

# FEDERAL REGISTER

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**Agencies in this issue—**

Agricultural Research Service  
Agriculture Department  
Air Force Department  
Atomic Energy Commission  
Civil Aeronautics Board  
Civil Service Commission  
Consumer and Marketing Service  
Defense Department  
Federal Aviation Agency  
Federal Communications Commission  
Federal Maritime Commission  
Federal Power Commission  
Federal Trade Commission  
Fish and Wildlife Service  
Forest Service  
Health, Education, and Welfare  
Department  
Housing and Urban Development  
Department  
Interstate Commerce Commission  
Land Management Bureau  
Maritime Administration  
National Park Service  
Securities and Exchange Commission

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# Rules and Regulations

## Title 9—ANIMALS AND ANIMAL PRODUCTS

### Chapter I—Agricultural Research Service, Department of Agriculture

#### SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS AND POULTRY

#### PART 74—SCABIES IN SHEEP

##### Interstate Movement

Pursuant to the provisions of sections 4 through 7 of the Act of May 29, 1884, as amended, sections 1 and 2 of the Act of February 2, 1903, as amended, and sections 1 through 4 of the Act of March 3, 1905, as amended (21 U.S.C. 111-113, 115, 117, 120, 121, 123-126), §§ 74.2(a) and 74.3(a) of Part 74, Subchapter C, Chapter I, Title 9, Code of Federal Regulations, as amended, are hereby revised to read as follows:

##### § 74.2 Designation of free and infected areas.

(a) Notice is hereby given that sheep in the following States, Territories, and District, or parts thereof as specified, are not known to be infected with scabies, and such States, Territories, District, and parts thereof, are hereby designated as free areas:

(1) Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Indiana, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Puerto Rico, Rhode Island, South Carolina, South Dakota, Tennessee, Utah, Vermont, Virginia, Virgin Islands of the United States, Washington, West Virginia, Wisconsin and Wyoming; and

(2) All counties in Illinois except De Kalb and Lake.

##### § 74.3 Designation of eradication areas.

(a) Notice is hereby given that sheep in the following States, or parts thereof as specified, are being handled systematically to eradicate scabies in sheep, and such States, and parts thereof, are hereby designated as eradication areas:

(1) Iowa; and  
(2) The following counties in Illinois: De Kalb and Lake.

(Secs. 4-7, 23 Stat. 32, as amended, secs. 1, 2, 32 Stat. 791-792, as amended, secs. 1-4, 33 Stat. 1264, as amended, 1265, as amended; 21 U.S.C. 111-113, 115, 117, 120, 121, 123-126; 29 F.R. 16210, as amended)

*Effective date.* The foregoing revision shall become effective upon publication in the FEDERAL REGISTER.

The revision adds the counties of De Kalb and Lake in the State of Illinois to the list of infected and eradication areas and deletes such counties from the list of free areas, as sheep scabies is known to exist therein. After the effective date of the revision, the restrictions pertaining to the interstate movement of sheep from or into infected and eradication areas as contained in 9 CFR Part 74, as amended, will apply to such counties.

The revision imposes certain restrictions necessary to prevent the spread of scabies, a communicable disease of sheep, and must be made effective immediately in order to accomplish its purpose in the public interest. Accordingly, under the administrative procedure provisions of 5 U.S.C., § 553, it is found upon good cause that notice and other public procedure with respect to the revision are impracticable and contrary to the public interest, and good cause is found for making the revision effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 19th day of December 1966.

E. P. REAGAN,  
*Acting Deputy Administrator,  
Agricultural Research Service.*

[F.R. Doc. 66-13746; Filed, Dec. 21, 1966; 8:49 a.m.]

## Title 14—AERONAUTICS AND SPACE

### Chapter I—Federal Aviation Agency

[Docket No. 7598; Amdt. 39-326]

#### PART 39—AIRWORTHINESS DIRECTIVES

##### Lockheed Models 649, 749, and 1049 Airplanes

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring certain operating restrictions during ground operation on Lockheed Models 649, 749, and 1049 airplanes powered by Wright 749C18BD-1 and 975C18CB-1 engines equipped with Hamilton Standard 43E60/6869-0, 43E60/6901-0, and 43E60/6903-0 propellers was published in 31 F.R. 11897.

Interested persons have been afforded an opportunity to participate in the making of the amendment. No objections were received. Editorial changes have been made to the text of the proposal to make it clear that compliance with the operating restrictions is mandatory.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

**LOCKHEED.** Applies to Models 649, 749, and 1049 airplanes powered by Wright 749C18BD-1 and 975C18CB-1 engines equipped with Hamilton Standard 43E60/6869-0, 43E60/6901-0, and 43E60/6903-0 propellers.

Compliance required within the next 200 hours' time in service after the effective date of this AD, unless already accomplished.

To minimize propeller vibratory stresses, amend the FAA-approved Airplane Flight Manual to include the following operating limitations:

Continuous ground running between 2,300 and 2,650 r.p.m. with the propeller governing is prohibited.

Continuous static ground running in a crosswind above 2,650 r.p.m. is prohibited.

This amendment becomes effective January 23, 1967.

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

Issued in Washington, D.C., on December 15, 1966.

JAMES F. RUDOLPH,  
*Acting Director,  
Flight Standards Service.*

[F.R. Doc. 66-13699; Filed, Dec. 21, 1966; 8:45 a.m.]

## Title 5—ADMINISTRATIVE PERSONNEL

### Chapter I—Civil Service Commission

#### PART 213—EXCEPTED SERVICE

##### Post Office Department

Section 213.3311 is amended to show that the position of Staff Assistant to the Deputy Postmaster General is in Schedule C. Effective on publication in the FEDERAL REGISTER, subparagraph (6) is added under paragraph (h) of § 213.3311 as set out below.

##### § 213.3311 Post Office Department.

(h) *Office of the Deputy Postmaster General.* \* \* \*

(6) One Staff Assistant to the Deputy Postmaster General.

(5 U.S.C. 3301, 3302, E.O. 10577, 19 F.R. 7521, 3 CFR 1954-58 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,  
*Executive Assistant to  
the Commissioners.*

[F.R. Doc. 66-13727; Filed, Dec. 21, 1966; 8:47 a.m.]



## PART 213—EXCEPTED SERVICE

## Department of the Interior

Section 213.3312 is amended to show that the position of Confidential Assistant to the Assistant Secretary for Water Pollution Control is excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, subparagraph (30) is added to paragraph (a) of § 213.3312 as set out below.

## § 213.3312 Department of the Interior.

(a) Office of the Secretary. \* \* \*

(30) One Confidential Assistant to the Assistant Secretary for Water Pollution Control.

(5 U.S.C. 3301, 3302, E.O. 10577, 19 F.R. 7521, 3 CFR 1954-58 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,  
[SEAL] JAMES C. SPRY,  
Executive Assistant to  
the Commissioners.

[F.R. Doc. 66-13726; Filed, Dec. 21, 1966; 8:47 a.m.]

## Title 16—COMMERCIAL PRACTICES

## Chapter I—Federal Trade Commission

[Docket C-1138]

## PART 13—PROHIBITED TRADE PRACTICES

## Business Development Sales, Inc., et al.

Subpart—Misrepresenting oneself and goods—Goods: § 13.1608 Dealer or seller assistance; § 13.1615 Earnings and profits; § 13.1697 Opportunities in product or service.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Business Development Sales, Inc., Minneapolis, Minn., Docket C-1138, Nov. 18, 1966]

*In the Matter of Business Development Sales, Inc., a Corporation, and Thomas H. Boulay, and Albert J. DeMarsh, Individually and as Officers of said Corporation*

Consent order requiring a Minneapolis, Minn., distributor of coin-operated laundry, and dry cleaning equipment, and supplies to cease misrepresenting to its prospective customers the profits to be made from its equipment and the service it renders such customers.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

*It is ordered.* That respondents Business Development Sales, Inc., a corporation, and its officers, and Thomas H. Boulay, and Albert J. DeMarsh, individually and as officers of said corporation, and respondents' agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distri-

bution of coin-operated laundry or dry cleaning equipment, or supplies, or any other equipment or product, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing, directly or indirectly:

(a) That an operator of a store utilizing said coin-operated laundry, or dry cleaning equipment, or supplies or any other equipment can realize a gross income of from \$1,000 to \$2,000 per month or a net income of from \$500 to \$1,000 per month or any other gross or net income in any amount for any period of time; *Provided, however,* That it shall be a defense in any enforcement proceeding instituted hereunder for respondents to establish that any represented amount of gross or net income is the amount generally realized by others in the operation of stores located in similar type communities and locations and utilizing equipment of similar kind and quantity;

(b) That said coin-operated laundry or dry cleaning equipment will be used by the public for 4 hours per day or that any of respondents' equipment or products will be used or operated with any degree of frequency or for any period of time; *Provided, however,* That it shall be a defense in any enforcement proceeding instituted hereunder for respondents to establish that equipment of a similar kind installed in stores located in similar type communities and locations is used by the public generally with the degree of frequency or to the extent represented.

2. Misrepresenting in any manner the degree or amount of assistance or guidance given to a purchaser of any of the aforesaid equipment or supplies.

*It is further ordered.* That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: November 18, 1966.

By the Commission.

[SEAL] JOSEPH W. SHEA,  
Secretary.

[F.R. Doc. 66-13713; Filed, Dec. 21, 1966; 8:46 a.m.]

[Docket C-1140]

## PART 13—PROHIBITED TRADE PRACTICES

## Carpet Discount Mart, Inc., and Morris Chaiken

Subpart—Advertising falsely or misleadingly: § 13.30 Composition of goods: 13.30-75 Textile Fiber Products Identification Act; § 13.70 Fictitious or misleading guarantees; § 13.73 Formal regulatory and statutory requirements: 13.73-90 Textile Fiber Products Identification Act. Subpart—Misbranding or mislabeling: § 13.1185 Composition: 13.1185-80 Textile Fiber Products Identification Act; § 13.1212 Formal regulatory and statutory requirements: 13.1212-80 Tex-

tile Fiber Products Identification Act. Subpart—Misrepresenting oneself and goods—Goods: § 13.1590 Composition: 13.1590-70 Textile Fiber Products Identification Act; § 13.1623 Formal regulatory and statutory requirements: 13.1623-80 Textile Fiber Products Identification Act; § 13.1647 Guarantees: 13.1647-80 Textile Fiber Products Identification Act. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1845 Composition: 13.1845-70 Textile Fiber Products Identification Act; § 13.1852 Formal regulatory and statutory requirements: 13.1852-70 Textile Fiber Products Identification Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 72 Stat. 1717; 15 U.S.C. 45, 70) [Cease and desist order, Carpet Discount Mart, Inc., Philadelphia, Pa., Docket C-1140, Nov. 25, 1966]

*In the Matter of Carpet Discount Mart, Inc., a Corporation, and Morris Chaiken, Individually and as an Officer of Said Corporation*

Consent order requiring a Philadelphia, Pa., carpet retailer to cease falsely advertising, deceptively guaranteeing, and misbranding its merchandise.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

*It is ordered.* That respondents Carpet Discount Mart, Inc., a corporation, and its officers, and Morris Chaiken, individually and as an officer of said corporation, and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with the introduction, delivery for introduction, sale, advertising or offering for sale, in commerce, or the transportation or causing to be transported in commerce, or the importation into the United States, of any textile fiber product; or in connection with the sale, offering for sale, advertising, delivery, transportation, or causing to be transported, of any textile fiber product which has been advised or offered for sale in commerce; or in connection with the sale, offering for sale, advertising, delivery, transportation, or causing to be transported, after shipment in commerce, of any textile fiber product whether in its original state or contained in other textile fiber products, as the terms "commerce" and "textile fiber product" are defined in the Textile Fiber Products Identification Act, do forthwith cease and desist from:

A. Misbranding textile fiber products by:

1. Failing to set forth that the required disclosure as to the fiber content of floor covering relates only to the face, pile or outer surface of such products and not to exempted backing, filling or padding, when such is the case.

2. Failing to affix labels to such textile fiber products showing each element of information required to be disclosed by section 4(b) of Textile Fiber Products Identification Act.

B. Falsely and deceptively advertising textile fiber products by:



1. Making any representations by disclosure or by implication as to the fiber content of any textile fiber product in any written advertisement which is used to aid, promote or assist, directly or indirectly, in the sale or offering for sale of such textile fiber product, unless the same information required to be shown on the stamp, tag, label, or other means of identification under section 4(b) (1) and (2) of the Textile Fiber Products Identification Act is contained in the said advertisement, except the percentages of fibers present in the textile fiber product need not be stated.

2. Failing to set forth in disclosing the required fiber content information as to floor coverings containing exempted backings, fillings or paddings, that such disclosure relates only to the face, pile, or outer surface of such textile fiber products and not to the exempted backing, fillings or paddings.

3. Using a fiber trademark in advertising textile fiber products containing only one fiber without such fiber trademark appearing at least once in the advertisement in immediate proximity and conjunction with the generic name of the fiber in plainly legible and conspicuous type.

*It is further ordered*, That respondents Carpet Discount Mart, Inc., a corporation, and its officers, and Morris Chaiken, individually and as an officer of said corporation, and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with the sale, offering for sale, or distribution of floor coverings, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing that any of respondents' products are guaranteed, unless the nature and extent of the guarantee, the name of the guarantor, the address of guarantor and the manner in which the guarantor will perform thereunder are clearly and conspicuously disclosed.

*It is further ordered*, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: November 25, 1966.

By the Commission.

[SEAL] JOSEPH W. SHEA,  
Secretary.

[F.R. Doc. 66-13714; Filed, Dec. 21, 1966;  
8:46 a.m.]

[Docket C-1137]

**PART 13—PROHIBITED TRADE PRACTICES**

**National Outdoor Display, Inc., and Hal Burns**

Subpart—Advertising falsely or misleadingly: § 13.50 Dealer or seller assistance; § 13.60 Earnings and profits;

§ 13.143 Opportunities. Subpart—Misrepresenting oneself and goods—Goods: § 13.1608 Dealer or seller assistance; § 13.1615 Earnings and profits; § 13.1697 Opportunities in product or service.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, 15 U.S.C. 45) [Cease and desist order, National Outdoor Display, Inc., Memphis, Tenn., Docket C-1137, Nov. 16, 1966]

*In the Matter of National Outdoor Display, Inc., a Corporation, and Hal Burns, Individually and as an Officer of Said Corporation*

Consent order requiring a Memphis, Tenn., manufacturer of electrical signs to cease recruiting salesmen and distributors through misrepresentations as to earnings, sales opportunities, training, and financial assistance.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

*It is ordered*, That respondents National Outdoor Display, Inc., a corporation, and its officers, and Hal Burns, individually and as an officer of said corporation, and respondents' agents, representatives, and employees, directly or through any corporate or other device, in connection with the selling, offering for sale or promotion of the sale of signs, displays or other merchandise, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from representing, directly or by implication, that:

1. Salesmen of respondents' products have earned, or are earning \$500 a week or any other amounts: *Provided, however*, That it shall be a defense in any enforcement proceeding instituted hereunder for respondents to establish that their salesmen regularly earn the represented amount.

2. Distributors of respondents' products have earned the sum of \$40,000 a year, or will receive earnings or compensation in any amount: *Provided, however*, That it shall be a defense in any enforcement proceeding instituted hereunder for respondents to establish that distributors of said products have regularly and consistently received earnings or compensation in the regular course of business.

3. Franchise areas are available in growing, profitable, existing businesses: *Provided, however*, That it shall be a defense in any enforcement proceeding instituted hereunder for respondents to establish the truth of such representations.

4. Every business is a potential customer for purchase of respondents' products.

5. Respondents provide a complete individual training program for salesmen and distributors of their products: *Provided, however*, That it shall be a defense in any enforcement proceeding instituted hereunder for respondents to establish that a training program of the kind and scope represented is in fact furnished all salesmen and distributors.

6. Respondents provide financing arrangements for distributors of respondents' products: *Provided, however*, That it shall be a defense in any enforcement proceeding instituted hereunder for respondents to establish that financing in the amount and under the terms and conditions stated is provided.

7. Misrepresenting in any manner, the earnings of salesmen or distributors; the nature or character, kind, and status of business offered for sale; the potential market for sales; the training program provided, or the available financial support.

*It is further ordered*, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: November 16, 1966.

By the Commission.

[SEAL] JOSEPH W. SHEA,  
Secretary.

[F.R. Doc. 66-13715; Filed, Dec. 21, 1966;  
8:46 a.m.]

[Docket C-1141]

**PART 13—PROHIBITED TRADE PRACTICES**

**Natelson's, Inc., et al.**

Subpart—Advertising falsely or misleadingly: § 13.30 Composition of goods: 13.30-30 Fur Products Labeling Act; 13.30-75 Textile Fiber Products Identification Act; § 13.73 Formal regulatory and statutory requirements: 13.73-10 Fur Products Labeling Act; 13.73-90 Textile Fiber Products Identification Act. Subpart—Concealing, Obliterating or Removing Law Required and Informative Marking: § 13.512 Fur products tags or identification; § 13.523 Textile fiber products tags or identification; § 13.525 Wool products tags or identification. Subpart—Invoicing Products Falsely: § 13.1108 Invoicing products falsely: 13.1108-45 Fur Products Labeling Act; 13.1108-80 Textile Fiber Products Identification Act. Subpart—Misbranding or Mislabeling: § 13.1185 Composition; 13.1185-30 Fur Products Labeling Act; 13.1185-80 Textile Fiber Products Identification Act; § 1212 Formal regulatory and statutory requirements: 13.1212-30 Fur Products Labeling Act; 13.1212-80 Textile Fiber Products Identification Act. Subpart—Neglecting, Unfairly or Deceptively, To Make Material Disclosure: § 13.1845 Composition: 13.1845-30 Fur Products Labeling Act; § 13.1852 Formal regulatory and statutory requirements: 13.1852-35 Fur Products Labeling Act; 13.1852-70 Textile Fiber Products Identification Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 8, 65 Stat. 179; secs. 2-5, 54 Stat. 1128-1130; 72 Stat. 1717; 15 U.S.C. 45, 69f, 68, 70) [Cease and desist order, Natelson's, Inc. et al., Omaha and Lincoln, Nebr., Docket C-1141, Nov. 25, 1966]



*In the Matter of Natelson's, Inc., Natelson's Crossroads, Inc., and Natelson's Gateway, Inc., Corporations*

Consent order requiring three retailers of women's wear in Omaha and Lincoln, Nebr., to cease falsely advertising, deceptively invoicing, and misbranding their wool, fur, and textile fiber products, and unlawfully removing or mutilating required labels.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

*It is ordered.* That respondents Natelson's, Inc., Natelson's Crossroads, Inc., and Natelson's Gateway, Inc., corporations, and respondents' officers, representatives, agents, and employees, directly or through any corporate or other device, in connection with the introduction into commerce, or the sale, advertising or offering for sale in commerce, or the transportation or distribution in commerce, of any fur product; or in connection with the sale, advertising, offering for sale, transportation, or distribution, of any fur product which is made in whole or in part of fur which has been shipped and received in commerce, as the terms "commerce," "fur," and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

A. Misbranding fur products by:

1. Failing to affix labels to fur products showing in words and in figures plainly legible all of the information required to be disclosed by each of the subsections of sections 4(2) of the Fur Products Labeling Act.

2. Failing to set forth the term "natural" as part of the information required to be disclosed on labels under the Fur Products Labeling Act and the rules and regulations promulgated thereunder to describe fur products which are not painted, bleached, dyed, tip-dyed or otherwise artificially colored.

3. Failing to disclose on labels that fur products are composed in whole or in substantial part of paws, tails, bellies, sides, flanks, gills, ears, throats, heads, scrap pieces, or waste fur.

4. Failing to set forth on labels the item number or mark assigned to each such fur product.

B. Falsely or deceptively invoicing fur products by:

1. Failing to furnish invoices, as the term "invoice" is defined in the Fur Products Labeling Act, showing in words and figures plainly legible all the information required to be disclosed by each of the subsections of section 5(b)(1) of the Fur Products Labeling Act.

2. Setting forth information required under section 5(b)(1) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in abbreviated form.

3. Failing to set forth the term "natural" as part of the information required to be disclosed on invoices under the Fur Products Labeling Act and rules and regulations promulgated thereunder to describe fur products which are not painted, bleached, dyed, tip-dyed, or otherwise artificially colored.

C. Falsely or deceptively advertising fur products through the use of any advertisement, representation, public announcement or notice which is intended to aid, promote or assist, directly or indirectly, in the sale, or offering for sale of any fur product, and which:

1. Fails to set forth in words and figures plainly legible all the information required to be disclosed by each of the subsections of section 5(a) of the Fur Products Labeling Act.

2. Fails to set forth the term "natural" as part of the information required to be disclosed in advertisements under the Fur Products Labeling Act and the rules and regulations promulgated thereunder to describe fur products which are not pointed, bleached, dyed, tip-dyed, or otherwise artificially colored.

D. Making claims and representations of the types covered by subsections (a), (b), (c), and (d) of Rule 44 of the rules and regulations promulgated under the Fur Products Labeling Act unless there are maintained by respondents full and adequate records disclosing the facts upon which such claims and representations are based.

*It is further ordered.* That respondents Natelson's, Inc., Natelson's Crossroads, Inc., and Natelson's Gateway, Inc., corporations, and respondents' officers, representatives, agents, and employees, directly or through any corporate or other device, do forthwith cease and desist from:

A. Mutilating or causing or participating in the mutilation of, prior to the time any fur product subject to the provisions of the Fur Products Labeling Act is sold and delivered to the ultimate consumer, any label required by the said Act to be affixed to such fur product.

B. Removing or causing or participating in the removal of, prior to the time any fur product subject to the provisions of the Fur Products Labeling Act is sold and delivered to the ultimate consumer, any label required by the said Act to be affixed to such fur product, without substituting therefor a label conforming to section 4 of said Act and rules and regulations promulgated thereunder, and in the manner prescribed by section 3(e) of said Act.

*It is further ordered.* That respondents Natelson's, Inc., Natelson's Crossroads, Inc., and Natelson's Gateway, Inc., corporations, and respondents' officers, representatives, agents, and employees, directly or through any corporate or other device, in connection with the introduction, delivery for introduction, sale, advertising, or offering for sale, in commerce, or the transportation or causing to be transported in commerce, or the importation into the United States of any textile fiber product; or in connection with the sale, offering for sale, advertising, delivery, transportation or causing to be transported, of any textile fiber product, which has been advertised or offered for sale in commerce; or in connection with the sale, offering for sale, advertising, delivery, transportation, or causing to be transported, after shipment in commerce, of any textile fiber product, whether in its original state or

contained in other textile fiber products, as the terms "commerce" and "textile fiber product" are defined in the Textile Fiber Products Identification Act, do forthwith cease and desist from:

A. Misbranding textile fiber products by:

1. Falsely or deceptively stamping, tagging, labeling, invoicing, advertising, or otherwise identifying such products as to the name or amount of constituent fibers contained therein.

2. Failing to affix labels to such textile fiber products showing in a clear, legible and conspicuous manner each element of information required to be disclosed by section 4(b) of the Textile Fiber Products Identification Act.

B. Falsely or deceptively advertising textile fiber products by:

1. Making any representations by disclosure or by implication of the fiber contents of any textile fiber product in any written advertisement which is used to aid, promote, or assist directly or indirectly in the sale or offering for sale of such textile fiber product unless the same information required to be shown on the stamp, tag, label, or other means of identification under section 4(b)(1) and (2) of the Textile Fiber Products Identification Act is contained in the said advertisement, except that the percentages of the fibers present in the textile fiber product need not be stated.

2. Using a fiber trademark in advertisements without a full disclosure of the required content information in at least one instance in the said advertisement.

3. Using a fiber trademark in advertising textile fiber products containing more than one fiber without such fiber trademark appearing in the required fiber content information in immediate proximity and conjunction with the generic name of the fiber in plainly legible type or lettering of equal size and conspicuousness.

*It is further ordered.* That respondents Natelson's, Inc., Natelson's Crossroads, Inc., and Natelson's Gateway, Inc., corporations, and respondents' officers, agents, representatives, and employees, directly or through any corporate or other device, do forthwith cease and desist from:

A. Mutilating, or causing or participating in the mutilation of, the stamp, tag, label, or other identification required by the Textile Fiber Products Identification Act to be affixed to any textile fiber product, after such textile fiber product has been shipped in commerce and prior to the time such textile fiber product is sold and delivered to the ultimate consumer.

B. Removing or causing or participating in the removal of, the stamp, tag, label, or other identification required by the Textile Fiber Products Identification Act to be affixed to any textile fiber product, after such textile fiber product has been shipped in commerce and prior to the time such textile fiber product is sold and delivered to the ultimate consumer, without substituting therefor labels conforming to section 4 of said Act and the rules and regulations promulgated there-



under and in the manner prescribed by section 5(b) of said Act.

*It is further ordered,* That respondents Natelson's, Inc., Natelson's Crossroads, Inc., and Natelson's Gateway, Inc., corporations, and respondents' officers, agents, representatives, and employees, directly or through any corporate or other device, do forthwith cease and desist from:

A. Mutilating, or causing or participating in the mutilation of, the stamp, tag, label, or other identification required by the Wool Products Labeling Act of 1939 to be affixed to wool products subject to the provisions of such Act, prior to the time any wool product subject to the provisions of said Act is sold and delivered to the ultimate consumer.

B. Removing, or causing or participating in the removal of, the stamp, tag, label, or other identification required by the Wool Products Labeling Act of 1939 to be affixed to wool products subject to the provisions of such Act, prior to the time any wool product subject to the provisions of said Act is sold and delivered to the ultimate consumer, without substituting therefor labels conforming to section 4(a)(2) of said Act.

*It is further ordered,* That the respondents herein shall, within sixty (60) days, after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: November 25, 1966.

By the Commission.

[SEAL] JOSEPH W. SHEA,  
Secretary.

[F.R. Doc. 66-13716; Filed, Dec. 21, 1966; 8:46 a.m.]

[Docket C-1139]

**PART 13—PROHIBITED TRADE PRACTICES**

**Richard Pick & Heller Co.**

Subpart—Advertising falsely or misleadingly: § 13.30 *Composition of goods*: 13.30-75 *Textile Fiber Products Identification Act*; § 13.73 *Formal regulatory and statutory requirements*: 13.73-90 *Textile Fiber Products Identification Act*. Subpart—Misbranding or mislabeling: § 13.1185 *Composition*: 13.1185-80 *Textile Fiber Products Identification Act*; § 13.1212 *Formal regulatory and statutory requirements*: 13.1212-80 *Textile Fiber Products Identification Act*. Subpart—Neglecting, Unfairly or Deceptively, To Make Material Disclosure: § 13.1845 *Composition*: 13.1845-70 *Textile Fiber Products Identification Act*; § 13.1852 *Formal regulatory and statutory requirements*: 13.1852-70 *Textile Fiber Products Identification Act*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 72 Stat. 1717; 15 U.S.C. 45, 70) [Cease and desist order, Richard Pick & Heller Co., Chicago, Ill., Docket C-1139, November 21, 1966]

*In the Matter of Richard Pick & Heller Co., a corporation*

Consent order requiring a Chicago, Ill., wholesaler of cut-to-order upholstery fabrics to cease falsely advertising and misbranding its textile fiber products.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

*It is ordered,* That respondent Richard Pick & Heller Co., a corporation, and its officers, and respondent's representatives, agents, and employees, directly or through any corporate or other device, in connection with the introduction, delivery for introduction, sale, advertising or offering for sale, in commerce, or the transportation or causing to be transported in commerce or the importation into the United States of any textile fiber product; or in connection with the sale, offering for sale, advertising, delivery, transportation, or causing to be transported of any textile fiber product which has been advertised or offered for sale in commerce, or in connection with the sale, offering for sale, advertising, delivery, transportation, or causing to be transported, after shipment in commerce, of any textile fiber product whether in its original state or contained in other textile fiber products as the terms "commerce" and "textile fiber product" are defined in the Textile Fiber Products Identification Act do forthwith cease and desist from:

A. Misbranding textile fiber products by:

1. Falsely or deceptively stamping, tagging, labeling, invoicing, advertising, or otherwise identifying such products as to the name or amount of the constituent fibers contained therein.

2. Failing to affix labels to such textile fiber products showing in a clear, legible, and conspicuous manner each element of information required to be disclosed by section 4(b) of the Textile Fiber Products Identification Act.

3. Placing nonrequired information on labels in such a manner as to minimize, detract from, or conflict with the required information or to be false or deceptive as to fiber content.

4. Using a fiber trademark on labels affixed to such textile fiber products without the generic name of the fiber appearing on the said labels.

5. Using a generic name or fiber trademark on any label, whether required or nonrequired, without making a full and complete fiber content disclosure in accordance with the Act and Regulations, the first time such generic name or fiber trademark appears on the label.

6. Using the generic names of fibers in nonrequired information on any label in such a manner as to be false, deceptive, or misleading as to fiber content or to indicate, directly or indirectly, that such textile fiber products are composed wholly or in part of a particular fiber, when such is not the case.

B. Falsely and deceptively advertising textile fiber products by:

1. Making any representations, directly or by implication, as to the fiber content of any textile fiber product in any written advertisement which is used to aid, promote or assist directly or indirectly, in the sale or offering for sale of such textile fiber product, unless the same information required to be shown on the stamp, tag, or label or other means of identification under section 4(b) (1) and (2) of the Textile Fiber Products Identification Act is contained in the said advertisement, in the manner and form required except that the percentages of the fibers present in the textile fiber product need not be stated.

2. Using the generic name of a fiber in advertising textile fiber products in such a manner as to be false, deceptive, or misleading as to fiber content or to indicate, directly or indirectly, that such textile fiber products are composed wholly or in part of such fiber when such is not the case.

3. Failing to set forth all parts of the required information in advertisements of textile fiber products in immediate conjunction with each other in legible and conspicuous type or lettering of equal size and prominence.

*It is further ordered,* That the respondent herein shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

Issued: November 21, 1966.

By the Commission.

[SEAL] JOSEPH W. SHEA,  
Secretary.

[F.R. Doc. 66-13717; Filed, Dec. 21, 1966; 8:46 a.m.]

**Title 32—NATIONAL DEFENSE**

**Chapter I—Office of the Secretary of Defense**

**SUBCHAPTER B—PERSONNEL; MILITARY AND CIVILIAN**

**PART 83—MEDICALLY REMEDIAL ENLISTMENT PROGRAM**

The Secretary of Defense approved the following on December 5, 1966:

- Sec.
- 83.1 Purpose.
- 83.2 Responsibilities.
- 83.3 Criteria for selection of applicants.
- 83.4 Priorities for medical care.
- 83.5 Procedures.
- 83.6 Funding.
- 83.7 Reporting requirements.
- 83.8 Effective date and implementation.

**AUTHORITY:** The provisions of this Part 83 issued under 5 U.S.C. 301.

**§ 83.1 Purpose.**

The purpose of this program is to initiate procedures for correcting selected disqualifying medical conditions of male applicants for enlistment, who are otherwise qualified for enlistment, so that they will be physically qualified; to determine



the costs involved; and to assess the manpower potential to be realized.

### § 83.2 Responsibilities.

(a) The Secretary of Defense will establish the recruiting objectives for each of the Services under the Medically Remedial Enlistment Program.

(b) The Secretaries of the Military Departments will be responsible for:

(1) Meeting the procurement objectives of the program established for their Service.

(2) The determination of the acceptability of applicants for enlistment under the program.

(3) Processing of applicants after acceptance for enlistment, including the determination of whether medical care will be provided by the hospitals of their Service, or requested from other Service hospitals, the Veterans Administration, or the Public Health Service.

(c) The Secretary of the Army, as Executive Agent for Armed Forces Examining and Entrance Stations and the Armed Services Medical Regulating Office, will be responsible for:

(1) Administration of medical examinations necessary to determine the remediability of medical conditions in § 83.3 and arranging for supplementary medical examinations and consultations considered to be necessary to make this determination.

(2) Processing applicants for the Medically Remedial Enlistment Program while they are in AFEES.

(3) Arrangements, through the Armed Services Medical Regulating Office, for medical care in the hospitals of other Services, the Veterans Administration, or the Public Health Service, when requested to do so by the Service concerned.

### § 83.3 Criteria for selection of applicants.

The applicant will:

(a) Except for the medical conditions listed in paragraph (c) of this section, be otherwise qualified.

(b) Volunteer for enlistment, including a written agreement that he will submit to the appropriate procedures, if accepted. (Verification of parental consent will be obtained for persons under 18 years of age. Delayed enlistments may be utilized where considered appropriate by the Military Services concerned.)

(c) Have one of the following defects determined by a medical specialist to be susceptible of correction to the extent that the applicant will be fit to undertake basic training 6 weeks after treatment:

- (1) Pilonidal cyst or sinus.
- (2) Hemorrhoids.
- (3) Undescended testicle, unilateral.
- (4) Varicocele.
- (5) Hydrocele.
- (6) Hernia of the abdominal cavity.
- (7) Over maximum weight by not more than 15 percent.
- (8) Under minimum weight by not less than 10 percent.

### § 83.4 Priorities for medical care.

The order of priority for medical care will be:

(a) The facilities of the Service concerned.

(b) The facilities of the other Military Services.

(c) The facilities of the Veterans Administration or the Public Health Service.

### § 83.5 Procedures.

(a) Service recruiters will orient applicants for enlistment in the Medically Remedial Enlistment Program prior to forwarding them to AFEES.

(b) The Chief, Medical Examining Section, AFEES, will be responsible for administering the medical examination, including arrangements for supplementary medical consultations and tests necessary to determine remediability under § 83.3.

(c) The Chief, Medical Examining Section, AFEES, will determine whether the applicant is medically qualified or unqualified for the Medically Remedial Enlistment Program. The AFEES will inform the Service concerned that the applicant is qualified under the Medically Remedial Enlistment Program, and will furnish appropriate medical records and other documents to the enlisting Service.

