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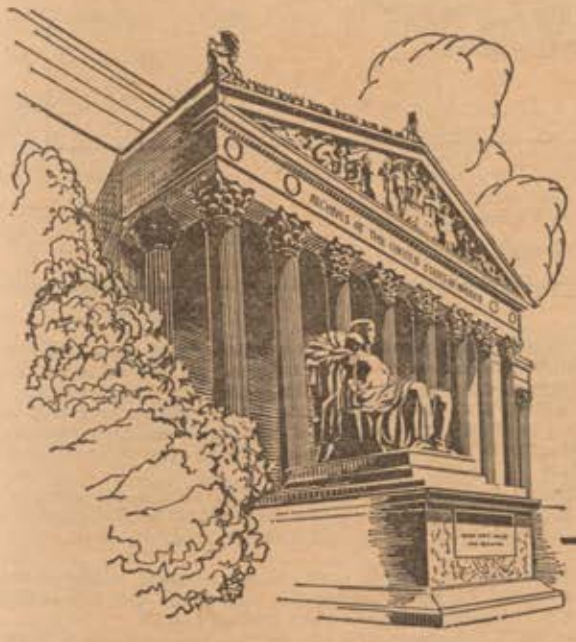

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(Codification Guide)

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A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1967, and specifies how they are affected.

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Title 1—GENERAL PROVISIONS

Chapter I—Administrative Committee of the Federal Register

SUBCHAPTER C—THE FEDERAL REGISTER

PART 20—INCORPORATION BY REFERENCE

Standards and Procedures Prescribed by the Secretary of the Administrative Committee (Director of the Federal Register)

Section 3(a) of the act to amend section 3 of the Administrative Procedure Act (Public Law 89–487, approved July 4, 1966) provides in part as follows:

For purposes of this subsection, matter which is reasonably available to the class of persons affected thereby shall be deemed published in the FEDERAL REGISTER when incorporated by reference therein with the approval of the Director of the Federal Register.

Legislative history references to the amendment are: (1) House Report No. 1497, Committee on Government Operations; (2) Senate Report No. 813, Committee on the Judiciary; (3) Congressional Record Vol. 111 (1965) October 13, considered and passed Senate; Vol. 112 (1966) June 20, considered and passed House.

In accordance with the amendment, the Director of the Federal Register hereby establishes standards and procedures governing his approval of instances of incorporation by reference submitted to the FEDERAL REGISTER for filing and publication.

The standards and procedures are set forth below in the form of a new Part 20 that is hereby added to Title 1, Chapter I, Code of Federal Regulations.

Notice of proposed rule making was published in the FEDERAL REGISTER of November 30, 1966 (31 F.R. 15023). The proposed standards and procedures, and the opportunity for comment, were approved in principle by the Administrative Committee of the Federal Register at its meeting of November 16, 1966.

Comment was received from over 20 agencies, from the Administrative Law Section of the American Bar Association, and from various attorneys as individuals. These comments were carefully evaluated. The measures suggested led to a complete revision of the proposed rule on incorporation by reference. As a result of these suggestions, the rule provides more detailed guidance as to standards to be followed, and provides for simplified procedures on the part of agencies submitting documents under these standards.

The text of the new Part 20 follows:

PART 20—INCORPORATION BY REFERENCE

Subpart A—General Standards

Subpart B—Drafting Standards

Subpart C—Publication Procedures

AUTHORITY: The provisions of this Part 20 issued under sec. 3(a), Public Law 89–487, 80 Stat. 250.

Subpart A—General Standards

§ 20.1 Scope and purpose.

The provisions of this Part 20 establish the standards and procedures under which the Director of the Federal Register shall decide to approve or deny use of incorporation by reference as contemplated by section 3(a) of the Administrative Procedure Act as amended July 4, 1966 (Public Law 89–487, 80 Stat. 250).

§ 20.2 Strict interpretation.

(a) *General.* The provisions of the last sentence of section 3(a) will be strictly interpreted by the Director in order to afford fairness and uniformity in administrative procedures involving publication in the FEDERAL REGISTER.

(b) *Basic instruments and publication system.* The Director will interpret and apply the provisions with full regard to the significance of related instruments governing publication in the daily FEDERAL REGISTER, and in supplemental editions thereof, including the Code of Federal Regulations, the U.S. Government Organization Manual and the Public Papers of the Presidents. Among others, the related instruments include:

(1) The Administrative Procedure Act, as amended (5 U.S.C. 551 et seq.);

(2) The Federal Register Act, as amended (44 U.S.C. Ch. 8B);

(3) The regulations of the Administrative Committee of the Federal Register prescribed pursuant to the Federal Register Act (1 CFR Ch. I); and

(4) Special statutory provisions requiring publication in the FEDERAL REGISTER (see 1 CFR, Ch. I, App. B).

(c) *Primary assumption.* The Director will assume that the provisions of the last sentence of section 3(a) are: (1) Designed to cover the limited purposes of section 3(a), (2) intended to benefit both the Government and the members of the classes affected by reducing the volume of matter actually printed in the FEDERAL REGISTER, and (3) not intended to detract from the legal or practical attributes of the system established under the basic instruments referred to in paragraph (b) of this § 20.2.

§ 20.3 Matter eligible.

In order to be eligible for incorporation by reference, the matter must be in the nature of published data, criteria, standards, specifications, techniques, illustrations, or other published information reasonably available to the members of the class affected thereby.

§ 20.4 Distinctions.

(a) *Ordinary references.* The use of ordinary, informational references and cross references should be continued as usual. Such references are to be distinguished from instances of legal incorporation by reference under section 3(a).

(b) *Rules of availability of agency issuances.* Rules regarding the availability of agency issuances serve a different purpose and are to be distinguished from instances of legal incorporation by reference.

(c) *Promulgation.* The legal promulgation of a document in the FEDERAL REGISTER is to be distinguished from the use of legal incorporation by reference within such a document. Incorporation by reference is not acceptable as a substitute for promulgating in full text a proposition required to be published by section 3(a). Incorporation by reference is acceptable as a means of avoiding within the promulgated document an unnecessary repetition of published information already reasonably available to the class affected.

§ 20.5 Basic elements bearing on approval by Director.

The use of incorporation by reference will be approved by the Director when all of the following considerations are favorable and reasonably stable:

(a) The matter is eligible.

(b) Incorporation will substantially reduce the volume of materials published in the FEDERAL REGISTER.

(c) The matter incorporated is in fact available to the extent necessary to afford fairness and uniformity in the administrative process.

(d) The incorporating document is drafted and submitted for publication in accordance with the provisions of this Part 20.

Subpart B—Drafting Standards

§ 20.10 Language of incorporation.

The language whereby a matter is incorporated by reference in the FEDERAL REGISTER shall be both precise and unequivocal on the face of the document

making the reference. The words expressing the incorporation shall make it clear that incorporation by reference is both intended and completed by the instant document.

§ 20.11 Identification and description.

Each incorporation by reference shall include an identification and a subject description of the matter incorporated. These shall be as precise and as useful as practicable within the limits of reasonable brevity.

(a) *Identification.* Titles, dates, editions, numbers, authors, and publishers shall be used where they contribute substantially to clear identification.

(b) *Subject description.* A brief subject description also shall be included, designed to inform the user regarding his potential need to obtain the matter incorporated.

§ 20.12 Statement of availability.

(a) *Information.* Each incorporation by reference shall also include a statement covering the availability of the matter incorporated, including current information as to where and how copies may be examined and readily obtained with maximum convenience to the inquirer.

(b) *Official showing.* Such statements also shall be tantamount to an official showing by the issuing agency that the matter incorporated is in fact reasonably available to the class of persons affected thereby.

(c) *Continued availability.* Where incorporated matter is subject to change, such statements shall clearly indicate: (1) The applicability and the availability of such changes; and (2) the availability of an official, historic file of such changes.

Subpart C—Publication Procedures

§ 20.20 Advance consultation.

In order to avoid delay in publication, the issuing agency shall, in advance of submission, consult with the Director regarding the acceptability of any given document involving incorporation by reference. This consultation should be completed at least 20 working days prior to the desired date of submission of the document for publication.

§ 20.21 Notification to issuing agency.

After completion of advance consultation, the Director shall notify the issuing agency of his decision regarding publication. Notification shall be given at least 5 working days before the proposed date of submission.

§ 20.22 Letter transmitting final document.

All documents submitted for publication under the provisions of this Part 20 shall be covered and accompanied by a letter of transmittal primarily concerned with the matter of incorporation by reference and referring specifically to the required advance consultation.

§ 20.23 Stamp of approval.

All documents accepted under the provisions of this Part 20 shall bear a legend in substantially the following style: "Incorporation by reference provisions approved by the Director of the Federal Register ----------." This legend (date)

shall be affixed by the Director or his delegate and shall be printed in the FEDERAL REGISTER as part of the document.

Effective date. The provisions of this Part 20 are effective as to all documents published in the FEDERAL REGISTER after July 4, 1967.

DAVID C. EBERHART,
Director of the Federal Register.

MAY 29, 1967.

[F.R. Doc. 67-6128, Filed, May 31, 1967; 8:49 a.m.]

Chapter I—Administrative Committee of the Federal Register

CFR CHECKLIST

1967 Issuances

This checklist, prepared by the Office of the Federal Register, is published in the first issue of each month. It is arranged in the order of CFR titles, and shows the issuance date and price of revised volumes and supplements of the Code of Federal Regulations issued to date during 1967. New units issued during the month are announced on the inside cover of the daily FEDERAL REGISTER as they become available.

Order from Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

CFR Unit (as of Jan. 1, 1967):	Price
3 1966 Compilation	$1.00
4 (Rev.)	.40
5 (Supp.)	1.00
7 Parts:	
53–209 (Rev.)	2.00
900–944 (Rev.)	1.00
945–980 (Rev.)	.65
981–999 (Rev.)	.65
1000–1029 (Rev.)	1.00
1030–1059 (Rev.)	1.00
1060–1089 (Rev.)	.75
1090–1119 (Rev.)	.70
1120–1199 (Rev.)	1.00
8 (Rev.)	.60
9 (Rev.)	1.25
14 Parts:	
1–59 (Rev.)	1.75
60–199 (Rev.)	1.50
200–end (Rev.)	1.75
16 Parts:	
0–149 (Rev.)	1.75
150–end (Rev.)	1.25
21 Parts:	
1–119 (Rev.)	1.00
120–129 (Rev.)	1.00
130–146e (Rev.)	1.75
147–end (Rev.)	1.00
22 (Rev.)	$1.00
23 (Rev.)	.25
26 Parts:	
1 (§§ 1.0–1–1.300) (Rev.)	2.00
1 (§§ 1.301–1.400) (Rev.)	.65
1 (§§ 1.401–1.500) (Rev.)	1.00
1 (§§ 1.501–1.640) (Rev.)	.70
1 (§§ 1.641–1.850) (Rev.)	1.00
1 (§§ 1.851–1.1200) (Rev.)	1.25
1 (§§ 1.6001–end) to Part 19 (Rev.)	.70
20–29	(*)
30–39 (Rev.)	.75
40–169 (Rev.)	1.75
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500–599 (Supp.)	.35
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30 (Rev.)	1.00
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32 Parts:	
40–399 (Rev.)	1.25
400–589 (Rev.)	1.50
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1600–end (Rev.)	.55
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1–199 (Rev.)	1.00
200–end (Rev.)	1.75
34 [Reserved]	
36 (Rev.)	.75
37 (Rev.)	4.00
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2–4 (Rev.)	1.00
5–5D (Rev.)	.60
6–17 (Rev.)	2.00
18 (Rev.)	2.00
19–100 (Rev.)	.60
101–end (Rev.)	1.25
42 (Supp.)	1.00
44 (Rev.)	.40
45 (Rev.)	1.75
46 Parts:	
146–149 (Rev.)	2.50
150–199 (Rev.)	1.25
47 Parts:	
0–19 (Rev.)	1.00
20–69 (Rev.)	1.50
70–79 (Rev.)	1.00
80–end (Rev.)	1.50
49 Parts:	
71–90 (Rev.)	2.25
91–164 (Rev.)	1.50
165–end (Supp.)	.65
50 (Rev.)	.75

*NOTE: No amendments to this volume were promulgated during 1966. The cumulative pocket supplement issued as of Jan. 1, 1966, should be retained.

Title 14—AERONAUTICS AND SPACE

Chapter II—Civil Aeronautics Board

SUBCHAPTER A—ECONOMIC REGULATIONS

[Reg. No. ER-495]

PART 224—ACCESS TO AIRCRAFT FOR SAFETY PURPOSES; FREE TRANSPORTATION FOR CERTAIN FEDERAL AVIATION ADMINISTRATION, NATIONAL TRANSPORTATION SAFETY BOARD, AND WEATHER BUREAU EMPLOYEES

Chief Officer of Weather Bureau

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 25th day of May 1967.

In ER-485, effective April 1, 1967,[1] the Board amended and reissued Part 224 to reflect the establishment of the Federal Aviation Administration and the National Transportation Safety Board in the Department of Transportation and the consequent change in the designation of officials who may request access to aircraft. Sections 224.3 (a) and (c) made reference to the "Chief, Weather Bureau" and the Board has been advised that the correct title is now "Director, Weather Bureau". Section 224.3 is accordingly amended to reflect the correct title.

This regulation is issued by the undersigned, pursuant to a delegation of authority from the Board to the General Counsel in 14 CFR 385.20, and shall become effective 20 days after publication in the FEDERAL REGISTER. Procedures for review of this amendment by the Board are set forth in Subpart C of Part 385 (14 CFR 385.50-385.54).

Accordingly, the Board hereby amends paragraphs (a) and (c) of § 224.3 (14 CFR 224.3 (a), (c)), effective June 21, 1967, to read as follows:

§ 224.3 Requests for access to aircraft and free transportation.

* * * * *

(a) The person to be transported shall present to the appropriate agents of the air carrier credentials or a certificate indicating that he is entitled to request access to aircraft or free transportation and signed by the Chairman, National Transportation Safety Board, the Administrator of the Federal Aviation Administration, or the Director, Weather Bureau, or any official on their staff they may designate, and signed also by the person presenting such credentials or certificate.

* * * * *

(c) When free transportation is requested pursuant to § 224.2 involving more than one free trip within a calendar year by the same individual on the same carrier, the person to be transported shall, at the time of performance of each such additional trip, present to the appropriate agent of the air carrier a statement in writing by the Administrator of the Federal Aviation Administration, or the Director, Weather Bureau, or any official on their staff they may designate, that the additional trip or trips by the person named, between the points designated and on the type of aircraft specified therein, is solely for the purpose specified in § 224.2 and is essential to the effective performance of Federal Aviation Administration or Weather Bureau functions.

* * * * *

(Sec. 204(a), Federal Aviation Act of 1958, as amended; 72 Stat. 743; 49 U.S.C. 1324)

By the Civil Aeronautics Board.

[SEAL] JOSEPH B. GOLDMAN, *General Counsel.*

[F.R. Doc. 67-6081; Filed, May 31, 1967; 8:47 a.m.]

[1] 32 F.R. 5546.

[Regulation No. ER-494]

PART 288—EXEMPTION OF AIR CARRIERS FOR MILITARY CHARTERS AND SUBSTITUTE SERVICE

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 25th day of May 1967.

On March 15, 1967, by notice of proposed rule making EDR-113/PSDR-18 (32 F.R. 4421), the Board proposed to amend Part 288 of the regulations by changing minimum rates for Category B military charters, providing a blanket exemption for the performance of military charter services, revising and incorporating minimum rates for Logair and Quicktrans domestic cargo charters in Part 288, and reissuing Part 288. Written data, views, and arguments have been filed in response to the notice by 17 carriers individually,[1] 12 carriers jointly,[2] and by the Department of the Air Force (DOD). In addition, conferences have been held with carrier and DOD representatives concerning each carrier's comments on its unit-cost forecasts as adjusted by the Board and presented in the notice, and the Board has heard the views of several carriers and DOD at an oral presentation that was open to all interested persons. All written and oral comments and supporting materials before the Board have been carefully considered, and all contentions not otherwise disposed of hereinafter are rejected. Final amendments to Part 399, Statements of General Policy, are being adopted concurrently herewith (PS-33).

No adverse comments were received with respect to the proposals to amend Part 288, (1) to incorporate the charter exemption and charter minimum-rate provisions of § 399.16 and to provide a blanket exemption from section 403 of the Act for all military charter services covered by the minimum-rate conditions in the reissued Part 288, (2) to make technical and clarifying changes, (3) to establish separate minimum rates for turboprop charters, (4) to establish minimum aircraft loads for L-382, DC-8F-61, and DC-8F-63 aircraft, and (5) to specify Yokota rather than Tachikawa as the standard routing point in Japan. Similarly, no party objected to the proposals to retain current minimum rates for Category B piston charters and to permit the current minimum rates for Logair and Quicktrans charters to continue in effect for the remainder of the fiscal year. We will therefore adopt the preceding proposals for the reasons set forth in the notice, which are incorporated herein by reference.

I. CATEGORY B MINIMUM RATES FOR LARGE TURBINE AIRCRAFT

RATES ADOPTED

Upon consideration of the comments received and adjusted cost data, the Board has adopted revised minimum fair and reasonable rates. The existing basic minimum rates for Category B charters, those proposed in the notice, and those adopted herein for large turbine aircraft are as follows:

	Turboprops		Regular turbojets		DC-8F-61, -63	
	Round trip	One way	Round trip	One way	Round trip	One way
Passenger, per passenger-mile:	*Cents*	*Cents*	*Cents*	*Cents*	*Cents*	*Cents*
Present	2.00	3.60	2.00	3.60	2.00	3.60
Proposed	2.00	3.60	1.75	3.20	1.75	3.20
Adopted	2.00	3.60	1.86	3.40	1.66	3.03
Cargo, per ton-mile:						
Present	9.00	16.95	9.00	16.95	9.00	16.95
Proposed	9.00	16.95	7.00	13.57	7.00	13.57
Adopted	9.36	17.19	7.45	14.81	6.68	13.28

[1] Eight combination route carriers (Alaska Airlines, Inc., Braniff Airways, Inc., Continental Air Lines, Inc., Northwest Airlines, Inc., Pan American World Airways, Inc., Trans Caribbean Airways, Inc., Trans World Airlines, Inc., and United Air Lines, Inc.); three all-cargo carriers (Airlift International, Inc., The Flying Tiger Line Inc., and Seaboard World Airlines, Inc.); and six supplemental carriers (Overseas National Airways, Inc., Saturn Airways, Inc., Southern Air Transport, Inc., Standard Airways, Inc., Trans International Airlines, Inc., and Universal Airlines, Inc.).

[2] Airlift, Braniff, Capital International Airways, Inc., Continental, Flying Tiger, Northwest, ONA, Saturn, Seaboard, TCA TIA, and World Airways, Inc.

COSTS OF SERVICE

The proposed minimum rates set forth in the notice were predicated upon the estimated costs, including profit after taxes, of performing MAC [3] passenger and cargo charters in fiscal year 1968 by most of the carriers involved in those transportation services. The cost data on which we relied were originally developed by the individual carriers and were subsequently subjected to careful analysis by DOD and by the Board. On the basis of the comments and new information submitted subsequent to the notice, the Board has modified in numerous respects the cost estimates for fiscal 1968 as shown in the notice. These modifications are shown in detail for each carrier in the attached appendixes, and the more significant elements are discussed in the following pages.

Cost increases. The carriers' comments set forth various categories of cost increases that have occurred since their original estimates were prepared and submitted late last year, or that are expected to occur in fiscal year 1968. The most generally applicable of these is a 12.5-percent increase over fiscal 1966 levels in the price of fuel purchased from military sources that became effective on January 1, 1967. This increase has been recognized in the fiscal 1968 costs in proportion to the individual carriers' usage of military fuel as opposed to commercial fuel. In addition, most carriers submitted data with respect to new labor contracts reflecting pay increases for various categories of their employees, e.g., pilots, mechanics, ground personnel, etc. In accordance with our usual policy in this regard, we have made allowance in the fiscal 1968 costs for the estimated effect of those wage and salary increases which have been made effective, which are covered by signed contracts, and also those which reflect a firm offer made by the carrier in pending negotiations. The Board has not made allowance for other pay increases anticipated by some of the carriers because of the uncertain status of such increases and because they may be offset by operating economies that similarly have not been reflected. The carriers' rapid rate of growth, both in their MAC operations and in total, should result in some unit-cost reductions that have not been given weight in developing the costs for fiscal year 1968. The steady decline in the industry's unit costs of operation during the past several years despite repeated wage and other cost increases attests to the carriers' ability to absorb these cost increases.

Aircraft and traffic servicing expenses. Various carriers' comments either opposed the Board's treatment of this category of expense in the notice or submitted revised or additional data. Flying Tiger furnished a revised allocation of these costs to its MAC charter services which reflects a direct assignment of costs at points served exclusively for MAC charters and a prorate of costs at stations served both in commercial and MAC operations. While the basic approach is reasonable, the methodology used by Tiger has the effect of allocating a portion of commercial traffic servicing costs to the MAC charters. The Board has modified the cost allocation submitted by Tiger to correct this allocation, since MAC is responsible for traffic servicing functions. We have also allocated Tiger's regional and system expense on the basis of relative dollar expenses in lieu of weighted departures as used by the carrier. Trans Caribbean also furnished a revised allocation of aircraft and traffic servicing expense which we have accepted with modifications related to exclusion of traffic servicing costs and reallocation of regional and system costs. Continental submitted cost data related to points now served in Vietnam which were not served in fiscal year 1966 or reflected in the base year costs. The Board has incorporated these costs together with an allocation of regional and system expenses. We have not recognized, however, a claim for landing fees at Saigon because of the contingent nature of that cost. Alaska Airlines submitted a new forecast of aircraft and traffic servicing costs which appears reasonable, and we have accepted it for purposes of this proceeding.

Airlift urges the Board to adjust its recognized aircraft and traffic servicing costs to exclude the effect of a wet-lease operation for which it states costs are lower. The supporting data submitted are not adequate to warrant the claimed adjustment. Similarly, TWA now claims misclassification of certain aircraft and traffic servicing costs but submitted no supporting detail. Seaboard takes issue with the Board's original adjustment of its allocation of aircraft and traffic servicing costs but presents no new facts of a better allocation technique. Pan American suggests the Board modify the recognized aircraft and traffic servicing expense by restoring overhead related to our disallowance of cargo liability insurance. We have consistently allocated overhead on the basis of dollars of direct expense without examining each element of overhead cost for its relevance to the DOD services. It is appropriate, therefore, to treat the exclusion of cargo liability insurance similarly. Accordingly, we find no basis in these comments to modify the costs set forth in the notice.

Aircraft maintenance expense. Braniff contends that the indirect maintenance element recognized in the notice, which was based on an average of other carriers' ratios of indirect to direct maintenance, is too low. This approach was used in view of Braniff's then limited experience with the B–707–320C aircraft. The carrier has furnished a revised estimate based on actual costs through December 1966 which the Board has accepted. This modification results in a moderately higher allowance for indirect maintenance than was reflected in the notice. Flying Tiger claims correctly that the recognized maintenance expense was understated because it was based on revenue aircraft miles including mileage flown by a leased aircraft on which maintenance was performed by the lessor. We have modified the recognized maintenance cost accordingly.

Aircraft depreciation. In the notice the Board used the same depreciation policies employed in earlier minimum rate reviews.[4] These policies are consistent with the depreciation practices of a preponderance of the civil air carriers. The joint carrier comments urge a change in depreciation policy but do not suggest what new service life or residual value should be used. Northwest contends that the Board should not extend the depreciation life used by a carrier,[5] and United states it does not agree that the Board's policies are necessarily proper for ratemaking purposes.

The arguments are largely based on asserted obsolescence of aircraft in MAC charter use. It is implied that the large jet aircraft to be introduced in 2 years or so will supplant the current generation of long-range jet aircraft in MAC services. The B–747 aircraft should prove to be a highly useful and economic aircraft in many types of MAC services. However, it does not follow that the smaller (165-seat) jets will no longer be used. There may well be many routes on which the service requirements will be better met by the smaller aircraft. Moreover, it does not follow that the standard jets will have no economic place in air transportation after the larger jets are introduced. The fact that carriers continue to order the standard jets despite the imminence of the large jet suggests that the industry expects to make productive use of them for many years. Accordingly, we will adhere to the 12-year life for the standard jets and 10 years for the turboprops.

Aircraft rentals. Trans International claims an allowance for aircraft rental expense in connection with the performance of substitute service. We have recognized this expense after deducting the revenues received from such flights.

Passenger service. Trans International proposes an adjustment of the allowance set forth in the notice to reflect an increase in passenger liability insurance costs. The carrier's claim appears properly substantiated and has been accepted.

Ground property maintenance and depreciation. Alaska Airlines contends that a portion of these costs at Anchorage must be allocated to MAC to reflect the joint use of that station by its commercial and MAC services. The claimed cost appears reasonable and has been recognized.

General burden expense. Various modifications have been made to the estimates of general burden costs recognized in the notice. In the case of TWA, we have recomputed the burden ratio to other costs to exclude aircraft rentals, but we have not accepted the additional amounts claimed as related specifically to MAC services. As earlier stated, we believe it is more appropriate to allocate overhead on the basis of the other

[3] Military Airlift Command.

[4] Jet aircraft—12-year life, 15 percent residual; turboprop aircraft—10-year life, 15 percent residual.

[5] Northwest uses a 10-year life on its jet aircraft.

costs of the respective operations. An approach that would single out selected overhead expenses for direct assignment to the MAC services would require that overhead costs unrelated to MAC be identified and charged in total elsewhere. In the case of Airlift, the estimated effect of salary increases for office personnel has been reflected.

Special MAC costs. Several carriers urge that additional allowance be made for costs peculiar to the MAC charter operations. For example, Airlift, Northwest, and Trans Caribbean contend that flight crew costs per mile are higher in MAC operations because of lower pilot utilization, irregularity of those operations and the necessity for frequent crew deadheading, higher travel expenses, etc. It is also contended that various categories of costs related to aircraft positioning and depositioning flights are properly charged wholly to the MAC services. With respect to crew costs, neither Airlift nor Northwest has purported to make a direct assignment of such costs in their entirety to MAC flights, although there is no apparent reason why this cannot be done. Instead they propose that the Board start with their international system average crew costs per aircraft-mile and add an appropriate allowance to cover the costs asserted to be peculiar to MAC services. We see no objection to basing MAC costs in this category on overall averages. Neither do we see any objection to a direct assignment of crew costs in total. It is not equitable or appropriate, however, to single out various costs that may be higher in MAC services and add them to the overall average, without so treating other types of costs that may be lower in MAC operations. The costs that are asserted to be higher in MAC operations are, of course, reflected in the overall or system average. Trans Caribbean, on the other hand, has submitted a revised cost forecast affecting most cost categories consistent with its reported direct assignment of costs on Form 41 supplemental schedule P–5.2. The latter costs and underlying methodology appear reasonable, and we have accepted the Form 41 data in this proceeding.

With respect to the costs of the positioning and depositioning flights, the Board is not persuaded that an allowance over and above the carriers' average costs is warranted. The costs of such flights are, of course, reflected in the carriers' accounts and in average costs per aircraft mile. While it is true that MAC charter flights in general necessitate some positioning and/or depositioning flights, the extent of those flights lies in part within the discretion of individual carriers. It is by no means clear that every mile of all such flights should be charged to the MAC charters or that some portion should not be charged to the other revenue service to/from which the aircraft is being moved. Presumably, a carrier's entire operation is benefited by the added volume of business and utilization represented by the MAC charters. Accordingly, it is appropriate, we believe, to treat the costs of positioning and depositioning flights as a system expense subject to allocation to MAC services.

Pan American contends that adjustment of its recognized costs per aircraft-mile should be made to reflect the aircraft speed realized in MAC services, which is said to be different from that in commercial services. The carriers have generally developed their cost data for purposes of these minimum-rate reviews on the basis of system average speeds in international services, and the Board has accepted this method. It is not apparent from the data submitted why such average speeds are not representative for MAC flights, and accordingly we will not modify this method at this time.

Aircraft utilization. The costs of MAC charter operations shown in the notice were generally based on aircraft utilization experienced in fiscal year 1966 or on the carriers' estimates for fiscal 1968 if the latter were higher. Comparatively few comments were directed to this element in the proposed rates. Airlift contends the rates should be based on utilization of 9 to 10 hours per day as a means of offsetting a declining return to shareholders due to higher interest rates. Airlift's comment affords no basis to conclude that the aircraft utilization rates used in this proceeding are not reasonable estimates for fiscal year 1968 operations. The carrier's comment goes to the level of the rate-of-return allowance, which we have decided to maintain at 9 percent after taxes.

Trans International proposes that we substitute the average daily utilization of all the carriers in lieu of the estimate recognized for TIA. Apart from the fact that the difference is quite small, the basis for TIA's contention is not clear. Presumably, the carrier would argue that all the carriers' costs should be based on a uniform utilization rate. It is sounder we believe to develop each carrier's costs as accurately as possible on an individual basis, the rate to be set within the range of costs, than to inject industry averages into the individual carrier costs. Continental and Braniff assert that their estimated utilization rates should be adjusted downward to reflect the periods during which their aircraft will be out of service for modification. We have not reflected any such change, since the carriers' current experience is running above the level on which their costs are based, thus offering a cushion to absorb the necessary time lost to the modification program.

Alaska Airlines requests we modify the daily utilization level recognized in connection with its L–382 aircraft. In the notice we relied on 11 hours per day in the absence of actual experienced data. The carrier has presented information showing its actual L–382 utilization, and on the basis of that showing we have modified the recognized utilization to 10 hours per day.

Return on investment. The carriers again question the use of the traditional 9-percent rate of return on investment in computing the minimum rates and urge the adoption of a 10.5-percent rate of return. The carriers contend that the 9-percent return is inadequate in relation to rates of return used in other Board ratemaking proceedings and in relation to the unusual risks of DOD operations. Risks of sudden curtailment of business, of loss of equipment, of call-up of reserve aircraft in an airlift emergency, and of early obsolescence of aircraft used in DOD service are cited as risks not obtaining in commercial transportation. The carriers maintain that these risks, the lack of a "utilization cushion," and accepted rates of return in commercial, service-mail, and subsidy rate cases require an increase in the return on investment included in Category B minimum rates.

The 9-percent return used in past minimum-rate reviews continues to be reasonable in the opinion of the Board. The risks peculiar to DOD operations, emphasized by the carriers in their comments and in oral presentation, were also pointed out in past minimum-rate reviews. The Board has considered such risks in relation to the fact that DOD operations are performed under annual contracts with minimum-rate protection from the Board affording a degree of flexibility in equipment utilization and stability that has no counterpart in any other type of service. The carriers have been unable to point to any new factors suggesting that this equation may no longer be balanced. The Board has accordingly determined not to depart from its established practice of including a 9-percent return on investment in the minimum rates for military operations.

Investment base. The joint carrier comments and those of Pan American and TWA contend that the Board should include equipment purchase deposits in the recognized rate base. It is argued that these new aircraft are being purchased at DOD's urging and that there would be no prejudice to the ratepayer in recognizing the deposits currently, since DOD is both the current and future ratepayer. The Board has only recently adopted a policy for ratemaking purposes under which equipment purchase deposits would not be recognized in the current rate base but interest on such deposits may be capitalized and amortized when the equipment is ultimately purchased and brought into service.* We see no basis to depart from the policy here, and the only basis suggested is that DOD is both the current and future ratepayer. Even assuming that this proves to be true, it would be no reason for charging DOD now with costs essentially related to aircraft to be acquired

* Section 399.39 of the Statements of General Policy, Regulation No. PS–32, effective May 1, 1967.

and used sometime in the future. Although there may be little difference in the aggregate cost in the long run, DOD has a legitimate interest in its costs year by year, and we can see no basis to require DOD to pay in fiscal year 1968 costs that will more properly relate to subsequent periods.

Trans International proposes that the investment in flight equipment be recognized at original cost for 6 years, thereafter declining to residual value on a straight-line basis for 6 more years. It is argued that the usual treatment of investment at depreciated cost fails to take adequate account of the rapid obsolescence of aircraft due to MAC's aircraft modernization programs and fails to permit enough profit to provide sufficient capital to acquire more modern aircraft. The carrier's proposal has the effect of inflating the return element. Over the full 12-year life the total return element would be substantially greater than if based on depreciated cost each year. In this sense, the carrier's contention is really part and parcel of the rate-of-return issue, which is dealt with elsewhere herein. Moreover, the carrier concedes its purpose is to obtain funds to purchase modernized aircraft. However, it is the carrier's obligation, not the ratepayer's, to supply capital to the enterprise. The ratepayer's obligation is limited to paying the reasonable costs of such capital. Accordingly, we find no basis to depart from our customary policy in this regard.

