

FEDERAL REGISTER

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Agencies in this issue—

The President
Atomic Energy Commission
Civil Aeronautics Board
Civil Service Commission
Consumer and Marketing Service
Federal Communications Commission
Federal Maritime Commission
Federal Power Commission
Federal Trade Commission
Fish and Wildlife Service
Food and Drug Administration
Internal Revenue Service
Interstate Commerce Commission
Land Management Bureau
Post Office Department
Public Contracts Division
Securities and Exchange Commission
Small Business Administration

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Volume 79

UNITED STATES
STATUTES AT LARGE

[89th Cong., 1st Sess.]

Contains laws and concurrent resolutions enacted by the Congress during 1965, reorganization plans, a proposed amendment to the Constitution, and Presidential proclamations. Also in-

cluded are: a subject index, tables of prior laws affected, a numerical listing of bills enacted into public and private law, and a guide to the legislative history of bills enacted into public law.

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Proclamation 3745

LEIF ERIKSON DAY, 1966

By the President of the United States of America

A Proclamation

Leif Erikson, one of the great leaders of the heroic age of Nordic exploration, is a source of special inspiration to millions of Americans of Scandinavian descent. The Viking explorers of a thousand years ago left us an example of courage and daring that will never be forgotten. Their far-reaching voyages across frigid northern seas in small boats, guided by crude and primitive instruments of navigation, are a lasting testament to what man's bravery and determination can achieve.

Those ancient Nordic virtues are also part of our American heritage. For it was largely men and women of Norwegian, Swedish and Danish birth or descent who first broke through the tough sod of the American plains and brought agricultural abundance to the American prairies. Citizens bearing such names as Anderson, Magnuson, Lindburg, Ericson, Dahlgren, and Jackson are to be found among our greatest statesmen, soldiers, teachers, and scientists. They have enriched every aspect of our national life. All of them were in some degree inspired to their personal achievements by the example of the great Nordic hero, Leif Erikson.

It was for these reasons that the Congress of the United States, by a joint resolution approved September 2, 1964 (78 Stat. 849), authorized the President to proclaim October 9 in each year as Leif Erikson Day. I am happy and pleased to honor that request.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby designate Sunday, October 9, 1966, as Leif Erikson Day; and I direct the appropriate Government officials to display the flag of the United States on all Government buildings on that day.

I also invite the people of the United States to honor the memory of Leif Erikson on that day by holding appropriate exercises and ceremonies in schools and churches, or other suitable places.

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

DONE at the City of Washington this sixteenth day of September in the year of our Lord nineteen hundred and sixty-six, and
[SEAL] of the Independence of the United States of America the one hundred and ninety-first.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,
Secretary of State.

[F.R. Doc. 66-10374; Filed, Sept. 19, 1966; 1:55 p.m.]

Robertson's Experiment

The following experiment was conducted by Robertson in 1934. It was designed to determine the effect of the concentration of a solution on the rate of a chemical reaction. The reaction chosen was the reaction between hydrogen peroxide and potassium iodide, which is catalyzed by the presence of a small amount of a substance called a catalyst. The reaction is as follows:

$$2H_2O_2 \rightarrow 2H_2O + O_2$$

The rate of the reaction was measured by the volume of oxygen gas evolved over a given period of time. The concentration of the hydrogen peroxide solution was varied, while the concentration of the potassium iodide solution was kept constant. The results of the experiment are shown in the following table:

Concentration of H_2O_2 (M)	Volume of O_2 (ml) evolved in 10 minutes
0.1	10
0.2	20
0.3	30
0.4	40
0.5	50

From the above table, it can be seen that the rate of the reaction increases linearly with the concentration of the hydrogen peroxide solution. This indicates that the reaction is first order with respect to the concentration of hydrogen peroxide.

Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 890—FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM

Miscellaneous Amendments

The approval on July 18, 1966, of Public Law 89-504, the "Federal Salary and Fringe Benefits Act of 1966" has the effect of amending several provisions of the Federal Employees Health Benefits Act of 1959, and requires that the regulations be changed to conform to the amended provisions of the latter Act.

The Commission has found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective dates of the amendments until 30 days after publication thereof in the FEDERAL REGISTER because it was the express intent of Congress that the amendments should become effective on dates provided by Public Law 89-504, and, to effectuate the declared policy of the Act, these amendments to the regulations should become effective as of that date.

Therefore, it is ordered that these amendments are effective as of the first day of the first pay period which begins on or after July 18, 1966, except for the amendment of § 890.303, which is effective July 18, 1966.

Section 890.302(b) is amended to read as follows:

§ 890.302 Coverage of family members.

(b) *Child incapable of self-support.* When an employee or annuitant enrolls for a family which includes a child incapable of self-support who has become 22 years of age, the employing office shall require the employee or annuitant to submit a certificate of the physician that the child is incapable of self-support because of a physical or mental disability which existed before the child became 22 years of age, and can be expected to continue for more than 1 year. The certificate shall include a statement of the name of the child, the nature of his disability, the period of time it has existed, and its probable future course and duration. The certificate shall be signed by the physician and show his office address. When an employee or annuitant is enrolled for a family which includes a child under 22 years of age who is incapable of self-support because of a physical or mental disability, the employing office shall require the employee or annuitant to submit the certificate on or before the date the child be-

comes 22 years of age. However, the employing office may accept otherwise satisfactory evidence of incapacity not timely filed.

Section 890.303(e) is amended to read as follows:

§ 890.303 Continuation of enrollment.

(e) *In nonpay status.* Except as provided in section 406 (b), (c) of Public Law 89-504 in regard to an employee on leave without pay to serve as a full-time officer or employee of an employee organization, the enrollment of an employee continues without cost to the employee while he is in nonpay status for up to 365 days. The 365 days' nonpay status may be continuous or broken by periods of less than 4 consecutive months in pay status. If an employee has at least 4 consecutive months in pay status after a period of nonpay status he is entitled to begin the 365 days' continuation of enrollment anew. For the purposes of this paragraph, 4 consecutive months in pay status means any 4-month period during which the employee is in pay status for at least part of each pay period.

Section 890.501 is amended as follows:

§ 890.501 Government contributions.

(a) The Government contribution for all plans, except those for which another contribution is set by paragraph (b) of this section, for each enrolled employee who is paid biweekly, is the amount provided in section 8906 of title 5, U.S.C., as amended, plus 4 percent of that amount.

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

[F.R. Doc. 66-10272; Filed, Sept. 20, 1966;
8:45 a.m.]

Title 7—AGRICULTURE

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture
[Valencia Orange Reg. 178, Amdt. 1]

PART 908—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part

908), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendation and information submitted by the Valencia Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001-1011) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, and this amendment relieves restriction on the handling of Valencia oranges grown in Arizona and designated part of California.

Order, as amended. The provisions in paragraph (b)(1)(i) and (ii) of § 908.478 (Valencia Orange Regulation 178, 31 F.R. 11931) are hereby amended to read as follows:

§ 908.478 Valencia Orange Regulation 178.

- (b) *Order.* (1) * * *
(i) District 1: 150,000 cartons.
(ii) District 2: 525,000 cartons.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: September 16, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66-10279; Filed, Sept. 20, 1966;
8:45 a.m.]

PART 921—FRESH PEACHES GROWN IN DESIGNATED COUNTIES IN WASHINGTON

Establishment of Reserve Fund

On August 26, 1966, notice of rule making was published in the FEDERAL REGISTER (31 F.R. 11315) regarding amendment to § 921.203 *Reserve fund* (26 F.R. 8661) of the marketing agreement and Order No. 921 (7 CFR Part

921) regulating the handling of fresh peaches grown in designated counties in Washington. This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). After consideration of all relevant matters presented, including the proposals set forth in such notice, it is hereby found and determined that the said amendment with respect to "Reserve fund" is in accordance with the provisions of said marketing agreement and order and will tend to effectuate the declared policy of the act, and said § 921.203 *Reserve fund* is hereby amended to read as follows:

§ 921.203 Reserve fund.

(a) The establishment of a reserve fund of an amount which shall not exceed approximately one fiscal year's operational expenses is appropriate and necessary to the maintenance and functioning of the Washington Fresh Peach Marketing Committee. The committee is authorized to expend any funds in such reserve for expenses authorized pursuant to § 921.40.

The provisions hereof shall become effective 30 days after publication in the FEDERAL REGISTER.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: September 15, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66-10280; Filed, Sept. 20, 1966; 8:46 a.m.]

PART 925—FRESH PRUNES GROWN IN DESIGNATED COUNTIES IN IDAHO AND IN MALHEUR COUNTY, OREG.

Establishment of Reserve Fund

On August 25, 1966, notice of rule making was published in the FEDERAL REGISTER (31 F.R. 11238) regarding amendment to § 925.203 *Reserve fund* (26 F.R. 8664) of the marketing agreement and Order No. 925 (7 CFR Part 925) regulating the handling of fresh prunes grown in designated counties in Idaho and in Malheur County, Oreg. This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). After consideration of all relevant matters presented, including the proposals set forth in such notice, it is hereby found and determined that the said amendment with respect to "Reserve fund" is in accordance with the provisions of said marketing agreement and order and will tend to effectuate the declared policy of the act, and said § 925.203 *Reserve fund* is hereby amended to read as follows:

§ 925.203 Reserve fund.

(a) The establishment of a reserve fund of an amount which shall not exceed approximately 1 fiscal year's operational expenses is appropriate and necessary to the maintenance and functioning of the Idaho-Malheur County, Oregon Fresh Prune Marketing Committee. The committee is authorized to expend any funds in such reserve for expenses authorized pursuant to § 925.40.

The provisions hereof shall become effective 30 days after publication in the FEDERAL REGISTER.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: September 15, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66-10281; Filed, Sept. 20, 1966; 8:46 a.m.]

Title 10—ATOMIC ENERGY

Chapter I—Atomic Energy Commission

PART 115—PROCEDURES FOR REVIEW OF CERTAIN NUCLEAR REACTORS EXEMPTED FROM LICENSING REQUIREMENTS

Designation of Applicants

On January 4, 1966, the Atomic Energy Commission published in the FEDERAL REGISTER (31 F.R. 17) proposed amendments to its regulations in Part 115, Procedures for Review of Certain Nuclear Reactors Exempted from Licensing Requirements, which would provide for participation in Part 115 proceedings by the appropriate division or operations office of the Commission having programmatic responsibility for reactors subject to such proceedings.

All interested persons were invited to submit written comments and suggestions for consideration in connection with the proposed amendments within 60 days after publication of the notice of proposed rule making in the FEDERAL REGISTER. Upon consideration of the material submitted in response to the notice of proposed rule making and other factors involved, the Commission has decided to adopt the amendments set forth below, which, except as noted, are the same as those set out in the notice of proposed rule making.

The amendments to Part 115, as proposed in the notice of proposed rule making, would have provided (§ 115.3(b)) that in proceedings for operating authorizations, the "applicant" is the prime contractor which will operate the reactor for the Commission and the responsible division, operations office or other designated unit of the Commission having

programmatic responsibility for the reactor. The amendment of § 115.3(b) set forth below provides that in proceedings for operating authorizations, the "applicant" is the prime contractor which will operate the reactor for the Commission but that the responsible division, operations office or other designated unit of the Commission having programmatic responsibility for the reactor may also be an "applicant" if the Commission so determines. Making participation of the responsible Commission unit discretionary with the AEC, rather than mandatory, at the operating authorization stage will provide a desirable degree of flexibility.

Pursuant to the Atomic Energy Act of 1954, as amended, and the Administrative Procedure Act of 1946, as amended, the following amendments to Title 10, Chapter I, Code of Federal Regulations, Part 115, are published as a document subject to codification, to be effective thirty (30) days after publication in the FEDERAL REGISTER.

1. Section 115.2 is amended by revising the preamble to read as follows:

§ 115.2 Scope.

This part applies to any prime contractor of the Commission to the extent that such contractor proposes to construct or operate a nuclear reactor and to the division, operations office, or other designated unit of the Commission which has programmatic responsibility for the contracts to construct and operate the nuclear reactor which:

2. Paragraph (b) of § 115.3 is revised to read as follows:

§ 115.3 Definitions.

(b) "Applicant" means, in proceedings for construction authorizations, the prime contractor for construction, the prime contractor which will operate the reactor for the Commission and the division, operations office or other designated unit of the Commission having programmatic responsibility for the contracts to construct and operate the reactor. In proceedings for operating authorizations, "applicant" means the prime contractor which will operate the reactor for the Commission; it will also include, where the Commission so determines, the division, operations office or other designated unit of the Commission having programmatic responsibility for the contracts to construct and operate the reactor.

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

Dated at Washington, D.C., this 8th day of September 1966.

For the Atomic Energy Commission.

W. B. McCool,
Secretary.

[F.R. Doc. 66-10270; Filed, Sept. 20, 1966; 8:45 a.m.]

Title 13—BUSINESS CREDIT AND ASSISTANCE

Chapter I—Small Business Administration

[Rev. 6; Amdt. 4]

PART 121—SMALL BUSINESS SIZE STANDARDS

Request for Size Determination

Section 121.3-13 of Part 121 of Chapter I of Title 13 of the Code of Federal Regulations is hereby amended by revising paragraph (b) thereof. As revised, paragraph (b) of § 121.3-13 reads as follows:

§ 121.3-13 Definition of small business for receiving priority payment under section 213(a) of the War Claims Act of 1948, as amended.

(b) (1) Requests for size determinations shall be accepted only from the Foreign Claims Settlement Commission of the United States.

(2) Determinations of the size status of a claimant shall be made either by the Deputy Administrator for Procurement and Management Assistance or, in the case of claimants residing within the United States, by the SBA Regional Director for the region in which the claimant resides and, in the case of claimants residing in foreign countries, by the SBA Regional Director in Washington, D.C.

Effective date. This amendment is effective upon publication in the FEDERAL REGISTER.

Dated: September 10, 1966.

BERNARD L. BOUTIN,
Administrator.

[F.R. Doc. 66-10293; Filed, Sept. 20, 1966; 8:47 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Legality of Notice Calling Attention to Page on Which Magazine Publisher's Promotional Assistance Program is Located

§ 15.90 Legality of notice calling attention to page on which magazine publisher's promotional assistance program is located.

(a) The Commission advised the publisher of a monthly magazine that implementation of the promotional assistance plan outlined below would not result in violation of Commission administered law.

(b) Under the plan, a notice would be printed quarterly on the cover of the

magazine calling attention to the page in that issue on which the payment and the essentials of the retailers' service obligations would be set forth in an item in the same size type as the magazine's textual material. The item would also reflect that the retailer must write to the magazine distributor to obtain a copy of the agreement containing full details. A retailer would obtain quarterly payments of 10 percent of the cover price of copies sold after certifying to the distributor that he—the retailer—had complied with the terms of the agreement. The agreement requires display of the magazine full cover flat or full cover prominent position on the principal magazine rack or full cover vertical in a rack at each checkout counter for the entire sales period of an issue.

(38 Stat. 717, as amended; 15 U.S.C. 41-58; 49 Stat. 1526; 15 U.S.C. 13, as amended)

Issued: September 20, 1966.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 66-10296; Filed, Sept. 20, 1966; 8:47 a.m.]

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Supplying Domestic Markets from Foreign Plant Operated by Export Trade Association Member

§ 15.91 Supplying domestic markets from foreign plant operated by an export trade association member raises possibility of unlawful interference with domestic trade and commerce.

(a) In an advisory opinion the Federal Trade Commission stated that an export trade association loses its statutory exemption from the antitrust laws if domestic prices are artificially or intentionally raised or lowered by the foreign operations of members with both foreign and domestic plants.

(b) The 1918 Webb-Pomerene Act authorizes American exporters to engage collectively in foreign trade through co-operatively organized trade associations registered with the FTC and subject to its supervision. The statute qualifiedly exempts such associations from the antitrust laws in joint foreign trade ventures. For example, they may fix prices and quotas, pool products for shipment, and establish terms and conditions of sales to foreign markets.

(c) The requesting association said that certain American companies have both foreign and domestic plants producing the product involved, and asked whether a Webb-Pomerene association might include such companies as members if the membership only discuss the price of their exports from their domestic plants.

(d) The Commission's advisory opinion noted that some of these American-owned foreign plants "are shipping a substantial proportion of their output into the United States and are supply-

ing a substantial share of the domestic consumption * * *. Although it has been held that members of Webb-Pomerene associations may own plants located outside the United States, the use of such plants to supply the domestic market raises a possibility that domestic prices may be intentionally or artificially enhanced or depressed in contravention of the Webb-Pomerene Act."

(e) In short, the Commission advised, "while membership in a Webb-Pomerene association by firms owning foreign establishments is permissible the statutory exemption enjoyed by the association is lost if artificial or intentional enhancement or depression of domestic prices is in any way traceable to the foreign operation of member firms."

(38 Stat. 717, as amended; 15 U.S.C. 41-58; 40 Stat. 516; 15 U.S.C. 61-64)

Issued: September 20, 1966.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 66-10297; Filed, Sept. 20, 1966; 8:47 a.m.]

Title 26—INTERNAL REVENUE

Chapter I—Internal Revenue Service, Department of the Treasury

SUBCHAPTER A—INCOME TAX

[T.D. 6894]

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

Consolidated Return Regulations

Correction

In F.R. Doc. 66-9813 appearing in the issue for Thursday, September 8, 1966, at page 11794, in § 1.1502-75(c)(1)(i) the reference in the first sentence to the "19th day" should read "90th day".

Title 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 4—INFORMATION ON POSTAL MATTERS

Cooperation With Red Cross During National Disasters

In § 4.5, paragraphs (c) and (d) are revised to reflect the latest natural disaster procedures set forth in the agreement between the American National Red Cross and the Post Office Department, which was recently redrawn.

As the revisions to § 4.5 (c) and (d) relate to a proprietary function of the Government and do not affect substantive rights, advanced notice and public rule making procedures, as well as a delayed effective date are unnecessary and would be contrary to the public interest. Accordingly § 4.5 (c) and (d) is revised to read as follows effective

upon publication in the FEDERAL REGISTER.

§ 4.5 Cooperation with Red Cross during national disasters.

(c) *Action by the Red Cross.* (1) The American National Red Cross will encourage its chapters to establish and maintain contact with the postmaster(s) within the chapter jurisdiction in the interest of disaster planning.

(2) The Red Cross will arrange to use the "Change of Address Order," Form 3575 as a standard item in Red Cross disaster operations. It will also arrange to distribute these forms as needed to disaster-displaced persons in all Red Cross field facilities such as registration centers, feeding centers, mobile canteens, disaster shelters, etc. The chapter concerned will arrange with the postmaster concerned for the disposition of the completed forms for the establishment of a postal locator file.

(3) The Red Cross will arrange for the distribution of postal cards or other suitable stationery as needed by individuals or families in areas affected by disaster for mailing to relatives and friends as notification of the whereabouts and safety of the senders.

(4) The Red Cross will in disaster situations include in its Public Information releases an appeal to affected families and individuals to obtain and complete "Change of Address Order" forms, along with an appeal to write to relatives and friends immediately concerning their whereabouts and safety.

(5) The Red Cross will include all necessary instructions in operating procedure manuals and training outlines to guide its field staff and volunteers in cooperating with local postmasters in implementing this arrangement.

(6) The Red Cross has advised all of its chapters concerning these instructions and has urged that they include postmasters in their disaster preparedness planning.

(d) *Action by the Post Office Department.* (1) The Post Office Department will make available to the American National Red Cross "Change of Address Order," Form 3575, in a manner mutually agreeable to both agencies.

(2) Post offices that receive completed "Change of Address Order" forms following a disaster will maintain them as a central locator file to provide directory service whereby mail may be promptly forwarded to individuals and families displaced by the disaster.

(3) The Post Office Department will permit postmasters to make available the information on these "Change of Address Order" forms to authorized Red Cross disaster workers. This information will be used by the Red Cross in locating individuals and families, only to answer inquiries from relatives and friends concerning the whereabouts and welfare of residents of the disaster community, or to make contact with residents who have made application for assistance from the Red Cross but who cannot be located because of a change of address.

(4) Regional Directors and Postal Inspectors in Charge are responsible for seeing that the post offices concerned implement these cooperative arrangements in disaster situations. Postmasters are encouraged to participate in community and Red Cross disaster preparedness planning.

(5) The instructions in this section serve as a broad framework within which field officials of both agencies may coordinate their facilities and resources. However, postal officials shall cooperate with Red Cross officials to the maximum feasible degree during times of natural disasters.

NOTE. The corresponding Postal Manual sections are 114.53 and 114.54, respectively. (R.S. 161, as amended; 5 U.S.C. 22, 39 U.S.C. 501)

TIMOTHY J. MAY,
General Counsel.

SEPTEMBER 16, 1966.

[F.R. Doc. 66-10295; Filed, Sept. 20, 1966; 8:47 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

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

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 3871]

[Oregon 05286]

OREGON

Withdrawal for John Day Lock and Dam Project

Correction

In F.R. Doc. 65-12701 appearing in the issue for Saturday, November 27, 1965, at page 14731, in column 3, above the description beginning for section 8, there should be inserted the following township and range description: "T. 4 N., R. 24 E."

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[FCC 66-818]

PART 13—COMMERCIAL RADIO OPERATORS

Temporary Limited Radiotelegraph Second Class Operator License

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 14th day of September 1966 the above entitled matter was under consideration.

