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Agencies in this issue—

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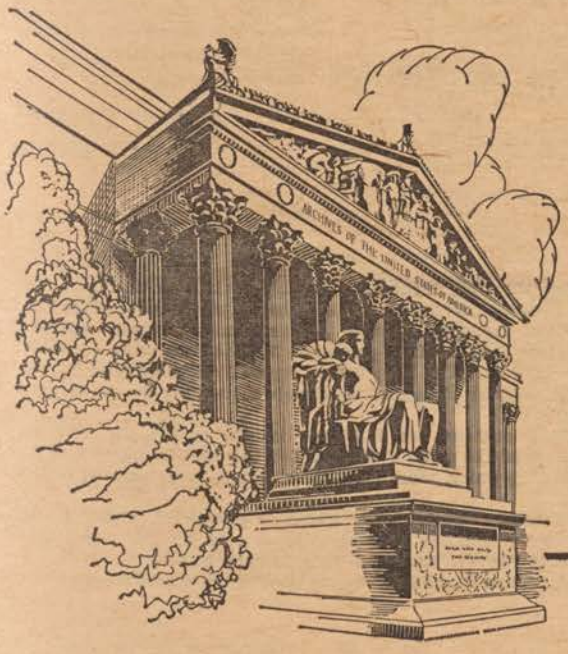

FEDERAL REGISTER

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Contents

List of CFR Parts Affected

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date, appears at the end of each issue beginning with the second issue of the month.

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, 1968, and specifies how they are affected.

Presidential Documents

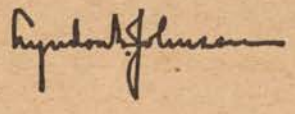
Title 3—THE PRESIDENT

Executive Order 11400

PLACING AN ADDITIONAL POSITION IN LEVEL V OF THE FEDERAL EXECUTIVE SALARY SCHEDULE

By virtue of the authority vested in me by section 5317 of title 5 of the United States Code, as amended, and as President of the United States, section 2 of Executive Order No. 11248 of October 10, 1965, as amended, is further amended by adding thereto the following:

(18) Special Assistant for Regional Economic Coordination, Department of Commerce.



THE WHITE HOUSE,
March 11, 1968.

[F.R. Doc. 68-3178; Filed, Mar. 12, 1968; 2:40 p.m.]

Rules and Regulations

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Airspace Docket No. 67-SW-95]

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

Alteration of Control Zone

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the Del Rio, Tex., control zone.

On January 27, 1968, a notice of proposed rule making was published in the FEDERAL REGISTER (33 F.R. 1076) stating the Federal Aviation Administration proposal to alter the Del Rio, Tex., control zone.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., May 23, 1968, as herein set forth.

In § 71.171 (33 F.R. 2076) the Del Rio, Tex., control zone is amended, in part, by deleting "* * * 12 miles northwest of the VOR * * * 8.5 miles northwest of the TACAN, * * * TACAN 144° radial * * * 7 miles southeast of the TACAN * * *" and substituting therefor, "* * * 8 miles northwest of the VOR; 8 miles northwest of the TACAN; * * * TACAN 149° radial, * * * 8 miles southeast of the TACAN * * *."

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

Issued in Fort Worth, Tex., on March 5, 1968.

A. L. COULTER,
Acting Director, Southwest Region.

[F.R. Doc. 68-3120; Filed, Mar. 13, 1968; 8:47 a.m.]

[Airspace Docket No. 67-CE-137]

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

Alteration of Transition Area

On pages 20986 and 20987 of the FEDERAL REGISTER dated December 29, 1967, the Federal Aviation Administration published a notice of proposed rule making which would amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the transition area at Wichita, Kans.

Interested persons were given 45 days to submit written comments, suggestions or objections regarding the proposed amendment.

No objections have been received and the amendment as so proposed is hereby adopted, subject to the following changes:

(1) The coordinates recited for the Wichita, Kans., Municipal Airport in the transition area alteration as "latitude 37°37'25" N., longitude 97°16'00" W." are changed to read "latitude 37°39'10" N., longitude 97°25'45" W."

(2) The Piper Airpark coordinates recited in the Wichita, Kans., transition area alteration as "latitude 37°45'00" N., longitude 97°13'00" W." are changed to read "latitude 37°44'55" N., longitude 97°13'20" W.".

(3) The Augusta Municipal Airport coordinate recited in the Wichita, Kans., transition area alteration as "latitude 37°40'15" N." is changed to read "latitude 37°40'20" N.".

This amendment shall be effective 0001 e.s.t., April 25, 1968.

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

Issued in Kansas City, Mo., on February 27, 1968.

DANIEL E. BARROW,
Acting Director, Central Region.

In § 71.181 (33 F.R. 2137), the following transition area is amended to read:

WICHITA, KANS.

That airspace extending upward from 700 feet above the surface within an 8-mile radius of Wichita Municipal Airport (latitude 37°39'10" N., longitude 97°25'45" W.); within 5 miles east and 8 miles west of the Wichita Municipal Airport ILS localizer south course, extending from the 8-mile radius area to 12 miles south of the OM; within an 8-mile radius of McConnell AFB (latitude 37°37'25" N., longitude 97°16'00" W.); within 2 miles each side of the McConnell AFB ILS localizer south course extending from the 8-mile radius area to 8 miles south of the OM; within a 5-mile radius of Augusta, Kans., Municipal Airport (latitude 37°40'20" N., longitude 97°04'40" W.); within 2 miles each side of the 009° and 189° bearings from Augusta Municipal Airport, extending from the 5-mile radius area to 6 miles north and south of the airport; within a 5-mile radius of Piper Airpark (latitude 37°44'55" N., longitude 97°13'20" W.); and within 2 miles each side of the 344° bearing from Piper Airpark, extending from the 5-mile radius area to 6 miles north of the airport; and that airspace extending upward from 1,200 feet above the surface bounded by a line beginning at the INT of the north boundary of V-516 and longitude 96°29'00" W., thence extending northwest to the INT of a line 10 miles southeast of and parallel to the Emporia, Kans., VORTAC 209° radial and latitude 37°10'00" N., thence northeast along a line 10 miles southeast of and parallel to the Emporia VORTAC 209° radial to the Emporia VORTAC 134° radial, thence northwest along the Emporia VORTAC 134° and 314° radials to, and west along the north boundary of V-10 to, and northeast along the west boundary of V-77 to, and southwest along the southeast boundary of V-280 to, and east along the north boundary of V-10 to longitude 97°15'00" W., thence southwest to latitude 38°00'30" N., longitude 97°28'00" W., thence southwest to the INT of the northwest boundary of V-12N and longitude 97°56'25" W., thence southwest along the northwest boundary of V-12N to, and south along the west boundary of V-125 to, and southeast along the southwest boundary of V-74 to the Ponca City, Okla., VORTAC 217° radial, thence northeast along the Ponca City VORTAC 217° and 047° radials to, and northeast along the northwest boundary of V-516 to the point of beginning; and that airspace extending upward from 3,500 feet MSL bounded by a line beginning at the INT of the north boundary of V-516 and longitude 96°29'00" W., thence northwest to the INT of a line 10 miles southeast of and parallel to the Emporia, Kans., VORTAC 209° radial and latitude 37°10'00" N., thence northeast along a line 10 miles southeast of and parallel to the Emporia VORTAC 209° radial to, and southeast along the southwest boundary of V-132 to, and southeast along a line 12 miles southwest of and parallel to the Chanute, Kans., VOR 334° and 154° radials to, and south along the west boundary of V-131 to, and southwest along the northwest boundary of V-516 to the point of beginning, excluding the portions which overlie the Ponca City, Okla., and Emporia, Kans., transition areas.

[F.R. Doc. 68-3121; Filed, Mar. 13, 1968; 8:47 a.m.]

[Airspace Docket No. 67-CE-167]

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

Alteration of Transition Area

On page 23 of the FEDERAL REGISTER dated January 3, 1968, the Federal Aviation Administration published a notice of proposed rule making which would amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the transition area at Fort Dodge, Iowa.

Interested persons were given 45 days to submit written comments, suggestions, or objections regarding the proposed amendment.

No objections have been received and the amendment as so proposed is hereby adopted, subject to the following change:

The longitude coordinate recited in the Fort Dodge, Iowa, Municipal Airport transition area alteration as "longitude 94°11'20" W." is changed to read "longitude 94°11'10" W.".

This amendment shall be effective 0001 e.s.t., May 23, 1968.

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

Issued in Kansas City, Mo., on February 28, 1968.

DANIEL E. BARROW,
Acting Director, Central Region.

In § 71.181 (33 F.R. 2137), the following transition area is amended to read:

FORT DODGE, IOWA

That airspace extending upward from 700 feet above the surface within a 7-mile radius of Fort Dodge Municipal Airport (latitude 42°33'05" N., longitude 94°11'10" W.); that airspace extending upward from 1,200 feet above the surface within a 15-mile radius of Fort Dodge VORTAC; and within the arc of a 26-mile radius circle centered on the Fort Dodge VORTAC, extending from a line 5 miles northwest of and parallel to the Fort Dodge VORTAC 055° radial clockwise to a line 5 miles northwest of and parallel to the Fort Dodge VORTAC 222° radial; and that airspace extending upward from 3,500 feet MSL south and southeast of Fort Dodge bounded on the north by V-100, on the east by V-13, on the south by V-172 and on the northwest by V-138.

[F.R. Doc. 68-3122; Filed, Mar. 13, 1968; 8:47 a.m.]

[Airspace Docket No. 67-SW-89]

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

Alteration of Transition Areas

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the Fayetteville, Ark., and Fort Smith, Ark., transition areas.

On January 18, 1968, a notice of proposed rule making was published in the FEDERAL REGISTER (33 F.R. 638) stating the Federal Aviation Administration proposed to alter the Fayetteville, Ark., and Fort Smith, Ark., transition areas.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., May 23, 1968, as herein set forth.

(1) In § 71.181 (33 F.R. 2180) the Fayetteville, Ark., transition area 1,200-foot portion is amended to read:

FAYETTEVILLE, ARK.

That airspace extending upward from 1,200 feet above the surface within the area bounded by a line beginning at lat. 35°43'00" N., long. 94°20'00" W., to lat. 36°12'00" N., long. 94°28'00" W., to lat. 36°38'00" N., long. 94°14'00" W., to lat. 36°37'30" N., long. 93°57'00" W., to lat. 36°30'00" N., long. 93°57'00" W., to lat. 36°22'00" N., long. 93°38'00" W., to lat. 36°14'30" N., long. 93°15'00" W., to lat. 35°52'30" N., long. 93°50'00" W., to lat. 35°42'00" N., long. 94°09'00" W., to point of beginning.

(2) In § 71.181 (33 F.R. 2182) the Fort Smith, Ark., transition area 1,200-foot portion is amended to read:

FORT SMITH, ARK.

That airspace extending upward from 1,200 feet above the surface within the area bounded by a line beginning at lat. 36°12'00" N., long. 94°28'00" W., to lat. 35°43'00" N., long. 94°20'00" W., to lat. 35°42'00" N., long. 94°09'00" W., to lat. 35°52'30" N., long. 93°50'00" W., to lat. 35°27'30" N., long. 93°14'30" W., to lat. 35°21'30" N., long. 93°14'30" W., to lat. 34°25'00" N., long. 94°00'00" W., to lat. 34°25'00" N., long. 94°39'30" W., to lat. 35°00'00" N., long. 95°07'00" W., to lat. 34°33'30" N., long. 95°37'30" W., to lat. 34°33'30" N., long. 95°58'30" W., to lat. 35°11'00" N., long. 95°55'00" W., to lat. 35°46'00" N., long. 95°30'00" W., to lat. 35°46'00" N., long. 95°06'30" W., to point of beginning.

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

Issued in Fort Worth, Tex., on March 5, 1968.

A. L. COULTER,
Acting Director, Southwest Region.

[F.R. Doc. 68-3123; Filed, Mar. 13, 1968; 8:47 a.m.]

[Airspace Docket No. 67-CE-150]

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

Designation of Additional Control Area

On January 5, 1968, a notice of proposed rule making was published in the FEDERAL REGISTER (33 F.R. 150) stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would designate an additional control area with a 1,200-foot floor from Kirksville, Mo., to Moline, Ill.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended effective 0001 e.s.t., May 23, 1968, as hereinafter set forth.

Section 71.163 (33 F.R. 2051) is amended by adding the following: "Kirksville, Mo., From Kirksville, Mo., VORTAC 12 AGL to Moline, Ill., VORTAC."

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

Issued in Washington, D.C., on March 6, 1968.

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

[F.R. Doc. 68-3124; Filed, Mar. 13, 1968; 8:47 a.m.]

[Airspace Docket No. 67-SW-73]

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

Designation of Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to designate the Ruston, La., transition area.

On January 27, 1968, a notice of proposed rule making was published in the FEDERAL REGISTER (33 F.R. 1075) stating the Federal Aviation Administration proposed to designate the Ruston, La., transition area.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., May 23, 1968, as herein set forth.

In § 71.181 (33 F.R. 2137), the following transition area is added:

RUSTON, LA.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Ruston Municipal Airport (lat. 32°30'45" N., long. 92°37'45" W.), and within 2 miles each side of the Monroe, La., VORTAC 278° radial extending from the 5-mile radius area to 24 miles west of the VORTAC.

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

Issued in Fort Worth, Tex., on March 5, 1968.

A. L. COULTER,
Acting Director, Southwest Region.

[F.R. Doc. 68-3125; Filed, Mar. 13, 1968; 8:47 a.m.]

[Airspace Docket No. 68-WE-5]

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

Designation of Transition Areas

On page 1076 of the FEDERAL REGISTER dated January 27, 1968, the Federal Aviation Administration published a notice of proposed rule making to amend Part 71 of the Federal Aviation Regulations that would designate controlled airspace in the Eagle and Carbondale, Colo., terminal areas. Interested persons were given 30 days in which to submit written comments, suggestions, or objections.

No objections have been received and the proposed amendments are hereby adopted without change.

Effective date: These amendments are effective May 23, 1968.

Issued in Los Angeles, Calif., on March 6, 1968.

LEE E. WARREN,
Acting Director, Western Region.

In § 71.181 (32 F.R. 2148) the following transition areas are added:

EAGLE, COLO.

That airspace extending upward from 1,200 feet above the surface within 3 miles north and 2 miles south of the 083° and 263° bearings from the Eagle, Colo., RBN (latitude 39°38'37" N., longitude 106°54'36" W.) extending from 12 miles west to 3 miles east of the RBN; that airspace extending upward from 11,700 feet MSL within 5 miles south and 8 miles north of the 083° and 263° bearings from the Eagle, Colo., RBN extending from 7 miles east to 13 miles west of the RBN; that airspace extending upward from

12,200 feet MSL within 5 miles each side of the 083° bearing from the Eagle, Colo., RBN extending from 7 miles east to 16 miles east of the RBN; that airspace extending upward from 13,200 feet MSL within 5 miles each side of the 083° bearing from Eagle, Colo., RBN extending from 16 miles east to 26 miles east of the RBN.

CARBONDALE, COLO.

That airspace extending upward from 10,500 feet MSL within 3 miles northeast and 2 miles southwest of the 138° and 318° bearings from the Carbondale, Colo., RBN (latitude 39°24'42" N., longitude 107°00'32" W.) extending from 12 miles northwest to 3 miles southeast of the RBN; that airspace extending upward from 11,300 feet MSL within 8 miles northeast and 5 miles southwest of the 138° and 318° bearings from the Carbondale, Colo., RBN extending from 13 miles northwest to 7 miles southeast of the RBN, excluding that portion east of west longitude 107°02'00".

[F.R. Doc. 68-3126; Filed, Mar. 13, 1968; 8:48 a.m.]

[Airspace Docket No. 67-WA-35]

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

Revocation of Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to revoke the Shuyak, Alaska, transition area.

Due to the realignment of Federal airway Red 40, revocation of Blue 65 (32 F.R. 14590) and revocation of the Shuyak low-altitude reporting point (32 F.R. 15874), there is no further need to retain the Shuyak transition area, and it is revoked hereby.

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

Since this action is minor in nature and the burden upon the public is reduced, the public is not particularly interested, therefore notice and public procedure hereon are unnecessary and the amendment may be made effective without regard to the 30 day statutory period required by § 4(c) of the Administrative Procedure Act.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective upon publication in the FEDERAL REGISTER, as hereinafter set forth.

In § 71.181 (33 F.R. 2137) the Shuyak, Alaska, transition area is revoked.

(Secs. 307(a), 1110, Federal Aviation Act of 1958; 49 U.S.C. 1348, 1510; Executive Order 10854; 24 F.R. 9565)

Issued in Washington, D.C., on March 7, 1968.

H. B. HELSTROM,
Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 68-3127; Filed, Mar. 13, 1968; 8:48 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Definition of Jobbers and Wholesalers for Functional Pricing Purposes

§ 15.202 Definition of jobbers and wholesalers for functional pricing purposes.

(a) The Commission issued an advisory opinion to an applicant who (1) asked for a defiintion of the words "jobber" and "wholesaler", and (2) asked the Commission's views as to the propriety of a proposed revision in price lists.

(b) In response the Commission stated: "As a working rule, one might suppose that, in a three level system wholesalers are closer to producers and jobbers are closer to retailers in the distribution of a producer's goods. Traditionally, producers sell to wholesalers who sell at a higher price to jobbers who sell at a higher price to retailers.

(c) "The controlling element in your problem, however, as in similar problems arising under the amended Clayton Act, is whether or not resale competition actually exists as between and among these various resellers rather than the names they use to describe themselves. If in fact a so-called wholesaler competes with a so-called jobber in the redistribution of goods, the difference in names is of no consequence; the fact of competition is.

(d) "In F.T.C. v. Ruberoid, 343 U.S. 470 (1952), the Supreme Court stressed that actual competition in resale operations is decisive rather than nomenclature and approved the Commission's disregard of 'ambiguous labels, which might be used to cloak discriminatory discounts to favored customers.'

(e) "What you plan, as we understand it, is to sell your middlemen, whether 'wholesalers' or 'jobbers', at one price, while selling certain selected retailers at a higher price.

(f) "In the circumstances you present, you may properly do this provided the 'wholesalers' and 'jobbers' are functioning at the same distribution level and are not themselves engaged in retail operations competitive with the selected retailers."

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

Issued: March 13, 1968.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 68-3143; Filed, Mar. 13, 1968; 8:49 a.m.]

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Common Selling Organization

§ 15.203 Common selling organization.

(a) The Commission advised a group of geographically scattered, relatively small public warehousemen that it would not object if they were to establish a jointly owned selling agency under the conditions described.

(b) The Commission understands that the identified public warehousemen propose to establish, as a separate corporation, a single service organization, nationwide in scope. Each participating public warehouseman would periodically provide the service organization with information about the kind of storage space he has available, where such space is available, the times at which such space might be available and the terms and conditions under which such space would be available. The information provided is to be processed by electronic data processing equipment for use by storage space salesmen employed by the service organization. Only generalized information developed by the service organization will be made available to participants jointly.

(c) Each participating public warehouseman is to retain and affirmatively maintain local autonomy in administration, storage, rates, and customers to be serviced. The Commission notes that, under the statutes it administers, each participating public warehouseman is required independently to set his own rates and his own terms and conditions of sale. Any use of the service organization to effect concert of action as to rates, terms, or conditions of sale would expose participants to a charged violation of section 5 of the Federal Trade Commission Act.

(d) The Commission would not object to the establishment of a cooperative enterprise, as above described, operating as above set forth.

(e) The following proviso, however, was added to the opinion: "Unless the Commission has previously rescinded this approval, you are directed that at the end of 3 years from the date of this opinion to submit to the Commission a complete report on your membership, terms and conditions under which the cooperative is operating, including a statement for each member on the sales territory of such member, the volume of business and percentage of such members business."

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

Issued: March 13, 1968.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 68-3144; Filed, Mar. 13, 1968; 8:49 a.m.]

Title 32—NATIONAL DEFENSE

Chapter VII—Department of the Air Force

SUBCHAPTER A—ADMINISTRATION

PART 803—DISPOSITION OF PERSONAL PROPERTY

Authority for Shipping Property of Deceased and Missing Persons

Section 803.2 is revised to read as follows:

§ 803.2 Authority for shipping property of deceased and missing persons.

(a) AFM 75–4 (Movement of Personnel and Personal Property) and the Joint Travel Regulations contain the authority to ship personal property at Government expense. A military member's property is limited to 11,000 pounds net, exclusive of a privately owned motor vehicle, professional books, papers, and equipment, which are without weight limitation. The maximum amount payable by law for shipment of a house trailer is 51 cents per mile. A civilian employee's property is limited as to weight by Volume II, JTR.

(b) One privately owned motor vehicle may be shipped at Government expense as personal property provided:

(1) The motor vehicle was the property of the sponsor involved, or his lawful dependent, and the ownership can be legally established.

(2) The motor vehicle was moved to its current location, or lawfully procured there, by the member or his lawful dependent prior to the date of issuance of the official status report.

(3) The motor vehicle is in a usable condition or is sufficiently valuable to warrant the expenditure of Government transportation funds.

(Sec. 8012, 70A Stat. 488; 10 U.S.C. 8012)

By order of the Secretary of the Air Force.

LUCIAN M. FERGUSON,
Colonel, USAF Chief, Special Activities Group, Office of The Judge Advocate General.

[F.R. Doc. 68-3099; Filed, Mar. 13, 1968; 8:45 a.m.]

Title 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 124—NONMAILABLE MATTER

Solicitations in the Guise of Bills or Statements of Account

The Post Office Department published a notice of proposed rule making in the daily issue of February 7, 1968 (33 F.R. 2638) which contained proposed regulations to implement section 4001(c) of Title 39 U.S. Code as added by section 118 of Public Law 90–206 approved December 16, 1967. Section 118 provides that effective April 6, 1968 that matter otherwise legally acceptable in the mails which could reasonably be considered a bill, invoice, or statement of account due, but is in fact a solicitation for an order or nonmailable, unless it bears on its face a notice required by law printed in conspicuous and legible type in contrast by typography, layout, or color with other printing on its face, in accordance with regulations of the Postmaster General.

Following that publication the Department has received a number of comments on the proposed regulations.

The comments received fall within two categories. First, a number of persons have suggested the prescribed notice be required to be displayed more prominently than the Department proposed or that the regulations be made otherwise more stringent. After careful consideration of these comments, the Department has concluded the regulations as proposed provide adequate safeguards to preclude deception of the addressees.

The Department will, of course, observe operation under the regulations, and if need for strengthening the regulations becomes apparent appropriate action will be taken.

Other comments have proposed that subscription renewal notices and orders for subscriptions should be declared to be exempt from the reach of 39 U.S. Code 4001(c). The basis stated for this proposal is that because Congress did not consider subscription renewal notices and orders for subscription to be bills or statements of account for postal rate classification purposes, it did not intend to change existing practices in this regard. We are unable to conclude that Congress manifested such a broad purpose. There is no reason to conclude that Congress intended less protection from deception in the case of subscriptions than in other cases. Moreover, the requirements are not so onerous that compliance in these cases would impose a substantial hardship.

In view of the foregoing, the Department is adopting the following regulations which vary from the proposed regulations only in form. Formal changes are made to the extent necessary to incorporate the proposed regulations into § 124.5 of Title 39, Code of Federal Regulations. These regulations will become effective on April 6, 1968, the date on which section 4001(c), Title 39, U.S. Code, becomes effective. In view of the effective date of the new provision of law, a longer advance notice cannot be given.

Accordingly, a new paragraph (f) is added to § 124.5 to implement the proposed regulations to become effective on April 6, 1968, which reads as follows:

§ 124.5 Lotteries, frauds, and libelous matter.

* * * * *

(f) *Solicitations in the guise of bills or statements of account.* Any matter otherwise legally acceptable in the mails which could reasonably be considered a bill, invoice, or statement of account due, but is in fact a solicitation for an order, is nonmailable unless such matter conforms to the following requirements:

(1) Each solicitation subject to 39 United States Code 4001(c) shall prominently display the following prescribed notice:

THIS IS A SOLICITATION FOR THE ORDER OF GOODS AND/OR SERVICES AND NOT A BILL, INVOICE, OR STATEMENT OF ACCOUNT DUE. YOU ARE UNDER NO OBLIGATION TO MAKE ANY PAYMENTS ON ACCOUNT OF THIS OFFER UNLESS YOU ACCEPT THIS OFFER.

(2) The prescribed notice shall be printed on the face of the solicitation.

(i) In a size not smaller than the type size used for printing any other word on the solicitation nor under any circumstances shall it be less than 12 point type.

(ii) In no less conspicuous type than the boldest type used to print other words on the solicitation.

(3) The background on which the prescribed notice is printed shall not diminish the contrast between the background and the printing so that it is less than the contrast between the background and the printing of any other words on the face of the solicitation.

(4) There shall be a clear space no less than one-quarter of an inch surrounding the prescribed notice.

(5) The prescribed notice shall be printed in boldface type capital letters.

(6) In the case of a solicitation for the order of goods not involving services the following may be omitted from the prescribed notice: "And/or services". Similarly, in the case of a solicitation for the order of services not involving goods the following may be omitted from the prescribed notice: "Goods and/or".

(7) No solicitation shall state that it has been approved by the Post Office Department or by the Postmaster General or that it conforms to any Federal law or regulations issued thereunder.

NOTE: The corresponding Postal Manual section is 124.56.

Notwithstanding 39 United States Code 4001(c) and these foregoing regulations, users of the mail retain full responsibility for conducting their operation so as not to violate the postal fraud laws, 18 United States Code 1341, 39 United States Code 4005, and any other applicable Federal or State laws. However, postal patrons who are in doubt as to the mailability of the matter under section 4001(c) of Title 39, United States Code, may submit such proposed mail matter for a ruling to the Assistant General Counsel, Mailability Division, Office of the General Counsel, Post Office Department, Washington, D.C. 20260.

(5 U.S.C. 301; 39 U.S.C. 501, 4001(c); sec. 118 of Public Law 90–206)

TIMOTHY J. MAY,
General Counsel.

MARCH 11, 1968.

[F.R. Doc. 68-3145; Filed, Mar. 13, 1968; 8:49 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

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

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 4379]

[Oregon 2714]

OREGON

Partial Revocation of Reclamation Project Withdrawal

By virtue of the authority contained in section 3 of the act of June 17, 1902 (32 Stat. 388; 43 U.S.C. 416), as amended and supplemented, it is ordered as follows:

1. The departmental orders of February 25, 1903, and August 16, 1906, and the order of the Bureau of Reclamation of July 26, 1954, withdrawing lands for the Umatilla Project, are hereby revoked so far as they affect the following described lands:

WILLAMETTE MERIDIAN

T. 4 N., R. 25 E.,
Sec. 20, NE¼SW¼.
T. 5 N., R. 26 E.,
Sec. 34, N½SE¼, and SE¼SE¼.

The areas described aggregate 160 acres in Morrow County.

2. The lands have been classified for public sale under the authority of the Public Land Sale Act of September 19, 1964 (78 Stat. 988; 43 U.S.C. 1421–1427).

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

MARCH 8, 1968.

[F.R. Doc. 68-3106; Filed, Mar. 13, 1968; 8:46 a.m.]

Title 50—WILDLIFE AND FISHERIES

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

PART 33—SPORT FISHING

Aleutian Islands National Wildlife Refuge, Alaska et al.

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

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

General condition: Fishing shall be in accordance with all applicable State regulations.

ALASKA

ALEUTIAN ISLANDS NATIONAL WILDLIFE REFUGE

Aleutian Islands National Wildlife Refuge, Cold Bay, Alaska 99571.

ARCTIC NATIONAL WILDLIFE RANGE

Arctic National Wildlife Range Headquarters: Kenai National Moose Range, Post Office Box 500, Kenai, Alaska 99611.

BERING SEA NATIONAL WILDLIFE REFUGE

Bering Sea National Wildlife Refuge Headquarters: Clarence Rhode National Wildlife Range, Post Office Box 346, Bethel, Alaska 99559.

CLARENCE RHODE NATIONAL WILDLIFE RANGE

Clarence Rhode National Wildlife Range, Post Office Box 346, Bethel, Alaska 99559.

IZEMBEK NATIONAL WILDLIFE RANGE

Izembek National Wildlife Range Headquarters: Aleutian Islands National Wildlife Refuge, Cold Bay, Alaska 99571.

KENAI NATIONAL MOOSE RANGE

Kenai National Moose Range, Post Office Box 500, Kenai, Alaska 99611.

KODIAK NATIONAL WILDLIFE REFUGE

Kodiak National Wildlife Refuge, Box 825, Kodiak, Alaska 99615.

NUNIVAK NATIONAL WILDLIFE REFUGE

Nunivak National Wildlife Refuge Headquarters: Clarence Rhode National Wildlife Refuge, Post Office Box 346, Bethel, Alaska 99559.

The provisions of these special regulations supplement the regulations which govern fishing on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through April 30, 1969.

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

MARCH 5, 1968.

[F.R. Doc. 68-3103; Filed, Mar. 13, 1968; 8:45 a.m.]

PART 33—SPORT FISHING

Union Slough National Wildlife Refuge, Iowa

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

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge area.

IOWA

UNION SLOUGH NATIONAL WILDLIFE REFUGE

Sport fishing on the Union Slough National Wildlife Refuge, Kossuth County, Iowa, is permitted only on the area designated by signs as open to fishing. This open area is delineated on a map available at refuge headquarters and from the Office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis, Minnesota 55408. Sport fishing shall be in accordance with all applicable State regulations subject to the following special condition:

(1) The open season for sport fishing on the refuge extends from May 11, 1968 through September 15, 1968 during daylight hours only.

(2) The use of boats is not permitted.

(3) The use of minnows or fish, or parts thereof, for bait is not permitted.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Part 33, and are effective through September 15, 1968.

Dated: March 7, 1968.

PAUL E. FERGUSON,
Refuge Manager, Union Slough National Wildlife Refuge, Titonka, Iowa.

[F.R. Doc. 68-3104; Filed, Mar. 13, 1968; 8:45 a.m.]

PART 33—SPORT FISHING

Anahuac National Wildlife Refuge, Tex.

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

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

TEXAS

ANAHUAC NATIONAL WILDLIFE REFUGE

Sport fishing on the Anahuac National Wildlife Refuge, Tex., is permitted only on the areas designated by signs as open to fishing. These open areas, comprising 30 acres of inland water and 7 miles of shoreline, are delineated on maps available at refuge headquarters, Anahuac, Tex., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex. 87103. Sport fishing shall be in accordance with all applicable State regulations subject to the following special conditions.

(1) The open season for inland water sport fishing on the refuge extends from April 1 through October 31, 1968, inclusive.

(2) Boats and floating devices may not be used for fishing on inland waters.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through December 31, 1968.

RUSSEL W. CLAPPER,
Refuge Manager, Anahuac National Wildlife Refuge, Anahuac, Tex.

FEBRUARY 20, 1968.

[F.R. Doc. 68-3105; Filed, Mar. 13, 1968; 8:46 a.m.]

Title 7—AGRICULTURE

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

[Orange Reg. 60, Amdt. 2]

PART 905—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

Limitation of Shipments

Findings. (1) Pursant to the marketing agreement, as amended, and Order No. 905, as amended (7 CFR Part 905), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida, 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 committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of Murcott honey oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient; and this amendment relieves restrictions on the handling of Murcott Honey oranges grown in Florida.

Order. The provisions of paragraph (a) (2) (v) in § 905.505 (Orange Reg. 60; 32 F.R. 17616, 33 F.R. 2378) are hereby amended to read as follows:

§ 905.505 Orange Regulation 60.

(a) * * *
(2) * * *

(v) Any Murcott Honey oranges, grown in the production area, which do not grade at least U.S. No. 1 Golden.

* * * * *

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

Dated, March 8, 1968, to become effective March 11, 1968.

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

[F.R. Doc. 68-3134; Filed, Mar. 13, 1968; 8:48 a.m.]

[Navel Orange Reg. 152]

PART 907—NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

§ 907.452 Navel Orange Regulation 152.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 907, as amended (7 CFR Part 907), regulating the handling of Navel oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations and information submitted by the Navel Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Navel oranges, as hereinafter provided, will tend to effectuate the declared policy of the act by tending to establish and maintain such orderly marketing conditions for such oranges as will provide, in the interests of producers and consumers, an orderly flow of the supply thereof to market throughout the normal marketing season to avoid unreasonable fluctuations in supplies and prices, and is not for the purpose of maintaining prices to farmers above the level which it is declared to be the policy of Congress to establish under the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because 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, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Navel oranges and the need for regulation; 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; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Navel oranges; it is necessary, in order to effectuate the declared policy of the act, to make this regulation effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on March 12, 1968.

