereby given that First Equity Security Life Insurance Co. Segregated Investment Account ("Applicant"), 321 Citizens Bank Building, Anderson, Ind., an Indiana Corporation and a management open-end diversified investment company registered under the Investment Company Act of 1940 ("Act"), has filed an application pursuant to section 8(f) of the Act for an order declaring that Applicant has ceased to be an investment company as defined in the Act. All interested persons are referred to the application on file with the Commission

for a statement of the representations therein, which are summarized below.

On May 7, 1965, a Notification of Registration on Form N-8A was filed by Applicant pursuant to section 8(a) of the Act. Pursuant to extensions granted by the Commission, Applicant has not filed a registration statement on Form N-8B-1.

Applicant was established by First Equity Security Life Insurance Co. ("Life Insurance Company"), in anticipation of the offering by the Life Insurance Company of certain variable annuity options in connection with certain of its policies. The policies made clear that such options would be offered and become available only if and when all applicable State and Federal requirements had been met and that there was no assurance that such requirements would be met.

Sufficient funds have not been raised to enable Life Insurance Company to meet the minimum capital and surplus requirements under Indiana insurance laws for a company proposing to issue variable annuity contracts on a segregated investment account plan, and it appears unlikely that such funds will be raised. The Life Insurance Company has therefore suspended the variable annuity contract program and directed that the necessary steps be taken to deregister the Applicant. The Board of Managers of Applicant has agreed to such deregistration.

The Applicant represents that no variable annuity options have been exercised and that it has not transacted any business other than to receive a bank certificate of deposit for \$100,000 from Life Insurance Company, which certificate has since been withdrawn. At present the Applicant has no assets or liabilities.

With respect to the outstanding policies, Applicant states that notices will be sent to policy holders indicating that the variable annuity options are not available.

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

Notice is further given that any interested person may, not later than July 7, 1966, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed



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

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F.R. Doc. 66-6865; Filed, June 22, 1966;  
8:47 a.m.]

[File No. 1-3782]

## GREAT AMERICAN INDUSTRIES, INC.

### Order Suspending Trading

JUNE 17, 1966.

The common stock, 10-cent par value, of Great American Industries, Inc., being listed and registered on the American Stock Exchange, pursuant to provisions of the Securities Exchange Act of 1934 and the 6 percent cumulative preferred stock, Series A, \$10 par value, being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such Exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to sections 15(c)(5) and 19(a)(4) of the Securities Exchange Act of 1934, that trading in such securities on the American Stock Exchange and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period June 18, 1966, through June 27, 1966, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F.R. Doc. 66-6866; Filed, June 22, 1966;  
8:47 a.m.]

[File No. 70-4394]

## MISSISSIPPI POWER CO.

### Notice of Filing Regarding Proposed Issue and Sale of Bonds

JUNE 17, 1966.

Notice is hereby given that Mississippi Power Co. ("Mississippi"), 2500 14th Street, Gulfport, Miss., 39501, an electric utility subsidiary company of the Southern Co., a registered holding company, has filed a declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(a) and 7 of the Act and Rule 50 promulgated thereunder as applicable to the proposed transaction. All interested persons are

referred to the declaration, which is summarized below, for a complete statement of the proposed transaction.

Mississippi proposes to issue and sell, subject to the competitive bidding requirements of Rule 50, \$10,000,000 principal amount of First Mortgage Bonds, ---- percent Series due August 1, 1966. The interest rate (which will be a multiple of one-eighth of 1 percent and the price, exclusive of accrued interest (which will be not less than 99 percent nor more than 102¼ percent of the principal amount thereof), will be determined by the competitive bidding. The bonds will be issued under a mortgage and deed of trust dated as of September 1, 1941, between Mississippi and Morgan Guaranty Trust Co. of New York, successor to Guaranty Trust Co. of New York, as Trustee, as heretofore supplemented and as to be further supplemented by a Supplemental Indenture to be dated August 1, 1966.

The net proceeds received from the issue and sale of the bonds will be used by Mississippi (1) to finance, in part, its 1966 construction program estimated at \$22,313,000, (2) to pay outstanding short-term bank notes incurred for such purpose, and (3) for other corporate purposes.

No State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transaction. The fees and expenses to be incurred in connection with the transaction will be supplied by amendment.

Notice is further given that any interested person may, not later than July 18, 1966, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the declarant at the above-stated address and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed contemporaneously with the request. At any time after said date, the declaration, as filed or as it may be amended, may be permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F.R. Doc. 66-6867; Filed, June 22, 1966;  
8:47 a.m.]

[811-65]

## NORTH AMERICAN INVESTMENT CORP.

### Notice of Application

JUNE 17, 1966.

Notice is hereby given that North American Investment Corp. ("Applicant"), 3333 California Street, San Francisco, Calif., 94120, a California corporation and a management closed-end diversified investment company registered under the Investment Company Act of 1940 ("Act"), has filed an application pursuant to section 8(f) of the Act for an order declaring that Applicant has ceased to be an investment company as defined in the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations therein, which are summarized below.

Applicant was merged into the Fund American Companies (formerly Fireman's Fund Insurance Co.) pursuant to an Agreement of Merger dated October 15, 1965, which Agreement was approved by the Board of Directors and shareholders of Applicant on December 7, 1965. Applicant represents that the merger was made effective on January 4, 1966, when appropriate filings with the Secretary of the State of California were made. Under the terms of the merger, Applicant's shareholders, other than dissenters, received shares of the Fund American Companies for their shares of Applicant.

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

Notice is further given that any interested person may, not later than July 12, 1966, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reasons for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.



For the Commission (pursuant to delegated authority).

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F.R. Doc. 66-6868; Filed, June 22, 1966;  
8:47 a.m.]

[File No. 70-4393]

**PENNZOIL CO., ET AL.**

**Notice of Proposed Intercompany Transaction Between Holding Company and Wholly Owned Subsidiaries**

JUNE 17, 1966.

Notice is hereby given that Pennzoil Co. ("Pennzoil"), 900 Southwest Tower, Houston, Tex., 77002, a registered holding company, and its wholly owned nonutility subsidiary companies, Pennzoil del Caribe, S.A. ("Caribe"), Pennzoil del Quebec Limitee ("Quebec"), Kenreco, Inc. ("Kenreco"), and Pennzoil of Libya, Inc. ("Libya"), have filed a joint application-declaration pursuant to the Public Utility Holding Company Act of 1935 ("Act"), proposing certain transactions between Pennzoil and each of such subsidiary companies. The application-declaration designates sections 6, 7, 9, 10, and 12 of the Act and Rules 43, 45, and 46 thereunder, as applicable to the proposed transactions. All interested persons are referred to said application-declaration, which is summarized below, for a complete description of the proposed transactions.

It is proposed that (1) Pennzoil advance on open account, without interest, to Caribe amounts which, together with advances on open account presently outstanding (i.e., \$4,107 at March 31, 1966), will not exceed \$400,000 at any one time during 1966; (2) Pennzoil advance on open account, without interest, to Quebec amounts which, together with advances on open account presently outstanding (i.e., \$71,266 at March 31, 1966), will not exceed \$250,000 during 1966; (3) Kenreco, which is wholly owned by Pennzoil and inactive, be dissolved and its net assets of approximately \$24,500 be distributed to Pennzoil; and (4) Libya declare a dividend in the amount of \$120,000 out of capital surplus and pay such amount to Pennzoil. The proceeds of the proposed open account advances will be used by Caribe and Quebec in their current oil and gas exploration and development programs in the Republic of Colombia and Canada, respectively.

No fees, commissions, and expenses are anticipated in connection with the proposed transactions except minor incidental expenses. It is stated that no State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than July 7, 1966, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said joint application-declaration which he desires to contro-

vert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Pennzoil Co. at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed contemporaneously with the request. At any time after said date, the joint application-declaration may be granted and permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate.

For the Commission (pursuant to delegated authority).

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F.R. Doc. 66-6869; Filed, June 22, 1966;  
8:47 a.m.]

**PINAL COUNTY DEVELOPMENT ASSN.**

**Order Suspending Trading in Industrial Revenue Bonds**

JUNE 17, 1966.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the 5 $\frac{7}{8}$  percent Industrial Development Revenue Bonds of Pinal County Development Association due April 15, 1969, otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934 that trading in such bonds be summarily suspended. This order to be effective for the period June 18, 1966, through June 27, 1966, both dates inclusive.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F.R. Doc. 66-6870; Filed, June 22, 1966;  
8:48 a.m.]

**INTERSTATE COMMERCE  
COMMISSION**

[Notice 937]

**MOTOR CARRIER, BROKER, WATER CARRIER, AND FREIGHT FORWARDER APPLICATIONS**

JUNE 17, 1966.

The following applications are governed by Special Rule 1.247<sup>1</sup> of the Com-

<sup>1</sup> Copies of Special Rule 1.247, as amended, can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C., 20423.

mission's general rules of practice (49 CFR 1.247, as amended), published in the FEDERAL REGISTER issue of April 20, 1966, effective May 20, 1966. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the FEDERAL REGISTER. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with § 1.247(d)(3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and describing in detail the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one (1) copy of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such request shall meet the requirements of § 1.247(d)(4) of the special rule, and shall include the certification required therein.

Section 1.247(f) of the Commission's rules of practice further provides that each applicant shall, if protests to its application have been filed, and within 60 days of the date of this publication, notify the Commission in writing (1) that it is ready to proceed and prosecute the application, or (2) that it wishes to withdraw the application, failure in which the application will be dismissed by the Commission.

Further processing steps (whether modified procedure, oral hearing, or other procedures) will be determined generally in accordance with the Commission's general policy statement concerning motor carrier licensing procedures, published in the FEDERAL REGISTER issue of May 3, 1966. This assignment will be by Commission order which will be served on each party of record.

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.

No. MC 409 (Sub-No. 29), filed May 19, 1966. Applicant: O. E. POULSON, INC., Elm Creek, Nebr. Applicant's



representative: J. Max Harding, Post Office Box 2028, Lincoln, Nebr., 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *All commercial chemicals and fertilizers normally transported in bulk tanks* (special equipment) from points in Woodbury County, Iowa, to points in Nebraska, South Dakota, North Dakota, Minnesota, Wisconsin, Wyoming, Montana, and Colorado. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 623 (Sub-No. 84), filed May 19, 1966. Applicant: H. MESSICK, INC., Post Office Box 214, Joplin, Mo. Applicant's representative: Turner White, 805 Woodruff Building, Springfield, Mo., 65806. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Smokeless powder* (propellant explosives, class B), from Radford, Va., to Virginia, Minn., and Mead, Nebr. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 623 (Sub-No. 85), filed May 19, 1966. Applicant: H. MESSICK, INC., Post Office Box 214, Joplin, Mo. Applicant's representative: Turner White, 805 Woodruff Building, Springfield, Mo., 65806. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Explosives*, from Hastings, Nebr., to Shumaker, Ark. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 1042 (Sub-No. 6), filed May 19, 1966. Applicant: C. P. T. FREIGHT, INC., 2600 Calumet Avenue, Hammond, Ind. Applicant's representative: Eugene L. Cohn, One North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles*, as described in appendix V to the Report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, and *bricks, blocks, slabs, tile, and related articles*, between Burns Harbor and Portage, Ind., Chicago Heights, Joliet, and Waukegan, Ill., points in the Chicago, Ill., commercial zone as defined by the Commission, and points in Kankakee and Will Counties, Ill., on the one hand, and on the other, points in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 1187 (Sub-No. 27), filed May 19, 1966. Applicant: CUSHMAN MOTOR DELIVERY COMPANY, a corporation, 1480 West Kinzie Street, Chicago, Ill., 60622. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, and iron and steel articles*, from Burns Harbor and Portage, Ind., Chicago, Chicago Heights, Joliet, and Waukegan, Ill., to points in Alabama, Arkansas, Florida, Georgia, Illi-

nois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Ohio, Oklahoma, Pennsylvania, North Dakota, South Dakota, Tennessee, Texas, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 1641 (Sub-No. 70), filed May 19, 1966. Applicant: PEAKE TRANSPORT SERVICE, INC., Box 366, Chester, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, in tank vehicles, from the plantsite of Chevron Chemical Co., located at or near Sugar Creek, Mo., to points in Nebraska, Iowa, Kansas, Missouri, Oklahoma, and Arkansas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 1662 (Sub-No. 1), filed May 16, 1966. Applicant: FRIENDSHIP TRANSPORT, INC., 4220 West 122d Place, Alsip, Ill., 60658. Applicant's representative: Eugene L. Cohn, One North La Salle Street, Chicago, Ill., 60602. 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 and commodities in bulk) including commodities requiring special equipment, between points in Putnam County, Ill., on the one hand, and, on the other, points in Arkansas, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Oklahoma, South Dakota, Texas, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 2392 (Sub-No. 50), filed May 19, 1966. Applicant: WHEELER TRANSPORT SERVICE, INC., Post Office Box 432, Genoa, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commercial chemicals, feed, urea, fertilizer, and fertilizer ingredients, including but not limited to anhydrous ammonia*, in bulk, from points in Woodbury County, Iowa, including the Port Neal Industrial District, located south of Sioux City, Iowa, to points in Colorado, Illinois, Kansas, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, Wisconsin, and Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Minneapolis, Minn.

No. MC 3005 (Sub-No. 9), filed May 18, 1966. Applicant: CHICAGO-KANSAS CITY FREIGHT LINE, INC., 1048 North Monroe, Kansas City, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, livestock, household goods as defined by the Commission, commodities in bulk, and those contaminating or injurious to other lading) (1) between Bloomington, Ill., and Indianapolis, Ind.; from Bloomington over U.S. Highway 150 to junction U.S. Highway 136, thence over both U.S. Highway 136 and U.S. High-

way 150 to Danville, Ill., thence over U.S. Highway 136 and Interstate Highway 74 to Indianapolis, Ind., and return over the same route serving all intermediate points. (2) Between Springfield, Ill., and Indianapolis, Ind.; from Springfield, Ill., over U.S. Highway 36 to Indianapolis, Ind., and return over the same route, serving all intermediate points. NOTE: If a hearing is deemed necessary, applicant requests it be held at Springfield, Ill.

No. MC 8575 (Sub-No. 4), filed May 19, 1966. Applicant: FERGUSON VAN LINES, INC., 5225 Madison Road, Cincinnati, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods* as defined by the Commission, between points in Alabama, Arizona, Arkansas, California, Colorado, the District of Columbia, Florida, Georgia, Louisiana, Mississippi, New Mexico, North Carolina, Oklahoma, South Carolina, Tennessee, and Texas. NOTE: The applicant states that it does not intend to tack any authority the Commission may grant on this application to authority held by it under MC 8575. If a hearing is deemed necessary, applicant requests it be held at Cincinnati, Ohio.

No. MC 8575 (Sub-No. 5), filed May 19, 1966. Applicant: FERGUSON VAN LINES, INC., 5225 Madison Road, Cincinnati, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Connecticut, Delaware, Florida, Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Michigan, Missouri, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Tennessee, Virginia, West Virginia, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Cincinnati, Ohio.

No. MC 8600 (Sub-No. 20), filed May 19, 1966. Applicant: WERNER TRANSPORTATION COMPANY, a corporation, 2601 32d Avenue South, Minneapolis, Minn. Applicant's representative: Robert E. Faricy, 544 Minnesota Building, St. Paul, Minn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Fairmont, Mankato, Albert Lea, Worthington, and Winnebago, Minn., to points in Ohio, Indiana, and the Lower Peninsula of Michigan. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 8948 (Sub-No. 69), filed May 17, 1966. Applicant: WESTERN GILLETTE, INC., 2550 East 28th Street, Los Angeles, Calif. Applicant's representative: Hugh T. Matthews, 630 Fidelity Union Tower, Dallas, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except household goods as defined by the Commission, commodities in bulk, and those requiring special equipment) serving the terminal site of Cooper-Jarrett, Inc., on Frontage Road (formerly old U.S. Highway 66) and now parallel to



new U.S. Highway 66 and Interstate Highway 55 approximately one-half mile west of County Line Road, in an unincorporated portion of Du Page County, Ill., as an off-route point in connection with applicant's present operations, for the purpose of interchanging traffic at said terminal site. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 10761 (Sub-No. 194), filed May 18, 1966. Applicant: TRANSAMERICAN FREIGHT LINES, INC., 1700 North Waterman Avenue, Detroit, Mich., 48209. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), between points in Putnam County, Ill., on the one hand, and, on the other, points in Alabama, Arkansas, Colorado, Connecticut, Delaware, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Jersey, New York, Ohio, Oklahoma, Pennsylvania, Rhode Island, Tennessee, Texas, Virginia, West Virginia, Wisconsin, and the District of Columbia. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 11207 (Sub-No. 248), filed May 19, 1966. Applicant: DEATON, INC., Birmingham, Ala. Applicant's representative: A. Alvis Layne, Pennsylvania Building, Washington, D.C., 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plywood and composition board, including flakeboard and particleboard*, from the plantsite of the Georgia-Pacific Corp. at or near Louisville and Gloster, Miss., to points in Alabama, Florida, Georgia, Arkansas, North Carolina, South Carolina, Tennessee, Louisiana, Texas, Oklahoma, Kansas, Missouri, Iowa, Wisconsin, Michigan, Maine, Illinois, Indiana, Ohio, Kentucky, Virginia, West Virginia, Maryland, Delaware, Pennsylvania, New Jersey, New York, Connecticut, Massachusetts, Rhode Island, Vermont, New Hampshire, and the District of Columbia. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 13569 (Sub-No. 18) (Amendment), filed May 10, 1966, published FEDERAL REGISTER, issue of June 3, 1966, amended June 10 and republished as amended, this issue. Applicant: THE LAKE SHORE MOTOR FREIGHT COMPANY, a corporation, 1200 South State Street, Girard, Ohio. Applicant's representative: A. David Millner, 1060 Broad Street, Newark, N.J., 07102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles, and steel mill equipment, materials and supplies*, between points in Putnam County, Ill., on the one hand, and, on the other, points in Alabama, Arkansas, Delaware, Florida, Georgia, Indiana, Iowa, Kansas, Ken-

tucky, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, New York, North Dakota, Ohio, Oklahoma, Pennsylvania, South Dakota, Tennessee, Texas, and Wisconsin. **NOTE:** The purpose of this republication is to show the application has been amended to include the destination States of Delaware, Maryland, New Jersey, and New York. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., Pittsburgh, Pa., or Chicago, Ill.

No. MC 16961 (Sub-No. 2), filed May 19, 1966. Applicant: COLUMBIA TRANSPORTATION CO., a corporation, 1000 Congress Street, Portland, Maine. Applicant's representative: Francis P. Barrett, Professional Building, East Milton (Boston), Mass., 02186. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in by wholesale, retail, and chain grocery and food business houses*, from Southboro, Mass., to Portland, Lewiston, and Bangor, Maine, and *empty containers, salvage, returned or rejected merchandise, order forms, company records and advertising matter*, on return. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Portland, Maine.

No. MC 20207 (Sub-No. 38), filed May 19, 1966. Applicant: CONTINENTAL TRANSPORTATION LINES, INC., Continental Square Graham Street, McKees Rocks, Pa., 15136. Applicant's representative: John A. Vuono, 1515 Park Building, Pittsburgh, Pa., 15222. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, and except dangerous explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, and those requiring special equipment) between the plantsite of the Crane Co. in Somerset, Pa., and the plantsite of the Crane Co. in Trenton, N.J. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 21060 (Sub-No. 7), filed May 19, 1966. Applicant: IOWA PARCEL SERVICE, INC., 214 15th Street, Des Moines, Iowa. Applicant's representative: Homer E. Bradshaw, Fifth Floor, Central National Building, Des Moines, Iowa, 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment) between Omaha, Nebr., and its commercial zone and Moline, Ill., and its commercial zone, on the one hand, and, on the other, points in Iowa. Service shall be limited to parcels, packages or articles weighing 60 pounds or less and no service shall be performed in the transportation of any parcels, packages or articles weighing in the aggregate more than 120 pounds from one consignor at one location to

one consignee at one location on any one date. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 21170 (Sub-No. 235), filed May 19, 1966. Applicant: BOS LINES, INC., 408 South 12th Avenue, Marshalltown, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Food-stuffs*, canned, preserved, or prepared, from points in Vanderburgh and Marion County, Ind., to points in Missouri and Illinois. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 21170 (Sub-No. 236), filed May 19, 1966. Applicant: BOS LINES, INC., 408 South 12th Avenue, Marshalltown, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Food-stuffs*, from points in Christian, Morgan, and Madison Counties, Ill., to points in Missouri and Iowa. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 21170 (Sub-No. 237), filed May 19, 1966. Applicant: BOS LINES, INC., 408 South 12th Avenue, Marshalltown, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Food-stuffs*, canned, preserved or prepared, from points in Berkeley County, W. Va., and Frederick County, Va., to points in Arkansas, Missouri, and Kansas. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 21170 (Sub-No. 241), filed May 19, 1966. Applicant: BOS LINES, INC., 408 South 12th Avenue, Marshalltown, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Juices, beverages and drinks* (other than citrus, not requiring refrigeration), from points in Florida on and south of Florida Highway 40, to points in Alabama, Arkansas, Georgia, Illinois, Indiana, Kentucky, Louisiana, Minnesota, Mississippi, Missouri, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Wisconsin, Idaho, Nevada, and Utah. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Tampa, Fla.

No. MC 21170 (Sub-No. 242), filed May 19, 1966. Applicant: BOS LINES, INC., 408 South 12th Avenue, Marshalltown, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses* (except in bulk or tank vehicles), from Guymon, Okla., and points within 10 miles thereof to points in Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, Missouri, Iowa, Arkansas, and the District of Columbia. **NOTE:** If a hear-



ing is deemed necessary, applicant does not specify a location.

No. MC 29555 (Sub-No. 47), filed May 19, 1966. Applicant: BRIGGS TRANSPORTATION CO., a corporation, 2360 West County Road C, St. Paul 13, Minn. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, livestock, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, except those requiring temperature control, and those injurious or contaminating to other lading), to serve the site of the Spector Freight System, Inc., terminal to be constructed on property located on Minnesota Highway 49 in Eagan Township, Dakota County, Minn., located approximately one-half mile south of junction Minnesota Highways 49 and 55, as an off-route point in connection with applicant's regular route operation, for the purpose of interchanging traffic at said terminal site. NOTE: If a hearing is deemed necessary, applicant requests it be held at (1) Minneapolis, Minn., (2) Chicago, Ill.

No. MC 30022 (Sub-No. 85), filed May 19, 1966. Applicant: Paul S. Crebbs, Ninth Street, Northumberland, Pa. Applicant's representative: Richard V. Zug, 1418 Packard Building, Philadelphia, Pa., 19102. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *New furniture*, between Lewisburg and Wilkes-Barre, Pa.; from Lewisburg over the Susquehanna River bridge, thence over Pennsylvania Highway 147 to Northumberland, thence over U.S. Highway 11 to Kingston, thence over the Susquehanna River bridge to Wilkes-Barre, Pa., and return over the same route serving no intermediate points. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 30504 (Sub-No. 13), filed May 19, 1966. Applicant: TUCKER FREIGHT LINES, INC., 1415 South Olive Street, South Bend, Ind. Applicant's representative: Eugene L. Cohn, One North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles*, as described in appendix V to the Report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, between Burns Harbor and Portage, Ind., Chicago Heights, Joliet, and Waukegan, Ill., and points in the Chicago, Ill., commercial zone as defined by the Commission, on the one hand, and, on the other, points in Illinois, Indiana, Michigan, and Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 35334 (Sub-No. 63), filed May 19, 1966. Applicant: COOPER-JARRETT, INC., 23 South Essex Avenue, Orange, N.J. Applicant's representative: William Biederman, 280 Broadway, New York, N.Y., 10007. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (ex-

cept those of unusual value, and except dangerous explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, commodities requiring special equipment, not including those requiring refrigeration, and those injurious or contaminating to other lading), serving the terminal site of Cooper-Jarrett, Inc., on Frontage Road, formerly old U.S. Highway 66, and now parallel with U.S. Highway 66 and Interstate Highway 55, approximately one-half mile west of County Line Road, in an unincorporated portion of Du Page County, Ill., as an off-route point in connection with applicant's present regular authority. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 35358 (Sub-No. 18) (Clarification), filed May 2, 1966, published in FEDERAL REGISTER issue May 26, 1966, amended June 9, 1966, and republished as amended this issue. Applicant: BERGER TRANSFER AND STORAGE, INC., 3720 Maclester Drive NE., Minneapolis, Minn. Applicant's representative: Val M. Higgins, 1000 First National Bank Building, Minneapolis, Minn., 55402. Authority sought to operate as a *common carrier* by motor vehicle, over irregular routes, transporting: *Uncrated furniture and furniture parts*, between Audubon, Iowa, and points in Kansas, Nebraska, Missouri, Minnesota, North Dakota, and South Dakota. NOTE: The purpose of this republication is to clarify the commodity description. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 38383 (Sub-No. 20), filed May 18, 1966. Applicant: THE GLENN CARTAGE COMPANY, a corporation, 1115 South State Street, Girard, Ohio. Applicant's representative: Henry M. Reinert (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, iron and steel articles, and steel mill supplies, materials, and equipment* used in the manufacture of iron and steel, and iron and steel articles, between points in Putnam County, Ill., on the one hand, and, on the other, points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Pennsylvania, Minnesota, Mississippi, Missouri, Nebraska, New York, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, Wisconsin, and West Virginia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa.