The U.S. Maritime Administration and Maritime radio operator unions have requested the Commission to establish a temporary limited radiotelegraph second class operator license and provide for issuance of the license to eligible former operators who qualify in an abridged

examination. The Commission has been informed that a number of oceangoing ships have been and are being reactivated from the U.S. Reserve Fleet anchorages and this has created a current need for additional radio operators.

It appears that the public interest, convenience and necessity would be served by amending Part 13 of the Commission's rules to reestablish the temporary limited radiotelegraph second class operator license, valid for operation of radio stations on board ships only, and to provide for issuance of such license to eligible persons in the manner and to the extent set forth below.

Because of existing circumstances compliance with the public notice and procedure provided for in section 4(a) of the Administrative Procedure Act is impracticable. Because the amendment is relieving a restriction, the effective date requirement of section 4(c) of the Administrative Procedure Act is not applicable.

It is ordered, Pursuant to sections 4(i) and 303(l) of the Communications Act of 1934, as amended, that effective September 16, 1966, Part 13 of the Commission's rules is amended as set forth below.

Released: September 16, 1966.

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interprets or applies sec. 303, 48 Stat. 1082, as amended; 47 U.S.C. 303)

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL]

BEN F. WAPLE,
Secretary.

1. Section 13.2(a)(1) is amended by adding a new subdivision (iii) as follows:

§ 13.2 Classes of operator licenses.

(a) * * *

(1) * * *

(iii) Temporary limited radiotelegraph second-class operator license.

2. Section 13.3 is amended to read as follows:

§ 13.3 Dual holding of licenses.

A person may not hold more than one radiotelegraph operator license or permit and one radiotelephone operator license or permit at the same time: *Provided, however,* That a person may at the same time hold both a temporary limited radiotelegraph second-class operator license and a radiotelegraph third-class operator permit.

3. In § 13.4 paragraph (a) is amended and a new paragraph (d) added as follows:

§ 13.4 Term of license.

(a) Except as provided in paragraphs (b), (c), and (d) of this section, commercial operator licenses will normally be issued for a term of 5 years from the date of issuance.

(d) Temporary limited radiotelegraph second-class operator licenses will normally be issued for a term of 2 years.

4. Section 13.5 is amended by adding a new paragraph (d) as follows:

§ 13.5 Eligibility for new license.

(d) Even though otherwise eligible to apply for an operator license, no person shall be eligible to apply for a temporary limited radiotelegraph second-class operator license except a person who on or after January 1, 1940, held, but does not hold at the time of filing application, a license which was valid and outstanding on its date of expiration in the following categories:

(1) A radiotelegraph first- or second-class operator license;

(2) A temporary limited radiotelegraph second-class operator license issued after examination;

(3) A temporary limited radiotelegraph second-class operator license issued on the basis of having previously held at any time a radiotelegraph first- or second-class operator license. When a temporary limited radiotelegraph operator license is sought under this third category, the applicant shall show that he has had at least 6 months' satisfactory service in the aggregate as a qualified radiotelegraph operator on board a ship or ships of the United States while holding a temporary limited radiotelegraph second-class operator license previously issued by the Commission.

5. In § 13.22, paragraphs (d), (e), (f), and (g) are redesignated as paragraphs (e), (f), (g), and (h), respectively, and a new paragraph (d) added as follows:

§ 13.22 Examination requirements.

(d) *Temporary limited radiotelegraph second-class operator license.* (1) Ability to transmit and receive spoken messages in English.

(2) Transmitting and receiving code test of twenty (20) words per minute plain language and sixteen (16) code groups per minute.

6. Section 13.25 is amended to add a new sentence at the end thereof. As amended, § 13.25 reads as follows:

§ 13.25 New class, additional requirements.

The holder of a license, who applies for another class of license, will be required to pass only the added examination requirements for the new class of license: *Provided*, That the holder of a radiotelegraph third-class operator permit who takes an examination for a radiotelegraph second-class operator license more than 1 year after the issuance date of the third-class permit will also be required to pass the code test prescribed therefor: *Provided further*, That no person holding a new, duplicate, or replacement restricted radiotelephone operator permit issued on the basis of a declaration, or a renewed restricted radiotelephone operator permit which renews a permit issued upon the basis of a declaration shall, by reason of the declaration or the holding of such permit, be relieved in any respect of qualifying by examination when applying for any other class of

license. In addition, no person holding a temporary limited radiotelegraph second-class operator license will, by the holding of such license, be relieved of qualifying by examination when applying for any other class of license for which examination on any subject matter is required.

7. Section 13.61 is amended by adding a new paragraph (c) as follows:

§ 13.61 Operating authority.

(c) *Temporary limited radiotelegraph operator license.* Any ship station or ship radar station, subject to the following conditions and limitations:

(1) On a passenger vessel required by treaty or statute to maintain a continuous watch by operators or on a vessel having continuous hours of service for public correspondence, the holder of this class of license may not act as chief operator.

(2) On a vessel (other than a vessel operated exclusively on the Great Lakes) required by treaty or statute to be equipped with a radiotelegraph installation, the holder of this class of license may not act as chief or sole operator until he has had at least 6 months' satisfactory service in the aggregate as a qualified radiotelegraph operator in a ship or ships of the United States.

(3) At a ship radar station licensed in the ship service, the holder of this class of license may not supervise or be responsible for the performance of any adjustments or tests during or coincident with the installation, servicing or maintenance of the radar equipment while it is radiating energy unless he has satisfactorily completed a supplementary examination qualifying him for that duty and received a ship radar endorsement on his license certifying to that fact: *Provided*, That nothing in this subparagraph shall be construed to prevent persons holding licenses not so endorsed from making replacements of fuses or of receiving type tubes. The supplementary examination shall consist of:

(1) Written examination element: 8.

8. The introductory text of § 13.94 is amended to read as follows:

§ 13.94 Statement in lieu of service endorsement.

The holder of a radiotelegraph first- or second-class operator license, or a temporary limited radiotelegraph second-class operator license desiring an endorsement to be placed thereon attesting to an aggregate of at least 6 months' satisfactory service as a qualified operator on a vessel of the United States or an applicant for a temporary limited radiotelegraph second-class operator license under § 13.5(d)(3) may, in the event documentary evidence cannot be produced, submit to any office of the Commission a statement under oath accompanied by the license to be endorsed, embodying the following:

[F.R. Doc. 66-10311; Filed, Sept. 20, 1966; 8:48 a.m.]

Title 50—WILDLIFE AND FISHERIES

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

PART 32—HUNTING

Kern National Wildlife Refuge, Calif.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER. The limited time ensuing from the date of the adoption of the Federal migratory game bird regulations to and including the establishment of State hunting seasons makes it impracticable to give public notice of proposed rule making.

§ 32.12 Special regulations; migratory game birds; for individual wildlife refuge areas.

CALIFORNIA

KERN NATIONAL WILDLIFE REFUGE

The public hunting of ducks, geese, coots, and gallinules on the Kern National Wildlife Refuge, Calif., is permitted from October 22, 1966, through December 31, 1966, inclusive, but only on the area designated by signs as open to hunting. This open area, comprising 2,495 acres, is delineated on maps available at refuge headquarters, Kern National Wildlife Refuge, Delano, Calif., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 730 Northeast Pacific, Portland, Oreg. 97208.

Hunting shall be in accordance with all applicable State and Federal regulations subject to the following special conditions:

(1) Hunting will be limited to the following dates: October 23, 30; November 6, 13, 20, 27; and December 4, 11, 18, 24, and 31.

(2) Boats—boats without motors may be used for hunting.

(3) A Federal permit is required to enter the public hunting area. Permits may be obtained at the checking station on the refuge area. A fee of \$3.50 will be charged for a permit. Hunters will be permitted on a first-come, first-served basis, and a limitation will be placed on the total number of hunters permitted at any one time.

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 December 31, 1966.

JOHN D. FINDLAY,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

SEPTEMBER 8, 1966.

[F.R. Doc. 66-10273; Filed, Sept. 20, 1966; 8:45 a.m.]

RULES AND REGULATIONS

PART 32—HUNTING

Lacreek National Wildlife Refuge,
S. Dak.

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

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

SOUTH DAKOTA

LACREEK NATIONAL WILDLIFE REFUGE

Public hunting of upland game on the Lacreek National Wildlife Refuge, S. Dak., is permitted only on the area designated by signs as open to hunting. This open area, comprising 310 acres, known locally as the Little White River recreational area, is delineated on a map available at the refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis, Minn. 55408.

Hunting shall be in accordance with all applicable State regulations governing the hunting of upland game subject to the following special conditions:

(a) Species permitted to be taken: Pheasants and grouse (sharp-tailed and pinnated) during the seasons specified below. The hunting of other upland game species, as may be authorized by South Dakota State regulations, is prohibited.

(b) Open season: Grouse—from sunrise to sunset each day from September 17, 1966, through October 16, 1966. Pheasants—from noon to sunset (c.s.t.) daily, from October 15, 1966, through October 17, 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 17, 1966.

JOHN W. ELLIS,
Refuge Manager, Lacreek National Wildlife Refuge, Martin, S. Dak.

[F.R. Doc. 66-10275; Filed, Sept. 20, 1966; 8:45 a.m.]

PART 32—HUNTING

Medicine Lake National Wildlife
Refuge, Mont.

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

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

MONTANA

MEDICINE LAKE NATIONAL WILDLIFE REFUGE

Public hunting of deer on the Medicine Lake National Wildlife Refuge, Mont., is permitted from October 23 through November 6, 1966, only on the area designated by signs as open to hunting. This open area, comprising 2,250 acres, is delineated on a map available at refuge headquarters, Medicine Lake, Mont., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 730 Northeast Pacific Street, Portland, Ore. 97208.

Hunting shall be in accordance with applicable State regulations.

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 November 6, 1966.

JOHN D. FINDLAY,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

SEPTEMBER 9, 1966.

[F.R. Doc. 66-10274; Filed, Sept. 20, 1966; 8:45 a.m.]

PART 32—HUNTING

Lacreek National Wildlife Refuge,
S. Dak.

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

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

SOUTH DAKOTA

LACREEK NATIONAL WILDLIFE REFUGE

Public hunting of deer with firearms on the Lacreek National Wildlife Refuge, S. Dak., is permitted from October 29 through November 6, 1966, but only on the area designated by signs as open to hunting. This open area, comprising 310 acres, locally known as the Little White River recreational area, is delineated on a map available at the refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis, Minn. 55408. Hunting shall be in accordance with all applicable State regulations covering the hunting of deer.

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 November 6, 1966.

JOHN W. ELLIS,
Refuge Manager, Lacreek National Wildlife Refuge, Martin, S. Dak.

[F.R. Doc. 66-10276; Filed, Sept. 20, 1966; 8:45 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 932]

OLIVES GROWN IN CALIFORNIA

Expenses and Rate of Assessment

Consideration is being given to the following proposals submitted by the Olive Administrative Committee, established under the marketing agreement and Order No. 932 (7 CFR Part 932) regulating the handling of olives grown in California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), as the agency to administer the terms and provisions thereof:

(1) That the Secretary of Agriculture find that the expenses that are reasonable and likely to be incurred by said committee, in accordance with this part, during the period beginning September 1, 1966, and ending August 31, 1967, will amount to \$73,500; and

(2) That the Secretary of Agriculture fix the rate of assessment for said period, payable by each first handler in accordance with § 932.39, at \$1.75 per ton, or equivalent quantity, of olives.

Terms used in the marketing agreement and order, shall, when used herein, have the same meaning as is given to the respective term in said marketing agreement and order.

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposal shall file the same, in quadruplicate, with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than the 10th day after the publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Dated: September 15, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66-10284; Filed, Sept. 20, 1966; 8:46 a.m.]

[7 CFR Part 932]

OLIVES GROWN IN CALIFORNIA

Carryover of Unexpended Funds and Establishment of Reserve

Consideration is being given to the following proposal submitted by the Olive Administrative Committee, estab-

lished under the Marketing Agreement and Order No. 932 (7 CFR Part 932), regulating the handling of olives grown in California, effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), as the agency to administer the terms and provisions thereof:

(1) That the Secretary of Agriculture approve the establishment of a reserve, which reserve shall not exceed approximately 1 crop year's expenses, as appropriate for the maintenance and functioning of the said committee under the aforesaid marketing agreement and order; and

(2) That the Secretary of Agriculture determine that it is appropriate for the maintenance and functioning of the committee that unexpended assessment funds in excess of expenses incurred during the fiscal period ended August 31, 1966, be placed in said reserve, and may be used, in accordance with the provisions of § 932.40 of the said marketing agreement and order.

Consideration will be given to written data, views, or arguments pertaining to the aforesaid proposal which are received, in quadruplicate, by the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than the 10th day after publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Dated: September 15, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66-10285; Filed, Sept. 20, 1966; 8:46 a.m.]

DEPARTMENT OF LABOR

Division of Public Contracts

[41 CFR Part 50-204]

RADIATION SAFETY AND HEALTH STANDARDS

Application of Standards in New Hampshire

The State of New Hampshire has recently entered into an agreement with the Atomic Energy Commission (31 F.R. 7090) pursuant to section 274(b) of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2021(b)). This agreement makes that State's program for control of radiation sources effective pursuant to 41 CFR 50-204.320(c)(1) (31 F.R. 1075) and eligible for a determination pursuant to 41 CFR 50-204.320(c)(2) that such

program is currently compatible with the requirements of the Department of Labor's safety and health standards for Federal supply contracts (41 CFR Part 50-204).

This agreement brings into compliance with 41 CFR Part 50-204 any employer in New Hampshire who possesses or uses source material, byproduct material, or special nuclear material, as defined in the Atomic Energy Act of 1954, as amended (42 U.S.C. 2011 et seq.), and has registered such sources with the State of New Hampshire, or is operating under a license issued by the State of New Hampshire, and in accordance with the requirements of New Hampshire's laws and regulations, insofar as his possession and use of such material is concerned, unless the Secretary of Labor after conference with the Atomic Energy Commission, shall determine that the State's program for control of these radiation sources is incompatible with the requirements of 41 CFR Part 50-204. No such determination has been made.

This agreement shall also be deemed to bring into compliance with 41 CFR Part 50-204 any employer who possesses or uses radiation sources other than source material, byproduct material, or special nuclear material, as defined in the Atomic Energy Act of 1954, as amended (42 U.S.C. 2011 et seq.), insofar as his possession and use of such material is concerned, if he has registered such sources with the State of New Hampshire, or is operating under a license issued by the State of New Hampshire, and if his operation is entirely in accordance with the requirements of New Hampshire's laws and regulations, if and when the State's program for control of these radiation sources is the subject of a currently effective determination by the Secretary of Labor that such program is compatible with the requirements of 41 CFR Part 50-204. I hereby propose to make such a determination.

I also propose to add the State of New Hampshire to the list of States set forth in 41 CFR 50-204.320(c)(1) and (2) (31 F.R. 1075).

Interested persons may submit written data, views, or argument regarding this proposal by mailing them to the Director of the Bureau of Labor Standards, U.S. Department of Labor, Railway Labor Building, 400 First Street NW., Washington, D.C. 20212, within 30 days after this notice is published in the FEDERAL REGISTER.

(Secs. 1, 4, 49 Stat. 2036, 2038; 41 U.S.C. 35, 38; sec. 7, 60 Stat. 241; 5 U.S.C. 1006)

Signed at Washington, D.C., this 14th day of September 1966.

W. WILLARD WIRTZ,
Secretary of Labor.

[F.R. Doc. 66-10278, Filed, Sept. 20, 1966; 8:45 a.m.]

Notices

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

CHIEF, DIVISION OF ENGINEERING,
DENVER SERVICE CENTER, ET AL.

Redelegation of Authority Regarding Contracts and Leases

SEPTEMBER 13, 1966.

AUTHORITY: Amendment 8 of Order No. 698 amends secs. 1(a), (5), and 2(a), by substituting Directors, Service Centers in lieu of Field Administrative Officers.

SECTION 1. *Authority.* Pursuant therefore to the authority contained in the above sections of said order and amendments of the Bureau of Land Management, the following are hereby redelegated the authority contained therein with limits as shown below:

(a) Open market purchases of supplies and materials on SF-44, not to exceed \$500.00.

(1) Chief, Division of Engineering, Denver Service Center.

(2) Chief, Branch of Cadastral Surveys, Denver Service Center.

(3) Chief, Division Economics and Basin Studies.

(4) Land Classification Supervisor, MRB Group.

(5) Other Division Chiefs, Denver Service Center (Not to exceed \$100.00).

(b) The delegations listed in (a) above may be redelegated to qualified BLM employees, such as survey crew chiefs, party chiefs, etc., for procurements not to exceed \$100.00 per transaction. The authority may not otherwise be redelegated. Such redelegations need not be published in the FEDERAL REGISTER.

(c) All procurements made under this authority shall be made in strict compliance with the requirements of the FPR and FPMR.

(d) This authority may not be used for the purchase of capitalized equipment.

(e) The delegations contained in (a) above are effective immediately.

LOWELL M. PUCKETT,
Director, Denver Service Center.

SEPTEMBER 13, 1966.

[F.R. Doc. 66-10277; Filed, Sept. 20, 1966; 8:45 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

AMDAL CO.

Notice of Withdrawal of Petition for Food Additive Spectinomycin

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

409(b), 72 Stat. 1786; 21 U.S.C. 348(b)), the following notice is issued:

In accordance with § 121.52 *Withdrawal of petitions without prejudice* of the procedural food additive regulations (21 CFR 121.52), Amdal Co., Agricultural Division, Abbott Laboratories, North Chicago, Ill. 60064, has withdrawn its petition (FAP 6D1842) notice of which was published in the FEDERAL REGISTER of October 14, 1965 (31 F.R. 13103), proposing the issuance of a regulation to provide for the safe use of spectinomycin for the oral treatment of infectious diarrhea (scours) in baby pigs.

Dated: September 14, 1966.

J. K. KIRK,
Acting Commissioner of
Food and Drugs.

[F.R. Doc. 66-10332; Filed, Sept. 20, 1966; 8:50 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 27-43]

ATCOR, INC.

Notice of Issuance of Amendment to Byproduct, Source and Special Nuclear Material License

Please take notice that the Atomic Energy Commission has issued Amendment No. 1 to License No. 31-11640-1, set forth below, which increases the quantity of byproduct material other than hydrogen 3 and carbon 14 which Atcor, Inc., may possess at any one time. This amendment increases the quantity of byproduct material other than hydrogen 3 and carbon 14 from 1,000 curies to 1,300 curies.

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 by any party 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.

Dated at Bethesda, Md., September 9, 1966.

For the Atomic Energy Commission.

J. A. McBride,
Director,

Division of Materials Licensing.

BYPRODUCT, SOURCE, AND SPECIAL NUCLEAR
MATERIAL LICENSE

[License No. 31-11640-1; Amdt. 1]

The Atomic Energy Commission having found that:

A. The licensee's equipment and procedures are adequate to protect health and minimize danger to life or property.

B. The licensee is qualified by training and experience to use the material for the purpose requested in accordance with the regulations in Title 10, Code of Federal Regulations, and in such manner as to protect health and minimize danger to life or property.

C. The application for license amendment dated September 9, 1966, complies with the requirements of the Atomic Energy Act of 1954, as amended, and is for a purpose authorized by that Act.

Byproduct, Source, and Special Nuclear Material License No. 31-11640-1 is hereby amended as follows:

Condition 1.A. is amended to read:

1. The licensee shall not possess at any one time more than:

A. 1,300 curies of byproduct material other than hydrogen 3 and carbon 14.

Date of issuance: September 9, 1966.

For the Atomic Energy Commission.

J. A. McBride,
Director,

Division of Materials Licensing.

[F.R. Doc. 66-10271; Filed, Sept. 20, 1966; 8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 16236; Order E-24194]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Regarding Specific Commodity Rates

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 16th day of September 1966.

Agreement adopted by Joint Conferences 1-2, 3-1, and 1-2-3 of the International Air Transport Association relating to specific commodity rates; Docket 16236, Agreement CAB 18934, R-31 through R-34.

An agreement has been filed with the Board, pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's economic regulations between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of Joint Conferences 1-2, 3-1, and 1-2-3 of the International Air Transport Association (IATA), and adopted pursuant to the provisions of Resolution 590 dealing with specific commodity rates.

The agreement, adopted pursuant to unprotested notices to the carriers and promulgated in an IATA letter dated September 1, 1966,¹ as set forth in the attachment hereto,² (1) names rates under new commodity descriptions, and (2) names a rate under an existing commodity description. Additionally, the agreement amends the description for commodity Item 4316 by the deletion of the word "Computers." The new rates reflect reductions ranging from 30.6 to 59.0 percent and are consistent with the present level of specific commodity rates within the applicable areas.

The Board, acting pursuant to sections 102, 204(a), and 412 of the Act, does not find the subject agreement to be adverse to the public interest or in violation of the Act, provided that approval thereof is conditioned as hereinafter ordered.

Accordingly, it is ordered, That Agreement CAB 18934, R-31 through R-34, be approved, provided that approval shall not constitute approval of the specific commodity descriptions contained therein for purposes of tariff publication.

Any air carrier party to the agreement, or any interested person, may, within 15 days from the date of service of this order, submit statements in writing containing reasons deemed appropriate, together with supporting data, in support of or in opposition to the Board's action herein. An original and 19 copies of the statements should be filed with the Board's docket section. The Board may, upon consideration of any such statements filed, modify or rescind its action herein by subsequent order.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 66-10308; Filed, Sept. 20, 1966;
8:48 a.m.]