(d) The Service concerned will make the determination of whether or not to enlist an applicant. If accepted, the applicant will be enlisted by waiver of physical standards under a signed enlistment contract which includes an agreement to undergo the therapeutic procedures necessary to remedy his medical condition. The applicant may then be enlisted under a regular enlistment program or a delayed entry enlistment program.

(e) If the Service enlists the applicant under regular enlistment procedures, AFEES will follow normal procedures of shipment to the reception station. If the member is enlisted under a delayed entry program, the AFEES will release the member to the Control Group specified by the Service.

(f) The Service concerned will subsequently process the member enlisted under the Medically Remedial Enlistment Program. The Service will make a determination whether to furnish medical care through one of its Service hospitals or to request the Secretary of the Army, as Executive Agent for the Armed Services Medical Regulating Office, to arrange medical care by hospitals of the other Services, the Veterans Administration, or the Public Health Service. The Service concerned will process appropriate orders for movement of individuals for medical care. After discharge by hospital authorities, the member under the Medically Remedial Enlistment Program will enter a special training unit or medical holding unit for the remainder of his medical recovery period or a regular base training company. The assignment for regular basic training will be made on the basis of appropriate medical consultation.

(g) After completion of his remedial period, or in a reasonable time thereafter, the member under the Medically Remedial Enlistment Program will be

subject to existing regulations governing discharges.

### § 83.6 Funding.

Each Service will budget for its costs of the program, except that the Army will budget for the medical examination costs of the program incurred at AFEES.

### § 83.7 Reporting requirements.

(a) Existing reporting requirements will be modified to report the following information monthly:

(1) *AFEES Reports.* (i) Number of rejections for conditions cited in § 83.3 (c).

(ii) Number of applicants for Medically Remedial Enlistment Program.

(iii) Number of applicants medically qualified for Medically Remedial Enlistment Program, by diagnosis.

(2) *Military Department Reports.* (i) Number of requests for waiver after certification of medical qualifications, by diagnosis.

(ii) Number of requests for waiver approved, by diagnosis.

(iii) Therapeutic procedure involved.

(iv) Noneffective days resulting from therapeutic procedures.

(v) Cost of therapeutic procedure.

(b) Identifying data on a name basis will be maintained for all men entering the program. The same minimum data elements as are maintained for Mental Group IV accessions under revised standards will be maintained for this program.

(c) A reporting instruction will be issued subsequently.

### § 83.8 Effective date and implementation.

The effective date of this part will be February 1, 1967. Two (2) copies of Service regulations implementing the part should be furnished by the Military Departments to ASD(M) within thirty (30) days of the date of issuance of this part.

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

DECEMBER 16, 1966.

[F.R. Doc. 66-13698; Filed, Dec. 21, 1966;  
8:45 a.m.]

## Chapter VII—Department of the Air Force

### SUBCHAPTER K—MILITARY TRAINING AND SCHOOLS

## PART 902—USAF OFFICER TRAINING SCHOOL (OTS)

Part 902 is revised to read as follows:

### Subpart A—Administering the Program

Sec.	
902.1	Purpose.
902.2	Definitions.
902.3	OTS mission.
902.4	Responsibilities for OTS program.
902.5	Sources of information.

### Subpart B—Application and Assignment

902.6	Eligibility requirements.
902.7	Processing and assigning applicants.
902.8	How clothing is provided.
902.9	Leave for officer trainees.



**Subpart C—Termination and Reassignment**

- Sec.  
902.10 Elimination from training.  
902.11 Reinstatement or reapplication.

**Subpart D—Graduates**

- 902.12 Disposition of graduates.

**AUTHORITY:** The provisions of this Part 902 issued under sec. 8012, 70A Stat. 488; sec. 9411, 70A Stat. 571; 10 U.S.C. 8012 and 9411.  
**SOURCE:** AFR 53-27, June 10, 1966.

**Subpart A—Administering the Program**

**§ 902.1 Purpose.**

This part tells how to apply for OTS, process application, and dispose of OTS eliminees and graduates. It applies to all applicants and all commands and activities that process OTS applications.

**§ 902.2 Definitions.**

(a) *The OTS program.* A precommissioning training program to which selected college graduates are assigned based on their academic specialties and Air Force needs. Graduates of the OTS program are appointed second lieutenants.

(b) *AFRes applicant.* An applicant who applies and is processed within the procurement criteria for newly commissioned officer requirements of the Air Force Reserve.

(c) *ANG applicant.* An applicant who applies and is processed within the procurement criteria for newly commissioned officer requirements of the ANG.

(d) *USAF applicant.* An applicant who applies and is processed within the procurement criteria for newly commissioned officer requirements for active duty.

(e) *Preliminary processing.* A procedure for determining whether an applicant meets basic eligibility criteria.

(f) *Tentatively qualified applicant.* An applicant who has been determined eligible by the preliminary processing agency and whose application has been forwarded for final processing.

(g) *Fully qualified applicant.* An applicant who has successfully completed the required entrance examinations, whose application has been reviewed, and who has been certified fully qualified.

(h) *Selected applicant.* An applicant officially notified in writing of his selection for OTS and his class assignment.

(i) *Officer trainee.* A member of the OTS program.

(j) *Officer candidate-type training program.* Any portion of training received in OTS, Army OCS, advanced course of the Army or Navy ROTC, Financial Assistance Program or Professional Officer Course of the AFROTC, the Marine Platoon Leaders School, the Coast Guard Academy, or any training received at any of the service academies (including service academy preparatory schools).

**§ 902.3 OTS mission.**

The USAF OTS trains selected personnel to meet the fundamental require-

ments for newly commissioned officers in the U.S. Air Force, ANG, and AFRes and to perform collateral missions as directed.

**§ 902.4 Responsibilities for OTS program.**

(a) *USAFMPC (AFPMRDC).* Provides OTS production quotas and EAD schedules to ATC for USAF candidates and production quotas to the Chief, NGB (NG-AFPS); CAC; and ATC for ANG and AFRes candidates.

(b) *Headquarters Air Training Command (ATC).* (1) Monitors the overall mission of the OTS.

(2) Provides training class quotas to NGB (for ANG applicants) and CAC (for AFRes applicants).

(c) *Lackland Military Training Center (LMTC).* (1) Completes final processing which includes selection or non-selection and assignment to training of all applicants applying under the USAF applicant quota.

(2) Commissions all OTS trainees qualified for appointment.

(d) *The USAF recruiting service.* (1) Procedures, completes preliminary processing, and enlists USAF applicants from civilian sources.

(2) Through recruiting representatives, maintains direct liaison with professors of aerospace studies (PAS) at colleges and universities with AFROTC detachments to coordinate visits by Recruiting Service personnel.

(e) *The Chief, National Guard Bureau (NG-AFPS).* Selects individuals to attend OTS within established quotas and eligibility criteria.

(f) *Headquarters, Continental Air Command (CAC).* Selects individuals to attend OTS within established quotas and eligibility criteria.

**§ 902.5 Sources of information.**

Information about OTS may be obtained from:

- (a) Air Force recruiting offices.
- (b) CBPOs (Consolidated Base Personnel Offices).
- (c) PAS at any AFROTC unit.
- (d) ANG or AFRes units.
- (e) AFM 50-5 (USAF Formal Schools Catalog).

**Subpart B—Application and Assignment**

**§ 902.6 Eligibility requirements.**

(a) *Requirements for all applicants.* All applicants must meet the following qualifications, which normally will not be waived. However, when an applicant merits special consideration, he may submit a waiver request through channels to ATC (ATPOP-PA) for eligibility determination.

(1) *Citizenship and age.* (i) All applicants must be U.S. citizens.

(ii) An applicant for nonrated duty must be between 20½ and 29½ years of age and must be commissioned before reaching 30. An applicant for flying training must be a male between the ages of 20½ and 26½ and be commissioned and entered into flying training before he is 27½.

(2) *Marital restrictions.* (i) Men—No restrictions.

(ii) Women—Applicants may be married, but must have no dependent children.

(3) *Other criteria.* Tables 1 and 3 through 5 contain other eligibility criteria and show required supporting documents.

(4) *Ineligibility factors.* An airman who fits into any category listed in Table 2 is ineligible for OTS.

(b) *ANG and AFRes requirements.* In addition to meeting the requirements shown in paragraph (a) of this section and in Tables 1 and 3 through 5, ANG and AFRes applicants must meet the requirements specified for them in Table 6.

TABLE 1—EDUCATIONAL QUALIFICATIONS

Rule	A If the applicant—	B Then he must—	C And he is—	D Go to table—
1	Does not have a baccalaureate or higher degree from a college or university (see note), or is not enrolled in the senior year of college.		Not qualified.	
2	Has a baccalaureate or higher degree from a college or university (see note).	Attach to his application one copy of official transcript of college credits indicating the undergraduate or graduate degree awarded, major subject(s), and grades received.		
3	Holds a degree from an American or foreign college not listed in the directory (see note).	Comply with Rule 2B and submit evidence that his college credits are acceptable for graduate work by one U.S.-accredited institution.	Qualified	2
4	Is enrolled in his senior year of college.	Attach to his application a statement from the office of the Registrar certifying his scheduled graduation date, degree to be awarded, major subject(s), and grade point average, and before enlistment, present documentary evidence that a degree has been awarded.		

NOTE: College or university listed in the latest issue of part 3, "Higher Education," of the Education Directory published by the Department of Health, Education, and Welfare.



## RULES AND REGULATIONS

TABLE 2—INELIGIBILITY FACTORS

Rule	A If the applicant qualified under § 902.6(a) and Table 1, and he is—	B Then he is considered—	C Go to table—
1	Not eligible for enlistment or reenlistment in the Air Force under AFMs 33-3 (Enlistment in the Regular Air Force) and 39-9 (Reenlistment in the Regular Air Force), or ANGM 39-09 (Enlisted Personnel) for ANG applicants, AFR 45-47 (Enlistment and Reenlistment in the AF Reserve) for AFRes applicants, except for dependency and grade restrictions.	Not qualified.	
2	Being considered for separation for unsuitability, unfitness, or misconduct, or has had a personnel security clearance denied or revoked.		
3	A person whose entry into or retention in the Air Force may not be clearly consistent with the interests of national security (see AFR 35-62 (Security program)).		
4	Holding or has held a commission in any of the U.S. Armed Forces.		
5	Holding a certificate of completion of a course leading to a commission in any of the U.S. Armed Forces, and the Commission is to be granted at a later date.		
6	A conscientious objector.		
7	A Selective Service System registrant who has been ordered to report for active military service with any of the Armed Forces.		
8	An applicant who previously applied for OTS and less than 6 months have elapsed since nonselection by the OTS Selection Board (see note).		
9	Not in any of the categories contained in Rules 1 through 8, above.	Qualified	3

NOTE: Exception to this rule applies to nonselected NPS USAF applicants who desire to apply for OTS under the ANG or AFRes quota.

TABLE 3—SPECIAL REQUIREMENTS

Rule	A If the applicant qualified under § 902.6 (a) and Tables 1 and 2 and is—	B And he has—	C Then he is considered—	D Go to table—
1	A member of a Reserve Force other than the Air Force Reserve.	Obtained a conditional release from the specific service.	Qualified	4
2		Not obtained a conditional release from the specific service.	Not qualified	
3	A member of a Reserve component and is applying as a USAF applicant.	Received orders calling him to active military service with any of the Armed Forces other than the Air Force.		
4	In the active military service of the U.S. other than Air Force.			
5	Currently enrolled in any U.S. Armed Forces training program leading to a commission.	Obtained approval for the OTS application from an authorized official of the parent training unit.	Qualified	4
6		Not obtained approval for the OTS application from an authorized official of the parent training unit.	Not qualified	
7	Holding or has held aeronautical rating of pilot, or comparable rating in any of the Armed Forces of the U.S. (Army aviation is not comparable for this purpose).		Qualified except for pilot training.	4
8	Holding or has held aeronautical rating of navigator or comparable rating in any of the Armed Forces of the U.S.		Qualified except for navigator training.	4
9	One who indicates his membership in an officer candidate-type training program has been discontinued.		Tentatively qualified (see note).	4

NOTE: The DD Form 785 (used by the military services to exchange information on a person whose membership in an officer training program has been discontinued and who later applies for another such program) will become a part of and be forwarded with the application. (Only USAFMPC (AFPMRDC) has authority to waive record of disenrollment of former service academy cadets (including Coast Guard and service academy preparatory schools) and discontinuance from ROTC for willful violation (see Part 870, Subchapter H of this chapter).) LMTC will not commission a former service academy cadet, including Coast Guard, before the date of appointment of his academy classmates.



TABLE 4.—MORAL CHARACTER QUALIFICATIONS

Rule	A If the applicant qualified under § 902.6 (a) and Tables 1, 2, and 3 and is—	B Then the documentary evidence required to support the application is—	C And he is considered—	D Go to table—
1	An ANG, AFRes, or civilian applicant and is of high moral character.	Three DD Forms 370 (one each) from clergymen, past employers, college or Government officials, active duty military officers, or professional people (e.g., doctors and lawyers) (see note 1); and Recruiting Service Form 3 for civilian applicants. Approved waivers (see note 2) and DD Forms 785 will be included when applicable.	Qualified	5
2	Any applicant having a record of conviction by court-martial or civil court (except minor traffic violations) (see note 2).		Not qualified.	
3	Any applicant not of high moral character for reasons other than those in Rule 2.			

NOTE 1. References from friends not in one of these categories are not acceptable.  
NOTE 2. When appropriate, a waiver of a minor offense may be requested under Table 7. If it is approved, applicant will be processed. Punishment under Article 15, UCMJ, is nonjudicial punishment, not a conviction by court-martial. Paragraph 128b, Manual for Courts-Martial, 1951, contains a general guide to whether an offense is minor. A waiver will not be granted for an offense that involves moral turpitude.

TABLE 5.—MENTAL AND MEDICAL QUALIFICATIONS

Rule	A If the applicant qualified under § 902.6 (a) and Tables 1, 2, 3, and 4 and—	B And he—	C Then the applicant is considered—
1	Did not achieve a minimum qualifying score on the AFOQT (see note).		
2		Does not meet the medical standards prescribed in AFM 160-1 (Medical Examination and Medical Standards) for the training he desires or is selected for.	Not qualified.
3	Achieved a minimum qualifying score on the AFOQT.	Meets the medical standards prescribed in AFM 160-1 for the training he desires or is selected for.	Qualified.

NOTE: Flying applicants who obtain a qualifying score on only the pilot or the navigator/technical composite will be considered for selection after all applicants who have qualified on both composites.

TABLE 6.—AFRES AND ANG REQUIREMENTS

Rule	A If the applicant is—	B Then he must be—	C And he must agree to—
1	An AFRes applicant with no prior service who is under 26 years of age.	Qualified and available to fill a specific Ready Reserve position for which 48 drill pay periods a year are authorized; there must be a lieutenant or captain vacancy in the unit to which the airman applicant may be assigned upon graduation (commanders of AFRes applicants will block this position pending determination on the application).	Enlist for a period of 6 years to coincide with the incurred military obligation.
2	An AFRes applicant with no prior service who is over 26 years of age.		Enlist for a period of 2 years.
3	An AFRes applicant without military status who has prior service and no remaining military obligations.		
4	An ANG applicant with no prior service	Scheduled for assignment upon graduation to a lieutenant or captain vacancy which exists or is projected at the time of his application.	Enlist for a period of 6 years to coincide with the incurred military obligation.
5	An ANG applicant without military status who has prior service and no remaining military obligation.		Enlist for a period of 1 year.

§ 902.7 Processing and assigning applicants.

Tables 7 through 10 show responsibilities and procedures for processing, selecting, and assigning applicants.



TABLE 9—FINAL PROCESSING AND SELECTION

Rule	A	B
	When the final processing step is—	It applies to—
1	Obtaining waiver of disenrollment from previous officer candidate-type training.	
2	Evaluation for utilization field and class assignment.	
3	Selection of fully qualified applicants.	All applicants.
4	Tentative selection of an applicant requiring a Background Investigation (BI).	
5	Notification of selection or nonselection.	

TABLE 10—ASSIGNMENT OF SELECTED APPLICANTS

Rule	A	B
	When the applicant has been selected—	And it will be accomplished—
1	Furnish selection letter to the applicant.	By the final processing activity (see Table 7).
2	Enlist the applicant.	
3	Assign the applicant to OTS.	
4	Appoint applicant an officer trainee.	Upon arrival at OTS.
5	Promote applicant to pay grade (E-5) staff sergeant.	When he enters training.

Note: Male citizens with statute-directed military obligations will be advised and must agree in writing that, if eliminated from OTS for other than medical reasons, they will complete the 2-year enlistment.

**§ 902.8 How clothing is provided.**  
Officer trainees selected from civilian status will be provided clothing under the clothing monetary allowance system.

**§ 902.9 Leave for officer trainees.**  
Officer trainees will not be given leave, except emergency leave granted by LMTC under provisions of AFM 35-22 (Leave).

**Subpart C—Termination and Reassignment**  
**§ 902.10 Elimination from training.**  
(a) Action by the school commander. When the OTS Faculty Board determines that an officer trainee is no longer qualified to continue in training under AFR 53-15 (USAF Schools) the school commander will:  
(1) Suspend the student and, upon final approval of the faculty board proceedings, terminate his officer trainee appointment. However, at the time of elimination the student will be given a thorough and proper hearing to insure

(b) Grade adjustment. Students will revert to the grade and status held immediately before officer training as outlined in AFR 39-30 (Administrative Demotion of Airmen).  
(c) Service credit. Periods of service as an officer trainee will be credited as time spent in the airman grade held at time of appointment as an officer trainee, and will be credited in computing the service remaining under the original contract.  
(d) Reassignment. An eliminated or disqualified student, not discharged or separated from active duty under Table 11, will be reassigned as follows:  
(1) USAF Trainee as prescribed by AFM 39-11 (Airman Assignment Manual) and Part 920, Subchapter L of this chapter.

TABLE 7—PROCESSING, WAIVER AND SELECTION RESPONSIBILITIES

Rule	A	B	C	D
	If the applicant is—	Then preliminary processing (see table 8) is the responsibility of—	And authorization to grant or deny waivers of minor offenses or violations is delegated to the following (see note 2, table 4)—	And applications are forwarded for final processing and selection (see table 9) to—
1	An ANG applicant	CBPO	The State adjutant general	Chief, National Guard Bureau.
2	An AFRes applicant	The applicant's unit administration.	Hq CAC (authority may be delegated to numbered region).	Hq CAC.
3	A USAF civilian applicant.	The USAF Recruiting Detachment.	Hq Recruiting Service	Lackland Military Training Center (LMTC).

TABLE 8.—PRELIMINARY PROCESSING OF APPLICATION

Line	When accomplishing preliminary processing of an applicant eligible under Tables 1 through 6 who is—	Rule		
		1	2	3
A	An AFRes applicant.	Yes	Yes	Yes
B	An ANG applicant.			
C	A civilian applicant.			
D	Prepare AF Form 56 in duplicate (qualified and medically disqualified applicants only) (see note 1).	X	X	X
E	Prepare AF Form 56 in triplicate (qualified and medically disqualified applicants only) (see note 1).	X	X	X
F	Attach copy of transcript of college credits (table 1).	X	X	X
G	Attach evidence of acceptability of college credits, if appropriate (table 1).	X	X	X
H	Attach certificate of impending graduation, if appropriate (table 1).	X	X	X
I	Attach three DD Forms 370 (table 4).	X	X	X
J	Attach Recruiting Service Form 3, if appropriate (table 4).	X	X	X
K	Attach conditional release, when appropriate (table 3).	X	X	X
L	Attach DD Form 785, when appropriate (note to table 3).	X	X	X
M	Attach SF Form 88 (6 copies) and SF 89 (2 copies).	X	X	X
N	Attach enlistment agreement, as required (table 6).	X	X	X
O	Attach statement of ANG agreement (see note 2).	X	X	X
P	Attach statement of AFRes agreement (see note 3).	X	X	X
Q	Attach approved waivers, when appropriate (tables 4 and 7).	X	X	X
R	Determine requirement for background investigation and notify LMTC at time application is forwarded.	X	X	X
S	Review application and attached documents for accuracy and completeness (including all required signatures) and send, within 10 days, to final processing activity (see table 7).	X	X	X

NOTE 1. Enter under "Remarks" the reason for physical disqualification whenever appropriate and the following additional statements:  
a. I will be available for OTS training (day, month, and year).  
b. My utilization field choices are (1)..... (2)..... (3).....  
c. (For USAF male applicants): I understand the active duty service obligations and commitments prescribed in AFR 53-27 (USAF Officer Training School (OTS) and AFR 36-51 (Career Reserve Status for Reserve Officers and Active Duty Service Commitments for Officers and Warrant Officers).

NOTE 2. Line out all references to "Career Reserve" preprinted on AF Form 56, and attach a copy of the following statement to each copy of the application (original to original, etc.): I desire to accept an appointment as an officer, Reserve of the Air Force, under the Air National Guard quota. I agree to accept an appointment as an officer, Reserve of the Air Force, if tendered, and an appointment in the Federally recognized Air National Guard upon graduation. I further agree to serve as a commissioned officer of a Federally recognized Air National Guard unit or other Air Force Reserve unit as directed for at least 4 years after appointment, or for a sufficient length of time to satisfy my military service obligation, whichever is greater. I understand that failure to participate for reasons within my control may result in discharge action under ANGR 39-10 (Enlisted Personnel—Discharge).

NOTE 3. Line out all references to "Career Reserve" preprinted on AF Form 58, and attach a copy of the following statement to each copy of the application (original to original, etc.): I desire to enter the Officer Training School under the Air Force Reserve quota. I agree to accept an appointment as an officer in the Air Force Reserve, if tendered; to meet training requirements of the Ready Reserve element to which I am assigned; and to remain assigned to that program element for 4 years or for a sufficient length of time to satisfy my military service obligation, whichever is greater. I understand that failure to participate for reasons within my control may result in discharge action under AFR 45-41 (Administrative Separation of Officer Members of the AF Reserve).



(2) ANG trainee will be returned to his unit of assignment for disposition as directed by Chief, NGB.

(3) AFRes trainee will be returned to his unit of assignment for further disposition as directed by CAC. However, if period of active duty is less than 5

weeks, he will be assigned to the next class of BMT.

(e) *Separation.* Airmen with insufficient retainability for reassignment will be separated under applicable directives. Eliminated or disqualified trainees will be processed as shown in Table 11.

(f) *Election to complete enlistment contract.* See Table 12.

(b) *Assignment of USAF graduates.* Each graduate will be assigned direct to duty or will be given additional training appropriate to his qualifications and desires, as correlated with Air Force requirements.

(1) Graduates assigned to training: LMTC will determine the type of additional training these graduates will pursue, compatible with quotas established by Hq USAF. Each officer who undergoes training after commissioning will incur an active duty service commitment for training as prescribed in AFR 36-51 (Career Reserve Status for Reserve Officers and Active Duty Service Commitments for Officers and Warrant Officers) and a directed duty assignment as prescribed in AFM 35-11 (Military Personnel Assignment Manual (Officers, Warrant Officers, and Airmen)).

(2) Graduates assigned direct to duty: Officers assigned direct to duty will incur a directed duty in the utilization field containing the AFS in which they were initially assigned upon graduation from OTS. The directed duty assignment incurred will be for the period prescribed in AFM 35-11.

By order of the Secretary of the Air Force.

LUCIAN M. FERGUSON,  
Colonel, U. S. Air Force, Chief,  
Special Activities Group, Office  
of The Judge Advocate  
General.

[F.R. Doc. 66-13697; Filed, Dec. 21, 1966;  
8:45 a.m.]

TABLE 11—DISPOSITION OF ELIMINATED OR DISQUALIFIED USAF TRAINEES

Line	IF USAF applicant was eliminated—	Rule			
		1	2	3	4
A	For medical reasons or unsuitability.....	Yes	No	No	No
B	And is male.....	Yes	Yes	Yes	No
C	And was specifically enlisted for OTS.....	Yes	Yes	Yes	Yes
D	And has completed an active service tour of 4 months or more.....	Yes	No	Yes	Yes
E	He will not be required to complete his enlistment contract on AD.....	X			
F	He will be required to complete his enlistment contract on AD.....		X		
G	He will be permitted to elect, in writing, to complete his contract on AD or to be immediately separated IAW AFR 39-14 (Separation for Convenience of the Government).....			X	X
H	His election will be recorded in the "Remarks" section of AF Form 7.....			X	X
I	Go to Table 12.....			X	X

TABLE 12—ELECTION PROCEDURE

Rule	A If eliminated trainee elects to—	B He will—
1	Complete enlistment contract on AD.....	Not again be permitted to request relief from AD or discharge under the authority of this part.
2	Request release and has a remaining military service obligation (AFR 45-35 (Military Service Obligations and Transfer Between the Armed Services and Between Reserve Components of the AF)).	Be assigned to the Obligated Reserve Section (ORS) ARPO initially and must remain in the AFRes until he completes the obligation, and will remain exempted or deferred from induction, if he meets participation requirements of AFR 45-35.

§ 902.11 Reinstatement or reapplication.

(a) Students eliminated from OTS for any reason other than medical are ineligible for any future training leading to a commission in the Air Force, unless recommended for reinstatement by the eliminating authority.

(b) Students eliminated for medical reasons may reapply provided the medical deficiency has been corrected and all other requirements for application are met.

Subpart D—Graduates

§ 902.12 Disposition of graduates.

(a) *Disposition actions.* (1) Any graduate not qualified for appointment will be processed as an eliminated student. His appointment as an officer trainee, or status as an eliminated student, will be terminated as outlined in § 902.10.

(2) Graduates qualified for appointment will be processed as shown in Table 13.

TABLE 13—GRADUATES QUALIFIED FOR APPOINTMENT

	If student's component is—	Rule					
		1	2	3	4	5	6
A	USAF.....	Yes	Yes				
B	ANG.....			Yes	Yes		
C	AFRes.....					Yes	Yes
D	And he accepts appointment (see note 1).....	Yes	No	Yes	No	Yes	No
E	He will be ordered into active military service as a Career Reserve Officer (see note 2).....	X					
F	He will be processed as an eliminated student; his appointment as officer trainee and status as an eliminated student will be terminated.....		X		X		X
G	He may be reassigned within the Air Force under § 902.10.....		X				
H	He will be appointed a second lieutenant in the ANG under procedures established by ATC and Chief, NGB, and returned to his ANG unit for duty as an ANG officer.....			X			
I	He will be appointed a second lieutenant AFRes and returned to AFRes unit of assignment for duty as an AFRes officer.....					X	

NOTE 1. LMTC will not commission an officer trainee who was a service academy cadet, including Coast Guard cadets, before the date of appointment of his academy classmates.

NOTE 2. He will serve at least 4 years from the date he graduates from officer training unless sooner relieved by orders of competent authority.

Title 36—PARKS, FORESTS,  
AND MEMORIALS

Chapter II—Forest Service, Department of Agriculture

PART 211—ADMINISTRATION

Subpart C—Rules of Procedure of the Board of Forest Appeals

Proposed Rules of Procedure of the Board of Forest Appeals were published in the FEDERAL REGISTER (31 F.R. 7628) and an opportunity was given to interested persons to submit such written comments and suggestions with respect to the proposed rules as they might desire. The written comments and suggestions so received were considered by the Board of Forest Appeals and to the extent that such changes were deemed by the Board to be appropriate and in conformance with the basic regulations authorizing appeals to the Board of Forest Appeals (36 CFR 211.20-211.37), the changes were adopted and are incorporated in the following Rules of Procedure of the Board of Forest Appeals.

Subpart C—Rules of Procedure of the Board of Forest Appeals

- Sec.  
211.101 Scope and purpose.  
211.102 Words in the singular form.



## RULES AND REGULATIONS

Sec.	
211.103	Definitions.
211.104	Membership and participation of the Board.
211.105	Appealable decisions.
211.106	Notice of appeal and written statement.
211.107	Action by forest officer.
211.108	Consolidation of appeals and intervention by other persons.
211.109	Determination of classification of case on appeal.
211.110	Production of documents for inspection and copying.
211.111	Depositions.
211.112	Interrogatories.
211.113	Objections to, and limitations on, production of documents, depositions and interrogatories.
211.114	Effect of failure to comply with orders under §§ 211.110, 211.111, 211.112 and 211.113.
211.115	Request for and scheduling of hearing.
211.116	Conduct of hearings.
211.117	Closing of the record—readiness of appeal for decision.
211.118	Decisions of the Board.
211.119	Filing, service; extension of time; effective date of filing and computation of time.

**AUTHORITY:** The provisions of this Subpart C issued under 30 Stat. 35, as amended, 16 U.S.C. 551, 50 Stat. 526, 7 U.S.C. 1011(f); R.S. 161 as amended, 5 U.S.C. 22.

#### § 211.101 Scope and purpose.

This subpart implements Subpart B of this part, "Appeals from Administrative Decisions Relating to the Administration of the National Forest or other lands under the Administration of the Forest Service," by providing rules of procedure to be followed in proceedings before the Board of Forest Appeals. For additional information regarding the Board of Forest Appeals, as well as for procedures to be followed prior to appeal to the Board of Forest Appeals and in cases outside the jurisdiction of the Board of Forest Appeals reference should be made to §§ 211.20-211.37 (30 F.R. 6345). There are excluded from the application of this subpart: (a) Appeals from decisions of contracting officers of the Department of Agriculture involving disputed questions of fact under contracts for the construction, alteration, or repair of public buildings or works, or the purchase of administrative supplies, equipment, materials, or services, provided for in 7 CFR 1.101 et seq., (b) appeals where the relief appellant seeks is reformation of a contract or monetary damages, (c) appeals where the relief sought is the reversal or modification of a decision denying an application for a special use permit, contract, or any use of the national forests, (d) appeals where the jurisdiction of another Government agency over the subject matter of the appeal supersedes that of the Department of Agriculture, (e) appeals from decisions of forest officers in personnel matters, and (f) appeals from decisions in appeals classified by the forest officers as within Class Three as defined in § 211.20(a) (3) except that the classification of the case, if disputed, may be appealed to the Board and the Secretary as provided in this subpart. (Interprets or applies §§ 211.20 and 211.21.)

#### § 211.102 Words in the singular form.

Words in this subpart in the singular form shall be deemed to import the plural, and vice versa, as the case may demand.

#### § 211.103 Definitions.

Unless the context of this subpart otherwise requires:

(a) The term "Department" means the U.S. Department of Agriculture;

(b) The term "Secretary" means the Secretary of Agriculture of the United States, or any officer or employee of the Department to whom authority has heretofore or may hereafter be delegated to act in his stead;

(c) The term "Board" means the Board of Forest Appeals for which provision has been made in § 211.23 (30 F.R. 6346);

(d) The term "Chairman" means the Chairman of the Board of Forest Appeals;

(e) The term "presiding officer" means the member of the Board delegated by the Board to conduct a hearing and the Chairman of the Board shall be deemed to be the "presiding officer" in any appeal for which no other member of the Board has been named presiding officer as provided in § 211.104(b);

(f) The term "Forest Service" means the Forest Service of the U.S. Department of Agriculture;

(g) The term "National Forest" includes national forest lands and other lands under the administration of the Forest Service;

(h) The term "Regional Forester" means a Regional Forester of the Forest Service or any other field officer of the Forest Service reporting directly to the Chief of the Forest Service;

(i) The term "forest officer" means a Regional Forester or the Chief of the Forest Service;

(j) The term "person" means any individual, partnership, any public or private corporation, association, agency or other legal entity;

(k) The term "written instrument" means all written contracts, agreements, permits, or other instruments having the legal effect of contracts;

(l) The term "hearing" means that part of the proceeding which involves the submission of oral or written evidence;

(m) The term "party" includes the person prosecuting the appeal, intervenors admitted to the proceeding as provided in this subpart and the forest officer who made the decision from which the appeal is taken;

(n) The term "decision" shall include any order, ruling, or other exercise of discretion by a forest officer or the Board having a substantial effect on private rights but shall not include procedural orders, rulings on evidence, and other like determinations of the presiding officer during the course of an appeal which are not dispositive of the appeal; and

(o) The term "Hearing Clerk" means the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C.

#### § 211.104 Membership and participation of the Board.

(a) *Members of the Board.* The Board shall be appointed and serve as provided in § 211.23.

(b) *Meetings of the Board.* Meetings of the Board shall be called by the Chairman from time to time as required to decide appeals and otherwise transact the business of the Board. Such meetings shall generally be held in Washington, D.C., but may, in the discretion of the Chairman, be held at other places mutually convenient to members of the Board. Meetings shall be under the general direction of the Chairman or his alternate if the Chairman is unable to participate. If neither the Chairman or his alternate are able to participate in the meeting and a quorum of the Board is otherwise present, the members so constituting a quorum may choose a temporary Chairman to conduct the business of the meeting. Reasonable notice of meetings of the Board shall be given by the Chairman to the members of the Board and to alternate members in the place of members having like status in the event one or more regular members are unable to participate in the meeting.

(c) *Quorum of the Board.* Three members of the Board, at least one of whom shall not be a regular employee of the Department, shall constitute a quorum for the transaction of business of the Board and any decision or action concurred in by a majority of such quorum shall be deemed a decision or action of the Board.

(d) *Functions of the Chairman—delegation of members for conduct of hearings.* (1) In addition to the functions of the Chairman to which specific reference is made in this subpart, the Chairman shall conduct hearings for the purpose of taking testimony of witnesses and assembling a record of the proceedings and otherwise perform the duties and functions of a presiding officer specified in this subpart in all cases before the Board. The Board also may, from time to time, delegate any one of its other members to conduct hearings and perform the duties and functions of a presiding officer in any case where such a delegation of authority has been made by the Board.

(2) The Chairman shall be responsible for the internal management and administration of the Board, and the Chairman is authorized to act on behalf of the Board in calling meetings of the Board, in conducting correspondence for the Board and in carrying out such other duties as may be necessary in the conduct of routine business of the Board.

