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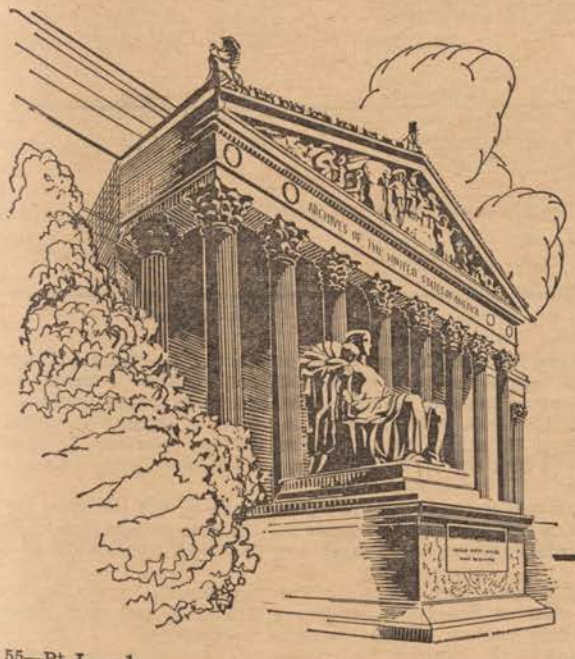
PART I

(Part II begins on page 4775)

Agencies in this issue—

Detailed list of Contents appears inside.



FEDERAL REGISTER

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Contents

(*Continued on next page*)

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.

Rules and Regulations

Title 7—AGRICULTURE

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

[Orange Reg. 60, Amdt. 3]

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

Limitation of Shipments

Findings. (1) Pursuant 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 Temple and 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 Temple and Murcott Honey oranges grown in Florida.

Order. The provisions of § 905.505 (Orange Reg. 60; 32 F.R. 17616, 33 F.R. 2378, 4514) are hereby amended in the following respects:

1. The introductory text of paragraph (a)(2) and subdivisions (iv) and (v) thereof are revised to read as follows:

§ 905.505 Orange Regulation 60.

(a) * * *

(2) During the period beginning March 18, 1968, through September 8, 1968, no handler shall ship between the production area and any point outside thereof in the continental United States, Canada, or Mexico:

* * * * *

(iv) Any Temple oranges, grown in the production area, which do not grade at least U.S. No. 2; or

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

* * * * *

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

Dated: March 15, 1968.

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

[F.R. Doc. 68-3342; Filed, Mar. 19, 1968; 8:46 a.m.]

Title 12—BANKS AND BANKING

Chapter II—Federal Reserve System

SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

[Reg. K]

PART 211—CORPORATIONS ENGAGED IN FOREIGN BANKING AND FINANCING UNDER THE FEDERAL RESERVE ACT

Statement of Policy on Joint Ventures

§ 211.51 Statement of policy on joint ventures.

Before approving a proposed international joint venture, such as a jointly-owned Edge corporation or foreign bank, the Board of Governors will consider the possible competitive effects thereof on U.S. domestic and foreign commerce and consult with the Department of Justice regarding any antitrust issues. Applicants shall submit all relevant material relating thereto.

(Interprets or applies 12 U.S.C. 615)

Dated at Washington, D.C., this 14th day of March 1968.

By order of the Board of Governors.

[SEAL] ROBERT P. FORRESTAL,
Assistant Secretary.

[F.R. Doc. 68-3329; Filed, Mar. 19, 1968; 8:45 a.m.]

[Reg. M]

PART 213—FOREIGN ACTIVITIES OF NATIONAL BANKS

Statement of Policy on Joint Ventures

§ 213.51 Statement of policy on joint ventures.

For the text of this statement of policy, see § 211.51 of this subchapter.

(Interprets or applies 12 U.S.C. 601)

Dated at Washington, D.C., this 14th day of March 1968.

By order of the Board of Governors.

[SEAL] ROBERT P. FORRESTAL,
Assistant Secretary.

[F.R. Doc. 68-3330; Filed, Mar. 19, 1968; 8:45 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

SUBCHAPTER C—AIRCRAFT

[Docket No. 7972; Amdt. 37-15]

PART 37—TECHNICAL STANDARD ORDER AUTHORIZATIONS

High Frequency Radio Communication Receiving Equipment; TSO-C32c

Correction

In F.R. Doc. 67-12486 appearing at page 14685 of the issue for Tuesday, October 24, 1967, the following corrections should be made:

1. In § 37.159 the table in paragraph 2.10 of the standards is corrected to read as follows:

Level of desired signal	*Level of undesired signal*
20 μV	1,000 μV
2,000 μV	100,000 μV

2. In paragraph 1.10 of Appendix A, insert the word "otherwise" after the word "unless" and before the word "specified".

3. In paragraph 2.4 of Appendix A, strike out the word and figure "at 5" and insert the word and figure "a 50" in lieu thereof.

SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Reg. Docket No. 8761; Amdt. 95-165]

PART 95—IFR ALTITUDES

Miscellaneous Amendments

The purpose of this amendment to Part 95 of the Federal Aviation Regulations is to make changes in the IFR altitudes at which all aircraft shall be flown over a specified route or portion thereof. These altitudes, when used in conjunction with the current changeover points for the routes or portions thereof, also assure navigational coverage that is adequate and free of frequency interference for that route or portion thereof.

As a situation exists which demands immediate action in the interest of safety, I find that compliance with the

notice and procedure provisions of the Administrative Procedure Act is impracticable and that good cause exists for making this amendment effective within less than 30 days from publication.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 95 of the Federal Aviation Regulations is amended, effective April 25, 1968, as follows:

1. By amending Subpart C as follows:

From, to, and MEA

Section 95.1001 *Direct Routes*—United States is amended to read in part:

Chico, Calif., VOR; Red Bluff, Calif., VOR; 3,000. MAA—12,000.
Marysville, Calif., VOR; Chico, Calif., VOR; 3,000. MAA—12,000.
Point Reyes, Calif., VOR; Woodside, Calif., VOR; *5,000. MAA—17,000. *4,400—MOCA.
Priest, Calif., VOR; via ROM 309/SJC 120°; Hollister INT, Calif., COP 40 ROM; MAA—24,000. *6,500—MOCA.
Salinas, Calif., VOR; *Lick Int, Calif., **6,000. MAA—17,000. *4,500—MCA Lick Int., southeastbound. **5,000—MOCA.
San Diego., Calif., VOR via SAN R 360° and ONT R 130°; *Ontario, Calif., VOR; **7,000. *5,100—MCA. Ontario VOR; southeastbound. **6,700—MOCA.

Section 95.1001 *Direct routes*—United States is amended by adding:

Alma, Ga., VORTAC; Int GNV 270° AMG 182°; 18,000.
Int GNV 270°/AMG 182°; 50 NM DME via 001° M rad, PIE VORTAC; 10,000.
50 NM DME via 001° M rad, PIE VORTAC; St. Petersburg, Fla., VORTAC; *6,000. *1,300—MOCA.
Cincinnati, Ohio, VOR; Lewis, Mo., VOR; 18,000. MAA—45,000.
Cincinnati, Ohio, VOR; Lewis, Ind., VOR; 18,000. MAA—45,000.
Lewis, Ind., VOR; St. Louis, Mo., VOR; 18,000. MAA—45,000.
Ephrata, Wash., VOR; Omak, Wash., RBN, COP 40 EPH; 6,800.

Section 95.6001 *VOR Federal airway 1* is amended to read in part:

Charleston, S.C., VOR; Honey INT, S.C.; 2,100.

Section 95.6004 *VOR Federal airway 4* is amended to read in part:

Topeka, Kans., VOR; Springdale INT, Kans.; 2,700.
Topeka, Kans., VOR via S alter.; Lawrence INT, Kans., via S alter.; 2,700.
Lawrence INT, Kans., via S alter.; Parkville INT, Mo., via S alter.; *2,500. *2,300—MOCA.

Section 95.6010 *VOR Federal airway 10* is amended to read in part:

Topeka, Kans., VOR via N alter.; Springdale INT, Kans., via N alter.; 2,700.
Eudora INT, Kans.; De Soto INT, Kans.; *2,500. *2,200—MOCA.
De Soto INT, Kans.; Parkville INT, Mo.; *2,600. *2,300—MOCA.

Section 95.6011 *VOR Federal airway 11* is amended to read in part:

Laurel, Miss., VOR; *Rankin INT, Miss.; **2,300. *3,400—MRA. **1,700—MOCA.
Memphis, Tenn., VOR via E alter.; Stanton INT, Tenn., via E alter.; 2,000.

Section 95.6012 *VOR Federal airway 12* is amended to read in part:

From, to, and MEA

Eudora INT, Kans.; De Soto INT, Kans.; *2,500. *2,200—MOCA.
De Soto INT, Kans.; Shawnee INT, Kans.; *2,600. *2,300—MOCA.

Section 95.6014 *VOR Federal airway 14* is amended to read in part:

Conway INT, Mo.; Richland INT, Mo.; *3,000. *2,700—MOCA.
Richland INT, Mo.; Vichey, Mo., VOR; *3,000. *2,400—MOCA.
Vichey, Mo., VOR via S alter.; St. Louis, Mo., VOR via S alter.; *2,800. *2,200—MOCA.

Section 95.6015 *VOR Federal airway 15* is amended to read in part:

Dallas, Tex., VOR via W alter.; Denton INT, Tex., via W alter.; 2,100.
Denton INT, Tex., via W alter.; Ardmore, Okla., VOR via W alter *4,000. *2,300—MOCA.

Section 95.6016 *VOR Federal airway 16* is amended to read in part:

Memphis, Tenn., VOR via N alter.; Stanton INT, Tenn., via N alter.; 2,000.
Stanton INT, Tenn., via N alter.; Jacks Creek, Tenn., VOR via N alter.; *2,000. *1,900—MOCA.

Section 95.6018 *VOR Federal airway 18* is amended to read in part:

Jackson, Miss., VOR via S alter.; *Rankin INT, Miss., via S alter.; *2,000. *3,400—MRA.
Rankin INT, Miss., via S alter.; Meridian, Miss., VOR via S alter.; *3,400. *1,900—MOCA.

Section 95.6019 *VOR Federal airway 19* is amended to read in part:

Pueblo, Colo., VOR; Hanover, INT, Colo., southbound, 7,500; northbound, *8,000. *7,500—MOCA.

Section 95.6020 *VOR Federal airway 20* is amended to read in part:

Barber INT, N.C.; Greensboro, N.C., VOR; 2,500.
Stockton INT, Ala., via S alter.; Monroeville, Ala., VOR via S alter.; *2,100. *1,500—MOCA.
Mobile, Ala, VOR; Tensaw INT, Ala.; *2,000. *1,600—MOCA.

Section 95.6047 *VOR Federal airway 47* is amended to read in part:

Cincinnati, Ohio, VOR; Hamilton INT, Ohio; 2,400.
Hamilton INT, Ohio; Middletown INT, Ohio; 2,500.

Section 95.6054 *VOR Federal airway 54* is amended to read in part:

Muscle Shoals, Ala., VOR; Tanner INT, Ala.; 2,400.

Section 95.6056 *VOR Federal airway 56* is amended to read in part:

Midway INT, Ala., via S alter.; Columbus, Ga., VOR via S alter.; 2,000.

Section 95.6057 *VOR Federal airway 57* is amended to read in part:

Hobbs INT, Ala., via E alter.; Decatur, Ala., VOR via E alter.; 2,600.

Section 95.6057 *VOR Federal airway 57* is amended by adding:

Birmingham, Ala., VOR via W alter.; Johney INT, Ala., via W alter.; *2,700. *2,000—MOCA.
Johney INT, Ala., via W alter.; Decatur, Ala., VOR via W alter.; *2,400. *2,200—MOCA.

Section 95.6088 *VOR Federal airway 88* is amended to read in part:

Conway INT, Mo.; Richland INT, Mo.; *3,000. *2,700—MOCA.
Richland INT, Mo.; Vichey, Mo., VOR; *3,000. *2,400—MOCA.

Section 95.6112 *VOR Federal airway 112* is amended to read in part:

Lamar INT, Oreg.; *Rodna INT, Wash; **5,400. *6,000—MRA. **4,400—MOCA.
Rodna INT, Wash.; Spokane, Wash., VOR; *5,400. *4,900—MOCA.

Section 95.6118 *VOR Federal airway 118* is amended to read in part:

Laramie, Wyo., VOR; *Sliver Crown INT, Wyo.; 11,100. *9,600—MCA Silver Crown INT, westbound.
Silver Crown INT, Wyo.; Cheyenne, Wyo., VOR; 8,800.

Section 95.6128 *VOR Federal airway 128* is amended to read in part:

Cincinnati, Ohio, VOR via N alter.; York, Ky., VOR via N alter.; 3,000.

Section 95.6130 *VOR Federal airway 130* is amended to read in part:

Norwich, Conn., VOR; Lafayette INT, R.I.; *2,300. *1,700—MOCA.

Section 95.6136 *VOR Federal airway 136* is amended to read in part:

Durham INT, N.C.; Raleigh-Durham, N.C., VOR; *2,100. *1,900—MOCA.

Section 95.6139 *VOR Federal airway 139* is amended to read in part:

Wakefield INT, R.I.; Lafayette INT, R.I.; *2,300. *1,600—MOCA.
Lafayette INT, R.I.; Greenwich INT, R.I.; *2,300. *1,700—MOCA.

Section 95.6140 *VOR Federal airway 140* is amended to read in part:

Nashville, Tenn., VOR via N alter.; River Bend INT, Tenn., via N alter.; *2,500. *2,200—MOCA.
Granville INT, Tenn., via S alter.; Livingston, Tenn., VOR via S alter.; *3,000. *2,700—MOCA.

Section 95.6152 *VOR Federal airway 152* is amended to read in part:

St. Petersburg, Fla., VOR; via S alter.; Lakeland, Fla., VOR; via S alter.; *2,000. *1,500—MOCA.

Section 95.6175 *VOR Federal airway 175* is amended by adding:

Hallsville, Mo., VOR; Macon, Mo., VOR; *2,600. *2,200—MOCA.
Macon, Mo., VOR; Kirksville, Mo., VOR; *2,700. *2,300—MOCA.
Kirksville, Mo., VOR; Des Moines, Iowa, VOR; *2,800. *2,400—MOCA.
Des Moines, Iowa, VOR; Sioux City, Iowa, VOR; *4,500. *2,800—MOCA.

Section 95.6177 *VOR Federal airway 177* is amended by adding:

Stevens Point, Wis., VOR; Duluth, Minn., VOR; *6,000. *3,000—MOCA.

Section 95.6178 *VOR Federal airway 178* is amended by adding:

Lexington, Ky. VOR; Trent INT, Ky.; 3,200.
Trent INT, Ky.; Panther INT, W. Va.; *8,000. *4,500—MOCA.
Panther INT, W. Va.; Bluefield, W. Va., VOR; 6,000.

Section 95.6198 *VOR Federal airway 198* is amended to read in part:

From, to, and MEA

Fort Stockton, Tex., VOR; Ozona INT, Tex.; *7,000. *4,400—MOCA.
Ozona INT, Tex.; Junction, Tex., VOR; *6,000. *3,900—MOCA.

Section 95.6222 *VOR Federal airway 222* is amended to read in part:

Fort Stockton, Tex., VOR; Ozona INT, Tex.; *7,000. *4,400—MOCA.
Ozona INT, Tex.; Junction, Tex., VOR; *6,000. *3,900—MOCA.

Section 95.6225 *VOR Federal airway 225* is amended to read in part:

Paloma INT, Fla., via E alter.; *Pavilion INT, Fla., via E alter.; **3,500. *4,000—MRA. **1,200—MOCA.

Section 95.6241 *VOR Federal airway 241* is amended to read in part:

Midway INT, Ala., via W alter.; Columbus, Ga., VOR via W alter.; 2,000.

Section 95.6245 *VOR Federal airway 245* is amended to read in part:

Natchez, Miss., VOR; *Raymond INT, Miss.; 2,900. *3,400—MRA.
Raymond INT, Miss.; Jackson, Miss., VOR; 2,900.

Section 95.6289 *VOR Federal airway 289* is amended by adding:

Fort Smith, Ark., VOR; Harrison, Ark., VOR; *4,400. *3,700—MOCA.
Harrison, Ark., VOR; Dogwood, Mo., VOR; *3,000. *2,500—MOCA.
Dogwood, Mo., VOR; Stout INT, Mo.; *5,500. *2,900—MOCA.
Stout INT, Mo.; Richland INT, Mo.; *3,000. *2,700—MOCA.
Richland INT., Mo.; Vichey, Mo., VOR; *3,000. *2,400—MOCA.

Section 95.6297 *VOR Federal airway 297* is amended to read in part:

Carleton, Mich., VOR; Livingston INT, Mich.; *3,000. *2,200—MOCA.
Livingston INT, Mich.; Owosso INT, Mich.; *4,000. *2,200—MOCA.

Section 95.6325 *VOR Federal airway 325* is amended to read in part:

Hobbs INT, Ala., via N alter.; Decatur, Ala., VOR via N alter.; 2,600.

Section 95.6339 *VOR Federal airway 339* is added to read:

Whitesburg, Ky., VOR; Falmouth, Ky., VOR; 4,000.

Section 95.6345 *VOR Federal airway 345* is added to read:

Dells, Wis., VOR; Eau Claire, Wis., VOR; *3,500. *3,300—MOCA.

Section 95.6401 *Hawaii VOR Federal airway 1* is amended to read:

Paradise Int, Hawaii; *Hibiscus Int, Hawaii; **3,000, *3,000—MRA. **1,000—MOCA.
Hibiscus Int, Hawaii; *Redwood Int, Hawaii; **2,000. *9,000—MRA. **1,000—MOCA.
Redwood Int, Hawaii; Hilo, Hawaii, VOR; *2,000. *1,200—MOCA.

Section 95.6410 *Hawaii VOR Federal airway 10* is amended to read:

Hilo, Hawaii, VOR; Jasmine INT, Hawaii; *2,000. *1,000—MOCA.
Jasmine INT, Hawaii; Crater INT, Hawaii; *5,000 *1,000—MOCA.

Section 95.6414 *Hawaii VOR Federal airway 14* is amended to read in part:

From, to, and MEA

*Dogwood DME Fix, Hawaii; South Kauai, Hawaii, VOR; **10,000. *10,000—MRA. **4,000—MOCA.

Section 95.6415 *Hawaii VOR Federal airway 15* is amended to read in part:

*Vanda DME Fix, Hawaii; South Kauai, Hawaii, VOR; **6,000. *6,000—MRA. **4,400—MOCA.

Section 95.6416 *Hawaii VOR Federal airway 16* is amended to read in part:

*Redwood Int, Hawaii; Hilo, Hawaii, VOR; **2,000. *9,000—MRA. **1,200—MOCA. MOCA.

Section 95.6418 *Hawaii VOR Federal airway 18* is added to read:

Upolu Point, Hawaii, VOR; Turtle Int, Hawaii; 5,400.
Turtle Int, Hawaii; Salmon Int, Hawaii; *3,000. *1,000—MOCA.
*Salmon Int, Hawaii; Clam Int, Hawaii; **9,000. Hawaii; *4,700—MCA Salmon INT northeastbound. **1,000—MOCA.

Section 95.6419 *Hawaii VOR Federal airway 19* is added to read:

Hilo, Hawaii, VOR; *Redwood Int, Hawaii; **2,000. *9,000—MRA. **1,200—MOCA.
Redwood Int, Hawaii; *Hibiscus Int, Hawaii; **2,000. *3,000—MRA. **1,000—MOCA.
Hibiscus Int, Hawaii; Salmon Int, Hawaii; *3,000. *1,000—MOCA.
Salmon Int, Hawaii; Lobster Int, Hawaii; *6,000. *1,000—MOCA.

Section 95.6454 *VOR Federal airway 454* is amended to read in part:

Midway INT, Ala.; Columbus, Ga., VOR; 2,000.

Section 95.6456 *VOR Federal airway 456* is amended by adding:

Anchorage, Alaska, VORTAC; *Big Lake, Alaska, VOR; 2,000. *5,000—MCA Big Lake VOR northeastbound.
Big Lake, Alaska, VOR; Matanuska INT, Alaska; 7,000.
Matanuska INT, Alaska; Gulkana, Alaska, VOR; 10,000.
Gulkana, Alaska, VOR; Northway, Alaska, VOR; 10,500.

Section 95.6493 *VOR Federal airway 493* is amended to read in part:

Carleton, Mich., VOR; Int. 330° M rad, Carleton VOR and 205° M rad, Flint VOR; *3,000. *2,200—MOCA.

Section 95.7102 *Jet Route No. 102* is amended to read in part:

From, To, MEA, and MAA

Lamar, Colo., VOR; Salina, Kans., VOR; 18,000; 45,000.

Section 95.7124 *Jet Route No. 124* is amended to read:

Anchorage, Alaska, VORTAC; Big Lake, Alaska, VOR; 18,000; 45,000.
Big Lake, Alaska, VOR; Gulkana, Alaska, VOR; 18,000; 45,000.
Gulkana, Alaska, VOR; Northway, Alaska, VOR; 18,000; 45,000.

Section 95.7511 *Jet Route No. 511* is added to read:

Dillingham, Alaska, VOR; Anchorage, Alaska, VORTAC; 18,000; 45,000.
Anchorage, Alaska, VORTAC; Big Lake, Alaska, VOR; 18,000; 45,000.
Big Lake, Alaska, VOR; Gulkana, Alaska, VOR; 18,000; 45,000.
Gulkana, Alaska, VOR; United States-Canadian border; 19,000; 45,000.

2. By amending subpart D as follows:

Section 95.8003 *VOR Federal airway changeover points:*

Airway segment: From; to—Changeover point: Distance; from

V–177 is amended by adding:
Stevens Point, Wis., VOR; Duluth, Minn., VOR; 68; Stevens Point.

V–198 is amended by adding:
Fort Stockton, Tex., VOR; Junction, Tex., VOR; 70; Fort Stockton.

V–222 is amended by adding:
Fort Stockton, Tex., VOR; Junction, Tex., VOR; 70; Fort Stockton.

(Secs. 307, 1110, Federal Aviation Act of 1958; 49 U.S.C. 1348, 1510)

Issued in Washington, D.C., on March 12, 1968.

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

[F.R. Doc. 68-3278; Filed, Mar. 19, 1968; 8:45 a.m.]

Title 21—FOOD AND DRUGS

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

SUBCHAPTER A—GENERAL

PART 3—STATEMENTS OF GENERAL POLICY OR INTERPRETATION

Established Names for Drugs

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502(e), 508, 701(a), 52 Stat. 1050, as amended, 1055, 76 Stat. 789, 790; 21 U.S.C. 352(e), 358, 371(a)) and under the authority delegated to the Commissioner of Food and Drugs by the Secretary of Health, Education, and Welfare (21 CFR 2.120), the following new section is added to Part 3:

§ 3.62 Established names for drugs.

(a) Section 508 of the Federal Food, Drug, and Cosmetic Act (added by the Kefauver-Harris Drug Amendments of 1962; Public Law 87–781) authorizes the Commissioner of Food and Drugs to designate an official name for any drug if he determines that such action is necessary or desirable in the interest of usefulness and simplicity. Section 502(e) of the act (as amended by said Drug Amendments) prescribes that the labeling of a drug must bear its established name, if there is one, to the exclusion of any other nonproprietary name (except the applicable systematic chemical name or the chemical formula) and, if the drug is fabricated from two or more ingredients, the established name of each active ingredient.

(b) The term "established name" is defined in section 502(e)(2) of the act as (1) an official name designated pursuant to section 508 of the act; (2) if no such official name has been designated

for the drug and the drug is an article recognized in an official compendium, then the official title thereof in such compendium; and (3) if neither subparagraphs (1) nor (2) of this section applies, then the common or usual name of the drug.

(c) The Food and Drug Administration recognizes the skill and experience of the U.S. Adopted Names Council (USAN) in deriving names for drugs. The U.S. Adopted Names Council is a private organization sponsored by the American Medical Association, the United States Pharmacopeia, and the American Pharmaceutical Association, and has been engaged in the assignment of names to drugs since January 1964. The Council negotiates with manufacturing firms in the selection of nonproprietary names for drugs.

(d) The Food and Drug Administration cooperates with and is represented on the USAN Council. In addition, the Food and Drug Administration is in agreement with the "Guiding Principles for Coining U.S. Adopted Names for Drugs," published in New Drugs Evaluated by A.M.A. Council on Drugs, 1967 edition, pages 556–561, and in U.S. Adopted Names (USAN), Cumulative List, number 5, 1961–1966, pages 100–105. All applicants for new-drug applications and sponsors for "Notice of Claimed Investigational Exemption for a New Drug" (IND's) are encouraged to contact the USAN Council for assistance in selection of a simple and useful name for a new chemical entity. Approval of a new-drug application providing for the use of a new drug substance or a new antibiotic drug may be delayed if a simple and useful nonproprietary name does not exist for the substance and if one is not proposed in the application that meets the above-cited guidelines. Prior use of a name in the medical literature or otherwise will not commit the Food and Drug Administration to adopting such terminology as official.

(Secs. 502(e), 508, 701(a), 52 Stat. 1050, as amended, 1055, 76 Stat. 789, 790; 21 U.S.C. 352(e), 358, 371(a))

Dated: March 12, 1968.

JAMES L. GODDARD,
Commissioner of Food and Drugs.

[F.R. Doc. 68-3373; Filed, Mar. 19, 1968; 8:47 a.m.]

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 121—FOOD ADDITIVES

Subpart D—Food Additives Permitted in Food for Human Consumption

METHYL GLUCOSIDE-COCONUT OIL ESTER

The Commissioner of Food and Drugs, having evaluated the data in a petition (FAP 6A1992) filed by Hodag Chemical Corp., 7247 North Central Park Avenue, Skokie, Ill. 60077, and other relevant material, has concluded that the food additive regulations should be amended to provide for the safe use of methyl glucoside-coconut oil ester as a surfactant in molasses. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)) and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120), § 121.1151(b) is revised to read as follows:

§ 121.1151 Methyl glucoside-coconut oil ester.

* * * * *

(b) It is used or intended for use as follows:

(1) As an aid in crystallization of sucrose and dextrose at a level not to exceed the minimum quantity required to produce its intended effect.

(2) As a surfactant in molasses at a level not to exceed 320 parts per million in the molasses.

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

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

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

Dated: March 12, 1968.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 68-3377; Filed, Mar. 19, 1968; 8:48 a.m.]

SUBCHAPTER C—DRUGS

PART 130—NEW DRUGS

Submission of Supplemental Applications

No comments were received in response to the notice published in the FEDERAL REGISTER of January 26, 1968 (33 F.R. 1020), proposing that the new-drug regulation regarding supplemental applications (21 CFR 130.9) be amended to limit supplemental applications to essentially one kind of change per communication to expedite the handling of such applications and to facilitate machine processing of the information contained therein. It is concluded that the proposal should be adopted without change.

Accordingly, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 505, 701(a), 52 Stat. 1052, as amended, 1055; 21 U.S.C. 355, 371(a)) and under the authority delegated to the Commissioner of Food and Drugs by the Secretary of Health, Education, and Welfare (21 CFR 2.120), § 130.9 is amended as set forth below.

Effective date. This order shall become effective 30 days from the date of its publication in the FEDERAL REGISTER.

(Secs. 505, 701(a), 52 Stat. 1052, as amended, 1055; 21 U.S.C. 355, 371(a))

Dated: March 12, 1968.

J. K. KIRK,
Associate Commissioner for Compliance.

Section 130.9 is amended by redesignating the text of paragraph (a) as paragraph (a)(1) and by adding thereto a new subparagraph (2) reading as follows:

§ 130.9 Supplemental applications.

(a) (1) * * *

(2) The supplemental application shall be submitted as follows: A communication proposing a change in a new-drug application should provide for no more than one of the following kinds of changes:

(i) Revision in labeling; such as, updating information pertaining to effects, dosages, and side effects and contraindications, which include side effects, warnings, precautions, and contraindications.

(ii) Addition of claim.

(iii) Revision in manufacturing or control procedures; for example, changes in components, composition, method of manufacture, analytical control procedures, package or tablet size, etc.

(iv) Change in manufacturing facilities.

(v) Provision for outside firm to participate in the preparation, distribution, or packaging of a new drug (new distributor, packer, supplier, manufacturer, etc.); one firm per submission.

Any number of changes may be submitted at any one time; but if they fall into different categories as listed in subdivisions (i) through (v) of this subparagraph, the proposed changes should be covered by separate communications. Where, however, a change necessitates an overlap in categories, it should be submitted in a single communication. For example, a change in tablet potency would require other changes such as in components, composition, and labeling and should be submitted in a single communication.

[F.R. Doc. 68-3374; Filed, Mar. 19, 1968; 8:48 a.m.]

PART 148i—NEOMYCIN SULFATE

Miscellaneous Amendments

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357) and under the authority delegated to the Commissioner of Food and Drugs by the Secretary of Health, Education, and Welfare (21 CFR 2.120), Part 148i

is amended as follows or to effect minor editorial or technical changes:

§ 148i.1 [Amended]

1. In § 148i.1 *Neomycin sulfate*, paragraph (b)(1)(ii) is amended by changing the last two words thereof from "adjusted suspension" to "diluted suspension."

2. Section 148i.2(a)(3)(i) is revised to read as follows:

§ 148i.2 **Neomycin undecylenate.**

(a) * * *

(3) * * *

(i) Results of tests and assays on the batch for potency of neomycin and undecylenic acid, moisture, pH, and identity.

* * * * *

3. Section 148i.4 is amended by revising the section title, the introductory text of paragraph (a)(1), and subdivision (ii) of paragraph (a)(1) to read as follows:

§ 148i.4 **Neomycin sulfate-_____ cream (the blank being filled in with the established name(s) of the other active ingredient(s) present in accordance with paragraph (a)(1) of this section).**

(a) *Requirements for certification*—(1) *Standards of identity, strength, quality, and purity.* The drug is neomycin sulfate and either betamethasone, dexamethasone sodium phosphate, dichlorisone acetate, fluocinolone acetonide, methylprednisolone acetate, or triamcinolone acetonide, with or without one or more suitable and harmless emollients, perfumes, dispersants, and preservatives, in a suitable cream base. It contains, in each gram, 3.5 milligrams of neomycin and one of the following:

* * * * *

(ii) Dexamethasone sodium phosphate equivalent to 1.0 milligram of dexamethasone phosphate; or

* * * * *

4. Section 148i.7(a)(1)(v) is revised to read as follows:

§ 148i.7 **Neomycin sulfate-_____ nasal suspension; neomycin sulfate-_____ nasal solution (the blanks being filled in with the established name(s) of the other active ingredient(s) present in accordance with paragraph (a)(1) of this section).**

(a) * * *

(1) * * *

(v) Prednisolone sodium phosphate equivalent to 1.0 milligram of prednisolone phosphate, 2.5 milligrams of phenylephrine hydrochloride, and 7.5 milligrams of phenylpropanolamine hydrochloride; or

* * * * *

5. Section 148i.10(a)(1)(v) is revised to read as follows:

§ 148i.10 **Neomycin sulfate-_____ lotion (the blank being filled in with the established name(s) of the other active ingredient(s) present in accordance with paragraph (a)(1) of this section).**

(a) * * *

(1) * * *

(v) Prednisolone sodium phosphate equivalent to 5.0 milligrams of prednisolone phosphate; or

* * * * *

6. Section 148i.14(b) is revised to read as follows:

§ 148i.14 **Neomycin sulfate-triamcinolone acetonide topical aerosol; neomycin sulfate-dexamethasone topical aerosol.**

* * * * *

(b) *Tests and methods of assay; potency.* Proceed as directed in § 148i.1(b)(1), except prepare the sample for assay as follows: Spray, according to the directions in the labeling, the entire contents of each container to be tested into a separate 2-liter Ehrlenmeyer flask held in a horizontal position. Each flask should be fitted with a suitable cover containing an opening large enough to permit entry of the spray into the flask. Add 500 milliliters of 0.1*M* potassium phosphate buffer, pH 8.0, to the flask and shake to dissolve the contents. Further dilute with 0.1*M* potassium phosphate buffer, pH 8.0, to the proper, prescribed reference concentration. The content of neomycin is satisfactory if it is not less than 90 percent and not more than 130 percent of the number of milligrams of neomycin that it is represented to contain.

* * * * *

§ 148i.15 [Amended]

7. In § 148i.15 *Neomycin sulfate-polymyxim B sulfate-* * * *, paragraph (a)(1)(i) is amended by changing the figure "1.25" to read "1.20".

8. Section 148i.18 is amended by revising paragraphs (a)(3)(ii)(*c*)(*2*)(*a*)(*4*), and (b)(4) to read as follows:

§ 148i.18 **Neomycin sulfate-polymyxin B sulfate-hydrocortisone otic suspension; neomycin sulfate-polymyxin B sulfate-hydrocortisone-sodium heparin otic suspension.**

(a) * * *

(3) * * *

(ii) * * *

(*c*) * * *

(*2*) For sterility testing: 20 immediate containers, collected at regular intervals throughout each filling operation.

* * * * *

(*4*) *Fees.* $4.00 for each package in the samples submitted in accordance with subparagraph (3)(ii)(*a*), (*b*), and (*d*) of this paragraph; $5 for each immediate container submitted in accordance with subparagraph (3)(ii)(*c*)(*1*) of this paragraph; $12 for all containers submitted in accordance with subparagraph (3)(ii)(*c*)(*2*) of this paragraph and $24 for all containers in the sample submitted for any repeat sterility test, if necessary, in accordance with § 141.2(f) of this chapter.

(b) * * *

(4) *Sterility.* Proceed as directed in § 141.2 of this chapter, using the method described in paragraph (e)(1) of that section, except if the steroid prevents solubilization, use 0.25 milliliter of sample in lieu of 1 milliliter and proceed as directed in paragraph (e)(2) of that section.

§ 148i.19 [Amended]

9. In § 148i.19. *Neomycin sulfate-polymyxin B sulfate-acetarsone vaginal suppositories,* paragraph (a)(1) is amended by changing in the third sentence the figure "3.0" to read "5.0".

10. Section 148i.22(b) is revised to read as follows:

§ 148i.22 **Neomycin sulfate for prescription compounding.**

* * * * *

(b) *Tests and methods of assay; potency, toxicity, moisture, pH, and identity.* Proceed as directed in § 148i.1(b)(1), (4), (5), (6), and (7).

* * * * *

Since this order merely effects minor editorial or technical changes in the subject antibiotic drug regulations and raises no points of controversy, notice and public procedure and delayed effective date are not prerequisites to this promulgation.

Effective date. This order shall be effective upon publication in the FEDERAL REGISTER.

(Sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357)

Dated: March 12, 1968.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 68-3375; Filed, Mar. 19, 1968; 8:48 a.m.]

PART 148j—NOVOBIOCIN

Miscellaneous Amendments

Under the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357) and delegated by him to the Commissioner of Food and Drugs (21 CFR 2.120), Part 148j is amended as follows to effect miscellaneous editorial and technical changes:

1. In § 148j.1, paragraphs (a)(1)(i) and (vii) and (b)(1)(iii) are revised to read as follows:

§ 148j.1 **Sodium novobiocin.**

(a) * * *

(1) * * *

(i) Its potency is not less than 850 micrograms of novobiocin per milligram, calculated on an anhydrous basis.

* * * * *

(vii) Its residue on ignition is not less than 10.5 percent and not more than 12.0 percent.

* * * * *

(b) * * *

(1) * * *

(iii) *Working standard.* Dry approximately 30 to 50 milligrams of the novobiocin working standard as described in § 141a.5(a) of this chapter, except use drying conditions of 100° C. for 4 hours. Determine the dry weight and dissolve in 2 milliliters of absolute ethyl alcohol. Add sufficient 0.1*M* potassium phosphate buffer, pH 7.8 to 8.0, to give a concentration of 1,000 micrograms of novobiocin per milliliter. This stock solution may be kept for 30 days when stored under refrigeration.

* * * * *

2. Section 148j.2(a)(1)(i) is revised to read as follows:

§ 148j.2 Calcium novobiocin.

(a) * * *

(1) * * *

(i) Its potency is not less than 840 micrograms per milligram, expressed in terms of novobiocin on an anhydrous basis.

* * * * *

3. Section 148j.3(b)(1) is revised to read as follows:

§ 148j.3 Sodium novobiocin tablets.

* * * * *

(b) *Tests and methods of assay*—(1) *Potency.* Proceed as directed in § 148j.1(b)(1), except prepare the sample by placing a representative number of tablets in a high-speed glass blender with sufficient 0.1*M* potassium phosphate buffer, pH 7.8 to 8.0, to give a stock solution of convenient concentration. The content of novobiocin is satisfactory if it is not less than 90 percent and not more than 120 percent of the number of milligrams of novobiocin that it is represented to contain.

* * * * *

4. Section 148j.4(b)(1) is revised to read as follows:

§ 148j.4 Calcium novobiocin-sulfamethizole tablets.

* * * * *

(b) *Tests and methods of assay*—(1) *Potency.* Blend a representative number of tablets in a high-speed glass blender for 3 to 5 minutes with sufficient absolute ethyl alcohol to give a stock solution of convenient concentration. Proceed further as directed in § 148j.2(b)(1). The content of novobiocin is satisfactory if it is not less than 90 percent and not more than 120 percent of the number of milligrams of novobiocin that it is represented to contain.

* * * * *

§ 148j.5 [Amended]

5. Section 148j.5 *Calcium novobiocin oral suspension* is amended:

a. In the fourth sentence of paragraph (a)(1), the portion reading "(i), (ii), (iv), and (vi)" is changed to read "(i), (ii), (iv), (v), and (vi)".

b. In the last sentence of paragraph (b)(1), the words "milligrams that" are changed to read "milligrams of novobiocin that".

Since this order effects miscellaneous editorial and technical changes in the subject antibiotic drug regulations and is noncontroversial in nature, notice and public procedure and delayed effective date are not prerequisites to this promulgation.

Effective date. This order shall be effective upon publication in the FEDERAL REGISTER.

(Sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357)

Dated: March 12, 1968.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 68-3376; Filed, Mar. 19, 1968; 8:48 a.m.]

PART 166—DEPRESSANT AND STIMULANT DRUGS; DEFINITIONS, PROCEDURAL AND INTERPRETATIVE REGULATIONS

Confirmation of Effective Date of Order Listing DOM (STP) as Drug Subject to Control

In the matter of listing the drug DOM (STP) as a "depressant or stimulant" drug within the meaning of section 201(v) of the Federal Food, Drug, and Cosmetic Act because its hallucinogenic effect:

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 201(v), 511, 701, 52 Stat. 1055, as amended, 79 Stat. 227 et seq.; 21 U.S.C. 321(v), 360a, 371) and under the authority delegated by the Secretary of Health, Education, and Welfare to the Commissioner of Food and Drugs (21 CFR 2.120), notice is given that no objections were filed to the order in the above-identified matter published in the FEDERAL REGISTER of February 2, 1968 (33 F.R. 2511). Accordingly, the amendment promulgated by that order will become effective April 2, 1968.

(Secs. 201(v), 511, 701, 52 Stat. 1055, as amended, 79 Stat. 227 et seq.; 21 U.S.C. 321(v), 360a, 371)

Dated: March 12, 1968.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 68-3378; Filed, Mar. 19, 1968; 8:48 a.m.]

Title 31—MONEY AND FINANCE: TREASURY

Chapter II—Fiscal Service, Department of the Treasury

SUBCHAPTER A—BUREAU OF ACCOUNTS

PART 205—WITHDRAWAL OF CASH FROM THE TREASURY FOR ADVANCES UNDER FEDERAL PROGRAMS

Letter-of-Credit Method of Financing Advances

To reflect the issuance of a new Treasury form (Form TUS 5401) for effecting drawdowns on letters of credit, the first sentence of § 205.4(d) of Subchapter A, Chapter II, Title 31 of the Code of Federal Regulations is amended to read as follows:

§ 205.4 Letter-of-credit method of financing advances.

