

FEDERAL REGISTER

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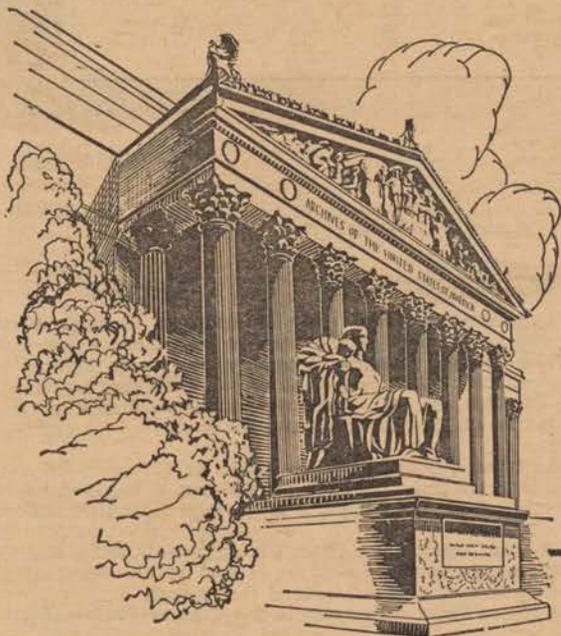
Friday, September 13, 1968 • Washington, D.C.

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Agencies in this issue—

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Agricultural Stabilization and Conservation Service
Agriculture Department
Atomic Energy Commission
Bonneville Power Administration
Business and Defense Services Administration
Civil Aeronautics Board
Civil Service Commission
Commodity Credit Corporation
Consumer and Marketing Service
Federal Aviation Administration
Federal Communications Commission
Federal Home Loan Bank Board
Federal Maritime Commission
Federal Power Commission
Federal Trade Commission
Fish and Wildlife Service
Forest Service
Indian Affairs Bureau
Interstate Commerce Commission
Land Management Bureau
Securities and Exchange Commission
Transportation Department
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Now Available

LIST OF CFR SECTIONS AFFECTED

1949-1963

This volume contains a compilation of the "List of Sections Affected" for all titles of the Code of Federal Regulations for the years 1949 through 1963. All sections of the CFR which have been expressly affected by documents published in the daily Federal Register are enumerated.

Reference to this list will enable the user to find the precise text of CFR provisions which were in force and effect on any given date during the period covered.

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Title 3—THE PRESIDENT

Proclamation 3866

NATIONAL HIGHWAY WEEK, 1968

By the President of the United States of America

A Proclamation

In 1968, for the first time in our history, Americans will drive their cars and trucks more than one trillion miles in a single year.

Our highways give the American people a personal mobility unequalled in history. They permit more of our youth to get an education; they give workers greater opportunity for jobs; they are essential in providing goods and services; and they broaden opportunities for recreation.

While highways serve our economic and private needs, their planning and construction involve major social responsibilities. If highways are to benefit all the people, they must serve and enhance our total environment. This presents a challenge and an opportunity to officials at every level of government to see that highway development makes a positive contribution toward meeting both the transportation and the environmental needs of our people. In particular, we must assure fair treatment of those necessarily displaced by highway construction.

The Federal Government is concerned both with improving the quality of highway transportation and with achieving the social good that is implicit in the highway program.

We are striving to reduce the awful toll in death and injury on our highways by applying scientifically sound countermeasures.

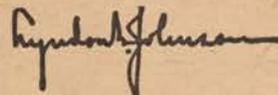
We are working to improve the efficiency of the urban roads and streets we already have, as an alternative to expensive new construction.

We are focusing more attention on the overall interaction between highways and their environment, including the beauty of the roadsides.

In all these endeavors, we are working in partnership with State and local governments in the finest tradition of democratic government. The achievements of this partnership should be recognized by every American who benefits from them.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby proclaim the week beginning September 22, 1968, as National Highway Week, and I urge Federal, State, and local officials, as well as highway industry and other organizations, to hold appropriate ceremonies during that week in recognition of what highway transportation means to our Nation.

IN WITNESS WHEREOF, I have hereunto set my hand this eleventh day of September, in the year of our Lord nineteen hundred and sixty-eight, and of the Independence of the United States of America the one hundred and ninety-third.



[F.R. Doc. 68-11244; Filed, Sept. 12, 1968; 10:29 a.m.]

Rules and Regulations

Title 36—PARKS, FORESTS, AND MEMORIALS

Chapter II—Forest Service, Department of Agriculture

PART 251—LAND USES

Miscellaneous Amendments

Correction

In F.R. Doc. 68-10698 appearing at page 12550 in the issue of Thursday, September 5, 1968, the first line of the second column should read:

§ 251.5 [Revoked]

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

Department of Health, Education, and Welfare

Section 213.3316 is amended to show that the position of Confidential Assistant on Juvenile Delinquency to the Assistant Secretary for Individual and Family Services is excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, § 213.3316 is amended as set out below.

§ 213.3316 Department of Health, Education, and Welfare.

(n) Office of the Assistant Secretary for Individual and Family Services. * * *

(3) One Confidential Assistant on Juvenile Delinquency to the Assistant Secretary.

(5 U.S.C. 3301, 3302, E.O. 10577, 19 F.R. 7521, 3 CFR 1954-1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,

Executive Assistant to the Commissioners.

[F.R. Doc. 68-11113; Filed, Sept. 12, 1968; 8:47 a.m.]

PART 213—EXCEPTED SERVICE

Department of State

Section 213.3304 is amended to show that the title of the position listed in Schedule C as Staff Assistant to the Assistant Secretary for Educational and Cultural Affairs has been changed to Special Assistant. Effective on publication in the FEDERAL REGISTER, subpara-

graph (5) of paragraph (s) of § 213.3304 is amended as set out below.

§ 213.3304 Department of State.

(s) Bureau of Educational and Cultural Affairs. * * *

(5) One Special Assistant to the Assistant Secretary.

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

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,

Executive Assistant to the Commissioners.

[F.R. Doc. 68-11114; Filed, Sept. 12, 1968; 8:47 a.m.]

PART 890—FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM

1969 Open Season

On April 19, 1968, a notice of proposed rule-making was published in the FEDERAL REGISTER (33 F.R. 6067), stating that the Commission was considering amending its regulations to provide an open season (opportunity to enroll or change enrollment) under the Federal Employees Health Benefits Program during November 10-28, 1969, for employees.

No written comments, objections, or suggestions as to the proposed amendments were received. After further consideration, the Commissioners have adopted the proposed regulations, effective on date of publication in the FEDERAL REGISTER. Part 890 of Chapter I of Title 5, Code of Federal Regulations is amended by adding §§ 890.301(d)(2) and 890.306(c), reading as follows:

§ 890.301 Opportunities to register to enroll and change enrollment.

(d) * * *

(2) During the period November 10 to November 28, 1969, an employee who is not registered to be enrolled may register to be enrolled, and any enrolled employee may change his enrollment from one plan or option to another, or from self alone to self and family, or both.

§ 890.306 Effective dates.

(c) Open season. (1) The effective date of a change in enrollment under § 890.301(d)(2) is the first day of the first pay period beginning on or after January 1, 1970.

(2) The effective date of a new enrollment under § 890.301(d)(2) is the first day of the first pay period beginning on or after January 1, 1970, which

follows a pay period during any part of which the employee is in pay status.

(5 U.S.C. 8913)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL]

JAMES C. SPRY,

Executive Assistant to the Commissioners.

[F.R. Doc. 68-11115; Filed, Sept. 12, 1968; 8:47 a.m.]

Title 7—AGRICULTURE

Subtitle A—Office of the Secretary of Agriculture

[Amdt. 3]

PART 7—AGRICULTURAL STABILIZATION AND CONSERVATION COMMITTEES

Subpart—Selection and Functions of Agricultural Stabilization and Conservation County and Community Committees

Pursuant to the authority vested in the Secretary of Agriculture by 16 U.S.C. 590h(b) to prescribe regulations for county and community committeemen, the regulations at 7 CFR Part 7 (30 F.R. 14301) are hereby amended as follows:

1. Section 7.5 is amended as follows:

§ 7.5 Who may vote for committeemen and delegates.

(a) Any person regardless of race, color, religion, sex, or national origin, who has an interest in a farm as owner, tenant, or sharecropper and who is of legal voting age in the State in which the farm is located, and any person not of such legal voting age who is in charge of the supervision and conduct of the farming operations on an entire farm, shall be eligible to vote for committeemen and delegates in the community in which he has such an interest if:

(1) A payment or grant of conservation materials or services is or will be made with respect to the farm under the current agricultural conservation program or there is being carried out on the farm one or more of the current program practices approved for the State by the State Agricultural Stabilization and Conservation Committee, referred to in this subpart as the "State committee";

(2) A marketing quota or acreage allotment is currently established for the farm;

(3) Such person is eligible for a co-operator's loan or other price support with respect to the farm;

(4) Such person is eligible for a payment under the Sugar Act Program with respect to the farm;

(5) Such person is eligible for a payment under the National Wool Act Program with respect to the farm; or

(6) Such person is eligible to participate with respect to the farm in any other program administered by the county committee.

(b) In any State having a community property law, the spouse of a person who is eligible to vote under the foregoing provisions shall also be eligible to vote.

(c) The term "person" as used in this section means an individual, partnership, association, corporation, estate, trust, other business enterprise or legal entity, or a State, political subdivision of a State or any agency thereof.

(d) The vote may be cast by:

(1) An individual for himself.

(2) A duly authorized partner of a partnership for the partnership.

(3) A duly authorized officer of a corporation for the corporation.

(4) A guardian who is legally appointed for a minor or incompetent person.

(5) A duly authorized representative of any other eligible voter entity, except an individual.

(e) Each county office shall have a prepared list of eligible voters for each community within the county available for public inspection in advance of the election.

2. Section 7.7 is amended by adding a new sentence at the end so that the section as amended read as follows:

§ 7.7 Determination of elective areas.

Each county shall be divided into local administrative areas, referred to in this subpart as "communities." The term "county" in Alaska shall be the area so designated by the State committee. The boundaries of the communities shall be fixed by the State committee after considering any recommendations by the county committee. No such community shall include more than one county or parts of different counties. The county committee shall give public notice of the community boundaries in advance of the election.

3. Section 7.9 is amended by adding three new paragraphs so that the section as amended reads as follows:

§ 7.9 Conduct of community elections.

(a) The county committee serving at the time shall be responsible for the conduct of the community elections for the election of community committees and delegates to the county convention in accordance with instructions issued by the Deputy Administrator.

(b) To prevent endorsement of any nongovernmental function either directly or indirectly by association or implication, community elections shall not be associated with or held in conjunction with any other election or referendum conducted for any other purpose.

(c) The county committee shall give advance public notice of how, when, and where eligible voters may vote, when and where the votes will be counted, and the right to witness the vote counting.

(d) All nominees shall be notified of the outcome of the election.

4. Section 7.10 is amended by adding three new paragraphs so that the section as amended reads as follows:

§ 7.10 Conduct of county convention.

(a) The county committee serving at the time shall be responsible for designating the place at which the county convention for the election of the county committee will be held and for the conduct of the convention in accordance with instructions issued by the Deputy Administrator.

(b) To prevent endorsement of any nongovernmental function either directly or indirectly by association or implication, county conventions shall not be associated with or held in conjunction with any other election or referendum conducted for any other purpose.

(c) The county committee shall give advance public notice of the county convention. It shall be open to the public.

(d) The county office manager shall notify all newly elected county committee members, alternates, and county committeemen with unexpired terms, of the election results.

5. Section 7.11 is amended by changing paragraph (a) to read as follows:

§ 7.11 Election of community committee and delegates to the county convention.