No. MC 41849 (Sub-No. 27), filed May 19, 1966. Applicant: KEIGHTLEY BROS., INC., 1601 South 39th Street, St. Louis, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer and fertilizer ingredients*, in bulk, in dump vehicles, from points in the St. Louis, Mo., East St. Louis, Ill., commercial zone and 5 miles thereof, and Chester, Cairo, and Shawneetown, Ill., to points in Illinois, restricted to shipments having a prior movement by water. NOTE: If a hear-

ing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 43421 (Sub-No. 34), filed May 19, 1966. Applicant: DOHRN TRANSFER COMPANY, a corporation, 512 26th Avenue, Rock Island, Ill., 61202. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill., 60603. 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, and commodities in bulk, in tank vehicles), between points in Putnam County, Ill., on the one hand, and, on the other, points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Ohio, Oklahoma, North Dakota, South Dakota, Tennessee, Texas, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 46280 (Sub-No. 62), filed May 19, 1966. Applicant: DARLING FREIGHT, INC., 4000 Division Avenue South, Grand Rapids, Mich. Applicant's representative: Rex Eames, 1800 Buhl Building, Detroit, Mich., 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, and except dangerous explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, and those requiring special equipment), between the plantsite of Hussmann Refrigerator Co. located at Taussig Road and St. Charles Rock Road, St. Louis County, Mo., on the one hand, and, on the other, Traverse City, Mich., and points in that part of Michigan on and south of a line beginning at Ludington, Mich., and extending along U.S. Highway 10 to junction Michigan Highway 20, thence along Michigan Highway 20 to Bay City, Mich., and on and west of a line beginning at Bay City and extending along U.S. Highway 23 to Flint, Mich., thence along Michigan Highway 78 to Lansing, Mich., thence along U.S. Highway 127 to the Michigan-Ohio State line, and points in that part of Michigan north of a line extending from Frankfort, Mich., over Michigan Highway 115 to junction U.S. Highway 31, thence over U.S. Highway 31 to Traverse City and points north of U.S. Highway 31 on the peninsula extending into Grand Traverse Bay on which Old Mission, Mich., is located. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 49387 (Sub-No. 30), filed May 18, 1966. Applicant: ORSCHELN BROS. TRUCK LINES, INC., Highway 24 East, Moberly, Mo. Applicant's representative: G. F. Gunn, Jr., Suite 1230, Boatmen's Bank Building, St. Louis, Mo., 63102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Drugs, medicines, toilet preparations, surgical dressings, swabs, absorbent cotton, and*



advertising matter, and store display racks or stands when moving at the same time and in the same vehicle with the above described commodities, from Jefferson City, Mo., to Monticello, Ind., Perth Amboy, N.J., and Clinton, Conn. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 50069 (Sub-No. 360), filed June 3, 1966. Applicant: REFINERS TRANSPORT & TERMINAL CORPORATION, 930 North York Road, Hinsdale, Ill., 60521. Applicant's representative: Robert H. Levy, 29 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from the plantsite of the Glidden Co. at or near Huron, Ohio, to points in Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Missouri, Nebraska, New York, Pennsylvania, Tennessee, Texas, West Virginia, and Wisconsin. NOTE: Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 52460 (Sub-No. 83), filed June 6, 1966. Applicant: HUGH BREEDING, INC., 1420 West 35th Street, Post Office Box 9515, Tulsa, Okla., 74107. Applicant's representative: James W. Wrape, 2111 Sterick Building, Memphis, Tenn., 38103. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, in tank vehicles, from Sugar Creek, Mo., to points in Nebraska, Iowa, Kansas, Missouri, Oklahoma, and Arkansas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., Tulsa, Okla., or Oklahoma City, Okla.

No. MC 55896 (Sub-No. 27), filed May 19, 1966. Applicant: R. W. EXPRESS, INC., 4840 Wyoming Avenue, Dearborn, Mich. Applicant's representative: Rex Eames, 1800 Buhl Building, Detroit, Mich., 48226. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between points in Putnam County, Ill., on the one hand, and, on the other, points in Arkansas, Illinois, Indiana, Iowa, Kansas, Michigan, Missouri, Minnesota, Nebraska, North Dakota, South Dakota, Ohio, Oklahoma, Tennessee, Texas, Kentucky, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 58813 (Sub-No. 79), filed May 19, 1966. Applicant: SELMAN'S EXPRESS, INC., 460 West 35th Street, New York, N.Y. Applicant's representative: Solomon Granett, 1740 Broadway, New York, N.Y., 10019. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Wearing apparel*, on hangers only, from Halls, Tenn., to points in the New

York, N.Y., commercial zone and Philadelphia, Pa. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 59120 (Sub-No. 25), filed May 19, 1966. Applicant: EAZOR EXPRESS, INCORPORATED, Eazor Square, Pittsburgh, Pa., 15201. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Iron and steel, and iron and steel articles*, from Burns Harbor and Portage, Ind., Chicago, Chicago Heights, Joliet, and Waukegan, Ill., to points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Missouri, Nebraska, Ohio, Oklahoma, Pennsylvania, North Dakota, South Dakota, Tennessee, Texas, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa.

No. MC 59367 (Sub-No. 46), filed June 8, 1966. Applicant: DECKER TRUCK LINE, INC., Post Office Box 915, Fort Dodge, Iowa, 50501. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines, Iowa, 50316. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Iron and steel, iron and steel products, and steel mill equipment, materials, and supplies*, between points in Putnam County, Ill., on the one hand, and, on the other, points in Colorado, Iowa, Kansas, Minnesota, Nebraska, North Dakota, South Dakota, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 59728 (Sub-No. 16), filed May 19, 1966. Applicant: MORRISON MOTOR FREIGHT, INC., 1100 East Jenkins Boulevard, Akron, Ohio. Applicant's representative: B. W. LaTourrette, Jr., Suite 1230, Boatmen's Bank Building, St. Louis, Mo., 63102. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading), serving the plantsite of Hussmann Refrigerator Co. located at St. Charles Rock Road and Taussig Road, Bridgeton, St. Louis County, Mo., as an off-route point in connection with applicant's presently authorized regular route authority. NOTE: Applicant states that Hussmann Refrigerator Co. is in the process of relocating its plant and facilities from within the city of St. Louis, Mo., to the above plantsite and has requested carriers presently serving it in St. Louis, Mo., to request authority as above so as to be able to continue service at its new facility. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 61231 (Sub-No. 21), filed June 8, 1966. Applicant: ALKIRE TRUCK LINES, INC., Livestock Ex-

change Building, 16th and Genesee, Kansas City, Mo., 64102. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines, Iowa, 50306. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, as described in appendix "I" to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, from points in Putnam County, Ill., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Oklahoma, South Dakota, Texas, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 61592 (Sub-No. 69) (Amendment), filed March 2, 1966, published in FEDERAL REGISTER, issue of March 31, 1966, amended May 23, 1966, and republished as amended, this issue. Applicant: JENKINS TRUCK LINE, INC., 3708 Elm Street, Bettendorf, Iowa. Applicant's representative: Donald W. Smith, Suite 511, Fidelity Building, Indianapolis, Ind., 46204. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Tractors* (not including tractors with vehicle beds, bed frames or fifth wheels), and *attachments and parts thereof* when moving incidental to and in the same vehicle with said tractors; and (2) *agricultural machinery and implements, and attachments and parts thereof* when moving incidental to and in the same vehicle with said tractors, from Houston, Tex.; New Orleans, La.; Portland, Ore.; Seattle, Wash.; and Anchorage, Alaska, to points in Oregon, Washington, Idaho, Utah, Wyoming, and Montana. NOTE: The purpose of this republication is to add additional origin territory. If a hearing is deemed necessary, applicant requests it be held at Portland, Ore.

No. MC 61592 (Sub-No. 74), filed May 18, 1966. Applicant: JENKINS TRUCK LINE, INC., 3708 Elm Street, Bettendorf, Iowa, 52722. Applicant's representative: Val M. Higgins, 1000 First National Bank Building, Minneapolis, Minn., 55402. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Tractors* (except truck tractors and those which because of size or weight require the use of special equipment), from Cleveland, Ohio, and ports of entry on the international boundary line between the United States and Canada, located in Maine, to points in Pennsylvania, New York, West Virginia, Maryland, Ohio, Delaware, and New Jersey, and the District of Columbia. NOTE: Applicant states that the shipper is to be afforded storage-in-transit privileges. If a hearing is deemed necessary, applicant requests that it be held at Pittsburgh, Pa.

No. MC 64114 (Sub-No. 32), filed May 17, 1966. Applicant: NORTHEASTERN TRUCKING CO., a corporation, 2508 Starita Road, Post Office Box 1493, Charlotte, N.C., 28201. Applicant's representative: Harry Ross, 848 Warner Building, Washington 4, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes,



transporting: *Animal, poultry, fish, food and feed ingredients, and supplements* thereto (except in bulk, in tank vehicles) from points in Lafourche Parrish, La., to points in Mississippi, Alabama, Georgia, Florida, North Carolina, South Carolina, Virginia, Tennessee, Kentucky, Ohio, Indiana, West Virginia, Maryland, Pennsylvania, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 64600 (Sub-No. 28) (Amendment), filed April 29, 1966, published in FEDERAL REGISTER issue of May 26, 1966, amended and republished, this issue. Applicant: WILSON TRUCKING CORPORATION, Broad Street, Box 340, Waynesboro, Va. Applicant's representative: Francis W. McInerney, 1000 16th Street NW., Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except in bulk), between Washington, D.C., and Cape Charles, Va., from Washington, D.C., over U.S. Highway 50 to Salisbury, Md., thence over U.S. Highway 13, to Cape Charles, Va., and return over the same route, serving the Washington, D.C., commercial zone and points on that portion of U.S. Highway 13 extending from the Maryland-Virginia State line to Cape Charles, Va. NOTE: The purpose of this republication is to more clearly set forth the proposed operation. Applicant states that no service may be rendered at points in Maryland other than those in the Washington, D.C., commercial zone. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Richmond, Va.

No. MC 64994 (Sub-No. 78) filed May 19, 1966. Applicant: HENNIS FREIGHT LINES, INC., Post Office Box 612, Winston-Salem, N.C., 27102. Applicant's representative: Frank C. Phillips (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prepared frozen foods* (other than in bulk), from Crozet, Va., to points in Ohio, Indiana, those in Michigan on and south of Michigan Highway 21, and points in the Chicago, Ill., commercial zone; and *commodities used or useful in the manufacture, packing and shipping of prepared frozen foods*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 65897 (Sub-No. 5), filed May 12, 1966. Applicant: RELIANCE TRUCKING CO., INC., 254 New Circle Road NE., Post Office Box 678, Lexington, Ky. Applicant's representative: George M. Catlett, Suite 703-706, McClure Building, Frankfort, Ky., 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), serving La Grange, Ky., and points within 5 miles thereof, as off-route points in connection

with applicant's regular route authority at Louisville, Ky. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 67485 (Sub-No. 4), filed May 17, 1966. Applicant: TEXAS FILM SERVICE, INC., 518 South Main Avenue, San Antonio, Tex. Applicant's representative: David A. Sutherland, 1120 Connecticut Avenue NW., Washington, D.C., 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except classes A and B explosives, household goods as defined by the Commission, and commodities in bulk), having a prior or subsequent movement by air, between airports located in Dallas, Tarrant, Bexar, and Harris Counties, Tex., and points in Texas over the routes described as follows: (1) From Dallas, Tex., over U.S. Highway 77 (and/or Interstate Highway 35E) to Waco, Tex., and thence over U.S. Highway 81 (and/or Interstate Highway 35) to San Antonio, Tex., and return over the same route, (2) from Temple, Tex., over Texas Highway 95, to Taylor, Tex., and thence over U.S. Highway 79, to junction U.S. Highway 79 and U.S. Highway 81, and return over the same route, (3) from Austin, Tex., over U.S. Highway 183, to Gonzales, Tex., and return over the same route, (4) from Luling, Tex., over Texas Highway 80, to San Marcos, Tex., and return over the same route, (5) from San Antonio, Tex., over U.S. Highway 90 (and/or Interstate Highway 10), to Houston, Tex., and return over the same route, (6) from San Antonio, Tex., over U.S. Highway 87, to Nixon, Tex., thence over Texas Highway 80 to junction Texas Highways 80 and 97, and thence over Texas Highway 97 to Gonzales, Tex., and return over the same route, and (7) from Seguin, Tex., over Texas Highway 123, to Stockdale, Tex., and return over the same route, serving all intermediate points and points in the following counties as off-route points: Dallas, Tarrant, Ellis, Hill, McLennan, Falls, Bell, Williamson, Travis, Hays, Caldwell, Guadalupe, Bexar, Wilson, Gonzales, Lavaca, Fayette, Colorado, Austin, Waller, and Harris Counties, Tex. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at San Antonio, Tex.

No. MC 69224 (Sub-No. 37), filed May 17, 1966. Applicant: H & W MOTOR EXPRESS COMPANY, a corporation, 3000 Elm Street, Dubuque, Iowa, 52003. Applicant's representative: David Axelrod, 39 South LaSalle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), serving Carol Stream, Ill., as an off-route point in connection with applicant's authorized regular-route operations. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 69833 (Sub-No. 84), filed May 19, 1966. Applicant: ASSOCIATED TRUCK LINES, INC., 15 Andre Street SE., Grand Rapids, Mich. Applicant's representative: Rex Eames, 1800 Buhl Building, Detroit, Mich., 48226. 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 (not including scrap metals in bulk), and commodities requiring special equipment), between points in Putnam County, Ill., on the one hand, and, on the other, points in Indiana, Michigan, Ohio, Illinois, Kentucky, Pennsylvania, Missouri, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 71516 (Sub-No. 82), filed May 19, 1966. Applicant: ALABAMA HIGHWAY EXPRESS, INC., 3300 Fifth Avenue South, Birmingham, Ala. Applicant's representative: Robert E. Tate, Suite 2025-2028, City Federal Building, Birmingham, Ala., 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, iron and steel articles, and iron and steelmill products, equipment, materials, and supplies, including those used in the manufacture of iron and steel articles and used in the maintenance of steel plants*, between points in Putnam County, Ill., and Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, and Tennessee. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 76032 (Sub-No. 208), filed June 13, 1966. Applicant: NAVAJO FREIGHT LINES, INC., 1205 South Platte River Drive, Denver, Colo., 80223. Applicant's representative: Ken Wolford (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, and iron and steel articles*, as described in appendix V to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, between points in Putnam County, Ill., on the one hand, and, on the other, points in North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, Minnesota, Iowa, Missouri, Arkansas, Wisconsin, Illinois, Michigan, Indiana, Ohio, Kentucky, Tennessee, Mississippi, Louisiana, Alabama, Georgia, Florida, Colorado, New Mexico, Arizona, Nevada, Utah, and California. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 78228 (Sub-No. 12) (Correction), filed May 19, 1966, published in FEDERAL REGISTER issues of May 5, 1966, and May 19, 1966, respectively, and republished as corrected, this issue. Applicant: THE J. MILLER COMPANY, a corporation, 147 Nichol Avenue, McKees Rocks, Pa. Applicant's representative: Henry M. Wick, Jr., 1515 Park Building, Pittsburgh, Pa., 15222. Authority sought to operate as a *common carrier*, by motor



vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives and household goods as defined by the Commission), between points in Putnam County, Ill., on the one hand, and, on the other, points in Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Dakota, Tennessee, Texas, Utah, Washington, Wisconsin, and Wyoming. **NOTE:** The purpose of this republication is to include the State of Pennsylvania. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 78400 (Sub-No. 25), filed May 16, 1966. Applicant: BEAUFORT TRANSFER COMPANY, a corporation, Post Office Box 102, Gerald, Mo., 63037. Applicant's representative: Joseph R. Nacy, 117 West High Street, Jefferson City, Mo., 65101. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, household goods as defined by the Commission, classes A and B explosives, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading) between Belle, Mo., and Lamar, Mo.: From Belle over Missouri Highway 28 to junction U.S. Highway 63, thence over U.S. Highway 63 to junction U.S. Highway 66 (Interstate Route 44), thence over U.S. Highway 66 (Interstate Route 44) to junction U.S. Highway 71, thence over U.S. Highway 71 to junction U.S. Highway 160, thence over U.S. Highway 160 to Lamar and return over the same routes, serving no intermediate or off-route points. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 78786 (Sub-No. 264), filed May 19, 1966. Applicant: PACIFIC MOTOR TRUCKING COMPANY, a corporation, 9 Main Street, San Francisco, Calif., 94105. Applicant's representative: John Macdonald Smith (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except household goods as defined by the Commission, commodities in bulk, those injurious or contaminating to other lading and those requiring special equipment, between (1) Arcata and Santa Ana, Calif., over U.S. Highway 101, and (2) between Sacramento and Callexico, Calif., over U.S. Highway 99, and return over the same routes, serving all intermediate and off-route points in Alameda, Amador, Butte, Calaveras, Colusa, Contra Costa, El Dorado, Fresno, Glenn, Humboldt, Imperial, Inyo, Kern, Kings, Los Angeles, Madera, Marin, Mendocino, Merced, Monterey, Napa, Nevada, Orange, Placer, Riverside, Sacramento, San Benito, San Bernardino, San Francisco, San Joaquin, San Luis Obispo, San Mateo, Santa Barbara, Santa Clara, Santa Cruz, Solano, Sonoma, Stanislaus, Sutter, Tulare, Ventura, Yolo, and Yuba

Counties, Calif., in (1) and (2) above, which are stations on the rail lines of Southern Pacific Co. and its wholly owned subsidiaries: Northwestern Pacific Railroad Co., Petaluma & Santa Rosa Railroad Co., Visalia Electric Railroad Co., Holton Inter-Urban Railroad Co., and San Diego & Arizona Eastern Railway Co. **NOTE:** Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Los Angeles, San Francisco, Calif., or Portland, Oreg.

No. MC 80428 (Sub-No. 58), filed May 19, 1966. Applicant: McBRIDE TRANSPORTATION, INC., Main and Nelson Streets, Goshen, N.Y. Applicant's representative: Robert H. Kannan, 900 Midtown Tower, Rochester, N.Y., 14604. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, urea, dry, from Olean, N.Y., to points in Connecticut, Delaware, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the ports of entry on the international boundary line between the United States and Canada, located in New York, and *refused, rejected and returned commodities*, on return. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 82841 (Sub-No. 18), filed May 30, 1966. Applicant: R. D. TRANSFER, INC., 801 Livestock Exchange Building, Omaha, Nebr. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) (a) *Pipe, tubing, and electric light poles*, and (b) *materials, equipment, and supplies used in installation and maintenance of electric light poles when moving with such light poles*, from points in Douglas County, Nebr. (except Omaha, Nebr., and points in its commercial zone) to points in the United States on and east of a line beginning at the mouth of the Mississippi River, and extending along the Mississippi River to its junction with the western boundary of Itasca County, Minn., thence northward along the western boundaries of Itasca and Koochiching Counties, Minn., to the international boundary line between the United States and Canada, and (2) *irrigation systems and parts thereof*, from points in Douglas County, Nebr. (except Omaha, Nebr., and points in its commercial zone), to points in Kentucky, Tennessee, and Florida, restricted against handling of commodities which by reason of size or weight require the use of special equipment or those which fall within the so-called Mercer description. **NOTE:** Applicant states the proposed operation could be tacked at Valley or Waterloo, Nebr., so as to transport agricultural machinery and parts, and contractors equipment and supplies, from Colorado and Kansas. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., Kansas City, Mo., Minneapolis, Minn., or Denver, Colo.

No. MC 87511 (Sub-No. 11), filed May 16, 1966. Applicant: SAIA MOTOR FREIGHT LINE, INC., Post Office Box 10157, Station One, Houma, La. Applicant's representative: Harold D. Miller, Jr., Suite 700, Petroleum Building, Post Office Box 1250, Jackson, Miss. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment), (1) between Houston, Tex., and Lafayette, La., over U.S. Highway 90, (2) between Houston, Tex., and New Orleans, La., over Interstate Highway 10, (3) between Ragley and Baton Rouge, La., over U.S. Highway 190, (4) between junction U.S. Highways 190 and 71 near Krotz Springs, and Shreveport, La., over U.S. Highway 71, (5) between Iowa and Alexandria, La., over U.S. Highway 165, (6) between Lake Charles and Shreveport, La., over U.S. Highway 171, (7) between Lake Charles and New Iberia, La.; from Lake Charles over Louisiana Highway 14 to junction Louisiana Highway 83, thence over Louisiana Highway 83 to New Iberia, (8) between Midland, La., and junction Louisiana Highways 14 and 91 at or near Gueydan, La., over Louisiana Highway 91, (9) between Crowley, La., and junction Louisiana Highways 13 and 14 at or near Kaplan, La., over Louisiana Highway 13, (10) between Rayne, and Kaplan, La., over Louisiana Highway 35, (11) between Lafayette, La., and junction U.S. Highway 167 and Louisiana Highway 14 at or near Abbeville, La., over U.S. Highway 167.

(12) Between junction U.S. Highway 90 and Louisiana Highway 89 and junction Louisiana Highways 14 and 339; from junction U.S. Highway 90 and Louisiana Highway 89 over Louisiana Highway 89 to Youngsville, thence over Louisiana Highway 339 to junction Louisiana Highways 14 and 339 at or near Erath, (13) between junction U.S. Highway 90 and Louisiana Highway 315 near Houma, and Theriot, La., over Louisiana Highway 315, (14) between Houma, and Dulac, La., over Louisiana Highway 57, (15) between junction Louisiana Highways 24 and 56 and Chauvin, La., over Louisiana Highway 56, (16) between junction Louisiana Highways 24 and 55 at or near Bourg, La., and the southern terminus of Louisiana Highway 55, over Louisiana Highway 55 to its southern terminus, (17) between Centerville and Salt Point, La., over Louisiana Highway 317, (18) between Baldwin and Cypremort Point, La.; from Baldwin over Louisiana Highway 83 to Louisa, thence over Louisiana Highway 319 to Cypremort Point, (19) between junction U.S. Highway 90 and Louisiana Highway 318 and junction Louisiana Highways 83 and 318, over Louisiana Highway 318, (20) between junction Louisiana Highways 14 and 329 at or near New Iberia and Avery Island, La., over Louisiana Highway 329, (21) between Crowley and Turkey Creek, La., over Louisiana Highway 13, (22) between



Opelousas and Meeker, La., over U.S. Highway 167, (23) between junction U.S. Highway 190 and Louisiana Highway 371 and Mimou, La.; from junction U.S. Highway 190 and Louisiana Highway 371 at or near Basile over Louisiana Highway 371 to its joinder with Louisiana Highway 104, thence over Louisiana Highway 104 to Mimou, (24) between Crowley and Opelousas, La.; from Crowley over Louisiana Highway 35 to Church Point, thence over Louisiana Highway 182 to Opelousas, (25) between Lafayette and Opelousas, La., over U.S. Highway 167.

(26) Between New Iberia and Opelousas, La., over Louisiana Highway 31, (27) between Cade, La., and junction Louisiana Highways 31 and 92, over Louisiana Highway 92, (28) between junction U.S. Highway 90 and Louisiana Highway 94 near Lafayette and Breaux Bridge, La., over Louisiana Highway 94, (29) between junction U.S. Highway 167 and Louisiana Highway 93 near Grand Coteau and junction Louisiana Highways 93 and 31 near Arnaudville, La., over Louisiana Highway 93, (30) between Baton Rouge and New Orleans, La., over U.S. Highway 61, (31) between Baton Rouge and Slidell, La., over U.S. Highway 190, (32) between junction U.S. Highways 61 and 51 at or near Laplace, La., and the Mississippi-Louisiana State line, over U.S. Highway 51, (33) between junction U.S. Highway 61 and Interstate Highway 55 at or near Laplace, La., and the Mississippi-Louisiana State line, over Interstate Highway 55, (34) between Denham Springs and Amite, La., over Louisiana Highway 16, (35) between Ponchatoula, La., and junction U.S. Highway 190 and Louisiana Highway 22 at or near Chincha, La., over Louisiana Highway 22, (36) between New Orleans, La., and junction Pontchartrain Causeway and U.S. Highway 190, over Pontchartrain Causeway, (37) between New Orleans and Venice, La., over Louisiana Highway 23, (38) between New Orleans and Bohemia, La., over Louisiana Highway 39, (39) between Donaldsonville and New Orleans, La., over Louisiana Highway 18 (commonly known as the Old River Road), (40) between Baton Rouge and New Orleans, La.; from Baton Rouge over Louisiana Highway 30 to Louisiana Highway 44 at or near Burnside, thence over Louisiana Highway 44 to its joinder or merger with Louisiana Highway 48, thence over Louisiana Highway 48 to New Orleans.