* * * * *

(d) *Drawdowns.* Recipient organizations shall draw on letters of credit by issuing a payment voucher, Form TUS 5401.

* * * * *

(5 U.S.C. 301)

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

Dated: March 14, 1968.

[SEAL] JOHN K. CARLOCK,
Fiscal Assistant Secretary.

[F.R. Doc. 68-3369; Filed, Mar. 19, 1968; 8:47 a.m.]

Title 32—NATIONAL DEFENSE

Chapter VII—Department of the Air Force

SUBCHAPTER B—SALES AND SERVICES

PART 813—SCHEDULE OF FEES FOR COPYING, CERTIFYING, AND SEARCHING RECORDS

Part 813 is revised to read as follows:

Sec.
813.1 Purpose.
813.2 Policy on fees.
813.3 Services provided without charge.
813.4 Reviewing schedule of fees.
813.5 Schedule of fees.

AUTHORITY: The provisions of this Part 813 issued under sec. 8012, 70A Stat. 488; 10 U.S.C. 8012.

SOURCE: AFR 11-6, Jan. 28, 1964; AFR 11-6A, June 28, 1965; AFR 11-6B, Oct. 27, 1967; AFR 11-6C, Mar. 20, 1968.

§ 813.1 Purpose.

This part states the fees collected by the Air Force for copying, certifying, and searching records.

§ 813.2 Policy on fees.

The Air Force collects fees for copying, certifying, and searching records to make the services as self-sustaining as possible. (The services and fees are listed in § 813.5.) Such services are performed only when they are consistent with established policy, do not interfere with the activity's mission, and can be paid for out of available funds. Requests for information and copies of records which require protection in the public interest are subject to the provisions of Part 806 of this chapter and require the review by a responsible official to determine if they can be released to the person requesting them. When the fee can be determined in advance, the activity concerned will collect it before performing the service. However, exceptions will be made for urgent requests.

§ 813.3 Services provided without charge.

When requests for the following types of services are received from the sources specified fees will not be collected: (The term "Armed Forces" includes the Air Force, Army, Navy, Marine Corps, and their civilian components.)

(a) Any service requested by members of the Armed Forces when the document or information requested is required by such personnel in their capacity as members of the Armed Forces of the United States.

(b) Any service requested by members of the Armed Forces who are in a casualty status or by their next of kin or legal representatives; and requests for information from any source relating to a casualty.

(c) Any service requested by members (or retired members) of the Armed Forces for copies of or information from their own medical or dental records.

(d) Information from or copies of medical and dental records and/or X-ray films of patients or former patients of military medical or dental facilities when the information is required for further medical or dental care and requests for such data are submitted by an accredited medical facility, physician, or dentist, or requested by the patient, his next of kin, or legal representative.

(e) Any service requested by members (or retired members) of the Armed Forces or their dependents for copies of or information from the medical or dental records of such dependents.

(f) The address of record of an active duty member or former member of the Armed Forces of the United States when it can be furnished informally through local directory (locator) reference, when requested by a member (or retired member) of the Armed Forces of the United States, or a relative or legal representative of a member of the Armed Forces of the United States, or the address of record requested by any source when the address is required to pay monies or forward property to a member or former member of the Armed Forces of the United States, or when the address is sought by a custodian or manager of property owned by a member or former member of the Armed Forces to communicate with the addressee regarding the property.

(g) Any service requested by or on behalf of a member or former member of the Armed Forces, or if deceased, their next of kin, pertaining to requests for:

(1) Information required to obtain financial benefits.

(2) Document showing membership and military record in the Armed Forces if discharge or release was under honorable conditions.

(3) Information relating to a decoration or award or information required for memorialization purposes.

(4) Review or change in type of discharge or correction of records.

(5) Personal documents, e.g., birth certificates, when such documents were required to be furnished by the individual.

(h) Those services which are furnished free in accordance with statutes or Executive orders.

(i) Any service furnished relating to or in furtherance of the Armed Forces recruiting programs and any service-furnished representatives of public information media or the general public in the interest of public understanding of the Armed Forces.

(j) Any service involving confirmation of employment or salaries of active or separated civilian or military personnel when requested by prospective employers or recognized sources of inquiry for credit or financial purposes.

(k) Any service requested by and furnished to a member of Congress for official use.

(l) Any service requested by a State, territorial, county, or municipal government or an agency thereof which is carrying on a function related to or in furtherance of an objective of the Department of Defense.

(m) Any service requested by a court when furnishing this service will serve as a substitute for personal court appearance of a military or civilian employee of the Department of Defense.

(n) Any service requested by a nonprofit organization which is carrying on a function related to or in furtherance of an objective of the Federal Government or in the interest of public safety, health, and welfare.

(o) Any service requested when the cost of such services ultimately would be charged to the Federal Government.

(p) Any service requested by donors regarding their gifts.

(q) Any request which results in an unsuccessful search of records other than requests to determine the existence or nonexistence of a record.

(r) Requests for service which are occasional and incidental (including any request from a resident of a foreign country), not of a type that is requested often, if it is administratively determined that a fee would be inappropriate in such an occasional case.

(s) Any request when the furnishing of the service without charge is an appropriate courtesy to a foreign country, international organization, or comparable fees are set on a reciprocal basis with a foreign country.

(t) Any request from Federal employees for the accomplishment of forms applicable to claims for reimbursement in connection with Federal Employees Health Benefit Act of 1959.

§ 813.4 Reviewing schedule of fees.

The schedule of fees will be reviewed whenever costs change significantly. It will also be reviewed at least once each year to determine whether the Air Force should collect a fee for any other services rendered the public or change or discontinue any of the existing fees. Activities concerned will submit their recommendations to Hq USAF (AFDASB). Costs will be determined or estimated in accordance with cost standards established in Part 812.

§ 813.5 Schedule of fees.

This schedule applies to authorized services related to copying, certifying, and searching of records rendered by Air Force activities.

Requests involving:	
1. Training and education:	
a. Transcripts:	
Original copy	$1.00
Each additional copy	.50
(Includes requests for transcripts of graduation from military academies and schools.)	
b. Certificates:	
Original copy	$0.50
Each additional copy	.25
(Includes requests for transcates, verification of attendance, and course completion from service schools and other facilities.)	
2. Medical and dental records of civilians (covers requests for information from or copies of medical records, including clinical records, outpatient records, dental records, and loan of X-rays).	
a. Up to and including two typewritten or two reproduced pages	$2.50
b. Each additional typewritten page	1.25
c. Each additional photo copy	.25
d. Loan of each X-ray	1.00
3. Medical and dental records of uniformed services personnel and their dependents when request is received from other than member or his dependent (covers requests for information from or copies of medical records, including clinical records, outpatient records, dental records, and loan of X-rays):	
a. Up to an including two typewritten or two reproduced pages	$2.50
b. Each additional typewritten page	1.25
c. Each additional photo copy	.25
d. Loan of each X-ray	1.00
4. Military membership and record:	
a. Address of record, each	$1.50
b. Certificate in lieu, statement of verification of service, or report of separation, each	2.50
c. Copy or extract of order or other records (excludes medical, dental, and X-ray records), each	2.25
d. Furnishing information on decorations and awards to service organizations	2.00
5. Claims and litigations:	
a. Requests from litigants pretaining to private litigation (if not covered in paragraph 2 or 3 above):	
(1) Searching per hour or fraction thereof (includes overhead costs)	$3.00

(2) Processing per hour (minimum charge ½ hour) 3.00
(3) Each photo copy ..... .25
(4) Certification and validation with seal, each ..... .75
(5) Certification and validation without seal, each ..... .50

b. Requests pertaining to cases in which the United States is a party and where court rules provide for reproduction of records without cost to the Government:

(1) Searching per hour or fraction thereof (includes overhead costs) $3.00
(2) Processing per hour (minimum charge ½ hour) 3.00
(3) Each photo copy ..... .25
(4) Certification and validation with seal, each ..... .75
(5) Certification and validation without seal, each ..... .50

c. Furnishing information from investigative reports, such as automobile collision investigations and safety reports (includes searches, overhead, analysis, and preparation of report, per hour) (minimum charge ½ hour) $3.00

6. Charges for additional services not specifically provided above and consistent with provisions of this part and Part 812:

a. Searching per hour or fraction thereof (includes overhead costs) $3.00
b. Processing per hour (minimum charge ½ hour) 3.00
c. Each photo copy ..... .25
d. Certification and validation with seal, each ..... .75
e. Certification and validation without seal, each ..... .50

7. Photography. (See Part 811 for fees applicable to still picture services and Part 810 for those pertaining to motion picture photography.)

8. Copies of military personnel records releasable under AFR 31-6 (Releasing Information From, and Providing Access to Military Personnel Records), reproduced for the personal use of members and former members of the Air Force. Each side of a document is considered one image. Official requirements for copies of records as prescribed by pertinent regulations are not subject to charge. For example, records required for board, court-martial, or similar type action.

a. Minimum charge (up to six reproduced images) $1.50
b. Each additional image ..... .25

9. Publications and forms. Requestors will be furnished only one copy of each form or publication requested. Charges will be as follows:

a. Shelf stock:
(1) Handling and processing, per copy furnished $1.00
(2) Each printed page ..... .01

b. Office copy reproduction (when shelf stock is not available)

(1) Minimum charge (up to six reproduced pages) $1.50
(2) Each additional page ..... .25

By order of the Secretary of the Air Force.

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

[F.R. Doc. 68-3387; Filed, Mar. 19, 1968; 8:49 a.m.]

Title 32A—NATIONAL DEFENSE, APPENDIX

Chapter I—Office of Emergency Planning

DMO 8540.1—HEALTH MANPOWER OCCUPATIONS

Amendment of List

Pursuant to Executive Order No. 11001, a list of health manpower occupations was prepared in the Department of Labor and the Department of Health, Education, and Welfare and was issued by the Director of the Office of Emergency Planning as an annex to Defense Mobilization Order 8540.1 on March 11, 1964 (29 F.R. 3474; 32A CFR, Chap. 1). That list identified health manpower occupations in terms of occupational titles and code numbers appearing in the second edition of the Dictionary of Occupational Titles of the Department of Labor. Since that time the Department of Labor has issued a third edition of that dictionary. The list published herewith reflects health manpower occupational titles and code numbers appearing in the third edition of the dictionary, and supersedes the list published as an annex to DMO 8540.1 in 29 F.R. 3474 on March 18, 1964. No textural changes in DMO 8540.1 are being made. The occupational titles used in the list published herewith were selected on the basis that they are the same as, or the equivalent of, titles in the existing list. To make the list more useful, certain alternate or related titles have been included but this has been done on a selective basis in order to keep the list as concise as possible and to avoid repetitive terminology. The skills identified in the List of Health Manpower Occupations set forth below are those which will be immediately required for the provision of essential emergency public health and medical services.

Dated: March 14, 1968.

PRICE DANIEL,
Director, Office of Emergency Planning.

LIST OF HEALTH MANPOWER OCCUPATIONS [1]

Occupational title	*Dictionary of Occupational Titles, Department of Labor, Third Edition, Code No.*
Administrator, Hospital	187.118
Anatomist	041.081
Audiologist	079.108
Audiometrist	078.368
Bacteriologist	041.081
Bacteriologist, Dairy	041.081
Bacteriologist, Fishery	041.081
Bacteriologist, Food	041.081
Bacteriologist, Medical	041.081
Bacteriologist, Pharmaceutical	041.081
Bacteriologist, Public Health	041.281
Biochemist	041.081
Biophysicist	041.081
Chemist, Biological	041.081
Chemist, Clinical	041.081
Chemist, Enzymes	041.081
Chemist, Pharmaceutical	041.081
Chemist, Proteins	041.081
Chemist, Steroids	041.081
Chiropodist	079.108
Cytologist, Animal	041.081
Dentists	072.
Food and Drug Inspector (Government Service)	168.287
Health Physicist	079.021
Hearing Clinician	079.108
Helminthologist	041.081
Histologist	041.181
Histopathologist	041.181
Hospital Administrator	187.118
Hygienist, Dental	078.368
Immunologist	041.081
Instructor of Blind	079.228
Librarian, Medical-Record (Medical Service)	100.388
Medical Assistant	079.368
Medical Laboratory Assistant	078.381
Microbiologist	041.081
Midwife	354.878
Nurse Aid (Medical Service)	355.878
Nurse, Licensed Practical	079.378
Nurses, Registered	075.
Optometrist	079.108
Orderly (Medical Service)	355.878
Orderly, Surgical	079.378
Orthopedic Specialist	079.108
Orthoptist	079.378
Osteopathic Physician	071.108
Parasitologist, Medical	041.081
Pharmacist	074.181
Pharmacologist	041.081
Physicians and Surgeons	070.
Physiologist, Animal	041.081
Physiologist, Medical	041.081
Podiatrist	079.108
Prosthetist-Orthotist (Surgical Appliances)	078.368
Protozoologist	041.081
Psychologist, Clinical	045.108
Public-Health Bacteriologist	041.281
Public Health Engineer	005.081
Sanitarian (Professional and Kindred)	079.118
Sanitary Engineer	005.081
Serologist	041.081
Sewage-Disposal Engineer	005.081
Social Worker, Medical (Professional and Kindred)	195.108
Social Worker, Psychiatric (Professional and Kindred)	195.108
Speech and Hearing Clinician	079.108
Speech Pathologist	079.108
Superintendent, Hospital	187.118
Technicians:	
Audiometric Technician	078.368
Blood-Bank Technician	078.381
Cytotechnician	078.381
Dental-Laboratory Technician	712.381
Dental Technician	712.381
Electrocardiograph Technician	078.368
Electroencephalograph Technician	078.368
Hearing Test Technician	078.368
Hematology Technician	078.381
Laboratory Technician, Veterinary	073.381
Medical Technician	078.381
Obstetrical Technician	079.378
Operating Room Technician	079.378
Orthodontic Technician	712.381
Orthopedic-Appliance-and-Limb Technician	712.281
Orthoptic Technician	079.378
Oxygen-Therapy Technician	079.368
Serology Technician	078.381
Surgical Technician	079.378
Tissue Technician	078.381
Technologists:	
Biochemistry Technologist	078.281
Blood-Bank Technologist	078.281
Cytotechnologist	078.281
Hematology Technologist	078.281
Histopathology Technologist	078.381
Medical Technologist	078.281
Medical Technologist, Bacteriology	078.281
Medical Technologist, Chemistry	078.281

See footnote at end of document.

Medical Technologist,	
Histology	078.381
Microbiology Technologist	078.281
Nuclear Medical Technologist	078.381
Radioisotope Technologist	078.381
Radiologic Technologist	078.368
Serology Technologist	078.281
Tissue Technologist	078.381
X-ray Technologist	078.368
Therapists:	
Inhalation Therapist	079.368
Occupational Therapist	079.128
Orientation Therapist for the Blind	079.228
Physical Therapist	079.378
Physiotherapist	079.378
Veterinarians [2]	073.
Virologist	041.081

[1] Includes students, trainees, and interns whose training or education leading to any of the indicated skills is sufficiently advanced to qualify them to contribute to the technical tasks of providing health services.

[2] Though current planning provides that many veterinarians be utilized in casualty care and preventive medicine activities in the immediate postattack period, veterinarians will continue to be needed to perform services of a strictly veterinary nature after most of the human casualties have been cared for temporarily. Such veterinary activities will include protection of food animals against diseases and the effects of atomic, biological, and chemical warfare; meat and poultry inspection and supplementing food inspection forces for certain food processing plants, and food storage facilities.

[F.R. Doc. 68-3325; Filed, Mar. 19, 1968; 8:45 a.m.]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of Transportation

SUBCHAPTER I—ANCHORAGES

[CGFR 68-2]

PART 110—ANCHORAGE REGULATIONS

Special Anchorage Areas and Anchorage Grounds

1. The city manager of Gardiner, Maine, by a letter dated December 5, 1966, requested the establishment of a special anchorage area in the Kennebec River at South Gardiner, Maine. A public notice dated February 28, 1967, was issued by the Chief, Operations Division, Engineer Division, New England, U.S. Army Corps of Engineers, describing the proposed special anchorage area. All known interested parties were notified and requested to comment on the proposal. At present no commercial navigation occurs in that portion of the Kennebec River at Gardiner, Maine, where the special anchorage area will be established. The Kennebec River is used by small and medium sized boats and no adverse effect on navigation is anticipated. After consideration of all comments submitted in response thereto, the request is granted and the establishment of a special anchorage area as described in 33 CFR 110.3a below is granted, subject to the right to change the requirements and to amend the regulations if and when necessary in the public interest.

2. The purpose of this document is to establish and describe a special anchorage area in the Kennebec River at Gardiner, Maine, as described in 33 CFR 110.3a below, which shall be effective on and after 30 days after the date of publication of this document in the FEDERAL REGISTER. Thereafter, vessels not more than 65 feet in length, when at anchor in such special anchorage area, shall not be required to carry or exhibit anchor lights or shapes (day signals).

3. By virtue of the authority vested in me as Commandant, U.S. Coast Guard, by section 632 of title 14, United States Code, and the delegation of authority in 49 CFR 1.4(a)(3) to prescribe rules and regulations in the performance of certain functions, powers, and duties under laws transferred by subsection 6(g) (except those provisions of laws relating generally to the reasonableness of tolls) of the Department of Transportation Act, Part 110 is amended by inserting after § 110.3 a new § 110.3a reading as follows:

§ 110.3a Kennebec River at Gardiner, Maine.

(a) The area comprises that portion of the waterway on the westerly side of the river beginning at a point on the shoreline at latitude 44°10'20.5", longitude 69°45'32"; thence due east to a point at latitude 44°10'20.5", longitude 69°45'26"; thence northeasterly to a point at lattiude 44°10'25", longitude 69°45'23"; thence northerly to a point at latitude 44°10'33", longitude 69°45'22"; thence due west to a point on the shoreline at latitude 44°10'33", longitude 69°45'24"; and thence generally southwesterly along the shoreline to the point of beginning.

(b) The following requirements shall govern this special anchorage area:

(1) The area will be principally for use by yachts and other recreational craft.

(2) Temporary floats or buoys for marking anchors will be allowed, but fixed piles or stakes are prohibited. All moorings shall be so placed that no vessel when anchored shall at any time extend beyond the limits of the area.

(3) The anchoring of vessels and the placing of the temporary moorings shall be under the jurisdiction and at the discretion of the local harbor master, Gardiner, Maine.

4. The authority note following § 110.1 is amended by deleting reference to Department of Transportation Order 1100.1 so that it reads as follows:

§ 110.1 General.

* * * * *

(R.S. 4233, as amended, 28 Stat. 647, as amended, 30 Stat. 98, as amended, sec. 7, 38 Stat. 1053, sec. 6(g)(1), 80 Stat. 940; 33 U.S.C. 180, 258, 322, 471, 49 U.S.C. 1655(g)(1); 49 CFR 1.4(a)(3))

5. The authority note for Subpart A is amended by deleting reference to Department of Transportation Order 1100.1 so that it reads as follows:

AUTHORITY: The provisions of this Subpart A issued under R.S. 4233, as amended, 28 Stat. 647, as amended, 30 Stat. 98, as amended, sec. 6(g)(1), 80 Stat. 940; 33 U.S.C. 180, 258, 322, 49 U.S.C. 1655(g)(1); 49 CFR 1.4(a)(3).

6. The authority note for Subpart B is amended by deleting reference to Department of Transportation Order 1100.1 so that it reads as follows:

AUTHORITY: The provisions of this Subpart B issued under sec. 7, 38 Stat. 1053, as amended, sec. 6(g)(1), 80 Stat. 940; 33 U.S.C. 471, 49 U.S.C. 1655(g)(1); 49 CFR 1.4(a)(3).

Dated: March 14, 1968.

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

[F.R. Doc. 68-3338; Filed, Mar. 19, 1968; 8:46 a.m.]

[CGFR 68-3]

PART 110—ANCHORAGE REGULATIONS

Special Anchorage Areas; Mystic Harbor, Conn.

1. Noank Shipyard, Inc., of Noank, Conn., by letter dated January 6, 1967, requested the establishment of a special anchorage area in Mystic Harbor at Noank, Conn. A public notice dated January 20, 1967, was issued by the Chief, Operations Division, U.S. Army Engineer Division, New England Corps of Engineers describing the proposed special anchorage area. All known interested parties were notified and requested to comment on the proposal. The applicant has indicated that in order to alleviate pollution problems sanitary facilities will be provided ashore and the moored boats will not be lived upon. The anchorage will be at least 50 feet from the limits of the dredged channel and will not adversely affect general navigation. After consideration of all comments submitted in response thereto, the request is granted and the establishment of a special anchorage area as described in 33 CFR 110.50d below is granted, subject to the right to change the requirements and to amend the regulations if and when necessary in the public interest.

2. The purpose of this document is to establish and describe a special anchorage area at Mystic Harbor, Conn., as described in 33 CFR 110.50d below, which shall be effective on and after 30 days after publication of this document in the FEDERAL REGISTER. Thereafter, vessels not more than 65 feet in length, when at anchor in such special anchorage, shall not be required to carry or exhibit anchor lights or shapes (day signals).

3. By virtue of the authority vested in me as Commandant, U.S. Coast Guard, by section 632 of Title 14, United States Code, and the delegation of authority in 49 CFR 1.4(a)(3) to prescribe rules and regulations in the performance of certain functions, powers and duties under laws transferred by subsection 6(g) (except those provisions of laws relating generally to the reasonableness of tolls) of the Department of Transportation Act, Part 110

is amended by inserting after § 110.50c a § 110.50d which shall read as follows and be effective on and after 30 days after publication of this document in the FEDERAL REGISTER:

§ 110.50d Mystic Harbor, Noank, Conn.

(a) The area comprises that portion of the harbor off the easterly side of Morgan Point beginning at a point at latitude 41°19'15", longitude 71°59'13.5"; thence to latitude 41°19'15", longitude 71°59'00"; thence to latitude 41°19'02.5", longitude 71°59'00"; thence to latitude 41°19'06", longitude 71°59'13.5"; and thence to the point of beginning.

(b) The following requirements shall govern this special anchorage area:

(1) The area will be principally for use by yachts and other recreational craft.

(2) Temporary floats or buoys for marking anchors will be allowed but fixed piles or stakes are prohibited. All moorings shall be so placed that no vessel, when anchored, shall extend beyond the limits of the area.

(3) The anchoring of vessels and the placing of temporary moorings shall be under the jurisdiction and at the discretion of the local harbor master, Noank, Conn.

(R.S. 4233, as amended, 28 Stat. 647, as amended, 30 Stat. 98, as amended, sec. 6(g)(1), 80 Stat. 940; 33 U.S.C. 180, 258, 322, 49 U.S.C. 1655(g)(1); 49 CFR 1.4(a)(3))

Dated: March 14, 1968.

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

[F.R. Doc. 68-3339; Filed, Mar. 19, 1968; 8:46 a.m.]

[CGFR 68-9]

PART 110—ANCHORAGE REGULATIONS

Anchorage Grounds; Los Angeles and Long Beach Harbors, Calif.

1. The Commandant, 11th Naval District, by letter dated December 23, 1966 requested a change in the location of Explosives Anchorage No. 2 in Long Beach Harbor and the regulations pertaining thereto. A public notice dated January 25, 1967, was issued by the Deputy District Engineer, U.S. Army Engineer District, Los Angeles Corps of Engineers describing the proposed changes. All known interested parties were notified and no objection was received. Therefore, the request is granted and Explosives Anchorage No. 2 in Long Beach Harbor is relocated as described in 110.214(a)(10) below; 110.214(a)(11) is amended to describe the Safety Zone for Explosives Anchorage No. 1 only; and a new § 110.214(a)(12) is added to describe the Safety Zone for Explosives Anchorage No. 2.

2. The purpose of this document is to relocate Explosives Anchorage No. 2 in Long Beach Harbor; to amend § 110.214(a)(11) to describe a Safety Zone for Explosives Anchorage No. 1 only; and to add a new paragarph, § 110.214(a)(12), to describe a Safety Zone for Explosives Anchorage No. 2.

3. By virtue of the authority vested in me as Commandant, U.S. Coast Guard, by 14 U.S.C. 632 and the delegation in 49 CFR 1.4(a)(3) of the Secretary of Transportation under 49 U.S.C. 1655(g)(1), the texts of § 110.214(a)(10), and § 110.214(a)(11) are amended to read as follows below; and a new section § 110.214(a)(12) is inserted after § 110.214(a)(11), each to become effective on and after 30 days after publication of this document in the FEDERAL REGISTER.

§ 110.214 Los Angeles and Long Beach Harbors, Calif.

(a) *The anchorage grounds* * * *

* * * * *

(10) *Explosives Anchorage No. 2 (Long Beach Harbor).* An elliptical shaped area with two (2) mooring points within Anchorage E. An easterly mooring point with a radius of 1,350' and its center at latitude 33°40'42", longitude 118°09'01", and a westerly mooring point with a radius of 900' and its center at latitude 33°43'49", longitude 118°09'33".

(11) *Explosives Anchorage No. 1 Safety Zone (Long Beach Harbor).* When an explosives anchorage is occupied by a vessel carrying, loading, or unloading explosives, a circular safety zone surrounding the explosives anchorage of 600 yards or of 1,000 yards in width, as the Captain of the Port may determine, may be declared by the Captain of the Port to be a forbidden anchorage in the interests of port security and commerce. Vessels within such circular safety zone, upon being notified by the Captain of the Port to move or shift position, shall be under way at once or signal for a tug and change position as directed with reasonable promptness.

(12) *Explosives Anchorage No. 2 Safety Zone (Long Beach Harbor).* When this explosives anchorage, consisting of two moorings, is occupied by a vessel or vessels carrying, loading or unloading explosives, a circular or elliptical safety zone surrounding the explosives moorings of 5,130 feet from the easterly center of the anchorage, or 3,430 feet from the westerly center of the anchorage, or a combination of both if both moorings are occupied, may be declared by the Captain of the Port to be a forbidden anchorage in the interests of port security and commerce. Vessels within such circular safety zone (also referred to as the transient zone), upon being notified by the Captain of the Port to move or shift position, shall get under way at once or signal for a tug and change position as directed with reasonable promptness.

(b) *Regulations.*

* * * * *

(Sec. 7, 38 Stat. 1053, as amended, sec. 6(g)(1), 8 Stat. 940; 33 U.S.C. 471, 49 U.S.C. 1655(g)(1); 49 CFR 1.4(a)(3))

Dated: March 14, 1968.

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

[F.R. Doc. 68-3340; Filed, Mar. 19, 1968; 8:46 a.m.]

[CGFR 68-27]

PART 110—ANCHORAGE REGULATIONS

Hampton Roads, Va., Anchorage Grounds; Correction

1. The revised description of Anchorage G in the James River in 33 CFR 110.168(b)(1) was published in the FEDERAL REGISTER of February 1, 1968 (33 F.R. 2447). The fourth and eighth coordinates are wrong and the purpose of this document is to change them from "latitude 36°57'32.1", longitude 76°25'56"," to "latitude 36°59'08", longitude 76°27'56"," and from "latitude 35°57'09.8", longitude 76°24'51.9"," to "latitude 36°57'09.8", longitude 76°24'51.9";" respectively.

2. By virtue of the authority vested in me as Commandant, U.S. Coast Guard, by 14 U.S.C. 632 and the delegation in 49 CFR 1.4(a)(3) of the Secretary of Transportation under 49 U.S.C. 1655(g)(1), the text of § 110.168(b)(1) is amended to reflect the above corrections and reads as follows:

§ 110.168 Hampton Roads, Va., and adjacent waters.

* * * * *

(b) *James River*—(1) *Anchorage G.* Beginning at the mouth of the river opposite Newport News, east of a line running from Barrel Point, latitude 36°54'5" longitude 76°28'51"; thence across the mouth of Batten Bay to Candy Island, latitude 36°56'18"; longitude 76°29'05"; and shoreward of a line beginning at Fishing Point, latitude 36°57'50", longitude 76°29'38"; thence to latitude 36°59'08", longitude 76°27'56"; thence to latitude 36°58'37", longitude 76°26'41"; thence to latitude 36°57'50", longitude 76°26'04"; thence to latitude 36°57'32.1", longitude 76°25'40"; thence to latitude 36°57'09.8", longitude 76°24'51.9"; thence to latitude 36°56'44", longitude 76°24'18.5"; thence to latitude 36°56'44", longitude 76°25'05.7"; thence to latitude 36°55'52.5", longitude 76°25'09.5"; thence to latitude 36°54'00" longitude 76°28'59".

* * * * *

(Sec. 7, 38 Stat. 1053, as amended, sec. 6(g)(1); 80 Stat. 940; 33 U.S.C. 471, 49 U.S.C. 1655(g)(1); 49 CFR 1.4(a)(3))

Dated: March 14, 1968.

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

[F.R. Doc. 68-3341; Filed, Mar. 19, 1968; 8:46 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 16297; FCC 68-275]

PART 1—PRACTICE AND PROCEDURE

Elimination of Interim Ship Station Licensing in Maritime Mobile Service

Report and order. In the matter of amendment of Parts 0, 1, 83, and 85 of

the Commission's rules to eliminate interim ship station licensing in the Maritime Mobile Service, Docket No. 16297.

1. A notice of proposed rule making in the above-captioned matter was released November 18, 1965, and published in the FEDERAL REGISTER on November 23, 1965 (30 F.R. 14564). The Commission therein proposed to amend its maritime rules to delete those sections which permit the filing of requests for interim ship radio station licenses. In response to that notice, comments were filed by 38 parties who objected to the proposed rule changes. The parties asserted that interim licensing of ship radio stations was necessary to them for safety, operational, economic and convenience reasons.

2. A further notice of proposed rule making in this matter was released July 14, 1967, and was published in the FEDERAL REGISTER on July 20, 1967 (32 F.R. 10663). The dates for filing comments and replies thereto have passed. This further notice did not propose that the interim licensing service be discontinued in view of its wide utilization by the boating public and in recognition of the adverse affect on the maritime community as asserted by the 38 parties who responded to the notice released November 18, 1965. However, since granting of an interim license involves extra service and special processing at additional expense to the Commission, it was proposed that this cost be borne by the users by amending section 1.1115 of the rules to specify a fee of $13 instead of $10 for a ship station license application where interim authority is also sought.

3. Comments to the further notice of proposed rule making were filed by Karr Electronics Corp., Marine Electronics Dealers Association of Florida, Northwest Instrument Co., Southern California Marine Radio Council, and North Pacific Marine Radio Council, Inc. No reply comments were filed.

4. Karr Electronics Corp. did not oppose the proposed rule change and expressed the opinion that the proposed additional cost where interim authority is sought is both fair and reasonable and that the user would have no objection to paying a slight premium for this privilege. The Southern California Marine Radio Council acknowledged that interim licensing involves extra service by the Commission and that the proposed fee is not unreasonable but that the Council could not favor increasing the fee. The Marine Electronics Dealers Association of Florida did not favor the proposed fee increase and proposed instead that the Commission authorize established marine electronics dealers to issue interim ship station licenses. The North Pacific Marine Radio Council, Inc., and the Northwest Instrument Co. did not disagree with the concept that a fee differential was warranted where an interim license is also sought but asserted that this could be accomplished by continuing the fee for that service at the present $10 and reducing the fee for regular application where an interim license is not requested. The Northwest Instrument Co. elaborated on its position by asserting that the regular ship license fee was too high as compared with other governmental authorizations and that the Commission should be able to markedly decrease the cost of regular licensing.

5. With certain exceptions, the filing fee for license applications in the Safety and Special Radio Services, including those for ship station license, was prescribed at $10 by the Commission after exhaustive consideration in a rule making proceeding in Docket No. 14507. In that proceeding it was proposed to establish a filing fee of $20 for a ship station application. The Commission reduced this amount to the present $10 fee for a 5-year license. This fee has been determined to be fair and equitable and we see no reason to reduce it at this time. Moreover, the suitability of the regular filing fee for ship radio station license applications is not within the scope of this proceeding. The proposal by the Marine Electronics Dealers Association of Florida that the Commission delegate authority to electronic dealers to issue interim ship radio station licenses is considered to be not legally feasible. The Commission is not authorized to delegate this function to private individuals.

6. It has been determined that the processing and granting of an application for an interim ship radio station license results in additional effort by Commission personnel and provides extra service for some applicants. It is considered that the fee of $3 is an appropriate charge to reflect the additional costs and benefits.

7. In view of the foregoing: *It is ordered*, Pursuant to sections 4(i) and 303(r) of the Communications Act of 1934, as amended and Title V of the Independent Offices Appropriation Act of 1952, 65 Stat. 290, and Bureau of the Budget's Circular A-25 of September 23, 1959, that § 1.1115 of the Commission's rules is amended as set forth below, effective April 22, 1968.

8. *It is further ordered*, That this proceeding is terminated.

(Secs. 4, 303, 48 Stat., as amended 1066, 1082; 47 U.S.C. 154, 303; sec. 5, 65 Stat. 290, 5 U.S.C. 140; Budget Bureau Circular A-25, Sept. 23, 1959)

Adopted: March 13, 1968.

Released: March 15, 1968.

FEDERAL COMMUNICATIONS COMMISSION,[1]

[SEAL] BEN F. WAPLE,
Secretary.

In § 1.1115, a new fee category is added in paragraph (a) to be inserted just before the last listed fee as follows:

§ 1.1115 Schedule of fees for Safety and Special Radio Services.

(a) * * *

Applications for ship radio station license when accompanied by a request for an interim station license	13

* * * * *

[F.R. Doc. 68-3362; Filed, Mar. 19, 1968; 8:47 a.m.]

[1] Commissioner Wadsworth absent.

[RM-1242; FCC 68-291]

PART 73—RADIO BROADCAST SERVICES

Memorandum Opinion and Order Regarding AM, FM, and TV Program Log Rules

In the matter of amendment of §§ 73.112, 73.282, and 73.670, the respective AM, FM, and TV "program log" rules, RM-1242.

1. The National Association of Broadcasters on January 17, 1968, filed a petition for rule making seeking revision of the program log rules for standard broadcast stations (§ 73.112) and FM broadcast stations (§ 73.282) to conform to the program log requirements for television broadcast stations (§ 73.670).

2. The Commission had adopted new logging rules for AM and FM effective December 1, 1965 (Report and Order in Docket No. 14187, 1 FCC 2d 449) concurrently with the adoption of a new AM and FM program form (Section IV-A—statement of program service) filed as part of applications for renewal, assignment and transfer of control, new stations, and major changes in facilities. See Report and Order in Docket No. 13961; 1 FCC 2d 439. Because it became apparent that certain requirements of the AM-FM logging rules were not necessary for the preparation of the program reporting form or for other Commission purposes, the logging rules for TV, effective December 1, 1966, differed from those previously adopted for AM and FM. See Report and Order in Docket No. 14187, 5 FCC 2d 185; see also Report and Order in Docket No. 13961, 5 FCC 2d 175, dealing with the television program form (Section IV-B).

3. Meanwhile, experience under the logging rules generally has disclosed that clarification in some respects are appropriate. A number of licensees and their representatives, under apparent misapprehension as to the intent of the television logging rules, have raised questions about paragraph (b) of § 73.670 and subpart (ii) of § 73.670(a)(2). These should be clarified.

4. Paragraph (b) of § 73.670 provides that stations carrying network programs need log only the name of the program and time the station joins and leaves the network (along with whatever nonnetwork matter is required to be logged), with the networks to supply, for the composite week, other necessary information such as number and length of commercial messages. This section also states that the information furnished by the network is to be retained by the station and attached to the related pages of the program log. In adopting this rule, we intended only that the information to be

furnished by a network to its affiliates for completion of their composite week be associated with the pertinent logs submitted with the application for license renewal. Licensees otherwise are not required to associate with the logs the information almost daily furnished by its network.

5. Section 73.670(a)(2)(ii), which calls for an entry showing the total duration of commercial matter in each hourly time segment beginning on the hour, does not mean that a licensee may not continue the former practice of logging the duration of each commercial, but instead must compute and log the total for each hour. There is no reason why the practice of logging the length of each commercial message rather than an hourly total does not suffice. The provision for logging an hourly total was intended as a convenience to licensees, but they are free to choose to do it in another way. This subparagraph is amended to clarify the requirement. However, we emphasize, as we did in paragraph 7 of the Report and Order in Docket No. 14187 adopted October 7, 1966, that the log should be devised and kept so that it can be accurately divided into hourly segments for reporting purposes (5 FCC 2d at 186). There is, however, no reason why the AM and FM logging rules should require what is a permissive practice under the TV logging rule. Accordingly, Paragraph (a)(2)(ii) of §§ 73.112 and 73.282 are amended to conform to the language of § 73.670 as hereby clarified. Similarly, Paragraph (b) of §§ 73.112 and 73.282 will be conformed to § 73.670 as revised.

6. In adopting the Report and Order amending the logging requirements for TV broadcast stations (Docket No. 14187), we noted that in connection with the logging of commercial continuity a special problem is raised by certain sponsored programs wherein it is difficult to measure the exact length of what would be considered commercial continuity, e.g., some sponsored political and religious programs. For such programs we did not require licensees to compute the commercial matter but merely to log and announce the programs as sponsored. This exception is equally applicable to AM and FM broadcast stations. The exception does not, of course, apply to any program advertising commercial products or services nor is it applicable to any commercial announcements.

7. The other changes to conform §§ 73.112 and 73.282 are as follows:

(a) The deletion of the second sentence of (i) of subparagraph (1) of paragraph (a), that is, which requires the repetition of a program title if the log entry is continued from another page.[1]

(b) Deletion in §§ 73.112(a)(1)(ii) and 73.282(a)(1)(ii) of the "program within a program" illustration which was omitted from the TV logging rule because having caused more confusion than clarification.

(c) Deletion of paragraph (a)(2)(iii) and concomitantly redesignating what is now paragraph (a)(2)(iv) as (a)(2)(iii).

(d) Adding to Note 3 at the end of §§ 73.112 and 73.282 the parenthetical language in § 73.670's Note 3. Editorial changes are hereby made in Note 3 of § 73.670 and paragraphs (a) and (b) thereof.

(e) Note 5 at the end of §§ 73.112 and 73.282 are also amended to read like that under § 73.670. We agree that the requirement of logging the precise time of recorded commercial announcements is unnecessary.

7. Authority for the adoption of these amendments is contained in sections 4 (i) and (j) and 303(r) of the Communications Act of 1934, as amended. Since the changes are either clarifying or interpretative in nature, and otherwise conform the AM and FM logging rules (§§ 73.112 and 73.282) to existing provisions of the TV logging rule (§ 73.670), the prior notice and effective date provisions of 5 U.S.C. 553 do not apply.

8. *It is ordered,* That effective March 22, 1968, That §§ 73.112, 73.282 and 73.670, are amended as set forth below.

(Secs. 4, 303, 48 Stat., as amended, 1066, 1082; 47 U.S.C. 154, 303)

Adopted: March 13, 1968.

Released: March 15, 1968.

FEDERAL COMMUNICATIONS COMMISSION,[2]

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

1. In § 73.112, paragraph (a)(1) (i) and (ii), (a)(2) (ii) and (iii), paragraph (b), the introductory text of Note 3, and Note 5, are amended to read as follows:

§ 73.112 Program log.

(a) * * *

(1) *For each program.* (i) An entry identifying the program by name or title.

(ii) An entry of the time each program begins and ends. If programs are broadcast during which separately identifiable program units of a different type or source are presented, and if the licensee wishes to count such units separately, the beginning and ending time for the longer program need be entered only once for the entire program. The program units which the licensee wishes to count separately shall then be entered underneath the entry for a longer program, with the beginning and ending time of each such unit, and with the entry indented or otherwise distinguished so as to make it clear that the program unit referred to was broadcast within the longer program.

* * * * *

(2) *For commercial matter.* * * *

(ii) An entry or entries showing the total duration of commercial matter in each hourly time segment (beginning on the hour) or the duration of each commercial message (commercial continuity in sponsored programs, or commercial announcements) in each hour. See Note 5 at the end of this section for statement as to computation of commercial time.