[Docket No. 16236; Order E-24190]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Regarding Specific Commodity Rates

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 15th day of September 1966.

Agreement adopted by Traffic Conference 1 of the International Air Transport Association relating to specific commodity rates; Docket 16236, Agreement CAB 19054, R-1 and R-2.

An agreement has been filed with the Board, pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's economic regulations, between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of Traffic Conference 1 of the International Air Transport Association (IATA), and

adopted pursuant to the provisions of Resolution 590 dealing with specific commodity rates.

The agreement, adopted pursuant to unprotested notices to the carriers and promulgated in an IATA letter dated August 29, 1966,¹ as set forth in the attachment hereto,² (1) names a rate under a new commodity description, and (2) reestablishes a rate that expired July 31, 1966. The rates reflect reductions of 22.1 and 18.2 percent, respectively, and are consistent with the present level of specific commodity rates within the applicable area.

The Board, acting pursuant to sections 102, 204(a), and 412 of the Act, does not find the subject agreement to be adverse to the public interest or in violation of the Act, provided that approval thereof is conditioned as hereinafter ordered.

Accordingly, it is ordered, That Agreement CAB 19054, R-1 and R-2, be approved, provided that approval shall not constitute approval of the specific commodity descriptions contained therein for purposes of tariff publication.

Any air carrier party to the agreement, or any interested person, may, within 15 days from the date of service of this order, submit statements in writing containing reasons deemed appropriate, together with supporting data, in support of or in opposition to the Board's action herein. An original and 19 copies of the statements should be filed with the Board's docket section. The Board may, upon consideration of any such statements filed, modify or rescind its action herein by subsequent order.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 66-10309; Filed, Sept. 20, 1966;
8:48 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 16657-16659; FCC 66M-1239]

AMERICAN COLONIAL BROADCASTING CORP., ET AL.

Order Regarding Procedural Dates

In re applications of American Colonial Broadcasting Corp., Caguas, P.R., Docket No. 16657, File No. BPH-4890; Caguas Radio Corp., Caguas, P.R., Docket No. 16658, File No. BPH-4962; Francisco Pereira Casillas, Federico Virella, Hector Pereira Buonomo, and Jorge Luis Arzuaga, doing business as Borinquen Broadcasting Co., Caguas, P.R., Docket No. 16659, File No. BPH-4971; for construction permits.

The Hearing Examiner having under consideration the informal requests for continuance of procedural dates filed by

Borinquen Broadcasting Co. on September 9, 1966, and September 14, 1966;

It appearing, that the applicants have reached an agreement looking toward resolution of the proceeding without comparative hearing and are in the process of preparing necessary documents and pleadings for filing with the Commission requesting approval of the agreement;

It further appearing, that by order (FCC 66M-882) the date for exchange of all exhibits to be offered in the presentation of the direct affirmative cases of the applicants was August 26, 1966, notification of witnesses to be called for cross-examination was to be given by September 9, 1966, and hearing was scheduled to commence on September 20, 1966;¹

It further appearing, that all parties have consented to immediate consideration and grant of the instant requests and good cause is present for a grant thereof;

It is Ordered, This 15th day of September 1966 that the said requests are granted and the date for exchange of all exhibits to be offered in the presentation of the direct affirmative cases of the applicants is continued from August 26, 1966, to November 1, 1966; the date for notification of witnesses to be called for cross-examination is continued from September 9, 1966, to November 8, 1966; and the date for hearing is continued from September 20, 1966, to November 15, 1966, commencing at 10 a.m., in the offices of the Commission at Washington, D.C.

Released: September 16, 1966.

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

[F.R. Doc. 66-10312; Filed, Sept. 20, 1966;
8:49 a.m.]

[Docket Nos. 16767, 16768; FCC 66M-1235]

AMERICAN TELEVISION SERVICE AND HOLSTON VALLEY BROADCASTING CORP.

Order Continuing Hearing

In re applications of Earl L. Boyles, C. E. Feltner, Jr., and Airways Broadcasting Co., Inc., doing business as American Television Service, Kingsport, Tenn., Docket No. 16767, File No. BPCT-3269; Holston Valley Broadcasting Corp., Kingsport, Tenn., Docket No. 16768, File No. BPCT-3760; for construction permit

¹ Informal exchange of engineering exhibits was made on July 26, 1966, pursuant to this order. Notification was given by letter to the examiner dated Aug. 16, 1966 that, with the consent of Commission counsel, counsel for the applicants had agreed to an extension of the time for final exchange of all exhibits to Sept. 9, 1966, and an extension of the time for giving notification of witnesses to be called for cross-examination to Sept. 14, 1966, with the scheduled hearing date remaining unchanged. This agreement was not formalized by order, the examiner being absent from his office on vacation.

¹ Received in the Board Sept. 6, 1966.

² Attachment not filed as part of original document.

¹ Received in the Board Sept. 1, 1966.

² Attachment filed as part of original document.

for new television broadcast station (Channel 19).

At a prehearing conference held on September 15, 1966, the parties stated that they propose to file with the Review Board a joint petition for approval of agreement in which one of the parties would dismiss its application in consideration of payment of its expenses.

Accordingly, it is ordered, This 15th day of September 1966, that the hearing in this proceeding now scheduled for October 18, 1966, is continued indefinitely subject to recall later should the proposed agreement not be approved.

Released: September 16, 1966.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-10313; Filed, Sept. 20, 1966;
8:49 a.m.]

[Docket Nos. 16110-16115; FCC 66M-1224]

CIRCLE L, INC., ET AL.

Order Regarding Further Prehearing Conference

In re applications of Circle L, Inc., Reno, Nev., Docket No. 16110, File No. BP-15413; Southwestern Broadcasting Co. (KORK), Las Vegas, Nev., Docket No. 16111, File No. BP-15441; The Benay Corp. (KTEE), Idaho Falls, Idaho, Docket No. 16112, File No. BP-16216; 780, Inc., Las Vegas, Nev., Docket No. 16113, File No. BP-16273; Albert John Williams and Jack M. Reeder, doing business as Radio Nevada, Las Vegas, Nev., Docket No. 16115, File No. BP-16524; for construction permits.

Upon the Hearing Examiner's own motion: It is ordered, This 14th day of September 1966, that a further prehearing conference will be convened in the above-captioned proceeding on September 29, 1966, at 10 a.m., in the offices of the Commission at Washington, D.C. The fixing of a date for the introduction of evidence relevant to the first seven issues and other matters pertaining to the commencement and subsequent course of the hearing will be discussed.

Released: September 15, 1966.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-10314; Filed, Sept. 20, 1966;
8:49 a.m.]

[Docket No. 16792; FCC 66M-1226]

CITY OF CAMDEN, N.J., AND L & P BROADCASTING CORP.

Order Continuing Hearing

In re application of City of Camden (Assignor) and L & P Broadcasting Corp. (Assignee); Docket No. 16792, File No. BAL-5702; for assignment of license of Station WCAM, Camden, N.J.:

It is ordered, This 14th day of September 1966, pursuant to discussions and

rulings made during prehearing conference held this date in the above-entitled proceeding, that the hearing previously scheduled for September 29, 1966, is continued to a date to be specified by subsequent order: And, it is further ordered, That the second prehearing conference in the proceeding will be convened at 9 a.m., October 5, 1966, in the offices of the Commission, Washington, D.C.

Released: September 15, 1966.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-10315; Filed, Sept. 20, 1966;
8:49 a.m.]

[Docket No. 16792; FCC 66M-1237]

CITY OF CAMDEN, N.J., AND L & P BROADCASTING CORP.

Order Rescheduling Prehearing Conference

In re application of City of Camden (Assignor) and L & P Broadcasting Corp. (Assignee); Docket No. 16792, File No. BAL-5702; for assignment of license of Station WCAM, Camden, N.J.:

It is ordered, This 16th day of September 1966, without objection from any of the parties to the proceeding, that the order released September 15, 1966 (FCC 66M-1226; Mimeo. No. 89122), is amended to provide that the second prehearing conference herein shall be convened at 9 a.m., November 1, 1966, in the offices of the Commission, Washington, D.C., in lieu of October 5, 1966.

Released: September 16, 1966.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-10316; Filed, Sept. 20, 1966;
8:49 a.m.]

[Docket No. 16690; FCC 66-819]

DAILY EXPRESS, INC., ET AL.

Memorandum Opinion and Order As- signing Matter for Public Hearing

In the matter of Daily Express, Inc., Post Office Box 39, Carlisle, Pa., complainant, v. American Telephone & Telegraph Co., 195 Broadway, New York, N.Y., The Bell Telephone Company of Pennsylvania, One Parkway, Philadelphia, Pa.; The United Telephone Co., of Pennsylvania, Carlisle, Pa., Defendants; Docket No. 16690.

1. On June 6, 1966, Daily Express, Inc., an interstate motor carrier, filed a formal complaint against the above-named defendants pursuant to section 208 of the Communications Act of 1934, in which complainant challenges the validity of certain charges for interstate private line telephone channels used to provide complainant with "foreign exchange service."

2. The specific charges complained of are currently published in Private Line

Service Tariff FCC No. 260 of defendant American Telephone & Telegraph Co. (A.T. & T.) at page 325.1, as follows:

The United Telephone Co. of Pennsylvania: Carlisle, Pa.

For each Chicago, Ill., individual line and private branch exchange trunk furnished in the Carlisle, Pa., exchange and routed via Mechanicsburg, Pa., the rates specified in 3. and 4. preceding plus a monthly supplemental charge of \$411.90 will apply.

For each Columbus, Ohio, individual line and private branch exchange trunk furnished in the Carlisle, Pa., exchange and routed via Mechanicsburg, Pa., the rates specified in 3. and 4. preceding plus a monthly supplemental charge of \$346.90 will apply. (Our emphasis.)

3. Channels for "foreign exchange service," the service involved herein, are defined in A.T. & T. Tariff FCC No. 260 as channels which permit a customer "to obtain individual line or private branch exchange trunk connection in an exchange foreign to the exchange in which the customer is located."

4. Carlisle, Pa., where the main office of complainant is located, is in the telephone operating territory of defendant The United Telephone Co. of Pennsylvania (United). Mechanicsburg, Pa., referred to in the tariff provisions quoted above, is located in the telephone operating territory of defendant The Bell Telephone Co. of Pennsylvania (Bell of Pa.). United is listed in A.T. & T.'s Tariff FCC No. 260 as a "connecting carrier" whose charges are published by A.T. & T. Bell of Pa. is listed as a carrier concurring in such tariff.

5. The above-named defendants filed answers to the complaint and on August 22, 1966, complainant filed its replies to the answers. Pleadings are now closed and the matter is before the Commission for a determination under section 208 of the Act as to whether there is any reasonable ground for investigating the complaint and, if so, by what means.

6. Complainant alleges, inter alia, that it operates over 200 transportation units into and through 30 States other than Pennsylvania and maintains offices in Indiana, Ohio, Kentucky, and Illinois; that its telephone service to and from its central control station in Carlisle originates with United and extends to the nearest point of service with Bell of Pa. at Mechanicsburg, a distance of 10 miles; that it has recently closed certain outlying branch offices and moved personnel to Carlisle, where it has established its central dispatch and control center; that a vital part of management is the ability to receive in the home office direct telephone calls for needed equipment and that these calls must be transmitted by foreign exchange service from Chicago, Columbus, New York, and other cities; that it applied to United for two foreign exchange lines to Chicago, Ill., and one to Columbus, Ohio, and obtained such service beginning February 1, 1966, at

¹ A "connecting carrier" means a carrier described in clause (2), (3), or (4) of sec. 2(b) of the Communications Act of 1934, as amended.

the supplemental charges shown in the above-quoted tariff; that it is now paying a total supplemental charge of \$1,170.70 per month or \$14,048.40 per year to United for such lines; that it will need 10 foreign exchange lines within the next 2 years but the present charges therefor would be prohibitive; that a competitor of complainant, located 6 miles away in an area served by Bell of Pa., pays approximately \$460.00 less per line than complainant pays; and that the charges paid by complainant to Bell System companies amount to \$0.575 per mile and to United \$44.19 per mile or about 77 times as much to United per mile as to the Bell System.

7. Complainant also alleges that United attempts to justify its supplemental charges on the basis that they are necessary to compensate for the revenue United would lose from individual toll calls as a result of use by complainant of foreign exchange service to the same points; that such basis is unwarranted for the reason that complainant's telephone bills show that, so far, total revenues paid to United do not decrease after installation of foreign exchange lines; and that the tolls paid by it to United were \$27,548.00 in 1963, \$38,091.00 in 1964, \$48,948.00 in 1965, and the estimated amount of such tolls in 1966 is \$52,000.00.

8. Complainant contends that the aforementioned supplementary charges are unjust and unreasonable within the meaning of section 201(b) of the Act. It requests reparations in the amount of \$4,682.80 which it alleges has been paid for the months of February, March, April, and May 1966, and in the amount of \$1,170.70 per month for each additional month the charges remain in effect. Complainant also requests the Commission to prescribe just, fair, and reasonable charges for the services in question.

9. In its answer, United alleges that it provides its portion of the foreign exchange service channels in question in connection with TELPAK service channels furnished by the Bell System companies at Mechanicsburg; that complainant has an advantage over other customers who do not qualify for shared TELPAK rates over the Bell System facilities; and that a comparison of United's charges with the Bell System's TELPAK charge on a per mile basis is inappropriate since United asserts that its "rates are based on airline miles in its area, 30.4 miles and 31.4 miles on the Chicago and Columbus routes, respectively; and on the day station-to-station rate of \$1.35, Carlisle to Chicago, and \$1.00 day station-to-station rate, Carlisle to Columbus."

10. United alleges further that, although substantial growth in the business of complainant has increased total revenues to United, it does not admit that the foreign exchange service in question has not resulted in loss of toll revenue to United; that foreign exchange service is not a normal service and United's intrastate tariff includes a statement that it is not in the general under-

taking of United to furnish it; that some customers need this type of service and it is provided at a rate computed separately for each route; that the supplementary rates for services to complainant for the Chicago and Columbus routes were computed according to the method used by it for all interstate and intrastate foreign exchange services; that the independent telephone industry maintains local and toll services for all of its customers and the revenues derived from these sources constitute the financial bases needed to carry on business; that toll revenues are a vital part of the operations of all independent companies and they are opposed to services which tend to destroy this toll revenue base without providing suitable compensation to offset a substantial loss of toll business; that the provision of channels for foreign exchange service at the Bell System rates would seriously impair the toll balance for United and other independent telephone companies; and that providing such service at nonrealistic rates results in subsidization of a few customers by the great mass of other customers who must pay higher rates to restore the economic balance.

11. In addition to the foregoing, United asserts that, starting in 1955, requests for foreign exchange service were accelerated by customers of United and of many other companies in Pennsylvania and the Pennsylvania Independent Telephone Association formed a committee to resolve the issue with the State Public Utility Commission and Bell of Pa.; that, after many meetings, a tariff was developed and it was adopted by practically all of the non-Bell companies in Pennsylvania and the same principles, rates, and value of service concepts were used when rates for foreign exchange service were filed outside of Pennsylvania; that, since United's first filing of these special foreign exchange rates in December 1960, numerous other companies in Pennsylvania and other States have filed similar special tariffs in cooperation with the Bell System; that, in May 1961, United submitted information to this Commission explaining the reasons for such tariffs and the development and justification for such rates; that, upon hearing of the intention of complainant to file the complaint herein, United took a poll of the companies in Pennsylvania to learn whether or not they believed it appropriate to eliminate or reduce these special charges for foreign exchange service and an overwhelming majority thereof indicated that the tariff should not be changed in any way because of the adverse effect on the companies and the alleged subsidization of the foreign exchange service by other users.

12. United contends in its answer that the charges in question are just and reasonable and not in violation of section 201(b) of the Act and that the service involved is of high value to complainant and has enabled it to produce economies by discontinuing offices in certain cities by virtue of the foreign exchange service in question.

13. A.T. & T. and Bell of Pa., in their answers, deny that any of their charges for their services are involved and that the complaint concerns the charges of United as a "connecting carrier" of both A.T. & T. and Bell of Pa. These defendants ask that the complaint be dismissed as to them.

14. In its reply to the answers, complainant states that the airline mileages used by United for computing the charges for the Chicago and Columbus routes, 30.4 and 31.4 respectively, are unreasonable since the actual distance from Carlisle to the Mechanicsburg exchange is no more than 5 or 10 miles; that complainant needs foreign exchange service but should not be required to pay all that the traffic will bear and should pay only those rates that are just and reasonable; that the compensation exacted by United to offset loss of toll business substantially exceeds the toll business lost, if any, and is excessive; that even if there were justification in 1960 or 1961 for these special charges, they are unfair and unreasonable under the circumstances of this specific case; and that the adoption by other companies of the formula used in computing the charges in question is of little value in deciding whether the charges are reasonable in this specific case.

15. Complainant also opposes any dismissal of the complaint as to defendants A. T. & T. and Bell of Pa., on the grounds that it is their facilities that are interconnected with United's facilities to provide the service to which the charges apply; that inherent in the proceeding are questions as to the propriety and nature of their participation in the foreign exchange service arrangements in question; and that they are necessary parties if a full disclosure and understanding of the facts and circumstances are to be obtained.

16. The Commission has given careful consideration to the pleadings herein and is of the view that the allegations of fact in the complaint raise questions, not now decided, as to the justness and reasonableness of the aforementioned supplementary charges within the meaning of section 201(b) of the Act. No question is raised as to the propriety of any of the other charges made by the defendants for the service in question and we shall specifically limit the issues herein to the justness and reasonableness of the supplementary charges underlined in our quotation of the tariffs in paragraph 2 hereof.

17. We are also of the opinion that the complaint should not be dismissed as to A. T. & T. and Bell of Pa. Under section 203 of the Act, these carriers appear obligated to file the charges involved herein for United, their "connecting carrier," and would be subject to such orders, if any, that the Commission might issue in this case that required changes in such charges.

Accordingly, it is ordered, That, pursuant to the provisions of sections 201 through 209 of the Communications Act of 1934, as amended, a public hearing shall be held at a time and place to be

hereinafter designated upon the following specific issues raised by the above complaint:

Issues. (1) Whether the monthly supplemental charge of \$411.90 for each Chicago, Ill., individual line and private branch exchange trunk furnished in the Carlisle, Pa., exchange and routed via Mechanicsburg, Pa., is unjust and unreasonable and therefore unlawful within the meaning of section 201(b) of the Communications Act of 1934, as amended;

(2) Whether the monthly supplemental charge of \$346.90 for each Columbus, Ohio, individual line and private branch exchange trunk furnished in the Carlisle, Pa. exchange and routed via Mechanicsburg, Pa., is unjust and unreasonable and therefore unlawful within the meaning of section 201(b) of the Communications Act of 1934, as amended;

(3) The amount of damages, if any, that the complainant may be entitled to as a result of any charges collected by defendants during the 12-month period prior to the filing of the complaint that may be found herein to be unlawful;

(4) Whether, in the light of facts developed in connection with the foregoing issues, the Commission, in accordance with the provisions of section 205 of the said Act, shall prescribe new or revised monthly supplemental charges in lieu of those in issue herein;

It is further ordered. That the requests of defendants American Telephone & Telegraph Co. and The Bell Telephone Co. of Pennsylvania for dismissal of the complaint as to them are hereby denied without prejudice;

It is further ordered. That a copy of this memorandum opinion and order shall be served upon the complainant and each of the defendants herein;

It is further ordered. That a hearing examiner shall be designated to preside in the complaint proceedings ordered herein, who shall prepare an initial decision on all of the issues herein as provided in § 1.267 of the Commission's rules.

Adopted: September 14, 1966.

Released: September 16, 1966.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-10317; Filed, Sept. 20, 1966;
8:49 a.m.]

[Docket Nos. 16525, 16526; FCC 66M-1233]

JAMES L. HUTCHENS AND FAITH TABERNACLE, INC. (KRVC)

Order Continuing Hearing

In re applications of James L. Hutchens, Central Point, Ore., Docket No. 16525, File No. BP-16640; Faith Tabernacle, Inc. (KRVC), Ashland, Ore., Docket No. 16526, File No. BP-16745; for construction permits.

Pursuant to agreement arrived at during the prehearing conference held on this date: *It is ordered.* This 15th day of September 1966, that in lieu of the

hearing presently scheduled for October 19, 1966, a further session of the prehearing conference will be held, and accordingly the evidentiary hearing is continued to a date to be fixed at a further session of the prehearing conference.

Released: September 16, 1966.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-10318; Filed, Sept. 20, 1966;
8:49 a.m.]

[Docket Nos. 16676, 16677; FCC 66M-1225]

ROYAL BROADCASTING CO., INC. (KHAI), AND RADIO KHAI, INC.

Order Scheduling Hearing

In re applications of Royal Broadcasting Co., Inc. (KHAI), Honolulu, Hawaii, Docket No. 16676, File No. BR-4120, for renewal of license; Radio KHAI, Inc., Honolulu, Hawaii, Docket No. 16677, File No. BP-16294, for construction permit.

The hearing in this proceeding will begin on November 15, 1966. The general arrangements remain unchanged.

So ordered. This 14th day of September 1966.

Released: September 15, 1966.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-10319; Filed, Sept. 20, 1966;
8:49 a.m.]

[Docket Nos. 16712, 16713; FCC 66R-352]

TREND RADIO, INC., AND JAMES BROADCASTING CO., INC.