Provision for taxes. The rates proposed in the notice included provision for Federal income taxes and in some instances for State income taxes. Continental now claims allowance for State income taxes, which will be allowed and at the same time treated as an additional deduction for Federal tax purposes. Flying Tiger requests us to include a State tax allowance inadvertently omitted from the notice although claimed by the carrier. This correction will be made herein. Tiger also makes a claim for State property tax on its flight equipment. The amount claimed, however, is not adequately substantiated. Appropriate allowance is reflected by use of the carrier's experienced costs for calendar year 1966, which include actual tax amounts paid. Alaska Airlines has also claimed an allowance for State property taxes which is reasonable and has been allowed.

MINIMUM RATES

Round-trip charters. Set forth below are the total costs of service, including return on investment and income taxes, for round-trip passenger and cargo charters, as recognized herein. The appendixes show the development of each unit cost as well as a comparison with the unit costs relied upon in the notice.

	Total costs per—	
	Passenger-mile	Cargo ton-mile
Standard jets:	*Cents*	*Cents*
Airlift	1.80	7.12
Braniff	1.79	6.85
Capitol	2.01	7.78
Continental	1.56	5.92
Flying Tiger	1.98	7.51
Northwest	1.82	6.84
Pan American:		
B-300	2.19	
B-321 B/C	2.07	
B-300 C		7.57
Seaboard	1.96	7.13
Trans Caribbean	1.92	
Trans International	1.70	6.59
Trans World:		
B-331	1.90	
B-300 C		8.28
World	1.60	6.13
Stretched jets:		
Saturn	1.79	7.00
Trans Caribbean	1.63	
Trans International	1.55	6.36
Turboprops:		
Airlift		8.47
Flying Tiger		9.58
Seaboard		9.27
Alaska (L-382)		10.05

In the notice, the Board proposed to fix minimum rates for Category B charters with all jet aircraft, including the stretched jets, and separate and higher minimum rates for turboprop aircraft, i.e., the CL-44 and L-382. For the jets, those rates were based upon averages of the recognized unit costs, each carrier's unit cost being weighted by an index of so-called award points. The proposed round-trip charter minimum rates were 1.75 cents per passenger-mile and 7.0 cents per cargo ton-mile. A similar weighted average was computed for the turboprop aircraft; and, since such average was close to the existing minimum rate for those aircraft (9 cents per cargo ton-mile), we proposed no change in that rate.

The principal controversies in this area relate to the use of DOD award points for weighting purposes and the weight to be accorded the stretched jets in determining the new minimum rates.

With respect to the latter, DOD supports the proposal for uniform minimum rates at present, in view of the lack of experienced operating costs, but states that it expects that the lower costs of the stretched jets will justify separate minimum rates in the future. It is DOD's position that, for uniform competitive rates to be effective, the costs of the more efficient aircraft should be given full weight in determining the average costs. If such a procedure results in minimum rates too low for the less efficient aircraft, that fact would appear to establish the propriety of separate minimum rates.

TIA supports the concept of uniform minimum rates for the conventional and stretched jets at present because of the lack of cost data and the limited proposed service of the stretched jets in fiscal 1968. The carrier suggests analyzing the cost data during the coming year for possible consideration of separate minimum rates in the following fiscal year. Although Airlift also supports uniform minimum rates, it and the other carriers commenting on the subject generally oppose inclusion of the stretched-jet projected unit costs in the averaging process, since there are no experienced costs for them and both the delivery dates and the extent of use in DOD charters are uncertain. TWA favors the establishment of separate minimum rates at this time pending a reasonable period of operating experience with the stretched jets.

Upon giving this matter further consideration, the Board has decided not to average in with the DC-8F and B-707 costs the anticipated costs of DC-8-61 aircraft. Instead, we will establish separate minimum rates for the DC-8-61 based on the projected operating costs of that aircraft.

As calculated in the notice, the projected average costs for DOD operations using large jet aircraft reflected approximately a 12-percent weighting for DC-8-61 aircraft. In other words, it was assumed that the DC-8-61 participation in DOD charters using large turbojet aircraft would approximate 12 percent, and this assumption was based in large measure on the expectation that the manufacturer's delivery dates scheduled at that time would be met. It now appears to be questionable whether a reliable delivery schedule can be projected at this time, and therefore the extent of DC-8-61 participation in the fiscal 1968 DOD program is largely a matter of conjecture. In these circumstances, the Board has determined that, in fairness to all concerned, it should set a separate rate for the so-called "stretched jets." By doing so, the DC-8-61 operations should return their full costs just as the B-707 and DC-8F operations should; and DOD will have the benefits of the lower DC-8-61 unit costs to the extent of their actual participation in the program.

The Board remains unpersuaded by arguments that, because of the lack of experienced results with the DC-8-61, it is inappropriate to base a minimum rate on forecasts of its operating costs and that it should be made subject to minimum rates based entirely on cost forecasts for the DC-8F and B-707. All forecasts are based on estimates that may or may not prove reliable, and forecasts made without the guidance of past experience may be somewhat less reliable than those rooted in experience. Nevertheless, it is necessary to make some cost forecast for the DC-8-61, if there is to be a reasonable minimum rate for that aircraft. There is no virtue in merely assuming that it will operate at the same unit costs as the DC-8F and B-707, as some carriers suggest, when an important factor behind its design and purchase is the desire to achieve greater efficiency. There seems to be little doubt but that the DC-8-61 will operate at lower unit costs than the DC-8F and B-707, the only real question being how much lower.

The Board believes that there is sufficient data upon which to make a reasonable forecast for the DC-8-61. It has

essentially used the forecasts of the carriers themselves adjusted in accordance with the Board's policies in military minimum-rate reviews. The same procedure was used by the Board last year in fixing a separate minimum rate for the B-727, for which there was also no experience, and the Board has been made aware of no reason why it should not do the same here.

In its submission prior to the issuance of the notice, DOD represented the award-point index as a reasonably accurate indicator of the relative proportions of the total MAC passenger and cargo that each of the contractors would carry. DOD contended that such index therefore was an appropriate basis for weighting the individual carrier costs. The carriers, however, raise various objections to the award-point weighting. It is argued that the award of MAC contracts is MAC's prerogative but it should not be injected into the ratemaking process. It is said that the Board will lose control over the minimum rates. One carrier urges using a weighting based on traffic carried in the past. Another suggests using the carriers' total international revenue plane-miles. Still another carrier opposes the use of award points because the large-volume carriers tend to have lower costs. Finally, the carriers contend that the award points will not be representative of the distribution of MAC traffic among carriers in fiscal year 1968 because MAC will place all the business it can with each carrier during this period of airlift shortage.

The heart of the carriers' problem with the award-point weighting system is that the award points have been computed to reflect additional business intended to be awarded to the low-cost carrier (20 percent more than would be allocated on the basis of the aircraft committed) and less business to be given to the high-cost carrier (20 percent less). The carriers in between would be awarded more or less business according to their cost position. Thus, the low-cost carrier's costs would get extra weight in the average when weighted by award points, and the high-cost carrier's costs would get less weight.

We are not persuaded by the carriers' arguments. We have always considered it appropriate to consider not only the individual carrier unit costs but various averages for the group including averages weighted by relative participation in the MAC business. In the past, however, we have usually used MAC traffic volumes for prior periods rather than for the future period for which the rate was being established. Clearly, it is more desirable to base the rate on the facts related to the period during which the rate is to apply, at least to the extent those facts can reasonably be predicted.

DOD now represents the award points to reflect relative participation in MAC services in fiscal year 1968. However, it is by no means certain that the distribution of MAC business by the time fiscal 1968 is over will in fact coincide with the award points, particularly in view of the general shortage of airlift and the military's need for increasing amounts of civil airlift. Moreover, the ratemaking process is not merely an arithmetic exercise. On the contrary, it is necessary and appropriate to consider each carrier's costs as well as the group average on various bases and the range of costs around the averages. While the largest carrier's costs might be entitled to the greatest weight, care must be exercised that no one carrier's costs unduly influence the rate.

Turning first to the unit-cost data for the standard jets shown on page 16, the average of the passenger costs is 1.83 cents per passenger-mile when weighted by award points as used in the notice. This average is slightly below a simple average of the passenger costs of 1.85 cents. When the individual unit costs are weighted by MAC Category A and B passenger revenues in the first 9 months of fiscal year 1967, the average is 1.82 cents. Weightings by fiscal year 1968 mobilization points[1] in total, and as allocated to passenger operations, produce averages of 1.87 and 1.84 cents, respectively. It is clear that the minimum rate for round-trip passenger charters should be within the range produced by the foregoing data. In determining the precise level at which the minimum rate should be set, we have taken into consideration the substantial series of wage and cost increases which the carriers have experienced in the recent past and will continue to experience in the coming contract year. These cost increases affect most categories of employees as well as many items the carriers buy from others, including fuel, parts, and outside maintenance work. While the industry has experienced these types of cost increases in past years and has more than offset them by various operating economies, the current incidence of the cost increases is well beyond the average experience in the past. It is appropriate, therefore, to set the minimum rate in the upper part of the range of costs described above. Accordingly, we find 1.86 cents per passenger-mile to be the reasonable minimum rate for fiscal year 1968 round-trip MAC passenger services in standard jet aircraft. It should be noted that this rate reflects a 7-percent reduction from the fiscal year 1967 rate of 2.00 cents despite the cost increases.

A fairly similar pattern emerges for cargo services with the standard jet aircraft. The individual carrier unit costs shown on page 16 average 7.23 cents per ton-mile when weighted by the award points used in the notice. This average is somewhat above a simple average of 7.06 cents. A weighted average based on actual MAC Category A and B cargo revenues in the first 9 months of fiscal year 1967 is 7.05 cents. On the other hand, the averages weighted by mobilization points in total, and as allocated to cargo operations, are 7.19 cents and 7.25 cents, respectively. TWA urges the Board to base the cargo rate on the costs of Pan American, Flying Tiger, and TWA because, it is argued, these costs are the ones representative of cargo charters. Weighted by award points, these carriers' costs average 7.66 cents. However, we do not accept TWA's contention. There is no apparent reason to ignore the costs of Airlift and Seaboard. On the other hand, TWA's costs are entitled to less weight because of its comparatively minor participation in cargo charters. We believe that significant weight should be given to the cargo costs of the all-cargo carriers (Airlift, Flying Tiger, and Seaboard) and Pan American, since these operators have carried a large proportion of the MAC cargo in the past and may be expected to continue to do so in the future. A weighted average of the unit costs of these four carriers based on award points is 7.45 cents per ton-mile. Here again it is appropriate to give consideration and weight to the current round of cost increases being experienced by the carriers. Accordingly, we find 7.45 cents per ton-mile to be the reasonable minimum rate for round-trip MAC cargo charters in standard jet aircraft. This rate reflects a reduction of more than 17 percent from the existing minimum rate. The latter, however, was predicated in part on the costs of carrying cargo in CL-44 aircraft. Based on the cost data developed in last year's minimum-rate review, the costs of the jet aircraft averaged 7.94 cents per ton-mile. The rate now being established is about 6 percent lower, which is consistent with the reduction in the jet passenger rate effected herein.

The individual carrier costs for the stretched-jet aircraft are also shown on page 16. In view of the limited number of these aircraft, the fact that they have not previously been used in MAC services, and since the timing and extent of their use in fiscal year 1968 is uncertain, we have not relied on the award-point or any other weighted averages. A simple average of the individual carriers' passenger costs is 1.66 cents per passenger-mile. For cargo charters, the average cost is 6.68 cents per ton-mile. The passenger average is approximately 11 percent below the rate set herein for the standard jet aircraft. In the case of cargo, the 6.68-cent average is 10 percent below the new minimum rate for standard jets. These differentials appear reasonable in relation to the much greater capacity of the stretched aircraft,[2] and rates set at these levels would give appropriate consideration to the uncertainties of the first year's operation.

In the notice, the Board proposed no change in minimum rates for the turboprop aircraft, since the unit costs developed in the notice averaged close to the existing minimum rates. However, as previously indicated, we have made various revisions to the cargo costs shown in the notice on the basis of the carriers' comments, and the revised costs are shown on page 16. On the basis of the revised unit costs, the average of the four carriers is 9.36 cents when award-point weighting is used. This average is very close to the simple average of 9.34 cents, and to the average based on mobilization

[1] Mobilization points are computed by DOD on the basis of the number and type of aircraft committed to MAC without reference to relative cost positions of the various carriers.

[2] The stretched jet will carry 219 MAC passengers as opposed to 165 in the standard jet. The cargo capacity is 45 tons vs. 36.5 tons in the standard jet aircraft.

points—9.37 cents. When the average reflects weightings based on MAC cargo revenues in the first 9 months of fiscal year 1967, it becomes 9.26 cents. We find that the reasonable minimum rate for turboprop round-trip cargo charters is 9.36 cents per ton-mile.[9]

One-way charters. In computing the proposed minimum rates for one-way charters with large turbojet aircraft, cost-saving factors of 11 percent for passenger and 5 percent for cargo return empty backhauls were applied to the round-trip minimum charter rates proposed in the notice. These are the same factors as were used last year. For cargo charters with turboprop aircraft, no cost-saving factor for empty backhauls was used, since turboprops are used only for one-way cargo charters, and the experienced costs reflect any savings attributable to the ferry backhauls.

The carriers contend that cost savings for one-way turbojet charters are also reflected in the cost data, that most jet cargo charters are one way, and that no factor for empty cargo backhauls should be applied. They concede that a 6-percent cost-saving factor should be applied for one-way passenger charters to account for reduced passenger service costs. On the other hand, DOD contends that the 5-percent ferry backhaul factor should be applied in computing the turboprop one-way cargo minimum rate, since the CL–44 system used to compute costs contains 34.5-percent round-trip operation.

The Board has repeatedly considered this element of the one-way rates in prior military minimum-rate proceedings and each time has deemed it appropriate to reflect some cost savings in relation to the operation of the empty backhaul flights. Nothing new has been presented this year that would warrant a different conclusion. Although it is true that the carriers' operating expenses in total reflect costs saved on the empty backhauls, it does not follow that the cost data submitted by the carriers in this proceeding adequately reflect these savings. No serious contention has been made that the basic round-trip passenger cost data are not representative of round-trip passenger operations. It should also be noted that most carriers' cost data are not the product of a refined and precise allocation of costs to the MAC charters but rather reflect in many categories the average costs of their MAC and other services, which are basically round trip in character. On any given trip, however, the difference in cost between operating with a full load of passengers in both directions as opposed to but one direction is significant. It would be unfair to pay one carrier which carries passengers in both directions the same as another carrier which is obliged to carry passengers in only one direction. By the same token, it would be unfair to ask DOD to pay the same for one-way service as for round-trip service. Accordingly, we have decided to continue to reflect the 11-percent cost-saving factor in determining the one-way passenger rate. With respect to cargo charters, however, we have recognized in the past that smaller cost savings would be realized on backhaul ferry flights. It is also appropriate to recognize that most cargo charters operate via the North Pacific where costs per mile tend to be somewhat higher than on mid-Pacific flights, although little recognition of this is reflected in the basic cost data submitted and relied upon in this proceeding. Therefore, in the circumstances here present, in determining the one-way cargo charter rates we have not reflected the 5-percent cost-saving factor previously applied.

Seaboard and TIA also object to the reduction of one-way minimum rates by the use of factors for commercial revenue backhauls. The factors used, which were based upon fiscal year 1966 experience, were 7.1 percent for passenger backhauls and 1.2 and 16.4 percent for turbojet and turboprop cargo revenue backhauls, respectively. Seaboard states that there are no economic commercial backhauls available when and where the carriers are operating and that the number of revenue backhauls it could perform is limited in any case by Part 207 of the Economic Regulations. TIA also claims there are extra costs involved in performing revenue backhauls.

The percentages used in the notice as relating to commercial backhaul flights are based upon the carriers' collective experience in fiscal year 1966. While this business is apparently irregular in nature, there is no reason to ignore its existence totally or to require DOD to pay for the entire round trip even though some return legs are put to other commercial use. With respect to the Part 207 argument, this restriction now affects only some carriers; and, in any event, we have already initiated action to modify that regulation to lift the restriction.

Accordingly, we have developed the minimum rates for one-way charter services by applying the methodology and factors in the notice as modified herein to the new round-trip minimum rates. With respect to the stretched jet aircraft, it appears reasonable to use the same factors as for the standard jets. On the basis of the foregoing, the following rates are deemed to be the minimum reasonable rates for one-way Category B charter services with large turbine aircraft:[10]

	Passenger, per passenger-mile	Cargo, per ton-mile
Standard jets	3.40	14.81
Stretched jets	3.03	13.28
Turboprops	3.60	17.19

Convertible and mixed charters. The convertible and mixed Category B charter minimum rates adopted herein, computed on the same basis as in prior minimum-rate proceedings, are set forth in the attached rule.

STANDARD MILEAGE

At the request of DOD and subject to further consideration upon receiving carrier comments, the notice proposed to amend the transpacific routing schedule by deleting the Clark Air Base stop on the North Pacific routing to South Viet-Nam and Thailand. DOD states that the Clark stop should be deleted because the stop was originally established for piston aircraft, is not necessary for jet aircraft where a stop has been made at Japan or Okinawa, and in fact is not being made by jet aircraft.

A number of the carriers allege that there is a discrepancy between the reported mileages used to compute carrier unit costs in setting the minimum rates and the mileages upon which the carriers are paid for DOD services. According to these carriers, deletion of the Clark stop on the North Pacific routing would aggravate the discrepancy. On the other hand, DOD points out that some carriers are paid for more mileage than they fly and that any discrepancy that may exist is due to the fact that some carriers choose to fly the longer mid-Pacific routing even though the contracts call for North Pacific routing.

In view of the comments submitted, we have decided not to delete Clark AB from the bases for computing the standard pay mileages at this time. The thrust of the carriers' comments is that, by eliminating Clark Air Base from the computation of the North Pacific mileage to/from Viet-Nam, which is the mileage applicable to a large percentage of United States-Viet-Nam traffic, the carriers' revenues per trip are reduced significantly more than the reduction in rate per mile would indicate. The carriers' contention that the proposed elimination of Clark would increase the extent to which the mileage actually flown exceeds the pay mileage goes to essentially the same point.

The rate reductions determined herein have developed after a careful analysis of carrier costs of service as estimated for fiscal year 1968. It would be inequitable, we believe, to magnify those reductions by cutting the mileage to which the rates are applied when there has been no apparent reduction in the miles actually flown by the carriers in transpacific crossings.

It is not by any means clear from the information presented by the carriers in this proceeding to what extent, or for what reason, miles flown may exceed pay miles. As a matter of fact, the reverse appears to be the case in some situations. In these circumstances, it is appropriate to maintain the status quo with respect to the standard pay mileages. We will expect, however, to review this matter further in the next minimum-rate review.

MINIMUM AIRCRAFT LOAD FOR B–707–138B

Standard Airways, Inc., proposes to use B–707–138B fan-jet aircraft in Category B charter service and requests the

[9] As we stated in the notice, there is no current experience with passenger charters with turboprop aircraft, and we proposed to maintain the present minimum rates for any passenger charters that may be performed with such aircraft. The proposal will be adopted.

[10] The computation of these rates is shown in Appendix D.

establishment of a separate minimum load for this aircraft. According to Standard, the B–707–138B cabin area is 10 feet shorter than that of other B–707–100-series models and with the DOD-required 38-inch seat pitch can seat only 137 passengers, compared with the established minimum ACL of 149 passengers for B–707–100-series aircraft. Standard therefore requests the addition of a 137-passenger minimum ACL for the B–707–138B. We will adopt the proposal, subject to petitions for reconsideration.

COMMERCIAL BACKHAUL CHARTERS

DOD requests in its comments that the Board amend Part 288 to permit DOD to purchase backhaul legs of one-way commercial charters at any tariff rate that may be lower than the minimum rates prescribed. Since there is inherent in the proposal the possibility of undercutting the minimum rates by the filing of tariffs that could by their terms be used only by DOD, we will not adopt the proposal at this time but will treat it as a petition for rule making in order that further study may be given to its implications and the views of other interested persons.

II. CATEGORY B MINIMUM RATES FOR SMALL TURBINE AIRCRAFT

Category B charters using small turbine aircraft are currently subject to minimum rates based on 2.45 cents per passenger-mile for round-trip passenger charters and 11.9 cents per ton-mile for round-trip cargo charters. Before issuance of the notice, the three carriers now employing B–727 aircraft in Category B service (Alaska, Braniff, and Southern) furnished forecasts of their operating costs for fiscal year 1968. After adjusting such carrier data, the Board computed average forecast costs for fiscal 1968 closely approximating the existing minimum rates. Accordingly, in the notice no change was proposed in the minimum rates applicable to small turbine aircraft.

The carriers have responded to the notice with comments convincing the Board that the cost data on which the notice was predicated should be revised in certain respects. Braniff and Alaska have shown salary increases for flight crews of 8 and 5 percent, respectively, which the Board has accepted. In the case of all three carriers, the Board has taken account of the recently increased prices of fuel purchased at military bases. In the case of Southern alone, the Board has added into that carrier's forecast of flight crew expense an amount attributable to one navigator, which was inadvertently omitted from the carrier's original forecast. In addition, the Board has adjusted the speed factor used for obtaining Southern's per-mile cost from 500 to 468 m.p.h. in accordance with the carrier's reported experience for the 6 months ending December 31, 1966.

The net effect of the adjustments made in the notice forecasts is to raise the computed plane-mile round-trip charter cost of Alaska by 1.7 percent; Braniff, by 3 percent; and Southern, by 4.9 percent. In the case of round-trip cargo charters, the forecast of Alaska has been raised by 2.2 percent; Braniff, by 3.5 percent; and Southern, by 5.8 percent. The recomputed passenger-mile and ton-mile costs of these three carriers are:

	Round trip passenger, per passenger-mile	Round trip cargo, per ton-mile
	Cents	*Cents*
Alaska	2.51	11.37
Braniff	2.60	13.07
Southern	2.50	12.37
Simple average	2.54	12.27
Weighted average	2.56	12.65

Considering the individual carrier results as well as the averages, the Board has determined that it should establish minimum rates for small turbine aircraft of 2.55 cents per passenger-mile and 12.5 cents per ton-mile. These minimum rates are somewhat below the computed weighted averages but above the simple averages. Such a result appears reasonable in view of the fact that the weighted averages are substantially influenced by the relatively high costs shown by Braniff.

The minimum rates adopted by the Board are 4 percent above the existing minimum rate in the case of passenger charters, and 5 percent above the current cargo minimum rate. Using the new round-trip passenger and cargo minimum rates as the basis, the Board has also computed new one-way, convertible, and mixed minimum rates for small turbine aircraft according to the formulas used in this minimum-rate review. The one-way minimum rates are 4.66 cents per passenger-mile and 24.85 cents per cargo ton-mile. The computation is shown in Appendix D.[10a]

III. LOGAIR AND QUICKTRANS MINIMUM RATES

By Notice EDR–113B/PSDR–18B, dated May 17, 1967,[11] the Board announced the revised minimum rates for Logair and Quicktrans domestic cargo charters to be adopted in this proceeding and the bases therefor. That notice is hereby adopted as the final decision of the Board and is incorporated herein by reference. The new minimum rates for Logair and Quicktrans services are set forth in § 288.7(b) of the reissued Part 288, and will be made effective July 1, 1967. Since the current minimum rates will continue in effect for the remainder of the fiscal year, they are restated in a footnote to § 288.7(b).

[10a] Filed as part of original document.
[11] 32 F.R. 7499.

IV. EFFECTIVE DATE

The notice proposed that the revised minimum rates for Category B charters be made effective at an early date and stated that the Board would consider making them effective as of the date of the notice (Mar. 15, 1967).

DOD believes that the best interests of both the Department and the industry are normally served when contract prices remain firm for the fiscal year. However, as in last year's minimum-rate review, DOD states that it would support the March 15 effective date if the Board makes the findings required by its contracts with the carriers.[12] According to DOD, the statements we made in the notice appear to fulfill the contractual requirements for changing rates before the end of the fiscal year.

The carriers set forth substantially the same objections to an early effective date as they did last year. They contend that there have been no developments materially affecting the nature and costs of the service such as the increase in daily aircraft utilization that justified the early effective date last year. They also contend that, because of the contract terms mentioned previously, rate adjustments during the fiscal year would violate the contract provision; and, further, the Board would be powerless to effect an increase in minimum rates when circumstances might warrant such action. The carriers suggest that the Board decline to make the findings requested by DOD. The carriers also claim that certain factors used in determining the proposed minimum rates have no relation to the 1967 fiscal year, such as the investment base as of January 1968, weighting by DOD award points, and averaging of stretched-jet with conventional-jet costs. In addition, the carriers object to any retroactive change in minimum rates before adoption of the final rules, because, they contend, there are no unusual circumstances justifying retroactivity, carrier tariffs cannot be changed retroactively, and a retroactive change would be illegal under 5 U.S.C. 553(d).

As we stated last year, the arguments with respect to the effect of the contract provision are without merit. Both DOD and the carriers appear to interpret

[12] The contracts state, "Except as otherwise provided in this contract, the prices set forth in the contract shall remain in effect throughout the period of performance of this contract unless the Civil Aeronautics Board determines that inequities would result to either the Department of Defense or the domestic or international industry under contract to MAC and then only provided that the inequity results from new facts not available for submission to the Board when it established the rate levels for this contract year."

their contracts as limiting the Board's authority and duty to make changes in the minimum-rate conditions when changing facts and circumstances may warrant. We reiterate that such a result cannot be supported. The contract negotiations are between DOD and the carriers; the terms of the contracts are voluntarily agreed to by the contracting parties; and we have no part in deciding what those terms may be. Neither do the terms of those agreements affect the authority or duty of the Board. In this connection, we agree with the carriers that we are not bound to make any findings other than those related to our ratemaking function. However, it should be recalled that, as we have repeatedly stated, that function is neither limited to nor required to be exercised on a fiscal-year basis. As we have also affirmed on a number of occasions, we must reserve the right to continue surveillance of the minimum rates and to effect changes up or down when the facts and circumstances so dictate. As to the contention that the Board is powerless to increase minimum rates, as opposed to decreasing them, it is clear that the Board's rate powers override any inconsistent rates established by contract. In this connection, it will be recalled that we did in fact increase some minimum rates last year at the same time we decreased others, and we are doing so in this proceeding. If the parties believe that the Board's exercise of its minimum-rate authority may someday place them in the position of violating the contract conditions, they might consider whether they will choose to include such terms in future contracts.

The existing minimum rates, which were based upon fiscal 1965 costs adjusted to forecast costs in fiscal 1967, have been in effect for more than a year. The fiscal 1966 data we are using now to forecast future costs, as well as actual results achieved under the present minimum rates for that part of calendar 1966 for which we have data, reveal that developments have occurred that materially affect the nature and costs of the service on which we based the minimum rates fixed last March. These facts obviously were not before us and could not have been foreseen at that time. Based on the carriers' cost forecasts and our own adjustments, we established fair and reasonable minimum rates. Had we foreseen the decreases in unit costs for large turbine aircraft and the increases in unit costs for small turbine aircraft that have occurred, our decision might well have been different. With the new data now before us, we find that it would be inequitable not to effect the changes now required in the Category B minimum rates, both up and down, as promptly as possible.

However, consistent with our decision last year, we will make the new minimum rates effective on a prospective basis, i.e., from June 1, 1967, so as to avoid any retroactive effect on MAC obligations and carrier revenues. As we said last year, we believe it is desirable as a general rule that adjustments of minimum rates not be made effective retroactively except in the most unusual circumstances.

In view of the foregoing considerations, we find that good cause exists for making the minimum-rate changes effective on less than 30 days' notice.

In consideration of the foregoing, the Civil Aeronautics Board hereby amends and reissues Part 288 of the Economic Regulations (14 CFR Part 288), effective June 1, 1967, as set forth below.

Subpart A—General

Sec.
288.1 Definitions.
288.2 Applicability.

Subpart B—Exemption, Conditions, and Requirements

288.5 Exemption.
288.6 Scope of exemption.
288.7 Reasonable level of compensation.
288.8 Minimum aircraft loads.
288.9 Round-trip services.
288.10 Computation of passenger-miles and cargo ton-miles.
288.11 On-loading and off-loading of traffic.
288.12 Application for other relief.

Subpart C—Enforcement

288.15 Violations.

Subpart D—Duration

288.18 Expiration.

AUTHORITY: The provisions of this Part 288 issued under secs. 204, 403, and 416 of the Federal Aviation Act of 1958, as amended; 72 Stat. 743, 758, 771, as amended; 49 U.S.C. 1324, 1373, 1386.

Subpart A—General

§ 288.1 Definitions.

As used in this part:

"Act" means the Federal Aviation Act of 1958, as amended.

"Air carrier" means a citizen of the United States holding economic operating authority to engage in air transportation as a direct air carrier with large aircraft, other than the authority conferred by this part.

"Charter service" means air transportation in planeload lots of persons and/or property pursuant to contracts with DOD, and includes Logair and Quicktrans services.

"CRAF" means Civil Reserve Air Fleet.

"DOD" means the Department of Defense.

"Large aircraft" means an aircraft of more than 12,500 pounds certified maximum takeoff weight.

"Logair" means all-cargo charter service over interstate routes principally between Air Force installations pursuant to contracts with DOD.

"North Pacific routing" means a route between a point in the 48 contiguous States and Japan via Alaska.

"Quicktrans" means all-cargo charter service over interstate routes principally between Navy installations pursuant to contracts with DOD.

"Substitute service" means the performance by an air carrier of air transportation in planeload lots pursuant to an agreement with another air carrier to fulfill such other air carrier's contractual obligation to perform such air transportation for DOD and when the performance of such air transportation is not to take place during a period longer than 3 weeks. All terms defined in the Act and not otherwise defined in this part are used in the sense of their statutory definitions.

§ 288.2 Applicability.

This part applies to charter service and substitute service by air carriers that have contractually committed their CRAF aircraft to DOD.

Subpart B—Exemption, Conditions, and Requirements

§ 288.5 Exemption.

Subject to the provisions of this part and the conditions imposed, air carriers which have contractually committed their CRAF aircraft to DOD are hereby exempted from section 403 of the Act and Part 221, § 207.4, § 208.32, and § 295.13 of this chapter (Board's Economic Regulations).

§ 288.6 Scope of exemption.

The exemption granted in § 288.5 extends only to transportation of persons and/or property under agreements with DOD for charter service for which minimum rate conditions are prescribed in this part and to substitute service. This authority is in addition to all other authority to engage in air transportation issued by the Board to any air carrier and will not be construed as in any manner limiting such other authority.

§ 288.7 Reasonable level of compensation.

It shall be a condition on the exemption granted by this part that the level of compensation for transportation provided shall not be uneconomically low. In the absence of specific Board approval, the compensation for such services shall not be less than the following:

(a) For foreign and overseas transportation, for transportation between the 48 contiguous States on the one hand and Hawaii or Alaska on the other hand, and for transportation within Alaska, other than specified in paragraph (c) of this section:

(1) Performed with turbine-powered aircraft:

Aircraft type	Passengers, per passenger-mile		Cargo, per ton-mile		Convertible		Mixed passenger-cargo, per revenue plane-mile			
							Round trip		One way	
	Round trip	One way	Round trip	One way	Passenger leg, per passenger-mile	Cargo leg, per ton-mile	Variable	Fixed	Variable	Fixed
	Cents	*Cents*	*Cents*	*Cents*	*Cents*	*Cents*				
Turboprops	2.00	3.60	9.36	17.19	2.15	10.67				
Regular turbojets	1.86	3.40	7.45	14.81	2.01	8.78				
Passengers-pallets:										
165 and 0							$3.32	$3.07	$5.86	$5.61
117 and 3							3.21	2.97	5.80	5.55
105 and 4							3.19	2.94	5.78	5.54
93 and 5							3.16	2.92	5.76	5.52
81 and 6							3.13	2.89	5.75	5.51
69 and 7							3.10	2.88	5.73	5.48
51 and 8							3.07	2.83	5.71	5.47
0 and 12							2.96	2.72	5.64	5.41
DC-8F-61, -63	1.86	3.63	6.68	13.28	1.79	7.73				
Passengers-Pallets:										
219 and 0							3.92	3.64	6.92	6.64
159 and 5							3.75	3.46	6.74	6.45
65 and 12							3.47	3.19	6.45	6.17
47 and 13							3.42	3.14	6.40	6.12
0 and 18							3.29	3.01	6.26	5.98
B-727/CV-880	2.55	4.66	12.50	24.85	2.79	18.15				
Passenger-pallets:										
105 and 0							2.93	2.68	5.15	4.89
61 and 2							2.75	2.50	4.97	4.72
50 and 3							2.70	2.45	4.92	4.67
46 and 4							2.69	2.44	4.91	4.66
0 and 7							2.50	2.25	4.72	4.47

(2) Performed with piston aircraft:

Type of service	Operations in all areas except within Alaska		Rates within Alaska
	Regular rates	Rates for North Pacific routing	
	Cents	*Cents*	*Cents*
Passenger, per passenger-mile:			
Round trip	2.75	2.75	2.89
One way	5.20	5.20	5.46
Cargo, per ton-mile:			
Round trip	12.50	13.00	13.10
One way	25.00	26.00	26.20
Convertible:			
Passenger leg, per passenger-mile	2.75	2.75	2.89
Cargo leg, per ton-mile	15.00	16.00	15.80
Mixed passenger-cargo:			
Round trip, per revenue plane-mile, for following aircraft and number of seats installed at request of DOD:			
DC-6A/B:			
0-2	[1] $1.625		
1-44	[2] 1.90		
45-54	2.01		
55-64	2.11		
65-74	2.22		
75-87	2.35		
88	2.42		
DC-7C/F, L-1049/C/E/G/H, L-1649A/F:			
0-2	[1] 2.25		[1] $2.36
1-47	[2] 2.43		[2] 2.55
48-59	2.45		2.57
60-71	2.50		2.63
72-85	2.55		2.68
86-92	2.59		2.72
93 and over	2.6125		2.74

[1] All-cargo rate applicable on flights designated as all-cargo where limited services for the personnel who may be carried are required under the DOD contract.
[2] Rate applicable on flights designated as mixed where full passenger services are required under the DOD contract.