(41) between Port Allen and Grand Isle, La.; from Port Allen over Louisiana Highway 1 to White Castle, thence over Louisiana Highway 996 to junction Louisiana Highway 70, thence over Louisiana Highway 70 to junction Louisiana Highway 1 at or near Paincourtville, thence over Louisiana Highway 1 to Grand Isle, (42) between Paincourtville and Golden Meadow, La.; from Paincourtville over Louisiana Highway 70 to junction Louisiana Highway 308, thence over Louisiana Highway 308 to Golden Meadow, (43) between Schriever, La., and junction Louisiana Highways 24 and 1 at or near Cut Off, La., over Louisiana Highway 24, (44) between Donner and Thibodaux, La., over Louisiana Highway 20, (45) between

Geismar, La., and junction U.S. Highway 61 and Louisiana Highway 73 at or near Prairieville, La., over Louisiana Highway 73, (46) between Thibodaux and Vacherie, La., over Louisiana Highway 20, (47) between junction Louisiana Highways 24 and 311 at or near Schriever, La., and junction Louisiana Highway 311 and U.S. Highway 90, over Louisiana Highway 311, (48) between Central, La., and junction Louisiana Highways 309 and 1 at or near Brule, La., over Louisiana Highway 309, (49) between New Iberia and Loreauville, La., over Louisiana Highway 86, (50) between Kaplan and Forked Island, La., over Louisiana Highway 35, (51) between Abbeville, and Intracoastal City, La.; from Abbeville over Louisiana Highway 82 to Esther, thence over Louisiana Highway 333 to Intracoastal City.

(52) Between Ville Platte and Tate Cove, La., over Louisiana Highway 29, (53) between Oakdale and Elizabeth, La., over Louisiana Highway 10, (54) between Jefferson Island, La., and junction Louisiana Highway 14 and unnumbered road running between Jefferson Island and Louisiana Highway 14; over unnumbered road, (55) between junction Louisiana Highways 55 and 665 at or near Montegut and the terminus of Louisiana Highway 665, over Louisiana Highway 665, (56) between New Iberia and Weeks Island, La., over Louisiana Highway 83, and return over the same routes, serving all intermediate points in (1) through (56) above, (57) between Beaumont, Tex., and Ragley, La.; from Beaumont over Texas Highway 12 to the Texas-Louisiana State line, thence over Louisiana Highway 12 to Ragley, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only, (58) between Beaumont, Tex., and De Ridder, La.; from Beaumont over Texas Highway 12 to the Texas-Louisiana State line, thence over Louisiana Highway 12 to De Quincy, thence over Louisiana Highway 27 to De Ridder, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only, (59) between junction U.S. Highway 190 and Louisiana Highway 1 at or near Erwinville, and Alexandria, La., over Louisiana Highway 1, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only, and (60) between Alexandria and Shreveport, La., over Louisiana Highway 1, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only. NOTE: Applicant states it seeks authority to join or connect all routes at their point of joinder or junction. Serve points within 20 miles of Baton Rouge and New Orleans, La., and Houston, Beaumont, and Orange, Tex., 10 miles of Lake Charles, Lafayette, Shreveport, Alexandria, New Iberia, Houma, and Morgan City, La. Serve the plantsite of Columbia Carbon Co. at or near Carboco, La., the plantsite of Calcasieu Paper Co. at or near Elizabeth, La., as off-route points in connection with the operations proposed

above. Restriction: Service to and from points in Texas is limited to traffic moving to, from, or through points in Louisiana. If a hearing is deemed necessary, applicant requests it be held at Lafayette, Baton Rouge, and New Orleans, La., and Houston, Tex.

No. MC 89716 (Sub-No. 39), filed May 19, 1966. Applicant: DICK JONES TRUCKING, a corporation, Post Office Box 965, Powell, Wyo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clay, diatomaceous earth, drilling mud conditioners*, in bulk and in packages, from Belle Fourche, S. Dak., and points in South Dakota and Wyoming within 20 miles thereof, to points in Wyoming, and *empty containers, contaminated or rejected shipments*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Billings, Mont., or Denver, Colo.

No. MC 92983 (Sub-No. 527), filed May 19, 1966. Applicant: ELDON MILLER, INC., Post Office Drawer 617, Kansas City, Mo., 64141. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Feed and feed ingredients*, in bulk, from points in Arizona, to points in Iowa, Kansas, Missouri, and Nebraska. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 92983 (Sub-No. 528), filed May 19, 1966. Applicant: ELDON MILLER, INC., Post Office Drawer 617, Kansas City, Mo., 64141. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cider, juices, vinegar, and wines*, in bulk, from points in California, to points in Arkansas, Kansas, Missouri, Nebraska, and Oklahoma. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 92983 (Sub-No. 529), filed May 17, 1966. Applicant: ELDON MILLER, INC., Post Office Drawer 617, Kansas City, Mo., 64141. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sugars and syrups, including blends and products thereof*, in bulk, from points in Colorado and Wyoming, to points in Kansas, Missouri, and Nebraska. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 95084 (Sub-No. 51), filed May 17, 1966. Applicant: HOVE TRUCK LINE, a corporation, Stanhope, Iowa. Applicant's representative: Kenneth F. Dudley, 901 South Madison Avenue, Post Office Box 279, Ottumwa, Iowa, 52501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, between points in Iowa, Kansas, Montana, Nebraska, and Oklahoma. NOTE: If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 97726 (Sub-No. 5), filed May 19, 1966. Applicant: AAA MOTOR LINES, INC., Post Office Box 1328, Dothan, Ala. Applicant's representative: William Addams, Room 620, 1776 Peach-



tree Street NW., Atlanta, Ga., 30309. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, commodities in bulk, and commodities requiring special equipment), between Montgomery, Ala., and Eufaula, Ala., from Montgomery over U.S. Highway 231 to its intersection with U.S. Highway 82 (approximately 19 miles south of Montgomery), thence over U.S. Highway 82 to its intersection with U.S. Highway 431 (approximately 2 miles north of Eufaula), thence over U.S. Highway 431 to Eufaula, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only. NOTE: If a hearing is deemed necessary, applicant requests it be held at Montgomery, Ala.

No. MC 103341 (Sub-No. 8), filed May 13, 1966. Applicant: YOUNGBLOOD VAN & STORAGE CO., INC., 3908 Hamilton Road, Columbus, Ga. Applicant's representative: Alan F. Wohlstetter, 1 Farragut Square South, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Dade, Catoosa, Whitfield, Murray, Fannin, Union, Towns, Rabun, Walker, Chattooga, Gordon, Gilmer, Lumpkin, White, Habersham, Pickens, Dawson, Stephens, Floyd, Bartow, Cherokee, Forsyth, Hall, Banks, Franklin, Hart, Polk, Paulding, Cobb, Fulton, Gwinnett, Barrow, Jackson, Madison, Elbert, Haralson, Carroll, Douglas, De Kalb, Walton, Oconee, Clarke, Oglethorpe, Heard, Coweta, Fayette, Henry, Rockdale, Newton, Morgan, Greene, Troup, Meriwether, Harris, Talbot, Taylor, Chattahoochee, Marion, Stewart, Webster, Schley, Macon, Muscogee, Treutlen, Candler, Bulloch, Effingham, Chatham, Bryan, Evans, Liberty, Long, McIntosh, Tattnall, Toombs, Montgomery, Wheeler, Telfair, Jeff Davis, Appling, Wayne, Coffee, Bacon, Berrien, Atkinson, Ware, Pierce, Cook, Thomas, Brooks, Lowndes, Lanier, Clinch, Echols, Brantley, and Glynn Counties, Ga.; Lauderdale, Limestone, Madison, Jackson, Colbert, Lawrence, Morgan, Marshall, De Kalb, Franklin, Marion, Winston, Cullman, Blount, Etowah, Cherokee, Lamar, Fayette, Walker, Jefferson, Saint Clair, Calhoun, Cleburne, Pickens, Tuscaloosa, Shelby, Talladega, Bibb, Chilton, Coosa, Clay, Randolph, Tallapoosa, Chambers, Autauga, Elmore, Lee, Lowndes, Montgomery, Macon, Russell, Bullock, Butler, Crenshaw, Pike, and Barbour Counties, Ala.; Jasper and Beaufort Counties, S.C.; and Jefferson, Madison, Taylor, Hamilton, Suwannee, Lafayette, Columbia, Union, Baker, Nassau, and Duval Counties, Fla.; restricted to shipments having a prior or subsequent movement in containers beyond said counties, and further restricted to pickup and delivery service incidental to and in connection with packing, crating, and containerization, or unpacking, uncrating, and decontainerization of such shipments.

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

No. MC 103880 (Sub-No. 373), filed May 19, 1966. Applicant: PRODUCERS TRANSPORT, INC., 215 East Waterloo Road, Akron, Ohio, 44306. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry plastics*, in bulk, in tank or hopper vehicles, from Henry, Ill., to points in Delaware, Indiana, Kentucky, Maryland, Michigan, New Jersey, New York, Ohio, Pennsylvania, Virginia, West Virginia, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 103880 (Sub-No. 374), filed May 19, 1966. Applicant: PRODUCERS TRANSPORT, INC., 215 East Waterloo Road, Akron, Ohio, 44306. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry plastics and plastic materials*, in bulk, in tank or hopper type vehicles, from the plantsite of Rexall Drug & Chemical Co. located approximately 4 miles southeast of Chanahan, Ill., to points in Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Ohio, Pennsylvania, Tennessee, West Virginia, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 103993 (Sub-No. 256), filed May 19, 1966. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind. Applicant's representative: John E. Lesow, 3737 North Meridian, Indianapolis, Ind., 46208. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, in initial movements, in truck-away service, from points in Montgomery County, Ohio, to points in the United States (except Hawaii). NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 103993 (Sub-No. 257), filed May 19, 1966. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind. Applicant's representative: John E. Lesow, 3737 North Meridian Street, Indianapolis, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Buildings*, in sections, mounted on wheeled undercarriages with hitchball connector, in initial movements, from points in Delaware County, Pa., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, and West Virginia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 105407 (Sub-No. 14), filed May 19, 1966. Applicant: HANNIBAL-QUINCY TRUCK LINES, INC., 2816 Market Street, Hannibal, Mo. Applicant's representative: G. M. Rebman, Suite 1230, Boatmen's Bank Building, St. Louis, Mo., 63102. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, and except classes A and B explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk and those requiring special equipment), serving the plantsite of Hussmann Refrigerator Co. located at St. Charles Rock Road and Taussig Road, Bridgeton, St. Louis County, Mo., as an off-route point in connection with applicant's presently authorized regular-route authority. NOTE: Applicant states Hussmann Refrigerator Co. is in the process of relocating its plants and facilities from within the city of St. Louis, Mo., to the above plantsite and has requested carriers presently serving it in St. Louis, Mo., to request authority as above so as to be able to continue service at its new facility. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 106373 (Sub-No. 32), filed May 19, 1966. Applicant: THE SERVICE TRANSPORT CO., a corporation, 11910 Harvard Avenue, Cleveland, Ohio, 44105. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, iron and steel articles, steel-mill materials, supplies and equipment*, between points in Putnam County, Ill., on the one hand, and, on the other, points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Ohio, Oklahoma, North Dakota, South Dakota, Tennessee, Texas, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 106398 (Sub-No. 332), filed June 2, 1966. Applicant: NATIONAL TRAILER CONVOY, INC., 1925 National Plaza, Tulsa, Okla., 74115. Applicant's representative: O. L. Thee (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, in initial movements, in truckaway service, from White Marsh, Md., to points in the United States, except Alaska and Hawaii. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Baltimore, Md.

No. MC 106904 (Sub-No. 8), filed May 16, 1966. Applicant: JEFF A. ROBERTSON, doing business as TOPEKA MOTOR FREIGHT, 4490 Lower Silver Lake Road, Topeka, Kans. Authority sought to operate as a *common carrier*, by motor vehicle, over regu-



lar routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), (1) from Clay Center, Kans., to Longford, Kans., from Clay Center over Kansas Highway 15 to junction unnumbered highway and thence over unnumbered highway to Longford, and return over the same route, and (2) from Junction City, Kans., to Longford, Kans., from Junction City over Kansas Highway 18 to junction Kansas Highway 15, thence over Kansas Highway 15 to junction unnumbered highway and thence over unnumbered highway to Longford, and return over the same route, serving intermediate and off-route points within 20 miles of Longford, Kans., except Abilene, Kans., and those on and south of Kansas Highway 18, in connection with 1 and 2 above. NOTE: If a hearing is deemed necessary, applicant requests it be held at Topeka, Kans.

No. MC 107002 (Sub-No. 310), filed May 16, 1966. Applicant: HEARIN-MILLER TRANSPORTERS, INC., Post Office Box 1123, Highway 80 West, Jackson, Miss., 39205. Applicant's representative: E. Stephen Heisley, Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Animal fats, animal oils, and vegetable oils, including products and blends of such commodities*, in bulk, in tank vehicles, from Chicago, Ill., to points in Alabama, Arkansas, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Missouri, Mississippi, Nebraska, North Carolina, New Jersey, New York, Ohio, Oklahoma, Pennsylvania, South Carolina, Texas, Tennessee, Virginia, West Virginia, Wisconsin, and the District of Columbia, and (2) *vegetable oils*, in bulk, in tank vehicles, from points in Illinois, Iowa, Missouri, Tennessee, and Wisconsin, to Chicago, Ill. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 107002 (Sub-No. 311), filed May 16, 1966. Applicant: HEARIN-MILLER TRANSPORTERS, INC., Post Office Box 1123, Highway 80 West, Jackson, Miss., 39205. Applicant's representative: E. Stephen Heisley, Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Chemicals, petroleum products, vegetable and animal oils, fats, products, and blends thereof*, in bulk, from points in Louisiana and Texas, to points in California, Oregon, and Washington, (2) *chemicals, petroleum products, vegetable and animal oils, fats, products and blends thereof, wines, juices and juice concentrates, vinegar and vinegar stock, fruits and vegetables in brine or water*, in bulk, from points in California, Oregon, and Washington, to points in Alabama, Arkansas, Florida, Georgia, Illinois, Kan-

sas, Louisiana, Mississippi, Missouri, Oklahoma, South Carolina, Texas, and West Virginia, and (3) *chemicals*, in bulk, from points in West Virginia, to points in California, Colorado, Kansas, Missouri, Nebraska, Oklahoma, Oregon, and Washington. NOTE: If a hearing is deemed necessary applicant requests it be held at Houston, Tex., and San Francisco, Calif.

No. MC 107107 (Sub-No. 368), filed June 2, 1966. Applicant: ALTERMAN TRANSPORT LINES, INC., 2424 Northwest 46th Street, Post Office Box 458, Allapattah Station, Miami, Fla., 33142. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts*, as set forth in appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Lemont, Ill., to points in Alabama, Florida, Georgia, North Carolina, and South Carolina. NOTE: Applicant states that the authority sought is to be restricted to shipments originating at Lemont, Ill., and its commercial zone. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 107496 (Sub-No. 483), filed May 19, 1966. Applicant: RUAN TRANSPORT CORPORATION, Keosauqua Way at Third, Des Moines, Iowa, 50309. Applicant's representative: H. L. Fabritz (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime, limestone, and limestone products*, in bulk, from points in St. Francois County, Mo., to points in Alabama, Arkansas, Illinois, Indiana, Iowa, Mississippi, Ohio, Oklahoma, Pennsylvania, and Texas. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 107496 (Sub-No. 485), filed May 19, 1966. Applicant: RUAN TRANSPORT CORPORATION, Keosauqua Way at Third, Des Moines, Iowa, 50309. Applicant's representative: H. L. Fabritz (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Synthetic plastics and resins*, in bulk, in tank vehicles or hopper type vehicles, from the plantsite of Rexall Drug & Chemical Co. located approximately 4 miles southeast of Channahon, Ill., to points in Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Ohio, Pennsylvania, Tennessee, West Virginia, and Wisconsin. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 108067 (Sub-No. 12), filed May 19, 1966. Applicant: AL ZEFFIRO TRANSFER AND STORAGE, INC., Eighth Street and Meldon Avenue, Donora, Pa. Applicant's representative: Richard J. Smith, 1515 Park Building, Pittsburgh, Pa., 15222. 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 explo-

sives and household goods as defined by the Commission), between points in Putnam County, Ill., on the one hand, and, on the other, points in Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Dakota, Tennessee, Texas, Utah, Washington, Wisconsin, and Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 108068 (Sub-No. 56), filed June 9, 1966. Applicant: U.S.A.C. TRANSPORT, INC., 25220 West Six Mile Road, Detroit, Mich., 48240. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Radio-controlled aircraft*, fully or partially assembled, and *parts and equipment for aircraft* described above when moving with a shipment of aircraft described above, between El Paso, Tex., on the one hand, and, on the other, Travis Air Force Base and Oakland Army Terminal, Calif. NOTE: If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif., or Washington, D.C.

No. MC 108207 (Sub-No. 195), filed May 25, 1966. Applicant: FROZEN FOOD EXPRESS, 318 Cadiz Street, Dallas, Tex., 75207. Applicant's representative: Leroy Hallman, 4555 First National Bank Building, Dallas, Tex., 75202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from the plantsite of American Home Foods at or near La Porte, Ind., to points in Arkansas, Mississippi, Louisiana, Oklahoma, Texas, and Memphis, Tenn. NOTE: If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 108428 (Sub-No. 20), filed May 19, 1966. Applicant: DINO D'AGATA, 3240 South 61st Street, Philadelphia, Pa. Applicant's representative: G. Donald Bullock, Box 103, Wyncote, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, from Philadelphia, Pa., to Lancaster, Pa. NOTE: Applicant states it intends to tack the rights sought with that part of its present authority in MC 108428 which authorizes the transportation of malt beverages from New York, N.Y., to Philadelphia, Pa. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 109397 (Sub-No. 142), filed May 25, 1966. Applicant: TRI-STATE MOTOR TRANSIT CO., a corporation, Post Office Box 113, Joplin, Mo., 64802. Applicant's representative: Max G. Morgan, 450 American National Building, Oklahoma City, Okla., 73102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Classes A, B, and C explosives, blasting materials, blasting supplies, and blasting agents*, between Frederickson, Wash., and points within 5 miles thereof, on the one hand, and, on



the other, points in Washington, Oregon, Idaho, Nevada, California, Utah, Colorado, Montana, Wyoming, Arizona, and New Mexico. NOTE: Applicant states that under its base certificate it holds authority to transport the involved commodities between points in Missouri, Oklahoma, Kansas, Texas, Nebraska, Arkansas, and New Mexico. Thus, the base certificate could be tacked with the instant authority in New Mexico and through service rendered between points in Frederickson, Wash., and points within 5 miles thereof, on the one hand, and, on the other, points in Missouri, Oklahoma, Kansas, Texas, Nebraska, and Arkansas. Additionally, applicant holds authority under its Sub 71 to transport the involved commodities between Louviers, Colo., and points within 5 miles thereof, on the one hand, and, on the other, points in Texas, New Mexico, Arizona, Wyoming, Montana, Oklahoma, Nebraska, South Dakota, California, Utah, Idaho, Nevada, Kansas, and Du Pont, Wash. Thus, by tacking at Louviers, Colo., applicant could render through service between Frederickson, Wash., and points within 5 miles thereof, on the one hand, and, on the other, points in Missouri, Oklahoma, Kansas, Texas, Nebraska, Arkansas, and South Dakota. NOTE: If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash., or St. Louis, Mo.

No. MC 110053 (Sub-No. 6), filed May 19, 1966. Applicant: ILLINOIS STATE MOTOR SERVICE, INC., 1800 West 31st Street, Chicago, Ill. Applicant's representative: Eugene L. Cohn, 1 North La Salle Street, Chicago, Ill., 60602. 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 and commodities in bulk), including *commodities requiring special equipment*, between points in Putnam County, Ill., on the one hand, and, on the other, points in Illinois and Indiana. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 111397 (Sub-No. 75), filed May 16, 1966. Applicant: DAVIS TRANSPORT, INC., 1345 South Fourth Street, Paducah, Ky. Applicant's representative: Herbert S. Melton, Jr., Suite 234, Katterjohn Building, Box 1284, Avondale Station, Paducah, Ky., 42001. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Lime, limestone, and limestone products*, in bulk, from the plantsite of Missouri Lime Co. at or near St. Genevieve, Mo., to points in Kentucky. NOTE: If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 111611 (Sub-No. 19), filed May 18, 1966. Applicant: NOERER MOTOR FREIGHT, INC., 205 Washington Avenue, Lewistown, Pa. Applicant's representative: John E. Fullerton, 407 North Front Street, Harrisburg, Pa., 17101. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Rayon,*

*rayon yarn, rayon fiber, rayon yarn products, rayon waste, synthetic yarn, synthetic fiber, synthetic staple fiber, synthetic fiber products*, from Lewistown, Pa., to points in Georgia, and *empty containers* on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 111729 (Sub-No. 151), filed May 16, 1966. 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. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Advertising media, including layouts, copy, art work, tear sheets and photos, and accompanying documents*, between points in New Haven County, Conn., on the one hand, and, on the other, New York, N.Y., (2) *bottled oil samples and hardware*, limited to movements not exceeding 50 pounds per shipment, (a) between Philadelphia, Pa., and Baltimore, Md., and (b) between Perth Amboy, N.J., on the one hand, and, on the other, Marcy, Rensselaer, Rochester, Rome, Syracuse, and Utica, N.Y., and (3) *business papers, records, checks, and audit and accounting media* (except cash letters), (a) between Philadelphia, Pa., and Baltimore, Md., (b) between Perth Amboy, N.J., on the one hand, and, on the other, Marcy, Rensselaer, Rochester, Rome, Syracuse, and Utica, N.Y., (c) between points in Hartford County, Conn., on the one hand, and, on the other, New York, N.Y., and points in Essex County, N.J., and Berkshire, Franklin, Hampshire, Hampton, and Norfolk Counties, Mass., and (d) between points in New Haven County, Conn., on the one hand, and, on the other, points in Berkshire, Franklin, Hampshire, and Hampton Counties, Mass. NOTE: Applicant holds contract carrier authority in MC 112750 and subs, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at New York City, N.Y.

No. MC 111729 (Sub-No. 152), filed May 18, 1966. Applicant: ARMORED CARRIER CORPORATION, 222-17 Northern Boulevard, Bayside, N.Y. Applicant's representative: Russell S. Bernhard, 1625 K Street NW., Washington, D.C., 20006. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Drugs, narcotics, and pharmaceuticals*, between Cleveland, Ohio, on the one hand, and, on the other, points in the Lower Peninsula of Michigan (except points in Wayne County), and (2) *business papers, records, checks, recordal film, and audit and accounting media of all kinds* (except cash letters), (a) between Belpre, Ohio, on the one hand, and, on the other points in Cabell, Harrison, Marie, Mason, Pleasants, Tyler, Wayne, and Wood Counties, W. Va., (b) between Erie, Pa., on the one hand, and, on the other, points in Ashtabula County, Ohio, and Chautauqua County, N.Y., (c) between Dayton, Ohio, on the one hand, and, on the other, Lexington and Louisville, Ky., (d) between Louis-

ville, Ky., and Indianapolis, Ind., and (e) between Cleveland, Ohio, and Buffalo, N.Y. NOTE: Applicant is authorized to operate as a contract carrier in MC 112750, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Cleveland, Ohio.

No. MC 111729 (Sub-No. 154), filed May 18, 1966. Applicant: ARMORED CARRIER CORPORATION, 222-17 Northern Boulevard, Bayside, N.Y. Applicant's representative: Russell S. Bernhard, 1625 K Street NW., Washington, D.C., 20006. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Exposed and processed film and prints, complimentary replacement film, incidental dealer handling supplies* (consisting of labels, envelopes and packaging materials), and *advertising literature shipped therewith* (except motion picture film used primarily for commercial theatre and television exhibition), between Alexandria, Va., on the one hand, and, on the other, points in Frederick and Wicomico Counties, Md., (2) *checks, business papers, records and audit and accounting media of all kinds* (except cash letters), between Philadelphia, Pa., on the one hand, and, on the other, points in New Castle County, Del., and points in Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, Mercer, and Warren Counties, N.J., and (3) *dentures, articulators, impressions, models, bites, and products relating to restorative dentistry*, between Philadelphia, Pa., on the one hand, and, on the other, New York, N.Y., and points in Nassau and Suffolk Counties, N.Y. NOTE: Applicant is authorized to operate as a contract carrier in MC 112750, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 111941 (Sub-No. 9), filed May 19, 1966. Applicant: PIERCETON TRUCKING COMPANY, INC., Laketon, Ind. Applicant's representative: Donald W. Smith, Suite 511, Fidelity Building, Indianapolis, Ind., 46204. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Precast and prestressed concrete and materials and supplies used in the erection thereof*, from Indianapolis, Ind., to points in Illinois, Iowa, Ohio, Michigan, Kentucky, West Virginia, Missouri, and Tennessee. NOTE: If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 112697 (Sub-No. 13), filed May 18, 1966. Applicant: SAMUEL A. BRASFIELD, doing business as B & S ENTERPRISES, 1727 Osborn Drive, Memphis, Tenn., 38127. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer ingredients*, in bags and dry bulk, seasonal between March 1 and June 15 inclusive, (1) from Memphis, Tenn., to points in Arkansas, Mississippi, and Alabama, and Tennessee west of Tennessee Highway 13, (2) from



points in Alabama to points in Arkansas, Mississippi, and Tennessee west of Tennessee Highway 13, and (3) from points in Arkansas to points in Mississippi, Alabama, and Tennessee west of Tennessee Highway 13. NOTE: If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn.