(b) *Order.* (1) The respective quantities of Navel oranges grown in Arizona and designated part of California which may be handled during the period March 15, 1968, through March 21, 1968, are hereby fixed as follows:

(i) District 1: Unlimited movement;
(ii) District 2: 250,000 cartons;
(iii) District 3: Unlimited movement;
(iv) District 4: Unlimited movement.

(2) As used in this section, "handled," "District 1," "District 2," "District 3," "District 4," and "carton" have the same meaning as when used in said amended marketing agreement and order.

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

Dated: March 13, 1968.

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

[F.R. Doc. 68-3233; Filed, Mar. 13, 1968; 11:20 a.m.]

[Valencia Orange Reg. 230]

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

Limitation of Handling

§ 908.530 Valencia Orange Regulation 230.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations and information submitted by the Valencia Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to

effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; 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; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this regulation effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on March 12, 1968.

(b) *Order.* (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period March 15, 1968, through March 21, 1968, are hereby fixed as follows:

(i) District 1: Unlimited movement;

(ii) District 2: Unlimited movement;

(iii) District 3: 225,000 cartons.

(2) As used in this section, "handled," "handler," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in said amended marketing agreement and order.

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

Dated: March 13, 1968.

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

[F.R. Doc. 68-3234; Filed, Mar. 13, 1968; 11:20 a.m.]

[950.310 Amdt. 1]

PART 950—IRISH POTATOES GROWN IN MAINE

Limitation of Shipments

Findings. (a) Pursuant to Marketing Agreement No. 122, as amended, and Order No. 950, as amended (7 CFR Part 950), regulating the handling of Irish potatoes grown in Maine, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and upon the basis of recommendations and information submitted by the Maine Potato Marketing Committee, established pursuant to the said marketing agreement and order, and other available information, it is hereby found that the amendment to the limitation of shipments, hereinafter set forth, will tend to effectuate the declared policy of the act.

(b) It is hereby found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that (1) shipments of 1967 crop potatoes grown in Maine are now being made, (2) to maximize benefits to producers, this regulation should apply to as many shipments as possible during the effective period, (3) the committee's recommendation has been publicized within the production area, (4) this amendment relieves restrictions on the handling of potatoes in the production area, and (5) these recommendations did not become known to the Department until March 6, 1968.

In § 950.310 (33 F.R. 3102) paragraph (b), and subparagraphs (1) (i) and (ii) of paragraph (c) are hereby amended; also subparagraph (3) of paragraph (f) is revoked. The amended portions of § 950.310 read as follows:

§ 950.310 Limitation of shipments.

* * * * *

(b) *Special purpose shipments*—(1) *Modified grade and size requirements.* In addition to potatoes which meet the requirements of paragraph (a) of this section, potatoes may be shipped for the special purposes set forth in this paragraph if such potatoes meet grade and size requirements specified for the particular purpose and the handler complies with the applicable provisions of paragraph (c) of this section.

(i) *Processing.* For processing into any product which changes the physical character of potatoes, the end product of which is neither canned nor frozen nor for any purpose specified in subparagraph (2) of this paragraph, 85 percent U.S. No. 1 quality, or better, 1½ inches minimum diameter and 2½ inches maximum diameter.

(ii) *Export.* Maine Processing Grade, or better, 1½ inches minimum diameter.

(iii) *Prepeeling within the production area.* Maine Processing Grade or better, 1½ inches minimum diameter.

(2) *Exemptions from grade and size requirements.* The grade and size requirements of paragraph (a) of this section shall not apply to shipments of potatoes for the following purposes if the handler complies with the applicable provisions of paragraph (c) of this section.

(i) Certified seed;

(ii) Planting within the production area;

(iii) Grading or storing within the production area;

(iv) Dehydration, potato flakes, or chipping;

(v) Manufacture or conversion into starch, flour, or alcohol;

(vi) Canning or freezing;

(vii) Livestock feed;

(viii) Distribution by the Federal government; and

(ix) Charity.

(c) *Safeguards.* (1) Each handler making shipments of potatoes under the provisions of paragraph (b) of this section for processing as specified in paragraph (b) (1) (i) of this section; export; dehydration; potato flakes, or chipping; canning or freezing; livestock feed; or charity shall:

(i) Prior to making shipment, apply for and obtain an approved Certificate of Privilege from the committee pursuant to the provisions of § 950.130;

(ii) Pay assessments on shipments of certified seed and potatoes for chipping, and obtain inspection of, and pay assessments on all other such shipments except shipments for canning or freezing, livestock feed, dehydration, potato flakes, and charity;

* * * * *

(f) *Inspection.* * * *

(3) [Revoked]

* * * * *

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

Dated: March 8, 1968, to become effective upon signature.

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

[F.R. Doc. 68-3135; Filed, Mar. 13, 1968; 8:48 a.m.]

Chapter X—Consumer and Marketing Service (Marketing Agreements and Orders; Milk), Department of Agriculture

[Milk Order 125]

PART 1125—MILK IN PUGET SOUND, WASH., MARKETING AREA

Order Suspending Certain Provision

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and of the order regulating the handling of milk in the Puget Sound, Washington, marketing area (7 CFR Part 1125), it is hereby found and determined that:

(a) Section 1125.44(c)(3)(ii) no longer tends to effectuate the declared policy of the Act for the month of February 1968;

(b) Notice of proposed rule making, public procedure thereon and 30 days notice of the effective date hereof are impractical, unnecessary, and contrary to the public interest in that:

(1) This suspension order does not require of persons affected substantial or extensive preparation prior to the effective date.

(2) This suspension order is necessary to reflect current marketing conditions and to maintain orderly marketing conditions in the marketing area.

(3) The effect of the suspension will be to prevent the Class I classification of a transfer of milk by a cooperative association from a nonpool plant to a second nonpool plant during February 1968. Unless the suspension action is taken, the entire transfer of milk from the nonpool plant to the second nonpool plant must be treated as Class I milk under the Puget Sound order, because the second nonpool plant disposed of some sour cream, which is classified as Class I under the order. Without the suspension, the cooperative association must account to the pool for such transfer at the Class I price, even though it sold the milk expressly for Class II use and received the Class II price for it.

Therefore, good cause exists for making this order effective for the month of February 1968, upon publication in the FEDERAL REGISTER.

It is therefore ordered, That the aforesaid provision of the order is hereby suspended for the month of February 1968.

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

Effective date: Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on March 8, 1968.

GEORGE L. MEHREN,
Assistant Secretary.

[F.R. Doc. 68–3136; Filed, Mar. 13, 1968; 8:49 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 953]

IRISH POTATOES GROWN IN SOUTHEASTERN STATES

Notice of Proposed Expenses and Rate of Assessment

Consideration is being given to the approval of the expenses and rate of assessment, hereinafter set forth, which were recommended by the Southeastern Potato Committee established pursuant to Marketing Agreement No. 104 and Order No. 953 (7 CFR Part 953).

This marketing order regulates the handling of Irish potatoes grown in certain designated counties of Virginia and North Carolina effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

All persons who desire to submit written data, views, or arguments in connection with these proposals shall file the same, in quadruplicate, with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Washington, D.C. 20250, not later than the 15th day after the publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

§ 953.205 Expenses and rate of assessment.

(a) The expenses necessary to be incurred by the Southeastern Potato Committee, established pursuant to Marketing Agreement No. 104 and Order No. 953, to enable such committee to carry out its functions pursuant to provisions of the aforesaid marketing agreement and order, during the fiscal year ending October 31, 1968, will amount to $10,150.00.

(b) The rate of assessment to be paid by each handler who first ships potatoes shall be one-fourth of 1 cent ($0.0025) per hundredweight, or equivalent quantity, of potatoes handled by him as the first handler thereof during the fiscal year.

(c) Pursuant to § 953.75, each handler in District 5 or 6 shall submit to the committee at such time and on such forms as it may request, a weekly report of all potato shipments, except those for canning and freezing. Such information is deemed responsible and necessary for the committee to exercise its duties under the order and assure that each first handler pay his pro rata share of committee expenses.

(d) Terms used in this section shall have the same meaning as when used in Marketing Agreement No. 104 and this part.

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

Dated: March 8, 1968.

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

[F.R. Doc. 68-3137; Filed, Mar. 13, 1968; 8:49 a.m.]

[7 CFR Part 1040]

[Docket No. AO-225-A19]

MILK IN SOUTHERN MICHIGAN MARKETING AREA

Revised Recommended Decision and Opportunity To File Written Exceptions on Proposed Amendments to Tentative Marketing Agreement and to Order

Correction

In F.R. Doc. 68-2846 appearing at page 4261 in the issue of Thursday, March 7, 1968, paragraph (a) of § 1040.51 appearing at page 4267 should read as follows:

§ 1040.51 Class I milk price.

* * * * *

(a) To the basic formula price for the preceding month add $1.40 and add 20 cents through April 1968.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Social Security Administration

[20 CFR Part 405]

HEALTH INSURANCE PROGRAM FOR THE AGED

Premiums for Supplementary Medical Insurance Benefits

Notice is hereby given, pursuant to the Administrative Procedure Act, approved June 11, 1946, that the regulations set forth below in tentative form are proposed by the Commissioner of Social Security, with the approval of the Secretary of Health, Education, and Welfare. The proposed regulations (§ 405.901 et seq.) set forth policies and procedures for the payment of premiums under the supplementary medical insurance program of title XVIII of the Social Security Act.

Prior to the final adoption of the proposed regulations, consideration will be given to any data, views, or arguments pertaining thereto which are submitted in writing in duplicate to the Commissioner of Social Security, Department of Health, Education, and Welfare Building, Fourth and Independence Avenue SW., Washington, D.C. 20201, within a period of 30 days from the date of publication of this notice in the FEDERAL REGISTER.

The proposed Federal Health Insurance for the Aged regulations are to be issued under the authority contained in sections 1102, 1838–1840, 1842–1843, 1871, 49 Stat. 647, as amended, 79 Stat. 305–308; 79 Stat. 309–313; 79 Stat. 331; 81 Stat. 249; 81 Stat. 821; 42 U.S.C. 1302, 1395 et seq.

Dated: February 21, 1968.

[SEAL] ROBERT M. BALL,
Commissioner of Social Security.

Approved: March 6, 1968.

WILBUR J. COHEN,
Acting Secretary of Health, Education, and Welfare.

Chapter III, Title 20, is amended by adding thereto Subpart I of Part 405 to read as follows:

Subpart I—Premiums for Supplementary Medical Insurance Benefits

§ 405.901 Scope of subpart.

Subpart I of Part 405 sets forth the Administration's policy and general procedure for collection of premiums for supplementary medical insurance benefits (see Subpart B of this Part 405). These policies are designed to promote the security of the enrollees to the maximum degree feasible compatible with reasonable safeguards for the integrity of the Federal Supplementary Medical Insurance Trust Fund.

§ 405.902 Amount of premiums.

(a) *Enrollment in initial enrollment period.* Where an individual enrolls during his initial enrollment period (see § 405.212) or under the "good cause" provisions discussed in § 405.224, the monthly premium under the supplementary medical insurance program is $3 for each month of coverage (see § 405.220) before April 1968, and $4 for each month of coverage beginning April 1968, and continuing through June 1969. During December 1968, and each December thereafter, the Administration will determine and announce the dollar amount (whether or not such dollar amount was applicable for premiums for any prior month) which shall be applicable for premiums for months occurring in the 12-month period commencing July 1 of each succeeding year.

(b) *Enrollment after initial enrollment period.* In the case of an individual who enrolls after the close of his initial enrollment period (not including an enrollment under the "good cause"

provisions discussed in § 405.224) or reenrolls after termination of his supplementary medical insurance coverage (see § 405.214), the monthly premium, as determined under paragraph (a) of this section will be increased by 10 percent for each full 12 months in the following total (no increase is made for a fractional portion of 12 months); but no such increase will apply to any individual enrolled under a Federal-State agreement (see § 405.904(d)):

(1) The number of months between the close of his initial enrollment period and the close of the general enrollment period in which he first enrolled, but not including the 3 months January through March 1968 for any person who enrolled during the first general enrollment period, October 1967 through March 1968; plus, in the case of an individual who enrolls for the second time:

(2) The months between the date of termination of his first coverage period and the close of the general enrollment period (see § 405.213) in which he enrolled for the second time, but not including the 3 months January through March of 1968 for any person who enrolled during the first general enrollment period, October 1967 through March 1968.

Example 1: J, who became age 65 and otherwise eligible for enrollment in November 1965, first enrolls in March 1968. The months to be included in determining the amount of the increase in J's premiums begin with June 1966 (the first month after the close of his initial enrollment period (see § 405.212)) and extend through December 1967 (the period January through March of 1968 is excluded in determining the total months) for a total of 19 months. Since there is only one full12-month period in 19 months, as only one full 12-month period in 19 months, J's premiums will be 10 percent greater than if he had enrolled in his initial enrollment period.

Example 2: V, who enrolled in December 1965, voluntarily terminates his enrollment effective midnight December 31, 1967. He enrolls for a second time in January 1969. The months to be included in determining the amount of the increase in V's premiums are January 1968 through March 1969, a total of 15 months. Since this totals one full 12-month period, V's monthly premium, as determined under paragraph (a) of this section will be increased by 10 percent.

Example 3: N becomes age 65 in July 1965 and first enrolls in December 1967. She pays premiums increased by 10 percent above the regular rate, beginning July 1968 the first month of her coverage under Subpart B. N fails to pay the premiums for the calendar quarter ending June 30, 1970, and her coverage is terminated on that date, the end of her grace period. N enrolls for a second time in January 1971. The months to be included in determining the amount of the increase in N's premiums are June 1966 through December 1967, a total of 19 months, and July 1970 through March 1971, a total of 9 months, for a grand total of 28 months. Since this totals two full 12-month periods, N's monthly premium as determined under paragraph (a) of this section will be increased by 20 percent.

(c) *Rounding the monthly premium.* Any monthly premium which is not a multiple of 10 cents will be rounded to the nearest multiple of 10 cents, and any odd multiple of 5 cents will be rounded to the next higher multiple of 10 cents.

§ 405.903 Months for which premiums are due; payment obligation.

(a) *Months for which premiums are due.* A premium is due for each month of supplementary medical insurance coverage, beginning with the first month of coverage and continuing through the month of death, or, if earlier, the month in which coverage terminates, including each month of the grace period, if applicable. A premium is due for the month of death, if supplementary medical insurance coverage was not previously ended, even though the enrollee dies on the first day of the month.

(b) *Payment obligation.* Where overdue premiums have not been paid by the last day of the applicable grace period (as provided in this subpart), coverage will terminate as of that day, and notice of termination (with information regarding the enrollee's rights of appeal) will be sent promptly to the enrollee and also to any intermediary who had been advised that the enrollee had met his $50 deductible (see § 405.245) for the year in which the termination occurs. The premiums owed (including each month of the grace period, if applicable), will be collected by deduction from the first subsequent monthly benefits (see § 405.904) payable to the enrollee. Such arrears constitute an obligation enforceable against the enrollee or his estate and will be collected directly from the enrollee or his estate. Premium arrears may also be offset against any supplementary medical insurance payments due an enrollee as reimbursement for medical or other expenses.

§ 405.904 Payment of premiums; general.

The two basic methods by which premiums for supplementary medical insurance will be collected are deduction from monthly benefits payable under title II of the Social Security Act, the Railroad Retirement Act, or an act administered by the Civil Service Commission providing retirement or survivorship protection, and payment by direct remittance in response to a premium notice:

(a) *Individual entitled to monthly social security or railroad retirement benefits.* Where an enrollee is receiving social security or railroad retirement benefits, his supplementary medical insurance premiums except as indicated in paragraph (c) of this section, will be deducted from such benefits (see § 405.911).

(b) *Individual entitled to civil service annuity only.* If an enrollee is not entitled to social security or railroad retirement benefits and is receiving a civil service annuity, his premium must be deducted from his annuity. Where such annuitant's spouse is also enrolled for supplementary medical insurance and is not entitled to a civil service annuity or any benefits (under either the Social Security Act or the Railroad Retirement Act) and the annuitant consents, the spouse's supplementary medical insurance premiums will be withheld from such annuitant's monthly annuity. The annuitant may withdraw his consent by giving notice of withdrawal. Such withdrawal will be effective with the third month after the month in which such notice is received or with the month specified on the notice, whichever is later.

(c) *Individual entitled to both social security and railroad retirement monthly benefits.* If an enrollee is entitled to monthly benefits under both the Social Security Act and the Railroad Retirement Act, his premiums will be deducted in accordance with the provisions of § 405.905. Where supplementary medical insurance premiums are deducted from railroad retirement benefits in accordance with § 405.905(b), the Railroad Retirement Board will make such deductions.

(d) *Individual enrolled pursuant to a Federal-State agreement.* Notwithstanding the provisions of paragraphs (a), (b), and (c) of this section, where an individual is enrolled pursuant to a Federal-State agreement (see § 405.217), his premiums are paid by the State which has thus enrolled him. If an enrollee's coverage under the Federal-State agreement is terminated (see § 405.223), such enrollee's premiums will be collected by deduction from social security, railroad, or civil service retirement benefits, as appropriate, or by direct remittance.

(e) *Individual not entitled to monthly benefits or enrolled pursuant to a Federal-State agreement.* Premiums not deducted from social security, railroad retirement, or civil service benefits, and not paid under a Federal-State agreement will be paid by direct remittance (see § 405.905). These premiums will be billed for on a quarterly or monthly basis.

§ 405.905 Collection from individual entitled under both the Social Security Act and the Railroad Retirement Act.

Where an enrollee not covered under a Federal-State agreement is entitled to both a social security and a railroad retirement benefit, premiums for supplementary medical insurance coverage will be collected as follows:

(a) *Deduction from social security benefits.* Premiums for supplementary medical insurance coverage will be deducted from social security benefits when an individual:

(1) Is entitled to both social security and railroad retirement benefits at the time of enrollment; or

(2) Is entitled only to social security benefits at the time of enrollment, or becomes entitled to such benefits after enrollment and before he becomes entitled to railroad retirement benefits; or

(3) Becomes simultaneously entitled to both social security and railroad retirement benefits and his entitlement to social security benefits begins with the same month as his railroad retirement benefits or earlier.

(b) *Deduction from railroad retirement benefits.* Premiums for supplementary medical insurance coverage will be deducted from monthly railroad retirement benefits when an individual:

(1) Is entitled only to a railroad retirement benefit at the time of enrollment or becomes entitled to a railroad

retirement benefit after enrollment and before he becomes entitled to a social security benefit; or

(2) Becomes simultaneously entitled to both a railroad retirement and a social security benefit, and the first month for which he is entitled to the railroad retirement benefit is earlier than the first month for which he is entitled to the social security benefit.

§ 405.908 Payment by direct remittance; rules governing payment.

Except for the provisions of § 405.904(d), enrollees not in receipt of, or not entitled to, monthly benefits from which premiums can be deducted are required to pay premiums by direct remittance. The following rules govern payment by direct remittance:

(a) Payment should be made by mail.

(b) The enrollee should remit payment in the form of a check or money order made payable to "Social Security Medical Insurance." Stamps will not be accepted.

(c) The name and claim number of a person whose premiums are being paid should be shown on the check or money order. Payment may be mailed in the preaddressed envelope which will be furnished with the premium notice, and the premium notice should be returned with the premium payment in the same envelope.

§ 405.911 Collection from enrollees in monthly benefit payment status.

(a) The purpose of collection by deduction from monthly benefits is to keep premium collection costs to a minimum. Where the enrollee is receiving monthly benefits (see §§ 405.904–405.905), 1 month's premium will be deducted from each month's benefit and the premium for any given month will be deducted from the benefit paid for the previous month. The enrollee does not have the choice of paying his premiums by direct remittance to avoid the deduction.

(b) When an enrollee receives a monthly benefit check after an initial award or after a period of suspension, the amount of the check will be reduced or increased as appropriate because of unpaid premiums or premiums paid in advance by direct remittance. Thereafter, a single month's premium deduction will ordinarily be made from the benefit for each subsequent month.

(c) Premiums due or overdue will be deducted from any monthly benefit before payment is made. For discussion of provisions relating to persons entitled to an age–72 special payment, see § 405.916.

§ 405.912 Collection of premiums while monthly benefits are suspended.

(a) *Benefit payments being resumed during current year.* When an enrollee's monthly cash benefit payments (other than age-72 special payments (see § 405.916)) being suspended are scheduled to be resumed within his current taxable year (see subtitle A of the Internal Revenue Code of 1954 for definition of a taxable year), such enrollee will not be billed for premiums. However, the enrollee's obligation for premium payments continues during the period for which monthly cash benefits are suspended (see § 405.911).

(b) *Collection of premiums where monthly benefit payments will not be resumed during the current taxable year.* Where an enrollee's monthly cash benefit payments (other than age-72 special payments (see § 405.916) are being suspended for an indefinite period or for a definite period which will not permit collection of all premiums due from monthly benefits payable in the current taxable year, the enrollee must pay his premiums by direct remittance. The enrollee must pay whatever premiums are necessary to place him in a regular calendar quarter cycle. Thereafter, the enrollee is to be billed for 3 months' premiums on a calendar quarter basis. If the enrollee, however, wishes to pay premiums for more than one quarter at a time, he may do so. Thus, the first premium notice will be for any months for which the enrollee is then in arrears plus months in the next calendar quarter; and (when the premiums are paid) any subsequent billing would ordinarily be for one calendar quarter (see § 405.913).

§ 405.913 Collection of overdue premiums for months in a closed taxable year.

(a) *General.* Where the premiums for months in a taxable year cannot be collected from monthly benefits payable because such benefit payments are suspended, the enrollee may during that year pay such portion of the monthly premiums for such period as he desires. However, this privilege does not extend indefinitely; each enrollee whose premiums for months in a taxable year are in arrears, will be notified at the end of such year that premiums for such taxable year are due and must be paid. Failure thereafter to pay such premiums due by the end of the grace period will terminate his supplementary medical insurance coverage. (For special instructions concerning persons entitled to an age-72 special payment, see § 405.916.)

(b) *Enrollee reports his earnings on a calendar year basis.* Where an enrollee files his income tax return on a calendar year basis and owes premiums for 1 or more months in a closed calendar year, the due date for all such overdue premiums is the third day of February after the end of that year. Such person's grace period ends on the last day of the second month after the month in which the due date occurs, and his coverage will terminate on the same day if the premiums for the past calendar year are not paid on or before that day. Accordingly, a person owing for premiums during the calendar year will be given notice in December of such year (the second month before the due date) to pay his premium arrears for such year. Those enrollees who have not paid their premium arrears for the closed taxable year will be notified further to pay all such arrears by April 30 and failing such payment, their supplementary medical insurance coverage will be terminated on April 30.

(c) *Enrollee reports his earnings on a fiscal year basis.* Where an enrollee files his income tax return on a fiscal year basis and owes premiums for 1 or more months in a closed fiscal year, he will be treated as discussed in paragraph (b) of this section, except as follows: The due date for all such overdue premiums is the third day of the second month after the close of his fiscal year. A person owing premiums for months in a fiscal year will be given notice of such premium arrears at the end of such year. Such person's grace period ends on the last day of the second month after the month in which the due date occurs, and his coverage will terminate on the same day if the premiums for the past fiscal year are not paid on or before that day.

Example. H became enrolled for supplementary medical insurance effective July 1966. He reported work and earnings which precluded payment of monthly social security benefits for months after May 1966. Although billed, he paid no premiums by direct remittance thereafter. H reports his earnings on a fiscal year basis that ends on May 31. Early in May 1967, H is notified of his unpaid premiums ($33) for the fiscal year ending May 31, 1967, and advised that these premiums are overdue and should be paid on or before July 3, 1967. However, he fails to pay by September 30, 1967, despite such notice and delinquency notices sent in August and September reminding him of his unpaid premium obligation and advising him of the end of the grace period for payment and of the consequences in the event he fails to pay by September 30. His supplementary medical insurance coverage is terminated effective midnight September 30, 1967, and he owes $45 (for the 15 months July 1966–September 1967 inclusive) which will be recovered from the first monthly benefits payable to him unless paid before then.

(d) *Enrollment adjudicated after the end of year in which enrollee's supplementary medical insurance begins.* There may be cases where an enrollee's coverage begins in one taxable year, but his supplementary medical insurance entitlement is not adjudicated until after the end of such year. Where premiums for months in the closed taxable year cannot be collected from benefits payable for any reason (e.g., because of a suspension event) the enrollee will be billed for all such premiums immediately after adjudication of his enrollment. The due date for premiums for the closed taxable year is the third day of the month following the month of notice. The enrolee's grace period (during which all such premium arrears must be paid if coverage is to continue) will end with the second month after the month in which the due date occurs.

§ 405.914 Payment within the grace period.

Overdue premiums will be considered paid within the grace period in the following situations:

(a) *Resumption of benefits during the grace period.* The premium arrears will be considered paid timely if:

(1) Monthly cash benefit payments are payable for the last month in the

grace period or earlier months on the basis of a notice filed by the enrollee before the grace period ends; and

(2) All overdue premiums can be collected from such payments.

Example. B, an enrollee whose monthly social security benefits had been suspended, notified the Administration in April 1967, that he will be doing no work of any kind in that month. The amount of the benefit for that month is $78, and he owes premiums for all months after June 1966. Since the $18 he owes for premiums for 1966 can be collected by deduction from his April benefit, his supplementary medical insurance coverage will be continued. ($33 will be deducted from his monthly benefit check for April 1967 to pay premiums for July 1966 through May 1967.)

If B had waited until May 1967 to notify the Administration that he had stopped work as of March 31, 1967, and had not otherwise paid the overdue premiums by April 30, 1967, his supplementary medical insurance coverage would terminate with the latter date and could not be reinstated upon receipt of such notice. He could obtain supplementary medical insurance coverage thereafter by enrolling in a general enrollment period which begins within 3 years after the effective date of the termination of his prior enrollment.

(b) *Annual accounting or other report shows a benefit is due.* Premiums are to be considered paid timely if:

(1) An enrollee submits a report before the grace period ends which clearly shows that a monthly cash benefit payment, previously withheld, should be made for 1 or more months in a closed taxable year; and

(2) The full amount of the overdue premiums can be collected from the benefit.

(c) *Payment of premium arrears by direct remittance.* Premiums are considered paid timely if the enrollee makes a direct remittance of all overdue premiums before the grace period ends (see § 405.908).

§ 405.915 Possible entitlement to social security or railroad retirement benefits.

(a) In those cases where it is clear that the enrollee is entitled to monthly benefits as well as supplementary medical insurance, the supplementary medical insurance enrollment will be processed simultaneously with his claim for monthly benefits and his premiums will be deducted from benefits payable. However, if an enrollee's monthly benefits are subject to complete or indefinite suspension of payment, he must make payment upon receipt of a notice of premium due in accordance with the provisions of §§ 405.912–405.913.

(b) (1) When the enrollee is clearly eligible for supplementary medical insurance but there is a substantial question as to eligibility for monthly benefits (other than age-72 special payments (see § 405.916)) whether raised initially or during subsequent processing of the benefit claim, the supplementary medical insurance enrollment and hospital insurance benefits claim may have to be processed independently of the monthly benefit claim.

(2) If the supplementary medical insurance enrollment is processed independently of the monthly benefit claim (other than a claim for an age-72 special payment (see § 405.916)) the enrollee will be treated for supplementary medical insurance premium purposes, in accordance with the provisions of §§ 405.912 and 405.913, pending resolution of the monthly benefit issue.

(3) If the monthly benefit claim is denied before the end of the enrollee's taxable year and the enrollee's premiums are then in arrears, such enrollee must pay all premiums due through the 3-month period (or month, if a monthly payer) following the month of notice with a due date of the third day of the month following the month of notice.

§ 405.916 Effect of entitlement to age-72 special payment.

(a) Section 228 of the Social Security Act provides that starting with October 1966, special monthly payments may be paid to persons who are not insured for regular social security monthly benefits if such persons are 72 years old and meet certain other requirements. Premiums due or overdue will be deducted from the age-72 special payment which is payable, in accordance with the policies discussed in §§ 405.904, 405.905, and 405.911. If an enrollee's age-72 special payment is not payable, or if his claim for the age-72 special payment is pending but unadjudicated, the due date and grace period will be determined under the rules discussed in §§ 405.920–405.936. When the enrollee has received his initial notice of premiums due, his premium for a month or quarter is due on the third day of the month or quarter and every subsequent month or 3-month period thereafter; and his grace period ends with the second month after the month in which the due date occurs.

(b) If premiums which were being deducted from the age-72 special payment can no longer be collected by deduction because the special payment is suspended, the enrollee will be notified to pay his premiums by direct remittance (see § 405.908) with a due date of the third day of the month following the month of notice and a grace period to extend through the end of the second month after the month in which the due date occurs. Where the age-72 special payment is resumed for a month before the end of the grace period and all premium arrears can be deducted from such special payments, supplementary medical insurance coverage will continue. Subsequent special payments will be reduced by the amount of the premium for as long as the enrollee receives such payments.

§ 405.920 Premium payment; individual not entitled to monthly benefits and not enrolled pursuant to Federal-State agreement.

Where an enrollee is not entitled to monthly benefits payable under the Social Security Act, the Railroad Retirement Act, or an act administered by the Civil Service Commission providing retirement or survivorship protection, and is not enrolled pursuant to a Federal-State agreement, such enrollee is required to pay his monthly premium (except as otherwise provided in § 405.959) in accordance with the following rules:

(a) Though premium payments may be accepted under the provisions of paragraph (d) of this section, an enrollee will not be asked to pay premiums at the time he enrolls. He will be informed of his premium payment obligation (see § 405.903) and that his initial premium payment should, in accordance with the rules discussed in § 405.908, be made upon receipt of a premium notice from the Administration. The premiums need not be paid by the enrollee himself; payment may be made by another person on his behalf. In other cases, the premiums may be paid on a group basis by a lodge, union, employer, or other organization (see §§ 405.940–405.949). (See § 405.904 on payment of premiums by the State pursuant to a Federal-State agreement.)

(b) Except for persons making monthly premium payments (see § 405.921), the initial notice of premiums due will cover a period of 3 months or, if greater, the period from the first month of coverage through the end of the third month after the month of billing; subsequent billings will be for periods of 3 months.

(c) The first notice of premiums due for the monthly payer (see § 405.921) will cover 1 month's premium or, if greater, the period from the first month of coverage through the end of the first month after the month of billing; subsequent billings will be for a period of 1 month.

(d) Where the enrollee offers to make a premium payment at the time of enrollment for months beginning with the first month of his coverage period, he is permitted to pay from 1 to 12 months' premiums at that time. Enrollees receiving 3-month notices of premiums may pay premiums for one, two, three, or four 3-month periods at a time. Where an enrollee wishes to pay for two to four 3-month periods at a time, he should make sure his remittance is in the correct amount and return the 3-month premium notice with the payment.

(e) In the case of an individual whose coverage pursuant to a Federal-State agreement or whose entitlement to monthly benefits terminates for reasons other than death so that monthly premiums will not be paid by the State and cannot be collected by deducting the amount thereof from such monthly benefits, the individual shall be notified by the Administration, to pay premiums by direct remittance in accordance with the provisions of this section.

§ 405.921 Payment of premium on monthly or 3-month basis.

(a) Payment of premiums on a 3-month basis is standard for enrollees (including enrollees whose monthly benefits are subject to complete or indefinite suspension). However, an enrollee who is unwilling or unable to make payments on a 3-month basis for financial reasons will be permitted to make monthly payments.

(b) The due date for the payment of premiums on a 3-month basis is the third day of the first month of such 3-month period. The grace period (for enrollees not entitled to monthly benefits) ends with the last day of such 3-month period. The due date for premiums paid monthly is the third day of the month for which the premium is payable and the grace period ends at the end of the second month after such month. See § 405.903(b) regarding payment obligation for grace periods.

§ 405.927 Due date and grace period.

Where an initial notice of premiums due is forwarded under the provisions of § 405.916(a) or § 405.920 (b) or (c):

(a) The initial premium payment is due on the third day of the month after the month of billing. The grace period for the initial premium payment ends with the last day of the third month after the month of billing (see § 405.903 re payment obligation).

(b) With respect to payment of the premiums for each subsequent billing period payment is due in accordance with the provisions of § 405.921.

§ 405.928 Extension where last day of grace period is a nonworkday.

Where the last day of the grace period falls on a nonworkday (Saturday, Sunday, legal holiday, or a day, all or part of which is declared to be a nonworkday for Federal employees by statute or Executive order), the premiums will be considered to have been paid within the grace period if received, or deposited in the U.S. mails, on the first workday thereafter.

§ 405.936 Enrollee changes from 3-month to monthly premium payment basis after coverage begins.

When an enrollee on a 3-month billing basis arranges to pay premiums monthly, his first monthly bill (if he is paid up under the 3-month cycle) will be for 1 month's premium with a due date of the third day of the month following the month of notice. However, if he is in arrears when his monthly pay arrangement is approved, he will be billed for all premiums due. The grace period for the payment of at least 1 month's premium ends on the last day of the second month after the earliest month for which a premium is due and has not been paid.