Provided, That, subject to the provisions of § 288.8, the minimum rates specified in subparagraphs (1) and (2) of this paragraph shall not be applicable to passengers or cargo carried on a particular trip in excess of the amount that the contract calls for DOD to supply and the carrier to provide space.

(b) For Logair and Quicktrans services, other than specified in paragraph (c) of this section, on and after July 1, 1967:[1]

Aircraft type	Linehaul rate per course-flown statute mile	Rate per directed landing
C-46	$0.7793	$50
DC-6A	1.2305	100
AW-650	1.3061	100
DC-7B/C/F/L-1049H	1.6951	150
L-100/L-382B	1.8193	150
DC-9-30	1.8574	150
B-727-100C	1.9021	150

(c) The compensation for substitute service shall not be less than that which the prime contractor would have received under his contract with DOD.

§ 288.8 Minimum aircraft loads.

The minimum charges established by § 288.7(a) shall be deemed economic only when the resulting revenues are at least the equivalent of such charges applied to the following minimum loads:

Aircraft type	Number of passengers, all-passenger and convertible flights	Tons of cargo	
		All-cargo flights	Convertible flights
B-707-320-B/C	165	36.5	33.7
B-707-300 series	159		
B-707-138B	137		
B-707-100 series (other)	149		
DC-8F-61, -63	219	45	42.5
DC-8F	165	36.5	33.7
DC-8 (50 series)	149		
DC-8 (other)	147		
B-727	108	18	16.5
CV-880	110	18	16.5
CL-44	148	29.35	28
L-382		20.7	
L-1649A	95	18	15
L-1049-C/E/G/H	95	18	15
DC-7B/C/C F/F	95	18	15
L-1049A	88	15	12
DC-7	88	15	12
DC-6-A/B/C	83	13	12
DC-4	60	8	6

[1] The following minimum rates per course-flown statute mile will remain in effect through June 30, 1967:

DC-7F/L-1049H	$1.950
CL-44	2.207
C-46	.830
DC-6A/AW-650	1.1765 +$100/landing.

Provided, That, for the purpose of this section, compensation equal to the minimum rate applied to the load that actually can be accommodated shall be considered economic whenever a carrier is prevented from accommodating a load equal to the minimum specified above, for reasons other than adverse weather, off-loading by DOD, or the bulk of the cargo supplied by DOD, but in no event less than 90 percent of the above minimum loads. For purposes of this proviso, failure by the carrier to accommodate more than 12 loaded pallets on the B-707-320B/C and DC-8F aircraft, or 10 loaded pallets on the CL-44 aircraft, irrespective of the total weight thereof, on the all-cargo segment of any convertible charter flight, due to the presence of galley equipment and/or crew facilities on the main deck of the aircraft for use on that convertible charter flight, is deemed to be due to the bulk of the cargo supplied by DOD.

§ 288.9 Round-trip services.

For purposes of this part, round-trip services mean charter service other than Logair and Quicktrans services where: (a) Passengers and/or cargo are transported on two or more successive revenue flights and the last revenue flight terminates within 250 statute miles of the point of origin of the first revenue flight or, by mutual consent of DOD and the carrier, at a point within 250 statute miles of the carrier's principal operating base; (b) the scheduling permits departure within 4 hours after arrival at each point to be served except at one point where the aircraft may be scheduled for departure within 72 hours after arrival: *Provided*, That, on flights serving more than one U.S. departure point, by mutual consent, DOD and the carrier may agree on not more than three points where the aircraft may be scheduled for departure within 72 hours after arrival; and (c) the air carrier operates en route not more than one ferry flight not exceeding 50 statute

miles without compensation and not more than one ferry flight not exceeding 1,500 statute miles for compensation equal to not less than 75 per cent of the round-trip cargo rate specified in §§ 288.7 and 288.8 where only cargo is carried on the other portions of the whole trip and for compensation equal to not less than 75 percent of the round-trip all-passenger rate specified in §§ 288.7 and 288.8 in all cases where passengers are carried on any other part of the whole trip.

§ 288.10 Computation of passenger-miles and cargo ton-miles.

(a) *General rule.* For the purpose of this part, the computation of passenger-miles and cargo ton-miles for charter service other than Logair and Quicktrans shall be based on no lesser mileage than the nonstop airport-to-airport distance, in terms of statute miles from the point of origin of the revenue flight to the point of destination of such flight, via such intermediate points as are required to be served by the terms of the DOD contract.

(b) *Transpacific services.* In the case of transpacific services between the 48 contiguous States and points beyond Alaska or Hawaii, the general rule shall not apply but the mileage shall be computed as prescribed in the following schedule:

Between	And									
	Thailand	South Viet-Nam	Philippine Islands	Guam	Wake	Hawaii	Formosa	Okinawa	Japan [3]	Alaska
U.S. west coast [1]	8 or 5	8 or 5	7 or 4	7	6	1	14 or 4	7 or 4	7 or 2	1
Alaska	15	15	3				3	3	1	
Japan	12	12	1	1	1	9	1	1		
Okinawa	12	12	1	1	1	9	1			
Formosa	12	12	1	1	11	10				
Hawaii	13	13	9	9	1					
Wake	12	12	1	1						
Guam	12	12	1							
Philippine Islands	1	1								
South Viet-Nam	1									

Routings

1. Direct.
2. Via Anchorage.
3. Via Yokota.
4. Via Anchorage-Yokota.
5. Via Anchorage-Yokota-Clark.
6. Via Honolulu.
7. Via Honolulu-Wake.
8. Via Honolulu-Wake-Clark.
9. Via Wake.
10. Via Wake-Guam.
11. Via Guam.
12. Via Clark.
13. Via Wake-Clark.
14. Via Honolulu-Wake-Guam.
15. Via Yokota-Clark.

[1] Any place in the State of California, Oregon or Washington.
[2] For services to and from Japan, compute mileage to and from Yokota Air Base.

NOTE: Alternative routings 7, 8, and 14 are to be used for calculation of the mileage if DOD requires that an intermediate point along the mid-Pacific route be served.

(c) *Transatlantic services.* In the case of transatlantic services, when the nonstop airport-to-airport distance between origin and destination of the flight is 4,000 miles or more and no intermediate points are specified by the terms of the DOD contract, the mileage shall be no less than as computed via Shannon, Ireland, or via Lajes/Santa Maria, Azores, whichever routing yields a lower mileage.

§ 288.11 On-loading and off-loading of traffic.

It shall not be deemed a violation of the provisions of this part for an air carrier operating a charter flight to permit DOD to on-load and/or off-load traffic (passenger or cargo) at any operational stops en route made for the carrier's convenience, to the extent that it does not interfere with the carrier's scheduled ground operation: *Provided,* That the carrier receives minimum compensation consistent with the provisions of this part for resulting load carried on any flight stage which is in excess of the load paid for under the contract.

§ 288.12 Application for other relief.

Air carriers may make timely applications for authority to engage in air transportation for the military establishment not covered by this part, including relief from any limitation or requirement imposed by this part. Such applications shall be governed by the provisions contained in Part 302, Subparts A and D of this chapter.

Subpart C—Enforcement

§ 288.15 Violations.

Operations by any carrier for the military establishment which are not within the scope of such carrier's basic authority or of this part or of other authority granted by the Board prior to the time such operations are undertaken, or noncompliance with any applicable requirements, conditions, or limitations in this part, constitute violations of the Federal Aviation Act of 1958 and will render the offending air carrier subject to imposition of lawful sanction, including in proper cases criminal prosecution under section 902(a) of the Act.

Subpart D—Duration

§ 288.18 Expiration.

(a) This part shall expire June 30, 1968, unless rescinded by the Board at an earlier date. The Board reserves the right to rescind this part or any provision thereof at any time, with or without notice or hearing, as the public interest may require.

(b) The transportation services performed pursuant to the authorization granted in this part do not constitute an activity of a continuing nature within the meaning of 5 U.S.C. 558(c).

Effective: June 1, 1967.

Adopted: May 25, 1967.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON, *Secretary.*

[F.R. Doc. 67-6002; Filed, May 31, 1967; 8:45 a.m.]

Title 7—AGRICULTURE

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

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

[Amdt. 17]

PART 722—COTTON

Subpart—Acreage Allotments for 1966 and Succeeding Crops of Upland Cotton

TRANSFER OF COTTON ACREAGE AFFECTED BY NATURAL DISASTER

Basis and purpose. This amendment is issued pursuant to the Agricultural Adjustment Act of 1938, as amended (52 Stat. 31, as amended; 7 U.S.C. 1281 et seq.). The purpose of this amendment is to designate counties in the State of Alabama that have been affected by a natural disaster within the meaning of section 344(n) of the act for the 1967 crop.

In order that determinations with respect to transfer of acreage for the 1967 crop may be made prior to the end of the cotton planting season, it is essential that this amendment be made effective as soon as possible. Accordingly, it is hereby determined and found that compliance with the notice, public procedure, and 30-day effective date requirements of 5 U.S.C. 553 is impracticable and contrary to the public interest and this amendment shall be effective upon filing of this document with the Director, Office of the Federal Register.

Section 722.430(i) of the regulations for Acreage Allotments for 1966 and Succeeding Crops of Upland Cotton (31 F.R. 5300, as amended) is amended by adding the following designated counties in the State of Alabama.

ALABAMA

Lauderdale.	Morgan.
Limestone.	Marshall.
Madison.	De Kalb.
Jackson.	Cullman.
Colbert.	Blount.
Franklin.	Etowah.
Lawrence.	Cherokee.

(Secs. 344(n), 375; 78 Stat. 177, 52 Stat. 66, as amended; 7 U.S.C. 1344(n), 1375)

Effective date: Date of filing this document with the Director, Office of the Federal Register.

Signed at Washington, D.C., on May 26, 1967.

RAY FITZGERALD,
Acting Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 67-6097; Filed, May 31, 1967; 8:48 a.m.]

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

[Nectarine Reg. 1]

PART 916—NECTARINES GROWN IN CALIFORNIA

Limitation of Shipments

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 916, as amended (7 CFR Part 916), regulating the handling of nectarines grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the Nectarine Administrative Committee, established under the aforesaid marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of nectarines, as hereinafter set forth, and in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this regulation until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 553) in that, as hereinafter set forth, the time intervening between the date when information upon which this regulation is based became available and the time when this regulation must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than the date hereinafter specified. A reasonable determination as to the supply of, and the demand for, such nectarines must await the development of the crop thereof; adequate information thereon was not available to the Nectarine Administrative Committee until the date hereinafter set forth on which an open meeting was held, after giving due notice thereof, to consider the need for, and the extent of, regulation of shipments of such nectarines; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; shipments of the current crop of such nectarines are expected to begin on or about the effective date hereof; this regulation should be applicable to all such shipments in order to effectuate the declared policy of the act; the provisions of this regulation are identical with the aforesaid recommendation of the committee; information concerning such provisions and effective time has been disseminated among handlers of such nectarines; and compliance with the provisions of this regulation will not require of handlers any preparation therefor which cannot be completed by the effective time hereof. Such committee meeting was held on May 25, 1967.

§ 916.329 Nectarine Regulation 1.

(a) *Order.* (1) During the period June 1, 1967, through October 31, 1967, no handler shall handle any package or container of any variety of nectarines unless such nectarines grade at least U.S. No. 1: *Provided*, That nectarines 2 inches in diameter or smaller, or 4 x 4 size or smaller, shall not have fairly light colored, fairly smooth scars which exceed the aggregate area of a circle ⅜ inch in diameter, and nectarines larger than 2 inches in diameter, or larger than 4 x 4 size, shall not have fairly light colored, fairly smooth scars which exceed an aggregate area of a circle ½ inch in diameter.

(2) When used herein, "U.S. No. 1" shall have the same meaning as set forth in the U.S. Standards for Grades of Nectarines (§§ 51.3145–51.3160 of this title); and all other terms shall have the same meaning as when used in the marketing agreement and order.

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

Dated: May 31, 1967.

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

[F.R. Doc. 67-6186; Filed, May 31, 1967; 10:50 a.m.]

Title 21—FOOD AND DRUGS

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

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 121—FOOD ADDITIVES

Subpart D—Food Additives Permitted in Food for Human Consumption

FUMIGANTS FOR PROCESSED GRAINS USED IN PRODUCTION OF FERMENTED MALT BEVERAGES

The Commissioner of Food and Drugs, having evaluated the data in a petition (FAP 5H1500) filed by Ferguson Fumigants, Inc., 93 Ford Lane, Hazelwood, Mo. 63042, and other relevant material, has concluded that the food additive regulations should be amended (1) to provide for the safe use of a mixture of methyl bromide and ethylene dibromide as a fumigant for processed grains used in the production of fermented malt beverages and (2) to establish food additive tolerances for the resulting residues of inorganic bromides. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409 (c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)) and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120), Part 121 is amended as follows:

1. Section 121.1020 is amended by revising the item "125 parts per million * * *" in paragraph (b) and by revising paragraph (c). The affected portions read as follows:

§ 121.1020 Inorganic bromides.

* * * * *

(b) * * *

125 parts per million in or on bread, biscuit, cake, cookie, and pie mixes; breading; cereal flours and related products complying with Part 15 of this chapter; cracked rice; dried vegetables; flours of barley, milo (sorghum), oats, rice, and rye; macaroni and noodle products complying with Part 16 of this chapter; and soya flour.

(c) When the food additive is present in fermented malt beverages in accordance with §§ 121.1152 and/or 121.1194, the amount shall not exceed 25 parts per million (calculated as Br).

* * * * *

2. Section 121.1152 is amended by revising paragraph (a) and by adding new paragraph (d), as follows:

§ 121.1152 Fumigants for processed grains used in production of fermented malt beverages.

* * * * *

(a) They consist of one of the following mixtures:

(1) Carbon tetrachloride with either carbon disulfide or ethylene dichloride, with or without pentane.

(2) Methyl bromide and ethylene dibromide. Total residues of inorganic bromides (calculated as Br) from the use of this mixture and any previous fumigations shall not exceed 125 parts per million.

* * * * *

(d) The total residue of inorganic bromides in fermented malt beverages, resulting from the use of corn grits and cracked rice fumigated with the mixture described in paragraph (a)(2) of this section plus additional residues of inorganic bromides that may be present from uses in accordance with other regulations in this chapter promulgated under sections 408 and/or 409 of the act, does not exceed 25 parts per million of bromide (calculated as Br).

3. Section 121.1194(a)(2) is revised to read as follows:

§ 121.1194 Potassium bromate.

* * * * *

(a) * * *

(2) The total residue of inorganic bromides in fermented malt beverages, resulting from the use of the treated malt plus additional residues of inorganic bromides that may be present from uses

in accordance with other regulations in this chapter promulgated under sections 408 and/or 409 of the act, does not exceed 25 parts per million of bromide (calculated as Br). No tolerance is established for bromide in distilled spirits because there is evidence that inorganic bromides do not pass over in the distillation process.

* * * * *

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

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

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

Dated: May 23, 1967.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 67-6071; Filed, May 31, 1967; 8:46 a.m.]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 8—Veterans Administration

PART 8–1—GENERAL

PART 8–6—FOREIGN PURCHASES

Miscellaneous Amendments

1. In § 8–1.604–1(a)(7), subdivision (ii) is amended to read as follows:

§ 8–1.604–1 Procedural requirements relating to the imposition of debarment.

(a) *General.* * * *

(7) *Notice of debarment.* * * *

(ii) The imposition of debarment upon a firm or an individual by the Director, Supply Service, shall be final and conclusive except that the firm or individual so debarred may seek relief in a court of competent jurisdiction.

2. In Part 8–6, Subpart 8–6.53 is revised to read as follows:

Subpart 8–6.53—Purchases From Communist-Controlled Areas

Sec.

AUTHORITY: The provisions of this Subpart 8–6.53 issued under sec. 205(c), 63 Stat. 390, as amended, 40 U.S.C. 486(c); sec. 210 (c), 72 Stat. 1114; 38 U.S.C. 210(c).

Subpart 8–6.53—Purchases From Communist-Controlled Areas

§ 8–6.5300 Restrictions.

§ 8–6.5301 General.

It is the policy of the Veterans Administration that supplies and materials mined, manufactured, or produced in whole or in part within Communist-controlled areas or which are or were located in, or transported from or through Hong Kong, Macao or any Communist-controlled areas shall be presumed to have originated from Communist-controlled sources and shall not be acquired for Veterans Administration use, except as provided for in § 8–6.5302.

§ 8–6.5301–1 Communist-controlled areas.

The following are considered Communist-controlled areas:

Albania.
Bulgaria.
China, excluding Taiwan (Formosa).
Communist-controlled areas of Viet Nam and Laos.
Cuba.
Czechoslovakia.
East Germany (Soviet Zone of Germany and Soviet Sector of Berlin).
Estonia.
Hungary.
Latvia.
Lithuania.
Manchuria.
Mongolia.
North Korea.
Poland and Danzig.
Romania.
Union of Soviet Socialist Republics.

§ 8–6.5302 Exceptions.

Contracting officers may deviate from the policy set forth in § 8–6.5301 only when it has been unequivocally established that the required merchandise or an acceptable substitute is not available from any other source. Complete justification for any purchase so made will be submitted through the Director, Supply Service, for review by the Administrator.

§ 8–6.5303 Contract provisions.

Solicitations will include a clause substantially as follows:

COMMUNIST-CONTROLLED AREAS

The Contractor shall not acquire for use in the performance of this contract any supplies or services originating from sources within Communist-controlled areas, or which are or were located in or transported from or through Hong Kong or Macao or any Communist-controlled area, without the written approval of the Contracting Officer. A list of Communist-controlled areas is available upon request.

If quoting on a foreign product, bidder must indicate in the space provided, the name of the country in which it was mined, manufactured or processed

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(Name of country)

(Sec. 205(c), 63 Stat. 390, as amended, 40 U.S.C. 486(c); sec. 210(c), 72 Stat. 1114, 38 U.S.C. 210(c))

These regulations are effective immediately.

Approved: May 23, 1967.

By direction of the Administrator.

[SEAL] CYRIL F. BRICKFIELD,
Deputy Administrator.

[F.R. Doc. 67-6053; Filed, May 31, 1967; 8:45 a.m.]

Chapter 9—Atomic Energy Commission

PART 9–7—CONTRACT CLAUSES

Subpart 9–7.50—Use of Standard Clauses

PART 9–16—PROCUREMENT FORMS

Subpart 9–16.50—Contract Outlines

MISCELLANEOUS AMENDMENTS

1. In § 9–7.5006–14, *Obligation of funds, estimates of cost (other than operating contracts)*, paragraph (b) is revised to read as follows:

§ 9–7.5006–14 Obligation of funds, estimates of cost (other than operating contracts).

* * * * *

(b) *Notices—Contractor excused pending increase when obligation is reached.* Whenever the Contractor has reason to believe that the total cost of the work under this contract (exclusive of the Contractor's fixed fee) will be greater or substantially less than the presently estimated cost of the work, the Contractor shall promptly notify the Contracting Officer in writing. (In contracts which are fully obligated, substitute the words "amount obligated with respect to this contract less the Contractor's fixed fee" for the words "presently estimated cost of the work.") The Contractor shall also notify the Contracting Officer in writing when the aggregate of expenditures plus outstanding commitments and liabilities allowable under this contract, including the Contractor's fixed fee, is equal to ninety percent (90%) (or such other percentage as the Contracting Officer may from time to time establish by notice to the Contractor) of the amount then obligated with respect to this contract. When such expenditures and outstanding commitments and liabilities, including the Contractor's fixed fee, equal one hundred percent (100%) of such amount, the Contractor shall immediately notify the Contracting Officer and shall make no further commitments or expenditures (except to meet existing commitments and liabilities) and shall be excused from further performance of the work unless and until the Contracting Officer thereafter shall increase the amount obligated with respect to this contract.

* * * * *

2. In § 9–16.5002–2, *Outline of a cost-plus-a-fixed-fee supply contract (performed by commercial concerns in contractor's facilities)*, paragraph (4) is revised to read as follows:

§ 9-16.5002-2 **Outline of a cost-plus-a-fixed-fee supply contract (performed by commercial concerns in contractor's facilities).**

* * * * *

(4) Obligation of funds, estimates of cost (other than operating contracts)—§ 9-7.5006-14.

* * * * *

3. In § 9-16.5002-4, *Outline of a cost-plus-a-fixed-fee construction contract*, Article IV is revised to read as follows:

§ 9-16.5002-4 **Outline of a cost-plus-a-fixed-fee construction contract.**

* * * * *

Article IV—Obligation of funds, estimates of cost (other than operating contracts). Insert contract clause set forth in AECPR 9-7.5006-14.

* * * * *

4. In § 9-16.5002-5, *Outline of a cost-plus-a-fixed-fee architect-engineer contract*, Article IV is revised to read as follows:

§ 9-16.5002-5 **Outline of a cost-plus-a-fixed-fee architect-engineer contract.**

* * * * *

Article IV—Obligation of funds, estimates of cost (other than operating contracts). Insert contract clause set forth in AECPR 9-7.5006-14.

* * * * *

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

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

Dated at Germantown, Md., this 24th day of May 1967.

For the U.S. Atomic Energy Commission.

JOSEPH L. SMITH,
Director, Division of Contracts.

[F.R. Doc. 67-6054; Filed, May 31, 1967; 8:45 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

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

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 4189]

[Idaho 017475]

IDAHO

Withdrawal for National Forest Scenic Area

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

1. Subject to valid existing rights, the following described national forest lands are hereby withdrawn from appropriation under the mining laws (30 U.S.C., Ch. 2), but not from leasing under the mineral leasing laws, in aid of programs of the Department of Agriculture:

KANIKSU NATIONAL FOREST, BOISE MERIDIAN

UPPER PRIEST LAKE SCENIC AREA

T. 63 N., R. 4 W.,
Sec. 30, lots 3, 4, 8 and 9, E½SW¼ and SW¼SE¼;
Sec. 31, lot 1, N½NE¼ of lot 2, NE¼, NE¼NW¼, NE¼SE¼NW¼, N½NW¼SE¼NW¼, SE¼NW¼SE¼NW¼, N½SE¼SE¼NW¼, SE¼SE¼SE¼NW¼, NE¼SE¼, N½NW¼SE¼, SE¼NW¼SE¼, NE¼SE¼SE¼, N½NW¼SE¼SE¼, SE¼NW¼SE¼SE¼, N½SE¼SE¼SE¼, and SE¼SE¼SE¼SE¼;
Sec. 32, SW¼ and S½SE¼.

T. 63 N., R. 5 W.
Sec. 23, S½SW¼NE¼NE¼, E½SW¼NE¼, SE¼NW¼SW¼NE¼, E½SW¼SW¼NE¼, SE¼NE¼, SE¼SE¼SW¼, NE¼SE¼, S½NW¼SE¼, NE¼NW¼SE¼, E½NW¼NW¼SE¼, and S½SE¼;
Sec. 24, S½NW¼NW¼NE¼, NE¼NW¼NW¼NE¼, SW¼NW¼NE¼, SE¼NE¼NE¼NW¼, NE¼SW¼NE¼NW¼, S½SW¼NE¼NW¼, SE¼NE¼NW¼, S½SE¼NW¼NW¼, S½NW¼, SW¼, NW¼SE¼, and S½SE½;
Sec. 25;
Sec. 26, E½, E½NE¼NW¼, E½SW¼NE¼NW¼, E½SE¼NW¼, E½NW¼SE¼NW¼, NE¼SW¼SE¼NW¼, E½NE¼SW¼, E½SW¼NE¼SW¼, E½SE¼SW¼, NW¼SE¼SW¼, E½SW¼SE¼SW¼, and NW¼SW¼SE¼SW¼;
Sec. 35, N½NE¼, NE¼SW¼NE¼, E½NW¼SW¼NE¼, N½SE¼SW¼NE¼, N½SE¼NE¼, N½SW¼SE¼NE¼, SE¼SW¼SE¼NE¼, SE¼SE¼NE¼, NE¼NE¼NW¼, E½NW¼NE¼NW¼, and NE¼SE¼NE¼NW¼;
Sec. 36, N½NE¼, SW¼NE¼, N½NW¼SE¼NE¼, SW¼NW¼SE¼NE¼, NW¼SW¼SE¼NE¼, N½NW¼, N½SW¼NW¼, SW¼SW¼NW¼, N½SE¼SW¼NW¼, N½SE¼NW¼, N½SW¼SE¼NW¼, and SE¼SE¼NW¼.

The areas described aggregate 3,016.64 acres in Bonner County.

2. The withdrawal made by this order does not alter the applicability of those public land laws governing the use of the national forest lands under lease, license, or permit, or governing the disposal of their mineral or vegetative resources other than under the mining laws.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

MAY 25, 1967.

[F.R. Doc. 67-6060; Filed May 31, 1967; 8:45 a.m.]

[Public Land Order 4221]

[I-701]

IDAHO

Withdrawal for National Forest Campgrounds

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

1. Subject to valid existing rights, the following described national forest lands are hereby withdrawn from appropriation under the mining laws (30 U.S.C., Ch. 2), but not from leasing under the mineral leasing laws, in aid of programs of the Department of Agriculture:

COEUR D'ALENE NATIONAL FOREST

BOISE MERIDIAN

Berlin Flats Campground

T. 51 N., R. 4 E.,
Sec. 4, E½E½SE¼SW¼, W½SW¼SE¼, and W½E½SW¼SE¼;
Sec. 9, NW¼NE¼NW¼NE¼, N½NW¼NW¼NE¼, and NE¼NE¼NE¼NW¼.

Jordan Creek Campground

T. 53 N., R. 3 E.,
Sec. 17, S½NW¼NE¼NE¼, SW¼NE¼NE¼, and N½NW¼SE¼NE¼.

The areas described aggregate 70 acres in Shoshone County, Idaho.

2. The withdrawal made by this order does not alter the applicability of those public land laws governing the use of the national forest lands under lease, license, or permit, or governing the disposal of their mineral or vegetative resources other than under the mining laws.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

MAY 25, 1967.

[F.R. Doc. 67-6061; Filed, May 31, 1967; 8:45 a.m.]

[Public Land Order 4222]

[I-67]

IDAHO

Withdrawal for National Forest Recreation Areas

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

1. Subject to valid existing rights, the following described national forest lands are hereby withdrawn from appropriation under the mining laws (30 U.S.C., Ch. 2), but not from leasing under the mineral leasing laws, in aid of programs of the Department of Agriculture.

NEZPERCE NATIONAL FOREST

BOISE MERIDIAN

Heaven's Gate Viewpoint and Vista Point

T. 23 N., R. 1 W.,
Sec. 5, NW¼ of lot 4;
Sec. 6, N½NE¼ of lot 1 and NE¼NW¼ of lot 1.
T. 24 N., R. 1 W.,
Sec. 31, SW¼SE¼SE¼ and S½SE¼SE¼SE¼;
Sec. 32, S½SW¼SW¼SW¼.
Totaling 37.28 acres, more or less.

Echo Lake Camp

T. 23 N., R. 2 W., unsurveyed, will probably be when surveyed:
Sec. 15, SW¼NE¼SW¼, SW¼SE¼NE¼SW¼, and NE¼SE¼SW¼.
Totaling 22.5 acres.

Shelf Lake Camp

T. 23 N., R. 2 W., unsurveyed, will probably be when surveyed:
Sec. 11, SE¼NE¼SW¼SW¼ and NE¼SE¼SW¼SW¼.
Totaling 5 acres.

Basin Lake Camp

T. 23 N., R. 2 W., unsurveyed, will probably be when surveyed:
Sec. 11, NW¼NW¼SW¼.
Totaling 10 acres.

Big Sheep Lake Camp

T. 23 N., R. 2 W., unsurveyed, will probably be when surveyed:
Sec. 14, SW¼SE¼NW¼SE¼ and NW¼NE¼SW¼SE¼.
Totaling 5 acres.

Papoose Cave Area

T. 24 N., R. 1 W.,
Sec. 27, S½NE¼NE¼SE¼ and N½SE¼NE¼SE¼.
Totaling 10 acres.

Lower Cannon Lake Camp

T. 23 N., R. 1 W.,
Sec. 19, S½ of lot 1.
Totaling 19.18 acres, more or less.

The areas described aggregate 109.78 acres more or less in Idaho County, Idaho.

2. The withdrawal made by this order does not alter the applicability of those public land laws governing the use of the national forest lands under lease, license, or permit, or governing the disposal of their mineral or vegetative resources other than under the mining laws.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

MAY 25, 1967.

[F.R. Doc. 67-6062; Filed, May 31, 1967; 8:45 a.m.]

Title 46—SHIPPING

Chapter I—Coast Guard, Department of Transportation

SUBCHAPTER B—MERCHANT MARINE OFFICERS AND SEAMEN

[CGFR 67-36]

PART 10—LICENSING OF OFFICERS AND MOTORBOAT OPERATORS AND REGISTRATION OF STAFF OFFICERS

Miscellaneous Amendments

Pursuant to the notice of proposed rule making published in the FEDERAL REGISTER of January 24, 1967 (32 F.R. 795-807) and the Merchant Marine Council Public Hearing Agenda dated March 20, 1967 (CG-249), the Merchant Marine Council held a public hearing on March 20, 1967 for the purpose of receiving comments, views, and data. The proposals considered were identified as Items PH 1-67 to PH 13-67, inclusive. Item PH 12-67 contains proposals regarding merchant marine officers and seamen (CG-249, pages 198 to 202, inclusive), and these proposals are adopted and set forth in this document.

The oral and written comments received were considered and no changes in text of proposals were made. An editorial amendment to 46 CFR 10.25-9(a)(6) was adopted. The Merchant Marine Council's action with respect to comments received are approved.

By virtue of the authority vested in me as Commandant, U.S. Coast Guard, by section 632 of Title 14, U.S. Code, and Department of Transportation Order 1100.1, dated March 31, 1967 (49 CFR 1.4(a)(2), 32 F.R. 5606), to promulgate regulations in accordance with the laws cited with the regulations below, the following amendments are prescribed and shall be effective upon the date of publication in the FEDERAL REGISTER:

1. The authority for Part 10 is amended to read as follows:

AUTHORITY: The provisions of this Part 10 issued under R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416; Department of Transportation Order 1100.1, Mar. 31, 1967, 49 CFR 1.4(a)(2), 32 F.R. 5606; except as otherwise noted.

Subpart 10.02—General Requirements for All Deck and Engineer Officers' Licenses

2. The authority note for Subpart 10.02 is amended to read as follows:

AUTHORITY: The provisions of this Subpart 10.02 interpret or apply R.S. 4417a, as amended, 4426, as amended, 4427, as amended, 4438, as amended, 4438a, as amended, 4439, as amended, 4440, as amended, 4441, as amended, 4442, as amended, 4443, as amended, 4445, as amended, sec. 2, 29 Stat. 188, as amended, sec. 1, 34 Stat. 1411, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 70 Stat. 152, and sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 405, 224, 224a, 226, 228, 229, 214, 230, 231, 225, 237, 367, 390b, 50 U.S.C. 198; Department of Transportation Order 1100.1, Mar. 31, 1967, 49 CFR 1.4(a)(2), 32 F.R. 5606; except as otherwise noted.