(a) Except as provided in paragraph (c) of this section, the eligible voters in a community shall elect annually a community committee composed of three members and shall also elect first and second alternates to serve as acting members of the community committee in the order elected in case of the temporary absence of a member, or to become a member of the community committee in the order elected in case of the resignation, disqualification, removal, or death of a member. An acting member of the community committee shall have the same duties and the same authority as a member. The State committee shall approve the election method to be used, which shall be either by mail, by meeting, or by polling place. Where elections are by mail or polling place, the county committee shall give advance public notice that nominations may be made by petition. Election shall be by secret ballot and by plurality vote, with each eligible voter having the option of writing in the names of candidates of his own choice. For polling and mail type elections, ballots shall remain in sealed boxes until the prescribed date for counting. Following the counting of ballots in all types of elections the ballots shall be placed in sealed boxes and retained for 30 days unless otherwise determined by the State committee. Except as provided in paragraph (c) of this section, the three regular members of the community committee shall be the delegates to the county convention and the first and second alternates to the community committee shall also be in that order alternate delegates to the county convention: *Provided, however*, That a person may not serve as delegate if he has been a member of the county committee for that county

during the 90 days preceding the community election. Failure to elect the prescribed number of alternates at the regular election shall not invalidate such election or require a special election to elect additional alternates.

* * * * *

6. A new § 7.14a is added as follows:

§ 7.14a Appeals.

(a) Any eligible voter in the county may appeal to the county committee in writing or in person, or both:

(1) The eligibility or ineligibility of persons to vote.

(2) The eligibility of persons to hold office, and

(3) The validity of the community committee elections. Such appeals must be made within 15 days of the election date, except that appeals on a determination of eligibility of a person nominated by petition must be made within 15 days of the date of notification of ineligibility.

(b) Any eligible voter in the county may appeal to the State committee in writing, in person, or both:

(1) A county committee decision on an election appeal, and

(2) The validity of a county convention. An appeal of a county committee decision must be made within 15 days of the notification of the decision. An appeal on the validity of a county convention must be made within 15 days of the county convention.

7. Section 7.20 is amended by changing paragraph (b) as follows:

§ 7.20 County committee.

* * * * *

(b) Employ the county office manager subject to standards and qualifications furnished by the State committee to serve at the pleasure of the county committee, except that incumbent managers shall not be removed other than under the provisions of § 7.29, until all members of the county committee have been in office for at least 90 days: *Provided also*, That there shall be no employment discrimination due to race, religion, color, sex, or national origin. The county office manager may not be removed under this paragraph for advocating or carrying out the Department's policy on equal opportunity and civil rights, including the equal employment policy, and in the event it is claimed that dismissal is for such reason, the dismissal shall not become effective until the State committee and the Deputy Administrator have determined that dismissal was not because of such reason.

* * * * *

8. Section 7.25 is amended by changing paragraph (b) as follows:

§ 7.25 County Office Manager.

* * * * *

(b) Employ the personnel of the county office in accordance with standards and qualifications furnished by the State committee to serve at his pleasure: *Provided, however*, That there shall be no employment discrimination due to race, religion, color, sex, or national origin. An employee may not be removed under this paragraph for advocating or

carrying out the Department's policy on equal opportunity and civil rights, including the equal employment policy, and in the event it is claimed that dismissal is for such reason, the dismissal shall not become effective until the State committee and the Deputy Administrator have determined that dismissal was not because of such reason.

(49 Stat. 1149; 16 U.S.C. 590h)

Effective date. Publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on September 9, 1968.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 68-11148; Filed, Sept. 12, 1968; 8:50 a.m.]

Chapter VIII—Agricultural Stabilization and Conservation Service (Sugar), Department of Agriculture

SUBCHAPTER E—DETERMINATION OF SUGAR COMMERCIALY RECOVERABLE

[Rev. 1, Supp. 5]

PART 831—BEET SUGAR AREA

Rates of Recoverability; 1968 Crop

Pursuant to section 302(a) of the Sugar Act of 1958, as amended, § 831.15 is added to read as follows:

§ 831.15 Rates of recoverability, 1968 crop.

The hundredweight of sugar, raw value, commercially recoverable from sugar beets of the 1968 crop shall be computed by multiplying the net weight thereof in tons, at the time of delivery to a processor, by the rate of commercially recoverable sugar which is applicable under the following provisions of this section:

(a) For sugar beets marketed within a settlement area under any type of agreement other than an "individual test" or a "combined individual-cossette test" contract, the rate of commercially recoverable sugar per ton of beets with respect to each settlement area is established as follows:

Settlement areas by factories in States	1961-67 average sugar content	Rate of commercially recoverable sugar
Idaho:	<i>Percent</i>	<i>Hundred-weight</i>
Idaho Falls	15.86	2.896
Rupert (Mini-Cassia) Twin Falls, including beets delivered from the Elwyhee area of Elmore and Owyhee Counties, Idaho	16.30	2.976
Utah:		
Lewiston (Ogden)	15.64	2.856
Minnesota, North Dakota:		
East Grand Forks, Moorhead, Crookston, Drayton	15.78	2.881
Ohio:		
Ottawa	15.15	2.766
Michigan:		
Beets delivered to the factories of the Michigan Sugar Co. from its Southern Michigan Area	15.15	2.766

(b) For sugar beets marketed under "individual test" contracts, other than

those sugar beets marketed for processing by the American Crystal Sugar Co. at their Chaska, Minn., and Mason City, Iowa, factories, the rate of commercially recoverable sugar per ton of beets shall be computed by multiplying 20 hundredweight by the percentage of sugar content of such beets, and then multiplying the result by 87.6 percent (the average extraction rate, as adjusted for shrink, effective for such beets). This computation can be shortened by the use of the factor of 0.1752. As an example, a content of 16.37 when multiplied by 0.1752 would result in a rate of commercially recoverable sugar of 2.868 hundredweight.

(c) For sugar beets marketed under "combined individual-cossette test" contracts, including those sugar beets marketed for processing by the American Crystal Sugar Co. at their Chaska, Minn., and Mason City, Iowa, factories, the rate of commercially recoverable sugar per ton of beets for a producer shall be computed by multiplying 20 hundredweight by the adjusted percentage of sugar content of the beets delivered by such producer and then multiplying the result by 91.3 percent (the average extraction rate effective for such beets). This computation can be shortened by the use of the factor of 0.1826. As an example, an adjusted content of 16.37 when multiplied by 0.1826 would result in a rate of commercially recoverable sugar of 2.989 hundredweight. The adjusted percentage of sugar content for each producer shall be obtained by multiplying the weighted average percentage of sugar content of the beets delivered by him by a factor, the numerator of which shall be the appropriate factory cossette test average set forth below and the denominator of which shall be the weighted average sugar content of all beets delivered to the factory at such time as the Agricultural Stabilization and Conservation State Committee determines that at least 97 percent of the current crop of beets has been delivered to such factory.

1961-67 average Settlement areas by factories sugar content in States— (percent)

Idaho, Oregon, Washington:	
Nyssa-Nampa, including beets delivered from the Elwyhee area of Elmore and Owyhee Counties, Idaho	15.00
Toppenish-Moses Lake	15.19
Utah:	
North-South Utah (Garland, Layton, West Jordan)	15.47
Montana:	
Sidney	15.84
Minnesota, Iowa:	
Chaska-Mason City	15.05
Michigan:	
Alma	15.40
Bay City	15.17
Caro	15.52
Carrollton	14.80
Croswell	15.05
Sebewaing	15.29

STATEMENT OF BASES AND CONSIDERATIONS

Section 831.4 (7 CFR 831.4) provides the method of determining and establishing amounts of sugar commercially recoverable from sugar beets and provides that the rates shall become effective

when public notice thereof is given in the FEDERAL REGISTER.

Pursuant to that regulation, this supplement sets forth the rates of recoverability as determined for the 1968 crop. Definitive rates are specified for the various settlement areas wherein sugar beets are marketed under "cossette test" contract. Within these areas, the rates give effect to 1961-67 average percentages of sugar content and the 1962-66 national average extraction rate of beet sugar, raw value, of 91.3 percent.

In lieu of an extensive table of definitive rates applicable to sugar beets of various percentages of sugar content as marketed under "individual test" contracts, this supplement provides that the rate of recoverability per ton of beets of any given percentage of sugar content so marketed may be computed by multiplying such content by the factor of 0.1752. This factor gives the effect to the average rate of extraction of sugar, raw value, of 87.6 percent, as applicable to individual test beets. Listings of the applicable rates (expressed in hundredths) will be available for inspection at county ASCS offices in sugar beet producing counties. Similarly, for beets marketed under "combined individual-cossette test" contracts, a factor of 0.1826 may be used to give effect to the average extraction rate of 91.3 percent. The difference between 91.3 and 87.6 percent represents the average "shrink" in percentage of sugar content between the time of delivery and the time of processing for all beets of the crops of 1962-66 marketed under individual test contracts. The lower percentage is not specified for beets marketed under combined individual-cossette tests because the results of such tests include adjustments to the cossette basis.

The percentages of 91.3 and 87.6 as determined herein for the 1968 crop, compare with the percentages of 91.3 and 87.5 for the 1967 crop.

Beginning with the 1964 crop, the regulations have provided that the 7-year factory cossette test average be substituted for the current year's factory cossette test average in calculating the factor to be applied to individual grower's sugar content for those growers marketing beets under "combined individual-cossette contracts". The average sugar content for each factory shown in paragraph (c) of this regulation represents the weighted average of the factory's cossette tests for the crops 1961-67.

Accordingly, I hereby find and conclude that the foregoing determination will effectuate the applicable provisions of the Act.

(Sec. 403, 61 Stat. 932; 7 U.S.C. secs. 302, 303, 304, 61 Stat. 930, as amended; 7 U.S.C. 1132, 1133, 1134)

Effective date: Date of publication.

Signed at Washington, D.C., on September 9, 1968.

RAY FITZGERALD,
Deputy Administrator,
State and County Operations.

[F.R. Doc. 68-11148; Filed, Sept. 12, 1968; 8:50 a.m.]

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

HANDLING OF MILK IN THE MASSACHUSETTS-RHODE ISLAND-NEW HAMPSHIRE, AND CERTAIN OTHER MARKETING AREAS

Order Amending Orders

§ 1000.0 Findings and determinations.

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

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

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

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

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

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective not later than September 15, 1968. Any de-

lay beyond that date would tend to disrupt the orderly marketing of milk in the marketing area and threaten the maintenance of an adequate supply of milk for the market.

The provisions of the said order are known to handlers. The recommended decision of Deputy Administrator, Regulatory Programs was issued August 20, 1968, and the decision of the Acting Secretary containing all amendment provisions of this order was issued September 6, 1968. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective September 15, 1968, and that it would be contrary to the public interest to delay the effective date of this amendment for 30 days after its publication in the FEDERAL REGISTER. (Sec. 553(d), Administrative Procedure Act, 5 U.S.C. 551-559.)

(c) *Determinations.* It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in section 8c(9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as hereby amended; and

(3) The issuance of the order amending the order is approved or favored by at least two-thirds of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area.

ORDER RELATIVE TO HANDLING

It is therefore ordered, That on and after the effective date hereof, the handling of milk in the Massachusetts-Rhode Island-New Hampshire, New York-New Jersey, Delaware Valley, and Connecticut marketing areas shall be in conformity to and in compliance with the terms and conditions of the aforesaid orders, as amended, and as hereby further amended, as follows:

PART 1001—MILK IN MASSACHUSETTS-RHODE ISLAND-NEW HAMPSHIRE MARKETING AREA

In § 1001.60, paragraph (d) is revised to read as follows:

§ 1001.60 Class I price.

(d) The Class I price shall be the result, rounded to the nearest full cent, of the economic index price determined under paragraph (b) of this section, multiplied by the supply-demand adjustment factor determined under paragraph

(c) of this section, except that from the effective date hereof the Class I price each month shall be \$6.91 through April 1969.

PART 1002—MILK IN NEW YORK-NEW JERSEY MARKETING AREA

In § 1002.50, the text of paragraph (a) preceding subparagraph (1) is revised to read as follows:

§ 1002.50 Class prices.

(a) For Class I-A milk the price during each month shall be a price computed pursuant to subparagraphs (1) through (10) of this paragraph, except that from the effective date hereof the Class I-A price each month shall be \$6.73 through April 1969.

PART 1004—MILK IN DELAWARE VALLEY MARKETING AREA

In § 1004.50, the text of paragraph (a) preceding subparagraph (1), is revised as follows:

§ 1004.50 Class prices.

(a) *Class I milk.* Through April 1969, for each month in each calendar quarter, the price per hundredweight of Class I milk shall be the price computed for each quarter pursuant to subparagraphs (1) through (4) of this paragraph, except that from the effective date hereof through April 1969 the Class I price each month shall be \$7.17.