No. MC 112801 (Sub-No. 50), filed May 18, 1966. Applicant: TRANSPORT SERVICE CO., a corporation, 5100 West 41st Street, Chicago, Ill. Applicant's representative: Robert H. Levy, 29 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer ingredients, acids, and chemicals*, in bulk and in bags, from the plantsite of Terra Chemicals International, Inc., at Port Neal, Iowa, to points in Colorado, Illinois, Iowa, Kansas, Minnesota, Montana, Nebraska, North Dakota, South Dakota, Wisconsin, and Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 113265 (Sub-No. 4), filed May 19, 1966. Applicant: ATLANTA-ASHEVILLE MOTOR EXPRESS, INC., 1268 Caroline Street NE., Atlanta, Ga. Applicant's representative: Paul M. Daniell, Suite 1600, First Federal Building, Atlanta, Ga., 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except classes A and B explosives, household goods as defined by the Commission and liquid commodities in bulk, in tank vehicles), between Lake Junaluska and Franklin, N.C.; from Lake Junaluska, over U.S. Highway 19 to Ranger, N.C., thence over U.S. Highway 64 to Ducktown, Tenn., thence over Tennessee Highway 68 to the Tennessee-Georgia State line, thence over Georgia Highway 5 to Blue Ridge, Ga., thence over U.S. Highway 76 to junction Georgia Highway 69, thence over Georgia Highway 69 to the Georgia-North Carolina State line, thence over North Carolina Highway 69 to Hayesville, N.C., thence over U.S. Highway 64 to Franklin, and return over the same route, serving the intermediate points of Copperhill, Tenn., and Blue Ridge, Ga. NOTE: If a hearing is deemed necessary, applicant requests it be held at Asheville, N.C., or Atlanta, Ga.

No. MC 113325 (Sub-No. 109), filed May 18, 1966. Applicant: SLAY TRANSPORTATION CO., a corporation, 2001 South Seventh Street, St. Louis, Mo., 63104. Applicant's representative: Chester A. Zyblut, 1522 K Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Caustic soda*, in bulk, in tank vehicles, from the site of Kentucky Asphalt Sales Terminal near Louisville, Ky., to points in Indiana and Kentucky. NOTE: If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 113624 (Sub-No. 30), filed May 19, 1966. Applicant: WARD TRANSPORT, INC., Post Office Box 133, Pueblo, Colo. Applicant's representative: Martin F. Jones, 420 Denver Club Building, Den-

ver, Colo., 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer ingredients, acids, and chemicals, in bulk and in bags*, from the plantsite of Terra Chemicals International, Inc., at Port Neal, Iowa, to points in Colorado, Illinois, Iowa, Kansas, Minnesota, Montana, Nebraska, North Dakota, South Dakota, Wisconsin, and Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 113651 (Sub-No. 112), filed May 16, 1966. Applicant: INDIANA REFRIGERATOR LINES, INC., 2404 North Broadway, Muncie, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses* (except hides, and commodities in bulk, in tank vehicles), from points in York County, Nebr., to points in Connecticut, Delaware, Indiana, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 113651 (Sub-No. 113), filed May 16, 1966. Applicant: INDIANA REFRIGERATOR LINES, INC., 2404 North Broadway, Muncie, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts, frozen foods, food products, and chewing gum*, from points in Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, and Pennsylvania, to points in Alabama, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 113651 (Sub-No. 114), filed May 16, 1966. Applicant: INDIANA REFRIGERATOR LINES, INC., 2404 North Broadway, Muncie, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except frozen, and in bulk), from Cambridge, Md., to points in Alabama, Georgia, Florida, North Carolina, South Carolina, Tennessee, Virginia, and West Virginia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 113651 (Sub-No. 115), filed May 19, 1966. Applicant: INDIANA REFRIGERATOR LINES, INC., 2404 North Broadway, Muncie, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods*, from points in North Carolina, to points in Ohio, Indiana, Illinois, Iowa, Wisconsin, Minnesota, Pennsylvania, New York, New Jersey, West Virginia, Virginia, Delaware, Maryland, Kentucky, Tennessee, Missouri, Kansas, Oklahoma, Arkansas, Texas, Nebraska, Louisiana, Mississippi, Alabama, Georgia, Florida, South Carolina, Maine, Massachusetts, Rhode Is-

land, Vermont, New Hampshire, Connecticut, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 113651 (Sub-No. 116), filed May 19, 1966. Applicant: INDIANA REFRIGERATOR LINES, INC., 2404 North Broadway, Muncie, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat byproducts*, from points in La Porte and St. Joseph Counties, Ind., to points in Kentucky, Tennessee, Louisiana, Mississippi, Georgia, Alabama, Florida, Virginia, West Virginia, North Carolina, and South Carolina, restricted to traffic originating in La Porte and St. Joseph Counties, Ind. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 113843 (Sub-No. 118), filed May 17, 1966. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass., 02210. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except in bulk, in tank vehicles), from North East, Pa., and 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 Maine, New Hampshire, and Vermont. NOTE: If a hearing is deemed necessary, applicant requests it be held at Rochester, N.Y.

No. MC 113855 (Sub-No. 137), filed June 10, 1966. Applicant: INTERNATIONAL TRANSPORT, INC., South Highway 52, Rochester, Minn., 55901. Applicant's representative: Michael E. Miller, 502 First National Bank Building, Fargo, N. Dak., 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, iron and steel articles, steelmill material and supplies, and equipment*, between points in Putnam County, Ill., on the one hand, and, on the other, points in the United States on and west of a line beginning at the mouth of the Mississippi River and extending along the Mississippi River to its junction with the western boundary of Itasca County, Minn., thence northward along the western boundaries of Itasca and Koochiching Counties, Minn., to the international boundary line between the United States and Canada, except Texas, Oklahoma, Alaska, and Hawaii. NOTE: Applicant states that no duplicate authority is sought. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., Chicago, Ill., or Pittsburgh, Pa.

No. MC 113974 (Sub-No. 19), filed June 6, 1966. Applicant: PITTSBURGH & NEW ENGLAND TRUCKING CO., a corporation, 211 Washington Avenue, Dravosburg, Pa., 15034. Applicant's representative: W. H. Schlottman (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel; iron and steel*



articles; steelmill supplies, equipment, and materials; and building materials, between Chicago, Ill., and points in its commercial zone, on the one hand, and, on the other, points in the United States (except Alaska and Hawaii). NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 114111 (Sub-No. 100), filed May 16, 1966. Applicant: WARREN TRANSPORT, INC., Post Office Box 420, Waterloo, Iowa. Applicant's representative: Charles W. Singer, 33 North La Salle Street, Chicago, Ill. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Plastic pipe, tubing, conduit, valves or fittings, compound, joint sealer, bonding cement, primer, coating, thinner and accessories used in the installation of such products, from points in Mayes County, Okla., to points in Kansas, Colorado, Wyoming, Nebraska, North Dakota, South Dakota, Minnesota, Wisconsin, Iowa, Missouri, Illinois, Indiana, and Michigan. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 114211 (Sub-No. 102), filed May 19, 1966. Applicant: WARREN TRANSPORT, INC., Post Office Box 420, Waterloo, Iowa. Applicant's representative: Charles W. Singer, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Iron and steel articles (except oilfield equipment, materials, and supplies) between Pueblo and Minnequa, Colo., on the one hand, and, on the other, points in North Dakota, South Dakota, Kansas, Oklahoma, Arkansas, Texas, Michigan, Missouri, Iowa, Minnesota, Wisconsin, Illinois, Indiana, and Louisiana. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 114211 (Sub-No. 103), filed May 19, 1966. Applicant: WARREN TRANSPORT, INC., Post Office Box 420, Waterloo, Iowa. Applicant's representative: Charles W. Singer, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Iron and steel, and iron and steel articles, from Putnam County, Ill., to points in the United States (except Alaska and Hawaii), (2) articles used in the manufacture of iron and steel or iron and steel articles, and commodities used in the maintenance of steel plants, and rejected shipments, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 114284 (Sub-No. 30) (Correction), filed April 22, 1966, published FEDERAL REGISTER issue of May 12, 1966, corrected May 24, 1966, and republished, as corrected, this issue. Applicant: FOX - SMYTHE TRANSPORTATION CO., a corporation, Post Office Box 82307, Stockyard Station, Oklahoma City, Okla. Applicant's representative: W. T. Brunson, 419 Northwest Sixth Street, Oklahoma City, Okla., 73102. Authority sought to operate as a common carrier, by

motor vehicle, over irregular routes, transporting: Meats, meat products, meat byproducts, dairy products, articles distributed by meat packinghouses, and such commodities as are used by meat-packers in the conduct of their business when destined to and for use by meat-packers, as described in sections A, B, C, and D, appendix I in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except commodities in bulk), from "Guymon," Okla., to points in Arizona, California, Iowa, Nebraska, New Mexico, South Dakota, and Texas. The purpose of this republication is to show the correct spelling of the origin point of "Guymon," Okla. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 115311 (Sub-No. 58), filed June 9, 1966. Applicant: J & M TRANSPORTATION CO., INC., Post Office Box 589, Americus, Ga. Applicant's representative: Paul M. Daniell, Suite 1600, First Federal Building, Atlanta, Ga., 30303. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Cement and lime, from Atlanta, Ga., to points in Alabama, Georgia, Florida, North Carolina, South Carolina, and Tennessee. NOTE: If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala., or Atlanta, Ga.

No. MC 115331 (Sub-No. 197), filed May 16, 1966. Applicant: TRUCK TRANSPORT, INCORPORATED, 707 Market Street, St. Louis, Mo., 63101. Applicant's representative: Thomas F. Kilroy, Colorado Building, 1341 G Street NW., Washington, D.C., 20005. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Textile softener, in bulk, from Clinton, Iowa, to points in the United States (except Alaska and Hawaii). NOTE: Applicant states it proposes to transport exempt commodities, on return. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 115331 (Sub-No. 198), filed May 16, 1966. Applicant: TRUCK TRANSPORT, INCORPORATED, 707 Market Street, St. Louis, Mo., 63101. Applicant's representative: Thomas F. Kilroy, Colorado Building, 1341 G Street NW., Washington, D.C., 20005. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Salt, in bulk, except in dump vehicles, from Chicago, Ill., to points in Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 115668 (Sub-No. 12), filed May 19, 1966. Applicant: WYLLIS B. HERRICK, doing business as W. B. HERRICK, Rural Route No. 2, Kendallville, Ind. Applicant's representative: William L. Carney, 105 East Jennings, South Bend, Ind. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Electric stoves and appliances, kitchen cabinets, counter tops, sinks, shower bath doors, faucets and plumbing, from Kendallville, Ind., to points in Allegan, Barry, Eaton, Ingham, Livingston, Oakland

(south of Michigan Highway 59 and west of U.S. Highway 24), Wayne (west of U.S. Highway 24), Van Buren, Berrien, Kalamazoo, Cass, St. Joseph, Calhoun, Branch, Jackson, Hillsdale, Washtenaw, Lenawee, and Monroe Counties, Mich.; and Mercer, Auglaize, Hardin, Wyandot, Crawford, Huron, Erie, Ottawa, Sandusky, Seneca, Hancock, Wood, Lucas, Fulton, Henry, Putnam, Allen, Van Wert, Paulding, Defiance, and Williams Counties, Ohio; and returned or rejected commodities, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 115826 (Sub-No. 141), filed May 18, 1966. Applicant: W. J. DIGBY, INC., Post Office Box 5088, Terminal Annex, Denver, Colo., 80217. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Meats, meat products, meat byproducts, dairy products, and articles distributed by meat packinghouses, as described in appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles), from Sidney, Nebr., to points in Utah. NOTE: If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah.

No. MC 115840 (Sub-No. 26), filed May 19, 1966. Applicant: COLONIAL FAST FREIGHT LINES, INC., 1215 Bankhead Highway West, Post Office Box 2169, Birmingham, Ala. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Iron and steel and iron and steel articles; and articles used in the manufacture of iron and steel or iron and steel articles, and commodities used in the production and maintenance of steel plants, between points in Putnam County, Ill., on the one hand, and, on the other, points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Lower Peninsula of Michigan, Mississippi, Missouri, Ohio, Oklahoma, Tennessee, and Texas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 115841 (Sub-No. 293), filed May 19, 1966. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., 1215 Bankhead Highway West, Post Office Box 2169, Birmingham, Ala. Applicant's representative: C. E. Wesley (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Canned goods, from points in Delaware, Maryland, and Virginia to points in Kentucky, Tennessee, Arkansas, Louisiana, Mississippi, and Alabama. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 116014 (Sub-No. 25), filed May 16, 1966. Applicant: OLIVER TRUCKING CO., INC., North Bloomfield Road, Winchester, Ky. Applicant's representative: Robert M. Pearce, Central Building, 1033 State Street, Bowling Green, Ky. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Hard-



board, from Louisburg, N.C., and points within 5 miles thereof, to points in the United States on and east of a line beginning at the mouth of the Mississippi River, and extending along the Mississippi River to its junction with the western boundary of Itasca County, Minn., thence northward along the western boundaries of Itasca and Koochiching Counties, Minn., to the international boundary line between the United States and Canada, and points in Arkansas, Iowa, Louisiana, Missouri, Minnesota, Oklahoma, and Texas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 116273 (Sub-No. 71), filed May 17, 1966. Applicant: D & L TRANSPORT, INC., 3800 South Laramie Avenue, Cicero, Ill. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Textile softeners*, in bulk, from Clinton, Iowa, to points in the United States (except Alaska and Hawaii), and *rejected shipments*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 117119 (Sub-No. 379), filed May 18, 1966. 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, articles distributed by meat packinghouses and such commodities as are used by meat packers in the conduct of their business* when destined to and for use by meat packers (except hides and commodities in bulk), from Guymon, Okla., to points in Arizona, Arkansas, California, Colorado, Idaho, Louisiana, Mississippi, Nevada, New Mexico, Oregon, Texas, Utah, and Washington. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 117119 (Sub-No. 381), filed June 9, 1966. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. Applicant's representative: A. Alvis Layne, 948 Pennsylvania Building, Washington, D.C., 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, packinghouse products, and commodities used by packinghouses, as defined by the Commission in appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766, and frozen foods*, (1) between Sharpsburg, Iowa, and points within 12 miles thereof, on the one hand, and, on the other, Omaha, Nebr.; (2) between Sharpsburg, Iowa, and points within 12 miles thereof, on the one hand, and, on the other, Hopkins, St. Joseph, Mo.; (3) between Hopkins, Mo., and St. Joseph, Mo.; and (4) between Omaha, Nebr., and St. Joseph, Mo. NOTE: Applicant presently holds regular route authority in MC 117119 (Sub-No. 346) and the purpose of this application is to convert the regular route authority

to irregular route authority, and if the application is granted applicant requests that the regular route certificate in MC 117119 (Sub-No. 346) be canceled. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 117574 (Sub-No. 150), filed May 17, 1966. Applicant: DAILY EXPRESS, INC., Post Office Box 39, Mail Route No. 3, Carlisle, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Transmission towers and electrical equipment*, from points in Iowa, to points in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Delaware, Maryland, Pennsylvania, Virginia, West Virginia, Ohio, Indiana, Illinois, Kentucky, Tennessee, Mississippi, Michigan, and the District of Columbia. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 117574 (Sub-No. 151), filed May 17, 1966. Applicant: DAILY EXPRESS, INC., Post Office Box 39, Mail Route No. 3, Carlisle, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Heat exchangers or equalizers for air, gas, or liquids*, (2) *machinery and equipment for heating, cooling, conditioning, humidifying, dehumidifying, and moving of air, gas, or liquids*, and (3) *parts, attachments, and accessories for use in the installation and operation of items named in (1) and (2) above*, from Clarksville, Tenn., to points in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Delaware, Maryland, Pennsylvania, Virginia, West Virginia, Ohio, Indiana, Illinois, Michigan, North Carolina, and the District of Columbia. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 117574 (Sub-No. 152), filed May 17, 1966. Applicant: DAILY EXPRESS, INC., Post Office Box 39, Motor Route No. 3, Carlisle, Pa. Authority sought to operate as a *common carrier*, by motor vehicle over irregular routes, transporting: *Tractors (experimental and show display), machinery, and equipment (farm and industrial)*, which at the time of movement are being transported for purposes of display and experiment, and not for sale, and *incidental paraphernalia*, moving in the same vehicle at the same time, and *rejected shipments* of the commodities specified, between points in Mississippi, Alabama, Georgia, Florida, South Carolina, North Carolina, Tennessee, Kentucky, West Virginia, Virginia, Illinois, Wisconsin, Michigan, Indiana, Ohio, Pennsylvania, Maryland, Delaware, New Jersey, New York, Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, and Maine, and the District of Columbia. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 117765 (Sub-No. 45), filed May 19, 1966. Applicant: HAHN TRUCK LINE, INC., 5800 North Eastern, Oklahoma City, Okla., 73111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Beverages, carbonated and noncarbonated*, in containers, from Muskogee, Okla., to points in Arkansas, Colorado, Kansas, Missouri, Nebraska, New Mexico, Oklahoma, and Texas, and *containers used in the packaging of the commodities described above and exempt commodities*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla.

No. MC 117765 (Sub-No. 46), filed May 19, 1966. Applicant: HAHN TRUCK LINE, INC., 5800 North Eastern, Oklahoma City, Okla., 73111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, in bags, from points in Haskell County, Okla., to points in Colorado, Kansas, and Texas, and *exempt commodities*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla.

No. MC 118292 (Sub-No. 15), filed May 19, 1966. Applicant: BALLENTINE PRODUCE, INC., Alma, Ark. Applicant's representative: Lester M. Bridgeman, Woodward Building, Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Fort Smith, Ark., and Stilwell, Okla., to points in Arizona, California, Colorado, Idaho, Illinois, Iowa, Kansas, Missouri, Minnesota, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wisconsin, Wyoming, and Arkansas. NOTE: Applicant holds contract carrier authority in MC 118434, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark.

No. MC 118535 (Sub-No. 25), filed June 10, 1966. Applicant: JIM TIONA, JR., 803 West Ohio Street, Post Office Box 127, Butler, Mo. Applicant's representative: Tom B. Kretsinger, 450 Professional Building, 1103 Grand Avenue, Kansas City, Mo., 64106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ammonia nitrate, urea, fertilizer, fertilizer materials, and fertilizer ingredients (other than liquid)*, from the plantsite and storage facilities of Terra Chemical International, Inc., at or near Port Neal, Iowa (approximately 6 miles south of Sioux City, Iowa), to points in Arkansas, Colorado, Illinois, Kansas, Minnesota, Missouri, Nebraska, North Dakota, Oklahoma, South Dakota, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., or Des Moines, Iowa.

No. MC 118803 (Sub-No. 2), filed June 8, 1966. Applicant: ATLANTIC TRUCK LINES, INC., 119 Ellison Street, Paterson, N.J., 07505. Applicant's representative:



Arthur H. Priest, 71-23 Austin Street, Forest Hills, N.Y. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Air-conditioning and heating ducts, pipes, elbows, fittings, vents, dampers, flues, grills, registers, rain carrying gutters, downspouts, eaves, valleys, elbows and fittings, and roof ventilators* (except in bulk, in tank vehicles), from Hauppauge, Suffolk County, N.Y., and Long Island City, N.Y., to points in Arkansas, Kansas, Louisiana, Nebraska, Oklahoma, Texas, and points in Missouri (except those in Audrain, Callaway, Crawford, Franklin, Gasconade, Jefferson, Lincoln, Monroe, Montgomery, Perry, Pike, Ralls, St. Charles, St. Francois, St. Louis, St. Louis City, Ste. Genevieve, Warren, and Washington Counties); and *returned shipments* of the above-described commodities, on return. NOTE: Applicant states that the proposed operations are limited to a transportation service to be performed under continuing contract or contracts with L. Bieler & Sons, Inc., and National Elbow & Fitting Corp., both of Hauppauge, Suffolk County, N.Y., and Long Island City, N.Y. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 118928 (Sub-No. 1), filed May 16, 1966. Applicant: STANLEY S. DOBSON, Aalsey, Ill. Applicant's representative: Mack Stephenson, 42 Fox Mill Lane, Springfield, Ill., 62707. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clay sewer pipe, sewer pipe fittings with asphaltic and plain joints, plastic joints, clay flue lining, clay wall coping, clay drain tile, clay liner plates—lubricant for sewer pipe joints*, from Whitehall, Ill., to points in Indiana, Iowa, Missouri, and Wisconsin. NOTE: Applicant proposes to transport *empty containers, empty pallets and skids, and damaged, rejected, or overshipped material* on return. If a hearing is deemed necessary, applicant requests it be held at Springfield, Ill.

No. MC 119226 (Sub-No. 54), filed May 16, 1966. Applicant: LIQUID TRANSPORT CORP., 3901 Madison Avenue, Indianapolis, Ind., 46227. Applicant's representative: Robert W. Loser, 409 Chamber of Commerce Building, Indianapolis, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sugar and syrups, and blends, mixtures and products thereof*, from Louisville, Ky., to points in Illinois, Indiana, Kentucky, Michigan, Missouri, Ohio, Tennessee, Virginia, West Virginia, and Wisconsin. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Louisville, Ky.

No. MC 119493 (Sub-No. 24), filed May 18, 1966. Applicant: MONKEM COMPANY, INC., Post Office Box 1196, Joplin, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer ingredients*, in bag and in bulk, between Mount Vernon, Mo., and points within 5 miles thereof, and points

in Indiana, Michigan, and Minnesota. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., or Tulsa, Okla.

No. MC 119577 (Sub-No. 11), filed May 19, 1966. Applicant: OTTAWA CARTAGE, INC., Post Office Box 458, Ottawa, Ill. 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, and household goods, as defined by the Commission), between points in Putnam County, Ill., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii). NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 120398 (Sub-No. 4), filed May 19, 1966. Applicant: VALLEY EXPRESS, INC., Post Office Box 158, Schofield, Wis., 54476. 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 Wausau, Wis., and the site of State Public Welfare Department of Correctional Institutes, Wisconsin School for Boys located 1½ miles east of U.S. Highway 51 near Irma, Lincoln County, Wis. NOTE: Applicant states it seeks to tack proposed authority to authority registered under MC 120398. If a hearing is deemed necessary, applicant requests it be held at Madison, Wis.

No. MC 120543 (Sub-No. 48), filed May 18, 1966. Applicant: FLORIDA REFRIGERATED SERVICE, INC., U.S. 301 North, Dade City, Fla. Applicant's representative: Lawrence D. Fay, 1205 Universal Marion Building, Post Office Box 1086, Jacksonville, Fla., 32201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Juices, beverages and drinks*, other than citrus juices and citrus beverages and drinks, not requiring refrigeration, from points in Florida to ports of entry on the international boundary line between the United States and Canada located in the States of Minnesota, Michigan, New York, Vermont, New Hampshire, and Maine, restricted to traffic having an ultimate destination at points in the Provinces of Quebec or Ontario. NOTE: Applicant states it proposes to transport exempt commodities, on return. If a hearing is deemed necessary, applicant requests it be held at Tampa, Fla.

No. MC 121495 (Sub-No. 3), filed May 19, 1966. Applicant: ENGLEWOOD TRANSIT COMPANY, a corporation, 1125 West 46th Avenue, Denver, Colo. Applicant's representative: Edward C. Hastings, 330 Petroleum Club Building, Denver, Colo., 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, between points in Colorado. NOTE: Common control may be involved. If a hearing is

deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 123639 (Sub-No. 90), filed May 18, 1966. Applicant: J. B. MONTGOMERY, INC., 5150 Brighton Boulevard, Denver, Colo. Applicant's representative: Charles W. Singer, Tower Suite 3600, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials*, from Kankakee, Ill., to points in Missouri. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 123639 (Sub-No. 93), filed May 19, 1966. Applicant: J. B. MONTGOMERY, INC., 3150 Brighton Boulevard, Denver, Colo. Applicant's representative: Charles W. Singer, Tower Suite 3600, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses* as described in appendix I in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles), from Great Falls, Mont., to points in Colorado, Illinois, Indiana, Iowa, Kansas, Nebraska, Ohio, and Michigan. NOTE: If a hearing is deemed necessary, applicant requests it be held at Great Falls, Mont.