(iii) An entry showing that the appropriate announcement(s) (sponsorship, furnishing material or services, etc.) have been made as required by section 317 of the Communications Act and § 73.119. A check mark (√) will suffice but shall be made in such a way as to indicate the matter to which it relates.

* * * * *

(b) Program log entries may be made either at the time of or prior to broadcast. A station broadcasting the programs of a national network which will supply it with all information as to such programs, commercial matter and other announcements for the composite week need not log such data but shall record in its log the time when it joined the network, the name of each network program broadcast, the time it leaves the network, and any nonnetwork matter broadcast required to be logged. The information supplied by the network, for the composite week which the station will use in its renewal application, shall be retained with the program logs and associated with the log pages to which it relates.

* * * * *

NOTE 3. *Definition of commercial matter* (CM) includes commercial continuity (network and nonnetwork) and commercial announcements (network and nonnetwork) as follows: (Distinction between continuity and announcements is made only for definition purposes. There is no need to distinguish between the two types of commercial matters when logging.) * * *

* * * * *

NOTE 5. *Computation of commercial time.* Duration of commercial matter shall be as close an approximation to the time consumed as possible. The amount of commercial time scheduled will usually be sufficient. It is not necessary, for example, to correct an entry of a 1-minute commercial to accommodate varying reading speeds even though the actual time consumed might be a few seconds more or less than the scheduled time. However, it is incumbent upon the licensee to ensure that the entry represents as close an approximation of the time actually consumed as possible.

2. In § 73.282, paragraph (a)(1) (i) and (ii), (a)(2) (ii) and (iii), paragraph (b), the introductory text of Note 3, and Note 5, are amended to read as follows:

§ 73.282 Program log.

(a) * * *

(1) *For each program.* (i) An entry identifying the program by name or title.

(ii) An entry of the time each program begins and ends. If programs are broadcast during which separately identifiable program units of a different type or source are presented, and if the licensee wishes to count such units separately, the beginning and ending time for the longer program need be entered only once for the entire program. The program units which the licensee wishes to count

[1] By our action here, the petition for reconsideration filed by Twin Valley Broadcasters on Aug. 25, 1965, in Docket No. 14187 becomes moot.

[2] Commissioner Wadsworth absent.

separately shall then be entered underneath the entry for a longer program, with the beginning and ending time of each unit, and with the entry indented or otherwise distinguished so as to make it clear that the program unit referred to was broadcast within the longer program.

* * * * *

(2) *For commercial matter.* * * *

(ii) An entry or entries showing the total duration of commercial matter in each hourly time segment (beginning on the hour) or the duration of each commercial message (commercial continuity in sponsored programs, or commercial announcements) in each hour. See Note 5 at the end of this section for statement as to computation of commercial time.

(iii) An entry showing that the appropriate announcement(s) (sponsorship, furnishing material or services, etc.) have been made as required by section 317 of the Communications Act and § 73.289. A checkmark (√) will suffice but shall be made in such a way as to indicate the matter to which it relates.

* * * * *

(b) Program log entries may be made either at the time of or prior to broadcast. A station broadcasting the programs of a national network which will supply it with all information as to such programs, commercial matter and other announcements for the composite week need not log such data but shall record in its log the time when it joined the network, the name of each network program broadcast, the time it leaves the network, and any nonnetwork matter broadcast required to be logged. The information supplied by the network, for the composite week which the station will use in its renewal application, shall be retained with the program logs and associated with the log pages to which it relates.

* * * * *

NOTE 3. *Definition of commercial matter* (CM) includes commercial continuity (network and nonnetwork) and commercial announcements (network and nonnetwork) as follows: (Distinction between continuity and announcements is made only for definition purposes. There is no need to distinguish between the two types of commercial matters when logging.) * * *

* * * * *

NOTE 5. *Computation of commercial time.* Duration of commercial matter shall be as close an approximation to the time consumed as possible. The amount of commercial time scheduled will usually be sufficient. It is not necessary, for example, to correct an entry of a 1-minute commercial to accommodate varying reading speeds even though the actual time consumed might be a few seconds more or less than the scheduled time. However, it is incumbent upon the licensee to ensure that the entry represents as close an approximation of the time actually consumed as possible.

3. In § 73.670, paragraph (a)(2)(ii), paragraph (b), and in Note 3: The introductory text, paragraph (a), and the introductory text of paragraph (b), are amended to read as follows:

§ 73.670 Program log.

(a) * * *

(2) *For commercial matter.* * * *

(ii) An entry or entries showing the total duration of commercial matter in each hourly time segment (beginning on the hour) or the duration of each commercial message (commercial continuity in sponsored programs, or commercial announcement) in each hour. See Note 5 at the end of this section for statement as to computation of commercial time.

* * * * *

(b) Program log entries may be made either at the time of or prior to broadcast. A station broadcasting the programs of a national network which will supply it with all information as to such programs, commercial matter and other announcements for the composite week need not log such data but shall record in its log the time when it joined the network, the name of each network program broadcast, the time it leaves the network, and any nonnetwork matter broadcast required to be logged. The information supplied by the network, for the composite week which the station will use in its renewal application, shall be retained with the program logs and associated with the log pages to which it relates.

* * * * *

NOTE 3. *Definition of commercial matter* (CM) includes commercial continuity (network and nonnetwork) and commercial announcements (network and nonnetwork) as follows: (Distinction between continuity and announcements is made only for definition purposes. There is no need to distinguish between the two types of commercial matters when logging.)

(a) *Commercial continuity* (CC) is the advertising message of a program sponsor.

(b) A commercial announcement (CA) is any other advertising message for which a charge is made or other consideration is received. * * *

* * * * *

[F.R. Doc. 68-3363; Filed, Mar. 19, 1968; 8:47 a.m.]

Proposed Rule Making

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[26 CFR Part 1]

INCOME TAX

Investment Credit Provisions

Notice is hereby given that the regulations set forth in tentative form in the attached appendix are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury or his delegate. Prior to the final adoption of such regulations, consideration will be given to any comments or suggestions pertaining thereto which are submitted in writing, in duplicate, to the Commissioner of Internal Revenue, Attention: CC : LR : T, Washington, D.C. 20224, within the period of 30 days from the date of publication of this notice in the FEDERAL REGISTER. Any written comments or suggestions not specifically designated as confidential in accordance with 26 CFR 601.601(b) may be inspected by any person upon written request. Any person submitting written comments or suggestions who desires an opportunity to comment orally at a public hearing on these proposed regulations should submit his request, in writing, to the Commissioner within the 30-day period. In such case, a public hearing will be held, and notice of the time, place, and date will be published in a subsequent issue of the FEDERAL REGISTER. The proposed regulations are to be issued under the authority contained in section 38(b) of the Internal Revenue Code of 1954 (78 Stat. 963; 26 U.S.C. 38) and section 7805 of the Internal Revenue Code of 1954 (68A Stat. 917; U.S.C. 7805).

[SEAL] SHELDON S. COHEN,

Commissioner of Internal Revenue.

In order to conform the Income Tax Regulations (26 CFR Part 1) to the provisions of section 3 of the Act of November 8, 1966 (Public Law 89–800, 80 Stat. 1508), relating to suspension of the investment credit; section 3 of the Act of June 13, 1967 (Public Law 90–26, 81 Stat. 57), relating to restoration of the investment credit; section 201 of the Act of November 13, 1966 (Public Law 89–809, 80 Stat. 1539); and section 2(a) of the Act of December 27, 1967 (Public Law 90–225, 81 Stat, 731), such regulations are amended as follows:

PARAGRAPH 1. Section 1.46 is amended by revising subsections (a)(2) and (b)(1), and deleting subsection (b)(3), of section 46 and by revising the historical note. These revised provisions read as follows:

§ 1.46 Statutory provisions; amount of credit.

SEC. 46. *Amount of credit*—(a) *Determination of amount.* * * *

(2) *Limitation based on amount of tax.* Notwithstanding paragraph (1), the credit allowed by section 38 for the taxable year shall not exceed—

(A) So much of the liability for tax for the taxable year as does not exceed $25,000, plus

(B) For taxable years ending on or before the last day of the suspension period (as defined in section 48(j)), 25 percent of so much of the liability for tax for the taxable year as exceeds $25,000, or

(C) For taxable years ending after the last day of such suspension period, 50 percent of so much of the liability for tax for the taxable year as exceeds $25,000.

In applying subparagraph (C) to a taxable year beginning on or before the last day of such suspension period and ending after the last day of such suspension period, the percent referred to in such subparagraph shall be the sum of 25 percent plus the percent which bears the same ratio to 25 percent as the number of days in such year after the last day of the suspension period bears to the total number of days in such year. The amount otherwise determined under this paragraph shall be reduced (but not below zero) by the credit which would have been allowable under paragraph (1) for such taxable year with respect to suspension period property but for the application of section 48(h)(1).

* * * * *

(b) *Carryback and carryover of unused credits*—(1) *Allowance of credit.* If the amount of the credit determined under subsection (a)(1) for any taxable year exceeds the limitation provided by subsection (a)(2) for such taxable year (hereinafter in this subsection referred to as "unused credit year"), such excess shall be—

(A) An investment credit carryback to each of the 3 taxable years preceding the unused credit year, and

(B) An investment credit carryover to each of the 7 taxable years following the unused credit year,

and shall be added to the amount allowable as a credit by section 38 for such years, except that such excess may be a carryback only to a taxable year ending after December 31, 1961. The entire amount of the unused credit for an unused credit year shall be carried to the earliest of the 10 taxable years to which (by reason of subparagraphs (A) and (B)) such credit may be carried, and then to each of the other 9 taxable years to the extent that, because of the limitation contained in paragraph (2), such unused credit may not be added for a prior taxable year to which such unused credit may be carried.

* * * * *

(3) [Repealed]

* * * * *

[Sec. 46 as added by sec. 2(b), Rev. Act 1962 (76 Stat. 963); as amended by sec. 201(d)(4), Rev. Act 1964 (78 Stat. 32); sec. 3, Act of Nov. 8, 1966 (Public Law 89–800, 80 Stat. 1514); sec. 2(a), Act of Dec. 27, 1967 (Public Law 90–225, 81 Stat. 731)]

PAR. 2. Section 1.46–1 is amended by revising paragraphs (b), (d), (e), (f)(1), (f)(6), and so much of (f)(8) as follows example (1) thereof. These revised provisions read as follows:

§ 1.46–1 Determination of amount.

* * * * *

(b) *Limitation based on amount of tax*—(1) *In general.* Notwithstanding the amount of the credit earned for the taxable year, under section 46(a)(2) the credit allowed by section 38 for the taxable year is limited to—

(i) If the liability for tax (as defined in paragraph (c) of this section) is $25,000 or less, the liability for tax; or

(ii) If the liability for tax is more than $25,000, then

(*a*) For a taxable year ending on or before March 9, 1967, the first $25,000 of the liability for tax plus 25 percent of the liability for tax in excess of $25,000, and

(*b*) For a taxable year ending after March 9, 1967, the first $25,000 of the liability for tax plus 50 percent of the liability for tax in excess of $25,000.

However, such $25,000 amount may be reduced in the case of certain married individuals filing separate returns (see paragraph (e) of this section); corporations which are members of an affiliated group (see paragraph (f) of this section); trusts and estates (see paragraph (c) of § 1.48–6); and organizations to which section 593 applies, regulated investment companies or real estate investment trusts subject to taxation under subchapter M, chapter 1 of the Code, and cooperative organizations described in section 1381(a) (see § 1.46–4). The excess of the credit earned for the taxable year over the limitation described in this paragraph for such taxable year is an unused credit which may be carried back or forward to other taxable years in accordance with § 1.46–2.

(2) *Transitional rule.* In applying subparagraph (1)(ii)(*b*) of this paragraph to a taxable year beginning on or before March 9, 1967, and ending after such date, the percent referred to in such subparagraph shall be the sum of 25 percent and a portion of 25 percent. The portion shall be determined by multiplying 25 percent by a fraction, the numerator of which is the number of days in such taxable year after March 9, 1967, and the denominator of which is the total number of days in such year. For example: Assume that corporation X has a taxable year beginning January 1, 1967, and ending December 31, 1967. For such year, the percent referred to in subparagraph (1)(ii)(*b*) is 45.342 percent, that is, 25 percent plus 20.342 percent (25 percent multiplied by 297/365).

(3) *Adjustment for suspension period property.* Under section 46(a)(2), the amount of the limitation based on amount of tax otherwise determined under such section is reduced (but not

below zero) by an amount equal to the credit which would have been earned for the taxable year with respect to suspension period property (as defined in section 48(h)(2)) but for the application of section 48(h)(1). The reduction described in the preceding sentence shall be made only for the taxable year in which such suspension period property is placed in service (within the meaning of paragraph (d) of § 1.46–3).

* * * * *

(d) *Examples.* The application of paragraphs (a), (b), and (c) of this section may be illustrated by the following examples:

Example (1). X Corporation's qualified investment for its taxable year ending December 31, 1963, is $2,050,000. X's credit earned for the taxable year is $143,500 (7 percent of $2,050,000). X's income tax for such year, computed without regard to credits against tax or tax imposed by section 531 or 541, is $190,000. Such amount includes $5,000 resulting from the application of section 47. X is allowed under section 33 a foreign tax credit of $50,000. X's liability for tax is computed as follows:

Liability for tax		
Income tax (including increase in tax under section 47, but before credits and section 531 or 541 tax		$190,000
Less:		
Increase in tax resulting from application of section 47	$5,000	
Foreign tax credit	50,000	55,000
Liability for tax		135,000

Under section 46(a)(2), X's limitation based on amount of tax for the taxable year is $52,500 ($25,000 plus 25 percent of $110,000). X Corporation's credit allowed by section 38 for the taxable year therefore is $52,500. X has an unused credit for the year of $91,000 ($143,500 less $52,500) which it may carry back or over to other taxable years in accordance with § 1.46–2.

Example (2). Assume the same facts as in example (1), except that X Corporation's taxable year is the fiscal year ending June 30, 1968. X's credit allowed by section 38 for such taxable year is limited to $80,000 ($25,000 plus 50 percent of $110,000), and its unused credit for such year is $63,500 ($143,500 less $80,000).

Example (3). Assume the same facts as in example (2). Assume further that X Corporation places in service on July 1, 1967, a machine which is suspension period property, and that the credit earned by X with respect to the machine for the taxable year would have been $5,000 but for the provisions of section 48(h)(1). Under section 46(a)(2) the limitation otherwise determined ($80,000) is reduced by the $5,000 credit that X would have earned with respect to the machine but for section 48(h)(1). Thus, the credit allowed X Corporation for the taxable year is $75,000, and X's unused credit for such year is $68,500 ($143,500 less $75,000).

Example (4). Assume the same facts as in example (3), except that the credit earned by X Corporation with respect to the machine would have been $90,000 but for the provisions of section 48(h)(1). X's credit allowed for the taxable year is zero, since the limitation otherwise determined ($80,000) is reduced (but not below zero) by the $90,000 credit that X would have earned with respect to the machine. Therefore, X's unused credit for such year is $143,500.

(e) *Married individuals.* If a separate return is filed by a husband or wife, the limitation based on amount of tax under paragraph (b) of this section shall be computed by substituting a $12,500 amount for the $25,000 amount in applying paragraph (b)(1) of this section. However, this reduction of the $25,000 amount to $12,500 applies only if the taxpayer's spouse is entitled to a credit under section 38 for the taxable year of such spouse which ends with, or within, the taxpayer's taxable year. The taxpayer's spouse is entitled to a credit under section 38 either because of investment made in qualified property for such taxable year of the spouse (whether directly made by such spouse or whether apportioned to such spouse, for example, from an electing small business corporation, as defined in section 1371(b)), or because of an investment credit carryback or carryover to such taxable year. The determination of whether an individual is married shall be made under the principles of section 143 and the regulations thereunder.

(f) *Apportionment of $25,000 amount among members of an affiliated group—*(1) *In general.* In determining the limitation based on amount of tax under section 46(a)(2) in the case of an affiliated group (as defined in subparagraph (5) of this paragraph), the $25,000 amount specified in such section shall be reduced for each member of the group by apportioning $25,000 among the members of the group. The apportionment of the $25,000 amount shall be made for the taxable year of each such member ending with, or within which falls, the last day of the taxable year of the common parent and, except as otherwise provided in this paragraph, shall be made among those corporations which are members of the affiliated group on such last day.

* * * * *

(6) *Affiliated group filing a consolidated return.* In the case of an affiliated group whose members join in filing a consolidated return for a taxable year, see § 1.1502–3(a)(3). If some members of an affiliated group join in filing a consolidated return and other members of such group do not join (such as a corporation exempt from taxation under section 501), then, unless a consent is timely filed apportioning the $25,000 amount among the group filing the consolidated return and the other members of the affiliated group, each member of the affiliated group (including each member which joins in filing the consolidated return) shall be treated as a separate corporation for purposes of equally apportioning the $25,000 amount under subparagraph (2)(iii) of this paragraph. In such case, the limitation based on amount of tax for the group filing the consolidated return shall be computed by substituting for the $25,000 amount the total of the amounts apportioned to each corporation which joins in filing the consolidated return. If the group filing the consolidated return and the other members of the affiliated group adopt an apportionment plan, the group filing the consolidated return shall be treated as a single member for the purpose of applying subparagraph (2)(i) of this paragraph. Thus, for example, only one consent, executed by the common parent, to the apportionment plan is required for the group filing the consolidated return. If any member of the affiliated group which joins in the filing of the consolidated return is an organization to which section 593 applies or a cooperative organization described in section 1381(a), see paragraph (a)(3)(ii) of § 1.1502–3.

* * * * *

(8) *Examples.* * * *

Example (2). Assume the same facts as in example (1), except that P's taxable year ends March 31, 1968 (on which date it owns all the outstanding stock of S) and that S's taxable year ends June 30, 1968. The limitation based on amount of tax for such taxable years is computed using 50 percent rather than 25 percent.

Example (3). F, a domestic corporation exempt from taxation under section 501, files a return for its taxable year ending December 31, 1963, on which date it owns all the stock of P, a domestic corporation. P files a consolidated return as a common parent for its fiscal year ending June 30, 1964, with its two wholly owned domestic subsidiaries, S and A. The membership of the affiliated group is ascertained as of the close of December 31, 1963, the last day of the taxable year of the common parent, F, and accordingly consists of F, P, S, and A. No consent to an apportionment plan is filed. Therefore, each member is apportioned $6,250 of the $25,000 amount ($25,000 divided equally among the four members). The limitation based on amount of tax for the affiliated group filing the consolidated return (P, S, and A) for the year ending June 30, 1964 (the consolidated taxable year within which December 31, 1963, falls) is computed by using $18,750 instead of the $25,000 amount. The $18,750 is arrived at by adding together the $6,250 amounts apportioned to P, S, and A. If, however, F files a timely consent, it may apportion the entire $25,000 amount to the group filing the consolidated return (P, S, and A).

Example (4). P, a domestic corporation filing income tax returns on a calendar-year basis, owns all the stock of S, T, and U, all domestic corporations. S, T, and U file separate returns on a calendar-year basis. On June 30, 1963, S is liquidated, and therefore has a short taxable year beginning January 1, 1963, and ending June 30, 1963. S does not waive its right to its equal portion of the $25,000 amount. For such short taxable year, the $25,000 amount shall be reduced for S to $6,250 ($25,000 divided by 4, the number of corporations in the affiliated group at the close of S's short taxable year). The total amount apportionable to the members of the affiliated group of which P is the common parent for their taxable years ending December 31, 1963, is $18,750 ($25,000 minus the $6,250 apportioned to S for its short taxable year ending June 30, 1963). The $18,750 amount may be apportioned according to an apportionment plan or, if a plan is not timely filed, will be apportioned equally among P, T, and U.

PAR. 3. Section 1.46–2 is amended by revising paragraphs (a), (b), and (c) to read as follows:

§ 1.46–2 Carryback and carryover of unused credit.

(a) *Allowance of unused credit as carryback or carryover—*(1) *In general.* Section 46(b)(1) provides for carrybacks

and carryovers of any unused credit. An unused credit is the excess of the credit earned for the taxable year (as defined in paragraph (a) of § 1.46–1) over the limitation based on amount of tax for such taxable year (as determined under paragraph (b) of § 1.46–1). Subject to the limtion contained in paragraph (b) of this section, an unused credit shall be added to the amount allowable as a credit under section 38 for the years to which the unused credit can be carried. The year with respect to which an unused credit arises shall be referred to in this section as the "unused credit year".

(2) *Taxable years to which unused credit may be carried.* Except as provided in subparagraphs (3) and (4) of this paragraph, an unused credit shall be an investment credit carryback to each of the 3 taxable years preceding the unused credit year and an investment credit carryover to each of the 7 taxable years succeeding the unused credit year, except that an unused credit shall be a carryback only to taxable years ending after December 31, 1961. An unused credit must be carried first to the earliest of the 10 taxable years to which it may be carried, and then to each of the other 9 taxable years (in order of time) to the extent that the unused credit may not be added (because of the limitation contained in paragraph (b) of this section) to the amount allowable as a credit under section 38 for a prior taxable year.

(3) *Fifth taxable year following unused credit year ending on or before December 31, 1966.* If the fifth taxable year following the unused credit year ends on or before December 31, 1966, then the unused credit shall be an investment credit carryover to each of the 5 taxable years succeeding such unused credit year.

(4) *Property used predominantly in a possession of the United States.* The amount of any investment credit carryback to any taxable year ending on or before December 31, 1965, shall be determined without regard to section 48(a)(2)(B)(vii), relating to property used predominantly in a possession of the United States. See paragraph (g)(2)(vii) of § 1.48–1. For example: Assume that corporation X, a calendar year taxpayer, places in service during 1968 property described in section 48(a)(2)(B)(vii); that X's unused credit for 1968 is $10,000; and that, but for the application of section 48(a)(2)(B)(vii), X's unused credit for 1968 would have been $7,000. X's investment credit carryback from 1968 to 1965 is limited to $7,000, and X's 1968 carryback to 1966 is $3,000 plus any portion of the $7,000 carried back to 1965 which was not allowed as a credit for such year.

(b) *Limitation on allowance of unused credit.* The amount of the unused credit from any particular unused credit year which may be added to the amount allowable as a credit under section 38 for any of the 3 preceding or 7 succeeding taxable years to which such credit may be carried shall not exceed the amount by which the limitation based on amount of tax for such preceding or succeeding taxable year exceeds the sum of (1) the credit earned for such preceding or succeeding year, and (2) other unused credits carried to such preceding or succeeding year which are attributable to unused credit years prior to the particular unused credit year. Thus, in determining the amount, if any, of an unused credit from a particular unused credit year which shall be added to the amount allowable as a credit for any preceding or succeeding taxable year, the credit earned for such preceding or succeeding taxable year, plus any unused credits originating in taxable years prior to a particular unused credit year, shall first be applied against the limitation based on amount of tax for such preceding or succeeding taxable year. To the extent the limitation based on amount of tax for the preceding or succeeding year exceeds the sum of the credit earned for such year and other unused credits attributable to years prior to the particular unused credit year, the unused credit from the particular unused credit year shall be added to the amount allowable as a credit under section 38 for such preceding or succeeding year. To the extent that an unused credit cannot be added for a particular preceding or succeeding taxable year because of the limitation contained in this paragraph, such unused credit shall be available as a carryback or carryover to the next succeeding taxable year to which it may be carried.

(c) *Effect of net operating loss carryback from a taxable year ending on or before July 31, 1967.* If the effect of a net operating loss carryback from a taxable year ending on or before July 31, 1967, is to create an unused credit (as defined in paragraph (a)(1) of this section), such unused credit shall not be treated as an investment credit carryback. However, the full amount of the unused credit so arising shall be available for use as an investment credit carryover for the 7 taxable years (5 taxable years in a case in which paragraph (a)(3) of this section applies) following the unused credit year. Thus, assume that a calendar-year taxpayer has a credit earned for 1965 of $25,000 and a liability for tax of the same amount. If in 1966 such taxpayer has a net operating loss which he carries back to 1965 thereby fully eliminating his taxable income and liability for tax for 1965, then the $25,000 credit earned (no longer allowable for 1965) becomes an unused credit which, although it may not be treated as an investment credit carryback, shall be carried forward to each of the subsequent years to which it may be carried. On the other hand, if his net operating loss arose in 1967 rather than in 1966, then the $25,000 unused credit for 1965 would be an investment credit carryback to each of the 3 taxable years preceding 1965 and an investment credit carryover to each of the subsequent years to which it may be carried.

* * * * *

PAR. 4. Section 1.46–4 is amended by revising paragraph (a), paragraph (b)(1), subdivision (ii) of the example in paragraph (b)(3), paragraph (c)(1), and subdivision (ii) of the example in paragraph (c)(3). These revised provisions read as follows:

§ 1.46–4 Limitations with respect to certain persons.

(a) *Mutual savings institutions.* In the case of an organization to which section 593 applies (that is, a mutual savings bank, a cooperative bank, or a domestic building and loan association)—

(1) The qualified investment with respect to each section 38 property shall be 50 percent of the amount otherwise determined under § 1.46–3, and

(2) The $25,000 amount specified in section 46(a)(2), relating to limitation based on amount of tax, shall be reduced by 50 percent of such amount.

For example, if a domestic building and loan association places in service on January 1, 1963, new section 38 property with a basis of $30,000 and an estimated useful life of 6 years, its qualified investment for 1963 with respect to such property computed under § 1.46–3 is $20,000 (66⅔ percent of $30,000). However, under this paragraph such amount is reduced to $10,000 (50 percent of $20,000). If an organization to which section 593 applies is a member of an affiliated group (as defined in section 46(a)(5)), the $25,000 amount specified in section 46(a)(2) shall be reduced in accordance with the provisions of paragraph (f) of § 1.46–1 before such amount is further reduced under this paragraph.

(b) *Regulated investment companies and real estate investment trusts.* (1) In the case of a regulated investment company or a real estate investment trust subject to taxation under subchapter M, chapter 1 of the Code—

(i) The qualified investment with respect to each section 38 property otherwise determined under § 1.46–3, and

(ii) The $25,000 amount specified in section 46(a)(2), relating to limitation based on amount of tax,

shall be reduced to such person's ratable share of each such amount. If a regulated investment company or a real estate investment trust is a member of an affiliated group (as defined in section 46(a)(5)), the $25,000 amount specified in section 46(a)(2) shall be reduced in accordance with the provisions of paragraph (f) of § 1.46–1 before such amount is further reduced under this paragraph.

* * * * *

(3) * * *

Example. * * *

(ii) Under this paragraph, corporation X's qualified investment for the taxable year 1964 with respect to such property is $2,000, computed as follows: (*a*) $20,000 (qualified investment under § 1.46–3), multiplied by (*b*) $10,000 (taxable income), divided by (*c*) $100,000 (taxable income plus the deduction for dividends paid). For 1964, the $25,000 amount specified in section 46(a)(2) is reduced to $2,500.

(c) *Cooperatives.* (1) In the case of a cooperative organization described in section 1381(a)—

(i) The qualified investment with respect to each section 38 property otherwise determined under § 1.46–3, and

(ii) The $25,000 amount specified in section 46(a)(2), relating to limitation based on amount of tax,

shall be reduced to such cooperative's ratable share of each such amount. If a cooperative organization described in section 1381(a) is a member of an affiliated group (as defined in section 46(a)(5)), the $25,000 amount specified in section 46(a)(2) shall be reduced in accordance with the provisions of paragraph (f) of § 1.46-1 before such amount is further reduced under this paragraph.

* * * * *

(3) * * *

Example. * * *

(ii) Under this paragraph, cooperative X's qualified investment for the taxable year 1964 with respect to such property is $2,000, computed as follows: (*a*) $20,000 (qualified investment under § 1.46-3), multiplied by (*b*) $10,000 (taxable income), divided by (*c*) $100,000 (taxable income plus the sum of the deductions allowed under sections 1382(b), 1382(c), and 522(b)(1)(B)). For 1964, the $25,000 amount specified in section 46(a)(2) is reduced to $2,500.

PAR. 5. Section 1.48 is amended by revising clauses (i), (v), and (vi) of, and adding a new clause (vii) to, section 48(a)(2)(B), and by revising the historical note. These added and revised provisions read as follows:

§ 1.48 Statutory provisions; definitions; special rules.

Sec. 48 *Definitions; special rules*—(a) *Section 38 property.* * * *

(2) *Property used outside the United States.* * * *

(B) *Exceptions.* * * *

(i) Any aircraft which is registered by the Administrator of the Federal Aviation Agency and which is operated to and from the United States or is operated under contract with the United States;

* * * * *

(v) Any container of a United States person which is used in the transportation of property to and from the United States;

(vi) Any property (other than a vessel or an aircraft) of a United States person which is used for the purpose of exploring for, developing, removing, or transporting resources from the outer Continental Shelf (within the meaning of section 2 of the Outer Continental Shelf Lands Act, as amended and supplemented; 43 U.S.C., sec. 1331); and

(vii) Any property which is owned by a domestic corporation (other than a corporation entitled to the benefits of section 931 or 934(b)) or by a United States citizen (other than a citizen entitled to the benefits of section 931, 932, 933, or 934(c)) and which is used predominantly in a possession of the United States by such a corporation or such a citizen, or by a corporation created or organized in, or under the law of, a possession of the United States.

* * * * *

[Sec. 48 as added by sec. 2(b), Rev. Act 1962 (76 Stat. 963); as amended by sec. 203 (a) (1) and (3)(A), (b), and (c), Rev. Act 1964 (78 Stat. 33, 34); sec. 201(a), Act of Nov. 13, 1966 (Public Law 89-809, 80 Stat. 1575, 1576); sec. 3, Act of June 13, 1967 (Public Law 90-26, 81 Stat. 58)]

PAR. 6. Section 1.48-1 is amended by revising subdivisions (i) and (vi) of paragraph (g)(2) and by adding a new subdivision (vii) immediately after subdivision (vi) of such paragraph. These revised and added provisions read as follows:

§ 1.48-1 Definition of section 38 property.

* * * * *

(g) *Property used outside the United States.* * * *

(2) *Exceptions.* * * *

(i) Any aircraft which is registered by the Administrator of the Federal Aviation Agency, and which (*a*) is operated, whether on a scheduled or nonscheduled basis, to and from the United States, or (*b*) is placed in service by the taxpayer during a taxable year ending after March 9, 1967, and is operated under contract with the United States: *Provided,* That use of the aircraft under the contract constitutes its principal use outside the United States during the taxable year. The term "to and from the United States" is not intended to exclude an aircraft which makes flights from one point in a foreign country to another such point, as long as such aircraft returns to the United States with some degree of frequency;

* * * * *

(vi) Any property (other than a vessel or an aircraft) of a U.S. person which is used for the purpose of exploring for, developing, removing, or transporting resources from the outer Continental Shelf (within the meaning of section 2 of the Outer Continental Shelf Lands Act, as amended and supplemented; 43 U.S.C., sec. 1331). Thus for example, offshore drilling equipment may be section 38 property; and

(vii) Any property placed in service after December 31, 1965 which (*a*) is owned by a domestic corporation (other than a corporation entitled to the benefits of section 931 or 934(b)) or by a United States citizen (other than a citizen entitled to the benefits of section 931, 932, 933, or 934(c)), and (*b*) is used predominantly in a possession of the United States during the taxable year by such a corporation or such a citizen, or by a corporation created or organized in, or under the law of, a possession of the United States. Thus, property placed in service after December 31, 1965, which is owned by a domestic corporation not entitled to the benefits of section 931 or 934(b), which is leased to a corporation organized under the laws of a U.S. possession, and which is used by such lessee predominantly in a possession of the United States may qualify as section 38 property. However, property which is owned by a corporation not entitled to the benefits of section 931 or 934(b) but which is leased to a domestic corporation entitled to such benefits would not qualify as section 38 property. The determination of whether property is used predominantly in a possession of the United States during the taxable year shall be made under principles similar to those described in subparagraph (1) of this paragraph. For example, if a machine is placed in service in a possession of the United States on July 1, 1966, by a calendar year taxpayer and if it is physically located in such a possession during more than 50 percent of the period beginning on July 1, 1966 and ending on December 31, 1966, then such machine shall be considered used predominantly in a possession of the United States during the taxable year 1966.

* * * * *

PAR. 7. Section 1.48-6 is amended by revising paragraph (c) and subparagraph (3) of the example in paragraph (e). These revised provisions read as follows:

§ 1.48-6 Estates and trusts.

* * * * *

(c) *Limitation based on amount of tax.* In the case of an estate or trust, the $25,000 amount specified in section 46(a)(2), relating to limitation based on amount of tax, shall be reduced for the taxable year to—

(1) $25,000 multipled by

(2) The qualified investment with respect to the total bases of new section 38 properties plus the qualified investment with respect to the total cost of used section 38 properties, apportioned to such estate or trust under paragraph (a) of this section, divided by

(3) The qualified investment with respect to the total bases of all new section 38 properties plus the qualified investment with respect to the total cost of all used section 38 properties, apportioned among such estate or trust and its beneficiaries.

For purposes of subparagraph (3) of this paragraph, cost of used section 38 property shall not be considered as apportioned to any beneficiary to the extent that such cost is not taken into account by such beneficiary in computing qualified investment in used section 38 property.

* * * * *

(e) *Example.* * * *

Example. * * *

(3) In the case of XYZ Trust, the $25,000 amount specified in section 46(a)(2) is reduced to $12,500, computed as follows: (i) $25,000, multiplied by (ii) $39,000 (qualified investment apportioned to the trust), divided by (iii) $78,000 (total qualified investment apportioned among such trust ($39,000), beneficiary A ($23,400), and beneficiary B ($15,600)).

[F.R. Doc. 68-3370; Filed, Mar. 19, 1968; 8:47 a.m.]

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Parts 1065, 1066]

[Docket Nos. AO 86-A21, AO 122-A15]

MILK IN NEBRASKA-WESTERN IOWA AND SIOUX CITY, IOWA, MARKETING AREAS

Notice of Extension of Time for Filing Exceptions to the Recommended Decision on Proposed Amendments to Tentative Marketing Agreements and to Orders

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et

seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given that the time for filing exceptions to the recommended decision with respect to proposed amendments to the tentative marketing agreements and orders regulating the handling of milk in the Nebraska-Western Iowa and Sioux City, Iowa, marketing areas, which was issued February 23, 1968 (33 F.R. 3530), is hereby extended to March 29, 1968.

Signed at Washington, D.C., on March 15, 1968.

JOHN C. BLUM,
Deputy Administrator,
Regulatory Programs.

[F.R. Doc. 68-3372; Filed, Mar. 19, 1968; 8:47 a.m.]

DEPARTMENT OF TRANSPORTATION

Coast Guard

[46 CFR Part 401]

[CGFR 68-40]

GREAT LAKES PILOTAGE REGULATIONS

Notice of Proposed Rule Making

On October 11, 1967, the U.S. Coast Guard amended the rates for Great Lakes Pilotage (32 F.R. 14104). In the preamble to the amendment it was announced that the United States and Canada had initiated an overall review of the existing pilotage system and its rate structure. Interested persons and organizations were invited to participate in the development of factual data and to assist in the definition and refinement of the issues to be considered during the review.

This review has resulted in a series of proposals which the Coast Guard is considering for adoption and implementation. Before acting on the proposals and in order to give them full and adequate consideration, interested parties are invited to submit data, views, or arguments with respect to any of the proposals published herein. Submissions may be made in writing to Commandant (CCS), U.S. Coast Guard, Washington, D.C. 20591 by April 5, 1968, or they may be made orally or in writing at a public hearing to be held on April 3, 1968, at 1240 Ninth Street, Cleveland, Ohio, at 9 a.m.

This proposal is issued under the authority of sections 4 and 5 of the Great Lakes Pilotage Act of 1960, as amended (46 U.S.C. 216b and 216c); section 6(a)(4) of the Department of Transportation Act (49 U.S.C. 1655(a)(4); and 49 CFR 1.5(q)(1), as amended.

The proposals for consideration are as follows:

PROPOSAL I

Amend the rates and charges for pilotage services by amending sections 401.400, 401.410, and 401.420 of title 46, Code of Federal Regulations to read as follows:

§ 401.400 Rates and charges on designated waters.

(a) Except as provided under § 401.420 of this subpart, the following rates and charges shall be payable for all services performed by United States or Canadian Registered Pilots in the following areas of the United States waters of the Great Lakes described in § 401.300, pursuant to the Memorandum of Arrangements, Great Lakes Pilotage:

(1) *District No. 1*

(i) Between Snell Lock and Cape Vincent or Kingston whether or not undesignated waters are traversed—$290.

(ii) Between Snell Lock and Cardinal, Prescott or Ogdensburg—$145.

(iii) Between Cardinal, Prescott, or Ogdensburg and Cape Vincent or Kingston, whether or not undesignated waters are traversed—$210.

(iv) For pilotage commencing or terminating at any point above Snell Lock other than those named in items (i) to (iii), $2.90 per mile but with a minimum charge therefor of —$65.

(v) For a movage in any harbor—$75.

(2) *District No. 2.*

(i) Passage through the Welland Canal or any port thereof, $7.40 for each mile plus $22.20 for each lock transited but with a minimum of $75 and a maximum for a through trip of $300. When pilots are changed at Lock 7 on a through trip the charges shall be apportioned as follows:

(A) Between Northerly limits and Lock 7—$150.

(B) Between Lock 7 and Southerly limits —$150.

(ii) Between Southeast Shoal or any point on Lake Erie west thereof and any point on the St. Clair River or the approaches thereto as far as the northerly limit of the District—$225.

When pilots are changed at Detroit/Windsor on a through trip the charges shall be apportioned as follows:

(A) Between Southeast Shoal or any point on Lake Erie west thereof and Detroit/Windsor—$112.50.

(B) Between Detroit/Windsor and the northerly limits—$112.50.

(iii) Between Southeast Shoal and any point on Lake Erie west thereof or on the Detroit River—$140.

(iv) Between any point on Lake Erie west of Southeast Shoal and any point on the Detroit River—$140.

(v) Between points on Lake Erie west of Southeast Shoal—$75.

(vi) Between points on the Detroit River—$75.

(vii) Between any point on the Detroit River and any point on the St. Clair River or its approaches as far as the northerly limit of the District—$140.

(viii) Between points on the St. Clair River including the approaches thereto as far as the northerly limit of the District—$110.

(3) *District No. 3.*

(i) Between the southerly limit of the District and the northerly limit of the District or the Algoma Steel Corp. Wharf at Sault Ste. Marie, Ontario—$300.

(ii) Between the southerly limit of the District and Sault Ste. Marie, Michigan, or any point in Sault Ste. Marie, Ontario, other than the Algoma Steel Corp. Wharf—$245.

(iii) Between the northerly limit of the District and Sault Ste. Marie, Ontario, including the Algoma Steel Corp. Wharf, or Sault Ste. Marie, Michigan—$110.

(iv) For a movage in any harbor—$75.

(b) When the passage of a ship through a District is interrupted for the purpose of loading or discharging cargo or for any other reason and the services of the Registered Pilot are retained during such interruption, for the convenience of the ship, the ship shall be required to pay an additional charge of $7.40 for each hour or part of an hour during which each interruption lasts, but with a maximum of $110 for each 24-hour period of such interruption. However, no charge shall be payable for any interruption caused by ice, weather, or traffic except during the period from the 1st day of December to the 8th day of April next following.

§ 401.410 Rates and charges on undesignated waters.

(a) Except as provided under § 401.420 and subject to paragraph (b) of this section, the charges to be paid by a ship that has a Registered Pilot on board in the undesignated waters of Lake Ontario shall be $63, and in the undesignated waters of the other Lakes shall be $75, for each 24-hour period or part thereof that the pilot is on board, plus (1) $37 for each time the pilot performs the docking or undocking of the ship on entering or leaving the harbor or performs a movage of the ship within a harbor, and (2) the travel expenses reasonably incurred by a pilot in joining the ship and returning to his base.