Memorandum Opinion and Order Enlarging Issues

In re applications of Trend Radio, Inc., Jamestown, N.Y., Docket No. 16712, File No. BPCT-3665; James Broadcasting Co., Inc., Jamestown, N.Y., Docket No. 16713, File No. BPCT-3694; for construction permits for new television broadcast stations.

1. The applications of Trend Radio, Inc., and James Broadcasting Co., Inc., who are competing for a UHF television authorization in Jamestown, N.Y., were designated for hearing June 21, 1966 (FCC 66-536). Except for an air hazard issue as to James, both were found fully qualified. Trend has now petitioned for addition of the following issues against James:¹

¹ The pleadings before the Board are: Petition To Enlarge Issues, filed July 11, 1966, by Trend; Opposition, filed by James, July 25, 1966; Opposition, filed by the Broadcast Bureau, July 25, 1966; Reply, filed by Trend, Aug. 3, 1966; and Errata, filed by James, Aug. 2, 1966. On Sept. 2, 1966, Trend filed a Petition for Leave To File a Supplemental Reply and a Supplemental Reply. In view of the disposition hereinafter made of the Petition To Enlarge, the Petition for Leave To File is denied.

1. To determine whether there is a reasonable prospect that James Broadcasting Co. will be able to obtain network affiliation for its proposed station and to effectuate its program proposals.

2. To determine whether a grant of the James Broadcasting Co. application would create an undue concentration of control of broadcasting media in Chautauque County, N.Y., or in the area encompassed by the Grade B contour of its proposed TV station, contrary to the public interest.

3. To determine whether the cross-ownership and cross-control of the CATV system serving Jamestown, N.Y., and of the only television station in Jamestown, which would result from a grant of the James Broadcasting application is contrary to the public interest.

Affiliation issue. 2. The basis for the requested affiliation issue against James is Trend's experience in being refused an affiliation by ABC, the same network proposed by James. Petitioner submits a copy of a letter it received from the American Broadcasting Co. declining a network affiliation with Trend because "too much duplication would exist", and argues that there is no reasonable prospect that James will succeed in getting an affiliation. In opposition, James says a reasonable expectation of ABC affiliation exists and relies on an affidavit of its president who states that he has discussed with representatives of a Buffalo and Erie television station "the possibilities of some sort of an arrangement whereby we would be a satellite or some other associate in order to get ABC network programming." He avers that he and the representatives of the Erie station "concluded that there is a possibility of an affiliation" but goes on, saying, "actually since we had no grant there is no point in going into all the time necessary to effect the final arrangement. But all have agreed that this can and will be done." The president also states that he discussed the proposal with an ABC representative and was told that ABC "absolutely did not object to this idea, in fact, would encourage it." The Broadcast Bureau opposes enlargement on the ground that the showing made by Trend was insufficient.

3. According to James' application, network programming is to constitute 61.5 percent of the station's broadcast time. The application also says that the station will affiliate with ABC. It is clear from the affidavit of James' president that in the sense that the term is normally used, an affiliation with ABC is no longer expected. Moreover, the terms of some different kind of arrangement are not specified and all that the Board now has is the vague assurance of James' president that something will be done. The ability of James to carry out its proposal to broadcast as an ABC affiliate with network programming 61.5 percent of the time, is in sufficient doubt to warrant addition of an issue.

4. On September 6, 1966, the Board issued a Memorandum Opinion and Order (FCC 66R-339) enlarging the issues herein "To determine whether the staff proposed by Trend Radio, Inc., is adequate to effectuate its television

broadcast proposal." This issue was framed on petition by James who alleged that Trend originally proposed a network operation; that before designation for hearing, the network proposal was eliminated without any proposed changes in staffing; and that, accordingly, the proposed staff was inadequate. Trend proposes the use of eight full-time employees and two part-time employees. James' staffing proposal is not quite clear as to the number of individuals proposed exclusively for its television operation; in some respects its proposed staffing is similar to that of Trend. Accordingly, an issue will be framed to determine, in the event that the network affiliation issue is resolved against James, whether its staffing proposal is adequate for its proposed operation.

Concentration of control. 5. James is licensee of WJTN and WJTN-FM, Jamestown, N.Y.; and WGGO, Salamanca, N.Y. James owns the licensee of WDOE, Dunkirk, N.Y., and the licensee of WWYN and WWYN-FM, Erie, Pa. James also owns one-third of Jamestown Cablevision, Inc., operator of a community antenna television system in Jamestown. These are the basic facts upon which Trend grounds its request for a concentration of control issue, but since they were all before the Commission as a part of James' application at the time of designation, they would not, standing alone, be sufficient to justify the enlargement. However, Trend also relies on some additional material to buttress its request. Some of it merely presents more details relative to the admitted fact that James owns numerous broadcast facilities in the area bordering the south shore of Lake Erie. The most important fact upon which it relies is that James employs combination rates for its four AM stations, the 0.5 mv/m contours of which overlap in varying degrees. Trend asserts that "there is a reasonable likelihood that combination rates will be offered for advertising on the proposed television station and the *** radio stations ***", and concludes that consistent with the Board's action in Brown Broadcasting Co., Inc., 3 FCC 2d 887, a concentration issue must be added here against James. James' president has submitted an affidavit promising that the AM and FM stations in Jamestown and the proposed television station in that city would not be sold in combination, but nothing is said about similar arrangements between James' stations in other communities and the television station in Jamestown. This brings the present case within the purview of Brown Broadcasting, supra, but the issue will be a limited one to determine whether the television station would be sold in combination with other James-owned or controlled stations and, if so, whether concentration of control inimical to the public interest would result. This limitation will help to prevent the inquiry from going astray into areas which the Board must presume were examined by the Commission at designation.

Cross ownership. 6. The cross-control issue requested by petitioner is based upon James' ownership of a one-third interest in the Jamestown CATV system combined with proposed ownership of the only television station there. The president of James, who is also its general manager and 43.2 percent stockholder, is president of the CATV. Petitioner cites the Commission's First Report In the Matter of Acquisition of Community Antenna Television Systems by Television Broadcast Licensees, 1 FCC 2d 387 where the Commission stated, at p. 389:

The Commission will * * * reserve the right to make appropriate inquiry, and, if it appears necessary or appropriate, hold a formal hearing and take necessary action, in any case in which it is alleged or comes to the attention of the Commission that there is an actual or threatened abuse arising from cross-ownership. (Emphasis added.)

Trend then argues that the situation in Jamestown meets the Commission's test because it involves "an existing CATV system whose program of expansion is threatened by the successful operation of a UHF station in the community" and that the "conflict of interest is so apparent that a presumption of injury to the public interest necessarily arises." Continuing, Trend argues that "[i]f the proposed Jamestown TV station is licensed to James Broadcasting, there is a grave danger that the Jamestown TV station will not vigorously compete for programming available to subscribers to the CATV system from other independent stations and that its programming will be less attractive to the television viewer. Not only will there be a lack of incentive to compete—there will be a danger of suppression of competition."

7. In the First Report (CATV), supra, the Commission concluded, in substance, that the joint ownership in the same community of a TV station and a CATV system was not, per se, objectionable; and that the questions raised by such cross ownership would, in effect, be considered on a case-to-case basis. Knowledge of James' interest in the Jamestown CATV system was before the Commission when the applications herein were designated for hearing and no separate disqualification issue was framed thereon. After careful consideration of the allegations in the subject petition, we are of the view that they do not constitute a sufficient showing to warrant contrary action by the Board. Clearly, however, such joint ownership is a matter for consideration under the comparative issue.

8. In view of the foregoing: *It is ordered*, This 9th day of September 1966, that the Petition to Enlarge Issues, filed by Trend Radio Inc., on July 11, 1966, is granted in the manner indicated in the issues hereinafter specified, and otherwise denied;

To determine whether James Broadcasting will be able to obtain the network affiliation as proposed in its application and, if not, whether it can effectuate its program proposals;

To determine whether broadcast time on the television station proposed by

James Broadcasting will be sold under a combination rate arrangement including other broadcast stations owned and controlled by James Broadcasting and, if so, whether this will result in a concentration of control of broadcast stations in contravention of the Commission's rules and the diversification policy underlying said rules; and

It is further ordered, On the Board's motion, that the issues are further enlarged by addition of the following issue: To determine, in the event the network affiliation issue is resolved against James Broadcasting, whether the staff proposed by that applicant is adequate to effectuate its television broadcast proposal; and

It is further ordered, That the Petition for Leave to File a Supplemental Reply, filed on September 2, 1966, by Trend, is denied.

Released: September 15, 1966.

FEDERAL COMMUNICATIONS
COMMISSION,²

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-10321; Filed, Sept. 20, 1966;
8:49 a.m.]

[Docket No. 16864; FCC 66M-1227]

ARTHUR POWELL WILLIAMS

Order Scheduling Hearing

In re application of Arthur Powell Williams, Docket No. 16864, File No. BR-1852; for renewal of license of Station KLAV, Las Vegas, Nev.:

It is ordered, This 14th day of September 1966, that Herbert Sharfman shall serve as Presiding Officer in the above-entitled proceeding which is hereby scheduled to commence at 10 a.m., on November 28, 1966, in Las Vegas, Nev.: And, *it is further ordered*, That a pre-hearing conference in the proceeding will be convened by the Presiding Officer at 9 a.m., October 5, 1966, in Washington, D.C.

Released: September 15, 1966.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-10322; Filed, Sept. 20, 1966;
8:49 a.m.]

[FCC 66-824]

STANDARD BROADCAST APPLICATION READY AND AVAILABLE FOR PROCESSING

SEPTEMBER 15, 1966.

The following standard broadcast construction permit application was tendered for filing on July 20, 1966:

NEW, Mobile, Ala., Azalea Corp., Req: 960 kc, 1 kw, Day.

The applicant seeks to utilize the facilities of WMOZ, Mobile, Ala., a station which had been ordered by the Commission to cease broadcast operations per-

² Review Board Member Kessler absent.

manently by July 31, 1966.¹ The proposed operation involves overlap of prohibited contours (received) with co-channel Station KROF, Abbeville, La. (960 kc, 1 kw, Day). Since the applicant proposes to use the facilities of former Station WMOZ, § 73.37 of the rules is waived insofar as necessary to permit the acceptance for filing of the application, and all other applications seeking substantially the same facilities.

Notice is hereby given that the application listed above is accepted for filing and that on October 25, 1966, the application will be considered ready and available for processing.

Pursuant to §§ 1.227(b)(1) and 1.591 (b) of the rules, an application, in order to be considered with this application, or with any other application on file by the close of business on October 24, 1966, which involves a conflict necessitating a hearing with this application, must be substantially complete and tendered for filing at the offices of the Commission in Washington, D.C., by whichever date is earlier: (a) The close of business on October 24, 1966; or (b) the earlier effective cutoff date which this application or any conflicting application may have by virtue of conflicts necessitating a hearing with applications appearing on previous lists.

The attention of any party in interest desiring to file pleadings concerning any pending standard broadcast application pursuant to section 309(d)(1) of the Communications Act of 1934, as amended, is directed to § 1.580(i) of the Commission's rules for provisions governing the time of filing and other requirements related to such pleadings.

Adopted: September 14, 1966.

FEDERAL COMMUNICATIONS
COMMISSION,²

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-10320; Filed, Sept. 20, 1966;
8:49 a.m.]

FEDERAL MARITIME COMMISSION GALLAGHER & ASCHER CO. ET AL.

Notice of Agreements Filed for Approval

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

Interested parties may inspect and obtain a copy of the agreements at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice

in the FEDERAL REGISTER. A copy of any such statement or request for a hearing should also be forwarded to each of the parties to the agreement (as indicated hereinafter), and the comments should indicate that this has been done.

Unless otherwise indicated, these agreements are nonexclusive, cooperative working agreements under which the parties may perform freight forwarding services for each other. Forwarding and service fees are to be agreed upon on each transaction. Ocean freight compensation is to be divided as agreed between the parties.

Gallagher & Ascher Co., Chicago, Ill., and J. R. Michels, Inc., Houston, Tex.	FF-3111
Intercontinental Transport Co., Redondo Beach, Calif., and J. R. Michels, Inc., Houston, Tex.	FF-3112
Donald R. Winter, Atlanta, Ga., and Sara Sandford Dodd, Mobile, Ala.	FF-3114
Intercontinental Transport Co., San Francisco, Calif., and J. R. Michels, Inc., Houston, Tex.	FF-3115
Donald R. Winter, Atlanta, Ga., and E. L. Mobley, Savannah, Ga.	FF-3116
Donald R. Winter, Atlanta, Ga., and M. G. Maher & Co., Inc., New Orleans, La.	FF-3117
Coastal Forwarders, Charleston, S.C., and Donald R. Winter, Atlanta, Ga.	FF-3118
Heide Co., Inc., Wilmington, N.C. (Branch), and Traffic Dynamics, Inc., McKees Rocks, Pa.	FF-3120
H. A. Gogarty, Inc., New York, N.Y., and World Wide Air Marine Freight Forwarders, Miami, Fla.	FF-3121
Donald R. Winter, Atlanta, Ga., and Herbert B. Moller, Jacksonville, Fla.	FF-3122
Impex Services, San Francisco, Calif., and Barr Shipping Co., Inc., New York, N.Y.	FF-3123
Stone Forwarding Co., Inc., Galveston, Tex. (Branch), and Allworld Forwarding Co., Inc., New York, N.Y.	FF-3124
D. Hauser, Inc., New York, N.Y., and Allen Forwarding Co., Philadelphia, Pa.	FF-3126
Marine Agency of Tampa, Inc., Tampa, Fla., and Schenkers International Forwarders, Inc., New York, N.Y.	FF-3127

Agreement No. FF-3113 between Enterprise Shipping Corp., San Francisco, Calif., and Pafco Forwarders, Inc., Miami, Fla., is a cooperative working arrangement whereunder forwarding and service fees are subject to negotiation and agreement on each transaction depending upon the services to be performed. Ocean freight brokerage is to be divided between the parties as agreed on a 50-50 basis of brokerage. This division of brokerage will be restricted to those shipments handled on behalf of each other.

Agreement No. FF-3125 between F.N.S. Corp., New York, N.Y., and A. W. Fenton & Co., Cleveland, Ohio, is a cooperative working arrangement whereunder forwarding and service fees are subject to negotiation and agreement on each transaction after giving consideration to extent and value of services to be performed. Ocean freight brokerage will not be divided between the parties.

All ocean freight compensation will be retained by the F.N.S. Corporation.

Dated: September 15, 1966.

THOMAS LISI,
Secretary.

[F.R. Doc. 66-10324; Filed, Sept. 20, 1966;
8:50 a.m.]

ISRAEL/U.S.A.—U.S.A./ISRAEL FREIGHT POOL AGREEMENT

Notice of Agreement Filed for Approval

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

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the office of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. Richard W. Kurrus, Kurrus and Jacobi, 2000 K Street NW., Washington, D.C. 20006.

Agreement 9233, between American Export Isbrandtsen Lines, Inc., and Zim Israel Navigation Co., Ltd., members of the North Atlantic Israel Eastbound and Israel/U.S.A. Westbound Conferences, provides for the establishment and operation of a pooling arrangement, including the division of net freight revenues, on cargoes transported by the parties in the eastbound and westbound trades from and to U.S. North Atlantic and Israeli ports in accordance with the terms and conditions set forth therein.

A similar pooling agreement filed by these same parties was assigned Federal Maritime Commission Number 9233 and notice thereof was published in the FEDERAL REGISTER on August 14, 1963. Although conditional approval of this prior agreement was ordered by the Commission on January 19, 1966, in Docket No. 1212 proceedings, such approval lapsed due to the failure of the parties to refile the agreement within the extensions of time granted by the Commission for compliance with said order.

Dated: September 16, 1966.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 66-10325; Filed, Sept. 20, 1966;
8:50 a.m.]

¹ FCC 66-417 (adopted May 11, 1966).

² Commissioner Bartley dissenting.

SEA-LAND SERVICE, INC., AND MARINA MERCANTE NICARAGUENSE, S.A.

Notice of Agreement Filed for Approval

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

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the office of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. J. S. Provan, Commerce Attorney, Sea-Land Service, Inc., Terminal and Fleet Streets, Post Office Box 1050, Elizabeth, N.J. 07207.

Agreement 9574 between Sea-Land Service, Inc., and Marina Mercante Nicaraguense, S.A., covers a through-billing service for the movement of controlled temperature cargo from Central America to the East Coast of the United States and ports in Puerto Rico with transshipment at the port of Balboa, Canal Zone, in accordance with terms and conditions set forth in the agreement.

Dated: September 16, 1966.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 66-10326; Filed, Sept. 20, 1966; 8:50 a.m.]

COMPAGNIE MARITIME BELGE, S.A. ET AL.

Notice of Agreement Filed for Approval

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

Interested parties may inspect and obtain a copy of the agreement(s) at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the office of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with

reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Compagnie Maritime Belge, S.A./Compagnie Maritime Congolaise S.C.R.L. and United States Lines Co. Notice of agreement filed for approval by:

Mr. Ronald A. Capone, Kirlin, Campbell & Keating, The Farragut Building, 900 17th Street NW., Washington, D.C. 20006.

Agreement 9329-1, between Compagnie Maritime Belge, S.A./Compagnie Maritime Congolaise S.C.R.L. (Joint Service) and United States Lines Co., modifies the basic agreement to provide for the extension of its geographic scope to include ports in Holland.

Dated: September 16, 1966.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 66-10327; Filed, Sept. 20, 1966; 8:50 a.m.]

FEDERAL POWER COMMISSION

[Docket No. CP67-57]

CITY OF MOSS POINT, MISS., AND UNITED GAS PIPE LINE CO.

Notice of Application

SEPTEMBER 13, 1966.

Take notice that on September 8, 1966, the city of Moss Point, Miss. (Applicant) filed in Docket No. CP67-57 an application pursuant to section 7(a) of the Natural Gas Act for an order of the Commission directing United Gas Pipe Line Co. (Respondent) to establish physical connection of its transportation facilities with the distribution system of Applicant and to sell and deliver to Applicant volumes of natural gas for resale and distribution in Applicant, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that in 1941 it constructed a distribution system for the sale of natural gas to its inhabitants and commenced to buy gas from the city of Pascagoula, Miss., which was the nearest source of supply. Since that time Respondent has constructed a transmission line near the east corporate limits and within the corporate limits of Applicant. By construction of a short lateral, Applicant can obtain, directly, its own source of natural gas.

The estimated third year peak day and annual requirements of Applicant are 3,478 and 391,200 respectively.

The total estimated cost of new construction is \$122,000 which cost shall be

financed through internally generated funds and by the sale of revenue bonds.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before October 12, 1966.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-10328; Filed, Sept. 20, 1966; 8:50 a.m.]

[Docket No. CP67-58]

MANUFACTURERS LIGHT & HEAT CO.

Notice of Application

SEPTEMBER 13, 1966.

Take notice that on September 8, 1966, Manufacturers Light & Heat Co. (Applicant), 800 Union Trust Building, Pittsburgh, Pa. 15219, filed in Docket No. CP67-58 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of a main line tap on transmission line No. 94 at Newell, Grant District, Hancock County, W. Va., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant specifically requests authority to make a main line tap on transmission line No. 94 at Newell, Grant District, Hancock County, W. Va., in order to provide a source of supply of natural gas for a new retail market area along the east bank of the Ohio River, southwest of Newell, which will be served by Applicant by a gas distribution pipeline to be constructed by Applicant which will extend from said tap in a southwesterly direction terminating at a point near the community of Arroyo, Hancock County, W. Va.

The total estimated cost of the tap is \$2,400 which cost will be financed from cash on hand.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before October 12, 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. 66-10329; Filed, Sept. 20, 1966;
8:50 a.m.]

[Docket No. CP67-59]

**NORTHERN INDIANA FUEL & LIGHT
CO., INC., AND MICHIGAN WIS-
CONSIN PIPE LINE CO.**

Notice of Application

SEPTEMBER 13, 1966.

Take notice that on September 8, 1966, Northern Indiana Fuel & Light Co., Inc. (Applicant), 156 East Seventh Street, Auburn, Ind. 46706, filed in Docket No. CP67-59 an application pursuant to section 7(a) of the Natural Gas Act for an order of the Commission directing Michigan Wisconsin Pipe Line Co. (Respondent) to establish physical connection of its transportation facilities with the facilities proposed to be constructed by Applicant and to sell and deliver to Applicant volumes of natural gas for resale in the cities of Ashley, Hudson, Hamilton, Fremont, and Clear Lake, Steuben County, Ind., and their environs, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant proposes to construct and operate distribution systems in the cities of Ashley, Hudson, Hamilton, Fremont, and Clear Lake, Steuben County, Ind., and environs, which systems will be connected to Respondent's 15.7-mile lateral extension line, to be constructed in accordance with Respondent's present lateral extension policy, by means of a feeder line system consisting of 1.7 miles of 6-inch line and 2.3 miles of 4-inch line. An additional connection will be made from an 0.8-mile lateral extension from Respondent's existing transmission line near Hudson, Ind. to serve the communities of Ashley and Hudson.

The estimated third year peak day and annual requirements of the new distribution systems are 3,730 Mcf and 498,945 Mcf respectively.

Applicant estimates the total estimated cost of construction of its proposed feeder and distribution systems to be \$605,950 which cost will be financed through a sinking fund and sale of common stock. Applicant states that Respondent is capable to meet Applicant demands without any enlargement of Respondent's transportation facilities.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before October 12, 1966.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-10330; Filed, Sept. 20, 1966;
8:50 a.m.]