No. MC 124078 (Sub-No. 226) (Amendment) filed May 16, 1966, published FEDERAL REGISTER issue of June 3, 1966, and republished as amended this issue. Applicant: SCHWERMAN TRUCKING CO., a corporation, 611 South 28th Street, Milwaukee, Wis., 53246. Applicant's representative: James R. Ziperski (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Soy flour*, in bulk, from Decatur, Ill., to points in Indiana. NOTE: The purpose of this republication is to show change of origin point from Danville, Ill., to Decatur, Ill. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 124078 (Sub-No. 229), filed May 19, 1966. Applicant: SCHWERMAN TRUCKING CO., a corporation, 611 South 28th Street, Milwaukee, Wis., 53246. Applicant's representative: Richard H. Prevette (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, from Asheville, N.C., to points in Carter, Greene, Hawkins, Johnson, Sullivan, Unicoi, and Washington Counties, Tenn., Banks, Elbert, Fannin, Franklin, Gilmer, Hoberham, Hart, Lumpkin, Rabun, Stephens, Towns, Union, and White Counties, Ga., and Abbeville, Anderson, Cherokee, Chester, Fairfield, Greenville, Greenwood, Laurens, Newberry, Oconee, Pickens, Spartanburg, Union, and York Counties, S.C. NOTE: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.



No. MC 124245 (Sub-No. 5), filed May 19, 1966. Applicant: ALBERT V. MEILSTRUP, doing business as ACE REFRIGERATED TRUCKING SERVICE, 219 East Tutt Street, South Bend, Ind. Applicant's representative: Wm. L. Carney, 105 East Jennings Avenue, South Bend, Ind., 44604. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Lafayette, Ind., to points in Indiana, Illinois, Michigan, Ohio, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 124245 (Sub-No. 6), filed May 19, 1966. Applicant: ALBERT V. MEILSTRUP, doing business as ACE REFRIGERATED TRUCKING SERVICE, 219 East Tutt Street, South Bend, Ind. Applicant's representative: William L. Carney, 105 East Jennings, South Bend, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Frozen foods*, and (2) *potatoes and potato products*, when moving in mixed loads with frozen foods, from Detroit, Mich., to points in Illinois, Indiana, Ohio, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 124245 (Sub-No. 7), filed May 19, 1966. Applicant: ALBERT V. MEILSTRUP, doing business as ACE REFRIGERATED TRUCKING SERVICE, 219 East Tutt Street, South Bend, Ind. Applicant's representative: William L. Carney, Middle West Traffic Service, 105 East Jennings, South Bend, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from the plantsite of American Home Foods at or near La Porte, Ind., to points in Illinois, Michigan, Ohio, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 124245 (Sub-No. 8), filed May 19, 1966. Applicant: ALBERT V. MEILSTRUP, doing business as ACE REFRIGERATED TRUCKING SERVICE, 219 East Tutt Street, South Bend, Ind. Applicant's representative: William L. Carney, Middle West Traffic Service, 105 East Jennings, South Bend, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products, and articles distributed by meat packinghouses* as described in appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from the plantsite of George A. Hormel Co. at or near Bureau, Ill., to points in Indiana and Michigan. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 124669 (Sub-No. 20) (Amendment), filed May 6, 1966, published in FEDERAL REGISTER issue of May 26, 1966, amended June 9, 1966, and republished as amended this issue. Applicant: TRANSPORT INC., OF SOUTH DAKOTA, 1012 West 41st Street, Sioux Falls, S. Dak. Applicant's representative: Ronald B. Pitsenbarger, Post Office

Box 396, Moorhead, Minn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, as defined in appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, from the sites of the terminal outlets of Kanab Pipeline Co. located at or near Aberdeen, Mitchell, and Wolsey, S. Dak., to the sites of the terminal outlets of Kanab Pipeline Co. located at or near Geneva and Norfolk, Nebr. NOTE: The purpose of this republication is to correct the name of the applicant. If a hearing is deemed necessary, applicant requests it be held at Sioux Falls, S. Dak.

No. MC 124692 (Sub-No. 19), filed June 3, 1966. Applicant: MYRON SAMMONS, Post Office Box 933, Missoula, Mont. Applicant's representative: Gene P. Johnson, 502 First National Bank Building, Fargo, N. Dak., 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles and steelmill materials, supplies, and equipment*, between points in Putnam County, Ill., on the one hand, and, on the other, points in Idaho, Montana, Oregon, Washington, and Wyoming, and those points in Utah in and north of Tooele, Utah, Duchesne and Uintah Counties, Utah. NOTE: If a hearing is deemed necessary, applicant requests that it be held at Chicago, Ill.

No. MC 124774 (Sub-No. 42), filed May 19, 1966. Applicant: CARAVELLE EXPRESS, INC., Post Office Box 384, Norfolk, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses* as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Gordon, Nebr., to points in Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island, and Washington, D.C., and its commercial zone. NOTE: Applicant proposes to transport exempt commodities on return. If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr.

No. MC 124774 (Sub-No. 43), filed May 19, 1966. Applicant: CARAVELLE EXPRESS, INC., Post Office Box 384, Norfolk, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses* as described in sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Darr, Nebr., to Baltimore, Md., Boston, Mass., New York, N.Y., Philadelphia, Pa., and Washington, D.C., and their respective commercial zones. NOTE: Applicant proposes to transport exempt commodities on return. If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr.

No. MC 124774 (Sub-No. 45), filed May 19, 1966. Applicant: CARAVELLE EXPRESS, INC., Post Office Box 384, Norfolk, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses* as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from points in Tama County, Iowa, to points in Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island, and Washington, D.C., and its commercial zone, and *exempt commodities*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr.

No. MC 124774 (Sub-No. 46), filed May 19, 1966. Applicant: CARAVELLE EXPRESS, INC., Post Office Box 384, Norfolk, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses* as described in sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from points in Tama County, Iowa, to points in Florida. NOTE: Applicant states that it will transport exempt commodities on return. If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr.

No. MC 124774 (Sub-No. 47), filed May 19, 1966. Applicant: CARAVELLE EXPRESS, INC., Post Office Box 384, Norfolk, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Bureau, Ill., to points in Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Oklahoma, South Dakota, Tennessee, Wisconsin, and Wyoming. NOTE: Applicant states that it will transport exempt commodities on return. If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr.

No. MC 124774 (Sub-No. 49), filed May 19, 1966. Applicant: CARAVELLE EXPRESS, INC., Post Office Box 384, Norfolk, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses* as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Gordon, Nebr., to Chicago, Ill., and points in its commercial zone, and *exempt commodities*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr.

No. MC 124774 (Sub-No. 50), filed May 19, 1966. Applicant: CARAVELLE EX-



PRESS, INC., Post Office Box 384, Norfolk, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses* as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Guymon, Okla., to points in Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Oklahoma, South Dakota, Tennessee, Wisconsin, and Wyoming. NOTE: Applicant states it will transport exempt commodities on return. If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr.

No. MC 124774 (Sub-No. 51), filed May 19, 1966. Applicant: CARAVELLE EXPRESS, INC., Post Office Box 384, Norfolk, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, raw and manufactured, from points in Nebraska on and west of U.S. Highway 81 (except Scottsbluff) to points in Kansas, Montana, Oklahoma, North Dakota, and South Dakota. NOTE: Applicant states it will transport exempt commodities on return. If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr.

No. MC 124774 (Sub-No. 54), filed May 19, 1966. Applicant: CARAVELLE EXPRESS, INC., Post Office Box 384, Norfolk, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses* as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Darr, Nebr., to Chicago, Ill., and its commercial zone. NOTE: Applicant proposes to transport exempt commodities on return. If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr.

No. MC 125216 (Sub-No. 1), filed May 19, 1966. Applicant: OWENS TRUCKMEN, INC., 183 Concord Street, Brooklyn, N.Y. Applicant's representative: Bert Collins, 140 Cedar Street, New York, N.Y., 10006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Elevators and escalators, and parts, cabs, materials, supplies, equipment, tools, and accessories used or useful in installation and repair of elevators and escalators*, from Long Island City, N.Y., to points in New Jersey, Connecticut, and New York, under a contract with Staley Elevator Co., Inc., Long Island City, N.Y. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 125364 (Sub-No. 3). Applicant: CAREL TRUCKING CORP., Post Office Box 147, South Omaha Station, Omaha, Nebr. Applicant's representative: Donald E. Leonard, Box 2028, Lincoln, Nebr., 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes,

transporting: *Meats, meat products, and meat byproducts, and dairy products*, as prescribed in sections A and B of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles) from Sioux City, Iowa, to New York, N.Y., under continuing contract with Sioux Quality Packers, Inc., Sioux City, Iowa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Sioux City, Iowa.

No. MC 125777 (Sub-No. 100), filed May 19, 1966. Applicant: JACK GRAY TRANSPORT, INC., 3200 Gibson Transfer Road, Hammond, Ind. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer materials*, in bulk, in dump vehicles, from Dubuque, Iowa to points in Illinois, Wisconsin, and Minnesota. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 126622 (Sub-No. 2), filed May 16, 1966. Applicant: PIERRE LAROCHELLE, Woburn, Frontenac County, Quebec, Canada. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Wood chips*, in bulk, and *lumber*, from ports of entry on the international boundary line between the United States and Canada at or near Jackman and Coburn Gore, Maine, Pittsburgh, N.H., Norton, Derby Line, North Troy, Richford, and Highgate Springs, Vt., and Rouses Point, N.Y., to points in Maine, Massachusetts, Vermont, New Hampshire, and New York. NOTE: If a hearing is deemed necessary, applicant requests it be held at Augusta, Maine.

No. MC 126844 (Sub-No. 2), filed May 25, 1966. Applicant: R.D.S. TRUCKING CO., INC., 583 North Main Road, Vineland, N.J., 08360. Applicant's representative: Charles H. Trayford, 220 East 42d Street, New York, N.Y., 10017. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Food and food products* (except frozen foods) and *advertising and premium or promotional items* in mixed loads with food and food products, from points in Cumberland County, N.J., to points in Alabama, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Michigan, Mississippi, Missouri, North Carolina, Ohio, South Carolina, Tennessee, and West Virginia, and (2) *olive oil*, from New Orleans, La., to points in New Jersey. NOTE: Applicant states it does not seek duplicate authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 126899 (Sub-No. 22), filed May 30, 1966. Applicant: USHER TRANSPORT, INC., 1415 South Third Street, Paducah, Ky. Applicant's representative: George M. Catlett, Suite 703-706, McClure Building, Frankfort, Ky., 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime*, in bulk, from points in Marion, Ralls, and

St. Genevieve Counties, Mo.; Adams County, Ill., and Independence County, Ark., to Marshall County, Ky. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Louisville, Ky.

No. MC 127033 (Sub-No. 8), filed May 19, 1966. Applicant: C & B TRUCKING CO., INC., Post Office Box 192, Chester, S.C. Applicant's representative: Henry P. Willimon, Greenville, S.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Poultry byproducts*, from points in York County, S.C., to Charleston, Georgetown, Beaufort, and Port Royal, S.C. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbia, S.C.

No. MC 127093 (Sub-No. 3) (Amendment), filed April 22, 1966, published in FEDERAL REGISTER, issue of May 12, 1966, amended June 1, 1966, and republished as amended, this issue. Applicant: BASIL J. SMEESTER AND JOSEPH G. SMEESTER, doing business as SMEESTER BROTHERS TRUCKING, 1330 South Jackson, Iron Mountain, Mich. Applicant's representative: William B. Elmer, 22644 Gratiot Avenue, Kaiser Building, East Detroit, Mich. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Boards, building, wall, and/or insulating, and parts, materials, and accessories incidental thereto*; (2) *manufactured and/or composition boards, and parts and accessories incidental thereto*; and (3) *roofing and/or insulating materials, and parts and accessories incidental thereto*; between the plantsite of the Celotex Corp. at L'Anse, Mich., and warehouses owned or leased by the Celotex Corp. in the Upper Peninsula of Michigan, on the one hand, and, on the other, points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maine, New Hampshire, Rhode Island, Vermont, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Virginia, West Virginia, and Wisconsin, and the District of Columbia; and *materials and supplies* used in the manufacture of items specified in (1), (2), and (3) above, and *refused, rejected or damaged shipments*, on return. NOTE: The purpose of this republication is to expand the territorial description. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 127705 (Sub-No. 3), filed May 19, 1966. Applicant: KREVIDA BROS. EXPRESS, INC., Post Office Box 68, Gas City, Ind. Applicant's representative: Donald W. Smith, Suite 511, Fidelity Building, Indianapolis, Ind., 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods and prepared powdered milk (instant breakfast)*, from Princeville, Rochelle, and Mendota, Ill.; Austin, Muncie, Portland, Tipton, and Warren, Ind.; Caro, Eau Claire, Fennville, Hartford, Paw Paw,



and Traverse City, Mich.; Belgrim, Brillion, Cambria, Cedar Grove, Clyman, Eagle River, Green Bay, Janesville, Manitowoc, Morkesan, New Richmond, Sheboygan, Random Lake, Galesville, Bear Creek, Columbus, Fall River, and Sun Prairie, Wis.; to Detroit and Grand Rapids, Mich.; Cleveland, Dayton, and Columbus, Ohio; St. Louis, Mo.; Pittsburgh, Pa.; and Chicago, Ill. NOTE: Applicant is authorized to operate as a contract carrier in MC 123934, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 127705 (Sub-No. 4), filed May 19, 1966. Applicant: KREVIDA BROS. EXPRESS, INC., Post Office Box 68, Gas City, Ind. Applicant's representative: Donald W. Smith, Suite 511, Fidelity Building, Indianapolis, Ind., 46204. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Canned goods and prepared powdered milk (instant breakfast)*, from Alton, Angola, Broekport, Dundee, Fairport, Fredonia, Holcomb, Lawtons, Lyndonville, Mount Morris, North Collins, Phelps, South Dayton, Sterling, Westfield, and Williamson, N.Y., to Detroit and Grand Rapids, Mich.; Sheboygan, Wis.; and Pittsburgh, Pa. NOTE: Applicant is also authorized to conduct operations as a contract carrier in permit No. MC 123934 and Subs thereunder; therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 127705 (Sub-No. 5), filed May 19, 1966. Applicant: KREVIDA BROS. EXPRESS, INC., Post Office Box 68, Gas City, Ind. Applicant's representative: Donald W. Smith, Suite 511, Fidelity Building, Indianapolis, Ind., 46204. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Glass containers*, from Gas City, Ind., to Columbia, Mo. NOTE: Applicant holds contract carrier authority under MC 123934 and Subs, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 128007 (Sub-No. 4), filed May 19, 1966. Applicant: HOFER, INC., 4032 Parkview Drive, Post Office Box 583, Pittsburg, Kans. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, Kans. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Clay pipe and clay pipe allied products*, from Pittsburg, Kans., to points in Missouri, Arkansas, Illinois, Kansas, Nebraska, Iowa, Indiana, Minnesota, North Dakota, South Dakota, Wisconsin, New Mexico, Texas, Oklahoma, Wyoming, Louisiana, Mississippi, Alabama, Georgia, North Carolina, South Carolina, Tennessee, Florida, Colorado, Kentucky, and Michigan; and *materials and supplies* used in the manufacture and distribution of clay pipe and clay pipe allied products, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 128007 (Sub-No. 5), filed May 19, 1966. Applicant: HOFER, INC., Post Office Box 583, Pittsburg, Kans. Applicant's representative: John E. Jandera (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Clay pipe, clay pipe allied products*, from St. Louis, Mo., on the one hand, and, on the other, points in Arkansas, Illinois, Kansas, Nebraska, Iowa, Indiana, Minnesota, North Dakota, South Dakota, Wisconsin, New Mexico, Texas, Oklahoma, Wyoming, Louisiana, Mississippi, Alabama, Georgia, North Carolina, South Carolina, Tennessee, Florida, Colorado, Kentucky, and Michigan, and (2) *materials and supplies* used in the manufacture and distribution of clay pipe, clay pipe allied products, from the destination States named in (1) above, to St. Louis, Mo. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 128052 (Amendment), filed March 21, 1966, published FEDERAL REGISTER issue of April 14, 1966, amended March 24, 1966, and republished, as amended, this issue. Applicant: OLIVEIRA TRUCKING COMPANY, INCORPORATED, 252 Elm Street, Blackstone, Mass. Applicant's representative: Russell B. Curnett, 36 Circuit Drive, Edgewood Station, Providence, R.I., 02905. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Sand*, abrasive, filtering and foundry, in bulk, from Holliston, Mass., and points in Providence County, R.I., to points in Connecticut, Maine, Massachusetts, New Hampshire, New York, and Vermont. NOTE: The purpose of this republication is to show (a) the restriction to movements of sand only when transported in bulk, and (b) the complete removal of "clay and clay mixtures, foundry or furnace" from the application. If a hearing is deemed necessary, applicant requests it be held at Providence, R.I.

No. MC 128068 (Sub-No. 1), filed May 19, 1966. Applicant: R. H. EUBANK AND JACK B. EUBANK, doing business as J. O. EUBANK & SON, Seventh and Olive Streets, Charleston, Ill. Applicant's representative: Robert T. Lawley, 306-308 Reisch Building, Springfield, Ill. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, in tank vehicles, from Joliet, Ill., to points in Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Ohio, and Wisconsin and *rejected or damaged shipments*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Springfield, Ill.

No. MC 128131 (Sub-No. 1), filed May 19, 1966. Applicant: ROBERT R. GREENE, 433 Lewis Drive, Gallipolis, Ohio. Applicant's representative: James R. Stiverson, 50 West Broad Street, Columbus, Ohio, 43215. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Limestone, blacktop, sand and gravel*, from points in Jackson and Gal-

lia Counties, Ohio, to points in Jackson, Mason, Putnam, Roane, and Kanawha Counties, W. Va. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 128194, filed May 9, 1966. Applicant: BACON TRANSPORT COMPANY, a corporation, Refinery and Industrial Road, Post Office Box 1134, Ardmore, Okla. Applicant's representative: Arthur L. Claussen, 303 New England Building, Topeka, Kans., 66603. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *Industrial asphalt*, (1) from Augusta and El Dorado, Kans., to Kansas City, Mo. (commercial zone), from Augusta, over U.S. Highway 54 to the east Wichita entrance of Interstate Highway 35 (Kansas Turnpike), thence over Interstate Highway 35 to junction Interstate Highway 70, thence over Interstate Highway 70 to Kansas City, Mo., commercial zone, serving no intermediate points; and (2) from El Dorado, over Kansas Highway 196 to the east Wichita entrance of Interstate Highway 35 (Kansas Turnpike), thence over Interstate Highway 35 to junction Interstate Highway 70, thence over Interstate Highway 70 to Kansas City, Mo., commercial zone, then return over the same route, serving no intermediate points. NOTE: If a hearing is deemed necessary, applicant requests that it be held at Topeka, Kans.

No. MC 128221, filed May 19, 1966. Applicant: PROBERT N. MEDLICOTT, Box 622, Montvale, N.J. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Such commodities as are dealt in by garden nursery and pet supply businesses, and materials, equipment, and supplies used in the conduct of such business*, under contract with Valley Feed & Supply Co., Inc., of Spring Valley, N.Y. (excluding commodities in bulk or those requiring special equipment), between Spring Valley, N.Y., Moonachie, Newark, and Vernon, N.J.; Wellington, Ohio; Hampstead, Md.; Manchester, N.H.; Boston, Mass.; Hartford, Conn.; Portland, Maine; Philadelphia and Pittsburgh, Pa.; Detroit, Mich.; Richmond and Norfolk, Va.; Quincy, Fla.; Elizabeth City, N.C.; Spartansburg, S.C.; Indianapolis, Ind.; Thief River Falls, Minn.; and Atlanta, Ga.; on the one hand, and, on the other, points on and east of a line beginning at the mouth of the Mississippi River, and extending along the Mississippi River to its junction with the western boundary of Itasca County, Minn., thence northward along the western boundaries of Itasca and Koochiching Counties, Minn., to the international boundary line between the United States and Canada. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 128222, filed May 19, 1966. Applicant: SIMON P. NEWLIN, JR., doing business as S. P. NEWLIN, Route 5, Winchester, Va. Applicant representative: Eston H. Alt, Post Office Box 81, Winchester, Va., 22601. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Masonry building blocks*



and masonry construction material when transported with building blocks, from (1) the plants of Virginia Supreme Corp., Winchester, Va., to points in Maryland, Pennsylvania, West Virginia, and the District of Columbia within 150 miles of Winchester, Va.; and (2) the plant-site of Virginia Supreme Corp. at Hagerstown and Frederick, Md., to Winchester, Va. NOTE: Applicant states that the above operation is restricted to a continuing contract with Virginia Supreme Corp. of Hagerstown, Md. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 128225, filed May 19, 1966. Applicant: J. A. YOUNG, doing business as J. A. YOUNG TRUCK RENTAL, 218 Crutchfield Avenue, Nashville, Tenn. Applicant's representatives: Frank C. Ingraham, Suite 1220, Stahlman Building, Nashville, Tenn., 37201, and Charles H. Hudson, Jr., 417 Stahlman Building, Nashville, Tenn. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Tool, office supply, and display trailers and shipper's property usually contained therein, between points in Tennessee, North Carolina, South Carolina, Virginia, Kentucky, Missouri, Arkansas, Mississippi, Alabama, Georgia, Oklahoma, Louisiana, Texas, Ohio, and Indiana. NOTE: If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn.

No. MC 128237 (Sub-No. 1), filed May 13, 1966. Applicant: MERRITT MOVING & STORAGE, INC., 1111 Dunn Avenue, Cheyenne, Wyo. Applicant's representative: Truman A. Stockton, Jr., The 1650 Grant Street Building, Denver, Colo., 80203. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Household goods as defined by the Commission, in specially designed containers, restricted to pickup and delivery service incidental to and in connection with packing, crating, and containerization, or unpacking, uncrating, and decontainerization, between points in Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at Cheyenne, Wyo.

No. MC 128245, filed May 19, 1966. Applicant: BOBBY SMITH, doing business as BOBBY SMITH TRUCKING COMPANY, 113 South Line Street, Weatherford, Tex. Applicant's representative: James W. Hightower, Wynne-wood Professional Building, Dallas 24, Tex. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Meat, meat products and meat byproducts and articles distributed by meat 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 (except commodities in bulk, in tank vehicles), from the ports of entry on the international boundary line between the United States and Canada located in Montana, to points in California, and damaged and rejected shipments of the above-described commodities, and bananas, on return. NOTE: If a

hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 128247 (Sub-No. 1), filed May 19, 1966. Applicant: BURSAL TRANSPORT, INC., Rural Route 1, Bunker Hill, Ind. Applicant's representative: Warren C. Moberly, 1212 Fletcher Trust Building, Indianapolis, Ind. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (1) Iron and steel articles, and dross, from the plant or warehouses of Continental Steel Corp. at Kokomo, Ind., to points in Illinois, Michigan, Wisconsin, Missouri, Iowa, Ohio, Pennsylvania, Virginia, West Virginia, Kentucky, and Tennessee, (2) machinery, machinery parts, mill rolls, iron and steel; ingots, iron and steel; carrier shipping reels, cleaning compounds and lubricants, from points in Illinois, Michigan, Wisconsin, Missouri, Iowa, Ohio, Pennsylvania, Virginia, West Virginia, Kentucky, and Tennessee, to the plant or warehouses of Continental Steel Corp. at Kokomo, Ind., (3) lime and quick lime, from Chicago, Ill., St. Louis, Mo., and Woodville, Ohio, to the plants or warehouses of Continental Steel Corp. at Kokomo, Ind., (4) dolomite, from Chicago, Ill., to the plants or warehouses of Continental Steel Corp. at Kokomo, Ind., (5) refractory products, from Chicago, Ill., Woodville, Ohio, and Pittsburgh, Pa., to the plants or warehouses of Continental Steel Corp. at Kokomo, Ind., (6) ingot molds and stools and fence posts, from Chicago Heights, Ill., to the plants or warehouses of Continental Steel Corp. at Kokomo, Ind., and (7) sand, clay, and hadite, from points in North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Minnesota, Iowa, Missouri, Arkansas, Wisconsin, Illinois, Michigan, Indiana, Kentucky, Tennessee, Ohio, Pennsylvania, New Jersey, Maryland, Delaware, Virginia, West Virginia, North Carolina, and the District of Columbia, to the plants or warehouses of Continental Steel Corp. at Kokomo, Ind. NOTE: If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 128251, filed May 19, 1966. Applicant: INTERIOR TRUCK LINE, INC., Post Office Box 532, Henderson, Ky. Applicant's representative: George M. Catlett, 703-706 McClure Building, Frankfort, Ky. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities (except classes A and B explosives, household goods as defined by the Commission, commodities in bulk, in tank, or hopper trucks), between Henderson, Ky., and Evansville, Ind., over U.S. Highway 41, and return over the same route, serving no intermediate points, restricted to shipments having an immediately prior or immediately subsequent movement by rail. NOTE: If a hearing is deemed necessary, applicant requests it be held at Evansville, Ind.