PART 1015—MILK IN CONNECTICUT MARKETING AREA

In § 1015.60, paragraph (d) is revised to read as follows:

§ 1015.60 Class I price.

(d) The Class I price shall be the result, rounded to the nearest full cent, of the economic index price determined under paragraph (b) of this section, multiplied by the supply-demand adjustment factor determined under paragraph (c) of this section, plus 40 cents, except that from the effective date hereof the Class I price each month shall be \$7.31 through April 1969.

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

Effective date: September 15, 1968.

Signed at Washington, D.C., on September 10, 1968.

JOHN A. SCHNITTKER,
Under Secretary.

[F.R. Doc. 68-11111; Filed, Sept. 12, 1968; 8:47 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES AND OTHER OPERATIONS

[1968 Crop Supplement to Cotton Loan Program Regulations, Amdt. 1]

PART 1427—COTTON

Subpart—1968 Crop Supplement to Cotton Loan Program Regulations

LOAN RATES FOR 1968 CROP EXTRA LONG STAPLE COTTON

In order to announce that loans will be available on 1968 crop extra long staple cotton and to provide loan rates for such cotton, the 1968 Crop Supplement to Cotton Loan Program Regulations

§ 1427.1519 Schedule of loan rates for eligible qualities of 1968 crop extra long staple cotton by warehouse location.

[In cents per pound, net weight]

Grade	Staple length (inches)					
	1 $\frac{3}{8}$		1 $\frac{7}{16}$		1 $\frac{1}{2}$ and longer	
	Cotton stored in approved warehouses in—		Cotton stored in approved warehouses in—		Cotton stored in approved warehouses in—	
Arizona and California	New Mexico, Texas and other States	Arizona and California	New Mexico, Texas and other States	Arizona and California	New Mexico, Texas and other States	
1.....	41.05	41.45	41.60	42.00	41.80	42.20
2.....	40.75	41.15	41.35	41.75	41.60	42.00
3.....	40.35	40.75	40.95	41.35	41.15	41.55
4.....	39.55	39.95	40.05	40.45	40.25	40.65
5.....	37.20	37.60	37.65	38.05	37.80	38.20
6.....	34.10	34.50	34.45	34.85	34.55	34.95
7.....	31.05	31.45	31.30	31.70	31.40	31.80
8.....	28.25	28.65	28.45	28.85	28.55	28.95
9.....	25.95	26.35	26.15	26.55	26.25	26.65

(Secs. 4, 5, 62 Stat. 1070, as amended; secs. 101, 103, 401, 63 Stat. 1051, as amended; 15 U.S.C. 714 b and c; 7 U.S.C. 1441, 1444, 1421)

Effective date: This amendment shall become effective upon filing with the Office of the Federal Register for publication.

Signed at Washington, D.C., on September 9, 1968.

H. D. GODFREY,
Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 68-11147; Filed, Sept. 12, 1968; 8:50 a.m.]

Title 12—BANKS AND BANKING

Chapter V—Federal Home Loan Bank Board

SUBCHAPTER A—GENERAL

[22,077]

PART 511—EMPLOYEE RESPONSIBILITIES AND CONDUCT

SEPTEMBER 5, 1968.

Resolved that, pursuant to and in accordance with sections 201 through 209 of title 18, United States Code, Executive Order 11222 of May 8, 1965 (3 F.R. 6469), and Title 5, Chapter I, Part 735 of the Code of Federal Regulations, Part 511 of the general regulations of the Federal Home Loan Bank Board (12 CFR Part 511) is hereby amended by amendments the substance of which are as follows:

1. Paragraph (b) of § 511.735-14 is hereby amended to read as follows and paragraph (c) is revoked:

§ 511.735-14 Outside employment and other activities.

(b) Employees are encouraged to engage in teaching, lecturing, speaking, and writing that is related to the Agency's functions and responsibilities and not prohibited by law, Executive Order 11222 or this part. However, employees shall not, either for or without compensation, engage in any such activities or engage in teaching, lecturing, or writing for the purpose of the special preparation of a person or class of persons for an examination of the Civil Service Commission or Board of Examiners for the Foreign Service without official approval by the Agency. He shall consult his Department or Division Head for the appropriate procedure to obtain such approval.

(c) [Revoked]

3. Section 511.735-36 is hereby amended by adding, immediately before the parenthesis the words "or Assistant or

Special Assistant to a Director of a Division or an Office of the Agency", and, as so amended said § 511.735-36 reads as follows:

§ 511.735-36 Employees required to submit statements.

Except as provided in § 511.735-37 of this part, statements of employment and financial interests on Form 511A shall be filed by each employee who is a Director, Deputy Director, Associate Director, or Assistant Director of a Division or an Office of the Agency or Assistant or Special Assistant to a Director of a Division or an Office of the Agency (regardless of his specific title), an Adviser or Assistant to the Board, an Assistant to the Chairman or Member of the Board, a Hearing Officer, the Office Services Manager, a Chief Examiner, an Assistant Chief Examiner and an Examiner serving as Examiner-in-Charge of examinations of member institutions or institutions applying for membership. However, employees described in this paragraph may be excluded from the reporting requirement when the Board determines that the duties of such person are at such a level of responsibility that the submission of a statement of employment and financial interests by such person is not necessary because of the degree of supervision and review over such person and the remote and inconsequential effect on the integrity of the Agency and the Government.

4. Section 511.735-38 is hereby amended by striking the period at the end of paragraph (b) and inserting in lieu thereof a semicolon and the word "or" and by adding, immediately thereafter a new paragraph (c). As amended paragraphs (b) and (c) of § 511.735-38 read as follows:

§ 511.735-38 Time and place for submission of employees' statements.

(b) Thirty days after his entrance on duty. However, this paragraph does not require a submission earlier than 90 days after the effective date of this part; or
(c) Thirty days after the inclusion of his position in § 511.735-36.

These amendments were approved by the Civil Service Commission on August 27, 1968, and are effective on publication in the FEDERAL REGISTER.

By the Federal Home Loan Bank Board.

[SEAL]

JACK CARTER,
Secretary.

[F.R. Doc. 68-11121; Filed, Sept. 12, 1968; 8:48 a.m.]

SUBCHAPTER C—FEDERAL SAVINGS AND LOAN SYSTEM

[22,080]

PART 545—OPERATIONS

Loans on Developed Building Lots and Sites

SEPTEMBER 5, 1968.

Resolved that, notice and public procedure having been duly afforded (33 F.R.

5807) and all relevant material presented or available having been considered by it, the Federal Home Loan Bank Board, upon the basis of such consideration and for the purpose of authorizing the board of directors of a Federal savings and loan association to approve extensions of loans made under the authority of § 545.6-3 for a period of not more than 3 years beyond the existing 3-year loan-term limit and to provide conditions which must be met in order for any such approval to be given by the board of directors of a Federal savings and loan association, and, for such purpose, hereby amends Part 545 of the rules and regulations for the Federal Savings and Loan System (12 CFR Part 545) by revising subparagraph (3) of paragraph (c) of § 545.6-3 to read as follows, effective September 13, 1968.

§ 545.6-3 Lending powers under other charter provisions.

(c) *Loans on developed building lots and sites.*

(3) Each such loan shall be repayable within a period not in excess of 3 years from the date of the security instrument, with or without amortization of principal prior to the expiration of such period but with interest payable at least semiannually commencing not more than 12 months after the date of the security instrument; however, the association's board of directors may approve the extension of the time for payment for an additional period not in excess of 3 years, but no such extension may be approved unless (i) interest on the loan is current, (ii) said board has before it a current independent appraisal of the security property, and (iii) the outstanding principal balance of the loan is or has been reduced to an amount not in excess of 70 percent of the value of the security property; in addition, if such extension is effected by refinancing the original loan with a new loan, the principal amount of the new loan may not exceed the outstanding principal balance of the original loan at the time of such extension;

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464, Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

By the Federal Home Loan Bank Board.

[SEAL]

JACK CARTER,
Secretary.

[F.R. Doc. 68-11122; Filed, Sept. 12, 1968;
8:48 a.m.]

[22,081]

PART 545—OPERATIONS

Land Acquisition and Development Loans

SEPTEMBER 5, 1968.

Resolved that, notice and public procedure having been duly afforded (33 F.R. 5807) and all relevant material presented or available having been consid-

ered by it, the Federal Home Loan Bank Board, upon the basis of such consideration and for the purpose of authorizing the board of directors of a Federal savings and loan association to approve extensions of loans made under the authority of § 545.6-14 for a period of not more than 3 years beyond the existing 3-year loan-term limit and to provide conditions which must be met in order for any such approval to be given by the board of directors of a Federal savings and loan association, hereby amends Part 545 of the rules and regulations for the Federal Savings and Loan System (12 CFR Part 545) by revising subparagraph (1) of paragraph (c) of § 545.6-14 to read as follows, effective September 13, 1968:

§ 545.6-14 Loans to finance acquisition and development of land; loans to finance construction of homes inclusive of acquisition and development of land.

(c) *Limitations on specific loans.*

(1) *Loans to finance acquisition and development of land.* A Federal association may make loans on the security, and for the purpose of financing the acquisition and development, of land for primarily residential usage. No loan shall be made under this subparagraph (1) in an amount equal to more than 70 percent of the value of the real estate security therefor as of the completion of the development thereof into building lots or sites ready for construction thereon. Each such loan shall be repayable within a period of not more than 3 years and the interest thereon shall be payable at least semiannually. The board of directors of a Federal association may approve the extension of any such loan for a period of not more than 3 years beyond the prescribed 3-year loan-term limit. No such approval may be given unless (i) interest on the loan is current (ii) such board has before it a current independent appraisal of the security property, and (iii) the outstanding principal balance of the loan is or has been reduced to an amount not in excess of 70 percent of the value of the security property. In addition to the foregoing limitations, if such extension is effected by refinancing the original loan with a new loan, the principal amount of the new loan may not exceed the outstanding principal balance of the original loan at the time of such extension. Upon the sale or release from the lien of any portion of the security property, the principal amount of any such loan shall be reduced in an amount at least equal to that portion of the total loan secured by the property sold or released. No disbursement of any of the proceeds of any loan made under this subparagraph (1) shall be made at any time if such disbursement, together with the aggregate amount of such proceeds previously disbursed by the association and not repaid to it, would exceed an amount equal to the sum of (i) 70 percent of the value at such time of that portion of the security property which is building lots or sites

the development of which is in progress or completed and, (ii) 70 percent of the value at such time of the remaining security property.

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464, Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

By the Federal Home Loan Bank Board.

[SEAL]

JACK CARTER,
Secretary.

[F.R. Doc. 68-11123; Filed, Sept. 12, 1968;
8:48 a.m.]

SUBCHAPTER D—FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION

[22,076]

PART 561—DEFINITIONS

Insured Loans

SEPTEMBER 5, 1968.

Resolved that, notice and public procedure having been duly afforded (33 F.R. 2453) and all relevant material presented or available having been considered by it, the Federal Home Loan Bank Board upon the basis of such consideration, hereby amends § 561.20 of the rules and regulations for Insurance of Accounts (12 CFR 561.20) for the purpose of including certain education loans within the definition of the term "insured loan" by revising said section to read as follows, effective September 13, 1968:

§ 561.20 Insured loan.

The term "insured loan" means a loan which is insured in whole or in part, or as to which the mortgagee is insured, in whole or in part, or as to which a commitment for any such insurance has been made under the provisions of the National Housing Act, or the Servicemen's Readjustment Act of 1944, or chapter 37 of title 38, United States Code, as now or hereafter amended. Such term also means an education loan which is insured by the U.S. Commissioner of Education under Part B of Title IV of the Higher Education Act of 1965 or the National Vocational Student Loan Insurance Act of 1965, as now or hereafter amended, or which is insured by a State which has pledged its full faith and credit to such insurance, or which is insured by a State or nonprofit private institution or organization with which the U.S. Commissioner of Education has a guaranty agreement under subsection (c) of section 428 of the Higher Education Act of 1965.