(b) When a Registered Pilot is carried on a ship in a direct transit of the undesignated waters of Lake Erie between Southeast Shoal and Port Colborne, the charges referred to in paragraph (a) of this section are not payable unless, (1) the ship is required by law to have a Registered Pilot on board in those waters or (2) services are performed by the pilot in those waters at the request of the master.

§ 401.420 Cancellation or delay in rendition of services.

(a) When in designated or undesignated waters the departure or movage of a ship for which a Registered Pilot has been ordered is delayed for the convenience of the ship for more than 1 hour after the pilot reports for duty or after the time for which he was ordered, whichever is the later, or when a pilot is detained on board a ship for the convenience of the ship for more than 1 hour after the end of the assignment for which he was ordered, there shall be payable an additional charge of $7.40 per hour after the first hour of such delay; but the aggregate of such further charges shall not exceed $110 for any 24-hour period.

(b) When in designated or undesignated waters a Registered Pilot reports for duty as ordered and the order is canceled, the charges to be paid by the ship shall be (1) a cancellation charge of $37, (2) if the cancellation is more than 1 hour after the pilot was ordered for, a further charge of $7.40 for each hour or part of an hour after the first hour, except that the aggregate charge payable in any 24-hour period shall not

exceed $110, and (3) if the ship is in the undesignated waters, the travel expenses reasonably incurred by the pilot in joining the ship and returning to his base.

§ 401.421 Winter season surcharge.

During the period from the 1st day of December to the 8th day of April next following there shall be added to each rate and charge prescribed in this part a surcharge of 50 percent. No additional charge shall be incurred if a second pilot is assigned to the ship.

Purpose of the proposal. It is essential that the remuneration for pilotage services be adequate to sustain a competent body of pilots and to attract qualified applicants. Conversely, the costs to vessel operators for pilotage should be proportionate to the service which they need and receive. Obviously a balancing of factors is necessary to the determination of equitable pilotage rates. Neither operational costs nor operational needs of Great Lakes pilotage are static. The shipping patterns of the Great Lakes and the number of pilots required to provide efficient service must be under constant review. The proposed rate structure is computed to accommodate the projected pilotage requirements for the 1968 season.

The proposed winter season surcharge will compensate pilots for the added navigational hazards of winter and cover the cost of assigning a second pilot during times when ice or winter weather conditions justify the assignment of a second pilot.

PROPOSAL II

Establish mandatory change points at:
(1) Snell Lock;
(2) Cape Vincent;
(3) Port Weller;
(4) Lock No. 7, Welland Canal;
(5) Detroit/Windsor, except for assignments originating or terminating at a point on the Detroit River;
(6) Port Huron/Sarnia;
(7) Detour;
(8) Gros Cap;
(9) Chicago with respect to assignments originating at Detour or Port Huron/Sarnia; and
(10) Duluth/Superior and Fort William/Port Arthur with respect to assignments originating at Gros Cap.

Establish a mandatory 10-hour rest period between assignments and make it applicable to:
(1) Pilots completing an assignment at a change point; and
(2) Pilots completing a series of assignments totaling more than 10 hours with no more than 2 hours rest between assignments.

Purpose of the proposal. Compulsory periods of rest between assignments and the prohibition of marathon assignments will enhance safety by insuring the availability of a well-rested and more effective pilot.

PROPOSAL III

To renew pilots' certificates of registration annually upon satisfactory completion of a physical examination, by amending §§ 401.220(d) and 401.240 (a) and (b) of Title 46 Code of Federal Regulations to read as follows:

§ 401.220 Registration of pilots.

* * * * *

(d) Subject to paragraphs (a), (b), and (c) of this section, a pilot found to be qualified under this subpart shall be issued a Certificate of Registration, valid for 1 year or until the expiration of his unlimited master's license or until the pilot reaches the age 65, whichever first occurs.

* * * * *

§ 401.240 Renewal of Certificates of Registration.

(a) An application for renewal of a Certificate of Registration shall be submitted to the Director together with a completed report of physical examination. The applicant for renewal must have satisfactorily passed a physical examination conducted pursuant to § 402.-210 within the 30 days preceding the date of application for renewal. A renewal fee of five dollars ($5) by check or money order, drawn to the order of U.S. Coast Guard, shall accompany an application for renewal of registration, which will be refunded if registration is not renewed.

(b) A Certificate of Registration may not be renewed unless the applicant meets the requirements of § 401.210 for issuance of an original Certificate of Registration.

* * * * *

Purpose of the proposal. The rigorous nature and physical demands of pilotage on the Great Lakes warrant more frequent physical examinations to insure that pilots are fully qualified to perform their tasks. While under the proposal renewal of registration would be required annually rather than biannually, many of the present administrative requirements for renewal, such as fingerprinting and photographs, would be eliminated.

PROPOSAL IV

Initiate action to make the following changes in the designated water boundaries:

(1) Move the north boundary of District No. 2 from its present position of 43°05'30'' N. latitude to a position of 43°01' N. latitude;

(2) Move the south boundary of District No. 3 from its present position of 45°57' N. latitude to a position of 45°59' N. latitude; and

(3) Move the north boundary of District No. 3 from its present position of a line running (at approximately 020° true) from Point Iroquois Light to the westward tangent of Jackson Island to a position of 84°33' W. longitude.

Purpose of the proposal. Safe navigational practice not only includes the use of a pilot in confined waters but should also provide for minimizing the hazards associated with his transfer to and from the pilot boat. Each of the proposed designated water boundary changes would permit the embarkation and disembarkation of pilots to be performed in more protected waters and would not result in any decreased level of safety. The changes would also provide an opportunity to reduce pilot boat operational costs.

PROPOSAL V

To recommend to Canada that the southern limits of designated waters of the Welland Canal be fixed in the vicinity of the inner breakwaters.

Purpose of the proposal. This proposal would eliminate an existing ambiguity by clearly defining the point at which a vessel entering the Welland Canal from Lake Erie must employ a Registered Pilot.

PROPOSAL VI

To invite Canada and all interested persons to join in a continued study of Great Lakes Pilotage operations with particular emphasis on the practicality and feasibility of implementing the following changes:

(1) Establishing homeports for individual pilots;
(2) Strengthening the dispatcher's role in assigning pilots;
(3) Modifying the "tour de role" assignment procedure;
(4) Redefining the term "harbor move";
(5) Centralizing accounting functions;
(6) Modifying the dispatch and communications network;
(7) Merging the operations of Districts No. 2 and 3;
(8) Modifying the rate structure to reflect difficulty of assignments; and
(9) Establishing procedural uniformity in the manner of adopting and amending working rules.

Purpose of the proposal. During the review of the pilotage system and rate structure conducted pursuant to the October 1967 agreement between the United States and Canada, the topics itemized in this proposal were advanced by one or more interested parties. Within the time constraints imposed, complete evaluation of their merit and possible impact was not feasible.

They contemplate a substantially revised system of pilotage. Discussions with all parties concerned will be required to more fully determine their feasibility and impact, to explore the practicalities of their implementation, to obtain all additional available information, and to consider specific alternatives that may be submitted. Once proven desirable, any proposed change will be adopted as soon as practicable, but in no event later than the start of the 1969 shipping season.

Dated: March 18, 1968.

W. J. SMITH,
Admiral, U.S. Coast Guard,
Commandant.

[F.R. Doc. 68-3430; Filed, Mar. 19, 1968; 8:49 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Parts 81, 83]

[Docket No. 18071; FCC 68-273]

VESSELS NAVIGATING IN PACIFIC OCEAN

Extension of Geographical Area of Communications

In the matter of amendment of Parts 81 and 83 of the Commission's rules to

extend the geographical area of communications to the vessels navigating in the Pacific Ocean on the frequencies designated for use with public coast stations in the vicinity of Miami, Fla., Docket No. 18071, RM-780, RM-786.

1. Notice of proposed rule making in the above-entitled matter is hereby given.

2. The Commission has received petitions for rule making from the American Tunaboat Association, San Diego, Calif., and the National Marine Terminal, Inc., in San Diego, Calif., to amend Rule §§ 81.306(a)(2) and 83.355(a)(1) to remove the geographical restrictions on the frequency pairs 8792.8 kc/s (coast)—8242.8 kc/s (ship) and 13154.5 kc/s (coast)—12354.5 kc/s (ship) available to public coast stations in the vicinity of Miami, Fla., to extend the communication area to vessels in the Pacific Ocean. The rules limit communications on these frequencies with ships in the Gulf of Mexico and the Caribbean area only. The reason for this limitation was to provide service to vessels in these areas which were not being served and to operate without causing harmful interference to operations of other countries making use of these frequencies.

3. Vessels navigated in the Pacific Ocean are now served through public coast station KMI, San Francisco, Calif. The Commission is informed by the licensee of this station and the petitioners that communications with vessels operating in the eastern tropical Pacific Ocean is presently furnished through this station, but communication is available only during short periods of the day. Communications through WOM, because of its geographical location is usually feasible with these vessels operating in the eastern Pacific area when communication through station KMI is not available due to unfavorable propagation conditions. The petitioners operate large fleets of ocean-going tuna vessels in waters of the eastern Pacific Ocean. The fishing grounds are located from southern California to central Chile. The petitioners state that communications are required for the safety of vessels, the crews, and for economic survival.

4. Since August 1965, station WOM has been authorized on these frequency pairs on a developmental basis to include communications with vessels in the Pacific Ocean. Reports have been submitted concerning this developmental operation. No complaints have been received from other countries of interference due to operation of the stations on these frequencies.

5. The rule amendments proposed herein would extend the use of the 8 Mc/s and the 13 Mc/s frequency pairs to ships in the Pacific area on a noninterference basis to other stations which have priority on the frequencies. This is set forth in a footnote appended to the revised rule sections.

6. The proposed amendments, as set forth below, are issued pursuant to the authority contained in sections 4(i) and 303 (b) (c) (h) and (r) of the Communications Act of 1934, as amended.

7. Pursuant to the applicable procedures set forth in § 1.415 of the Commission's rules, interested persons may file comments on or before April 25, 1968, and reply comments on or before May 10, 1968. All relevant and timely filed comments and reply comments will be considered by the Commission before final action is taken in this proceeding. In reaching its decision in this proceeding, the Commission may also take into consideration other relevant information before it, in addition to the specific comments invited by this notice.

8. In accordance with the provisions set forth in § 1.419 of the Commission's rules, an original and 14 copies of all statements, briefs or comments shall be furnished the Commission.

Adopted: March 13, 1968.

Released: March 15, 1968.

FEDERAL COMMUNICATIONS COMMISSION,[1]

[SEAL] BEN F. WAPLE,
Secretary.

1. In § 81.306(a)(2), footnote 2 is amended to read as follows:

§ 81.306 Frequencies available below 27.5 Mc/s.

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

[2] Available to ship stations in the Gulf of Mexico, the Caribbean area, and the Pacific Ocean for communication with coast stations in the vicinity of Miami, Fla. Use of the frequency is upon the express condition that interference shall not be caused to the service of any station which may have priority on the frequency or frequencies used for the service to which interference is caused.

* * * * *

2. In § 83.355(a)(1), footnote 2 is amended to read as follows:

§ 83.355 Frequencies from 5000 kc/s to 27.5 Mc/s for public correspondence.

(a) * * *
(1) * * *

[2] Available to ship stations in the Gulf of Mexico, the Caribbean area, and the Pacific Ocean for communication with coast stations in the vicinity of Miami, Fla. Use of the frequency is upon the express condition that interference shall not be caused to the service of any station which may have priority on the frequency or frequencies used for the service to which interference is caused.

* * * * *

[F.R. Doc. 68-3364; Filed, Mar. 19, 1968; 8:47 a.m.]

[1] Commissioner Johnson concurring in the result and Commissioner Wadsworth absent.

Notices

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Serial No. I–1518]

IDAHO

Notice of Termination of Proposed Classification of Lands

MARCH 13, 1968.

Notice of proposed classification of lands, Serial No. I–1518, published as F.R. Doc. No. 67–7563 on pages 9719–9721 of the issue for Tuesday, July 4, 1967, is hereby canceled so far as it affects the hereinafter described lands. The segregative effect thereof will terminate upon publication of this notice in the FEDERAL REGISTER, as provided by the regulations in 43 CFR 2411.2e(2)(ii):

BOISE MERIDIAN, IDAHO

BUTTE COUNTY

T. 8 N., R. 28 E.,
Sec. 19, lot 4, SE¼SW¼, and S½SE¼;
Sec. 30, lots 1 and 2, and E½NW¼.

The area described contains 215.25 acres of public land.

JOE T. FALLINI,
State Director.

[F.R. Doc. 68–3332; Filed, Mar. 18, 1968; 8:45 a.m.]

NEVADA DISTRICT MANAGERS ET AL.

Redelegation of Authority Regarding Contracts for Construction, Supplies, or Services

MARCH 11, 1968.

Authority to enter into certain contracts and leases delegated to the State Director by Bureau Order No. 698, as amended, is redelegated subject to the following conditions:

1. Redelegation. Pursuant to the authority contained in section 2(a) of Bureau Order No. 698, as amended, the classes of employees listed below are authorized to enter into contracts for construction, supplies (including rental of equipment) or services in amounts not to exceed $2,000 as provided in 205 DM 11.1 A and B.

District Managers.
Chief, Division of Administration.
District Administrative Assistants.
State Office Procurement Clerk.

2. Exceptions. The $2,000 limitation does not apply for the above designated employees for supplies or services obtained from mandatory or prescribed contract sources of supply or from other Federal or State agencies when covered by an existing cooperative agreement or memorandum of understanding.

proved by the State Office.

3. Limitations or restrictions.

A. Requisitions for all capitalized personal property must be reviewed and ap-

B. Order-Invoice-Voucher, Standard Form 44: Purchase through use of Standard Form 44 in accordance with BLM Manual 1511.22 and FPR 1–3.605, in the amounts not to exceed $300, may be authorized to all field employees by their respective District or Land Office Manager or the State Director. The authorization shall be redelegated in writing by name designation and its use restricted to need when away from headquarters. The designated employee, State Office and the servicing Field Administrative Office shall be furnished with a copy of all such redelegations.

C. Contracts or other procurements entered into under this authority must conform with applicable regulations and statutory requirements and are subject to the availability of appropriations.

D. All redelegated authority shall be exercised in accordance with the applicable limitations in the Federal Property and Administrative Services Act of 1949, as amended, and in accordance with applicable policies, procedures and controls prescribed in the General Services Administration.

NOLAN F. KEIL,
State Director.

[F.R. Doc. 68–3333; Filed, Mar. 19, 1968; 8:45 a.m.]

Fish and Wildlife Service

[Depredation Order]

DEPREDATING GOLDEN EAGLES

Order Permitting Taking to Seasonally Protect Domestic Livestock in Certain Montana Counties

Pursuant to authority in section 2 of the Act of October 24, 1962 (76 Stat. 1246; 16 U.S.C. 668a), as amended, and in accordance with regulations under Part II, Title 50, Code of Federal Regulations, and in response to written request from the Governor of Montana, the Secretary of the Interior has authorized the taking of golden eagles during the period from April 1, 1968, through June 30, 1968, in Montana, subject to the following conditions:

1. Golden eagles may be taken without a permit only for the protection of domesticated livestock and only by livestock owners and their agents.

2. Golden eagles may be taken by any suitable means or methods except by the use of poison or from aircraft.

3. Golden eagles or any parts thereof taken pursuant to this authorization may not be possessed, purchased, sold, traded, bartered, or offered for sale, trade, or barter.

4. Taking without a permit is authorized only in the following counties:

Silver Bow.	Powell.
Cascade.	Rosebud.
Yellowstone.	Deer Lodge.
Missoula.	Teton.
Lewis and Clark.	Stillwater.
Gallatin.	Treasure.
Flathead.	Sheridan.
Fergus.	Judith Basin.
Powder River.	Daniels.
Carbon.	Glacier.
Phillips.	Fallon.
Hill.	Sweet Grass.
Ravalli.	McCone.
Custer.	Carter.
Dawson.	Broadwater.
Roosevelt.	Wheatland.
Beaverhead.	Prairie.
Chouteau.	Granite.
Valley.	Meagher.
Toole.	Liberty.
Big Horn.	Park.
Musselshell.	Garfield.
Blaine.	Jefferson.
Madison.	Wibaux.
Pondera.	Golden Valley.
Richland.	Petroleum.

5. Any person taking golden eagles pursuant to this authorization must at all reasonable times, including during actual operations, permit any Federal or State game law enforcement officer free and unrestricted access over the premises on which such operations have been or are being conducted; and shall furnish promptly to such officer whatever information he may require concerning such operations.

ABRAM V. TUNISON,
Acting Director, Bureau of Sport Fisheries and Wildlife.

MARCH 15, 1968.

[F.R. Doc. 68–3384; Filed, Mar. 19, 1968; 8:49 a.m.]

[Docket No. A–457]

JOHN E. REYNOLDSON AND LOUIS M. FAULK

Notice of Loan Application

MARCH 14, 1968.

John E. Reynoldson and Louis M. Faulk, Post Office Box 838, Homer, Alaska 99603, have applied for a loan from the Fisheries Loan Fund to aid in financing the purchase of a used 36.8-foot registered length wood vessel to engage in the fishery for Dungeness crab, halibut, king crab, salmon, and shrimp.

Notice is hereby given pursuant to the provisions of Public Law 89–85 and Fisheries Loan Fund Procedures (50 CFR Part 250, as revised Aug. 11, 1965), that the above-entitled application is being considered by the Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel op-

erators already operating in that fishery must submit such evidence in writing to the Director, Bureau of Commercial Fisheries, within 30 days from the date of publication of this notice. If such evidence is received it will be evaluated along with such other evidence as may be available before making a determination that the contemplated operations of the vessel will or will not cause such economic hardship or injury.

J. L. McHUGH,
Acting Director,
Bureau of Commercial Fisheries.

[F.R. Doc. 68-3331; Filed, Mar. 19, 1968; 8:45 a.m.]

DEPARTMENT OF COMMERCE

Bureau of International Commerce

[Case 379]

JOSEPH W. KENT ET AL.

Order Denying Export Privileges

In the matter of Joseph W. Kent, American, British, and Canadian Spare Parts Co., also known as ABC Spare Parts Co., J. W. Kent (Foreign Trade), Ltd., 408 Strand, London, W.C. 2, England, Respondents, Case 379.

On November 7, 1967, the Director, Investigations Division, Office of Export Control, Bureau of International Commerce, issued a charging letter against the above respondents in which they were charged with violations of the Export Control Act and Regulations. In substance it was alleged that in three transactions respondents violated the terms of an indefinite denial order which was issued against them on November 15, 1963, under which they were prohibited from participating in any transaction involving commodities exported or to be exported from the United States.

The charging letter was served on respondents and they failed to answer and were held in default. In accordance with the usual practice the Compliance Commissioner held an informal hearing at which evidence in support of the charged was presented. Such hearing was held on January 31, 1968.

The Compliance Commissioner has considered the evidence which was submitted and has reported the facts. He has recommended that an order be issued against the respondents denying them all U.S. export privileges for the duration of export controls. On consideration of the record in the case, I hereby adopt the Compliance Commissioner's findings of fact and his recommendation.

Findings of fact. 1. The respondent firms American, British and Canadian Spare Parts Co., also known as ABC Spare Parts Co., and J. W. Kent (Foreign Trade), Ltd., are engaged in the import-export business and are located at the same address in London, and Purley, Surrey, England. The respondent Joseph W. Kent is a responsible official in carrying on the affairs of said firms.

2. On November 15, 1963 the Office of Export Control, Bureau of International Commerce issued an order against the above respondents denying all U.S. export privileges for an indefinite period because of their failure to furnish responsive answers to interrogatories served on them in the course of investigation into the disposition of certain U.S.-origin commodities. Said order was served on respondents and was published in the FEDERAL REGISTER on November 23, 1963 (28 F.R. 12591), and is still in effect.

3. Said order provided in part that the respondents therein (being the same respondents named in this order) were denied all privileges of participating, directly or indirectly, in any manner or capacity, in any exportation of any commodity from the United States to any foreign destination. More particularly said order, in part, prohibited the respondents from carrying on negotiations with respect to, or in receiving, ordering or buying commodities exported or to be exported from the United States.

4. Notwithstanding the denial order of November 15, 1963, the respondents through intermediaries in the United Kingdom participated in certain transactions involving U.S.-origin commodities whereby respondents knowingly ordered and received U.S.-origin commodities.

5. In April 1965 the respondent ABC Spare Parts Co. with the knowledge and approval of respondent Joseph W. Kent requested a firm in Middlesex County, England (herein referred to as the intermediary), to obtain prices and availability of a list of automotive spare parts from a named supplier in the United States. The intermediary made the request and the U.S. supplier submitted a pro forma invoice for items in the amount of approximately $10,500. After consulting with respondents, the intermediary on June 3, 1965, placed a firm order with the U.S. supplier for most of the items in the pro forma invoice, which had a value of approximately $9,721.

The respondent, J. W. Kent (Foreign Trade), Ltd., acting through the respondent J. W. Kent, advanced approximately $10,000 so that the intermediary could open a letter of credit in favor of the U.S. supplier to pay for the goods. Such a letter of credit was opened. On July 9, 1965, the U.S. supplier exported the goods to the intermediary in London, England. On arrival of the goods in London the intermediary placed them at the disposal of ABC Spare Parts Co.

6. In July 1965 the respondent ABC Spare Parts Co. requested a firm in Sussex County, England, to order various items of spare parts for welding equipment from a named U.S. supplier. ABC requested that the goods be shipped directly to Holland on its behalf. The Sussex County firm forwarded the order to an associated firm in Holland and the latter firm on January 27, 1966, ordered the goods from the U.S. supplier for shipment to Rotterdam, Holland. The U.S. supplier on June 3, 1966, exported the goods from the United States to the firm in Holland, port of discharge Rotterdam. The invoice value of the goods was approximately $7,900. ABC Spare Parts Co. paid for the goods and on their arrival they were placed at the disposal of said firm.

7. Sometime between February 23, 1965, and April 15, 1965, the respondent Kent acting on behalf of respondent J. W. Kent (Foreign Trade), Ltd., entered into a joint transaction with a firm in Surrey, England, to obtain spare parts for Chevrolet automobiles. The respondent ABC Spare Parts Co. also participated in some aspects of this transaction. The Surrey firm ordered the parts from a dealer in Holland who in turn ordered the parts from a supplier in the United States. The respondents knew that the goods would come from the United States. The U.S. supplier exported the goods, valued at approximately $5,000, to the dealer in Holland who in turn reexported them to the Surrey firm for discharge in London. On arrival of the goods in London they were entered into a bonded warehouse and were placed at the disposal of the respondent J. W. Kent (Foreign Trade), Limited.

8. The respondents did not have authorization from the Office of Export Control to participate in any of the transactions above described.

Based on the foregoing I have concluded that respondents violated: Section 381.3 of the Export Regulations in that they acted in concert with other persons to bring about violations of an order issued under the Export Control Law; and section 381.4 in that, acting through intermediaries, they ordered and received commodities exported from the United States with knowledge that such conduct constituted violations of an order issued under the Export Control Law.

Having considered the record in the case and the recommendation of the Compliance Commissioner, and being of the opinion that his recommendation as to the sanction that should be imposed is calculated to achieve effective enforcement of the law: *It is hereby ordered:*

I. This order supersedes the order denying export privileges for an indefinite period which was entered against the above respondents on November 15, 1963, 28 F.R. 12591, November 23, 1963.

II. So long as export controls are in effect the respondents are hereby denied all privileges of participating, directly or indirectly, in any manner or capacity, in any transaction involving commodities or technical data exported from the United States in whole or in part, or to be exported, or which are otherwise subject to the Export Regulations. Without limitation of the generality of the foregoing, participation prohibited in any such transaction, either in the United States or abroad, shall include participation: (a) As a party or as a representative of a party to any validated export license application; (b) in the preparation or filing of any export license application or reexporation authorization, or document to be submitted therewith; (c) in the obtaining or using of any

validated or general export license or other export control documents; (d) in the carrying on of negotiations with respect to, or in the receiving, ordering, buying, selling, delivering, storing, using, or disposing of any commodities or technical data; (e) in the financing, forwarding, transporting, or other servicing of such commodities or technical data.

III. Such denial of export privileges shall extend not only to the respondents but also to their agents, employees, representatives, and partners, and to any other person, firm, corporation, or business or other organization with which they now or hereafter may be related by affiliation, ownership, control, position of responsibility, or other connection in the conduct of trade or services connected therewith.

IV. No person, firm, corporation, partnership, or other business organization, whether in the United States or elsewhere, without prior disclosure to and specific authorization from the Bureau of International Commerce, shall do any of the following acts, directly or indirectly, in any manner or capacity, on behalf of or in any association with said respondents or other person denied export privileges within the scope of this order, or whereby such respondent or such other person may obtain any benefit therefrom or have any interest or participation therein, directly or indirectly; (a) apply for, obtain, transfer, or use any license, Shipper's Export Declaration, bill of lading, or other export control document relating to any exportation, reexportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States, by, to, or for any such respondents or other person denied export privileges within the scope of this order; or (b) order, buy, receive, use, sell, deliver, store, dispose of, forward, transport, finance, or otherwise service or participate in any exportation, reexportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States.

V. Determinations have heretofore been made that within the purview of § 382.1(b) of the Export Regulations the following firms and individuals are related parties to one or more of the respondents herein:

Newman & Newman, S. E. Newman and F. R. Newman, 408 Strand, London, W.C.2, England.
Fellgower, Ltd., 37 Silkfield Road, London, N.W.9, England.
Jilcliffe, Ltd., 27 Cottswold Gardens, London, N.W.2, England.
Ryelodge, Ltd., 1 Hermitage Gardens, London, N.W.2, England.
Brentgreg, Ltd., 34 Sussex Way, East Barnet, Hertfordshire, England.

Notice of such related party determinations was published in the FEDERAL REGISTER on December 5, 1964, 29 F.R. 16434. Said determinations are hereby confirmed.

Dated: March 11, 1968.

RAUER H. MEYER,
Director, Officer of Export Control.

[F.R. Doc. 68-3343; Filed, Mar. 19, 1968; 8:46 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

AMDAL CO.

Notice of Filing of Petition for Food Additives Erythromycin Thiocyanate and Dimetridazole

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348 (b)(5)), notice is given that a petition has been filed by Amdal Co., Division of Abbott Laboratories, North Chicago, Ill. 60064, proposing that the food additive regulations (21 CFR Part 121) be amended to provide for the safe use of dimetridazole in combination with erythromycin thiocyanate in turkey feed for the prevention and control of blackhead, for improving growth and feed efficiency, as an aid in lowering the severity of and preventing the occurrence of chronic respiratory disease during periods of stress, and as an aid in the prevention and reduction of lesions.

Dated: March 12, 1968.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 68-3379; Filed, Mar. 19, 1968; 8:48 a.m.]

DOW CHEMICAL CO.

Notice of Withdrawal of Petition Regarding Pesticide Chemicals

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a (d)(1)), the following notice is issued:

In accordance with § 120.8 *Withdrawal of petitions without prejudice* of the pesticide regulations (21 CFR 120.8), the Dow Chemical Co., Post Office Box 512, Midland, Mich. 48640, has withdrawn its petition (PP 8F0660), notice of which was published in the FEDERAL REGISTER of December 1, 1967 (33 F.R. 16507), proposing tolerances for residues of the herbicide 4-amino-3,5,6-trichloropicolinic acid from its application in the acid form, or in the form of its potassium triethylamine or triisopropanolamine salts expressed as 4-amino-3,5,6-trichloropicolinic acid, in or on raw agricultural commodities as specified in said notice.

Dated: March 12, 1968.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 68-3380; Filed, Mar. 19, 1968; 8:48 a.m.]

ELANCO PRODUCTS CO.

Notice of Filing of Petition for Food Additive Tylosin

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348 (b)(5)), notice is given that a petition has been filed by Elanco Products Co., a Division of Eli Lilly & Co., Indianapolis, Ind. 46206, proposing that § 121.217 *Tylosin* be amended to provide for the safe use of 1,000 grams of tylosin per ton in chicken feed for the prevention and control of chronic respiratory disease in chickens.

Dated: March 12, 1968.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 68-3381; Filed, Mar. 19, 1968; 8:48 a.m.]

NORWICH PHARMACAL CO.

Notice of Filing of Petition for Food Additive Buquinolate

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348 (b)(5)), notice is given that a petition has been filed by The Norwich Pharmacal Co., Post Office Box 191, Norwich, N.Y. 13815, proposing the amendment of § 121.291 *Buquinolate* to provide for the safe use of buquinolate in broiler replacement and broiler breeding chickens for prevention of coccidiosis caused by *E. tenella, E. necatrix, E. Acervulina,* and *E. maxima.*

Dated: March 12, 1968.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 68-3382; Filed, Mar. 19, 1968; 8:49 a.m.]

UPJOHN CO.

Notice of Filing of Petition for Food Additives Melengestrol Acetate, Chlortetracycline

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348 (b)(5)), notice is given that a petition has been filed by The Upjohn Co., Kalamazoo, Mich. 49001, proposing that the food additive regulations (21 CFR Part 121, Subpart C) be amended to provide for the safe use in the feed of heifers of a combination drug containing melengestrol acetate and chlortetracycline for growth stimulation, improved feed utilization, and suppression of estrus (heat); as an aid in the prevention of liver abscess, pneumonia, and shipping fever (hemorrhagic septicemia); and as an aid in reduction of losses due to respiratory infection (infectious rhinotrachitis, shipping fever complex).

Dated: March 12, 1968.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 68-3383; Filed, Mar. 19, 1968; 8:49 a.m.]

FEDERAL POWER COMMISSION

[Docket Nos. G–6204 etc.]

WARREN PETROLEUM CORP. ET AL.

Findings and Order

MARCH 12, 1968.

Findings and order after statutory hearing issuing certificates of public convenience and necessity, dismissing applications, canceling docket numbers, amending certificates, permitting and approving abandonment of service, terminating certificates, substituting respondent, redesignating proceeding, requiring filing of agreement and undertaking and accepting related rate schedules and supplements for filing.

Each of the Applicants listed herein has filed an application pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale and delivery of natural gas in interstate commerce, for permission and approval to abandon service, or a petition to amend an existing certificate authorization, all as more fully described in the respective applications and petitions (and any supplements or amendments thereto) which are on file with the Commission.

The Applicants herein have filed related FPC gas rate schedules and propose to initiate or abandon, add or delete natural gas service in interstate commerce as indicated by the tabulation herein. All sales certificated herein are at rates either equal to or below the ceiling prices established by the Commission's statement of general policy No. 61–1, as amended, or involve sales for which permanent certificates have been previously issued; except that the sales from the Permian Basin area of New Mexico and Texas are authorized to be made at the applicable area base rates and under the conditions prescribed in Opinion Nos. 468 and 468–A.

Okmar Oil Co. et al., Applicants in Docket No. G–11408, propose to continue the sale of natural gas heretofore authorized in said docket to be made pursuant to Shell Oil Co. FPC Gas Rate Schedule No. 146. Said rate schedule will be redesignated as that of Applicants. The presently effective rate under said rate schedule is in effect subject to refund in Docket No. RI65–533. Applicants have indicated in their certificate application that they intend to assume the entire refund obligation from the time that the increased rate became effective subject to refund. Therefore, Applicants will be substituted in lieu of Shell as respondents in the proceeding pending in Docket No. RI65–533; the proceeding will be redesignated accordingly; and Applicants will be required to file an agreement and undertaking to assure the refund of all amounts collected, together with interest at the rate of seven percent per annum, in excess of the amount determined to be just and reasonable in said proceeding from the time that the increased rate became effective subject to refund.

The Commission's staff has reviewed each application and recommends each action ordered as consistent with all substantive Commission policies and required by the public convenience and necessity.

After due notice, no petitions to intervene, notices of intervention, or protests to the granting of any of the respective applications or petitions in this order have been received.

At a hearing held on March 7, 1968, the Commission on its own motion received and made a part of the record in these proceedings all evidence, including the applications, amendments, and exhibits thereto, submitted in support of the respective authorizations sought herein, and upon consideration of the record.

The Commission finds:

(1) Each Applicant herein is a "natural-gas company" within the meaning of the Natural Gas Act as heretofore found by the Commission or will be engaged in the sale of natural gas in interstate commerce for resale for ultimate public consumption, subject to the jurisdiction of the Commission, and will, therefore, be a "natural-gas company" within the meaning of said Act upon the commencement of the service under the respective authorizations granted hereinafter.

(2) The sales of natural gas hereinbefore described, as more fully described in the respective applications, amendments and/or supplements herein, will be made in interstate commerce, subject to the jurisdiction of the Commission and such sales by the respective Applicants, 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 respective Applicants are able and willing properly 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 of natural gas by the respective Applicants, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are required by the public convenience and necessity and certificates therefore should be issued as hereinafter ordered and conditioned.

(5) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the applications filed on February 3, 8, and 6, 1967, in Docket Nos. CI64–132, CI65–216, and CI65–796, respectively, should be dismissed as moot.

(6) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Docket Nos. CI68–780, CI68–781, and CI68–782 should be canceled and that the applications filed herein should be processed as petitions to amend the certificates heretofore issued in Docket Nos. G–2673, G–2671, and G–9810, and G–2672, respectively.

(7) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act and the public convenience and necessity require that the certificate authorizations heretofore issued by the Commission in the following dockets should be amended as hereinafter ordered and conditioned:

G–2671	CI61–1445	CI65–216
G–2672	CI62–1184	CI65–688
G–2673	CI63–20	CI65–796
G–3939	CI63–215	CI65–799
G–6204	CI63–1041	CI65–1145
G–9810	CI64–132	CI66–718
G–10073	CI64–342	CI67–332
G–11408	CI64–546	CI67–577
G–11637	CI64–670	CI67–1092
G–13633	CI64–725	CI68–73
G–15714	CI64–902	CI68–495
G–16220	CI64–904	CI68–568
G–18761	CI64–952	
CI61–691	CI64–1359	

(8) The sales of natural gas proposed to be abandoned by the respective Applicants, as hereinbefore described, all as more fully described in the respective applications and in the tabulation herein, are subject to the requirements of subsection (b) of section 7 of the Natural Gas Act, and such abandonments should be permitted and approved as hereinafter ordered.

(9) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the certificates of public convenience and necessity heretofore issued to the respective Applicants relating to the abandonments hereinafter permitted and approved should be terminated.

(10) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Okmar Oil Co., et al., should be substituted in lieu of Shell Oil Co. as respondents in the proceeding pending in Docket No. RI65–533, that said proceeding should be redesignated accordingly, and that Okmar Oil Co., et al., should be required to file an agreement and undertaking.

(11) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the respective related rate schedules and supplements as designated in the tabulation herein should be accepted for filing as hereinafter ordered.

The Commission orders:

(A) Certificates of public convenience and necessity are issued upon the terms and conditions of this order, authorizing the sales by the respective Applicants herein of natural gas in interstate commerce for resale, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary for such sales, all as hereinbefore described and as more fully described in the respective applications, amendments, supplements and exhibits in this proceeding.

(B) The certificates granted in paragraph (A) above are not transferable and shall be effective only so long as Applicants continue the acts or operations hereby authorized in accordance with the provisions of the Natural Gas Act and the applicable rules, regulations, and orders of the Commission.

(C) The grant of the certificates issued in paragraph (A) above shall not be construed as a waiver of the requirements of section 4 of the Natural Gas Act or of Part 154 or Part 157 of the Commission's regulations thereunder, and is without prejudice to any findings or orders which have been or may hereafter be made by the Commission in any proceedings now pending or hereafter instituted by or against their respective Applicants. Further, our action in this proceeding shall not foreclose nor prejudice any future proceedings or objections relating to the operation of any price or related provisions in the gas purchase contracts herein involved. Nor shall the grant of the certificates aforesaid for service to the particular customers involved imply approval of all of the terms of the respective contracts particularly as to the cessation of service upon termination of said contracts, as provided by section 7(b) of the Natural Gas Act. Nor shall the grant of the certificates aforesaid be construed to preclude the imposition of any sanctions pursuant to the provisions of the Natural Gas Act for the unauthorized commencement of any sales of natural gas subject to said certificates.

(D) The grant of the certificates issued herein on all applications filed after July 1, 1967, is upon the condition that no increase in rate which would exceed the ceiling prescribed for the given area by paragraph (d)(3) of the Commission's statement of general policy No. 61–1, as amended, shall be filed prior to the applicable date as indicated by footnote 14 in the attached tabulation.

(E) The initial rates for sales authorized in Docket Nos. G–11637, CI63–1041, and CI64–902 shall be the applicable base area rates prescribed in Opinion No. 468, as modified by Opinion No. 468–A, as adjusted for quality, or the contract rates, whichever are lower.

(F) If the quality of the gas delivered by Applicants in Docket Nos. G–11637, CI63–1041, and CI64–902 deviates at any time from the quality standards set forth in Opinion No. 468, as modified by Opinion No. 468–A, so as to require a downward adjustment of the existing rate, a notice of change in rate shall be filed pursuant to the provisions of section 4 of the Natural Gas Act: *Provided, however,* That adjustments reflecting changes in B.t.u. content of the gas shall be computed by the applicable formula and charged without the filing of notices of changes in rate.

(G) Within 90 days from the date of initial delivery Applicants in Docket Nos. G–11637, CI63–1041, and CI64–902 shall file rate schedule quality statements in the form prescribed in Opinion No. 468–A.

(H) The initial rate for sales authorized in Docket Nos. CI61–691, CI67–1634, and CI68–229 shall be 15 cents per Mcf at 14.65 p.s.i.a., including tax reimbursement, plus B.t.u. adjustment; however, in the event that the Commission amends its policy statement No. 61–1, by adjusting the boundary between the Panhandle area and the Oklahoma "Other" area so as to increase the initial wellhead price for new gas in the area involved herein, Applicants thereupon may substitute the new rate reflecting the amount of such increase, and thereafter collect such new rate prospectively in lieu of the initial rate herein required.

(I) The initial rate for the sale authorized in Docket No. CI67–1784 shall be 14.5 cents per Mcf at 14.65 p.s.i.a. (including dehydration charge), subject to upward and downward B.t.u. adjustment.

(J) The initial rate for the sale authorized in Docket No. CI68–587 shall be 15 cents per Mcf at 14.65 p.s.i.a. for gas well gas.

(K) The initial rate for the sale authorized in Docket No. CI68–643 shall be 11 cents per Mcf at 14.65 p.s.i.a.

(L) The certificate issued herein in Docket No. CI68–851 involving the sale of gas by Texas Gas Exploration Corp. (Operator) et al., to its affiliate, Texas Gas Transmission Corp., determines the rate which legally may be paid by the buyer to the seller, but is without prejudice to any action which the Commission may take in any rate proceeding involving either company.

(M) The applications filed on February 3, 8, and 6, 1967, in Docket Nos. CI64–132, CI65–216, and CI65–796, respectively, are dismissed as moot.

(N) Docket Nos. CI68–780, CI68–781, and CI68–782 are canceled.

(O) The certificates heretofore issued in Docket Nos. G–11637, G–13633, G–15714, G–16220, CI61–691, CI62–1184, CI63–1041, CI64–546, CI64–902, CI64–904, CI65–688, CI65–799, CI65–1145, CI67–577, CI67–1092, CI68–73, and CI68–495 are amended by adding thereto or deleting therefrom authorization to sell natural gas to the same purchasers and in the same areas as covered by the original authorizations pursuant to the rate schedule supplements as indicated in the tabulation herein.

(P) The certificate heretofore issued in Docket No. G–10073 is amended by deleting therefrom authorization to sell natural gas pursuant to the rate schedule supplement as indicated in the tabulation herein, and Applicant shall not be relieved of any refund obligation which may be imposed in the related rate suspension proceeding pending in Docket No. RI68–2 insofar as it pertains to the acreage being released.