Example. In December 1968, E is billed for premiums for January, February, and March 1969 with a due date of January 3, 1969. E fails to pay any of the premiums and on February 3, 1969, he is notified of his delinquency. On February 20, 1969, E contacts the district office of the Social Security Administration and asks to be put on a monthly premium basis.

Early in March 1969, E is billed for premiums for January, February, March, and April 1969. He is advised that all such premiums ($16) are now due and should be paid promptly and unless at least $4 of this amount (his January premium) is paid by March 31, 1969, his coverage terminates effective with that date.

§ 405.940 Group collection; general.

(a) An organization, employer, or other source may pay premiums on behalf of one or many enrollees. The premiums must be paid timely, with the premium notices attached, so that the payment can be identified readily with the appropriate enrollee.

(b) If an organization making premium payments on behalf of a number of enrollees wishes to receive a single notice of premiums due from the Social Security Administration, the Administration may arrange to send such a premium notice but only if such organization meets the requirements set forth in § 405.941.

(c) A single notice for the payment of premiums due from a group of enrollees will be sent only under conditions which protect the rights of the enrollee and only so long as these conditions are met by the payer organization. However, a single notice for the payment of premiums due from a group of enrollees is not permitted if the enrollees in the group must pay any costs for such premium collection. The single notice arrangement is intended primarily to apply in cases where funds other than the enrollee's are used to pay at least a substantial part of the premiums or where the group payer deducts the premiums from periodic payments it makes to the enrollees in the group.

§ 405.941 Rules governing payment of premiums due from a group of enrollees; single notice arrangement.

The following rules apply to arrangements for a single notice for the payment of premiums due from a group of enrollees:

(a) *Origin of request for group payment.* An organization may be billed for premiums on behalf of a group of enrollees only if it requests permission and receives approval from the Administration for such billing. Approval will be granted only if premium payments are made (in whole or in part) from funds of the payer or from funds of the enrollee in the payer's possession. However, the organization may not charge the enrollee for the service of making premium payments or for the administrative costs thereof; i.e., recordkeeping, etc.

(b) *Enrollees eligible for group collection.* Premiums can be accepted only for persons who are already enrolled for supplementary medical insurance and who are billed for their premiums. This does not include persons entitled to cash monthly benefits under the Social Security, Railroad Retirement, or Civil Service Retirement Acts, if they are actually receiving such benefits; premiums for such enrollees must be deducted from these benefits, or paid pursuant to a Federal-State agreement.

(c) *Size of a group.* A group payer may be billed for a group of enrollees who would otherwise be sent individual premium notices if the number is at least 100, or if less, is sufficiently large to permit efficient billing and collection of premiums by the Administration. Notice of premiums due cannot be sent to a union, employer, or other "payer" who wishes to pay premiums for a smaller group. The payer can, of course, notify enrollees in a smaller group to turn their notices over to such payer as soon as received. The payer for such a smaller group should then promptly mail all the notices accepted in a single package to the nearest Administration payment center with a check for the correct total amount of the premiums due. Prompt payment is essential, since an enrollee's supplementary medical insurance coverage will terminate if his premium is not paid by the end of the grace period.

(d) *Authorization by enrollee.* The rights of the enrollee must be protected. His right to enroll or not to enroll, or to terminate once enrolled, his right to pay premiums for himself if he desires, his right to notice of any action affecting his supplementary medical insurance benefits, and his right to confidentiality, shall not be jeopardized in any way by a group payment arrangement. To assure that these rights are protected to the maximum degree feasible, the group payer may not be billed on behalf of an enrollee without written authorization by such enrollee. Such authorizations will permit the Administration to send bills and the minimum information necessary for a group payment directly to the group payer. This signed authorization will be retained by the Administration except where the group payer is an entity of the State or local government. In such case the individual authorizations may be retained by each such State or local entity. However, the State entity must certify to the Administration that it has such authorizations for each enrollee participating in its group payment arrangement. Where enrollees regularly turn over their billing notices to group payers, no such authorization is necessary.

(e) *When payment must be made.* Organizations under a group payment arrangement must pay premiums promptly. Group payers must make their payments by the due date for such payments, or at least in the first month for which the premium is payable. The purposes of this policy are: To avoid infringing on the grace period during which premiums may be paid by the enrollee in the event he is dropped from the group arrangement; and to enhance the integrity of the trust fund by collecting all premiums when due.

(f) *Finality of payment.* Any payment by a group payer is considered a payment by the enrollee. Once paid, premiums will not be refunded, except for (1) premiums paid for a month after the end of the enrollee's supplementary medical insurance coverage (e.g., premiums paid for months after the month of the enrollee's death or termination of enrollment); or (2) premiums paid by a group payer for any months after the month in which the payer has claimed refund and given notice by the 20th day of the month that the enrollee is no longer eligible for group payment. Such excess premiums when paid by a group will be refunded to the group. Where, however, the Administration has information clearly showing that the payment was made from an enrollee's funds, the excess premiums will be refunded to the enrollee.

Example. F, the wife of J, a retiree of Corporation X, which pays premiums on behalf of all of its retirees and their dependents, obtains a divorce from J on October 20, 1966, and thus disqualifies herself for further premium payments by the corporation. The corporation gives notice on November 10, 1966, that a refund is due because F has been dropped from the list of persons for whom it has agreed to pay premiums. The premium paid for December 1966 would be refunded to the group payer.

§ 405.942 Payment by groups.

Generally, group payers will be billed and will pay supplementary medical insurance premiums on a calendar quarter or monthly basis. Although billed for premiums for a month or a calendar quarter, a group payer may remit premiums for as many as 12 months in advance. While quarterly billing will be the standard, some organizations will be billed for supplementary medical insurance premiums on a monthly basis because of administrative considerations (i.e., the organization may wish to deduct premiums from monthly payments made by such organizations to the enrollee or may wish to pay premiums on a monthly basis because of a rapid turnover of enrollee personnel).

§ 405.946 Quarterly billing; group payment plan.

(a) *Initial premium notice.* The initial premium notice in all cases will be sent to the enrollee. An enrollee who wishes to have his premiums paid by a group payer willing to pay them should, by prearrangement, turn his premium notice over to the organization along with his authorization for the Administration to bill the group for his premiums thereafter, and to release the minimum of information required for a group billing arrangement. The organization, if a nongovernmental entity, forwards all authorizations, premium notices, and payments covering the total premiums shown on such notices to the Social Security Administration.

(b) If the organization is a governmental entity, it may retain the authorizations and forward to the Administration premium notices, payments, and a certification that it maintains an authorization in its files for each enrollee for whom it makes payment.

§ 405.947 Enrollee dropped from group payment plan.

(a) When an organization gives notice that an enrollee is (or was) no longer eligible for group payment as of a particular date for a reason other than death, the enrollee must pay his premiums by direct remittance. Similarly, the Administration in some cases will be notifying the group payer that premiums are no longer to be paid for specified persons (e.g., the premiums must be deducted from social security benefits which become payable because a beneficiary is no longer working, or because he has attained age 72, etc.). In such cases, the enrollee's premiums will be deducted from benefits or, where appropriate, he will be sent individual premium notices. In order to preserve the confidentiality of communications from enrollees, no explanation will be given by the Administration of the reason it is deleting the enrollee from the group payment arrangement.

(b) If the enrollee owes a premium for a month at the time the Administration is notified that the group payer has dropped him, the enrollee will be sent a premium notice for that month's premium, and his grace period (if he is not entitled to monthly benefits) extends through the end of the second month after the month for which the premium is due, after which he will be billed on a 3-month basis. Should the enrollee upon receipt of the 3-month premium notice, make arrangements to pay premiums monthly, the provisions of § 405.936 would be applicable.

Example. On January 1, 1967, Lodge A submits premiums for its members for the calendar quarter beginning January 1967. Upon review of the payment listing, the name of enrollee M (a nonbeneficiary) was struck from the listing; no explanation was given, and M failed to remit his premium. On February 1, 1967, a reminder notice was sent to both Lodge A and M. Shortly after this, Lodge A notified the Social Security Administration that M resigned from the organization effective December 31, 1966, and the lodge would pay no premiums for him after that date. In February 1967, the Social Security Administration sent M a bill for premiums now due for January, February, March, and April 1967 with a notice that unless the January 1967 premium ($3) is paid by March 31, 1967, his supplementary medical insurance coverage would terminate as of that date. If payment of all premiums due is made timely, M will, early in April 1967, be billed for his premium of $9 for May, June, and July 1967.

§ 405.948 Responsibilities of parties to group collection arrangements.

(a) *Enrollee.* While an organization may act on behalf of an enrollee in forwarding supplementary medical insurance premiums, the enrollee still is responsible for making his premium payments. The organization merely acts as his agent. Any notice sent to the agent is considered as notice to the enrollee (the enrollee will, however, be notified of any delinquency in accordance with paragraph (c) of this section) and the enrollee suffers the consequences in the event of default (nonpayment or incorrectly identified payment) on the part of the payer. The enrollee is obligated to notify promptly both the payer and the Administration of any change of address.

(b) *Group payer.* The group payer is obligated to make payments promptly upon receipt of bills; to notify promptly both the enrollee and the Administration when dropping an enrollee from the group; to report premiums in a manner which facilitates economical processing; to hold in confidence all information obtained from the Administration in carrying out its function as a group payer.

(c) *The Administration.* The Administration will give premium notice to the payer upon authorization from the enrollee and not less often than it would have had there been no group payer; will notify both the payer and the enrollee of delinquency in the event the payer does not make timely payments; and will make premium refunds available to the group payer in accordance with § 405.941(f).

§ 405.949 Termination of group billing.

The group billing arrangement may be terminated either by the group payer or by the Administration, upon 30 days notice. The Administration may terminate the group payment arrangement if it finds that the group payer is not acting in the best interest of the enrollees or that for any other reason the arrangement has proven inconvenient to the Administration.

§ 405.956 When an enrollee's premiums are considered paid.

(a) *Deduction from benefits; social security beneficiaries and railroad annuitants.* In general, a premium will be considered paid if deducted from a monthly benefit even though it may be determined later that the benefit was paid in error. Conversely, a subsequent determination that the withholding of a benefit for a month was incorrect will not be the basis for a retroactive finding that the premium was paid at the time the benefit was first withheld.

Example 1. C, an enrollee entitled to social security benefits of $100 per month, is paid $97 for each month of 1967 and is credited with premium payments for all such months. A determination is made in 1969 that C's work and earnings in 1967 precluded any monthly benefit payments throughout that year. He would then be found to owe $1,200 in benefit overpayments, but would not be found to owe any premiums for 1967.

Example 2. An enrollee, M, reported work and earnings on the basis of which his monthly social security benefits are withheld throughout 1967. His premiums could not be deducted from benefits payable and he fails to make any premium payments in cash, although he was billed regularly for such payments. He is sent notice in January 1968 informing him of his premium obligation and subsequently is notified that his supplementary medical insurance coverage will terminate on April 30, 1968, unless his premiums are paid by that time. His benefits remain suspended and he fails to make any cash premium payments; consequently, his supplementary medical insurance coverage terminates effective April 30, 1968. In March 1970, he submits an annual report for 1967, showing that he had done no work whatever in December 1967, and is subsequently paid a benefit for the latter month.

Such an annual report, submitted during the 3 months ending April 30, 1968, might have permitted payment of a benefit from which all of M's 1967 premiums could have been deducted so as to permit continuance of his supplementary medical insurance coverage. However, the report was not submitted by the end of the grace period nor did M choose to make timely payment by check or money order which would have assured continuance of his coverage. M's supplementary medical insurance coverage may not be reinstated, but the Administration will deduct all supplementary medical insurance premiums owed through the month of termination of enrollment.

(b) *Payment by direct remittance.* Where supplementary medical insurance premium payments are made through the mail, the premium will be considered paid

when postmarked. If the date of payment of supplementary medical insurance premiums is material, the postmark is illegible or missing, and the payment originated in continental United States, a 7-day tolerance will apply (i.e., if the payment is received during the first 7 days of the month following the end of the grace period, it will be presumed in the absence of any evidence to the contrary, that the premium was mailed within the grace period). In those cases where the postmark is illegible or missing, and the payment originates in Alaska, Hawaii, Puerto Rico, Virgin Islands, Guam, or the American Samoa, the mailing date will have to be determined on a case-by-case basis. Where the payment is mailed in a foreign country, the date of receipt will be (if material) the date the payment entered the U.S. postal system as usually shown by the postmark.

§ 405.957 Action affecting supplementary medical insurance coverage at end of grace period.

(a) A premium is considered to be paid timely so as to permit continuation of coverage, if it is mailed on or before the last day of the grace period.

(b) Where the Administration records reflect nonpayment of premiums by the end of the grace period, notice of termination of enrollment (with information regarding the right of appeal) for nonpayment of premiums will be mailed to the enrollee within 30 days after the end of the grace period. This 30-day period provides time for processing into the central records any premiums received late in the grace period.

§ 405.958 Premium payment by check.

(a) A premium payment by check is considered paid when the check is mailed, unless and until it is determined that the check will not be honored.

(b) Where a check for the full amount of a premium is paid on initial presentment or representment to the maker's bank, the premium will be deemed paid as of the time the check was initially tendered.

§ 405.959 When premiums may be deemed paid timely.

(a) *General.* Notwithstanding any other provision of this Subpart I, where an enrollee has failed to pay his premiums within the applicable grace period because of Administration fault or error (e.g., as a result of the Administration's fault he did not know that the premiums were due or that they were unpaid), such premiums may be considered to have been paid timely if (1) the enrollee asks for relief by the end of the month after the month in which his termination notice is sent, (2) he alleges, and it is found, that through no fault of his own he did not receive adequate and timely notice that his premiums were due and unpaid, and (3) he pays, within 30 days of the Administration's subsequent request therefor, all premiums due through the month in which he asked for relief.

(b) *Bases for granting relief.* (1) Relief may be granted where, in the absence of evidence to the contrary, the evidence establishes that:

(i) The enrollee acted diligently to pay his premiums or seek relief upon receiving a premium billing notice very late in the grace period or shortly after its end, and such delayed notice was caused by no fault on his part, e.g., where the premium billing notice was misaddressed or lost in the mails; or

(ii) On the basis of information received from the Administration the enrollee had reasonable basis for believing that the premiums were being paid by deduction from benefits or by some other source than direct payment, such as where he had been advised by the Administration that the premiums would be paid by a welfare agency or group payer or would be deducted from the civil service annuity of a nonenrolled spouse.

(2) No relief can be granted where (i) the enrollee received timely notice of premiums due but failed because of limited income or resources to pay premiums within the applicable grace period, (ii) relief was requested more than 1 month after the month in which the Administration notified the enrollee that his coverage has terminated.

(c) *Procedures.* When found eligible to have his supplementary medical insurance coverage reinstated, as provided in paragraph (a) of this section, an enrollee will be given written notice to pay within 30 days all premiums due through the month in which he requested relief. Upon receipt of the appropriate payment within the 30-day period, the Administration will set aside the prior termination and supplementary medical insurance enrollment will be reinstated without any interruption of coverage.

§ 405.960 Changes in methods of premium payment.

(a) *Checkoff to direct payment.* (1) Where an enrollee's entitlement to social security or railroad retirement benefits is terminated for reasons other than death, continuance of his supplementary medical insurance coverage (unlike hospital insurance in this respect) will not be affected by such termination. Supplementary medical insurance coverage will continue similarly for the person who was enrolled pursuant to a Federal-State agreement when he is later found ineligible for State coverage because he no longer qualifies for money payments; and also for the person whose premiums can no longer be deducted from a civil service annuity.

(2) In all such cases, the enrollee's premiums, if they can no longer be deducted from monthly benefits or paid by a State, must be paid by direct remittance. Concurrently with, or as soon as possible after termination of his entitlement to such monthly benefits or coverage pursuant to a Federal-State agreement, the enrollee will be billed for premiums in accordance with the provisions of § 405.920. The first billing will be for premiums for the 3 months following the month in which notice is sent, plus any premiums for earlier months which are still unpaid. The due date for the total amount thus billed is the third day of the month after the month in which he is billed; and the grace period ends on the last day of the second month after the month in which the due date occurs.

(b) *Direct payment to checkoff.* When an enrollee becomes entitled to monthly benefits under the Social Security Act, Railroad Retirement Act, or Civil Service Retirement Act, his premiums for supplementary medical insurance coverage will be collected by deduction from such monthly benefits. He will be notified of the premium deduction, and of any adjustment of his first check which may be required because of premium arrears or advance payment of premiums.

§ 405.962 Limitation of efforts to recoup unpaid premiums.

Generally, unpaid premiums will be collected from any subsequent benefits to which the enrollee becomes entitled (including any accrued monthly benefits due the enrollee at the time of his death), or will be deducted from reimbursement due the enrollee under part B of title XVIII on the basis of receipted physicians' or suppliers' bills.

[F.R. Doc. 68-3133; Filed, Mar. 13, 1968; 8:48 a.m.]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Parts 65, 91, 105]

[Docket No. 8759; Notice No. 68-7]

PARACHUTES, MAINTENANCE AND OTHER REQUIREMENTS; PARACHUTE RIGGERS

Certification and Standards for Performance

The Federal Aviation Administration is considering rule making action with respect to: Parachutes, their maintenance, alterations, hardware, and materials, their classification and terminology, and their packing requirements; and certification of parachute riggers, and the standards for performance by them. This action would involve amending Parts 65, 91, and 105 of the Federal Aviation Regulations.

This advance notice of proposed rule making is being issued in accordance with the FAA's policy for the early institution of public rule making proceedings. An "advance" notice is issued when it is found that the resources of the FAA and reasonable inquiry outside of the FAA do not yield a sufficient basis to identify and select a tentative course or alternate courses of action, or where it would be helpful to invite public participation in the identification and selection of a course or alternative courses of action with respect to a particular rule making problem. The subject matter of this notice involves a situation contemplated by that policy.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket or notice number and be submitted in duplicate to the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20590. All communications received on or before June 12, 1968, will be considered by the Administrator before taking action upon the proposed rule. All comments will be avaliable, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. If it is determined to be in the public interest to proceed further, after consideration of the available data and comments received in response to this notice, a notice of proposed rule making will be issued.

The parachute rules contained in Part 65 originated with reference to "emergency" parachutes—that is, life-saving devices used primarily under emergency conditions. New uses for parachutes have been introduced, as well as changes in parachute technology, materials, and hardware. These changes were recognized to a limit extent in 1961 amendments to the regulations, presently appearing in Part 65. Thus, § 65.111(b) now allows a person not holding a parachute rigger certificate to pack the main parachute of a dual parachute pack that is to be used by him for intentional jumping. Section 65.125(c) now provides that an appropriately certificated rigger need not comply with the provisions of §§ 65.127–65.133 (relating to facilities, equipment, performance standards, records, recent experience, and seal) when performing services with respect to the main parachute of a dual parachute pack to be used for intentional jumping.

With developments in aircraft and in pilot certification, "emergency" parachutes have become less significant in terms of parachuting in general. As a result, § 91.71 was amended in 1964 by Amendment 91–6 to eliminate the requirement that each occupant of an aircraft wear a parachute during acrobatic flight in the course of certain flight tests or instruction flights. In the meanwhile, the rapid increase in sport parachuting has been accompanied by a shortage of master parachute riggers that burdens the industry because of the resulting shortage of persons qualified to provide the required instruction and supervision to applicants for senior or master parachute rigger certificates.

At the invitation of the FAA, representatives of the several elements of the parachute industry met with the FAA on June 20, 1967, to review the regulations with respect to parachute maintenance, classification, and packing requirements, and the certification of parachute riggers and the standards for performance by them. As a consequence of this meeting, and the continuing review of its existing rules, the FAA believes that some amendment of Parts 65, 91, and 105 of the Fedreal Aviation Regulations may be desirable to make the regulatory provisions consistent with the recent developments in parachuting.

While it is hoped that this advance notice will evoke suggestions over the entire range of relevant regulatory requirements, the FAA is especially interested in opinions as to the desirability of regulatory action in the areas listed below, that were discussed initially in the June 20 meeting. In general, the discussion at that meeting concerned consideration of asserted differences between emergency and nonemergency parachutes, the possibility of separate regulatory treatment of these two kinds of parachutes, and consequential revision of regulations relating to parachute riggers.

The term "sport jumping parachute" used in this advance notice was suggested by industry representatives at the June 20 meeting to indicate the main parachute of the dual parachute pack used for sport and other nonemergency activities, as distinguished from parachutes used exclusively for emergency conditions, here referred to as "emergency parachutes".

(1) *Rules for sport jumping parachutes.*

(a) Should the FAA adopt rules with respect to maintenance, alterations, hardware, and materials for sport jumping parachutes, separate from those having to do with emergency parachutes? It was asserted at the June 20 meeting that the two kinds of parachutes differ in certain important particulars. Thus, sport jumping parachutes must be highly controllable and require special equipment to make them maneuverable. Special maintenance and alterations are necessary on sport jumping parachutes because of the differences in the methods of their deployment, stabilization, and control during descent. The hardware on a sport jumping parachute differs from the hardware used on an emergency parachute. Finally, it was asserted, different materials are used in the two kinds of parachutes. Representatives at the June 20 meeting stated that because of these several differences, the present rules appearing in Parts 65, 91, and 105 are not appropriate for the sport jumping parachutes used by sport parachute clubs, the military, and government firefighting and other service activities.

(b) Section 105.43 requires that the auxiliary parachute of a dual parachute pack must be approved in accordance with the minimum performance standards that are provided under TSO C23b, in § 37.133 of the Federal Aviation Regulations. Should standards applied under § 105.43 also cover the main parachute, that is, sport jumping parachute?

(2) *Parachute classification and terminology.*

What changes, if any, should be made in the classification of, and terminology applied to, parachutes?

Presently, § 65.121 lists four type ratings of parachutes issued under Part 65: Seat, back, chest, lap. These terms appear to be obsolete, at least for application to sport jumping parachutes. If separate rules are applied to sport jumping and emergency parachutes, appropriate parachute classifications could be aligned under those two general types.

It was suggested at the June 20 meeting that the regulatory language should be changed in several instances to correspond with that commonly used by the industry and the public. Thus, representatives at the meeting suggested that the term "reserve" be substituted for the term "auxiliary" presently used with respect to the emergency parachute combined with the main parachute in the dual parachute pack. It was also suggested that the dual parachute pack be termed "dual assembly", since only one harness is used.

(3) *Packing requirements for parachutes.*

(a) Should changes be made with respect to the 60- and 120-day packing periods required for emergency parachutes by § 91.15, and the 60- and 120-day packing periods required by § 105.43(a) for the auxiliary and main parachutes, respectively, of a single harness dual parachute pack? It was asserted at the June 20 meeting that, in view of recent developments in materials, packing techniques, methods of deployment, and uses of parachutes, the packing periods now required could be reevaluated, and more realistic periods adopted, without adversely affecting safety.

(b) Does newer equipment justify changes in the requirements of § 65.127 (Facilities and equipment)? For example, it has been suggested that the prescribed size of the table to be used for packing should be changed to accommodate modern parachutes, many of which exceed the capacity of the presently required 40-foot table.

(4) *Parachute rigger certification.*

(a) *Classification.* Should parachute rigger classification be realigned to correspond to the suggested separate treatment of sport jumping and emergency parachutes? Representatives at the June 20 meeting stated that more parachute riggers are needed to keep pace with the increasing demands of the rapidly growing field of sport parachuting. It was asserted that because of the differences between the two types of parachutes in maintenance, alterations, hardware, and materials, parachute riggers specifically qualified on sport jumping parachutes are needed. It was suggested that, particularly since the four existing parachute type ratings appearing in § 65.121 are basically similar, the realignment of parachute riggers into only two classifications, namely, emergency and sport jumping, each with "senior" and "master" ratings, would facilitate the simplification and modernization of the tests and rating qualifications for parachute riggers.

(b) *Tests.* If parachute rigger classifications are realigned as suggested, should the rules on tests for senior, master, and military riggers be updated to accommodate the realignment? An updating might include, for example, requiring a written test for master parachute riggers, and requiring military

parachute riggers to pass the same written, oral, and practical tests as civilian applicants for parachute rigger certificates.

(c) *Qualification of master parachute riggers.* Should the 5 years parachute packing and maintenance experience required under § 65.119(a) be reduced? Representatives at the June 20 meeting expressed the opinion that a parachute rigger can obtain the same degree of experience in a shorter period of time working with the present advanced technology under current circumstances of increased parachuting activity. To the extent that more senior parachute riggers thus could be qualified, more would be available as candidates for designation as examiners (DPREs) under § 183.25(b). It has been asserted that the shortage of persons qualified for designation as examiners is of great concern to the industry.

(5) *Standards for performance by parachute riggers* (§ *65.129*).

Should the regulations be revised to align the standards for performance by parachute riggers with modern equipment and uses? Examples:

(a) With respect to the suggested reclassification of parachutes and parachute riggers into emergency and sport jumping categories, should separate standards be provided for servicing sport jumping parachutes on the one hand, and emergency parachutes on the other hand, as to packing, maintenance, or alterations on the main canopy, harness, and hardware?

(b) Applicants for senior and master parachute rigger certificates are required under §§ 65.115 and 65.119 to pass tests (written in the case of the former, oral in the case of the latter) that include the manufacturer's instructions for parachutes in common use. Also, applicants for senior parachute rigger certificates must show that they have packed 20 parachutes of each type for which they seek a rating, in accordance with the manufacturer's instructions. Furthermore, in packing, maintaining, or altering emergency parachutes, procedures approved by the manufacturer or the Administrator must be observed, under § 65.129. To facilitate understanding of, and adherence to, these procedures and instructions, should regulatory action be taken to require that all manufacturers furnish complete instructions covering packing, maintenance, and alterations that can be performed on their parachute canopies, harnesses, and appliances?

(c) Section 65.129(f)(1) requires that, as to emergency parachutes, a certificated parachute rigger must perform duties under his certificate for at least 90 days within the preceding 12 months. Do the 90 days represent an adequate minimum recency of experience requirement?

(d) Should limitations and prohibitions be established for a noncertificated person who packs his own sport jumping parachute, with respect not only to packing, but also to maintenance or alterations on the main canopy, the harness, or the hardware?

The FAA realizes that in some instances comments on this notice could conceivably take the form of "yes" or "no" answers. However, since the purpose of an advance notice is to obtain public participation in the identification and selection of a course or courses of action, it is obvious that comments in that form would be of little value to the FAA in determining proper future courses of action. Therefore, the FAA asks that comments contain supporting statements and data, where available, to justify all recommendations and conclusions.

This advance notice of proposed rule making is issued under the authority of sections 313(a) and 601 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421).

Issued in Washington, D.C., on March 7, 1968.

R. S. SLIFF,
Acting Director,
Flight Standards Service.

[F.R. Doc. 68-3128; Filed, Mar. 13, 1968; 8:48 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 68-SO-12]

CONTROL ZONE AND TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering amendments to Part 71 of the Federal Aviation Regulations that would alter the Raleigh, N.C., control zone and 700-foot transition area.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Area Manager, Atlanta Area Office, Attention: Chief, Air Traffic Branch, Federal Aviation Administration, Post Office Box 20636, Atlanta, Ga. 30320. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Air Traffic Branch. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposals contained in this notice may be changed in the light of comments received.

The Raleigh control zone described in § 71.171 (33 F.R. 2058) would be altered by deleting "* * * the Raleigh-Durham Airport (lat. 35°52'15" N., long. 78°47'-10" W.); * * *" and substituting "* * * Raleigh-Durham Airport (lat. 35°52'21" N., long. 78°47'02" W.); * * *" therefor.

The Raleigh 700-foot transition area described in § 71.181 (33 F.R. 2137) would be redesignated as:

That airspace extending upward from 700 feet above the surface within a 9-mile radius of Raleigh-Durham Airport (lat. 35°52'21" N., long. 78°47'02" W.); within 2 miles each side of the 045° bearing from the Raleigh-Durham RBN, extending from the 9-mile radius area to 8 miles northeast of the RBN; within 5 miles southeast and 8 miles northwest of the Raleigh-Durham ILS localizer southwest course, extending from the 9-mile radius area to 12 miles southwest of the LOM;

Since the last alteration of controlled airspace at Raleigh, the airport coordinate has been refined. Criteria appropriate to the Raleigh-Durham Airport requires an increase in the basic radius circle of the 700-foot transition area from 7 to 9 miles for the protection of IFR aircraft during climb from 700 to 1,200 feet above the surface. The proposed alteration eliminates the extension predicated on the Raleigh-Durham VORTAC 225° radial.

The official docket will be available for examination by interested persons at the Southern Regional Office, Federal Aviation Administration, Room 724, 3400 Whipple Street, East Point, Ga.

These amendments are proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348(a)).

Issued in East Point, Ga., on March 5, 1968.

GORDON A. WILLIAMS, Jr.,
Acting Director, Southern Region.

[F.R. Doc. 68-3129; Filed, Mar. 13, 1968; 8:48 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 67-SO-98]

CONTROL ZONES AND TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering amendments to Part 71 of the Federal Aviation Regulations that would alter the Jacksonville, Fla. (NAS Jacksonville), Jacksonville (NAS Cecil Field), Jacksonville (Thomas Cole Imeson Airport), and Mayport, Fla. (NS Mayport), control zones, and the 700-foot floor portion of the Jacksonville transition area.

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

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

The International Standards and Recommended Practices in Annex 11 apply in those parts of the airspace under

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

In accordance with Article 3 of the Convention on International Civil Aviation, Chicago, 1944, state aircraft are exempt from the provisions of Annex 11 and its Standards and Recommended Practices. As a contracting state, the United States agreed by Article 3(d) that its state aircraft will be operated in international airspace with due regard for the safety of civil aircraft.

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

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Southern Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Post Office Box 20636, Atlanta, Ga. 30320. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. The proposals contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20590. An informal docket will also be available for examination at the office of the Regional Air Traffic Division Chief.

The proposals contained in this docket would alter the controlled airspace in the Jacksonville terminal area to read as follows:

1. Jacksonville, Fla. (Thomas Cole Imeson Airport), control zone.

Within a 5-mile radius of Thomas Cole Imeson Airport (lat. 30°25'20" N., long. 81°38'05" W.); within 2 miles each side of the Jacksonville VORTAC 070° True radial, extending from the 5-mile radius zone to 8 miles east of the VORTAC; and within 2 miles each side of the Jacksonville ILS localizer southwest course, extending from the 5-mile radius zone to the outer marker. The portion within a 5-mile radius of NS Mayport, Mayport, Fla. (lat. 30°23'30" N., long. 81°25'25" W.), is excluded.

2. Jacksonville, Fla. (NAS Jacksonville), control zone.

Within a 5-mile radius of NAS Jacksonville (lat. 30°14'10" N., long. 81°40'40" W.); within 2 miles each side of the 085° True bearing from the Navy Cecil RBN (lat. 30°13'15" N., long. 81°52'12" W.), extending from the 5-mile radius zone to the RBN; within 2 miles each side of the Navy Cecil VOR 084° True radial, extending from the 5-mile radius zone to the VOR. The portion within a 5-mile radius of NAS Cecil Field (lat. 30°13'05" N., long. 81°52'45" W.) is excluded.

3. Jacksonville, Fla. (NAS Cecil Field), control zone.

Within a 5-mile radius of NAS Cecil Field (lat. 30°13'05" N., long. 81°52'45" W.); within 2 miles each side of the Navy Cecil VOR 180° True radial, extending from the 5-mile radius zone to 12 miles south of the VOR; within 2 miles each side of the 180° True bearing from the Navy Cecil RBN (lat. 30°13'15" N., long. 81°52'12" W.), extending from the 5-mile radius zone to 12 miles south of the RBN; and within 2 miles each side of the Navy Cecil TACAN 355° True radial, extending from the 5-mile radius zone to 7 miles north of the TACAN.

4. Mayport, Fla. (NS Mayport), control zone.

Within a 5-mile radius of NS Mayport (lat. 30°23'30" N., long. 81°25'25" W.); within 2 miles each side of the Navy Mayport TACAN 041° True radial, extending from the 5-mile radius zone to 6 miles northeast of the TACAN; and within 2 miles each side of the 057° True bearing from the NS Mayport RBN (lat. 30°23'36" N., long. 81°25'34" W.), extending from the 5-mile radius zone to 8 miles northeast of the RBN.