(Secs. 402, 403, 48 Stat. 1256, 1257, as amended; 12 U.S.C. 1725, 1726, Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1943-1948 Comp., p. 1071)

By the Federal Home Loan Bank Board.

[SEAL]

JACK CARTER,
Secretary.

[F.R. Doc. 68-11124; Filed, Sept. 12, 1968;
8:48 a.m.]

[22,082]

PART 561—DEFINITIONS

Definition of Slow Loans

SEPTEMBER 5, 1968.

Resolved that, notice and public procedure having been duly afforded (33 F.R. 5808) and all relevant material presented or available having been considered by it, the Federal Home Loan Bank Board, upon the basis of such consideration, hereby amends § 561.16 of the rules and regulations for Insurance of Accounts (12 CFR 561.16) for the purpose of including within the definition of "slow loans" any loan or land contract that has been made, extended, or continued beyond the term permitted by applicable lending limitations by inserting a new paragraph (g) at the end of said section before the proviso which now follows paragraph (f), so that the portion of said section which follows paragraph (f) will be read as follows, effective October 14, 1968:

§ 561.16 Slow loans.

(g) Any loan or land contract that has been made, extended, or continued beyond the term permitted by applicable lending limitations.

Provided, That any mortgage loan, deed of trust, or land contract on which the total indebtedness is less than 60 percent of the original amount, any loan on which all contractually required payments have been made during the preceding 12 months and any loan on which payments are being deferred pursuant to the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, shall not be considered to be a slow loan under this section.

(Secs. 402, 403, 48 Stat. 1256, 1257, as amended; 12 U.S.C. 1725, 1726. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1943-1948 Comp., p. 1071)

By the Federal Home Loan Bank Board.

[SEAL] JACK CARTER,
Secretary.

[F.R. Doc. 68-11125; Filed, Sept. 12, 1968; 8:48 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Docket No. 68-EA-96; Amdt. 39-652]

PART 39—AIRWORTHINESS DIRECTIVES

Cessna Aircraft

The Federal Aviation Administration is amending section 39.13 of Part 39 of the Federal Aviation Regulations so as to issue an airworthiness directive which would require placarding of certain types

of Cessna 172 airplanes in which STC No. SA116SO has been incorporated.

The structural substantiation for the issuance of STC SA116SO on various Cessna Type 172 airplanes was based on the similarity to the Cessna Type 175 installation in accordance with STC SA161EA. The airplanes listed on STC SA161EA, however, were type certificated only in the Normal Category, whereas the applicable Cessna 172 airplanes are certificated in both the Normal and Utility Categories. STC SA116SO thus has not been substantiated for Utility Category operations. Therefore, aircraft incorporating STC SA116SO will be limited to Normal Category operations by the airworthiness directive.

Since a situation exists that requires immediate adoption of this regulation, it is found that notice and public procedure herein are impracticable and good cause exists for making this amendment effective in less than 30 days.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator, 14 CFR 11.89, 31 F.R. 13697, § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive.

CESSNA: Applies to Cessna Types 172B, 172C, 172D, 172E, 172F, and 172G airplanes equipped with a Franklin Engine Co., Inc., Model 6A-335-B engine installed in accordance with Supplemental Type Certificate No. SA116SO.

Compliance required as indicated within the next 25 hours time in service after the effective date of this AD, unless already accomplished.

To prevent possible structural damage to the airplane, resulting from conducting Utility Category maneuvers, accomplish the following:

Remove any placarded reference to Utility Category specifications and install a placard stating, "Use in Utility Category prohibited".

This amendment effective September 13, 1968.

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

Issued in Jamaica, N.Y., on September 4, 1968.

WAYNE HENDERSHOT,
Acting Director, Eastern Region.

[F.R. Doc. 68-11112; Filed, Sept. 12, 1968; 8:47 a.m.]

[Docket No. 68-EA-70; Amdt. 39-651]

PART 39—AIRWORTHINESS DIRECTIVES

Hartzell Propellers

On page 9905 of the FEDERAL REGISTER for July 10, 1968, the Federal Aviation Administration published a proposed Airworthiness Directive which would require inspection and maintenance of certain Hartzell type propellers.

Interested parties were given 30 days in which to submit written data or views. Piper Aircraft Corp. submitted a written objection to the inclusion of the PA-23-250 type Piper aircraft. It contended that there was no record of a PA-23-250

aircraft with the Hartzell propeller installation, which is the subject of the proposed Airworthiness Directive, being subject to the cracking which is the deficiency to be corrected. Administration records reveal at least two cases involving PA-23-250 aircraft. Further, it is believed that the engine-propeller combination is responsible for the deficiency regardless of the aircraft involved. Atlantic Aviation, Inc., also responded requesting the inspection time be increased to 1,200 so as to coincide with engine overhaul and thus eliminate an inconvenience to owners. However, the time limit of 1,000 hours was the result of a statistical analysis which reasonably establishes 1,000 hours as the time at which a crack will commence propagating to failure of the propeller.

There is being added a paragraph lettered (d) which will permit the relaxation of the inspection time upon presentation of proper justification. This paragraph by nature does not impose an additional burden on any person and therefore may be published without notice and public procedure.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator, 14 CFR 11.89, 31 F.R. 13697, the proposed Airworthiness Directive is hereby adopted as follows:

1. Add the following paragraph lettered (d):

(d) Upon submission of substantiating data through an FAA Maintenance Inspector, the Chief, Engineering and Manufacturing Branch, Eastern Region, may adjust the repetitive inspection intervals specified in this AD.

This amendment is effective September 13, 1968.

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

Issued in Jamaica, N.Y., on September 4, 1968.

WAYNE HENDERSHOT,
Acting Director, Eastern Region.

Amend § 39.13 of Part 39 of the Federal Aviation Regulations by adding a new airworthiness directive for Hartzell Propellers described as follows:

HARTZELL: Applies to Models HC-A2XF, BHC-A2XF, HC-A2XK, HC-A2XL, HC-A3XK and HC-A3VK with 8433 or V8433 blades installed on but not limited to Aero Commander 500 series, Cessna 180 series, Cessna 210 series, Cessna 310 series, and Piper PA-23-250 airplanes.

To detect blade shank cracks and prevent possible blade failure, accomplish the following:

(a) Propellers with 2,000 hours or more time in service inspect in accordance with paragraph (c) within the next 100 hours time in service after the effective date of this AD. If no cracks are found, shot peen propeller blade shank area in accordance with Hartzell Bulletin No. 93. Shot peened blades are to be reinspected in accordance with paragraph (c) every 1,000 hours time in service from the last inspection. For propellers which have been inspected within the last 1,000 hours time in service compliance with this paragraph is not necessary until 1,000 hours time in service from the last inspection.

(b) Propellers with less than 2,000 hours time in service, inspect in accordance with

paragraph (c) within 2,100 hours total time in service. If no cracks are found, shot peen blade shank area in accordance with Hartzell Bulletin No. 93. Shot peened blades are to be reinspected in accordance with paragraph (c) every 1,000 hours time in service from the last inspection.

(c) Remove propeller from aircraft and remove blades from hub. Inspect blade shank area for cracks by the penetrant method. Replace before further flight any cracked blade with a new blade or blade which has been inspected in accordance with this AD and found satisfactory, and shot peened in accordance with Hartzell Bulletin No. 93.

(d) Upon submission of substantiating data through an FAA Maintenance Inspector, the Chief, Engineering and Manufacturing Branch, Eastern Region, may adjust the repetitive inspection intervals specified in this AD.

[F.R. Doc. 68-11117; Filed, Sept. 12, 1968; 8:47 a.m.]

[Airspace Docket No. 68-CE-48]

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

Alteration of Control Zone and Transition Area

On June 20, 1968, a notice of proposed rule making was published in the FEDERAL REGISTER (33 F.R. 9091 and 9092) stating that the Federal Aviation Administration proposed to alter the Watertown, S. Dak., control zone and transition area.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. The one comment received offered no objection to the proposal.

Subsequent to the issuance of the proposal, the Air Force advised the Federal Aviation Administration that their Watertown VOR high altitude approach procedure is no longer required and will be canceled. Such cancellation will permit the 12-mile control zone extension to the north to be reduced to 8 miles.

Since this change will reduce the proposed altered control zone, notice and public procedure hereon are unnecessary.

No objections having been received, the amendments as so proposed are hereby adopted, subject to the following change: "12 miles north of the VORTAC" as recited in the Watertown, S. Dak., control zone alteration is deleted and "8 miles north of the VORTAC" is substituted therefor.

This amendment shall be effective 0901 G.m.t., November 14, 1968.

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

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

DANIEL E. BARROW,
Acting Director, Central Region.

(1) In § 71.171 (33 F.R. 2058), the following control zone is amended to read:

WATERTOWN, S. DAK.

Within a 5-mile radius of Watertown Municipal Airport (latitude 44°54'35" N. longitude 97°09'30" W.); within 2 miles each side of the Watertown VORTAC 185° radial, extending from the 5-mile radius zone to 11 miles south of the VORTAC; within 2 miles each side of the Watertown VORTAC 006° radial, extending from the 5-mile radius zone to 8 miles north of the VORTAC; and within 2 miles each side of the 145° bearing from Watertown Municipal Airport, extending from the 5-mile radius zone to 12 miles southeast of the airport.

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

WATERTOWN, S. DAK.

That airspace extending upward from 700 feet above the surface within a 10-mile radius of Watertown Municipal Airport (latitude 44°54'35" N., longitude 97°09'30" W.); and within 5 miles east and 8 miles west of the Watertown VORTAC 006° radial, extending from the 10-mile radius area to 12 miles north of the VORTAC; and that airspace extending upward from 1,200 feet above the surface within a 15-mile radius of Watertown VORTAC extending from the Watertown VORTAC 238° radial clockwise to the Watertown VORTAC 086° radial; within a 24-mile radius of the Watertown VORTAC, extending from the Watertown VORTAC 086° radial clockwise to the Watertown VORTAC 238° radial; within 5 miles northeast and 8 miles southwest of the Watertown VORTAC 297° radial, extending from the 15-mile radius area to 30 miles northwest of the VORTAC; and within 8 miles west and 5 miles east of the Watertown VORTAC 006° radial, extending from the 15-mile radius area to 39 miles north of the VORTAC.

[F.R. Doc. 68-11099; Filed, Sept. 12, 1968; 8:46 a.m.]

[Airspace Docket No. 68-CE-33]

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

Alteration of Transition Area

On July 23, 1968, a final rule was published in the FEDERAL REGISTER (33 F.R. 10443 and 10444), F.R. Doc. 68-8762, which included designation of the Mount Vernon, Ill., transition area. In this designation the extensions are erroneously described in lines 6, 7, 10, and 11 of the designation as "extending from the 5-mile radius". The correct radius should have been 6 miles. Action is taken herein to make this correction.

Since this amendment is editorial in nature and imposes no additional burden on any person, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, the designation of the Mount Vernon, Ill., transition area, as set forth in F.R. Doc. 68-8762, is corrected effective immediately as follows: the words "extending from the 5-mile radius" as used in lines 6, 7, 10, and 11 of the description are deleted and the words "extending from the 6-mile radius" are substituted therefor.

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

Issued in Kansas City, Mo., on August 29, 1968.

DANIEL E. BARROW,
Acting Director, Central Region.

[F.R. Doc. 68-11100; Filed, Sept. 12, 1968; 8:46 a.m.]

[Airspace Docket No. 68-CE-36]

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

Alteration of Transition Area; Correction

On July 25, 1968, a final rule was published in the FEDERAL REGISTER (33 F.R. 10564), F.R. Doc. 68-8846, which altered the St. Joseph, Mo., transition area. The coordinate "longitude 95°02'25" W." is erroneously used in the 27th and 51st lines of the St. Joseph, Mo., transition area description. The correct coordinate should have been "longitude 95°07'35" W.". Action is taken herein to make this correction.

Since this amendment is editorial in nature and imposes no additional burden on any person, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, the redesignation of the St. Joseph, Mo., transition area, as set forth in F.R. Doc. 68-8846, is corrected effective immediately as follows: the coordinate "longitude 95°02'25" W." as used in the 27th and 51st lines of the St. Joseph transition area description is deleted and "longitude 95°07'35" W." is substituted therefor.