3. Section 10.02-19(a) is amended to read as follows:

§ 10.02-19 Reexaminations and refusal of licenses.

(a) Any applicant for license or endorsement who has been duly examined and refused may come before the same Officer in Charge, Marine Inspection, for reexamination at any time thereafter that may be fixed by such Officer in Charge, Marine Inspection, but such time shall not be less than 1 month from the date of his last failure. In the case of another failure, he will not be reexamined until after a lapse of at least 3 months from the date of the second or subsequent failures.

* * * * *

Subpart 10.05—Professional Requirements for Deck Officers' Licenses (Inspected Vessels)

4. The authority note for Subpart 10.05 is amended to read as follows:

AUTHORITY: The provisions of this Subpart 10.05 interpret or apply R.S. 4417a, as amended, 4426, as amended, 4427, as amended, 4438, as amended, 4438a, as amended, 4439, as amended, 4440, as amended, 4442, as amended, 4443, as amended, 4445, as amended, sec. 1, 34 Stat. 1411, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 70 Stat. 152, and sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 405, 224, 224a, 226, 228, 214, 230, 231, 233, 225, 237, 367, 390b, 50 U.S.C. 198; Department of Transportation Order 1100.1, Mar. 31, 1967, 49 CFR 1.4(a)(2), 32 F.R. 5606; except as otherwise noted.

5. Section 10.05-5(b) is amended by revising the introductory text, but not the subparagraphs (1) to (4), inclusive, so that the introductory material reads as follows:

§ 10.05-5 Master of coastwise steam or motor vessels.

* * * * *

(b) The minimum service required to qualify an applicant for a license as master of steam or motor vessels of not more than 500 gross tons, operated in connection with the offshore mineral and oil industries, limited to a stated distance offshore on the continental shelf of the Atlantic, Gulf, or Pacific Coast of the United States, as determined by the Commander of the District in which the license is issued, is:

* * * * *

6. Section 10.05-28 is amended to read as follows:

§ 10.05-28 Mate of steam or motor vessels engaged in offshore mineral and oil industries.

(a) The minimum service required to qualify an applicant for a license as mate of steam or motor vessels of not more than 500 gross tons, operated in connection with the offshore mineral and oil industries, limited to a stated distance offshore on the continental shelf of the Atlantic, Gulf, or Pacific Coast of the United States, as determined by the Commander of the District in which the license is issued, is:

(1) Two years' service as a licensed officer in charge of a deck watch on mineral or oil industry vessels; or

(2) One year's service as master or first-class pilot of inland steam or motor vessels plus 6 months in the deck department of coastwise vessels or mineral or oil industry vessels; or

(3) One year's service as a licensed master or 2 years' service as a licensed mate of ocean or coastwise uninspected vessels; or

(4) Three years' service in the deck department of ocean or coastwise steam or motor vessels, including mineral and oil industry vessels.

7. Section 10.05-29(a)(3) is amended to read as follows:

§ 10.05-29 Second mate of ocean steam or motor vessels.

(a) * * *

(3) Five years' service in the deck department of ocean or coastwise steam or motor vessels of 1,000 gross tons or over, 2 years of which shall have been as boatswain, able seaman, or quartermaster while holding a certificate as able seaman; or,

* * * * *

8. Section 10.05-31(a)(2) is amended to read as follows:

§ 10.05-31 Second mate of coastwise steam or motor vessels.

(a) * * *

(2) Five years' service in the deck department of ocean or coastwise steam or motor vessels, 2 years of which shall have been as boatswain, able seaman or quartermaster while holding a certificate as able seaman; or,

* * * * *

Subpart 10.10—Professional Requirements for Engineer Officers' Licenses (Inspected Vessels)

9. The authority note for Subpart 10.10 is amended to read as follows:

AUTHORITY: The provisions of this Subpart 10.10 interpret or apply R.S. 4417a, as amended, 4426, as amended, 4427, as amended, 4438, as amended, 4438a, as amended, 4441, as amended, 4443, as amended, 4445, as amended, 4447, as amended, sec. 2, 29 Stat. 188, as amended, sec. 1, 34 Stat. 1411, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 70, Stat. 152, and sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 405, 224, 224a, 229, 230, 231, 233, 225, 237, 367, 390b, 50 U.S.C. 198; Department of Transportation Order 1100.1, Mar. 31, 1967, 49 CFR 1.4(a)(2), 32 F.R. 5606; except as otherwise noted.

Subpart 10.13—Licensing of Radio Officers

10. The authority note for Subpart 10.13 is amended to read as follows:

AUTHORITY: The provisions of this Subpart 10.13 interpret or apply secs. 1–8, 62 Stat. 232–234; 46 U.S.C. 229a–229h; Department of Transportation Order 1100.1, Mar. 31, 1967, 49 CFR 1.4(a)(2), 32 F.R. 5606; except as otherwise noted.

Subpart 10.15—Licensing of Officers for Uninspected Vessels

11. The authority note for Subpart 10.15 is amended to read as follows:

AUTHORITY: The provisions of this Subpart 10.15 interpret or apply R.S. 4438a, as amended; 46 U.S.C. 224a; Department of Transportation Order 1100.1, Mar. 31, 1967, 49 CFR 1.4(a)(2), 32 F.R. 5606; except as otherwise noted.

Subpart 10.20—Motorboat Operators' Licenses

12. The authority note for Subpart 10.20 is amended to read as follows:

AUTHORITY: The provisions of this Subpart 10.20 interpret or apply secs. 7, 17, 54 Stat. 165, as amended, 166, as amended; 46 U.S.C. 526f, 526p; Department of Transportation Order 1100.1, Mar. 31, 1967, 49 CFR 1.4(a)(2), 32 F.R. 5606; except as otherwise noted.

Subpart 10.25—Registration of Staff Officers

13. The authority note for Subpart 10.25 is amended to read as follows:

AUTHORITY: The provisions of this Subpart 10.25 interpret or apply sec. 7, 53 Stat. 1147, as amended; 46 U.S.C. 247; Department of Transportation Order 1100.1, Mar. 31, 1967, 49 CFR 1.4(a)(2), 32 F.R. 5606; except as otherwise noted.

14. Section 10.25–9(a) is amended by redesignating subparagraph (6) to (7) and by inserting a new subparagraph (6) so that these subparagraphs read as follows:

§ 10.25–9 Experience requirements.

(a) * * *

(6) *Junior assistant purser and pharmacist's mate.* (i) A rating of at least hospitalman, first-class in the U.S. Navy, U.S. Coast Guard, U.S. Marine Corps, or an equivalent rating in the U.S. Army (not less than staff sergeant, Medical Department, U.S.A.) or in the U.S. Air Force (not less than technical sergeant, Medical Department, U.S.A.F.), and a period of service of at least 1 month in a military or U.S. Public Health Service hospital.

(ii) Evidence of successful completion of a course of training for the rating of pharmacist's mate, approved by the Commandant, will be acceptable as qualifying for the rating of pharmacist's mate to be endorsed on the certificate of registry of staff officers in any of the purser ratings.

(7) *Professional nurse.* A valid license as a registered nurse issued under authority of a State or territory of the United States, the Commonwealth of Puerto Rico, or the District of Columbia.

* * * * *

Dated: May 26, 1967.

P. E. TRIMBLE,
Vice Admiral, U.S. Coast Guard,
Acting Commandant.

[F.R. Doc. 67-6086; Filed, May 31, 1967; 8:47 a.m.]

Chapter IV—Federal Maritime Commission

SUBCHAPTER B—REGULATIONS AFFECTING MARITIME CARRIERS AND RELATED ACTIVITIES

[General Order 15; Amdt. II]

PART 533—FILING OF TARIFFS BY TERMINAL OPERATORS

Exemption of Department of Defense

On October 29, 1965, the Department of Defense petitioned that they be excluded from the requirements of General Order 15. At present the rules do not require that the Federal Government file rates covering proprietary cargoes. The Department of Defense, however, has authority to handle commercial cargoes at Government-owned terminals under certain emergency conditions, and for the services performed, is required to charge rates that are in line with those of commercial terminals in the area. The office of the Judge Advocate General has compiled statistics which indicate that the amount of commercial cargo handled at Government-owned terminals is negligible. Because the authority of the Department of Defense to handle commercial cargoes is limited, and because this authority is rarely exercised, the Commission has decided to exclude the Department of Defense from the requirements of General Order 15.

Therefore, pursuant to section 4 of the Administrative Procedure Act (5 U.S.C. 553) and sections 17, 21, and 43 of the Shipping Act, 1916 (14 U.S.C. 816, 820, and 841a), § 533.3, *Persons who must file*, of Title 46 CFR, is hereby amended by inserting after the first two words "Every person", the phrase "other than the Department of Defense, including the military department and all agencies of the Department of Defense."

As amended, § 533.3 reads as follows:

§ 533.3 Persons who must file.

Every person other than the Department of Defense, including the military department and all agencies of the Department of Defense, carrying on the business of furnishing wharfage, dock, warehouse, or other terminal facilities as described in § 533.1, including, but not limited to terminals owned or operated by States and their political subdivisions; railroads who perform port terminal services not covered by their line haul rates; common carriers who perform port terminal services; and warehousemen who operate port terminal facilities, shall file in duplicate with the Bureau of Domestic Regulation, Federal Maritime Commission, and shall keep open to public inspection at all its places of business a schedule or tariff showing all its rates, charges, rules, and regulations relating to or connected with the receiving, handling, storing, and/or delivering of property at its terminal facilities: *Provided, however,* That rates and charges for terminal services performed for water carriers pursuant to negotiated contracts, and for storage of cargo and services incidental thereto by public warehousemen pursuant to storage agreements covered by issued warehouse receipts need not be filed for purposes of this part.

Notice, public procedure, and delayed effective date are not necessary prerequisites to the promulgation of this amendment since the amendment merely relieves restriction currently imposed by the rules of Part 533.

By the Commission.

[SEAL] THOMAS LISI,
Secretary.

[F.R. Doc. 67-6087; Filed, May 31, 1967; 8:47 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 17252; FCC 67-629]

PART 73—RADIO BROADCAST SERVICES

Report and Order Regarding Sponsorship Identification Requirements

1. On March 3, 1967, the Commission released a notice of proposed rule making in the captioned matter (32 F.R. 3836) for the purpose of determining whether it should adopt proposed amendments to §§ 73.119, 73.289, and 73.654 of its rules and regulations to provide a blanket waiver of the sponsorship identification requirements of section 317 of the Communications Act of 1934, as amended, with respect to the broadcast of "want-ad" or classified advertisements sponsored by individuals. The Notice specifically stated that the waiver would apply only to individuals and not to business enterprises, since the latter were not likely to be subjected to harassment from crank telephone callers. The Notice also indicated that licensees who wished to take advantage of the waiver would have to comply with certain minimum safeguards believed necessary to protect the

public, namely: (1) That they maintain a list showing the name, address, and, where available, the telephone number of each advertiser and that the list be attached to the program logs for each day's operation and (2) that they make the lists available to members of the public who have a legitimate interest in obtaining the information contained therein. Interested parties were invited to submit comments on the Commission's proposed amendments.

2. Comments were received from Baltimore Radio Show, Inc., licensee of WFBR, Baltimore, Md., and the Monocacy Broadcasting Co., licensee of WFMD and WFMD-FM, Frederick, Md. Both licensees supported the Commission's proposed amendments to the sponsorship identification rules and requested their prompt adoption.

3. After careful consideration of all the information before us in this proceeding, we believe, for the reasons stated in the Notice of Proposed Rule Making, that the public interest would be served by adopting without modification the rule amendments as proposed. Authority for the adoption of the amendments herein is contained in sections 4(i) and 317(e) of the Communications Act of 1934, as amended.

4. Since the action herein grants an exemption to licensee, the customary 30-day waiting period specified in section 4 of the Administrative Procedure Act does not apply. In view of the foregoing: *It is ordered*, That, effective June 2, 1967, Part 73 of the Commission's rules and regulations is amended as set forth below.

5. *It is further ordered*, That the proceeding in Docket 17252 is terminated.

(Secs. 4, 317, 48 Stat., 1066, 1089, as amended; 47 U.S.C. 154, 317)

Adopted: May 24, 1967.

Released: May 26, 1967.

FEDERAL COMMUNICATIONS COMMISSION,[1]

[SEAL] BEN F. WAPLE, *Secretary.*

In Chapter I of Title 47 of the Code of Federal Regulations, Part 73 is amended as follows:

[1] Commissioner Loevinger concurring and issuing a statement filed as part of the original document; Commissioner Wadsworth absent.

1. In § 73.119, paragraph (h) is redesignated as paragraph (i) and a new paragraph (h) is added; as amended § 73.119 (h) and (i) read as follows:

§ 73.119 Sponsored programs, announcement of.

* * * * *

(h) The announcements required by section 317(a) of the Communications Act of 1934, as amended, are waived with respect to the broadcast of "want ad" or classified advertisements sponsored by individuals. The waiver granted in this paragraph shall not extend to classified advertisements or want ads sponsored by any form of business enterprise, corporate or otherwise. Whenever sponsorship announcements are omitted pursuant to this paragraph the following conditions shall be observed:

(1) The licensee shall maintain a list showing the name, address, and (where available) the telephone number of each advertiser and shall attach this list to the program log for each day's operation; and

(2) Shall make this list available to members of the public who have a legitimate interest in obtaining the information contained in the list.

(i) Commission interpretations in connection with the provisions of this section may be found in the Commission's Public Notice entitled "Applicability of Sponsorship Identification Rules" (FCC 63-409; 28 F.R. 4732, May 10, 1963) and such supplements thereto as are issued from time to time.

(Sec. 317, 48 Stat. 1089, as amended; 47 U.S.C. 317)

2. In § 73.289, paragraph (h) is redesignated as paragraph (i) and a new paragraph (h) is added; as amended § 73.289 (h) and (i) read as follows:

§ 73.289 Sponsored programs, announcement of.

* * * * *

(h) The announcements required by section 317(a) of the Communications Act of 1934, as amended, are waived with respect to the broadcast of "want ad" or classified advertisements sponsored by individuals. The waiver granted in this paragraph shall not extend to classified advertisements or want ads sponsored by any forms of business enterprise, corporate or otherwise. Whenever sponsorship announcements are omitted pursuant to this paragraph the following conditions shall be observed:

(1) The licensee shall maintain a list showing the name, address, and (where available) the telephone number of each advertiser and shall attach this list to the program log for each day's operation; and

(2) Shall make this list available to members of the public who have a legitimate interest in obtaining the information contained in the list.

(i) Commission interpretations in connection with the provisions of this section may be found in the Commission's Public Notice entitled "Applicability of Sponsorship Identification Rules" (FCC 63-409; 28 F.R. 4732, May 10, 1963) and such supplements thereto as are issued from time to time.

(Sec. 317, 48 Stat. 1089, as amended; 47 U.S.C. 317)

3. In § 73.654, paragraph (i) is redesignated as paragraph (j) and a new paragraph (i) is added; as amended § 73.654 (i) and (j) read as follows:

§ 73.654 Sponsored programs, announcement of.

* * * * *

(i) The announcements required by section 317(a) of the Communications Act of 1934, as amended, are waived with respect to the broadcast of "want ad" or classified advertisements sponsored by individuals. The waiver granted in this paragraph shall not extend to classified advertisements or want ads sponsored by any form of business enterprise, corporate or otherwise. Whenever sponsorship announcements are omitted pursuant to this paragraph the following conditions shall be observed:

(1) The licensee shall maintain a list showing the name, address, and (where available) the telephone number of each advertiser and shall attach this list to the program log for each day's operation; and

(2) Shall make this list available to members of the public who have a legitimate interest in obtaining the information contained in the list.

(j) Commission interpretations in connection with the provisions of this section may be found in the Commission's Public Notice entitled "Applicability of Sponsorship Identification Rules" (FCC 63-409; 28 F.R. 4732, May 10, 1963) and such supplements thereto as are issued from time to time.

(Sec. 317, 48 Stat. 1089, as amended; 47 U.S.C. 317)

[F.R. Doc. 67-6073; Filed, May 31, 1967; 8:46 a.m.]

Proposed Rule Making

DEPARTMENT OF THE TREASURY

Bureau of Customs

[19 CFR Part 10]

ARTICLES CONDITIONALLY FREE

Visual or Auditory Materials of An Educational, Scientific, or Cultural Character

Notice is hereby given that under the authority of general headnote 11, Tariff Schedules of the United States (19 U.S.C. 1202), and sections 484 and 624 of the Tariff Act of 1930, as amended (19 U.S.C. 1484, 1624), it is proposed to amend the Customs Regulations by adding a new § 10.121.

The purpose of the amendment is to prescribe procedures in connection with the entry under item 870.30, and headnote 1, part 6, schedule 8, Tariff Schedules of the United States, of articles which have been determined by a Federal agency designated by the President to be visual or auditory materials of an educational, scientific, or cultural character within the meaning of the Agreement for Facilitating the International Circulation of Visual and Auditory Materials of an Educational, Scientific, and Cultural Character. The proposed regulations would be added to Part 10 of Title 19 of the Code of Federal Regulations.

The proposed addition to Part 10 is as follows:

VISUAL OR AUDITORY MATERIALS

§ 10.121 Visual or auditory materials of an educational, scientific, or cultural character.

(a) Where photographic film and other articles described in item 870.30, Tariff Schedules of the United States, are claimed to be free of duty under item 870.30, there shall be filed in connection with the entry covering such articles a document issued by the U.S. Information Agency certifying that it has determined that the articles are visual or auditory materials of an educational, scientific, or cultural character within the meaning of the Agreement for Facilitating the International Circulation of Visual and Auditory Materials of an Educational, Scientific, and Cultural Character as required by headnote 1, part 6, schedule 8, Tariff Schedules of the United States.

(b) Articles entered under item 870.30, Tariff Schedules of the United States, shall be released from customs custody prior to submission of the document required in paragraph (a) of this section only upon the deposit of estimated duties with the district director of customs. Liquidation of an entry covering merchandise which has been released under this procedure shall be suspended for a period of 90 days from the date of entry or until the required document is submitted, whichever occurs first. In the event that the district director of customs at the port of entry does not receive the required document within the 90-day period, the merchandise shall be immediately classified and liquidated in the ordinary course, without regard to item 870.30.

Prior to the issuance of the proposed amendment, consideration will be given to any relevant data, views, or arguments which are submitted in writing to the Commissioner of Customs, Washington, D.C. 20226, and received not later than 30 days after the date of publication of this notice in the FEDERAL REGISTER. No hearing will be held.

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

Approved: May 24, 1967.

TRUE DAVIS,
Assistant Secretary of the Treasury.

[F.R. Doc. 67-6085; Filed, May 31, 1967; 8:47 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 17]

BREAD

Extension of Time for Filing Comments on Proposal To Amend Standard To Permit Optional Use of Alpha-Amylases

In the matter of amending the standard of identity for bread (21 CFR 17.1) to provide for the use of alpha-amylases derived from *Bacillus subtilis* as optional ingredients:

The notice of proposed rulemaking in the above-identified matter published in the FEDERAL REGISTER of March 3, 1967 (32 F.R. 3710), provided that comments could be filed regarding the proposal within 60 days following its date of publication.

The Commissioner of Food and Drugs has received a request for an extension of time for filing comments and, good reason therefor appearing, the time for filing comments in this matter is extended to June 5, 1967.

This action is taken pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055, as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371) and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120).

Dated: May 23, 1967.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 67-6072; Filed, May 31, 1967; 8:46 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 1]

[Docket No. 17477; FCC 67-634]

AM, FM, AND TV BROADCASTING STATIONS

Assignment of New and Modified Call Signs

In the matter of amendment of Part 1 of the Commission's rules—Practice and Procedure—with respect to the assignment of new and modified call signs to AM, FM and TV broadcasting stations; Docket No. 17477.

1. The Commission has under consideration the above-captioned matter. Specifically, it is proposed that § 1.550 of the rules be enlarged to reflect Commission policy and case law applicable to broadcast call sign assignment matters and, in addition, to resolve several new problems in this area which have come to the Commission's attention.

2. By Report and Order released November 16, 1964 (FCC 60-1052; Docket No. 15363), the Commisison adopted rules (§ 1.550) establishing orderly procedures to govern broadcast call sign proposals. These procedures call for the notification of such proposals to other stations within a 35-mile radius, and their retention for 30 days following issuance of public notice to allow for the filing of objections thereto.

3. Although § 1.550 has served its intended purpose by bringing many potential phonetic conflicts into the open before large sums of money are spent on call letter promotions, it is essentially a procedural rule and, as such, does not reflect a considerable body of Commission policy and precedent.

4. A review of this material indicates that the following policies should be codified: The Commission recognizes no proprietary interest in call signs beyond their essentiality for purposes of station identification. Their assignment is an administrative act not subject to hearing or other rights generally applicable to construction permits, station licenses, and applications therefor. Character "K" call signs are no longer assignable east of the Mississippi River, nor "W" call signs west of the Mississippi. Only

four-letter call signs (or six-letter call signs where FM or TV suffixes are used) may be assigned. Subject to these limitations and provided the call sign is otherwise available for assignment, stations may request call signs of their choice if the requested call is in good taste and is sufficiently dissimilar phonetically and rhythmically from the existing call signs of broadcasting stations in the same service area so that there will be no significant likelihood of public confusion. The same basic call signs may be assigned to commonly controlled stations assigned to the same or adjoining communities and serving substantially the same areas and populations. Finally, under a long-established "first-come-first-served" principle, the receipt of a request for an available call sign automatically blocks the acceptance of competing requests until the first request is processed to completion.

5. In addition, other matters have come to our attention which appear to require resolution by rule making. Perhaps the most serious of these is the problem of buying and selling of call signs which are in the process of relinquishment or deletion. Such "trafficking" has been possible under our present "first-come-first-served" policy because the licensee relinquishing the call sign and the party wishing to acquire it can, by prearrangement, assure that the proposed buyer files his request first, thus precluding other interested parties. We do not believe such practices to be in the public interest, and feel that some form of regulation should be undertaken. On the other hand, we do not wish to create a situation in which proprietary interests, heretofore unrecognized, could be invoked as a basis for hearings to resolve multiple requests for the same call sign. Accordingly, while we are inclined to adhere to the "first-come-first-served" principle generally, we propose to discard it with respect to relinquished or deleted call signs. In such cases, we propose to apply the public notice procedure, resolving competing call sign requests on the basis of applicants' length of service to the public—see paragraph (h) of the proposed rule.

6. Another problem is the present lack of definitive criteria for determining "common control" for the purpose of establishing eligibility for the same basic call sign where AM, FM, and/or TV stations are assigned to the same or adjoining communities. Our experience with this matter suggests that applicants seeking to so conform their call signs should be required either to show at least 50 percent common ownership of the stations involved or a de facto common control situation warranting the assignment of the same basic call sign. Our proposal would therefore provide that 50 percent common ownership constitute a prima facie showing of common control—see paragraph (i) of the proposed rule—a contrary presumption to obtain when the element of common ownership is below 50 percent.

7. Finally, a related question has arisen as to the public purpose (if any) served by putting requests for conformed call signs through the notice procedure. Our experience to date indicates that the stations sought to be conformed, particularly AM/FM combinations, can seldom demonstrate substantial equivalency of service contours. This is particularly true with respect to nighttime operation, when many standard broadcast stations operate directionally and are subject to widely varying RSS limits. Thus, the act of conforming calls could, and on occasion has, resulted in the receipt of valid phonetic objections from other stations hitherto unaggrieved. At the same time, if a change consists only of the addition or deletion of an "FM" or "TV" suffix (there being no change in the basic call sign, station class, or coverage) it is obvious that the change should be permitted by way of a simple letter request accompanied by the necessary filing fee, and that this would be true irrespective of whether or not call signs are being conformed. We therefore propose to clarify our requirements in this regard—see paragraph (j) of the proposed rule.

8. In view of the foregoing, comments are invited on the proposed amendments set forth below.

9. Authority for the adoption of the proposed amendments is contained in sections 4(i), 303(o), and 303(r) of the Communications Act of 1934, as amended.

10. Pursuant to applicable procedures set forth in § 1.415 of the Commission's rules, interested parties may file comments on or before July 3, 1967, and reply comments on or before July 13, 1967. All relevant and timely comments and reply comments will be considered by the Commission before final action is taken in this proceeding. In reaching its decision, the Commission may also take into account other relevant information before it, in addition to the specific comments invited by this notice.

11. In accordance with the provisions of § 1.419 of the rules, an original and 14 copies of all comments, replies, pleadings, briefs, and other documents shall be furnished the Commission.

Adopted: May 24, 1967.

Released: May 26, 1967.

FEDERAL COMMUNICATIONS COMMISSION,[1]
[SEAL] BEN F. WAPLE,
Secretary.

In § 1.550, delete paragraphs (e) and (f), and substitute therefor new paragraphs (e), (f), (g), (h), (i), (j), and (k):

§ 1.550 Requests for new or modified call sign assignments.

* * * * *

(e) Except for good cause shown, call signs beginning with the letter K will not be assigned to stations located east of the Mississippi River, nor will call signs beginning with the letter W be assigned to stations located west of the Mississippi River.

(f) Only four-letter call signs (plus FM and TV suffixes, if used) will be assigned.

(g) Subject to the foregoing limitations and provided the call sign is otherwise available for assignment, licensees and permittees are eligible to apply for call signs of their choice if the requested combination is in good taste and is sufficiently dissimilar phonetically and rhythmically from the existing call signs of stations in the same service area so that there will be no significant likelihood of public confusion.

(h) Call signs are normally assigned on a "first-come-first-served" basis, in accordance with which the receipt by the Commission of a request for an available call sign will block the acceptance of competing requests until the first-received request is processed to completion: *Provided*, That in the case of call signs being relinquished or deleted, the Commission will announce the availability thereof by public notice. If competing requests therefor are filed within 15 days, the assignment will be made to the station having the longest continuous record of operation under substantially unchanged ownership and control. However, involuntary and pro forma assignments and transfers will not be taken into account in determining priority under this paragraph.

(i) Stations in different services under common control and assigned to the same or adjoining communities may request that their call signs be conformed by the assignment of the same basic call sign. For the purposes of this paragraph, 50 percent or greater common ownership shall constitute a prima facie showing of common control.

(j) The procedural provisions of this section shall not apply to international broadcasting stations, to stations in the experimental, auxiliary, and special broadcasting services, nor to FM or television broadcasting stations seeking to modify an existing call sign only to the extent of adding or deleting an "FM" or "TV" suffix.

(k) Failure by the permittee of a new station to request the assignment of a specific call sign and to complete the action required by this section will result in the assignment of identification by the Commission on its own motion.

[F.R. Doc. 67-6078; Filed, May 31, 1967; 8:46 a.m.]

[1] Commissioners Bartley and Wadsworth absent.

[47 CFR Part 73]

[Docket No. 17475; FCC 67-630]

TELEVISION BROADCASTING STATIONS

Table of Assignments; Hastings and Merriman, Nebr.

In the matter of amendment of Table of Assignments, § 73.606(b) of the Commission's rules and regulations, (Hastings and Merriman, Nebr.); Docket No. 17475, RM-1096.

1. On January 19, 1967, the Nebraska Educational Television Commission (NETC) filed a petition requesting that

the Commission assign Channel 12 to Merriman, Nebr., and Channel 29 to Hastings, Nebr., and that both channels be reserved for noncommercial educational use. The National Association of Educational Broadcasters supported the petition. No oppositions were filed.

2. NETC is the instrumentality of the State of Nebraska charged with the responsibility for inaugurating and operating a statewide educational television network. Since its creation, it has activated educational television stations at Lexington, Omaha, North Platte, and Alliance and has filed applications for Channel 7 at Bassett and 16 at Norfolk. Educational television is now entering a final major phase in Nebraska. The channels activated or applied for, together with the channels already reserved, will provide educational television service to the major population concentrations of the State. However, areas of inadequate signal, or a lack of any service, still exist in several portions of the State, including its south-central section near Hastings and its far northwestern section around Merriman. NETC, therefore, filed this petition for the assignment of additional channels which would enable it to provide educational television service to all of the State's population.

3. Channel 12 can be allocated to northwest Nebraska in the vicinity of Merriman in a roughly rectangular area between North Platte, Nebr., and the southwestern portion of South Dakota. The only city of any size in the area is North Platte, with a 1960 population of approximately 17,000. Channels 2 and *9 are assigned to North Platte. Therefore, Channel 12 can be dropped in at Merriman without depriving any other community of a needed assignment.

4. We have examined the assignment possibilities at Hastings and find that Channel 29 is the most efficient assignment for that community. The supply of available, but unassigned, UHF channels is considered to be adequate to meet expected demands in this area.

5. Accordingly, pursuant to the authority contained in sections 4(i), 303, and 307(b) of the Communications Act of 1934, as amended, it is proposed to amend the Table of Assignments in § 73.606(b) of the Commission rules by assigning Channel *12 to Merriman, Nebr., and Channel *29 to Hastings, Nebr.

6. Pursuant to applicable procedures set out in § 1.415 of the Commission rules, interested parties may file comments on or before July 3, 1967, and reply comments on or before July 13, 1967. All submissions by parties to this proceeding or by persons acting in behalf of such parties must be made in written comments, reply comments, or other appropriate pleadings.

7. In accordance with the provisions of § 1.419 of the rules, an original and 14 copies of all written comments, replies, pleadings, briefs, or other documents shall be furnished the Commission.

Adopted: May 24, 1967.

Released: May 26, 1967.

FEDERAL COMMUNICATIONS COMMISSION,[1]
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-6079; Filed, May 31, 1967; 8:46 a.m.]

[47 CFR Part 73]

[Docket No. 17476; FCC 67-631]

TELEVISION BROADCASTING STATIONS

Table of Assignments; Wenatchee, Wash.

In the matter of amendment of § 73.606, Table of Television Assignments (Wenatchee, Wash.); Docket No. 17476, RM-1009.

1. The Commission has before it for consideration a petition for rule making (RM-1009) filed July 25, 1966, and a Supplement filed May 2, 1967, by the Columbia Empire Broadcasting Corp. (Columbia), licensee of UHF television broadcast stations KNDO, Yakima, Wash., and KNDU, Richland-Pasco-Kennewick, Wash., requesting the assignment of Channel 27 to Wenatchee, Wash.

2. Wenatchee is located in the approximate geographical center of Washington State. The 1960 U.S. Census gives the population of Wenatchee as 16,726 and that of Chelan County in which it is located, as 40,744. The nearest operating TV stations are KNDO, Channel 23; KIMA-TV, Channel 29; and, educational TV Station KYVE-TV, Channel 47, all at Yakima, Wash., approximately 55 miles from Wenatchee. Direct reception of these and other more distant TV stations is unsatisfactory and in most cases, impossible. Consolidated TV Cable Co. operates a CATV system in Wenatchee with 1,450 subscribers out of an estimated potential of 4,000. Programs of KREM-TV, Channel 2; KXLY-TV, Channel 4; and KHQ-TV, Channel 6; all of Spokane, Wash., as well as KING-TV, Channel 5 and educational TV Station KCTS-TV, Channel 9, Seattle, Wash., are carried on the cable system. The signals are delivered to the CATV by microwave relay. VHF translators are operating in several small communities in Chelan County.

3. Wenatchee is currently assigned Channel 18 which is reserved for educational use. The petitioner states that if the requested additional commercial channel is assigned, it will promptly apply for authority to construct and operate a new UHF television broadcast station in Wenatchee. The proposed station would be operated initially as a satellite of KNDO, Channel 23, Yakima, Wash., but sufficient studio facilities to permit station identification, as well as the origination of slides and films, will be installed at Wenatchee, and local live programing is contemplated eventually. Statistics concerning the number of households and yearly retail sales in the area which would be served by the proposed station, are cited to support the claim that Wenatchee is a center of cultural and economic activity and would provide a reasonable economic base for a successful operation.

4. There would be overlap of the theoretical Grade B contours of Station KNDO, Channel 23, Yakima, and the contemplated station in Wenatchee. The petitioner acknowledges this but claims that a spur of the Cascade Mountains extending to the east would serve as a shield and probably prevent actual overlap. However, the shielding effects of terrain in individual cases are unpredictable and cannot be related in any fashion to the statistical field strength curves used for administrative purposes. In any case, the question of overlap does not arise until the Commission has before it a specific application for authority to construct and operate a TV station. Any channel assigned to Wenatchee is available to other applicants as well as the petitioner. With regard to any application which petitioner might file, it is observed that Note 4 of § 73.636 provides that the duopoly rules do not apply as such to television satellite operations, but that such operations will be considered on a case by case basis in order to determine whether such overlap exists with a commonly owned, operated, or controlled station as to be against the public interest.