5. Jacksonville, Fla., transition area (700-foot floor portion).

That airspace extending upward from 700 feet above the surface within an 8-mile radius of Thomas Cole Imeson Airport (lat. 30°25'20" N., long. 81°38'05" W.); within 2 miles each side of the Jacksonville ILS localizer southwest course, extending from the outer marker to 8 miles southwest of the outer marker; within 2 miles each side of the Jacksonville VORTAC 070° True radial, extending from the Thomas Cole Imeson 8-mile radius area to 12 miles east of the VORTAC; within an 8-mile radius of NS Mayport (lat. 30°23'30" N., long. 81°25'25" W.); within 2 miles each side of the Navy Mayport TACAN 041° True radial extending from the NS Mayport 8-mile radius area to 12 miles northeast of the TACAN; within a 5-mile radius of Craig Municipal Airport (lat. 30°20'10" N., long. 81°30'50" W.); within an 8-mile radius of NAS Jacksonville (lat. 30°14'10" N., long. 81°40'40" W.); within an 8-mile radius of NAS Cecil Field (lat. 30°13'05" N., long. 81°52'45" W.).

The proposed control zone alterations are required because of proposed revised instrument approach procedures to NS Mayport; changes to magnetic variation at NAS Cecil Field and NAS Jacksonville; and changes to geographic coordinates of the Thomas Cole Imeson Airport. The proposed changes to the 700-foot floor portion of the Jacksonville transition area are required to provide controlled airspace for the proposed revised instrument approach procedures to NS Mayport, and for turbojet aircraft operating to and from airports in the Jacksonville terminal area.

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

Issued in Washington, D.C., on March 7, 1968.

H. B. HELSTROM,
Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 68-3130; Filed, Mar. 13, 1968; 8:48 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 68-SO-14]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Sarasota, Fla., transition area.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Area Manager, Miami Area Office, Attention: Chief, Air Traffic Branch, Federal Aviation Administration, Post Office Box 2014, AMF Branch, Miami, Fla. 33159. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Air Traffic Branch. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

Since the last alteration of the Sarasota transition area, both executive and air carrier turbojet aircraft have begun using the airport. To provide controlled airspace protection for these larger and faster type aircraft necessitates an increase in the basic radius area to an 8-mile circle.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations would be amended as hereinafter set forth.

The Sarasota, Fla., transition area described in § 71.181 (33 F.R. 2137) would be altered to read:

That airspace extending upward from 700 feet above the surface within an 8-mile radius of Sarasota-Bradenton Airport (lat. 27°23'47"N., long. 82°33'15"W.); within 2 miles each side of the Sarasota, Fla., VOR 299° radial, extending from the 8-mile radius area to 8 miles northwest of the VOR.

The proposed transition area will provide controlled airspace protection for IFR aircraft during descent from 1,500 to 1,000 feet above the surface and during climb from 700 to 1,200 feet above the surface.

The official docket will be available for examination by interested persons at the Southern Regional Office, Federal Aviation Administration, Room 724, 3400 Whipple Street, East Point, Ga.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348(a)).

Issued in East Point, Ga., on March 4, 1968.

GORDON A. WILLLIAMS, Jr.,
Acting Director, Southern Region.

[F.R. Doc. 68-3131; Filed, Mar. 13, 1968; 8:48 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 68-SO-15]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Lakeland, Fla., transition area.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Area Manager, Miami Area Office, Attention: Chief, Air Traffic Branch, Federal Aviation Administration, Post Office Box 2014, AMF Branch, Miami, Fla. 33159. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Air Traffic Branch. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

Since the last alteration of the Lakeland transition area, turbojet aircraft have begun using the airport, the airport coordinate has changed, and the AL-939-VOR RWY-4 procedure has been revised. Additionally, the airport name is published as Lakeland Municipal. To provide controlled airspace protection for the faster type aircraft necessitates an increase in the basic radius area to an 8-mile circle. The revised VOR instrument approach procedure eliminates a portion of the transition area extension predicated on the Lakeland, Fla., VOR TAC 233° True radial.

In consideration of the foregoing, an amendment to Part 71 of the Federal Aviation Regulations is proposed as hereinafter set forth.

The Lakeland, Fla., transition area described in § 71.181 would be altered to read:

That airspace extending upward from 700 feet above the surface within an 8-mile radius of Lakeland Municipal Airport (lat. 27°59'19" N., long. 82°00'53" W.); and within 2 miles each side of the Lakeland VORTAC 233° radial, extending from the 8-mile radius area to 8 miles southwest of the VORTAC.

The proposed transition area will provide controlled airspace protection for IFR aircraft during descent from 1,500 to 1,000 feet above the surface and during climb from 700 to 1,200 feet above the surface.

The official docket will be available for examination by interested persons at the Southern Regional Office, Federal Aviation Administration, Room 724, 3400 Whipple Street, East Point, Ga.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348(a)).

Issued in East Point, Ga., on March 4, 1968.

GORDON A. WILLIAMS, Jr.,
Acting Director, Southern Region.

[F.R. Doc. 68-3132; Filed, Mar. 13, 1968; 8:48 a.m.]

[Airspace Docket No. 67-EA-148]

TRANSITION AREA

Proposed Designation

Correction

In F.R. Doc. 68-2930 appearing at page 4377 of the issue for Saturday, March 9, 1968, in line 3 of the description for St. Marys, Pa., "78°80'20"" should read "78°30'20"".

Notices

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[A 450]

ARIZONA

Notice of Classification of Public Lands for Exchange

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411–18), notice is hereby given of the classification of the public lands described below for exchange to acquire privately owned lands within the Sitgreaves National Forest. These exchanges would be made under the authority of section 8 of the Taylor Grazing Act of June 28, 1934 (48 Stat. 1272) as amended by section 3 of the Act of June 26, 1936 (49 Stat. 1976; 43 U.S.C. 315g). As used herein "public lands" means any lands withdrawn or reserved by Executive Order No. 6910 of November 26, 1934, as amended, or within a grazing district established pursuant to the act of June 28, 1934 (48 Stat. 1269), as amended, which are not otherwise withdrawn or reserved for a Federal use or purpose.

2. Publication of this notice has the effect of segregating the described lands from all forms of appropriation under the public land laws, including the mining and mineral leasing laws, except private exchanges.

3. Information concerning these lands may be received by inquiry at the office of the District Manager, Safford District, 1707 Thatcher Boulevard, Safford, Ariz. The lands affected are covered by pending petition-applications.

4. The notice of proposed classification was published in 31 F.R. 15493 of December 8, 1966. No adverse comments were received and there has been no change in the classification.

5. The public lands involved are described as follows:

GRAHAM COUNTY

GILA AND SALT RIVER MERIDIAN, ARIZONA

T. 5 S., R. 25 E.,
Secs. 35 and 36.
T. 5 S., R. 26 E.,
Secs. 31 and 32.
T. 6 S., R. 25 E.,
Sec. 1;
Sec. 2, E½;
Sec. 11, E½;
Sec. 12.
T. 6 S., R. 26 E.,
Sec. 1, S½SE¼;
Sec. 4, SW¼SW¼;
Sec. 5, N½, and W½SW¼;
Secs. 6 and 7;
Sec. 8, W½W½W½, E½SW¼SW¼, and W½SE¼SW¼;
Sec. 12, E½, SE¼NW¼, and E½SW¼;
Sec. 13;
Sec. 23, SE¼;
Secs. 24 to 26, inclusive;
Sec. 35;
Sec. 36, NE¼ and SW¼NW¼.
T. 6 S., R. 27 E.,
Secs. 7, 8, 18, 19, 30, and 31.
T. 7 S., R. 27 E.,
Secs. 5 and 6.

This includes 14,593.10 acres of public lands.

6. For a period of 30 days from date of publication in the FEDERAL REGISTER, this classification shall be subject to the exercise of administrative review and and modification by the Secretary of the Interior as provided for in 43 CFR Section 2411.2(c).

GLENDON E. COLLINS,
Acting State Director.

MARCH 8, 1968.

[F.R. Doc. 68-3108; Filed, Mar. 13, 1968; 8:46 a.m.]

[Serial No. N-646]

NEVADA

Notice of Public Sale

MARCH 7, 1968.

Under the provisions of the Public Land Sale Act of September 19, 1964 (78 Stat. 988, 43 U.S.C. 1421–1427), 43 CFR Subpart 2243, a tract of land will be offered for sale to the highest bidder at a sale to be held at 10 a.m., local time, on Thursday, April 25, 1968, at the Ely District Office, Bureau of Land Management, 130 Pioche Highway, Ely, Nev. 89301. The land is described as follows:

MOUNT DIABLO MERIDIAN, NEVADA

T. 16 N., R. 63 E.,
Sec. 16, Tract 37.

The area described contains 5.91 acres. The appraised value of the tract is $1,800 and the publication costs to be assessed are $12.

The land wil be sold subject to all valid existing rights, and rights-of-way of record. Reservations will be made to the United States for ditches and canals in accordance with the Act of August 30, 1890 (26 Stat. 391; 43 U.S.C. 945). All minerals are to be reserved to the United States and withdrawn from appropriation under the public land laws, including the general mining laws.

Bids may be made by the principal or his agent, either at the sale, or by mail. An agent must be prepared to establish the eligibility of his principal.

Bids must be for all the land in the parcel. A bid for less than the appraised value of the land is unacceptable. Bids sent by mail will be considered only if received at the Ely District Office, Bureau of Land Management, Pioche Star Route, Ely, Nev. 89301, prior to 4 p.m., on Wednesday, April 24, 1968. Bids made prior to the public auction must be in sealed envelopes, and accompanied by certified checks, postal money orders, bank drafts, or cashier's checks, payable to the Bureau of Land Management, for the full amount of the bid plus publication costs. The envelopes must be marked in the lower left-hand corner "Public Sale Bid, Parcel No. 1, sale of April 25, 1968".

The authorized officer shall publicly declare the highest qualifying sealed bid received. Oral bids shall then be invited in specified increments. After oral bids, if any, are received, the authorized officer shall declare the high bid. A successful oral bidder must submit a guaranteed remittance, in full payment for the tract and cost of publication, before 3:30 p.m. of the day of the sale.

If no bids are received for the sale tract on Thursday, April 25, 1968, the tract will be reoffered on the first Thursday of subsequent months at 10 a.m., beginning May 2, 1968.

Any adverse claimants to the above described land should file their claims, or objections, with the undersigned before the time designated for sale.

The land described in this notice has been segregated from all forms of appropriation, including locations under the general mining laws, except for sale under this Act, from the date of notation of the proposed classification decision. Inquiries concerning this sale should be addressed to the District Manager, Bureau of Land Management, 130 Pioche Highway, Pioche Star Route, Ely, Nev. 89301, or to the Land Office Manager, Bureau of Land Management, Room 3008 Federal Building, 300 Booth Street, Reno, Nev. 89502.

ROLLA E. CHANDLER,
Manager, Nevada Land Office.

[F.R. Doc. 68-3109; Filed, Mar. 13, 1968; 8:46 a.m.]

[New Mexico 2074]

NEW MEXICO

Notice of Termination of Proposed Withdrawal and Reservation of Lands

MARCH 8, 1968.

Notice of a Forest Service, U.S. Department of Agriculture, application New Mexico 2074, for withdrawal and reservation of lands for recreational purposes, was published as F.R. Doc. No. 67-5257 on pages 7135 and 7136 of the issue for May 11, 1967. The applicant agency has cancelled its application insofar as it affects the following described lands:

NEW MEXICO PRINCIPAL MERIDIAN—CIBOLA NATIONAL FOREST

SANDIA CAMPGROUND

T. 10 N., R. 6 E.,
Sec. 22, NE¼, N½NW¼, SW¼SW¼, E½SW¼, and N½SE¼.

The area described aggregates 440 acres.

Therefore, pursuant to the regulations contained in 43 CFR, Part 2311, such lands, at 10 a.m. on April 15, 1968, will be relieved of the segregative effect of the above mentioned application.

FRED E. PADILLA,
Acting Chief, Division of Lands and Minerals Program Management and Land Office.

[F.R. Doc. 68-3110; Filed, Mar. 13, 1968; 8:46 a.m.]

[Wyoming 4999]

WYOMING

Notice of Classification

MARCH 8, 1968.

1. Pursuant to section 2 of the Act of September 19, 1964 (43 U.S.C. 1412), the

public lands within the areas described below are hereby classified for disposal through exchange under section 8 of the Taylor Grazing Act of June 28, 1934 (48 Stat. 1272) as amended (43 U.S.C. 315g). Publication of this notice segregates the described lands from all forms of disposal under the public land laws, including the mining but not the mineral leasing laws, except disposal through exchange under section 8 of the Taylor Grazing Act.

2. A notice of proposed classification was published in the FEDERAL REGISTER on December 19, 1967 (32 F.R. 18117). During the 60-day period provided, one comment was received. The comment expressed objections to the classification and disposal of certain specified lands. The allegations and items of protest raised have been investigated and carefully considered. No facts have been presented which show that the classification is in error. The protestant expressed opposition to the exchange applicant rather than to disposal of the lands in question. Accordingly, no changes or modifications are found necessary.

3. The lands affected by this classification are described as follows:

SIXTH PRINCIPAL MERIDIAN, WYOMING

T. 37 N., R. 78 W.,
Sec. 4, lots 2, 3, and 4, SW¼NE¼, S½NW¼, SW¼, S½SE¼, and NW¼SE¼;
Sec. 5, lots 1, 2, and 3, S½NE¼, SE¼NW¼, NE¼SW¼, S½SW¼, and SE¼;
Sec. 6, S½SE¼;
Sec. 7, lots 3 and 4, NE¼, E½SW¼, W½SE¼, and NE¼SE¼;
Sec. 8, N½N½;
Sec. 9, NE¼, N½NW¼, SE¼NW¼, and SE¼;
Sec. 17, NW¼NW¼.
T. 38 N., R. 78 W.,
Sec. 1, S½N½ and S½;
Sec. 2, lot 1;
Sec. 5, lots 1, 2, and 3, S½NE¼, SE¼NW¼, E½SW¼, and SE¼;
Sec. 8, E½, and E½W½;
Sec. 9, NW¼NE¼, and W½;
Sec. 11, SE¼NE¼;
Sec. 12, W½;
Sec. 13, S½NE¼, NW¼, and S½;
Sec. 17, NW¼NW¼, S½NW¼, and S½;
Sec. 18, SE¼NE¼, SE¼, and SE¼SW¼;
Sec. 19, lots 1, 2, 3, and 4, E½W½, and E½;
Sec. 20;
Sec. 24, N½, SE¼, N½SW¼, and SE¼SW¼;
Sec. 26, SW¼NE¼ and SW¼SW¼;
Sec. 29;
Sec. 30, lots 1, 2, 3, and 4, E½W½, and E½;
Sec. 31, lot 1, NE¼, NE¼NW¼, and NE¼SE¼;
Sec. 32, N½.
T. 36 N., R. 79 W.,
Sec. 5, lot 2.
T. 38 N., R. 79 W.,
Sec. 24, E½E½.

Containing 9,650.26 acres.

4. For a period of 30 days, interested parties may submit comments to the Secretary of the Interior, LLM, 721, Washington, D.C. 20240.

ED PIERSON,
State Director.

[F.R. Doc. 68-3107; Filed, Mar. 13, 1968; 8:46 a.m.]

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

JUTE BAGGING AND BALE TIES USED IN WRAPPING COTTON

Modification of Revised Specifications

The Notice of Specifications—Jute Bagging and Bale Ties Used in Wrapping Cotton (Revised) issued by Commodity Credit Corporation was published in the FEDERAL REGISTER of February 24, 1967 (32 F.R. 3231). The notice stated the specifications for jute bagging and bale ties for wrapping cotton of the 1967 and subsequent crops of cotton tendered to Commodity Credit Corporation for price support and the conditions upon which certain carryover nonspecification bagging could be used to wrap 1967-crop cotton.

Notice is hereby given that bales of 1968-crop cotton tendered to Commodity Credit Corporation for price support may be wrapped in carryover nonspecification jute bagging for which 1967 CCC Bale Exemption Tags were issued and which was carried over from the 1967 ginning season by a ginner or supplier (i) if the ginner or supplier submits an application for 1968 CCC Bale Exemption Tags (Form CCC-803), for such bagging not later than March 22, 1968, or such later date as may be approved by the Executive Vice President, Commodity Credit Corporation, (ii) if such bagging was in the inventory of the ginner or supplier on January 1, 1968, and is still in his inventory when he submits the application, and (iii) if 1968 CCC Bale Exemption Tags are issued by Commodity Credit Corporation for such bagging. If the applicant's business office and bagging inventory records are maintained in a cotton producing State, the application shall be submitted to the State ASCS office for such State. If the applicant's business office and bagging inventory records are maintained in a noncotton producing State, the application shall be submitted to the Farmer Programs Division, ASCS, U.S. Department of Agriculture, Washington, D.C. 20250. After verification by Commodity Credit Corporation of the ginner's or supplier's inventory, Commodity Credit Corporation will issue to the ginner or supplier 1968 CCC Bale Exemption Tags for the number of eligible nonspecification bagging patterns in his inventory. Bales of 1968-crop cotton which are wrapped in such nonspecification bagging will be eligible for Commodity Credit Corporation price support only if identified by the 1968 CCC Bale Exemption Tags issued to cover such bagging, properly completed by the ginner and attached to the bales at the time of ginning. Bales of 1968-crop cotton tendered to CCC for price support may be wrapped in carryover nonspecification bagging which was determined by the Commodity Credit Corporation to be in substantial compliance with the specifications and approved for wrapping 1967-crop cotton (i) if the ginner or supplier submits an application for 1968 CCC Bale Exemption Tags (Form CCC-803) for such bagging not later than March 22, 1968, or such later date as may be approved by the Executive Vice President, Commodity Credit Corporation, (ii) if such bagging was in the inventory of the ginner or supplier on January 1, 1968, and is still in his inventory when he submits the application, and (iii) if Commodity Credit Corporation approves such bagging after verifying the ginner's or supplier's inventory. Applicants for approval of such bagging must submit applications in accordance with the foregoing provisions.

Effective date: Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on March 8, 1968.

RAY FITZGERALD,
Acting Executive Vice President, Commodity Credit Corporation.

[F.R. Doc. 68-3150; Filed, Mar. 13, 1968; 8:49 a.m.]

Office of the Secretary

NEBRASKA

Designation of Areas for Emergency Loans

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

NEBRASKA

Franklin. Webster.

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after June 30, 1968, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 11th day of March 1968.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 68-3151; Filed, Mar. 13, 1968; 8:49 a.m.]

DEPARTMENT OF TRANSPORTATION

Coast Guard

[CGFR 68-37]

PORTION OF JAMES RIVER, NORFOLK-NEWPORT NEWS HARBOR

Closure to Navigation During Movements of "John F. Kennedy"

By virtue of the authority vested in me as Commandant, U.S. Coast Guard, by

49 CFR 1.4 (32 F.R. 5606) and Executive Order 10173 as amended by Executive Orders 10277, 10352, and 11249, I hereby affirm for publication in the FEDERAL REGISTER the order of E. C. Allen, Jr., Rear Admiral, U.S. Coast Guard, Commander, 5th Coast Guard District, who has exercised authority as District Commander, such order reading as follows:

PORTION OF JAMES RIVER, NORFOLK-NEWPORT NEWS HARBOR

Under the authority of Title II of the Espionage Act of June 15, 1917, 40 Stat. 220, 50 U.S.C. 191 and Executive Order 10173, as amended, I declare that from 5 a.m., e.s.t., until 8:30 a.m., e.s.t., Saturday, March 16, 1968, and from 5:30 a.m., e.s.t., until 9 a.m., e.s.t., Saturday, March 23, 1968, the following area is a security zone and I order that it be closed to any person or vessel due to the movements of "John F. Kennedy" (CVA-67):

The waters of the James River, Norfolk-Newport News Harbor, Va., within the coordinates of latitude 36°59'35.6" N., longitude 76°26'54" W. at the shoreline of Newport News, thence southwesterly 1,000 yards to latitude 36°59'22.5" N., longitude 76°27'28" W., thence southeasterly to latitude 36°58'42" N., longitude 76°27'02" W., thence easterly to Newport News Shipbuilding Co. Pier 8 Light (USCG Light List No. 3037).

No person or vessel may remain in or enter this security zone.

The Captain of the Port, Hampton Roads Area, Va., shall enforce this order.

The Captain of the Port may be assisted by employees and facilities of any state or political subdivision thereof or any Federal agency.

For violation of this order Title II of the Espionage Act of June 15, 1917 (40 stat. 220 as amended, 50 U.S.C. 192) provides:

"If any owner, agent, master, officer, or person in charge, or any member of the crew of any such vessel fails to comply with any regulation or rule issued or order given under the provisions of this chapter, or obstructs or interferes with the exercise of any power conferred by this chapter, the vessel, together with her tackle, apparel, furniture, and equipment, shall be subject to seizure and forfeiture to the United States in the same manner as merchandise is forfeited for violation of the customs revenue laws; and the person guilty of such failure, obstruction, or interference shall be punished by imprisonment for not more than 10 years and may, in the discretion of the court, be fined not more than $10,000."

"If any other person knowingly fails to comply with any regulation or rule issued or order given under the provisions of this chapter, or knowingly obstructs or interferes with the exercise of any power conferred by this chapter, he shall be punished by imprisonment for not more than 10 years and may, at the discretion of the court, be fined not more than $10,000."

Dated: March 12, 1968.

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

[F.R. Doc. 68-3152; Filed, Mar. 13, 1968; 8:50 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-288]

REED COLLEGE

Order Extending Completion Date

The Reed College of Portland, Oreg., having filed a request dated February 19, 1968, for extension of the latest completion date specified in Construction Permit No. CPRR-101 and good cause having been shown for extension of said date, pursuant to section 185 of the Atomic Energy Act of 1954, as amended, and § 50.55 of the Commission's regulations:

It is hereby ordered, That the latest completion date specified in subparagraph 3.A of Construction Permit No. CPRR-101 is extended from March 15, 1968, to August 15, 1968.

Date of issuance: March 1, 1968.

For the Atomic Energy Commission.

PETER A. MORRIS,
Director,
Division of Reactor Licensing.

[F.R. Doc. 68-3097; Filed, Mar. 13, 1968; 8:45 a.m.]

COBALT 60 SOURCES

Withdrawal From Production and Distribution

On December 27, 1967, the Commission published in the FEDERAL REGISTER a request for public comment on its proposed voluntary withdrawal from the production and distribution of cobalt 60 sources of 45 curies per gram specific activity and less. The Commission has now determined to withdraw from the production and distribution of such sources effective immediately upon the publication of this notice in the FEDERAL REGISTER. The Commission will continue to meet requests for cobalt 60 sources to the extent the purchaser certifies in writing that he requires material which is not commercially available.

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

Dated at Washington, D.C., this 8th day of March 1968.

For the Atomic Energy Commission.

W. B. MCCOOL,
Secretary.

[F.R. Doc. 68-3098; Filed, Mar. 13, 1968; 8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 19140; Order No. E-26489]

TAG AIRLINES, INC.

Order Granting Exemption Authority

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 8th day of March 1968.

In Docket 19140, TAG Airlines (TAG), an air taxi operator,[1] requests exemption authority[2] to operate two F-27 aircraft[3] in scheduled air taxi service between the Detroit City Airport at Detroit and the Burke Lakefront Airport at Cleveland, until final decision on its application, Docket 19139, requesting certificate authority to provide the same service.[4] The carrier would implement the proposed service by operating 12 round trips (daily) and two round trips (on Saturday and Sunday) between the two cities. TAG presently operates 24 round trips (de Havilland Doves) in this market.

In support of its application, TAG alleges, inter alia: TAG is currently carrying more than 80,000 passengers between the Detroit City Airport and the Burke Lakefront Airport (the commuter airports); the traffic is still growing, and the public benefits of the service are demonstrated by the large number of users; TAG provides downtown-to-downtown service in about 1 hour, as compared with the certificated carrier service of approximately 2 hours; the nature and extent of TAG's scheduled service between the commuter airports is such that it has outgrown air taxi status and should be placed in the category of large aircraft operations; TAG's urgent need for two F-27 aircraft to replace its Doves and Aztecs arises from a lack of engines for its Doves; there is no suitable replacement for the Dove in the category of aircraft with less than 12,500 pounds certificated take-off weight, and thus TAG must replace its present equipment with large aircraft. The carrier further contends that it could not operate a mixed fleet with an F-27 and a number of Doves; the exemption is in the public interest; no person is adversely affected by the exemption; grant of the authority requested would enable TAG to realize an annual operating profit of $187,000; in a number of cases the Board has permitted the use of large aircraft when a public need was shown and there was no adverse effect on any certificated carrier (citing the Aspen Airways Case, Order E-24829, Mar. 7, 1967, and the Hawthorne, Nevada Airlines Exemption, Order E-25242, June 2, 1967); unusual circumstances exist because of TAG's

[1] TAG states that it presently operates an air taxi service on a scheduled basis between the Detroit City Airport at Detroit and the Burke Lakefront Airport at Cleveland, and that its fleet consists of 7 de Havilland Doves and 4 Piper Aztecs.

[2] Air taxi operators are precluded by Part 298 of the economic regulations from utilizing aircraft having a maximum gross certificated takeoff weight in excess of 12,500 pounds in direct air transportation of persons and property.

[3] TAG suggests that the exemption authority be granted so that CV-580 aircraft could be substituted for F-27's if for any reason the latter could not be obtained or operated during any period of time.

[4] In Docket 19193, filed Oct. 19, 1967, TAG requests certificate authority to provide the same service as it requests herein to provide by exemption.

difficulty in obtaining engine replacements; and no suitable small aircraft is now available with which the present traffic can be satisfactorily accommodated.

Letters supporting TAG's application were filed by the Marathon Oil Co., Diamond Alkali Co., the Michigan Aeronautics Commission, the Detroit Aviation Commission, Rex Chainbelt, Inc., B. F. Goodrich Chemical Co., Glidden-Durkee Division of SCM Corp., TRW, Inc., and 3M Co.

Answers opposing the application were filed by Allegheny Airlines, Inc., Lake Central Airlines, Inc., North Central Airlines, Inc., Air Commuter, Inc., and Wright Airlines (the latter two are taxi operators). Allegheny alleges, in pertinent part, that the Board has in the past uniformally rejected requests by air taxi operators to use large aircraft in competition with certificated air carriers; and it is highly questionable whether the Cleveland-Detroit market would in fact support the F–27 operation proposed. Lake Central alleges that TAG wishes to operate the same equipment that is operated by the certificated route carriers in this market without the obligations which are imposed on certificated air carriers; if TAG receives this authority it will subsequently request authority to use the same large aircraft in the Cleveland-Columbus and Columbus-Detroit market in which it is presently using small aircraft; TAG proposes to increase its scheduled seats in the Detroit-Cleveland market from 2,066 to 5,065 per week assuming the operation of two F–27 aircraft; and TAG's assertions as to the unavailability of replacement aircraft within the 12,500-pound weight limitation are contrary to published reports in aeronautical journals. North Central alleges that the Board has, in the past, refused to authorize air taxi operators to operate large aircraft in situations where it might have an impact on a certificated carrier even when the air taxi operator has proposed a route substantially different from that authorized to be served by the certificated carrier, and that equipment problems which TAG may face are not any different from those of any other air taxi operator and are not the basis for the use of the Board's exemption authority. Wright Airlines, Inc., alleges that since July 1966 it has operated frequent daily schedules between the Detroit City Airport and the Cleveland-Burke Lakefront Airport; that Wright will introduce in the Cleveland-Detroit commuter market the first of its new commuter aircraft, the Riley Skyliner, which is a four-engine aircraft which will carry 16 passengers, cruise at 225 m.p.h. and operate at a maximum gross take-off weight of 12,500 pounds; there are no operational factors requiring TAG to replace its present fleet; and TAG has not shown that its present fleet could not be augmented with modern light aircraft. Air Commuter alleges that it has recently inaugurated air taxi schedules between the two airports with twin-Otter aircraft seating 18 passengers; that the increase in the size of the aircraft means less frequent service will be provided and that there is no need for large aircraft operations to adequately serve this market. TAG filed a reply in which it alleges that no person objecting to the application will be damaged by its proposal; and that the market in which TAG operates is a separate and distinct market not served by any local service carrier.

Upon consideration of the pleadings and all the relevant facts, we have decided to grant TAG's application.[5] We find that grant of this application will permit TAG to improve service between Detroit City Airport and Burke Lakefront Airport. We view the TAG proposal as an experimental operation which would benefit the traveling public and have little significant impact on certificated operations.

During the year ended December 31, 1966, the certificated carriers carried 123,660 on-line O&D passengers and the air taxi operators (TAG and Wright Airlines) carried 89,484 passengers between Detroit and Cleveland. This amounts to an average of 339 passengers per day, in both directions, carried by the certificated carriers and 246 passengers carried by the air taxi operators. This amount of traffic indicates that the market in question is a substantial one. Moreover, the success of the air taxi operators indicates a strong need for the commuter-type services which they have been providing. To the extent that the commuter services can be made more attractive by the operation of larger aircraft by TAG Airlines, we think that the end result will be to further convenience existing traffic and to stimulate additional commuter traffic. We therefore find that grant of this authority to TAG will convenience the traveling public and will be in the public interest.

Although it is true that the Board has been reluctant to authorize an air taxi operator to use large aircraft in a market in which certificated service is available, we think that on analysis our action is consistent with past Board decisions. We think it is reasonable to regard the service provided by TAG as a different type of service from that provided by the certificated carriers.

The Detroit-Cleveland market is presently provided 38 one-way flights (daily or daily except Saturday and/or Sunday) by four certificated carriers (Eastern, North Central, Northwest and United), and 91 one-way flights (daily or daily except Saturday and/or Sunday) by four air taxi operators (Wright Airlines, Inc., Standard Airways, Inc., Air Commuter, Inc., and TAG Airlines). The certificated carriers provide service through Detroit Metropolitan Airport, 17 miles from downtown Detroit, and Hopkins Airport, 10 miles from downtown Cleveland. On the other hand, the air taxi operators primarily provide service through Detroit City Airport, 6 miles from downtown Detroit, and Burke Lakefront Airport, less than 1 mile from downtown Cleveland. Since the Detroit-Cleveland market is short-haul (96 miles), it seems clear that commuter traffic is benefited by the use of close-in airports. Thus, for example, TAG provides downtown-to-downtown service in about 1 hour as compared to the certificated service of close to 2 hours, both times including ground time from downtown to airport. In a very real sense, because of these time disparities, a Detroit-Cleveland commuter passenger would find the available air taxi service attractive, and thus this type of passenger constitutes a different market from the passenger who utilizes the services of the certificated carriers.

We regard it as significant that North Central is the only certificated carrier providing service in the Detroit-Cleveland market which opposes this exemption. Moreover, we note that North Central has not alleged that it would be subjected to any diversion if TAG's application is granted, and we find that any diversion from North Central would not be meaningful. Although TAG's services may divert some traffic from the air taxi operators in the market, those carriers have not alleged or shown any diversion, and we find that the public benefits which will obtain as a result of our award outweigh any diversion from the air taxi operators.

Although TAG's allegations that it cannot adequately maintain its existing de Havilland Doves, and that some of them will soon have to be retired from service for this reason, are controverted, we find no basis for declining to accept the carrier's representations in this respect. It may be, as the opponents of the application allege, that TAG could obtain replacement aircraft of less than 12,500 pounds gross takeoff weight for use in its operations. However, the carrier is seeking a certificate of public convenience and necessity which would authorize operations with larger aircraft, and the F–27's which it proposes to utilize at this time would be suitable for such certificated operations. Moreover, we have decided to set TAG's certificate application down for hearing.[6] In these circumstances we do not believe that TAG should be required to meet its present equipment needs by purchasing additional small aircraft rather than by utilizing F–27's in the interim until its certificate application can be heard. TAG has been a pioneer in the development of the commuter traffic involved, and it would be an unwarranted hardship to require it either to diminish its participation in this market or to acquire additional small aircraft at this time.

Furthermore, it appears that neither temporary nor permanent certification

[5] Although TAG requests authority to operate two F–27 aircraft, it suggests that the authority be granted so that Convair 580 aircraft could be substituted for the F–27. We will not adopt that suggestion. In the event that TAG decides to utilize Convair 580 equipment instead of F–27 equipment, it will be necessary for the carrier to seek such authority.

[6] In this certificate proceeding, we will adhere to our customary rule that operations under the interim exemption will not be a favorable decisional factor.

proceedings could be completed in time to meet TAG's present equipment situation, and it would in any event be impractical to undertake temporary certification proceedings in circumstances in which we are instituting a full certificate proceeding, which should take very little longer than a temporary one. The exemption we are granting is limited both in scope and in time. Accordingly, and since TAG's operations are of limited extent, and affected by unusual circumstances (in the form of its equipment difficulties), we find that enforcement of section 401 of the Act, and of the terms and conditions of Part 298 of the economic regulations, insofar as they would otherwise prevent the applicant from utilizing two F–27 aircraft in air transportation between Detroit City Airport and Burke Lakefront Airport, would be an undue burden upon TAG Airlines, Inc., by reason of the limited extent of and unusual circumstances affecting its operations and is not in the public interest.