**SECURITIES AND EXCHANGE
COMMISSION**

[File No. 1-3782]

GREAT AMERICAN INDUSTRIES, INC.

Order Suspending Trading

SEPTEMBER 15, 1966.

The common stock, 10 cents 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 September 16, 1966, through September 25, 1966, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 66-10286; Filed, Sept. 20, 1966;
8:46 a.m.]

[File No. 70-4414]

**KENTUCKY POWER CO. AND AMER-
ICAN ELECTRIC POWER CO., INC.**

**Notice of Proposed Charter Amend-
ments, Issue and Sale of Common
Stock to Holding Company, and
Issue and Sale of Notes to Banks**

SEPTEMBER 15, 1966.

Notice is hereby given that American Electric Power Co., Inc. ("American"), 2 Broadway, New York, N.Y. 10004, a registered holding company, and its electric utility subsidiary company, Kentucky Power Co. ("Kentucky"), have filed a joint application-declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6, 7, 9, 10, and 12 of the Act as applicable to the proposed transactions. All interested persons are referred to the joint application-declaration, which is summarized below, for a complete statement of the proposed transactions.

Kentucky proposes (1) to increase the number of shares of its common stock, par value \$25 per share, which it is authorized to issue from 600,000 shares to 700,000 shares, (2) to increase the par value of such shares from \$25 to \$50 per share, and (3) to issue to American, which proposes to acquire, an additional

103,139 shares of common stock, par value \$50 per share.

As at June 30, 1966, Kentucky had outstanding 505,861 shares of its common stock, \$25 par value, all of which (except for qualifying directors shares) were held by American. At that date, Kentucky's "Common Stock" account was stated at \$12,646,525, and its "Other Paid-in Capital" account, reflecting certain cash capital contributions to Kentucky from American, was stated at \$17,800,000. In connection with the above-described transactions, Kentucky will transfer said \$17,800,000 of "Other Paid-in Capital" and \$3,475 of "Earned Surplus" to its "Common Stock" account.

Kentucky also proposes to issue and sell to the banks named below, from time to time prior to December 31, 1967, its unsecured promissory notes in an aggregate maximum amount to be outstanding at any one time of \$8,000,000, as follows: Manufacturers Hanover Trust Co., New York, N.Y.—\$4,000,000; Irving Trust Co., New York, N.Y.—\$2,000,000; Continental Illinois National Bank & Trust Co., Chicago, Ill.—\$2,000,000. Included within said amount of notes to be outstanding are approximately \$3,600,000 of notes which may be issued pursuant to the 5 percent exemptive provision of section 6(b) of the Act. Each note will be dated as of the date of its issue, will mature not more than 270 days thereafter, will bear interest at the prime rate (presently 6 percent per annum) in effect on the date of issue, and may be prepaid, in whole or in part, without premium. The proceeds from the issue and sale of the notes will be used by Kentucky as interim financing of part of the costs of its construction program which as presently estimated will amount to more than \$40,000,000 for the last 6 months of 1966 and for the year 1967.

Expenses to be incurred in connection with the proposed transactions are estimated not to exceed \$500 and will be paid by Kentucky. It is stated that the issuance of the 103,139 shares of common stock by Kentucky is subject to the jurisdiction of the Kentucky Public Service Commission. No other State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than October 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 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 applicants-declarants at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certifi-

cate) should be filed contemporaneously with the request. At any time after said date, the joint application-declaration, as filed or as it may be amended, may be granted and permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 66-10287; Filed, Sept. 20, 1966;
8:46 a.m.]

PINAL COUNTY DEVELOPMENT ASSN.

Order Suspending Trading

SEPTEMBER 15, 1966.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the 5% percent Industrial Development Revenue Bonds of Pinal County Development Association due April 15, 1989, 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 September 16, 1966, through September 25, 1966, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 66-10288; Filed, Sept. 20, 1966;
8:46 a.m.]

[812-1993]

QUINBY PLAN FOR ACCUMULATION OF COMMON STOCK OF XEROX CORPORATION

Notice of Filing of Application for Exemption

SEPTEMBER 15, 1966.

Notice is hereby given that Quinby & Co., Inc. ("Quinby"), Lincoln Rochester Trust Building, Rochester, N.Y. 14604, the principal underwriter for and sponsor of The Quinby Plan for Accumulation of Common Stock of Xerox Corp. ("Plan") a unit investment trust registered as such under the Investment Company Act of 1940 ("Act"), has filed an application pursuant to section 6(c) of the Act for an order of the Commission exempting the Plan from the requirements of section 14(a) of the Act.

The Plan is organized under an agreement between Quinby and The Lincoln Rochester Trust Co. ("Custodian"), of Rochester, N.Y. The Plan, which presently has no net worth, is to be offered

to the general public by Quinby pursuant to a registration statement filed under the Securities Act of 1933 but which has not as yet become effective.

Section 14(a) of the Act provides that no registered investment company, and no principal underwriter for such a company, shall make a public offering of securities of such company unless (1) such company has a net worth of \$100,000; (2) such company at the time of a previous public offering had such net worth; or (3) provision is made as a condition to the registration of its securities under the Securities Act of 1933 which insures that such company will receive from not more than 25 persons, and within 90 days of the effectiveness of its registration, sufficient funds which, added to its then net worth, will equal \$100,000 before subscriptions may be accepted from other persons.

Quinby states that it is now the depositor and sponsor of six other plans which are similar to the one which is the subject of the application, except that each of such six other plans provide, respectively, for the accumulation of common stock of Eastman Kodak Co., E. I. du Pont de Nemours & Co., General Motors Corp., Standard Oil Co. (New Jersey), American Telephone & Telegraph Co., and General Electric Co. Quinby further states that the aggregate net worth of the six other plans at April 30, 1966, exceeds \$40,000,000 and that it has every reason to believe that in the not too distant future the net worth of the Plan will exceed \$100,000.

Notice is further given that any interested person may, not later than September 30, 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 (air mail 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 such 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. 66-10289; Filed, Sept. 20, 1966;
8:46 a.m.]

[File No. 24NY-6274]

SUSAN ROBERTS, INC.

Order Temporarily Suspending Exemption, Statement of Reasons Therefor, and Notice of Opportunity for Hearing

SEPTEMBER 15, 1966.

I. Susan Roberts, Inc. (Roberts), 2114 86th Street, Brooklyn, N.Y., filed a notification and offering circular on June 24, 1966, in connection with a proposed offering of 100,000 shares of its \$0.01 par value common stock at an offering price of \$3 per share pursuant to section 3(b) of the Securities Act of 1933 and Regulation A promulgated thereunder. M. A. Allan & Co., Inc., 348 Clifton Avenue, Clifton, N.J., was named as underwriter on a "best efforts" basis.

Roberts is a New York corporation organized on July 6, 1961, and has its office at 2114 86th Street, Brooklyn, N.Y. According to the offering circular, Roberts manufactures and sells a line of cosmetics. Principal shareholders are Andrew and Muriel Montero, residing at 1104 East 18th Street, Brooklyn, N.Y., who are officers and directors and own 180,000 of the 200,000 outstanding shares.

II. The Commission has reasonable cause to believe that:

A. The offering circular and financial statements contained therein contain untrue statements of material facts and omit to state material facts necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading, particularly with respect to the following:

1. Roberts' profit and loss statement for the 3 months ended March 31, 1966, overstates Roberts' profit by the failure to follow generally accepted accounting principles; in particular, the failure to match costs with revenues and to accrue on the books as of March 31, 1966, all payroll, commissions, auto, and other expenses applicable to the 3 months then ended;

2. The profit and loss statements in the offering circular overstate the loss incurred by Roberts for the year ended December 31, 1965, and overstate the profits earned in the 3 months ended March 31, 1966, because of improper accounting for sales returns whereby returns applicable to 1966 sales were charged to 1965 income;

3. Roberts' profit and loss statement for the 3 months ended March 31, 1966, is false and misleading in that it fails to state that officers' salaries for the 3 months then ended totaled \$1,400 compared to the \$22,239.84 paid to officers in 1965 and the \$35,000 to be paid them under an employment contract which would take effect after the public offering;

4. The financial statements, included as part of the offering circular, are false and misleading by indicating that within the current 3 months period Roberts had paid a current liability in the amount of \$18,750 due to an outside creditor, when in fact the obligation was payable

to officers and directors of the company who had released the company from this debt;

5. The offering circular filed on June 24, 1966, failed to disclose that Roberts' financial condition had deteriorated since March 31, 1966 (the date of the financial statements contained in the offering circular) to the extent that Roberts had been unable to meet its payroll for June 1966.

6. The issuer failed to disclose accurately and adequately in a prominent position in the offering circular the highly speculative aspects of this offering, in particular:

(a) That purchasers of these shares would experience a significant dilution of their equity;

(b) That severe competition exists in the cosmetics industry and that a number of very large manufacturers are far better established and have far greater resources than the issuer.

B. The terms and conditions of Regulation A have not been complied with in that:

1. The issuer failed to name as affiliates in Item 2(b) of the notification Andrew Montero and Muriel Montero who together own 90 percent of the outstanding shares of Roberts' stock;

2. The issuer failed to name Rheem Enterprises Corp., wholly owned by Andrew Montero, as an affiliate in Item 2(b) of the notification;

3. The ceiling limitation prescribed by Rule 254 would be exceeded since the value of securities not escrowed in accordance with the requirements of Rule 253(c) plus the value of the securities offered exceeds \$300,000.

C. The offering would be made in violation of section 17(a) of the Securities Act of 1933, as amended.

III. It appearing to the Commission that it is in the public interest and for the protection of investors that the exemption of the issuer under Regulation A be temporarily suspended.

It is ordered, Pursuant to Rule 261(a) of the general rules and regulations under the Securities Act of 1933, as amended, that the exemption of the issuer under Regulation A be, and it hereby is, temporarily suspended.

Notice is hereby given that any person having any interest in the matter may file with the Secretary of the Commission a written request for hearing within 30 days after the entry of this order; that within 20 days after receipt of such request, the Commission will, or at any time upon its own motion may, set the matter down for hearing at a place to be designated by the Commission for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; and that notice of the time and place for said hearing will be promptly given by the Commission. If no hearing is requested and none is ordered by the Commission, the order shall become permanent on the 30th day after its entry and shall remain

in effect unless it is modified or vacated by the Commission.

By the Commission.

[SEAL]

ORVAL L. DuBois,
Secretary.

[F.R. Doc. 66-10290; Filed, Sept. 20, 1966;
8:46 a.m.]

UNDERWATER STORAGE, INC.

Order Suspending Trading

SEPTEMBER 15, 1966.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Underwater Storage, Inc. 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 securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period September 16, 1966, through September 25, 1966, both dates inclusive.

By the Commission.

[SEAL]

ORVAL L. DuBois,
Secretary.

[F.R. Doc. 66-10291; Filed, Sept. 20, 1966;
8:46 a.m.]

[File No. 70-4412]

WISCONSIN GAS CO. AND AMERICAN NATURAL GAS CO.

Notice of Proposed Issue and Sale by Subsidiary Company of First Mortgage Bonds at Competitive Bidding, Increase in Its Authorized Common Stock, and Issue and Sale of Shares of Common Stock to Holding Company

SEPTEMBER 15, 1966.

Notice is hereby given that American Natural Gas Co. ("American Natural"), Suite 4950, 30 Rockefeller Plaza, New York, N.Y. 10020, a registered holding company, and its gas utility subsidiary company, Wisconsin Gas Co. ("Wisconsin Gas"), 626 East Wisconsin Avenue, Milwaukee, Wis. 53201, have filed an application-declaration and an amendment thereto with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(a), 6(b), 7, 9, 10, and 12(f) of the Act and Rules 43 and 50 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the application-declaration, as amended, which is summarized below, for a complete statement of the proposed transactions.

Wisconsin Gas will issue and sell, subject to the competitive bidding requirements of Rule 50 under the Act, \$18,000,000 principal amount of First Mortgage Bonds, ----- % Series, due October 15, 1991. The interest rate (which shall be a multiple of one-eighth of 1 percent)

and the price, exclusive of accrued interest (which shall be not less than 100 percent nor more than 102.75 percent of the principal amount), will be determined by the competitive bidding. The bonds are to be issued under a Mortgage and Deed of Trust, dated as of November 1, 1950, between Wisconsin Gas (formerly Milwaukee Gas Light Co.) and Mellon National Bank & Trust Co. and D. A. Hazlett, as Trustees, as heretofore supplemented and as to be further supplemented by a Sixth Supplemental Indenture to be dated as of October 15, 1966.

Wisconsin Gas also proposes to (a) amend its Articles of Incorporation to increase the number of its authorized shares of common stock, par value \$12 per share, from 4,780,078 shares to 5,196,745 shares, and (b) issue and sell 416,667 shares of such common stock to American Natural for a cash consideration of \$5,000,004, the aggregate par value thereof.

Wisconsin Gas will use the net proceeds from the issue and sale of the bonds and common stock to pay notes to banks, due October 31, 1966, in the estimated amount of \$17,000,000. The issuance of such notes for temporary financing of the 1965 and 1966 construction expenditures was heretofore authorized by the Commission (Holding Company Act Release No. 15326 (Oct. 15, 1965)). It is anticipated that additional funds of approximately \$4,000,000, required to complete the financing of the company's 1966 construction program, estimated at \$20,582,000, will be obtained from short-term bank borrowings and from internal sources.

The fees and expenses to be paid by Wisconsin Gas in connection with the issue and sale of the bonds are estimated at \$88,000, including counsel fees of \$22,500, and accountant's fees of \$4,000; and in connection with the issue and sale of the common stock are estimated at \$11,516, including counsel fees of \$1,000. The fee of counsel for the bond underwriters, estimated at \$9,500, is to be paid by the successful bidders.

The Public Service Commission of Wisconsin, by order of September 6, 1966, has authorized the issue and sale of the common stock, and deferred authorization of the issue and sale of the bonds pending the filing of the results of the competitive bidding and terms of the issue. It is stated that no other State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than October 5, 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 application-declaration, as amended, 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 applicants-declarants at the above-stated addresses, 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 application-declaration, as amended, or as it may be further amended, may be granted and permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20 (a) and 100 thereof or take such other action as it may deem appropriate.

For the Commission (pursuant to delegated authority).

[SEAL]

ORVAL L. DuBois,
Secretary.

[F.R. Doc. 66-10292; Filed, Sept. 20, 1966;
8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

SEPTEMBER 16, 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. 40711—*Tin or terne plate to Taft, Fla.* Filed by Traffic Executive Association-Eastern Railroads, agent (E.R. No. 2861), for interested rail carriers. Rates on tin or terne plate and tin mill black plate, in carloads, from points in Maryland, Ohio, Pennsylvania, and West Virginia, to Taft, Fla.

Grounds for relief—Market competition.

Tariff—Supplement 54 to Traffic Executive Association-Eastern Railroads, agent, tariff ICC C-428.

FSA No. 40712—*Iron and steel articles to Cedars and LeTourneau, Miss.* Filed by Traffic Executive Association-Eastern Railroads, agent (E.R. No. 2862), for interested rail carriers. Rates on sheet steel, strip steel, bars, and plate, or sheet, in carloads, from Detroit and Trenton, Mich., to Cedars and LeTourneau, Miss.

Grounds for relief—Market competition.

Tariff—Supplement 54 to Traffic Executive Association-Eastern Railroads, agent, tariff ICC C-428.

FSA No. 40713—*Clay to Canfield, Ohio.* Filed by O. W. South, Jr., agent (No. A4942), for interested rail carriers. Rates on clay, except clay commercially suitable for filling of fabric or filling or coating of paper, or for use in the manufacturing of rubber and rubber articles,

in carloads, from Clayburn and Wickliffe, Ky., also McKenzie, Spinks, and Whitlock, Tenn., to Canfield, Ohio. Grounds for relief—Market competition.

Tariff—Supplement 232 to Southern Freight Association, agent, tariff ICC S-40.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-10300; Filed, Sept. 20, 1966;
8:47 a.m.]

[Notice 413]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

SEPTEMBER 16, 1966.

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

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

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

MOTOR CARRIERS OF PROPERTY

No. MC 1375 (Deviation No. 1), BELL LINES, INC., 6414 McCorkle Avenue SE., Post Office Box 4108, Charleston, W. Va. 25304, filed September 9, 1966. Carrier's representative: James W. Lawson, 1000 16th Street NW., Washington, D.C. 20036. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over a deviation route as follows: Between Toledo, Ohio, and Detroit, Mich., over Interstate Highway 75, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: From Columbus, Ohio, over U.S. Highway 23 to Toledo, Ohio, thence over U.S. Highway 25 to Detroit, Mich. (also from Toledo, Ohio, over U.S. Highway 24 via Flat Rock, Mich., to Detroit, Mich.), and return over the same routes.

No. MC 3560 (Deviation No. 12), GENERAL EXPRESSWAYS, INC., 1205 South Platte River Drive, Denver, Colo. 80223, filed September 7, 1966. Carrier's representative: Ken Wolford (same address as above). Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with cer-

tain exceptions, over deviation routes as follows: (1) From Chicago, Ill., over Interstate Highway 55 to junction Interstate Highway 80, thence over Interstate Highway 80 to La Salle, Ill., and (2) from La Salle, Ill., over Interstate Highway 80 to Rock Island, Ill., and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: (1) From Chicago, Ill., over U.S. Highway 66 to junction Alternate U.S. Highway 66, thence over Alternate U.S. Highway 66 to Gardner, Ill., thence over U.S. Highway 66 to junction unnumbered highway, near Dwight, Ill., thence over unnumbered highway via Dwight to junction U.S. Highway 66, thence over U.S. Highway 66 to junction unnumbered highway, near Odell, Ill., thence over unnumbered highway via Odell to junction U.S. Highway 66, thence over U.S. Highway 66 to junction unnumbered highway, near Pontia, Ill., thence over unnumbered highway to junction U.S. Highway 66, thence over U.S. Highway 66 to junction unnumbered highway, near Chenoa, Ill., thence over unnumbered highway via Chenoa to junction U.S. Highway 66, thence over U.S. Highway 66 to junction unnumbered highway, near Lexington, Ill., thence over unnumbered highway to junction U.S. Highway 66, thence over U.S. Highway 66 to Bloomington, Ill., (2) from Milwaukee, Wis., over unnumbered highway to junction Wisconsin Highway 100, thence over Wisconsin Highway 100 to junction Wisconsin Highway 32 to the Wisconsin-Illinois State line, thence over Illinois Highway 42 to junction Illinois Highway 173, thence over Illinois Highway 173 to junction U.S. Highway 41, thence over U.S. Highway 41 to Chicago, Ill., thence over Illinois Highway 4A to Joliet, Ill., thence over U.S. Highway 6 to junction Illinois Highway 29 (formerly portion U.S. Highway 6), near Spring Valley, Ill., thence over Illinois Highway 29 via Depue, Ill., to junction unnumbered highway (formerly portion U.S. Highway 6), thence over unnumbered highway to junction U.S. Highway 6, thence over U.S. Highway 6 to Sheffield, Ill., thence over unnumbered highway to Buda, Ill., and (3) from Chicago, Ill., over U.S. Highway 34 to junction Illinois Highway 65, thence over Illinois Highway 65 to Aurora, Ill., thence over Illinois Highway 31 to Oswego, Ill., thence over U.S. Highway 34 to Princeton, Ill., thence over U.S. Highway 6 to Briarbluff, Ill., thence over Illinois Highway 84 to Silvis, Ill., thence over Illinois Highway 92 to Moline, Ill., and return over the same routes.

No. MC 10875 (Deviation No. 11), BRANCH MOTOR EXPRESS CO., 114 Fifth Avenue, New York, N.Y. 10011, filed September 9, 1966. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over a deviation route as follows: From Dansville, N.Y., over New York Highway 63 to junction U.S. Highway 20, near East Bethany, N.Y., thence over U.S. Highway 20 to junction

New York Highway 130, thence over New York Highway 130 to Buffalo, N.Y., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Dansville, N.Y., over New York Highway 36 to Leicester, N.Y., thence over Alternate U.S. Highway 20 to East Aurora, N.Y., thence over New York Highway 16 to Buffalo, N.Y., and return over the same routes.

No. MC 10875 (Deviation No. 12), BRANCH MOTOR EXPRESS CO., 114 Fifth Avenue, New York, N.Y. 10011, filed September 9, 1966. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Dansville, N.Y., over New York Highway 63 to junction New York Highway 5, at Batavia, N.Y., thence over New York Highway 5 to Buffalo, N.Y., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Dansville, N.Y., over New York Highway 36 to Leicester, N.Y., thence over Alternate U.S. Highway 20 to East Aurora, N.Y., thence over New York Highway 16 to Buffalo, N.Y., and return over the same route.