5. Wenatchee is in an area where there appears to be no shortage of UHF television channels. The electronic computer has been used to examine potential assignments at Wenatchee and Channel 27 is found to be the most efficient assignment consistent with the criteria used to develop the overall UHF assignment plan.

6. In the light of the foregoing and pursuant to the authority contained in sections 4(i), 303, and 307(b) of the Communications Act of 1934, as amended, it is proposed to amend the Table of Assignments in § 73.606(b) of the Commission rules by assigning Channel 27 to Wenatchee, Wash. Under the terms of the United States-Canada Television Agreement, Canadian concurrence will be sought.

7. Pursuant to applicable procedures set out in § 1.415 of the Commission rules, interested parties may file comments on or before July 3, 1967, and reply comments on or before July 13, 1967. All such submissions by parties of this proceeding or by persons acting in behalf of such parties must be made in written comments, reply comments, or other appropriate pleadings.

8. In accordance with the provisions of § 1.419 of the rules, an original and 14 copies of all written comments, re-

[1] Commissioner Wadsworth absent.

plies, pleadings, briefs, or other documents shall be furnished the Commission.

Adopted: May 24, 1967.

Released: May 26, 1967.

FEDERAL COMMUNICATIONS COMMISSION,[1]
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-6080; Filed, May 31, 1967; 8:47 a.m.]

FEDERAL POWER COMMISSION

[18 CFR Parts 154, 260]

[Docket No. R-311]

NATURAL GAS COMPANIES

Annual Reports of Natural Gas Purchases; Notice of Conference

MAY 23, 1967.

The comments filed with the Commission pursuant to the notice of proposed rulemaking in Docket No. R-311, issued November 29, 1966 (31 F.R. 15325), have been reviewed by the Commission's staff. As a result of such review, and to facilitate further discussion, the staff has prepared a revised proposed form[1] for reporting the gas purchase data, together with the instructions accompanying the form. Attached hereto for further consideration is a copy of the revised staff proposal, including sample copies of the form.

A conference of staff and interested parties will be held in this proceeding on June 19 and 20, 1967, at 9:30 a.m. in a hearing room at the Commission's offices located at 441 G Street NW., Washington, D.C. The conference will be on the record. Inquiries regarding the substance of this proposal should be directed to Mr. Joseph J. Curry, Chief, Analysis and Procedures Division (386-3405) or Mr. Richard V. Mattingly, Jr., Staff Counsel (386-3633). Any questions relating to the matter of automatic data processing should be directed to Mr. Richard E. Kear, Chief, Computer Systems Staff (386-3260).

The tentative agenda for this conference is as follows:

I. What information relating to gas purchases should be collected by the Commission?

A. Do the proposed form and instructions seek all the needed data?

B. Do they seek unnecessary information?

C. How can they be improved?

II. To what extent should the necessary data be reported by purchasers, and to what extent by sellers?

A. Do purchasers have all necessary information?

B. Can purchasers obtain lacking information from sellers?

C. How should purchasers or sellers verify each others' data?

III. The mechanics of reporting, including discussion of ADP techniques.

IV. Any other questions relating to this proceeding.

Interested persons planning to attend the conference should advise the Secretary's Office no later than June 12, 1967, so that adequate accommodations may be provided.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 67-6055; Filed, May 31, 1967; 8:45 a.m.]

[1] Commissioner Wadsworth absent.

[1] Form filed as part of original document.

Notices

DEPARTMENT OF THE TREASURY

Bureau of Customs

[473.234]

WOOL SHORN FROM WASHED SHEEPSKINS

Tariff Classification

The Bureau published on November 11, 1966 (31 F.R. 14525), a notice of proposed tariff classification of shearing flock from washed sheepskins, indicating that there was under review an established practice whereby such merchandise was classified under the provision for Waste of wool or hair * * * Other, in Item 307.18, Tariff Schedules of the United States, dutiable at the rate of 9 cents per pound.

In a letter dated May 25, 1967, to the Fibers Administrator, the Bureau held that such wool is raw wool and classifiable as such according to grade, under the provision for Wool * * * in Item 306.00, 306.11, 306.21, or 306.31, depending on fiber diameter.

As this ruling will result in the assessment of duties at a rate higher than that previously assessed on such wool, the higher rate will be applied only to such merchandise entered, or withdrawn from warehouse for consumption after the expiration of 90 days after the date of the publication of the abstract of the Bureau letter to the Fibers Administrator in the weekly Customs Bulletin.

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

Approved: May 23, 1967.

TRUE DAVIS,
Assistant Secretary of the Treasury.

[F.R. Doc. 67-6084; Filed, May 31, 1967; 8:47 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Montana 1793]

MONTANA

Notice of Proposed Withdrawal and Reservation of Lands

MAY 23, 1967.

The Department of Commerce, on behalf of the Bureau of Public Roads, has filed application, Montana 1793, for the withdrawal of the lands described below, from location and entry under the mining laws, subject to existing valid claims.

The applicant desires the land for proposed highway construction. It is estimated the period of withdrawal will not exceed 4 years.

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, 316 North 26th Street, Billings, Mont. 59101.

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.

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:

PRINCIPAL MERIDIAN, MONTANA

T. 5 N., R. 6 W.,
Sec. 3, Lots 4, 7, 8, SW¼NW¼;
Sec. 10, E½SW¼;
Sec. 15, Lots 2 and 3, NW¼NW¼, and SE¼SW¼;
Sec. 21, Lot 4, NE¼NE¼, W½NE¼, SW¼SE¼NE¼, N½SE¼NE¼, and NE¼SW¼;
Sec. 22, NW¼NW¼.
T. 2 S., R. 9 W.,
Sec. 10, E½NE¼ and NE¼SE¼.
T. 3 S., R. 9 W.,
Sec. 12, SW¼SW¼;
Sec. 13, NW¼NW¼;
Sec. 14, E½E½;
Sec. 26, NW¼ and NW¼SW¼.
T. 5 S., R. 9 W.,
Sec. 3, SE¼NW¼ and NE¼SW¼.

The areas described aggregate 1,273.47 acres.

EUGENE H. NEWELL,
Land Office Manager.

[F.R. Doc. 67-6063; Filed, May 31, 1967; 8:45 a.m.]

[New Mexico 2074]

NEW MEXICO

Notice of Proposed Withdrawal and Reservation of Lands; Correction

MAY 23, 1967.

F.R. Doc. No. 67-5257 appearing in the FEDERAL REGISTER issue of Thursday, May 11, 1967, at pages 7135-6 is hereby corrected as follows:

The land description in T. 9 N., R. 5 E., Sec. 3 is corrected to read "E½ of lot 1 and E½SE¼NE¼." The land description in T. 10 N., R. 5 E., Sec. 26 is corrected to read "lots 5, 6, 11, 12, 13, and 14."

At 10 a.m. on May 31, 1967, the land described as "E½ of lot 4 sec. 3, T. 9 N., R. 5 E." will be relieved of the segregative effect of the above-described notice pursuant to the regulations in 43 CFR Part 2311.

HAROLD A. BERENDS,
Acting Chief, Division of Lands and Minerals, Program Management and Land Office.

[F.R. Doc. 67-6064; Filed, May 31, 1967; 8:45 a.m.]

DEPARTMENT OF COMMERCE

National Bureau of Standards

NBS RADIO STATIONS

Notice of Standard Frequency and Time Broadcasts

In accordance with National Bureau of Standards policy of giving monthly notices regarding changes of phases in seconds pulses, notice is hereby given that there will be no change in the phase of seconds pulses emitted from radio station WWVB, Fort Collins, Colo., on July 1, 1967. The carrier frequency of WWVB is 60 kHz and is broadcast without offset. These emissions are made following the stepped atomic time (SAT) system as coordinated by the Bureau International de l'Heure (BIH).

Notice is also hereby given that there will be no change in the phase of time pulses emitted from radio stations WWV, Fort Collins, Colo., and WWVH, Maui, Hawaii, on July 1, 1967. These pulses at present occur at intervals which are longer than one second by 300 parts in 10^{10}. This is due to the offset maintained in the carrier frequencies of these stations, following the universal time (UTC) system as coordinated by the BIH.

A. V. ASTIN,
Director.

[F.R. Doc. 67-6051; Filed, May 31, 1967; 8:45 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and Conservation Service

SUGARCANE IN FLORIDA AND LOUISIANA

Notice of Hearings on Wages and Prices and Designation of Presiding Officers

Pursuant to the authority contained in sections 301(c)(1) and 301(c)(2) of the Sugar Act of 1948, as amended (61 Stat. 929; 7 U.S.C. 1131), and in accordance with the rules of practice and procedure applicable to wage and price proceedings (7 CFR 802.1 et seq.), notice is hereby given that public hearings will be held as follows:

At Belle Glade, Fla., on June 20, 1967, in the Holiday Inn, beginning at 9:30 a.m.;

At Houma, La., on June 23, 1967, in the Municipal Auditorium, 880 Verret Street, beginning at 9:30 a.m.

The purpose of these hearings is to receive evidence likely to be of assistance to the Secretary of Agriculture in determining (1) pursuant to the provisions of section 301(c)(1) of the act, whether the wage rates established for Florida sugarcane fieldworkers in the wage determination which became effective November 14, 1966 (31 F.R. 13937), and for Louisiana sugarcane fieldworkers in the wage determination which became effective October 10, 1966 (31 F.R. 12771), continue to be fair and reasonable under existing circumstances, or whether such determination(s) should be amended; and (2) pursuant to the provisions of section 301(c)(2) of the act, fair and reasonable prices for the 1967 crops of sugarcane in Florida and Louisiana, under either purchase or toll agreements, by producers who process sugarcane grown by other producers and who apply for payment under the act.

All written submissions made pursuant to this notice will be made available for public inspection at such times and places and in a manner convenient to the public business (7 CFR 1.27(b)).

In the interest of obtaining the best possible information, all interested persons are requested to appear at the hearings to express their views and present appropriate data in regard to wages and prices.

While testimony on all pertinent points is desired, it is especially requested that witnesses be prepared to offer information and recommendations on the following matters regarding fair wages for fieldworkers and prices for sugarcane:

I. *Florida*—(a) *Wages.* The need for other worker classifications such as workers employed in mechanical harvesting operations.

II. *Louisiana*—(a) *Wages.* Changes in worker classifications and wage rate differentials.

(b) *Prices.* Periods to be used to determine the season's average prices of raw sugar and blackstrap molasses.

The hearings, after being called to order at the times and places mentioned herein, may be continued from day to day within the discretion of the presiding officers and may be adjourned to a later day or to a different place without notice other than the announcement thereof at the hearings by the presiding officer.

T. O. Murphy, A. A. Greenwood, D. E. McGarry, C. F. Denny, and R. R. Stansberry, are hereby designated as presiding officers to conduct either jointly or severally the foregoing hearings.

Signed at Washington, D.C., on May 24, 1967.

E. A. JAENKE,
Acting Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 67-6098; Filed, May 31, 1967; 8:48 a.m.]

Packers and Stockyards Administration

PIKE COUNTY LIVESTOCK EXCHANGE ET AL.

Notice of Change in Names of Posted Stockyards

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

Original name of stockyard, location, and date of posting	*Current name of stockyard and date of change in name*
ARKANSAS	
Pike County Livestock Exchange, Glenwood, September 24, 1965.	Glenwood Commission Company, March 27, 1967.
COLORADO	
Salida-Monte Vista Livestock Commission Company, Inc., Monte Vista, February 23, 1965.	Monte Vista Livestock Commission Company, Inc., March 25, 1967.
GEORGIA	
Bainbridge Auction Market, Inc., Bainbridge, May 13, 1959.	Bainbridge Auction Market, January 5, 1967.
IDAHO	
Gooding Livestock Commission Company, Gooding, March 28, 1950.	Gooding Livestock Commission Co., Inc., March 30, 1967.
IOWA	
The Sales Company of Hawarden, Inc., Hawarden, January 7, 1957.	The Sales Company of Hawarden, February 20, 1967.
LOUISIANA	
Vernon Livestock Cooperative, Inc., Leesville, March 20, 1967.	Vernon Livestock Commission Market, March 23, 1967.
MINNESOTA	
Luverne Livestock Association, Luverne, September 23, 1959.	Luverne Livestock Auction, April 1, 1967.
MISSISSIPPI	
Alcorn County Stockyards, Corinth, February 10, 1959.	North Mississippi Livestock Cooperative (A.A.L.), March 22, 1967.
MISSOURI	
Park Valley Horse Farm, Kansas City, December 11, 1964.	Kansas City Horse Auction, October 26, 1966.
TEXAS	
Lufkin Livestock Exchange, Lufkin, March 9, 1959.	Lufkin Livestock Exchange, Inc., June 25, 1961.
Quanah Livestock Commission Co., Quanah, November 10, 1956.	Quanah Livestock Commission Company, Inc., February 15, 1967.
VIRGINIA	
Front Royal Livestock Market, Front Royal, March 2, 1959.	Front Royal Livestock Market, Inc., May 2, 1966.
WYOMING	
Gillette Livestock Auction, Gillette, May 18, 1951	Gillette Livestock, April 18, 1967.

Done at Washington, D.C., this 26th day of May 1967.

CHARLES G. CLEVELAND,
Registrations, Bonds, and Reports Branch, Packers and Stockyards Administration.

[F.R. Doc. 67-6099; Filed, May 31, 1967; 8:48 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 17365; FCC 67M-879]

GREAT SOUTHERN BROADCASTING CO.

Order Regarding Procedural Dates

In re application of William O. Barry trading as Great Southern Broadcasting Co., Donelson, Tenn., Docket No. 17365, File No. BP-16707; for construction permit.

To formalize the agreements and rulings made on the record at a prehearing conference held on May 24, 1967, in the above-entitled matter concerning the future conduct of this proceeding:

It is ordered, That:

Preliminary exchange of exhibits is scheduled for August 14, 1967;

Final exchange of exhibits is scheduled for August 24, 1967;

Notification of witnesses is scheduled for August 28, 1967; and

Hearing presently scheduled for June 19, 1967, is continued to September 6, 1967.

Issued: May 24, 1967.

Released: May 26, 1967.

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

[F.R. Doc. 67-6074; Filed, May 31, 1967; 8:46 a.m.]

[Docket No. 13292; FCC 67M-877]

NEWS-SUN BROADCASTING CO. ET AL.

Order Regarding Procedural Dates

In re applications of The News-Sun Broadcasting Co., Waukegan, Ill., Docket No. 13292, File No. BPH-2543; Edward Walter Piszczek and Jerome K. Westerfield, Des Plaines, Ill., Docket No. 13940, File No. BPH-3201; Maine Township FM, Inc., Des Plaines, Ill., Docket No. 17242, File No. BPH-4821; for construction permits.

The Hearing Examiner having under consideration the petition for continuance of procedural dates and hearing filed on May 22, 1967, by Edward Walter Piszczek and Jerome K. Westerfield;

It appearing, that the request for continuance arises out of a conflict of counsel with another proceeding before the Federal Communications Commission and that all parties have consented to immediate consideration and grant:

It is ordered, That the said petition is granted and the date for preliminary exchange of engineering exhibits is continued from May 24, 1967, to June 23, 1967; the date for exchange of all the exhibits to be offered in the affirmative presentations is continued from June 7, 1967, to July 10, 1967; the date for giving notification of witnesses to be called for cross-examination is continued from June 4, 1967, to July 14, 1967; and the hearing presently scheduled to commence on June 21, 1967, is continued to July 26, 1967, commencing at 10 a.m. in the offices of the Commission at Washington, D.C.

Issued: May 24, 1967.

Released: May 26, 1967.

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

[F.R. Doc. 67-6075; Filed, May 31, 1967; 8:46 a.m.]

[Docket No. 17443; FCC 67M-888]

RANCHO BERNARDO ANTENNA SYSTEM

Order Continuing Prehearing Conference

In re cease and desist order to be directed against Rancho Bernardo Antenna System, owner and operator of a CATV system at San Diego, Calif.; Docket No. 17443:

It is ordered, Pursuant to an agreement reached by all parties to the above-entitled proceeding, that the prehearing conference herein scheduled for May 29, 1967, is hereby continued to June 6, 1967, and will be convened in the offices of the Commission, Washington, D.C., at 9 a.m.

Issued: May 25, 1967.

Released: May 26, 1967.

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

[F.R. Doc. 67-6076; Filed, May 31, 1967; 8:46 a.m.]

[Docket No. 17137; FCC 67M-872]

WESTERN UNION TELEGRAPH CO.

Order Continuing Hearing

In the matter of section 14.2 of Tariff FCC No. 237 of the Western Union Telegraph Co. requesting that the evidentiary Docket No. 17137.

The Hearing Examiner has under consideration a motion filed May 17, 1967, on behalf of the Western Union Telegraph Co. requesting that the evidentiary hearing in this proceeding now scheduled to begin on Monday, May 29, 1967, be continued to Friday, June 30, 1967.

On May 16, 1967, the Western Union Telegraph Co. filed a Revised Page 89, section 14.2 of Tariff FCC No. 237 applicable to Autodin Service, the language of which had been agreed to by all parties to this proceeding, and on the same date counsel for Western Union and the Secretary of Defense filed a joint motion requesting the dismissal of this proceeding. The continuance of the hearing is requested so as to allow the Revised Page 89, section 14.2 of Tariff FCC No. 237 to become effective on June 20, 1967, and for the Commission to act on the joint motion to dismiss this proceeding.

There are no objections to granting the motion for continuance of hearing date, and good cause for granting the same has been shown.

It is ordered, That the motion for continuance is granted and the date for the evidentiary hearing is continued from Monday, May 29, 1967, to Friday, June 30, 1967.

Issued: May 24, 1967.

Released: May 26, 1967.

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

[F.R. Doc. 67-6077; Filed, May 31, 1967; 8:46 a.m.]

FEDERAL MARITIME COMMISSION

CITIZENS AND SOUTHERN NATIONAL BANK AND MITSUI O.S.K. LINES, LTD.

Security for Protection of the Public; Application for Performance Certificate

Notice is hereby given that pursuant to the provisions of section 3, Public Law 89-777 (80 Stat. 1357, 1358) and Federal Maritime Commission General Order 20 (46 CFR Part 540) the following persons have applied to the Federal Maritime Commission for a Certificate of Financial Responsibility for indemnification of Passengers for Nonperformance of Transportation:

The Citizens and Southern National Bank (The C & S National Bank).

Mitsui O.S.K. Lines, Ltd. (The Mitsui O.S.K. Lines).

Dated: May 26, 1967.

FRANCIS C. HURNEY,
Special Assistant to the Secretary.

[F.R. Doc. 67-6088; Filed, May 31, 1967; 8:47 a.m.]

COMPANIA TRASATLANTICA ESPANOLA, S.A. (SPANISH LINE), ET AL.

Security For Protection of the Public; Application for Casualty Certificate

Notice is hereby given that pursuant to the provisions of section 2, Public Law 89-777 (80 Stat. 1357, 1358) and Federal Maritime Commission General Order 20, Amendment 2 (46 CFR Part 540) the following persons have applied to the Federal Maritime Commission for a certificate of Financial Responsibility to Meet Liability Incurred for Death or Injury to Passengers or Other Persons on Voyages:

Compania Trasatlantica Espanola, S.A. (Spanish Line).
Dominion Navigation Co., Ltd.
The Chesapeake & Ohio Railway Co.

Dated: May 26, 1967.

FRANCIS C. HURNEY,
Special Assistant to the Secretary.

[F.R. Doc. 67-6089; Filed, May 31, 1967; 8:47 a.m.]

COMMODORE CRUISE LINE, LTD.

Security For Protection of the Public; Issuance of Performance Certificate

Notice is hereby given that pursuant to the provisions of section 3, Public Law 89-777 (80 Stat. 1357, 1358) and Federal Maritime Commission General Order 20 (46 CFR Part 540) that a Certificate of Financial Responsibility for Indemnification of Passengers for Nonperformance of Transportation has been issued to the following:

Commodore Cruise Line, Ltd., Certificate No. P-48, Effective date: May 22, 1967.

Dated: May 26, 1967.

FRANCIS C. HURNEY,
Special Assistant to the Secretary.

[F.R. Doc. 67-6090; Filed, May 31, 1967; 8:48 a.m.]

GREAT LAKES-UNITED KINGDOM WESTBOUND CONFERENCE

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 offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 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. L. S. Bissell, Executive Officer, Great Lakes-United Kingdom Westbound Conference, 44-46 Leadenhall Street, London, E.C. 3, England.

Agreement 8140-4 between the members of the Great Lakes-United Kingdom Westbound Conference modifies the basic agreement to provide for a self-policing system, a procedure for handling complaints and assessment of penalties for violations of the agreement in addition to arbitration.

Dated: May 25, 1967.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 67-6091; Filed, May 31, 1967; 8:48 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 18517]

FRONTIER AIRLINES, INC., AND CENTRAL AIRLINES, INC.

Notice of Hearing Regarding Merger

Notice is hereby given pursuant to the Federal Aviation Act of 1958, as amended, that the hearing in the above-entitled proceeding will commence on Tuesday, June 27, 1967, at 10 a.m. (local time), in Room 1027, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before Examiner Merritt Ruhlen.

For information concerning the issues involved and other details of this proceeding, interested persons are referred to the prehearing conference report and all other documents which are in the docket of this case on file in the Docket Section of the Civil Aeronautics Board.

Dated at Washington, D.C., May 25, 1967.

[SEAL] MERRITT RUHLEN,
Hearing Examiner.

[F.R. Doc. 67-6082; Filed, May 31, 1967; 8:47 a.m.]

FEDERAL RESERVE SYSTEM

FIRST HOLDING CO., INC.

Notice of Application for Approval of Acquisition of Shares of Banks

Notice is hereby given that application has been made to the Board of Governors of the Federal Reserve System pursuant to section 3(a)(1) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(1)), by First Holding Co., Inc., Waukesha, Wis., for prior approval of the Board of action whereby Applicant would become a bank holding company through the acquisition of 80 percent or more of the voting shares of each of the following banks: First National Bank of Waukesha, Waukesha, Wis., and The First National Bank in Wauwatosa, Wauwatosa, Wis.

Section 3(c) of the Act, as amended, provides that the Board shall not approve (1) any acquisition or merger or consolidation under this section which would result in a monopoly, or which would be in furtherance of any combination or conspiracy to monopolize or to attempt to monopolize the business of banking in any part of the United States, or (2) any other proposed acquisition or merger or consolidation under this section whose effect in any section of the country may be substantially to lessen competition, or to tend to create a monopoly, or which in any other manner would be in restraint of trade, unless it finds that the anticompetitive effects of the proposed transaction are clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served.

Section 3(c) further provides that in every case, the Board shall take into consideration the financial and managerial resources and future prospects of the company or companies and the banks concerned, and the convenience and needs of the community to be served.

Not later than thirty (30) days after the publication of this notice in the FEDERAL REGISTER, comments and views regarding the proposed acquisition may be filed with the Board. Communications should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551.

Dated at Washington, D.C., this 24th day of May 1967.

By order of the Board of Governors.

[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 67-6059; Filed, May 31, 1967; 8:45 a.m.]

FEDERAL POWER COMMISSION

[Docket Nos. G-6365 etc.]

HUMBLE OIL & REFINING CO. ET AL.

Notice of Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates [1]

MAY 22, 1967.

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

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before June 12, 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 all applications in which no protest or

[1] This notice does not provide for consolidation for hearing of the several matters covered herein, nor should it be so construed.

petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a protest or petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given: *Provided, however,* That pursuant to section 2.56, Part 2, Statement of General Policy and Interpretations, Chapter I of Title 18 of the Code of Federal Regulations, as amended, all permanent certificates of public convenience and necessity granting applications, filed after April 15, 1965, without further notice, will contain a condition precluding any filing of an increased rate at a price in excess of that designated for the particular area of production for the period prescribed therein unless at the time of filing such certificate application, or within the time fixed herein for the filing of protests or petitions to intervene the Applicant indicates in writing that it is unwilling to accept such a condition. In the event Applicant is unwilling to accept such condition the application will be set for formal hearing.

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

GORDON M. GRANT,
Secretary.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
G-6365 E 5-5-67	Humble Oil & Refining Co. (successor to BBM Drilling Co. et al.), Post Office Box 2180, Houston, Tex. 77001.	Natural Gas Pipeline Co. of America, West Bernard Field, Wharton County, Tex.	15.3459	14.65
G-6881 E 4-24-67	Jay J. Harris (successor to Hugh McMillan), 801 Ridgecrest Dr. SE., Albuquerque, N. Mex. 87108.	El Paso Natural Gas Co., Fulcher-Kutz Field, San Juan County, N. Mex.	12.0495	15.025
G-8306 4-17-67 [1]	Bill L. Dean, special receiver for Thomas W. Harvey, trustee (formerly Charles W. Campbell, special receiver for Thomas W. Harvey, trustee), First Huntington National Bank Bldg., Huntington, W. Va. 25719.	United Fuel Gas Co., Warfield District, Mingo County, W. Va.	16.0	15.325
G-8641 3-23-66 [1]	Rhoades Oil Co. (formerly Fordee Rhoades Oil Co.), 900 Mid-Continent Bldg., Tulsa, Okla. 74101.	Lone Star Gas Co., acreage in Garvin County, Okla.	7.0	14.65
G-11949 (C 866-21) C & F 4-13-67 [2]	Mobil Oil Corp., Operator (successor to Paul Kendall and Leonora W. Kendall), Post Office Box 2444, Houston, Tex. 77001.	El Paso Natural Gas Co., Pegasus Gasoline Plant, Midland and Upton Counties, Tex.	14.5	14.65
G-18434 D 5-5-67	Joe Ballantonte, Sr., 401 International Life Bldg., Austin, Tex. 78701.	Florida Gas Transmission Co., Luby Field, Nueces County, Tex.	Uneconomical	
G-19078 E 4-24-67	Jay J. Harris (successor to Hugh McMillan, Operator).	El Paso Natural Gas Co. Blanco Mesa Verde Field, San Juan County, N. Mex.	[3] 14.0536	15.025
CI61-737 D 5-3-67	Shell Oil Co., 50 West 50th St., New York, N.Y. 10020 (partial abandonment).	Transwestern Pipeline Co., Arnett Field, Ellis County, Okla.	[4]	
CI61-1437 5-5-67 [5]	Colorado Oil & Gas Corp., Box 749, Denver, Colo. 80201.	Colorado Interstate Gas Co., Patrick Draw Area, Sweetwater County, Wyo.	14.5	14.65

Filing code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.
F—Partial succession.

See footnotes at end of table.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
CI63-326 1-30-67 [6]	E. Cockrell, Jr., et al. (formerly E. Cockrell, Jr. (Operator), et al.).	Tennessee Gas Pipeline Co., a division of Tenneco Inc., Patterson Field, St. Mary Parish, La.	[7] 21.25	15.025
CI64-601 C 5-8-67	Union Oil Co. of California, Union Oil Center, Los Angeles, Calif. 90017.	Panhandle Eastern Pipe Line Co., Northwest Trail Field, Dewey County, Okla.	14.0	14.65
CI64-1496 5-5-67 [8]	W. N. Price and L. E. Geoffroy, Bank of the Southwest Bldg., Amarillo, Tex. 79109.	Kansas-Nebraska Natural Gas Co., Inc., acreage in Beaver County, Okla.	15.0	14.65
CI65-77 E 5-1-67	CRA International, Ltd. (Operator), et al. (successor to Oil & Gas Property Management, Inc. (Operator), et al.), Post Office Box 7305, Kansas City, Mo. 64116.	Texas Eastern Transmission Corp., West Provident Field, Lavaca County, Tex.	12.0	14.65
CI66-774 (G-11126) C 4-17-67 [8]	Mid-East Oil Co., Oliver Bldg., Pittsburgh, Pa. 15222.	Consolidated Gas Supply Corp., Gaskill Township, Jefferson County, Pa.	26.9612	15.025
CI67-140 C 5-8-67	Atlantic Richfield Co., Post Office Box 2819, Dallas, Tex. 75221.	El Paso Natural Gas Co., Jicarilla Area, Rio Arriba County, N. Mex.	12.0	15.025
CI67-454 A 10-6-66	Scope Industries,[10] 4250 Wilshire Blvd., Los Angeles, Calif., 90005.	Transwestern Pipeline Co., Bell Lake Unit No. 10, Lea County, N. Mex.	[11] 15.5	14.65
CI67-656 C 5-8-67	Plateo Corp., Suite 1118, Tower Bldg., 1700 Broadway, Denver, Colo. 80202.	Lake Shore Pipe Line Co., Bushnell Field, Erie County, Pa.	27.0	15.025
CI67-1358 B 4-3-67	Lloyd M. Felsand (Operator) et al., 809 Americana Bldg., Houston, Tex. 77002.	Tennessee Gas Pipeline Co., a division of Tenneco Inc., Tomball Field, Harris County, Tex.	Depleted	
CI67-1382 A 3-31-67	Gosl Drilling Co., 82 North Fifth Ave., Clarion, Pa. 16214.	The Manufacturers Light & Heat Co., Toby Township, Clarion County, Pa.	25.0	15.025
CI67-1383 A 3-31-67	do	The Manufacturers Light & Heat Co., Porter Township, Clarion County, Pa.	25.0	15.025
CI67-1386 A 3-27-67	Thomas M. Tharp, agent, et al., Wind Ridge, Pa. 15380.	The Manufacturers Light & Heat Co., Somerset Township, Washington County, Pa.	21.55	15.025
CI67-1387 B 4-5-67	William M. Wiseman and Alfred T. White (Operator), et al., 603 San Jacinto Bldg., Houston, Tex. 77002.	Lone Star Gathering Co., Southeast Nursery Field, Victoria County, Tex.	[12]	
CI67 1508 B 4-26-67	Frank E. O'Brien and Philip F. Weintraub, 394 Oakdale Dr., Rochester, N.Y. 14618.	United Natural Gas Co., acreage in Potter County, Pa.,	[12]	
CI67-1512 (G-8685) F 4-24-67	Whitaker Oil Co., and Ruth Oils, Inc. (successor to Union Producing Co., et al.[13]), c/o Tom Roberts, attorney at law, Post Office Box 129, Carthage, Tex. 75633.	Tennessee Gas Pipeline Co., a division of Tenneco Inc., Carthage and South Hallsville Fields, Harrison County, Tex.	14.42484	14.65
CI67-1515 B 4-24-67	Mary Britton Oil and Gas Co., c/o Lenore M. Deem, agent, 101 East Main Street, Harrisville, W. Va. 26362.	Equitable Gas Co., acreage in Ritchie County, W. Va.	[14]	
CI67-1543 (CI62-736) F 5-2-67	Atlantic Richfield Co., (successor to Cities Service Co.).	United Gas Pipe Line Co., Mustang Island Field, Nueces County, Tex.	14.6	14.65
CI67-1550 (G-4233) F 5-1-67	M. L. Kinne (successor to Geraldine H. Woolf), Post Box 519, Shreveport, La. 71102.	United Gas Pipe Line Co., Cotton Valley Field, Webster Parish, La.	[15] 13.05067	15.025
CI67-1552 A 4-17-67 4-28-67 [9]	Thomas A. Dugan, Box 234, Farmington, N. Mex. 87401.	El Paso Natural Gas Co., acreage in San Juan County, N. Mex.	12.0	15.025
CI67-1552 (CI62-1658) (CI64-13) F 5-1-67	Eagle Oil Co., Inc. (successor to Joseph E. Newman (Operator), et al.), 3356 East Cornell Ave., Denver, Colo. 80210.	Panhandle Eastern Pipe Line Co., Carver Robbins Field, Pratt County, Kans.	15.0	14.65
CI67-1553 (CI65-2) F 5-1-67	An-Son Corp. (successor to Arkla Exploration Co. et al.), 3814 North Santa Fe, Oklahoma City, Okla. 73118.	Arkansas Louisiana Gas Co., Lequire Field, Haskell County, Okla.	15.0	14.65