(e) *Assignment of presiding officer and members of the Board.* No presiding officer or member of the Board who has any pecuniary or other interest in the outcome of the proceeding, or who has participated in any investigation preceding the institution of the proceeding, shall serve in any capacity in such proceeding.

(f) *Powers of presiding officer.* Subject to review by the Board on comple-



tion of the record, the presiding officer shall have the power to:

- (1) Rule upon motions and requests, including requests for permission to intervene;
- (2) Adjourn the hearing from time to time, and change the time and place of hearing;
- (3) Administer oaths and affirmations and take affidavits;
- (4) Examine witnesses and receive evidence;
- (5) Take or order the taking of depositions;
- (6) Admit or exclude evidence;
- (7) Hear oral argument on facts or law;
- (8) Consolidate appeals filed by two or more appellants if consolidation is warranted under § 211.108(a);
- (9) Do all acts and take all measures necessary for the maintenance of order at the hearing and the efficient conduct of the proceeding and, upon closing of the record as provided in § 211.117, make the record available to the Board for its consideration and decision on the appeal.

§ 211.105 Appealable decisions.

(a) *Appeals in Class One and Class Two cases.* Appeals from decisions classifying cases or from decisions of forest officers on the merits of cases, or both, may be taken to the Board if the appeals, as provided in § 211.20, are within either of the following categories:

(1) *Class One.* Appeals from decisions in which the issue under appeal relates to a breach of the terms or provisions of a written instrument. To be classified as a Class One appeal, the appeal must be taken by a party or parties to the written instrument.

(2) *Class Two.* Appeals from decisions having effect on the enjoyment of use under a written instrument in which a breach of the terms or provisions of such instrument is not the issue under appeal. To be classified as a Class Two appeal, the appeal must be taken by a party or parties to the written instrument.

(b) *Appeals in Class Three cases.* In the event an appeal is classified by the forest officer as being within Class Three and such classification is disputed by the person adversely affected, such person may appeal the forest officer's classification of the case, but not the merits of the decision, to the Board. The Board shall determine the issue of classification as provided in § 211.119 and if the case is reclassified by the Board, or by the Secretary on appeal from the Board, as a Class One or Class Two appeal, the proceedings shall then be continued before the Board as provided in this subpart for appeals of Class One or Class Two, as the case may be. If the forest officer's classification of the appeal is upheld by the Board or by the Secretary, the Chairman shall transmit to the Secretary or to the Chief of the Forest Service, as the case may be, the record before the Board without recommendation as to the disposition of the case on the merits. (Interprets or applies §§ 211.20 and 211.22.)

§ 211.106 Notice of appeal and written statement.

(a) *Filing of notice and written statement.* Any decision in either Class One or Class Two which is appealable to the Board under the provisions of §§ 211.20 and 211.21 shall be final unless the person adversely affected by the decision files a written notice of appeal to the Board with the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C. 20250, within 30 days from the date of receipt by him of the decision of the forest officer. In the case of an appeal from the classification of a case as one within Class Three, the notice of appeal shall be filed as provided in this paragraph within 90 days from the date of receipt by the appellant of the decision of the forest officer. The time for filing such notices of appeal may not be enlarged by the Board. In addition, the party prosecuting the appeal shall file a written statement of reasons why the decision appealed from is contrary to, or in conflict with, the facts, the law, or the regulations of the Secretary of Agriculture, or is otherwise in error. The written statement of reasons shall be filed with the Hearing Clerk within the 30-day or 90-day period, as the case may be, specified as the period in which notice of appeal shall be filed or within such additional time for filing the statement as may be granted by the Chairman.

(b) *Contents of the notice of appeal.* The notice of appeal shall contain:

(1) Sufficient information to identify the decision from which the appeal is being taken and should include the date, number and title of the contract or other written instrument involved; the date of the decision from which the appeal is being taken; and the name and title of the forest officer who made the decision.

(2) A request for a hearing before the Board, if one is desired.

(c) *Contents of the written statement.* The written statement shall contain:

(1) Sufficient information to identify the decision from which the appeal is being taken and should include the docket number assigned to the case if such number has been assigned and appellant has been advised thereof. If the appellant is other than an individual, the statement should also indicate whether the appellant is a corporation, a partnership, or other form of legal entity and the name and business address of the officer, partner or other individual authorized to act on behalf of the entity in connection with the appeal. Such person shall be deemed to be the person to whom notices and other documents relating to the appeal may be addressed for purposes of service. In addition, if the appellant is represented by legal counsel or other persons authorized to represent appellant as provided in § 211.115(d), the statement should specify the name and business address of any such person and service of notices and other documents relating to the appeal upon such person shall be deemed to be service upon the appellant.

(2) If the appellant disputes the classification of the case by the forest officer, the written statement should also include a statement of the class in which the appellant believes the case should be placed together with an explanation of the reasons why the appellant believes the case should be so classified.

(3) A statement setting forth clearly and concisely the reasons why the appellant considers the decision appealed from contrary to, or in conflict with, the facts, the law or the regulations of the Secretary of Agriculture, or is otherwise in error, including a statement of facts (avoiding a mere repetition of detailed evidence) upon which the appeal is based, and which it is desired that the Board consider.

(4) A brief statement of the relief which the appellant desires the Board to grant.

§ 211.107 Action by forest officer.

(a) *Notification of forest officer and time for filing responsive pleading.* The Hearing Clerk shall mail copies of the notice of appeal and written statement to the forest officer concerned by certified mail. The forest officer shall within 30 days after receipt of the written statement or within such additional period as may be granted by the Chairman, file a responsive pleading with the Hearing Clerk.

(b) *Contents of responsive pleading of the forest officer.* The responsive pleading of the forest officer should contain the following:

(1) If the forest officer is of the opinion that the appeal does not substantially comply with the requirements of this subpart, was not filed in good faith, or does not raise any issue of fact to be decided by the Board, he shall state the reasons for such conclusions in his responsive pleading and may request that the Board rule thereon before proceeding further with the appeal. The pleading shall, however, also set forth the statements specified in subparagraph (3) of this paragraph if the forest officer intends to rely thereon in the event the Board decides that the objections are not dispositive of the appeal.

(2) If the forest officer's classification of the case has been disputed, his responsive pleading shall set forth the facts and considerations upon which he made his classification. The pleading shall, however, also set forth the statements specified in subparagraph (3) of this paragraph if the forest officer intends to rely thereon in the event the Board decides that disposition of the dispute as to classification is not dispositive of the appeal.

(3) Specific admissions or denials of the facts contained in the written statement of the appellant and a statement of such other facts as the forest officer believes constitute separate matters of defense.

(4) If the appellant has not requested a hearing before the Board, the forest officer may include such a request in his responsive pleading if he wishes the mat-



ter to be heard by the Board. If neither the appellant nor the forest officer requests a hearing, the forest officer shall forward the record on which his decision was based to the Board with his responsive pleading and the Board shall decide the appeal without a hearing, unless a hearing is ordered by the Board on its own motion.

(5) The name and address of the Regional Attorney or Attorney in Charge of the Office of the General Counsel, USDA, representing the Forest Service in connection with the appeal.

**§ 211.108 Consolidation of appeals and intervention by other persons.**

(a) *Consolidation.* The presiding officer may, in his discretion, consolidate appeals filed by two or more persons who are adversely affected by the same decision of a forest officer or whose appeals present substantially the same legal and factual issues and are based on the same fact situation.

(b) *Intervention.* The presiding officer may, in his discretion, where intervention will not have the effect of extending the permitted period for filing an appeal, permit persons who may be adversely affected by the modification or reversal of a decision under appeal to intervene in the proceedings on appeal if such intervention does not raise issues foreign to those under appeal and will not unduly delay or prejudice the determination of the rights of the original parties to the appeal. The intervenor shall file a written request for permission to intervene with the Hearing Clerk and shall include in such request the date and information specified in § 211.106(c) for written statements supporting an appeal and shall, in addition, set forth the grounds on which intervention is sought. In any case where the intervention is permitted by the presiding officer, the intervenor shall be bound by all prior proceedings in the appeal. The forest officer whose decision is under appeal shall not be required to file his responsive pleading until at least 30 days after the pleadings of the intervenor have been filed. If intervention is authorized by the presiding officer after responsive pleadings have been filed by the forest officer, the forest officer shall, within such time as the presiding officer may allow, file such additional responsive pleadings as he deems necessary to respond adequately to the intervenor.

**§ 211.109 Determination of classification of case on appeal.**

If the notice of appeal or written statement and the responsive pleading of the forest officer indicate that the parties are in dispute as to the classification of the appeal, the Board shall classify the appeal upon the written record before considering the case on the merits. The Board or the presiding officer may request the parties to supply such additional written information and documentary evidence as may be determined necessary to classify the case. Such information shall be supplied by the party to whom any such request is addressed within such period of time as may be specified in the request. The classifica-

tion assigned by the Board to the case shall be final unless the Board's classification is appealed by either party within 30 days to the Secretary, in which case the Secretary shall make the final decision on classification. If the classification is appealed to the Secretary, no further action on the appeal shall be taken by the Board until classification of the case by the Secretary. In the event the Board or the Secretary classifies a case as one which falls within Class Three or finds the case is within the exclusions provided in § 211.20(b) or § 211.21(a), the Chairman will so notify the parties and the Board will take no further action on the appeal except to make such disposition thereof as may be appropriate to the case under the provisions of Subpart B of this part.

**§ 211.110 Production of documents for inspection and copying.**

At any stage of an appeal, upon motion of either party filed with the Hearing Clerk and upon a showing of good cause therefor, the presiding officer may order the other party to produce for inspection and copying or photographing, any documents, papers, records, letters, photographs, or other tangible things not privileged, relevant to the issues on appeal which are in the other party's possession, custody, or control. The presiding officer upon his own motion may, at any time prior to closing the record, make a request upon either party to the proceeding for the production of material or information, not privileged but relevant to the appeal.

**§ 211.111 Depositions.**

(a) *Motion for taking deposition.* Upon notice filed with the Hearing Clerk, after the responsive pleading of the forest officer has been filed and before the appeal has been set for hearing, or within such other period of time as the presiding officer may determine, any party to the proceeding may take testimony by deposition. The notice shall be in writing and shall set forth: (1) The name and address of the proposed deponent; (2) the name and address of the person (referred to in this section as the "officer"), qualified under the rules in this part to take depositions, before whom the proposed examination is to be made; (3) the proposed time and place of the examination, which shall be at least 15 days after the date of the mailing of the application; and (4) the reasons why such deposition should be taken. The Hearing Clerk shall, upon receipt of such notice, transmit a copy to the person named in the notice and to such other parties to the proceeding as may be required. If, on receipt of a notice for the taking of testimony by deposition, the person named therein or parties to the proceeding wish to object to the taking of such deposition or desire to limit the scope thereof, they shall file such objections or proposals for limitations on the scope of the deposition with the Hearing Clerk. The presiding officer shall thereafter consider the notice, and the objections or proposed limitations and shall rule thereon in accordance with § 211.113.

(b) *Qualifications of officer.* The deponent shall appear before the presiding officer, or before an officer authorized by the law of the United States or by the law of the place of the examination to administer oaths, or before an officer authorized by the Secretary to administer oaths.

(c) *Procedure on examination.* The deponent shall be examined under oath or affirmation and shall be subject to cross-examination. The testimony of the deponent shall be recorded by the officer or by some person under his direction and in his presence. In lieu of oral examination, parties may transmit written interrogatories to the deponent which shall be propounded to the deponent by the officer. The applicant must arrange for the examination of the witness either by oral examination or by written interrogatories.

(d) *Certification by officer.* The officer shall certify on the deposition that the deponent was duly sworn by him and that the deposition is a true record of the deponent's testimony. He shall then securely seal the deposition, together with two copies thereof, in an envelope and mail the same by certified or registered mail to the Hearing Clerk.

(e) *Use of depositions.* A deposition ordered and taken under the provisions of this section may be used in a proceeding if the presiding officer finds that the witness is absent and his presence cannot be readily obtained, the evidence is otherwise admissible, and that circumstances exist as to make it desirable in the interest of justice to allow the deposition to be used. If a deposition has been taken, and the party upon whose application it was taken refuses to offer the deposition, or any part thereof, in evidence, the other party may introduce the deposition, or any portion thereof on which he wishes to rely.

**§ 211.112 Interrogatories.**

At any time after the filing of the appellant's written statement and in sufficient time to permit answers to be filed before the hearing, either party may serve upon the other interrogatories and requests for admissions by filing them with the Hearing Clerk who shall thereupon transmit a copy to the party for whom they are intended. Such interrogatories and requests for admissions shall be drawn with the purpose of defining the issues in dispute between the parties and to facilitate the presentation of evidence at the hearing. Answers shall be served upon the Hearing Clerk, within 15 days from the date of service of such interrogatories or within such other period of time as may be agreed upon by the parties or prescribed by the presiding officer. A copy of the answers shall be transmitted by the Hearing Clerk to the party propounding the interrogatories.

**§ 211.113 Objections to, and limitations on, production of documents, depositions and interrogatories.**

The presiding officer, upon motion seasonably made by any party, or by the person to be examined, or upon his own motion, may, upon notice and for good



cause, direct that proceedings under §§ 211.110, 211.111, and 211.112 be conducted only under, and in accordance with, such limitations as to documents, persons, time, place and scope as he deems necessary and appropriate.

**§ 211.114 Effect of failure to comply with orders under §§ 211.110, 211.111, 211.112, and 211.113.**

In the event of the failure of a party to comply with a request for production of documents under § 211.110; or on the failure of a party to appear or to make available an officer, director, official or employee of such party for examination under § 211.111; or on failure of a party to respond to interrogatories or requests for admissions under § 211.112; or on failure of a party to comply with an order of the presiding officer issued under § 211.113; without, in any of such events, showing an excuse or explanation, for such failure satisfactory to the Board, the Board may (a) decide the fact or issue relating to the material requested to be produced, or the subject matter of the probable testimony, in accordance with the claims of the other party or in accordance with other evidence available to the Board; (b) dismiss the appeal if the appellant is the disobedient party; or (c) make such other ruling as the Board determines just and proper.

**§ 211.115 Request for and scheduling of hearing.**

(a) *Request for hearing.* A hearing before the Board in a Class One or Class Two case shall be a matter of right provided a request therefor has been made by the appellant as specified in this subpart. If a hearing is not requested by the appellant, the forest officer whose decision has been appealed may request a hearing in which event the Board shall proceed to hold such a hearing. If neither of the parties request a hearing, the Board may on its own motion call a hearing on the appeal.

(b) *Place of hearing.* The presiding officer shall designate the place at which the hearing shall be held. The place of hearing shall be in close proximity to the National Forest involved or at such other place as may best serve the interests of the parties to the appeal.

(c) *Time and notice of hearing.* The presiding officer shall make every effort to satisfy the convenience of the parties in fixing the date for the hearing and, unless otherwise agreed to by the parties and the presiding officer, no hearing shall be held unless 30 days notice in writing has been given to the parties of the time and place set for the hearing.

(d) *Representation before the Board.* Any appellant or intervenor may be represented at the hearing and otherwise before the Board by any individual meeting the requirements of 7 CFR 1.26. The forest officer shall be represented by an attorney from the staff of the Office of the General Counsel, U.S. Department of Agriculture. Whenever, while a proceeding is pending before him, the presiding officer finds that a person acting as counsel or representative for any party to the proceeding is guilty of unethical

or unprofessional conduct, the presiding officer may order that such person be precluded from further acting as counsel or representative in such proceeding. An appeal to the Board may be taken from any such order, but the proceeding shall not be delayed or suspended pending disposition of the appeal, except that the presiding officer may suspend the proceeding for a reasonable time for the purpose of enabling the party involved to obtain other counsel or representative.

(e) *Abandonment of appeal.* In any case where an appellant or an intervenor does not take such action as may be necessary to prosecute his appeal, or pursue his petition as intervenor, in accordance with the regulations in this subpart, the presiding officer shall notify him in writing of his default and if such person does not show an explanation for such failure within such period of time as may be specified in the notice of default, the Board may dismiss the appeal or the request for intervention for lack of prosecution.

(f) *Prehearing arrangements.* The presiding officer may at any time prior to the hearing direct the parties to appear before him at a specified time and place for a conference to consider or otherwise provide for: (1) Simplification of the issues, (2) stipulations or admissions of fact and of documents, and (3) such other matters as might aid in the disposition of the appeal. The results of any such conference shall be reduced to writing by the presiding officer in the presence of the parties and this writing shall become part of the record.

**§ 211.116 Conduct of hearings.**

(a) *General.* Hearings shall be conducted by the presiding officer in such a way as to afford the parties a full and complete review of the challenged decision and to obtain a clear and orderly record. Facts admitted in the pleadings or stipulated to by the parties will be treated by the Board as having been established and no further proof of such facts will be required. Facts in dispute between the parties shall be determined by the Board only upon the basis of evidence in the record except that the Board may officially notice those facts which are commonly accepted as being the subject of judicial notice.

(b) *Burden of proof and order of proceeding.* The burden of proof in establishing errors or omissions in the decision of the forest officer shall rest on the person asserting the error or omission. Unless otherwise directed by the presiding officer, the appellant shall proceed first at the hearing and shall be followed by the presentation on behalf of the forest officer. The presiding officer may thereafter limit the introduction of other evidence by the parties in such a manner as to prevent burdening the record with repetitious or cumulative evidence.

(c) *Evidence—(1) In general.* Hearings will be conducted as informally as possible considering the necessity for having a clear and concise record of the evidence relating to the issues presented by the appeal. The presiding officer shall receive only evidence which is germane

to the issues involved and shall exclude, insofar as practicable, evidence which is immaterial, irrelevant or unduly repetitious, or which is not of the sort upon which responsible persons are accustomed to rely. Hearings shall be publicly conducted and the testimony given at such hearings shall be reported verbatim. The testimony of witnesses shall be upon oath or affirmation and subject to cross-examination. Any witness may, in the discretion of the presiding officer, be examined separately and apart from all other witnesses except those who may be parties to the proceedings.

(2) *Objections.* If a party objects to the admission or rejection of any evidence or to the limitation of the scope of any examination or cross-examination, he shall state briefly the grounds of such objection, whereupon an automatic exception will follow if the objection is overruled by the presiding officer. The transcript shall not include argument or debate thereon, except as ordered by the presiding officer. The ruling of the presiding officer on any objection shall be a part of the transcript.

(3) *Depositions.* The deposition of any witness shall be admitted, in the manner provided in § 211.110(f).

(4) *Affidavits.* Affidavits may be admitted if the evidence is otherwise admissible.

(5) *Records and documents.* Upon proof of authenticity, papers, books, records or documents shall be admissible in evidence without the production of the person who made or prepared the same and copies thereof shall be admissible in lieu of submission of original documents where such submission is not practicable, except that in the case of charts, reports, accounting data, or other documents specially prepared for use at the hearing, the person who prepared the evidence sought to be introduced, or other equally qualified person, should be available to explain such evidence and to be cross-examined thereon.

(6) *Exhibits.* All written statements, charts, tabulations, or similar data offered in evidence at the hearing shall, after identification by the proponent and upon a satisfactory showing of the admissibility of the contents thereof, be numbered as exhibits and received in evidence and made a part of the record. Except where the presiding officer finds that the furnishing of copies is impracticable, a copy of each exhibit, in addition to the original, shall be filed with the presiding officer for the use of each other party to the proceeding. The presiding officer shall advise the parties as to the exact number of copies which will be required to be filed and shall make and have noted on the record the proper distribution of the copies. If the testimony of a witness refers to a statute, or to a report, document or transcript, the presiding officer, after inquiry relating to the identification of such statute, report, document or transcript, shall determine whether the same shall be produced at the hearing and physically be made a part of the evidence as an exhibit, or whether it shall be incorporated into the evidence by refer-



ence. If relevant and material matter offered in evidence is embraced in a report, document or transcript containing immaterial or irrelevant matter, such immaterial or irrelevant matter shall be excluded and shall be segregated insofar as practicable, subject to the direction of the presiding officer.

(7) *Official notice.* Official notice will be taken of such matters as are judicially noticed by the courts of the United States and of any other matter of technical, scientific, or commercial fact of established character: *Provided*, That the parties shall be given adequate notice of matters so noticed, and (except where official notice is taken, for the first time in the proceeding, in the final decision) shall be given adequate opportunity to show that such facts are erroneously noticed.

(8) *Offer of proof.* Whenever evidence is excluded from the record, the party offering such evidence may make an offer of proof, which shall be included in the transcript. The offer of proof shall consist of a brief statement describing the evidence to be offered. If the evidence consists of a brief oral statement or of an exhibit, it shall be inserted into the transcript in toto. In such event, it shall be considered a part of the transcript if the Board decides that the presiding officer's ruling in excluding the evidence was erroneous. The presiding officer shall not allow the insertion of such evidence in toto if the taking of such evidence will consume an unreasonable length of time at the hearing. In the latter event, if the Board decides that the presiding officer erred in excluding the evidence, and that such error was substantial, the hearing shall be reopened to permit the taking of such evidence.

(d) *Oral argument before presiding officer.* Oral argument before the presiding officer shall be allowed unless the presiding officer finds that the denial of such argument will not deprive the parties of an adequate opportunity for oral argument subsequently in the proceeding. Such arguments may be limited by the presiding officer to any extent that he finds necessary for the expeditious disposition of the proceeding and shall be reduced to writing and be made part of the transcript.

(e) *Briefs and proposed findings of fact and conclusions of law—oral argument before the Board.* The parties shall be given an opportunity to file briefs and proposed findings of fact and conclusions of law within such periods of time or extensions thereof as may be determined by the presiding officer. The Board may, in such cases as it deems appropriate, request the parties to appear before the Board, at such time and place as it determines the interest of the parties to the appeal will be best served, and present oral argument upon such issues involved in the appeal as the Board may specify.

(f) *Transcript.* During the period in which the proceeding has an active status before the Board, a copy of the transcript and exhibits shall be kept on file in the Office of the Hearing Clerk, where it shall be available for examina-

tion during official hours of business. Thereafter the transcript and exhibits shall be made available by the Hearing Clerk for examination during official hours of business after prior request and reasonable notice to the Hearing Clerk. If a personal copy of the transcript is desired, it may be obtained upon written application filed with the reporter and upon payment of fees at the rate (if any) provided in the contract between the reporter and the Secretary.

**§ 211.117 Closing of the record—readiness of appeal for decision.**

(a) *Disputes as to classification.* A dispute as to the classification of a case shall be considered ready for decision on submission of the written statements of the parties and such supplemental or additional information relating to the issue of classification as may have been requested by the Board or by the presiding officer. The record in the proceeding shall, however, remain open for disposition of the case on the merits if the decision of the Board on the issue of classification is not dispositive of the appeal.

(b) *Cases in which no hearing on the merits has been requested.* Cases in which no hearing has been requested by either party and none has been ordered by the Board shall be ready for decision on receipt of the written statements of the parties and the prior record of the proceeding submitted to the Board by the forest officer in accordance with § 211.22(b)(3). The Board may, however, in any such case request the parties to submit additional information in writing, oral arguments, or briefs, in which event, the case shall not be deemed ready for decision by the Board until such supplementary material requested by the Board has been received.

(c) *Cases in which hearings have been held.* A case in which a hearing has been held shall be ready for decision upon receipt by the Board of the transcript and all exhibits, or upon receipt of briefs, when briefs are to be submitted, or upon conclusion of oral argument before the Board, if such argument is requested by the Board, whichever last occurs.

**§ 211.118 Decisions of the Board.**

(a) *Class One cases, finality of decisions and requests for reconsideration.* The Board shall make decisions in appeals arising under Class One which shall be final, conclusive and binding on the parties thereto, except as they may be subject to review as provided by law. A request for reconsideration of a decision in a Class One case may be made to the Board by any party to an appeal within thirty (30) days from the date of the decision. Such a request shall be in writing, shall be filed with the Hearing Clerk, and shall set forth the grounds on which reconsideration is sought. Reconsideration of a decision, which may include a hearing or rehearing, may be granted or denied at the discretion of the Board. (Interprets or applies § 211.25(a))

(b) *Class Two cases, recommendations, advisory.* In Class Two cases

which are on appeal, the Board shall make written advisory recommendations, together with supporting determinations of fact, for the consideration of the Chief or the Secretary, as the case may be, and the Chairman shall transmit the record, together with the recommendations of the Board, to the Chief, or to the Secretary, as the case may be, in accordance with the applicable provisions of Subpart B of this part. (Interprets or applies §§ 211.25(b) and 211.28(a) and (b))

(c) *Class Three cases and cases outside of jurisdiction of Board.* If the Board determines that an appeal is in Class Three or is outside its jurisdiction it shall make such disposition of the appeal as is appropriate to the circumstances of the case under the provisions of Subpart B of this part.

(d) *Preponderance of evidence.* The weight and sufficiency of evidence shall be determined by the Board and the decision of the Board on an appeal shall be based on the preponderance of the evidence contained in the record.

(e) *Inclusion of facts, conclusions and reasons.* Decisions of the Board shall include (1) a statement of facts, (2) the conclusion of the Board, and (3) the reasons upon which the conclusion is based. The Chairman shall be responsible for the preparation of the decisions of the Board which shall be signed by all members who concur therein. The concurrence of a majority of the members of the Board shall be sufficient to constitute a decision of the Board on an appeal.

(f) *Action to be taken within sixty (60) days.* On or before the expiration of sixty (60) days after closing of the record as provided in this subpart, the Board shall either make a decision, provide for the production of additional evidence and information, or remand the case to the presiding officer with appropriate instructions. If the production of additional evidence or information is required or the case is remanded, the presiding officer shall notify the parties to the appeal and shall specify the action to be taken by the parties as directed by the Board as well as the period of time within which such action shall be taken. If more than sixty (60) days are required for a decision after the entire record is received, the Board shall notify the parties and specify the reasons for the delay.

(g) *Publication of decisions.* The decisions of the Board shall be reproduced in such manner as the Chairman may determine. A copy of the decision of the Board shall be furnished to each party to the appeal and copies shall be distributed to the Office of the Hearing Clerk, U.S. Department of Agriculture, to the Chief of the Forest Service, to the Regional Offices of the Forest Service and to all Forest Supervisors. Decisions of the Board shall be available at such locations for public inspection at any time during normal business hours. On payment of the cost thereof, if any, copies of decisions of the Board will be distributed to members of the public on request therefor.



**§ 211.119 Filing, service; extension of time; effective date of filing and computation of time.**

(a) *Filing: number of copies.* Except as provided otherwise in this subpart, all documents or papers required or authorized in this subpart to be filed with the Hearing Clerk shall be filed in quadruplicate: *Provided*, That if there are more than two parties to the appeal, a sufficient number of additional copies shall be filed so as to provide for service upon all the parties to the appeal. Any document or paper, required or authorized in this subpart to be filed with the Hearing Clerk, shall, during the course of an oral hearing, be filed with the presiding officer.

(b) *Service; proof of service.* Copies of all such papers shall be served upon the parties by the Hearing Clerk, by the presiding officer, or by some other employee of the Department. Service shall be made either: (1) By delivering a copy of the document or paper to the party to be served or to the attorney or agent of record of such party; (2) by leaving a copy of the document or paper at the principal office or place of business of such party or of his or its attorney or agent of record; (3) by mailing via certified or registered mail a copy of the document or paper, addressed to such party, or to his or its attorney or agent of record, at his or its last known principal office, place of business or residence. Proof of service hereunder shall be made by the affidavit of the person who actually made the service. The affidavit of service shall be filed with the Hearing Clerk and the fact of filing thereof shall be noted on the docket of the appeal.

(c) *Extension of time.* The time for the filing of any documents or papers required or authorized in this subpart to be filed, except for notices of appeal and requests for reconsideration, may be extended upon (1) a written stipulation between the parties, or (2) upon the request of a party, by the Board or by the presiding officer if in the judgment of the Board or presiding officer there is good reason for the extension.

(d) *Effective date of filing.* Any document or papers required or authorized under these rules shall be deemed to have been filed when it is postmarked, or when it is received by the Hearing Clerk if other than the U.S. mails are used to accomplish delivery. If the date of mailing cannot be determined from the postmark, an affidavit of mailing may be requested by the presiding officer when he deems such a request necessary and appropriate.

(e) *Computation of time.* Sundays and Federal holidays shall be included in computing the time allowed for the filing of any document or paper: *Provided, however*, That when such time expires on a Sunday or a Federal holiday the time allowed shall be extended to include the next following business day.

These rules are issued to become effective on the date of publication in the FEDERAL REGISTER.

Dated: December 2, 1966.

JOHN A. HARRIS,  
*Chairman, Board of Forest Appeals.*

Approved: December 16, 1966.

ORVILLE L. FREEMAN,  
*Secretary of Agriculture.*

[F.R. Doc. 66-13724; Filed, Dec. 21, 1966; 8:47 a.m.]

**Title 49—TRANSPORTATION**

**Chapter I—Interstate Commerce Commission**

**SUBCHAPTER A—GENERAL RULES AND REGULATIONS**

[2d Rev. S.O. 975; Amdt. 2]

**PART 95—CAR SERVICE**

**Railroad Operating Regulations for Freight Car Movement**

At a session of the Interstate Commerce Commission held in Washington, D.C., on the 8th day of December A.D. 1966.

Upon further consideration of Second Revised Service Order No. 975 (31 F.R. 6058, 7806) and good cause appearing therefor:

*It is ordered, That:*

Section 95.975 *Service Order No. 975* (Railroad operating regulations for freight car movement) be, and it is hereby amended by substituting the following paragraph (e) for paragraph (e) thereof:

(e) *Expiration date.* This order shall expire at 11:59 p.m., June 30, 1967, unless otherwise modified, changed, or suspended by order of this Commission.

*Effective date.* This amendment shall become effective at 11:59 p.m., December 31, 1966.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, and 17(2). Interprets or applies secs. 1(10-17), 15(4), and 17(2), 40 Stat. 101, as amended 54 Stat. 911; 49 U.S.C. 1(10-17), 15(4), and 17(2))

*It is further ordered,* That copies of this amendment to Second Revised Service Order No. 975 shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission.

[SEAL] H. NEIL GARSON,  
*Secretary.*

[F.R. Doc. 66-13751; Filed, Dec. 21, 1966; 8:50 a.m.]

[Corrected 2d Rev. S.O. 976; Amdt. 1]

**PART 95—CAR SERVICE**

**Unloading Boxcars and Covered Hopper Cars at Ports**

At a session of the Interstate Commerce Commission held in Washington, D.C., on the 8th day of December A.D. 1966.

Upon further consideration of Corrected Second Revised Service Order No. 976 (31 F.R. 4685) and good cause appearing therefor:

*It is ordered, That:*

Section 95.976, *Service Order No. 976* (Unloading boxcars and covered hopper cars at ports) be, and it is hereby amended by substituting the following paragraph (h) for paragraph (h) thereof:

(h) *Expiration date.* This order shall expire at 11:59 p.m., June 30, 1967, unless otherwise modified, changed or suspended by order of this Commission.

*Effective date.* This amendment shall become effective at 11:59 p.m., December 31, 1966.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, and 17(2). Interprets or applies secs. 1(10-17), 15(4), and 17(2), 40 Stat. 101, as amended 54 Stat. 911; 49 U.S.C. 1(10-17), 15(4), and 17(2))

*It is further ordered,* That copies of this amendment to Corrected Second Revised Service Order No. 976 shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order shall be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission.

[SEAL] H. NEIL GARSON,  
*Secretary.*

[F.R. Doc. 66-13750; Filed, Dec. 21, 1966; 8:50 a.m.]

[S.O. 981; Amdt. 1]

**PART 95—CAR SERVICE**

**Boxcar Distribution Directions; Appointment of Agents**

At a session of the Interstate Commerce Commission held in Washington, D.C., on the 8th day of December A.D. 1966.

Upon further consideration of Service Order No. 981 (31 F.R. 5356) and good cause appearing therefor:

*It is ordered, That:*

Section 95.981 *Service Order No. 981* (Appointment of agents) be, and it is hereby amended by substituting the following paragraph (d) for paragraph (d) thereof:



## RULES AND REGULATIONS

(d) *Expiration date.* This order shall expire at 11:59 p.m., June 30, 1967, unless otherwise modified, changed or suspended by order of this Commission.

*Effective date.* This amendment shall become effective at 11:59 p.m., December 31, 1966.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, and 17(2). Interprets or applies secs. 1(10-17), 15(4), and 17(2), 40 Stat. 101, as amended

54 Stat. 911; 49 U.S.C. 1(10-17), 15(4), and 17(2))

*It is further ordered,* That copies of this amendment to Service Order No. 981 shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order shall be given to the general public by depositing

a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission.

[SEAL]

H. NEIL GARSON,  
*Secretary.*

[F.R. Doc. 66-13749; Filed, Dec. 21, 1966;  
8:49 a.m.]



# Proposed Rule Making

## DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Parts 1106, 1126]

[Docket Nos. AO 210-A21, AO 231-A27]

### MILK IN OKLAHOMA METROPOLITAN AND NORTH TEXAS MARKETING AREAS

#### Decision on Proposed Amendments to Tentative Marketing Agreements and to Orders

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held at Dallas, Tex., on November 9, 1966, pursuant to notice thereof issued on October 17, 1966 (31 F.R. 13607).

Upon the basis of the evidence introduced at the hearing and the record thereof, the Deputy Administrator, Regulatory Programs, on December 7, 1966 (31 F.R. 15598; F.R. Doc. 66-13305) filed with the Hearing Clerk, U.S. Department of Agriculture, his recommended decision containing notice of the opportunity to file written exceptions thereto.

The material issues, findings and conclusions, rulings, and general findings of the recommended decision (31 F.R. 15598; F.R. Doc. 66-13305) are hereby approved, adopted, and set forth in full herein:

The material issue on the record of the hearing relates to temporary elimination of the supply-demand adjusters of orders.