No. MC 30204 (Deviation No. 19), HEMINGWAY TRANSPORT, INC., 438 Dartmouth Street, New Bedford, Mass. 02740, filed September 7, 1966. Carrier's representative: Carroll B. Jackson, 1301 North Boulevard, Richmond, Va. 23230. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over deviation routes as follows: (1) From Allentown, Pa., over Interstate Highway 78 to the Pennsylvania Turnpike Northeast Extension, thence over the Pennsylvania Turnpike Northeast Extension to the Pennsylvania Turnpike (East-West), thence over the Pennsylvania Turnpike (East-West) to junction U.S. Highway 309, (2) from Newark, N.J. (junction Interstate Highway 78 and U.S. Highway 22) over Interstate Highway 78 to junction Interstate Highway 81, thence over Interstate Highway 81 to junction Pennsylvania Turnpike, thence over the Pennsylvania Turnpike to junction U.S. Highway 220 (Bedford, Pa. Interchange), and (3) from Richmond, Va., over U.S. Highway 95 to junction Interstate Highway 495, thence over Interstate Highway 495 to junction Interstate Highway 95, thence over Interstate Highway 95 to junction Interstate Highway 695, thence over Interstate Highway 695 to junction Interstate Highway 83, thence over Interstate Highway 83 to Harrisburg, Pa., and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows:

(1) From Philadelphia, Pa., over U.S. Highway 309 to Allentown, Pa., (2) from

Richmond, Va., over U.S. Highway 1 via Baltimore, Md., to New York, N.Y. (also from Baltimore over U.S. Highway 40 to junction U.S. Highway 13, thence over U.S. Highway 13 to Philadelphia, Pa., thence over U.S. Highway 1 to New York) (also from Baltimore over U.S. Highway 40 to junction U.S. Highway 130, thence over U.S. Highway 130 to junction U.S. Highway 1, thence over U.S. Highway 1 to New York), (3) from Winchester, Va., over U.S. Highway 11 to Harrisburg, Pa., thence over U.S. Highway 22 to junction unnumbered highway, thence over unnumbered highway via Allentown, Bethlehem, and Easton, Pa., to junction U.S. Highway 22, thence over U.S. Highway 22 to Newark, N.J., thence over U.S. Highway 1 to New York, N.Y., (4) from Winchester, Va., over U.S. Highway 11 to Chambersburg, Pa., thence over U.S. Highway 30 (formerly portion U.S. Highway 30) to junction Business Route U.S. Highway 30, thence over Business Route U.S. Highway 30 via Coatesville and Downingtown, Pa., to junction U.S. Highway 30, thence over U.S. Highway 30 to Philadelphia, Pa., thence over U.S. Highway 1 to New York, N.Y., (5) from Frederick, Md., over U.S. Highway 15 to junction Business Route U.S. Highway 15 (formerly portion U.S. Highway 15), thence over Business Route U.S. Highway 15 to Gettysburg, Pa., (6) from Frederick, Md., over Alternate U.S. Highway 40 to Hagerstown, Md., (7) from Frederick, Md., over Maryland Highway 355 to junction U.S. Highway 240, thence over U.S. Highway 240 to Washington, D.C., (8) from Winchester, Va., over U.S. Highway 11 via Martinsburg, W. Va., to Hagerstown, Md., thence over U.S. Highway 40 to Cumberland, Md., and (9) from Winchester, Va., to Cumberland, Md., as specified above, thence over U.S. Highway 220 to Duncansville, Pa., thence over Pennsylvania Highway 764 to Altoona, Pa., and return over the same routes.

No. MC 35334 (Deviation No. 5), COOPER-JARRETT, INC., 23 South Essex Avenue, Orange, N.J. 07051, filed September 2, 1966. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From junction U.S. Highway 6 and Ohio Highway 15, over Ohio Highway 15 to junction Alternate U.S. Highway 20, thence over Alternate U.S. Highway 20 to junction U.S. Highway 20, at or near Maumee, Ohio, thence over U.S. Highway 20 to Fremont, Ohio, and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Kansas City, Mo., over U.S. Highway 24 to Monroe City, Mo., thence over U.S. Highway 36 to Springfield, Ill., thence over U.S. Highway 66 to junction Alternate U.S. Highway 66, thence over Alternate U.S. Highway 66 to junction U.S. Highway 66, thence over U.S. Highway 66 to Chicago, Ill., thence over U.S. Highway 6 to Fremont, Ohio, thence over U.S. Highway 20 to junction Ohio High-

way 10, thence over Ohio Highway 10 to Cleveland, Ohio, and return over the same routes.

No. MC 76032 (Deviation No. 14), NAVAJO FREIGHT LINES, INC., 1205 South Platte River Drive, Denver, Colo. 80223, filed September 8, 1966. Carrier representative: Ken Wolford (same address as carrier). Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Amarillo, Tex., over Interstate Highway 40 to Oklahoma City, Okla., thence over Interstate Highway 44 to St. Louis, Mo., thence over Interstate Highway 55 to Chicago, Ill., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: (1) From Amarillo, Tex., over U.S. Highway 287 to Stratford, Tex., thence over U.S. Highway 54 to Hooker, Okla., (2) from Hooker, Okla., over U.S. Highway 54 to Liberal, Kans., thence over U.S. Highway 270 to Hugoton, Kans., thence over U.S. Highway 56 (formerly Kansas Highway 45) to Elkhart, Kans., thence over Kansas Highway 27 to Johnson, Kans., (3) from Wichita, Kans., over U.S. Highway 54 to Liberal, Kans., (4) from Hutchinson, Kans., over Kansas Highway 96 to Wichita, Kans., (5) from Hutchinson, Kans., over U.S. Highway 50 (formerly U.S. Highway 50S), to junction U.S. Highway 56 (formerly U.S. Highway 50N) near Worden, Kans., thence continue over U.S. Highway 50 to junction Kansas Highway 10 at or near Merriam, Kans., thence over Kansas Highway 10 to Kansas City, Kans., thence over city streets to Kansas City, Mo., and (6) from Chicago, Ill., over Alternate U.S. Highway 30 to Sterling, Ill., thence over Illinois Highway 2 to junction Illinois Highway 78, thence over Illinois Highway 78 to junction U.S. Highway 24, thence over U.S. Highway 24 to Monroe City, Mo., thence over U.S. Highway 36 to Cameron, Mo., thence over U.S. Highway 69 to Kansas City, Mo., thence over U.S. Highway 40 to Denver, Colo., and return over the same routes.

MOTOR CARRIERS OF PASSENGERS

No. MC 1515 (Deviation No. 330), GREYHOUND LINES, INC. (Eastern Division), 1400 West Third Street, Cleveland, Ohio 44113, filed August 29, 1966. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, and *express and newspapers*, in the same vehicle with passengers, over deviation routes as follows: (1) From Portland, Maine, over Interstate Highway 95 to junction U.S. Highway 1 (at Brunswick, Maine), (2) from Augusta, Maine, over Interstate Highway 95 to junction Maine Highways 6 and 155 (near Howland, Maine), thence over Maine Highways 6 and 155 to junction U.S. Highway 2 (near West Enfield, Maine), (3) from Waterville, Maine, over Maine Highway 11 to junction Interstate Highway 95, (4) from Waterville, Maine, over Maine Highway 104 to junction Interstate Highway 95,

(5) from Fairfield, Maine, over Maine Highway 139 to junction Interstate Highway 95, (6) from Fairfield, Maine, over U.S. Highway 201 to junction Interstate Highway 95, (7) from Newport, Maine, over unnumbered highway to junction Interstate Highway 95 west of Newport, (8) from Newport, Maine, over U.S. Highway 2 to junction Interstate Highway 95 east of Newport, (9) from Bangor, Maine, over city streets to junction Interstate Highway 95, (10) from Old Town, Maine, over U.S. Highway 2 to junction Interstate Highway 95, and (11) from Old Town, Maine, over Maine Highway 43 to junction Interstate Highway 95, and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over pertinent service routes, as follows: (1) From Boston, Mass., over U.S. Highway 1 via Newburyport, Mass. (also via bypass route around Newburyport), to the Massachusetts-New Hampshire State line, thence over U.S. Highway 1 via Smithtown, N.H., and Portland and Belfast, Maine, to Stockton Springs, Maine, thence over Alternate U.S. Highway 1 via Bangor and Brewer, Maine, to Ellsworth, Maine, thence over U.S. Highway 1 to the United States-Canada boundary line (also from junction U.S. Highway 1 and Alternate U.S. Highway 1, approximately 1.6 miles south of Portsmouth, N.H., over Alternate U.S. Highway 1, known as the Portsmouth Cutoff, to junction Maine Turnpike, thence over the Maine Turnpike to junction U.S. Highway 1, also from Portland over Maine Highway 100 via Lewiston, Augusta, and Fairfield, Maine, to Newport, Maine, thence over U.S. Highway 2 to Bangor, Maine, and also from Brewer over Maine Highway 9 to junction U.S. Highway 1, thence over U.S. Highway 1 to Calais, Maine).

(2) From Norridgewock, Maine, over U.S. Highway 2 to Bangor, Maine, thence over Maine Highway 9 to junction U.S. Highway 1, thence over U.S. Highway 1 to the United States-Canada boundary line (near Calais), (3) from Bangor, Maine, over U.S. Highway 2 to Lincoln, Maine, thence over Maine Highway 6 to Topsham, Maine, thence over U.S. Highway 1 to junction Maine Highway 9, (4) from Lewiston, Maine, over Maine Highway 196 to Topsham, Maine, thence over U.S. Highway 201 to Brunswick, Maine, (5) from Waterville, Maine, over U.S. Highway 201 to Skowhegan, Maine, (6) from Bangor, Maine, over U.S. Highway 2 to Mattawamkeag, Maine, (7) from Portland, Maine, over Maine Highway 100 to junction unnumbered highway (formerly Maine Highway 100), near Greene, Maine, thence over unnumbered highway via Greene to junction Maine Highway 100, thence over Maine Highway 100 via Winthrop, Maine, to Bangor, Maine, (8) from Portland, Maine, over U.S. Highway 1 to junction Maine Highway 88 (formerly U.S. Highway 1), thence over Maine Highway 88 to Yarmouth, Maine, thence over unnumbered highway (formerly U.S. Highway 1) to

junction U.S. Highway 1, thence over U.S. Highway 1 to junction unnumbered highway (formerly U.S. Highway 1), thence over unnumbered highway to Rockport, Maine, (9) from junction New U.S. Highway 1 and Old U.S. Highway 1, near Portland, Maine, over New U.S. Highway 1 to junction Old U.S. Highway 1 east of Yarmouth, Maine, and (10) from Topsham, Maine, over U.S. Highway 201 to Gardiner, Maine, and return over the same routes.

No. MC 1515 (Deviation No. 331) (Cancels Deviations Nos. 124 and 326), GREYHOUND LINES, INC. (Central Division), 210 East Ninth Street, Fort Worth, Tex. 76102, filed September 2, 1966. Carrier proposes to operate as a common carrier, by motor vehicle, of passengers and their baggage, and express and newspapers, in the same vehicle with passengers, over a deviation route as follows: from Memphis, Tenn., over Interstate Highway 40 to Little Rock, Ark., thence over Interstate Highway 30 to Texarkana, Tex., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over pertinent service routes as follows: (1) From Memphis, Tenn., over U.S. Highway 70 to junction Arkansas Highway 17, thence over Arkansas Highway 17 to junction U.S. Highway 79, thence over U.S. Highway 79 to junction Arkansas Highway 11, thence over Arkansas Highway 11 via Stuttgart, Ark., to junction U.S. Highway 79C, thence over U.S. Highway 79C to junction U.S. Highway 79, thence over U.S. Highway 79 via Pine Bluff, Ark., to Magnolia, Ark., thence over U.S. Highway 82 to Texarkana, Tex., (2) from Little Rock, Ark., over Arkansas Highway 30 via England, Ark., to Stuttgart, Ark., and (3) from England, Ark., over Arkansas Highway 15 to junction U.S. Highway 79, and return over the same routes.

No. MC 2866 (Deviation No. 6), EDWARDS MOTOR TRANSIT COMPANY, 56 East Third Street, Williamsport, Pa., filed September 8, 1966. Carrier's representative: Robert H. Griswold, Commerce Building, Post Office Box 432, Harrisburg, Pa. 17108. Carrier proposes to operate as a common carrier, by motor vehicle, of passengers and their baggage, and express and newspapers, in the same vehicle with passengers, over a deviation route as follows: From junction Interstate Highway 80 and Pennsylvania Highway 93 (formerly Pennsylvania Highway 29) north of Sybertsville, Pa., over Interstate Highway 80 to Interchange 42 (Lake Harmony) and junction with the Northeast Extension of the Pennsylvania Turnpike, thence over the Northeast Extension of the Pennsylvania Turnpike to Interchange 34 (Mahoning Valley) and junction U.S. Highway 209, thence over U.S. Highway 209 to Lehigh, Pa., with the following access route, from Hazleton, Pa., over U.S. Highway 309 to junction Interstate Highway 80, and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and

the same property over a pertinent service route as follows: from junction Pennsylvania Highway 93 (formerly Pennsylvania Highway 29) and Interstate Highway 80, north of Sybertsville, Pa., over Pennsylvania Highway 93 to junction U.S. Highway 209 east of Nesquehoning, Pa., thence over U.S. Highway 209 to Lehigh, Pa., and return over the same route.

No. MC 61616 (Deviation No. 16), MIDWEST BUSLINES, INC., 433 West Washington Avenue, North Little Rock, Ark., filed September 6, 1966. Carrier's representative: Nathaniel Davis, Post Office Box 1188, Little Rock, Ark. 72203. Carrier proposes to operate as a common carrier, by motor vehicle, of passengers and their baggage, and express and newspapers, in the same vehicle with passengers, over a deviation route as follows: Between St. Louis, Mo., and Kansas City, Mo., over Interstate Highway 70, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over pertinent service routes as follows: (1) From St. Louis, Mo., over U.S. Highway 50 to Kansas City, Mo., and (2) from St. Louis, Mo., over U.S. Highway 66 to junction U.S. Highway 50, thence over U.S. Highway 50 to Kansas City, Mo., and return over the same routes.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-10301; Filed, Sept. 20, 1966;
8:47 a.m.]

[Notice 967]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

SEPTEMBER 16, 1966.

The following publications are governed by Special Rule 1.247 of the Commission's rules of practice, published in the FEDERAL REGISTER issue of April 20, 1966, which became effective May 20, 1966.

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

APPLICATIONS ASSIGNED FOR ORAL HEARING

MOTOR CARRIERS OF PROPERTY

No. MC 103654 (Sub-No. 106) (Amendment), filed January 12, 1966, published FEDERAL REGISTER issue of January 27, 1966, amended August 29, 1966, and republished this issue. Applicant: SCHIRMER TRANSPORTATION COMPANY, INCORPORATED, 1145 Homer Street, St. Paul 16, Minn. Applicant's representative: Donald A. Morken, 1000 First National Bank Building, Minne-

apolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid caustic soda and phosphoric acid*, in bulk, in tank vehicles, from Minneapolis and St. Paul, Minn., to points in Iowa, Nebraska, North Dakota, Minnesota, South Dakota, and Wisconsin. NOTE: The purpose of this republication is to broaden the destination territory, and to set forth the hearing information.

HEARING: October 24, 1966, in Room B-29, Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn., before Examiner Lawrence A. Van Dyke, Jr.

No. MC 128017 (Republication), filed March 8, 1966, published FEDERAL REGISTER issue of March 31, 1966, and republished, this issue. Applicant: ERVIN L. CRIDER, JR., Moorefield, W. Va. Applicant's representative: Eston H. Alt, Post Office Box 81, Winchester, Va. 22601. By application filed March 8, 1966, applicant seeks a certificate of public convenience and necessity authorizing operation, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of feed, from Broadway, Va., to points in Hardy County, W. Va., within 10 miles of Baker (Hardy County), W. Va. A supplemental order of the Commission, Operating Rights Board No. 1, dated August 19, 1966, and served September 14, 1966, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of *animal and poultry feed* from Broadway, Va., to points in Hardy County, W. Va., except Moorefield; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other parties, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file an appropriate protest or other pleading.

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

No. MC 1977 (Sub-No. 12), filed August 31, 1966. Applicant: GOLDSTEIN TRANSPORTATION AND STORAGE, INC., 1420 38th Street, Denver, Colo. 80205. Applicant's representative: John H. Lewis, The 1650 Grant Street Building, Denver, Colo. 80203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (ex-

cept 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 Colorado. NOTE: Common control may be involved. This application is a matter directly related to Docket No. MC-F-9518, published FEDERAL REGISTER issue of September 14, 1966.

No. MC 56679 (Sub-No. 18), filed August 30, 1966. Applicant: BROWN TRANSPORT CORP., 125 Milton Avenue SE. (Post Office Box 6985), Atlanta, Ga. 30315. Applicant's representative: R. J. Reynolds, Jr., 403-11 Healey Building, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, between Washington and Athens, Ga., over Georgia Highway 10 (U.S. Highway 78), serving all intermediate points. NOTE: This application is a matter directly related to No. MC-F-9515, published in the FEDERAL REGISTER issue of August 31, 1966.

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

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

MOTOR CARRIERS OF PROPERTY

No. MC-F-9515 (correction) (Brown Transport Corp.—Purchase—J. C. Barnett), published in the August 31, 1966 issue of the FEDERAL REGISTER, on page 11517. The prior notice inadvertently stated that the operating rights sought to be transferred were under a certificate of registration, in Docket No. "MC-120145 (Sub-No. 1)," covering the transportation of *general commodities*, in intrastate commerce, as a common carrier, in the State of "Rhode Island." The prior notice is hereby amended to show that the correct operating rights sought to be transferred are under a certificate of registration, in Docket No. "MC-120415 (Sub-No. 1)," covering the transportation of *property*, in intrastate commerce, as a common carrier, in the State of "Georgia."

No. MC-F-9525. Authority sought for control by WORSTER-IOWA, INC., Gay Road, North East, Pa., of JAMES H. POWERS, INC., Melbourne, Iowa, and for acquisition by WORSTER MOTOR LINES, INC., Gay Road, North East, Pa., and, in turn, by DAVID B. WORSTER, West Lake Road, Rural Delivery No. 1, North East, Pa., of control of JAMES H. POWERS, INC., through the acquisition by WORSTER-IOWA, INC. Applicants' attorney: William W. Knox, 23 West 10th Street, Erie, Pa. Operating rights sought to be controlled: *Canned goods, and frozen foods*, and numerous other specified commodities, as a *common carrier*, over irregular routes, from, to, and between specified points in the States of Iowa, North Dakota, South Da-

kota, Nebraska, New York, Ohio, Michigan, Minnesota, Wisconsin, Kansas, Missouri, Pennsylvania, Arkansas, and Illinois, with certain restrictions, as more specifically described in Docket No. MC-112148 Sub 1 and other sub-numbers thereunder. This notice does not purport to be a complete description of all of the operating rights of the carrier involved. The foregoing summary is believed to be sufficient for purposes of public notice regarding the nature and extent of this carrier's operating rights, without stating, in full, the entirety thereof. WORSTER-IOWA, INC., holds no authority from this Commission. However, its controlling stockholder, WORSTER MOTOR LINES, INC., Gay Road, Post Office Box 110, North East, Pa., is authorized to operate as a *common carrier* in Pennsylvania, New York, Massachusetts, Connecticut, Rhode Island, Virginia, New Jersey, Delaware, Maryland, West Virginia, Illinois, Indiana, Michigan, Ohio, New Hampshire, Vermont, Maine, Minnesota, South Carolina, Wisconsin, Alabama, Florida, and the District of Columbia. Application has been filed for temporary authority under section 210a(b).

No. MC-F-9526. Authority sought for control and merger by EAZOR EXPRESS, INC., Eazor Square, Pittsburgh, Pa. 15201, of the remaining operating rights and property of KEYSTONE-LAWRENCE TRANSFER AND STORAGE COMPANY, 21 West South Street, New Castle, Pa., after consummation of the transfer in MC-FC-69068, approved August 30, 1966, by Transfer Board, and for acquisition by THOMAS A. EAZOR, also of Pittsburgh, Pa., of control of such rights and property through the transaction. Applicants' attorneys: Carl Steiner, 39 South La Salle Street, Chicago, Ill., and A. David Millner, 1060 Broad Street, Newark, N.J. 07102. Operating rights sought to be controlled and merged: *General commodities*, except those of unusual value, and except dangerous explosives, household goods, as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, commodities requiring special equipment (other than those requiring refrigeration), and those injurious or contaminating to other lading, as a *common carrier*, over a regular route, between Pittsburgh, Pa., and Sharpsville, Pa., serving all intermediate and certain specified off-route points; *general commodities*, with exception as specified above, over irregular routes, between certain specified points in Pennsylvania and Ohio, service is not authorized out of Cleveland, Ohio, other than for traffic moving to New Castle, Pa., and points in Pennsylvania within 20 miles of New Castle, and except that service into Cleveland from Pittsburgh, Pa., is restricted to the transportation of iron and steel, from New Castle, Pa., and points in Pennsylvania within 20 miles of New Castle, to Indianapolis, Ind., and Baltimore, Md. EAZOR EXPRESS, INC., is authorized to operate as a *common carrier* in Pennsylvania, West Virginia, New

York, New Jersey, Massachusetts, Connecticut, Rhode Island, Wisconsin, Illinois, Indiana, and Ohio. Application has been filed for temporary authority under section 210a(b).

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-10302; Filed, Sept. 20, 1966;
8:47 a.m.]

[Notice 969]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

SEPTEMBER 16, 1966.

The following publications are governed by Special Rule 1.247 of the Commission's rules of practice, published in the FEDERAL REGISTER issue of April 20, 1966, which became effective May 20, 1966.

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

APPLICATIONS ASSIGNED FOR ORAL HEARING

MOTOR CARRIERS OF PROPERTY

The applications immediately following are assigned for hearing at the time and place designated in the notice of filing as here published in each proceeding. All of the proceedings are subject to the special rules of procedure for hearing outlined below:

Special rules of procedure for hearing.