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
CI67-1554 A 5-1-67	Shoreline Oil & Gas Co., 1306 Petroleum Club Bldg., Tulsa, Okla. 74103.	El Paso Natural Gas Co., South Erick Field, Beckham County, Okla.	13.0	14.65
CI67-1555 (CI64-13) F 5-1-67	International Oil Corp., Inc. (successor to Joseph E. Newman (Operator) et al.), 3356 East Cornell Ave., Denver, Colo. 80222.	Panhandle Eastern Pipe Line Co., Carver Robbins Field, Pratt County, Kans.	15.0	14.65
CI67-1556 (CI61-1655) F 5-1-67	do	do	15.0	14.65
CI67-1557 (CI64-1142) F 5-1-67	do	Cities Service Gas Co., Gereke Pool, Pratt County, Kans.	13.0	14.65
CI67-1558 A 5-1-67	Bells Run Natural Gas Co., c/o Harvey G. Travis, agent, 310 West Cooper St., Slippery Rock, Pa. 16057.	The Manufacturers Light & Heat Co., Redbank Township, Clarion County, Pa.	20.0	15.325
CI67-1559 A 5-1-67	do	do	20.0	15.325
CI67-1560 A 5-1-67	Turkey Run Gas Co., c/o Perry Wile, treasurer, 306 Liberty St., Clarion, Pa. 16214.	The Manufacturers Light & Heat Co., Madison Township, Clarion County, Pa.	22.0	15.325
CI67-1561 A 5-3-67	Southwestern Natural Gas, Inc., National Bank of Commerce Bldg., Suite 1109, San Antonio, Tex. 78205.	Northern Natural Gas Co., Follett (Morrow) Field, Lipscomb County, Tex.	17.0	14.65
CI67-1562 A 5-3-67	J & J Enterprises, Inc., 518 Allegheny Ave., Avonmore, Pa. 15618.	Consolidated Gas Supply Corp., Union District, Upshur County, W. Va.	25.0	15.325
CI67-1563 A 5-3-67	Parker Petroleum Co. et al., Post Office Box 1741, Parkersburg, W. Va. 26102.	Consolidated Gas Supply Corp., Parkersburg District, Wood County, W. Va.	25.0	15.325
CI67-1564 A 5-3-67	Trio Oil & Gas Co. et al., Box 264, West Union, W. Va. 26456.	Consolidated Gas Supply Corp., Southwest District, Doddridge County, W. Va.	25.0	15.325
CI67-1565 A 5-4-67	Lyons Petroleum (Operator) et al., c/o J. A. Dykes, attorney, 1500 Beck Bldg., Shreveport, La. 71102.	Michigan Wisconsin Pipe Line Co., Krotz Springs Field, St. Landry Parish, La.	20.625	15.025
CI67-1566 A 5-4-67	Cities Service Oil Co., Cities Service Bldg., Bartlesville, Okla. 74003.	Northern Natural Gas Co., acreage in Texas County, Okla.	15.0	14.65
CI67-1567 A 5-4-67	Cabeen Exploration Corp., Post Office Box 716, North Hollywood, Calif. 91603.	Daman Pipeline Co., Inc., Cisco Dome Area, Grand County, Utah.	7.5	15.025
CI67-1568 A 5-3-67	Rock Island Oil & Refining Co., Inc., 321 West Douglas Ave., Wichita, Kans. 67202.	Panhandle Eastern Pipe Line Co., Allstot Field, Kiowa County, Kans.	[2] 14.0	14.65
CI67-1569 A 4-13-67	Ben-Hur, Inc., c/o William C. Hurtt, agent, 1715 Grant Bldg., Pittsburgh, Pa. 15219.	Consolidated Gas Supply Corp., Home Camp Field, Clearfield County, Pa.	27.5	15.325
CI67-1570 A 4-13-67	do	do	27.5	15.325
CI67-1571 A 4-13-67	Federal Oil & Gas Co., c/o William C. Hurtt, president, 1715 Grant Bldg., Pittsburgh, Pa. 15219.	do	27.5	15.325
CI67-1573 A 4-26-67	Harvey Broyles et al., Post Office Box 1831, Shreveport, La. 71102.	Southern Natural Gas Co., Bear Creek Field, Bienville Parish, La.	11.25	15.025
CI67-1574 (G-20155) F 5-1-67	Pan American Petroleum Corp. (successor to Burch Spears, Inc.), Post Office Box 591, Tulsa, Okla. 74102.	Trunkline Gas Co., Medio Creek Field, Bee County, Tex.	15.0	14.65
CI67-1575 A 5-2-67	Mrs. Blanche Eagon et al., 2382 11th St. SW., Akron, Ohio 44314.	The Manufacturers Light & Heat Co., Proctor District, Wetzel County, W. Va.	20.0	15.325
CI67-1576 A 5-4-67	Shield Petroleum Corp., c/o James C. Eigel, vice president, 6980 Tenderfoot Lane, Cincinnati, Ohio 45202.	Gas Transport, Inc., Williams District, Wood County, W. Va.	25.0	15.025
CI67-1577 A 5-5-67	Gulf Oil Corp.,[3] Post Office Box 1589, Tulsa, Okla. 74102.	Transwestern Pipeline Co., West Rojo Caballos Field, Reeves and Pecos Counties, Tex.	[2] 16.5	14.65
CI67-1578 A 5-4-67	D. A. Derward et al., 61 N. Chesterfield Rd., Columbus Ohio 43209.	Consolidated Gas Supply Corp., Glenville District, Gilmer County, W. Va.	25.0	15.325
CI67-1579 B 5-5-67	Carter & Mandel Co. (Operator) et al., c/o J. B. Bailey, attorney, 602 National Bank of Tulsa Bldg., Tulsa, Okla. 74101.	Cities Service Gas Co., J. W. Long Lease, Barber County, Kans.	Depleted	----------
CI67-1580 A 5-2-67	Sohio Petroleum Co., 970 First National Office Bldg., Oklahoma City, Okla. 73102.	Panhandle Eastern Pipe Line Co., Mocane-Laverne Field, Beaver County, Okla.	[2] 17.0	14.65
CI67-1581 A 5-5-67	Sidwell Oil & Gas, Inc. (Operator) et al., c/o Jerry F. Lyons, attorney, Post Office Box 550, Amarillo, Tex. 79105.	Colorado Interstate Gas Co., acreage in Meade County, Kans.	[2] 18.7	14.65
CI67-1582 (G-4727) F 5-5-67	Wilson Exploration Co., Operator (successor to D. Thomson Production Co., Inc., et al.), 1212 West El Paso, Fort Worth, Tex. 76102.	Arkansas Louisiana Gas Co., Carthage Field, Panola County, Tex.	11.39	14.65
CI67-1584 B 5-8-67	Neal Rudder et al., Post Office Box 126, Belpre, Ohio 45714.	Equitable Gas Co., Central District, Doddridge County, W. Va.	Uneconomical	----------
CI67-1585 A 5-8-67	Tidewater Oil Co., Post Office Box 1404, Houston, Tex. 77001.	Southern Union Gathering Co., Basin-Dakota Field, San Juan County, N. Mex.	13.0	15.025
CI67-1587 A 5-8-67	Flag Oil Corp. of Delaware, Post Office Box 28, Midland, Tex. 79701.	Panhandle Eastern Pipe Line Co., Northeast Selling Field, Dewey County, Okla.	[2] 20.09	14.65
CI67-1588 B 5-8-67	Gulf Oil Corp.	Colorado Interstate Gas Co., Greenwood Field, Baca County, Colo.	Depleted	----------
CI67-1589 A 5-8-67	Southwest Oil Industries, Inc., 801 First National Bldg., Oklahoma City, Okla. 73102.	Northern Natural Gas Co., Mocane-Laverne Field, Beaver County, Okla.	17.0	14.65
CI67-1590 B 5-8-67	Texas Oil & Gas Corp., 2520 Fidelity Union Tower, Dallas, Tex. 75201.	Coastal States Gas Producing Co., Hidalgo Field, Hidalgo County, Tex.	Depleted	----------
CI67-1592 A 5-5-67	C. F. Shewey, agent, Post Office Box 198, Kermit, W. Va. 25674	United Fuel Gas Co., acreage in Martin County, Ky.	15.0	15.325
CI67-1593 A 5-5-67	Queen Gas Co. et al., Post Office Box 506, Buckhannon, W. Va. 26201.	Consolidated Gas Supply Corp., Elk District, Harrison County, W. Va.	25.0	15.325
CI67-1594 A 5-8-67	Kerr-McGee Corp., Kerr-McGee Bldg., Oklahoma City, Okla. 73102.	Transcontinental Gas Pipe Line Corp., Ship Shoal Blocks 28 and 32 Fields, Offshore Terrebonne Parish, La.	[2] 20.625	15.025
CI67-1595 (CI65-523) F 5-4-67	A/C Engineering & Operating Co. (successor to Sierra Petroleum Co., Inc.), 512 Washington St., Great Bend, Kans. 67530.	Panhandle Eastern Pipe Line Co., Cedar Field, Barber County, Kans.	15.0	14.65
CI67-1596 (CI63-20) F 5-5-67	Am-Son Corp. (successor to Humble Oil & Refining Co.).	Arkansas Louisiana Gas Co., Milton-McCurtain Field, Haskell County, Okla.	15.0	14.65
CI67-1597 A 5-4-67	J. M. Huber Corp., 2401 East Second Ave., Denver, Colo. 80206.	Tennessee Gas Pipeline Co., a division of Tenneco Inc., North Garwood Field, Colorado County, Tex.	15.0	14.65
CI67-1598 (CI63-418) F 5-4-67	S. W. Jack, Jr. (successor to Paul H. Ash and M. D. Carey, d.b.a. A & C Oil & Gas Co.), 518 Allegheny Ave., Avonmore, Pa. 15618.	Equitable Gas Co., acreage in Lewis County, W. Va.	25.0	15.325
CI67-1599 A 5-5-67	Sinclair Oil & Gas Co. (Operator) et al., Post Office Box 521, Tulsa, Okla. 74102.	Michigan Wisconsin Pipe Line Co., Block 175 Field, Eugene Island Area, Offshore Louisiana.	19.5	15.025
CI67-1600 B 5-9-67	Wacker Oil Co., Inc., 225 Baronne Street Bldg., New Orleans, La. 70112.	United Gas Pipe Line Co., North Cecelia Field, St. Martin Parish, La.	[4]	----------
CI67-1601 A 5-9-67	Hall-Jones Oil Corp.,[3] 1704 Liberty Bank Bldg., Oklahoma City, Okla. 73102.	Michigan Wisconsin Pipe Line Co., Lenora Field, Dewey County, Okla.	[2] 15.0	14.65

See footnotes at end of table.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
C167-1602 A 5-9-67	J. P. Owen, Post Office Box 51288, Lafayette, La. 70501.	United Gas Pipe Line Co., Bayou St. Vincent Field, Assumption Parish, La.	20.625	15.025
C167-1603 A 5-9-67	General American Oil Co. of Texas, Meadows Bldg., Dallas, Tex. 75206.	do	20.625	15.025
C167-1604 A 5-9-67	General Crude Oil Co., Post Office Box 2252, Houston, Tex. 77001.	do	20.625	15.025
C167-1605 A 5-9-67	Robert B. Prentice, c/o Bernard A. Foster, Jr., attorney, Ross, Marsh & Foster, 725 15th St. NW., Washington, D.C. 20005.	do	20.625	15.025
C167-1606 A 5-9-67	M. H. Marr, 2500 Republic Bank Bldg., Dallas, Tex. 75201.	do	20.625	15.025
C167-1607 A 5-9-67	John T. Waggoner Well No. 1, c/o John T. Waggoner, Operator, 13207 Autumn Dr., Silver Spring, Md. 20904.	Consolidated Gas Supply Corp., Reno, Lyon, and Kingwood Districts, Preston County, W. Va.	28.0	15.325
C167-1608 A 5-9-67	Petroleum Drilling Corp. et al., c/o John A. Hunter, vice president, 4401 Centre Ave., Pittsburgh, Pa. 15219.	Consolidated Gas Supply Corp., Murphy District, Ritchie County, W. Va.	25.0	15.325
C167-1609 A 5-9-67	Sun Oil Co. (Gulf Coast Division), 1608 Walnut St., Philadelphia, Pa. 19103.	United Gas Pipe Line Co., Bayou St. Vincent Field, Assumption Parish, La.	20.625	15.025
C167-1610 A 5-10-67	George Jackson and Hugh Spencer, c/o George Jackson, agent, Post Office Box 351, Clarksburg, W. Va. 26301.	Consolidated Gas Supply Corp., Greenbrier and New Milton Districts, Doddridge County, W. Va.	25.0	15.325
C167-1611 A 5-10-67	Fairman Drilling Co., Post Office Box 288, Du Bois, Pa. 15801.	Consolidated Gas Supply Corp., Young Township, Jefferson County, Pa.	27.5	15.325

[1] Amendment to certificate filed to reflect change in name of certificate holder.
[2] Adds acreage acquired from Paul Kendall et al. Mobil succeeded to Paul and Leonora W. Kendall's interest in the Pegasus Gasoline Plant and Pegasus field; such interest was formerly a part of Sharples & Co. Properties (Operator) et al., FPC GRS No. 3, Docket No. G-6382 which was terminated concurrently with the issuance of a small producer certificate in Docket No. CS66-21.
[3] Rate in effect subject to refund in Docket No. RI64-667.
[4] Buyer is unable to justify connecting well to its system.
[5] Applicant requests authorization to sell natural gas at the wellhead at the rate of 14.5 cents per Mcf at 14.65 p.s.i.a. in lieu of at a location several miles from the leasehold at a rate of 16.0 cents per Mcf at 14.65 p.s.i.a.
[6] Amendment filed to reflect deletion of "Operator" designation from certificate and rate filings. No change in working interest involved.
[7] An increase in rate to 23.55 cents per Mcf was filed for and suspended in Docket No. RI67-298.
[8] Amendment to certificate filed to add interest of First Transportation Gas Corp., Inc.
[9] Adds acreage acquired from Columbian Fuel Corp., Docket No. G-11120.
[10] Applicant agrees to accept permanent certificate pursuant to the provisions of Opinion No. 468, as modified by Opinion No. 468-A.
[11] For new gas-well gas plus applicable State and local production taxes in effect as of Sept. 1, 1965; subject to further adjustment for quality.
[12] Gas will no longer be transported and/or sold in interstate commerce.
[13] Well acquired by Purchaser by condemnation proceeding.
[14] "Et al." parties under certificate issued to Leonard W. Phillips et al.
[15] Well is no longer productive.
[16] Includes 1.0 cent per Mcf tax reimbursement.
[17] Supplement to application filed.
[18] Subject to upward B.t.u. adjustment.
[19] Applicant states its willingness to accept permanent certificate containing conditions similar to those imposed by Opinion No. 468, as modified by Opinion No. 468-A.
[20] Subject to upward and downward B.t.u. adjustment.
[21] Includes 1.7 cents upward B.t.u. adjustment. Subject to upward and downward B.t.u. adjustment.
[22] Includes 3.09 cents upward B.t.u. adjustment.
[23] 1.625 cents per Mcf of such price shall be paid to an escrow agent in accordance with settlement agreement approved in Docket No. G-17381.
[24] Well ceased to produce.
[25] Applicant states its willingness to accept permanent certificate on the same terms specified by the Commission's order issued Mar. 30, 1964 in Docket Nos. G-19417 et al.

[F.R. Doc. 67-5962; Filed, May 31, 1967; 8:45 a.m.]

[Docket Nos. G-18150 etc.]

MIDHURST OIL CORP. ET AL.

Order Amending Order Accepting Offer of Settlement

MAY 23, 1967.

By order issued June 21, 1965, in the above-entitled proceedings, the Commission approved a settlement proposal filed by Midhurst Oil Corp. (Midhurst) covering settlement rates under two of Midhurst's rate schedules, one of which included Midhurst's FPC Gas Rate Schedule No. 12 which was involved in Docket No. RI64-167. It has come to our attention that by order issued September 16, 1964, in Docket Nos. G-7258 et al., Lonnie D. Harrison, trustee (Operator), et al. (Harrison) was named co-respondent in Docket No. RI64-167 and permitted to make sales of natural gas to Texas Eastern Transmission Corp. under a contract previously designated Midhurst Oil Corp. (Operator) et al., FPC Gas Rate Schedule No. 18. The settlement order issued June 21, 1965, did not pertain to Harrison.

In view of the above, we think it appropriate to amend our settlement order of June 21, 1965, so as to reinstate the suspension proceeding in Docket No. RI64-167 insofar as said proceeding pertains to sales pursuant to Harrison's FPC Gas Rate Schedule No. 1 (Formerly Midhurst's Rate Schedule No. 18), and reconsolidate said proceeding in the Texas Gulf Coast Proceedings, Docket No. AR64-2.

The Commission orders: For the reasons set forth above, our order of June 21, 1965, is modified so as to reinstate the suspension proceeding in Docket No. RI64-167 insofar as said proceeding pertains to Lonnie D. Harrison, trustee (Operator), et al., and to reconsolidate said proceeding in the Texas Gulf Coast Proceeding, Docket No. AR64-2.

By the Commission.

[SEAL] GORDON M. GRANT, *Acting Secretary.*

[F.R. Doc. 67-6056; Filed, May 31, 1967; 8:45 a.m.]

[Docket Nos. CP66-409 etc.]

NORTHERN NATURAL GAS CO.

Notice of Petition To Amend

MAY 23, 1967.

Take notice that on May 11, 1967, Northern Natural Gas Co. (Petitioner), 2223 Dodge Street, Omaha, Nebr. 68102, filed in Docket Nos. CP66-409, CP67-47, CP67-87, CP67-148, and CP67-162 a petition to amend the orders issued by the Commission by authorizing petitioner to substitute a different type of pipe from that which was originally proposed, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

In the above-mentioned orders, Petitioner was authorized to use X-60 pipe in the proposed construction. Petitioner states that this type of pipe was proposed as it was of standard wall thickness and grade of the pipe that was readily available from manufacturers. Petitioner states that it is now apparent that X-65 pipe is available in exact wall thicknesses which will result in a total savings, over all the proposed construction in the above-named dockets, of approximately $317,063, if used in place of the originally proposed X-60 pipe.

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 June 19, 1967.

GORDON M. GRANT, *Secretary.*

[F.R. Doc. 67-6057; Filed, May 31, 1967; 8:45 a.m.]

[Docket No. E-7123]

PACIFIC POWER & LIGHT CO.

Notice of Application to Amend

MAY 23, 1967.

Take notice that on May 5, 1967, Pacific Power & Light Co. (Applicant) filed an application pursuant to Section 204 of the Federal Power Act seeking an amendment to the Commission's orders of October 14, 1963, and October 15, 1965. Those orders authorized the Applicant to assume liabilities as guarantor of promissory notes or other evidence of indebtedness of existing or prospective customers of Applicant for the acquisition or improvement of electric and water service and the installation of

electrical equipment. Applicant now requests that the authorization be broadened so as to allow Applicant to finance payment by customers of the cost of acquiring items reasonably related to the proper installation of electrical appliances and equipment "including all things reasonably related to the proper installation of such appliances and equipment to ensure that such equipment and appliances are operated at maximum efficiency and at the lowest cost to customers of Applicant pursuant to such standards as are generally required as good practice in the electric utility industry; without limiting the generality of the foregoing, the purposes for which such notes may be issued shall include, when they are to be used as a part of an electrical space heating system, such items as insulation, storm windows, and other items generally accepted as a necessary or desirable part of such an installation."

Applicant is incorporated under the laws of the State of Maine and is engaged in the electric utility business in the States of California, Oregon, Washington, Idaho, Wyoming, and Montana, with its principal business office at Portland, Oreg.

Any person desiring to be heard or to make any protest with reference to said application should on or before June 8, 1967, file with the Federal Power Commission, Washington, D.C. 20426, petitions or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). The application is on file and available for public inspection.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 67-6058; Filed, May 31, 1967; 8:45 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[70-4494]

MISSISSIPPI POWER CO.

Notice of Proposed Issue and Sale of Short-Term Notes

MAY 25, 1967.

Notice is hereby given that Mississippi Power Co. ("Mississippi"), 2500 14th Street, Gulfport, Miss. 39501, a public-utility subsidiary company of The Southern Co. ("Southern"), a registered holding company, has filed a declaration with this Commission, pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6 and 7 thereof as applicable to the proposed transactions. All interested persons are referred to the declaration, which is summarized below, for a complete statement of the proposed transactions.

Mississippi requests authorization to issue, from time to time prior to December 1, 1967, its unsecured promissory notes to banks in an aggregate principal amount not to exceed $14 million, including in such amount up to an aggregate of $6,200,000 principal amount of promissory notes which may be issued pursuant to the exemption afforded by the first sentence of section 6(b) of the Act. Each note proposed to be issued by Mississippi will bear interest at the prime rate in effect at Morgan Guaranty Trust Company of New York (presently 5½ percent per annum) on the date of issue. All notes will mature not more than 9 months after the date of issue and will be repayable without penalty.

The initial $11,800,000 of Mississippi's notes are to be issued to the following banks in the aggregate amounts as listed:

Names and addresses of banks	*Amount*
Morgan Guaranty Trust Co. of New York, N.Y.	$3,400,000
Continental Illinois National Bank & Trust Co. of Chicago, Ill.	1,500,000
First National Bank, Jackson, Miss.	2,600,000
Deposit Guaranty National Bank, Jackson, Miss.	1,000,000
Bay Springs Bank, Bay Springs, Miss.	105,000
First National Bank of Biloxi, Miss.	100,000
The Peoples Bank of Biloxi, Miss.	50,000
Columbia Bank, Columbia, Miss.	100,000
Citizens Bank, Columbia, Miss.	65,000
Merchants & Manufacturers Bank, Ellisville, Miss.	60,000
Gulf National Bank of Gulfport, Miss.	140,000
Hancock Bank, Gulfport, Miss.	516,500
First National Bank of Hattiesburg, Miss.	300,000
Citizens Bank of Hattiesburg, Miss	100,000
The Commercial National Bank & Trust Co. of Laurel, Miss.	100,000
Lumberton State Bank Lumberton, Miss.	35,000
The Citizens National Bank of Meridian, Miss.	245,000
First National Bank in Meridian, Miss.	150,000
Merchants & Farmers Bank, Meridian, Miss.	325,000
Newton County Bank, Newton, Miss.	75,000
First National Bank of Newton, Miss.	26,000
Perry County Bank, New Augusta, Miss.	24,000
Pascagoula-Moss Point Bank, Pascagoula, Miss.	300,000
Merchants & Marine Bank, Pascagoula, Miss.	250,000
Bank of Picayune, Picayune, Miss.	40,000
First National Bank of Picayune, Miss.	40,000
Bank of Commerce of Poplarville, Miss.	35,000
Richton Bank & Trust Co., Richton, Miss.	22,000
The Bank of Shubuta, Miss.	22,500
The Stonewall Bank, Stonewall, Miss.	14,000
Bank of Wiggins, Wiggins, Miss.	60,000
Total	$11,800,000

Mississippi proposes to use the proceeds from the notes listed above, together with its cash on hand and the proceeds from the sale on February 23, 1967, of 30,000 shares of common stock to Southern (Holding Company Act Release No. 15654) and a contemplated sale of first mortgage bonds and common stock during 1967 to finance its 1967 construction program, estimated at $29,094,000, to pay its short-term bank loans incurred for such purposes and for other lawful purposes. The net proceeds from such sale of bonds and common stock will be applied in payment of $8,800,000 of notes issued pursuant to this declaration and the balance of all notes issued pursuant to this declaration, together with all notes issued by Mississippi pursuant to the exemption afforded by the first sentence of section 6(b) will be paid from the sale of long-term securities during 1968.

The fees and expenses to be incurred in connection with the proposed transactions are estimated at $700, including legal fees of $500.

It is stated that no State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than June 23, 1967, request in writing that a hearing be held in respect of such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said declaration which he desires to controvert; or he may request that he be notified should the Commission order a hearing in respect thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the declarant at the above-stated address, and proof of service thereof (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the declaration, as filed or as it may be amended, may be permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

[F.R. Doc. 67-6066; Filed, May 31, 1967; 8:46 a.m.]

[70-4493]

MONONGAHELA POWER CO.

Notice of Proposed Issue and Sale of Short-Term Notes

MAY 24, 1967.

Notice is hereby given that Monongahela Power Co. ("Monongahela"), 310 Fairmont Avenue, Fairmont, W. Va. 26554, a registered holding company and a public-utility subsidiary company of Allegheny Power System, Inc., also a

registered holding company, has filed a declaration with this Commission, pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6 and 7 thereof as applicable to the proposed transactions. All interested persons are referred to the declaration, which is summarized below, for a complete statement of the proposed transactions.

Monongahela requests authorization to issue and sell, from time to time prior to July 1, 1968, its unsecured promissory notes to The First National City Bank, New York, N.Y., in an aggregate principal amount not to exceed $9,500,000. Each note proposed to be issued by Monongahela will bear interest at the prime rate in effect at the bank on the date of issue, will mature not more than twelve months after the date of issue, and will be prepayable at any time without penalty.

Monongahela proposes to use the net proceeds from the proposed notes for construction and to repay other short-term bank borrowings incurred therefor under the exemption afforded by the first sentence of section 6(b) of the Act. The net proceeds from the sale of any permanent debt securities will be applied in total payment of all notes then outstanding and, thereupon, any authorization which may be granted under this declaration will cease to be effective.

It is stated that no fees and expenses, other than ordinary expenses estimated at $500, will be incurred in connection with the proposed transactions. It is further stated that no State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than June 14, 1967, request in writing that a hearing be held in respect of such matter, stating the nature of his interest, the reasons for such request and the issues of fact or law raised by said declaration which he desires to controvert; or he may request that he be notified should the Commission order a hearing in respect thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the declarant at the above-stated address, and proof of service thereof (by affidavit or, in case of an attorney at law, by certificate, should be filed with the request. At any time after said date, the declaration, as filed or as it may be amended, may be permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] NELLYE A. THORSEN, *Assistant Secretary.*

[F.R. Doc. 67-6083; Filed, May 31, 1967; 8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATION FOR RELIEF

MAY 26, 1967.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 41036—*Grain and grain products from points in Montana.* Filed by North Pacific Coast Freight Bureau, agent (No. 67-1), for interested rail carriers. Rates on grain, grain products and related articles, in carloads, from points in Montana, to points in North Pacific territory.

Grounds for relief—Unregulated truck competition.

Tariff—Supplement 5 to North Pacific Coast Freight Bureau, agent, tariff ICC 1117.

By the Commission.

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

[F.R. Doc. 67-6093; Filed, May 31, 1967; 8:48 a.m.]

[Notice 448]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

MAY 26, 1967.

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

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

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

MOTOR CARRIERS OF PROPERTY

No. MC 3379 (Deviation No. 9), SNYDER BROS. MOTOR FREIGHT, INC., 363 Stanton Avenue, Akron, Ohio 44301, filed May 15, 1967. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Pittsburgh, Pa., over U.S. Highway 22 to junction Pennsylvania Highway 66, thence over Pennsylvania Highway 66 to Greensburg, Pa., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: from Akron, Ohio, over U.S. Highway 224 to Deerfield, Ohio, thence over Alternate Ohio Highway 14 (formerly Ohio Highway 14) to junction Ohio Highway 14, thence over Ohio Highway 14 to the Ohio-Pennsylvania State line, thence over Pennsylvania Highway 51 to Rochester, Pa., thence over Pennsylvania Highway 88 to Pittsburgh, Pa., thence over U.S. Highway 30 to Breezewood, Pa., thence over Pennsylvania Highway 126 to Warfordsburg, Pa., thence over U.S. Highway 522 to Hancock, Md., thence over U.S. Highway 40 to Frederick, Md., thence over U.S. Highway 240 to Washington, D.C, thence over U.S. Highway 1 via Fredericksburg to Petersburg, Va., thence over U.S. Highway 460 to junction Virginia Highway 337 (formerly U.S. Highway 460), thence over city streets and connecting highways to Norfolk, Va., and return over the same route.

No. MC 10761 (Deviation No. 45) (amendment), TRANSAMERICAN FREIGHT LINES, INC., 1700 North Waterman Avenue, Detroit, Mich. 48209, filed March 13, 1967. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Baltimore, Md., over Interstate Highway 83 to junction U.S. Highway 11, thence over U.S. Highway 11 to junction Pennsylvania Turnpike, thence over the Pennsylvania Turnpike to junction U.S. Highway 30, thence over U.S. Highway 30 to Pittsburgh, Pa., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: From Baltimore, Md., over U.S. Highway 140 to Westminster, Md., thence over Maryland Highway 97 (formerly Maryland Highway 32) via Emmitsburg, Md., to the Maryland-Pennsylvania State line, thence over Pennsylvania Highway 16 via Rouzerville, Pa., to Waynesboro, Pa., thence over Pennsylvania Highway 316 (formerly unnumbered highway) to the Pennsylvania-Maryland State line, thence over Maryland Highway 60 via Leitersburg, Md., to Hagerstown, Md., thence over U.S. Highway 40 to Cumberland, Md., thence over U.S. Highway 220 to Bedford, Pa., thence over U.S. Highway 30 to junction Pennsylvania

Highway 53, thence over Pennsylvania Highway 53 to Kantner, Pa., thence return over Pennsylvania Highway 53 to junction U.S. Highway 30, thence over U.S. Highway 30 via Stoystown, Pa., to junction Pennsylvania Highway 982, thence over Pennsylvania Highway 982 to Youngstown, Pa., thence return over Pennsylvania Highway 982 to junction U.S. Highway 30, thence over U.S. Highway 30 via Irwin, Pa., to Pittsburgh, Pa. (also from Baltimore to Waynesboro, Pa., as specified above), thence over Pennsylvania Highway 997 (formerly unnumbered highway) to the Pennsylvania-Maryland State line, thence over Maryland Highway 64 (formerly unnumbered highway) to Ringgold, Md., thence over Maryland Highway 418 (formerly unnumbered highway to junction Maryland Highway 60 at or near Leitersburg, Md., thence to Pittsburgh as specified above) and (2) from Hancock, Md., over U.S. Highway 522 to Warfordsburg, Pa., thence over Pennsylvania Highway 126 to junction unnumbered highway (formerly Pennsylvania Highway 126), thence over unnumbered highway via Emmaville, Pa., to Crystal Spring, Pa., thence over Pennsylvania Highway 126 to Breezewood, Pa., thence over U.S. Highway 30 to Bedford, Pa., and return over the same routes. The original notice, published in the FEDERAL REGISTER March 29, 1967, on pages 5307 and 5308. The purpose of the instant amendment is to show the actual deviation between Pittsburgh, Pa., and Baltimore, Md., via routes joining Interstate Highway 83 south of Harrisburg, Pa.

No. MC 28478 (Deviation No. 7), GREAT LAKES EXPRESS CO., 172 Davenport Street, Saginaw, Mich. 48605, filed May 16, 1967. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Saginaw, Mich., over Michigan Highway 13 to junction Michigan Highway 78, thence over Michigan Highway 78 to junction Michigan Highway 47, and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Saginaw, Mich., over combined Michigan Highways 46–47 to junction Michigan Highway 47, thence over Michigan Highway 47 to junction Michigan Highway 78, and return over the same route.

No. MC 29130 (Deviation No. 10), THE ROCK ISLAND MOTOR TRANSIT COMPANY, 2744 Southeast Market Street, Des Moines, Iowa 50305, filed May 15, 1967. Carrier's representative: James E. Sykes, 139 West Van Buren Street, Chicago, Ill. 60605. The carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Salina, Kans., over Interstate Highway 70 to junction Kansas Highway 25, thence over Kansas Highway 25 to Colby, Kans., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Salina, Kans., over U.S. Highway 81 to Concordia, Kans., thence over Kansas Highway 28 via Jewell to Mankota, Kans., thence over U.S. Highway 36 to junction U.S. Highway 383, thence over U.S. Highway 383 to junction U.S. Highway 24, thence over U.S. Highway 24 via Colby, Kans., to Goodland, Kans., and return over the same route.

No. MC 60012 (Deviation No. 3), RIO GRANDE MOTOR WAY, INC., 1531 Stout Street, Post Office Box 5482, Denver, Colo. 80217, filed May 5, 1967. Carrier's representative: Warren D. Braucher, 604 Rio Grande Building, Denver, Colo. 80217. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Denver, Colo., over Interstate Highway 70 to junction U.S. Highway 89, at or near Sigurd, Utah, and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: (1) From Denver, Colo., over U.S. Highway 6 to Wheeler, Colo., thence over Colorado Highway 91 to Leadville, Colo., thence over U.S. Highway 24 to Grand Junction, Colo., (2) from Wheeler, Colo., over U.S. Highway 6 to Dowds, Colo., (3) from Provo, Utah, over U.S. Highway 189 to Heber, Utah, (4) from Salt Lake City, Utah, over U.S. Highway 91 via Springville, Utah, to Spanish Fork, Utah, thence over U.S. Highway 6 to Price, Utah, (5) from Price, Utah, over U.S. Highway 50 to Grand Junction, Colo., and (6) from Spanish Fork, Utah, over U.S. Highway 91 to Nephi, Utah, thence over Utah Highway 11 to junction U.S. Highway 89, thence over U.S. Highway 89 to Marysdale, Utah, and return over the same routes.