Accordingly, it is ordered:

1. That TAG Airlines, Inc., be and it hereby is exempted from section 401 of the Act and Part 298 of the economic regulations to the extent that they would prevent it, as an air taxi operator, from utilizing two F–27 aircraft in air transportation between Detroit City Airport and Burke Lakefront Airport;

2. That, in the conduct of this service TAG shall be deemed an "Air Taxi Operator" within the meaning of Part 298 of the economic regulations, and shall comply with and be subject to all provisions of said part: *Provided,* That operaiton of the service authorized herein shall not preclude TAG from conducting other operations pursuant to said Part;

3. That TAG shall file with the Board's Bureau of Accounts and Statistics, not later than 15 days after the end of each calendar quarter, an operations report showing the number of flights performed under this exemption during such quarter and the total number of passengers and of pounds of airfreight transported on such flights;

4. That the exemption granted herein shall become effective on the date of adoption of this order by the Board, and shall continue in effect until 90 days after final decision on TAG's certificate application, Docket 19139;

5. That, prior to the commencement of operations under the authority granted herein, TAG shall comply with the insurance requirements of §§ 208.11–208.13 of the economic regulations with respect to any air transportation performed pursuant to this order; and certificates of insurance reflecting compliance with this requirement throughout the effectiveness of this exemption authority shall be filed in this Docket by TAG;

6. That the application of TAG Airlines, Docket 19139, be and it hereby is set for hearing before an Examiner of the Board at a time and place to be hereafter designated; and

7. That this order may be amended or revoked at any time in the discretion of the Board without hearing.

This order shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.[7]

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 68–3146; Filed, Mar. 13, 1968; 8:49 a.m.]

FEDERAL MARITIME COMMISSION

PACIFIC MARITIME ASSOCIATION

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, by March 26, 1968. 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. Edward D. Ransom, Attorney for Pacific Maritime Association, 311 California Street, San Francisco, Calif. 94104.

Agreement No. T–2148, between the members of the Pacific Maritime Association (PMA), is a cooperative working arrangement which permits the members to assess themselves, in amounts to be determined from time to time, to meet their obligations to pay employee fringe benefits under the ILWU–PMA Longshore Mechanization and Modernization Plan and the ILWU–PMA Walking Boss Mechanization and Modernization Plan. These plans resulted from collective bargaining negotiations between the PMA and the International Longshoremen's and Warehousemen's Union. A separate agreement, No. T–2149, has been filed to cover assessments measured by vehicles, including automobiles for the assessment with respect to employment of longshoremen. Assessments made under the Longshore Mechanization Plan shall be determined by a combination of the following plans:

(a) Number of revenue tons of cargo handled by each member employing longshoremen. Tonnage will be computed by weight measurement or board feet in the same manner historically used to compute PMA membership dues.

(b) Number of man hours of marine clerks employed by each member.

(c) Total funds to be collected in any given year under the marine clerk manhour method shall be determined pursuant to projections for the period as set forth in the agreement.

Member assessments made under the Walking Boss Plan shall be determined by the number of revenue tons of cargo handled by each member employing longshoremen or marine clerks. Tonnage will be computed by weight, measurement or board feet in the same manner historically used to compute PMA membership dues. Assessments per revenue ton and/or assessments per man-hours shall be uniform as between all participants in each plan, except that bulk cargo assessments per revenue ton for purposes of the Longshore Mechanization Plan shall be one-fifth of the amount of assessments per revenue ton applicable to general cargo. In cases of unusual hardship which involve a threat to maintenance of work opportunities or to either of the plans, the Association's Board of Directors may, in its discretion, reduce the applicable tonnage or man-hour assessments as to particular cargo-handling operations. The Association's Board of Directors shall have the authority to issue rules and regulations and interpretative rulings to carry out the agreements mentioned herein.

Agreement No. T–2149, between the members of the Pacific Maritime Association (PMA), is a cooperative working arrangement which permits the members to assess themselves, in amounts to be determined from time to time, to meet their obligations to pay employee fringe benefits under the ILWU–PMA Longshore Mechanization and Modernization Plan and the ILWU–PMA Walking Boss Mechanization and Modernization Plan. These plans resulted from collective bargaining negotiations between the PMA and the International Longshoremen's and Warehousemen's Union. This agreement relates only to assessments measured by vehicles, including automobiles, with respect to the employment of longshoremen, walking bosses and foremen. This agreement contains essentially the same terms and conditions set forth in Agreement No. T–2148 and specifically provides that the method for determining revenue tons on vehicles, including automobiles, handled by members employing longshoremen, walking bosses and foremen will be computed by weight or measurement in the same manner historically used to report PMA membership dues prior to 1961.

Dated: March 12, 1968.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 68–3153; Filed, Mar. 13, 1968; 8:50 a.m.]

[7] The concurring and dissenting statements of members Minetti and Gilliland filed as part of the original document.

FEDERAL POWER COMMISSION

[Docket No. CI65–974 etc.]

GEORGE DESPOT ET AL.

Order Conditionally Approving Settlements, Issuing Certificates of Public Convenience and Necessity Accepting the Related Rate Schedules and Supplements Thereto for Filing Authorizing Abandonment and Severing and Terminating Proceedings

MARCH 7, 1968.

George Despot, agent (Operator), et al., Docket No. CI65–974 et al.; Gulf Oil Corp., Docket No. CI60–322; Gulf Oil Corp., Docket No. CI67–477; Gulf Oil Corp., Docket No. CI66–68; Union Texas Petroleum, a division of Allied Chemical Corp. (Operator) et al., Docket No. CI66–1167; Phillips Petroleum Co., Docket No. CI66–498; Phillips Petroleum Co., Docket No. CI66–1038; Skelly Oil Co., Docket No. CI66–468; Phillips Petroleum Co., Docket No. CI66–500; J. C. Trahan Drilling Contractor, Inc. (Operator) et al., Docket No. CI67–132; Gulf Oil Corp., Docket No. CI67–1194;[1] Mobil Oil Corp., Docket No. CI67–338; Northern Pump Co. (Operator) et al., Docket No. CI66–1124; Forest Oil Corp. (Operator) et al., Docket No. CI66–1159; Forest Oil Corp., Docket No. CI66–1160.

On November 22, 1967, we issued an order in the consolidated George Despot proceedings, Docket Nos. CI65–974 et al., conditionally approving a settlement offer submitted by the Humble Oil & Refining Co. in Docket No. CI66–591, involving Humble's sale consolidated in George Despot. The George Despot proceedings involve sales pursuant to contracts containing restrictions on the use of the gas sold similar to those in the sales held subject to our jurisdiction in Lo-Vaca Gathering Co., Opinion No. 348, 26 FPC 606 (1961), aff. 379 U.S. 366 (1965). Because of these contractual restrictions the several respondents here treated their sales as nonjurisdictional and had commenced operations without applying for or obtaining a certificate pursuant to section 7 of the Natural Gas Act. By various orders to show cause, all of which were either originally or later consolidated with Despot, we required the several respondents to demonstrate why they should not be required to apply for and obtain nunc pro tunc certificates of public convenience and necessity authorizing the sales. We also required the respondents to show cause why if a certificate was required for a sale, the certificate should not be conditioned to require refunds of the difference between the contract prices and the in-line price, in areas where an in-line price has been established, or the guide-line price in the absence of an established in-line price for the area where the particular sale was being made, from the date of initial delivery.

In the order involving Humble's settlement proposal, we approved the Mobil refund formula for settling the various proceedings consolidated in Despot. The formula requires refunds of 62½ percent of any charges in excess of the in-line price between October 23, 1961, and January 18, 1965, and 100 percent of all excess charges collected after January 18, 1965. No refunds are required on volumes sold prior to October 23, 1961. We required that interest be paid on the refunds less royalty and overriding royalty interests at 7 percent per year from collection until the date of our order approving the settlement. As to sum refundable, which were to be retained by Humble pending our determination of disposition of these funds and which Humble choose to commingle with its other corporate funds, we required that Humble pay interest at the rate of 5½ percent per year from date of commingling to date of disbursement.

We now have before us motions by several of the respondents in Despot seeking approval of offers of settlement, which they have submitted. Objections have been filed to three of these settlements. As more fully detailed hereafter, we are approving all of these settlements conditioned on the offers being modified to conform to our order with regard to Humble.

Three of the proposed settlements involves sales in Southern Louisiana. In Docket No. CI60–322 Gulf Oil Corp. requests that the certificate heretofore issued to it in that docket be amended to include the volumes of gas it is selling to Tennessee Gas Pipeline Co. pursuant to its restrictive use contract with that purchaser, while in Docket No. CI67–477, Gulf requests authority to abandon the restrictive use of sales. The Gulf sale is from the Federal domain area of Southern Louisiana. Docket No. CI66–68, involves an unauthorized compressor fuel sale by Gulf to Transcontinental Gas Pipe Line Co. from onshore in Southern Louisiana. Gulf has already been authorized to abandon this sale, Texas Gas Transmission, 34 FPC 1555 (1965), but our order authorizing the abandonment was made without prejudice to any subsequent order with respect to refunds arising out of the period of uncertificated operations. While Docket No. CI66–1167, involves an unauthorized sale by Union Texas Petroleum of gas produced from onshore in South Louisiana to Transcontinental Gas Pipe Line Co.

Each of the three proposals adopts the Mobil formula approved by the Commission in its order concerning Humble. Gulf, as to the sale to Tennessee and Union Texas agree to accept certificates conditioned to the applicable in-line price that is 18.5 cents for the Gulf sales and 20 cents for the Union Texas sale. In addition, Gulf as to the sale to Tennessee, and Union Texas, each agrees to undertage a contingent refund obligation dependent upon the outcome of the Southern Louisiana Area Rate Proceeding, Docket No. AR61–2. Gulf, with respect to the sale to Tennessee, agrees to refund the difference, if any, between the 18.5 cents allowed it and the applicable area rate ultimately determined by the Commission in Docket No. AR61–2 (or any settlement thereof), but in no event shall refunds be computed on a price lower than 16.75 cents per Mcf at 15.025 p.s.i.a. Union Texas makes a similar agreement, but since the sale is onshore and subject to Louisiana taxes, the refund floor is placed at 18.25 cents. Such refunds in either case will be calculated upon and apply only to sales made for the period between the issuance of this order and ending with the Commission's order determining the pending exceptions in AR61–2 (or ending with the Commission order approving any settlement of that proceeding), but in no event for a period to exceed 6 months ending with our order in AR61–2.

Several of the settlements involves sales made in the State of Texas. In Dockets Nos. CI66–498 and CI66–1038, Phillips Petroleum Co. would receive certificates at the in-line price of 15 cents per Mcf for its unauthorized compressor fuel sales from Texas Railroad District No. 4 to Tennessee Gas Pipeline and Florida Gas Tranmission Co. and to use that price as the benchmark for measuring refunds. In Texas Railroad District No. 6, four settlement offers have been submitted involving sales to Lone Star Gas Co. in which the parties agree to accept certificates at the 15-cent guideline rate and use that price as the measure of refunds. The respondents making settlement offers for District No. 6 sales are Skelly Oil Co. in Docket No. CI66–468, Phillips in Docket No. CI66–500, J. C. Trahan Drilling Contractor, Inc. (Operator), et al. in Docket No. CI67–132, and Gulf in Docket No. CI67–1194.

The District No. 6 sellers depart from the Mobil formula and limit their refund offers for the middle period running from October 23, 1961, to January 18, 1965, to 60 percent. We see no reason why these sellers should be treated differently from other similarly situated sellers with regard to refunds. We have approved the Mobil formula as an appropriate standard for settlement of the compressor fuel sales involved in Despot. Absent a showing of significant legal or factual difference between the situation of the offeror and the standard legal and factual pattern involved in the other dockets consolidated in Despot, fairness to all parties requires that we accept only settlement offers which conform to the Mobil formula. The circumstances of the District No. 6 sales are not such as to warrant a departure from the formula; we will, therefore condition the acceptance of these offers of settlement on 62½ percent refunds for the middle period from October 23, 1961, to January 18, 1965.

In Docket No. CI67–338, Mobil applies for approval of a settlement offer involving a sale from the Oklahoma (other) area to Natural Gas Pipeline Company of America. Mobil agrees to accept a certificate at the 15-cent in-line price. As

[1] This docket was not consolidated with Docket Nos. CI65–974 et al., but was included in the settlement.

with the District No. 6 sellers, Mobil departs from the formula and utilizes a 60 percent refund measure for the middle period, as with the District No. 6 sales, we see no reason for this departure for the formula and will condition acceptance of this settlement on 62½ percent refunds for the middle period.

We also have before us three settlements to which the New York Public Service Commission has filed objections. These offers involve a sales by Northern Pump Co. in Docket No. CI66–1124 and by Forest Oil Corp. in Docket Nos. CI66–1159 and CI66–1160 to Tennessee Gas Pipeline Co. In each case the settlement proposes certification at the in-line price of 15 cents and refunds computed according to the Mobil formula. However, in computing refunds these producers add an upward quality adjustment to the in-line price because they dehydrate the gas. Northern pump proposes refunds for sums collected over the 15-cent in-line price plus a 0.54-cent quality adjustment, while Forest uses a 0.25-cent quality adjustment.

New York's objection runs to the quality adjustment only, and, if the quality adjustment is eliminated, New York has no objection to these settlements. These sales are made in Texas Railroad District No. 4. As New York notes, the in-line price cases for that area have considered claims for allowances over the in-line price for dehydration and have rejected them. Amerada Petroleum Corp., Opinion No. 422, 31 FPC 1315 at 1318 (1964); Turnbull & Zoch, Opinion No. 478, 34 FPC 1001, at 1039 (1965). While the producers indicate their operations have not been profitable, this is not a grounds for the type of relief from a refund obligation sought here. See, Turnbull & Zoch Drilling Co., Opinion No. 499, 36 FPC 164, 166 (1966); Amerada Petroleum Corp., Opinion No. 501–A, 36 FPC 962, 965 (1966). We will therefore accept the Northern Pump and Forest settlements only upon condition that refunds be measured by the 15-cent in-line price.

We will condition our acceptance of each of these settlements upon the payment of 7 percent interest per year upon all sums refundable from the date of collection to the date of this order less royalty and overriding royalty interest. We will also direct each respondent to retain the sums refundable pending our determination of their ultimate disposition and will require that if these funds are commingled with other corporate funds interest at 5½ percent per year thereon, shall accrue thereto.

The Commission finds:

(1) The settlement proposals filed by respondents as hereinafter conditioned, are in the public interest, and it is appropriate in the administration of the provisions of the Natural Gas Act that it be approved and made effective as hereinafter ordered.

(2) The sales for which respondents seek authorization together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are subject to the requirements of subsections (c) and (e) of section 7 of the Natural Gas Act.

(3) The respondents are able and willing to do the acts and to preform the services proposed, and to conform to the provisions of the Natural Gas Act and the requirements, rules, and regulations of the Commission thereunder.

(4) The sales proposed by respondents together with the construction and operation of any facilities subject to the jurisdiction of the Commission and necessary therefor, are required by the public convenience and necessity and as conditioned herein are in the public interest.

(5) The abandonment applied for by Gulf Oil Corp. in Docket No. CI67–477 is permitted by the present and future public convenience and necessity, and it is the public interest to authorize the amendment of the certificate issued Gulf in Docket No. CI60–322 to authorize additional service.

The Commission orders:

(A) The settlement of these proceedings on the basis of the settlement proposal filed by respondent as herein conditioned, are approved and made effective subject to terms and conditions herein.

(B) Respondents shall compute interest on all refundable amounts which they have collected at the rate of 7 percent per year from the date of collection to the date of the issuance of this order less royalty and overriding royalty interest.

(C) Northern Pump and Forest Oil shall compute amounts refundable upon the basis of the 15-cent per Mcf in-line price rather than the prices stated in their offers of settlement. Skelly in Docket No. CI66–468; Phillips in Docket No. CI66–500; Trahan in Docket No. CI–67–132; Gulf in Docket No. CI67–1194; and Mobil in Docket No. CI67–338 shall compute refunds for the middle period at 62½ percent.

(D) Respondents shall file with the Commission within 45 days after the date of this order a report setting out the amount of refunds computed in accordance with the settlement proposal together with the interest thereon computed in accordance with paragraph (B) hereof showing details of computation and shall serve a copy of the report on all parties to the proceeding in Docket No. CI65–974 et al.

(E) Respondents shall retain the amounts shown in the reports required under ordering paragraph (D) subject to further order of the Commission directing the disposition of those amounts. If any respondent elects to commingle these retained refunds with its general assets and use them for its corporate purposes, it shall pay interest thereon at the rate of 5½ percent per annum on all funds thus available from the date of this order to the date on which they are paid over to the person ultimately determined to be entitled thereto in a final order of the Commission. If any respondent elects to deposit the retained refunds in a special escrow account, such respondent shall tender for filing on or before the date of the filing of the refund report an executed Escrow Agreement, conditioned as set out below accompanied by certificate showing service of a copy thereof upon the parties to the proceeding in Docket Nos. CI65–974 et al. Unless notified to the contrary by the Secretary within 30 days from the date of filing thereof the Escrow Agreement shall be entered into between respondent and any bank or trust company used as a depositor for funds of the U.S. Government and the agreement shall be conditioned as follows:

(1) Such respondent, the bank, or trust company, and the successors and assigns of each, shall be held and formally bound unto the Federal Power Commission for the use and benefit of those entitled thereto, with respect to all amounts and the interest thereon deposited in a special escrow account, subject to such Agreement, and such bank or trust company shall be bound to pay over to such person or persons as may be identified and designated by final order of the Commission and in such manner as may be therein specified, all or any portion of such deposits and the interest thereon.

(2) The bank or trust company may invest and reinvest such deposits in any short-term indebtedness of the United States or an agency thereof or in any form of obligation guaranteed by the United States which is, respectively, payable within 120 days as the said bank or trust company in the exercise of its sound discretion may select.

(3) Such bank or trust company shall be liable only for such interest as the invested funds described in paragraph (2) above will earn and no other interest may be collected from it.

(4) Such bank or trust company shall be entitled to such compensation as is fair, reasonable and customary for its services as such, which compensation shall be paid out of the escrow account to such bank or trust company. Said bank or trust company shall likewise be entitled to reimbursement for its reasonable expenses necessarily incurred in the administration of this escrow account, which reimbursement shall be made out of the escrow account.

(5) Such bank or trust company shall report to the Secretary of this Commission quarterly, certifying the amount deposited in the trust account for the quarterly period.

(F) Permanent certificates of public convenience and necessity issued to respondents upon the conditions hereinafter set forth authorizing the sale and service proposed.

(G) Each certificate issued to a respondent by paragraph (F) are conditioned upon such respondent's accepting the certificate issued to it in writing and under oath within 30 days of the issuance of this order.

(H) The certificate issued to each respondent by paragraph (F) is conditioned upon the acceptance by such respondent of the modifications of its settlement proposal as provided in this order.

(I) The certificates issued in paragraph (F) are conditioned so that on and after the date of this order and until lawfully changed the price charged by each respondent shall be the price stated in its offer of settlement. Each respondent within 30 days of the date of this order shall file a rate schedule or supplemental rate schedule reflecting the conditioned price in lieu of the price currently provided therein, and as to such filing the requirements of § 154.94(f) of the regulations under the Natural Gas Act were waived and upon compliance the proposed related rate schedules and supplements thereto shall be accepted for filing effective as of the date of this order: *Provided*, That this order is without prejudice to any action which the Commission may hereafter take pursuant to the provisions of sections 4 and 5 of the Natural Gas Act.

(J) The abandonment sought by Gulf in Docket No. CI67–477 is granted and the certificate issued in Docket No. CI60–322 is amended to authorize the continuation of the sale under that Docket subject to the conditions (G), (H), and (I) of this order.

(K) Each respondent shall, over the signature of a responsible officer, file with the Commission, within 30 days of the date of this order, an original and one copy of its acceptance or rejection of this order and shall serve a copy of the same on the parties to Docket Nos. CI65–974 et al.

(L) Upon full compliance by any respondent with this order the proceedings in that respondent's docket shall terminate and such proceedings upon termination are hereby severed from the consolidated proceedings in Docket Nos. CI65–974 et al.

By the Commission.

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

[F.R. Doc. 68–3100; Filed, Mar. 13, 1968; 8:45 a.m.]

[Docket No. CI65–974 etc.]

GEORGE DESPOT ET AL.

Order Conditionally Approving Settlements, Issuing Certificates of Public Convenience and Necessity Accepting Related Rate Schedules and Supplements Thereto for Filing and Severing and Terminating Proceedings

MARCH 7, 1968.

George Despot, agent (Operator) et al., Docket No. CI65–974 et al.; Texaco, Inc. (Operator) et al., Docket No. CI67–170; Robbins Petroleum Corp. (Operator) et al., Docket No. CI66–1208; B. Reagan McLemore et al., Docket No. CI66–1220.

Texaco, Inc., Robbins Petroleum Corp., and McLemore, three producer-respondents in the consolidated Despot proceedings, who have made unauthorized restrictive use sales in Texas Railroad District 6 to Lone Star Gas Co., have submitted offers of settlement. In each case, the settlement offers depart substantially from the Mobil refund formula, which was approved in our order of November 22, 1967, conditionally approving Humble's offer of settlement. In each case the departure consists in measuring the refund obligation by a percentage which differs from the Mobil formula. Thus, Texaco offers refunds of 67 percent of its charges in excess of the 15-cent guideline from July 1, 1963, the date on which its charges first exceeded the guideline, with interest at 7 percent on the principle refund sum less royalty and overriding royalty, to June 1, 1967. The Robbins and McLemore settlement are predicated upon a refund of 67 percent of its charges in excess of its collections over the 15-cent guideline, with interest at 7 percent on the principle refund sum less royalty and overriding royalty, to February 28, 1967.

The departure from the formula is supported on the bases that only a small portion of the gas sold Lone Star is actually resold outside the State of Texas. The teaching of California v. Lo-Vaca, 379 U.S. 366 (1965), and FPC v. Amerada, 379 U.S. 867 (1965), is that if gas sold under one contract of sale and delivered in one commingled stream, some part of which flows into interstate commerce and is resold, the entire stream is subject to our jurisdiction, and the transaction may not be retroactively fractured into two transactions, one intrastate. Without finally passing on the merits of the jurisdictional argument the producers submit, the Commission is not persuaded that for purposes of approving a settlement, these sales are so different from the other sales in Despot that a departure from the approved formula for settlements in Despot is justified.

We will not, however, reject these settlements. Rather, we will accept them upon the condition that the producers comply with the approved formula. Thus, for any charges in excess of 15 cents between October 23, 1961, and January 18, 1965, 62½ percent of the excess will be refundable. For all charges in excess of 15 cents between January 18, 1965, and the date of this order, 100 percent of the excess will be refundable.

We will condition our acceptance of each of these settlements upon the payment of 7 percent per year upon all sums refundable from the date of collection to the date of this order less royalty and overriding royalty interest. We will also direct each respondent to retain the sums refundable pending our determination of their ultimate disposition and will require that if these funds are commingled with other corporate funds interest at 5½ percent per year shall be accrued thereon.

The Commission finds:

(1) The settlement proposals filed by respondents as hereinafter conditioned, are in the public interest, and it is appropriate in the administration of the provisions of the Natural Gas Act that it be approved and made effective as hereinafter ordered.

(2) The sales for which respondents seek authorization together with the construction and operation of any facilities subject to the jurisdiction of the Commission and necessary therefore, are subject to the requirements of subsections (c) and (e) of section 7 of the Natural Gas Act.

(3) The respondents are able and willing to do the acts and to perform the services proposed, and to conform to the provisions of the Natural Gas Act and the requirements, rules, and regulations of the Commission thereunder.

(4) The sales proposed by respondents together with the construction and operation of any facilities subject to the jurisdiction of the Commission and necessary therefor, are required by the public convenience and necessity and as conditioned herein are in the public interest.

The Commission orders:

(A) The settlement of these proceedings on the basis of the settlement proposal filed by respondent as herein conditioned, are approved and made effective subject to terms and conditions herein.

(B) Respondent shall refund 62½ percent of all their charges in excess of 15 cents per Mcf for the period from October 23, 1961, to January 18, 1965, and 100 percent of all charges in excess of 15 cents per Mcf from January 18, 1965, to the date of this order.

(C) Respondents shall compute interest on all refundable amounts which they have collected at the rate of 7 percent per year from the date of collection to the date of the issuance of this order less royalty and overriding royalty interest.

(D) Respondents shall file with the Commission within 45 days after the date of this order a report setting out the amount of refunds computed in accordance with the settlement proposal together with the interest thereon computed in accordance with paragraph (C) hereof and shall serve a copy of the report on all parties to the proceeding in Docket No. CI65–974.

(E) Respondents shall retain the amounts shown in the reports required under ordering paragraph (D) subject to further order of the Commission directing the disposition of those amounts. If any respondent elects to commingle these retained refunds with its general assets and use them for its corporate purposes, it shall pay interest thereon at the rate of 5½ percent per annum on all funds thus available from the date of this order to the date on which they are paid over to the person ultimately determined to be entitled thereto in a final order of the Commission. If any respondent elects to deposit the retained refunds in a special escrow account, such respondent shall tender for filing on or before the date of the filing of the refund report an executed Escrow Agreement, conditioned as set out below accompanied by certificate showing service of a copy thereof upon the parties to the proceeding in Docket No. CI65–974. Unless notified to the contrary by the Secretary within 30 days from the date of filing thereof the Escrow Agreement shall be entered into between respondent and any bank or trust company used as a

depositor for funds of the U.S. Government and the agreement shall be conditioned as follows:

(1) Such respondent, the bank or trust company, and the successors and assigns of each, shall be held and formally bound unto the Federal Power Commission for the use and benefit of those entitled thereto, with respect to all amounts and the interest thereon deposited in a special escrow account, subject to such Agreement, and such bank or trust company shall be bound to pay over to such person or persons as may be identified and designated by final order of the Commission and in such manner as may be therein specified, all or any portion of such deposits and the interest thereon.

(2) The bank or trust company may invest and reinvest such deposits in any short-term indebtedness of the United States or an agency thereof or in any form of obligation guaranteed by the United States which is, respectively, payable within 120 days as the said bank or trust company in the exercise of its sound discretion may select.

(3) Such bank or trust company shall be liable only for such interest as the invested funds described in paragraph (2) above will earn and no other interest may be collected from it.

(4) Such bank or trust company shall be entitled to such compensation as is fair, reasonable and customary for its services as such, which compensation shall be paid out of the escrow account to such bank or trust company. Said bank or trust company shall likewise be entitled to reimbursement for its reasonable expenses necessarily incurred in the administration of this escrow account, which reimbursement shall be made out of the escrow account.

(5) Such bank or trust company shall report to the Secretary of this Commission quarterly, certifying the amount deposited in the trust account for the quarterly period.

(F) Permanent certificates of public convenience and necessity issued to respondents upon the conditions hereinafter set forth authorizing the sale and service proposed.

(G) Each certificate issued to a respondent by paragraph (F), are conditioned upon such respondent's accepting the certificate issued to it in writing and under oath within 30 days of the issuance of this order.

(H) The certificate issued to each respondent by paragraph (F) is conditioned upon the acceptance by such respondent of the modifications of its settlement proposal as provided in this order.

(I) The certificates issued in paragraph (F) are conditioned so that on and after the date of this order and until lawfully changed the price charged by each respondent shall be the price stated in its offer of settlement. Each respondent within 30 days of the date of this order shall file a rate schedule on supplemental rate schedule reflecting the conditioned price in lieu of the price currently provided therein, and as to such filing the requirements of § 154.94(f) of the Regulations under the Natural Gas Act are waived and upon compliance the proposed related rate schedules and supplements thereto shall be accepted for filing effective as of the date of this order: *Provided,* That this order is without prejudice to any action which the Commission may hereafter take pursuant to the provisions of sections 4 and 5 of the Natural Gas Act.

(J) Each respondent shall, over the signature of a responsible officer, file with the Commission, within 30 days of the date of this order, an original and one copy of its acceptance or rejection of this order and shall serve a copy of the same on the parties to Docket No. CI65–974.

(K) Upon full compliance by any respondent with this order the proceedings in that respondent's docket shall terminate and such proceedings upon termination are hereby severed from the consolidated proceedings in Docket No. CI 65–974 et al.

By the Commission.

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

[F.R. Doc. 68–3101; Filed, Mar. 13, 1968; 8:45 a.m.]

FEDERAL RESERVE SYSTEM

WELLS FARGO BANK

Order Approving Merger of Banks

In the matter of the application of Wells Fargo Bank for approval of merger with Bank of Pasadena.

There has come before the Board of Governors, pursuant to the Bank Merger Act (12 U.S.C. 1828(c)), an application by Wells Fargo Bank, San Francisco, Calif., a State member bank of the Federal Reserve System, for the Board's prior approval of the merger of that bank and Bank of Pasadena, Pasadena, Calif., under the charter and title of Wells Fargo Bank. As an incident to the merger, the two offices of Bank of Pasadena would become branches of the resulting bank. Notice of the proposed merger, in form approved by the Board, has been published pursuant to said Act.

Upon consideration of all relevant material in the light of the factors set forth in said Act, including reports furnished by the Comptroller of the Currency, the Federal Deposit Insurance Corporation, and the Attorney General on the competitive factors involved in the proposed merger,

It is hereby ordered, For the reasons set forth in the Board's Statement[1] of this date, that said application be and hereby is approved: *Provided,* That said merger shall not be consummated (a) before the 30th calendar day following the date of this order or (b) later than 3 months after the date of this order.

Dated at Washington, D.C., this 7th day of March 1968.

By order of the Board of Governors.[2]

[SEAL] ROBERT P. FORRESTAL, *Assistant Secretary.*

[F.R. Doc. 68–3102; Filed, Mar. 13, 1968; 8:45 a.m.]

[1] Filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551, or to the Federal Reserve Bank of San Francisco. Concurring Statement of Governor Brimmer also filed as part of the original document and available upon request.

[2] Voting for this action: Chairman Martin, and Governors Robertson, Daane, Maisel, Brimmer, and Sherrill. Absent and not voting: Governor Mitchell.

SECURITIES AND EXCHANGE COMMISSION

[File No. 2–14886]

ALSCOPE CONSOLIDATED, LTD.

Order Suspending Trading

MARCH 8, 1968.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Alscope Consolidated, Ltd., Passaic, N.J., being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period March 10, 1968, through March 19, 1968, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 68–3111; Filed, Mar. 13, 1968; 8:46 a.m.]

CODITRON CORP.

Order Suspending Trading

MARCH 8, 1968.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, $3 par value, of Coditron Corp., New York, N.Y., being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period March 11, 1968, through March 20, 1968, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 68–3112; Filed, Mar. 13, 1968; 8:46 a.m.]

LEEDS SHOES, INC.

Order Suspending Trading

MARCH 8, 1968.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Leeds Shoes, Inc., Tampa, Fla., and all other securities of Leeds Shoes, Inc., being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period March 11, 1968, through March 20, 1968, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 68-3114; Filed, Mar. 13, 1968; 8:46 a.m.]

[70-4599]

NEW JERSEY POWER & LIGHT CO.

Notice of Proposed Sale of Utility Poles to Nonassociate Companies

MARCH 8, 1968.

Notice is hereby given that New Jersey Power & Light Co. ("NJP&L"), Madison Avenue at Punch Bowl Road, Morristown, N.J. 07960, an electric utility subsidiary company of General Public Utilities Corp., a registered holding company, has filed a declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating section 12(d) of the Act and Rule 44 promulgated thereunder 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.

NJP&L proposes to sell to two subsidiary companies of United Utilities System ("United"), namely, New Jersey Telephone Co. and United Telephone Company of New Jersey, from time to time prior to January 1, 1972, for cash, a total of approximately 4,500 electric distribution wood poles (or, in the case of jointly owned poles, NJP&L's interest therein) along with certain appurtenant anchor rods and plates, in place, which are used jointly by NJP&L and the two United subsidiary companies. The proposed consideration for the property to be transferred is equal to the depreciated original cost thereof as of January 1st preceding the date of transfer and is estimated to aggregate approximately $300,000. The initial transfer, involving an aggregate of 1,423 poles, is scheduled to be consummated on or about March 31, 1968, at a price of about $81,085.

NJP&L and the United subsidiary companies have agreed to use the poles jointly in order to reduce overall investment and improve service. That company which has the smaller number of joint-use poles pays rental on the difference in number, but with the understanding that periodically each of the companies will be brought to the position of owning about 50 percent of such poles. NJP&L now owns approximately 8,900 more joint-use poles than the United subsidiaries, and the proposed sale will eliminate that disparity.

The declaration states that NJP&L's expenses in connection with the proposed transactions are estimated at $4,500, including legal fees of $2,500. It is further stated that the Board of Public Utility Commissioners of the State of New Jersey has jurisdiction with respect to the proposed sales by NJP&L; that the order of that State commission will be filed herein by amendment; that no other State Commission has jurisdiction with respect to the proposed transactions; and that, assuming this Commission's approval of the proposed sales (including the proposed accounting therefor), no Federal commission, other than this Commission, has jurisdiction with respect thereto.