No. MC 128255, filed May 19, 1966. Applicant: C. A. BATTLE & SONS CONTRACT CARRIERS, INCORPORATED, Post Office Box 246, Comfort, N.C. Ap-

plicant's representative: Donald P. Brock, Trenton, N.C. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (1) Used rubber tires, from Newark, N.J., to Comfort, N.C., and (2) new tires and rubber retreading materials, from Akron, Ohio, and Stamford, Conn., to Comfort, N.C., under individual contract with C. A. Battle & Sons, a partnership, of Comfort, N.C. NOTE: Applicant states it proposes to transport exempt commodities, on return. If a hearing is deemed necessary, applicant requests it be held at Trenton, N.C., or New Bern, N.C.

No. MC 128258, filed May 18, 1966. Applicant: BILLY R. HALLUM, doing business as MID-SOUTH FARM EQUIPMENT TRANSPORTS, 1934 Florida Street, Memphis, Tenn. Applicant's representative: James N. Clay III, 340 Sterick Building, Memphis, Tenn. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Agricultural implements, farm machinery, and incidental component parts and attachments thereof, from Portageville, Mo.; Osceola, Jonesboro, West Memphis, Forrest City, and Carlisle, Ark.; Clarksdale, Greenville, Tupelo, and Greenwood, Miss.; and Brownsville, Tenn.; to points in the United States, except Alaska and Hawaii, and articles used in the manufacture of agricultural implements and farm machinery, from points in the United States, except Alaska and Hawaii, to Portageville, Mo.; Osceola, Jonesboro, West Memphis, Forrest City, and Carlisle, Ark.; Clarksdale, Greenville, Tupelo, and Greenwood, Miss.; and Brownsville, Tenn. NOTE: If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn.

No. MC 128260, filed May 19, 1966. Applicant: JAMES W. BENOTTI, Highland Street, Wilton, N.H. Applicant's representative: Frank J. Weiner, 536 Granite Street, Braintree, Mass., 02184. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Crushed stone, from Lyndeboro, N.H., to points in Maine, Vermont, Massachusetts, Rhode Island, Connecticut, New York, and New Jersey, and (2) Crude rock, from North Berwick, Maine, and Malden, Mass., to Lyndeboro, N.H. NOTE: If a hearing is deemed necessary, applicant requests it be held at Concord, N.H.

No. MC 128270, filed May 19, 1966. Applicant: REDIEHS INTERSTATE, INC., 8055 South Howard Avenue, La Grange, Ill. Applicant's representative: Eugene L. Cohn, One North La Salle Street, Chicago, Ill., 60602. 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 and commodities in bulk), including commodities requiring special equipment, between points in Putnam County, Ill., on the one hand, and, on the other, points in Arkansas, Colorado, Illinois, Indiana, Iowa, Kansas,



Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Oklahoma, North Dakota, South Dakota, Texas, and Wisconsin. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 128283, filed May 19, 1966. Applicant: FRANK OTTO AND DAVE PETERSON, a partnership, doing business as D & D SHIPPERS, 4275 Dallas Court, Fremont, Calif. Applicant's representative: Gordon W. Nelson, 1260 A Street, Suite 2, Hayward, Calif. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Office partitions, and elevated flooring*, from points in Ohio to points in California. NOTE: Applicant proposes to transport exempt commodities on return. If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

No. MC 128285, filed May 19, 1966. Applicant: MELLOW EQUIPMENT CO., INC., 9001 North Denver, Post Office Box 17063, Portland, Oreg., 97217. Applicant's representative: Earl V. White, 2130 Southwest Fifth Avenue, Portland, Oreg., 97201. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (A) (1) *Lumber, plywood, pressed-board, fiberboard and wooden fencing*, between points in Washington, Oregon, California, Idaho, and Nevada, (2) *laminated wood products, timbers, trusses and beams, fabricated or not fabricated and hardware and fittings required in the installation thereof*, from points in Pierce County, Wash., to points in Oregon and California, under contract with and for the account of Tumac Lumber Co., Inc., Portland, Oreg., and (B) (1) *Prefabricated wooden buildings, wooden cabinets and doors*, from Portland, Oreg., to points in Oregon, Washington, Idaho, Montana, California and Nevada, (2) *wooden doors*, from points in Snohomish, King, and Pierce Counties, Wash., to Portland, Oreg., and (3) *lumber, plywood, and pressed-board*, from points in Washington, Oregon, California, and Idaho, to Portland, Oreg., under contract with and for the account of Western Shell Homes Corp., Portland, Oreg. NOTE: If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg.

No. MC 128287, filed May 19, 1966. Applicant: CLARENCE O. TRIPP, 4607 North Avenue West, Missoula, Mont. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and building materials*, between points in Montana and points in Minnesota. NOTE: If a hearing is deemed necessary, applicant requests it be held at Missoula, Mont.

No. MC 128288, filed May 19, 1966. Applicant: JOSEPH MICHAEL WINTERS, doing business as WINTERS GARAGE, Cresaptown, Md. Applicant's representative: John F. Somerville, Jr., No. 2 Law Building, Courthouse Square, Keyser, W. Va. Authority sought to operate as a *contract carrier*, by motor vehicle, over

irregular routes, transporting: *Wrecked and disabled vehicles*, between points in Maryland, West Virginia, and Pennsylvania. NOTE: If a hearing is deemed necessary, applicant requests it be held at Cumberland, Md.

No. MC 128289, filed May 17, 1966. Applicant: RONART, INC., 46-21 65th Place, Woodside 77, N.Y. Applicant's representative: Morris Honig, 150 Broadway, New York, N.Y., 10038. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Staples and stapling machines*, from Carlstadt, N.J., to New York, N.Y., and points in the towns of Hempstead and North Hempstead, N.Y., restricted to operations for Bostitch-Eastern, Inc. only, under a continuing written contract. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 128291, filed May 19, 1966. Applicant: SERVICE TRANSPORT COMPANY, a corporation, 7602 North Loop, Post Office Box 2005, Houston, Tex., 77001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, between points in Texas on and north of U.S. Highway 66; points in Oklahoma north of U.S. Highway 66 and west of U.S. Highway 283; and points in Kansas west of U.S. Highway 283 and south of U.S. Highway 50. NOTE: If a hearing is deemed necessary, applicant requests it be held at Houston, Tex.

No. MC 128292, filed May 19, 1966. Applicant: RINSON, INC., 3065 Morse Road, Columbus, Ohio. Applicant's representative: Robert N. Krier, 88 East Broad Street, Columbus, Ohio, 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities, as by reason of their size or weight require the use of special equipment, from the plantsite of Liftmaster, Inc., Columbus, Ohio, to points in Missouri, Iowa, Minnesota, Kentucky, West Virginia, Virginia, Maryland, Wisconsin, Michigan, Illinois, Indiana, Pennsylvania, New York, New Jersey, the District of Columbia, Delaware, Connecticut, Rhode Island, Vermont, New Hampshire, Massachusetts, Maine, North Carolina, South Carolina, Georgia, Florida, Mississippi, Alabama, and Texas, and damaged or rejected shipments on return.* NOTE: Applicant states it proposes to conduct operations under the continuing contract with Liftmaster, Inc. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 128302, filed June 2, 1966. Applicant: THE MANFREDI MOTOR TRANSIT COMPANY, a corporation, Route 87, Newbury, Ohio. Applicant's representative: A. Charles Tell, Columbus Center, 100 East Broad Street, Columbus, Ohio, 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, between the plantsite of The Glidden Co., Macco Chemical Division, Sprowl Road, Huron, Ohio, on the one hand, and, on the other, points in Penn-

sylvia, New York, West Virginia, Kentucky, Michigan, Indiana, Illinois, Wisconsin, Minnesota, Iowa, Nebraska, Kansas, Missouri, Tennessee, Georgia, Louisiana, and Texas. NOTE: Applicant is also authorized to conduct operations as a contract carrier in permit No. 112814 and Subs thereunder; therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 128302 (Sub-No. 1), filed June 3, 1966. Applicant: THE MANFREDI MOTOR TRANSIT COMPANY, a corporation, Route 87, Newbury, Ohio. Applicant's representative: A. Charles Tell, Columbus Center, 100 East Broad Street, Columbus, Ohio, 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid concrete admixtures*, in bulk, in tank vehicles, from Cleveland, Ohio, to points in the United States (except points in Alaska, Arizona, California, Hawaii, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming). NOTE: Applicant is also authorized to conduct operations as a common carrier in permit No. MC 112814 and Subs thereunder; therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 128304, filed June 9, 1966. Applicant: I. T. L. INC., Scottsbluff, Nebr. Applicant's representative: Donald E. Leonard, Box 2028, Lincoln, Nebr., 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in by wholesale and retail grocery businesses* under continuing contract with Associated Grocers of Nebraska Cooperative, Inc., Gering, Nebr., between points in Colorado, Nebraska, South Dakota, and Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Denver, Colo.

No. MC 128310, filed May 19, 1966. Applicant: DAIRY DISPATCH CORP., 100 Hudson Street, New York, N.Y., 10013. Applicant's representative: William D. Traub, 10 East 40th Street, New York, N.Y., 10016. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes transporting: *Dairy products*, moving in temperature-controlled vehicles, between points in the New York, N.Y., commercial zone, on the one hand, and, on the other, points in Bergen, Essex, Hudson, Union, and Passaic Counties, N.J., and points in Nassau, Suffolk, and Westchester Counties, N.Y., and New York, N.Y. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

#### MOTOR CARRIERS OF PASSENGERS

No. MC 1940 (Sub-No. 41), filed May 19, 1966. Applicant: TRAILWAYS OF NEW ENGLAND, INC., 1200 Eye Street NW, Washington, D.C. Applicant's representative: James E. Wilson, 1735 K Street NW, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers*



and their baggage, and express, and newspapers in the same vehicle with passengers, between Littleton, and Colebrook, N.H.; from Littleton over New Hampshire Highway 116 to junction U.S. Highway 3, thence over U.S. Highway 3 to Colebrook and return over the same route, serving all intermediate points. NOTE: If a hearing is deemed necessary, applicant requests it be held at Concord, N.H.

No. MC 2239 (Sub-No. 2), filed May 12, 1966. Applicant: SALT LAKE TRANSPORTATION CO., a corporation, 346 West South Temple Street, Salt Lake City, Utah. Applicant's representative: Wood R. Worsley, 701 Continental Bank Building, Salt Lake City, Utah, 84101. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, and express* in the same or separate vehicles, between Salt Lake City, Utah, and Brighton, Utah, as follows: From Salt Lake City, over Alternate U.S. Highway 40 to junction Utah Highway 171 and unnumbered Utah Highway near Parley's Canyon, thence over unnumbered Utah Highway to junction Utah Highway 152 at Big Cottonwood Canyon, thence over Utah Highway 152 to Brighton, and return over the same route, serving all intermediate points. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah.

No. MC 3647 (Sub-No. 388), filed June 9, 1966. Applicant: PUBLIC SERVICE COORDINATED TRANSPORT, 180 Boyden Avenue, Maplewood, N.J., 07040. Applicant's representative: Richard Fryling (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage* in the same vehicle with passengers in one-way and/or round-trip charter operations, from points in Westchester County, N.Y., to points in the United States, except Hawaii, and return. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Westchester County, N.Y.

No. MC 66810 (Sub-No. 19), filed June 2, 1966. Applicant: PEORIA-ROCKFORD BUS COMPANY, a corporation, 1034 South Seminary Street, Rockford, Ill. Applicant's representative: Louis R. Gentili, 38 South Dearborn Street, Chicago, Ill., 60603. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, air express, and air freight*, in the same vehicle with passengers, between Rockford, Ill., and O'Hare International Airport, Chicago, Ill.; (1) from the Faust Hotel, corner of North Fourth Street and East State Street in the City of Rockford, Ill., thence in an easterly direction over East State Street and U.S. Highway 20 to junction Illinois Northwest Tollway (Interstate Highway 90) at a point 7 miles east of Rockford, thence over Illinois Northwest Tollway (Interstate Highway 90) in a southeasterly direction to the entrance of

O'Hare International Airport, thence over the O'Hare International Airport Road in a westerly direction to the Airport Terminal Building, and (2) from the O'Hare International Airport Terminal Building, over the Airport road in an easterly direction to the Tri-State Tollway (Interstate Highway 294), thence over the Tri-State Tollway (Interstate Highway 294) in a northerly direction to the Northwest Tollway (Interstate Highway 90), thence over the Northwest Tollway (Interstate Highway 90) in a northwesterly direction to junction U.S. Highway 20 at a point 7 miles east of Rockford, thence over U.S. Highway 20, and East State Street in Rockford, in a westerly direction to East Jefferson Street, thence over East Jefferson Street in a northwesterly direction to North Fourth Street, thence over North Fourth Street in a southwesterly direction to the Faust Hotel at the corner of North Fourth Street and East State Street in Rockford, Ill. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Rockford, or Chicago, Ill.

No. MC 110373 (Sub-No. 12), filed May 19, 1966. Applicant: NORTHEAST COACH LINES, a corporation, 730 Madison Avenue, Paterson, N.J. Applicant's representative: Edward F. Bowes, 1060 Broad Street, Newark, N.J., 07102. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, express, mail, and newspapers* in the same vehicle with passengers, (1) between Rockaway, N.J., and Port Jervis, N.Y.; from Rockaway over New Jersey Highway 15 to junction U.S. Highway 206, thence over U.S. Highway 206 to junction U.S. Highway 209 at Milford, Pa., thence over U.S. Highway 209 to Port Jervis, N.Y., and (2) between Montague, N.J. and Port Jervis, N.Y.: From Montague over New Jersey Highway 521 to junction U.S. Highway 6, thence over U.S. Highway 6 to Port Jervis, and return over the same routes, serving all intermediate points in (1) and (2) above, applicant proposes to join the proposed authority between Rockaway, N.J., and Port Jervis, N.Y., and Milford, Pa., to its existing authority at New Jersey Highway 15 at Rockaway, N.J., in order to provide passenger service between points on the proposed route and New York, N.Y. For this purpose, applicant requests that its existing restriction on New Jersey Highway 15 be modified to permit joinder of the proposed route at Rockaway, N.J., with applicant's existing route at the same point. NOTE: If a hearing is deemed necessary, applicant requests it be held at Newark, N.J.

No. MC 113430 (Sub-No. 16), filed May 19, 1966. Applicant: PROVIDENCE ARROW LINE INC., 625 Eighth Avenue, New York, N.Y. Applicant's representative: John R. Sims, Jr., 1750 Pennsylvania Avenue, N.W., Washington, D.C., 20006. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, and express and news-*

*papers*, in the same vehicle with passengers, between Milldale, Conn., and Hartford, Conn.: From the intersection of U.S. Highway 6A and Connecticut Highway 10 at Milldale, Conn., over U.S. Highway 6A to junction of Interstate Highway 91, thence over Interstate Highway 91 to Hartford, Conn., serving the intermediate point of Meriden, Conn., restricted against traffic moving to or from New York, N.Y. NOTE: If a hearing is deemed necessary, applicant requests it be held at Hartford, Conn.

No. MC 116165 (Sub-No. 3), filed May 19, 1966. Applicant: MURRAY HILL LIMOUSINE SERVICE LTD., 1380 Barre Street, Montreal, Canada. Applicant's representative: John J. Brady, Jr., 75 State Street, Albany, N.Y. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in round trip charter operations, beginning and ending at ports of entry on the international boundary line between the United States and Canada, located in Michigan, New York, Vermont, New Hampshire, and Maine, and extending to points in the United States (except Alaska and Hawaii). NOTE: If a hearing is deemed necessary, applicant requests it be held at Plattsburgh, N.Y.

No. MC 120781 (Sub-No. 3), filed May 19, 1966. Applicant: SUNFLOWER STAGES, INC., Box 683, Emporia, Kans. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *Passengers, baggage of passengers, express, mail, and newspapers*, between Topeka, Kans., on the one hand, and, on the other, Osage City and Emporia, Kans., serving all intermediate points (a) from Topeka, Kans., over U.S. Highway 75 to junction U.S. Highway 56, thence over U.S. Highway 56 to junction Kansas Highway 31, and thence over Kansas Highway 31 to Osage City, and return over the same route, (b) from Topeka, Kans., over U.S. Highway 75 to junction U.S. Highway 56, thence over U.S. Highway 56 to junction Kansas Highway 99, thence over Kansas Highway 99 to Emporia, Kans., and return over the same route. NOTE: If a hearing is deemed necessary, applicant requests it be held at Topeka, Kans.

No. MC 128099 (Amendment), filed April 8, 1966, published FEDERAL REGISTER issue of April 28, 1966, amended May 31, 1966, and republished as amended, this issue. Applicant: ALMO BUS LINES, INC., 2350 Fourth Avenue, Yuma, Ariz. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, package express, newspapers, and mail*, in the same vehicle with passengers, between Yuma and Parker, Ariz.; from Yuma north over U.S. Business Highway 80 to Winterhaven, Calif., thence east over U.S. Highway 80 to junction U.S. Highway 95, thence over U.S. Highway 95 to junction U.S. Highways 60 and 70 at Quartzsite, Ariz., thence over U.S. Highways 60, 70, and 95, to Blythe, Calif., thence east over U.S. Highways 60, 70, and 95, to junction unnumbered highway at Erhenberg, Ariz., thence north over unnumbered highway



through Poston, Ariz., to Parker, and return over the same route, serving all intermediate points. **NOTE:** The purpose of this republication is to broaden the destination points. If a hearing is deemed necessary, applicant requests it be held at Yuma, Ariz.

No. MC 128212, filed May 16, 1966. Applicant: CREST TRANSIT CORP., 38 Lyncrest Avenue, New City, N.Y. Applicant's representative: Robert E. Goldstein, 8 West 40th Street, New York, N.Y., 10018. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage* in the same vehicle with passengers, between junction U.S. Highway 202 and New York Highway 45 and New York, N.Y.; from junction U.S. Highway 202 and New York Highway 45 at Mount Ivy, N.Y. south on New York Highway 45 to Maple Avenue, thence west on Maple Avenue to New York Highway 306, thence south on New York Highway 306 to Second Street, thence west on Second Street to Saddle River Road, thence south on Saddle River Road to East Allendale Avenue, thence east on East Allendale Avenue to East Saddle River Road, thence south on East Saddle River Road to Lower Cross Road, thence west on Lower Cross Road to West Saddle River Road, thence south on West Saddle River Road to Race Track Road, thence west on Race Track Road to New York Highway 17, thence over New York Highway 17 to New York Highway 80, thence over New York Highway 80 to George Washington Bridge Plaza to New York City, and return over the same route, serving all intermediate points except between Lake Street and Saddle River Road in upper Saddle River and Saddle River Road and East Allendale Avenue, and (2) between junction New York Highway 45 and Eckerson Road and Maple Avenue and New York Highway 306; from junction New York Highway 45 and Eckerson Road at Hillcrest, N.Y., west on Eckerson Road to Union Avenue, thence south on Union Avenue to Myrtle Avenue, thence south on Myrtle Avenue to Maple Avenue, thence west on Maple Avenue to New York Highway 306, and return over the same route, and as an alternate route. The operations in (1) and (2) above shall be restricted against the transportation of passengers between the junction of Race Track Road at New York Highway 17, at or near Waldwick, N.Y., on the one hand, and, on the other, New York, N.Y. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 128274 (Sub-No. 1), filed June 2, 1966. Applicant: PEORIA-ROCKFORD BUS COMPANY, a corporation, 1034 South Seminary Street, Rockford, Ill. Applicant's representative: Louis R. Gentili, 38 South Dearborn Street, Chicago, Ill., 60603. Authority sought to operate as a *contract carrier*, by motor vehicle, over regular routes, transporting: *Passengers*, from Beloit, Wis., to Harvard, Ill., from Beloit, thence northeast on Wisconsin Highway 15 to junction U.S. Highway 14 at Darien, thence southeast on U.S. Highway 14, to Harvard, and re-

turn over the same route, serving all intermediate points. **NOTE:** Applicant states that these passengers are employees, agents, servants, officers, invitees and licensees of Admiral Corp. at Harvard, Ill. Common control may be involved. Applicant is also authorized to conduct operation as a *common carrier* in permit No. MC 66810 and subs thereunder, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Rockford, or Chicago, Ill.

#### APPLICATIONS FOR BROKERAGE LICENSES

No. MC 12997, filed May 16, 1966. Applicant: WILMA CASEY, doing business as WILMA CASEY TRAVEL SERVICE, 1107 Jackson Street, Tower Building, Anderson, Ind. Applicant's representative: Robert R. Robbins, 618 Anderson Bank Building, Anderson, Ind., 46016. For a license (BMC 5) to engage in operations as a *broker*, at Anderson, Ind., for the transportation of passengers and their baggage, in charter operations, beginning and ending at points in Indiana, and extending to points in the United States, including ports of entry on the international boundary line between the United States and Canada and the United States and Mexico.

No. MC 12998, filed May 20, 1966. Applicant: SEYMOUR TRANSPORTATION, INC., 120 New Market Square, Boston, Mass. Applicant's representative: John F. Curley, 33 Broad Street, Boston, Mass., 02109. For a license (BMC 4) to engage in operations as a *broker* at Boston, Mass., in arranging transportation by motor vehicle in interstate or foreign commerce, of *general commodities* (except classes A and B explosives, household goods, commodities requiring special equipment), between points in Massachusetts on the one hand, and, on the other, points in the United States, except Alaska and Hawaii.

No. MC 13000, filed May 25, 1966. Applicant: WILLIAM KATZ, doing business as ATLAS TRAVEL SERVICE, Kaufmann's Department Store, 400 Fifth Avenue, Pittsburgh, Pa., 15219. Applicant's representative: Marcus Aaron II, 20th Floor, Frick Building, Pittsburgh, Pa., 15219. For a license (BMC 5) to engage in operations as a *broker*, at Pittsburgh, Pa., in arranging for the transportation of passengers and their baggage, as individuals and groups, between points in Allegheny, Westmoreland, Armstrong, Butler, Beaver, Washington, and Fayette Counties, Pa., and points in the United States outside Pennsylvania, and return, without assuming custody of such passengers and baggage.

No. MC 130000, filed May 26, 1966. Applicant: RALPH WILLIAM BOYER, 26 South Market Street, Frederick, Md. Applicant's representative: W. N. Harrell Smith, 1001 Connecticut Avenue NW., Washington, D.C., 20036. For a license (BMC 5) to engage in operations as a *broker*, at Frederick, Md., for the transportation of passengers and their baggage, in all-expense tours, as individuals and groups, in common or contract carriers in foreign and interstate commerce

(except Alaska and Hawaii) between Frederick, Md., and points in the United States.

No. MC 130001, filed May 27, 1966. Applicant: VALUE VACATIONS INC., 13455 Ventura Boulevard, Sherman Oaks, Calif., 91403. For a license (BMC 5) to engage in operations as a *broker* at Sherman Oaks, Calif., in arranging for the transportation, in interstate or foreign commerce, of *passengers and their baggage*, as individuals or in groups, in special and charter operations, in all-expense tours, beginning at Los Angeles, Calif., and extending to points in the United States.

#### APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN REQUESTED

No. MC 9115 (Sub-No. 55), filed June 6, 1966. Applicant: OREGON NEVADA CALIFORNIA FAST FREIGHT, INC., 2800 West Bayshore Road, Palo Alto, Calif., 94303. Applicant's representative: C. J. Boddington (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between Kelso, Wash., and Astoria, Oreg., as follows: From Kelso over U.S. Highway 830 via Longview, Wash., to junction Washington Highway 833, thence over Washington Highway 833 and toll bridge to junction U.S. Highway 30 approximately 1 mile west of Rainier, Oreg., thence over U.S. Highway 30 to Astoria, and return over the same route, serving no intermediate points, with service at Kelso for purposes of joinder only, as an alternate route for operating convenience only, in connection with applicant's regular route operations in MC 9115 (Sub-No. 50).

No. MC 11740 (Sub-No. 4), filed June 1, 1966. Applicant: BLUE & GRAY TRANSPORTATION CO., INCORPORATED, 1111 Commerce Road, Richmond, Va., 23224. Applicant's representative: L. N. Lewis (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, commodities requiring special equipment), serving Claremont, Va., as an off-route point in connection with applicant authorized regular route authority between Richmond and Norfolk, Va., extending over U.S. Highway 1 to junction Virginia Highway 10, thence over Virginia Highway 10 to Suffolk, Va., thence over U.S. Highway 58 to Norfolk.

No. MC 47323 (Sub-No. 20), filed May 18, 1966. Applicant: ANDERSON TRUCKING CO., a corporation, Rural Delivery No. 4, Mercer, Pa., 16137. Applicant's representative: William W. Knox, 23 West Tenth Street, Erie, Pa.,



16501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities* in bulk, in dump vehicles, from points in Ross County, Ohio, to points in Mercer County, Pa., and *rejected and refused shipments*, on return.