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

Issued in Kansas City, Mo., on August 29, 1968.

DANIEL E. BARROW,
Acting Director, Central Region.

[F.R. Doc. 68-11101; Filed, Sept. 12, 1968; 8:46 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. C-1395]

PART 13—PROHIBITED TRADE PRACTICES

Charles G. Collins and Family Enuresis Service of Kansas City

Subpart—Advertising falsely or misleadingly: § 13.170 *Qualities or properties of product or service*: 13.170-22 Corrective, orthopedic, etc.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Charles G. Collins trading as Family Enuresis Service of Kansas City, Raytown, Mo., Docket C-1395, July 29, 1968]

In the Matter of Charles G. Collins, Individually and Trading as Family Enuresis Service of Kansas City

Consent order requiring a Raytown, Mo., marketer of devices for eliminating bed-wetting to cease misrepresenting the efficacy of his product and making other false claims.

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

It is ordered, That respondent Charles G. Collins, an individual, trading and doing business as Family Enuresis Service of Kansas City, or under any other name or names, and respondent's agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, leasing, or distribution of any device for use in cases of enuresis or bedwetting do forthwith cease and desist from:

1. Disseminating or causing the dissemination by means of the U.S. mails or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, of any advertisement:

(a) Which represents directly or by implication that 98 percent of the users of the devices, or any other percentage of said users not substantiated by scientifically adequate clinical records, have eliminated their enuresis problems, or

(b) Which misrepresents in any manner the efficacy of the device.

(c) Which represents directly or by implication that a personal home visiting service by qualified personnel is provided with the rental of each device, or that consultation with and advice of a qualified psychologist is provided the users of said device during the said rental period; or

(d) Which misrepresents in any manner any service provided in connection with a rental or sale of said device.

(e) Which represents directly or by implication that users of said device, whose rental periods have terminated, and who experience a recurrence of their enuresis problem, will be entitled to additional use of the device without an additional charge or cost.

2. Disseminating, or causing the dissemination of, any advertisement by any means, for the purpose of inducing, or which is likely to induce, directly, or indirectly, the sale, lease, rental, or distribution of respondent's device, in commerce as "commerce" is defined in the Federal Trade Commission Act, which contains any of the representations prohibited in Paragraph 1 hereof.

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

Issued: July 29, 1968.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 68-11119; Filed, Sept. 12, 1968; 8:47 a.m.]

[Docket No. C-1394]

PART 13—PROHIBITED TRADE PRACTICES

Hawaiian Sport Shop, Inc., et al.

Subpart—Importing, selling, or transporting flammable wear: § 13.1060 *Importing, selling, or transporting flammable wear.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, 67 Stat. 111, as amended; 15 U.S.C. 45, 1191) [Cease and desist order, Hawaiian Sport Shop, Inc., et al., Fort Lauderdale, Fla., Docket C-1394, July 29, 1968]

In the Matter of Hawaiian Sport Shop, Inc., a Corporation, and Waikiki Shop, Inc., a Corporation, and John F. McFall, Individually and as an Officer of Said Corporations

Consent order requiring two affiliated Florida retailers of ladies' and men's sportswear to cease marketing dangerously flammable products.

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

It is ordered, That respondents Hawaiian Sport Shop, Inc., a corporation, and its officers, and Waikiki Shop, Inc., a corporation, and its officers, and John F. McFall, individually and as an officer of said corporations, and respondents' representatives, agents, and employees, directly or through any corporate or other device, do forthwith cease and desist from manufacturing for sale, selling, offering for sale, in commerce, or importing into the United States, or introducing, delivering for introduction, transporting, or causing to be transported in commerce, or selling or delivering after sale or shipment in commerce, any product, as "commerce" and "product" are defined in the Flammable Fabrics Act, as amended, which fails to conform to an applicable standard or regulation continued in effect, issued or amended under the provisions of the aforesaid Act.

It is further ordered, That the respondents herein shall, within ten (10) days after service upon them of this Order, file with the Commission an interim special report in writing setting forth the respondents' intention as to compliance with this order. This interim special report shall also advise the Commission fully and specifically concerning the identity of the product which gave rise to the complaint, (1) the amount of such product in inventory, (2) any action taken to notify customers of the flammability of such product and the results thereof and (3) any disposition of such product since February 21, 1968. Such report shall further inform the Commission whether respondents have in inventory any wood fiber chips from which the aforementioned products are made or any other fabric, product, or related material having a plain surface and made of silk, rayon, or cotton or combinations thereof in a weight of 2 ounces or less per square yard or fabric with a raised fiber surface made of cotton or rayon or combinations thereof. Respondents will submit samples of any such fabric, product, or related material with this report. Samples of the fabric, product or related material shall be of no less than 1 square yard of material.

It is further ordered, That the respondent corporations shall forthwith distribute a copy of the order to each of their operating divisions.

It is further ordered, That the respondents herein shall, within sixty (60)

days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form of their compliance with this order.

Issued: July 29, 1968.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 68-11120; Filed, Sept. 12, 1968; 8:47 a.m.]

Title 49—TRANSPORTATION

Subtitle A—Office of the Secretary of Transportation

[OST Docket No. 1, Amdt. No. 1-21]

PART 1—FUNCTIONS, POWERS, AND DUTIES IN THE DEPARTMENT OF TRANSPORTATION

Delegation of Authority Regarding Rhodesian Sanctions

Executive Order No. 11419 of July 29, 1968 (33 F.R. 10837) prohibits, among other transactions, the importation of Southern Rhodesian commodities and products, the export of commodities and products to Southern Rhodesia, and the operation of aircraft, or the carriage of persons, commodities, or products to or from Southern Rhodesia. By section 2(b) of the order, the Secretary of Transportation is delegated the responsibility for carrying out enforcement of that order and Executive Order 11322 of January 5, 1967, so far as they relate to aviation. Section 4(b) of Executive Order No. 11419 directs the Secretary to issue regulations necessary to carry out that order and U.N. Security Council Resolution No. 253 of May 29, 1968, relating to economic, trade, and transportation transactions involving Southern Rhodesia.

The purpose of this amendment is to delegate the authority of the Secretary under the cited Executive orders to the Administrator, Federal Aviation Administration.

Since this amendment relates to departmental management, procedures, and practices, notice and public procedure thereon is unnecessary and it may be made effective in less than 30 days after publication in the FEDERAL REGISTER.

In consideration of the foregoing, Part 1 of the Regulations of the Office of the Secretary of Transportation is amended by adding the following new subparagraph at the end of § 1.4(b) effective September 11, 1968.

§ 1.4 Delegation of functions, powers, and duties.

• • • • •
(b) • • •

(5) Executive Order No. 11419 of July 29, 1968, and 11322 of January 5, 1967, relating to prohibited aviation operations and the prohibited carriage of commodities and products to and from Southern Rhodesia.

• • • • •

(Sec. 2(b) of Executive Order No. 11419 (33 F.R. 10837) and sec. 9 of the Department of Transportation Act (44 CFR 1657))

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

ALAN S. BOYD,
Secretary of Transportation.

[F.R. Doc. 68-11103; Filed, Sept. 12, 1968;
8:46 a.m.]

Chapter X—Interstate Commerce Commission

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[S.O. 1006]

PART 1033—CAR SERVICE

Distribution of Refrigerator Cars

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 9th day of September 1968.

It appearing, that an acute shortage of mechanical refrigerator cars exists in the areas served by the Southern Pacific Co. and the Union Pacific Railroad Co., and that shippers served by the Southern Pacific Co. and the Union Pacific Railroad Co. are being deprived of such cars required for loading highly perishable products, creating a great economic loss; that present regulations and practices with respect to the use, supply, control, movement, distribution, exchange, interchange, and return of such mechanical refrigerator cars owned by the Pacific Fruit Express Co., a wholly owned subsidiary of the Southern Pacific Co. and the Union Pacific Railroad Co., are ineffective. It is the opinion of the Commission that an emergency exists requiring immediate action to promote car service in the interest of the public and the commerce of the people. Accordingly, the Commission finds that notice and public procedure are impracticable and contrary to the public interest, and that good cause exists for making this order effective upon less than 30 days' notice.

It is ordered, That:

§ 1033.1006 Distribution of refrigerator cars.

(a) Each common carrier by railroad subject to the Interstate Commerce Act shall observe, enforce, and obey the following rules, regulations, and practices with respect to its car service:

(1) Withdraw from distribution and return to owners empty, except as otherwise provided in subparagraphs (2) and (3) of this paragraph, all mechanical refrigerator cars owned by the Pacific Fruit Express Co. which are listed in the Official Railway Equipment Register, ICC R.E.R. 368 issued by E. J. McFarland, or reissues thereof, as having mechanical designations RP or RPL, and numbered in series 100,000 through 456,999.

(2) Pacific Fruit Express Co. refrigerator cars, described in subparagraph (1) of this paragraph, available empty at a station other than a junction with the Southern Pacific Co. or Union Pacific Railroad Co. may be loaded with freight

requiring protection from heat or cold if destined to any station on or routed via the Southern Pacific Co. or the Union Pacific Railroad Co.

(3) Pacific Fruit Express Co. refrigerator cars, described in subparagraph (1) of this paragraph, available empty at a junction with the Southern Pacific Co. or with the Union Pacific Railroad Co. must be delivered at that junction to either the Southern Pacific Co. or the Union Pacific Railroad Co., either empty or loaded with freight requiring protection from heat or cold.

(4) Pacific Fruit Express Co. refrigerator cars, described in subparagraph (1) of this paragraph, must not be backhauled empty, or held empty more than 24 hours awaiting placement for loading for the purpose of obtaining a load as authorized in subparagraphs (2) and (3) of this paragraph.

(b) *Application.* The provisions of this order shall apply to intrastate, interstate and foreign commerce.

(c) *Effective date.* This order shall become effective at 12:01 a.m., September 10, 1968.

(d) *Expiration date.* This order shall expire at 11:59 p.m., September 30, 1968, unless otherwise modified, changed, or suspended by order of this Commission.

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

It is further ordered, That a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 68-11130; Filed, Sept. 12, 1968;
8:48 a.m.]

Title 50—WILDLIFE AND FISHERIES

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

PART 12—AREAS CLOSED TO HUNTING

Cape Romain National Wildlife Refuge, S.C.; Designation of Certain Lands and Waters as Closed Area

By virtue of and pursuant to the Migratory Bird Treaty Act of July 3, 1918 (40 Stat. 755, as amended; 16 U.S.C. 704), and by virtue of the Reorganization

Plan No. II of 1939 (53 Stat. 1431; 5 U.S.C. 133t—1964 Ed.) and in accordance with the Administrative Procedure Act (5 U.S.C. 553, Supp. III—1964 Ed.), I, the Under Secretary of the Interior, having due regard to the zones of temperature and to the distribution, abundance, economic value, breeding habits, and times and lines of migratory flight of migratory birds included in the terms of the Convention between the United States and Great Britain for the protection of migratory birds, concluded August 16, 1916, and the Convention between the United States and the United Mexican States for the protection of migratory birds and mammals, concluded February 7, 1936, I hereby designate as a closed area in or on which pursuing, hunting, taking, capturing, or killing of migratory birds is not permitted, that land and water in Charleston County, S.C., within the boundary of the Cape Romain National Wildlife Refuge, described by metes and bounds as follows:

Beginning at Corner 1, situated between Bull Bay and the mainland, approximately 1,600 feet northwest from the confluence of Saltpond Creek with Graham Creek, on the southeast bank of the Intracoastal Waterway, and opposite U.S. Engineer's monument, a 4-inch cast iron pipe with bronze disc marked, "POT 00+00 OFF 160 ELEV 5.398", on the northwest side of the Intracoastal Waterway, and at centerline station 0+00 North (towards Winyah Bay) and station 0+00 south (towards Charleston), and from which monument Corner 1 of the United States tract (21), common to lands of the International Paper Co. (Jefferson Plantation) and A. V. Canty, marked with a 2" x 60" cast iron pipe with standard cap marked, "COR 1 TR 2-1, 1965", bears S. 69°20' W., 99 feet distant; thence from said place of beginning, northeasterly in part along, and in part with the southeast bank of the Intracoastal Waterway, southeast bank of Harbor River, and then continuing with the southeast bank of the Intracoastal Waterway, approximately 42,500 feet to Corner 2, the intersection of the southeast banks of the Intracoastal Waterway and Mathews Creek; thence easterly, and southeasterly along the said south bank of Mathews Creek approximately 4,500 feet to Corner 3, at the mouth and on the right bank at Mathews Creek at Five Fathom Creek; thence S. 45°00' E., crossing Five Fathom Creek, approximately 600 feet to Corner 4, on the southeasterly or left bank of Five Fathom Creek; thence northeasterly in part along the southeast bank of Five Fathom Creek to Clubhouse Creek and then along the southeast bank of Clubhouse Creek, crossing Du Pree Creek to the northwest corner of an unnamed island lying between Du Pree and Skrine Creeks and continuing along the north bank of said unnamed island and also a smaller unnamed island lying to the east and crossing Skrine Creek, approximately 16,000 feet to Corner 5, at the mouth and on the southeast bank of Skrine Creek; thence northeasterly along the southeast bank of Skrine Creek and projection thereof approximately 9,500 feet to Corner 6, the intersection of said projection, with the east bank of Casino Creek; thence northerly along said east bank of Casino Creek, approximately along said east bank of Casino Creek, approximately 9,600 feet to Corner 7, the intersection of the said east bank of Casino Creek with south bank of the Intracoastal Waterway, thence northeasterly along south bank of the said waterway, approximately 3,300 feet to Corner 8, the intersection of said south bank with

the southwest boundary of plantation known as "Ormond Hall"; thence S. 53°27' E., with part of said southwest boundary approximately 1,678 feet to Corner 9, the most northerly point of the Staples and Manigault Tract; thence with five lines common to said tract S. 13°51' W., 2,125 feet to Corner 10; S. 32°37' E., 2,658 feet to Corner 11; S. 64°25' E., 646 feet to Corner 12; N. 62°57' E., 2,319 feet to Corner 13, on the right bank of Alligator Creek; thence southerly down the west or right bank of Alligator Creek approximately 9,200 feet to Corner 14, at the mouth and on the right bank of Alligator Creek and the Atlantic Ocean; thence southeasterly crossing the Inlet to Cape Romain Harbor, approximately 6,900 feet to Corner 15, the most northerly point of Cape Island;

thence southerly with the Atlantic Ocean along the east and south sides of Cape Island approximately 15,840 feet to Corner 16, the most westerly point on Cape Island; thence with two lines within the Atlantic Ocean, west approximately 15,800 feet to Corner 17, a point due south of the mouth at the right or west side of Key Inlet; north approximately 5,000 feet to Corner 18 at the said mouth of Key Inlet, and in the line of the Atlantic Ocean and on the south side of Raccoon Key; thence westerly along the south side of Raccoon Key, approximately 31,250 feet to Corner 19, the most westerly point on Raccoon Key; thence southwesterly approximately 30,500 feet to Corner 20, the most northeasterly point on Bulls Island; thence southwesterly, in part along the north side of Bulls Island, and in part along

the south side of Bull Creek, approximately 28,000 feet to Corner 21, at the intersection of the south side of Bull Creek with the east side of Sewee Bay; thence northerly and westerly along the east side and north side of Sewee Bay, approximately 28,000 feet to Corner 22, the intersection of the said north side of Sewee Bay with the southeast bank of the Intracoastal Waterway, thence northeasterly along said southeast bank, approximately 25,000 feet to the place of beginning.

DAVID S. BLACK,
Under Secretary of the Interior.

SEPTEMBER 6, 1968.

[F.R. Doc. 68-11097; Filed, Sept. 12, 1968;
8:46 a.m.]

Proposed Rule Making

FEDERAL HOME LOAN BANK BOARD

[12 CFR Part 545]

[No. 22,078]

OPERATIONS

Loans and Other Investments

SEPTEMBER 5, 1968.

Resolved that the Federal Home Loan Bank Board considers it advisable to amend Part 545 of the rules and regulations for the Federal Savings and Loan System for the purpose of implementing recent amendments to section 5(c) of the Home Owners' Loan Act of 1933, as amended, contained in Public Law 90-448, 82 Stat. 518, 608, 609, to authorize—

(a) Federal associations with a Charter K (rev.) or Charter N form of Charter to invest—

(1) Subject to certain conditions, in housing project loans and interests there-in payable in U.S. dollars and guaranteed by the President under section 221 of the Foreign Assistance Act of 1961, as amended;

(2) Subject to certain conditions, in loans which take the form of a purchase of securities by a Federal association under an agreement that the association will release and the borrower will reacquire the same securities by a specified date and at a specified price;

(3) Without any percentage of assets limitation, in loans, obligations, or interests therein guaranteed under the New Communities Act of 1968;

(b) Federal associations, subject to certain conditions, to invest in time deposits of any bank the deposits of which are insured by the Federal Deposit Insurance Corporation.

Accordingly, it is proposed to amend Part 545 as follows:

1. By amending paragraph (a) of § 545.6-20 to read as follows:

§ 545.6-20 Loans and investments guaranteed under the Foreign Assistance Act of 1961.

(a) *General provisions.* Without regard to any other provision of this part except §§ 545.6-8 and 545.8-2, a Federal association which has a charter in the form of Charter K (rev.) or Charter N may invest in loans and interests in loans payable in U.S. dollars and guaranteed by the President under § 224 of the Foreign Assistance Act of 1961, as amended, and in housing project loans and interests therein so payable and guaranteed by the President under § 221 of that Act, subject to the provisions of this section. The aggregate principal amount of such investments outstanding at any one time shall not exceed 1 percent of the assets of the association.

2. By adding a new § 545.6-21 to read as follows:

§ 545.6-21 Loans on securities.

A Federal association which has a charter in the form of Charter K (rev.) or Charter N may invest in loans secured by obligations of, or fully guaranteed as to principal and interest by, the United States, or by obligations, participations, or other instruments of or issued by, or fully guaranteed as to principal and interest by, the Federal National Mortgage Association, a Bank or Banks for Cooperatives, including the Central Bank for Cooperatives, a Federal Land Bank or Banks, a Federal Home Loan Bank or Banks, a Federal Intermediate Credit Bank or Banks, the Tennessee Valley Authority, or the Export-Import Bank of Washington, subject to the following conditions:

(a) The borrower is a financial institution the accounts of which are insured by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation, or is a broker or dealer registered with the Securities and Exchange Commission;

(b) The market value of the securities for each such loan is at least equal to the amount of such loan at the time it is made; and

(c) The loan takes the form of a purchase of securities by the Federal association with an agreement by the association to release the securities, and by the borrower to reacquire the securities, by a specified date and at a specified price.

3. By adding a new § 545.6-22 to read as follows:

§ 545.6-22 Loans and investments guaranteed under the New Communities Act of 1968.

(a) *General.* Without regard to any other provision of this part, a Federal association which has a charter in the form of Charter K (rev.) or Charter N may invest in loans or obligations, or interests therein, guaranteed, in whole or in part, or as to which a commitment or agreement for any such guarantee has been made under New Communities Act of 1968.

(b) *Percentage of assets.* Investments made under this section shall not be subject to any percentage of assets limitation.

4. By adding a new § 545.9-3 to read as follows:

§ 545.9-3 Investment in time deposits.

A Federal association may invest in the time deposits of any bank the deposits of which are insured by the Federal Deposit Insurance Corporation, subject to the following conditions:

(a) The sum of all time deposits of the association in the same bank does not exceed the greater of one-fourth of

1 percent of the total deposits of such bank (calculated as of the date the deposit is made on the basis of total deposits of such bank as shown by its last published statement of condition preceding the date of deposit) or \$15,000;

(b) The association itself makes each time deposit;

(c) No consideration is received from a third party in connection with the making of the deposit; and

(d) The maturity of each such deposit does not exceed 1 year, or, in the case of a time deposit which may not be withdrawn without notice, the notice period does not exceed 90 days.

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464; Public Law 90-448 82 Stat. 518, 608, 609, 12 U.S.C. 1464. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1943-1948 Comp., p. 1071)

Resolved further that interested persons are invited to submit written data, views, and arguments to the Office of the Secretary, Federal Home Loan Bank Board, 101 Indiana Avenue NW., Washington, D.C. 20552, by October 14, 1968, as to whether this proposal should be adopted, rejected, or modified. Written material submitted will be available for public inspection at the above address unless confidential treatment is requested or the material would not be made available to the public or otherwise disclosed under § 505.6 of the general regulations of the Federal Home Loan Bank Board (12 CFR 505.6).

By the Federal Home Loan Bank Board.

[SEAL]

JACK CARTER,
Secretary.

[F.R. Doc. 68-11126; Filed, Sept. 12, 1968; 8:48 a.m.]

[12 CFR Part 561]

[No. 22,079]

DEFINITIONS OF TERMS

Notice of Proposed Rule Making

SEPTEMBER 5, 1968.

Resolved that the Federal Home Loan Bank Board considers it desirable to amend Part 561 of the rules and regulations for Insurance of Accounts: (1) to recognize in certain definitions the additional lending authority proposed for Federal associations in the concurrent rule making action dealing with the implementation of recent amendments to section 5(c) of the Home Owners' Loan Act of 1933, as amended, contained in Public Law 90-448; and (2) to recognize in those definitions the comparable lending authority which State-chartered insured institutions may now have or hereafter acquire.

Accordingly, it is proposed to amend Part 561 as follows:

1. By amending paragraph (b) of § 561.15 to read as follows:

§ 561.15 **Scheduled items.**

The term "scheduled items" means:

(b) 20 percent of slow loans or obligations which are insured or guaranteed.

2. By amending paragraph (a) of § 561.17 to read as follows:

§ 561.17 **Specified assets.**

(a) The term "specified assets" means the total assets of an insured institution less the institution's cash, Government obligations and accrued interest thereon, Federal Home Loan Bank stock, prepaid Federal Savings and Loan Insurance Corporation premiums, loans in process, loans on the security of the institution's share accounts, investments of up to \$15,000 per institution in other institutions insured by the Federal Savings and Loan Insurance Corporation, and less 80 percent of the institution's actual investments in insured and guaranteed loans and obligations.

3. By amending § 561.21 to read as follows:

§ 561.21 **Guaranteed loan.**

The term "guaranteed loan" means a loan that is guaranteed, including a guarantee to repurchase, in whole or in part, or as to which a commitment to guarantee has been made under the provisions of the Servicemen's Readjustment Act of 1944, chapter 37 of title 38, United States Code, section 221 or section 224 of the Foreign Assistance Act of 1961, as amended, or the New Communities Act of 1968.

4. By adding a new § 561.21a to read as follows:

§ 561.21a **Guaranteed obligation.**

The term "guaranteed obligation" means an obligation that is guaranteed, in whole or in part, or as to which a commitment to guarantee has been made under the provisions of the New Communities Act of 1968.

(Secs. 402, 403, 48 Stat. 1256, 1257, as amended; 12 U.S.C. 1725, 1726. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1943-1948 Comp. p. 1071)

Resolved further that interested persons are invited to submit writer data, views, and arguments to the Office of the Secretary, Federal Home Loan Bank Board, 101 Indiana Avenue NW., Washington, D.C. 20552, by October 14, 1968, as to whether this proposal should be adopted, rejected, or modified. Written material submitted will be available for public inspection at the above address unless confidential treatment is requested or the material would not be made available to the public or otherwise disclosed under § 505.6 of the general regulations of the Federal Home Loan Bank Board (12 CFR 505.6).

By the Federal Home Loan Bank Board.

[SEAL]

JACK CARTER,
Secretary.

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FEDERAL POWER COMMISSION

[18 CFR Parts 101, 141, 201, 260]

[Docket No. R-344]

UNIFORM SYSTEMS OF ACCOUNTS AND FORMS 1 AND 2

Income Statement

SEPTEMBER 4, 1968.