Notice is further given that any interested person may, not later than March 28, 1968, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed 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] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 68-3115; Filed, Mar. 13, 1968; 8:47 a.m.]

[70-4601]

POTOMAC EDISON CO.

Notice of Proposed Issue and Sale of First Mortgage Bonds and Preferred Stock at Competitive Bidding

MARCH 8, 1968.

Notice is hereby given that The Potomac Edison Co. ("Potomac"), Downsville Pike, Hagerstown, Md. 21740, a registered holding company and an electric 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(a) and 7 thereof and Rule 50 promulgated thereunder 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.

Potomac proposes to issue and sell, subject to the competitive bidding requirements of Rule 50 under the Act, $25 million principal amount of its first mortgage and collateral trust bonds _____ percent series due 1998. The interest rate of the bonds (which will be a multiple of one-eighth of 1 percent) and the price, exclusive of accrued interest, to be paid to Potomac (which will be not less than 100 percent nor more than 102¾ percent of the principal amount thereof) will be determined by the competitive bidding. The bonds will be issued under an Indenture dated as of October 1, 1944, between Potomac and Chemical Bank New York Trust Co., as trustee, as supplemented and as to be supplemented by a supplemental indenture to be dated as of April 1, 1968.

Potomac also proposes to issue and sell, subject to the competitive bidding requirements of Rule 50 under the Act, 50,000 shares of its $_____ cumulative preferred stock, Series D, par value $100 per share. The dividend rate of the preferred stock (which will be a multiple of $0.04) and the price, exclusive of accrued dividends, to be paid to Potomac (which will be not less than $100 nor more than $102.75 per share) will be determined by the competitive bidding.

The net proceeds from the sale of the bonds and preferred stock will be used to finance the construction program of Potomac and its subsidiary companies (including repayment of $10,500,000 of short-term bank loans incurred therefor). Construction expenditures for the 3 years 1968, 1969, and 1970 are presently estimated at about $126 million ($40 million for 1968, $49 million for 1969, and $37 million for 1970).

The fees and expenses to be incurred in connection with the issue and sale of the bonds are estimated at $70,000, including accountants' fees of $2,800 and counsel fees of $10,000. The fees and expenses relating to the issue and sale of the preferred stock are estimated at $20,000, including accountants' fees of $500 and

counsel fees of $6,000. The fees of counsel for the underwriters are estimated at $9,500 with respect to the bonds and $5,500 with respect to the preferred stock and are to be paid by the successful bidders.

The issue and sale of the bonds and the preferred stock by Potomac require prior authorization of the Maryland Public Service Commission. It is stated that no other State or Federal regulatory authority, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than March 27, 1968, 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] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 68-3116; Filed, Mar. 13, 1968; 8:47 a.m.]

URANIUM KING CORP.

Order Suspending Trading

MARCH 8, 1968.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Uranium King Corp., Post Office Box 6217, Salt Lake City, Utah, being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period March 9, 1968, through March 18, 1968, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 68-3117; Filed, Mar. 13, 1968; 8:47 a.m.]

[File No. 2-24176]

ZIMOCO PETROLEUM CORP.

Order Suspending Trading

MARCH 8, 1968.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Zimoco Petroleum Corp., New York, N.Y., being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period March 10, 1968, through March 19, 1968, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 68-3118; Filed, Mar. 13, 1968; 8:47 a.m.]

[File No. 1-3629]

KASHMIR OIL, INC.

Order Suspending Trading

MARCH 8, 1968.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Kashmir Oil, Inc., being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period March 11, 1968, through March 20, 1968, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 68-3113; Filed, Mar. 13, 1968; 8:46 a.m.]

SUBVERSIVE ACTIVITIES CONTROL BOARD

[Docket Nos. 51-101; 106-53; 107-53; 111-53; 114-55; 115-55; 121-57; 123-57]

ORDERS MODIFYING REGISTRATION ORDERS

Notice is hereby given that the orders set forth below have been issued by the Subversive Activities Control Board pursuant to the provisions of section 14(a) of Public Law 90-237 (81 Stat. 765).

By the Board.

JOHN W. MAHAN, *Chairman.*

MARCH 8, 1968.

[Docket No. 51-101]

HERBERT BROWNELL, JR., ATTORNEY GENERAL OF THE UNITED STATES, PETITIONER v. THE COMMUNIST PARTY OF THE UNITED STATES OF AMERICA, RESPONDENT

ORDER MODIFYING REGISTRATION ORDER

The Board on April 20, 1953, issued its report in which it determined the Communist Party of the United States of America to be a Communist-action organization under the provisions of the Subversive Activities Control Act, and the Board as a result of such determination ordered said Communist Party to register.

The April 20, 1953, order of the Board became final on October 20, 1961, and thereafter has continuously remained in effect.

Public Law 90-237 (81 Stat. 765) became effective January 2, 1968, and section 14(a) thereof directs the Board to modify its previously issued registration order as may be necessary to conform such order to the provisions of section 13(g) of the Subversive Activities Control Act of 1950, as amended by said public law.

In view of the foregoing:

It is ordered, That the order of April 20, 1953, is modified to eliminate therefrom the second paragraph which requires the Communist Party of the United States of America to register, and to eliminate the third (last) paragraph thereof which requires that if said Communist Party fails to register then each and every section, branch, fraction, or cell thereof shall register, and to substitute in lieu of the second and the last paragraphs a paragraph reading:

"*It is ordered,* That the Communist Party of the United States of America is determined and declared to be a Communist-action organization under the provisions of the Subversive Activities Control Act of 1950, as amended."

[SEAL] JOHN W. MAHAN, *Chairman.*

LEONARD L. SELLS, *Member.*

JOHN S. PATTERSON, *Member.*

SIMON F. MCHUGH, JR., *Member.*

JANUARY 16, 1968, WASHINGTON, D.C.

[Docket No. 106-53]

HERBERT BROWNELL, JR., ATTORNEY GENERAL OF THE UNITED STATES, PETITIONER v. CIVIL RIGHTS CONGRESS, RESPONDENT

ORDER MODIFYING REGISTRATION ORDER

The Board on July 26, 1957, issued its report in which it found the Civil Rights Congress to be a Communist-front organization under the provisions of the Subversive Activities Control Act, and the Board as a result of such determination ordered said Civil Rights Congress to register.

The July 26, 1957, order of the Board became final on October 11, 1963, and thereafter has continuously remained in effect.

Public Law 90-237 (81 Stat. 765) became effective January 2, 1968, and section 14(a) thereof directs the Board to modify its previously issued registration order as may be necessary to conform such order to the provisions of section 13(g) of the Subversive

Activities Control Act of 1950, as amended by said public law.

In view of the foregoing:

It is ordered, That the order of July 26, 1957, is modified to eliminate therefrom the second paragraph which requires the Civil Rights Congress to register and to substitute in lieu thereof a paragraph reading:

"*It is ordered*, That the Civil Rights Congress is determined and declared to be a Communist-front organization under the provisions of the Subversive Activities Control Act of 1950, as amended."

JOHN W. MAHAN,
Chairman.

LEONARD L. SELLS,
Member.

JOHN S. PATTERSON,
Member.

SIMON F. MCHUGH, Jr.,
Member.

JANUARY 23, 1968, WASHINGTON, D.C.

[Docket No. 107–53]

HERBERT BROWNELL, JR., ATTORNEY GENERAL OF THE UNITED STATES, PETITIONER v. THE JEFFERSON SCHOOL OF SOCIAL SCIENCE, RESPONDENT

ORDER MODIFYING REGISTRATION ORDER

The Board on June 30, 1955, issued its report in which it found The Jefferson School of Social Science to be a Communist-front organization under the provisions of the Subversive Activities Control Act, and the Board as a result of such determination ordered said Jefferson School of Social Science to register.

The June 30, 1955, order of the Board became final on March 25, 1964, and thereafter has continuously remained in effect.

Public Law 90–237 (81 Stat. 765) became effective January 2, 1968, and section 14(a) thereof directs the Board to modify its previously issued registration order as may be necessary to conform such order to the provisions of section 13(g) of the Subversive Activities Control Act of 1950, as amended by said public law.

In view of the foregoing:

It is ordered, That the order of June 30, 1955, is modified to eliminate therefrom the second paragraph which requires The Jefferson School of Social Science to register and to substitute in lieu thereof a paragraph reading:

"*It is ordered*, That The Jefferson School of Social Science is determined and declared to be a Communist-front organization under the provisions of the Subversive Activities Control Act of 1950, as amended."

JOHN W. MAHAN,
Chairman.

LEONARD L. SELLS,
Member.

JOHN S. PATTERSON,
Member.

SIMON F. MCHUGH, Jr.,
Member.

JANUARY 23, 1968, WASHINGTON, D.C.

[Docket No. 111–53]

HERBERT BROWNELL, Jr., ATTORNEY GENERAL OF THE UNITED STATES, PETITIONER v. UNITED MAY DAY COMMITTEE, RESPONDENT

ORDER MODIFYING REGISTRATION ORDER

The Board on April 27, 1956, issued its report in which it found the United May Day Committee to be a Communist-front organization under the provisions of the Subversive Activities Control Act, and the Board as a result of such determination ordered said United May Day Committee to register.

The April 27, 1956, order of the Board became final on March 25, 1964, and thereafter has continuously remained in effect.

Public Law 90–237 (81 Stat. 765) became effective January 2, 1968, and section 14(a) thereof directs the Board to modify its previously issued registration order as may be necessary to conform such order to the provisions of section 13(g) of the Subversive Activities Control Act of 1950, as amended by said public law.

In view of the foregoing:

It is ordered, That the order of April 27, 1956, is modified to eliminate therefrom the second paragraph which requires the United May Day Committee to register and to substitute in lieu thereof a paragraph reading:

"*It is ordered*, That the United May Day Committee is determined and declared to be a Communist-front organization under the provisions of the Subversive Activities Control Act of 1950, as amended."

JOHN W. MAHAN,
Chairman.

LEONARD L. SELLS,
Member.

JOHN S. PATTERSON,
Member.

SIMON F. MCHUGH, Jr.,
Member.

JANUARY 23, 1968, WASHINGTON, D.C.

[Docket No. 114–55]

WILLIAM P. ROGERS, ATTORNEY GENERAL OF THE UNITED STATES, PETITIONER v. WASHINGTON PENSION UNION RESPONDENT

ORDER MODIFYING REGISTRATION ORDER

The Board on April 14, 1959, issued its report in which it found the Washington Pension Union to be a Communist-front organization under the provisions of the Subversive Activities Control Act, and the Board as a result of such determination ordered said Washington Pension Union to register.

The April 14, 1959, order of the Board became final on November 4, 1963, and thereafter has continuously remained in effect.

Public Law 90–237 (81 Stat. 765) became effective January 2, 1968, and section 14(a) thereof directs the Board to modify its previously issued registration order as may be necessary to conform such order to the provisions of section 13(g) of the Subversive Activities Control Act of 1950, as amended by said public law.

In view of the foregoing:

It is ordered, That the order of April 14, 1959, is modified to eliminate therefrom the second paragraph which requires the Washington Pension Union to register and to substitute in lieu thereof a paragraph reading:

"*It is ordered*, That the Washington Pension Union is determined and declared to be a Communist-front organization under the provisions of the Subversive Activities Control Act of 1950, as amended."

JOHN W. MAHAN,
Chairman.

LEONARD L. SELLS,
Member.

JOHN S. PATTERSON,
Member.

SIMON F. MCHUGH, Jr.,
Member.

JANUARY 23, 1968, WASHINGTON, D.C.

[Docket No. 115–55]

HERBERT BROWNELL, JR., ATTORNEY GENERAL OF THE UNITED STATES, PETITIONER v. CALIFORNIA LABOR SCHOOL, INC., RESPONDENT

ORDER MODIFYING REGISTRATION ORDER

The Board on May 21, 1957, issued its report in which it found the California Labor School, Inc., to be a Communist-front organization under the provisions of the Subversive Activities Control Act, and the Board as a result of such determination ordered said California Labor School, Inc., to register.

The May 21, 1957, order of the Board became final on December 2, 1963, and thereafter has continuously remained in effect.

Public Law 90–237 (81 Stat. 765) became effective January 2, 1968, and section 14(a) thereof directs the Board to modify its previously issued registration order as may be necessary to conform such order to the provisions of section 13(g) of the Subversive Activities Control Act of 1950, as amended by said public law.

In view of the foregoing:

It is ordered, That the order of May 21, 1957, is modified to eliminate therefrom the second paragraph which requires the California Labor School, Inc., to register and to substitute in lieu thereof a paragraph reading:

"*It is ordered*, That the California Labor School, Inc., is determined and declared to be a Communist-front organization under the provisions of the Subversive Activities Control Act of 1950, as amended."

JOHN W. MAHAN,
Chairman.

LEONARD L. SELLS,
Member.

JOHN S. PATTERSON,
Member.

SIMON F. MCHUGH, Jr.,
Member.

JANUARY 23, 1968, WASHINGTON, D.C.

[Docket No. 121–57]

WILLIAM P. ROGERS, ATTORNEY GENERAL OF THE UNITED STATES, PETITIONER v. CONNECTICUT VOLUNTEERS FOR CIVIL RIGHTS, RESPONDENT

ORDER MODIFYING REGISTRATION ORDER

The Board on April 14, 1959, issued its report in which it found the Connecticut Volunteers for Civil Rights to be a Communist-front organization under the provisions of the Subversive Activities Control Act, and the Board as a result of such determination ordered said Connecticut Volunteers for Civil Rights to register.

The April 14, 1959, order of the Board became final on June 26, 1959, and thereafter has continuously remained in effect.

Public Law 90–237 (81 Stat. 765) became effective January 2, 1968, and section 14(a) thereof directs the Board to modify its previously issued registration order as may be necessary to conform such order to the provisions of section 13(g) of the Subversive Activities Control Act of 1950, as amended by said public law.

In view of the foregoing:

It is ordered, That the order of April 14, 1959, is modified to eliminate therefrom the second paragraph which requires the Connecticut Volunteers for Civil Rights to register and to substitute in lieu thereof a paragraph reading:

"*It is ordered*, That the Connecticut Volunteers for Civil Rights is determined and declared to be a Communist-front organiza-

tion under the provisions of the Subversive Activities Control Act of 1950, as amended."

JOHN W. MAHAN,
Chairman.

LEONARD L. SELLS,
Member.

JOHN S. PATTERSON,
Member.

SIMON F. MCHUGH, Jr.,
Member.

JANUARY 23, 1968, WASHINGTON, D.C.

[Docket No. 123-57]

WILLIAM P. ROGERS, ATTORNEY GENERAL OF THE UNITED STATES, PETITIONER v. CALIFORNIA EMERGENCY DEFENSE COMMITTEE, RESPONDENT

ORDER MODIFYING REGISTRATION ORDER

The Board on April 14, 1959, issued its report in which it found the California Emergency Defense Committee to be a Communist-front organization under the provisions of the Subversive Activities Control Act, and the Board as a result of such determination ordered said California Emergency Defense Committee to register.

The April 14, 1959, order of the Board became final on August 14, 1959, and thereafter has continuously remained in effect.

Public Law 90-237 (81 Stat. 765) became effective January 2, 1968, and section 14(a) thereof directs the Board to modify its previously issued registration order as may be necessary to conform such order to the provisions of section 13(g) of the Subversive Activities Control Act of 1950, as amended by said public law.

In view of the foregoing:

It is ordered, That the order of April 14, 1959, is modified to eliminate therefrom the second paragraph which requires the California Emergency Defense Committee to register and to substitute in lieu thereof a paragraph reading:

"It is ordered, That the California Emergency Defense Committee is determined and declared to be a Communist-front organization under the provisions of the Subversive Activities Control Act of 1950, as amended."

JOHN W. MAHAN,
Chairman.

LEONARD L. SELLS,
Member.

JOHN S. PATTERSON,
Member.

SIMON F. MCHUGH, Jr.,
Member.

JANUARY 23, 1968, WASHINGTON, D.C.

[F.R. Doc. 68-3119; Filed, Mar. 13, 1968; 8:45 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 1160]

MOTOR CARRIER, BROKER, WATER CARRIER AND FREIGHT FORWARDER APPLICATIONS

MARCH 8, 1968.

The following applications are governed by Special Rule 1.247[1] of the Commission's general rules of practice (49 CFR, as amended), published in the FEDERAL REGISTER issue of April 20, 1966, effective May 20, 1966. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the FEDERAL REGISTER. Failure reasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with § 1.247(d)(3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and describing in detail the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one copy of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such requests shall meet the requirements of § 1.247(d)(4) of the special rule, and shall include the certification required therein.

Section 1.247(f) of the Commission's rules of practice further provides that each applicant shall, if protests to its application have been filed, and within 60 days of the date of this publication, notify the Commission in writing (1) that it is ready to proceed and prosecute the application, or (2) that it wishes to withdraw the application, failure in which the application will be dismissed by the Commission.

Further processing steps (whether modified procedure, oral hearing, or other procedures) will be determined generally in accordance with the Commission's General Policy Statement Concerning Motor Carrier Licensing Procedures, published in the FEDERAL REGISTER issue of May 3, 1966. This assignment will be by Commission order which will be served on each party of record.

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

No. MC 3018 (Sub-No. 20), filed February 26, 1968. Applicant: McKEOWN TRANSPORTATION COMPANY, a corporation, 10448 South Western Avenue, Chicago, Ill. 60643. Applicant's representative: Gregory J. Scheurich, 111 West Washington Street, Chicago, Ill. 60602. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Compressed gases in cylinders and liquid nitrogen*, (1) from Milwaukee, Wis., to Davenport, Iowa, and (2) from Speedway, Ind., to Peoria, Ill., under contract with Union Carbide Corp. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., Milwaukee or Madison, Wis.

No. MC 3379 (Sub-No. 51), filed February 26, 1968. Applicant: SNYDER BROS. MOTOR FREIGHT, INC., 363 Stanton Avenue, Akron, Ohio. 44301. Applicant's representative: John C. Bradley, 1111 E Street, NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, and commodities requiring special equipment), serving Stuarts Draft, Va., and points within 3 miles thereof, as off-route points in connection with applicant's authorized regular-route operations. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Richmond, Va.

No. MC 3468 (Sub-No. 155), filed February 26, 1968. Applicant: F. J. BOUTELL DRIVEAWAY CO., INC., 705 South Dort Highway, Flint, Mich. 48503. Applicant's representative: H. C. Ames, Jr., Transportation Building, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Motor vehicles*, in secondary movements, in truckaway and driveaway service, from Jessup, Md., to points in Virginia, restricted to traffic originating at General Motors Corp. plants, which has had an immediately prior movement by rail. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Detroit, Mich.

No. MC 9325 (Sub-No. 37), filed March 1, 1968. Applicant: K LINES, INC., Post Office Box 217, Lebanon, Oreg. Applicant's representative: Norman E. Sutherland, 1200 Jackson Tower, Portland, Oreg. 97205. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime*, in bulk, from Tacoma, Wash., to points in Oregon and California. NOTE: If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg.

No. MC 11207 (Sub-No. 270), filed February 29, 1968. Applicant: DEATON, INC., 317 Avenue W, Post Office Box 1271, Birmingham, Ala. 35201. Applicant's representative: A. Alvis Layne, Pennsylvania Building, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products* (excluding commodities in bulk, in tank vehicles), from Smiths Bluff, Tex., to points in Alabama, Florida, Georgia, Mississippi, and Tennessee. NOTE: If a hearing is deemed

[1] Copies of Special Rule 1.247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

necessary, applicant requests it be held at New Orleans, La., or Atlanta, Ga.

No. MC 11344 (Sub-No. 9), filed February 26, 1968. Applicant: H. F. BARNHILL, doing business as BARNHILL MOTOR EXPRESS, 1–85 (Post Office Box 632), Gaffney, S.C. 29340. Applicant's representative: Frank A. Graham, Jr., 707 Security Federal Building, Columbia, S.C. 29201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas and pineapples*, from Tampa, Fla., to Asheville, Charlotte, Durham, Elizabeth City, Fayetteville, Gastonia, Goldsboro, Greensboro, Hickory, High Point, Morganton, Raleigh, Wilmington, and Winston-Salem, N.C., Anderson, Charleston, Columbia, Florence, and Greenville, S.C., and Johnson City, Tenn. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbia or Spartanburg, S.C., or Charlotte, N.C.

No. MC 15167 (Sub-No. 33), filed February 29, 1968. Applicant: CULLUM TRUCKING CO., a corporation, 1281 West Side Avenue, Jersey City, N.J. 07306. Applicant's representative: Charles J. Williams, 47 Lincoln Park, Newark, N.J. 07102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Coke*, in bulk, in dump vehicles, from Kearny, N.J., to points in Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, and Maine, restricted to a service to be performed under contract with Koppers Co., Inc., Kearny, N.J. NOTE: If a hearing is deemed necessary, applicant requests it be held at Newark, N.J., New York, N.Y., or Washington, D.C.

No. MC 21170 (Sub-No. 262), filed March 1, 1968. Applicant: BOS LINES, INC., 408 South 12th Avenue, Marshalltown, Iowa 50158. Applicant's representative: Gene R. Proluski (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses* as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk and except hides), from the plantsite and storage facilities of Blue Ribbon Beef Pack, Inc., near Le Mars, Iowa to points in Illinois, Indiana, Kentucky, Michigan, Minnesota, Missouri, Tennessee (except Memphis), and Ohio; restricted to traffic originating at the plantsite and storage facilities of Blue Ribbon Beef Pack, Inc., near Le Mars, Iowa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 30844 (Sub-No. 248), filed February 28, 1968. Applicant: KROBLIN REFRIGERATED XPRESS, INC., 2125 Commercial, Waterloo, Iowa 50704. Applicant's representative: Truman A. Stockton, Jr., The 1650 Grant Street Building, Denver, Colo. 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses* as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from Waterloo, Iowa, to points in West Virginia and Virginia, restricted to the plantsite of Rath Packing Co., Waterloo, Iowa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Waterloo or Des Moines, Iowa.

No. MC 30884 (Sub-No. 249), filed February 28, 1968. Applicant: KROBLIN REFRIGERATED XPRESS, INC., 2125 Commercial, Waterloo, Iowa 50704. Applicant's representative: Truman A. Stockton, Jr., The 1650 Grant Street Building, Denver, Colo. 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Canned preserved foodstuffs* (except cold or frozen), from the plantsite and facilities of the Borden Co. and or division of the Borden Co., at Wellsboro, Pa.; Arcade, Syracuse, Waterloo, Red Creek, Rushville, Egypt, Penn Yan, Fairport, Newark, and Lyons, N.Y., to points in Wisconsin, Minnesota, North Dakota, South Dakota, Nebraska, Iowa, Missouri, and Illinois, and (2) *foodstuffs*, from Brockton, Alton, Phelps, Leroy, Oakfield, Mount Morris, Starksville, Corham, South Dayton, Bergen, Westfield, N.Y., and Erie and North East, Pa., to points in Missouri, Illinois, Indiana, Wisconsin, Minnesota and Iowa. NOTE: Applicant indicates tacking the proposed authority with its existing authority transporting: Canned goods and groceries, between points in Iowa and points in Oklahoma, Missouri, Kansas, Colorado, Nebraska, Arkansas, Texas, Ohio, Indiana (except Indianapolis), and those in that part of Illinois on and south of U.S. Highway 36. If a hearing is deemed necessary, applicant requests it be held at Buffalo, or Rochester, N.Y.

No. MC 36222 (Sub-No. 12), filed February 26, 1968. Applicant: JOHN L. FANSHAW, JR., doing business as CREWE TRANSFER, Crewe, Va. Applicant's representative: Jno. C. Goddin, 200 West Grace Street, Richmond, Va. 23220. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wearing apparel and materials and supplies* used in the manufacture of wearing apparel, between Alberta and Crewe, Va. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Richmond, Va.

No. MC 41255 (Sub-No. 69), filed February 26, 1968. Applicant: GLOSSON MOTOR LINES, INC., Route 9, Box 11A Hargrave Road, Lexington, N.C. 27292. Applicant's representative: Harold G. Hernly, 711 Fourteenth Street NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, and except explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment) between points in that part of North Carolina on and east of a line beginning at the North Carolina-South Carolina State line and extending along U.S. Highway 321 to the junction of North Carolina Highway 127 at Hickory, N.C., thence along North Carolina Highway 127 to the junction of North Carolina Highway 90, thence along North Carolina Highway 90 to the junction of North Carolina Highway 16 at Taylorsville, N.C., thence along North Carolina Highway 16 to the junction of North Carolina Highway 18 at Moravian Falls, thence along North Carolina Highway 18 to the North Carolina-Virginia State line (except points in Camden, Currituck, Dare, and Hyde Counties, N.C.). NOTE: Applicant states it would tack the authority sought with numerous special commodity authority authorized to it in North Carolina for northbound movements, as well as points in its General Commodities southbound embracing points on and west of a line beginning at the Virgina-North Carolina State line and extending over U.S. Highway 1 through Sanford, N.C., thence over U.S. Highway 15 to Carthage, N.C., thence over North Carolina Highway 27 to Charlotte, and U.S. Highway 74 to Gastonia, N.C., all within the nonradial area sought in this application. Applicant states no duplicating authority is being sought. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Greensboro or Charlotte, N.C.

No. MC 46240 (Sub-No. 15) (Correction), filed February 19, 1968, published in FEDERAL REGISTER issue of March 7, 1968, and republished as corrected, this issue. Applicant: DIRECT TRANSIT LINES, INC., 200 Colrain Street SW., Grand Rapids, Mich. Applicant's representative: Robert A. Sullivan, 1800 Buhl Building, Detroit, Mich. 48226. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Brass, bronze, copper, aluminum, and plastic articles*, from Port Huron, Mich., to points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Louisiana, Massachusetts, Minnesota, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia and (2) *return of nonferrous scrap metals*, from points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Louisiana, Massachusetts, Minnesota, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, Iowa, Kentucky, and West Virginia to Port Huron, Mich., under contract with Mueller Brass Co. of Port Huron, Mich. NOTE: Applicant holds common carrier authority in MC 106603, therefore dual operations may be involved. The purpose of this republication is to correct scope of authority sought in (2) above. If a hearing is deemed necessary, applicant requests it be held at Lansing, or Detroit, Mich.

No. MC 50307 (Sub-No. 43), filed February 29, 1968. Applicant: INTERSTATE DRESS CARRIERS, INC., 247 West 35th Street, New York, N.Y. 10001. Applicant's representative: Herbert Burstein, 160 Broadway, New York, N.Y. 10038. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wearing*

apparel and materials and supplies used in the manufacture thereof, between points in the New York, N.Y., commercial zone, on the one hand, and, on the other, Williamsport, Md. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 51146 (Sub-No. 80), filed February 28, 1968. Applicant: SCHNEIDER TRANSPORT & STORAGE, INC., 817 McDonald Street, Green Bay, Wis. 54306. Applicant's representative: Donald F. Martin (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Woodpulp* (except in tank or hopper-type vehicles), between points in Wisconsin on the one hand, and, on the other, points in Kentucky and Missouri. NOTE: No duplicating authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 60987 (Sub-No. 12), filed February 26, 1968. Applicant: ARKIN TRUCK LINE, INCORPORATED, 1600 South Indiana Avenue, Chicago, Ill. 60616. Applicant's representative: George S. Mullins, 4704 West Irving Park Road, Chicago, Ill. 60641. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Printed matter and materials, supplies, and equipment*, used or useful in the maintenance and operation of printing houses, between the plantsite of R. R. Donnelley & Sons, Co., at or near Dwight, Ill., on the one hand, and, on the other, Crawfordville and Warsaw, Ind., under contract with R. R. Donnelley & Sons, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 61592 (Sub-No. 101), filed January 25, 1968. Applicant: JENKINS TRUCK LINES, INC., 3708 Elm Street, Bettendorf, Iowa 52722. Applicant's representative: Donald W. Smith, 511 Fidelity Building, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural machinery and grain bins*, from the plantsite of the Long Manufacturing Co., Inc., Davenport, Iowa, to ports of entry on the international boundary line between the United States and Canada, located in Maine, New Hampshire, Vermont, New York, Michigan, Wisconsin, Minnesota, North Dakota, Montana, Idaho, and Washington, restricted to traffic originating from the plantsites and warehouse of the Long Manufacturing Co., Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 65626 (Sub-No. 20), filed February 27, 1968. Applicant: FREDONIA EXPRESS, INC., 316 Eagle Street, Post Office Box 222, Fredonia, N.Y. Applicant's representative: E. Stephen Heisley, 529 Transportation Building, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Fredonia, N.Y., to points in Pennsylvania and New Jersey. NOTE: If a hearing is deemed necessary, applicant requests it be held at Buffalo, N.Y., or Washington, D.C.

No. MC 67200 (Sub-No. 26), filed February 26, 1968. Applicant: THE FURNITURE TRANSPORT COMPANY, INC., Furniture Row, Milford, Conn. Applicant's representative: Arthur J. Piken, 160–16 Jamaica Avenue, Jamaica, N.Y. 11432. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, (1) from Ashburnham, Athol, Quinton, Dudley, Fitchburg, Gardner, Leominister, Lunenburg, Templeton, Tully, Westminister, and Winchendon, Mass., and points within 10 miles thereof, and Milford, Conn., to points in Maryland, Delaware, District of Columbia, and Virginia, and (2) between Milford, Conn., on the one hand, and, on the other, points in Maryland, Virginia, and Pennsylvania. NOTE: Applicant states it intends to tack the proposed authority with its presently held authority under MC 67200 and subs thereunder. If a hearing is deemed necessary, applicant requests it be held at Hartford, Conn.

No. MC 67200 (Sub-No. 27), filed February 26, 1968. Applicant: THE FURNITURE TRANSPORT COMPANY, INC., Furniture Row, Milford, Conn. Applicant's representative: Arthur J. Piken, 160–16 Jamaica Avenue., Jamaica, N.Y. 11432. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, from Milford, Conn., to points in New York. NOTE: Applicant indicates tacking with its presently held authority at New York, N.Y., points in New Jersey and points in the New England States. Applicant is presently authorized to serve between New York, N.Y., and points in Connecticut within 100 miles of New York, and from New York, N.Y., to points in New York. If a hearing is deemed necessary, applicant requests it be held at Hartford, Conn.

No. MC 67583 (Sub-No. 13), filed February 21, 1968. Applicant: KANE TRANSFER COMPANY, a corporation, 5400 Tuxedo Road, Tuxedo, Md. 20781. Applicant's representative: Spencer T. Money, 411 Park Lane Building, Washington, D.C. 20006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Containers, plastic*, one gallon or less in capacity, in boxes; and *corrugated fiberboard boxes*, knocked down flat, when shipped with plastic containers, from the warehouse and plantsite of the American Can Co. at New Castle, Del., to plant and storage facilities of the Procter & Gamble Manufacturing Co., at Baltimore, Md., under contract with Procter & Gamble Co. NOTE: Applicant holds common carrier authority under MC 9859, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Baltimore, Md.

No. MC 69371 (Sub-No. 2), filed February 14, 1968. Applicant: NORMAN TRANSPORTATION LINES, INC., 360 Literary Road, Cleveland, Ohio 44113. Applicant's representative: John H. Baker, 435 Delaware Avenue, Buffalo, N.Y. 14202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in by wholesale, retail, and chain grocery and food business houses, and in connection therewith, equipment, material, and supplies used in the conduct of such business*, (1) between points within the territory bounded by a line beginning at Conneaut, Ohio, and extending in a southwesterly direction through Rock Creek to Chardon, Ohio, thence south to Mantua, Ohio, thence in a southwesterly direction through Kent, Mogadore and Orrville to Wooster, Ohio, thence in a northwesterly direction through Ashland and Plymouth to Willard, Ohio, and thence in a northeasterly direction through Huron, Ohio, and thence east along the shore of Lake Erie to Conneaut, Ohio, including the points named, on the one hand, and, on the other, points within Chautauqua, Erie, and Niagara Counties, N.Y., and Erie County, Pa., and (2) between the warehouses and bakeries of the Great Atlantic & Pacific Tea Co. and its subsidiaries in the Buffalo, N.Y., commercial zone, as defined by the Commission on the one hand, and, on the other, points in Ohio within the territory bounded by a line beginning at Conneaut, Ohio, and extending in a southwesterly direction through Rock Creek to Chardon, Ohio, thence south to Mantua, Ohio, thence in a southwesterly direction through Kent, Mogadore, and Orrville, to Wooster, Ohio, thence in a northwesterly direction through Ashland and Plymouth to Willard, Ohio, thence in a northeasterly direction through Huron, Ohio, and thence east along the shore of Lake Erie to Conneaut, including the points named, under contract with the Great Atlantic & Pacific Tea Co. NOTE: Applicant presently holds authority in (2) above in its Sub 1 and seeks merely to change the commodity description from "Bakery products" to read the same as commodity description herein sought. Applicant states that if the authority herein sought is granted, applicant would surrender the authority granted for bakery products only in its Sub 1. If a hearing is deemed necessary, applicant requests it be held at Buffalo, N.Y., or Washington, D.C.