(Q) The certificate heretofore issued in Docket No. CI64–725 is amended by adding thereto authorization to sell natural gas from the additional acreage at an initial rate of 17 cents per Mcf at 14.65 p.s.i.a., subject to upward and downward B.t.u. adjustment, conditioned upon Applicant's filing of a supplement to the related rate schedule providing for a full proportional downward adjustment in price for gas containing less than 1,000 B.t.u.'s per cubic foot measured on a wet basis.

(R) The certificate heretofore issued in Docket No. CI67–332 is amended to reflect a rate of 14.5 cents per Mcf at 14.65 p.s.i.a. in lieu of 15 cents per Mcf at 14.65 p.s.i.a.

(S) The certificate heretofore issued in Docket No. G–3939 is amended by deleting therefrom authorization to sell natural gas from acreage assigned to Applicant in Docket No. CI68–857; and the certificates heretofore issued in Docket Nos. CI63–20, CI63–215, and CI64–670 are amended by deleting therefrom authorization to sell natural gas from acreage assigned to Applicant in Docket No. CI68–875.

(T) The certificate heretofore issued in Docket No. CI64–342 is amended to include the interest of the co-owners and the related rate schedule is redesignated as Sohio Petroleum Co. (Operator) et al., as indicated in the tabulation herein.

(U) The certificates heretofore issued in Docket Nos. G–2671, G–2672, G–2673, G–6204, G–9810, G–11408, G–18761, CI61–1445, CI64–132, CI64–952, CI64–1359, CI65–216, CI65–796, CI66–718, and CI68–568 are amended by changing the certificate holders to the respective successors in interest as indicated in the tabulation herein.

(V) Permission for and approval of the abandonment of service by the respective Applicants, as hereinbefore described, all as more fully described in the respective applications and in the tabulation herein are granted.

(W) Permission for and approval of the abandonment in Docket No. CI68–844 shall not be construed to relieve Applicant of any refund obligation which may be ordered in the related rate suspension proceeding pending in Docket No. RI64–615 and Opinion No. 436.

(X) Permission for and approval of the abandonment in Docket No. CI68–858 shall not be construed to relieve Applicant of any refund obligations which may be ordered in the related rate suspension proceedings pending in Docket Nos. G–19723, RI64–3, and RI65–38 or by ordering paragraph (D) of Opinion No. 468.

(Y) Permission for and approval of the abandonment in Docket No. CI68–877 shall not be construed to relieve Applicant of any refund obligations which may be ordered in the related rate suspension proceedings pending in Docket Nos. G–20082 and RI65–38 or by ordering paragraph (D) of Opinion No. 468.

(Z) The certificates heretofore issued in Docket Nos. G–5452, G–5531, G–6131, G–7141, G–8312, G–9883, G–14324, G–14739, CI64–322, CI65–1035, CI66–1188, and CI67–1844 are terminated.

(AA) Okmar Oil Co., et al., are substituted in lieu of Shell Oil Co. as respondents in the proceeding pending in Docket No. RI65–533, and said proceeding is redesignated accordingly.[1]

(BB) Within 30 days from the issuance of this order Okmar Oil Co. et al., shall execute, in the form set out below, and shall file with the Secretary of the Commission an acceptable agreement and undertaking to assure the refund of all amounts collected, together with interest at the rate of 7 percent per annum, in excess of the amount determined to be just and reasonable in said proceeding from the time that the increased rate became effective subject to

[1] Okmar Oil Company, et al.

refund. Unless notified to the contrary within 30 days from the date of submission, such agreement and undertaking shall be deemed to have been accepted for filing.

(CC) Okmar Oil Co. et al., shall comply with the refunding and reporting procedure required by the Natural Gas Act and section 154.102 of the Regulations thereunder, and the agreement and undertaking filed by them in Docket No. RI65-533 shall remain in full force and effect until discharged by the Commission.

(DD) The respective related rate schedules and supplements as indicated in the tabulation herein are accepted for filing; further, the rate schedules relating to the successions herein are accepted and redesignated, subject to the applicable Commission regulations under the Natural Gas Act to be effective on the dates as indicated by the tabulation herein.

By the Commission.

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

Docket No. and date filed	Applicant	Purchaser, field, and location	FPC rate schedule to be accepted		
			Description and date of document	No.	Supp.
G-6204 E 12-26-67	Warren Petroleum Corp. (successor to Gulf Oil Corp).	El Paso Natural Gas Co., South Fullerton Gasoline Plant, Andrews County, Tex.	Gulf Oil Corp., FPC GRS No. 324.	55	
			Supplement Nos. 1-10	55	1-10
			Notice of succession 12-22-67.		
			Assignment 10-28-66 [1]	55	11
			Effective date: 7-28-66		
G-10073 D 1-12-68	Humble Oil & Refining Co. (partial abandonment).	Cities Service Gas Co., Hardtner Pool, Barber County, Kans.	Letter agreement 12-6-67.[2] [3]	[4] 192	6
G-11408 E 1-5-68	Okmar Oil Co. et al. (successor to Shell Oil Co.).	Colorado Interstate Gas Co., Greenwood Field, Baca County, Colo.	Shell Oil Co., FPC GRS No. 146.	27	
			Supplement Nos. 1-4	27	1-4
			Notice of succession 1-2-68.		
			Assignment 6-15-67 [5]	27	5
			Assignment 6-28-67 [6]	27	6
			Effective date: 6-1-67		
G-11637 C 12-26-67	Gulf Oil Corp.[7] (operator) et al.	El Paso Natural Gas Co., Teague Blinebry Field, Lea County, N. Mex.	Supplemental agreement 12-1-67.[8]	63	31
G-13633 D 5-10-67	Union Producing Co. (Operator) et al.	United Gas Pipe Line Co., Sligo Field, Bossier Parish, La.	Sublease 12-9-66 [3] [9]	208	21
G-15714 D 2-20-67	Humble Oil & Refining Co. (Operator) et al.	Transwestern Pipeline Co., acreage in Lipscomb County, Tex.	Assignment 1-19-67 [3] [10]	239	35
G-16220 D 1-15-68	Mobil Oil Corp. (Operator) et al.	El Paso Natural Gas Co., Brown-Bassett (Ellenburger) Field, Terrell County, Tex.	Notice of partial cancellation 1-5-68.[3] [11]	241	17
G-18761 E 9-7-67	Cattle-Land Oil Co. (Operator) et al. (successor to the Camino Corp.).	South Texas Natural Gas Gathering Co., Arkansas Field, Starr County, Tex.	The Camino Corp., FPC GRS No. 3.	2	
			Supplement Nos. 1-2	2	1-2
			Notice of succession 8-15-67.		
			Assignment 5-22-67 [12]	2	3
			Effective date: 5-1-67		
G-18995 A 7-17-59 as amended 5-9-60 D 3-22-63	Yucca Petroleum Co.[13] (formerly Baker & Taylor Drilling Co.).	Transwestern Pipeline Co., acreage in Lipscomb County, Tex.	Contract 2-19-59	6	
			Letter 10-15-59	6	1
			Letter 1-6-60	6	2
			Compliance (undated)	6	3
			Notice of partial cancellation 3-20-63.	6	4
CI61-691 C 10-31-67 [14]	Sinclair Oil & Gas Co. (Operator) et al.	Michigan Wisconsin Pipe Line Co., Northeast Cedardale Field, Major County, Okla.	Amendatory agreement 10-9-67.	204	36
			Compliance 1-19-68.[8] [15]	204	37
CI61-1445 E 1-4-68	Harry L. Bigbee (successor to Harry L. Bigbee and Harl D. Byrd).	El Paso Natural Gas Co., Escrito Gallup Field, Rio Arriba County, N. Mex.	Harry L. Bigbee and Harl D. Byrd, FPC GRS No. 1.	1	
			Supplement Nos. 1-5	1	1-5
			Transfer 8-18-67 [16]	1	6
			Effective date: 8-18-67		
CI62-1184 D 1-11-68	Sinclair Oil & Gas Co. (Operator) et al.	Arkansas Louisiana Gas Co., acreage in Le Flore County, Okla.	Assignment 9-15-65 [3] [17]	251	13
CI63-1041 C 11-16-67	Shell Oil Co.,[7] Operator	Northern Natural Gas Co., Tippett Plant, Crockett County, Tex.	Supplemental agreement 10-12-67.[18]	283	7
CI64-132 E 2-3-67 [19] E 9-21-67	Worldwide Energy Corp. (successor to Worldwide Petroleum Corp.).	Lake Shore Pipe Line Co., Conneaut Township, Erie County, Pa.	Worldwide Petroleum Corp., FPC GRS No. 5.	1	
			Notice of succession 9-8-67.		
			Conveyances 6-1-67 [20]	1	1
			Effective date: 4-1-67		
CI64-342 12-6-67 [14] [21]	Sohio Petroleum Co. (Operator) et al.	Mountain Fuel Supply Co., Nitchie Gulch Area and Pine Canyon Area, Sweetwater County, Wyo.	Letter agreement 12-4-67.[8] [22]	89	2
CI64-546 D 1-11-68	Sinclair Oil & Gas Co	Northern Natural Gas Co., acreage in Beaver County, Okla.	Assignment 5-4-66 [3] [23]	263	2
		Northern Natural Gas Co., acreage in Ochiltree County, Tex.	Assignment 9-13-67 [3] [24]	263	3
CI64-725 C 5-22-67	Samedan Oil Corp. (Operator) et al.	Michigan Wisconsin Pipe Line Co., Woodward Area, Woodward County, Okla.	Amendatory agreement 4-17-67.	[25] 17	9
CI64-902 C 12-13-67	Delta Drilling Co.[7] (Operator) et al.	Northern Natural Gas Co., Ozona Area, Crockett County, Tex.	Supplemental agreement 7-21-67.	30	8
CI64-904 C 1-11-68 [14]	O. W. Gerwig, d.b.a. Gilco Gas Co.	Consolidated Gas Supply Corp., Center District, Gilmer County, W. Va.	Letter agreement 7-25-67.[8]	3	1
CI64-952 E 9-21-67	Worldwide Energy Corp. (successor to Worldwide Petroleum Corp.).	Lake Shore Pipe Line Co., Conneaut Township, Erie County, Pa.	Worldwide Petroleum Corp., FPC GRS No. 7.	2	
			Supplement No. 1	2	1
			Notice of succession 9-8-67.		
			Conveyances 6-1-67 [20]	2	2
			Effective date: 4-1-67		
CI64-1359 E 9-21-67	-----do-----	Lake Shore Pipe Line Co., Bushnell Field, Erie County, Pa.	Worldwide Petroleum Corp., FPC GRS No. 8.	3	
			Supplement Nos. 1-2	3	1-2
			Notice of succession 9-8-67.		
			Conveyances 6-1-67 [20]	3	3
			Effective date: 4-1-67		
CI65-216 E 2-8-67 [19] E 9-21-67	-----do-----	-----do-----	Worldwide Petroleum Corp., FPC GRS No. 10.	4	
			Notice of succession 9-8-67.		
			Conveyances 6-1-67 [20]	4	1
			Effective date: 4-1-67		
CI65-688 C 1-11-68 [14]	F. M. Chisler and Harry C. Boggs.	Consolidated Gas Supply Corp., Washington District, Calhoun County, W. Va.	Letter agreement 9-28-67.[8]	1	2

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

See footnotes at end of table.

Docket No. and date filed	Applicant	Purchaser, field, and location	FPC rate schedule to be accepted		
			Description and date of document	No.	Supp.
CI65-796 E 2-6-67 [19] E 9-21-67	Worldwide Energy Corp. (successor to Worldwide Petroleum Corp.).	Lake Shore Pipe Line Co., Bushnell Field, Erie County, Pa.	Worldwide Petroleum Corp., FPC GRS No. 11.	5	
			Supplement No. 1	5	1
			Notice of succession 9-8-67.		
			Conveyances 6-1-67 [20]	5	2
			Effective date: 4-1-67		
CI65-799 C 1-11-68 [14]	Gulf Oil Corp.	Natural Gas Pipeline Co. of America, Mobeetie (Douglas) Field, Wheeler County, Tex.	Amendatory agreement 11-15-67.[8]	288	1
CI65-1145 C 12-15-67 [14]	Pan American Petroleum Corp.	Arkansas Louisiana Gas Co., acreage in Haskell and Le Flore Counties, Okla.	Amendment 9-11-67	419	2
			Statement 2-6-68 [8 20]	419	3
CI66-718 E 11-1-67	R. L. Dunbar, d.b.a. Greenbrier Oil Co. (successor to James V. Joyce).	Consolidated Gas Supply Corp., Spring Creek District, Wirt County, W. Va.	James V. Joyce, FPC GRS No. 1.	2	
			Supplement No. 1	2	1
			Notice of succession 10-20-67.		
			Assignment 8-17-67 [27]	2	2
			Letter agreement 8-21-67.[28]	2	3
			Effective date: 8-17-67		
CI67-332 11-22-67 [29]	Continental Oil Co. (Operator) et al.	Arkansas Louisiana Gas Co., Kinta Field (Moffat Area), Sequoyah County, Okla.	Letter agreement 6-7-67.[30]	319	2
			Letter agreement 6-7-67.[8 31]	319	3
CI67-577 C 1-15-68 [14]	Tom W. Penn, d.b.a. Penntex Petroleum Co. (Operator) et al.	Trunkline Gas Co., James Coalter Survey, Abstract A-214, Harris County, Tex.	Amendment 11-17-67 [8]	1	1
CI67-1092 C 1-10-68 [14]	Lyle K. Baker, agent	Equitable Gas Co., Centerville District, Tyler County, W. Va.	Letter agreement 12-8-67.[8]	1	1
CI67-1634 A 5-15-67	Samedan Oil Corp. et al.	Panhandle Eastern Pipe Line Co., Northeast Waynoka Field, Woods County, Okla.	Contract 3-13-67	[32] 23	
CI67-1784 A 6-16-67	McCommons Oil Co. (Operator) et al.	Natural Gas Pipeline Co. of America, Boonesville Field, Wise County, Tex.	Contract 2-15-67	[33] 2	
CI68-73 C 1-11-68	Fairman Drilling Co.	Consolidated Gas Supply Corp., Banks Township, Indiana County, Pa.	Letter agreement 10-4-67.[8]	51	1
CI68-229 A 8-31-67 [14]	Jones & Pellow Oil Co. et al.	Michigan Wisconsin Pipe Line Co., Woodward Area, Dewey County, Okla.	Contract 4-18-67	7	
			Compliance (undated).[8 34]	7	1
CI68-495 C 1-16-68 1-24-68 [14 35]	Tenneco Oil Co.	Arkansas Louisiana Gas Co., Mansfield Field, Scott County, Ark.	Amendment 12-12-67 [8]	217	2
CI68-544 A 10-16-67 [14]	Wessely Petroleum, Ltd.	Panhandle Eastern Pipe Line Co., Putnam Field, Dewey County, Okla.	Contract 8-30-67	6	
			Contract 11-17-67 [36]	6	1
CI68-548 A 10-16-67 [14]	W. C. Pickens	do	Contract 9-11-67	4	
CI68-568 E 1-11-68	H. H. Fullilove (Operator) et al. (successor to Humble Cos. Charitable Trust).	Trunkline Gas Co., Sabine Tram Field, Newton County, Tex.	Contract 11-17-67 [36]	4	1
			Humble Cos., Charitable Trust, FPC GRS No. 1.	1	
			Supplement Nos. 1-2	1	1-2
			Notice of succession 1-10-68.		
			Assignment 10-2-67 [37]	1	3
			Effective date: 10-1-67		

See footnotes at end of table.

Docket No. and date filed	Applicant	Purchaser, field, and location	FPC rate schedule to be accepted		
			Description and date of document	No.	Supp.
CI68-587 A 10-25-67 [14]	W. C. Pickens	Panhandle Eastern Pipe Line Co., Putnam Oswego Pool, Dewey County, Okla.	Contract 9-6-67	5	
			Compliance (undated).[8 38]	5	1
CI68-617 A 11-2-67.[14]	Texaco, Inc. (Operator), et al.	Lone Star Gas Co., Willow Springs Field, Gregg County, Tex.	Contract 7-1-66 [39]	410	
			Amendatory agreement 5-4-67.[40]	410	1
			Letter agreement 11-30-67.[8]	[41] 410	2
CI68-643 A 11-8-67.[14]	Kingwood Oil Co.	Oklahoma Natural Gas Gathering Corp.,[42] South Ringwood Field, Major County, Okla.	Contract 10-16-67	23	
			Compliance 12-8-67 [8 43]	23	1
CI68-725 A 12-6-67.[14]	Woods Petroleum Corp.	Northern Natural Gas Co., acreage in Beaver County, Okla.	Contract 9-12-67 [8]	19	
CI68-731 A 12-11-67.[14]	Natol Petroleum Corp. (Operator) et al.	Arkansas Louisiana Gas Co., Pine Hollow-Arpelar Fields, Pittsburg County, Okla.	Contract 11-9-67	2	
			Contract 6-22-64 [44]	2	1
			Letter agreement 1-5-65.[8]	2	2
CI68-780 (G-2673) E 12-20-67.[45]	Fred Whitaker (Operator) et al. (successor to J. Cleo Thompson (Operator) et al.).	Arkansas Louisiana Gas Co., South Hallsville Field, Harrison County, Tex.	J. Cleo Thompson (Operator) et al., FPC GRS No. 1.	14	
			Supplement Nos. 1-12	14	1-12
			Notice of succession 11-30-67.		
			Assignment 9-5-67 [46]	14	13
			Effective date: 9-1-67		
CI68-781 (G-2671) E 12-20-67 [47]	do	Arkansas Louisiana Gas Co., Carthage Field, Panola County, Tex.	J. Cleo Thompson (Operator) et al., FPC GRS No. 2.	15	
			Supplement Nos. 1-9	15	1-9
			Notice of succession 11-30-67.		
			Assignment 9-5-67 [46]	15	10
			Effective date: 9-1-67		
CI68-781 (G-9810) E 12-20-67 [47]	do	Arkansas Louisiana Gas Co., Bethany Field, Panola County, Tex.	J. Cleo Thompson (Operator) et al., FPC GRS No. 4.	17	
			Supplement Nos. 1-4	17	1-4
			Notice of succession 11-30-67.		
			Assignment 9-5-67 [46]	17	5
			Effective date: 9-1-67		
CI68-782 (G-2672) E 12-20-67 [48]	do	Arkansas Louisiana Gas Co., Carthage Field, Harrison and Panola Counties, Tex.	J. Cleo Thompson (Operator) et al., FPC GRS No. 3.	16	
			Supplement Nos. 1-11	16	1-11
			Notice of succession 11-30-67.		
			Assignment 9-5-67 [46]	16	12
			Effective date: 9-1-67		
CI68-785 A 12-27-67 [14]	Southwest Gas Producing Co., Inc. (Operator) et al.	United Gas Pipe Line Co., Forest Grove Field, Claiborne Parish, La.	Contract 11-21-67 [8]	23	
CI68-803 (CI64-322) B 1-4-68	MacDonald Oil Corp. (Operator) et al.	United Gas Pipe Line Co., Agua Dulces Field, Nueces County, Tex.	Notice of cancellation 12-1-67.[2 3]	3	7
CI68-844 [49] (CI62-1028) B 12-28-67	Samedan Oil Corp.	United Gas Pipe Line Co., Midland Field, Acadia Parish La.	Notice of cancellation 1-29-68.[2 3]	[50] 12	9
CI68-845 A 1-9-68 [14]	Harold G. Lien et al., d.b.a. L.L.V. & Associates et al.	Consolidated Gas Supply Corp., Union District, Ritchie County, W. Va.	Contract 11-1-67 [8]	1	
CI68-846 A 1-9-68 [14]	Sun Oil Co. (Southwest Division).	Breckenridge Gasoline Co., Mitchell Field, Cass County, Tex.	Contract 8-7-67 [8]	226	
CI68-847 A 1-9-68 [14]	J. C. Baker & Son, Inc.	Consolidated Gas Supply Corp., Summersville District, Nicholas County, W. Va.	Contract 11-20-67 [8]	4	

Docket No. and date filed	Applicant	Purchaser, field, and location	FPC rate schedule to be accepted		
			Description and date of document	No.	Supp.
CI68-849 A 1-9-68 [14]	A. F. Marple et al., d.b.a. A. F. Marple & Co.	Consolidated Gas Supply Corp., Jefferson District, Pleasants County, W. Va.	Contract 11-29-67 [8]	2	
CI68-850 A 1-9-68 [14]	Glenn L. Haught et al., d.b.a. Smith-Morris Gas Co.	Consolidated Gas Supply Corp., Murphy District, Ritchie County, W. Va.	Contract 11-8-67 [8]	29	
CI68-851 A 1-10-68	Texas Gas Exploration Corp. (Operator) et al.	Texas Gas Transmission Corp., Midland Gas Field, Muhlenberg County, Ky.	Contract 12-14-67	21	
			Amendatory agreement 1-18-68.[51]	21	1
CI68-852 A 1-10-68 [14]	Sidwell Oil and Gas, Inc. (Operator), et al.	Panhandle Eastern Pipe Line Co., Acreage in Beaver County, Okla.	Contract 12-7-67	6	
CI68-853 A 1-10-68 [14]	Thomas H. Harrington	El Paso Natural Gas Co., acreage in Rio Arriba County, N. Mex.	Contract 12-4-67 [8]	1	
CI68-854 A 1-10-68 [14]	Steve Duckworth	Equitable Gas Co., Otter District, Braxton County, W. Va.	Contract 12-20-67 [8]	1	
CI68-856 A 1-11-68 [14]	A. T. Stautberg et al.	Transcontinental Gas Pipe Line Corp., East Le Blanc Field, Allen Parish, La.	Contract 9-28-67 [8] [52]	1	
CI68-857 (G-3939) F 1-5-68	Mobil Oil Corp. (successor to La Gloria Oil & Gas Co.).	Texas Eastern Transmission Corp., South Cottonwood Creek Field, De Witt County, Tex.	Contract 4-15-53 [53]	431	
			Letter agreement 9-30-53.	431	1
			Assignment 7-1-55 [54]	431	2
			Letter agreement 6-17-57.	431	3
			Letter agreement 7-1-63.	431	4
			Assignment 10-1-64 [55]	431	5
			Assignment 11-8-67 [56]	431	6
			Effective date: 11-8-67		
CI68-858 (G-9883) B 1-11-68	Sinclair Oil & Gas Co.	El Paso Natural Gas Co., Langlie-Mattix Field, Lea County, N. Mex.	Notice of cancellation 1-9-68.[2] [3]	[57] 83	9
CI68-859 (G-7141) B 1-11-68	Gulf Oil Corp.	Arkansas Louisiana Gas Co., North Lansing Field, Harrison County, Tex.	Notice of cancellation 1-9-68.[2] [3]	26	11
CI68-860 A 1-15-68	E. C. Ware	United Fuel Gas Co., acreage in Martin County, Ky.	Contract 12-4-67 [8]	46	
CI68-861 A 1-12-68 [14]	Southwest Oil Industries, Inc.	Michigan Wisconsin Pipe Line Co., Laverne Field, Beaver County, Okla.	Contract 12-8-67 [8]	10	
CI68-863 (G-8312) B 1-15-68	Ralph Tudesco	Consolidated Gas Supply Corp., Sherman District, Calhoun County, W. Va.	Notice of cancellation 1-12-68.[3] [58]	1	1
CI68-864 (G-5452) B 1-15-68	C. Carroll Summers	Consolidated Gas Supply Corp., Ten Mile District, Harrison County, W. Va.	Notice of cancellation 1-12-68.[3] [58]	1	10
CI68-865 (G-6131) B 1-15-68	Maple Gas Co. (West Virginia).	Consolidated Gas Supply Corp., Clay District, Ritchie County, W. Va.	Notice of cancellation 1-12-68.[3] [58]	1	2
CI68-866 (G-5531) B 1-15-68	George W. Miller et al.	Consolidated Gas Supply Corp., De Kalb District, Gilmer County, W. Va.	Notice of cancellation 1-12-68.[3] [58]	6	3
CI68-867 (CI67-1844) B 1-15-68	B. L. Burge et al.	Consolidated Gas Supply Corp., Washington District, Calhoun County, W. Va.	Notice of cancellation 1-12-68.[3] [58]	5	1
CI68-868 (CI66-1188) B 1-15-68	Geosonic Corp., agent for Earl W. Pierson et al.	Consolidated Gas Supply Corp., Salt Lick District, Braxton County, W. Va.	Notice of cancellation 1-12-68.[2] [3]	2	1
CI68-874 (G-14324) B 1-8-68	Mobil Oil Corp.	Lone Star Gas Co., North Healdton Field, Carter County, Okla.	N otice fo cancellation 1-5-68.[3] [58]	143	4
CI68-875 (CI63-215) F 1-4-68	Austral Arkoma Co. (successor to Union Oil Co. of California).	Arkansas Louisiana Gas Co., Arkoma Area, Haskell County, Okla.	Contract 5-15-62 [59]	1	
			Agreement 3-14-63	1	1
			Amendment 11-2-64	1	2
			Assignment 2-7-67 [60]	1	3
			Assignment 12-1-67 [61]	1	4
			Effective date: 2-7-67		
CI68-875 (CI63-20) F 1-4-68	Austral Arkoma Co. (successor to Humble Oil & Refining Co.).	Arkansas Louisiana Gas Co., Arkoma Area, Haskell and Latimer Counties, Okla.	Contract 5-24-62 [62]	2	
			Amendment 10-19-62	2	1
			Agreement 3-22-63	2	2
			Letter agreement 3-21-63.	2	3
			Amendment 12-8-64	2	4
			Assignment 2-10-67 [63]	2	5
			Effective date: 2-10-67		
			Assignment 5-16-67 [64]	2	6
			Assignment 10-26-67 [65]	2	7
			Effective date: 5-16-67		
CI68-875 (CI64-670) F 1-4-68	Austral Arkoma Co. (successor to Marathon Oil Co.).	Arkansas Louisiana Gas Co., Wilburton Field, Haskell County, Okla.	Contract 9-15-63 [66]	3	
			Contract 4-25-62	3	1
			Agreement 3-8-63	3	2
			Amendment 3-18-66	3	3
			Assignment 1-25-67 [67]	3	4
			Effective date: 1-25-67		
CI68-876 (CI65-1035) B 1-15-68	Sinclair Oil & Gas Co. et al.	Northern Natural Gas Co., East Balko Field, Beaver County, Okla.	Notice of cancellation 1-12-68.[2] [3]	336	2
CI68-877 (G-14739) B 1-12-68.	Sinclair Oil & Gas Co. (Operator) et al.	Pecos Co. and El Paso Natural Gas Co., Willrode Field, Upton County, Tex.	Notice of cancellation 1-12-68.[2] [3]	[68] 158	8
CI68-878 A 1-15-68.[14]	Mobil Oil Corp.	Panhandle Eastern Pipe Line Co., Dover-Hennessey Plant and Field, Kingfisher, Garfield, Logan, and Blaine Counties, Okla.	Contract 12-4-67 [8]	430	
CI68-879 A 1-16-68. [14]	Tenneco Oil Co.	do.	Contract 11-28-67 [8]	220	

[1] From Gulf Oil Corp. to Warren Petroleum Corp.
[2] Source of gas depleted.
[3] Effective date: Date of this order.
[4] Rate of 14 cents per Mcf being collected subject to refund in Docket No. RI68-2; last firm rate 12 cents per Mcf.
[5] From Shell Oil Co. to Thomas C. Hower.
[6] From Thomas C. Hower to Okmar Oil Co. et al.
[7] Applicant has agreed to accept permanent authorization for the additional acreage conditioned as Opinion No. 468.
[8] Effective date: Date of initial delivery (Applicant shall advise the Commission as to such date).
[9] Assigns certain acreage to Crystal Oil & Land Co. Applicant advises that Crystal has completed an oil well on the assigned premises, and has no gas production therefrom.
[10] Deletes acreage assigned to Alex W. McCoy Associates, Inc.
[11] Release of nonproductive lease (Mayme Kroenlein Martin, et vir., No. T-34875) to landowners.
[12] Transfers acreage from the Camino Corp. to Cattle-Land Oil Co.
[13] By letter dated Oct. 27, 1967, Applicant agreed to accept a permanent certificate at 17 cents per Mcf.
[14] Jan. 1, 1970, moratorium pursuant to the Commission's statement of general policy No. 61-1, as amended.
[15] Complies with conditioned temporary certificate issued Jan. 12, 1968. By letter filed Jan. 22, 1968, Applicant advised willingness to accept permanent authorization for the additional acreage conditioned as the temporary certificate.
[16] Transfer of Harl D. Byrd's interest to Harry L. Bigbee.
[17] Conveys nonproductive acreage from Sinclair Oil & Gas Co. to An-Son Corp.
[18] Adds acreage and amends contract to provide for a 16.5 cents rate for the residue gas derived from gas well gas to be produced from the additional acreage.
[19] Prior succession filing by Worldwide Petroleum Corp., a Colorado corporation, to Worldwide Petroleum Corp., an Oklahoma corporation, will be dismissed. Application is no longer required in view of the subsequent succession by CLP Corp., now Worldwide Energy Corp.

[20] From Worldwide Petroleum Corp., an Oklahoma corporation, to Worldwide Petroleum Corp., a Colorado corporation and subsequently to CLP Corp. CLP Corp. changed its name to Worldwide Energy Corp.
[21] Sohio is filing to include the interest of the "et al." parties and to be designated as operator.
[22] Letter designating Sohio as operator.
[23] Conveys acreage from Sinclair to Delta Corp.; Sinclair filed copies of assignment as proposed rate schedule supplement on June 13, 1966.
[24] Buyer and seller agree to release acreage because reserves are insufficient to justify buyer connecting facilities.
[25] Contract rate is 19.5 cents plus B.t.u. adjustment; however, by letter filed Dec. 21, 1967, Applicant agreed to accept permanent authorization for the additional acreage at an initial rate of 17 cents, subject to upward and downward B.t.u. adjustment.
[26] Provides for 5-year make-up period.
[27] From James V. Joyce to R. L. Dunbar, d.b.a. Greenbrier Oil Co.
[28] Adds acreage (Jan. 1, 1970, moratorium only insofar as it pertains to the additional acreage not previously certificated).
[29] Amendment to the certificate filed to reflect a rate of 14.5 cents per Mcf in lieu of the original rate of 15 cents per Mcf.
[30] Between Continental Oil Co. and buyer.
[31] Between Thomas E. Berry and Thomas N. Berry & Co., and buyer.
[32] Contract rate is 17 cents; however, by letter filed Jan. 19, 1968, Applicant agreed to accept a permanent certificate at 15 cents per Mcf subject to upward and downward B.t.u. adjustment.
[33] Contract rate is 15 cents subject to upward and downward B.t.u. adjustment plus 0.25 cent dehydration charge; however, by letter filed Aug. 8, 1967, Applicant advised willingness to accept a permanent certificate at 14.5 cents including dehydration charge plus B.t.u. adjustment.
[34] Accepts conditioned temporary certificate issued Sept. 29, 1967 (filed Oct. 30, 1967). Contract rate is 19.5 cents; however, Applicant has stated willingness to accept a permanent certificate conditioned to 15 cents subject to upward and downward B.t.u. adjustment.
[35] Revised contract summary filed to reflect a rate of 15 cents in lieu of the original rate of 17 cents.
[36] Gathering and processing agreement between Applicant and Tonkawa Gas Co. Filed Dec. 26, 1967, by Wessely Petroleum, Ltd., and Jan. 12, 1968, by W. C. Pickens, in compliance with temporary certificate issued Dec. 15, 1967.
[37] Transfers acreage from Humble Cos. Charitable Trust to H. H. Fullilove et al.
[38] Accepts conditioned temporary certificate dated Jan. 25, 1968 (filed Feb. 1, 1968). Advises of Applicant's willingness to accept a permanent certificate conditioned to a base price of 15 cents for gas well gas and 14 cents for casinghead gas.
[39] Also on file as Texaco's FPC GRS No. 380. Such rate schedule and the related certificate application in Docket No. CI67-170 covering the acreage under the basic contract are involved in the proceedings in Docket No. CI65-974 et al., George J. Despot, agent (Operator) et al.
[40] The certificate application covers only that acreage dedicated by the May 4, 1967 amendatory agreement.
[41] Contractual rate is 16 cents plus 0.56 cent tax reimbursement; however, Applicant has stated willingness to accept a permanent certificate conditioned to a total rate of 15 cents. On Nov. 13, 1967, Applicant filed a revised contract summary entitled "Exhibit C" to its certificate application. The filing was completed on Jan. 17, 1968.
[42] National Fuels Corp. purchases liquids extracted from Applicant's gas at the Ringwood Gasoline Plant.
[43] Complies with temporary certificate issued Nov. 30, 1967.
[44] On file as Tenneco Oil Co. (Operator) et al., FPC GRS No. 168.
[45] Application erroneously assigned Docket No. CI68-780 being treated as a petition to amend the certificate issued in Docket No. G-2673 and Docket No. CI68-780 will be canceled.
[46] Assignment from J. Cleo Thompson et al. to Fred Whitaker.
[47] Application erroneously assigned Docket No. CI68-781 being treated as a petition to amend the certificates issued in Docket Nos. G-2671 and G-9819 and Docket No. CI68-781 will be canceled.
[48] Application erroneously assigned Docket No. CI68-782 being treated as a petition to amend the certificate issued in Docket No. G-2672 and Docket No. CI68-782 will be canceled.
[49] The certificate application in Docket No. CI62-1028 is consolidated in the proceedings in Docket No. G-13221 et al. (Opinion No. 436), which is under judicial review, and will not be terminated.
[50] The rate of 20.25 cents was found proper for this sale; previous rate of 22.75 cents was collected subject to refund in Docket No. RI64-615.
[51] Provides for 5-year make-up period rather than 3.
[52] Dedicates acreage to a depth of 8,960 feet and provides for separation of liquefiable hydrocarbons prior to delivery to buyer.
[53] Basic contract between Hawn Bros. et al. and Texas Eastern; currently on file as Hawn Bros. et al., FPC GRS No. 2.
[54] Transfers acreage from James C. Abbott, et al. to La Gloria Oil & Gas Co.
[55] Transfers acreage from Hawn Bros. et al. to La Gloria Oil & Gas Co.
[56] Transfers acreage from La Gloria Oil & Gas Co. to Mobil Oil Corp.
[57] Rate of 16.8793 in effect subject to refund in Docket Nos. G-19723, RI64-3, and RI65-38.
[58] Production of gas no longer economically feasible.
[59] Also on file as Union Oil Co. of California FPC GRS No. 147.
[60] From Union Oil Co. of California to Austral Oil Co., Inc. Assigns 39.0625 percent interest in the Alliance Trust Unit.
[61] From Austral Oil Co., Inc., to Austral Arkoma Co. Assigns 39.0625 percent interest in the Alliance Trust Unit.
[62] Also on file as Humble Oil & Refining Co. (Operator) et al., FPC GRS No. 337.
[63] From Humble to Austral Arkoma Co. Assigns 31.25 percent interest in the Alliance Trust Unit.
[64] From Humble to Austral Oil Co., Inc. Assigns 25 percent of the working interest in the Chastain Unit.
[65] From Austral Oil Co., Inc., to Austral Arkoma Co. Assigns 25 percent of the working interest in the Chastain Unit.
[66] Also on file as Marathon Oil Co., FPC GRS No. 88 (adopts contract dated April 25, 1962, between buyer and Ambassador Oil Corp.).
[67] From Marathon Oil Co. to Austral Arkoma Co. Assigns 12.5 percent interest in the Alliance Trust Unit.
[68] Rate of 15.2025 cents in effect subject to refund in Docket Nos. G-20082 and RI65-38.

Suggested agreement and undertaking:

BEFORE THE FEDERAL POWER COMMISSION

(Name of Respondent _____)

Docket No. _____

AGREEMENT AND UNDERTAKING OF (NAME OF RESPONDENT) TO COMPLY WITH REFUNDING AND REPORTING PROVISIONS OF SECTION 154.102 OF THE COMMISSION'S REGULATIONS UNDER THE NATURAL GAS ACT

(Name of Respondent) hereby agrees and undertakes to comply with the refunding and reporting provisions of section 154.102 of the Commission's regulations under the Natural Gas Act insofar as they are applicable to the proceeding in Docket No. _____ (and has caused this agreement and undertaking to be executed and sealed in its name by its officers, thereupon duly authorized in accordance with the terms of the resolution of its board of directors, a certified copy of which is appended hereto)[1] this _____ day of _____, 196__.

(Name of Respondent)

By _____

Attest:

_____

[1] If a corporation.

[F.R. Doc. 68-3260; Filed, Mar. 19, 1968; 8:45 a.m.]

[Docket No. RI68-504]

ASHLAND OIL & REFINING CO.

Order Providing for Hearing on and Suspension of Proposed Change in Rate, and Allowing Rate Change To Become Effective Subject to Refund

MARCH 13, 1968.

Respondent named herein has filed a proposed change in rate and charge of a currently effective rate schedule for the sale of natural gas under Commission jurisdiction, as set forth in appendix A hereof.

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

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon a hearing regarding the lawfulness of the proposed change, and that the supplement herein be suspended and its use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, a public hearing shall be held concerning the lawfulness of the proposed change.

(B) Pending hearing and decision thereon, the rate supplement herein is suspended and its use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act: *Provided, however,* That the supplement to the rate schedule filed by Respondent shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order Respondent shall execute and file under its above-designated docket number with the Secretary of the Commission its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, accompanied by a certificate showing service of a copy thereof upon the purchaser under the rate schedule involved. Unless Respondent is advised to the contrary within 15 days after the filing of its agreement and undertaking, such agreement and undertaking shall be deemed to have been accepted.

(C) Until otherwise ordered by the Commission, neither the suspended supplement, nor the rate schedule sought to be altered, shall be changed until disposition of this proceeding or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before April 24, 1968.

By the Commission.

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

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in docket Nos.
RI68.....	Ashland Oil & Refining Co., Post Office Box 18695, Oklahoma City, Okla. 73118.	[1] 155	3	Arkansas Louisiana Gas Co. (East Kremlin Field, Garfield County, Okla.) (Oklahoma "Other" Area).	$620	2-15-68	[2] 3-26-68	[3] 3-27-68	[4] 12.015	[4] [5] [6] 13.015	

[1] Basic contract dated after Sept. 28, 1960, the date of issuance of general policy statement No. 61-1.
[2] The stated effective date is the effective date requested by Respondent.
[3] The suspension period is limited to 1 day.
[4] Periodic rate increase.
[5] Pressure base is 14.65 p.s.i.a.
[6] Includes 0.015 cent tax reimbursement.

The contract related to the rate filing of Ashland Oil & Refining Co. (Ashland) was executed subsequent to September 28, 1960, the date of issuance of the Commission's statement of general policy No. 61-1, as amended, and the proposed increased rate of 13.015 cents exceeds the area increased rate ceiling of 11 cents per Mcf for Oklahoma "Other" Area but does not exceed the initial service ceiling of 15 cents per Mcf established for the area involved. We believe, in this situation, Ashland's proposed rate filing should be suspended for 1 day from March 26, 1968, the proposed effective date.

[F.R. Doc. 68-3328; Filed, Mar. 19, 1968; 8:45 a.m.]

[Docket No. CP68-245]

TENNESSEE GAS PIPELINE CO.

Notice of Application

MARCH 14, 1968.

Take notice that on March 8, 1968, Tennessee Gas Pipeline Co. (Applicant), Post Office Box 2511, Houston, Tex. 77001, filed in Docket No. CP68-245 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of facilities for the transportation of natural gas, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant seeks to install connecting facilities, an additional compression at Station 823, and new measuring equipment in order to receive gas from Trunkline Gas Co. (Trunkline). Trunkline is to deliver the gas at a point on Applicant's existing Muskrat line near Centerville, La., for redelivery at a point near Kinder, La., on Trunkline's main line transmission system in Jefferson Davis Parish, La.

The facilities are sought in order to enable Applicant to carry out a transportation agreement with Trunkline. The agreement provides for an initial quantity of 200,000 Mcf per day which can be increased, upon advance notice given by Trunkline to Applicant, to a maximum daily quantity of 500,000 Mcf as early as the third year but no later than the fifth year.