MOTOR CARRIERS OF PASSENGERS

No. MC 1515 (Deviation No. 382) (Cancels Deviation No. 40), GREYHOUND LINES, INC. (Eastern Division), 1400 West Third Street, Cleveland, Ohio 44113, filed May 15, 1967. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage, and express and newspapers* in the same vehicle with passengers, over a deviation route as follows: From Washington, D.C., over U.S. Highway 50 (also known as the John Hanson Highway) to junction U.S. Highway 301, near Bowie, Md., with the following access routes: (1) From Washington, D.C., over Maryland Highway 704 to junction U.S. Highway 50, and (2) from Washington, D.C., over the Baltimore-Washington Parkway to junction Maryland Highway 202, thence over Maryland Highway 202 to junction U.S. Highway 50, and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property over pertinent service route as follows: (1) From Washington, D.C., over Maryland Highway 214 to junction Maryland Highway 2, thence over Maryland Highway 2 to Parole, Md., thence over Maryland Highway 450 (formerly U.S. Highway 50) to Annapolis, Md., (2) from junction U.S. Highway 301 and Maryland Highway 214 over U.S. Highway 301 to junction Annapolis-Washington Expressway, thence over Annapolis-Washington Expressway to junction U.S. Highway 50, near Parole, Md., and (3) from junction U.S. Highway 301 and Maryland Highway 214 over U.S. Highway 301 to junction U.S. Highway 50, thence over U.S. Highway 50 to junction Maryland Highway 450 near Parole, Md., and return over the same routes.

No. MC 1515 (Deviation No. 383) (Cancels Deviation No. 361), GREYHOUND LINES, INC. (Southern Division), 219 East Short Street, Lexington, Ky. 40507, filed May 15, 1967. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, and *express* and *newspapers* in the same vehicle with passengers, over deviation routes as follows: (1) From junction Interstate Highway 24 and U.S. Highway 41 at Monteagle, Tenn., over Interstate Highway 24 to junction U.S. Highway 41 south of Manchester, Tenn., with the following access route: From junction Interstate Highway 24 and Tennessee Highway 50 over Tennessee Highway 50 to Pelham, Tenn., (2) from Haletown, Tenn., over Tennessee Highway 27 to junction Interstate Highway 24, thence over Interstate Highway 24 to junction U.S. Highway 41 at the foot of Monteagle Mountain, and (3) from Chattanooga, Tenn., over Interstate Highway 24 for a distance of 6 miles to junction of Interstate Highway 24 and U.S. Highways 11 and 41, and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over a pertinent service route as follows: From Murfreesboro, Tenn., over U.S. Highway 41 to Chattanooga, Tenn., thence over U.S. Highway 11 via Attalla and Springville, Ala., to Birmingham, Ala. (also from Attalla over Alternate U.S. Highway 11 to Springville), and return over the same routes.

No. MC 35690 (Deviation No. 1), CENTRAL N.Y. COACH LINES, INC., 313 Broad Street, Utica, N.Y. 13501, filed May 15, 1967. Carrier's representative: James H. Gilroy, Jr., First National Bank Building, Utica, N.Y. 13503. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, over deviation routes as follows: (1) From Syracuse, N.Y., over Interstate Highway 81 to Exit No. 36 of the New York State Thruway, thence over the New York State Thruway to Utica, N.Y., Exit No. 31, with the following access routes: (a) From Exit No. 33 over New York Highway 365 to junction New York Highway 234, thence over New York Highway 234 to Vernon, N.Y., and (b) from Exit No. 32 over New York Highway 233 to Kirkland, N.Y.; and (2) from Utica, N.Y., over New York Highway 49 to Rome, N.Y., thence over New

York Highway 365 to junction New York Highway 365A, thence over New York Highway 365A to Oneida, N.Y., and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over pertinent service routes as follows: (1) Between Utica, N.Y., and Oneida, N.Y., over New York Highway 5, and (2) between Utica, N.Y., and Syracuse, N.Y., over New York Highway 5.

By the Commission.

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

[F.R. Doc. 67-6094; Filed, May 31, 1967; 8:48 a.m.]

[Notice 1067]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

MAY 26, 1967.

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

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

APPLICATIONS ASSIGNED FOR ORAL HEARING

MOTOR CARRIERS OF PROPERTY

No. MC 110525 (Sub-No. 831), filed May 22, 1967. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. 19335. Applicant's representatives: Leonard A. Jaskiewicz, 1155 15th Street NW., Madison Building, Washington, D.C. 20005, and Edwin H. Van Deusen (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank and hopper type vehicles, from Ottawa, Ill., and points within 5 miles thereof, to points in Indiana, Ohio, Michigan, Wisconsin, Minnesota, Iowa, Missouri, Kansas, Arkansas, Tennessee, Kentucky, Pennsylvania, and Nebraska.

HEARING: June 12, 1967, in Room 1086A, U.S. Courthouse and Federal Office Building, 219 South Dearborn Street, Chicago, Ill., before Examiner George A. Dahan.

No. MC 123067 (Sub-No. 56), filed March 30, 1967. Applicant: M & M TANK LINES, INC., Post Office Box 4174, North Station, Winston-Salem, N.C. Applicant's representatives: Frank C. Phillips, Post Office Box 612, Winston-Salem, N.C. 27102, and James E. Wilson, 1735 K Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry commodities*, in bulk (except cement sand, including feldspathic sand and fly ash), from points in South Carolina (except Charleston, North Charleston, and Edmund) to points in South Carolina, North Carolina, Virginia, Georgia, and Tennessee (except Kingsport and Elizabethton). Restriction: The above authority is restricted against the transportation of clay from points in Aiken County, S.C., corn products from Greer, S.C., and points within 5 miles thereof, and fertilizer, fertilizer materials, and fertilizer ingredients from Jericho, Roebuck, Chester, and points in Charleston County, S.C.

HEARING: June 12, 1967, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner James O'D. Moran.

No. MC 115841 (Sub-No. 296) (Republication), filed July 11, 1966, published FEDERAL REGISTER issue of July 28, 1966, and republished this issue. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., Post Office Box 2169, 1215 Bankhead Highway West, Birmingham, Ala. 35201. Applicant's representative: C. E. Wesley (same address as applicant). By application filed July 11, 1966, applicant seeks a certificate of public convenience and necessity authorizing operation, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of dairy products, including butter, powdered milk, condensed milk, ice cream mix, and oleomargarine, (1) between Dubuque, Iowa, Hannibal, Mo., and points in Illinois south of U.S. Highway 6 (except East St. Louis, Ill., and points in its commercial zone), on the one hand, and, on the other, points in Illinois south of U.S. Highway 6 (except East St. Louis, Ill., and points in its commercial zone), Indianapolis, Ind., Louisville, Ky., and Knoxville, Tenn., and (2) between Louisville, Ky., on the one hand, and, on the other, Knoxville, Tenn., restricted against (a) traffic originating at Dubuque, Iowa, and destined to points in Georgia, Alabama, Florida, Ohio, New York, and Pennsylvania, and (b) tacking with applicant's presently held authority.

A report of the Commission, Operating Rights Review Board Number 2, decided May 18, 1967, and served May 23, 1967, as amended, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of *dairy products*, (1) between Dubuque, Iowa, Hannibal, Mo., and points in Illinois south of U.S. Highway 6 (except East St. Louis, Ill., and points in its commercial zone), on the one hand, and, on the other, points in Illinois south of U.S. Highway 6 (except East St. Louis, Ill., and points in its commercial zone), Indianapolis, Ind., Louisville, Ky., and Knoxville, Tenn., and (2) between Louisville, Ky., and Knoxville, Tenn., restricted against tacking with authority presently held by applicant for the purpose of performing a through transportation service; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other parties, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file an appropriate petition for leave to intervene in this proceeding setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 120837 (Sub-No. 3) (Republication), filed July 20, 1966, published FEDERAL REGISTER issue of August 25, 1966, and republished, this issue. Applicant: BARTON LYMAN, doing business as LYMAN TRUCK LINE, Post Office Box 377 Blanding, Utah. Applicant's representative: William S. Richards, 1610 Walker Bank Building, Salt Lake City, Utah 84111. By application filed July 20, 1966, applicant seeks a certificate of public convenience and necessity authorizing operation, in interstate or foreign commerce, as a common carrier by motor vehicle, over regular and irregular routes, (1) passengers and their baggage, between points in that area in San Juan County, Utah, located on, and south of U.S. Highway 160, between Monticello, Utah, and the Utah-Colorado State line, and located on the east of Utah Highway 47, said area beginning bounded on the south by the Utah-Arizona State line, on the east by the Utah-Colorado State line, on the north by U.S. Highway 160, and on the west by Utah Highway 47, and (2) passengers and their baggage, between Blanding, Utah, on the one hand, and, on the other, those points in San Juan County, Utah, west of Utah Highway 47 (east of the Colorado River and south of a line running due west from Monticello, Utah), and over regular routes, passengers and their baggage, (a) between the Utah-Arizona State line and junction Arizona Highway 64 and U.S. Highway 89; from the Utah-Arizona State line over Arizona Highway 464 to junction Arizona Highway 64, thence over Arizona Highway 64 to junction U.S. Highway 89, and return over the same route, serving all intermediate points.

(b) Between Monticello, Utah, and the Utah-Arizona State line, over Utah Highway 47, serving all intermediate points, and (c) between Blanding and Natural Bridge National Monument, Utah, over Utah Highway 95, with service to be an on-call service only. Applicant holds certificates of registration Nos. MC 120837 (Sub-No. 1) and (Sub-No. 2), issued pursuant to the provisions of sections 206(a)(7) and 206(a)(6), respectively, of the Interstate Commerce Act; that such certificates of registration are valid under the terms thereof and under

the provisions of sections 206(a) (6) and (7) of the act only so long as applicant is engaged solely within the State of Utah in the operations in interstate or foreign commerce authorized in such certificates of registration; that such certificates of registration will no longer be valid when applicant commences multistate operations under the authority granted in this proceeding; and that applicant is willing to tender for cancellation such certificates of registration if the instant application is granted; applicant also has an application pending in No. MC 120836 (Sub-No. 3) to transport general commodities, with certain exceptions, in a described area of Utah and Arizona; and that such application embraces the authority now held by applicant under certificates of registration Nos. MC 120836 (Sub-No. 1) and MC 120836 (Sub-No. 2). The service which applicant seeks to provide involves special operations. Compare *Prue Common Carrier Application*, 31 M.C.C. 789; the authority to transport passengers over irregular routes cannot be granted unless restricted to special operations, because of the proviso of section 207(a) of the Interstate Commerce Act which precludes the issuance of a certificate "to any common carrier of passengers by motor vehicle for operations over other than a regular route or routes, and between fixed termini, except as such carriers may be authorized to engage in special or charter operations".

An order of the Commission, Operating Rights Board No. 1, dated May 17, 1967, and served March 23, 1967, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle, over regular routes, of *passengers and their baggage*, (1) between Monticello, Utah, and junction Arizona Highway 64 and U.S. Highway 89: from Monticello over Utah Highway 47 to the Utah-Arizona State line, thence over Arizona Highway 464 to junction Arizona Highway 64 at or near Kayenta, Ariz., thence over Arizona Highway 64 to junction U.S. Highway 89, and return over the same routes, serving all intermediate points, (2) between junction Utah Highways 47 and 262, and the Utah-Colorado State line, over Utah Highway 262, serving all intermediate points, (3) between junction Utah Highways 47 and 95, south of Blanding, Utah, and the Colorado River, over Utah Highway 95, serving all intermediate points, and (4) between junction Utah Highways 95 and 261, and junction Utah Highways 261 and 47, over Utah Highway 261, serving all intermediate points; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder and that an appropriate certificate should be issued concurrently with final disposition of No. MC-120836 (Sub-No. 3), and the coincidental cancellation at applicant's request of his certificate of registration Nos. MC 120837 (Sub-No. 1) and (Sub-No. 2) dated October 21, 1963, and March 13, 1964, respectively.

Because it is possible that other parties, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file an appropriate petition for leave to intervene in this proceeding setting forth in detail the precise manner in which it has been so prejudiced.

NOTICE OF FILING OF PETITIONS

Nos. MC 75568 and MC 65876 (Notice of Filing of Petition To Reopen "Grandfather" Dockets for the Purpose of Correcting Certificates), filed April 24, 1967. Petitioner: MERCURY MOTOR FREIGHT LINES, INC., St. Paul, Minn. Petitioner's representative: Val M. Higgins, 1000 First National Bank Building, Minneapolis, Minn. 55402. On October 16, 1942, a certificate was issued to Consolidated Motor Freight Terminal, Inc., in MC 75568 which authorized the transportation of general commodities, over irregular routes, "between St. Paul, Minn., and points and places in that portion of Minnesota bounded by a line beginning at West St. Paul, and extending through South St. Paul, Invergrove, Newport, North St. Paul, Cardigan Junction, New Brighton, Fridley, Robbinsdale, Golden Valley, Hopkins, Richfield, and Mendota, Minn., and thence to point of beginning." By order of February 14, 1944, in No. MC-FC-18720 petitioner was granted permission to purchase the above authority. By certificate dated May 15, 1950, Peter C. Peterson, Karl K. Peterson, and Clarence D. Peterson, a partnership, doing business as Bison Freight Line, St. Paul, Minn., in MC 65876, were authorized to transport: General commodities, with the usual exceptions, * * * between Minneapolis, St. Paul, South St. Paul, Invergrove (Inver Grove), West St. Paul, Newport, North St. Paul, Columbus Heights, Robbinsdale, St. Louis Park, Hopkins, Edina, Richfield, Red Rock, McCarron Lake, Fort Snelling, and the State Fair Grounds, Minn. * * *. Bison Freight Line subsequently incorporated as Bison Freight Line, Inc., and eventually sold the involved authority to petitioner in No. MC-F-7454. Petitioner now holds authority in No. MC 103017 Sub 1, which authorizes, among other things, the transportation of general commodities, between points in the Minneapolis-St. Paul commercial zone. Petition states that while it may appear the authority to serve the Minneapolis-St. Paul commercial zone and authority to serve the "named points", is, for all practical purposes, the same thing, such is not the case. By the instant petition, petitioner prays that Nos. MC 75568, and MC 65876 be reopened for the purpose of correcting a mutual mistake in the certificate issued therein and that the so-called "named points" of South St. Paul, Columbus Heights, Robbinsdale, St. Louis Park, Hopkins, Edina, Richfield, Red Rock, McCarron Lake, Fort Snelling, and the State Fair Grounds, Minn., be included in a corrected certificate issued therein. Any interested person desiring to participate, may file an original and six copies of his written representations, views, or argument in support of, or against, the petition within 30 days from the date of publication in the FEDERAL REGISTER.

No. MC 123902 and No. MC 123902 (Sub-No. 1), (Notice of Filing of Petition for Modification of Commodities Description), filed April 28, 1967. Petitioner: NORTH JERSEY TRANSFER, INC., Post Office Box 292, Sparta, N.J. Petitioner states that it holds permit in MC 123209 and MC 123902 Sub No. 1 to transport: Foam rubber, loose and in packages, over irregular routes, from Franklin and Newton, N.J., to points in Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, Virginia, District of Columbia, Ohio, Michigan, Indiana, and Illinois, restricted to a transportation service to be performed under a continuing contract or contracts with American Urethane, Inc. of Franklin, N.J. By the instant petition, petitioner desires to substitute in lieu of the above portion of the authority "Foam Rubber, loose and in packages", "Plastic, plastic articles or materials expanded, foamed, cellular or sponge, loose or in packages." Petitioner states this requested change in wording does not result in an expansion of the authority nor does it change the type and nature of the products being transported, but is only a change in the wording of the permit to more adequately describe the product being shipped. Any interested person desiring to participate may file an original and six copies of his written representations, views, or argument in support of, or against, the petition within 30 days from the date of publication in the FEDERAL REGISTER.

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

No. MC 87909 (Sub-No. 9), filed May 15, 1967. Applicant: ARROW MOTOR FREIGHT LINE, INC., 498 First Avenue NW., New Brighton, Minn. Applicant's representative: John H. Lewis, The 1650 Grant Street Building, Denver, Colo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), (1) between Waterloo, Iowa, and St. Paul - Minneapolis, Minn., from Waterloo over U.S. Highway 63 to junction U.S. Highway 52, thence over U.S.

Highway 52 to St. Paul, thence over city street to Minneapolis, and return over the same route serving no intermediate points, and (2) between Oelwein, Iowa, and St. Paul-Minneapolis, Minn., from Oelwein over Iowa Highway 3 to junction U.S. Highway 63, thence over the route specified immediately above to St. Paul, thence over city streets to Minneapolis, and return over the same route serving no intermediate points. NOTE: Applicant states it presently holds authority over irregular routes transporting general commodities, with the exceptions previously noted, between Waterloo and Oelwein, Iowa, on the one hand, and, on the other, Minneapolis and St. Paul, Minn. This application is directly related to MC-F 9750, published FEDERAL REGISTER issue of May 24, 1967. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa, Minneapolis, Minn., Chicago, Ill., or Washington, D.C.

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

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

MOTOR CARRIERS OF PROPERTY

No. MC-F-9518 (EARL F. BUCKINGHAM & DOROTHY M. BUCKINGHAM —Control—GOLDSTEIN TRANSPORTATION & STORAGE, INC.) published in the September 14, 1966, issue of the FEDERAL REGISTER on page 12035. Petitions filed May 22, 1967, for (1) substitution of applicants and amendment of application, to show EARL F. BUCKINGHAM, DOROTHY M. BUCKINGHAM, LEONARD L. HANEY, LAWRENCE HANCOCK, JR., GORDON P. WEICHEL, TRANSPORT SERVICE, INC., GOLDSTEIN TRANSPORTATION AND STORAGE, INC., COLO. FREIGHT DISTRIBUTION, INC., and R. A. GOULD, INC., as Applicants, and (2) substitution of the controlling party under the section 210a(b), to show TRANSPORT SERVICE, INC., in lieu of EARL F. BUCKINGHAM and DOROTHY M. BUCKINGHAM.

No. MC-F-9754. Authority sought for control by TRI-STATE MOTOR TRANSIT CO., Post Office Box 113, Interstate Business Route 44, Joplin, Mo. 64802, of U. S. A. C. TRANSPORT, INC., 25200 West Six Mile Road, Detroit, Mich. 48240. Applicants' attorneys: Walter N. Bieneman, Suite 1700, One Woodward Avenue, Detroit, Mich. 48226, and Max G. Morgan, 450 American National Building, Oklahoma City, Okla. 73102. Operating rights sought to be controlled: *General commodities*, except new passenger automobiles, commodities moving in tank vehicles, and classes A and B explosives, as a *common carrier*, over irregular routes, between points in Utah, Oklahoma, Texas, Kansas, California, Pennsylvania, Georgia, New York, Tennessee, Florida, Virginia, South Dakota, Montana, Colorado, Alabama, and Illinois, on the one hand, and, on the other, ports of entry on the Pacific Coast and those on the United States-Canada boundary line, with restriction; *grounded and disabled airplanes* and *uncrated airplane parts*, between points in that part of the United States east of a line beginning at the mouth of the Mississippi River and extending along that river to its source near Grand Rapids, Minn., thence along a line extending in a northerly direction to the boundary of the United States and Canada at Pelland, Minn., with restriction; *airplanes* and *airplane parts*, between Nashville, Tenn., and Hagerstown, Md.; *such commodities* as contractors' equipment, heavy and bulky articles, machinery and machine parts, and articles requiring specialized handling or rigging, between points in North Carolina, Virgina, West Virgina, Delaware, Maryland, New Jersey, Pennsylvania, New York, Connecticut, Rhode Island, Massachusetts, Ohio, Illinois, Indiana, and the District of Columbia; *aircraft*, assembled or dismantled, and *component parts* of any partially dismantled unit of aircraft moving in connection therewith, *aircraft parts*, crated or uncrated, restricted to parts requiring special equipment or handling by reason of size, weight, or fragile character, for aircraft or component parts thereof which have had a prior movement, and *special facilities* and *empty containers* used by said carrier in the transportation of the above-described aircraft and aircraft parts, between points in Robertson Township, St. Louis County, Mo., on the one hand, and, on the other, Muroc Air Force Base, Calif., traversing Arizona, Arkansas, Colorado, Iowa, Idaho, Kansas, Nebraska, Nevada, New Mexico, Oklahoma, Oregon, Utah, and Wyoming for operating convenience only.

Contractors' equipment and *commodities*, the transportation of which because of their size or weight requires the use of special equipment, between points in Texas, on the one hand, and, on the other, points in Ohio and the Lower Peninsula of Michigan; *single or concentric cylinders or containers*, loaded or empty, which because of size, or construction require special equipment or handling, and *accessories, components, and related parts thereof* moving in connection therewith, except such of the foregoing commodities as are used in or in connection with the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and byproducts, or in connection with the construction, operation, repair, servicing, maintenance, and dismantling of pipe lines, including the stringing and picking up thereof, between the Nevada Test Site of the U.S. Atomic Energy Commission located near Mercury, Nev., on the one hand, and, on the other, Albuquerque and Los Alamos, N. Mex.; *radio-controlled aircraft*, fully or partially assembled, uncrated, with or without jet thrust units, and *parts and equipment* for aircraft described above when moving with a shipment of aircraft described above, between the plantsites of Northrop Corp., Ventura Division, at Van Nuys and Rancho Conejo (Newberry Park), Calif., on the one hand, and, on the other, El Paso, Texas; *commodities*, the transportation of which, because of size or weight, require the use of special equipment or special handling, from points in Michigan and Ohio, to points in California, Nevada, and Utah, with restrictions; *source materials, special nuclear materials*, and *byproducts materials, radioactive materials*, and *related reactor experiment equipment, component parts and associated materials*, from points in Campbell County, Va., to points in the United States, except those in Alaska, Georgia, Hawaii, Ohio, Indiana, North Carolina, South Carolina, and Virginia, points in Michigan on and south of Michigan Highway 21 and those in the Chicago, Ill., Commercial Zone, the Milwaukee, Wis., Commercial Zone, and the St. Louis, Mo., Commercial Zone; *helicopters* and *component parts* partially knocked down, uncrated, and *blades and booms thereof*, crated, between the plantsites of Hughes Tool Co. located in Culver City, Calif., and points in that part of the United States, including Alaska, but excluding Hawaii, west of the Mississippi River beginning west of a line at the mouth of the Mississippi River and extending along the river to its source near Grand Rapids, Minn., thence along a line extending in a northerly direction to the United States-Canada boundary line at Pelland, Minn., *aerospace craft*, fully assembled or partially dismantled, and *aerospace craft parts*, restricted to the transportation of such described parts which because of size, weight, or fragile character, require the use of special equipment or handling, between points in the United States east of a line beginning at the mouth of the Mississippi River, and extending along the Mississippi River to its junction with the western boundary of Itasca County, Minn., thence northward along the western boundary of Itasca and Koochiching Counties, Minn., to the United States-Canada boundary line, between the points described above, on the one hand, and, on the other, points in that part of the United States west of the above-described line, with restriction.

Self-propelled street sweepers weighing less than 15,000 pounds, each (except those which because of size of weight required the use of special equipment or special handling), and *parts, attachments, and accessories* therefor, when moving therewith, from Indianapolis, Ind., to points in the United States (except points in Arizona, California, Colorado, Hawaii, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, Wyoming, and Birmingham, Ala., and points in Alabama within 65 miles of Birmingham), with restriction; *heavy machinery* and *articles* which require specialized handling or rigging because of their size or weight, between points in Lucas County, Ohio, on the one hand, and, on the other, points in the lower

peninsula of Michigan; and *radio-controlled aircraft*, fully assembled, and *radio-controlled aircraft parts and equipment* in mixed loads with radio-controlled aircraft, between El Paso, Texas, on the one hand, and, on the other, Travis Air Force Base and Oakland Army Terminal, Calif., with restriction. TRI-STATE MOTOR TRANSIT CO., is authorized to operate as a *common carrier* in all States in the United States (except Hawaii) and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-9755. Authority sought for purchase by WELLS FARGO ARMORED TRANSPORT CORPORATION, 277 Park Avenue, New York, N.Y. 10017, of the operating rights and property of WELLS FARGO ARMORED SERVICE CORPORATION, 65 Broadway, New York, N.Y. 10006, and for acquisition by BAKER INDUSTRIES, INC., 374 University Avenue, Newark, N.J., and in turn by SOLOMON R. BAKER, 404 North Roxbury Drive, Beverly Hills, Calif., of control of such rights and property through the purchase. Applicants' attorney: David G. Macdonald, 1000 16th Street NW., Suite 502, Washington, D.C. 20036. Operating rights sought to be transferred: *Currency, securities, gold, silver*, and *bullion*, as a *contract carrier* over irregular routes, between New York, N.Y., and points in Westchester County, N.Y., on the one hand, and, on the other, certain specified points in New Jersey, between New York, N.Y., on the one hand, and, on the other, Washington, D.C., Wilmington, Del., Philadelphia, Pa., and Greenwich and Hartford, Conn., traversing the State of Maryland for operating convenience only, between Trenton, N.J., and Philadelphia, Pa.; *coin*, between Boston, Mass., New York, N.Y., Philadelphia, Pa., and Washington, D.C., and *bullion*, from New York, N.Y., to Philadelphia, Pa., with restriction. WELLS FARGO ARMORED TRANSPORT CORPORATION holds no authority with this Commission. However, its motor carrier subsidiaries, WELLS FORGO ARMORED SERVICE CORPORATION (A MISSISSIPPI CORPORATION), 277 Monroe Avenue, Post Office Box 66, Memphis, Tenn., is authorized to operate as a *contract carrier* in Georgia and South Carolina, and WELLS FARGO ARMORED SERVICE CORPORATION (A TENNESSEE CORPORATION), 277 Monroe Avenue, Post Office Box 66, Memphis, Tenn. is authorized to operate as a *contract carrier* in West Virginia, Kentucky, Tennessee, Arkansas, Mississippi, Missouri, Georgia, Maryland, Alabama, North Carolina, Florida, Louisiana, Arkansas, Pennsylvania, Virginia, South Carolina, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-9756. Authority sought for control and merger by HENNIS FREIGHT LINES, INC., Post Office Box 612, Winston-Salem, N.C. 27102, of the operating rights and property of REFRIGERATED EXPRESS LINES, INC., Post Office Box 1506, Plant City, Fla., and for acquisition by S. H. MITCHELL, also of Winston-Salem, N.C., of control of such rights and property through the transaction. Applicants' attorney and representative: James E. Wilson, 1735 K Street NW., Washington, D.C. 20006, and Frank C. Philips, Post Office Box 612, Winston-Salem, N.C. 27102. Operating rights sought to be controlled and merged: *Frozen foods*, and *fresh fruits and fresh vegetables*, as a *common carrier*, over irregular routes, between Atlanta, Ga., on the one hand, and, on the other, Chattanooga, Tenn., and points in that part of Alabama, on and east of U.S. Highway 31, except Montgomery, and those in Florida, North Carolina, and South Carolina. HENNIS FREIGHT LINES, INC., is authorized to operate as a *common carrier* in Georgia, South Carolina, North Carolina, Virginia, Michigan, Ohio, Indiana, Illinois, Maryland, New York, Pennsylvania, New Jersey, West Virginia, Massachusetts, Rhode Island, Florida, Delaware, Missouri, Wisconsin, Kentucky, Alabama, Connecticut, and the District of Columbia. Application has been filed for temporary authority under section 210a(b).

No. MC-F-9757. Authority sought for purchase by MOTOR FREIGHT EXPRESS, Arsenal Road and Toronita Street, York, Pa. 17405, of the operating rights and property of HOLLAND TRANSPORTATION COMPANY, INC., Summit Street, Peabody, Mass. 01960, and for acquisition by MERCHANTS TERMINAL CORPORATION, 501 North Kresson Street, Baltimore, Md., and, in turn by HOFFBERGER FOUNDATION, INC., 900 Garrett Building, Baltimore, Md., of control of such rights and property through the purchase. Applicants' attorneys: Robert H. Griswold, 100 Pine Street, Harrisburg, Pa. 17108, and Sigmund R. Kallins, 900 Garrett Building, Baltimore, Md. 21202. Operating rights sought to be transferred: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier*, over regular routes, between New Haven, Conn., and Boston, Mass., between New Haven, Conn., and Hartford, Conn., between Hartford, Conn., and Providence, R.I., serving all intermediate points, between Palmer, Mass., and Boston, Mass., serving the intermediate points of Worcester, Mass., between Worcester, Mass., and Boston, Mass., serving the intermediate points of Woonsocket, R.I., and certain points in Massachusetts, between Springfield, Mass., and North Adams, Mass., between Shelburne, Mass., and Fitchburg, Mass., between Littleton Common, Mass., and Boston, Mass., serving all intermediate points, between Boston, Mass., and New York, N.Y., serving the intermediate points of Pawtucket and Providence, R.I., New Haven, Conn., and those between New Haven and New York, subject, however to the conditions that Providence is restricted against westbound traffic via U.S. Highway 1 east of New Haven, and New Haven is restricted against eastbound traffic via U.S. Highway 1 west of Pawtucket, between New York, N.Y., and Scranton, Pa., serving the intermediate points of Dunellen and Bound Brook, N.J., and Wilkes-Barre and Pittston, Pa.; serving certain off-route points with and without restrictions; between junction Massachusetts Highway 9 and U.S. Highway 20, and Worcester, Mass., between junction U.S. Highway 20 and Massachusetts Highway 15, and East Hartford, Conn., between East Hartford, Conn., and New Haven, Conn., between Providence, R.I., and junction Rhode Island Highways 3 and 84 at Hoppenton, R.I., between junction Rhode Island Highways 3 and 84 and Groton, Conn., between Boston, Mass., and North Attleboro, Mass., between junction U.S. Highway 1 and Alternate U.S. Highway 1 at Attleboro, Mass., and Providence, R.I., not serving termini or intermediate points except as otherwise authorized, for operating convenience only; *general commodities*, excepting, among others, household goods and commodities in bulk, over irregular routes, between New York, N.Y., and points in Westchester County, N.Y., on the one hand, and, on the other, points in New Jersey, between points in Philadelphia, Pa., and Camden, N.J.; and *general commodities*, between points in Massachusetts. Vendee is authorized to operate as a *common carrier* in New York, Pennsylvania, New Jersey, Delaware, Maryland, Virginia, Ohio, West Virginia, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-9758. Authority sought for purchase by EAGLE MOTOR LINES, INC., 830 North 33d Street, Post Office Box 1348, Birmingham, Ala. 35201, of a portion of the operating rights of LOWTHER TRUCKING COMPANY, Post Office Box 2115, Charlotte, N.C. 28201, and for acquisition by FRANCES W. EDWARDS and O. M. COOK, SR., both also of Birmingham, Ala., of control of such rights through the purchase. Applicants' attorney: ROBERT M. PEARCE, Central Building, 1033 State Street, Bowling Green, Ky. 42101. Operating rights sought to be transferred: *Electrical conduit* and *fittings and attachments therefor*, as a *common carrier*, over irregular routes, from Glendale, W. Va., to points in Alabama, Florida, Louisiana, Mississippi, Tennessee, and points in that part of Georgia south of a line beginning at a point east of Savannah, Ga., on the Atlantic Coast and extending along U.S Highway 80 to junction U.S. Highway 280, and thence along U.S. Highway 280 to the Georgia-Alabama State line, with restriction; *conduit* and *pipe* and *fittings and attachments* for conduit and pipe, from Glendale, W. Va., to points in Arkansas, Oklahoma, and Texas; and *conduit* and *pipe* and *fittings and attachments therefor* (except commodities which because of size or weight require the use of special equipment), from Glendale, W. Va., to points in New Mexico, Colorado, Wyoming, Montana, Idaho, Washington, Oregon, California, Nevada, Arizona, and Utah. Vendee is authorized to operate as a *common carrier* in all points in the United States (excluding

Hawaii, Indiana, New York, Pennsylvania, New Jersey, Maryland, and the District of Columbia). Application has been filed for temporary authority under section 210a(b).