**Findings and conclusions.** The following findings and conclusions on the material issue are based on evidence presented at the hearing and the record thereof:

**Temporary elimination of the supply-demand adjusters of both orders.** The effect of the supply-demand adjustments on the Class I prices of the Oklahoma Metropolitan and North Texas milk orders should be negated for the months of January through March 1967.

This action will affect the Class I price of the Red River Valley order because it is established at a fixed differential above the Class I price of the Oklahoma Metropolitan order although Red River milk supplies and sales are not included in computing the supply-demand adjustment. The receipts and sales of Austin-Waco, Corpus Christi, Central West Texas, and San Antonio are combined with those of the North Texas market in computing the North Texas supply-demand adjuster which is reflected in the Class I prices of the five orders. The Lubbock-Plainview Class I

price is established at a fixed differential above the North Texas Class I price so that amendment of the North Texas supply-demand adjuster would be reflected in the Class I price of that order.

Proponents, including both handler and producer groups requested suspension, from December 1966 through March 1967, of the supply-demand adjuster to the Class I prices under these Texas and Oklahoma orders to provide time in which a review, in depth, of such adjusters could be made by a group composed of industry representatives and a further hearing held to consider appropriate amendment of the orders. They also requested that emergency action be taken to suspend the December 1966 supply-demand adjusters.

Since incorporation of the supply-demand adjustment to the Class I prices in the North Texas order in 1951 and the Oklahoma Metropolitan order in 1952 (formerly Oklahoma City and Tulsa) there have been significant changes in milk marketing in this region. Additional orders have been issued to cover territory intervening between these markets. Fewer plants now distribute milk over wider areas with a consequent competition for fluid milk sales among the various Texas and Oklahoma markets. Milksheds of the intervening orders have tended to overlap those of the North Texas and Oklahoma Metropolitan markets.

There is a considerable competition for Class I sales between the North Texas, Red River Valley, and Central West Texas markets. Also there is extensive overlapping of procurement and Class I sales areas between Central West Texas, Lubbock-Plainview, and the Texas Panhandle markets. Class I milk is distributed from plants of handlers under the Oklahoma Metropolitan order on routes in the Texas Panhandle, Red River Valley, and North Texas marketing areas. Industry witnesses claim that there is a problem of Class I price alignment among these markets because two separate and disparate supply-demand adjusters apply to some receipts and sales in this area while no supply-demand adjuster applies to receipts and sales under the Texas Panhandle order.

While each of these supply-demand adjusters has been amended at various times since first included in the respective orders, there has been no common consideration of the relationship between the two orders. The adjusters in their present form each became effective as of December 1, 1961.

The North Texas supply-demand adjuster does not reflect the receipts and sales data for the Texas Panhandle and Lubbock-Plainview order markets. It does, however, include sales and receipts of the individual-handler pool markets of Austin-Waco and Corpus Christi.

Performance standards for pool plants under individual-handler pool orders are low in relation to those of marketwide pool orders. These relatively low pooling requirements are conducive to allowing month-to-month shifts in the quantity of receipts and Class I sales that are pooled under these orders. This can result in substantial fluctuation in the data used in computing the supply-demand adjuster and change the Class I price for a considerable period of time even though the milk might have been under the individual-handler pool order for only 1 month.

Gross Class I sales are used in computation of both supply-demand adjusters, but only receipts of producer milk. One large handler has substantial sales included in the adjuster, but only a relatively small portion of his receipts.

Proponents pointed out that much of the difficulty experienced in attaining Class I price alignment throughout this area may be attributed to the different supply-demand adjusters used in the North Texas and Oklahoma Metropolitan markets. The Oklahoma Metropolitan adjuster changes the Class I price relatively quickly as short time changes occur in the supply-sales situation. It has resulted in frequent changes in the Class I price levels of the Oklahoma markets. The North Texas supply-demand adjuster is not as sensitive as the Oklahoma adjuster to short time changes in the supply and demand relationship.

Both producer and handler representatives requested that for an interim period the supply-demand adjuster not be used in determining Class I prices in the Oklahoma and Texas markets. They stated that it is impossible to forecast precisely what effect the adjusters would have on Class I prices through March 1967. An industry group consisting of handlers and producers has been formed to consider objectively what improvements could be made in the operation of supply-demand adjusters in this region. This industry group has met twice and had scheduled another meeting to evaluate supply-demand adjustments at the time of the hearing.

Eliminating the effect of the supply-demand adjusters on the Class I prices of the North Texas and Oklahoma Metropolitan orders from January through March 1967 will facilitate the development and adoption of any improvements that the industry group may be able to present at a later hearing. Currently, the supply-demand adjustments under both orders are having little effect either upward or downward on Class I prices. There is currently no reason to expect any substantial adjustment under either order during the next few months. Continuation of this relationship for the ensuing three-month period of January through March will



remove a possibility of extraneous factors interfering with the in-depth review of the supply-demand relationships in the Texas and Oklahoma region.

There is no need for amendatory action or suspension of the supply-demand adjustments for December 1966, as requested. Official notice is hereby taken that the adjustments did not change from November to December 1966 in either the North Texas order (-2 cents) or the Oklahoma Metropolitan order (0). Therefore, requests for suspension of the adjustments on an emergency basis for December 1966 is denied.

**Rulings on proposed findings and conclusions.** Briefs and proposed findings and conclusions were filed on behalf of certain interested parties. These briefs, proposed findings and conclusions and the evidence in the record were considered in making the findings and conclusions set forth above. To the extent that the suggested findings and conclusions filed by interested parties are inconsistent with the findings and conclusions set forth herein, the requests to make such findings or reach such conclusions are denied for the reasons previously stated in this decision.

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

(a) The tentative marketing agreements and the orders, as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

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

(c) The tentative marketing agreements and the orders, as hereby proposed to be amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in, marketing agreements upon which a hearing has been held.

**Rulings on exceptions.** No exceptions were filed.

**Marketing agreement and order.** Annexed hereto and made a part hereof are four documents entitled, respectively, "Marketing Agreement Regulating the

Handling of Milk in the Oklahoma Metropolitan Marketing Area," "Order Amending the Order Regulating the Handling of Milk in the Oklahoma Metropolitan Marketing Area," "Marketing Agreement Regulating the Handling of Milk in the North Texas Marketing Area," and "Order Amending the Order Regulating the Handling of Milk in the North Texas Marketing Area," which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions.

**It is hereby ordered,** That all of this decision except the attached marketing agreements, be published in the FEDERAL REGISTER. The regulatory provisions of said marketing agreements are identical with those contained in the orders as hereby proposed to be amended by the attached orders which will be published with this decision.

**Determination of representative period.** The month of October 1966 is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of the attached orders, as amended and as hereby proposed to be amended, regulating the handling of milk in the Oklahoma Metropolitan and North Texas marketing areas, respectively, are approved or favored by producers, as defined under the terms of the respective orders, as amended and as hereby proposed to be amended, and who, during such representative period, were engaged in the production of milk for sale within the aforesaid respective marketing areas.

Signed at Washington, D.C., on December 19, 1966.

GEORGE L. MEHREN,  
Assistant Secretary.

**Order<sup>1</sup> Amending the Order Regulating the Handling of Milk in the Oklahoma Metropolitan Marketing Area**

**§ 1106.0 Findings and determinations.**

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

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

<sup>1</sup> This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.

order regulating the handling of milk in the Oklahoma Metropolitan marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

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

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

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

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

Section 1106.51(a) of the Oklahoma Metropolitan order is revised as follows:

**§ 1106.51 Class prices.**

(a) **Class I milk.** The basic formula price for the preceding month plus \$1.48 during the months of April, May and June and \$1.88 during all other months, except that for each of the months of September through December, such price shall not be less than that for the preceding month, and that for each of the months of April through June such price shall not be more than that for the preceding month. To this price add or subtract a supply-demand adjustment of not more than 50 cents (no supply-demand adjustment shall apply for each of the months of January through March 1967) computed as follows:

**Order<sup>1</sup> Amending the Order Regulating the Handling of Milk in the North Texas Marketing Area**

**§ 1126.0 Findings and determinations.**

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



flict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the North Texas marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

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

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

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

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

Section 1126.51(a) of the North Texas order is revised as follows:

§ 1126.51 Class prices.

(a) *Class I price.* The Class I price shall be the basic formula price for the preceding month (rounded to the nearest one-tenth cent) plus \$1.85 for the months of March through June, and plus \$2.25 for all other months; and subject to a supply-demand adjustment of not more than 50 cents (no supply-demand adjustment shall apply for each of the months of January through March 1967) computed as follows:

[F.R. Doc. 66-13747; Filed, Dec. 21, 1966; 8:49 a.m.]

## ATOMIC ENERGY COMMISSION

[ 10 CFR Part 40 ]

### LICENSING OF SOURCE MATERIAL

#### Expiration of Licenses

The Atomic Energy Commission's regulations, Licensing of Source Material, 10 CFR Part 40, presently provide (§ 40.42): "Except as provided in § 40.43 (b), and except as may be provided in licenses issued for operation of production or utilization facilities pursuant to Part 50 of this chapter, each specific license shall expire no later than 3 years from the last day of the month in which it is issued."

The Commission's regulations governing the possession and use of byproduct material (10 CFR Part 30) and special nuclear material (10 CFR Part 70) do not specify the period for which licenses may be issued. They merely provide that each license shall expire (10 CFR 30.36) "at the end of the day, in the month and year stated therein" and (10 CFR 70.32) "at the time specified in the license".

The Commission is now considering an amendment of Part 40 to eliminate the restriction of the terms of source material licenses to 3 years. The proposed amendment set out below would make the regulation in Part 40 consistent, in that respect, with the equivalent provisions in Parts 30 and 70 governing the licensing of byproduct material and special nuclear material, respectively. If this proposed amendment is adopted, the Commission intends to issue source, byproduct and special nuclear material licenses for terms of 5 years, except in cases where the nature of the applicant's proposed activities indicates the need for a shorter license period. In the Commission's experience, the protection of the public health and safety and the common defense and security does not, in most cases, require that materials licenses be issued for a term less than 5 years. It is expected that the longer period for materials licenses will decrease the number of renewal applications submitted to the Commission and, consequently, the regulatory burden on materials licensees, without any adverse effect on the public health and safety or the common defense and security. To this extent, the Commission's regulatory process would be simplified and expedited.

Pursuant to the Atomic Energy Act of 1954, as amended, and the Administrative Procedure Act of 1946, as amended, notice is hereby given that adoption of the following amendment of 10 CFR Part 40 is contemplated. All interested persons who desire to submit written comments or suggestions in connection with the proposed amendment should send them to the Secretary, U.S. Atomic Energy Commission, Washington, D.C.

20545, within 30 days after publication of this notice in the FEDERAL REGISTER. Comments received after that period will be considered if it is practicable to do so, but assurance of consideration cannot be given except as to comments filed within the period specified.

Section 40.42 of 10 CFR Part 40 is revised to read as follows:

#### § 40.42 Expiration.

Except as provided in § 40.43(b), each specific license shall expire at the end of the day, in the month and year stated therein.

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

Dated at Germantown, Md., this 5th day of December 1966.

For the Atomic Energy Commission.

W. B. McCool,  
Secretary.

[F.R. Doc. 66-13696; Filed, Dec. 21, 1966; 8:45 a.m.]

## FEDERAL AVIATION AGENCY

[ 14 CFR Parts 23, 25, 27, 29 ]

[Docket No. 7298; Notice 66-16]

### CASTING FACTORS AND INSPECTION PROCEDURES

#### Withdrawal of Notice of Proposed Rule Making

The purpose of this action is to withdraw notice 66-16 which was published in the FEDERAL REGISTER on April 20, 1966 (31 F.R. 6062). In notice 66-16 the Federal Aviation Agency proposed to amend Parts 23, 25, 27, and 29 of the Federal Aviation Regulations to clarify critical and noncritical casting factors and inspection requirements.

After a thorough consideration of the comments received in response to the notice, the Agency has concluded that the proposed regulations do not represent the state-of-the-art in aircraft casting and that further study concerning this matter is necessary in order to develop requirements that adequately reflect current casting technology and practice.

Withdrawal of a notice of proposed rule making constitutes only such action, and does not preclude the Agency from issuing another notice in the future, nor commit the Agency to any course of action in the future.

In consideration of the foregoing, notice 66-16 published in the FEDERAL REGISTER on April 20, 1966 (30 F.R. 6062), is hereby withdrawn.

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

Issued in Washington, D.C. on December 14, 1966.

JAMES F. RUDOLPH,  
Acting Director,  
Flight Standards Service.

[F.R. Doc. 66-13700; Filed, Dec. 21, 1966; 8:45 a.m.]



## [ 14 CFR Part 39 ]

[Docket No. 7810]

## BAC 1-11 400 SERIES AIRPLANES

## Proposed Airworthiness Directive

The Federal Aviation Agency is considering amending Part 39 of the Federal Aviation Regulations by adding an airworthiness directive applicable to BAC 1-11 400 Series airplanes. There have been reports of interference between the nut stop on the flap screwjack and the lower rollers on the aft flap carriage, resulting in wearing of the nut stop. Since this condition is likely to exist or develop in other airplanes of this type design, the proposed airworthiness directive would require a reworking of the surface of the nut stop head radius in order to eliminate the interference.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20553. All communications received on or before January 23, 1967, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

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

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

**BRITISH AIRCRAFT.** Applies to Model BAC 1-11 400 Series airplanes.

Compliance required as indicated.

To prevent interference between the flap jack screw and flap carriage assembly, accomplish the following:

(a) Within the next 500 hours' time in service after the effective date of this AD, unless already accomplished, and thereafter at intervals not to exceed 1,000 hours' time in service, measure the clearance between the head of the nut stop on flap screwjack P/N CH562-010 and the inside faces of the lower rollers on the aft flap carriages P/N AK09 A1263 and AK09 A1265 and AK09 A1266 at all eight screwjack positions in accordance with BAC Alert Service Bulletin 27-A-PM 2469 or later ARB-approved issue. If clearance is less than 0.025 inch, rework the nut stop head radius in accordance with BAC Service Bulletin No. 27-A-PM 2469 or later ARB-approved issue.

(b) The repetitive inspections required in paragraph (a) may be discontinued if the airplanes are modified in accordance with BAC Service Bulletin 27-A-PM2469 paragraph (a) or (b) and PM2469 paragraph (c) and PM2469 paragraph (d) or (e) and PM2469 paragraph (f) or (g) or later ARB-approved issue.

Issued in Washington, D.C., on December 14, 1966.

JAMES F. RUDOLPH,  
Acting Director,  
Flight Standards Service.

[F.R. Doc. 66-13701; Filed, Dec. 21, 1966;  
8:45 a.m.]

## [ 14 CFR Part 39 ]

[Docket No. 7811]

## DOUGLAS DC-3C AIRPLANES (C-47 SERIES), AND ALL DC-3 AIRCRAFT HAVING C-47 ELEVATORS INSTALLED

## Proposed Airworthiness Directive

Airworthiness Directive 47-2-10 recommends inspection of 0.020 gauge elevator ribs at inboard and outboard ends of the trim tab cutout at intervals not to exceed 130 hours. The AD applies to Douglas DC-3C airplanes (C-47 Series), and all DC-3 aircraft with C-47 elevators installed. The purpose of the inspection is to inspect for cracks. If cracks are found, the ribs can be reinforced by a gauge 0.040 doubler. Since AD 47-2-10 is a recommendation only, it is not enforceable. The Agency is now considering, in view of the age of the AD, re-issuing the AD. The primary change considered is in the language, in order to make the AD mandatory. In addition, the AD recommends reinspection of the reinforced ribs at each engine change period. Since there have been no reports of cracking in 0.040 gauge ribs, the Agency is considering deleting this provision. The Agency is also considering an extension in the hours' time in service for repetitive inspections on the 0.020 gauge ribs.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20553. All communications received on or before January 23, 1967, will be considered by the Administrator before taking action on the proposed rule. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

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

In consideration of the foregoing, it is proposed to amend § 39.13 of Part 39 of the Federal Aviation Regulations by adding the following new airworthiness directive, that would supersede AD 47-2-10 (21 F.R. 9456):

**DOUGLAS.** Applies to all DC-3C (C-47 Series) aircraft with C-47 elevators installed.

There have been several reports of P/N 5115210-5 and P/N 5115210-9 elevator ribs

in P/N 5115210 elevators having been found cracked at the inboard and outboard ends of the trim tab cutouts. All reports thus far were on surfaces which incorporated ribs made of 0.020 material. In September 1964, the ribs were increased in gauge to 0.040 material for new production. To preclude failure of the elevator due to rib cracking, visually inspect all ribs made from 0.020 material at intervals not to exceed 250 hours' time in service. If cracked, these ribs must be reinforced by addition of an 0.040 doubler as shown in Figure 1 of Douglas Service Bulletin 244, section I, or replaced by gauge 0.040 ribs after the doubler has been installed. These parts must be inspected at intervals not to exceed 2,500 hours' time in service. The elevators must be rebalanced after reinforcing doublers have been installed.

(Douglas Service Bulletin No. 244, section I, outlines the doubler installation.)  
This supersedes AD 47-2-10 (21 F.R. 9456).

Issued in Washington, D.C., on December 14, 1966.

JAMES F. RUDOLPH,  
Acting Director,  
Flight Standards Service.

[F.R. Doc. 66-13702; Filed, Dec. 21, 1966;  
8:45 a.m.]

## [ 14 CFR Part 39 ]

[Docket No. 7812]

## MODEL BAC 1-11 SERIES AIRPLANES

## Proposed Airworthiness Directives

The Federal Aviation Agency is considering amending Part 39 of the Federal Aviation Regulations by adding an airworthiness directive applicable to Model BAC 1-11 Series airplanes. Service experience has shown that the nylon lamp cover of the light assemblies in the forward and aft compartments of the airplanes represents a potential fire hazard. Since this condition is likely to exist on all Model BAC 1-11 Series airplanes, the proposed AD would remove the hazard by providing a ventilation system through holes punched in the light cup assemblies, and by requiring substitution of toughened glass cover in place of the nylon covers.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20553. All communications received on or before January 23, 1967, will be considered by the Administrator before taking action on the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

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



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

**BRITISH AIRCRAFT.** Applies to Model BAC 1-11 Series airplanes.

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

To prevent a potential fire hazard in the forward and aft freight compartments, modify the light assemblies, as shown in the table hereunder, by providing ventilating holes in the light cup assemblies and by replacing the nylon lamp cover with a 1/2 inch toughened glass lamp cover, or FAA-approved equivalent, in accordance with British Aircraft Corp. BAC 1-11 Service Bulletin No. 33-PM1706, or later ARB-approved issue.

Station No.	Models applicable	Premodification BAC part number	Post modification BAC part number 200 series	Post modification BAC part number 400 series
256	200 and 400 series	AB 28A 15593	AC 28A 5099	AK 28A 26277
296	do	AB 28A 15591	AC 28A 5097	AC 28A 5097
336	do	AB 28A 15593	AC 28A 5099	AK 28A 26277
376	do	AB 28A 15591	AC 28A 5097	AC 28A 5097
396	do	AB 28A 15593	AC 28A 5099	AC 28A 5099
670	do	AB 28A 15591	AC 28A 5097	AC 28A 5097
710	do	AB 27A 17335	AC 27A 5487	AC 27A 5487
750	200 series	AB 27A 17336	AC 27A 14439	
750	400 series	AB 27A 17335		AC 28A 14439

Issued in Washington, D.C., on December 15, 1966.

**JAMES F. RUDOLPH,**  
Acting Director,  
Flight Standards Service.

[F.R. Doc. 66-13703; Filed, Dec. 21, 1966; 8:45 a.m.]

**FEDERAL COMMUNICATIONS COMMISSION**

[ 47 CFR Part 73 ]

[Docket No. 16992]

**MINIMUM POWER REQUIREMENTS FOR FM BROADCAST STATIONS**

**Order Extending Time For Filing Comments and Reply Comments**

In the matter of amendment of §§ 73.211(a) and 73.211(d), minimum

power requirements for FM broadcast stations.

1. In a notice of proposed rule making issued in this proceeding on November 18, 1966, FCC 66-1052, the Commission invited comments on a proposal looking toward an increase in the minimum power for Class C FM stations to 50 kilowatts. December 19, 1966, and December 30, 1966, were designated as the dates for filing comments and replies, respectively.

2. On December 13, 1966, the National Association of Broadcasters filed a request for extension of time to file com-

ments until January 13, 1967. NAB asserts that it is currently studying the effects of the proposed rule in a sample area and that, due to the nearness of the holidays, it cannot complete this study in the time allotted. It further urges that since existing stations will be given 5 years in which to comply with the proposed rule, time is not actually of the essence. On December 14, 1966, the National Association of FM Broadcasters also filed a request for additional time of 60 days. The Association states that a number of FM stations in Zone II are interested in the proposed rule change but comments cannot be compiled and submitted on time. It urges the 60 day extension in view of the importance of the proposal to the industry and the Commission.

3. We are of the view that good cause has been shown for the requested extension of time for filing comments. Accordingly, it is ordered, This 14th day of December 1966, that the time for filing comments is extended to February 20, 1967 and the time for filing reply comments is extended to March 3, 1967.

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

Released: December 19, 1966.

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

[F.R. Doc. 66-13739; Filed, Dec. 21, 1966; 8:48 a.m.]



# Notices

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### BEAR RIVER UNIT

#### Notice of Public Hearing Regarding Wilderness Proposal

Notice is hereby given in accordance with provisions of the Wilderness Act of September 3, 1964 (P.L. 88-577; 78 Stat. 890, 892; 16 U.S.C. 1131, 1132), that a public hearing will be held beginning at 9 a.m. on February 21, 1967, at the Indian School Auditorium, Building 329, Seventh South between Third and Fourth East, Brigham City, Utah, on a proposal leading to a recommendation to be made to the President of the United States by the Secretary of the Interior, regarding the desirability of including the Bear River Unit in the National Wilderness Preservation System. The Unit, comprising approximately 39,936 acres within the Bear River Migratory Bird Refuge, lies entirely within Box Elder County, Utah.

A brochure containing a map and information about the Bear River Unit may be obtained from the Refuge Manager, Bear River Migratory Bird Refuge, Post Office Box 459, Brigham City, Utah 84302, or the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex 87103.

Individuals or organizations may express their oral or written views by appearing at this hearing, or they may submit written comments for inclusion in the official record to the Regional Director at the above address by March 21, 1967.

JOHN S. GOTTSCHALK,  
Director, Bureau of  
Sport Fisheries and Wildlife.

DECEMBER 20, 1966.

[F.R. Doc. 66-13754; Filed, Dec. 21, 1966;  
8:50 a.m.]

### Bureau of Land Management CALIFORNIA

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

DECEMBER 13, 1966.

The Corps of Engineers, Department of the Army, has filed an application on behalf of the Department of the Air Force, Serial Number R 296, for the withdrawal of lands from all forms of appropriation under the public land laws, including the mining laws and mineral leasing laws, subject to valid existing rights. The applicant desires the land for use by the Air Force Flight Test Center, Edwards Air Force Base, Calif., as an emergency landing and mission abort area in support of the X-15 flight testing program.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 1414 University Avenue, Post Office Box 723, Riverside, Calif. 92502.

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

The authorized officer will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the applicant agency.

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

The lands involved in the application are:

#### MOUNT DIABLO MERIDIAN, CALIFORNIA

- T. 30 S., R. 42 E.,  
Sec. 21, SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 22, SW $\frac{1}{4}$ ;  
Sec. 27, NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 28, NE $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ ;  
Sec. 33, E $\frac{1}{2}$ W $\frac{1}{2}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ .  
T. 31 S., R. 42 E.,  
Sec. 4, W $\frac{1}{2}$  of lot 2 of NE $\frac{1}{4}$ , lots 1 and 2 of NW $\frac{1}{4}$ , SW $\frac{1}{4}$ ;  
Sec. 5, E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 6, lot 2 of NE $\frac{1}{4}$ ;  
Sec. 9, N $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
Sec. 15, E $\frac{1}{2}$ SE $\frac{1}{4}$ .

The areas described, including both public and nonpublic lands, aggregate 1,962.36 acres.

WALTER F. HOLMES,  
Acting Manager.

[F.R. Doc. 66-13719; Filed, Dec. 21, 1966;  
8:47 a.m.]

[BLM 077860; Survey Group 47]

### LOUISIANA

#### Notice of Filing of Plat of Survey

DECEMBER 16, 1966.

The plat of dependent resurvey and accretion survey, including the lands de-

scribed below, was accepted on February 7, 1964. The plat will be officially filed in this office effective at 10 a.m., on January 23, 1967.

The lands are described as:

#### LOUISIANA MERIDIAN, LOUISIANA

T. 14 S., R. 11 E.,  
Sec. 26, lot 8 (24.27 acres), lot 9 (30.37 acres), lot 10 (8.95 acres).

The areas described aggregate 63.59 acres.

The plat represents the dependent resurveys of section 35 and the portion of section 26 situated south and west of Little Bayou Chene and Duck Lake; the survey of accreted lands within section 26 on the west side of Duck Lake not included in any previous survey; and the re-meander of the westerly bank of Duck Lake in section 35.

Subject to valid existing rights, the provisions of existing withdrawals, and applicable laws, rules, and regulations, the lands will be opened to petition application under the public land laws on the date and time specified above. The lands will not be subject to occupancy or disposition until they have been classified.

All inquiries relating to the lands should be sent to the Manager, Eastern States Land Office, Bureau of Land Management, 7981 Eastern Avenue, Silver Spring, Md. 20910.

DORIS A. KOIVULA,  
Manager, Land Office.

[F.R. Doc. 66-13718; Filed, Dec. 21, 1966;  
8:47 a.m.]

### CALIFORNIA

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

DECEMBER 15, 1966.

The Bureau of Indian Affairs, U.S. Department of the Interior, has filed an application, Serial Number S 188 for the proposed withdrawal of the lands described below, in aid of Legislation, subject to valid existing rights, from all forms of appropriation under the public land laws, including the mining and mineral leasing laws, and setting aside as an addition to the XL Ranch.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, U.S. Department of the Interior, Room 4201, U.S. Courthouse and Federal Building, 650 Capitol Mall, Sacramento, Calif. 95814.

The Department's regulations (43 CFR 2311.1-3(c)) provide that the authorized officer of the Bureau of Land Manage-



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

The authorizing officer will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the applicant agency.

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

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

The lands involved in the application are:

#### MOUNT DIABLO MERIDIAN

- T. 42 N., R. 13 E.,  
 Sec. 3, lot 4 and S $\frac{1}{2}$  NW $\frac{1}{4}$ ;  
 Sec. 4, lot 1.  
 T. 43 N., R. 13 E.,  
 Sec. 1, N $\frac{1}{2}$  NE $\frac{1}{4}$  (lots 1 and 2);  
 Sec. 22, SE $\frac{1}{4}$  SE $\frac{1}{4}$ ;  
 Sec. 25, SE $\frac{1}{4}$  NW $\frac{1}{4}$ ;  
 Sec. 26, SW $\frac{1}{4}$  SE $\frac{1}{4}$ ;  
 Sec. 27, SE $\frac{1}{4}$  NW $\frac{1}{4}$ ;  
 Sec. 28, NE $\frac{1}{4}$  SW $\frac{1}{4}$ ;  
 Sec. 32, SE $\frac{1}{4}$  SE $\frac{1}{4}$ ;  
 Sec. 34, SE $\frac{1}{4}$  NW $\frac{1}{4}$ .

The areas described aggregate 882.39 acres more or less in Modoc County.

R. J. LITTEN,  
 Chief, Lands Adjudication Section.

[F.R. Doc. 66-13728; Filed, Dec. 21, 1966;  
 8:47 a.m.]

#### UTAH

#### Certain Area Managers in Salt Lake District; Authority Delegation

In accordance with Bureau Order No. 701 dated July 24, 1964, as amended, the area managers of Box Elder, Rich, Lakeside, and West Desert Resource Areas of the Salt Lake District, Utah, are hereby authorized to perform in their respective areas, in accordance with existing policies, regulations, and procedures, and under the direct supervision of the district manager, functions of the Bureau of Land Management as listed below:

1. Trespass: Determine liability and accept payments for damages resulting from trespass on the public lands and dispose of resources recovered in trespass cases for not less than the appraised value thereof, limited to cases where values do not exceed \$100.

2. Resource management: Take all actions pertinent to issuance of licenses to graze or trail livestock on public lands; issue permits or cooperative agreements for construction or maintenance of range

improvements; dispose of forest products and other materials by sale or free use where the individual transaction does not involve values of over \$100.

3. General and miscellaneous matters: The area managers have full administrative responsibilities for their areas within the framework of the improved Annual Work Plan except as limited by administrative determination of the district manager on Bureau Form 1213-1, "District Office Authority and Responsibility Guide."

This order will become effective upon publication in the FEDERAL REGISTER.

Dated: December 15, 1966.

CYRIL L. JENSEN,  
 District Manager.

Approved:

R. D. NIELSON,  
 State Director.

[F.R. Doc. 66-13729; Filed, Dec. 21, 1966;  
 8:47 a.m.]

#### UTAH

#### Certain Area Managers in Kanab District; Authority Delegation

In accordance with Bureau Order No. 701 dated July 24, 1964, the area managers of Vermillion, Smokey Mountain, and Escalante River Resource Areas of the Kanab District, Utah, are hereby authorized to perform in their respective areas, in accordance with existing policies, regulations, and procedures, and under the direct supervision of the district manager, functions of the Bureau of Land Management as listed below:

1. Trespass: Determine liability and accept payments for damages from trespass on the public lands and dispose of resources recovered in trespass cases for not less than the appraised value thereof, limited to cases where values do not exceed \$100.

2. Resource management: Take all actions pertinent to issuance of licenses to graze or trail livestock on public lands; issue permits or cooperative agreements for construction or maintenance of range improvements; dispose of forest products and other materials by sale or free use where the individual transaction does not involve values of over \$100.

3. General and miscellaneous matters: The area managers have full administrative responsibilities for their areas within the framework of the approved Annual Work Plan except as limited by administrative determination of the district manager on Bureau Form 1213-1, "District Office Authority and Responsibility Guide."

This order will become effective upon publication in the FEDERAL REGISTER.

Dated: December 15, 1966.

DONALD G. GIPE,  
 District Manager.

Approved:

R. D. NIELSON,  
 State Director.

[F.R. Doc. 66-13730; Filed, Dec. 21, 1966;  
 8:48 a.m.]

#### National Park Service SHILOH NATIONAL MILITARY PARK Notice of Intention To Issue Concession Permit

Pursuant to the provisions of section 5, Public Law 89-249, public notice is hereby given that the Department of the Interior, through the Superintendent of Shiloh National Military Park, National Park Service, proposes, thirty (30) days after the date of publication of this notice, to issue for the period January 1, 1967, through December 31, 1971, the concession permit under which R. D. Shaw and A. B. Phillips provide concession facilities and services for the public in Shiloh National Military Park.

The foregoing concessioners have performed their obligations under a prior permit to the satisfaction of the National Park Service and, therefore, pursuant to the act cited above are entitled to be given preference in the renewal of the permit and in the negotiation of a new permit. However, under the act cited above the Service is also required to consider and evaluate all proposals received as a result of this notice.

Dated: November 21, 1966.

I. J. ELLSWORTH,  
 Superintendent of  
 Shiloh National Military Park.

[F.R. Doc. 66-13720; Filed, Dec. 21, 1966;  
 8:47 a.m.]

#### DEPARTMENT OF AGRICULTURE

Office of the Secretary

ILLINOIS

#### Designation and Extension of Areas for Emergency Loans

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

ILLINOIS

Mason.

It also has been determined that in the hereinafter-named counties in the State of Illinois natural disasters have caused a continuing need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

Illinois	Original designation
Adams	30 F.R. 7257
Henderson	30 F.R. 7257
Whiteside	30 F.R. 7257

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after June 30, 1967, except to applicants who previously received emergency or special



livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 19th day of December 1966.

ORVILLE L. FREEMAN,  
Secretary.

[F.R. Doc. 66-13748; Filed, Dec. 21, 1966;  
8:49 a.m.]

## DEPARTMENT OF COMMERCE

### Maritime Administration

[Report No. 77]

#### LIST OF FREE WORLD AND POLISH FLAG VESSELS ARRIVING IN CUBA SINCE JANUARY 1, 1963

SECTION 1. The Maritime Administration is making available to the appropriate Departments the following list of vessels which have arrived in Cuba since January 1, 1963, based on information received through December 12, 1966, exclusive of those vessels that called at Cuba on U.S. Government-approved noncommercial voyages and those listed in section 2. Pursuant to established U.S. Government policy, the listed vessels are ineligible to carry U.S. Government-financed cargoes from the United States.

#### FLAG OF REGISTRY AND NAME OF SHIP

FLAG OF REGISTRY AND NAME OF SHIP	Gross tonnage
Total, all flags (248 ships) ..	1,769,512
British (72 ships) ..	539,293
**Amalia (now Maltese).	
**Amazon River (now River—sold to Dutch breakers) ..	7,234
Antarctica ..	8,785
Arctic Ocean ..	8,791
**Ardenode (now Tynlee—Panamanian) ..	7,036
Ardgem ..	6,981
**Ardmore (now Kali Elpis—British) ..	4,664
**Ardpatrick (now Haringhata—Pakistani) ..	7,054
Ardrossmore ..	5,820
Ardrowan ..	7,300
**Ardsirod (sold Far East breakers) ..	7,025
**Ardstaffa (trip to Cuba under ex-name Inchstaffa—British).	
Ardtara ..	5,795
**Arlington Court (now Southgate—British).	
Athelcrown (tanker) ..	11,149
Athelduke (tanker) ..	9,089
Athelknight (tanker) ..	9,087
Athelmer (tanker) ..	7,524
Athelmonarch (tanker) ..	11,182
**Atheisultan (tanker—broken up) ..	9,149
Avisfalsh ..	7,868
Baxtergate ..	8,813

\*\*Ships appearing on the list that have been scrapped or have had changes in name and/or flag of registry.