The application further states that there will be a net savings of approximately $6 million of capital investment in facilities which would otherwise be required by Trunkline.

Trunkline is to pay approximately 1.6 cents per Mcf for the proposed transportation service.

Total cost of the facilities is estimated at $3,285,600 to be financed initially with borrowings from banks under lines of credit and from funds generated internally. The amount drawn from revolving credit will be retired in the future through permanent financing or from the general funds of the Applicant.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before April 8, 1968.

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

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

GORDON M. GRANT,
Secretary.

[F.R. Doc. 68-3326; Filed, Mar. 19, 1968; 8:45 a.m.]

[Docket No. CP68-246]

TRUNKLINE GAS CO.

Notice of Application

MARCH 14, 1968.

Take notice that on March 8, 1968, Trunkline Gas Co. (Applicant), Post Office Box 1642, Houston, Tex. 77001, filed in Docket No. CP68-246 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing it to construct and operate additional main line facilities and to transport gas for a limited term for the account of Tennessee Gas Pipeline Co., a division of Tenneco, Inc. (Tennessee), for resale by Midwestern Gas Transmission Co. (Midwestern), and for authority to maintain an emergency interconnection between Applicant and Midwestern, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant seeks authorization to transport 137,390 Mcf per day from November 1, 1968, to November 1, 1970, and 69,204 Mcf per day from November 1, 1970, to November 1, 1971. The gas is to be transported from Tennessee's existing interconnection with Applicant's facilities near Kinder, La., to the point near Potomac, Ill., where Applicant's main-line system crosses Midwestern's Southern System.

The facilities proposed by Applicant consist of 87.8 miles of 36-inch pipeline looping portions of Applicant's existing main transmission line between Longville, La., and Tuscola, Ill.; 15.4 miles of 30-inch pipeline looping portions of Applicant's existing main transmission line between Bourbon, Ill., and Elkhart, Ind.; 2,700 additional horsepower at existing Compressor Station No. 121, Tuscola, Ill.; and 3,400 additional horsepower at existing Compressor Station No. 48, Longville, La.

The Applicant further states that when the proposed quantity decreases and when service terminates, Applicant will utilize the increased capacity to provide service to its own customers.

The proposed facilities are estimated to cost $20,385,000, such cost to be financed from funds on hand and by bank borrowings, with ultimate financing to be provided from funds generated through operations and through the sale of long term securities.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before April 8, 1968.

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

convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

GORDON M. GRANT,
Secretary.

[F.R. Doc. 68-3327; Filed, Mar. 19, 1968; 8:45 a.m.]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

ASSISTANT SECRETARY FOR MORTGAGE CREDIT AND FEDERAL HOUSING COMMISSIONER

Delegation of Authority With Respect to Loan and Grant Assistance for Planning Housing Projects in Appalachia

SECTION A. The Assistant Secretary for Mortgage Credit and Federal Housing Commissioner (herein called the Assistant Secretary) is hereby authorized to exercise the power and authority of the Secretary of Housing and Urban Development with respect to loans and grants under section 207 of the Applachian Regional Development Act of 1965, as amended (40 U.S.C. Appendix A, section 207), for expenses of planning and of obtaining an insured mortgage for a housing project under section 221 of the National Housing Act, as amended (12 U.S.C. 1715*l*).

SEC. B. The Assistant Secretary is authorized to make such rules and regulations as may be necessary to carry out the power and authority delegated under section A.

SEC. C. The Assistant Secretary is further authorized to:

1. Redelegate to one or more employees under his jurisdiction any of the authority delegated under section A and authorize successive redelegations thereof to subordinate employees.

2. Redelegate to Regional Administrators and to Deputy Regional Administrators any of the authority delegated under section A and authorize successive redelegations therof to Regional employees.

(Sec. 7(d) of Department of HUD Act, 42 U.S.C. 3535(d))

Effective date. This delegation of authority shall be effective as of March 20, 1968.

ROBERT C. WEAVER,
Secretary of Housing and Urban Development.

[F.R. Doc. 68-3350; Filed, Mar. 19, 1968; 8:46 a.m.]

DEPARTMENT OF TRANSPORTATION

Coast Guard

[CGFR 68-38]

PORTION OF JAMES RIVER, NORFOLK-NEWPORT NEWS HARBOR

Closure to Navigation During Launching of the "Durham"

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 10:30 a.m., e.s.t. until 2 p.m., e.s.t., Friday, March 29, 1968, the following area is a security zone and I order that it be closed to any person or vessel due to the launching of the "Durham" (AKA-114):

The water of the James River, Norfolk-Newport News Harbor, Va., within the coordinates of latitude 36°59'34" N., longitude 76°26'53" W. at the shoreline of Newport News, thence southwesterly 500 yards to latitude 36°59'27" N., longitude 76°27'10" W., thence southeasterly to latitude 36°58'43" N., longitude 76°26'41" 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 14, 1968.

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

[F.R. Doc. 68-3344; Filed, Mar. 19, 1968; 8:46 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-155]

CONSUMERS POWER CO.

Notice of Issuance of Facility License Amendment

No request for hearing or petition for leave to intervene having been filed following publication of the notice of proposed action in the FEDERAL REGISTER on January 31, 1968 (32 F.R. 2402), and Consumers Power Co. having satisfactorily completed the required modifications to the facility to assure prompt delivery of water from the fire protection system to the reactor vessel, the Commission has issued, in the form set forth in that notice, Amendment No. 1 to Facility Operating License No. DPR-6.

The amendment authorizes Consumers Power Co. to operate its Big Rock Point Nuclear Power Reactor in Charlevoix County, Mich., using six high performance developmental fuel bundles.

Dated at Bethesda, Md., this 12th day of March 1968.

For the Atomic Energy Commission.

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

[F.R. Doc. 68-3323; Filed, Mar. 19, 1968; 8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 19638; Order No. E-26517]

AIR ENTERPRISES

Order To Show Cause Regarding Establishment of Mail Service Rate

Issued under delegated authority March 14, 1968.

By notice of intent filed on February 27, 1968, pursuant to 14 CFR, Part 298, the Postmaster General petitioned the Board to establish for Hugh M. Lyman, Jr., doing business as Air Enterprises, an air taxi operator, a final service mail rate of 32 cents per great circle mile for the transportation of mail by aircraft between Cheyenne, Rawlins, and Rock Springs, Wyo.

The Postmaster General states that the scheduled service of the certificated route carrier in this market does not meet postal requirements. Air Enterprises proposes to use Cessna Skynight 320 type

aircraft in initiating the mail service. No protest or objection has been filed against the services proposed in the notice of intent, and the time for filing such objections has now expired.

The Postmaster General also states that the proposed rate is acceptable to the Department and the carrier, and represents a fair and reasonable rate of compensation for the services which the carrier will perform. The Postmaster General believes these services will meet postal needs in this market.

Since no mail rate is presently in effect for this carrier in this market, it is in the public interest to fix and determine the fair and reasonable rate of compensation to be paid to Air Enterprises by the Postmaster General for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, between the aforesaid points. Upon consideration of the notice of intent and other matters officially noticed, it is proposed to issue an order[1] to include the following findings and conclusions:

1. That the fair and reasonable final service mail rate to be paid to Hugh M. Lyman, Jr., doing business as Air Enterprises pursuant to section 406 of the Act for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith between Cheyenne, Rawlins, and Rock Springs, Wyo., as described in the notice of intent, shall be 32 cents per great circle mile.

2. The final service mail rate here fixed and determined is to be paid in its entirety by the Postmaster General.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a) and 406 thereof, and regulations promulgated in 14 CFR, Part 302, 14 CFR, Part 298, and 14 CFR 385.14(f),

It is ordered, That:

1. All interested persons and particularly Hugh M. Lyman, Jr., doing business as Air Enterprises, the Postmaster General, and Frontier Airlines, Inc., are directed to show cause why the Board should not adopt the foregoing proposed findings and conclusions and fix, determine, and publish the final rate specified above, as the fair and reasonable rate of compensation to be paid to Air Enterprises for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith as specified above;

2. Further procedures herein shall be in accordance with 14 CFR Part 302, and if there is any objection to the rate or to the other findings and conclusions proposed herein, notice thereof shall be filed within 10 days, and if notice is filed, written answer and supporting documents shall be filed within 30 days after the date of service of this order;

3. If notice of objection is not filed within 10 days after service of this order, or if notice is filed and if answer is not filed within 30 days after service of this order, all persons shall be deemed to have waived the right to a hearing and all other procedural steps short of a final decision by the Board, and the Board may enter an order incorporating the findings and conclusions proposed herein and fix and determine the final rate specified herein;

4. If answer is filed presenting issues for hearing, the issues involved in determining the fair and reasonable final rate shall be limited to those specifically raised by the answer, except insofar as other issues are raised in accordance with Rule 307 of the rules of practice (14 CFR 302.307); and

5. This order shall be served upon Hugh M. Lyman, Jr., doing business as Air Enterprises, the Postmaster General, and Frontier Airlines, Inc.

This order will be published in the FEDERAL REGISTER.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 68-3352; Filed, Mar. 19, 1968; 8:46 a.m.]

[1] As this order to show cause does not constitute a final action and merely affords interested persons an opportunity to be heard on the matters herein proposed, it is not regarded as subject to the review provisions of Part 385 (14 CFR Part 385). The provisions of that part dealing with petitions for Board review will be applicable to any final action which may be taken by the staff in this matter under authority delegated in § 385.14(g).

[Docket 19533]

COMPANIA INTERNACIONAL AEREA S.A. (CIASA)

Notice of Hearing

Notice is hereby given pursuant to the Federal Aviation Act of 1958, as amended, that a hearing in the above-entitled proceeding is assigned to be held on March 21, 1968, at 10 a.m., e.s.t., in Room 726, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before the undersigned.

For fuller information, interested persons are referred to material contained in the docket of this proceeding on file with the Docket Section of the Civil Aeronautics Board.

Dated at Washington, D.C., March 18, 1968.

[SEAL] BARRON FREDRICKS,
Hearing Examiner.

[F.R. Doc. 68-3440; Filed, Mar. 19, 1968; 8:49 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 16258, 15011; FCC 68M-446]

AMERICAN TELEPHONE AND TELEGRAPH CO.

Order Regarding Procedural Dates

In the matter of American Telephone and Telegraph Co., and the Associated Bell System Companies, charges for interstate and foreign communication service, Docket No. 16258; In the matter of American Telephone and Telegraph Co., charges, practices, classifications, and regulations for and in connection with teletypewriter exchange service, Docket No. 15011.

The Telephone Committee, having under consideration its order of January 31, 1968 (FCC 68M-181), providing for the convening of an off-the-record conference; and having also under consideration the report on such conference by Hearing Examiner Arthur A. Gladstone, dated March 14, 1968, and the recommendations therein contained with respect to further procedural actions to be taken herein;

It is ordered, That:

1. All outstanding requests for the furnishing of information and data by Respondents be satisfied on or before April 12, 1968; and

2. All parties to this proceeding shall serve written notice, on or before April 26, 1968, as to the identity of Respondents' witnesses desired to be recalled for further cross-examination; and

3. Further hearing sessions shall commence on May 7, 1968, at 10 a.m., at the Commission's offices in Washington, D.C., for the purpose of taking the further testimony indicated in paragraph 2 above, as well as for taking the testimony of the additional witnesses which Respondents have heretofore been requested to produce by various parties; and

4. Within 21 days after the completion of the hearing sessions referred to in paragraph 3 above, the FCC staff, and all parties other than Respondents, shall distribute, in written form, their proposed testimony on rate-making principles and factors; and

5. Thirty days after the terminal filing date specified in paragraph 4 above, further hearing sessions shall commence, at the Commission's offices in Washington, D.C., for the purpose of examining witnesses sponsoring such testimony; and

6. Within 21 days after the completion of the hearing sessions specified in paragraph 5 above, if Respondents wish to offer rebuttal to the testimony submitted by other parties, such proposed rebuttal testimony shall be distributed in written form; and

7. Thirty days after the terminal filing date of the testimony referred to in paragraph 6 above, hearing sessions shall commence, at the Commission's offices in Washington, D.C., for the purpose of examining the witnesses sponsoring such rebuttal testimony.

Issued: March 14, 1968.

Released: March 15,1968.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 68-3365; Filed, Mar. 19, 1968; 8:47 a.m.]

[Docket Nos. 18064–18066; FCC 68M–444]

CLEAR VISION TV COMPANY OF BESSEMER ET AL.

Order Scheduling Hearing

In re petitions by Clear Vision TV Company of Bessemer, Bessemer, Brighton, and Brownville, Ala., Docket No. 18064, File No. CATV 100–47; Telvue Cable Alabama, Inc., unincorporated area of Jefferson County, south of Birmingham, Ala., Docket No. 18065, File No. CATV 100–238; Jefferson Cablevision Corp., Homewood and Irondale, Ala., Docket No. 18066, File No. CATV 100–242; for authority pursuant to § 74.1107 of the rules to operate CATV systems in the Birmingham, Ala., television market.

It is ordered, That Elizabeth C. Smith shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on May 21, 1968, at 10 a.m.; and that a prehearing conference shall be held on April 24, 1968, commencing at 9 a.m.; *And, It is further ordered,* That all proceedings shall take place in the offices of the Commission, Washington, D.C.

Issued: March 13, 1968.

Released: March 15, 1968.

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

[F.R. Doc. 68–3366; Filed, Mar. 19, 1968; 8:47 a.m.]

[Docket Nos. 18088–18090; FCC 68–289]

ADVANCED COMMUNICATIONS CO. ET AL.

Memorandum Opinion and Order Designating Applications for Consolidated Hearing on Stated Issues

In the matter of applications of Francis I. Lambert and Harry L. Brock, Jr. trading as Advanced Communications Co. for a construction permit for a new public class III–B coast station to be located at Stratford, Conn. (File No. 2834–M–P–16) and to add an additional frequency to station KWB 437, Groton, Conn. (File No. 3872–M–P–67), Docket No. 18088, File Nos. 2834–M–P–16, 3872–M–P–67; Application of Liberty Communications, Inc., for a construction permit for a new public class III–B coast station to be located at Trumbull, Conn. (File No. 2906–M–P–26), Docket No. 18089, File No. 2906–M–P–26; Applications of New York Telephone Co., for construction permit for new public class III–B coast stations to be located at Riverhead, N.Y. (File No. 3369–M–P–116), and at Noyack, N.Y. (File No. 3490–M–P–17), Docket No. 18090, File Nos. 3369–M–P–116, 3490–M–P–17).

1. On January 3, 1966, Francis I. Lambert and Harry L. Brock, Jr. trading as Advanced Communications Co. (Advanced) filed an application for a construction permit for a new public coast station at Stratford, Conn., operating on the frequencies 156.8 and 161.9 Mc/s. The proposed station would provide a common carrier communications service to commercial and pleasure vessels operating in the central Long Island Sound area. On February 23, 1966, Liberty Communications, Inc. (Liberty), filed an application for a construction permit for a new public coast station at Trumbull, Conn., operating on the frequencies 156.8 and 162.0 Mc/s. The proposed station would also provide a common carrier communications service to commercial and pleasure vessels operating in Long Island Sound.

2. New York Telephone Co., in separate petitions to deny, opposed both applications primarily on the grounds that operation of the proposed stations on the frequencies requested would cause electrical interference to New York Telephone's public coast III–B station KEA 693 located at New York City which operates on the frequencies 161.9 and 162.0 Mc/s. New York indicated that it would offer no objection to applications for other frequencies. Subsequently, Advanced amended its application to delete 161.9 Mc/s and specified in its place 161.95 Mc/s and Liberty amended its application to delete 162 Mc/s and specified in its place 161.85 Mc/s. The petitions to deny filed on February 21, 1966, and April 7, 1966, by New York and related pleadings in opposition and reply are, therefore, moot.

3. On November 14, 1966, New York Telephone Co. filed an application for a construction permit for a new public class III–B coast station at Riverhead, Long Island, N.Y., operating on the frequencies 156.8 and 161.95 Mc/s. The estimated coverage area would include the central Long Island Sound area as well as the Atlantic Ocean side of Long Island.

4. On January 10, 1967 New York Telephone filed an application for a construction permit for a new public class III–B coast station at Noyack, Long Island, N.Y., operating on the frequencies 156.8 and 162 Mc/s. This station is approximately 17 miles from New York Telephone's proposed station at Riverhead. A petition to deny this application was filed by Advanced. Opposition to the petition was filed by New York Telephone. Reply to the opposition of New York was filed by Advanced. The proposed station at Noyack is approximately 32 miles from Advanced's Public Coast Station at Groton, Conn., which is authorized 161.9 Mc/s. Subsequently, Advanced filed an application on June 6, 1967, to add the frequency 162 Mc/s at its public coast station in Groton, KWB 437. A petition to deny the application was filed by New York Telephone on August 3, 1967. Opposition to the petition was filed by Advanced. Reply to the opposition was filed by New York. A treatment of the two petitions and related pleadings follows and is dispositive of all these pleadings. Each petitioner is found to be a party in interest.

Pleadings directed to New York Telephone's Noyack Application, Advanced's petition to deny:

(a) The applicant's estimated coverage map (Exhibit A to its application) indicates the Noyack station's primary purpose is to provide coverage of Gardiner's Bay, Shelter Island, Long Island Sound and the Montauk Point area. Petitioner alleges that all of the named areas are well within the service contour of Advanced's facility at Groton and, therefore, the application constitutes duplication under § 81.303 [1] and should be denied.

(b) New York Telephone established KEA 693 at New York City in 1947 and nearly 20 years have elapsed before an effort was made to serve the Montauk area. The effort to serve this area now takes the form of an application filed approximately 60 days before the activation of the Groton station. Petitioner submits that it is entitled to protection from destructive and ruinous economic competition within its service area, and that this is especially true in light of New York Telephone's unrealistically low tariff.

(c) The separation between New York Telephone's proposed stations at Riverhead and Noyack will only be 16 miles and the technical justification submitted by New York for the proximity of the two stations is not supported by engineering data.

(d) The Noyack application falls under the provisions of § 81.45 [2] in that New York has pending an application for a facility at Riverhead which covers essentially the same geographic area.

(e) The technical adequacy of the New York Telephone proposal is questionable. Advanced states that by locating the control points at Hempstead, 75 miles from the proposed Noyack transmitter, there is no possibility of maintaining a continuous aural monitor of signals transmitted by the station. It recognizes that there is no "firm requirement" under the rules, but feels good engineering dictates its use.

(f) The New York Telephone tariff is questionable in view of the 75-mile separation between station and control

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[1] A public coast station shall not be authorized to provide a very high frequency maritime mobile service by the use of any frequency assignment above 100 Mc/s solely to any geographic area in which such service is already provided, or for which a valid construction permit or permits has or have been issued for the establishment of a station or stations to provide such service in that area, unless the applicant shall make an affirmative showing that the public interest, convenience, or necessity would be served by such a grant, and, among other things, that there is a need for such additional facilities in the area involved, that the authorized facilities in that area are not, or will not be, adequate to meet the very high frequency communication needs in the area, and that the applicant's proposed facilities involving a frequency assignment above 100 Mc/s will serve the very high frequency communication needs in such area.

[2] When an applicant has an application pending or undecided, no other inconsistent or conflicting application filed by the same applicant, his successor or assignee, or on behalf of or for the benefit of said applicant, will be considered by the Commission.

point. Advanced states that normal practice would require an absolute minimum of three telephone pairs between control point and transmitter to operate the station, for a total of 225 miles of land line. At the New York Telephone rate for leased lines, the cost of the lines alone would exceed the gross radio link revenue of the two-channel New York City station for 1965. Petitioner concludes that some other customer area of New York Telephone is being forced to bear the cost of the "unusual" separation. It suggests that the Commission review the tariff on file and require a showing as to how the applicable radio link charge for Public Coast III–B service was arrived at.

New York's opposition to petition to deny:

(a) New York contends that the service area proposed to be served by its Noyack and Riverhead stations will not provide service solely to, or even primarily to, the geographic area to be served by Advanced's Groton station. It submits (as Exhibit A to its application), a contour coverage map of the proposed stations at Noyack and Riverhead and Advanced's Groton station based on 2 μv/50 ohms at the base station receiver terminals. Based on that exhibit, New York feels that there is only a reasonable amount of overlap and no undesirable duplication of coverage. A similar contention is made in its Exhibit B to its application which shows contours for the stations using a value of 4μv/50 ohms as opposed to 2μv/50 ohms.

(b) New York alleges that most of the boats in the effective service area of the proposed Noyack station are based on Long Island. It anticipates that the primary need will be to communicate with points on Long Island. It feels that this need can be satisfied in the fullest and satisfactory manner if local landline telephone service is extended to boats in the eastern Long Island area by means of VHF maritime mobile service provided through the proposed Noyack station. It states that tariffs containing appropriate rates for this extended local exchange service will be filed with the New York Public Service Commission.

(c) New York takes the position that the proposed Noyack station, operating in conjunction with the proposed Riverhead station, would provide continuous VHF maritime service in the coastal waters along the north and south shores of Long Island between New York City and Montauk Point with only reasonable overlap of station coverage. Further, that a continuous reliable VHF maritime service in these heavily traveled waters would be a vast improvement and would relieve congestion on New York's medium frequency service.

(d) With respect to the interval of time which has elapsed between the establishment of VHF maritime service in New York City and the present application, New York answers that there has been no requirement until recently.

(e) With respect to the proximity of its two proposed stations to each other, New York submitted additional technical data in alleged justification thereof.

(f) In response to the allegation regarding the technical adequacy of the Noyack station, New York states its Hempstead control point, which would control Noyack, is manned on a 24-hour basis by licensed personnel who are available to assist the operator on any difficulties encountered in providing a commercial grade service. New York takes the position that the arrangement is satisfactory for provision of the proposed service and it is in full compliance with the Commission's rules and sound engineering practice.

Advanced's reply to opposition to petition to deny:

(a) Advanced asserts that the station does in fact constitute a duplication of facilities and makes reference to the coverage area set forth in New York's original letter of transmittal. It asks the Commission to note the apparent shift in coverage area of the Noyack station which has taken place since the filing of the petition to deny. Petitioners urge that since there has been no modification in technical parameters, the station continues to constitute a duplication of service as described in § 81.303.

(b) Advanced states it fully intends to provide a receiving capability which equals the coverage contour afforded by their transmitted signal from Groton. They propose to locate remote receivers at Montauk Point or such other locations as may be found desirable.

(c) Advanced asserts that on the basis of applicant's own Exhibit A, the vast majority of the area already served by the Groton station is within the effective coverage area of the applicant's proposed Noyack station. Advanced states that the effective coverage area of the Groton station is approximately 1,260 square miles. The applicant's overlap is about 660 square miles. Petitioners contend that more than 50 percent overlap is not reasonable.

(d) Advanced takes exception to Exhibits A and B submitted by New York. It alleges that Exhibit A is based on an antenna height of 60 feet above ground level but this fails to take into account that the tower is located on a hill 165 feet above mean sea level. In addition, its contour for Groton does not show 2 microvolts at the ship receiver input terminals, but rather the limits at which a ship might deliver a 2-microvolt signal across the base station's receiver input terminals. It classifies the 4μv/50 ohms contour as an attempt to make an impossible situation look better and alleges that no need exists for a 4μv/50 ohm signal for satisfactory reception from a ship.

(e) Advanced feels that it should be able to enjoy the privilege of developing its service without encroachment of New York Telephone who, it feels, has ignored the pleas of marine interests for VHF service in the area for years. Further, Advanced states that it is prepared to prove that commercial and private interests have requested VHF maritime service for years.

(f) Petitioner contends that the proposed Riverhead station was designed to avoid overlap with Groton, and, therefore, no protest was filed. It asserts that New York is now trying to patch gaps in its coverage area, which were designed into the system to avoid duplication problems with Groton.

(g) Petitioner concedes that the Hempstead control point is adequately manned. It fails to see the justification for the 75-mile separation and contends that New York Telephone did not give a satisfactory response to the landline expense question. Advanced alleges that the uneconomical operation of the Noyack station, under tariffs on file, can only result in a high telephone bill for some other users of the telephone system.

Analysis of pleadings:

The pleadings directed to New York Telephone's Noyack application present substantial and material questions of fact. Questions raised concern the following matters:

(a) The coverage area of the proposed Noyack station and its relationship to the coverage area of Advanced's Groton station, KWB 437, and the coverage area of New York's proposed station at Riverhead;

(b) In the light of these relationships the effect upon common carrier communication service to the public in the areas concerned;

(c) Whether the rates and charges proposed for the service of the Noyack station are compensatory.

Pleadings related to Advanced's application for modification of Groton Station, KWB–437:

New York Telephone's petition to deny:

(a) Petitioner has on file an application for a public coast station at Noyack, N.Y., on the frequency of 162 Mc/s. This is the same frequency that Advanced is now seeking for its Groton station which is only 32 miles from Noyack. Petitioner contends the operation of both of these stations on 162 Mc/s would result in disruptive electrical interference.

(b) Petitioner contends that 162 Mc/s at Noyack will better serve the public interest because continuous communication service will then be available to ships equipped for 162 Mc/s from Manhattan to the tip of Long Island. If Groton were to use 162 Mc/s, Noyack could not and a 25-mile communications gap would exist.

(c) Petitioner contends that the majority of vessels operated in and around the Long Island waters are Long Island based and their primary need will be to communicate with Long Island.

Advanced's opposition to petition to deny:

(a) Advanced agrees that the Groton and Noyack stations are incompatible from both a technical and economic point of view.

(b) Advanced attacks the accuracy of the technical data submitted by Petitioner.

(c) Advanced submits an abstract of its station log at Groton to contradict Petitioner's assertion of a 25-mile communications gap.

(d) Advanced contends that the petitioner has been exploiting the lucrative New York Harbor traffic since 1947 and has ignored the Long Island boats until the applicant's Groton station was established and showed signs of being commercially successful.

(e) Advanced takes issue with petitioner's statement to the effect that most of the vessels operated in and around Long Island waters are based in New York City and Long Island. Further, it contends that, if a need to communicate with New York arises, Advanced's operators "will swiftly make the connection" and the tariff will be considerably less on an interstate basis than on an intrastate basis "for the same V–H distance."

New York Telephone's reply to opposition:

(a) New York reasserts the correctness of its technical data relating to the coverage area of its proposed station at Noyack.

(b) New York submits that Advanced's showing the calls received from various vessels is not a reliable indicator of coverage because no information is given on the conditions under which the calls were made.

(c) New York takes issue with the assertion by Advanced that for 20 years after 1947 New York ignored the Long Island boats. It asserts that it has operated a coastal harbor service on 2 Mc/s covering all of the waters in and around Long Island since 1936. The Noyack application is a direct result of the crowded conditions on 2 Mc/s and the increasing public demand for better and more extensive VHF maritime coverage around Long Island.

(d) New York contends that Advanced sets forth no reason why it should have 162 Mc/s rather than some other frequency. On the other hand, the Telephone Company asserts that it has stated several reasons.

Analysis of pleadings:

The pleadings directed to Advanced's application for modification of the license for station KWB–437 present substantial and material questions of fact. Questions raised concern the following matters:

(a) The coverage area of station KWB–437 and its relationship to the coverage area of the proposed stations at Riverhead and Noyack and the existing station KEA 693;

(b) Whether there is a need for assignment of 162 Mc/s to station KWB–437; and

(c) Whether the public interest would be served by the assignment of 162 Mc/s to either Noyack or Groton.

With respect to the proposed station at Noyack on 162 Mc/s and station KWB–437's request for 162 Mc/s, both applicants have agreed that operation of the two stations on 162 Mc/s would result in mutually disruptive electrical interference. Accordingly, the issues do not specify an electrical interference issue between these stations on 162.0 Mc/s but rather which, if either, of the applications for the frequency 162.0 Mc/s may be granted.

5. An analysis of the coverage areas of all the proposed stations shows that the applicants propose to serve the central Long Island Sound area. There is no information to indicate the extent of need for public coast stations in this area. Accordingly, and in view of the substantial material questions of fact referred to above, the Commission is unable to make a determination that it would be in the public interest to grant the applications. It appears therefore, that an evidentiary hearing must be held to determine if the public interest would be served by a grant of any or all of the subject applications. Except for the issues specified herein, the applicants are otherwise qualified.

6. *It is ordered,* That the above-entitled applications of Advanced Communications Co., Liberty Communications, Inc., and New York Telephone Co. are designated for hearing in a consolidated proceeding at a time and place to be specified in a subsequent order on the following issues:

(a) To determine the facts with respect to the proposed facilities, rates, practices, and services of each applicant including the area served and to be served by each.

(b) To determine the economic impact on station KWB–437 if the application of New York Telephone for a station at Noyack is granted.

(c) To determine, in light of the 75-mile proposed separation between the Noyack station and its control point, whether the applicable radio link charge is compensatory.

(d) To determine the nature, source, and amount of traffic to be handled by each of the stations.

(e) To determine whether there is a need for any or all of the public coast facilities applied for, taking into consideration existing stations and proposed stations.

(f) To determine whether there is a need for assignment of an additional frequency to station KWB–437.

(g) To determine whether the public interest would be served by the assignment of 162.0 Mc/s to Noyack or to Groton.

(h) To determine the nature and extent of co-channel interference if any, that would arise from simultaneous operation of the facilities proposed by Advanced and New York Telephone Co. on 161.95 Mc/s and whether such interference would be tolerable or mutually destructive.

(i) To determine, in the light of the evidence adduced on all the foregoing issues, whether the public interest, convenience and necessity will be served by a grant of any or all of the subject applications.

7. *It is further ordered,* That the burden of proceeding with the introduction of evidence on issue (c) is placed upon New York Telephone and on issues (b) and (f) upon Advanced Communications Co.

8. *It is further ordered,* That the petitions to deny, filed herein by New York Telephone against the applications of Liberty for a station at Trumbull and Advanced for a station at Stratford are dismissed as moot.

9. *It is further ordered,* That the petitions to deny, filed herein by New York Telephone against the application of Advanced for modification of their Groton station KWB–437 and by Advanced against the application of New York Telephone for a station at Noyack, are granted to the extent indicated herein and are otherwise denied.

10. *It is further ordered,* That coverage area will be computed on the basis of the information contained in Commission Report No. R–6703 Development of VHF Propagation Curves for the Maritime Mobile Radio Service or such other standards as may be agreed upon by all the parties.

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

Issued: March 13, 1968.

Released: March 18, 1968.

FEDERAL COMMUNICATIONS COMMISSION,[3]

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

[F.R. Doc. 68–3367; Filed, Mar. 19, 1968; 8:47 a.m.]

FEDERAL MARITIME COMMISSION

[Docket No. 68–10]

INTER-AMERICAN FREIGHT CONFERENCE CARGO POOLING AGREEMENTS

First Supplemental Order

Inter-American Freight Conference Cargo Pooling Agreements Nos. 9682, 9683, and 9684.

On February 19, 1968, the Commission instituted the subject investigation. The order of investigation recited the following:

"It is rumored that rebating and other malpractices have been rife in this trade and that the proposed pools are believed by the proponents to be a solution to these problems * * *"

In order to make it clear to all parties that possible malpractices are at issue in this proceeding, the Commission is of the opinion that the order of investigation should be expanded to include the specific issue of rebates and malpractices.

Therefore it is ordered, That pursuant to sections 16, 18(b)(3), and 22 of the

[3] Commissioner Wadsworth absent.

Shipping Act, 1916, as amended, the investigation and hearing in the instant proceeding hereby is expanded in order to determine whether any common carriers by water in the subject trades either alone or in conjunction with any other person, directly or indirectly made or gave any undue preference or advantage to any particular person, locality, or description of traffic in any respect whatsoever or subjected any particular person, locality, or description of traffic to any undue or unreasonable prejudice or disadvantage in any respect whatsoever in violation of section 16 First of the Act; and whether any common carrier or other person subject to this Act either alone or in conjunction with any other person directly or indirectly allowed any person to obtain transportation for property at less than the regular rates or charges then established and enforced on the lines of such carriers by means of any unjust or unfair device or means in violations of sections 16 Second and 18(b)(3) of the Act.

It is further ordered, That notice of this supplemental order be published in the FEDERAL REGISTER and that a copy thereof be served upon respondents and petitioners.

By the Commission.

[SEAL] THOMAS LISI, *Secretary.*

[F.R. Doc. 68-3368; Filed, Mar. 19, 1968; 8:47 a.m.]

SECURITIES AND EXCHANGE COMMISSION

SANTA FE INTERNATIONAL, INC.

Order Suspending Trading

MARCH 14, 1968.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Santa Fe International, Inc., Denver, Colo. (Formerly Santa Fe Uranium and Oil Co., Inc.), otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period March 15, 1968, through March 24, 1968, both dates inclusive.

By the Commission.

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

[F.R. Doc. 68-3335; Filed, Mar. 19, 1968; 8:45 a.m.]

SMALL BUSINESS ADMINISTRATION

[Delegation of Authority No. 30-6 (Southwestern Area), Disaster No. 636]

MANAGER, DISASTER BRANCH OFFICE, HARLINGEN, TEX.

Delegation of Authority

Notice is hereby given that Delegation of Authority No. 30-6, Disaster No. 636, 32 F.R. 14353, dated November 17, 1967, is hereby rescinded in its entirety.

Effective Date: March 10, 1968.

ROBERT E. WEST, *Area Administrator, Dallas, Tex.*

[F.R. Doc. 68-3336; Filed, Mar. 19, 1968; 8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

[F.D. 24991]

ALABAMA STATE DOCKS DEPARTMENT

Notice of Filing of Petition for Declaratory Order Under Section 5(d) of the Administrative Procedure Act

MARCH 15, 1968.

Petitioner: ALABAMA STATE DOCKS DEPARTMENT, an agency of the State of Alabama. Petitioner's attorneys: David G. Macdonald, John Guandolo, 1000 16th Street NW., Washington, D.C.

By pleading filed March 1, 1968, the Alabama State Docks Department, an agency of State of Alabama, seeks a determination, for administrative purposes, of the status of its Maritime Activities. Petitioner is a single legal entity operating various Maritime Facilities and controls a Terminal Railway. The purpose of such determination is to establish whether those employees of petitioner engaged in its Maritime Activities are to be considered employees of a common carrier by railroad under the Railway Labor Act. In particular, such a determination is requested in order to ascertain the applicability of section 2, ninth, of the Railway Labor Act (45 U.S.C. 152), authorizing the National Mediation Board to investigate disputes among employees of a carrier as to who are their representatives and giving the Board access to, and the power to make copies of, books and records of the carrier, to petitioner in regard to its Maritime Activities. It is asserted that the determination of petitioner's status as a carrier or a noncarrier would apparently have broad implications under the Railway Labor Act, the Interstate Commerce Act, and numerous other federal statutes purporting to regulate carriers of various types and the labor forces they employ. Petitioner requests that the Commission enter a finding, after appropriate investigation and hearing, that the functions of its Maritime Activities are not those of a railroad. Any interested person desiring to participate may file an original and seven copies of his written representations, views or argument in support of, or against, the petition within 30 days from the date of publication in the FEDERAL REGISTER.

By the Commission.

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

[F.R. Doc. 68-3353; Filed, Mar. 19, 1968; 8:46 a.m.]

[No. 34918]

ILLINOIS INTRASTATE RAIL RATES AND CHARGES

At a session of the Interstate Commerce Commission, Division 2, held at its office in Washington, D.C., on the 6th day of March 1968.

It appearing, That in Ex Parte No. 256, Increased Freight Rates, 1967, 329 I.C.C. 854, 332 I.C.C. 280, the Commission authorized carriers subject to the Interstate Commerce Act parties thereto to make certain increases in their freight rates and charges for interstate application throughout the United States, and that increases under such authorizations have been made;

It further appearing, that a petition dated December 18, 1967, has been filed on behalf of all the common carriers by railroad listed in the attached appendix who operate from, to, and between points in the State of Illinois, averring that the Illinois Commerce Commission has refused to authorize or permit increases in rates and charges on commodities moving in intrastate commerce corresponding to the increases authorized by the Commission in the proceeding listed above on interstate traffic as more fully described in said report; to which petition replies were filed by the Central Illinois Light Co., Electric Energy, Inc., designated members of the Institute of Scrap Iron and Steel, Inc., the Illinois Power Co., the Central Illinois Public Service Co., and the Union Electric Co.;

It further appearing, that petitioners allege that the failure of the Illinois Commerce Commission to permit the increases in rates and charges on intrastate commerce unduly burdens and unjustly discriminates against interstate commerce in violation of section 13 of the Interstate Commerce Act;

And it further appearing, that a motion to dismiss the petition was filed on January 19, 1968, by the Illinois Commerce Commission, to which motion the petitioners replied;

It is ordered, That the motion to dismiss the petition be, and it is hereby, denied, for the reason that sufficient grounds have not been shown to warrant granting the relief sought;

It is further ordered, That an investigation be, and it is hereby, instituted, and that a hearing be held therein for the purpose of receiving evidence from

the respondents hereinafter designated, and any other persons interested, to determine whether the said rates and charges of the common carriers by railroad, or any of them, operating in the State of Illinois for the intrastate transportation of commodities as described in the report listed above, made or imposed by authority of the State of Illinois cause, or will cause, by reason of the failure of such rates and charges to include increases corresponding to those permitted by this Commission for interstate traffic in the proceeding listed above, any undue or unreasonable advantage, preference or prejudice, as between persons or localities in intrastate commerce, on the one hand, and interstate or foreign commerce, on the other hand, or any undue, unreasonable or unjust discrimination against, or undue burden on, interstate or foreign commerce; and to determine what rates and charges shall be prescribed to remove the unlawful advantage, preference, prejudice, discrimination, or undue burden, if any, that may be found to exist;

It is further ordered, That all common carriers by railroad operating within the State of Illinois subject to the jurisdiction of this Commission be, and they are hereby, made respondents to this proceeding; that a copy of this order be served upon each of the said respondents, and that the State of Illinois be notified of the proceeding by sending a copy of this order by certified mail to the Governor of the State, Springfield, Ill., and the Illinois Commerce Commission, State Office Building, Springfield, Ill.;

It is further ordered, That notice of this proceeding be given to the public by depositing a copy of this order in the office of the Secretary of the Commission at Washington, D.C., and by filing a copy with the Director, Office of the Federal Register, Washington, D.C.;

And it is further ordered, That this proceeding be assigned for hearing at such time and place as the Commission may hereinafter designate.

By the Commission, Division 2.

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

APPENDIX

Alton and Southern Railroad.
The Atchison, Topeka and Santa Fe Railway Co.
Aurora, Elgin and Fox River Electric Co.
The Baltimore and Ohio Chicago Terminal Railroad Co.
The Baltimore and Ohio Railroad Co.
Chicago & Eastern Illinois Railroad Co.
Chicago & Illinois Midland Railway Co.
Chicago & Illinois Western Railroad.
Chicago & North Western Railway Co.
Chicago & Western Indiana Railroad Co.
Chicago, Burlington & Quincy Railroad Co.
Chicago Great Western Railway Co.
Chicago Heights Terminal Transfer Railroad Co.
Chicago, Milwaukee, St. Paul and Pacific Railroad Co.
The Chicago River and Indiana Railroad Co.
Chicago, Rock Island and Pacific Railroad Co.
Chicago Short Line Railway Co.
Chicago South Shore and South Bend Railroad.
Chicago, West Pullman & Southern Railroad Co.
East St. Louis Junction Railroad Co.
Elgin, Joliet and Eastern Railway Co.
Erie-Lackawanna Railroad Co.
Grand Trunk Western Railroad Co.
Gulf, Mobile and Ohio Railroad Co.
Illinois Central Railroad Co.
Illinois Northern Railway.
Illinois Terminal Railroad Co.
Indiana Harbor Belt Railroad Co.
The La Salle and Bureau County Railroad Co.
Louisville and Nashville Railroad Co.
Manufacturers' Junction Railway Co.
Missouri-Illinois Railroad Co.
Missouri Pacific Railroad Co.
Monon Railroad.
Norfolk and Western Railway Co.
Paducah & Illinois Railroad Co.
The Pennsylvania New York Central Transportation Co.
Peoria and Pekin Union Railway Co.
Peoria Terminal Co.
Soo Line Railroad Co.
Southern Railway Co.
Terminal Railroad Association of St. Louis.
Toledo, Peoria & Western Railroad Co.
The Belt Railway Company of Chicago.