No. MC 72243 (Sub-No. 23), filed February 28, 1968. Applicant: THE AETNA FREIGHT LINES, INC., 2507 Youngstown Road, Post Office Box 350, Warren, Ohio 44482. Applicant's representative: Harold G. Hernley, 711 14th Street NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron, steel, and iron and steel articles*, from Weirton, W. Va., and Steubenville, Ohio, to points in Georgia, North Carolina, South Carolina, and Virginia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa., or Washington, D.C.

No. MC 76025 (Sub-No. 5) (Correction), filed February 5, 1968, published in FEDERAL REGISTER issue of February 15, 1968, and republished as corrected this

issue. Applicant: OVERLAND EXPRESS, INC., 498 First Street NW., New Brighton, Minn. 55112. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in by wholesale, retail, and chain grocery and food business houses*, and, in connection therewith, *equipment, materials, and supplies used in the conduct of such business*, (1) between points in the Minneapolis-St. Paul, Minn., commercial zone, as defined by the Commission, on the one hand, and, on the other, Grand Island, Lincoln, and Norfolk, Nebr., and Huron, S. Dak., and (2) from points in the Minneapolis-St. Paul, Minn., commercial zone, as defined by the Commission, and Albert Lea and New Richmond, Minn., to Carbondale and Eldorado, Ill., under contract with Nash-Finch Co., and Land O'Lakes Creameries, Inc. NOTE: The purpose of this republication is to show the location of Albert Lea and New Richmond as being in Minnesota in lieu of Michigan in No. (2) above. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 76264 (Sub-No. 21), filed February 26, 1968. Applicant: WEBB TRANSFER LINE, INC., Box 231, Shelbyville, Ky. 40065. Applicant's representative: Robert H. Kinker, 711 McClure Building, Frankfort, Ky. 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Boxes, crates, hogsheads, and liners*, assembled or knocked down, constructed of wood, wood and wire, or fiberboard, from Meridian, Miss., to points in Kentucky and Tennessee, and *used boxes, crates, and hogsheads*, on return. NOTE: Applicant is also authorized to conduct operations as a contract carrier in Permit No. MC 117606, therefor, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 80428 (Sub-No. 65), filed February 21, 1968. Applicant: McBRIDE TRANSPORTATION, INC., Main and Nelson Streets, Goshen, N.Y. Applicant's representative: Robert V. Gianniny, 900 Midtown Tower, Rochester, N.Y. 14604. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Urea* in containers, from Olean, N.Y., to points in Connecticut, Delaware, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 93151 (Sub-No. 6), filed February 29, 1968. Applicant: ROWE CAMBRIDGE, Rural Delivery No. 3, Tyrone, Pa. Applicant's representative: V. Baker Smith, 123 South Broad Street, Philadelphia, Pa. 19109. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Paper and paper products, wood pulp, and waste paper*, from the plantsite of West Virginia Pulp and Paper Co. at or near Wickliffe, Ky., to points in Massachusetts, Connecticut, Rhode Island, New Jersey, Pennsylvania, Maryland, Delaware, Virginia, West Virginia, and the District of Columbia; and, (2) *materials, equipment, and supplies* used in the manufacture and distribution of paper and paper products, except commodities in bulk, on return, under contract with West Virginia Pulp and Paper Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 93980 (Sub-No. 46), filed February 26, 1968. Applicant: VANCE TRUCKING COMPANY, INCORPORATED, Raleigh Road, Post Office Box 1119, Henderson, N.C. 27536. Applicant's representative: Edward G. Villalon, 1735 K Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles* as described in appendix V to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, 276–279 (1952), from points in Chester, Bucks, and Montgomery Counties, Pa., to points in North Carolina, South Carolina, and Georgia, and *dunnage, damaged and rejected shipments* of the above commodities, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa., or Washington, D.C.

No. MC 94350 (Sub-No. 183), filed February 26, 1968. Applicant: TRANSIT HOMES, INC., Haywood Road at Transit Drive, Post Office Box 1628, Greenville, S.C. 29602. Applicant's representative: Mitchell King, Jr., Post Office Box 1628, Greenville, S.C. 29602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Trailers* designed to be drawn by passenger automobiles and/or buildings moving on their own or removable undercarriages equipped with hitchball or pintle connectors, from points in Franklin County, Va., to points in the United States (except Mount Clemens, Detroit, and Flint, Mich.), and (2) *return of said undercarriages*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Richmond, Va., or Washington, D.C.

No. MC 95084 (Sub-No. 67), filed February 29, 1968. Applicant: HOVE TRUCK LINE, a corporation, Stanhope, Iowa 50246. Applicant's representative: Kenneth F. Dudley, 901 South Madison Avenue, Post Office Box 279, Ottumwa, Iowa 52501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wheels and castings for agricultural implements*, except farm tractors, from Beatrice, Nebr., to points in Arizona, California, Colorado, Idaho, Illinois, Iowa, Kansas, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, and Wyoming restricted to traffic originating at the plantsite of Dempster Industries, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Kansas City, Mo.

No. MC 99408 (Sub-No. 5), filed February 21, 1968. Applicant: CITY DELIVERY SERVICE, INCORPORATED, 22 Ruddle Street, Wilkes-Barre, Pa. 18702. Applicant's representative: Charles J. Williams, 47 Lincoln Park, Newark, N.J. 07102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Philadelphia International Airport, Philadelphia, Pa., John F. Kennedy International Airport, New York, N.Y., and Newark Airport, Newark, N.J., on the one hand, and, on the other, points in Sullivan, Wyoming, Lackawanna, Wayne, Luzerne, Monroe, and Northampton Counties, Pa., restricted to shipments having an immediately prior or subsequent movement by air. NOTE: If a hearing is deemed necessary, applicant requests it be held at Wilkes-Barre or Philadelphia, Pa.

No. MC 100666 (Sub-No. 116), filed February 29, 1968. Applicant: MELTON TRUCK LINES, INC., Post Office Box 7666, Shreveport, La. 71107. Applicant's representative: Wilburn L. Williamson, 450 American National Building, Oklahoma City, Okla. 73102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Flakeboard and particleboard*, from the plantsite and storage facilities of International Paper Co. at or near Gifford, Ark., to points in Maryland, Pennsylvania, Virginia, West Virginia, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark.

No. MC 103051 (Sub-No. 215), filed February 23, 1968. Applicant: FLEET TRANSPORT COMPANY, INC., 1000 44th Avenue North, Post Office Box 7645, Nashville, Tenn. 37209. Applicant's representative: R. J. Reynolds, Jr., 403–11 Healey Building, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products* as described in appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, in bulk, in tank vehicles, from points in Fulton and De Kalb Counties, Ga., to points in Alabama. NOTE: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 103051 (Sub-No. 216), filed March 1, 1968. Applicant: FLEET TRANSPORT COMPANY, INC., 1000 44th Avenue North, Post Office Box 7645, Nashville, Tenn. 37209. Applicant's representative: R. J. Reynolds, Jr., 403–11 Healey Building, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer solutions*, in bulk, in tank vehicles, from Tyner, Tenn., to points in Georgia. NOTE: Applicant states that it intends to tack with its authority in Docket No. MC 103051 (Sub-No. 166) at the plantsite of Allied Chemical Corp. located in Screven County, Ga., to serve points in South

Carolina. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 104523 (Sub-No. 39) (Amendment), filed January 15, 1968, published in FEDERAL REGISTER issue February 1, 1968, amended February 16, 1968, and republished, as amended this issue. Applicant: HUSTON TRUCK LINES, INC., Friend, Nebr. Applicant's representative: Donald E. Leonard, Box 2028, 605 South 14th Street, Lincoln, Nebr. 68508. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Products, used in the agricultural, water treatment, food processing, wholesale grocery, and institutional supply industries*, when shipped in mixed loads with salt and salt products (presently authorized), (1) from Hutchinson, Kans., to points in Iowa, Nebraska, and Wyoming, and (2) from Grand Saline, Tex., to points in Iowa, Kansas, Missouri, Nebraska, and South Dakota. NOTE: The purpose of this republication is to broaden the scope of authority sought. If a hearing is deemed necessary, applicant requests it be held at Omaha or Lincoln, Nebr.

No. MC 105269 (Sub-No. 46), filed February 26, 1968. Applicant: GRAFF TRUCKING COMPANY, INC., 2110 Lake Street, Kalamazoo, Mich. 49005. Applicant's representative: John M. Veale, Suite 1700, 1 Woodward Avenue, Detroit, Mich. 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Scrap and wastepaper*, from Chicago, Ill., and points in the Chicago, Ill., commercial zone, to Niles, Mich. NOTE: If a hearing is deemed necessary, applicant requests it be held at Lansing or Detroit, Mich.

No. MC 105413 (Sub-No. 31) (Correction), filed February 9, 1968, published FEDERAL REGISTER issue of February 22, 1968, corrected and republished as corrected this issue. Applicant: PETROLEUM TRANSPORT SERVICE, INC., Highway No. 275, Council Bluffs, Iowa 51501. Applicant's representative: Einar Viren, 904 City National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizers and materials and ingredients*, from points in Lancaster County, Nebr., to points in Nebraska, Missouri, Kansas, Wyoming, Colorado, South Dakota, and Iowa. NOTE: The purpose of this republication is to insert "to points in Nebraska", which was inadvertently omitted from previous publication. If a hearing is deemed necessary, applicant requests it be held at Sioux City, Iowa, or Omaha, Nebr.

No. MC 105625 (Sub-No. 3), filed February 23, 1968. Applicant: BONDY CARTAGE LIMITED, 2970 College Street, Windsor, Ontario, Canada. Applicant's representative: Ronald W. Beasley (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment) serving the Willow Run Airport, near Ypsilanti, Mich., as an off-route point in connection with applicant's authorized regular-route service to and from Detroit, Mich. NOTE: If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich.

No. MC 106278 (Sub-No. 26), filed February 27, 1968. Applicant: E. B. LAW AND SON, INC., Post Office Box 1381, 300 South Eighth Street, Las Cruces, N. Mex. 88001. Applicant's representative: William J. Lippman, 1824 R Street NW., Washington, D.C. 20009. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizers*, in bulk and in bags, (1) from points in El Paso County, Tex., to points in Arizona, Colorado, New Mexico, Oklahoma, and Texas, restricted to traffic originating in Mexico and moving in foreign commerce, and (2) from points in Dona Ana County, N. Mex., to points in Arizona, Colorado, Oklahoma, and Texas. NOTE: If a hearing is deemed necessary, applicant requests it be held at El Paso, Tex., or Albuquerque, N. Mex.

No. MC 106401 (Sub-No. 27), filed February 26, 1968. Applicant: JOHNSON MOTOR LINES, INC., 2426 North Graham Street, Charlotte, N.C. 28201. Applicant's representative: Thomas G. Sloan (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Cast iron soil pipe*, (2) *plastic pipe*, and (3) *fittings, equipment, and supplies* (including but not limited to Neopreme gaskets, stainless steel clamps, torque wrenches, assembly tools, and lubricant) necessary in the installation of articles in (1) and (2) above when moving in the same shipment, from Mecklenburg and Union Counties, N.C., to points in Ohio and Kentucky and the counties of Monroe and Lenawee, Mich., and *damaged, used, or refused articles* as described in (1), (2), and (3) above, on return. NOTE: Applicant's existing authority, would where practicable, be tacked at Mecklenburg or Union County, N.C. to perform a through service to the area proposed to be served by this application. If a hearing is deemed necessary, applicant requests it be held at Charlotte, N.C., or Washington, D.C.

No. MC 107129 (Sub-No. 6), filed February 25, 1968. Applicant: E. K. MOTOR SERVICE, INC., 2609 North Broadway, Joliet, Ill. Applicant's representative: Carll V. Kretsinger, 450 Professional Building, Kansas City, Mo. 64106. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Roofing and building materials, and supplies* used in the installation thereof, and *materials, equipment, and supplies* used in the manufacture or shipping, of roofing and building materials, between Kansas City, Mo., on the one hand, and, on the other, points in Brown, Pottawatomie, Atchison, Leavenworth, Wabaunsee, Osage, Johnson, Franklin, Coffey, Linn, Doniphan, Jackson, Jefferson, Wyandotte, Shawnee, Douglas, Lyon, Miami, and Anderson Counties, Kans., under contract with General Aniline & Film Corp., South Bound Brook, N.J. (successor in interest to The Ruberoid Co. as a division of G.A.F. Corp.). NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo. or Washington, D.C.

No. MC 107295 (Sub-No. 117), filed February 26, 1968. Applicant: PRE-FAB TRANSIT CO., a corporation, 100 South Main Street, Farmer City, Ill. 61842. Applicant's representatives: Dale L. Cox, Post Office Box 146, Farmer City, Ill. 61842, and Mack Stephenson, 42 Fox Mill Lane, Springfield, Ill. 62707. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building products and supplies and accessories used in the installation thereof*, from International Falls, Minn., to points in Illinois, Kentucky, Indiana, Iowa, Michigan, Minnesota, Missouri, Maryland, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Wisconsin, Alabama, Mississippi, Georgia, and South Carolina. NOTE: Applicant states it intends to tack with present authority at points in Illinois, Kentucky, Indiana, Iowa, Michigan, Missouri, Ohio, and Wisconsin to points in Arkansas and Tennessee. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn., Chicago, Ill., or Washington, D.C.

No. MC 107496 (Sub-No. 638), filed February 29, 1968. Applicant: RUAN TRANSPORT CORPORATION, Keosauqua Way at Third, Post Office Box 855, Des Moines, Iowa 50304. Applicant's representative: H. L. Fabritz (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Air entraining agents*, from Kansas City, Mo., to points in Iowa, Minnesota, Nebraska, Kansas, and Oklahoma. NOTE: If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa, or Kansas City, Mo.

No. MC 107515 (Sub-No. 603), filed February 23, 1968. Applicant: REFRIGERATED TRANSPORT CO., INC., Post Office Box 10799, Station A, Atlanta, Ga. 30310. Applicant's representative: B. L. Gundlach (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sodium hypochlorite solution* in plastic bottles, in cartons, from Atlanta, Ga., to Kentucky; Tennessee on and west of Highway 231; Arkansas, Mississippi, and Louisiana. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Atlanta, Ga.

No. MC 107799 (Sub-No. 4), filed February 26, 1968. Applicant: J. O. RINGGENBERG, INC., Jetmore, Kans. 67854. Applicant's representative: Clyde N. Christey, 641 Harrison, Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, from the plantsite of Farmland Industries Nitrogen plant at or near Dodge City, Kans., to points in

Colorado, Wyoming, Texas, Oklahoma, Missouri, Nebraska, and Iowa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 108449 (Sub-No. 281), filed February 26, 1968. Applicant: INDIANHEAD TRUCK LINE, INC., 1947 West County Road C, St. Paul, Minn. 55113. Applicant's representatives: W. A. Myllenbeck (same address as above), and Adolph J. Bieberstein, 121 West Doty Street, Madison, Wis. 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum sulfate*, from Pine Bend, Minn., to points in Illinois, Indiana, and Missouri. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn., or Chicago, Ill.

No. MC 108449 (Sub-No. 282), filed February 26, 1968. Applicant: INDIANHEAD TRUCK LINE, INC., 1947 West County Road C, St. Paul, Minn. 55113. Applicant's representatives: W. A. Myllenbeck (same address as above), and Adolph J. Bieberstein, 121 West Doty Street, Madison, Wis. 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer*, from Fairmont, Minn., and points within 5 miles thereof, to points in Iowa and Minnesota. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn., or Chicago, Ill.

No. MC 108460 (Sub-No. 30), filed February 28, 1968. Applicant: PETROLEUM CARRIERS COMPANY, a corporation, 5104 West 14th Street, Sioux Falls, S. Dak. 57101. Applicant's representative: E. A. Hutchison, 420 Security Bank Building, Sioux City, Iowa 51101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia, urea, and fertilizer*, in bulk, from Omaha, Nebr., to points in Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, and South Dakota. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., Des Moines, Iowa, or Minneapolis, Minn.

No. MC 108736 (Sub-No. 13), filed February 28, 1968. Applicant: A. H. VIETOR (Genevieve Victor, Executrix), doing business as ALBERT LEA TRANSFER CO., 423 Adams Avenue, Albert Lea, Minn. 56007. Applicant's representative: Kenneth F. Dudley, 901 South Madison Avenue, Post Office Box 279, Ottumwa, Iowa 52501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, from St. Louis, Mo., to Mankato, Minn. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 109518 (Sub-No. 13), filed March 1, 1968. Applicant: ADAMS TRANSPORT, INC., East 7100 Broadway Avenue, Spokane, Wash. 99206. Applicant's representative: Donald A. Ericson, 708 Old National Bank Building, Spokane, Wash. 99201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer*, in bulk, and in packages, bags, sacks, and containers, from points in Spokane County, Wash. to points in Idaho, north of the southern boundary of Idaho County, Idaho. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Spokane, Wash.

No. MC 109637 (Sub-No. 337), filed February 26, 1968. Applicant: SOUTHERN TANK LINES INC., Post Office Box 1047, 4107 Bells Lane, Louisville, Ky. 40201. Applicant's representative: Harris G. Andrews (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Uranium hexafluoride*, in bulk, in steel cylinders; from Metropolis, Ill., to Oak Ridge, Tenn., and Portsmouth, Ohio, and *empty steel cylinders*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 109689 (Sub-No. 192), filed February 26, 1968. Applicant: W. S. HATCH CO., a corporation, 643 South 800 West, Woods Cross, Utah 84087. Applicant's representative: Mark K. Boyle, 345 South State Street, Salt Lake City, Utah 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sodium phosphates, sodium bicarbonate, and sodium carbonate products*, from points in Sweetwater County, Wyo., to points in Arizona, California, Colorado, Idaho, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oregon, South Dakota, Utah, Washington, Texas, Kansas, and Oklahoma. NOTE: If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah.

No. MC 110479 (Sub-No. 23), filed February 26, 1968. Applicant: HARPER TRUCK SERVICE, INC., 1230 North Eight Street, Paducah, Ky. 42002. Applicant's representative: Robert M. Pearce, Post Office Box E, Bowling Green, Ky. 42101. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, tranpsorting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Paducah, Ky., and the plantsite of the West Virginia Pulp and Paper Co. plant located approximately 2 miles south of Wickliffe, Ky., (a) from Paducah over U.S. Highway 60 to Wickliffe, Ky., thence over U.S. Highway 51 to the plantsite of West Virginia Pulp and Paper Co. located approximately 2 miles south of Wickliffe, and return over the same route, and (b) from Paducah over U.S. Highway 62 to junction Kentucky Highway 286, thence over Kentucky Highway 286 to Wickliffe, thence over U.S. Highway 51 to the plantsite of West Virginia Pulp and Paper Co. located approximately 2 miles south of Wickliffe, Ky., and return over the same route, and serving Wickliffe, Ky., as an intermediate point in connection with (a) and (b) above. NOTE: If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn.

No. MC 111397 (Sub-No. 83), filed February 28, 1968. Applicant: DAVIS TRANSPORT, INC., 1345 South Fourth Street, Paducah, Ky. 42001. Applicant's representative: Herbert S. Melton, Jr., Box 1284, Paducah, Ky. 42001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Uranium hexafluoride*, in bulk in steel cylinders, from Metropolis, Ill., to Oak Ridge, Tenn., and Portsmouth, Ohio, and *empty steel cylinders*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 112668 (Sub-No. 46), filed February 23, 1968. Applicant: HARVEY R. SHIPLEY & SONS, INC., Post Office—Route U.S. 140, Finksburg, Md. 21048. Applicant's representative: Donald E. Freeman, 172 East Green Street, Post Office Box 806, Westminster, Md. 21157. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizers, fertilizer materials, and pesticides*, from Lebanon, Pa., to points in Maryland, Kent, and Sussex Counties, Del., Gloucester, Hunterdon, and Mercer Counties, N.J., Accomack, Northampton, and Culpeper Counties, Va., and Suffolk, Orange, Rockland, Westchester, Dutchess, Putnam, Ulster, and Columbia Counties, N.Y. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Baltimore, Md.

No. MC 113106 (Sub-No. 27), filed March 4, 1968. Applicant: THE BLUE DIAMOND COMPANY, a corporation, 4401 East Fairmount Avenue, Baltimore, Md. 21224. Applicant's representative: Chester A. Zyblut, 1522 K Street NW., Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass containers, caps, covers, tops, rings, fillers, pads, dividers or partitions, and fiberboard containers*, from Elmira, N.Y., to points in Pennsylvania, New Jersey, Delaware, and points in that part of Virginia west of the Chesapeake Bay and on and south of a line beginning at Fleeton, Va., and extending in a northerly direction along Virginia Highway 657 to Reedville, Va., thence westerly along U.S. Highway 250 to the Virginia-West Virginia shoreline, and *returned shipments of the above-specified commodities*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 113362 (Sub-No. 144), filed February 29, 1968. Applicant: ELLSWORTH FREIGHT LINES, INC., 220 East Broadway, Eagle Grove, Iowa 50533. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses* as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*,

61 M.C.C. 209 and 766 (except commodities in bulk and except hides), from Le Mars, Iowa, to points in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Maryland, Delaware, West Virginia, and the District of Columbia restricted to traffic originating at the plantsite and storage facilities of Blue Ribbon Beef Pack, Inc., near Le Mars, Iowa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 114457 (Sub-No. 69), filed February 29, 1968. Applicant: DART TRANSIT COMPANY, a corporation, 780 North Prior Avenue, St. Paul, Minn. 55104. Applicant's representative: Charles W. Singer, 33 North Dearborn Street, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from Clyman, Hillsboro, Lomira, and Watertown, Wis., to points in Minnesota, North Dakota, and South Dakota. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 115162 (Sub-No. 152), filed February 26, 1968. Applicant: WALTER POOLE, doing business as POOLE TRUCK LINE, Post Office Box 310, Evergreen, Ala. 36401. Applicant's representative: Robert E. Tate, Suite 2023–2028, City Federal Building, Birmingham, Ala. 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Windows, doors and millwork* (a) from Mobile, Ala., to points in North Carolina, Pennsylvania, Maryland, South Carolina, New Jersey, Virginia, and the District of Columbia; and (b) from Montgomery, Ala., to points in Alabama, Arkansas, Georgia, Florida, Louisiana, Mississippi, Maryland, New Jersey, North Carolina, Pennsylvania, South Carolina, Virginia, Tennessee, and the District of Columbia; (2) *grain products and cereal products*, from Evansville, Ind., and Chester, Ill., to points in Tennessee, Alabama, Georgia, Florida, Mississippi, Louisiana, Texas, and Arkansas; and (3) *veneer*, from Jeanerette, La., to Jackson, Miss. NOTE: If a hearing is deemed necessary, applicant requests it be held at New Orleans, La., or Mobile, Ala.

No. MC 115162 (Sub-No. 154), filed February 28, 1968. Applicant: WALTER POOLE, doing business as POOLE TRUCK LINE, Post Office Box 310, Evergreen, Ala. 36401. Applicant's representative: Robert E. Tate, Suite 2023–2028, City Federal Building, Birmingham, Ala. 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Roofing and roofing asphalt* from points in Tuscaloosa County, Ala., to points in Kentucky and (2) *athletic, physical fitness, gymnastic and sporting goods equipment, including table tennis, exercycles and boat anchors*, from points in Lee County, Ala., to points in Iowa, Michigan, Minnesota, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala.

No. MC 115180 (Sub-No. 46), filed February 6, 1968. Applicant: ONLEY REFRIGERATED TRANSPORTATION, INC., 408 West 14th Street, New York, N.Y. 10014. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except commodities in bulk, in tank vehicles, between Allentown, Pa., and Wilkes-Barre, Scranton, and Altoona, Pa. NOTE: Applicant indicates tacking possibilities at Altoona, Pa., on frozen foods territory with its existing authority serving points in Rhode Island, Connecticut, Massachusetts, Delaware, Virginia Maryland, West Virginia, Ohio, Indiana, Missouri, Kentucky, Tennessee, Illinois, Michigan, North Carolina, Iowa, New Jersey (except points in Bergen, Essex, Hudson, Hunterdon, Middlesex, Morris, Passaic, Somerset, Sussex, Union, and Warren Counties), and New York (except points in Dutchess, Nassau, Putnam, Suffolk, Westchester, Kings, Queens, Richmond, New York, and Bronx Counties, N.Y.). Applicant states the authority sought in the instant application is now held by Valley Transfer & Storage Co., Inc., under MC 81412 Sub-30, restricted to the transportation of traffic received from or delivered to connecting common carriers by motor vehicle. Pursuant to MC–F–10023, published in FEDERAL REGISTER, issue of January 31, 1968, applicant seeks to purchase a portion of the operating rights of Valley Transfer & Storage Co., Inc., in certificates MC 81430 (Sub-Nos. 1 and 30). Applicant states the purpose of the instant application is to remove the restriction in MC 81412 (Sub-No. 30). Applicant also requests concurrent handling of this application with the application in MC–F–10023. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or New York, N.Y.

No. MC 115331 (Sub-No. 246), filed February 29, 1968. Applicant: TRUCK TRANSPORT, INCORPORATED, 707 Market Street, St. Louis, Mo. 63101. Applicant's representative: Thomas F. Kilroy, 913 Colorado, 1341 G Street NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Perlite and vermiculite*, from St. Louis, Mo., to points in Wisconsin, Kentucky, Iowa, Kansas, Illinois, Indiana, Oklahoma, Arkansas, Tennessee, and Nebraska. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., Chicago, Ill., or Washington, D.C.

No. MC115491 (Sub-No. 109), filed February 23, 1968. Applicant: COMMERCIAL CARRIER CORPORATION, 502 East Bridgers Avenue, Post Office Box 67, Auburndale, Fla. 33823. Applicant's representative: Tony G. Russell (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Expanded plastics*, from Jacksonville, Fla., to points in Alabama, Georgia, North Carolina, South Carolina, and Tennessee. NOTE: If a hearing is deemed necessary, applicant requests it be held at Tampa, Miami, or Jacksonville, Fla.

No. MC 116628 (Sub-No. 11), filed February 27, 1968. Applicant: SUBURBAN TRANSFER SERVICE, INC., Post Office Box 168, Rutherford, N.J. 07070. Applicant's representative: William P. Sullivan, 1819 H Street NW., Washington, D.C. 20006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in by retail department stores and materials and supplies used in the operation of such stores, including packaging materials for such merchandise*, between points in Connecticut, Delaware, Georgia, Massachusetts, New Jersey, New York, Pennsylvania, and the District of Columbia under a continuing contract with Lord & Taylor of New York, N.Y. NOTE: Applicant states that the proposed authority embraces its present Sub-Nos. (1) and (5), which authority applicant will surrender for cancellation. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 117344 (Sub-No. 188), filed February 28, 1968. Applicant: THE MAXWELL CO., 10380 Evendale Drive, Cincinnati, Ohio 45215. Applicant's representatives: Herbert Baker and James R. Stiverson, 50 West Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals* in bulk, in tank vehicles, from Chicago, Ill., and St. Louis, Mo., to Cincinnati, Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 117395 (Sub-No. 14), filed February 29, 1968. Applicant: SOUTHERN CEMENT TRANSPORT, INC., Post Office Box 188, Okay, Ark. 71854. Applicant's representative: Louis Tarlowski, Pyramid Life Building, Little Rock, Ark. 72201. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Ground barite*, in bulk, in tank vehicles, from points in Hot Spring County, Ark., to points in Louisiana, Mississippi, Oklahoma, and Texas (except Houston, and points within 50 miles thereof), under a continuing contract with the Baroid Division, The National Lead Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Houston, Tex.

No. MC 117686 (Sub-No. 85), filed February 20, 1968. Applicant: HIRSCHBACH MOTOR LINES, INC., 3324 U.S. Highway 75 North, Sioux City, Iowa 51102. Applicant's representative: George L. Hirschbach (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses* as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk and except hides), from the plantsite and storage facilities of Blue Ribbon Beef Pack, Inc., located near Le

Mars, Iowa, to points in Arkansas, Louisiana, Mississippi, Tennessee, and Texas, restricted to traffic originating at the plantsite and storage facilities of Blue Ribbon Beef Pack, Inc., located near Le Mars, Iowa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 119531 (Sub-No. 81), filed February 26, 1968. Applicant: DIECK-BRADER EXPRESS, INC., 5391 Wooster Road, Cincinnati, Ohio 45226. Applicant's representative: Charles W. Singer, 33 North Dearborn Street, Suite 1625, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Metal containers, caps, covers, and paper boxes*, from Philadelphia, Pa., to points in Illinois, Indiana, Kentucky, Michigan, and Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa., or Washington, D.C.

No. MC 119531 (Sub-No. 82), Filed February 26, 1968. Applicant: DIECK-BRADER EXPRESS, INC., 5391 Wooster Road, Cincinnati, Ohio 45226. Applicant's representative: Charles W. Singer, 33 North Dearborn Street, Suite 1625, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Metal containers and ends*, from Chicago, Ill., to points in Indiana on and north of U.S. Highway 30; points in Kentucky, within 10 miles of the Ohio River; and points in Michigan and Ohio. NOTE: Applicant indicates tacking possibilities at Massillon, Ohio, with its existing authority serving points in New York and Pennsylvania. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 123048 (Sub-No. 124), filed February 28, 1968. Applicant: DIAMOND TRANSPORTATION SYSTEM, INC., 1919 Hamilton Avenue, Racine, Wis. Applicant's representatives: C. Ernest Carter, Post Office Box A, Racine, Wis., and Paul C. Gartzke, 121 West Doty Street, Madison, Wis. Authority sought to operate to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural machinery, implements, and parts thereof*, from the plant and warehouse sites of Kasten Manufacturing Corp., located at Allenton, and Menomonie, Wis., to points in Colorado, Illinois, Iowa, Kansas, Minnesota, Missouri, Montana, Nebraska, North Dakota, South Dakota, Wyoming, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn., or Madison, Wis.

No. MC 123819 (Sub-No. 13), filed February 23, 1968. Applicant: ACE FREIGHT LINE, INC., Post Office Box 2103, Memphis, Tenn. 38102. Applicant's representative: Bill R. Davis, Suite 1600, First Federal Building, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pesticides, insecticides, herbicides, fungicides, and related advertising materials* when moving in mixed loads with fertilizer and fertilizer ingredients (presently authorized), between points in Alabama, Arkansas, Louisiana, Mississippi, and Tennessee. NOTE: If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn.

No. MC 123890 (Sub-No. 2) (correction), filed February 8, 1968, published in FEDERAL REGISTER issue of February 22, 1968, corrected, March 4, 1968, and republished as corrected this issue. Applicant: BEKINS VAN & STORAGE CO., INC., 5301 Menaul Boulevard NE., Post Office Box 3248, Albuquerque, N. Mex. 87110. Applicant's representative: Jackson W. Kendall, c/o Bekins Van & Storage Co., 1335 South Figueroa Street, Los Angeles, Calif. 90015. 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 New Mexico, restricted to shipments having a prior or subsequent out-of-state movement. NOTE: The purpose of this republication is to delete "traffic moving on a through bill of lading of an exempt forwarder", as previously published. If a hearing is deemed necessary, applicant requests it be held at Albuquerque, N. Mex., Los Angeles, Calif., or Phoenix, Ariz.

No. MC 124951 (Sub-No. 26), filed February 26, 1968. Applicant: WATHEN TRANSPORT, INC., Post Office Box 237, Henderson, Ky. 42420. Applicant's representative: Robert M. Pearce, Post Office Box E, Bowling Green, Ky. 42101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Precast and prestressed concrete products*, from Henderson, Ky., to points in Missouri. NOTE: If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn., or Louisville, Ky.

No. MC 125420 (Sub-No. 17), filed February 26, 1968. Applicant: MERCURY TANKLINES LIMITED, Post Office Box 5858, South Edmonton, Alberta, Canada. Applicant's representative: J. F. Meglen, 2822 Third Avenue North, Billings, Mont. 59101. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *White oil*, from Petrolia, Pa., to ports of entry on the international boundary between United States and Canada at or near Portal, N. Dak., and Sweetgrass, Mont.; and (2) *turpentine*, from Hattiesburg, Miss., to ports of entry on the international boundary between the United States and Canada at or near Portal, N. Dak. and Sweetgrass, Mont., under contract with Harrisons & Crosfield (Canada) Ltd., 297 St. Paul Street West, Montreal, Quebec, Canada. NOTE: If a hearing is deemed necessary, applicant requests it be held at Billings, Mont.