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

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

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

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

(5) Supplemental testimony by a witness to correct errors or to supply inad-

vertent omissions in his written statement is permissible.

No. MC 730 (Sub-No. 270) (Republication), filed August 4, 1966, published in FEDERAL REGISTER September 1, 1966, and republished this issue. Applicant: PACIFIC INTERMOUNTAIN EXPRESS CO., a corporation, 1417 Clay Street, Oakland, Calif. 94604. Applicant's representative: Alfred G. Krebs (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Iron and steel articles* (other than oil field and pipeline commodities as defined by the Commission in T. E. Mercer and G. E. Mercer, Extension-Oilfield Commodities, 74 M.C.C. 459), from the plantsites and storage yards of the Colorado Fuel & Iron Corp. (which name will be changed to CF & I Steel Corp., effective August 1, 1966), located at or near Pueblo, Colo., to points in California, Idaho, Illinois, Iowa, Missouri, Nebraska, Nevada, Oregon, Utah, and Washington. NOTE: The purpose of this republication is to reflect the hearing information.

HEARING: October 24, 1966, New Courthouse and Federal Building, 1961 Stout Street, Denver, Colo., before Examiner Jerome F. Soffer.

No. MC 32474 (Sub-No. 32) (Amendment), filed June 24, 1966, published in FEDERAL REGISTER, issue of September 15, 1966, amended, and republished as amended, this issue. Applicant: KEE-SHIN TRANSPORT SYSTEM, INC., 3131 Douglas Road, Toledo, Ohio 43606. 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: *Iron and steel and iron and steel articles, and equipment, materials and supplies used in the manufacture or processing of iron and steel articles*, between points in Putnam County, Ill., on the one hand, and, on the other, points in Wisconsin, Indiana, Michigan, Ohio, and New York. NOTE: The purpose of this republication is to change the commodity description.

HEARING: September 26, 1966, at the Midland Hotel, 172 West Adams, Chicago, Ill., before Examiner James C. Cheseldine.

No. MC 61440 (Sub-No. 105), filed August 26, 1966. Applicant: LEE WAY MOTOR FREIGHT, INC., 3000 West Reno, Oklahoma City, Okla. 73108. Applicant's representative: Richard H. Champlin, Post Office Box 82488, Oklahoma City, Okla. 73108. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 276 (except commodities in bulk, in tank vehicles), from Guymon, Okla., on the one hand, and, on the other, points in California, Arizona, New Mexico, Texas, Colorado, Kansas, Missouri, Arkansas,

Illinois, Wisconsin, Indiana, Ohio, Pennsylvania, Iowa, Nebraska, and Michigan. NOTE: Applicant states no duplicating authority is sought.

HEARING: October 17, 1966, at the U.S. Post Office Building, Northwest Third and Robinson Streets, Oklahoma City, Okla., before Examiner W. Elliott Neffen.

No. MC 83835 (Sub-No. 53) (Republication), filed August 15, 1966, published in FEDERAL REGISTER September 1, 1966, and republished this issue. Applicant: WALES TRUCKING COMPANY, a corporation, 905 Meyers Road, Grand Prairie, Tex. Applicant's representative: James W. Hightower, 136 Wynnewood Professional Building, Dallas, Tex. 75224. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Iron and steel articles* (other than oilfield and pipeline commodities as defined by the Commission in T. E. Mercer and G. E. Mercer Extension-Oilfield Commodities, 74 M.C.C. 459), from the plant and warehouse sites, and storage yards of the CF & I Steel Corp. at Pueblo, Colo., to points in Arkansas, Kansas, Louisiana, Missouri, Nebraska, Oklahoma, and Texas, restricted to shipments originating at the plant and warehouse sites and storage yards of CF & I Steel Corp. NOTE: The purpose of this republication is to reflect the hearing information.

HEARING: October 24, 1966, New Courthouse and Federal Building, 1961 Stout Street, Denver, Colo., before Examiner Jerome K. Soffer.

No. MC 100666 (Sub-No. 85) (Republication), filed July 21, 1966, published in FEDERAL REGISTER August 25, 1966, and republished this issue. Applicant: MELTON TRUCK LINES, INC., Post Office Box 7295, Shreveport, La. Applicant's representative: Harry Ross, 848 Warner Building, Washington, D.C. 20004. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Animal, poultry, fish, food and feed, and feed ingredients and supplements thereto* (except in bulk, in tank vehicles), from points in Lafourche Parish, La., to points in Mississippi, Alabama, Georgia, Florida, North Carolina, South Carolina, Tennessee, Kentucky, Virginia, West Virginia, Pennsylvania, Indiana, Ohio, and Michigan. NOTE: The purpose of this republication is to reflect the hearing information.

HEARING: October 17, 1966, at the Federal Office Building, 600 South Street, New Orleans, La., before Examiner William J. Bateman.

No. MC 100666 (Sub-No. 86) (Republication), filed July 19, 1966, published in FEDERAL REGISTER of August 25, 1966, and republished this issue. Applicant: MELTON TRUCK LINES, INC., Post Office Box 7295, Shreveport, La. 71107. Applicant's representative: Harry Ross, 848 Warner Building, Washington, D.C. 20004. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Animal, poultry, fish, food and feed, and feed ingredients and supplements thereto* (ex-

cept in bulk, in tank vehicles), from points in Lafourche Parish, La., to points in Arkansas, Missouri, Kansas, Oklahoma, Illinois, Iowa, Minnesota, Wisconsin, Texas, Colorado, Nebraska, North Dakota, South Dakota, New Mexico, Arizona, Utah, and Wyoming. NOTE: The purpose of this republication is to reflect the hearing information.

HEARING: October 17, 1966, at the Federal Office Building, 600 South Street, New Orleans, La., before Examiner William J. Bateman.

No. MC 107839 (Sub-No. 109), filed August 29, 1966. Applicant: DENVER-ALBUQUERQUE MOTOR TRANSPORT, INC., 4985 York Street, Post Office Box 16021, Denver, Colo. Applicant's representative: Edward T. Lyons, Jr., 420 Denver Club Building, Denver, Colo. 80202. 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, from Guymon, Okla., to points in Alabama, Florida, Georgia, Montana, North Carolina, North Dakota, South Carolina, South Dakota, and Wyoming.

HEARING: October 17, 1966, at the U.S. Post Office Building, Northwest Third and Robinson Streets, Oklahoma City, Okla., before Examiner W. Elliott Neffien.

No. MC 108207 (Sub-No. 204) (Republication), filed July 21, 1966, published in FEDERAL REGISTER August 18, 1966, and republished this issue. Applicant: FROZEN FOOD EXPRESS, a corporation, 318 Cadiz Street, Post Office Box 5888, Dallas, Tex. 75222. Applicant's representative: Harry Ross, 848 Warner Building, Washington, D.C. 20004. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Animal, poultry, fish, food and feed, and feed ingredients and supplements thereto* (except in bulk, in tank vehicles), from points in Lafourche Parish, La., to points in Arkansas, Missouri, Kansas, Oklahoma, Illinois, Arizona, Iowa, Wisconsin, New Mexico, California, Nebraska, Minnesota, and Texas. NOTE: The purpose of this republication is to reflect the hearing information.

HEARING: October 17, 1966, at the Federal Office Building, 600 South Street, New Orleans, La., before Examiner William J. Bateman.

No. MC 113267 (Sub-No. 171), filed September 12, 1966. Applicant: CENTRAL AND SOUTHERN TRUCK LINES, INC., 312 West Morris Street, Caseyville, Ill. Applicant's representative: Harry Ross, 848 Warner Building, Washington, D.C. 20004. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Animal, poultry, fish, food and feed, and feed ingredients and supplements thereto* (except in bulk, in tank vehicles), from points in Lafourche Parish, La., to points

in Mississippi, Tennessee, Kentucky, and Indiana.

HEARING: October 17, 1966, at the Federal Office Building, 600 South Street, New Orleans, La., before Examiner William J. Bateman.

No. MC 113267 (Sub-No. 172), filed September 13, 1966. Applicant: CENTRAL AND SOUTHERN TRUCK LINES, INC., 312 West Morris Street, Caseyville, Ill. Applicant's representative: Harry Ross, 848 Warner Building, Washington, D.C. 20004. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Animal, poultry, fish, food and feed, feed ingredients, and supplements thereto* (except in bulk, in tank vehicles), from points in Lafourche Parish, La., to points in Arkansas, Missouri, Illinois, Wisconsin, Minnesota, Iowa, Nebraska, and Kansas. NOTE: Common control may be involved.

HEARING: October 17, 1966, at the Federal Office Building, 600 South Street, New Orleans, La., before Examiner William J. Bateman.

No. MC 114364 (Sub-No. 124) (Republication), filed July 20, 1966, published in FEDERAL REGISTER August 25, 1966, and republished this issue. Applicant: WRIGHT MOTOR LINES, INC., Post Office Box 1191, Cushing, Okla. 74023. Applicant's representative: Marlon F. Jones, 420 Denver Club Building, Denver, Colo. 80202. 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 appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Guymon, Okla., to points in Arizona, California, Colorado, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, Oregon, Texas, Utah, Washington, and Wyoming. NOTE: The purpose of this republication is to reflect the hearing information.

HEARING: October 17, 1966, at the U.S. Post Office Building, Northwest Third and Robinson Streets, Oklahoma City, Okla., before Examiner Gerald F. Colfer.

No. MC 117686 (Sub-No. 79), filed August 23, 1966. Applicant: HIRSCHBACH MOTOR LINES, INC., 3324 U.S. Highway 75 North, Post Office Box 417, Sioux City, Iowa 51102. 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 commodities in bulk, in tank vehicles), from the plantsite of Swift & Co., at or near Guymon, Okla., to points in Alabama, Arkansas, Georgia, Louisiana, Mississippi, and Tennessee.

HEARING: October 17, 1966, at the U.S. Post Office Building, Northwest Third and Robinson Streets, Oklahoma City, Okla., before Examiner W. Elliott Neffien.

No. MC 118159 (Sub-No. 27), filed September 12, 1966. Applicant: EVERETT LOWRANCE, 4916 Jefferson Highway, New Orleans, La. 70121. Applicant's representative: Harry Ross, 848 Warner Building, Washington, D.C. 20004. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Animal, poultry, fish, food and feed, and feed ingredients and supplements thereto* (except in bulk, in tank vehicles), from points in Lafourche Parish, La., to points in Mississippi, Tennessee, Kentucky, and Indiana.

HEARING: October 17, 1966, at the Federal Office Building, 600 South Street, New Orleans, La., before Examiner William J. Bateman.

No. MC 118159 (Sub-No. 28), filed September 12, 1966. Applicant: EVERETT LOWRANCE, 4916 Jefferson Highway, New Orleans, La. 70121. Applicant's representative: Harry Ross, 848 Warner Building, Washington, D.C. 20004. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Animal, poultry, fish, food and feed, feed ingredients, and supplements thereto* (except in bulk, in tank vehicles), from points in Lafourche Parish, La., to points in Illinois, Wisconsin, Minnesota, Iowa, Missouri, Arkansas, Texas, Oklahoma, Kansas, Nebraska, South Dakota, North Dakota, and Colorado.

HEARING: October 17, 1966, at the Federal Office Building, 600 South Street, New Orleans, La., before Examiner William J. Bateman.

No. MC 119493 (Sub-No. 25), filed September 2, 1966. Applicant: MONKEM COMPANY, INC., West 20th Street Road, Joplin, Mo. 84601. Applicant's representative: Harry Ross, 848 Warner Building, Washington, D.C. 20004. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Animal, poultry, fish, food and feed, feed ingredients, and supplements thereto* (except in bulk, in tank vehicles), from points in Lafourche Parish, La., to points in Arkansas, Texas, Colorado, Wyoming, Montana, North Dakota, South Dakota, Minnesota, and Wisconsin. NOTE: Applicant states no duplicating authority sought.

HEARING: October 17, 1966, at the Federal Office Building, 600 South Street, New Orleans, La., before Examiner William J. Bateman.

No. MC 123393 (Sub-No. 164) (Republication), filed July 19, 1966, published in FEDERAL REGISTER September 1, 1966, and republished this issue. Applicant: BILYEU REFRIGERATED TRANSPORT CORPORATION, 2105 East Dale Street, Post Office Box 948, Commercial Station, Springfield, Mo. Applicant's representative: Harry Ross, 848 Warner Building, Washington, D.C. 20004. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Animal, poultry, fish, food and feed, and feed ingredients and supplements thereto* (except in bulk, in tank vehicles), from

points in Lafourche Parish, La., to points in Arkansas, Colorado, Iowa, Kansas, Minnesota, Missouri, Nebraska, and Oklahoma. Note: The purpose of this republication is to reflect the hearing information.

HEARING: October 17, 1966, at the Federal Office Building, 600 South Street, New Orleans, La., before Examiner William J. Bateman.

No. MC 123639 (Sub-No. 97) (Republication), filed July 21, 1966, published in FEDERAL REGISTER August 18, 1966, and republished this issue. Applicant: J. B. MONTGOMERY, INC., 5150 Brighton Boulevard, Denver, Colo. 80216. 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: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Guymon, Okla., to points in Michigan, Ohio, Indiana, Illinois, and Iowa. Note: Common control may be involved. The purpose of this republication is to reflect the hearing information.

HEARING: October 17, 1966, at the U.S. Post Office Building, Northwest Third and Robinson Streets, Oklahoma City, Okla., before Examiner Gerald F. Colfer.

No. MC 125722 (Sub-No. 13) (Republication), filed July 21, 1966, published in FEDERAL REGISTER August 18, 1966, and republished this issue. Applicant: GREAT WESTERN PACKERS EXPRESS, INC., Box 16886, Denver, Colo. 80216. 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: *Meats, meat products, and meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Guymon, Okla., to points in Arizona and California. Note: Common control may be involved. The purpose of this republication is to reflect the hearing information.

HEARING: October 17, 1966, at the U.S. Post Office Building, Northwest Third and Robinson Streets, Oklahoma City, Okla., before Examiner Gerald F. Colfer.

No. MC 128273 (Sub-No. 1), filed September 2, 1966. Applicant: MIDWESTERN EXPRESS, INC., Post Office Box 189, Fort Scott, Kans. Applicant's representative: Harry Ross, 848 Warner Building, Washington, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Animal, poultry, fish, food and feed, feed ingredients, and supplements thereto*, from points in Lafourche Parish, La., to points in Montana, Wyoming, Colorado, New Mexico, Arizona,

North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, Minnesota, Iowa, Missouri, Arkansas, Wisconsin, and Illinois.

HEARING: October 17, 1966, at the Federal Office Building, 600 South Street, New Orleans, La., before Examiner William J. Bateman.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-10303; Filed, Sept. 20, 1966; 8:47 a.m.]

NOTICE OF FILING OF MOTOR CARRIER INTRASTATE APPLICATIONS

SEPTEMBER 16, 1966.

The following applications for motor common carrier authority to operate in intrastate commerce seek concurrent motor carrier authorization in interstate or foreign commerce within the limits of the intrastate authority sought, pursuant to section 206(a) (6) of the Interstate Commerce Act, as amended October 15, 1962. These applications are governed by Special Rule 1.245 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of April 11, 1963, page 3533, which provides, among other things, that protests and requests for information concerning the time and place of State Commission hearings or other proceedings, any subsequent changes therein, and any other related matters shall be directed to the State Commission with which the application is filed and shall not be addressed to or filed with the Interstate Commerce Commission.

State Docket No. MC-4470, Sub 2, filed March 17, 1966. Applicant: POTTER FREIGHT LINES, INC., Post Office Box 418, Sparta, Tenn. Applicant's representative: Clarence Evans, 710 Third National Bank Building, Nashville, Tenn. 37219. Certificate of public convenience and necessity sought to operate a freight service as follows: Applicant seeks to delete from its existing certificate No. 2144-A the restriction against movement by this carrier of traffic moving between the points of Nashville and Knoxville, Tenn. (Applicant seeks removal as to both interstate and intrastate commerce.) As a result of the deletion, applicant would be authorized to operate between Nashville and Knoxville, using said certificate in conjunction with its other operating authority. Said certificate presently reads as follows: "Certificate of convenience and necessity No. 2144-A is hereby issued to Potter Freight Lines, Inc., authorizing the transportation of general commodities (except used household goods and commodities in bulk), (a) between the junction of U.S. Highway 70 and U.S. Highway 27, south of Rockwood (excluding Rockwood) and Knoxville, with no service at any intermediate point, with this authority to be used in conjunction with all of applicant's existing authority (and authority herein granted) over the following routes: (1) Via U.S. Highway 70; (2) from said junction to Kingston, Tenn.,

via U.S. Highway 70, thence via Interstate Highway 40 to Knoxville, and return over the same route, and also using additional segments of Interstate Highway 40 between said junction and Kingston when and as they become available and using such access routes between U.S. Highway 70 and additional segments of Interstate Highway 40 as may from time to time be necessary; (b) removal of the closed door restriction in applicant's existing authority at the junction of U.S. Highway 70 and U.S. Highway 27, south of Rockwood solely for the purpose of joinder with applicant's other authority. The authority granted and its use in conjunction with existing authority is restricted against either the picking up or delivery of any traffic at any point on U.S. Highway 27 south of Rockwood junction, including Chattanooga, Tenn., and is further restricted against the movement by this carrier of traffic (Interstate or Intrastate) moving between the points of Nashville and Knoxville."

HEARING: Tuesday, October 11, 1966, the Commission's Courtroom, C-1 Cordell Hull Building, Nashville, Tenn., 9:30 a.m. Requests for procedural information, including the time for filing protests, concerning this application should be addressed to the Tennessee Public Service Commission, Cordell Hull Building, Nashville, Tenn. 37219, and should not be directed to the Interstate Commerce Commission.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-10304; Filed, Sept. 20, 1966; 8:47 a.m.]

[Notice 255]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

SEPTEMBER 16, 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 six 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 58813 (Sub-No. 82 TA), filed September 14, 1966. Applicant: SELMAN'S EXPRESS, INC., 460 West 35th Street, New York, N.Y. 10001. Applicant's representative: Solomon Granett, 1350 Avenue of the Americas, New York, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wearing apparel*, on hangers only, and *materials and supplies* used in the manufacture thereof between Lumberton, N.C., on the one hand, and, on the other, points in the New York, N.Y., commercial zone, and Miami and Hialeah, Fla., for 150 days. Supporting shipper: Tiffany Apparel, Inc., 152 Madison Avenue, New York, N.Y. Send protests to: Paul W. Assenza, District Supervisor, Interstate Commerce Commission, Bureau of Operations and Compliance, 346 Broadway, New York, N.Y. 10013.

No. MC 88220 (Sub-No. 18 TA), filed September 13, 1966. Applicant: WABASH VALLEY TRUCKING, INC., Post Office Box 208, U.S. Highway 40 West, Brazil, Ind. Applicant's representative: Robert C. Smith, 620 Illinois Building, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Brick*, from Brazil, Ind., to points in Iowa, for 180 days. Supporting shipper: Marion Brick Corp., General Offices, Marion, Ohio. 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 93980 (Sub-No. 43 TA), filed September 14, 1966. Applicant: VANCE TRUCKING COMPANY, INCORPORATED, Raleigh Road, Post Office Box 1119, Henderson, N.C. 27536. Applicant's representative: N. P. Strause (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tobacco*, homogenized, reconstituted, or reconstructed, from Spotswood, N.J., to Jacksonville and Tampa, Fla.; Lancaster, Pa.; and Newport News and Norfolk, Va.; for 180 days. Supporting shippers: Universal Leaf Tobacco Co., Inc., Richmond, Va. 23214, Lancaster Leaf Tobacco Co., Inc., Post Office Box 897, Lancaster, Pa. 17604. 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 94430 (Sub-No. 28 TA), filed September 14, 1966. Applicant: WEISS TRUCKING COMPANY, INC., Mongo, Ind. Applicant's representative: James R. Stiverson, 50 West Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, from Cleveland, Ohio, to points in Erie County, Pa., for 150 days. Supporting shipper: Peerless Division, American Cement Corp., 1144 Free Press Building, Detroit, Mich. 48226.

Send protests to: Heber Dixon, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 308 Federal Building, Fort Wayne, Ind. 46802.

No. MC 109637 (Sub-No. 310 TA), filed September 13, 1966. Applicant: SOUTHERN TANK LINES, INC., 4107 Bells Lane, Louisville, Ky. 40211. Applicant's representative: H. N. Nunnally (same address as applicant's). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Whiskey*, in bulk, in tank vehicles, from the Port of Entry on the international boundary line between the United States and Canada at Port Huron, Mich., to Louisville, Ky., for 150 days. Supporting shipper: T. Carrol Norris, District Traffic Manager, Joseph E. Seagrams & Sons, Inc., Post Office 240, Louisville, Ky. 40201. Send protests to: Wayne L. Merilatt, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 426 Post Office Building, Louisville, Ky. 40202.

No. MC 115212 (Sub-No. 13 TA), filed September 14, 1966. Applicant: H. M. H. MOTOR SERVICE, Route 130, Cranbury, N.J. 08900. Applicant's representative: Morton E. Kiel, 140 Cedar Street, New York, N.Y. 10006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities* as are dealt in by retail women's and children's ready to-wear apparel stores, and in connection therewith *supplies and equipment* used in the conduct of such business, under contract with Diana Stores Corp., between North Bergen, N.J., on the one hand, and, on the others, Winona, Austin, St. Louis Park, Duluth, Minneapolis, and St. Paul, Minn., for 150 days. Supporting shipper: Diana Stores Corp., 7801 Tonnelle Avenue, North Bergen, N.J. 07047. Send protests to: Robert S. H. Vance, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 1060 Broad Street, Newark, N.J. 07102.