[F.R. Doc. 68-3354; Filed, Mar. 19, 1968; 8:46 a.m.]

[Notice 490]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

MARCH 15, 1968.

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

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

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

MOTOR CARRIERS OF PROPERTY

No. MC 2401 (Deviation No. 19), MOTOR FREIGHT CORPORATION, 2345 South 13th Street, Post Office Box 2057, Idaho Station, Terre Haute, Ind. 47802, filed March 8, 1968. Carrier proposes to operate as a *common carrier,* by motor vehicle, of *general commodities,* with certain exceptions, over a deviation route as follows: From Louisville, Ky., over Interstate Highway 264 to junction Interstate Highway 71, thence over Interstate Highway 71 to Cincinnati, Ohio, and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: (1) From Harrison, Ohio-Ind., over U.S. Highway 52 to junction Ohio Highway 128 (U.S. Highway 50 bypass), thence over Ohio Highway 128 to junction U.S. Highway 50, thence over U.S. Highway 50 to junction Interstate Highway 65, thence over Interstate Highway 65 to Louisville, Ky., (2) from junction U.S. Highway 50 and Indiana Highway 62 over Indiana Highway 62 to junction Interstate Highway 65, (3) from junction U.S. Highway 50 and Indiana Highway 7 over Indiana Highway 7 to junction Indiana Highway 3, thence over Indiana Highway 3 to junction Indiana Highway 62, and (4) from Cincinnati, Ohio, over U.S. Highway 52 to junction unnumbered highway (formerly portion U.S. Highway 52), near Dent, Ohio, thence over unnumbered highway via Harrison, Ohio, to junction U.S. Highway 52, thence over U.S. Highway 52 via Brookville and Rushville, Ind., to Indianapolis, Ind., and return over the same routes.

No. MC 2401 (Deviation No. 20), MOTOR FREIGHT CORPORATION, 2345 South 13th Street, Post Office Box 2057, Idaho Station, Terre Haute, Ind. 47802, filed March 8, 1968. Carrier proposes to operate as a *common carrier,* by motor vehicle, of *general commodities,* with certain exceptions, over a deviation route as follows: From Nashville, Tenn., over Interstate Highway 65 to junction Interstate Highway 264, south of Louisville, Ky., thence over Interstate Highway 264, to junction Interstate Highway 64, east of Louisville, Ky., thence over Interstate Highway 64 to junction Interstate Highway 75, north of Lexington, Ky., thence over Interstate Highway 75, to Cincinnati, Ohio, and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service route as follows: (1) From Nashville, Tenn., over U.S. Highway 41 to junction U.S. Highway 431 north of Springfield, Tenn., thence over U.S. Highway 431 to the Tennessee-Kentucky State line, thence over U.S. Highway 431 to Adairville, Ky., (2) from Adairville, Ky., over U.S. Highway 431 to Russellville, Ky., (3) from Russellville, Ky., over U.S. Highway 431 to Owensboro, Ky., (4) serving points in Ohio County, Ky., west of Kentucky Highway 369 and south of U.S. Highway 62, as off-route point in connection with carrier's regular-route operations between Russellville and Owensboro, Ky., authorized herein (includes that portion of Beaver Dam, Ky., lying west of Kentucky Highway 369 and south of U.S. Highway 62), (5) serving Beaver Dam, Ky., as an off-route point in connection with carrier's regular-route operations to and from Louisville, Ky., (6) from Harrison, Ohio-Ind., over U.S. Highway 52 to junction Ohio Highway 128 (U.S. Highway 50 bypass), thence over Ohio Highway 128 to junction U.S. Highway 50, thence over U.S. Highway 50 to junction Interstate Highway 65, thence over Interstate Highway 65 to Louisville, Ky. (also from junction U.S. Highway 50 and Indiana Highway 62 over Indiana Highway 62 to junction

Interstate Highway 65; and also from junction U.S. Highway 50 and Indiana Highway 7 over Indiana Highway 7 to junction Indiana Highway 3, thence over Indiana Highway 3 to junction Indiana Highway 62), and (7) from Cincinnati, Ohio, over U.S. Highway 52 to junction unnumbered highway (formerly portion U.S. Highway 52) near Dent, Ohio, thence over unnumbered highway via Harrison, Ohio, to junction U.S. Highway 52, thence over U.S. Highway 52 via Brookville and Rushville, Ind., to Indianapolis, Ind., and return over the same routes.

No. MC 2401 (Deviation No. 21), MOTOR FREIGHT CORPORATION, 2345 South 13th Street, Post Office Box 2057, Idaho Station, Terre Haute, Ind. 47802, filed March 8, 1968. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Nashville, Tenn., over Interstate Highway 24 to junction Interstate Highway 57, near Pulleys Mill, Ill., thence over Interstate Highway 57 to junction Interstate Highway 64, near Mount Vernon, Ill., thence over Interstate Highway 64 to East St. Louis, Ill., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: (1) From Nashville, Tenn., over U.S. Highway 41 to junction U.S. Highway 431, north of Springfield, Tenn., thence over U.S. Highway 431 to the Tennessee-Kentucky State line, thence over U.S. Highway 431 to Adairville, Ky., (2) from Adairville, Ky., over U.S. Highway 431 to Russellville, Ky., (3) from Russellville, Ky., over U.S. Highway 431 to Owensboro, Ky., (4) from Owensboro, Ky., over U.S. Highway 231 to junction Indiana Highway 66, thence over Indiana Highway 66 to Evansville, Ind., (5) from Stanley, Ky., over U.S. Highway 60 to junction U.S. Highway 41 near Henderson, Ky., thence over U.S. Highway 41 to Evansville, Ind., (6) from junction U.S. Highways 41 and 60 (near Henderson, Ky.) over U.S. Highway 41 to Sebree, Ky., thence over Kentucky Highway 56 to Beech Grove, Ky., (7) from Evansville, Ind., over U.S. Highway 41 to Vincennes, Ind., and (8) from Vincennes, Ind., over U.S. Highway 50 to East St. Louis, Ill., and return over the same routes.

No. MC 2401 (Deviation No. 22), MOTOR FREIGHT CORPORATION, 2345 South 13th Street, Post Office Box 2057, Idaho Station, Terre Haute, Ind. 47802, filed March 8, 1968. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Columbus, Ohio, over Interstate Highway 70 to Kansas City, Mo., thence over Interstate Highway 29 to Council Bluffs, Iowa, and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service route as follows: (1) From Columbus, Ohio, over U.S. Highway 40 to West Jefferson, Ohio, (2) from West Jefferson, Ohio, over U.S. Highway 40 to Summerford, Ohio, (3) from Summerford, Ohio, over U.S. Highway 40 to Springfield, Ohio, (4) from Springfield, Ohio, over U.S. Highway 40 to junction Ohio Highway 440 (formerly portion U.S. Highway 40), thence over Ohio Highway 440 to junction U.S. Highway 40, thence over U.S. Highway 40 to junction U.S. Highway 35, (5) from junction U.S. Highways 40 and 35 over U.S. Highway 40 via Richmond, Ind., to Indianapolis, Ind., (5) from Indianapolis, Ind., over U.S. Highway 52 to Montmorenci, Ind., thence over U.S. Highway 231 (formerly portion Indiana Highway 53) to junction Indiana Highway 53, thence over Indiana Highway 53 to junction U.S. Highway 30, thence over U.S. Highway 30 to Chicago Heights, Ill., thence north over unnumbered highway to junction U.S. Highway 54, thence over U.S. Highway 54 to Chicago, Ill., and (6) from Chicago, Ill., over Alternate U.S. Highway 30 to junction unnumbered highway at a point approximately 2½ miles southeast of Emerson, Ill., thence over unnumbered highway via Emerson to junction U.S. Highway 30 at a point approximately 3 miles southwest of Emerson, thence over U.S. Highway 30 to junction Iowa Highway 131, thence over Iowa Highway 131 to junction Iowa Highway 212, thence over Iowa Highway 212 to junction U.S. Highway 30, thence over U.S. Highway 30 to Missouri Valley, Iowa, thence over Alternate U.S. Highway 30 (formerly portion U.S. Highway 75) to Council Bluffs, Iowa, and return over the same routes.

No. MC 4963 (Deviation No. 24), JONES MOTOR CO., INC., Bridge Street and Schuykill Road, Spring City, Pa. 19475, filed March 8, 1968. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over deviation routes as follows: (1) From Toledo, Ohio, over Interstate Highway 75 to Detroit, Mich., (2) from Morton, Ill., over Interstate Highway 74 to Galesburg, Ill., and (3) from junction Interstate Highway 76 and U.S. Highway 22 over U.S. Highway 22 to Armagh, Pa., thence over Pennsylvania Highway 403 to Johnstown, Pa., thence over Pennsylvania Highway 56 to junction U.S. Highway 220, thence over U.S. Highway 220 to junction Interstate Highway 76, and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: (1) From Toledo, Ohio, over U.S. Highway 24 to Flat Rock, Mich., thence over U.S. Highway 25 to Detroit, Mich., (2) from Morton, Ill., over U.S. Highway 150 to Galesburg, Ill., and (3) from junction Interstate Highway 76 and U.S. Highway 22 over Interstate Highway 76 to Breezewood, Pa., and return over the same routes.

No. MC 19000 (Deviation No. 1), DOROTHY H. LOUGHMAN, doing business as WAYNESBURG-PITTSBURGH LOCAL EXPRESS, Box 33, Rural Delivery 4, Waynesburg, Pa. 15370, filed March 7, 1968. Carrier's representative: Henry M. Wick, Jr., 2310 Grant Building, Pittsburgh, Pa. 15219. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over deviation routes as follows: (1) From Pittsburgh, Pa., over Interstate Highway 79 to junction Pennsylvania Highway 50, thence over Pennsylvania Highway 50 to junction Interstate Highway 79, thence over Interstate Highway 79 to junction Interstate Highway 70, thence over Interstate Highway 70 to junction Interstate Highway 79, thence over Interstate Highway 79 to junction Pennsylvania Highway 21, thence over Pennsylvania Highway 21 to Waynesburg, Pa., and (2) from Pittsburgh, Pa., over Interstate Highway 79 to junction Pennsylvania Highway 50, thence over Pennsylvania Highway 50 to junction Interstate Highway 79, thence over Interstate Highway 79 to Washington, Pa., and (3) from Washington, Pa., over U.S. Highway 19 to junction Interstate Highway 79, thence over Interstate Highway 79 to junction Pennsylvania Highway 21, thence over Pennsylvania Highway 21 to Waynesburg, Pa., and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Pittsburgh, Pa., over U.S. Highway 19 to Waynesburg, Pa., and return over the same route, restricted to the condition that no service is authorized to or from Pittsburgh, Washington, or Waynesburg, Pa., for pickup and delivery of traffic originating at or destined to said points.

No. MC 43421 (Deviation No. 17), DOHRN TRANSFER COMPANY, Post Office Box 1237, Rock Island, Ill. 61202, filed March 4, 1968. Carrier's representative: Edward G. Bazelon, 39 South La Salle Street, Chicago, Ill. 60603. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: Between Cleveland, Ohio, and Boston, Mass., over Interstate Highway 90, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Cleveland, Ohio, over U.S. Highway 20 to Auburn, N.Y., thence over New York Highway 5 to Albany, N.Y., thence over U.S. Highway 20 to Boston, Mass., and return over the same route.

No. MC 43421 (Deviation No. 18), DOHRN TRANSFER COMPANY, Post Office Box 1237, Rock Island, Ill. 61202, filed March 4, 1968. Carrier's representative: Edward G. Bazelon, 39 South La Salle Street, Chicago, Ill. 60603. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Cleveland, Ohio, over Interstate Highway 80 to junction Interstate Highway 94, thence over Interstate Highway 94 to

Chicago, Ill., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Cleveland, Ohio, over Ohio Highway 254 to junction Ohio Highway 57, thence over Ohio Highway 57 to Lorain, Ohio, thence over Ohio Highway 2 via Sandusky, Ohio, to Toledo, Ohio, thence over Ohio Highway 51 (formerly U.S. Highway Business Route 20) to junction U.S. highway 20, thence over U.S. Highway 20 to Chicago, Ill., and return over the same route.

No. MC 43421 (Deviation No. 19), DOHRN TRANSFER COMPANY, Post Office Box 1237, Rock Island, Ill. 61202, filed March 4, 1968. Carrier's representative: Edward G. Bazelon, 39 South La Salle Street, Chicago, Ill. 60603. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Huron, Ohio, over U.S. Highway 6 to junction Interstate Highway 94, thence over Interstate Highway 94 to Chicago, Ill., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: from Cleveland, Ohio, over Ohio Highway 254 to junction Ohio Highway 57, thence over Ohio Highway 57 to Lorain, Ohio, thence over Ohio Highway 2 via Sandusky, Ohio, to Toledo, Ohio, thence over Ohio Highway 51 (formerly U.S. Highway Business Route 20) to junction U.S. Highway 20, thence over U.S. Highway 20 to Chicago, Ill., and return over the same route.

No. MC 43421 (Deviation No. 20), DOHRN TRANSFER COMPANY, Post Office Box 1237, Rock Island, Ill. 61202, filed March 4, 1968. Carrier's representative: Edward G. Bazelon, 39 South La Salle Street, Chicago, Ill. 60603. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: Between Fort Wayne, Ind., and junction Interstate Highway 69 and U.S. Highway 20, over Interstate Highway 69, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: (1) From Fort Wayne, Ind., over Indiana Highway 3 to junction U.S. Highway 20, and (2) from Cleveland, Ohio, over Ohio Highway 254 to junction Ohio Highway 57, thence over Ohio Highway 57 to Lorain, Ohio, thence over Ohio Highway 2 via Sandusky, Ohio, to Toledo, Ohio, thence over Ohio Highway 51 (formerly U.S. Highway Business Route 20) to junction U.S. Highway 20, thence over U.S. Highway 20 to Chicago, Ill., and return over the same routes.

No. MC 108937 (Deviation No. 6), MURPHY MOTOR FREIGHT LINES, INC., 2323 Terminal Road, St. Paul, Minn. 55113, filed March 7, 1968. Carrier's representative: R. L. Stevens, same address as applicant. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over deviation routes as follows: (1) From Chicago, Ill., over Interstate Highway 90 to junction Illinois Highway 190, thence over Illinois Highway 190 to junction U.S. Highway 30, thence over U.S. Highway 30 to junction U.S. Highway 69, thence over U.S. Highway 69 to junction U.S. Highway 18, thence over U.S. Highway 18 to junction Iowa Highway 17, thence over Iowa Highway 17 to junction Iowa Highway 9, thence over Iowa Highway 9 to junction U.S. Highway 71, thence over U.S. Highway 71 to Jackson, Minn., and (2) from Chicago, Ill., over U.S. Highway 34 to junction U.S. Highway 30, thence over the route described in (1) above to Jackson, Minn., and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: (1) From Chicago, Ill., over U.S. Highway 20 to junction Illinois Highway 53, thence over Illinois Highway 53 to junction U.S. Highway 12, thence over U.S. Highway 12 to junction Interstate Highway 90, thence over Interstate Highway 90 to junction U.S. Highway 16, thence over U.S. Highway 16 to Jackson, Minn., restricted (a) the authority to serve Round Lake and Sioux Valley, Minn., restricted against the provision of service in those portions of the commercial zones thereof as defined by the Commission which are located at a distance greater than 35 miles from Westbrook, Min., and (b) is restricted to the transportation of shipments moving from, to, or through Chicago, Ill., and Sioux Falls, S. Dak., (2) from Chicago, Ill., over U.S. Highway 12 to junction Illinois Highway 53, and (3) from junction U.S. Highway 16 and Minnesota Highway 44, over Minnesota Highway 44 to junction U.S. Highway 52 thence over U.S. Highway 52 to junction U.S. Highway 16, and return over the same routes.

No. MC 108937 (Deviation No. 7), MURPHY MOTOR FREIGHT LINES, INC., 2323 Terminal Road, St. Paul, Minn. 55113, filed March 7, 1968. Carrier's representative: R. L. Stevens, same address as applicant. Carrier proposes to operate as a *ccmmon carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: Between Moorhead, Minn., and junction U.S. Highways 10 and 52 at St. Cloud, Minn., over U.S. Highway 10, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: (1) From Fargo, N. Dak., over U.S. Highway 52 (also U.S. Highway 10) to Moorhead, Minn., thence over U.S. Highway 75 to Breckenridge, Minn., thence over Bois de Sioux River to Wahpeton, N. Dak., (2) from Fargo, N. Dak., over U.S. Highway 81 to Wahpeton, N. Dak., (3) from St. Paul, Minn., over city streets to Minneapolis, Minn., thence over U.S. Highway 52 to Fergus Falls, Minn., thence over Minnesota Highway 210 to junction U.S. Highway 75, thence over U.S. Highway 75 to Breckenridge, Minn., thence over city streets to Wahpeton, N. Dak., and (4) from Wahpeton, N. Dak., over unnumbered highway to the North Dakota-Minnesota State line, thence over unnumbered highway to Breckenridge, Minn., and return over the same routes.

MOTOR CARRIER OF PASSENGERS

No. MC 1515 (Deviation No. 434), GREYHOUND LINES, INC. (Eastern Division), 1400 West Third Street, Cleveland, Ohio 44113, filed March 5, 1968. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, and *express* and *newspapers* in the same vehicle with passengers, over a deviation route as follows: From Toledo, Ohio, over Interstate Highway 475 to junction U.S. Highway 24, and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over a pertinent service route as follows: From junction Ohio Highway 110 and U.S. Highway 24 at a point approximately one-half mile north of Grand Rapids, Ohio, over U.S. Highway 24 via Toledo, Ohio, to junction Interstate Highway 475, and return over the same route.

No. MC 1515 (Deviation No. 435), GREYHOUND LINES, INC. (Western Division), Market and Fremont Streets, San Francisco, Calif. 95106, filed March 7, 1968. Carrier's representative: W. T. Meinhold, 371 Market Street, San Francisco, Calif. 94105. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, and *express* and *newspapers* in the same vehicle with passengers, over a deviation route as follows: From junction U.S. Highway 50 and Interstate Highway 580 (Chrisman Road Junction), over Interstate Highway 580 to junction California Highway 132 (West Vernalis Junction), thence over California Highway 132 to junction California Highway 33 (Vernalis Junction), and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over pertinent service routes as follows: (1) From San Francisco, Calif., over San Francisco-Oakland Bay Bridge to Oakland, thence over unnumbered highway to junction California Highway 185 (High Street Junction), thence over California Highway 185 to junction unnumbered highway (Hayward), thence over unnumbered highway to junction Interstate Highway 580 northeast of Hayward (Hayward Junction), thence over Interstate Highway 580 to junction U.S. Highway 50 (Chrisman Road Junction), thence over U.S. Highway 50 via Tracy to junction California Highway 120 (San Joaquin Bridge), thence over California Highway 120 to junction unnumbered highway (Manteca), thence over unnumbered highway to junction U.S. Highway 99 south of Manteca (South Manteca), thence over U.S. Highway 99 to junction unnumbered highway (North Modesto Junction), thence over unnumbered highway to junction U.S. Highway

99 (South Modesto Junction), thence over U.S. Highway 99 to junction unnumbered highway (North Merced Junction), thence over unnumbered highway to junction U.S. Highway 99 (South Merced Junction), thence over U.S. Highway 99 to junction unnumbered highway (Fresno), thence over unnumbered highway to junction U.S. Highway 99 (South Kingsburg Junction), thence over U.S. Highway 99 to junction unnumbered highway (North Bakersfield Junction), thence over unnumbered highway to junction U.S. Highway 99 (South Bakersfield Junction, thence over U.S. Highway 99 to junction Interstate Highway 5 (Maricopa Junction), thence over Interstate Highway 5 to junction unnumbered highway (San Fernando Junction), thence over unnumbered highway to junction California Highway 163 (Colorado Boulevard Junction), thence over California Highway 163 to Los Angeles, Calif., and (2) from junction U.S. Highway 50 and California Highway 33 east of Tracy, Calif. (Westside Junction), over California Highway 33 to junction California Highway 132 (Vernalis Junction), thence over California Highway 132 to Modesto, Calif., and return over the same routes.

No. MC 1515 (Deviation No. 436) (Cancels Deviation No. 190), GREYHOUND LINES, INC. (Eastern Division), 1400 West Third Street, Cleveland, Ohio 44113, filed March 11, 1968. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, and *express* and *newspapers* in the same vehicle with passengers, over deviation routes as follows: (1) From Chicago, Ill., over Interstate Highway 55 (Stevenson Expressway) to junction U.S. Highway 66 and Interstate Highway 294 in Burr Ridge, Ill., (2) from the Interchange of Interstate Highway 55 (Stevenson Expressway) and Illinois Highway 43 (Harlem Avenue) over Illinois Highway 43 (Harlem Avenue) to Stickney, Ill., and (3) from the Interchange of Interstate Highway 55 (Stevenson Expressway) and U.S. Highway 45 (La Grange Road) over U.S. Highway 45 (La Grange Road) to Countryside, Ill., and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over a pertinent service route as follows: From Chicago, Ill., over U.S. Highway 66 to junction Alternate U.S. Highway 66 at a point approximately 10 miles northeast of Joliet, Ill., and return over the same route.

No. MC 50655 (Deviation No. 1), GULF TRANSPORT COMPANY, 505 South Conception Street, Mobile, Ala. 36603, filed March 7, 1968. Carrier's representative: W. A. Kimbrough, Jr., Post Office Box 1828, Mobile, Ala. 36601. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, and *express* and *newspapers* in the same vehicle with passengers, over a deviation route as follows: From Bardwell, Ky., over U.S. Highway 51 to Clinton, Ky., thence over Kentucky Highway 58 to junction Kentucky Highway 123, west of Clinton, Ky., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over a pertinent service route as follows: From Bardwell, Ky., over Kentucky Highway 123 to Columbus, Ky., thence over Kentucky Highway 58 to junction Kentucky Highway 123 west of Clinton, Ky., and return over the same route.

By the Commission.

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

[F.R. Doc. 68-3355; Filed, Mar. 19, 1968; 8:46 a.m.]

[Notice 1162]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

MARCH 15, 1968.

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

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

APPLICATIONS ASSIGNED FOR ORAL HEARING

MOTOR CARRIERS OF PROPERTY

No. MC 128300 (Sub-No. 2) (Republication), filed August 17, 1966. Applicant: ROSS A. FISH AND JACK VERKLER, a partnership, doing business as FISH AND VERKLER, 1017 East Eighth Street, Mesa, Ariz. Applicant's representative: A. Michael Bernstein, 1327 Guaranty Bank Building, Phoenix, Ariz. 85012. By application filed August 17, 1966, applicant seeks a certificate of public convenience and necessity authorizing operation in interstate or foreign commerce as a common carrier, by motor vehicle, over irregular routes of (1) lumber from lumber mills in Arizona to points in California, New Mexico, Nevada, and Texas, (2) roofing, from points in Los Angeles County, Calif., to points in Arizona and (3) lumber, from points in Los Angeles County, Calif., and lumber mills located in California to points in Arizona. A report and order of the Commission, Division 1, served January 31, 1968, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a common carrier (1) of *lumber* (a) from Snowflake, Cutter, Fredonia, and Payson, Ariz., to Port Hueneme, Los Angeles, and San Diego, Calif., points in New Mexico, and points in that part of Texas on and north of U.S. Highway 80 extending from El Paso, Tex., to Dallas, Tex., and on and west of U.S. Highway 75 extending from Dallas, Tex., to the Oklahoma-Texas boundary line, (b) from points in Arizona to points in Nevada, and (c) from points in Los Angeles County, Calif., and points in that part of California north of Interstate Highway 80 to Phoenix, Ariz., and (2) of *roofing* from the plantsite of Johns-Manville at or near Los Angeles, Calif., to Globe, Miami, Payson, and Tucson, Ariz., subject to the conditions (1) that applicants shall conduct separately their for-hire carrier operations and the other business activities conducted by applicant Ross A. Fish, (2) that they shall maintain separate accounts and records therefor, and (3) that they shall not transport property as both a private and for-hire carrier in the same vehicle at the same time, that applicants are fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder; because it is possible that other persons, who have relied upon the notice of the application as published may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file a petition to reopen or for other appropriate relief setting forth in detail the precise manner in which it has been so prejudiced.

NOTICE OF FILING OF PETITION

No. MC 106451 (Sub-No. 5) (Notice of Filing of Petition To Amend Certificate So As To Eliminate Restriction), filed February 27, 1968. Petitioner: COOK MOTOR LINES, INC., 408 Wellington Avenue, Post Office Box 1391, Akron, Ohio 44309. Petitioner's representative: A. Charles Tell, 100 East Broad Street, Columbus, Ohio 43215. Petitioner holds authority in No. MC 106451 (Sub-No. 5), to transport: *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 Huntington, W. Va., and New Martinsville, W. Va.: From Huntington over West Virginia Highway 2 to New Martinsville, and return over the same route, between Huntington, W. Va., and Alloy, W. Va.: From Huntington over U.S. Highway 60 to Alloy, and return over the same route, between Point Pleasant, W. Va., and Charleston, W. Va.: From Point Pleasant over U.S. Highway 35 to Charleston, and return over the same route, between Charleston, W. Va., and Parkersburg, W. Va.: From Charleston over U.S. Highway 21 to Parkersburg, and return over the same

route, between Mineralwells, W. Va., and Spencer, W. Va.: From Mineralwells over West Virginia Highway 14 to Spencer, and return over the same route, between Mason, W. Va., and Franklin, W. Va.:

From Mason over U.S. Highway 33 to Franklin, and return over the same route, between Parkersburg, W. Va., and Romney, W. Va.: From Parkersburg over U.S. Highway 50 to Romney, and return over the same route, between New Martinsville, W. Va., and Buckhannon, W. Va.: From New Martinsville over West Virginia Highway 20 to Buckhannon, and return over the same route, between Wheeling, W. Va., and Elkins, W. Va.: From Wheeling over U.S. Highway 250 to Elkins, and return over the same route, between Morgantown, W. Va., and Weston, W. Va.: From Morgantown over U.S. Highway 19 to Weston, and return over the same route, between Keyser, W. Va., and Franklin, W. Va.: From Keyser over U.S. Highway 220 to Franklin, and return over the same route. Serving on the above-specified routes all intermediate points and all off-route points located in Ohio, Marshall, Wetzel, Tyler, Pleasants, Wood, Jackson, Mason, Cabell, Putnam, Kanawha, Fayette, Wirt, Roane, Calhoun, Gilmer, Lewis, Upshur, Randolph, Pendleton, Ritchie, Doddridge, Harrison, Taylor, Tucker, Preston, Grant, Minerla, Hampshire, Marion, Barbour, Monongalia, and Hardy Counties, W. Va., except that no service is authorized to points in those portions of said counties lying south of U.S. Highway 60. Restriction: The authority granted herein is restricted against the transportation of traffic originating at or destined to Huntington, Charleston, and Parkersburg, W. Va. By the instant petition, petitioner seeks to amend its certificate so as to remove the restriction set forth above. Any person or persons desiring to participate, may file an original and six copies of his written representations, views or argument in support of, or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

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

MOTOR CARRIERS OF PROPERTY

No. MC–F–10043. (Correction) (RAILWAY EXPRESS AGENCY, INC.—Purchase—RAILWAY EXPRESS AGENCY, INC., OF CALIFORNIA), published in the February 21, 1968, issue of the FEDERAL REGISTER, on page 3252. The first route description: "between Buena Vista, Va., and Lexington, Va." was inadvertently included and should be omitted from the operating rights sought to be transferred. Portions of the prior publication failed to include "moving in air or rail express service", and should read: Operating rights sought to be transferred: *General commodities*, moving in air or rail express service, as a *common carrier*, over regular routes, between Reno, Nev., and Westwood, Calif., serving the intermediate points of Susanville and Janesville, Calif.; between Santa Rosa, Calif., and Sebastopol, Calif., between Carmel, Calif., and Monterey, Calif., serving no intermediate points, between Sacramento, Calif., and Rio Vista, Calif., serving certain intermediate points, with restrictions; and *general commodities*, moving in rail express service, over irregular routes, between San Diego, Calif., and National City, Calif., with restrictions.

No. MC–F–10069. Authority sought for purchase by PROCTOR EXPRESS, INC., 1541 North Fifth Street, Philadelphia, Pa. 19122, of the operating rights of MARDAS MOTOR FREIGHT, INC., 202 Powhattan Avenue, Essington, Pa., and for acquisition by ERVIN C. LANE, also of Philadelphia, Pa., of control of such rights through the purchase. Applicants' attorney: David G. MacDonald, 1000 16th Street NW., Washington, D.C. 20036. Operating rights sought to be transferred: *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, as a *common carrier*, over irregular routes, between Philadelphia, Pa., on the one hand, and, on the other, Newark and Orange, N.J., Baltimore, Md., points in the District of Columbia, certain specified points in New Jersey, Pennsylvania, and those in that part of Delaware north of a line beginning at the Maryland-Delaware State line near Newark, Del., and extending through Newark and Delaware City, Del., to the Delaware-New Jersey State line, including the points specified; and *fruits, produce* and *advertising matter* pertaining to such commodities, between Philadelphia, Pa., and New York, N.Y. Vendee is authorized to operate as a *common carrier* in Pennsylvania, New Jersey, New York, Massachusetts, Connecticut, and Rhode Island. Application has not been filed for temporary authority under section 210a(b).

No. MC–F–10070. Authority sought for purchase by B. F. WALKER, INC., 650 17th Street, Denver, Colo. 80202, of the operating rights and property of JESS EDWARDS, INC., 7200 Up River Road, Post Office Box 1091, Corpus Christi, Tex. 78403, and for acquisition by THE SAMUEL ROBERTS NOBEL FOUNDATION, Post Office Box 878, Ardmore, Okla. 73401, of control of such rights and property through the purchase. Applicants' attorney: Jerry Prestridge, Post Office Box 1148, Austin, Tex. 78767. Operating rights sought to be transferred: *Heavy machinery* and *machinery, equipment, materials, and supplies* used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products, and byproducts, and *machinery, materials, equipment, and supplies* used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipelines, including the stringing and picking up thereof, as a *common carrier*, over irregular routes, between points in Kansas, Colorado, Nebraska, Oklahoma, and Texas; and *machinery, equipment, materials, and supplies* used in or in connection with the construction, operation, repair, servicing, maintenance, and dismantling of pipelines, other than pipelines used for the transmission of natural gas, petroleum, their products and byproducts, water, or sewerage, restricted to the transportation of shipments moving to or from pipeline rights of way, between points in Kansas, Colorado, Nebraska, Oklahoma, and Texas. Vendee is authorized to operate as a *common carrier* in Texas, Louisiana, Oklahoma, New Mexico, Kansas, Colorado, Wyoming, Utah, Montana, Arizona, North Dakota, South Dakota, Nebraska, and Nevada. Application has been filed for temporary authority under section 210a(b).

No. MC–F–10071. Authority sought for purchase by MERCHANTS FAST MOTOR LINES, INC., East U.S. Highway 80, Post Office Drawer 270, Abilene, Tex. 79604, of a portion of the operating rights of HERRIN TRANSPORTATION COMPANY, 2301 McKinney Street, Post Office Box 1440, Houston, Tex. 77001. Applicants' attorneys: Leroy Hallman, 45th Floor, First National Bank Building, Dallas, Tex. 75202, and Reagan Sayers, 301 Century Life Building, Post Office Drawer 17007, Fort Worth, Tex. 76102. Operating rights sought to be transferred: *Classes A and B explosives, general commodities*, except those of unusual value, baled cotton, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading; and *Government-owned compressed gas trailers*, empty or loaded with compressed gases other than liquefied petroleum gas, as a *common carrier*, over regular routes, between Houston, Tex., and Fort Worth, Tex., on the one hand, and, on the other, Houston, Tex., and Dallas, Tex., via Hemstead, Waco, and Hillsboro, Tex. Vendee is authorized to operate as a *common carrier* in Texas. Application has not been filed for temporary authority under section 210a(b).

No. MC–F–10072. Authority sought for purchase by RED STAR EXPRESS LINES OF AUBURN, INCORPORATED, doing business as RED STAR EXPRESS LINES, 24–50 Wright Avenue, Auburn, N.Y. 13021, of a portion of the operating rights of BOSTON AND SPRINGFIELD DESPATCH, INC., 137 Harvard Avenue, Stamford, Conn. 06901, and for acquisition by JOHN BISGROVE, 264 East Genesee Street, Auburn, N.Y., of control of such rights through the purchase. Applicants' attorney: Leonard A. Jaskiewicz, 1155 15th Street NW., Washington, D.C. 20005. Operating rights sought to be transferred: *General commodities*, excepting, among others, household

goods and commodities in bulk, as a *common carrier*, over a regular route, between Springfield, Mass., and Bridgeport, Conn., serving all intermediate points, unrestricted, the off-route point of Warehouse Point, Conn., restricted to southbound traffic only, and the off-route point of Waterville, Conn., restricted to northbound traffic only. Vendee is authorized to operate as a *common carrier* in New York, Pennsylvania, Connecticut, New Jersey, Vermont, Massachusetts, and Rhode Island. Application has been filed for temporary authority under section 210a(b).

No. MC–F–10073. Authority sought for purchase by ASSOCIATED TRANSPORT, INC., 380 Madison Ave., New York, N.Y. 10017, of a portion of the operating rights and certain property of MUNROE AND ARNOLD-MERRITT EXPRESS, INC., Post Office Box 510, Salem, Mass. 01970. Applicants' attorneys: Francis E. Barrett, Francis P. Barrett, both of 25 Bryant Avenue, East Milton, Mass. 02186, and Mortimer A. Sullivan, Walbridge Building, Buffalo, N.Y. Operating rights sought to be transferred: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier*, over irregular routes, between points in Suffolk and Middlesex Counties, Mass., on the one hand, and, on the other, points in New Hampshire, between points in Rhode Island, on the one hand, and, on the other, points in New Hampshire moving through Boston, Mass., and points within 10 miles of Boston in Suffolk and Middlesex Counties, Mass., between points in Massachusetts, on the one hand, and, on the other, points in New Hampshire, moving through Suffolk and Middlesex Counties, Mass., between points in that part of Maine, on and south of Maine Highway 16, on the one hand, and, on the other, certain specified points in Massachusetts. Vendee is authorized to operate as a *common carrier* in Massachusetts, Connecticut, New Jersey, Rhode Island, North Carolina, Tennessee, Virginia, Georgia, Ohio, Pennsylvania, Maryland, South Carolina, Delaware, West Virginia, Kentucky, Michigan, Indiana, Missouri, New York, Illinois, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

No. MC–F–10074. Authority sought for control and merger by RINGSBY-PACIFIC LTD., 3201 Ringsby Court, Denver, Colo. 80205, of the operating rights and property of HELPHREY MOTOR FREIGHT, INC., 3417 Springfield, Spokane, Wash. 99202, and for acquisition by D. W. RINGSBY, also of Denver, Colo., and GARY S. RINGSBY, Dinosaur City, Ariz., of control of such rights and property through the transaction. Applicants' attorneys: Stockton and Lewis, The 1650 Grant Street Building, Denver, Colo. 80203. Operating rights sought to be controlled and merged: *General commodities*, as a *common carrier*, over regular routes, between Spokane, Wash., and Fortine, Mont., serving certain intermediate points; *general commodities*, excepting, among others, household goods and commodities in bulk, between Coeur d'Alene, Idaho, and Sandpoint, Idaho, serving all intermediate points, between Spokane, Wash., and Garwood, Idaho, serving no intermediate points, between Libby, Mont., and Fortine, Mont., serving all intermediate points, between Kalispell, Mont., and Coram, Mont., serving all intermediate points, and serving points within 5 miles of Coram as off-route points, between junction U.S. Highway 2 and unnumbered highway at a point northeast of Troy, Mont. (known as Yaak Junction, Mont.), and the site of the U.S. Air Force Base at or near Yaak, Mont., serving no intermediate points, between Spokane, Wash., and Great Falls, Mont., serving all intermediate points between Milltown, Mont. (not including Milltown), and Great Falls, between Coram, Mont., and the site of the Glasgow Air Force Base, located approximately 22 miles northeast of Glasgow, Mont., serving all intermediate points, between Glasgow, Mont., and Fort Peck, Mont., serving all intermediate points and those off-route points within 10 miles of Fort Peck, between Havre, Mont., and Great Falls, Mont., serving all intermediate points, between Browning, Mont., and Great Falls, Mont., between Shelby, Mont., and Great Falls, Mont., serving no intermediate points, between Spokane, Wash., and Oroville, Wash., serving certain intermediate points, and the off-route points of Chief Joseph Dam Site (located approximately 2 miles from Bridgeport, Wash.), and points within 12 miles of the Chief Joseph Dam Site, between Oroville, Wash., and the United States-Canada boundary line approximately 8 miles north of Oroville, serving no intermediate points, between certain specified points in Washington, serving all intermediate points, between Yakima, Wash., and Portland, Oreg., serving the intermediate point of Toppenish, Wash., and the off-route point of Wapato, Wash.; *general commodities*, excepting, among others, household goods and commodities in bulk, over irregular routes, from Portland, Oreg., to points in Yakima County, Wash., except Yakima, Wapato, and Toppenish, Wash.; *farm products*, from points in Yakima County, Wash., to Portland, Oreg., and Seattle, Wash. (except from Yakima, Wapato, and Toppenish, Wash., to Portland, Oreg.); *paper*, from Oregon City, Oreg., to Hanford, Wash., and points in Yakima County, Wash.; *spray and spray materials*, from Portland, Oreg., to Wenatchee, Wash., from Yakima, Wash., to Hood River, Oreg.; and *powdered milk*, from Sunnyside, Wash., to Portland, Oreg. RINGSBY-PACIFIC, LTD., is authorized to operate as a *common carrier* in California, Oregon, Washington, and Nevada. Application has not been filed for temporary authority under section 210a(b).

By the Commission.

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

[F.R. Doc. 68–3356; Filed, Mar. 19, 1968; 8:46 a.m.]

NOTICE OF FILING OF MOTOR CARRIER INTRASTATE APPLICATIONS

MARCH 15, 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. MT–1906 filed February 28, 1968. Applicant: B & S TRANSPORTATION, INC., 30 Woodward Avenue, Springville, N.Y. 14141. Applicant's representative: Thomas J. Runfola, 631 Niagara Street, Buffalo, N.Y. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of *General commodities*, as defined in section 800.1 of Title 16 of the Official Compilation of Codes, Rules and Regulations of the State of New York, from all points in Cattaraugus County to all points in Erie County. Both intrastate and interstate authority sought.

HEARING: Not yet assigned for hearing. Request for procedural information, including the time for filing protests concerning this application should be addressed to the New York Public Service Commission, 55 Elk Street, Albany, N.Y. 12225, and should not be directed to the Interstate Commerce Commission.