No. MC-F-9759. Authority sought for purchase by BAY TRANSPORTATION CO., INC., Post Office Box 1327, Dothan, Ala., of the operating rights and property of ST. ANDREWS BAY TRANSPORTATION COMPANY, INC., 127 North Foster, Dothan, Ala., and for acquisition by G. Milton Adams, Post Office Box 1327, Dothan, Ala., of control of such rights and property through the purchase. Applicants' attorney: Maurice F. Bishop, 327 Frank Nelson Building, Birmingham, Ala. 35203. Operating rights sought to be transferred: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier* over regular routes between Dothan, Ala., and Marianna, Fla., serving the intermediate points of Cottonwood and Grangeburg, Ala., and certain points in Florida, and the off-route point of Sealy Springs, Ala.; *general commodities*, between Dothan, Ala., and Panama City, Fla., serving all intermediate points, *commodities generally*, except explosives and inflammables, between Dothan, Ala., and Columbus, Ga., serving the intermediate points of Webb and Columbia, Ala., and certain points in Georgia; *general commodities*, except those requiring special equipment, between Murphy's Junction, Ala., and junction Florida Highway 52 and U.S. Highway 231, between Panama City, Fla., and Beacon Hill, Fla., serving all intermediate points, serving four alternate routes for operating convenience only; and *explosives* and *inflammables*, except those requiring special equipment, between Dothan, Ala., and Columbus, Ga., serving the intermediate and off-route points of Webb and Columbia, Ala., and certain points in Georgia. BAY TRANSPORTATION CO., INC., holds no authority with this Commission. However, its controlling stockholder, controls GEORGIA FLORIDA ALABAMA TRANSPORTATION COMPANY, Post Office Box 1327, 1541 Reeves Street, Dothan, Ala. 36301, which is authorized to operate as a *common carrier* in Alabama, Georgia, Florida, Tennessee, and Mississippi. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-9760. Authority sought for (1) control by TRANSPORT SERVICE, INC., 5231 Monroe Street, Denver, Colo. 80216, of (a) R. A. GOULD, INC., 1030 South Redwood Road, Salt Lake City, Utah, and (b) COLO. FREIGHT DISTRIBUTION, INC., 1420 38th Street, Denver, Colo. 80205 (Applicants propose the authority of GOLDSTEIN TRANSPORTATION AND STORAGE, INC., to be liquidated into this company before the stock exchange), and for acquisition by JERRY D. McMORRIS, and DONN D. McMORRIS, both also of Denver, Colo., of control of R. A. GOULD, INC., and COLO. FREIGHT DISTRIBUTION, INC., through the acquisition by TRANSPORT SERVICE, INC.; and (2) merger by COLO. FREIGHT DISTRIBUTION, INC., 1420 38th Street, Denver, Colo. 80205, of R. A. GOULD, INC., 1030 South Redwood Road, Salt Lake City, Utah, and for acquisition by LEONARD L. HANEY, LAWRENCE HANCOCK, JR., and GORDON P. WEICHEL, all also of Denver, Colo., of control of such rights and property through the transaction. Applicants' attorney: Leslie R. Kehl, 420 Denver Club Building, Denver, Colo. 80202. Operating rights sought to be (1) controlled and (2) merged: (1(A) and 2) R. A. GOULD, INC.: *General commodities*, except those of unusual value, classes A and B explosives, household goods as defined by the Commission, petroleum products, in bulk, in tank vehicles, and commodities requiring the use of special equipment, as a *common carrier*, over irregular routes, between Rico, Colo., and Salt Lake City, Utah; *general commodities*, except petroleum products, acids and chemicals, in bulk, in tank vehicles, classes A and B explosives, household goods as defined by the Commission, commodities of unusual value, and those requiring special equipment, between certain specified points in Utah, on the one hand, and, on the other, points in Grand County, Utah (except points located on U.S. Highways 6 and 160), and points in San Juan County, Utah (except points located on U.S. Highway 160 and Utah Highway 47); *ore* and *ore concentrates*, in bulk, from points in Dolores County, Colo., to certain specified points in Utah, from the millsite of the Texas-Zinc Minerals Corp., near Mexican Hat, Utah, to Flagstaff, Ariz., and those points within 25 miles of Flagstaff which are on and north of U.S. Highway 66, with restrictions;

Machinery, supplies, and *equipment*, incidental to, or used in the construction, development, and operation of, facilities for the discovery, milling, and mining of ores and minerals, except classes A and B explosives, petroleum products, in bulk, and commodities requiring special equipment, from points in Utah to points in Dolores County, Colo.; *copper ore concentrates*, in bulk, from the plantsite of the Texas-Zinc Minerals Corp., near Mexican Hat, Utah, to Crescent Junction, Utah; and *machinery, materials, supplies, and equipment* incidental to, or used in the construction, development, operation, and maintenance of facilities used for the discovery, development, production, mining, and milling of ores and minerals (except classes A and B explosives, household goods as defined by the Commission, petroleum products in bulk, commodities requiring special equipment, and shipments weighing less than 100 pounds), from Flagstaff, Ariz., to those points within 25 miles of Flagstaff which are on and north of U.S. Highway 66, to the millsite of the Texas-Zinc Minerals Corp., near Mexican Hat, Utah, with restriction; and(1(B)) (This authority of GOLDSTEIN TRANSPORTATION AND STORAGE, INC., 1420 38th Street, Denver, Colo. 80205, is to be liquidated into COLO. FREIGHT DISTRIBUTION, INC.) *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier*, over regular routes, between Denver, Colo., and Pueblo, Colo., serving all intermediate and the off-route point of Manitou, Colo., and serving one alternate route for operating convenience only; and under a certificate of registration, in No. MC-1977 Sub 11, covering the transportation of property, as a common carrier, in intrastate commerce, within the State of Colorado. Application has been filed for temporary authority under section 210a(b).

No. MC-F-9761. Authority sought for purchase by ELLSWORTH BROS. TRUCK LINE, INC., Post Office Drawer J, Stroud, Okla., of the operating rights of SOUTHWEST BULK HANDLERS, INC., Box 907, Ada, Okla., and for acquisition by LEVOY C. ELLSWORTH and CHARLES R. ELLSWORTH, both also of Stroud, Okla., of control of such rights through the purchase. Applicants' attorney: W. T. Brunson, 419 Northwest Sixth Street, Oklahoma City, Okla. 73102. Operating rights sought to be transferred: *Dry cement*, in bulk, in tank vehicles, as a *common carrier*, over irregular routes, from Ada and Dewey, Okla., to points in Kansas and Texas, from Fredonia, Kans., to points in Oklahoma and Texas, between points in Oklahoma, Kansas, and Texas, restricted to shipments having an immediately prior movement by rail; *dry cement*, in containers, from Ada, Okla., to points in Kansas and Texas; and *cement*, in bulk and packages, from Ada, Okla., to points in Arkansas. Vendee is authorized to operate as a *common carrier* in Oklahoma, Kansas, Arkansas, Missouri, Texas, and Illinois. Application has been filed for temporary authority under section 210a(b).

No. MC-F-9762. Authority sought for purchase by SERVICE MOTOR FREIGHT, INC., Lawnside, N.J. (Mailing address: Post Office Box 36, Barrington, N.J. 08007), of a portion of the operating rights of OCO TRANSPORTATION COMPANY, 3328 Vega Avenue, Cleveland, Ohio 44113, and for acquisition by H. E. LeFEVRE, 140 Everett Avenue, Newark, Ohio, and H. L. CROMER, Park National Bank, Newark, Ohio, of control of such rights through the purchase. Applicants' attorney: Clarence D. Todd, 1825 Jefferson Place NW., Washington, D.C. 20036. Operating rights sought to be transferred: *Paperboard and paperboard products*, as a *contract carrier*, over irregular routes, from Lancaster, Pa., to points in New York, New Jersey, Delaware, Maryland, Virginia, Ohio, West Virginia, and the District of Columbia; *skids, pallets, and containers* on or in which such paperboard and paperboard products are shipped, from point in the destination territory specified immediately above to Lancaster, Pa.; *machinery, materials, and supplies* used in the manufacture of paperboard and paperboard products (except liquid commodities in bulk, and except waste paper), from points in New York (except New York, N.Y.), New Jersey (except Hudson, Essex, and Bergen Counties), Delaware, and Ohio, to Lancaster, Pa.; and *skids, pallets, and containers* on or in

which such machinery, materials, and supplies are shipped, from Lancaster, Pa., to points in the origin territory specified immediately above; with restriction. Vendee is authorized to operate as a *contract carrier* in Pennsylvania, Maryland, New York, New Jersey, Delaware, Georgia, Illinois, Indiana, Kentucky, Maine, New Hampshire, North Carolina, Ohio, South Carolina, Tennessee, West Virginia, Rhode Island, Massachusetts, Virginia, Vermont, Michigan, Connecticut, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-9763. Authority sought for control and merger by GUMPRECHT TRUCKING CO., 216 Main Street, Crystal Lake, Ill., of the operating rights and property of GOLD STAR MOTOR SERVICE, INC., 322 North Hough Street, Barrington, Ill., and for acquisition by ARNOLD GUMPRECHT, 125 South Street, Crystal Lake, Ill., of control of such rights and property through the transaction. Applicants' attorney: Eugene L. Cohn, 1 North La Salle Street, Chicago, Ill. 60602. Operating rights sought to be controlled and merged: *General commodities*, except those of unusual value, and except high explosives, livestock, household goods (when transported as a separate and distinct service in connection with so-called "household movings"), commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, as a *common carrier*, over regular routes, between Harvard, Ill., and Chicago, Ill., serving the off-route points of Ridgefield, Greenwood, and Hartland, Ill., between Elgin, Ill., and Chicago and Crystal Lake, Ill., serving all intermediate points. GUMPRECHT TRUCKING CO. is authorized to operate as a *common carrier* in Illinois. Application has been filed for temporary authority under section 210a(b).

No. MC-F-9764. Authority sought for purchase by MINNESOTA-WISCONSIN TRUCK LINES, INCORPORATED, 965 Eustis Street, St. Paul, Minn. 55114, of the operating rights of J. F. RIEBE, doing business as WACONIA MOTOR EXPRESS, Waconia, Minn. Applicants' attorney: L. C. Major, Jr., 2001 Massachusetts Avenue, NW., Washington, D.C. 20036. Operating rights sought to be transferred: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier*, over regular routes, between Waconia, Minn., and St. Paul, Minn., serving the intermediate points of Victoria and Minneapolis, Minn., and serving points in the Minneapolis-St. Paul, Minn., commercial zone, as defined by the Commission, and also Scotchlite, Minn., as intermediate or off-route points in connection with said carrier's presently authorized regular-route operations to or from Minneapolis and St. Paul, restricted to the transportation of such commodities as said carrier is presently authorized to transport to or from Minneapolis or St. Paul over regular routes, and points in the said commercial zone and Scotchlite, in lieu of Minneapolis and St. Paul, whichever is presently authorized to be served by said carrier over irregular routes, restricted to the transportation of such commodities as said carrier is presently authorized to transport to or from Minneapolis or St. Paul, over irregular routes; serving one alternate route for operating convenience only. Vendee is authorized to operate as a *common carrier* in Wisconsin, Minnesota, and South Dakota. Application has not been filed for temporary authority under section 210a(b).

By the Commission.

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

[F.R. Doc. 67-6095; Filed, May 31, 1967; 8:48 a.m.]

[Notice 395]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

MAY 26, 1967.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC 67 (49 CFR Part 340) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protest must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 57688 (Sub-No. 4 TA), filed May 23, 1967. Applicant: CHICAGO & EASTERN ILLINOIS RAILROAD COMPANY, 646 Chicago Road, Chicago Heights, Ill. 60411. Applicant's representative: James H. Durkin (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, (1) between Watseka and Villa Grove, Ill.: From Watseka over U.S. Highway 24 to junction Illinois Highway 49, thence over Illinois Highway 49 to junction U.S. Highway 36, thence over U.S. Highway 36 to junction Illinois Highway 130 at Camargo, Ill., thence over Illinois Highway 130 to Villa Grove, and return over the same route, serving the intermediate and off-route points of Ellis, Carlock, Coaler, Woodland, Bryce, Goodwine, Fountain Creek, Hustle, Reilly, Gerald, Dailey, Royal, Pauline, Glover, Tipton, Rutherford, Block, and Bongard, Ill.; (2) between Watseka and Danville, Ill.: From Watseka over U.S. Highway 24 to junction Illinois Highway 1, thence over Illinois Highway 1 to Danville, and return over the same route, serving the intermediate and off-route points of Milford, Wellington, Hoopeston, Canning Spur, Rossville, Carlock, Coaler, Woodland, Alvin, Bismarck, and West Newell, Ill.; (3) between Danville and Villa Grove, Ill: From Danville over Illinois Highway 1 to junction U.S. Highway 150, thence over U.S. Highway 150 to junction U.S. Highway 36 near Chrisman, thence over U.S. Highway 36 to junction Illinois Highway 130 at Camargo, thence over Illinois Highway 130 to Villa Grove, and return over the same route, serving the intermediate and off-route points of Westville, Bunsen, Switch, Maring, Grape Creek, Riola, Indianola, Scone, Sidell, Hastings, Allerton, Broadlands, Long View, and Fairland, Ill.; (4) between Rossville and Sidell, Ill.: From Rossville over Illinois Highway 1 to junction U.S. Highway 136, thence over U.S. Highway 136 to junction Illinois Highway 49, thence over Illinois Highway 49 to junction U.S. Highway 150, thence over U.S. Highway 150 to junction unnumbered highway at Muncie, Ill., thence over unnumbered highway to Sidell, and return over the same route, serving the intermediate and off-route points of Henning, Bennett, Ryan, Jamaica, Maizetown, Jamesburg, Collison, Brothers, and Bronson, Ill.; (5) between Dawson Park, Ill., and Cissna Park, Ill.: From Dawson Park over unnumbered highway to junction Illinois Highway 1 at Milford, Ill., thence over Illinois Highway 1 to junction unnumbered highway north of Wellington, Ill., thence over unnumbered highway to Cissna Park, and return over the same route, serving the intermediate and off-route points of Honeywell, Stockland, Crawford Switch, Milford, Alonzo, Hickman, Goodwine, and Claytonville, Ill.; (6)(a) between Villa Grove and Thebes, Ill.: From Villa Grove over unnumbered county highway to junction U.S. Highway 45 at Tuscola, Ill., thence over U.S. Highway 45 to junction Illinois Highway 133, thence over Illinois Highway 133 to junction Illinois Highway 32, thence over Illinois Highway 32 to junction unnumbered county highway near Bruce, Ill., thence over unnumbered county highway to junction Illinois Highway 128, thence over Illinois Highway 128 to Shelbyville, Ill., thence over Illinois Highway 16 to junction unnumbered county highway, thence over unnumbered county highway to junction Illinois Highway 33, thence over Illinois Highway 33 to junction Illinois Highway 128, thence over Illinois Highway 128 to junction U.S. Highway 40, thence over U.S. Highway 40 to Altamont, Ill., thence over U.S. Highway 40 to junction unnumbered county highway southwest of St. Elmo, Ill., thence over unnumbered county highway to junction Illinois Highway 185 (also: From Shelbyville, Ill., over Illinois Highway 16 to junction Illinois Highway 32, thence over Illinois Highway 32 to junction U.S. Highway 40 at Effingham, Ill., thence over U.S. Highway 40 through Altamont,

Ill., and St. Elmo, Ill., to junction Illinois Highway 185, thence over Illinois Highway 185 to Loogootee, Ill.), thence over Illinois Highway 185 to junction Illinois Highway 37, thence over Illinois Highway 37 to junction unnumbered county highway south of Joppa Junction, thence over unnumbered county highway to junction U.S. Highway 51 at Wetaugh, Ill., thence over U.S. Highway 51 to junction unnumbered county highway at Ullin, Ill., thence over unnumbered county highway to junction Illinois Highway 127, thence over Illinois Highway 127 to junction unnumbered county highway at Tamms, Ill., thence over unnumbered county highway to junction Illinois Highway 3, thence over Illinois Highway 3 to Thebes, Ill. (also: From Joppa Junction over Illinois Highway 37 to junction unnumbered county highway north of Grand Chain, Ill., thence over unnumbered county highway to junction Illinois Highway 127, thence over Illinois Highway 127 to junction Illinois Highway 3, thence over Illinois Highway 3 to Olive Branch); and

(b) Between Joppa Junction and Joppa, Ill.: From Joppa Junction over Illinois Highway 37 to junction Illinois Highway 169, thence over Illinois Highway 169 to junction U.S. Highway 45, thence over U.S. Highway 45 to junction unnumbered county highway south of Choat, Ill., thence over unnumbered county highway to Joppa, Ill., and return over the same routes, serving the intermediate and off-route points of West Ridge, Tuscola, Craigs, Bourbon, Arthur, Cadwell, Chipps, Sullivan, Kirksville, Findlay, Shelbyville, Clarksburg, Mode, Holland, Moccasin, Altamont, St. Elmo, St. James, Loogootee, St. Peter, Kinmundy, Brubaker, Salem, Carter, Kell, Texico, Mt. Vernon, Bonnie, Ina, Whittington, Benton, Orient, West Frankfort, Johnston City, Marion, Goreville, Buncombe, West Vienna, Cypress, Joppa Junction, Oberts, Perks, Ullin, Tamms, Olive Branch, Fayville, Chasco, Mains, Spur, Karnak, and Boaz, Ill., in connection with (a) and (b) above.

(7) Between Findlay and East St. Louis, Ill.: From Findlay over unnumbered county highway to junction Illinois Highway 128, thence over Illinois Highway 128 to junction unnumbered county highway, thence over unnumbered county highway through Westervelt and Henton, Ill., to Dollville, Ill., thence over unnumbered county highway to junction Illinois Highway 16 (also: From Findlay over unnumbered county highway to junction Illinois Highway 128, thence over Illinois Highway 128 to junction Illinois Highway 16, thence over Illinois Highway 16 to Pana, Ill.), thence over Illinois Highway 16 through Tower Hill, Pana, Rosamond, Nokomis, Witt, and Irving, Ill., to junction Illinois Highway 127 at Hillsboro, Ill., thence over Illinois Highway 127 to Taylor Springs, thence over Illinois Highway 127 to junction Illinois Highway 16 at Hillsboro, thence over Illinois Highway 16 to junction U.S. Highway 66, between Hamel, Ill., and intersection Illinois State line and U.S. Highway Bypass 40 and Bypass 66; between junction U.S. Highway Bypass 66 and U.S. Highway 66 at Hamel, Ill., and intersection Illinois State line and Interstate Highways 55 and 70 over U.S. Highway 66 and Interstate Highways 55 and 70; between junction U.S. Highway Bypass 66 and U.S. Highway 66 at Hamel, Ill., and intersection of Illinois State line and U.S. Highway 66 over U.S. Highway 66 and Interstate Highways 55 and 70; between junction Illinois Highway 111 and U.S. Highway Bypass 40 and Bypass 66 and junction Illinois Highway 11 and Interstate Highways 55 and 70 over Illinois Highway 111; between junction Illinois Highway 111 and Illinois Highway 162 and intersection of Illinois State line and Main Street, Venice, Ill., at McKinley Bridge over Illinois Highway 162, thence over U.S. Highway Alternate 67 to junction Illinois Highway 3 into Venice, Ill., thence over Broadway to Main Street, thence over Main Street and over McKinley Bridge to East St. Louis, and return over the same route, serving the intermediate and off-route points of Westervelt, Henton, Dollville, Pana, Rosamond, Ohlman, Nokomis, Witt, Irving, Hillsboro, Taylor Springs, Livingston, Mitchell Yard, Mitchell, Nameoki, Granite City, and Madison, Ill.; and

(8) Between Chicago, and Watseka, Ill.: From Chicago at 12th and Clark Streets, thence over 12th Street to junction Wabash Avenue, thence over Wabash Avenue to 63d Street, thence over 63d Street to State Street, thence over State Street to 95th Street (also: from Clark and Taylor Streets over Taylor Street to junction State Street, thence over State Street to junction 95th Street), thence over 95th Street to Michigan Avenue, thence over Michigan Avenue to 126th Street, Kensington, thence over 126th Street to junction Indiana Avenue, thence over Indiana Avenue to junction Leyden Avenue, thence over Leyden Avenue to junction South Park Avenue, thence over South Park Avenue through South Holland to junction Eleanor Street, Thornton, thence over Eleanor Street to junction Illinois Highway 83 (also: From junction 126th Street and Indiana Avenue over Indiana Avenue to junction Illinois Highway 83, thence over Illinois Highway 83 to Thornton), thence over Illinois Highway 83 through Thornton and Glenwood to junction unnumbered highway (known as Glenwood-Chicago Heights Road), thence over unnumbered highway (known as Glenwood-Chicago Heights Road) to junction Illinois Highway 1, thence over Illinois Highway 1 to junction 14th Street, Chicago Heights, thence over 14th Street to junction East End Avenue, thence over East End Avenue through South Chicago Heights and Steger to junction Illinois Highway 1, thence over Illinois Highway 1 through Crete, Goodenow, Beecher, Grant Park, and Momence to junction unnumbered highway south of Momence, thence over unnumbered highway to Wichert, thence over unnumbered highway to junction Illinois Highway 1, thence over Illinois Highway 1 through St. Anne, to junction unnumbered highway south of St. Anne, thence over unnumbered highway to Papineau, thence over said unnumbered highway to junction Illinois Highway 1, thence over Illinois Highway 1 through Martinton to junction unnumbered highway south of Martinton, thence over said unnumbered highway to Pittwood, thence over said unnumbered highway to Illinois Highway 1, thence over Illinois Highway 1 to Watseka, and return over the same route, serving the intermediate and off-route points of Kensington, Dolton, South Holland, Thornton, Chicago Heights, South Chicago Heights, Steger, Crete, Goodenow, Beecher, Grant Park, Momence, Wichert, St. Anne, Papineau, Martinton, and Pittwood, Ill. NOTE: Applicant states that the Commission's order authorizing the Missouri Pacific Railroad Co. to acquire stock control of applicant has been affirmed by the Supreme Court, thus this application. The Louisville & Nashville Railroad Co. has beneficial ownership of 275,464 shares of applicant's stock out of 1,297,006,798 shares. Duration of temporary authority: 150 days. Supporting shippers: There are 56 shippers' supporting statements attached to the application which may be examined at the Interstate Commerce Commission in Washington, D.C., or at the field office named below. Send protests to: Roger L. Buchanan, District Supervisor, Bureau of Operations, Interstate Commerce Commission, U.S. Courthouse and Federal Office Building, Room 1086, 219 South Dearborn Street, Chicago, Ill. 60604.

No. MC 108859 (Sub-No. 45 TA), filed May 24, 1967. Applicant: CLAIRMONT TRANSFER CO., 1803 Seventh Avenue North, Escanaba, Mich. 49829. Applicant's representative: William B. Elmer, 22644 Gratiot Avenue, East Detroit, Mich. 48021. 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, and commodities in bulk), between St. Ignace and Cheboygan, Mich.: From St. Ignace over Interstate Highway 75 to junction U.S. Highway 23, thence over U.S. Highway 23 to Cheboygan, and return over the same route; for 150 days. Restrictions: (1) Restricted against services at points intermediate to St. Ignace and Cheboygan, Mich. (2) Restricted to traffic transported either from or to otherwise authorized points in the Upper Peninsula of Michigan west of Interstate Highway 75, U.S. Highway 2, and Michigan Highway 48 between St. Ignace and Saulte Ste. Marie, and points in Wisconsin north of U.S. Highway 18 between Milwaukee and the Mississippi River. (3) Restricted against interlining traffic with any connecting carrier if such traffic originates at or is destined to points west or south of the described area. NOTE: Applicant states that it proposes to interline with other carriers at Cheboygan, Mich. Supporting shippers:

Scott Paper Co., Marinette, Wis. 54143; The Ansul Co., Marinette, Wis. 54143; and The Mead Corp., Escanaba, Mich. 49829. Send protests to: C. R. Flemming, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 221 Federal Building, Lansing, Mich. 48933.

No. MC 113434 (Sub-No. 28 TA), filed May 24, 1967. Applicant: GRA-BELL TRUCK LINE, INC., 679 Lincoln Avenue, Holland, Mich. 49423. Applicant's representative: Wilhelmina Boersma, 1600 First Federal Building, 1001 Woodward Avenue, Detroit, Mich. 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except those in bulk, in tank vehicles), *advertising materials, supplies, and premiums*, when moving in the same vehicle, from the facilities of American Home Foods, Division of American Home Products Corp. at La Porte, Ind., to points in Michigan, Ohio, Pennsylvania, and West Virginia; for 180 days. Supporting shipper: American Home Foods, Division of American Home Products Corp., 685 Third Avenue, New York, N.Y. 10017. Send protests to: C. R. Flemming, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 221 Federal Building, Lansing, Mich. 48933.

No. MC 118535 (Sub-No. 31 TA), filed May 23, 1967. Applicant: JIM TIONA, JR., 803 West Ohio Street, Post Office Box 127, Butler, Mo. 64730. Applicant's representative: Carll V. Kretsinger, 450 Professional Building, Kansas City, Mo. 64106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Feed and feed ingredients*, in bulk, in bags, and in mixed shipments of bulk and bags, between Kansas City, Mo., on the one hand, and, on the other, points in Kansas, Iowa, Nebraska, and Illinois; and (2) *dry animal and poultry feed ingredients*, in bulk, in bags and in mixed shipments of bulk and bags, from Dubuque, Iowa, to points in Arkansas, Kansas, Minnesota, Missouri, Nebraska, North Dakota, Illinois, Oklahoma, South Dakota, and Wisconsin; for 150 days. Supporting shippers: Pay Way Feed Mills, Inc., Third and Broadway, Kansas City, Mo. 64105; and International Minerals & Chemical Corp., Skokie, Ill. 60078. Send protests to: John V. Barry, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 1100 Federal Office Building, 911 Walnut Street, Kansas City, Mo. 64106.

No. MC 119863 (Sub-No. 6 TA), filed May 24, 1967. Applicant: LAMONI REFRIGERATED EXPRESS, INC., Box 24, Davis City, Iowa 50065. Applicant's representative: Stephen Robinson, 412 Equitable Building, Des Moines, Iowa 50309. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Carcass meat*, from Omaha, Nebr., to Chicago, Ill., for the account of Nebraska Beef Co.; for 180 days. Supporting shipper: Nebraska Beef Co., 36th and I Streets, Omaha, Nebr. Send protests to: Ellis L. Annett, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 227 Federal Office Building, Des Moines, Iowa 50309.

No. MC 125136 (Sub-No. 7 TA), filed May 24, 1967. Applicant: W. T. MARSHALL, 1285 Nickey Avenue, Decatur, Ill. 62526. Applicant's representative: Mack Stephenson, 42 Fox Mill Lane, Springfield, Ill. 62707. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, from St. Louis, Mo., to Ottawa, Ill.; for 180 days. Supporting shipper: St. Louis Beverage, Inc., Ottawa, Ill. Send protests to: Harold Jolliff, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 476, 325 West Adams Street, Springfield, Ill. 62704.

No. MC 126126 (Sub-No. 4 TA), filed May 24, 1967. Applicant: RABB BROS. TRUCKING, INC., Post Office Box 736, San Joaquin, Calif. 93660. Applicant's representative: Martin J. Rosen, 140 Montgomery Street, San Francisco, Calif. 94104. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum pipe* of various diameters with couplings and fittings, *irrigation pumps, pump components, and accessories*, from shipper's plantsite in Fresno County, Calif., to points in Arizona, Nevada, Oregon, Utah, Washington, and Idaho; for 180 days. Supporting shipper: Westside Pump Co., Post Office Box 588, San Joaquin, Calif. 93660. Send protests to: William R. Murdoch, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 450 Golden Gate Avenue, Box 36004, San Francisco, Calif. 94102.

No. MC 128150 (Sub-No. 1 TA), filed May 24, 1967. Applicant: JOHN J. WASDEN AND MYRON COOK, doing business as C W & M DISTRIBUTING CO., 255 Second Street, Idaho Falls, Idaho 83401. Applicant's representative: Kenneth G. Bergquist, Post Office Box 1775, Boise, Idaho 83701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Presto-logs*, from Missoula, Mont., to points within Yellowstone Park, Wyo.; for 150 days. Supporting shipper: Missoula Pres-To-Logs Co., Post Office Box 1243, Missoula, Mont. 59801. Send protests to: C. W. Campbell, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 203 Eastman Building, Boise, Idaho 83702.

No. MC 129071 (Sub-No. 1 TA), filed May 24, 1967. Applicant: WHITEHALL TRANSPORT, INC., Whitehall, Wis. 54773. Applicant's representative: William J. Boyd, 29 South La Salle, Chicago, Ill. 60603. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, and meat byproducts*, as described in appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Whitehall, Wis., Eau Claire, Wis., and points in the St. Paul-Minneapolis, Minn., commercial zone, to points in Indiana, Kentucky, Michigan, Ohio, Pennsylvania, New York, New Jersey, Virginia, West Virginia, Maryland, Delaware, Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, Maine, and the District of Columbia; for 180 days. Supporting shipper: Whitehall Packing Co., Inc., Whitehall, Wis. 54773. Send protests to: Charles W. Bruckner, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 214 North Hamilton Street, Madison, Wis. 53703.

No. MC 129100 TA, filed May 23, 1967. Applicant: PACKAGE DELIVERY SERVICE CO., 2127 Arapahoe Street, Denver, Colo. 80205. Applicant's representative: Frank W. Taylor, Jr., 1221 Baltimore Avenue, Kansas City, Mo. 64105. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, between points in Colorado, Wyoming, Nebraska, and New Mexico in the following described area: Beginning at a point on the Colorado-New Mexico State line where intersected by the Continental Divide, thence north along the Continental Divide to the point where it intersects the Colorado-Wyoming State line, thence east along the Colorado-Wyoming State line to junction U.S. Highway 287, thence north along U.S. Highway 287 to junction Interstate Highway 80, thence northwesterly along Interstate Highway 80 to junction U.S. Highway 287, thence north along U.S. Highway 287 to junction Wyoming Highway 220, thence northeasterly along Wyoming Highway 220 to junction U.S. Highway 26, thence southeasterly along U.S. Highway 26 to junction Interstate Highway 80, thence east along Interstate Highway 80 to North Platte, Nebr., thence west along Interstate Highway 80 and Interstate Highway 80S to the Colorado-Nebraska State line, thence east and south along the Colorado-Nebraska State line to junction Kansas State line, thence south along the Colorado-Kansas State line to junction Oklahoma State line, thence west along the Colorado-Oklahoma State line to junction New Mexico State line, thence west along the Colorado-New Mexico State line to junction U.S. Highway 85, thence south along U.S. Highway 85 to Albuquerque, N. Mex., thence north over U.S. Highway 85 to junction U.S. Highway 64, thence north over U.S. Highway 64 to junction U.S. Highway 85, thence north over U.S. Highway 85 to junction Colorado-New Mexico State line, thence west along the Colorado-New Mexico State line to its intersection with the Continental Divide, the point of beginning; and also serving all points on or within 8 miles of the highways listed above; for 180 days. Applicant states that it proposes to interline shipments at all points it is authorized to serve. Restrictions: (1) No transportation service shall be rendered to, from, or between points in Jackson County, Colo. (2) No service shall be rendered in the transportation of any package weighing more than 70 pounds, and no service shall be provided in the transportation of any shipment weighing more than 100 pounds from any one consignor to any one consignee on any 1 day. Supporting shippers: There are 43 shippers' supporting statements attached to the application which may be examined at the Interstate Commerce

Commission in Washington, D.C., or at the field office named below. Send protests to: James E. Henry, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1961 Stout Street, 2022 Federal Building, Denver, Colo. 80202.

No. MC 129114 TA, filed May 24, 1967. Applicant: MOLLERUP VAN & STORAGE CO., INC., OF OGDEN, UTAH, 2127 Lincoln Avenue, Ogden, Utah 84401. Applicant's representative: Richard H. Moffat, Suite 1311, Walker Bank Building, Salt Lake City, Utah 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, (1) between points in Weber County, Utah, and (2) between points in Weber County, Utah, on the one hand, and, on the other, Logan and Salt Lake City, Utah, serving all intermediate points, restricted to shipments requiring containerization or decontainerization and having a prior or subsequent movement by exempt freight forwarders; for 180 days. Supporting shippers: De Witt Freight Forwarding, 6060 North Figueroa Street, Los Angeles, Calif. 90042; Empire Household Shipping Co. of New York, Inc., 160 Broadway, New York, N.Y. 10038; Mollerup Freight Forwarding Co., 2900 South Main Street, Salt Lake City, Utah 84115. Send protests to: John T. Vaughan, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 2224 Federal Building, Salt Lake City, Utah 84111.

No. MC 129115 TA, filed May 24, 1967. Applicant: MOLLERUP MOVING & STORAGE CO., INC., 2900 South Main Street, Salt Lake City, Utah 84115. Applicant's representative: Richard H. Moffat, Suite 1311, Walker Bank Building, Salt Lake City, Utah 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Utah, restricted to shipments requiring containerization or decontainerization and having a prior or subsequent movement by exempt freight forwarders; for 180 days. Supporting shippers: De Witt Freight Forwarding, 6060 North Figueroa Street, Los Angeles, Calif. 90042; Mollerup Freight Forwarding Co., 2900 South Main Street, Salt Lake City, Utah 84115; and Pyramid Van Lines, Post Office Box 2373, Station B, San Francisco, Calif. 94126. Send protests to: John T. Vaughan, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 2224 Federal Building, Salt Lake City, Utah 84111.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 67-6096; Filed, May 31, 1967; 8:48 a.m.]