No. MC 48958 (Sub-No. 91), filed May 19, 1966. Applicant: ILLINOIS-CALIFORNIA EXPRESS, INC., 510 East 51st Avenue, Denver, Colo., 80216. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, commodities in bulk, commodities requiring special equipment, household goods as defined by the Commission and those injurious or contaminating to other lading), between Taos and Tres Piedras, N. Mex., over U.S. Highway 64, and return over the same route, serving all intermediate points. NOTE: Applicant states it intends to tack this authority with authorized regular route authority at Taos and Tres Piedras, N. Mex.

No. MC 52709 (Sub-No. 286), filed June 2, 1966. Applicant: RINGSBY TRUCK LINES, INC., 3201 Ringsby Court, Denver, Colo., 80216. Applicant's representative: Eugene Hamilton (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), (1) between Albuquerque, N. Mex., and Kansas City, Mo.: From Albuquerque over Interstate Highway 40 (U.S. Highway 66) to junction U.S. Highway 54 at or near Santa Rosa, N. Mex., thence over U.S. Highway 54 to junction Kansas Highway 61, thence over Kansas Highway 61 to junction U.S. Highway 50, thence over U.S. Highway 50 to Kansas City, and return over the same route, as an alternate route for operating convenience only, with no service at intermediate points and service at Albuquerque only for the purpose of joinder with applicant's existing route; (2) between Albuquerque, N. Mex., and Kansas City, Mo.: From Albuquerque over Interstate Highway 40 (U.S. Highway 66) to junction U.S. Highway 54 at or near Santa Rosa, N. Mex.; thence over U.S. Highway 54 to junction Interstate Highway 35 at or near Wichita, Kans.; thence over Interstate Highway 35 to Kansas City (also over Interstate Highway 35W and Kansas Turnpike to junction Interstate Highway 70, thence over Interstate Highway 70 to Kansas City); and return over the same route, as an alternate route for operating convenience only, with no service at intermediate points and service at Albuquerque only for the purpose of joinder with applicant's existing routes; and (3) between Santa Fe, N. Mex., and Kansas City, Mo.: From Santa Fe over Interstate Highway 25 (U.S. Highway 85) to junction U.S. Highway 56 at or near Springer, N. Mex., thence over U.S. Highway 56 to junction U.S. High-

270 at or near Hugoton, Kans., thence over U.S. Highway 270 to junction U.S. Highway 83 about 10 miles north of Liberal, Kans., thence over U.S. Highway 83 to junction with U.S. Highway 160, thence over U.S. Highway 160 to junction U.S. Highway 54 at or near Plains, Kans., thence over U.S. Highway 54 to junction Interstate Highway 35 at or near Wichita, Kans., thence over Interstate Highway 35 to Kansas City (also over Interstate Highway 35W and Kansas Turnpike to junction Interstate Highway 70, thence over Interstate Highway 70 to Kansas City); and return over the same route, as an alternate route for operating convenience only, with no service at intermediate points and service at Santa Fe only for the purpose of joinder with applicant's existing routes. NOTE: Common control may be involved.

No. MC 119890 (Sub-No. 3), filed May 20, 1966. Applicant: CORDIE NAYLOR, Fayette, Mo., 65248. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Logs, rough lumber, and wooden pallets*, from points in Sullivan, Adair, Grundy, Knox, Lewis, Livingston, Linn, Shelby, Marion, Macon, Monroe, Chariton, Randolph, Ray, Henry, Benton, Miller, Camden, Maries, Daviess, Caldwell, Ralls, Carroll, Howard, Audrain, Saline, Lafayette, Cooper, Montgomery, Boone, Callaway, Johnson, Pettis, Moniteau, Cole, Osage, and Morgan Counties, Mo., to points in Illinois, Iowa, and Arkansas.

#### MOTOR CARRIER OF PASSENGERS

No. MC 1515 (Sub-No. 106), filed May 19, 1966. Applicant: GREYHOUND LINES, INC., 140 South Dearborn Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, express, and newspapers*, in the same vehicle with passengers, between junction U.S. Highway 41 and Georgia Highway 247 and Tannersville, Ga., from Junction U.S. Highway 41 and Georgia Highway 247, over Georgia Highway 247 to junction Georgia Highway 96, thence over Georgia Highway 96 to Tannersville, and return over the same route, serving all intermediate points.

By the Commission.

[SEAL] H. NEIL GARSON,  
Secretary.

[F.R. Doc. 66-6816; Filed, June 22, 1966;  
8:45 a.m.]

#### FOURTH SECTION APPLICATIONS FOR RELIEF

JUNE 20, 1966.

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. 40553—*Joint motor-rail rates—Central and Southern*. Filed by Central and Southern Motor Freight Tariff Association, Inc., agent (No. 109), for interested carriers. Rates on property moving on class and commodity rates over joint routes of applicant rail and motor carriers, between points in southern territory, on the one hand, and points in Central States territory, on the other.

Grounds for relief—Motortruck competition.

Tariff—Supplement 42 to Central and Southern Motor Freight Tariff Association, Inc., agent, tariff MF-ICC 309.

FSA No. 40554—*Substituted service—B&O for Killion Motor Express, Inc.* Filed by Central and Southern Motor Freight Tariff Association, Inc., agent (No. 110), for interested carriers. Rates on property loaded in trailers and transported on railroad flatcars, between East St. Louis, Ill., and Jeffersonville, Ind., on traffic originating at or destined to such points or points beyond as described in the application.

Grounds for relief—Motortruck competition.

Tariff—Supplement 4 to Central and Southern Motor Freight Tariff Association, Inc., agent, tariff MF-ICC 318.

By the Commission.

[SEAL] H. NEIL GARSON,  
Secretary.

[F.R. Doc. 66-6882; Filed, June 22, 1966;  
8:49 a.m.]

[Notice 199]

#### MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JUNE 20, 1966.

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 protest must be served on the applicant, or its authorized representative, if any, and the protest must certify that such service has been made. The protest must be specific as to the service which such protestant can and will offer, and must consist of a signed original and 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 475 (Sub-No. 2 TA), filed June 15, 1966. Applicant: EUGENE



WYMORE, doing business as WYMORE TRANSFER CO., 16th and Main Streets, Oregon City, Oreg. Applicant's representatives: White & Southwell, Fifth Avenue Building, 2130 Southwest Fifth Avenue, Portland, Oreg., 97201. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Paper, paper products, papermill supplies, machinery, and equipment*, between Portland, Oreg., and Wauna, Oreg., over U.S. Highway 30, serving no intermediate points, for 180 days. Supporting shipper: Crown Zellerbach Corp., 1 Bush Street, San Francisco, Calif., 94119. Send protests to: A. E. Odoms, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 450 Multnomah Building, Portland, Oreg., 97204.

No. MC 5470 (Sub-No. 19 TA), filed June 15, 1966. Applicant: ERSKINE & SONS, INC., Rural Delivery No. 5, Post Office Box 146, Mercer, Pa., 16137. Applicant's representative: Theodore Polydoroff, 917 Munsey Building, Washington, D.C., 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt, in bags and in bulk, and in mixed shipments in bags and in bulk*, from New Kensington, Pa., to points in Ohio, West Virginia, Virginia, Maryland, and New York, for 180 days. Supporting shipper: Diamond Crystal Salt Co., St. Clair, Mich., 48079. Send protests to: Gasper Piovarchy, Jr., District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 2109 Federal Building, 1000 Liberty Avenue, Pittsburgh, Pa., 15222.

No. MC 7640 (Sub-No. 22 TA), filed June 15, 1966. Applicant: BARNES TRUCK LINE, INC., 506 Mayo Street, Wilson, N.C., 27895. Applicant's representative: Roy Barnes (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural machinery, agricultural implements, and agricultural machinery parts*, from Tarboro, N.C., to points in Arkansas, Illinois, Michigan, Wisconsin, Minnesota, Iowa, District of Columbia, Missouri, Kansas, Nebraska, Oklahoma, Texas, South Dakota, and Louisiana; *materials and supplies used in the manufacture of agricultural machinery, agricultural implements, and agricultural machinery parts*, from the above specified destination points and points in Ohio, to Tarboro, N.C., for 150 days. Supporting shipper: Long Manufacturing Co., Inc., Tarboro, N.C., 27886. Send protests to: Archie W. Andrews, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Post Office Box 10885, Cameron Village Station, Raleigh, N.C., 27605.

No. MC 29120 (Sub-No. 89 TA), filed June 16, 1966. Applicant: ALL-AMERICAN TRANSPORT, INC., 1500 Industrial Avenue, Post Office Box 756, Sioux Falls, S. Dak., 57101. Applicant's representative: E. J. Dwyer (same address as above). 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 liquid commodities in bulk in tank vehicles), from West Fargo, N. Dak., to Elgin, Ill., for 180 days. Supporting shipper: Siouxland Dressed Beef Co., West Fargo, N. Dak. Send protests to: J. L. Hammond, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 369, Federal Building, Pierre, S. Dak., 57501.

No. MC 32562 (Sub-No. 24 TA), filed June 15, 1966. Applicant: POINT EXPRESS, INC., 3535 Seventh Avenue, Post Office Box 10185, Station C, Charleston, W. Va., 25312. Applicant's representative: Lowell Bays (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass containers, fiberboard boxes, wooden, and plastic bottle carriers, shipping devices and accessories therefor, and closures for glass containers*, from Huntington, W. Va., to Louisville, Ky., and refused or rejected shipments, on return movements, for 180 days. Supporting shipper: Owens-Illinois, Inc., Glass Container Division, Toledo, Ohio, 43601, Attention: G. C. Turner, Manager, Common Motor Carrier Transportation. Send protests to: H. R. White, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 3202 Federal Office Building, Charleston, W. Va., 25301.

No. MC 66562 (Sub-No. 2180 TA), filed June 15, 1966. Applicant: RAILWAY EXPRESS AGENCY, INCORPORATED, 219 East 42d Street, New York, N.Y., 10017. Applicant's representative: James C. Ingwersen, Railway Express Agency, Inc., 1815 Egbert Avenue, San Francisco, Calif., 94124. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities moving in express service*, between Los Angeles, Calif., and Phoenix, Ariz., over Interstate Highway 10 and U.S. Highways 60 and 70, and return over the same route, serving no intermediate points, for 150 days. Restrictions: (1) The service to be performed by the applicant shall be limited to that which is auxiliary to or supplemental of express service of the Railway Express Agency, Inc., (2) shipments transported by applicant shall be limited to those on through bills of lading or express receipts, (3) such further specific conditions as the Commission, in the future, may find necessary to impose in order to restrict applicant's operations to a service which is auxiliary to or supplemental of express service of the Railway Express Agency, Inc. Supporting shippers: The application is supported by statements from 31 shippers, which may be examined here at the Interstate Commerce Commission in Washington, D.C. Send protests to: Anthony Chiusano, District Supervisor, Bureau of Operations and Compliance,

Interstate Commerce Commission, 346 Broadway, New York, N.Y., 10013.

No. MC 93980 (Sub-No. 42 TA), filed June 15, 1966. Applicant: VANCE TRUCKING COMPANY, INCORPORATED, Box 119 (Raleigh Road), Henderson, N.C., 27536. Applicant's representative: John A. Vuono, 1515 Park Building, Pittsburgh, Pa., 15222. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wrought iron pipe and steel pipe*, from the plantsites and warehouses of A. M. Byers Co., at Ambridge and Pittsburgh, Pa., to Atlanta, Savannah, Macon, Athens, Valdosta, Doraville, Albany, Augusta, Brunswick, Gainesville, and Marietta, Ga., for 180 days. Supporting shipper: A. M. Byers Co., Post Office Box 269, Ambridge, Pa., 15003. Send protests to: Archie W. Andrews, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Post Office Box 10885, Cameron, Village Station, Raleigh, N.C., 27605.

No. MC 103926 (Sub-No. 18 TA) (Amendment), filed June 3, 1966, published FEDERAL REGISTER, issue of June 14, 1966, and republished as amended this issue. Applicant: W. T. MAYFIELD SONS TRUCKING CO., a corporation, 3881 Bankhead Highway, Post Office Box 2463, Station D, Atlanta, Ga., 30318. Applicant's representative: William H. Driskell (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Metal storage tanks and parts and accessories* when moving incidental thereto as part of the same shipment, requiring special equipment and handling, from Newnan, Ga., to points in Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, Missouri, North Carolina, South Carolina, Tennessee, and Virginia, for 180 days. Supporting shipper: R. D. Cole Manufacturing Co., Newnan, Ga., 30263. Send protests to: William L. Scroggs, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 680 West Peachtree Street NW., Room 300, Atlanta, Ga., 30308. NOTE: The purpose of this republication is to add "requiring special equipment and handling" to the commodity description.

No. MC 106398 (Sub-No. 334 TA), filed June 15, 1966. Applicant: NATIONAL TRAILER CONVOY, INC., 1925 National Plaza, Box 8096, Dawson Station, Tulsa, Okla., 74141. Applicant's representative: O. L. Thee, Sr. (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, in initial movements, in truck-away service, from points in Shelby County, Tenn., to points in the United States (except Alaska and Hawaii), for 180 days. Supporting shipper: The Commodore Corp., 2410 Dodge Street, Suite 3000, Omaha, Nebr., 68131. Send protests to: C. L. Phillips, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 350, American General



Building, 210 Northwest Sixth, Oklahoma City, Okla.

No. MC 118196 (Sub-No. 78 TA), filed June 15, 1966. Applicant: RAYE & COMPANY TRANSPORTS, INC., Post Office Box 613, Highway 71 North, Carthage, Mo., 64836. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and articles distributed by meat packinghouses*, as described in section A and C of appendix I to the report in the *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk in tank vehicles), from Great Falls, Mont., to points in Minnesota, Wisconsin, Michigan, Illinois, Indiana, Ohio, and Iowa, for 150 days. Supporting shipper: Needham Packing Corp., Post Office Box 2381, Great Falls, Mont. Send protests to: John V. Barry, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 1100 Federal Office Building, 911 Walnut Street, Kansas City, Mo., 64106.

No. MC 118196 (Sub-No. 79 TA), filed June 15, 1966. Applicant: RAYE & COMPANY TRANSPORTS, INC., Post Office Box 613, Highway 71 North, Carthage, Mo., 64836. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from points in Copiah, Union, Madison, Covington, Hinds, and Rankin Counties, Miss., to Texas, Oklahoma, Kansas, Missouri, Iowa, Minnesota, Wisconsin, Illinois, Indiana, Tennessee, and Arkansas, for 180 days. Supporting shipper: Mississippi Federated Cooperatives (AAL), Post Office Box 449, Jackson, Miss., 39205. Send protests to: John V. Barry, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 1100 Federal Office Building, 911 Walnut Street, Kansas City, Mo., 64106.

No. MC 119934 (Sub-No. 120 TA), filed June 15, 1966. Applicant: ECOFF TRUCKING, INC., 625 East Broadway, Fortville, Ind., 46040. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Spent phosphoric acid*, in bulk, in tank vehicles, from Holland, Oscoda, Port Huron, and Belding, Mich., to points in Indiana, and Ohio, for 180 days. Supporting shipper: Mobil Chemical Co., a division of Mobil Oil Corp., 401 East Main Street, Richmond, Va. Send protests to: R. M. Hagarty, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 802 Century Building, 36 South Pennsylvania Street, Indianapolis, Ind., 46204.

No. MC 119934 (Sub-No. 121 TA), filed June 15, 1966. Applicant: ECOFF TRUCKING, INC., 625 East Broadway, Fortville, Ind., 46040. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Spent phosphoric acid*, in bulk, in tank vehicles, from Spencerville and Van Wert, Ohio, to Dubuque and Esterville, Iowa; East St. Louis, Ill.; and Fort Wayne, Ind., for 180 days. Supporting shipper: Mobil Chemical Co., a division of Mobil Oil Corp., 401 East Main Street,

Richmond, Va. Send protests to: R. M. Hagarty, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 802 Century Building, 36 South Pennsylvania Street, Indianapolis, Ind., 46204.

No. MC 119934 (Sub-No. 122 TA), filed June 15, 1966. Applicant: ECOFF TRUCKING, INC., 625 East Broadway, Fortville, Ind., 46040. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal liquid feed supplement*, in bulk, in tank vehicles, from Tuscola, Ill., to Mt. Crawford, Va., for 180 days. Supporting shipper: Feed Service Corp., Crete, Nebr. Send protests to: R. M. Hagarty, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 802 Century Building, 36 South Pennsylvania Street, Indianapolis, Ind., 46204.

No. MC 123061 (Sub-No. 32 TA), filed June 15, 1966. Applicant: LEATHAM BROTHERS, INC., 46 Orange Street, Salt Lake City, Utah, 84104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and lumber mill products*, between points in California, Nevada, Utah, and Idaho, for 180 days. Supporting shippers: Utah Lumber Co., Post Office Box 2398, Salt Lake City, Utah, 84110; Forest Products Sales, 3140 South Main Street, Salt Lake City, Utah, 84115. Send protests to: John T. Vaughan, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 2224 Federal Building, Salt Lake City, Utah, 84111.

No. MC 126835 (Sub-No. 7 TA), filed June 15, 1966. Applicant: EDGAR BISCHOFF, doing business as CASKET DISTRIBUTORS, Rural Route No. 5, Brookville, Ind. Applicant's representative: Jack B. Josselson, Atlas Bank Building, Cincinnati, Ohio, 45202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Caskets, casket displays and funeral supplies when moving with caskets*, from Nashville, Tenn., to Philadelphia, and Pittsburgh, Pa.; Baltimore, Md.; and Albany, Buffalo, and Rochester, N.Y., for 150 days. Supporting shipper: National Casket Co., Inc., 60 Massachusetts Avenue, Boston, Mass., 02115. Send protests to: R. M. Hagarty, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 802 Century Building, 36 South Pennsylvania Street, Indianapolis, Ind., 46204.

No. MC 126844 (Sub-No. 3 TA), filed June 14, 1966. Applicant: R. D. S. TRUCKING CO., INC., 583 North Main Road, Vineland, N.J., 08360. Applicant's representative: Charles H. Trayford, 220 East 42d Street, New York, N.Y., 10017. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Food and food products* (except frozen foods) and *advertising and premium or promotional items in mixed loads with food and food products*, from points in Cumberland County, N.J., to points in

Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee, for 180 days. Supporting shippers: Minot Food Packers, Bridgeton, N.J.; Southern Jersey Shippers Association, Bridgeton, N.J.; P. J. Ritter Co., Bridgeton, N.J.; Venice Maid Co., Inc., Vineland, N.J. Send protests to: Raymond T. Jones, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 410 Post Office Building, Trenton, N.J., 08608.

No. MC 128276 TA, filed June 14, 1966. Applicant: ROY POWELL, 1822 Marshall Road, Baltimore, Md., 21222. Applicant's representative: Donald E. Freeman, 172 East Green Street, Post Office Box 880, Westminster, Md., 21157. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used automobiles*, in truckaway and driveaway operations, between Baltimore and Glen Burnie, Md., on the one hand, and, on the other, Manheim and Hatfield, Pa., Bordentown, N.J., New York, N.Y., and Fredericksburg, Va., for 180 days. Supporting shippers: Ellison Motors, Inc., 205 Ritchie Highway SE., Glen Burnie, Md.; Nationwide Motor Sales Corp., 1108 N. Ritchie Highway, Glen Burnie, Md., 21061; H & H Motors, 4001 East Monument Street, Baltimore, Md., 21205; Schaefer & Strohminger, Inc., Fleet and Eaton Streets, Baltimore, Md.; Maryland Auto Sales, 3200 East Fayette Street, Baltimore, Md., 21224. Send protests to: William L. Hughes, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 312 Appraisers' Stores Building, Baltimore, Md., 21202.

No. MC 128289 (Sub-No. 1 TA), filed June 15, 1966. Applicant: RONART, INC., 46-21 65th Place, Woodside 77, N.Y. Applicant's representative: Morris Honig, 150 Broadway, New York 38, N.Y. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Staples and stapling machines*, from Carlstadt, N.J., to New York, N.Y., and all points in the towns of Hempstead and North Hempstead (Nassau County), N.Y., for 180 days. Supporting shipper: Bostitch, Inc., Bostitch Eastern, Inc., 130 Commerce Road, Carlstadt, N.J., 07072. Send protests to: E. N. Carignan, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 346 Broadway, New York, N.Y., 10013.

No. MC 128311 TA, filed June 15, 1966. Applicant: GARLAND H. CRISTIAN AND BENNIE HORN, a partnership, R.F.D. No. 2, Rogersville, Mo. Applicant's representative: Turner White, 805 Woodruff Building, Springfield, Mo., 65806. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Wooden crate bottoms and crate materials*, from Springfield and West Plains, Mo., to Newton, Iowa, for 180 days. Supporting shipper: Cloud Oak Flooring Co., Inc., 1912 North Weller, Springfield, Mo. Send protests to: John V. Barry, District Supervisor, Bureau of Operations and



Compliance, Interstate Commerce Commission, 1100 Federal Office Building, 911 Walnut Street, Kansas City, Mo., 64106.

#### MOTOR CARRIERS OF PASSENGERS

No. MC 128026 (Sub-No. 1 TA), filed June 15, 1966. Applicant: EARL W. SWOPE AND JACK W. SWOPE, a partnership, doing business as SWOPE FARM AND LIVESTOCK COMPANY, Cimarron, N. Mex. Applicant's representative: William Federici, Post Office Box 2307, Santa Fe, N. Mex., 87501. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Passengers* (Boy Scouts) and their baggage, between Trinidad, Colo., and Philmont Scout Ranch southwest of Cimarron, N. Mex., for 180 days. Supported by: Joseph J. Davis, Director of Camping, Philmont Scout Ranch, Cimarron, N. Mex., 87714. Send protests to: Jerry R. Murphy, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 109 U.S. Courthouse Building, Albuquerque, N. Mex., 87101.

By the Commission.

[SEAL] H. NEIL GARSON,  
Secretary.

[F.R. Doc. 66-6883; Filed, June 22, 1966;  
8:49 a.m.]

[Notice 1370]

#### MOTOR CARRIER TRANSFER PROCEEDINGS

JUNE 20, 1966.

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-68811. By order of June 16, 1966, the Transfer Board approved the transfer to White Truck Line, Inc., Atlanta, Ga., of the operating rights in certificate Nos. MC-98499 (Sub-No. 3) and MC-98499 (Sub-No. 5) and the certificate of registration in No. MC-98499 (Sub-No. 2), issued December 3, 1964, January 12, 1965, and August 24, 1964, respectively, to White Truck Line, Inc., Atlanta, Ga., authorizing transportation, under the certificates, of: General Commodities, with the usual exceptions, between Atlanta, Ga., on the one hand, and, on the other, Jefferson and Peachtree City, Ga., and the sites of Tucker-Stone Mountain Industrial District and Stone Mountain Industrial Park, De Kalb County, Ga., over irregular routes, and,

between Atlanta, Ga., and Rex, Ga., serving all intermediate points, over regular routes; and transportation under the certificate of registration corresponding to certificate of public convenience and necessity Nos. 1016 dated February 9, 1955, 2312 and 2831 dated October 30, 1952, and 2538 dated September 25, 1952, issued by the Georgia Public Service Commission. Guy H. Postell, 1375 Peachtree Street NE., Suite 693, Atlanta, Ga., 30309, attorney for applicants.

No. MC-FC-68832. By order of June 16, 1966, the Transfer Board approved the transfer to Auto Fast Freight Inc., San Bernadino, Calif., of the certificate of registration No. MC-96739 (Sub-No. 1) issued to Desert Transfer & Storage, a corporation, Indio, Calif., evidencing a right to engage in operations in interstate or foreign commerce, in the transportation of: General commodities, between points in California. Donald Murchison, 211 South Beverly Drive, Beverly Hills, Calif., 90212, attorney for applicants.

No. MC-FC-68833. By order of June 16, 1966, the Transfer Board approved the transfer to M. & G. Transportation Co., Inc., Gloucester, Va., the operating rights in certificate No. MC-61620, issued January 24, 1962, to C. Douglas Thomas, doing business as M. & G. Transportation, Cobbs Creek, Va., authorizing the transportation of: General commodities, and certain specified commodities, between points in Maryland, Pennsylvania, Virginia, West Virginia, and the District of Columbia. Jno. C. Goddin, 10 South 10th Street, Richmond, Va., attorney for applicants.

No. MC-FC-68834. By order of June 16, 1966, the Transfer Board approved the transfer to A. Girodano Trucking Corp., Union, N.J., a portion of the operating rights in certificate No. MC-66645 issued to Sea Shore Express Co., Inc., Newark, N.J., authorizing the transportation of: General commodities, except household goods as defined by the Commission, between specified points in New York and New Jersey. Bert Collins, 140 Cedar Street, New York, N.Y., 10006, representative for applicants.