#### FLAG OF REGISTRY AND NAME OF SHIP

FLAG OF REGISTRY AND NAME OF SHIP	Gross Tonnage
British—Continued	
Cheung Chau ..	8,566
Chipbee (sold for scrap) ..	7,271
**Cosmo Trader (trips to Cuba under ex-name, Ivy Fair—British).	
**Dairen (now Agate—Panamanian) ..	4,939
**East Breeze (now Phoenician Dawn—British).	
Eastfortune ..	8,789
**Elicos (broken up) ..	7,134
Formentor ..	8,424
Fortune Enterprise ..	7,284
**Free Enterprise (now Cypriot).	
**Free Merchant (now Cypriot).	
**Garthdale (now Jeb Lee—British) ..	7,542
**Grosvenor Mariner (now Red Sea—British) ..	7,026
Hazelmoor ..	7,907
Helka ..	2,111
Hemisphere ..	8,718
Ho Fung ..	7,121
**Inchstaffa (now Ardstaffa—British) ..	5,255
Inchstaart ..	7,043
Ivy Fair (now Cosmo Trader—British—broken up) ..	7,201
**Jeb Lee (trip to Cuba under ex-name, Garthdale—British).	
Jollity ..	8,660
**Kali Elpis (trips to Cuba under ex-name, Ardmore—British).	
Kinross ..	5,388
La Hortensia ..	9,486
Linkmoor ..	8,236
**Loradore (now Allartos—Greek) ..	8,078
Magister ..	2,339
Nancy Dee ..	6,597
Nebula ..	8,924
**Newdene (now Free Navigator—Cypriot).	
**Newforest (now Cypriot).	
Newgate ..	6,743
Newglade ..	7,368
**Newgrove (now Cypriot).	
Newheath ..	7,643
Newhill ..	7,855
Newlane ..	7,043
**Newmeadow (now Cypriot).	
Newmoat ..	7,151
Newmoor ..	7,168
Oceanramp ..	6,185
Oceantravel ..	10,477
Peony ..	9,037
**Phoenician Dawn (previous trips to Cuba under ex-name, East Breeze—British) ..	8,708
**Red Sea (previous trip to Cuba under ex-name, Grosvenor Mariner—British) ..	7,026
**Redbrook (now E. Evangelia—Greek) ..	7,388
Ruthy Ann ..	7,361
**St. Antonio (now Maltese).	
Sandsend ..	7,236
Santa Granda ..	7,229
Sea Amber ..	10,421
Sea Coral ..	10,421
Sea Empress ..	8,941
Seasage ..	4,330
Shlenfoon ..	7,127
**Shun Fung (wrecked) ..	7,148
**Soclyve (now Maltese).	
**Southgate (previous trips to Cuba under ex-name, Arlington Court—British) ..	9,662
Suva Breeze (now Cathay Trader—Panamanian) ..	4,970
**Swift River (now Kallithea—now Cypriot).	

#### FLAG OF REGISTRY AND NAME OF SHIP

FLAG OF REGISTRY AND NAME OF SHIP	Gross Tonnage
British—Continued	
**Timios Stavros (now Maltese flag—previous trips to Cuba—Greek).	
Venice ..	8,611
Vercharmian ..	7,265
Vermont ..	7,381
Yungfutary ..	5,388
Yunglutaton ..	5,414
Zela M ..	7,237
Lebanese (52 ships) ..	354,774
Aiolos II ..	7,256
Ais Giannis ..	6,997
**Akamas (now Cypriot).	
**Al Amin (now Fortune Sea—Panamanian) ..	7,186
Alaska ..	6,989
Anthas ..	7,044
Antonis ..	6,259
**Ares (constructive total loss) ..	4,557
Areti ..	7,176
Aristefs ..	6,995
Astir ..	5,324
**Athamas (now Cypriot) ..	4,729
**Carnation (sold Spanish breakers) ..	4,884
Claire ..	5,411
Cris ..	6,032
**E. Myrtilotissa (aground, trips to Cuba under ex-name, Kalliope D. Lemos—Lebanese).	
**Free Trader (now Cypriot).	
Giannis ..	5,270
Giorgos Tsakiroglou ..	7,240
Granikos ..	7,282
Ilena ..	5,925
Ioannis Aspiotis ..	7,297
**Kalliope D. Lemos (now E. Myrtilotissa—Lebanese) ..	5,103
Katerina ..	9,357
Leftric ..	7,176
Mantric ..	7,255
**Maria Despina (broken in two) ..	7,254
Maria Renee ..	7,203
Marichristina ..	7,124
**Marymark (sold German ship-breakers) ..	4,383
Mersinidi ..	6,782
Mousse ..	9,307
Nictic ..	7,296
Noelle ..	7,251
**Noemi (aground) ..	7,070
**Olga (now Greek) ..	7,199
Panagos ..	7,133
Parmarina ..	6,721
**Razani (broken up) ..	7,253
**Reneka (now San Carlo—Panamanian) ..	7,250
Rio ..	7,194
**St. Anthony (broken up) ..	5,349
St. Nicolas ..	7,165
San Spyridon ..	7,260
Stevo ..	7,066
Taxiarhis ..	7,349
Tertric ..	7,045
Theodoros Lemos ..	7,198
Tony ..	7,176
Toula ..	6,426
Troyan ..	7,243
Vassiliki ..	7,192
**Vastric (broken up) ..	6,751
Vergolivada ..	6,339
Yanxilas ..	10,051
Greek (33 ships) ..	249,946
Aglos Therapon ..	5,617
**Akastos (now Cypriot).	
**Allartos (trip to Cuba under ex-name, Loradore—British).	
Alice ..	7,189



FLAG OF REGISTRY AND NAME OF SHIP	Gross Tonnage	FLAG OF REGISTRY AND NAME OF SHIP	Gross Tonnage	FLAG OF REGISTRY AND NAME OF SHIP	Gross Tonnage
Greek—Continued		Cypriot (19 ships)-----	129,385	French (9 ships)-----	48,758
**Ambassade (sold Hongkong shipbreakers)-----	8,600	Acme-----	7,159	Arsinoe (tanker—sunk)-----	10,426
Americana-----	7,104	Adelphos Petrakis-----	7,170	Avranches-----	7,282
Anacreon-----	7,359	**Akamas (previous trips to Cuba—Lebanese)-----	7,285	Circe-----	2,874
**Anatoli (now Sunrise—Cypriot).		**Akastos (previous trip to Cuba—Greek)-----	7,331	Enee-----	1,232
**Andromachi (previous trips to Cuba under ex-name, Penelope—Greek)-----	6,712	**Aktor (sunk)-----	6,993	Foulaya-----	3,739
**Antonia (now Amfithea—Cypriot).		Amfiail-----	7,110	Mungo-----	4,820
Apollon-----	9,744	**Amfithea (previous trip to Cuba under ex-name, Antonia—Greek)-----	5,171	Nelee-----	2,874
Athanassios K.-----	7,216	**Amfitriti (trip to Cuba under ex-name, Marigo—Greek).		**Neve (now Drameoumar—Guinean)-----	852
Barbarino-----	7,084	Amon-----	7,299	Senanque (tanker)-----	14,659
Callopi Michalos-----	7,249	**Antonia II (trip to Cuba under ex-name, Stylianos N. Vlassopoulos—Greek).		Moroccan (5 ships)-----	35,828
**Embassy (broken up)-----	8,418	Artemida-----	7,247	Atlas-----	10,392
**E. Evangelia (trips to Cuba under ex-name, Redbrook—British).		**Athamas (trips to Cuba—Lebanese—broken up).		**Banora (sunk)-----	3,082
Etychia-----	10,865	El Toro-----	5,949	Marrakech-----	3,214
**Gloria (now Helen—Greek).		**Free Enterprise (previous trips to Cuba—British)-----	6,807	Mauritanie-----	10,392
**Helen (previous trips to Cuba under ex-name, Gloria—Greek)-----	7,128	**Free Merchant (previous trips to Cuba—British)-----	5,237	Toubkal-----	8,748
Irena-----	7,232	**Free Navigator (previous trips to Cuba under ex-name, Newdene—British)-----	7,181	Maltese (5 ships)-----	33,788
Istros II-----	7,275	**Free Trader (previous trips to Cuba—Lebanese)-----	7,067	**Amalia (previous trips to Cuba—British)-----	7,304
**Kapetan Kostis (broken up)-----	5,032	**Kallithea (previous trips to Cuba under ex-name, Swift River—British—broken up)-----	7,251	Ispahan-----	7,156
**Kyra Hariklia (broken up)-----	6,888	**Newforest (previous trips to Cuba—British)-----	7,185	**St. Antonio (broken up, previous trip to Cuba—British)-----	6,704
**Maria Theresa (now Ingrid Anne—South African)-----	7,245	**Newgrove (previous trips to Cuba—British and Haitian—constructive total loss)-----	7,172	**Soclyve (previous trips to Cuba—British)-----	7,291
**Marigo (now Amfitriti—Cypriot)-----	7,147	**Newmeadow (previous trips to Cuba—British—sunk)-----	5,654	Timios Stavros (previous trips to Cuba—British and Greek)-----	5,333
**Maroudio (now Thalle—Panamanian)-----	7,369	**Sunrise (previous trips to Cuba under ex-name, Anatoli—Greek)-----	7,187	Finnish (5 ships)-----	36,835
**Mastro-Stellos II (now Wendy H.—South African)-----	7,282	Italian (15 ships)-----	123,058	*Atlas-----	3,916
**Nicolaos F. (previous trip to Cuba, under ex-name, Nicolaos Frangistas—Greek)-----	7,199	Achille-----	6,950	Augusta Paulin-----	7,096
**Nicolaos Frangistas (now Nicolaos F.—Greek).		Agostino Bertani-----	8,380	**Hermla (trip to Cuba under ex-name, Amfred—Swedish).	
Nikolis M.-----	7,176	**Andrea Costa (tanker—broken up)-----	10,440	Margrethe Paulin-----	7,251
**Ogla (trips to Cuba—Lebanese).		**Aspromonte (broken up)-----	7,154	Ragni Paulin-----	6,823
Pantanassa-----	7,131	Caprera-----	7,189	Sword (tanker)-----	11,749
Paxol-----	7,144	Ella (tanker)-----	11,377	Netherlands (2 ships)-----	999
**Penelope (now Andromachi—Greek).		**Geremia (previous trips to Cuba under ex-name, Mariasusanna—Italian)-----	2,479	Melke-----	500
**Presvia (broken up)-----	10,820	Giuseppe Gulletti (tanker)-----	17,519	Tempo-----	499
Redestos-----	5,911	**Graziella Zeta (trips to Cuba under ex-name, Montiron—Italian).		Norwegian (2 ships)-----	10,002
Roula Maria (tanker)-----	10,608	**Mariasusanna (now Geremia—Italian).		Ole Bratt-----	5,252
**Serlios (broken up)-----	7,239	**Montiron (now Graziella Zeta—Italian)-----	1,595	**Tine (now Jezreel—Panamanian flag—wrecked)-----	4,750
Sophia-----	7,030	Nazareno-----	7,173	Swedish (2 ships)-----	9,318
**Stylianos N. Vlassopoulos (now Antonia II—Cypriot)-----	7,303	Nino Bixio-----	8,427	**Amfred (now Hermla—Finnish)-----	2,828
**Timios Stavros (formerly British flag—now Maltese).		San Francesco-----	9,284	**Dagmar (now Ball Mariner—Panamanian)-----	6,490
Tina-----	7,362	San Nicola (tanker)-----	12,461	Monaco (1 ship)-----	7,314
Western Trader-----	9,268	Santa Lucia-----	9,278	Saint Lys-----	7,314
Polish (18 ships)-----	136,680	**Somalia (now Chenchang—Nationalist Chinese)-----	3,352	Guinean:	
Baltyk-----	6,963	Yugoslav (8 ships)-----	53,534	**Drame Oumar (trip to Cuba under ex-name, Neve—French).	
Bialystok-----	7,173	Bar-----	7,233	Haitian:	
Bytom-----	5,967	Cetinje-----	7,200	**Newgrove (now Cypriot).	
Chopin-----	9,149	Dugi Otok-----	6,997	Nationalist Chinese:	
Chorzow-----	7,237	Kolasin-----	7,217	**Chenchang (trip to Cuba under ex-name, Somalia—Italian).	
Energetyk-----	10,843	Mojkovac-----	7,125	Pakistani:	
Huta Florian-----	7,258	Plod-----	3,657	**Haringhata (trip to Cuba under ex-name, Ardpatrick—British).	
Huta Labedy-----	7,221	Promina-----	6,960	**Maulabaksh (trips to Cuba under ex-name, Phoenician Dawn and East Breeze—British).	
Huta Ostrowiec-----	7,175	Trebinjica (wrecked)-----	7,145	Panamanian:	
Huta Zgoda-----	6,840			**Agate (trips to Cuba under ex-name, Dairien—British).	
Hutnik-----	10,897			**Ball Mariner (trips to Cuba under ex-name, Dagmar—Swedish).	
Kopalnia Bobrek-----	7,221			**Added to Rept. No. 76, appearing in the FEDERAL REGISTER issue of Nov. 16, 1966.	
Kopalnia Czladz-----	7,252				
Kopalnia Miecchowice-----	7,223				
Kopalnia Siemianowice-----	7,165				
Kopalnia Wujek-----	7,033				
Piast-----	3,184				
Transportowiec-----	10,880				

\*\*Ships appearing on the list that have been scrapped or have had changes in name and/or flag of registry.



FLAG OF REGISTRY AND NAME OF SHIP  
Gross Tonnage

Panamanian—Continued

\*\*Cathay Trader (trips to Cuba under ex-name, Suva Breeze—British).

\*\*Fortune Sea (trips to Cuba under ex-name, Al Amin—Lebanese).

\*\*Jezreel (trip to Cuba under ex-name, Tine—Norwegian—wrecked).

\*\*San Carlo (trip to Cuba under ex-name, Reneka—Lebanese—broken up).

\*\*Thalie (trip to Cuba under ex-name, Maroudio—Greek).

\*\*Tynlee (trip to Cuba under ex-name, Ardenode—British).

South African:

\*\*Ingrid Anne (trip to Cuba under ex-name, Maria Theresa—Greek).

\*\*Wendy H. (trip to Cuba under ex-name, Mastro-Stellos II—Greek).

SEC. 2. In accordance with approved procedures, the vessels listed below which called at Cuba after January 1, 1963, have reacquired eligibility to carry U.S. Government-financed cargoes from the United States by virtue of the persons who control the vessels having given satisfactory certification and assurance:

(a) That such vessels will not, thenceforth, be employed in the Cuba trade so long as it remains the policy of the U.S. Government to discourage such trade; and

(b) That no other vessel under their control will thenceforth be employed in the Cuba trade, except as provided in paragraph (c); and

(c) That vessels under their control which are covered by contractual obligations, including charters, entered into prior to December 16, 1963, requiring their employment in the Cuba trade shall be withdrawn from such trade at the earliest opportunity consistent with such contractual obligations.

FLAG OF REGISTRY AND NAME OF SHIP  
Gross Tonnage

a. Since last report:

Greek (1 ship):  
Flora M. (now Liberian)..... 7,244

Lebanese (3 ships):  
Dimos..... 7,187  
Georgios M. II..... 5,028  
Malou..... 7,145

Yugoslav (1 ship):  
Cavtat (now Sheikh Boutros—Lebanese)..... 7,266

b. Previous reports:

Flag of registry (total)..... 98

British..... 41  
Cypriot..... 2  
Danish..... 1  
Finnish..... 2  
French..... 1  
German (West)..... 1  
Greek..... 26  
Israeli..... 1  
Italian..... 5  
Japanese..... 1  
Kuwaiti..... 1  
Lebanese..... 5

\*\*Ships appearing on the list that have been scrapped or have had changes in name and/or flag of registry.

FLAG OF REGISTRY AND NAME OF SHIP  
Number of ships

Norwegian..... 4  
Spanish..... 6  
Swedish..... 1

SEC. 3. The ships listed in sections 1 and 2 have made the following number of trips to Cuba since January 1, 1963, based on information received through December 12, 1966.

Flag of registry	Number of trips									Total
	1963	1964	1965	1966					Total	
				Jan.-June	July	Aug.	Sept.	Oct.		
British.....	133	180	126	58	12	8	8	2	7	534
Lebanese.....	64	91	58	18	2	1	1			235
Greek.....	99	27	23	16	3	3	2	2	1	176
Italian.....	16	20	24	7		1	2			71
Yugoslav.....	12	11	15	6	3	1				48
Cypriot.....		1	17	20	1		1	3		43
French.....	8	9	9	1	1	1	4		1	24
Spanish.....	8	17								25
Norwegian.....	14	10								24
Moroccan.....	9	13	1							23
Finnish.....	1	4	5	6	1		1		2	20
Maltese.....		2	6	1						9
Netherlands.....		4	2							6
Swedish.....	3	3								6
Kuwaiti.....		2	1							3
Israeli.....			2							2
Danish.....	1									1
German (W).....	1									1
Haitian.....			1							1
Japanese.....	1									1
Monaco.....				1						1
Subtotal.....	370	394	290	134	23	15	19	7	12	1,264
Polish.....	18	16	12	6	1		1	1		55
Grand total.....	388	410	302	140	24	15	20	8	12	1,319

NOTE: Trip totals in this section exceed ship totals in secs. 1 and 2 because some of the ships made more than 1 trip to Cuba. Monthly totals subject to revision as additional data become available.

By order of the Acting Maritime Administrator.

Dated: December 15, 1966.

JAMES S. DAWSON, JR.,  
Secretary.

[F.R. Doc. 66-13743; Filed, Dec. 21, 1966; 8:49 a.m.]

[Docket No. S-204]

DELTA STEAMSHIP LINES, INC.

Notice of Application

Notice is hereby given that Delta Steamship Lines, Inc. has filed application dated December 12, 1966, for written permission under section 805(a) of the Merchant Marine Act, 1936, as amended, to permit its owned vessel, the SS "Del Norte," or substitute to load 300 tons of steel pipe during the first week of January 1967, from New Orleans, La., for San Juan, P.R.; its SS "Del Aires," or substitute to load 750 tons of creosoted poles during the second half of January 1967, from Pensacola, Fla., for San Juan; and its SS "Del Rio," or substitute, to load 900 tons of pipe during the second half of January from New Orleans for San Juan.

Interested parties may inspect this application in the Office of the Secretary, Maritime Administration, Room 3041, GAO Building, 441 G Street NW., Washington, D.C.

Any person, firm or corporation having any interest (within the meaning of section 805(a)) in such application and desiring to be heard on issues pertinent to section 805(a) or submit a written statement with reference to the application must, before the close of business on December 28, 1966, make such submission or notify the Secretary, Maritime

Subsidy Board/Maritime Administration in writing, in triplicate, and file petition for leave to intervene which shall state clearly and concisely the grounds of interest, and the alleged facts relied on for relief. Notwithstanding anything in § 201.78 of the rules of practice and procedure, Maritime Subsidy Board/Maritime Administration (46 CFR 201.78) petitions for leave to intervene received after the close of business December 28, 1966, will not be granted in this proceeding.

If no petitions for leave to intervene are received within the specified time, or if it is determined that petitions filed do not demonstrate sufficient interest to warrant a hearing, the Maritime Subsidy Board/Maritime Administration will take such action as may be deemed appropriate.

In the event petitions are received from parties with standing to be heard on the application, a hearing will be held January 4, 1967, at 10 a.m. in Room 4519, General Accounting Office Building, 441 G Street NW., Washington, D.C. The purpose of the hearing will be to receive evidence under section 805(a) relative to whether the proposed operation (a) could result in unfair competition to any person, firm, or corporation operating exclusively in the coastwise or intercoastal service or (b) would be prejudicial to the objects and policy of the Act.



By order of the Maritime Subsidy Board/Maritime Administration.

Dated: December 19, 1966.

JAMES S. DAWSON, JR.,  
Secretary.

[F.R. Doc. 66-13744; Filed, Dec. 21, 1966;  
8:49 a.m.]

## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of the Secretary

### STATEMENT OF ORGANIZATION AND DELEGATION OF AUTHORITY

#### Handling of Claims

The Statement of Organization and Delegation of Authority of the Department of Health, Education, and Welfare (22 F.R. 1045), Part 2 thereof entitled, "Office of the Secretary" under the heading, "Office of the General Counsel," as amended by 26 F.R. 187 and 30 F.R. 14225, is hereby amended in the following respects:

Section 2-300-40A.1 is revised to read:

1. As the designee of the Secretary for the purpose, to perform the duties and exercise the authority vested in him by the tort claims procedure chapter (Ch. 171, Title 28, U.S.C.) of the Federal Tort Claims Act (73 Stat. 7472), as amended, the Military Personnel and Civilian Employees' Claims Act of 1964 (78 Stat. 676), as amended, and by the Federal Claims Collection Act of 1966 (80 Stat. 309), (hereinafter referred to as the Statutes).

Section 2-300-40A.2 is revised to read:

2. To formulate, prescribe, and issue rules, regulations, procedures, and instructions for investigating, collecting evidence, reporting, processing, and otherwise handling throughout the Department, claims and situations out of which claims or suits may arise under the Statutes, and situations of the character contemplated by any law out of which claims or suits by the Government for damage to Government property may arise.

Dated: December 14, 1966.

[SEAL] WILBUR J. COHEN,  
Acting Secretary.

[F.R. Doc. 66-13740; Filed, Dec. 21, 1966;  
8:49 a.m.]

## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Secretary

### REGIONAL ADMINISTRATORS AND DEPUTY REGIONAL ADMINISTRATORS

#### Redelegations of Authority

The redelegations of authority by the Assistant Secretary for Renewal and Housing Assistance to Regional Admin-

istrators and Deputy Regional Administrators with respect to the college housing program and the program of housing for the elderly or handicapped effective July 1, 1966 (31 F.R. 8969, June 29, 1966), are hereby amended under section A, *Authority Redelegated With Respect to Specific Programs*, 1c and 2d, by deleting "the Regional Director of Community Facilities" and inserting "one or more employees under his jurisdiction".

*Effective date.* This amendment of redelegations of authority shall be effective as of November 9, 1966.

DON HUMMEL,  
Assistant Secretary for  
Renewal and Housing Assistance.

[F.R. Doc. 66-13745; Filed, Dec. 21, 1966;  
8:49 a.m.]

## ATOMIC ENERGY COMMISSION

STATE OF WASHINGTON

### Discontinuance of Certain Commission Regulatory Authority and Responsibility Within the State

Notice is hereby given that Wilfrid E. Johnson, Commissioner, on behalf of the Atomic Energy Commission and Daniel J. Evans, Governor of the State of Washington, have signed the Agreement below for discontinuance of certain Commission regulatory authority. The Agreement is published in accordance with the requirements of Public Law 86-373 (Sec. 274 of the Atomic Energy Act of 1954, as amended). The exemptions from the licensing requirements of Chapters 6, 7, and 8 of the Atomic Energy Act are contained in Part 150 of the Commission's regulations (10 CFR Part 150) in FEDERAL REGISTER issuances of February 14, 1962, 27 F.R. 1351; September 22, 1965, 30 F.R. 12069; and March 19, 1966, 31 F.R. 4668.

Dated at Washington, D.C., this 16th day of December 1966.

For the Atomic Energy Commission.

W. B. McCool,  
Secretary.

*Agreement Between the U.S. Atomic Energy Commission and the State of Washington for Discontinuance of Certain Commission Regulatory Authority and Responsibility Within the State Pursuant to Section 274 of the Atomic Energy Act of 1954, as Amended*

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

Whereas, the Governor of the State of Washington is authorized under Revised Code of Washington 70.98.110 to enter into this Agreement with the Commission; and

Whereas, the Governor of the State of Washington certified on October 3, 1966, that the State of Washington (hereinafter referred to as the State) has a program for the control of radiation hazards adequate to protect the public health and safety with respect to the materials within the State covered by this Agreement, and that the State desires to assume regulatory responsibility for such materials; and

Whereas, the Commission found on November 16, 1966, that the program of the State for the regulation of the materials covered by this Agreement is compatible with the Commission's program for the regulation of such materials and is adequate to protect the public health and safety; and

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

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

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

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

#### ARTICLE I

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

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

#### ARTICLE II

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

- A. The construction and operation of any production or utilization facility;
- B. The export from or import into the United States of byproduct, source, or special nuclear material, or of any production or utilization facility;
- C. The disposal into the ocean or sea of byproduct, source, or special nuclear waste materials as defined in regulations or orders of the Commission;



D. The disposal of such other byproduct, source, or special nuclear material as the Commission from time to time determines by regulation or order should, because of the hazards or potential hazards thereof, not be so disposed of without a license from the Commission.

#### ARTICLE III

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

#### ARTICLE IV

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

#### ARTICLE V

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

#### ARTICLE VI

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

#### ARTICLE VII

The Commission, upon its own initiative after reasonable notice and opportunity for hearing to the State, or upon request of the Governor of the State, may terminate or suspend this Agreement and

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

#### ARTICLE VIII

This Agreement shall become effective on December 31, 1966, and shall remain in effect unless, and until such time as it is terminated pursuant to Article VII.

Done at Richland, State of Washington, in triplicate, this 6th day of December 1966.

For the United States Atomic Energy Commission.

[SEAL] WILFRID E. JOHNSON,  
Commissioner.

For the State of Washington.

[SEAL] DANIEL J. EVANS,  
Governor.

[F.R. Doc. 66-13694; Filed, Dec. 21, 1966;  
8:45 a.m.]

[Docket No. 27-44]

### NUCLEAR DIAGNOSTIC LABORATORIES, INC.

#### Notice of Proposed Issuance of Byproduct and Source Material License

Please take notice that the Atomic Energy Commission is considering the issuance of a license, set forth below, which would authorize Nuclear Diagnostic Laboratories, Inc., 1000 Lower South Street, Peekskill, N.Y., to receive and possess packaged waste byproduct and source material in any State of the United States except in agreement States as defined in § 150.3(b), 10 CFR Part 150.

Within fifteen (15) days from the date of publication of this notice in the FEDERAL REGISTER, any person whose interest may be affected by this proceeding may file a petition for leave to intervene. Requests for a hearing and petitions to intervene shall be filed in accordance with the Commission's regulations, (10 CFR Part 2). If a request for a hearing or a petition for leave to intervene is filed within the time prescribed in this notice, the Commission will issue a notice of hearing or an appropriate order.

For further details with respect to this proceeding see: (1) The application and amendments thereto and (2) the related memorandum prepared by the Division of Materials Licensing, all of which are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. 20545.

A copy of Item 2 above may be obtained at the Commission's Public Document Room, or upon request to the Atomic Energy Commission, Washington, D.C. 20545, Attention: Director of Materials Licensing.

Dated at Bethesda, Md., December 15, 1966.

For the Atomic Energy Commission.

J. A. McBRIDE,  
Director,  
Division of Materials Licensing.

BYPRODUCT AND SOURCE MATERIAL LICENSE

[License No. 31-12000-1]

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 dated April 22, 1966, and amendments thereto dated August 10, 1966, and November 21, 1966, comply with the requirements of the Atomic Energy Act of 1954, as amended, and are for a purpose authorized by that Act.

Byproduct and Source Material License No. 31-12000-1 is hereby issued to read as follows:

Pursuant to the Atomic Energy Act of 1954, as amended, 10 CFR 30, "Rules of General Applicability to Licensing of Byproduct Material," and 10 CFR 40, "Licensing of Source Material," a license is hereby issued to Nuclear Diagnostic Laboratories, Inc., 1000 Lower South Street, Peekskill, N.Y., to receive and possess packages containing waste byproduct and source material in any State of the United States except in "agreement States" as defined in section 150.3(b), 10 CFR 150.

This license shall be deemed to contain the conditions specified in section 183 of the Atomic Energy Act of 1954, as amended, and is subject to the provisions of 10 CFR 20, "Standards for Protection Against Radiation," all other applicable rules, regulations, orders of the Atomic Energy Commission now or hereafter in effect, and to the following conditions:

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

A. 1,000 curies of byproduct material with Atomic Numbers 3-83, inclusive.

B. 1,000 curies of hydrogen 3.

C. 15,000 pounds of source material.

2. Except as specifically provided otherwise by this license, the licensee shall receive and possess byproduct and source material in accordance with the radiological safety procedures and limitations contained in the application dated April 22, 1966, and amendments thereto dated August 10, 1966, and November 21, 1966.

3. Packages containing byproduct and source material shall be received and handled by Mr. Carl J. Collica and persons who successfully complete the training program described in the application.

4. The licensee shall not store byproduct and source material in any of the States in which the licensee is authorized to receive and possess such material under the terms of this license.

5. The licensee shall receive byproduct and source material in containers which meet the requirements for transportation as specified in Condition 6, of this license. The containers shall not be opened by the licensee.

6. The transportation of AEC-licensed material shall be subject to all applicable regulations of the Interstate Commerce Commission, U.S. Coast Guard, Federal Aviation Agency, and other agencies of the United States having jurisdiction.



When Interstate Commerce Commission regulations are not applicable to shipments by land of AEC-licensed material by reason of the fact that the transportation does not occur in interstate or foreign commerce, (1) the transportation shall be in accordance with the requirements relating to packaging of radioactive material, marking and labeling of the package, placarding of the transportation vehicle, and accident reporting set forth in the regulations of the Interstate Commerce Commission in §§ 73.391-73.395, 49 CFR Part 73, "Regulations Applying to Shippers," and §§ 77.832, 77.860 (c) and (d), 49 CFR Part 77, "Regulations Applying to Shipments Made by Way of Common, Contract, or Private Carriers by Public Highways," and (2) any requests for modifications or exceptions to those requirements, any requests for special approvals referred to in those requirements, and any notifications referred to in those requirements shall be filed with, or made to, the Atomic Energy Commission.

This license shall be effective on the date issued and shall expire two (2) years from the last day of the month in which this license is issued.

Date of issuance:

For the Atomic Energy Commission.

Director,  
Division of Materials Licensing.

MEMORANDUM BY THE DIVISION OF MATERIALS LICENSING

By application dated April 22, 1966, as amended August 10, 1966, and November 21, 1966, Nuclear Diagnostic Laboratories, Inc., 1000 Lower South Street, Peekskill, N.Y., has applied for a byproduct and source material license which would authorize Nuclear Diagnostic Laboratories, Inc., to receive and possess packaged waste byproduct and source material in any State of the United States except in agreement States as defined in Section 150.3(b), 10 CFR 150.

Nuclear Diagnostic Laboratories, Inc., will receive only prepackaged radioactive waste materials at its customers' facilities. The headquarters of Nuclear Diagnostic Laboratories, Inc., is in New York State where it operates under a license granted by the State. Accordingly, this AEC license does not authorize any storage of packages by Nuclear Diagnostic Laboratories, Inc. The operations to be conducted by the prospective licensee will be under the supervision of Mr. Carl J. Collica. The training and experience of Mr. Collica have been described in a memorandum dated October 14, 1965, by the Division of Materials Licensing in connection with the proposed issuance of a license to Atomic Disposal Company, Inc., Matteson, Ill.

Nuclear Diagnostic Laboratories, Inc., has established a training program which will be taught by Mr. Collica and will consist of on-the-job training in the use of instrumentation, personnel monitoring equipment, radiation detection instruments for surveys, and accompaniment by qualified persons when receipt of packages at customers' facilities is made. The Commission has found that the training program is adequate for the operations to be conducted by Nuclear Diagnostic Laboratories, Inc.

Nuclear Diagnostic Laboratories, Inc., will have instrumentation appropriate for the operations to be conducted. Instrumentation will include survey meters and scalars for surveys and quantitative measurements. Personnel involved in operations will be issued film badges and pocket dosimeters to determine radiation exposures. The radiation detection equipment and personnel monitoring equipment are adequate for the proposed program.

Nuclear Diagnostic Laboratories, Inc., has prepared adequate procedures for receipt and handling of the packaged waste material. These procedures include instructions to personnel who will pick up containers at customers' facilities, use of personnel monitoring equipment, use of radiation detection equipment, performance of surveys, and emergency procedures.

The packages containing waste byproduct and source material may not be opened or stored by Nuclear Diagnostic Laboratories, Inc., in any of the States in which the license would be valid. Accordingly, we have concluded that the applicant's equipment, personnel, and procedures are adequate to protect health and minimize danger to life or property.

[F.R. Doc. 66-13695; Filed, Dec. 21, 1966; 8:45 a.m.]

## CIVIL AERONAUTICS BOARD

[Docket No. 16236; Order No. E-24528]

### IATA JOINT CONFERENCES

#### Agreement Regarding Specific Commodity Rates

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 16th day of December 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-48 through R-51.

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 IATA letters dated November 22, and December 1, 1966,<sup>1</sup> as set forth in the attachment hereto,<sup>2</sup> (1) names a rate under a new commodity description, and (2) names new rates under existing commodity descriptions. The new rates reflect reductions ranging from 26.9 to 73.8 percent and are consistent with the present level of specific commodity rates within the applicable areas. Additionally, the agreement cancels the expiry date for the rate from Delhi to New York under commodity item 2370—Mufflers and Scarves.<sup>3</sup>

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-48 through R-51, be

<sup>1</sup> Received in the Board Nov. 25, and Dec. 6, 1966, respectively.

<sup>2</sup> Attachment filed as part of original document.

<sup>3</sup> R-48.

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]

MABEL McCART,  
Acting Secretary.

[F.R. Doc. 66-13731; Filed, Dec. 21, 1966; 8:48 a.m.]

## FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 16737, 16738; FCC 66M-1713]

### ADIRONDACK TELEVISION CORP. AND NORTHEAST TV CABLEVISION CORP.

#### Order Rescheduling Hearing

In re applications of Adirondack Television Corp., Albany, N.Y., Docket No. 16737, File No. BPCT-3511; Northeast TV Cablevision Corp., Albany, N.Y., Docket No. 16738, File No. BPCT-3635; for construction permit for new television broadcast station (Channel 23).