State Docket No. 16038, filed February 21, 1968. Applicant: KING MOTOR LINE, INC., 1540 North Ripley Street, Montgomery, Ala. Applicant's representative: Euel A. Screws, Jr., Post Office Box 347, Montgomery, Ala. 36101. Applicant seeks to extend its existing rights as follows: Extension of rights under APSC Certificate No. 550, commencing at Atmore, Ala., then via Alabama Highways 21 and 41 to Camden, Ala., thence from Camden, Ala., via Alabama Highway 41 to Selma, Ala., thence from Selma, Ala., via U.S. Highway 80 to Montgomery, Ala.; thence for convenience of carrier only from Montgomery, Ala., via U.S. Highway 31 to Greenville, Ala., and as to all traffic (whether or not originating within said routes as extended and whether or not going beyond said routes as extended) without limitation or restriction on the right of applicant to operate between all intermediate points on the routes presently authorized by APSC Certificate No. 550 and ICC Certificate No. 121222 on the one hand, and, on the other, between all intermediate points on the proposed extensions. Also to remove restrictions of

rights under APSC Certificate No. 550, Docket No. 15842, restricting holder from transporting freight originated by such holder at Montgomery, Ala., destined to or through Mobile, Ala., and transporting freight originating at Mobile, Ala., destined to or through Montgomery, Ala. Applicant seeks to extend its existing rights over the above described routes for the transporting of general commodities only with the exception of class "A" and class "B" Explosives. Applicant seeks to extend its authority to handle interstate shipments over said extended intrastate routes in the same manner and to the same extent as its existing authority heretofore granted. Both intrastate and interstate authority sought.

HEARING: Contact Alabama Commission for this information. Requests for procedural information, including the time for filing protests, concerning this application should be addressed to the Alabama Public Service Commission, Post Office Box 991, Montgomery, Ala. 36102, and should not be directed to the Interstate Commerce Commission.

By the Commission.

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

[F.R. Doc. 68-3357; Filed, Mar. 19, 1968; 8:46 a.m.]

[Notice 569]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

MARCH 15, 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 13250 (Sub-No. 97 TA), filed March 7, 1968. Applicant: J. H. ROSE TRUCK LINE, INC., 5003 Jensen Drive, Post Office Box 16190, Houston, Tex. 77022, Houston, Tex. 77026. Applicant's representative: James M. Doherty, The 904 Lavaca Building, Austin, Tex. 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Material handling equipment; winches; compaction and road making equipment, rollers, self-propelled and non-self-propelled; mobile cranes; and highway freight trailers*, (2) *Parts, attachments and accessories* of the commodities described in (1) above, between the plantsites of the Hyster Co. located at or near Danville, Kewanee, and Peoria, Ill., on the one hand, and, on the other, points in Indiana, Arkansas, Texas, Utah, Kentucky, Missouri, New Mexico, Nevada, Tennessee, Kansas, Colorado, California, Louisiana, Oklahoma, and Arizona; restrict to the handling to traffic originating at or destined to the named plantsites, for 180 days. Supporting shipper: Hyster Co., David C. Williams, General Traffic Manager, 2902 Northeast Clackamas, Portland, Oreg. 97208. Send protests to: District Supervisor John C. Redus, Bureau of Operations, Interstate Commerce Commission, Post Office Box 61212, Houston, Tex. 77061.

No. MC 50544 (Sub-No. 61 TA), filed March 8, 1968. Applicant: THE TEXAS AND PACIFIC MOTOR TRANSPORT COMPANY, 210 North 13th Street, St. Louis, Mo. 63103. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, from New Orleans over U.S. Highway 90 to junction Louisiana Highway 18, thence over Louisiana Highway 18 to junction with Louisiana Highway 1 near Donaldsonville, La., thence over Louisiana Highway 1 to junction Louisiana Highway 76, thence over Louisiana Highway 76 to junction Louisiana Highway 415 to Anchorage, La., for 180 days. Supporting shipper: Missouri Pacific Railroad Co., 210 North 13th Street, St. Louis, Mo. 63103. NOTE: Applicant intends to interline with Missouri Pacific Truck Lines, Inc., MC 89723 and subs, at Anchorage, La. Send protests to: J. P. Werthmann, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 3248-B, 1520 Market Street, St. Louis, Mo. 63103.

No. MC 83539 (Sub-No. 228 TA) filed March 7, 1968. Applicant: C & H TRANSPORTATION CO., INC., 2010 West Commerce Street, Post Office Box 5976, Dallas, Tex. 75222, Dallas, Tex. 75208. Applicant's representative: J. P. Welsh (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Material handling equipment: winches; compaction and road making equipment, rollers, self-propelled and non-self-propelled; mobile cranes; and highway freight trailers*, (2) *Parts attachments and accessories* for the commodities described in (1) above between the plantsites of the Hyster Co. located at or near Danville, Kewanee, and Peoria, Ill., on the one hand, and, on the other, points in Arkansas, Idaho, Indiana, Iowa, Kansas, Kentucky, Louisiana, Mississippi, Montana, Nebraska, New Mexico, Oklahoma, Oregon, South Dakota, Texas, and Washington, for 180 days. NOTE: Carrier states it does not intend to tack authority applied for or to interline. Supporting shipper: The Hyster Co., Post Office Box 2902, Portland, Oreg. Send protests to: E. K. Willis, Jr., District Supervisor, Interstate Commerce Commission, Bureau of Operations, 513 Thomas Building, 1314 Wood Street, Dallas, Tex. 75202.

No. MC 104896 (Sub-No. 26 TA), filed March 7, 1968. Applicant: WOMELDORF, INC., Post Office Box 232, Lewistown, Pa. 17044. Applicant's representative: Robert L. Womeldorf (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, canned, prepared or preserved, *cooking or edible oils, matches, oleomargarine, and shortening*, except in bulk or tank vehicles, from Middletown (Dauphin County), Pa., to points in Delaware, Maryland, New Jersey, New York, Pennsylvania, Virginia, and Washington, D.C., for 180 days. Supporting shipper: Hunt-Wesson Foods, 1645 West Valencia Drive, Fullerton, Calif. 92634. Send protests to: Robert W. Ritenour, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 218 Central Industrial Building, 100 North Cameron Street, Harrisburg, Pa. 17101.

No. MC 113855 (Sub-No. 176 TA), filed March 7, 1968. Applicant: INTERNATIONAL TRANSPORT, INC., South Highway 52, Rochester, Minn. 55901. Applicant's representative: Gene P. Johnson, 502 First National Bank Building, Fargo, N. Dak. 58102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Material handling equipment; winches; compaction and road making equipment, rollers, self-propelled and non-self-propelled; mobile cranes; and highway freight trailers*, (2) *Parts, attachments and accessories* for the commodities described in (1) above, between the plantsites of the Hyster Co. located at or near Danville, Kewanee, and Peoria, Ill., on the one hand, and, on the other, points in Arizona, California, Idaho, Minnesota, Montana, Nebraska, New Mexico, North Dakota, Oregon, South Dakota, Utah, Washington, and Nevada, and Wyoming, restricted to the handling of traffic originating at or destined to the named plantsites, for 180 days. Supporting shipper: Hyster Co., 2902 Northeast Clackamas, Portland, Oreg. 97208. Send protests to: A. N. Spath, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 448 Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn. 55401.

No. MC 127664 (Sub-No. 3 TA), filed March 7, 1968. Applicant: CAPITOL DELIVERY OF OMAHA, INC., 1824 California Street, Omaha, Nebr. 68102. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except (1) classes A and B explosives, (2) household goods as defined by the Commission, (3) commodities in bulk, (4) those injurious or

contaminating to other lading, (5) commercial papers, documents, and written instruments as are used in the conduct and operations of banks and banking institutions, and (6) data processing papers, punch cards, magnetic and coded documents, magnetic tape, and punch paper tape); (1) Between Yankton and Vermillion, S. Dak.; Sioux City, Iowa; Omaha, Nebr.; Council Bluffs, Iowa; and Fairview, Kans.; and points in Nebraska and Kansas in that area bounded by a line commencing at North Platte, Nebr., thence north on U.S. Highway 83 to the Nebraska-South Dakota State line, thence east along said State line to the Missouri River, thence east and south along said River to the Nebraska-Kansas State line, thence west along said State line to its junction with U.S. Highway 75, thence south on U.S. Highway 75 to its junction with U.S. Highway 36, thence west on U.S. Highway 36 thence west on U.S. Highway 36 to its junction with U.S. Highway 83, thence north on U.S. Highway 83 to North Platte, Nebr., the point of beginning, and points on or within 5 miles of the described highways. Subject to the following restrictions:

A. No service shall be rendered in the transportation of any package or article weighing more than 100 pounds; B. no service shall be provided to or from the premises of persons who of which have entered into contracts with Capitol Delivery Service, Inc., and are served by the company pursuant to permits issued by the Interstate Commerce Commission; C. any certificate granted herein shall be subject to the right of the Interstate Commerce Commission to impose such terms, conditions or limitations in the future as it may find necessary to insure that applicant's operations shall conform to the provisions of section 210 of the Interstate Commerce Act; D. no service shall be rendered in the transportation of packages or shipments weighing in the aggregate more than 100 pounds, which are moving from any one consignor at any one location to any one consignee at any one location, on the same day. NOTE: Applicant intends to interline with Merchants Delivery Co. at Fairview, Kans., and with other carriers at Omaha, Nebr., for 180 days. Supporting shippers: There are approximately (50) statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: Keith P. Kohrs, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 705 Federal Office Building, Omaha, Nebr. 68102.

No. MC 128169 (Sub-No. 1 TA), filed March 8, 1968. Applicant: BROWN BROS. BULK TRANSPORT, INC., Post Office Box 69, Curwensville, Pa. 16833. Applicant's representative: John A. Vuono, 2310 Grant Building, Pittsburgh, Pa. 15219. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clay*, in bulk, in dump vehicles, from Pike Township, Clearfield County, Pa., to the plantsite of Crescent Brick Co. at or near New Cumberland, W. Va., for 180 days. Supporting Shipper: Thomas Bros. Coal Co., Grampian, Pa. Send protests to: Frank L. Calvary, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 2109 Federal Building, 1000 Liberty Avenue, Pittsburgh, Pa. 15222.

No. MC 129410 (Sub-No. 1 TA), filed March 8, 1968. Applicant: ROBERT BONCOSKY, INC., 893 Nottingham Lane, Crystall Lake, Ill. 60014. Applicant's representative: Irving Stillerman, 29 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cottage cheese and sour cream* in shipperowned trailers, from Janesville, Wis., to Chemung, Ill., and Franklin Park, Ill., for 150 days. Supporting shipper: Dean Foods Co., 3600 River Road, Franklin Park, Ill. 60131. Send protests to: William E. Gallagher, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 219 South Dearborn Street, Room 1086, U.S. Courthouse and Federal Office Building, Chicago, Ill. 60604.

By the Commission.

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

[F.R. Doc. 68-3358; Filed, Mar. 19, 1968; 8:46 a.m.]

[Notice 109]

MOTOR CARRIER TRANSFER PROCEEDINGS

MARCH 15, 1968.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 279), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-70287. By order of March 11, 1968, the Transfer Board approved the transfer to S. J. Kindred, doing business as Bond Transfer & Storage Co., Columbus, Miss., of certificate in No. MC-77572, issued April 16, 1962, to Bond Transfer & Storage Co., Inc., Columbus, Miss., authorizing the transportation of household goods, farm products, and livestock, between points in Lowndes County, Miss., on the one hand, and, on the other, points in Alabama. H. K. Van Every, Post Office Box 761, Columbus, Miss. 39701, attorney for applicants.

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

[F.R. Doc. 68-3359; Filed, Mar. 19, 1968; 8:47 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—MARCH

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during March.

3 CFR

Page

PROCLAMATIONS:

3831 ... 3619
3832 ... 4091
3833 ... 4167
3834 ... 4363
3835 ... 4397

EXECUTIVE ORDERS:

5903 (revoked by PLO 4371) ... 3636
6697 (revoked by PLO 4371) ... 3636
6868 (modified by EO 11401) ... 4459
7784–A (see EO 11401) ... 4459
8033 (see EO 11401) ... 4459
8647 (revoked in part by PLO 4374) ... 4333
8652 (revoked in part by PLO 4376) ... 4333
9344 (see EO 11401) ... 4459
9916 (see EO 11401) ... 4459
10128 (see EO 11401) ... 4459
10830 (amended by EO 11398) ... 4169
11074 (revoked by EO 11398) ... 4169
11248 (amended by EO 11400) ... 4507
11398 ... 4169
11399 ... 4245
11400 ... 4507
11401 ... 4459

5 CFR

213 ... 4399, 4451, 4615
307 ... 4615
315 ... 4615
550 ... 4399
1700 ... 4615

7 CFR

52 ... 4104
208 ... 4616
401 ... 4399
601 ... 4309
722 ... 4451
905 ... 4514, 4561, 4729
906 ... 4247
907 ... 4247, 4514
908 ... 4247, 4514
909 ... 4617
910 ... 4105, 4365, 4399, 4617, 4655
913 ... 4105, 4365
944 ... 4561
948 ... 4452
950 ... 4515
980 ... 4106, 4365
1125 ... 4515
1464 ... 3633
1474 ... 4452

PROPOSED RULES:

52 ... 4335
68 ... 4375
907 ... 3639, 4417, 4629
908 ... 3641
929 ... 4188
932 ... 4107
950 ... 4188
953 ... 4517
966 ... 4188
989 ... 3641
991 ... 4417
1001 ... 4419
1002 ... 4419
1003 ... 4419
1004 ... 4419
1005 ... 4581
1015 ... 4419

7 CFR—Continued

Page

PROPOSED RULES—Continued

1016 ... 4419
1033 ... 4581
1034 ... 4581
1035 ... 4581
1040 ... 4261, 4517
1041 ... 4680
1043 ... 4268
1046 ... 4581
1049 ... 4581
1065 ... 4745
1066 ... 4745
1073 ... 4474, 4585
1106 ... 4586
1125 ... 4191
1126 ... 4586
1132 ... 4586
1201 ... 4629

8 CFR

211 ... 4561
235 ... 4562
238 ... 4562
343a ... 4562

9 CFR

97 ... 4248

PROPOSED RULES:

51 ... 4260
201 ... 4682

10 CFR

PROPOSED RULES:

150 ... 4109, 4377, 4631

12 CFR

207 ... 4248, 4249, 4452
211 ... 4729
213 ... 4729
220 ... 4249, 4453
221 ... 4249, 4455

13 CFR

101 ... 4400
121 ... 4562

14 CFR

37 ... 4729
39 ... 3621, 4249, 4366
61 ... 4402, 4404
71 ... 4093–4095, 4171, 4249, 4366–4368, 4404, 4405, 4509–4511, 4562.
73 ... 4095, 4096, 4172
75 ... 4368
91 ... 4096
93 ... 4096
95 ... 4729
97 ... 3622, 4311, 4563
121 ... 4096, 4144
221 ... 4456
223 ... 3631
389 ... 3632
399 ... 4459

PROPOSED RULES:

25 ... 3641
39 ... 3642
43 ... 4420
65 ... 4523

14 CFR—Continued

Page

PROPOSED RULES—Continued

71 ... 3642, 4201, 4202, 4270, 4271, 4375–4377, 4421, 4525–4527, 4630.
91 ... 3643, 4108, 4420, 4523
105 ... 4523
121 ... 4144
207 ... 4340
208 ... 3645, 4340
212 ... 4340
214 ... 4340
221 ... 4340
288 ... 3645
295 ... 4340
399 ... 3645

16 CFR

13 ... 4097, 4135, 4136, 4249, 4250, 4405, 4618, 4655.
15 ... 4137, 4250, 4511
500 ... 4718
503 ... 4723

PROPOSED RULES:

244 ... 4271

17 CFR

200 ... 4369
201 ... 4369
230 ... 4369
260 ... 4369
270 ... 4369

PROPOSED RULES:

230 ... 4209
240 ... 3651, 4209, 4632
250 ... 4209

18 CFR

159 ... 4665
260 ... 4460

PROPOSED RULES:

607 ... 3639

19 CFR

1 ... 3633, 3634
8 ... 4406
10 ... 4373, 4461
16 ... 4461
18 ... 4406
32 ... 4323

PROPOSED RULES:

4 ... 4679
25 ... 4260

20 CFR

614 ... 3635

PROPOSED RULES:

405 ... 4517
621 ... 4629

21 CFR

2 ... 4462
3 ... 4731
14 ... 4656
27 ... 4574
31 ... 4098
120 ... 4138, 4172, 4326, 4407, 4658

21 CFR—Continued

22 CFR

24 CFR

26 CFR

29 CFR

30 CFR

31 CFR

32 CFR

32 CFR—Continued

32A CFR

33 CFR

36 CFR

38 CFR

39 CFR

41 CFR

42 CFR

43 CFR

46 CFR

47 CFR

49 CFR

50 CFR

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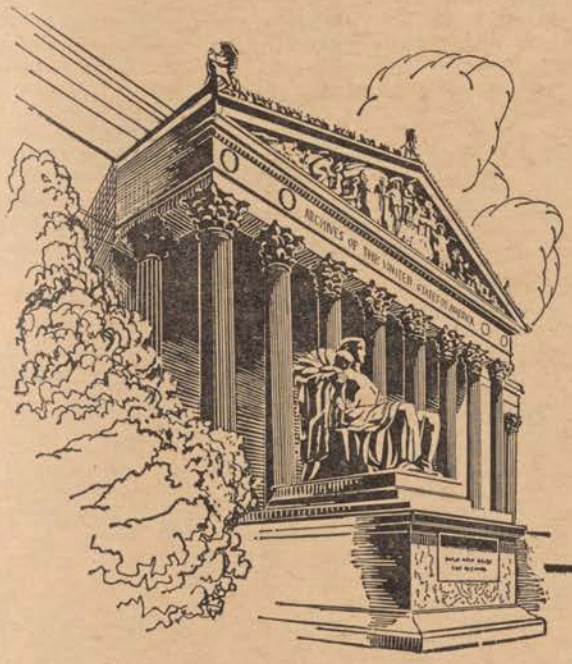

Ethical Conduct and Responsibilities of Peace Corps Employees

Title 22—FOREIGN RELATIONS

Chapter III—Peace Corps

PART 301—ETHICAL CONDUCT AND RESPONSIBILITIES OF PEACE CORPS EMPLOYEES

Pursuant to and in accordance with sections 201 through 209 of Title 18 of the United States Code, Executive Order 11222 of May 8, 1965 (30 F.R. 6469), and Title 5, Chapter I, Part 735 of the Code of Federal Regulations, Chapter III of Title 22 of the Code of Federal Regulations, consisting of Part 301 is revised to read as follows:

Sec.

AUTHORITY: The provisions of this Part 301 issued under E.O. 11222 of May 8, 1965, 30 F.R. 6469, 3 CFR, 1965 Supp.; 5 CFR 735.104.

§ 301.735–1 Introduction.

(a) Four years ago, in issuing Peace Corps Standards of Employee Conduct, Sargent Shriver said:

> Following the letter of the law or staying within the shadow of ethical phrases will not suffice. Our undivided loyalty is owed to our Government. We will be judged by both fact and appearance. There is no place on the Peace Corps' team for those who cannot live comfortably with this high standard.

(b) In Executive Order No. 11222, the President recently directed the Civil Service Commission to require each agency head to review and reissue his agency's regulations regarding the ethical conduct and other responsibilities of all its employees. One of the main purposes of the regulations in this part is to encourage individuals faced with questions involving subjective judgment to seek counsel and guidance. The General Counsel is designated to be the counselor for the Peace Corps with respect to these matters. He and the Deputy General Counsel will give authoritative advice and guidance in this area to any Peace Corps employee who seeks it.

(c) Any violation of the regulations in this part may be cause for disciplinary action. Violation of those provisions of the regulations in this part which reflect legal prohibitions may also entail penalties provided by law.

(d) As used in this part, the term "special Government employee" means a person appointed or employed to perform temporary duties for the Peace Corps with or without compensation, on a full-time or intermittent basis, for not to exceed 130 days during any period of 365 days. The term "regular Government employee" means any officer or employee of the Peace Corps other than a special Government employee.

§ 301.735–2 General standards of conduct.

(a) As provided by the President in Executive Order No. 11222, whether or not specifically prohibited by law or in the regulations in this part, no U.S. regular and special Government employees shall take any action which might result in, or create the appearance of:

(1) Using public office or employment for private gain, whether for themselves or for another person, particularly one with whom they have family, business, or financial ties.

(2) Giving preferential treatment to any person.

(3) Impeding Government efficiency or economy.

(4) Losing complete independence or impartiality.

(5) Making a Government decision outside official channels.

(6) Affecting adversely the confidence of the public in the integrity of the Government.

(7) Using Government office or employment to coerce a person to provide financial benefit to themselves or to other persons, particularly ones with whom they have family, business, or financial ties.

(b) Moreover, no regular or special employee may engage in criminal, infamous, dishonest, immoral, or notoriously disgraceful conduct, or other conduct prejudicial to the Government.

§ 301.735–3 Conflict of interest.

(a) *Regular Government employees.* A regular employee of the Government is in general subject to the following major criminal prohibitions:

(1) He may not, except in the discharge of his official duties, represent anyone else before a court or Government agency in a matter in which the United States is a party or has an interest. This prohibition applies both to paid and unpaid representation of another.

(2) He may not participate in his governmental capacity in any matter in which he, his spouse, minor child, outside business associate, or person with whom he is negotiating for employment has a financial interest.

(3) He may not, after his Government employment has ended, represent anyone other than the United States in connection with a matter in which the United States is a party or has an interest and in which he participated personally and substantially for the Government.

(4) He may not for 1 year after his Government employment has ended, represent anyone other than the United States in connection with a matter in which the United States is a party or has an interest and which was within the boundaries of his official responsibility during the last year of his Government service. This temporary restraint gives way to the permanent restraint described in subparagraph (3) of this paragraph if the matter is one in which he participated personally and substantially.

(5) He may not receive any salary, or supplementation of his Government salary, from a private source as compensation for his services to the Government.

(b) *Special Government employees.* A special Government employee is subject to the following major criminal prohibitions:

(1) He may not, except in the discharge of his official duties, represent anyone else before a court or Government agency in a matter in which the United States is a party or has an interest and in which he has at any time participated personally and substantially for the Government.

(2) He may not, except in the discharge of his official duties, represent anyone else in a matter pending before the agency he serves unless he has served there no more than 60 days during the past 365. He is bound by this restraint despite the fact that the matter is not one in which he has ever participated personally and substantially.

The restrictions described in subparagraphs (1) and (2) of this paragraph apply to both paid and unpaid representation of another.

(3) He may not participate in his governmental capacity in any matter in which he, his spouse, minor child, outside business associate, or person with whom he is negotiating for employment has a financial interest.

(4) He may not, after his Government employment has ended, represent anyone other than the United States in connection with a matter in which the United States is a party or has an interest and in which he participated personally and substantially for the Government.

(5) He may not, for 1 year after his Government employment has ended, represent anyone other than the United States in connection with a matter in which the United States is a party or has an interest and which was within the boundaries of his official responsibility during the last year of his Government service. This temporary restraint gives way to the permanent restriction described in subparagraph (4) of this paragraph if the matter is one in which he participated personally and substantially.

§ 301.735–4 Political activities.

(a) Subchapter III of Chapter 73 of Title 5, United States Code and other statutes regulate the extent to which employees may engage in political activities. Generally, using official authority or influence for the purpose of interfering with an election or its result or taking an active part in political management or in political campaigns is prohibited. These restrictions do not affect the right of employees to express their personal political opinions, as long as they do not do so in such a manner as to take an active part in political campaigns or management or to participate in the activities of national or State political

parties to the extent that such participation is not proscribed by law.

(b) Special Government employees are subject to the statute for the whole of each day on which they do any work for the Government.

(c) While regular employees may explain and support governmental programs that have been enacted into law, in exercising their official responsibilities they should not publicly support or oppose pending legislation, except in testimony before the Congress.

(d) Also, the Foreign Service Act generally prohibits any Foreign Service employee from (1) corresponding in regard to the public affairs of any foreign government, except with the proper officers of the United States, and (2) recommending any person for employment in any position of trust or profit under the government of the country to which he is detailed or assigned.

§ 301.735–5 Gifts.

(a) *From donors dealing with Peace Corps.* (1) No Peace Corps regular or special employee shall solicit or accept, directly or indirectly, for himself, for any member of his family, or for any person with whom he has business or financial ties, any gift, gratuity, favor, entertainment, or loan or any other thing of value, from any individual or organization which:

(i) Has, or is seeking to obtain, contractual or other business or financial relations with the Peace Corps.

(ii) Has interests that may be substantially affected by the performance or nonperformance of the employee's official responsibility.

(iii) Is in any way attempting to affect the employee's exercise of his official responsibility.

(2) Subparagraph (1) of this paragraph does not prohibit, even if the donor has dealings with the Peace Corps:

(i) Acceptance of things of value from parents, children, or spouse if those relationships rather than the business of the donor is the motivating factor for the gift.

(ii) Acceptance of food and refreshments of nominal value on infrequent occasions in the ordinary course of a breakfast, luncheon, or dinner meeting or other meeting.

(iii) Solicitation and acceptance of loans from banks or other financial institutions to finance proper and usual activities of employees, such as home mortgage loans, solicited and accepted on customary terms.

(iv) Acceptance on behalf of minor dependents of fellowships, scholarships, or educational loans awarded on the basis of merit and/or need.

(v) Acceptance of awards for meritorious public contribution or achievement given by a charitable, religious, professional, social, fraternal, nonprofit educational and recreational, public service, or civic organization.

(3) Regular or special employees need not return unsolicited advertising or promotional material, such as pens, pencils, note pads, calendars, and other things of nominal intrinsic value.

(b) *From other Peace Corps employees.* No employee in a superior official position shall accept any gift presented as a contribution from employees receiving less salary than himself. No employee shall solicit contributions from another employee for a gift to an employee in a superior official position, nor shall any employee make a donation as a gift to an employee in a superior official position. However, this paragraph does not prohibit a voluntary gift of nominal value or donation in a nominal amount made on a special occasion such as marriage, illness, or retirement.

(c) *From foreign governments.* No regular employee may solicit or, without the consent of the Congress, receive any present, decoration, emolument, pecuniary favor, office, title, or any other gift from any foreign government. See 5 U.S.C. 7342; Executive Order 11320; and 22 CFR Part 3 (as added, 32 F.R. 6569).

(d) *Gifts to Peace Corps.* Gifts to the United States or to the Peace Corps may be accepted in accordance with Peace Corps regulations.

(e) *Reimbursement for expenses.* Neither this section nor § 301.735–6 precludes an employee from receipt of bona fide reimbursement, unless prohibited by law, for expenses of travel and such other necessary subsistence as is compatible with this part and for which no Government payment or reimbursement is made. However, this paragraph does not allow an employee to be reimbursed, or payment to be made on his behalf, for excessive personal living expenses, gifts, entertainment, or other personal benefits. Nor does it allow an employee to receive non-Government reimbursement of travel expenses for travel on official business under Peace Corps orders; but rather, such reimbursement, if any, should be made to the Peace Corps and amounts received should be credited to its appropriation. If an employee receives accommodations, goods or services in kind from a non-Government source, this item or items will be treated as a donation to the Peace Corps and an appropriate reduction will be made in per diem or other travel expenses payable.

§ 301.735–6 Outside employment and activities.

(a) *Application.* Only paragraph (c) of this section is applicable to special Government employees.

(b) *General.* (1) There is no general prohibition against Peace Corps employees holding outside employment, including teaching, lecturing, or writing. But no employee shall engage in such employment if it might result in a conflict or an apparent conflict between the private interests of the employee and his official responsibility.

(2) Thus an employee shall not engage in outside employment or other outside activity not compatible with the full and proper discharge of his official responsibility. Incompatible activities include but are not limited to:

(i) Acceptance of a fee, compensation, gift, payment of expense, or any other thing of monetary value in circumstances in which acceptance may result in, or create the appearance of a conflict of interest.

(ii) Outside employment which tends to impair the employee's mental or physical capacity to perform his official responsibility in an acceptable manner.

(c) *Teaching, lecturing, and writing—* (1) *Use of information.* Employees are encouraged to engage in teaching, lecturing, and writing. However, an employee shall not, either for or without compensation, engage in teaching, lecturing or writing that is dependent on information obtained as a result of his Government employment, except that when information has been or on request will be made available to the general public or when the agency head gives advance written authorization for the use of nonpublic information on the basis that the proposed use is in the public interest.

(2) *Compensation.* No employee may accept compensation or anything of value for any consultation, lecture, discussion, writing, or appearance the subject matter of which is devoted substantially to the Peace Corps' programs or which draws substantially on official data or ideas which have not become part of the body of public information.

(3) *Clearance of publications.* No employee may submit for publication any writing any contents of which are devoted to the Peace Corps' programs or to any other matter which might be of official concern to the U.S. Government without in advance clearing the writing with the Executive Secretary. Before clearing any such writing, the Executive Secretary will consult with the appropriate Peace Corps offices or divisions.

(d) *State and local government employment.* Regular employees may not hold office or engage in outside employment under a State or local government. Anyone wishing to undertake such office or employment should consult with the General Counsel for information with respect to relevant exceptions to this rule.

(e) *Participation in charitable or other activities.* This section does not preclude an employee from participating in the affairs of a charitable, religious, professional, social, fraternal, nonprofit educational or recreational, public service or civic organization.

§ 301.735–7 Financial interests.

(a) As provided by the President in Executive Order No. 11222, no employee may:

(1) Have a direct or indirect financial interest that conflicts substantially, or appears to conflict substantially, with his official responsibility.

(2) Engage in, directly or indirectly, a financial transaction as a result of, or primarily relying on, information obtained through his Government employment.

(b) The Foreign Service Act generally prohibits a Foreign Service employee from transacting or being interested in any business or engaging for profit in any profession in the country or countries

to which he is assigned abroad either in his own name or in the name or through the agency of any other person.

(c) The regulations in this part do not preclude an employee from having a financial interest or engaging in financial transactions to the same extent as a private citizen not employed by the Government so long as the interest or transaction is consistent with appropriate requirements and restrictions.

§ 301.735–8 Use of Government property.

A regular or special employee shall not directly or indirectly use, or allow the use of, Government property of any kind, including property leased to the Government, for other than officially approved activities. All employees have a positive duty to protect and conserve Government property, including equipment, supplies, and other property entrusted or issued to them. By law, penalty envelopes may be used only for official Government mail.

§ 301.735–9 Information.

(a) Regular or special employees may not withhold information from the press or public unless that information is classified or administratively controlled (Limited Official Use). All responses to requests for information from the press should be cleared in advance with the Office of Public Information. Regular and special employees should be certain that information given to the press and public is accurate and complete.

(b) Any questions as to the classification or administrative control of information should be referred to the General Counsel.

(c) No regular or special employee may record by electronic or other device any telephone or other conversation. No regular or special employee may listen in on any telephone conversation without the consent of all parties thereto.

(d) For the purpose of furthering a private interest, an employee or special employee shall not directly or indirectly use, or allow the use of, official information obtained through or in connection with his Government employment which has not been made available to the general public. However, this does not preclude the use of information for teaching, lecturing, and writing as provided in § 301.735–6.

§ 301.735–10 Discrimination.

(a) No regular or special employee may take or recommend any personnel action with respect to any other employee or applicant for employment on the basis of any inquiry concerning the race, political affiliation, or religious beliefs of the other employee or applicant for employment. No discrimination shall be exercised, threatened or promised against or in favor of any employee or applicant for employment because of race, sex, political affiliation, or religious beliefs.

(b) No regular or special employee on official business may participate in conferences or speak before audiences if any racial group has been segregated or excluded therefrom, from the facilities thereof or from membership in sponsoring or participating organizations.

§ 301.735–11 Indebtedness.

A regular or special employee shall pay each just financial obligation in a proper and timely manner, especially one imposed by law such as Federal, State, or local taxes. For the purpose of this section, a "just financial obligation" means one acknowledged by the employee or reduced to judgment by a court, and "in a proper and timely manner" means in a manner which the agency determines does not, under the circumstances, reflect adversely on the Government as his employer. In the event of a dispute between an employee and an alleged creditor, this section does not require the Peace Corps to determine the validity or amount of the disputed debt.

§ 301.735–12 Gambling, betting, and lotteries.

A regular or special employee shall not participate, while on Government owned or leased property or while on duty for the Government in any gambling activity including the operation of a gambling device, in conducting a lottery or pool, in a game for money or property, or in selling or purchasing a numbers slip or ticket.

§ 301.735–13 Related statutes and regulations.

(a) House Concurrent Resolution 175, 85th Congress, 2d session, 72 Stat. 312, the "Code of Ethics for Government Service."

(b) The prohibition against lobbying with appropriated funds (18 U.S.C. 1913).

(c) The prohibitions against disloyalty and striking (5 U.S.C. 7311, 18 U.S.C. 1918).

(d) The prohibition against the employment of a member of a Communist organization (50 U.S.C. 784).

(e) The prohibitions against (1) the disclosure of classified information (18 U.S.C. 798, 50 U.S.C. 783); and (2) the disclosure of confidential information (18 U.S.C. 1905).

(f) The provision relating to the habitual use of intoxicants to excess (5 U.S.C. 7352).

(g) The prohibition against the misuse of a Government vehicle (31 U.S.C. 638a (c)).

(h) The prohibition against the misuse of the franking privilege (18 U.S.C. 1719).

(i) The prohibition against the use of deceit in an examination or personnel action in connection with Government employment (18 U.S.C. 1917).

(j) The prohibition against fraud or false statements in a Government matter (18 U.S.C. 1001).

(k) The prohibition against mutilating or destroying a public record (18 U.S.C. 2071).

(l) The prohibition against counterfeiting and forging transportation requests (18 U.S.C. 508).

(m) The prohibitions against (1) embezzlement of Government money or property (18 U.S.C. 641); (2) failing to account for public money (18 U.S.C. 643); and (3) embezzlement of the money or property of another person in the possession of an employee by reason of his employment (18 U.S.C. 654).

(n) The prohibition against unauthorized use of documents relating to claims from or by the Government (18 U.S.C. 285).

(o) The prohibitions against political activities in subchapter III of Chapter 73 of Title 5, United States Code, and 18 U.S.C. 602, 603, 607, and 608.

(p) The prohibition against gifts to employees' superiors and the acceptance thereof (Rev. Stat. 1784, 5 U.S.C. 113).

(q) Chapter 11 of Title 18, United States Code, relating to bribery, graft, and conflicts of interest, which is specifically applicable to special employees as well as to regular employees.

(r) The prohibitions against (1) accepting gifts from foreign governments, (2) engaging in business abroad, (3) corresponding on the affairs of foreign governments, and (4) discrimination on political, racial, or religious grounds, contained in sections 1002 through 1005 of the Foreign Service Act of 1946, as amended.

(s) The prohibition against an employee acting as the agent of a foreign principal registered under the Foreign Agents Registration Act (18 U.S.C. 219).

(t) The prohibition against appointing or advocating the appointment of a relative to a position within the agency (5 U.S.C. 3110).

§ 301.735–14 Employees required to submit statements of employment and financial interests.

(a) (1) Regulations of the Civil Service Commission (5 CFR Part 735) require the Peace Corps to adopt regulations providing for the submission of statements of employment and financial interests from certain regular Peace Corps employees and all special Peace Corps employees.

(2) Such statements must be submitted within 90 days after the effective date of this part by any present employee who occupies a position designated in paragraph (b) of this section. Any employee appointed subsequent to the effective date of this part who falls into this category must submit such statements within 30 days after his entrance on duty.

(3) Changes in or additions to the information contained in a regular or special employee's statement must be reported in a supplementary statement as of June 30 each year. If there are no changes or additions, a negative report is required. Notwithstanding the filing of the annual report required by this paragraph, each employee shall at all times avoid acquiring a financial interest that could result, or taking an action that would result, in a conflict of interest and a violation of the conflicts-of-interest provisions of section 208 of Title 18, United States Code, or the conflicts-of-interest provisions of this part. In the case of temporary summer employees hired at FSR–7 or equivalent and below to perform duties other than those of an

expert or consultant, the reporting requirement will be waived. It may also be waived by the Director of Personnel with respect to other appointments except as experts or consultants, upon a finding that the duties of the position held by the special Government employee are of a nature and at such a level of responsibility that the reporting of employment and financial interests is not necessary to protect the integrity of the Government.

(b) Statements shall be submitted by the following employees who are in grades FSR–5, FSS–2, GS–13 or above:

(1) *Office of the Director.* Deputy Director.

(2) *Office of General Counsel.* (i) General Counsel.

(ii) Deputy General Counsel.

(3) *Regional Offices.* (i) Regional Director.

(ii) Deputy Regional Director.

(iii) Country Directors and those overseas staff members to whom contracting or procurement authority has been duly delegated by the Country Director.

(iv) Training Center Directors.

(4) *Office of Administration.* (i) Director.

(ii) Deputy Director.

(iii) Director of Administrative Services.

(iv) Deputy Director of Administrative Services.

(v) Director of Administrative Support and Review.

(vi) General Supply Officer.

(vii) Auditor.

(viii) Chief of Travel Section.

(ix) Procurement Agents.

(5) *Office of Financial Management.* (i) Director.

(ii) Director, Contracts Division.

(iii) Director, Accounting and Finance Division.

(iv) Director, Budget Division.

(v) Contract Administrators.

(vi) Contract Specialists.

(6) *Office of Medical Programs.* (i) Director.

(ii) Deputy Director.

(iii) Chief of Medical Processing.

(7) *Office of Planning, Program Review, and Research.* (i) Director.

(ii) Deputy Director.

(8) *Office of Evaluation.* (i) Director.

(ii) Deputy Director.

(9) *Office of Volunteer Support.* (i) Director.

(ii) Deputy Director.

(iii) Director of Volunteer Travel.

(10) All special Government employees shall submit a statement of employment and financial interest on the standard form provided by the Personnel Division for that purpose. Special Government employees shall report all employment other than with the Peace Corps and all financial interests which relate either directly or indirectly to their duties and responsibilities. Each special Government employee shall keep his statement current throughout his employment by the submission of supplementary statements as necessary.

(c) The information required of regular employees may be submitted on standard forms which are available from the Personnel Division. Detailed instructions are set forth on the back of the forms. These forms should be submitted directly to the Director or Deputy Director of the Personnel Division who will review them, consulting with the General Counsel or Deputy General Counsel as necessary. These officials shall maintain the statements in the strictest confidence and shall not allow access to, or allow information to be disclosed from, a statement except to carry out the purposes of this part.

(d) The interest of a spouse, minor child, or other member of a regular or special employee's immediate household is considered to be an interest of that employee. For the purpose of this section, "member of an employee's immediate household" means those blood relations who are residents of the employee's household.

(e) If any information required to be included on a statement of employment and financial interest or supplementary statement, including holdings placed in trust, is not known to an employee or special employee but is known to another person, he is required to request that other person to submit information on his behalf.

(f) Regular or special employees are not required to submit in a statement of employment and financial interests or supplementary statements any information about their connection with or interest in a professional society or a charitable, religious, social, fraternal, recreational, public service, civic, or political organization not conducted as a business enterprise. For this purpose, educational and other institutions doing research and development or related work involving grants of money from or contracts with the Government are considered business enterprises and are required to be included in a regular or special employee's statement of employment and financial interests.

(g) The statements of employment and financial interests and supplementary statements required are in addition to, and not in substitution for or in derogation of, any similar requirement imposed by law, order, or regulation.

(h) If a statement submitted under this part or information from other sources indicates a conflict or the appearance of a conflict between the interests of a regular or special Government employee and the performance of his services for the Government and if the conflict cannot be resolved at a lower level in the agency, the information on the conflict or apparent conflict will be reported to the Director through the General Counsel. The employee or special Government employee concerned will be provided an opportunity to explain the situation.

(i) When after consideration of the explanation of the employee or special Government employee furnished under paragraph (h) of this section, the Director decides that remedial action is required, he must take immediate action to end a real or apparent conflict of interest, or take preventive action to forestall a potential conflict. Such action may include, but is not limited to, changing assigned duties, requiring the employee or special employee to divest himself of a conflicting interest, taking disciplinary action, or disqualifying or accepting the self-disqualification of the employee or special Government employee for a particular assignment.

(j) A regular employee who believes that his position has been improperly included under Peace Corps regulations as one requiring the submission of a statement of employment and financial interests shall be given an opportunity for review through the Peace Corps' grievance procedures to determine whether the position has been improperly included.

Effective date: The revision of this Part 301 was approved by the Civil Service Commission on February 7, 1968, and is effective upon publication in the FEDERAL REGISTER.

BRENT ASHABRANNER,
Acting Director, Peace Corps.

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