No. MC-FC-68851. By order of June 16, 1966, the Transfer Board approved the transfer to Florence M. Bonsall, doing business as J. Colton Bonsall, Collingswood, N.J., of the operating rights of J. Colton Bonsall, Florence M. Bonsall, Executrix, Collingswood, N.J., in certificate No. MC-72367, issued by the Commission June 29, 1959, authorizing the transportation, over irregular routes, of brick, from Reading, Pa., to Atlantic City, N.J., and points in Camden, N.J., concrete pipe, from Pottstown, Pa., to points in Camden County, N.J., and steel, from Philadelphia, Pa., to points in New Jersey, Delaware, and Maryland. James H. Sweeney, 902 Spruce Avenue, Oaklyn, N.J., 08107, representative for applicants.

No. MC-FC-68853. By order of June 16, 1966, the Transfer Board approved the transfer to Huntington Westford, Inc., Westford, N.Y., of that portion of the operating rights of Claude S. Reed,

Inc., Manchester, Md., in permit No. MC-108080, issued July 27, 1965, authorizing the transportation, over irregular routes, of silos and parts and accessories thereof, from Falconer, N.Y., to points in that part of Pennsylvania on and west of U.S. Highway 11, points in Allegany and Garrett Counties, Md., and points in Ashtabula, Geauga, Trumbull, Mahoning, Portage, and Lake Counties, Ohio, as restricted. Warren G. Farrington, Box 254, Oneonta, N.Y., 13820, attorney for transferee. Donald E. Freeman, 172 East Green Street, Westminster, Md., 21157, representative for transferor.

[SEAL] H. NEIL GARSON,  
Secretary.

[F.R. Doc. 66-6884; Filed, June 22, 1966;  
8:49 a.m.]

## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration  
NALCO CHEMICAL CO.

### Notice of Filing of Petition for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 6H2036) has been filed by Nalco Chemical Co., 6216 West 66th Place, Chicago, Ill., 60638, proposing an amendment to § 121.2505 *Slimicides* to provide for the safe use of methylenebisithiocyanate to control slime in the manufacture of paper and paperboard.

Dated: June 15, 1966.

J. K. KIRK,  
Assistant Commissioner  
for Operations.

[F.R. Doc. 66-6881; Filed, June 22, 1966;  
8:48 a.m.]

## FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 16702, 16703; FCC 66-518]

T.V. BROADCASTERS, INC., AND  
TRI-CITY BROADCASTING CO., INC.

### Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of T.V. Broadcasters, Inc., Vineland, N.J., Docket No. 16702, File No. BPCT-3539; Tri-City Broadcasting Co., Inc., Vineland, N.J., Docket No. 16703, File No. BPCT-3716; for construction permit for new television broadcast station.

At a session of the Federal Communications Commission, held at its offices in Washington, D.C., on the 14th day of June 1966;

1. The Commission has before it for consideration the above-captioned ap-



plications, each requesting a construction permit for a new television broadcast station to operate on Channel 65, Vineland, N.J. Since the operation proposed by both of the applicants would result in mutually destructive interference, they are mutually exclusive and a hearing will be required to determine which application should be granted.

2. With respect to the issues set forth below the following considerations are pertinent:

(a) T.V. Broadcasters, Inc.'s application indicates that cash in the amount of \$236,905<sup>1</sup> will be needed for initial construction and first year's operating expenses. To meet the cash requirements, the applicant relies upon the availability of \$3,980 in existing capital, \$149,000 in loans from seven stockholders and deferred credit from RCA. With respect to the loans from the stockholders, no balance sheets have been submitted to show their ability to meet their commitments. Also, no letter of deferred credit has been submitted from RCA. However, even if the availability of the \$149,000 and the deferred credit were conceded, the applicant would still have to show the availability of an additional \$83,925 to satisfy the standards of Ultravision Broadcasting Co., FCC 65-581, 5 R.R. 2d 343. Accordingly, financial issues are specified. The Commission notes that although the application indicates that T.V. Broadcasters anticipates first year revenues of \$134,400 nothing has been submitted to indicate either the basis for this estimate or a reliance on any part of it to help meet first year expenses.

(b) Tri-City Broadcasting Co., Inc.'s, application indicates that cash in the amount of \$309,020<sup>2</sup> will be needed for initial construction and first year's operating expenses. To meet the cash requirements, the applicant relies upon the availability of a \$1,000 in subscription agreements and a \$200,000 bank loan from the Farmers and Merchants National Bank. Although the applicant has established the availability of \$201,000, it has not shown where the remaining \$108,000 will come from, and therefore financial issues are also specified against Tri-City. It is noted that although Tri-City's application indicates that it anticipates first year's revenues of \$150,000, it also has not submitted anything to indicate either the basis for this estimate or a reliance on any part of it to help meet first year's expenses.

3. Except as indicated by the issues set forth below, each of the applicants is

<sup>1</sup>Down payment to RCA—\$49,707; first year's payments to RCA—\$48,290; land—\$3,000; miscellaneous fees—\$7,102; repayment of bank loan including interest—\$30,996; and estimated cost of operation \$97,810.

<sup>2</sup>Down payment to RCA—\$58,556; first year's payments to RCA—\$57,464; buildings—\$10,000; miscellaneous—\$5,000; repayment of bank loan—\$53,000; and first year's operating expense—\$125,000.

qualified to construct, own, and operate the proposed new television broadcast station. The applications are, however, mutually exclusive in that operation by the applicants as proposed would result in mutually destructive interference. The Commission is therefore unable to make the statutory finding that a grant of the applications would serve the public interest, convenience, and necessity, and is of the opinion that they must be designated for hearing in a consolidated proceeding on the issues set forth below.

Accordingly, it is ordered, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the above-captioned applications of T.V. Broadcasters, Inc., and Tri-City Broadcasting Co., Inc., are designated for hearing in a consolidated proceeding at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine with respect to T.V. Broadcasters, Inc.'s application:

(a) Whether deferred credit will be available from RCA.

(b) Whether the loans from the stockholders in the amount of \$149,000 will be available.

(c) Whether, in the event issue (b) is answered in the affirmative, additional funds will be available to meet the cash required figure of \$236,905.

(d) Whether in view of the evidence adduced pursuant to (a), (b), and (c), the applicant is financially qualified.

2. To determine with respect to Tri-City Broadcasting Co., Inc.'s application:

(a) Whether in view of the cash required figure of \$309,020 and the availability of only \$201,000, an additional \$108,020 will be available.

(b) Whether in view of the evidence adduced pursuant to (a) the applicant is financially qualified.

3. To determine which of the proposals would better serve the public interest.

4. To determine, in the light of the evidence adduced pursuant to the foregoing issues, which, if either, of the applications should be granted.

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

It is further ordered, That the applicants herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594(a) of the Commission's rules, give notice of the hearing, either individually or, if feasible, jointly, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of

such notice as required by § 1.594(g) of the rules.

Released: June 20, 1966.

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

[F.R. Doc. 66-6886; Filed, June 22, 1966;  
8:49 a.m.]

[Docket Nos. 16476-16478; FCC 66M-857]

ARTHUR A. CIRILLI ET AL.

Order Following Second Further  
Prehearing Conference

In re applications of Arthur A. Cirilli, trustee in bankruptcy (WIGL), Superior, Wis., Docket No. 16476, File No. BR-4080, BRRE-7740; for renewal of license of station WIGL; Quality Radio, Inc. (WAKX), Superior, Wis., Docket No. 16477, File No. BP-16497; for construction permit; Arthur A. Cirilli, trustee in bankruptcy (Assignor), and D.L.K. Broadcasting Co., Inc. (Assignee), Docket No. 16478, File No. BAL-5627, BALRE-1336; for assignment of license of station WIGL.

Pursuant to procedural agreements reached at the further prehearing conference held this date: It is ordered, This 17th day of June 1966, as follows:

(1) The proposed written exhibits of the applicants on Issues 1 and 2 and the two additional unnumbered issues specified in the memorandum opinion and order of the Review Board (FCC 66R-214) released June 7, 1966, shall be exchanged by July 26, 1966;

(2) The proposed written exhibits of the applicants on Issue 3 (the standard comparative issue) shall be exchanged by August 10, 1966;

(3) Lists of proposed witnesses and the issues on which they each will testify shall be exchanged by the applicants by July 26, and August 10, 1966, to the extent that such information is not indicated by the proposed written exhibits exchanged on these dates.

(4) Notification as to witnesses required to be present at the hearing for cross-examination on testimony set forth in proposed written exhibits shall be given to counsel concerned by August 29, 1966;

(5) The hearing heretofore scheduled to commence on June 21, 1966 is postponed to September 7, 1966; and

(6) A further prehearing conference will be held on June 29, 1966, at 9 a.m., in the offices of the Commission at Washington, D.C.

Released: June 20, 1966.

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

[F.R. Doc. 66-6887; Filed, June 22, 1966;  
8:49 a.m.]



[Docket No. 16636; FCC 66M-860]

**HADDOX ENTERPRISES, INC.****Postponement of Hearing**

In re application of Haddox Enterprises, Inc., Columbia, Miss., Docket No. 16636, File No. BPH-4532; for construction permit.

Pursuant to agreement reached at the prehearing conference held this date: *It is ordered*, This 17th day of June 1966, that the hearing heretofore scheduled for July 12, 1966, is postponed to July 13, 1966, at 10 a.m., in the offices of the Commission at Washington, D.C., in order to resolve a conflict in hearing commitments of counsel.

Released: June 20, 1966.

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

[F.R. Doc. 66-6888; Filed, June 22, 1966; 8:49 a.m.]

[Docket Nos. 16509-16519; FCC 66M-861]

**MICROWAVE COMMUNICATIONS, INC., ET AL.****Order Regarding Procedural Dates**

In re applications of Microwave Communications, Inc., et al., Docket No. 16509, File No. 4615-C1-P-64, Docket Nos. 16510, 16511, 16512, 16513, 16514, 16515, 16516, 16517, 16518, 16519; for construction permits to establish new facilities in the Domestic Public Point-to-Point Microwave Radio Service at Chicago, Ill., St. Louis, Mo., and intermediate points.

By letter dated and delivered June 16, 1966, counsel for Microwave Communications, Inc., requests a 2-month extension of the procedural dates now in effect (see FCC 66M-743). The request is not opposed by counsel for the other parties.

*Accordingly, it is ordered*, This 17th day of June 1966, that Microwave's letter-request is granted, and the several procedural dates are extended as follows:

Applicant to furnish its direct written case to other parties and Hearing Examiner by August 22, 1966.

Petitioners to furnish their direct written cases to applicant and Hearing Examiner by September 12, 1966.

Receipt of notification of witnesses for cross-examination by September 22, 1966.

Hearing (rescheduled from July 26, see FCC 66M-743), October 4, 1966.

Released: June 20, 1966.

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

[F.R. Doc. 66-6889; Filed, June 22, 1966; 8:49 a.m.]

[Docket No. 16600; FCC 66M-852]

**ROSENBERG AUTO SALES****Order Continuing Hearing**

In the matter of Sam Rosenberg, doing business as Sam Rosenberg Auto Sales, Ridgefield, N.J., and Fairview, N.J., Docket No. 16600; order to show cause why the licenses for radio stations KBI-8988, WB2RKV and KEV-688 in the Citizens, Amateur and Business Radio Services, respectively, should not be revoked.

The Hearing Examiner having for consideration the informal request of counsel for the Safety and Special Radio Services Bureau for a 1-week continuance in the commencement of hearing; the request following a conversation with, and at the behest of, the licensee;

*It is ordered*, This 16th day of June 1966, that the date for hearing herein is continued to June 27, 1966, commencing at 10 a.m. in the offices of the Commission at Washington, D.C.

Released: June 17, 1966.

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

[F.R. Doc. 66-6890; Filed, June 22, 1966; 8:49 a.m.]

[Docket No. 16043; FCC 66M-856]

**SPORTS NETWORK, INC., AND AMERICAN TELEPHONE & TELEGRAPH CO.****Statement and Order After Prehearing Conference**

Sports Network, Inc., New York, N.Y., Complainant, vs. American Telephone & Telegraph Co., New York, N.Y., Defendant, Docket No. 16043.

At today's prehearing conference the following schedule was agreed upon:

Receipt of complainant's direct written case and names of its witnesses to testify orally by October 11, 1966.

Receipt of notification of witnesses desired for cross-examination by October 18, 1966.

Hearing, October 25, 1966 (rescheduled from July 12, 1966).

*So ordered*, This 16th day of June 1966.

Released: June 17, 1966.

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

[F.R. Doc. 66-6891; Filed, June 22, 1966; 8:49 a.m.]

[Docket Nos. 16290, 16291; FCC 66M-868]

**WMGS, INC., AND OHIO RADIO, INC.****Order Continuing Hearing Conference**

In re applications of WMGS, Inc. (WMGS), Bowling Green, Ohio, Docket No. 16290, File No. BR-3097; for renewal of license; Ohio Radio, Inc., Bowling Green, Ohio, Docket No. 16291, File No. BP-16423; for construction permit.

Counsel for WMGS, Inc., has informally advised the Hearing Examiner that the applicants are filing in the near future a pleading seeking dismissal of one of the applications;

*Accordingly, it is ordered*, This 20th day of June 1966, that the hearing conference now scheduled for June 27, 1966, be and the same is hereby continued without date.

Released: June 20, 1966.

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

[F.R. Doc. 66-6892; Filed, June 22, 1966; 8:50 a.m.]

**FEDERAL MARITIME COMMISSION**

[Docket No. 66-22; 3d Supp. Order]

**ALASKA STEAMSHIP CO.****General Increase in Peninsula and Bering Sea Areas of Alaska (1966); Correction**

In the order in this proceeding served June 15, 1966, change "First Supplemental Order" to read "Second Supplemental Order"; and change the title to conform with the title shown in the original order served April 11, 1966.

[SEAL] THOMAS LISI,  
Secretary.

[F.R. Doc. 66-6878; Filed, June 22, 1966; 8:48 a.m.]



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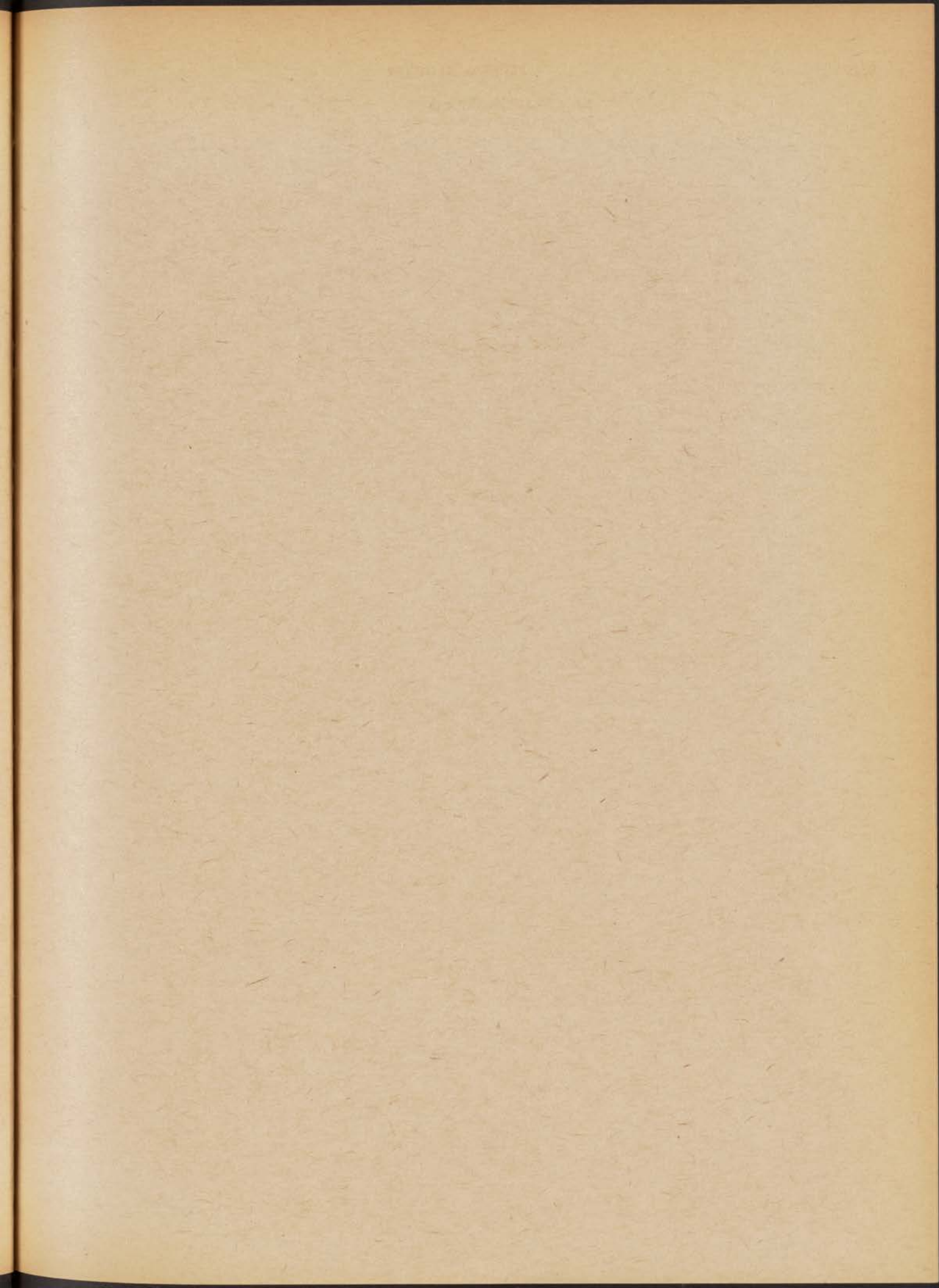
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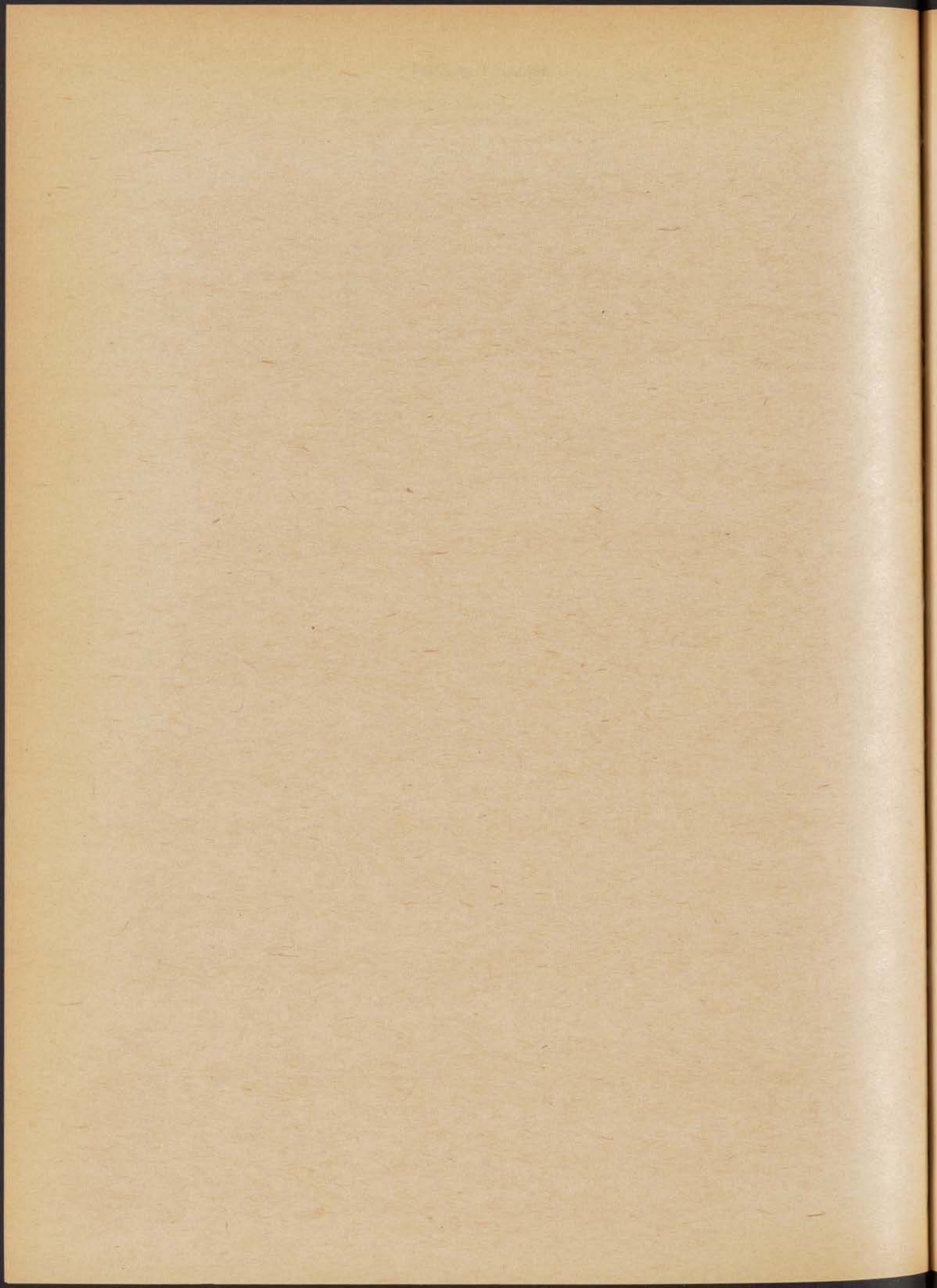


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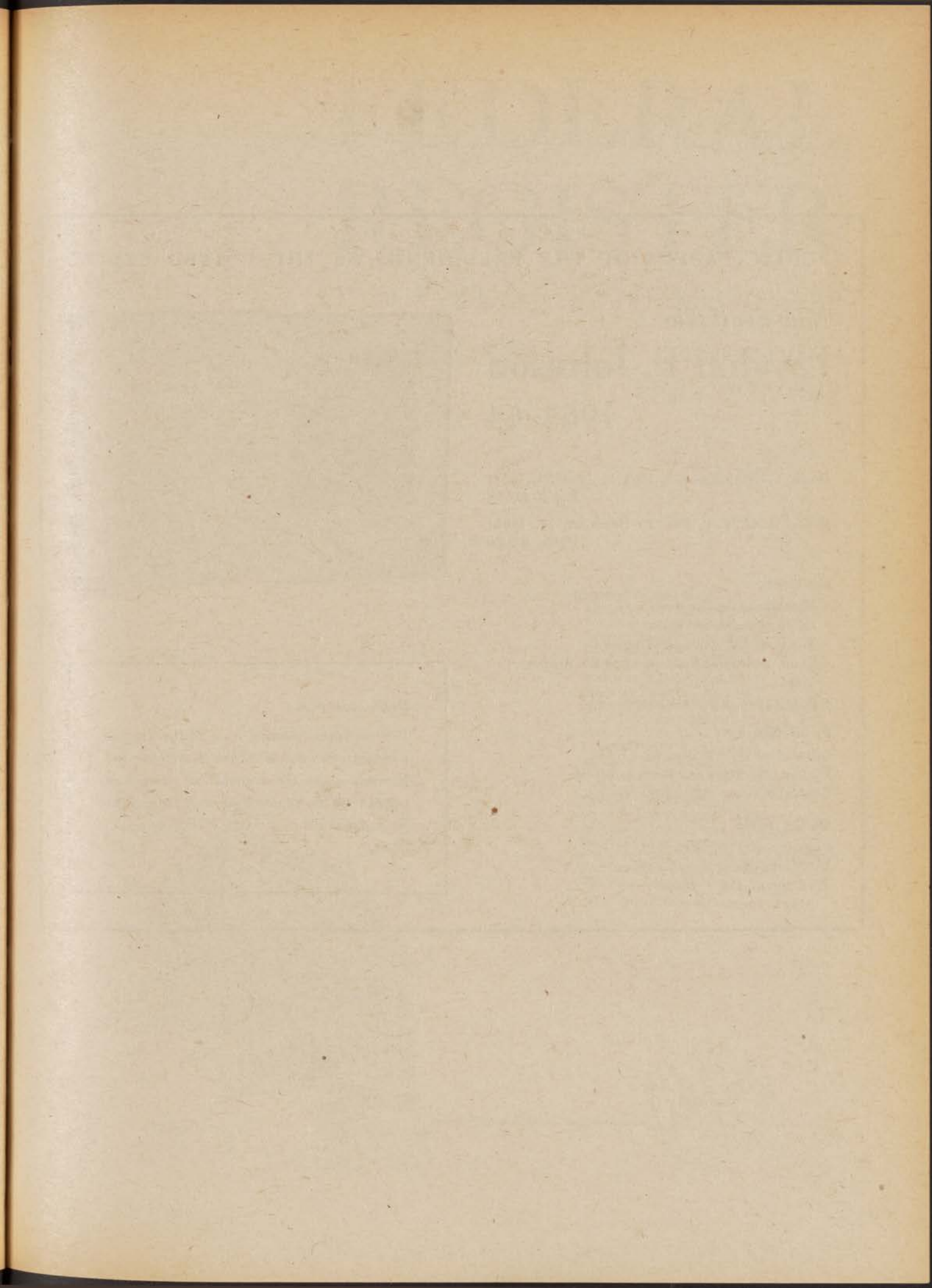














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