Upon joint oral motion of the parties: *It is ordered*, This 16th day of December 1966, that the hearing in the above-entitled matter now scheduled for January 4, 1967 is hereby rescheduled to commence at 9 a.m., January 20, 1967, in the Commission's offices, Washington, D.C.

Released: December 16, 1966.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL]

BEN F. WAPLE,  
Secretary.

[F.R. Doc. 66-13732; Filed, Dec. 21, 1966; 8:48 a.m.]

[Docket Nos. 17041, 17042]

### ALBERT I. CHANCE ET AL.

#### Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of Albert I. Chance and Virginia C. Chance, joint tenants, Stockton, Calif., Docket No. 17041, File No. BPH-5426; Requests: 99.3 mc, No. 257; 3 kw(H); 3 kw(V); 203.5 ft.; Joseph Gamble Stations, Inc., Stockton, Calif., Docket No. 17042, File No. BPH-5471; Requests: 99.3 mc, No. 257; 3 kw(H); 3 kw(V); 186.8 ft.; for construction permits.



1. The Commission, by Chief, Broadcast Bureau, under delegated authority considered the above captioned and described applications for construction permit on December 15, 1966.

2. These applications are mutually exclusive in that operation by the applicants as proposed would cause mutual destructive interference.

3. Consideration of the programming proposals is required because of the substantial and material difference between the proposals in the amount of AM programming to be duplicated. Joseph Gamble Stations, Inc. proposes to duplicate its companion AM station, KJOY, 69 hours out of a broadcast week of 162.5 hours or approximately 42.5 percent of the time while Albert I. Chance and Virginia Chance, joint tenants, propose independent programming. Therefore programming evidence will be admissible under the standard comparative issue.

4. Each of the applicants is qualified to construct and operate as proposed. However, because of their mutual exclusivity, the Commission is unable to make the statutory finding that a grant of the subject applications would serve the public interest, convenience, and necessity, and is of the opinion that they must be designated for hearing in a consolidated proceeding on the issues set forth below.

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

1. To determine which of the proposals would better serve the public interest.

2. To determine in the light of the evidence adduced pursuant to the foregoing issue, which of the applications for construction permit should be granted.

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

*It is further ordered*, That the applicants herein shall, pursuant to section 311(a) (2) of the Communications Act of 1934, as amended, and § 1.594 of the Commission's rules, give notice of the hearing, either individually or, if feasible and consistent with the rules, jointly, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.594(g) of the rules.

Released: December 19, 1966.

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

[F.R. Doc. 66-13733; Filed, Dec. 21, 1966;  
8:48 a.m.]

[Docket No. 16110, etc.; FCC 66R-501]

### CIRCLE L, INC., ET AL.

#### Memorandum Opinion and Order Enlarging Issues

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.

1. The above-captioned applications were designated for hearing by Commission order FCC 65-630 released July 21, 1965. On August 9, 1965, WGN Continental Broadcasting Co., the licensee of Class I-A Clear Channel standard broadcast station WGN, Chicago, Ill., filed a motion to enlarge issues in this proceeding. WGN requested that the issues in the proceeding be modified in a number of respects. It is of particular concern to the matter now before us that WGN requested the Board to add an issue concerning the financial qualifications of Albert John Williams and Jack M. Reeder, doing business as Radio Nevada. Upon consideration of that petition, the Board found in its memorandum opinion and order, FCC 66R-20, 2 FCC 2d 338 (1966), that Radio Nevada had established its financial qualifications and the WGN petition to add a financial qualifications issue was denied. It is noted, however, that in order to find WGN qualified it was necessary to take into account potential revenue for the proposed station in the amount of \$25,600.

2. On September 28, 1966, WGN again filed a motion to enlarge the issues in this proceeding by adding a financial qualifications issue as to Radio Nevada.<sup>1</sup> In its motion WGN observes that on August 25, 1966, Radio Nevada filed a petition for leave to amend its application to reflect the filing of an application by Tel-America Corp. (a wholly owned subsidiary of Trans-America Broadcasting Corp., which company is wholly owned by Albert John Williams, one of the partners in Radio Nevada) for assignment of license and construction permit of UHF television broadcast station KAIL-TV, Fresno, Calif., from B. L. Golden and L. W. Fawns to Tel-America Corp. WGN argues that in view of the close question as to the financial qualifications of Radio Nevada and the new undertaking proposed by Williams through Tel-America's contract to acquire and modify UHF television station KAIL in Fresno, a financial qualifications issue as to Radio Nevada must be added

<sup>1</sup> Also before the Board are the Broadcast Bureau's comments on motion to enlarge issues, filed Oct. 18, 1966; Radio Nevada's opposition to WGN motion to enlarge issues, filed Oct. 25, 1966; and reply to opposition, filed Nov. 14, 1966, by WGN Continental Broadcasting Co.

in this proceeding. To emphasize its point, WGN contends that the proposed KAIL transaction will be financed by funds from essentially the same sources as those which will provide the funds for Radio Nevada's proposed station at Las Vegas. WGN reasons that since both the Las Vegas AM proposal and the Fresno UHF proposal involve essentially the same parties (Williams and Reeder), in order to establish the financial qualifications of Radio Nevada the principals must demonstrate that they have funds available to accomplish both proposals. WGN then concludes that since virtually all of Williams' assets would be required to effectuate his Las Vegas proposal, it would be impossible for him to meet his commitments to the Fresno proposal. In these circumstances, WGN argues, the financial qualifications issue must be added.

3. The Broadcast Bureau in its comments takes the position that the WGN motion must be dismissed pursuant to the requirements of § 1.29 of the Commission's rules since WGN has not made the "good cause" showing required to justify the untimely filing of its pleading. The Bureau nevertheless takes the position that the motion raises a question of sufficient importance to require consideration on the Board's own motion. Moreover, the Bureau urges that the facts before the Board warrant inclusion of the proposed financial qualifications issue.

4. Radio Nevada opposes the motion arguing that subsequent to the Board's consideration of its financial qualifications in January of 1966, the financial position of Williams has substantially improved, and that as of October 25, 1966, Radio Nevada submitted an amendment to its application which revised the anticipated cost of construction and first year operation, clarified its financial proposal, and submitted as an exhibit a copy of an amendment to its KAIL transfer proposal which revised the proposed financing for that undertaking.<sup>2</sup>

5. With respect to the Bureau's contention that WGN has not succeeded in showing good cause to justify its late filed motion, we note that WGN could not have known of Williams' and Reeder's commitments to the KAIL proposal prior to August 16, 1966. In view of the involved nature of the interrelationships between the KAIL proposal and the Radio Nevada proposal, it cannot be said that WGN did not proceed with due diligence after learning of the changed circumstances. The Bureau's suggestion that a 15-day standard (since that is the time permitted after the publication of issues for filing motions to enlarge without a showing of good cause) must also be applied in situations where there is a question of whether good cause exists for the late filing of the motion is not appropriate in these circumstances. The 15-day period established by the rule is designed to accomplish the expeditious

<sup>2</sup> This amendment plus a supplement filed Nov. 2, 1966, were approved by the Examiner's Order FCC 66M-1499 released Nov. 8, 1966.



disposition of Commission business and presupposes that the application under attack has been on file for an indefinite time prior to its designation for hearing. In circumstances present here we cannot say that the 6 weeks expended by WGN after it first learned of the KAIL proposal establishes a lack of due diligence on WGN's part; in view of all the circumstances, the Board believes that WGN has made the necessary showing of good cause for consideration of the motion to enlarge issues on its merits.

6. Since the principals involved in the Radio Nevada proposal and those involved in the KAIL UHF-TV proposal are the same, we must consider the funds required for both and test the ability of the applicants to meet this requirement (Nelson Broadcasting Co., FCC 64R-405, 4 RR 2d 87 (1964)). Moreover, since Trans-America Broadcasting Corp. is a company wholly owned by Albert J. Williams<sup>2</sup> and Williams has committed all of his personal assets to these enterprises, we will for the purpose of determining funds available, consider the assets of Trans-America Corp. together with the personal assets of Williams and the assets committed to the projects by Reeder.

7. In our earlier memorandum opinion and order we found that Radio Nevada would require a cash outlay of \$283,500 for construction and the first year of operation. However, in its most recent amendment Radio Nevada submits a cash requirement figure of \$258,375 for construction and the first year of operation for its proposed Las Vegas operation.<sup>4</sup> These figures are documented by adequate exhibits and will be accepted by the Board. The KAIL UHF-TV proposal will require a cash outlay of \$284,281.<sup>5</sup> Thus to accomplish both proj-

<sup>2</sup>It appears that Reeder intends to acquire 20 percent of the stock in Trans-America Broadcasting Corp. after a new issue by that company is approved by the California Corporations Commissioner. However, it is not alleged that Tel-America is dependent upon funds from this source, or even that Reeder has committed himself in the foregoing respect.

<sup>4</sup>WGN has questioned this figure in view of the necessity for the partners to perform duties at Las Vegas, Nev., Inglewood, Calif., and Fresno, Calif., since the communities involved are some distance apart. However, the matters raised are entirely speculative and for the most part minor details in implementing the overall proposal. Thus, they do not materially detract from the validity of the Radio Nevada figures.

<sup>5</sup>The Bureau in its comments had used the figure \$333,448 as a cash outlay figure for the Fresno UHF proposal and both Radio Nevada and WGN accept it as valid. However, this figure includes a sum of \$49,167 which will be paid during the first year as principal and interest to the United California Bank on a \$125,000 loan. In order to be consistent with the procedure used with respect to the Las Vegas proposal, we have subtracted the \$49,167 payment figure to arrive at an expenditure sum of \$284,281. In calculating funds available, we will reduce the \$125,000 loan by \$49,167.

ects the principals will require a total of \$542,656. To meet this cash requirement, Jack M. Reeder has committed \$58,106,<sup>6</sup> and Albert John Williams will make available up to \$279,047.<sup>7</sup> Thus the two principals have established their ability to make available a total of \$337,153. In addition they have established that two loans available to them from the United California Bank will respectively net first year cash of \$33,500 and \$75,833, for a total of \$109,333. This added to the capital contribution of the principals equals \$446,486 available to meet anticipated first year cash requirements of \$542,656, \$96,170 short of the anticipated first year's expenditures. The amended applications indicate that Williams is relying upon \$100,000 in anticipated revenues from station KAIL during its first year of operation,<sup>8</sup> as well as income from the Las Vegas proposal.

8. In the foregoing connection we note that in the Ultravision case (Ultravision Broadcasting Co., 5 RR 2d 343 (1965)),

<sup>6</sup>Reeder has submitted current financial data. As of July 6, 1966, his assets consisted of cash, \$18,346.60; listed securities, \$12,262.50; and funds to be made available through refinancing his home in Pasadena, Calif., in the amount of \$27,498. This latter figure is based upon an appraisal by Mr. Einar C. Matson (an Inglewood, Calif., real estate loan broker) that the home has a market value of \$38,500 and a conservative loan value of \$30,800, from which must be subtracted the amount due as of July 6, 1966, on an existing mortgage. The situation is distinguishable from the situation in Nelson Broadcasting Co., supra. There the partners relied upon funds from the sale of their homes; here it is only a matter of refinancing. While it would have been better practice for Reeder to dispel all doubts by providing a firm loan commitment, no one has challenged the expertise of the appraiser and the sum appears reasonable. Accordingly, we will assume that Reeder can produce \$27,498 by refinancing his home.

<sup>7</sup>The assets upon which Williams relies consist of cash and listed securities held in the name of John Albert Williams or Trans-America Broadcasting Corp., a company which is wholly owned by Williams, \$248,669; accounts due and receivable to Trans-America, \$17,000 (the book value of accounts receivable to Trans-America was as of June 30, 1966, \$23,300); cash from refinancing home, \$19,948 (Einar C. Matson, an Inglewood real estate loan broker appraised Williams' Los Angeles home as having a conservative market value of \$44,500 and a conservative loan value of \$35,600. No one has questioned his expertise. See note 6, supra. We will therefore assume that Williams can obtain \$19,948 in cash by refinancing his home); and \$33,200 in net proceeds from a loan from his mother, Mrs. Albert Williams (the Board found that this sum would be available in its prior memorandum opinion and order, supra). The foregoing assets total \$318,817; the subtraction of current liabilities of \$39,770 produces a figure for net cash available of \$279,047.

<sup>8</sup>Williams originally estimated that KAIL would produce \$150,000 in revenue during its first year of operation. This was based upon 5 percent of the gross billing of three existing Fresno VHF stations. However, the Bureau was of the view that \$100,000 was a more reasonable figure, and in its opposition to the motion to enlarge issues, Radio Nevada accepted the \$100,000 figure.

the Commission held that if the applicant proposes to rely upon station income to finance part of the construction and first year operating cost, he must support his estimate of anticipated revenues by " \* \* a convincing evidentiary showing that the available committed funds will be supplemented by sufficient advertising or other revenue to enable the applicant to discharge its financial obligation during the first year". Neither a calculation of 5 percent of the gross annual billings of three Fresno stations nor the estimate of the Broadcast Bureau constitutes such a "convincing evidentiary showing". It is therefore necessary for the applicant to introduce evidence that station KAIL will produce the revenue upon which it relies. However, in our earlier memorandum opinion and order, supra, we found that as a minimum Radio Nevada could anticipate \$25,600 from its Las Vegas operation. Thus the cash deficit can be reduced to \$70,570.

9. In its opposition, Radio Nevada indicates that it is not relying upon current income of station KTYM, Inglewood, Calif., to meet its obligations either in Fresno or Las Vegas, but it noted that this station is currently generating new capital at the rate of \$60,000 per year and that, if necessary, this source of funds should be considered by the Board. However, no evidence was submitted to support this figure nor was there a specific indication that it would be available for these two projects. This being so, we cannot rely upon that source of funds. Radio Nevada will therefore be given an opportunity to show whether the two proposals advanced by its principals can reasonably be expected to produce revenue of at least \$70,610 over the \$25,600 already credited the Las Vegas proposal, or if not whether its principals have available for these projects the necessary funds from other sources.

Accordingly, it is ordered, This 15th day of December 1966, that the motion to enlarge issues, filed by WGN Continental Broadcasting Co., September 28, 1966, is granted to the extent that the issues are enlarged as follows:

To determine in connection with the financing proposed by Radio Nevada in the instant proceeding and by Tel-America Corp. in BAPLCT-82 whether such two applicants may reasonably expect combined first year operating revenues of at least \$96,170 and, if not, whether Radio Nevada has other funds available to it to make up the deficiency.

To determine, in light of the evidence adduced with respect to the foregoing issue, whether Radio Nevada is financially qualified.

Released: December 19, 1966.

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

[F.R. Doc. 66-13734; Filed, Dec. 21, 1966;  
8:48 a.m.]

<sup>9</sup>Dissenting statement of Board Member Stone filed as part of original document; Board Member Berkemeyer absent.



[Docket No. 16690; FCC 66M-1707]

**DAILY EXPRESS, INC., ET AL.****Order Continuing Hearing**

In the matter of Daily Express, Inc., Post Office Box 39, Carlisle, Pa., complainant, v. American Telephone and Telegraph Co., 195 Broadway, New York, N.Y., The Bell Telephone Co. of Pennsylvania, 1 Parkway, Philadelphia, Pa., The United Telephone Co. of Pennsylvania, Carlisle, Pa., defendants; Docket No. 16690.

Upon request of counsel for American Telephone and Telegraph Co. because of a conflict with another Commission hearing (FCC Docket Nos. 16509-16519): *It is ordered*, This 15th day of December 1966, that the hearing now scheduled for February 13, 1967, be and the same is hereby rescheduled for February 27, 1967, 10 a.m., in the Commission's Offices, Washington, D.C.

Released: December 16, 1966.

FEDERAL COMMUNICATIONS  
COMMISSION,[SEAL] BEN F. WAPLE,  
Secretary.[F.R. Doc. 66-13735; Filed, Dec. 21, 1966;  
8:48 a.m.]

[Docket No. 16709; FCC 66M-1712]

**ISLAND BROADCASTING SYSTEM  
(WRIV), INC.****Order Regarding Procedural Dates**

In re application of Island Broadcasting System (WRIV), Inc., Riverhead, N.Y., Docket No. 16709, File No. BPCT-3475; for construction permit (Channel 55).

The Hearing Examiner having under consideration the motion for 30 day continuance filed herein on December 1, 1966, by Island Broadcasting System, Inc., and the opposition thereto of the Broadcast Bureau;

It appearing, that by orders released October 3, 1966, and November 8, 1966, previous continuances have been granted to afford an opportunity to complete a proposed corporate reorganization made necessary by circumstances beyond petitioner's control and the instant request is made to afford additional time for continuing efforts to effectuate the proposed reorganization;

It further appearing, that the motion is opposed on the ground that reasonable time has been afforded to effectuate the proposed reorganization and accordingly the examiner should (1) hold the applicant in default for failure to prosecute its application, or (2) schedule a further prehearing conference to fix firm dates for the exchange of exhibits and for commencement of hearing;

It further appearing, that grant of the requested continuance may result in the institution of a new UHF television service in the Riverhead, N.Y. area, that there are no other applicants for the facility involved and petitioner avers that "final settlement in the next 30 days can reasonably be expected;"

It further appearing, that under the aforesaid circumstances a grant of the motion would be in the public interest and good cause accordingly is therefore present for grant;<sup>1</sup>

It further appearing, that the procedural steps to be followed herein have been resolved in the prior prehearing conference and the holding of a further prehearing conference for the fixing of firm dates as proposed by the Broadcast Bureau is not required:

*It is ordered*, This 15th day of December 1966 that the said motion is granted and;

(a) The date for preliminary exchange of all exhibits to be offered into evidence is continued, nunc pro tunc, from December 1, 1966, to January 23, 1967;

(b) The date for final exchange of all exhibits to be offered into evidence is continued, nunc pro tunc, from December 12, 1966, to February 6, 1967;

(c) The date for giving notification of witnesses to be called for cross-examination is continued from December 16, 1966, to February 9, 1967;

(d) The date for hearing is continued from January 3, 1967, to February 27, 1967, commencing at 10 a.m. in the offices of the Commission at Washington, D.C.

Released: December 16, 1966.

FEDERAL COMMUNICATIONS  
COMMISSION,[SEAL] BEN F. WAPLE,  
Secretary.[F.R. Doc. 66-13736; Filed, Dec. 21, 1966;  
8:48 a.m.]

[Docket No. 16990; FCC 66M-1715]

**TAFT BROADCASTING CO.  
(WKYT-TV) ET AL.****Order Continuing Hearing**

In the matter of petitions by Taft Broadcasting Co. (WKYT-TV) and WLEX-TV, Inc., Lexington, Ky., to stay construction and to prevent expansion of CATV systems in the Lexington market area by Berea Cablevision Co., Inc., Gregg Cablevision, Inc., and Mt. Sterling Antennavision Co.; Docket No. 16990.

Pursuant to the agreements reached at the prehearing conference held herein on December 15, 1966:

*It is ordered*, This 16th day of December 1966 that a further prehearing conference shall be held herein on January 16, 1967, commencing at 9 a.m. in the offices of the Commission at Washington, D.C.;

*It is further ordered*, That the hearing presently scheduled for January 9, 1967,

<sup>1</sup>No further continuance will be granted for effectuation of the proposed reorganization. In the event of failure to do so within the period now granted, the facility applied for should become available to others should they desire to make application for it. The procedural dates designated are in excess of the requested 30 days because of commitments of the Hearing Examiner in other proceedings.

is continued to a date to be subsequently specified.

Released: December 19, 1966.

FEDERAL COMMUNICATIONS  
COMMISSION,[SEAL] BEN F. WAPLE,  
Secretary.[F.R. Doc. 66-13738; Filed, Dec. 21, 1966;  
8:48 a.m.]

[Docket No. 17049; FCC 66-1141]

**POSSIBLE USE OF RADIO COMMUNICATIONS TO ENHANCE SAFETY ON HIGHWAYS****Notice of Inquiry**

In the matter of inquiry into possible use of radio communications to enhance safety on the highways; Docket No. 17049, RM 732.

1. On June 23, 1965, the Automobile Manufacturers Association filed a petition (RM-732) requesting the Commission to establish a radio service, Highway Emergency Locating Plan Radio Service (HELP), to provide radio communication facilities for stranded motorists on the Nation's highways. The petition proposed the assignment of two frequencies in the 27 Mc/s band for that purpose. While the Commission noted merit in the proposal, on March 10, 1966, a Public Notice was released (FCC 66-241) announcing that action on the petition was being deferred to allow more time for consideration of the matter by the Commission and by agencies involved in highway problems. The Commission noted that a number of States, universities, and other private institutions were conducting research and other studies looking toward developing communication systems for the safety and convenience of motorists.

2. In the meantime, many of the aspects of HELP are being accomplished within the existing framework of the Citizens Radio Service, on a voluntary basis, by locally organized citizens radio groups.

3. The problem of attaining highway safety has become increasingly serious and the need to determine whether radio can be utilized to promote highway safety is becoming more urgent. While the death and accident rate, when measured in terms of vehicle passenger miles, compares favorably with that of other countries, the bare statistics are appalling. Every 11 minutes a citizen is killed on the road. Highway casualties average more than 9,000 each day. Fifty thousand Americans were killed on the road in 1965. Since the introduction of the automobile, 1.5 million Americans have been killed on the road. Over the past Labor Day Weekend, 29 men died in Viet Nam, while at home 614 died on the highways.

4. The President has instituted a broad assault on the problem, as set out in Public Law 89-563 and in Public Law 89-564, 89th Congress, September 9, 1966. Among other actions, the Secretary of Commerce will establish a National



Motor Vehicle Safety Council to give advice and assistance to the Secretary in conducting research and development in this matter. The Act also requires the cooperation of all Federal Agencies in attaining a solution to the problem.

5. The Commission is responsible for encouraging the larger and more effective use of radio for, among other purposes, the promotion of safety of life and property. For this reason, and in cooperation with the broad objectives of Public Law 89-563 and Public Law 89-564, the Commission believes that the time has come to move forward and to examine closely the possibilities for using radio to promote highway safety. Accordingly, all interested parties are requested to submit relevant information, suggestions, and comments on how radio might be used more effectively in the promotion of highway safety, in addition to commenting on the specific proposal made in the above-described petition of the Automobile Manufacturers Association (RM-372). The Commission urges that the comments be tendered on the broadest possible basis with regard to any conceivable contribution that radio might make to highway safety. Of course, the Commission must consider the efficiency of frequency utilization as an important factor in reaching its ultimate conclusions.

6. This action is taken pursuant to section 403 of the Communications Act of 1934, as amended. Comments may be filed with the Secretary of the Commission on or before March 31, 1967. In accordance with the Commission's rules, an original and 14 copies must be filed.

Adopted: December 15, 1966.

Released: December 19, 1966.

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

[F.R. Doc. 66-13737; Filed, Dec. 21, 1966;  
8:48 a.m.]

## FEDERAL MARITIME COMMISSION

### GRACE LINE, INC., AND MATSON NAVIGATION CO.

#### 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. David P. Anderson, Staff Attorney, Matson Navigation Co., 215 Market Street, San Francisco, Calif. 94105.

Agreement 9603, between Grace Line, Inc. and Matson Navigation Co., provides for the establishment of a through billing arrangement on cargo moving between ports in Mexico, Guatemala, El Salvador, Honduras, Nicaragua, Costa Rica, Panama, U.S. Canal Zone, Colombia, Venezuela, Trinidad, Santo Domingo, Jamaica, Ecuador, Peru, Chile, Argentina, Uruguay, and Brazil; and ports in Hawaii with transshipment at Los Angeles Harbor, Long Beach, San Francisco, Portland, or Seattle, under terms and conditions as set forth in the agreement.

Dated: December 16, 1966.

By order of the Federal Maritime Commission.

THOMAS LISI,  
Secretary.

[F.R. Doc. 66-13741; Filed, Dec. 21, 1966;  
8:49 a.m.]

## U.S. GREAT LAKES AND ST. LAWRENCE RIVER PORTS/WEST AFRICA 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. John K. Cunningham, Secretary, U.S. Great Lakes and St. Lawrence River Ports/West Africa Agreement, 80 Broad Street, New York, N.Y. 10004.

Agreement 9420-1, among the member lines of the U.S. Great Lakes and St. Lawrence River Ports/West Africa

Agreement, proposes to modify Agreement 9420 by amending Article 2 thereof to designate the Conference Secretary as the authorized representative of the member lines to receive official notices and communications pertaining to the agreement and to furnish the Commission information relative to their concerted activities under the agreement. Article 3 has been amended to permit a vote to be taken by telephone poll, circular letter, or other means when it is impractical to hold a regular conference meeting.

Dated: December 16, 1966.

By order of the Federal Maritime Commission.

THOMAS LISI,  
Secretary.

[F.R. Doc. 66-13742; Filed, Dec. 21, 1966;  
8:49 a.m.]

## FEDERAL POWER COMMISSION

[Docket No. CI61-247 etc.]

### MAY PETROLEUM, INC.

#### Order Amending Orders Issuing Certificates, Redesignating Proceedings, and Redesignating FPC Gas Rate Schedules

DECEMBER 14, 1966.

On August 11, 1966, May Petroleum Inc., filed a notice of change in name to advise the Commission that its corporate name had been changed from Mayflo Oil Co. as of June 1, 1966, all as more fully set forth in the notice.

After due notice no protest, petition to intervene or notice of intervention has been received.

The Commission orders:

(A) The orders issuing permanent certificates of public convenience and necessity in the following dockets to Mayflo Oil Co. are amended by changing the name of the certificate holder to May Petroleum, Inc., and in all other respects said orders shall remain in full force and effect:

CI61-247	CI61-1417	CI62-986
CI61-270	CI62-820	CI62-1489
CI61-538	CI62-871	CI63-611
CI61-1225	CI62-967	CI63-872

(B) The orders issuing temporary certificates of public convenience and necessity in Docket Nos. CI63-473 and CI63-1493 to Mayflo Oil Co. are amended by changing the name of the certificate holder to May Petroleum, Inc., and in all other respects said orders shall remain in full force and effect. The pending certificate proceedings are redesignated accordingly.

(C) The proceedings in the following dockets in which Mayflo Oil Co. is respondent are redesignated by changing the name of the respondent to May Petroleum, Inc.:

RI62-64	RI64-701	RI62-754
RI64-407	RI64-702	RI67-49

(D) The FPC gas rate schedules of Mayflo Oil Co. are redesignated as those of May Petroleum, Inc., and shall retain



the numerical designations heretofore assigned.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 66-13705; Filed, Dec. 21, 1966;  
8:46 a.m.]

[Docket No. CP67-160]

### TRANSCONTINENTAL GAS PIPE LINE CORP.

#### Notice of Application

DECEMBER 15, 1966.

Take notice that on December 8, 1966, Transcontinental Gas Pipe Line Corp. (Applicant), Post Office Box 1396, Houston, Tex. 77001, filed in Docket No. CP67-160 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 certain natural gas facilities and the sale for resale in interstate commerce, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant seeks authorization for the sale and delivery of an additional volume of 3,500 Mcf of natural gas per day to city of Lexington, N.C. (Lexington), an existing customer, under Applicant's Rate Schedule CD-2, and for the construction, installation, and operation of a sales meter station and appurtenant equipment to be located at approximately milepost 1,323 on Applicant's 30-inch main transmission line "A" near Lexington, in Davidson County, N.C.

The total estimated cost of the proposed facilities is \$22,000.

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 January 13, 1967.

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. 66-13707; Filed, Dec. 21, 1966;  
8:46 a.m.]

[Docket No. CP67-161]

### UNITED GAS PIPE LINE CO.

#### Notice of Application

DECEMBER 14, 1966.

Take notice that on December 8, 1966, United Gas Pipe Line Co. (Applicant), Post Office Box 1407, Shreveport, La. 71102, filed in Docket No. CP67-161 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 certain natural gas facilities and for the sale and delivery of volumes of natural gas to a direct industrial customer, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant seeks authorization to construct and operate 250 feet of 4-inch line together with a positive meter station and appurtenant facilities near milepost 16.0 of Applicant's 12-inch Bayou Casotte lateral line, Jackson County, Miss. Applicant further seeks authorization to sell and deliver through such facilities natural gas to First Chemical Corp. for fuel and natural gas process requirements.

The estimated third year annual and peak day requirements of the proposed service are 690,000 Mcf and 1,920 Mcf respectively.

The total estimated cost of the proposed facilities is \$12,639, which cost will be financed out of current working funds.

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 January 13, 1967.

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. 66-13709; Filed, Dec. 21, 1966;  
8:46 a.m.]

[Docket No. G-5999 etc.]

### WM. H. CHAMBERLAIN ET AL. Findings and Order; Correction

DECEMBER 8, 1966.

Wm. H. Chamberlain doing business as Saturn Oil & Gas Co. (Operator) et al., Docket Nos. G-5999 et al., Docket No. CI61-1187.

In the findings and order after statutory hearing issuing certificates of public convenience and necessity, amending certificates, permitting and approving abandonment of service, terminating certificates, terminating rate proceeding, making successor co-respondent, substituting respondent, redesignating proceedings, accepting agreement and undertaking for filing, requiring filing of surety bond, and accepting related rate schedules and supplements for filing, issued November 22, 1966 and published in the FEDERAL REGISTER December 2, 1966 (F.R. Doc. 66-12829, 31 F.R. 15163), in the chart after Docket No. "CI61-1187" delete "(Operator)" from applicant's name so as to read "Wm. H. Chamberlain doing business as Saturn Oil & Gas Co., et al." and also change FPC Gas Rate Schedule "No. 1" to read "No. 4" as it relates to Saturn Oil & Gas Co., Inc. (Operator) et al.

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 66-13704; Filed, Dec. 21, 1966;  
8:45 a.m.]

[Docket No. CP67-129]

### SWITZERLAND COUNTY NATURAL GAS CO. AND TEXAS GAS TRANSMISSION CORP.

#### Notice of Application; Correction

DECEMBER 14, 1966.

Switzerland County Natural Gas Co., a subsidiary of Silgas Corp., Applicant, Texas Gas Transmission Corp., Respondent, Docket No. CP67-129.

In the notice of application issued November 10, 1966 and published in the FEDERAL REGISTER November 19, 1966 (F.R. Doc. 66-12538, 31 F.R. 14759), correct Docket No. "CP67-128" to read "CP67-129" in the first paragraph.

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 66-13706; Filed, Dec. 21, 1966;  
8:46 a.m.]

[Docket Nos. CP66-131, CP66-171]

### TRUNKLINE GAS CO.

#### Notice of Petition To Amend; Correction

DECEMBER 15, 1966.

In the notice of petition to amend issued December 7, 1966, and published in the FEDERAL REGISTER December 14, 1966 (F.R. Doc. 66-13369, 31 F.R. 15771), delete paragraph 4 and insert the following: Specifically, Petitioner seeks to amend the above-mentioned orders by requesting authorization to sell an additional



75,000 Mcf per day to Consumers, pursuant to Petitioner's Rate Schedule P-2, an additional 15,000 Mcf per day to Mississippi, and an additional 70,000 Mcf per day to Panhandle Eastern Pipe Line Co., pursuant to Petitioner's Rate Schedule P-1, and an additional 2,824 Mcf per day to other existing customers, pursuant to Petitioner's Rate Schedule SG-1 and SG-2.

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 66-13708; Filed, Dec. 21, 1966;  
8:46 a.m.]

## SECURITIES AND EXCHANGE COMMISSION

[812-2038]

### BROAD STREET INVESTING CORP.

#### Notice of Filing of Application for Order Exempting Sale by Open- End Company of Shares at Other Than Public Offering Price

DECEMBER 16, 1966.

Notice is hereby given that Broad Street Investing Corp. ("applicant"), 65 Broadway, New York, N.Y., 10006, a Maryland corporation registered under the Investment Company Act of 1940 ("Act") as an open-end diversified management investment company, has filed an application pursuant to section 6(c) of the Act requesting an order of the Commission exempting from the provisions of section 22(d) of the Act a transaction in which applicant's redeemable securities will be issued at a price other than the current public offering price described in the prospectus, in exchange for the assets of Livingston Management, Inc. ("Livingston").

All interested persons are referred to the application on file with the Commission for a statement of the applicant's representations which are summarized below.

Livingston, incorporated in Delaware in 1930, is an investment company, all the outstanding stock of which is owned by one individual, and is exempt from registration under the Act by reason of the provisions of section 3(c)(1) thereof. Prior to 1954 Livingston was engaged in the steel export business and in such year sold substantially all of its assets and business. Since that date it has been engaged primarily in the business of investing and reinvesting its funds. Pursuant to an agreement between applicant and Livingston, substantially all of the cash and securities owned by Livingston, with a value of approximately \$957,481 as of October 10, 1966, will be transferred to applicant in exchange for shares of its capital stock. The number of shares of applicant to be issued is to be determined by dividing the aggregate market value (with certain adjustments as set forth in detail in the application) of the assets of Livingston to be transferred to applicant by the net asset value per share of the applicant, both to be determined

as of valuation time, as defined in the agreement. If the valuation under the agreement had taken place on October 10, 1966, Livingston would have received 70,982 shares of applicant's stock. The exchange contemplated by the agreement would be prohibited by section 22(d) as being a sale of a redeemable security by a registered investment company at a price other than a current offering price described in the prospectus, unless exempted by an order under section 6(c) of the Act.

When received by Livingston the shares of the applicant, which are registered under the Securities Act of 1933, are to be distributed to the Livingston stockholder on the liquidation of Livingston. Applicant has been advised by the management of Livingston that the stockholder of Livingston has no present intention of redeeming or otherwise transferring any significant number of applicant's shares following the proposed transaction.

No affiliation exists between Livingston or its officers, directors or stockholders and applicant, its officers or directors, and the agreement was negotiated at arm's length by the two companies. Applicant's Board of Directors approved the agreement as being in the best interest of its shareholders, taking all relevant considerations into account, including, among other things, the fact that the resulting increase in assets will tend to reduce per share expenses.