No. MC 115523 (Sub-No. 131 TA), filed September 13, 1966. Applicant: CLARK TANK LINES COMPANY, 1450 Beck Street, Salt Lake City, Utah 84116. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer ingredients*, in bulk from Laramie, Wyo., and a radius of 25 miles thereof, to points in Wyoming, Nebraska, North Dakota, South Dakota, Montana, Colorado, New Mexico, Arizona, Minnesota, Iowa, and Kansas, for 180 days. Supporting shipper: El Paso Products Co., Post Office Box 3986, Odessa, Tex. 79760. 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 116077 (Sub-No. 206 TA), filed September 13, 1966. Applicant: ROBERTSON TANK LINES, INC., 5700 Polk Avenue, Post Office Box 9527, Houston, Tex. 77011. Applicant's representative: Ben Ditta (same address as above). Authority sought to operate as a *common*

carrier, by motor vehicle, over irregular routes, transporting: *Sodium Chlorate*, dry, in bulk, from Lake Charles, La., to Uravan, Colo., for 180 days. Supporting shipper: Pittsburgh Plate Glass Co., J. C. Higgins, Manager of Rates, Chemical, Traffic and Transportation Department, 14th Floor East Wing, 1 Gateway Center, Pittsburgh, Pa. 15222. Send protests to: John C. Redus, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Post Office Box 61212, Houston, Tex. 77061.

No. MC 117366 (Sub-No. 3 TA), filed September 13, 1966. Applicant: RICHARD J. WITSBERGER, SR., doing business as TRI-STATE TRANSPORT CO., 511 North Front Street, Wheeling, W. Va. 26003. Applicant's representative: D. L. Bennett, 213 First National Bank Building, 2207 National Road, Wheeling, W. Va. 26003. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Steel culvert pipe* and *corrugated steel pipe*, from Beech Bottom (Brooke County), W. Va., to points in Delaware, Illinois, Indiana, Kentucky, Maryland, Michigan, New Jersey, New York, Ohio, Pennsylvania, Virginia, Wisconsin (East of Mississippi River), and St. Louis, Mo., for 180 days. Supporting shipper: Wheeling Corrugating Co., a division of Wheeling, W. Va. 26003, Neal Van Kirk, Director of Transportation. Send protests to: J. A. Niggemyer, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 531 Hawley Building, Wheeling, W. Va. 26003.

No. MC 119668 (Sub-No. 2 TA), filed September 13, 1966. Applicant: FORREST RATLIFF AND AUBURN RATLIFF, doing business as RATLIFF TRUCKING SERVICE, Oakwood, Va. Applicant's representative: Robert M. Richardson, Richardson & Hancock, 602 Law and Commerce Building, Bluefield, W. Va. 24701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and Steel articles, including plates, bars, angles, channels, rods, and tubes*, from Cincinnati, Ohio, to Richlands, Va. *Coal mining machinery*, from Richlands, Va., to points in West Virginia, Pennsylvania, Ohio, Kentucky, Illinois, Tennessee, and Alabama, for 180 days. Supporting shipper: S. & S. Machinery Co., Richlands, Va. 24641. Send protests to: George S. Hales, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 215 Campbell Avenue, SW., Roanoke, Va. 24011.

No. MC 124245 (Sub-No. 9 TA), filed September 13, 1966. Applicant: ALBERT V. MEILSTRUP, doing business as ACE REFRIGERATED TRUCKING SERVICE, South Bend 23, Ind. Applicant's representative: William L. Carney, 105 East Jennings Avenue, South Bend, Ind. 46614. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts; dairy products and articles distributed by meat packinghouses* as described

in parts A, B, and C of appendix I to *Descriptions in Motor Carrier Certificates*, MCC 207 and 766, from South Bend, Ind., to points in Bartholomew, Boone, Brown, Clay, Clinton, Dearborn, Decatur, Delaware, Fayette, Fountain, Franklin, Hamilton, Hancock, Hendricks, Henry, Johnson, Madison, Marion, Monroe, Montgomery, Morgan, Owen, Parke, Putnam, Randolph, Ripley, Rush, Shelby, Tipton, Union, Vermillion, Vigo, Warren, and Wayne Counties, Ind., for 150 days. Supporting shipper: Hygrade Food Products Corp., 11801 Mack Avenue, Detroit, Mich. 48214. Send protests to: District Supervisor, Heber Dixon, Bureau of Operations and Compliance, Interstate Commerce Commission, 308 Federal Building, Fort Wayne, Ind. 46802.

No. MC 128405 (Sub-No. 1 TA), filed September 13, 1966. Applicant: CLARENCE WASTLER, doing business as RITE-WAY TRUCKING CO., 709 Randolph Street, Denton, Md. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sand, gravel, slag, and crushed stone*, from points in Caroline, Talbot, Kent, and Queen Ann Counties, Md., to points in Dorchester, Wicomico, Worcester, and Somerset Counties, Md., and points in Sussex County, Del., for 180 days. Supporting shippers: First State Enterprises, Inc., Federalsburg, Md., Parker & Sturgis Block Co., Inc., Salisbury, Md., R. H. Goldsborough & Sons, Crisfield, Md. Send protests to: Paul J. Lowry, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 206 Post Office Building, Salisbury, Md. 21801.

No. MC 128570 TA, filed September 13, 1966. Applicant: BROOKS ARMORED CAR SERVICE, INC., 13 East 35th Street, Wilmington, Del. Applicant's representative: H. James Conaway, Jr., Bank of Delaware Building, Wilmington, Del. 19801. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Interoffice records and memoranda, accounting, audit and billing records and media of all kinds, and documents* (except cash letters) between (1) points in Delaware, on the one hand, and, on the other, Philadelphia, Pa., New York, N.Y., and points in Gloucester, Salem, Cumberland, Atlantic, and Cape May Counties, N.J., and (2) points in Kent, Talbot, Wicomico, Caroline, Dorchester, Somerset, and Worcester Counties, Md., Philadelphia, Pa., and New York, N.Y., on the one hand, and, on the other, points in Gloucester, Salem, Cumberland, Atlantic, and Cape May Counties, N.J., for 180 days. Supporting shippers: Weymouth & Smith, Greenville Center, Wilmington, Del. 19807, William C. Smith, Jr., the Sussex Trust Co., Laurel, Del. 19956, Glenn, West Ward, Ajax Distributors, Wilmington, Del. 19800, Ellis G. Ramsey. Send protests to: Paul J. Lowry, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 206 Post Office Building, Salisbury, Md. 21801.

No. MC 128571 (Sub-No. 1 TA), filed September 13, 1966. Applicant: CARDINAL VAN & STORAGE, 73365 Twenty-nine Palms Highway, Twenty-nine Palms, Calif. Applicant's representative: Carl H. Fritze, 1010 Wilshire Boulevard, Los Angeles, Calif. 90017. 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 San Bernardino and Riverside Counties, Calif., for 180 days. Supporting shippers: Astron Forwarding Co., Post Office Box 161, Oakland, Calif. 94604, Vanpac Carriers, Inc., 2114 Macdonald Avenue, Richmond, Calif. 94802, Jet Forwarding, Inc., 1415 West Torrance Boulevard, Torrance, Calif. 90501, Columbia Export Packers, Inc., 2805 Columbia Street, Torrance, Calif. 90503, American Red Ball, 427 Third Avenue West, Seattle, Wash. 98119. Send protests to: John E. Nance, District Supervisor, Interstate Commerce Commission, Bureau of Operations and Compliance, Federal Building, Room 7708, 300 North Los Angeles Street, Los Angeles, Calif. 90012.

No. MC 128572 TA, filed September 13, 1966. Applicant: VAN HORN TRANSPORT & STORAGE CO., 1421 Harrison Avenue, Panama City, Fla. 32401. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Telephone equipment, material and supplies*, between Panama City, Fla., and points in Bay, Calhoun, Franklin, Walton, and Gulf Counties, Fla., for 180 days. Supporting shipper: Western Electric Co., Inc., 3300 Lexington Road, Winston-Salem, N.C. Send protests to: District Supervisor G. H. Fauss, Jr., Bureau of Operations and Compliance, Interstate Commerce Commission, Post Office Box 4969, Jacksonville, Fla. 32201.

No. MC 128573 TA, filed September 14, 1966. Applicant: BARNETT TRUCK LINES, INC., 3404 Wheat Street, Kinston, N.C. 28501. Applicant's representative: Warren S. Perry, 106 West Gordon Street, Kinston, N.C. 28501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clay products*, from Columbia, S.C., to points in North Carolina, for 180 days. Supporting shipper: Columbia Pipe Co., Box 3188, Columbia, S.C. 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 128574 TA, filed September 14, 1966. Applicant: WILLIAM R. DRAKE, 1500 Northwest Avenue L, Post Office Box 181, Belle Glade, Fla. Applicant's representative: John C. Vogt, Jr., Suite 506, First National Bank Building, Orlando, Fla. 32802. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Raw sugar*, in bulk, from points in Palm Beach County, Fla., to railroad sidings of Atlantic Coast Line Railroad

at Cane, Fla.; and the Florida East Coast Railroad sidings at South Bay, Belle Glade, and Pelican Lake, Fla., for 180 days. Supporting shipper: Florida Sugar Corp., Belle Glade, Fla. Send protests to: Joseph B. Teichert, District Supervisor, Interstate Commerce Commission, Bureau of Operations and Compliance, Room 1621, 51 Southwest First Avenue, Miami, Fla. 33130.

No. MC 128562 (Sub-No. 1 TA), filed September 14, 1966. Applicant: SAGE DELIVERIES, INC., 630 Victory Boulevard, Apartment 4k, Staten Island, N.Y. 10301. Applicant's representative: Joseph Ganon (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Milk and milk products, chocolate drink, orange juice, fruit drinks, cottage cheese, and eggs*, from Staten Island, N.Y., to points in New Jersey and Pennsylvania, and return, for 150 days. Supporting shipper: Weissglass Gold Seal Dairy Corp., 2014 Forest Avenue, Staten Island, N.Y. 10303. Send protests to: Paul W. Assenza, District Supervisor, Interstate Commerce Commission, Bureau of Operations and Compliance, 346 Broadway, New York, N.Y. 10013.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-10305; Filed, Sept. 20, 1966;
8:48 a.m.]

[3d Rev. S.O. 562, ICC Order 209, Amdt. 1]

ST. JOHNSBURY & LAMOILLE COUNTY RAILROAD

Rerouting and Diversion of Traffic

Upon further consideration of ICC Order No. 209 (St. Johnsbury & Lamoille County Railroad) and good cause appearing therefor:

It is ordered, That:

ICC Order No. 209 be, and it is hereby amended by substituting the following paragraph (g) for paragraph (g) thereof:

(g) *Expiration date.* This order shall expire at 11:59 p.m., November 30, 1966, unless otherwise modified, changed or suspended.

It is further ordered, That this amendment shall become effective at 11:59 p.m. September 16, 1966, and that this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement, and by filing with the Director, Office of the Federal Register.

Issued at Washington, D.C., September 15, 1966.

INTERSTATE COMMERCE
COMMISSION,
H. R. LONGHURST,
Agent.

[SEAL]

[F.R. Doc. 66-10306; Filed, Sept. 20, 1966;
8:48 a.m.]

[3d Rev. S.O. 562, ICC Order 212]

ANN ARBOR RAILROAD CO.**Rerouting or Diversion of Traffic**

Because of car ferries out of service for annual inspection, the Ann Arbor Railroad Co., in the opinion of R. D. Pfahler, agent, is unable to transport traffic between Frankfort, Mich., and Manistique and Menominee, Mich., and Kewaunee and Manitowoc, Wis.

It is ordered, That:

(a) Rerouting traffic: Because of car ferries out of service for annual inspection, the Ann Arbor Railroad Co. is unable to transport traffic between Frankfort, Mich., and Manistique and Menominee, Mich., and Kewaunee and Manitowoc, Wis., in accordance with shippers' routing. The Ann Arbor Railroad is hereby authorized to reroute or divert such traffic via any available route. The billing covering each car so rerouted shall carry a reference to this order as authority for the rerouting.

(b) Concurrence of receiving roads to be obtained: The Ann Arbor Railroad Co. and its connections shall receive the

concurrence of other railroads to which such traffic is to be diverted or rerouted, before the rerouting or diversion is ordered.

(c) Notification to shippers: The Ann Arbor Railroad Co. and its connections shall notify each shipper at the time each car is rerouted or diverted and shall furnish to such shipper the new routing provided under this order.

(d) Inasmuch as the diversion or rerouting of traffic by said agent is deemed to be due to carrier's disability, the rates applicable to traffic diverted or rerouted by said agent shall be the rates which were applicable at the time of shipment on the shipments as originally routed.

(e) In executing the direction of the Commission and of such agent provided for in this order, the common carriers involved shall proceed even though no contracts, agreements, or arrangements now exist between them with reference to the divisions of the rate of transportation applicable to said traffic; divisions shall be, during the time this order remains in force, those voluntarily agreed upon by and between said carriers; or upon failure of the carriers to so agree,

said divisions shall be hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act.

(f) Effective date: This order shall become effective at 12:01 a.m., September 20, 1966.

(g) Expiration date: This order shall expire at 11:59 p.m., November 19, 1966, unless otherwise modified, changed, or suspended.

It is further ordered, That this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement and by filing it with the Director, Office of the Federal Register.

Issued at Washington, D.C., September 16, 1966.

INTERSTATE COMMERCE
COMMISSION,
R. D. PFAHLER,
Agent.

[SEAL]

[F.R. Doc. 66-10307; Filed, Sept. 20, 1966;
8:48 a.m.]

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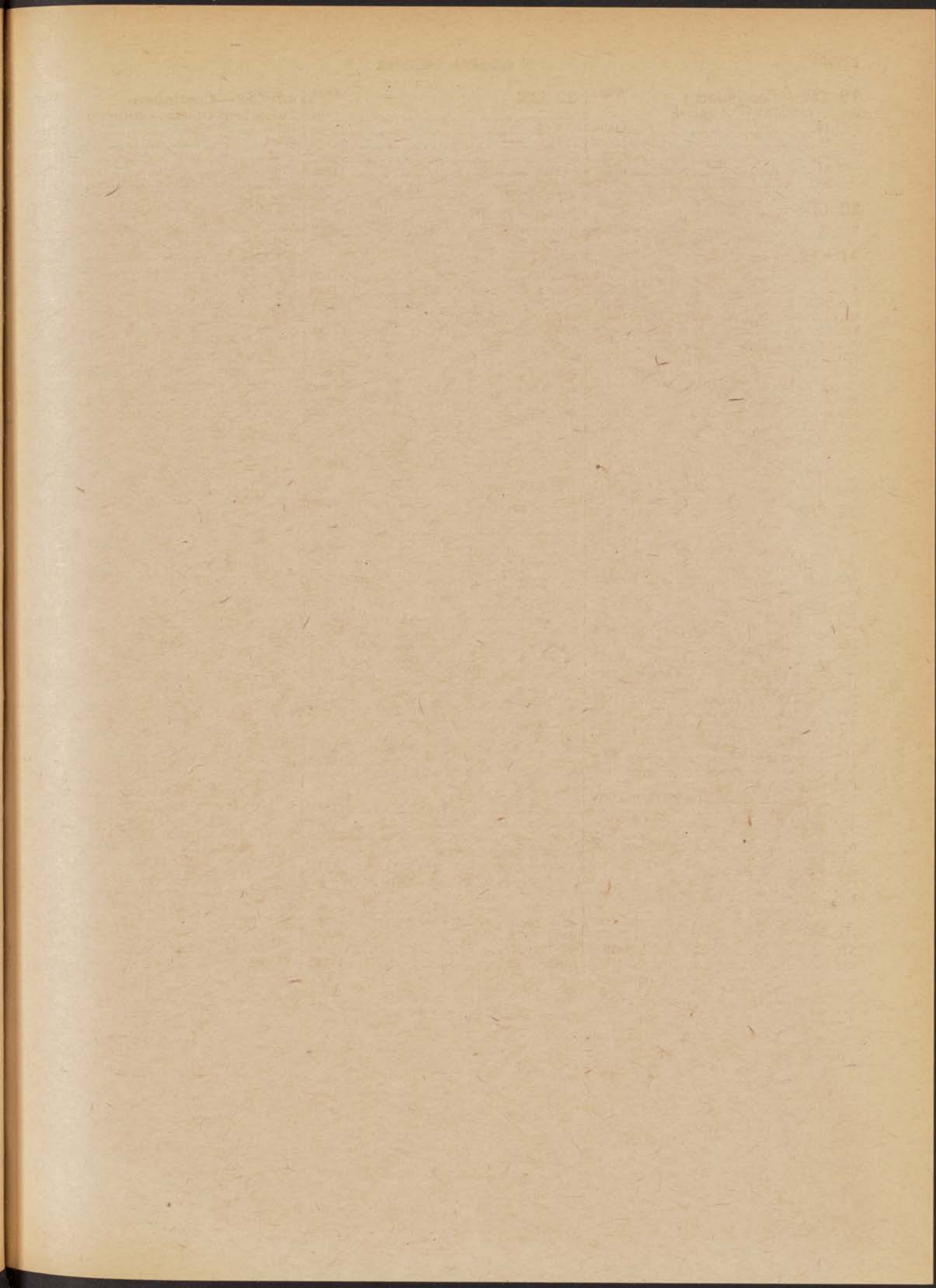
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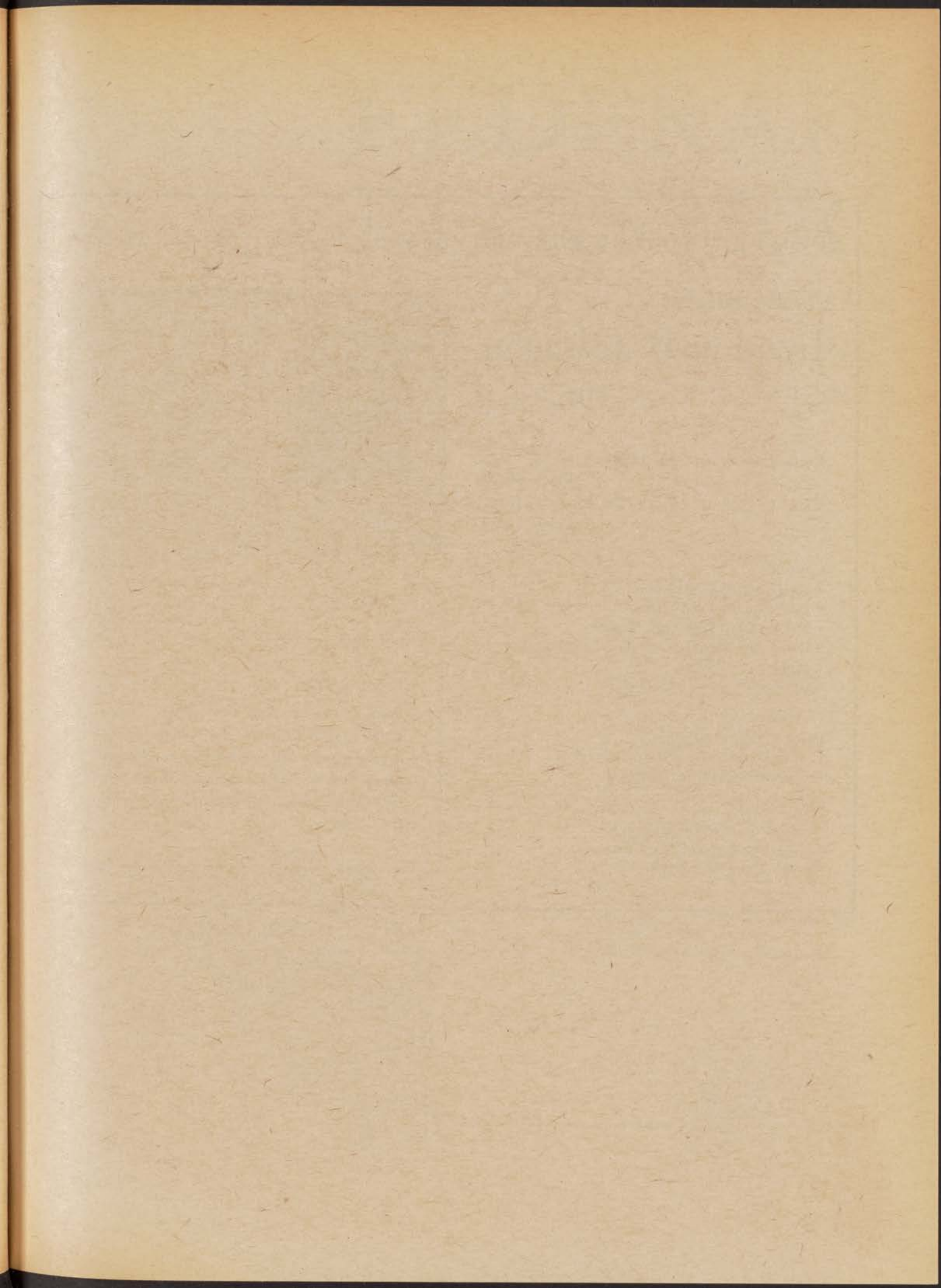
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