1. Pursuant to 5 U.S.C. 553, the Administrative Procedure Act, the Commission gives notice it proposes to amend, effective for the reporting year 1968:

a. Certain accounts in the Uniform System of Accounts for Class A and Class B Public Utilities and Licensees as prescribed by Part 101, Chapter I, Title 18, CFR.

b. Certain schedules of the FPC Form 1, Annual Report for Electric Utilities and Licensees, Class A and Class B, prescribed by § 141.1, Chapter I, Title 18, CFR.

c. Certain accounts in the Uniform System of Accounts for Class A and Class B Natural Gas Companies, prescribed by Part 201, Chapter I, Title 18, CFR.

d. Certain schedules in the FPC Form 2, Annual Report for Natural Gas Companies, Class A and Class B, prescribed by § 260.1, Chapter I, Title 18, CFR.

2. Basically, the Commission proposes to modify its Uniform Systems of Accounts and Annual Report Forms to require all items of revenue and expense, with few exceptions, be included in the current income statement. The changes are, in general, consistent with those recommended by the Accounting Principles Board of the American Institute of Certified Public Accountants in Opinion 9, Reporting the Results of Operations, issued in December 1966. It is anticipated that the adoption of what is commonly referred to as the "all inclusive income statement" concept will strengthen the meaningfulness of the income statement.

3. The principal proposed changes to the Uniform Systems of Accounts are the elimination of the "Miscellaneous Debits to Surplus" and "Miscellaneous Credits to Surplus" accounts and the addition of five new accounts entitled: "Gain on Disposition of Property," "Loss on Disposition of Property," "Extraordinary Income," "Extraordinary Deductions," and "Adjustments to Retained Earnings." In addition, the rule-making proposes to change the account entitled "Earned Surplus" to "Retained Earnings" and to modify certain accounts so that all Federal and local income taxes will be recorded in account 409, Income Taxes, rather than being dispersed among several accounts as is presently the case.

4. The major proposed changes to the Statement of Income in the Annual Report Forms involve:

a. The removal of the "Earned Surplus" section. The information will be reported in the "Statement of Retained Earnings for the Year."

b. The addition of new section "Extraordinary Items."

c. The addition of income tax accounts in the Other Income and Deductions section.

d. The addition of accounts "Gain on Disposition of Property," "Loss on Disposition of Property," "Extraordinary Income," and "Extraordinary Deductions."

e. The addition of two notes. One note requires that disclosure be made of the amount of difference between taxes payable when using liberalized depreciation and taxes payable under straight line depreciation. The other note requires giving a concise explanation of any changes in accounting procedure during the year and the resultant dollar effect. Both notes are intended primarily to require full disclosure of information needed for a thorough evaluation of income data.

5. The account and schedule changes are as follows:

a. Proposed Revisions to the Uniform System of Accounts for Licensees and Public Utilities, Class A and Class B:

Definitions. Add new number 28 and renumber remainder of definitions.

28. "Retained Earnings" (formerly earned surplus) means the accumulated net income of the utility less distribution to stockholders and transfers to other capital accounts.

General Instruction 2E. Line 7: Change "account 426, Other Income Deductions" to read "account 426, Miscellaneous Income Deductions."

General Instruction 3A. Change accounts "400-439 Income accounts" to 400-432, 434-435 Income accounts. "433, 436-439 Retained earnings accounts."

General Instruction 7. Delete present General Instruction 7 and insert the following:

7. *Extraordinary Items.* Items related to transactions of a nonrecurring nature which are not typical or customary business activities of the company and which in the aggregate are greater than 5 percent of income (computed before extraordinary items), shall be considered extraordinary items. The aggregate determination shall include both debit and credit transactions net of the applicable income taxes. If a utility believes that an aggregate amount of less than 5 percent related to peculiar circumstances should be treated as an extraordinary item, permission may be requested from the Commission provided that justifying reasons are presented.

Add General Instruction 7.1.

7.1 *Prior Period Items.* As a general rule, items relating to transactions which occurred prior to the current calendar year but were not recorded in the books of account shall be included in the same accounts in which they would have been recorded had the item been recorded in

the proper period. When the amount of a prior period item is relatively so large that its inclusion for a single month would distort the accounts for that month, the amount may be distributed in equal amounts to the accounts for the current and remaining months of the calendar year. However, if the amount of any prior period item is so large that the company believes that its inclusion in the income statement would seriously distort the net income for the year, the company must request Commission approval to record the amount in account 439, Adjustments to Retained Earnings. Such a request must be accompanied by adequate justification. (See account 439.)

General Instruction 16. Subsection (d), line 2: Change "surplus" to "retained earnings."

Electric Plant Instruction 5F. In the last four lines change "account 434, Miscellaneous Credits to Surplus, or account 435, Miscellaneous Debits to Surplus" to "account 421.1, Gain on Disposition of Property, or 421.2, Loss on Disposition of Property."

Electric Plant Instruction 7E. In lines 6, 7, and 8 change "account 434, Miscellaneous Credits to Surplus, or account 435, Miscellaneous Debits to Surplus" to "account 421.1, Gain on Disposition of Property, or 421.2, Loss on Disposition of Property."

Electric Plant Instruction 10E. Beginning third line from top of page change "account 434, Miscellaneous Credits to Surplus, or account 435, Miscellaneous Debits to Surplus" to "account 421.1, Gain on Disposition of Property, or 421.2, Loss on Disposition of Property."

In Balance Sheet Accounts, Account 108 *Accumulated provision for depreciation of electric plant in service*, in paragraph A(2) change "435, Miscellaneous Debits to Surplus" to "426.5, Other Deductions." In paragraph E, line 5 change "surplus" to "retained earnings."

In Account 109. *Accumulated provision for depreciation of electric plant leased to others* in paragraph A, line 5 change "435, Miscellaneous Debits to Surplus" to "426.5, Other Deductions." In paragraph C, line 5 change "surplus" to "retained earnings."

In Account 110 *Accumulated provision for depreciation of electric plant held for future use* in paragraph B, line 5 change "surplus" to "retained earnings."

In Account 111 *Accumulated provision for amortization of electric plant in service* in paragraph A, lines 6 and 12 change "435, Miscellaneous Debits to Surplus" to "426.5, Other Deductions." In paragraph B, lines 10, 11, and 12 change "account 434, Miscellaneous Credits to Surplus, or account 435, Miscellaneous Debits to Surplus" to "account 421.1, Gain on Disposition of Property, or 421.2, Loss on Disposition of Property." In paragraph D, line 5 change "surplus" to "retained earnings."

In Account 112 *Accumulated provision for amortization of electric plant leased to others* in paragraph A, lines 8 and 9 change "435, Miscellaneous Debits

to Surplus" to "426.5, Other Deductions." In paragraph B, lines 10, 11, and 12 change "account 434, Miscellaneous Credits to Surplus, or account 435, Miscellaneous Debits to Surplus" to "account 421.1, Gain on Disposition of Property, or account 421.2, Loss on Disposition of Property." In paragraph D, line 5 change "surplus" to "retained earnings."

In Account 113 *Accumulated provision for amortization of electric plant held for future use* in paragraph B, line 5 change "surplus" to "retained earnings."

In Account 115 *Accumulated provision for amortization of electric plant acquisition adjustments* in line 6, delete "or account 435, Miscellaneous Debits to Surplus."

In Account 116 *Other electric plant adjustments* add to end of paragraph A "(See electric plant instruction 1C)."

In Account 123 *Investment in associated companies* in Note D: line 12 change "435, Miscellaneous Debits to Surplus" to "426.5, Other Deductions."

In Account 181 *Unamortized debt discount and expense* in paragraph D, lines 12, 13, and 14 and paragraph E, lines 5, 6, and 7 change "account 434, Miscellaneous Credits to Surplus, or account 435, Miscellaneous Debits to Surplus" to "account 421, Miscellaneous Nonoperating Income, or account 426.5, Other Deductions." In paragraph E(1) delete entire subparagraph and renumber remaining paragraphs. In new paragraph E(1), lines 1 and 2 change "435, Miscellaneous Debits to Surplus" to "426.5, Other Deductions."

In Account 183 *Preliminary survey and investigation charges* in paragraph A, line 10 change "435, Miscellaneous Debits to Surplus" to "426.5, Other Deductions."

In Account 213 *Discount on capital stock* and Account 214 *Capital stock expense* in paragraph B, line 8 and paragraph C, line 6 change "435, Miscellaneous Debits to Surplus" to "426.5, Other Deductions."

In Account 215 *Appropriated earned surplus* change title to "Appropriated retained earnings." and in line 2 change "earned surplus" to "retained earnings."

In Account 216 *Unappropriated earned surplus* change title to "Unappropriated retained earnings." and in line 3 change "surplus arising from earnings" to "retained earnings."

In Account 217 *Reacquired capital stock* in paragraph B, lines 12 and 13 change "435, Miscellaneous Debits to Surplus" to "439, Adjustments to Retained Earnings."

In Account 222 *Reacquired bonds* in paragraph B, lines 6, 7, and 8 change "434, Miscellaneous Credits to Surplus, or account 435, Miscellaneous Debits to Surplus," to "421, Miscellaneous Nonoperating Income, or 426.5, Other Deductions."

In Account 236 *Taxes accrued* in paragraph B eliminate last sentence.

In Account 265 *Miscellaneous operating reserves* in the Note change "earned surplus" to "retained earnings" on last two lines.

In Account 271 *Contributions in aid of construction* in paragraph B, line 2 delete "earned surplus or to." In Note B, under "Accumulated Deferred Income Taxes" section in line 3 add "nonutility property or" following "have," and before "another." In line 8 add "and for nonutility property." following "department."

In Account 281 *Accumulated deferred income taxes—Accelerated amortization* in paragraph C, add the following sentence: "This account shall be maintained to allow ready identification of those items relating to Utility Operating Income and Other Income and Deductions." In paragraph E, line 5 change "surplus" to "retained earnings."

In Account 282 *Accumulated deferred income taxes—Liberalized depreciation* in paragraph C, add the following sentence: "This account shall be maintained to allow ready identification of those items relating to Utility Operating Income and Other Income and Deductions." In paragraph E, line 5 change "surplus" to "retained earnings."

In Account 283 *Accumulated deferred income taxes—Other* in paragraph C, add the following sentence: "This account shall be maintained to allow ready identification of those items relating to Utility Operating Income and Other Income and Deductions." In paragraph D, line 5 change "surplus" to "retained earnings."

In Electric Plant Accounts, Account 302 *Franchises and consents* in paragraph B, line 12 and paragraph C, lines 3 and 4 change "435, Miscellaneous Debits to Surplus" to "426.5, Other Deductions."

In Account 303 *Miscellaneous intangible plant* in paragraph B, line 4 change "435, Miscellaneous Debits to Surplus" to "426.5, Other Deductions."

Print a new page as follows:

Income Accounts	
1. UTILITY OPERATING INCOME	
400	Operating revenues.
	Operating expenses.
401	Operating expenses.
402	Maintenance expense.
403	Depreciation expense.
404	Amortization of limited-term electric plant.
405	Amortization of other electric plant.
406	Amortization of electric plant acquisition adjustments.
407	Amortization of property losses.
408	Taxes other than income taxes.
409	Income taxes.
410	Provision for deferred income taxes.
411	Income taxes deferred in prior years—Cr.
411.1	Investment tax credit adjustments.
412-413	Income from utility plant leased to others.
414	Other utility operating income.
2. OTHER INCOME AND DEDUCTIONS	
A. OTHER INCOME	
415-416	Income from merchandising, jobbing, and contract work.
417-417.1	Income from nonutility operations.
418	Nonoperating rental income.
419	Interest and dividend income.
421	Miscellaneous nonoperating income.
421.1	Gain on disposition of property.

B. OTHER INCOME DEDUCTIONS

- 421.2 Loss on disposition of property.
- 425 Miscellaneous amortization.
- 426 Miscellaneous income deductions.
- 426.1 Donations.
- 426.2 Life insurance.
- 426.3 Penalties.
- 426.4 Expenditures for certain civic, political and related activities.
- 426.5 Other deductions.

3. INTEREST CHARGES

- 427 Interest on long-term debt.
- 428 Amortization of debt discount and expense.
- 429 Amortization of Premium on Debt-Cr.
- 430 Interest on debt to associated companies.
- 431 Other interest expense.
- 432 Interest charged to construction-Cr.

4. EXTRAORDINARY ITEMS

- 434 Extraordinary income.
- 435 Extraordinary deductions.