Applicant contends that the proposed offering of its stock will comply with the provisions of the Act, other than section 22(d) and submits that the granting of the application would be in accordance with established practice of the Commission, is necessary and appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than January 3, 1967, 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 should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon applicant. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F.R. Doc. 66-13722; Filed, Dec. 21, 1966;  
8:47 a.m.]

[File No. 1-4407]

### SPORTS ARENAS, INC. Order Suspending Trading

DECEMBER 16, 1966.

The common stock, 1 cent par value, of Sports Arenas, Inc., being listed and registered on the American Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and the 6 percent convertible debentures of Sports Arenas, Inc., 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 December 17, 1966, through December 26, 1966, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F.R. Doc. 66-13723; Filed, Dec. 21, 1966;  
8:47 a.m.]

## INTERSTATE COMMERCE COMMISSION

[Notice 1005]

### MOTOR CARRIER, BROKER, WATER CARRIER AND FREIGHT FOR- WARDER APPLICATIONS

DECEMBER 16, 1966.

The following applications are governed by Special Rule 1.247<sup>1</sup> of the Commission's general rules of practice (49 CFR, as amended), published in the FEDERAL REGISTER issue of April 20, 1966, effective May 20, 1966. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the FEDERAL REGISTER. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with § 1.247(d)(3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the spe-

<sup>1</sup> Copies of Special Rule 1.247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.



cific portions of its authority which protestant believes to be in conflict with that sought in the application, and describing in detail the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one (1) copy of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such requests shall meet the requirements of § 1.247 (d) (4) of the special rule, and shall include the certification required therein.

Section 1.247(f) of the Commission's rules of practice further provides that each applicant shall, if protests to its application have been filed, and within 60 days of the date of this publication, notify the Commission in writing (1) that it is ready to proceed and prosecute the application, or (2) that it wishes to withdraw the application, failure in which the application will be dismissed by the Commission.

Further processing steps (whether modified procedure, oral hearing, or other procedures) will be determined generally in accordance with the Commission's General Policy Statement Concerning Motor Carrier Licensing Procedures, published in the FEDERAL REGISTER issue of May 3, 1966. This assignment will be by Commission order which will be served on each party of record.

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

No. MC 623 (Sub-No. 88), filed December 5, 1966. Applicant: H. NESSICK, INC., Post Office Box 214, Joplin, Mo. Applicant's representative: Turner White, 805 Woodruff Building, Springfield, Mo. 65806. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Explosives, blasting agents, blasting materials and supplies*, from Virginia, Minn., to McAdory, Ala., and Lincoln, Calif., under contract with Hercules, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., or Chicago, Ill.

No. MC 703 (Sub-No. 16), filed December 1, 1966. Applicant: HINCH-

CLIFF MOTOR SERVICE, INC., 3400 South Pulaski Road, Chicago, Ill. 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 regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, sand, stone, coal, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), between junction Interstate Highway 69 and U.S. Highway 30, near Fort Wayne, Ind., and junction Interstate Highway 69 and U.S. Highway 6, near Waterloo, Ind., over Interstate Highway 69, as an alternate route for operating convenience only in connection with carrier's authorized regular route operations, serving no intermediate points, and serving the termini for joinder only. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 732 (Sub-No. 2), filed December 2, 1966. Applicant: ALBINA TRANSFER COMPANY, INC., 3706 North Mississippi Avenue, Portland, Ore. 97227. Applicant's representative: Earle V. White, 2130 Southwest Fifth Avenue, Portland, Ore. 97201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, hardboard, fiberboard, and particleboard*, between points in Benton, Clackamas, Columbia, Douglas, Lane, Linn, Marion, Polk, and Yamhill Counties, Ore., on the one hand, and, on the other, points in Multnomah County, Ore., and Clark and Cowlitz Counties, Wash. NOTE: If a hearing is deemed necessary, applicant requests it be held at Portland, Ore.

No. MC 6078 (Sub-No. 58), filed November 29, 1966. Applicant: D. F. BAST, INC., 1425 North Maxwell Street, Allentown, Pa. Applicant's representative: Bert Collins, 140 Cedar Street, New York, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Structural steel and equipment transported on the same vehicle with structural steel used in the erection of structural steel*, from the plantsites of The Belmont Iron Works, Eddystone, Pa., and Royersford, Pa., to points in Connecticut, Rhode Island, Massachusetts, Vermont, Maine, New Hampshire, New York, New Jersey, Delaware, Maryland, Virginia, Ohio, Pennsylvania, West Virginia, and the District of Columbia, and returned shipments, on return.

No. MC 6078 (Sub-No. 59), filed December 5, 1966. Applicant: D. F. BAST, INC., 1425 North Maxwell Street, Allentown, Pa. 18001. Applicant's representative: Edward G. Bazelon, 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, iron and steel articles, and equipment, material, and supplies used in the manufacture or processing of iron and steel articles*, between Chicago, Ill., and points

in its commercial zone, on the one hand, and, on the other, points in Indiana, Iowa, Kentucky, Minnesota, Missouri, Nebraska, South Dakota, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 11207 (Sub-No. 257), filed November 30, 1966. Applicant: DEATON, INC., 3409 10th Avenue North, Birmingham, Ala. 35204. Applicant's representative: Robert E. Tate, 2025-2028 City Federal Building, Birmingham, Ala. 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plywood, wood flooring, wood siding, paneling, wallboard, and accessories, including molding and paint stain* used in the installation of the above commodities, from Charlotte, N.C., to points in Alabama, Arkansas, Florida, Georgia, Mississippi, Louisiana, and Tennessee. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Charlotte, N.C.

No. MC 13250 (Sub-No. 86) (Correction), filed November 14, 1966, published FEDERAL REGISTER issue of December 1, 1966, and republished as corrected, this issue. Applicant: J. H. ROSE TRUCK LINE, INC., 5003 Jensen Drive, Post Office Box 16190, Houston, Tex. 77022. Applicant's representative: Thomas E. James, The 904 Lavaca Building, Austin, Tex. 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Traveling cranes*, from Mendota, Ill., to points in Iowa, Minnesota, and Wisconsin. NOTE: Applicant states that tacking would take place at Mendota, Ill., from Texas, California, Arizona, Arkansas, Colorado, Kansas, Louisiana, New Mexico, Oklahoma, Utah, Illinois, Indiana, Kentucky, Missouri, Tennessee, Idaho, and Nevada. The purpose of this republication is to add the state of Arkansas as a point involved in tacking. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 16872 (Sub-No. 13), filed November 13, 1966. Applicant: WILLIAM MIRRER, doing business as MIRRER'S TRUCKING CO., 38 Alan Avenue, Glen Rock, N.J. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass bottles and containers*, from Washington, Pa., to Paterson, N.J., and New York, N.Y. NOTE: Applicant states it could tack at Paterson, N.J., and serve points in Rockland, Westchester, and Nassau Counties, N.Y. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 17226 (Sub-No. 27), filed November 30, 1966. Applicant: FRUIT BELT MOTOR SERVICE, INC., 6038 West 29th Street, Cicero, Ill. 60650. Applicant's representatives: Eugene L. Cohn, 1 North La Salle Street, Chicago, Ill. 60602 and Beverley S. Simms, 1700 Pennsylvania Avenue NW., Washington,



D.C. 20006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Machinery, machinery parts, materials, and supplies*, used in the manufacture, shipping, or operation of refrigerators, freezers, refrigerator-freezers, ice cube makers, air conditioners and dehumidifiers, and (2) *refrigerators, freezers, refrigerator-freezers, ice cube makers, air conditioners and dehumidifiers, and parts and accessories thereof* when transported with and intended for installation thereon, (a) from Evansville, Ind., to the plantsites of The Whirlpool Corp. at Fort Smith, Ark., and (b) from Fort Smith, Ark., to the plantsites of the Whirlpool Corp. at Evansville, Ind., under contract with The Whirlpool Corp. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 28478 (Sub-No. 34), filed November 30, 1966. Applicant: GREAT LAKES EXPRESS CO., a corporation, 172 Davenport Street, Saginaw, Mich. 48605. Applicant's representative: Robert D. Schuler, Suite 1700, 1 Woodward Avenue, Detroit, Mich. 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the plantsite of Ford Motor Co. on Sheldon Road (Plymouth Township, Wayne County), Mich., as an off-route point in connection with authorized service at Detroit, Mich. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Lansing, Mich.

No. MC 29910 (Sub-No. 71), filed November 30, 1966. Applicant: ARKANSAS-BEST FREIGHT SYSTEM, INC., 301 South 11th Street, Fort Smith, Ark. 72901. Applicant's representative: John A. Vuono, 1515 Park Building, Pittsburgh, Pa. 15222. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, class A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), serving Mentor, Ohio, as an off-route point in connection with carrier's presently authorized operation to and from Cleveland, Ohio. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Cleveland, Ohio.

No. MC 32474 (Sub-No. 33), filed November 30, 1966. Applicant: KEESHIN TRANSPORT SYSTEM, a corporation, 3131 Douglas Road, Toledo, Ohio 43606. Applicant's representative: Robert D. Schuler, Suite 1700, 1 Woodward Avenue, Detroit, Mich. 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk,

and those requiring special equipment), serving the plantsite of Ford Motor Co. on Sheldon Road, Plymouth Township, Wayne County, Mich., as an off-route point in connection with authorized service at Detroit, Mich. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Lansing, Mich.

No. MC 32474 (Sub-No. 34), filed November 30, 1966. Applicant: KEESHIN TRANSPORT SYSTEM, INC., 3131 Douglas Road, Toledo, Ohio 43606. Applicant's representative: John A. Vuono, 1515 Park Building, Pittsburgh, Pa. 15222. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, in tank vehicles, commodities requiring special equipment, and those injurious or contaminating to other lading), serving Mentor, Ohio, as an off-route point in connection with carrier's regular route operations to and from Cleveland, Ohio. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Cleveland, Ohio.

No. MC 36832 (Sub-No. 23), filed December 5, 1966. Applicant: AMERICAN TRANSIT LINES, INCORPORATED, 221 North La Salle Street, Chicago, Ill. 60601. Applicant's representative: Edward G. Bazelon, 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 the St. Louis, Mo.-East St. Louis, Ill., commercial zone, as described by the Commission, and Alton, Ill., on the one hand, and, on the other, points in Illinois, Indiana, Michigan, Ohio, Pennsylvania, Wisconsin, and Iowa. **NOTE:** If a hearing is deemed necessary, applicant does not specify a location.

No. MC 42487 (Sub-No. 662), filed December 5, 1966. Applicant: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Drive, Menlo Park, Calif. 94025. Applicant's representative: Vernon S. Tyler (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Phosphate fertilizer and phosphate fertilizer ingredients*, in bulk, and in packages, from Laramie, Wyo., and points within 25 miles thereof, to points in Wyoming, Nebraska, North Dakota, South Dakota, Montana, Colorado, Utah, Idaho, New Mexico, Arizona, Minnesota, Iowa, and Kansas. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 43654 (Sub-No. 67), filed November 30, 1966. Applicant: DIXIE OHIO EXPRESS, INC., Post Office Box 750, Akron, Ohio 44309. Applicant's representative: John A. Vuono, 1515 Park Building, Pittsburgh, Pa. 15222. Au-

thority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), serving Mentor, Ohio, (1) as an off-route point in connection with carrier's presently authorized regular route operations to and from Cleveland, Ohio; and (2) as an intermediate point in connection with carrier's presently authorized regular route operations between Akron, Ohio, and Niagara Falls, N.Y. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Cleveland, Ohio.

No. MC 50307 (Sub-No. 35), filed December 2, 1966. Applicant: INTERSTATE DRESS CARRIERS, INC., 247 West 35th Street, New York, N.Y. 10001. Applicant's representative: Herbert Burnstein, 160 Broadway, New York, N.Y. 10038. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wearing apparel and materials and supplies* used in the manufacture thereof (1) between Ridgefield and Jersey City, N.J., and Cleveland, Ohio, on the one hand, and, on the other, Masontown, Charleroi, Youngwood, Greensburg, Beaver Falls, Northampton, and Reading, Pa., and Wheeling, W. Va., and (2) between Ridgefield and Jersey City, N.J., on the one hand, and, on the other, Cleveland, Ohio. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 55236 (Sub-No. 144), filed December 2, 1966. Applicant: OLSON TRANSPORTATION COMPANY, a corporation, 1970 South Broadway, Green Bay, Wis. 54306. Applicant's representative: G. R. Bailey (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles*, between Portage, Ind., and points in Illinois, Iowa, Missouri, Minnesota, Nebraska, North Dakota, South Dakota, and Wisconsin. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 55236 (Sub-No. 145), filed December 5, 1966. Applicant: OLSON TRANSPORTATION COMPANY, a corporation, 1970 South Broadway, Green Bay, Wis. 54306. Applicant's representative: G. R. Richmond (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer and fertilizer materials*, from the plantsite of W. R. Grace and Co., Henry, Ill., to points in Minnesota, Wisconsin, Iowa, Missouri, Indiana, Kentucky, Ohio, and Michigan. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill. or St. Louis, Mo.

No. MC 58152 (Sub-No. 14), filed November 30, 1966. Applicant: OGDEN & MOFFETT COMPANY, a corporation, 3565 24th Street, Port Huron, Mich. 48060. Applicant's representative:



Walter N. Bieneman, Suite 1700, 1 Woodward Avenue, Detroit, Mich. 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the plantsite of Ford Motor Co. of Sheldon Road, Plymouth Township, Wayne County, Mich., as an off-route point in connection with authorized service at Detroit, Mich. NOTE: If a hearing is deemed necessary, applicant requests it be held at Lansing, Mich.

No. MC 59150 (Sub-No. 28), filed December 8, 1966. Applicant: PLOOF TRANSFER COMPANY, INC., 190 Hill Street, Jacksonville, Fla. 32202. Applicant's representative: Martin Sack, Jr., 710 Atlantic Bank Building, 121 West Forsyth Street, Jacksonville, Fla. 32202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gypsum and gypsum products, and building materials and equipment, materials and supplies used in the manufacture or processing of gypsum products* (except liquid commodities in bulk), between Savannah and Port Wentworth, Ga., on the one hand, and, on the other, points in Alabama. NOTE: If a hearing is deemed necessary, applicant requests it be held at Savannah or Atlanta, Ga.

No. MC 59150 (Sub-No. 29), filed December 8, 1966. Applicant: PLOOF TRANSFER COMPANY, INC., 190 Hill Street, Jacksonville, Fla. 32202. Applicant's representative: Martin Sack, Jr., 710 Atlantic Bank Building, 121 West Forsyth Street, Jacksonville, Fla. 32202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Boards, building, wall, and insulating, and parts, materials, and accessories incidental thereto, and composition boards, parts, materials, and accessories incidental thereto, from the plantsite of The Celotex Corp., Marrero, La., to points in Florida.* NOTE: Applicant has contract carrier authority in MC 128525, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Atlanta, Ga.

No. MC 61396 (Sub-No. 170), filed November 30, 1966. Applicant: HERMAN BROS. INC., 2501 North 11th Street, Omaha, Nebr. 68102. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia and liquid fertilizer materials, in bulk, in tank vehicles, from the plant and storage site of Mobil Chemical Co. at or near Meredosia, Ill., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Oklahoma, Tennessee, and Wisconsin, restricted against tacking or interlining for the purpose of performing through service.* NOTE: If a hearing is

deemed necessary, applicant requests it be held at Washington, D.C., St. Louis, Mo., or Chicago, Ill.

No. MC 61403 (Sub-No. 164), filed December 5, 1966. Applicant: THE MASON AND DIXON TANK LINES, INC., Eastman Road, Kingsport, Tenn. 37662. Applicant's representative: W. C. Mitchell, 140 Cedar Street, New York, N.Y. 10006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids and chemicals in bulk, from Marinette, Wis., to points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Nevada, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia.* NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 64932 (Sub-No. 421), filed December 1, 1966. Applicant: ROGERS CARTAGE CO., a corporation, 1439 West 103d Street, Chicago, Ill. 60643. 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: (1) *Anhydrous ammonia, in bulk, in tank vehicles, from the plant and storage site of Mobil Chemical Co. located at or near Meredosia, Ill., to points in Arkansas, Illinois, Kansas, Nebraska, Oklahoma, and Tennessee, and (2) liquid fertilizer materials, in bulk, in tank vehicles, from the plant and storage site of Mobil Chemical Co. located at or near Meredosia, Ill., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Oklahoma, Tennessee, and Wisconsin, restricted against tacking or interlining for the purpose of performing through service.* NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 65626 (Sub-No. 16), filed December 1, 1966. Applicant: FREDONIA EXPRESS, INC., Post Office Box 222, 316 Eagle Street, Fredonia, N.Y. Applicant's representative: E. Stephen Heisley, 529 Transportation Building, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned and preserved foodstuffs, from Le Roy, N.Y., to points in New Jersey and Pennsylvania.* NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Buffalo, N.Y.

No. MC 65701 (Sub-No. 2), filed November 30, 1966. Applicant: CONNIE ADILETTA, 229 Trenchard Street, Yonkers, N.Y. 10704. Applicant's representative: George Chernoff, 295 Madison Avenue, New York, N.Y. 10017. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Groceries, from*

New York, N.Y., and points in its commercial zone, to Bridgeport, Byron, Darien, Greenwich, Glenbrook, Milford, New Haven, Norwalk, South Norwalk, Springdale, Stamford, and Westport, Conn., under contract with Bernice Foods, Inc. NOTE: If a hearing is deemed necessary applicant requests it be held at New York, N.Y.

No. MC 68183 (Sub-No. 24) (Amendment), filed September 23, 1966, published in FEDERAL REGISTER issue of October 13, 1966, amended December 6, 1966, and republished as amended this issue. Applicant: YANKEE LINES, INC., 1400 East Archwood Avenue, Akron, Ohio 44306. Applicant's representative: A. David Millner, 1060 Broad Street, Newark, N.J. 07102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, and iron and steel articles, and equipment, materials and supplies used in the manufacture or processing of iron and steel articles, between points in the Chicago, Ill., commercial zone, as defined by the Commission, Joliet and Waukegan, Ill., Portage and Burns Harbor, Ind., on the one hand, and, on the other, points in Alabama, Arkansas, Colorado, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, Pennsylvania, South Dakota, Tennessee, Texas, Wisconsin, and Wyoming.* NOTE: The purpose of this republication is to broaden the authority sought by the addition of Joliet and Waukegan, Ill., and Burns Harbor and Portage, Ind., as base points and Colorado, Pennsylvania, and Wyoming in the radial territory. Applicant states it would tack at common Ohio points. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., Pittsburgh, Pa., or Washington, D.C.

No. MC 68183 (Sub-No. 26), filed December 5, 1966. Applicant: YANKEE LINES, INC., 1400 East Archwood Avenue, Akron, Ohio 44306. Applicant's representative: A. David Millner, 1060 Broad Street, Newark, N.J. 07102. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving points in Mentor Township, Ohio, as off-route points in connection with carrier's regular route operations between Cleveland and Warren, Ohio, and between Cleveland and Barberton, Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 69833 (Sub-No. 88), filed November 30, 1966. Applicant: ASSOCIATED TRUCK LINES, INC., 15 Andre Street SE., Grand Rapids, Mich. 49507. Applicant's representative: John A. Vuono, 1515 Park Building, Pittsburgh, Pa. 15222. Authority sought to operate as a *common carrier*, by motor vehicle,



over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), serving Mentor, Ohio, as an off-route point in connection with carrier's presently authorized regular route operation to and from Cleveland, Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held in Washington, D.C., or Cleveland, Ohio.

No. MC 70151 (Sub-No. 42), filed November 30, 1966. Applicant: UNITED TRUCKING SERVICE, INC., 3047 Lonyo Road, Detroit, Mich. 48209. Applicant's representative: Robert D. Schuler, Suite 1700, 1 Woodward Avenue, Detroit, Mich. 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the plantsite of Ford Motor Co. on Sheldon Road, Plymouth Township, Wayne County, Mich., as an off-route point in connection with applicant's authorized regular route authority. NOTE: If a hearing is deemed necessary, applicant requests it be held at Lansing, Mich.

No. MC 71096 (Sub-No. 57), filed November 30, 1966. Applicant: NORWALK TRUCK LINES, INC., 180 Milan Avenue, Norwalk, Ohio 44857. Applicant's representatives: John A. Vuono, 1515 Park Building, Pittsburgh, Pa., and Marlon M. Emery, 180 Milan Avenue, Norwalk, Ohio 44857. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, automobiles, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving Mentor, Ohio, as an off-route point in connection with carrier's presently authorized regular route operation to and from Cleveland, Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Cleveland, Ohio.

No. MC 72243 (Sub-No. 21), filed November 23, 1966. Applicant: THE AETNA FREIGHT LINES, INC., 2507 Youngstown Road, Warren, Ohio 44482. Applicant's representative: Robert W. Loser, 409 Chamber of Commerce Building, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, as described in appendix V to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, between points in the St. Louis, Mo.-East St. Louis, Ill., commercial zone, Alton, Ill., and Madison, Ill., on the one hand, and, on the other, points in Alabama, Arkansas, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, that part of Minnesota on and south of a line commencing at the Minnesota-Wisconsin

State line, thence over Wisconsin Highway 48 to junction Minnesota Highway 23, thence over Minnesota Highway 23 to St. Cloud, Minn., thence over Minnesota Highway 15 to the Minnesota-Iowa State line, serving points located on highways described above and points within the area south and east of the above-named highways to the Minnesota-Iowa and Minnesota-Wisconsin State lines, and points in Mississippi, Missouri, Ohio, Oklahoma, Tennessee, Texas, and Wisconsin. NOTE: Applicant states it could tack the authority sought herein (1) at any point in Ohio with its existing authority in No. MC 72243 to permit through movements to points in New York, Pennsylvania, and Ohio, and (2) at points in the Illinois portion of the St. Louis-East St. Louis, commercial zone, or at Alton or Madison, Ill., with its Sub 10 authority wherein it conducts operations in that part of Illinois, Indiana, Iowa, Michigan, and Wisconsin within 300 miles of Chicago, Ill., including Chicago. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 80498 (Sub-No. 6), filed November 30, 1966. Applicant: EARL C. SMITH, INC., 1720 Dove Street, Port Huron, Mich. Applicant's representative: Robert D. Schuler, Suite 1700, 1 Woodward Avenue, Detroit, Mich. 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the plantsite of Ford Motor Co. on Sheldon Road, Plymouth Township (Wayne County), Mich., as an off-route point in connection with authorized service at Detroit, Mich. NOTE: If a hearing is deemed necessary, applicant requests it be held at Lansing, Mich.

No. MC 82063 (Sub-No. 19), filed December 1, 1966. Applicant: KLIPSCH HAULING CO., a corporation, 119 East Loughborough Street, St. Louis, Mo. 63111. Applicant's representative: Ernest A. Brooks, II, 1301 Ambassador Building, St. Louis, Mo. 63101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia and liquid fertilizer materials*, in bulk, in tank vehicles, from the plant and storage site of Mobil Chemical Co., located at or near Meredosia, Ill., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Oklahoma, Tennessee, and Wisconsin. NOTE: Applicant states that the above proposed operation is restricted against tacking or interlining for the purpose of performing through service. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 89684 (Sub-No. 57), filed December 1, 1966. Applicant: WYCOFF COMPANY, INCORPORATED, 560 South Second West, Salt Lake City, Utah 84110. Applicant's representative: Harry D. Pugsley, 600 El Paso Gas Build-

ing, Salt Lake City, Utah 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* moving in express service, between points in Utah and points in Idaho, south of Idaho County, on the one hand, and, on the other, points in Jackson, Rawlins, Wilson, and Mountain View, Wyo., and points on U.S. Highways 187, 189, and 26, south of Jackson, and U.S. Highways 30, 30N and 30S west of Rawlins, Wyo. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah.

No. MC 103435 (Sub-No. 193), filed December 5, 1966. Applicant: UNITED-BUCKINGHAM FREIGHT LINES, East 915 Springfield Avenue, Spokane, Wash. 99220. Applicant's representative: George R. LaBissoniere, 920 Logan Building, Seattle, Wash. 98101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, iron and steel articles, equipment, materials, and supplies used in the manufacture or processing of iron and steel articles*, between points in Chicago, Ill., commercial zone as defined by the Commission, on the one hand, and, on the other, points in Minnesota, Iowa, Missouri, North Dakota, South Dakota, Nebraska, Kansas, Colorado, and Wyoming. NOTE: Applicant states it intends to tack with authorities presently authorized in Subs 104 and 158, wherein it is authorized to conduct operation in the States of Washington, Idaho, Missouri, Illinois, Iowa, Nebraska, and Kansas. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 103654 (Sub-No. 122) (Amendment), filed November 14, 1966, published FEDERAL REGISTER issue of December 1, 1966, amended December 2, 1966, and republished as amended, this issue. Applicant: SCHIRMER TRANSPORTATION COMPANY, INCORPORATED, 1145 Homer Street, St. Paul, Minn. Applicant's representative: Donald A. Morken, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sulphate of alumina* in bulk, from Minneapolis and St. Paul, Minn., and points within 10 miles thereof, to points in Minnesota, Iowa, Nebraska, North Dakota, South Dakota, Wisconsin, and the Upper Peninsula of Michigan. NOTE: The purpose of this republication is to change the origin point. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 103880 (Sub-No. 378), filed December 1, 1966. Applicant: PRODUCERS TRANSPORT, INC., 215 East Waterloo Road, Akron, Ohio 44306. 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: (1) *Anhydrous ammonia*, in bulk, in tank vehicles, from the plant and storage site of



Mobil Chemical Co. located at or near Meredosia, Ill., to points in Arkansas, Illinois, Oklahoma, and Tennessee, and (2) *liquid fertilizer materials*, in bulk, in tank vehicles, from the plant and storage site of Mobil Chemical Co. located at or near Meredosia, Ill., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Oklahoma, Ohio, Tennessee, and Wisconsin, restricted against tacking or interlining for the purpose of performing through service. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 106117 (Sub-No. 9) filed November 30, 1966. Applicant: RUMPF TRUCK LINE, INC., 424 South Maumee Street, Tecumseh, Mich. Applicant's representative: Robert D. Schuler, Suite 1700, 1 Woodward Avenue, Detroit, Mich. 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the plantsite of Ford Motor Co. on Sheldon Road, Plymouth Township (Wayne County), Mich., as an off-route point in connection with authorized service at Ypsilanti, Mich. NOTE: If a hearing is deemed necessary, applicant requests it be held at Lansing, Mich.

No. MC 107002 (Sub-No. 330), filed November 30, 1966. Applicant: HEARIN-MILLER TRANSPORTERS, INC., Highway 80, Post Office Box 1123, Jackson, Miss. 39205. Applicant's representatives: Harry C. Ames, Jr., 529 Transportation Building, Washington, D.C. 20006 and Harold D. Miller, Jr., Post Office Box 1250, Jackson, Miss. 39205. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia and liquid fertilizer materials*, in bulk, in tank vehicles, from the plant and storage site of Mobil Chemical Co. located at or near Meredosia, Ill., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Oklahoma, Tennessee, and Wisconsin. Restricted against tacking or interlining for the purpose of performing through service. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., St. Louis, Mo., or Chicago, Ill.

No. MC 107403 (Sub-No. 701), filed December 5, 1966. Applicant: MTLACK, INC., 10 West Baltimore Avenue, Lansdown, Pa. 19050. Applicant's representative: C. W. Zook (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, from Delair, N.J., to points in that part of Pennsylvania on and east of U.S. Highway 220. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 107882 (Sub-No. 11), filed December 6, 1966. Applicant: ARMORED MOTOR SERVICE CORPORATION, 160 Ewingville Road, Trenton, N.J. 08638.

Applicant's representative: Nathan N. Schildkraut, 143 East State Street, Post Office Box 1413, Trenton, N.J. 08607. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Coin*, between Baltimore, Md., Boston, Mass., Chicago, Ill., Cincinnati and Cleveland, Ohio, Detroit, Mich., Denver, Colo., Louisville, Ky., Buffalo, New York and West Point, N.Y., Minneapolis, Minn., Omaha, Nebr., Pittsburgh and Philadelphia, Pa., Kansas City and St. Louis, Mo., Washington, D.C., Helena, Mont., Los Angeles and San Francisco, Calif., Portland, Oreg., Salt Lake City, Utah, and Seattle, Wash., under contract with the U.S. Government and banks and banking institutions. NOTE: Applicant states by this instant application it seeks to eliminate Denver, Colo., as a gateway. Applicant has common carrier authority in MC 125729, therefore, dual operation may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Trenton, N.J.

No. MC 108449 (Sub-No. 245), filed December 5, 1966. Applicant: INDIAN-HEAD TRUCK LINE, INC., 1947 West County Road C, St. Paul, Minn. 55113. Applicant's representatives: W. A. Myllenbeck (same as applicant), and Adolph J. Bleberstein, 121 West Doty Street, Madison, Wis. 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gas*, in bulk, (1) from the Mid-America Pipeline Co. terminal at or near Clay Center, Kans., to points in Nebraska, Iowa, and Missouri, and (2) from the Mid-America Pipeline Co. terminal at or near Dubuque, Iowa, to points in Illinois, Minnesota, and Wisconsin. NOTE: Applicant states that the proposed authority could or would be tacked with authorized operating authority in MC 108449 Sub 100 at Sanborn and Iowa City, Iowa, St. Paul, Minn., and Janesville, Wis. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 108449 (Sub-No. 246), filed December 5, 1966. Applicant: INDIAN-HEAD TRUCK LINE, INC., 1947 West County Road C, St. Paul, Minn. 55113. Applicant's representative: W. A. Myllenbeck (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia and liquid fertilizer materials*, in bulk, in tank vehicles, from the plant and storage site of Mobil Chemical Co. located at or near Meredosia, Ill., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Oklahoma, Tennessee, and Wisconsin. NOTE: Applicant states that the above proposed operation is restricted against tacking or interlining for the purpose of performing through service. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., St. Louis, Mo., or Chicago, Ill.

No. MC 109914 (Sub-No. 20), filed November 30, 1966. Applicant: DUNDEE TRUCK LINE, INC., 660 Sterling Street,

Toledo, Ohio 43609. Applicant's representative: Robert D. Schuler, Suite 1700, 1 Woodward Avenue, Detroit, Mich. 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the plantsite of Ford Motor Co. on Sheldon Road in Plymouth Township, Wayne County, Mich., as an off-route point in connection with applicant's authorized service at Detroit, Mich. NOTE: If a hearing is deemed necessary, applicant requests it be held at Lansing, Mich.

No. MC 110193 (Sub-No. 158), filed December 2, 1966. Applicant: SAFEWAY TRUCK LINES, INC., 20450 Ireland Road, Post Office Box 2628, South Bend, Ind. Applicant's representative: Walter J. Kobos (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles, and equipment, materials, and supplies used in the manufacture or processing of iron and steel articles*, between Joliet, Waukegan, Lemont, Chicago, and Chicago Heights, Ill., and points in their respective commercial zones, Burns Harbor and Portage, Ind., on the one hand, and, on the other, points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, Pennsylvania, South Dakota, Tennessee, Texas, and Wisconsin. NOTE: Applicant states that the authority sought could be joined with its presently held authority in Subs 25 and 31 thus permitting a through service from points in Ohio, New York, and New Jersey, to points west of Chicago, Ill. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 110525 (Sub-No. 807), filed November 28, 1966. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. 19335. Applicant's representatives: Edwin H. van Deusen (same address as applicant), and Leonard A. Jaskiewicz, 1155 15th Street NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Alcoholic liquors*, in bulk, in tank vehicles, from Baltimore, Md., to Cincinnati, Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 110988 (Sub-No. 226), filed December 2, 1966. Applicant: KAMPO TRANSIT, INC., 200 West Cecil Street, Neenah, Wis. Applicant's representative: E. Stephen Heisley, 529 Transportation Building, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sand additives*, from Belvidere, Ill., and Archbold and Wadsworth, Ohio, to points in Illinois, Iowa, Indiana, Ohio, Michigan, Wisconsin,



sin, Pennsylvania, West Virginia, New York, Minnesota, Kentucky, and Missouri. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 110988 (Sub-No. 227), filed December 2, 1966. Applicant: KAMPO TRANSIT, INC., 200 West Cecil Street, Neenah, Wis. Applicant's representative: E. Stephen Heisley, 529 Transportation Building, Washington, D.C. 20006. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Dry fertilizer and fertilizer materials*, from the plantsite of W. R. Grace & Co., Henry, Ill., to points in Minnesota, Wisconsin, Iowa, Missouri, Indiana, Kentucky, Ohio, and Michigan. NOTE: Applicant states it would tack at the plantsite at Henry, Ill., to serve the above-destination States from Janesville, Eldorado, Kenosha, Madison, Marshall, and Edmund, Wis., but it can already do this at present over other gateways. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 110988 (Sub-No. 228), filed December 2, 1966. Applicant: KAMPO TRANSIT, INC., 200 West Cecil Street, Neenah, Wis. Applicant's representative: E. Stephen Heisley, 529 Transportation Building, Washington, D.C. 20006. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia and liquid fertilizer materials*, in bulk, in tank vehicles, from the plant and storage site of Mobil Chemical Co., located at or near Meredosia, Ill., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Oklahoma, Tennessee, and Wisconsin restricted against tacking or interlining for the purpose of performing through service. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., St. Louis, Mo., or Chicago, Ill.