No. MC 126149 (Sub-No. 3), filed February 26, 1968. Applicant: DENNY MOTOR FREIGHT, INC., 201 Ellen Court, New Albany, Ind. 47150. Applicant's representative: Donald W. Smith, 511 Fidelity Building, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, from Grand Rapids, Mich., to Carrollton, Ky. NOTE: Applicant holds contract authority in Docket No. MC 104201 Sub 29, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 126149 (Sub-No. 4), filed February 26, 1968. Applicant: DENNY MOTOR FREIGHT, INC., 201 Ellen Court, New Albany, Ind. 47150. Applicant's representative: Donald W. Smith, 511 Fidelity Building, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Agricultural machinery, agricultural implements* (except tractors), and *parts and attachments* therefor, from Louisville, Ky., to points in the United States (except Alaska and Hawaii), and (2) *materials, and supplies* used in the manufacture of agricultural machinery, agricultural implements (except tractors), and parts and attachments therefor, from points in the United States (except Alaska and Hawaii) to Louisville, Ky. NOTE: Applicant holds contract carrier authority in Docket No. MC 104201 Sub 29, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 126305 (Sub-No. 13), filed February 26, 1968. Applicant: BOYD BROTHERS TRANSPORTATION CO., INC., Route 1, Clayton, Ala. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, except in bulk, from Brundidge, Ala., to points in North Carolina, South Carolina, Florida, Virginia, Georgia, Mississippi, and Louisiana. NOTE: If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala., or Washington, D.C.

No. MC 126806 (Sub-No. 2), filed February 26, 1968. Applicant: MARRONE TRUCK RENTALS, INC., 252 Holly Hill, Mountainside, N.J. 07092. Applicant's representative: Charles J. Williams, 47 Lincoln Park, Newark, N.J. 07102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Steel, in rods, bars, and coils*, (1) from Hillside, N.J., to Youngstown and Troy, Ohio, Derry, Pa., Rochester and New York, N.Y., and points in Nassau and Suffolk Counties, N.Y., points in Connecticut, and points in Suffolk and Norfolk Counties, Mass., and *rejected and returned shipments* on return, (2) from Boston, Mass., to Hillside, N.J., and *rejected and returned shipments* on return, (3) from the piers at New York, N.Y., to Hillside N.J., (4) between Hillside, N.J., and Baltimore, Md., and (5) between Hillside, N.J., and Philadelphia, Pa., under contract with U.N. Alloy Steel Corp. and its wholly owned subsidiary Eastern Cold Drawn, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Newark, N.J., or New York, N.Y.

No. MC 127150 (Sub-No. 3) (Clarification), filed January 29, 1968, published

FEDERAL REGISTER issue February 15, 1968, and republished as clarified, this issue. Applicant: GARLAND R. BOYD, doing business as BOYD TRUCKING CO., 637 South Hamilton Street, Post Office Box 901, Dalton, Ga. 30720. Applicant's representative: Monty Schumacher, 2045 Peachtree Road NE., Suite 310, Atlanta, Ga. 30309. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Rugs, carpets, carpeting, carpet remnants and materials, and textiles and textile products*, (1) from Dalton to Atlanta, Ga., over U.S. Highway 41, serving all intermediate points between Dalton and Calhoun, Ga., including Dalton and Calhoun, (2) from Dalton to Atlanta, Ga., over Interstate Highway 75, as an alternate route for operating convenience only, serving no intermediate points, (3) from Dalton, Ga., to Chattanooga, Tenn., over U.S. Highway 41, serving all intermediate points, (4) from Dalton, Ga., to Chattanooga, Tenn., over Interstate Highway 75, as an alternate route for operating convenience only, serving no intermediate points, (5) from Chatsworth to Atlanta, Ga., from Chatsworth over U.S. Highway 76 to Dalton, Ga., thence from Dalton to Atlanta as set forth in (1) above and return over the same route, serving all intermediate points between Chatsworth and Dalton, including Chatsworth and Dalton, (6) from Chatsworth, Ga., to Chattanooga, Tenn., from Chatsworth over U.S. Highway 76 to Dalton, Ga., thence from Dalton to Chattanooga as specified in (3) above, and return over the same route, serving all intermediate points, between Chatsworth and Dalton, including Chatsworth and Dalton.

(7) (a) From Hedges, Ga. (located approximately three-quarters of a mile west of junction of Georgia Highways 341 and 143 and Georgia Highway 143), to Atlanta, Ga., from Hedges over Georgia Highway 143 to junction U.S. Highway 41 at Calhoun, Ga., thence to Atlanta as specified in (1) above, and return over the same route, serving all intermediate points, between Hedges and Calhoun including Hedges and Calhoun, (b) from Hedges over Georgia Highway 143 to junction Georgia Highway 201, thence over Georgia Highway 201 to junction U.S. Highway 41, thence over U.S. Highway 41 to Dalton, and thence from Dalton to Atlanta as specified in (1) above, and return over the same route, serving all intermediate points between Hedges and Dalton including Hedges and Dalton, and (8) (a) from Hedges, Ga., to Chattanooga, Tenn., from Hedges over Georgia Highway 143 to junction Georgia Highway 341, thence over Georgia Highway 341 to junction U.S. Highway 27, thence over U.S. Highway 27 to Chattanooga, and return over the same route, serving all intermediate points, and (b) from Hedges over Georgia Highway 143 to junction Georgia Highway 201, thence over Georgia Highway 201 to junction U.S. Highway 41 to Dalton, and thence from Dalton to Chattanooga as specified in (3) above, and return over the same route, serving all intermediate points between Hedges and Dalton, including Hedges and Dalton. NOTE: Applicant intends to interline with carriers at Atlanta, Ga., and Chattanooga, Tenn. The purpose of this republication is to clarify that applicant seeks only one-way authority, including only pickup at intermediate points, and that the return will be confined only to the movement of empty vehicles, for which no authority is required. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 127215 (Sub-No. 38), filed February 29, 1968. Applicant: KENDRICK CARTAGE CO., a corporation, Post Office Box 63, Salem, Ill. 62881. Applicant's representative: W. C. Kendrick (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer ingredients*, from Peoria, Ill., to points in Illinois, Indiana, Iowa, Michigan, Missouri, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Chicago, Ill.

No. MC 127497 (Sub-No. 1), filed February 27, 1968. Applicant: J. E. DODSON, INC., 7624 Chardon Road, Kirtland, Ohio 44094. Applicant's representative: Richard H. Brandon, 79 East State Street, Columbus, Ohio 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Hot top compound, hot topping compound, hot top covers, hot top products, hot top rings with and without wiper strips and wire spring clips, and hot top slabs*, from Cleveland, Ohio, to Chicago, Ill., and points in the Chicago, Ill., commercial zone, under contract with Ferro Engineering Division of Oglebay Norton Co., Cleveland, Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 127689 (Sub-No. 14), filed February 16, 1968. Applicant: PASCAGOULA DRAYAGE COMPANY, INC., 705 East Pine Street, Hattiesburg, Miss. 39401. Applicant's representative: W. N. Innis (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Antifreeze compounds*, except in bulk, from Mapleton, Ill., to points in Alabama and Louisiana; (2) *egg carriers or cartons*, from Atlanta, Ga., to points in Mississippi; (3) *feed ingredients*, except in bulk, from Chicago Heights, Ill., to Magee and Macon, Miss., and Arcola and Alexandria, La.; (4) *citrus juices*, from Lake Wales, Fla., to points in Alabama; and, (5) *milk replacer* (feed supplement), from Lima, Ohio, to points in Mississippi, Louisiana, and Alabama. NOTE: If a hearing is deemed necessary, applicant requests it be held at Jackson, Miss.

No. MC 127834 (Sub-No. 17), filed March 1, 1968. Applicant: CHEROKEE HAULING & RIGGING, INC., 540–42 Merritt Avenue, Nashville, Tenn. 37203. Applicant's representative: Robert M. Pearce, Post Office Box E, Bowling Green, Ky. 42101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products; materials, equipment, and supplies used in their manufacture*, from the plantsite of West Virginia Pulp and Paper Co. near Wickliffe, Ky., to points in Alabama, Arkansas, Delaware, District of Columbia, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Louisiana, Maryland, Massachusetts, Michigan, Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Virginia, West Virginia, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn.

No. MC 128153 (Sub-No. 1), filed February 26, 1968. Applicant: VICTORY VAN CORPORATION, 950 South Pickett Street, Alexandria, Va. 22304. Applicant's representative: Carlyle C. Ring, Jr., 710 Ring Building, 1200 18th Street NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, as defined by the Commission, between points in the District of Columbia, points in Loudoun, Fairfax, Arlington, Fauquier, Prince William, and Stafford Counties, Va., Alexandria, Fairfax City and Falls Church, Va., points in Montgomery, Prince Georges, Charles, St. Marys, Anne Arundel, Howard, and Baltimore Counties, Md., and Baltimore, Md., restricted to shipments having a prior or subsequent linehaul movement by rail, motor, water, or air and moving on through bills of lading of forwarders, operating under section 402(b)(2) exemption. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 128218 (Sub-No. 2), filed February 23, 1968. Applicant: E. J. CHADWICK TRANSPORTATION, INC., 921 Bergen Avenue, Jersey City, N.J. 07306. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such products of food-processing and meat packinghouses, including packinghouse byproducts, fresh meat, eggs, and poultry, and materials, supplies, and equipment* used in food-processing and meat packinghouses, between Jersey City, N.J., on the one hand, and, on the other, Philadelphia, Pa., and points in that part of New York and New Jersey within 75 miles of Jersey City, N.J. NOTE: Applicant states the purpose of this application is to seek conversion of its contract carrier authority under MC 79702, to that of a common carrier. If the authority sought is granted, the contract permit will be surrendered. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or New York, N.Y.

No. MC 128273 (Sub-No. 29), filed February 28, 1968. Applicant: MIDWESTERN EXPRESS, INC., Post Office Box 189, Fort Scott, Kans. 66701. Applicant's representative: Harry Ross, 848 Warner Building, Washington, D.C. 20402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Furniture*

parts, from points in Minnesota to points in Alabama, Arkansas, Colorado, Georgia, Indiana, Michigan, Mississippi, Ohio, Oklahoma, and Pennsylvania. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 128381 (Sub-No. 2), filed February 20, 1968. Applicant: BLUE EAGLE TRUCK LINES, INC., Box 183, Highland Park, Ill. 60035. Applicant's representative: William P. Sullivan, 1819 H Street NW., Washington, D.C. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Fire fighting equipment, parts, and equipment, materials and supplies* used in the manufacture, installation and repair thereof, (1) between Atlanta, Ga., Dallas, Tex., and Northbrook, Ill., on the one hand, and, on the other, Wyandotte, Mich., and points in Louisiana, New Jersey, New York, and Pennsylvania; and (2) between Culver City, Calif., on the one hand, and, on the other, Atlanta, Ga., Detroit and Wyandotte, Mich., Elkhart, Ind., and points in Louisiana, New York, Ohio, and Pennsylvania, under contract with General Fire Extinguisher Corp. of Northbrook, Ill., and The General Fire Extinguisher Corp. of Culver City, Calif., restricted against the transportation of (1) liquid chemicals, in bulk, in tank vehicles to and from Ohio and Pennsylvania points, (2) commodities defined in *Mercer Extension—Oil Field Commodities*, 74 M.C.C. 459 and (3) commodities, the transportation of which, because of size or weight require the use of special equipment or special handling, regardless of by whom such special equipment or special handling is provided. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Chicago, Ill.

No. MC 128460 (Sub-No. 1), filed February 29, 1968. Applicant: JOHN J. CONAHAN, doing business as CENTRAL AIR FREIGHT SERVICE, 26 West Green Street, Hazleton, Pa. 18201. Applicant's representative: John W. Frame, Box 626, 2207 Old Gettysburg Road, Camp Hill, Pa. 17011. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), (1) between Philadelphia International Airport, Philadelphia, Pa., John F. Kennedy International Airport, New York, N.Y., and Newark Airport, Newark, N.J., on the one hand, and, on the other, points in Luzerne, Lackawanna, Wyoming, Carbon, Monroe, Northampton, Lehigh, Berks, Schuylkill, Columbia, Montour, Sullivan, Wayne, Pike, and Northumberland Counties, Pa., and (2) between Philadelphia International Airport, Philadelphia, Pa., on the one hand, and, on the other, points in Luzerne County, Pa., on and north of Interstate Highway 80, points in Columbia, Northumberland, and Schuylkill Counties, Pa., on and south of Pennsylvania Highways 61 and 54, points in Carbon County, Pa. (except those within the Hazleton, Pa., commercial zone), and points in Monroe County, Pa. Restriction: The authority sought herein is restricted to transportation of traffic having a prior or subsequent movement by air. NOTE: Applicant indicates tacking at Hazleton, Pa., with its authority in MC 128460, wherein applicant is authorized to conduct operations in the State of Pennsylvania. If a hearing is deemed necessary, applicant requests it be held at Scranton or Harrisburg, Pa.

No. MC 128811 (Sub-No. 1), filed February 23, 1968. Applicant: TRANSTEEL FREIGHTWAYS INC., 1000 South Fourth Street, Harrison, N.J. Applicant's representative: Bert Collins, 140 Cedar Street, New York, N.Y. 10006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Iron and steel articles*, from plant and warehouse sites of Harris & Sons Steel Co., at both Harrison, N.J., and Baltimore, Md., to points in Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island, and the District of Columbia; (2) *returned, rejected, and damaged shipments* from the above-described destination territory to plant and warehouse sites of Harris & Sons Steel Co., Harrison, N.J., and Baltimore, Md. under contract with Harris & Sons Steel Co. of Harrison, N.J. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 128939 (Sub-No. 5), filed February 26, 1968. Applicant: AYRCO CORPORATION, 3921 Imlay Street, Toledo, Ohio 43612. Applicant's representative: Robert A. Sullivan, 1800 Buhl Building, Detroit, Mich. 48226. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, (1) from Peoria Heights, Ill., to Toledo, Ohio, under contract with Seaway Beverage Co., and Great Lakes Distributors, Inc., and (2) (a) from Milwaukee, Wis., to Monroe, Mich., and (b) from Peoria Heights, Ill., to Monroe, Mich., under contract with Philips Beverage Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Toledo, Ohio, or Washington, D.C.

No. MC 129480 (Sub-No. 2), filed February 26, 1968. Applicant: TRI-LINE EXPRESSWAYS LTD., 550 71st Avenue SE., Post Office Box 5245, Station A, Calgary, Alberta, Canada. Applicant's representative: Hugh Sweeney, 2718 Third Avenue North, Post Office Box 1321, Billings, Mont. 59103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials, lumber and lumber products, iron and steel articles, including scrap metal*, (1) between the port of entry on the international boundary line between the United States and Canada, located north of Portal, N. Dak., on the one hand, and, on the other, Portal, N. Dak.; (2) between the port of entry on the international boundary line between the United States and Canada, located north of Raymond, Mont., on the one hand, and, on the other, Plentywood, Mont.; (3) between the port of entry on the international boundary line between the United States and Canada, located north of Sweetgrass, Mont., on the one hand, and, on the other, Sweetgrass, Mont.; (4) between the port of entry on the international boundary line between the United States and Canada, located north of Eureka, Mont., on the one hand, and, on the other, Eureka, Mont.; (5) between the port of entry on the international boundary line between the United States and Canada, located north of Eastport, Idaho, on the one hand, and, on the other, Eastport, Idaho; (6) between the port of entry on the international boundary line between the United States and Canada, located north of Porthill, Idaho, on the one hand, and, on the other, Porthill, Idaho; (7) between the port of entry on the international boundary line between the United States and Canada, located north of Oroville, Wash., on the one hand, and, on the other, Oroville, Wash.; and, (8) between the port of entry on the international boundary line between the United States and Canada, located north of Sumas, Wash., on the one hand, and, on the other, Sumas, Wash. NOTE: If a hearing is deemed necessary, applicant requests it be held at Billings, Mont.

No. MC 129592 (Sub-No. 2), filed February 27, 1968. Applicant: JOHN HERBERT CARMAN, doing business as CARBOY'S TRUCKING COMPANY, 93 Loretta Street, New Brunswick, N.J. Applicant's representative: Charles H. Trayford, 137 East 36th Street, New York, N.Y. 10016. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Automobile engines, motors and parts, automobile parts, accessories and equipment, oil, batteries, mufflers, tail pipes, antifreeze, paint, polish, repair parts, paper towels, wiping rags, printed matter, cleaners, repairing equipment, tool boxes, and household light bulbs*, from South Plainfield, and New Brunswick, N.J., to New York, N.Y., and points in Rockland, Orange, Sullivan, Ulster, Dutchess, Putnam, Westchester, Nassau, and Suffolk Counties, N.Y., and the *return of the above commodities for tradeins, repair or refund, or damage, obsolete or rejected shipments*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Newark, N.J.

No. MC 129704, filed February 12, 1968. Applicant: CLARENCE B. BLANKENSHIP, doing business as TROY CAB CO., 2136 Burdic, Post Office Box 34, Troy, Mich. 48084. 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 irregular routes, transporting: *General commodities*, except classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment, in express service, limited to shipments not exceeding 1,500 pounds, between points in Macomb, Oakland, Wayne, and St. Clair Counties, Mich., on the one hand, and, on the other, points in Ohio. NOTE: If a

hearing is deemed necessary, applicant requests it be held at Detroit or Lansing, Mich.

No. MC 129719, filed February 16, 1968. Applicant: BURRELL TRUCKING, INC., 1 Fifth Street, New Kensington, Pa. 15068. Applicant's representative: Arthur J. Diskin, 806 Frick Building, Pittsburgh, Pa. 15219. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except commodities in bulk, in tank vehicles, household goods as defined by the Commission, livestock, classes A and B explosives, and commodities requiring special equipment), from the warehouses of Standard Terminals, Inc., located in Westmoreland, Allegheny, and Washington Counties, Pa., to points in New York, Ohio, Maryland, West Virginia, Virginia, and the District of Columbia, under continuing contract with Standard Terminals, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Pittsburgh, Pa.

No. MC 129727, Filed February 23, 1968. Applicant: CARROLL TRUCK LINES, INC., Highway 51, 5 miles South, Winona, Miss. 38967. Applicant's representative: Donald B. Morrison, 829 Deposit Guaranty National Bank Building, Post Office Box 961, Jackson, Miss. 39205. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Prefabricated metal buildings*, complete, knocked down, and in sections, *component parts thereof, equipment, materials, and supplies* used in the installation, construction, and erection thereof (except metal buildings which are designed to be drawn by passenger vehicles); *prefabricated metal decking and siding* and *metal concrete forms*, from the plantsite of Anel Engineering Industries, Inc., located on U.S. Highway 51, 5 miles south of Winona, Miss., to points in Alabama, Arkansas, Colorado, Florida, Georgia, Illinois, Iowa, Indiana, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, North Carolina, Ohio, Oklahoma, South Carolina, Tennessee, Texas, Wisconsin, and Utah, under continuing contracts with Anel Engineering Industries, Inc., and Benco, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Jackson, Miss., or Memphis, Tenn.

No. MC 129729, filed February 27, 1968. Applicant: FRANCIS J. BEAROFF, INC., Box 195, Swedeland Road, King of Prussia, Pa. 19406. Applicant's representative: Raymond A. Thistle, Jr., Suite 1710, 1500 Walnut Street, Philadelphia, Pa. 19102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, between the plantsites of Grays Ferry Brick Co. at Iona, N.J., and Upper Merion Township, Pa., on the one hand, and, on the other, points in Pennsylvania, New Jersey, New York, Delaware, and Maryland. NOTE: If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa., or Washington, D.C.

MOTOR CARRIERS OF PASSENGERS

No. MC 117806 (Sub-No. 13), filed February 20, 1968. Applicant: ANTIETAM TRANSIT COMPANY, INC., 437 East Baltimore Street, Hagerstown, Md. 21740. Applicant's representative: S. Harrison Kahn, Suite 733, Investment Building, Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, in special operations, during the authorized racing seasons at the Charles Town Race Track and Shenandoah Downs Race Track, Charles Town, W. Va., between Shippensburg, Pa., on the one hand, and, on the other, the Charles Town Race Track and Shenandoah Downs Race Track, Charles Town, W. Va., from Shippensburg over U.S. Highway 11 through Chambersburg and Greencastle, Pa., to Hagerstown, Md., thence over Interstate Highway 81 to junction West Virginia Highway 9 to Charles Town, W. Va., and return over the same route, serving all intermediate points between Shippensburg, Pa., and Hagerstown, Md., including Shippensburg and Hagerstown, in connection with travel to and from the Charles Town Race Track and Shenandoah Downs Race Track. NOTE: Common control may be involved. Applicant states that no duplicating authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Hagerstown, Md.

No. MC 125538 (Sub-No. 1), filed February 16, 1968. Applicant: FRONTENAC COACH LINES LIMITED, 424 Montreal Street, Kingston, Ontario, Canada. Applicant's representative: Raymond P. de Member, 2000 K Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage* in the same vehicle with passengers, in charter operations, beginning and ending at ports of entry on the international boundary line between the United States and Canada located in New York, and extending to points in New York. NOTE: If a hearing is deemed necessary, applicant requests it be held at Syracuse, N.Y.

WATER CARRIER OF PROPERTY

W-1152 (Sub-No. 1) UNITED TRANSPORTATION, INC., Extension—Kuskokwim Tributaries, filed February 1968. Applicant: UNITED TRANSPORTATION, INC., Bethel, Alaska. Applicant's representative: John R. Strachan (same address as applicant). Application of United Transportation, Inc., filed February 26, 1968, for a revised certificate authorizing extension of its operations to include operation as a *common carrier*, by water in interstate or foreign commerce, by non-self-propelled vessels with the use of separate towing vessels in the transportation of *general commodities*, in seasonal operations between May 15th and October 15th, serving Lower Kalskag, Upper Kalskag, Aniak, Napaimiut, Crooked Creek, Georgetown, Red Devil, Sleetmute, Stony River, Little Russian Village, Tanunak, and points in between, including the tributaries of the Kuskokwim River from its mouth to Stony River.

APPLICATION FOR BROKERAGE LICENSE

No. MC 130049 (Amendment), filed January 10, 1968, published in FEDERAL REGISTER issue of February 1, 1968, amended February 28, 1968, and republished as amended this issue. Applicant: CINCINNATI AUTOMOBILE CLUB, doing business as WORLD WIDE TRAVEL AGENCY, Central Parkway and Race Streets, Cincinnati, Ohio 45202. Applicant's representative: William A. Busemeyer, American Building, Central Parkway at Walnut, Cincinnati, Ohio 45202. For a license (BMC 5) to engage in operations as a *broker* at Cincinnati, Ohio, in arranging for transportation in interstate or foreign commerce of *passengers and their baggage*, both as individuals and in groups, in charter operation to certain vacation spots and points of interest, beginning and ending at points in Hamilton County, Ohio, and extending to points in the United States including Alaska and Hawaii. NOTE: The purpose of this republication is to broaden the scope of the application.

APPLICATION IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN REQUESTED

No. MC 730 (Sub-No. 294), filed February 28, 1968. Applicant: PACIFIC INTERMOUNTAIN EXPRESS, CO., a corporation, 1417 Clay Street, Oakland, Calif. 94604. Applicant's representative: Richard N. Colledge (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum oil* (except petrochemicals), in bulk, in tank vehicles, from points in Kern County, Calif., to points in Oregon and Washington.

No. MC 75488 (Sub-No. 1), filed Februrary 23, 1968. Applicant: RABE BROS., INC., 124-15 101st Avenue, Richmond Hill, N.Y. 11419. Applicant's representative: Irving Abrams, 1776 Broadway, New York, N.Y. 10019. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used clothing*, from New York, N.Y., and points in Westchester County, N.Y., to the warehouses of Lutheran World Relief, Inc., at Middlesex, N.J.

MOTOR CARRIERS OF PASSENGERS

No. MC 3647 (Sub-No. 402), filed March 4, 1968. Applicant: PUBLIC SERVICE COORDINATED TRANSPORT, 180 Boyden Avenue, Maplewood, N.J. 07040. Applicant's representative: Richard Fryling (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers, in round-trip special operations, during the authorized racing season of each year at said racetrack, beginning and ending at Englewood, N.J., and extending to Roosevelt Raceway, Westbury, N.Y.

By the Commission.

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

[F.R. Doc. 68-3073; Filed, Mar. 13, 1968; 8:45 a.m.]

FOURTH SECTION APPLICATION FOR RELIEF

MARCH 11, 1968.

Protests to the granting of an application must be prepared in accordance with Rule 1100.40 of the general rules of practice (49 CFR 1100.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 41256—*Sodium bichromate to Charlotte, N.C.* Filed by Traffic Executive Association-Eastern Railroads, agent (E.R. No. 2907), for interested rail carriers. Rates on sodium bichromate, in solution, in tank carloads, subject to Rule 35, but not less than 115,000 pounds per car, from Fairport Harbor, Painesville, and Perry, Ohio, to Charlotte, N.C.

Grounds for relief—Market and water competition.

Tariff—Supplement 35 to Traffic Executive Association-Eastern Railroads, agent, tariff ICC C–611.

By the Commission.

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

[F.R. Doc. 68–3148; Filed, Mar. 13, 1968; 8:49 a.m.]

[Notice 565]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

MARCH 11, 1968.

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 protests 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 30504 (Sub-No. 16 TA), filed March 1, 1968. Applicant: TUCKER FREIGHT LINES, INC., 1415 South Olive Street, South Bend, Ind. 46621. Applicant's representative: Bernard G. Colby, 1 North La Salle Street, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from the plantsite of the Jones & Laughlin Steel Corp., Putnam County, Ill., to points in Indiana and Michigan, for 150 days. Supporting shipper: Jones & Laughlin Steel Corp., 3 Gateway Center, Pittsburgh, Pa. 15230. Send protests to: J. H. Gray, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 308 Federal Building, Fort Wayne, Ind. 46802.

No. MC 50307 (Sub-No. 42 TA), filed March 1, 1968. Applicant: INTERSTATE DRESS CARRIERS, INC., 247 West 35 Street, New York, N.Y. 10001. Applicant's representative: Zelby & Burstein, 160 Broadway, New York, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wearing apparel, and materials, and supplies* used in the manufacture thereof, between points in the New York, N.Y., commercial zone, on the one hand, and, on the other, Williamsport, Md., for 150 days. Supporting shipper: Susan Sportswear, Inc., Box 196, Williamsport, Md. 21795. Send protests to: Paul W. Assenza, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 346 Broadway, New York, N.Y. 10013.

No. MC 52460 (Sub-No. 90 TA), filed March 1, 1968. Applicant: HUGH BREEDING, INC., 1420 West 35th, Post Office Box 9515, Tulsa, Okla. 74107. Applicant's representative: Steve B. McCommas (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in containers, from Smith's Bluff (Beaumont), Tex., to points in Mississippi and Tennessee, for 180 days. Supporting shipper: Pure Oil Division, Union Oil Company of California, 200 East Golf Road, Palatine, Ill. 60067 (W. H. Kees, Traffic Manager). Send protests to: C. L. Phillips, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 350 American General Building, 210 Northwest Sixth, Oklahoma City, Okla. 73102.

No. MC 69316 (Sub-No. 4 TA), filed March 4, 1968. Applicant: GEORGE T. DONNER, doing business as CHECKER MOVING, Post Office Box 136, Maple Avenue, Lumberton, N.J. 08048, Mount Holly, N.J. 08060. 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 New Jersey, Delaware, Pennsylvania, and Maryland within 60 miles of Philadelphia, Pa., for 150 days. Supporting shipper: Military Transport and Military Terminal Services, Washington, D.C. Send protests to: District Supervisor, Raymond T. Jones, Interstate Commerce Commission, Bureau of Operations, 402 East State Street, 410 Post Office Building, Trenton, N.J. 08608.

No. MC 107496 (Sub-No. 639 TA), filed March 4, 1968. Applicant: RUAN TRANSPORT CORPORATION, Keosauqua Way at Third 50309, Post Office Box 855, Des Moines, Iowa 50304. Applicant's representative: H. L. Fabritz (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ammonium nitrate*, in bulk, dry, in tank vehicles, from Yazoo City, Miss., and Lawrence, Kans., to points in Arkansas and Missouri, for 150 days. Supporting shipper: Missouri Farmers Association, Inc., 201 South Seventh, Columbia, Mo. 65201. Send protests to: Ellis L. Annett, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 677 Federal Building, Des Moines, Iowa 50309.

No. MC 109689 (Sub-No. 194 TA), filed March 4, 1968. Applicant: W. S. HATCH CO., 643 South 800 West Street, Post Office Box 1825, Salt Lake City, Utah 84110, Woods Cross, Utah 84087. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sulfur trioxide*, in bulk, in tank vehicles, from Dominguez, Calif., to Seattle, Wash., for 180 days. Supporting shipper: Stauffer Chemical Co., 636 California Street, San Francisco, Calif. 94119. Send protests to: John T. Vaughan, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 2224 Federal Building, Salt Lake City, Utah 84111.

No. MC 129516 (Sub-No. 1 TA), filed March 4, 1968. Applicant: PATTONS, INC., 14444 Sunset Highway, Bellevue, Wash. 98004. Applicant's representative: James T. Johnson, 1601 IBM Building, Seattle, Wash. 98101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fish meal* (in bags), from Tacoma, Wash., to Spokane, Wash., for 150 days. Supporting shipper: Ralston Purina Co. (Chow Division), Post Office Box 127, Parkwater Station, Spokane, Wash. 99211. Send protests to: E. J. Casey, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 6130 Arcade Building, Seattle, Wash. 98101.

No. MC 129671 (Sub-No. 1 TA), filed March 1, 1968. Applicant: MAURICE BUSBY, Post Office Box 7372, West El Puente Lane, Tucson, Ariz. 85713. Applicant's representative: A. Michael Bernstein, 1327 Guaranty Bank Building, 3550 North Central, Phoenix, Ariz. 85012. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Bakery products*, from Phoenix, Ariz., to Blythe and Needles, Calif., and Parker, Ariz. (traversing California for operating convenience only). (2) *Empty bakery cartons and rejected bakery products*, from Blythe and Needles, Calif., and Parker, Ariz., to Phoenix, Ariz., for 180 days. Supporting shipper: Holsum Bakery, Inc., Post Office Box 6674, Phoenix Ariz. 85005. Send protests to: Andrew V. Baylor, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 3427 Federal Building, Phoenix, Ariz. 85025.

No. MC 129734 TA, filed March 1, 1968. Applicant: LADD PAPER CO., Maine and Bridge Streets, North Vassalboro, Maine 04962. Applicant's representative: Frederick T. McGonagle, 36 Main Street, Gorham, Maine 04038. Authority sought

to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise* as is dealt in by wholesale, retail, and chain grocery and food business houses, and in connection therewith, *equipment, materials, and supplies* used in the conduct of such business, from Boston, Mass., to Waterville, Fairfield, Brewer, Lincoln, and North Vassalboro, Maine, under continuing contract or contracts with Giguere Super Markets of Fairfield, Maine, for 180 days. Supporting shipper: Gigurere's Super Market, North Vassalboro, Maine 04962. Send protests to: Donald G. Weiler, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 307, 76 Pearl Street, Portland, Maine 04112.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 68-3149; Filed, Mar. 13, 1968; 8:49 a.m.]

NOTICE OF FILING OF MOTOR CARRIER INTRASTATE APPLICATIONS

MARCH 8, 1968.

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

State Docket No. C-6714, Case No. 27 (amendment), filed December 18, 1967. Applicant: CENTRAL TRANSPORT, INC., 3399 East McNichols Road, Detroit, Mich. 48212. Applicant's representative: William D. Parsley, 117 West Allegan, Lansing, Mich. 48933. Certificate of public convenience and necessity sought to operate a freight service as follows: Transport of *general commodities*, from the junction of U.S. 23 and North Territorial Road in Washtenaw County over North Territorial Road to junction Dexter-Pinckney Road, thence over Dexter-Pinckney Road to junction Darwin Road, thence over Darwin Road to McGregor Road, thence over McGregor Road southwesterly to return to Dexter-Pinckney Road, serving all intermediate points; and from the intersection of Dexter-Pinckney Road and Darwin Road, northerly over Dexter-Pinckney Road to junction M-36, thence easterly over M-36 to intersection Merrill Road, thence southerly to Strawberry Lake Road, McGregor Road between M-36 and Darwin Road serving all intermediate points. NOTE: Applicant presently has authority as outlined above restricted however against the movement of any traffic destined to or originating at Pinckney, Mich. The purpose of this application is solely to remove such restriction. Both interstate and intrastate authority is sought.

HEARING: Thursday April 4, 1968, at Michigan Public Service Commission, Lewis Cass Building, South Walnut Street, Lansing, Mich. at 9:30 a.m. Requests for procedural information, including the time for filing protests, concerning this application, should be addressed to Michigan Public Service Commission, Lewis Cass Building, Lansing, Mich. 48913, and should not be directed to the Interstate Commerce Commission.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 68-3078; Filed, Mar. 12, 1968; 8:48 a.m.]

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