No. MC 111729 (Sub-No. 178), filed December 2, 1966. Applicant: AMERICAN COURIER CORPORATION, 222-17 Northern Boulevard, Bayside, N.Y. 11361. Applicant's representative: Russell S. Bernhard, 1625 K Street NW., Washington, D.C. 20006. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Exposed and processed film and prints, complimentary replacement film, incidental dealer handling supplies consisting of labels, envelopes, and packaging materials, and advertising literature moving therewith* (excluding motion picture film used primarily for commercial theater and television exhibition), (a) between Alexandria, Va., on the one hand, and, on the other, Harrisburg and Philadelphia, Pa., and (b) between Bradley Field, Conn., on the one hand, and, on the other, points in Hartford County, Conn., and Hampden County, Mass., (2) *blood, research samples, business papers, and accompanying documents*, between New York, N.Y., on the one hand, and, on the other, points in New London County, Conn., (3) *ophthalmic goods and com-*

*mercial papers*, between points in Worcester County, Mass., on the one hand, and, on the other, points in Hillsboro County, N.H., (4) *checks, business papers, records, audit and accounting media of all kind*, excluding plant removals, (a) between Philadelphia, Pa., on the one hand, and, on the other, points in Maryland and Arlington, Clarke, Fairfax, Frederick, Loudoun, Northampton, Prince William, and Warren Counties, Va., and Alexandria, Va., and (b) between Baltimore, Md., on the one hand, and, on the other, points in Clarke, Fairfax, Frederick, Loudoun, Northampton, and Warren Counties, Va., Adams, Cumberland, Dauphin, Franklin, Lebanon, and York Counties, Pa., and (5) *payroll checks, business papers, records, audit and accounting media of all kind*, excluding plant removals, between points in Worcester County, Mass., on the one hand, and, on the other, points in Hillsboro County, N.H. NOTE: Applicant states it intends to tack this proposed authority with other presently held common carrier authority. Applicant has contract carrier authority in MC 112750, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 112617 (Sub-No. 240), filed December 1, 1966. Applicant: LIQUID TRANSPORTERS, INC., Post Office Box 5135, Cherokee Station, Louisville, Ky. 40205. Applicant's representative: L. A. Jaskiewicz, 600 Madison Building, 1155 15th Street NW., Washington, D.C. 20005. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia and liquid fertilizer materials*, in bulk, in tank vehicles, from the plant and storage site of Mobil Chemical Co. at or near Meredosia, Ill., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Oklahoma, Tennessee, and Wisconsin. Restricted against tacking or interlining for the purpose of performing through service. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., St. Louis, Mo., or Chicago, Ill.

No. MC 112617 (Sub-No. 241), filed December 1, 1966. Applicant: LIQUID TRANSPORTERS, INC., Post Office Box 5135, Cherokee Station, Louisville, Ky. 40205. Applicant's representative: L. A. Jaskiewicz, 600 Madison Building, 1155 15th Street NW., Washington, D.C. 20005. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Hydrofluoric acid*, in bulk, in tank vehicles, from the plantsite of the Pennsalt Chemical Corp. at or near Calvert City, Ky., to points in Pennsylvania. NOTE: Applicant states it intends to tack at the plantsite of the Pennsalt Chemical Corp. at or near Calvert City, Ky., with its present authorities held under No. MC 112617 and subs thereunder. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 113646 (Sub-No. 5), filed December 2, 1966. Applicant: JEFFERSON TRUCKING COMPANY, a corporation, Box 17, National City, Mich. 48748. Applicant's representative: William B. Elmer, 22644 Gratiot Avenue, East Detroit, Mich. 48021. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Building, roofing and insulating materials, asbestos, cement, gypsum, lime and limestone products* (excluding the transportation of liquid commodities in bulk, in tank vehicles), from the plantsite of National Gypsum Co. at or near Lorain, Ohio, to points in Orleans, Monroe, Wayne, Genesee, Livingston, Ontario, Wyoming, Yates, Seneca, Schuyler, Cattaraugus, Allegany, and Steuben Counties, N.Y., Warren, McKean, Potter, Tioga, Forest, Elk, and Cameron Counties, Pa., and returned, refused, or damaged shipments, on return, under contract with National Gypsum Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Detroit or Lansing, Mich., Columbus, Ohio, or Washington, D.C.

No. MC 113861 (Sub-No. 38), filed December 5, 1966. Applicant: WOOTEN TRANSPORTS, INC., 153 Gaston Avenue, Memphis, Tenn. Applicant's representative: Dale Woodall, 900 Memphis Bank Building, 44 North Second Street, Memphis, Tenn. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk and in tank vehicles, (1) from Eldorado, Ark., to points in Louisiana and Mississippi; and (2) from Vicksburg, Miss., to points in Louisiana and Arkansas. NOTE: Applicant states it would tack the proposed authority with its present authority at Memphis, Tenn. If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn.

No. MC 114818 (Sub-No. 10), filed November 28, 1966. Applicant: BARTON TRUCK LINE, INC., 455 West Fourth Street South, Salt Lake City, Utah 84101. Applicant's representative: William S. Richards, 1610 Walker Bank Building, Salt Lake City, Utah 84111. Authority sought to operate as a common carrier, by motor vehicle, over regular and irregular routes: Regular routes: (A) *General commodities* (except those of unusual value, household goods as defined by the Commission, commodities in bulk and those requiring special equipment, (1) between Salt Lake City, Utah, and the Utah-Idaho State line; from Salt Lake City over U.S. Highway 89-91 to Logan, Utah, thence over U.S. Highway 91 to the Utah-Idaho State line, and return over the same route, serving all intermediate points, and serving the Ogden, Utah, Arsenal and points in Utah within 10 miles of U.S. Highway 89-91 and U.S. Highway 91 as off-route points; (2) between Brigham City, Utah, and the Utah-Idaho State line; from Brigham City over U.S. Highway 191 to the Utah-Idaho State line, and return over the same route, serving all intermediate points, and serving points in Utah within 10 miles of U.S. Highway 191 as off-route



points; (3) between junction U.S. Highway 191 and U.S. Highway 30S near Tremonton, Utah, and the Utah-Idaho State line; from junction of U.S. Highway 191 and U.S. Highway 30S near Tremonton, Utah, over U.S. Highway 30S to the Utah-Idaho State line, and return over the same route, serving all intermediate points, and serving points in Utah within 10 miles of U.S. Highway 30S, the plantsite of Thiokol Chemical Corp., and all U.S. Government installations located approximately 20 miles west of Corinne, Utah, on Utah Highway 83 as off-route points;

(4) Between Salt Lake City, Utah, and Wendover, Utah; from Salt Lake City over U.S. Highway 40 to Lake Point Junction, Utah, thence over U.S. Highway 50A-40 to Wendover, and return over the same route, serving all intermediate points, and serving Hill Air Force Base, Utah, the Wendover Bombing Range, and points between Lake Point Junction and Timpie, Utah, within 5 miles of U.S. Highway 50A-40 as off-route points; (5) between Mills Junction, Utah, and Vernon, Utah, over Utah Highway 36, serving all intermediate points between Tooele and Vernon, and serving International, West International, Lakeview, St. John, and Granite Mountain, Utah, and Tooele Ordnance Depot, and Deseret Chemical Depot as off-route points; (6) between junction Utah Highway 36 and Utah Highway 73 and Ophir, Utah, from junction Utah Highway 36 and Utah Highway 73 over Utah Highway 73 to Ophir, and return over the same route, serving all intermediate points and serving Mercur, Utah, as an off-route point; (7) between Timpie and Dugway Proving Grounds, Utah; from Timpie over unnumbered county road to Dugway Proving Grounds, and return over the same route, serving all intermediate points, and serving Orr's Ranch, Flux, and Dolomite, Utah, and points within 5 miles of such unnumbered county road as off-route points; (8) between Tremonton, Utah, and Montello, Nev.; from Tremonton over U.S. Highway 30S to junction Utah Highway 70, thence over Utah Highway 70 to the Nevada State line, thence over Nevada Highway 30 to Montello, and return over the same route, serving all intermediate points, and serving points in Utah bordering on Great Salt Lake and points in Utah and Nevada within 30 miles of Utah Highway 70 and Nevada Highway 30 as off-route points;

(9) Between Wendover, Utah, and Montello, Nev.; from Wendover over U.S. Highway 40 to junction Nevada Highway 30, thence over Nevada Highway 30 to Montello, and return over the same route, serving all intermediate points, and serving points in Nevada within 30 miles of Nevada Highway 30 as off-route points; (B) *eggs and poultry feed*, between Grantsville, Utah, and Draper, Utah; from Grantsville over U.S. Highway 40 to Salt Lake City, Utah, thence over U.S. Highway 50 A-91 to Draper, and return over the same route, serving all intermediate points; (C) *salt*, between Saltair, Utah, and Dolomite, Utah; from Saltair over U.S. Highway

40 to junction unnumbered county road, thence over unnumbered county road to Dolomite, and return over the same route, serving the intermediate points of Grantsville, Utah, and the Royal Crystal Co. and Morton Salt Co. plantsites, and serving Lake Point, Erda, and Flux, Utah, as off-route points; and over irregular routes: (A) *Household goods* as defined by the Commission, between points in Tooele County, Utah; (B) *General commodities*, except those of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between Tooele, Utah, on the one hand, and, on the other, points within 10 miles thereof. NOTE: If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah.

No. MC 115331 (Sub-No. 212) (amendment), filed November 2, 1966, published in the FEDERAL REGISTER issue of November 24, 1966, amended December 6, 1966, and republished as amended, this issue. Applicant: TRUCK TRANSPORT, INCORPORATED, 707 Market Street, St. Louis, Mo. 63101. Applicant's representative: Thomas F. Kilroy, 913 Colorado Building, 1341 G Street NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Nitric acid*, from El Dorado, Ark., to Elwood and Joliet, Ill., and to Natrium and South Charleston, W. Va. NOTE: The purpose of this republication is to show the applicant's name as Truck Transport, Inc., and that the only sought authority be for the transportation of nitric acid, from El Dorado, Ark., to Elwood and Joliet, Ill., and Natrium and South Charleston, W. Va. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Washington, D.C.

No. MC 115331 (Sub-No. 215), filed November 23, 1966. Applicant: TRUCK TRANSPORT, INCORPORATED, 707 Market Street, St. Louis, Mo. 63101. Applicant's representative: Thomas F. Kilroy, 913 Colorado Building, 1341 G Street NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime and limestone products*, in bulk, from Ste. Genevieve County, Mo., to all points in Kentucky. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Washington, D.C.

No. MC 115826 (Sub-No. 161), filed November 28, 1966. Applicant: W. J. DIGBY, INC., Post Office Box 5088, Terminal Annex, Denver, Colo. 80217. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Flour*, from points in Colorado and Utah, to points in Arizona. NOTE: If a hearing is deemed necessary, applicant requests it be held at Phoenix, Ariz.

No. MC 115975 (Sub-No. 9), filed December 1, 1966. Applicant: C. B. W. TRANSPORTING SERVICE, INC., Hedge Road, Post Office Box 48, Wood River, Ill. Applicant's representative:

Ernest A. Brooks II, 1301 Ambassador Building, St. Louis, Mo. 63101. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, from East St. Louis and Wood River, Ill., to points in Missouri, Iowa, Indiana, Kentucky, and Tennessee. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Washington, D.C.

No. MC 116133 (Sub-No. 4), filed November 29, 1966. Applicant: POLLARD DELIVERY SERVICE, INC., Washington National Airport, Washington, D.C. 20001. Applicant's representative: Russell S. Bernhard, 1625 K Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, class A or B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), (1) between Friendship International Airport, Anne Arundel County, Md., on the one hand, and, on the other, Philadelphia International Airport, Philadelphia, Pa., Newark Airport, Newark, N.J., La Guardia Airport and Kennedy International Airport, New York, N.Y., and (2) between Philadelphia International Airport, on the one hand, and, on the other, Newark Airport, Newark, N.J., La Guardia Airport and Kennedy International Airport, New York, N.Y. Restricted to traffic having an immediately prior or immediately subsequent movement by air. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 116273 (Sub-No. 78) (Amendment), filed September 26, 1966, published FEDERAL REGISTER issue of October 13, 1966, amended December 13, 1966, and republished as amended, this issue. Applicant: D & L TRANSPORT, INC., 3800 South Laramie Avenue, Cicero, Ill. 60650. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia, and liquid fertilizer materials*, in bulk, in tank vehicles, from the plant and storage site of Mobil Chemical Co. located at or near Meredosia, Ill., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Oklahoma, Tennessee, and Wisconsin, restricted against tacking or interlining for the purpose of performing through service. NOTE: The purpose of this republication is to broaden the scope of the application and to eliminate the tacking information. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 116369 (Sub-No. 6), filed November 29, 1966. Applicant: WILLIAM ROY CALHOUN, Route 1, Box 21, Petersburg, W. Va. 26847. 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: *Wood chips, wood shavings, saw-*



dust, and refuse wood, (1) from Oakland, Md., Garard Fort, Point Marion, and Uniontown, Pa.; Winchester, Va., Buckhannon, Durbin, Elkins, Hacker Valley, Pennsboro, Petersburg, Rock Cove, and West Union, W. Va., to Luke, Md., and (2) from points in that area bounded by a line beginning at the junction of U.S. Highways 77 and 60 near Charleston, W. Va., along U.S. Highway 60 to the West Virginia-Virginia State line, thence east along U.S. Highway 60 to Lexington, Va., thence along U.S. Highway 60 to Richmond, Va., thence along U.S. Highways 95 and 1 northward to the Virginia-Maryland State line, thence northward along U.S. Highways 95 and 1 to Baltimore, Md., thence north along U.S. Highway 83 to the Maryland-Pennsylvania State line, thence along U.S. Highway 83 to Harrisburg, Pa., thence north and west along U.S. Highway 22 and Pennsylvania Highway 322 to Franklin, Pa., thence west along U.S. Highway 62 to the Pennsylvania-Ohio State line, thence along U.S. Highway 62 to Youngstown, Ohio, thence south along Ohio Highway 7 to Belpre, Ohio, thence east to the Ohio River and the Ohio-West Virginia State line at Parkersburg, W. Va., thence south along U.S. Highways 21 and 77 to Charleston, W. Va., the point of beginning, to Luke, Md., under contract with West Virginia Pulp and Paper Co., Luke, Md. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 116457 (Sub-No. 4), filed November 25, 1966. Applicant: CLAUDE BUTLER, doing business as BUTLER TRUCKING CO., Box 416, Show Low, Ariz. Applicant's representative: Pete H. Dawson, 4453 East Piccadilly Road, Phoenix, Ariz. 85018. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Wood chips*, from points in New Mexico to points in Navajo County, Ariz., (2) *wood poles, piling, posts, cross-ties, timbers, treated and/or untreated*, from points in Arizona to El Paso, Tex., and to points in New Mexico, and (3) *lumber*, from points in Arizona to ports of entry on the international boundary line between the United States and Mexico, located at or near San Luis, Nogales, Douglas, Naco, and Ajo, Ariz., and El Paso, Tex. NOTE: If a hearing is deemed necessary, applicant requests it be held at Phoenix, Ariz.

No. MC 117439 (Sub-No. 25), filed November 30, 1966. Applicant: BULK TRANSPORT, INC., U.S. Highway 190, Post Office Box 89, Port Allen, La. 70767. Applicant's representative: John Schwab, 617 North Boulevard, Post Office Box 1350, Baton Rouge, La. 70802. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Cement*, in bulk and in bags, (a) from New Orleans, La., to points in that part of Texas west of U.S. Highway 75, (b) from Mobile, Ala., to points in Georgia and (c) from Houston, Tex., to points in Oklahoma, Arkansas, Mississippi, and Alabama; (2) *cement*, in bags only, from New Orleans, La., to points in Alabama and Florida;

and (3) *cement*, in bulk only, from Mobile, Ala., to points in Louisiana. NOTE: Applicant states that under docket MC 117439, it holds authority to transport cement, over irregular routes, from New Orleans, La., to all points in Texas on and east of U.S. Highway 75. The instant application seeks authority to transport cement, over irregular routes to all points in Texas not included within the grant under MC 117439, and would be tacked or joined with that authority. The joinder would be accomplished in the area along U.S. Highway 51, and would permit applicant to provide through service to the entire State of Texas, from New Orleans. NOTE: If a hearing is deemed necessary, applicant requests it be held at Houston, Tex., Mobile, Ala., or Washington, D.C.

No. MC 119422 (Sub-No. 44) (Amendment), filed November 14, 1966, published in the FEDERAL REGISTER issue of December 1, 1966, amended December 12, 1966, and republished this issue. Applicant: EE-JAY MOTOR TRANSPORTS, INC., 15th and Lincoln, East St. Louis, Ill. Applicant's representative: Ernest A. Brooks II, 1301 Ambassador Building, St. Louis, Mo. 63101. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Ammonia and liquid fertilizer materials*, in bulk, in tank vehicles from the plant and storage site of Mobil Chemical Co. located at or near Meredosia, Ill., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Oklahoma, Tennessee, and Wisconsin. Restricted against tacking or interlining for the purpose of performing through service. NOTE: The purpose of this republication is to amend the commodity and broaden the territorial description to coincide with other applications being supported from its new plantsite. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or St. Louis, Mo.

No. MC 119641 (Sub-No. 65), filed December 5, 1966. Applicant: RINGLE EXPRESS, INC., 450 East Ninth Street, Fowler, 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: *Material handling equipment* (including, but not restricted to steel dump hoppers, stock boards, skids, pallets, and gear racks), from Rensselaer and Fowler, Ind., to points in Illinois, Iowa, Michigan, Minnesota, Missouri, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 119702 (Sub-No. 24), filed December 1, 1966. Applicant: STAHL CARTAGE CO., a corporation, 130-A Hillsboro Avenue, Edwardsville, Ill. 62025. Applicant's representative: Leonard A. Jaskiewicz, 1155 15th Street NW., Washington, D.C. 20005. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia, and liquid fertilizer materials*, in bulk, in tank vehicles,

from the plant and storage site of Mobil Chemical Co., located at or near Meredosia, Ill., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Oklahoma, Tennessee, and Wisconsin. NOTE: Applicant states that the above proposed operation is restricted against tacking or interlining for the purpose of performing through service. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., St. Louis, Mo., or Chicago, Ill.

No. MC 119726 (Sub-No. 12), filed November 30, 1966. Applicant: N. A. B. TRUCKING CO., INC. 46225. Applicant's representative: James J. Williams, 6376 31st Place NW., Washington, D.C. 20015. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Canned goods*, from Milford, Ill., to points in Alabama, Florida, and Georgia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind., Chicago or Springfield, Ill.

No. MC 119765 (Sub-No. 13), filed December 2, 1966. Applicant: HENRY G. NELSEN, INC., 1548 Locust Street, Avoca, Iowa. Applicant's representative: Joseph M. Scanlan, 111 West Washington Street, Chicago, Ill. 60602. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, dairy products and articles distributed by meat packing-houses* (except commodities in bulk, in tank vehicles), from Mankato, Kans., to points in Nebraska, Illinois, Indiana, Iowa, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Kansas City, Mo.

No. MC 119934 (Sub-No. 134), filed December 5, 1966. Applicant: ECOFF TRUCKING, INC., 625 East Broadway, Fortville, Ind. Applicant's representative: Robert C. Smith, 623 Illinois Building, Indianapolis, Ind. 46204. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia, and liquid fertilizer materials*, in bulk, in tank vehicles, from the plant and storage site of Mobil Chemical Co. located at or near Meredosia, Ill., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Oklahoma, Tennessee, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 123476 (Sub-No. 5), filed December 5, 1966. Applicant: CURTIS TRANSPORT, INC., Post Office Box 215, Valley Park, Mo. Applicant's representative: Ferdinand Born, 601 Chamber of Commerce Building, Indianapolis, Ind. 46204. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia and liquid fertilizer materials*, in bulk, in tank vehicles, from the plant and storage site of Mobil Chemical Co. located at or near Meredosia, Ill., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Min-



nesota, Missouri, Nebraska, Ohio, Oklahoma, Tennessee, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., St. Louis, Mo., or Chicago, Ill.

No. MC 124111 (Sub-No. 11), filed December 5, 1966. Applicant: OHIO EASTERN EXPRESS, INC., Post Office Box 2297, 300 Perkins Avenue, Sandusky, Ohio 44870. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by-products*, as described in paragraphs A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides), from North Aurora, Ill., to points in Connecticut, Delaware, District of Columbia, Florida, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island, Virginia, North Carolina, South Carolina, and Georgia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 124422 (Sub-No. 2), filed November 28, 1966. Applicant: T & F QUINN TRUCKING CO., INC., 532 West 46th Street, New York, N.Y. 10019. Applicant's representative: Edward M. Alfano, 2 West 45th Street, New York, N.Y. 10036. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities as are dealt in by a manufacturer of architectural, stage, television, and photographic lighting systems*, uncrated, from shipper's plant at Clifton, N.J., to New York, N.Y., and points in Nassau, Westchester, and Rockland, N.Y., and *returned shipments* on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 124669 (Sub-No. 21) (Correction), filed November 7, 1966, published in FEDERAL REGISTER issue of November 24, 1966, amended December 5, 1966, and republished as corrected, this issue. Applicant: TRANSPORT, INC., OF SOUTH DAKOTA, 1012 West 41st Street, Sioux Falls, S. Dak. 57105. Applicant's representative: Ronald B. Pitsenbarger, Post Office Box 396, Moorhead, Minn. 56561. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, from Sioux Falls, S. Dak., and points within 10 miles thereof (except from the site of the American Oil Co. terminal in Sioux Falls), to points in Minnesota and Iowa and *returned shipments*, on return. NOTE: Applicant states no duplicating authority sought. The purpose of this republication is (1) to show the name of applicant as Transport, Inc., of South Dakota, in lieu of Transport, Inc., and (2) the "and" should be substituted for the word "to" in the origin description, as previously published. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 124834 (Sub-No. 5), filed December 2, 1966. Applicant: COFFEE TRANSPORT CORPORATION, 345 Butler Street, Brooklyn, N.Y. Applicant's

representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Baggage, equipment, materials, and supplies* used by a camp or by or for its guests, between points in Nassau, Suffolk, and Westchester Counties, N.Y., and New York, N.Y., and those in Hudson, Bergen, Essex, Passaic, and Union Counties, N.J., on the one hand, and, on the other, Camp Keeyumah, Orson (Wayne County), Pa., under contract with Camp Keeyumah. NOTE: Applicant has a pending application in MC 127940 for common carrier authority, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 125708 (Sub-No. 67), filed December 5, 1966. Applicant: HUGH MAJOR, 150 Sinclair Avenue, South Roxana, Ill. 62087. Applicant's representative: Edward G. Bazelon, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Grain products* (dry) (except in bulk, in tank vehicles), and *grain*, when moving in the same vehicle and at the same time as grain products (dry), between Alton, Ill., on the one hand, and, on the other, points in Illinois, Kansas, Kentucky, Michigan, Minnesota, New Jersey, New York, Oklahoma, Pennsylvania, Tennessee, Texas, West Virginia, Virginia, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 125813 (Sub-No. 8), filed November 30, 1966. Applicant: FRANK A. CRESSLER, doing business as CRESSLER'S TRUCKING, Rural Delivery No. 3, Shippensburg, Pa. 17257. Applicant's representative: James W. Hagar, Post Office Box 432, Harrisburg, Pa. 17108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Artificial wreaths, artificial flowers, artificial plants, decorations, novelties, and florist's materials and supplies*, from Mechanicsburg, Pa., to points in Arizona, Arkansas, California, Colorado, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Ohio (except Cleveland), Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wisconsin, and Wyoming. NOTE: Applicant states that no duplicating authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Harrisburg, Pa., or Washington, D.C.

No. MC 127215 (Sub-No. 25), filed December 1, 1966. Applicant: KENDRICK CARTAGE CO., a corporation, Box 63, Salem, Ill. Applicant's representative: Leonard A. Jaskiewicz, 1155 15th Street, NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia, and liquid fertilizer materials*, in bulk, in tank

vehicles, from the plant and storage site of Mobil Chemical Co., located at or near Meredosia, Ill., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Oklahoma, Tennessee, and Wisconsin. NOTE: Applicant states that the above proposed operation is restricted against tacking or interlining for the purpose of performing through service. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., St. Louis Mo., or Chicago, Ill.

No. MC 127925 (Sub-No. 2) (Amendment), filed May 6, 1966, published in the FEDERAL REGISTER issue of May 26, 1966, amended, and republished as amended, this issue. Applicant: KINGSLAND PAPER HAULAGE, INC., 217 Post Avenue, Lyndhurst, N.J. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Scrap and waste paper*, (1) from Lyndhurst, N.J., to Easton, Pa., and (2) from Easton, Pa., to Ridgefield, N.J.; under a continuing contract with Toga Paper Stock Co., Inc. NOTE: Common control may be involved. The purpose of this republication is to change the name of the supporting shipper to Toga Paper Stock Co., Inc., in lieu of James Carrano Sons, New York, N.Y. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 128076 (Sub-No. 6), filed December 2, 1966. Applicant: PROTECTIVE SERVICE COMPANY, a corporation, 725-29 South Broad Street, Philadelphia, Pa. 19147. Applicant's representative: Morris Cheston, Jr., 1035 Land Title Building, Philadelphia, Pa. 19110. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Magnetic tape and miscellaneous audit data*, between Camp Hill, Pa., and Baltimore, Md., under contract with Pennsylvania Blue Shield. NOTE: If a hearing is deemed necessary, applicant requests it be held at Philadelphia or Harrisburg, Pa.

No. MC 128543 (Sub-No. 1), filed December 5, 1966. Applicant: CRESCO LINES, INC., 13900 South Keeler Avenue, Crestwood, Ill. 60445. Applicant's representative: Edward G. Bazelon, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Pipe, tubing, couplings, elbows, and nipples*, from the warehouse facilities of Allied Tube & Conduit Corp. located at Struthers and Youngstown, Ohio, to points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Maryland, Virginia, North Carolina, South Carolina, Indiana, Georgia, Tennessee, Kentucky, West Virginia, Pennsylvania, Michigan, and the District of Columbia under contract with Allied Tube & Conduit Corp. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.



No. MC 128562 (Sub-No. 2), filed November 21, 1966. Applicant: SAGE DELIVERIES INC., 630 Victory Boulevard, Apartment 4K, Staten Island, N.Y. 10301. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Dairy products, and beverages*, between Staten Island, N.Y., and points in New Jersey and Pennsylvania, under contract with Weissglass Gold Seal Dairy Corp. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 128604, filed September 20, 1966. Applicant: CARL KESSLER, North Street, Benton, Pa. 17814. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Sand, flux, stone, and ammo*, from points in Sussex, Camden, and Cumberland Counties, N.J., to points in Sugarloaf Township, Columbia County, Pa., under contract with Benton Foundry, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Scranton or Harrisburg, Pa.

No. MC 128701 (Sub-No. 1), filed November 28, 1966. Applicant: R. MARTEL EXPRESS LIMITED, 29 Visitation Street, Farnham, Quebec, Canada. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Limestone*, in bags, from Florence, Rutland, and West Rutland, Vt., to the international boundary between Canada and the United States, with port of entry at Highgate, Vt., restricted to traffic moving under contract with St. Lawrence Chemical Co. (Sales), Ltd., of Montreal, Quebec, Canada. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Montpelier, Vt.

No. MC 128734, filed November 25, 1966. Applicant: W. B. PRODUCE HAULERS, INC., 1060 Hall SW., Grand Rapids, Mich. 49509. Applicant's representative: Leonard D. Verdier, Jr., 1 Vandenberg Center, Grand Rapids, Mich. 49502. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Milk, dairy products, and byproducts and fruit ades*, other than in bulk, in insulated and refrigerated vehicles, from Milwaukee, Wis., to points in that part of the Lower Peninsula of Michigan on and south of Interstate Highway 96, including the commercial zones of Detroit, Lansing, and Grand Rapids, Mich., under contract with Sealtest Foods Division of National Dairy Products Corp. NOTE: If a hearing is deemed necessary, applicant requests it be held at Lansing or Grand Rapids, Mich.

No. MC 128736, filed November 30, 1966. Applicant: KELLY TRANSPORT, LTD., Kellys Cross, P. E. I., Prince Edward Island, Canada. Applicant's representative: Alfred G. Esposito, 12 Fargo Street, Boston, Mass. 02210. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Bananas*, in the same vehicle which fresh fruits and vegetables, from Boston, Mass., to the ports of entry on the international boundary line between the Unit-

ed States and Canada, located at or near Calais and Houlton, Maine. NOTE: If a hearing is deemed necessary, applicant requests it be held at Boston, Mass., or Portland, Maine.

No. MC 128737, filed November 30, 1966. Applicant: JAMES MACDOWELL, doing business as MACDOWELL DELIVERY SERVICE, Lake View Avenue, Tyngsboro, Mass. 01879. Applicant's representative: Mary E. Kelley, 10 Tremont Street, Boston, Mass. 02108. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Department store merchandise, and supplies and equipment* used in the conduct of department store business, between Lowell, Mass., on the one hand, and, on the other, points in Maine and New Hampshire, under a continuing contract with A. C. Pollard Co., Lowell, Mass. NOTE: If a hearing is deemed necessary, applicant requests it be held at Lowell, or Boston, Mass.

No. MC 128738, filed November 30, 1966. Applicant: JOE N. QUINCE, doing business as QUINCE UNLOADING, 219 Chestnut Street, Beloit, Wis. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Building material*, between Chicago Heights, Rockford, Champaign, and Sterling, Ill., Janesville, and Sturtevant, Wis., and Muncie and Clark Hill, Ind., under contract with Wolohan Lumber Co., Janesville, Wis. NOTE: If a hearing is deemed necessary, applicant requests it be held at Madison, Wis.

No. MC 128743, filed December 2, 1966. Applicant: LEONARD SALTZMAN, 142 Nancy Drive, East Meadow, Long Island, N.Y. 11554. Applicant's representative: Stanley Frederick, 1212 Avenue of the Americas, New York, N.Y. 10036. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *New furniture, dishes, linens, and gift novelties*, between the Clearance outlet of W. J. Sloanes in Garden City, N.Y., Westport, Conn., and Union, N.J., under contract with W. J. Sloanes. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 128744, filed December 5, 1966. Applicant: SPRUILL TRANSPORT COMPANY, INC., Windsor, N.C. Applicant's representative: Vaughan S. Winborne, 1108 Capital Club Building, Raleigh, N.C. 27601. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, from the commercial zone of Norfolk, Va., to points in Hertford, Gates, Bertie, Martin, Northampton, Halifax, and Washington Counties, N.C., under contract with Spruill Oil Co., Inc., and Bertie-Martin Oil Co., Inc. NOTE: Applicant states the purpose of this application is to change from private carriers to contract hauling, all contracting parties being controlled by the same stockholders. If a hearing is deemed necessary, applicant requests it be held at Raleigh, N.C., or Norfolk, Va.

## MOTOR CARRIER OF PASSENGERS

No. 128739, filed November 30, 1966. Applicant: RELIABLE AUTO TRANSPORT SERVICE, 365A Somerville Avenue, Somerville, Mass. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Used passenger automobiles in driveaway service with or without passengers and their baggage*, restricted to the owner of the automobile, employees, dependents, or relatives of the owner, from points in Massachusetts on, and east of Massachusetts Highway 12, to points in Florida and California. NOTE: If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

By the Commission.

[SEAL] H. NEIL GARSON,  
Secretary.

[F.R. Doc. 66-13674; Filed, Dec. 21, 1966; 8:45 a.m.]

[3d Rev. S.O. 562; ICC Order 213, Amdt. 1]

## COLUMBUS AND GREENVILLE RAILWAY CO.

## Diversion and Rerouting of Traffic

Upon further consideration of ICC Order No. 213 (Columbus and Greenville Railway Co.) and good cause appearing therefor:

It is ordered, That:

ICC Order No. 213 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., December 31, 1966, unless otherwise modified, changed or suspended.

It is further ordered, That this amendment shall become effective at 11:59 p.m., December 15, 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 it with the Director, Office of the Federal Register.

Issued at Washington, D.C., December 13, 1966.

INTERSTATE COMMERCE  
COMMISSION,

[SEAL] R. D. PFAHLER,  
Agent.

[F.R. Doc. 66-13752; Filed, Dec. 21, 1966; 8:50 a.m.]

## FOURTH SECTION APPLICATION FOR RELIEF

DECEMBER 19, 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 40832—Vegetables from Pensacola, Fla.—Filed by O. W. South, Jr.,



agent (No. A4975), for interested carriers. Rates on vegetables, fresh or green (not cold-packed nor frozen), in carloads, from Pensacola, Fla., to points in Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, and Wisconsin.

Grounds for relief—Rate relationship and grouping.

Tariff—Supplement 105 to Southern Freight Association, agent, tariff ICC S-75.

By the Commission.

[SEAL] H. NEIL GARSON,  
Secretary.

[F.R. Doc. 66-13753; Filed, Dec. 21, 1966;  
8:50 a.m.]

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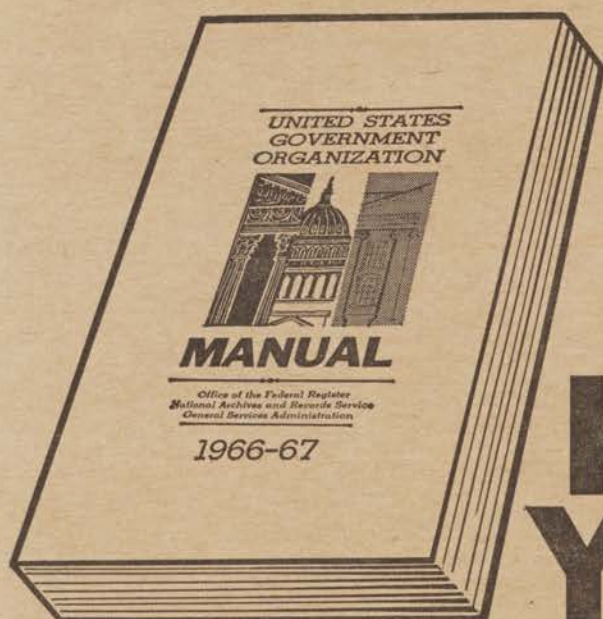












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