In Account 408 *Taxes other than income taxes* in paragraph A, lines 8 and 9, delete "which are properly chargeable to electric operations." In paragraph C, delete that part of last sentence which reads: "or nonutility operations on an equitable basis." Add final sentence: "Also, this account shall be maintained so as to allow ready identification of taxes relating to Utility Operating Income, Other Income and Deductions, Interest Charges and Extraordinary Items."

In Account 409 *Income taxes* in paragraph A in line 5 change word "actual" to "estimated," and in line 12 delete all after, "shall include the" and substitute the following therefore, "estimated income tax liability for the current year." Change paragraph B to read: The accruals for income taxes shall be apportioned among utility departments so that, as nearly as practicable, each tax shall be included in the expenses of the utility department, the income from which gave rise to the tax. Also, this account shall be maintained so as to allow ready identification of taxes relating to Utility Operating Income, Other Income and Deductions, Interest Charges and Extraordinary Items. Add new paragraph D to read: D. The income tax effect of amounts recorded in Account 439, Adjustments to Retained Earnings will be reflected in that account.

Notes: Delete A, B, C, and D. Change Note E to paragraph C.

In Account 410 *Provision for deferred income taxes* designate first paragraph as "A." and add additional paragraph B: B. This account shall be maintained so as to allow ready identification of those deferred taxes relating to Utility Operations and Nonutility Operations.

In Account 411 *Income taxes deferred in prior years—Credit* designate first paragraph as "A." and add additional paragraph B: B. This account shall be maintained so as to allow ready identification of those deferred taxes relating to Utility Operations and Nonutility Operations.

In Account 411.1 *Investment tax credit adjustment* add additional paragraph C: C. This account shall be maintained so as to allow ready identifica-

tion of those investment tax credits relating to Utility Property and Nonutility Property.

In Account 412 *Revenues from electric plant leased to others* and Account 413 *Expenses of electric plant leased to others* delete paragraph B and change section heading "2. Other Income" to "2. Other Income and Deductions."

In Account 415 *Revenues from merchandising, jobbing, and contract work* and Account 416 *Cost and expenses of merchandising, jobbing, and contract work* delete item 24 in list of items, and renumber item 25.

In Account 417 *Revenues from nonutility operations* add new account number and title directly under above account number and title, "417.1, Expenses From Nonutility Operations." In paragraph A, line 1 change first two words to read "These accounts." In paragraph B, delete last two items: "Taxes other than income taxes" and "Income Taxes."

In Account 418 *Nonoperating rental income* in paragraph A, last line: Add "or 417.1." and in paragraph B, delete last two items: "Taxes other than income taxes, Income Taxes."

In Account 419 *Interest and dividend income* delete paragraph B and reletter remaining paragraphs. In paragraph D, line 2, delete word "including" and substitute word "excluding" therefor and add sentence: "Related operating taxes shall be recorded in Account 408, Taxes Other Than Income Taxes and income taxes shall be recorded in Account 409, Income Taxes."

In Account 421 *Miscellaneous nonoperating income* add the following item: 3. Gain on reacquisition and resale or retirement of utility's debt securities or investments.

Add the following new accounts:

421.1 Gain on disposition of property.

This account shall be credited with the gain on the sale, conveyance, exchange or transfer of utility or other property to another. (See electric plant instruction 5F, 7E, and 10E.) Record income taxes on gains recorded in this account in account 409.

421.2 Loss on disposition of property.

This account shall be charged with the loss on the sale, conveyance, exchange, or transfer of utility or other property to another. (See electric plant instruction 5F, 7E, and 10E.) Record the reductions in income taxes attributable to losses recorded in this account in account 409.

Delete section heading, "3. Miscellaneous Income Deductions."

In Account 425 *Miscellaneous amortization* in the last sentence delete entire sentence.

In Account 426 *Other income deductions* change title of account to "Miscellaneous Income Deductions." Add the note now found under account 426.5.

In Account 426.5 *Other deductions* add the following:

ITEMS

- 1. Provisions for past accrued depreciation not provided for.

- 2. Loss relating to investments in securities written off or written down.
- 3. Loss on sale of investments.
- 4. Loss on reacquisition, resale or retirement of utility's debt securities.
- 5. Long-term debt discount and expense written off.
- 6. Preliminary survey and investigation expenses related to abandoned projects, when not written off to the appropriate operating expense account.

Delete note from account and change section heading number "4." to "3." Delete section heading "5. Earned Surplus," and substitute the following therefor: "4. Extraordinary Items." Delete: Accounts 433, Balance Transferred From Income; 434, Miscellaneous Credits to Surplus; 435, Miscellaneous Debits to Surplus; 436, Appropriations of Surplus; 437, Dividends Declared—Preferred Stock; and 438, Dividends Declared—Common Stock.

Add the following new accounts:

434 Extraordinary income.

This account shall be credited with nonrecurring gains, which would significantly distort the current year's net income if reported other than as extraordinary items. Extraordinary income items must be considered in the aggregate with extraordinary deductions net of any applicable income taxes, and the net result must exceed 5 percent of income, determined before such extraordinary items. (See general instruction 7.)

435 Extraordinary deductions.

This account shall be debited with nonrecurring losses, which would significantly distort the current year's net income if reported other than as extraordinary items. Extraordinary deduction items must be considered in the aggregate with extraordinary income items net of any applicable income taxes, and the net result must exceed 5 percent of income, determined before such extraordinary items. (See general instruction 7.)

Add complete new section "Retained Earnings Accounts" following the Income Accounts. This new section will contain a contents sheet and accounts as follows:

Retained Earnings Accounts

- 216 Unappropriated retained earnings (at beginning of period).
- 433 Balance transferred from income.
- 436 Appropriations of retained earnings.
- 437 Dividends declared—preferred stock.
- 438 Dividends declared—common stock.
- 439 Adjustments to retained earnings.
- 216 Unappropriated retained earnings (at end of period).

433 Balance transferred from income.

This account shall include the net credit or debit transferred from income for the year.

436 Appropriations of retained earnings.

This account shall include appropriations of retained earnings.

ITEMS

- 1. Appropriations required under terms of mortgages, orders of courts, contracts, or other agreements.

2. Appropriations required by action of regulatory authorities.

3. Other appropriations made at option of utility for specific purposes.

437 Dividends declared—preferred stock.

A. This account shall include amounts declared payable out of retained earnings as dividends on actually outstanding preferred or prior lien capital stock issued by the utility.

B. Dividends shall be segregated for each class and series of preferred stock as to those payable in cash, stock and other forms. If not payable in cash, the medium of payment shall be described with sufficient detail to identify it.

438 Dividends declared—common stock.

A. This account shall include amounts declared payable out of retained earnings as dividends on actually outstanding common capital stock issued by the utility.

B. Dividends shall be segregated for each class of common stock as to those payable in cash, stock and other forms. If not payable in cash, the medium of payment shall be described with sufficient detail to identify it.

439 Adjustments to retained earnings.

A. This account shall include significant nonrecurring transactions relating to prior periods. Other than losses on transactions of capital stock as specified in paragraph B below, all entries to this account must receive prior Commission approval. These transactions are limited to one or more of the following items which (a) can be specifically identified with and related to the business activities of particular prior periods, and (b) are not attributable to economic events occurring subsequent to the date of the financial statements for the prior period, and (c) depend primarily on determinations by persons other than the management and (d) were not susceptible of reasonable estimation prior to such determinations. This account shall also include the related income taxes (State and Federal) on items included herein. (See general instruction 7.1.)

B. Losses on reacquisition, resale or retirement of the company's capital stock shall be included in this account. (See account 210, Gain on Resale or Cancellation of Reacquired Capital Stock, for the treatment of gains.)

ITEMS

1. Nonrecurring large adjustments or settlements of income taxes.
2. Significant amounts resulting from litigation or similar claims.
3. Significant amounts relating to utility revenue under rate processes.
4. Adjustments to plant in service resulting from Commission action.

In Operation and Maintenance Expense Accounts in Account 914 *Revenues from merchandising, jobbing and contract work* and in Account 915 *Cost and expenses of merchandising, jobbing and contract work* delete item 23 in list of items, and renumber item 24, accordingly.

b. Proposed Revisions to the Uniform System of Accounts for Natural Gas Companies, Class A and Class B:

Definitions. Add new number 25 and renumber remainder of definitions.

25. "Retained Earnings" (formerly earned surplus) means the accumulated net income of the utility less distribution to stockholders and transfers to other capital accounts.

General Instruction 2E. In line 7 change "account 426, Other Income Deductions" to read "account 426, Miscellaneous Income Deductions."

General Instruction 3A. Change accounts "400-439 Income accounts" to "400-432, 434-435 Income accounts, 433, 436-439 Retained earnings accounts."

General Instruction 7. Delete present General Instruction 7 and insert the following:

7. *Extraordinary Items.* Items related to transactions of a nonrecurring nature which are not typical or customary business activities of the company and which in the aggregate are greater than 5 percent of income (computed before extraordinary items), shall be considered extraordinary items. The aggregate determination shall include both debit and credit transactions net of the applicable income taxes. If a utility believes that an aggregate amount of less than 5 percent related to peculiar circumstances should be treated as an extraordinary item, permission may be requested from the Commission provided that justifying reasons are presented.

Add General Instruction 7.1.

7.1 *Prior Period Items.* As a general rule, items relating to transactions which occurred prior to the current calendar year but were not recorded in the books of account shall be included in the same accounts in which they would have been recorded had the item been recorded in the proper period. When the amount of a prior period item is relatively so large that its inclusion for a single month would distort the accounts for that month, the amount may be distributed in equal amounts to the accounts for the current and remaining months of the calendar year. However, if the amount of any prior period item is so large that the company believes that its inclusion in the income statement would seriously distort the net income for the year, the company must request Commission approval to record the amount in account 439, Adjustments to Retained Earnings. Such a request must be accompanied by adequate justification. (See Account 439)

Gas Plant Instruction 5F. In the last four lines change "account 434, Miscellaneous Credits to Surplus, or account 435, Miscellaneous Debits to Surplus" to "account 421.1, Gain on Disposition of Property, or 421.2, Loss on Disposition of Property."

Gas Plant Instruction 7E. In lines 6, 7, and 8 change "account 434, Miscellaneous Credits to Surplus, or account 435, Miscellaneous Debits to Surplus" to "account 421.1, Gain on Disposition of Property, or 421.2, Loss on Disposition of Property."

Gas Plant Instruction 10E. Beginning first line on page change "account 434, Miscellaneous Credits to Surplus, or ac-

count 435, Miscellaneous Debits to Surplus" to "account 421.1, Gain on Disposition of Property, or 421.2, Loss on Disposition of Property."

In Balance Sheet Accounts in Account 108 *Accumulated provision for depreciation of gas plant in service* in paragraph A(2) change "435, Miscellaneous Debits to Surplus" to "426.5, Other Deductions." In paragraph E, line 5 change "surplus" to "retained earnings."

In Account 109 *Accumulated provision for depreciation of gas plant leased to others* in paragraph A, line 5 change "435, Miscellaneous Debits to Surplus" to "426.5, Other Deductions." In paragraph C, line 5 change "surplus" to "retained earnings."

In Account 110 *Accumulated provision for depreciation of gas plant held for future use* in paragraph B, line 5 change "surplus" to "retained earnings."

In Account 111.1 *Accumulated provision for amortization and depletion of producing natural gas land and land rights* in paragraph B, line 12 change "435, Miscellaneous Debits to Surplus" to "426.5, Other Deductions." In paragraph C, lines 10, 11, and 12 change "account 435, Miscellaneous Debits to Surplus, or account 434, Miscellaneous Credits to Surplus" to "account 421.1, Gain on Disposition of Property, or 421.2, Loss on Disposition of Property." In paragraph E, line 5 change "surplus" to "retained earnings."

In account 111.2 *Accumulated provision for amortization of underground storage land and land rights* in paragraph C, lines 10, 11, and 12 change "account 435, Miscellaneous Debits to Surplus, or account 434, Miscellaneous Credits to Surplus" to "account 421.1, Gain on Disposition of Property, or 421.2, Loss on Disposition of Property." In paragraph E, line 4 change "surplus" to "retained earnings."

In Account 111.3 *Accumulated provision for amortization of other gas plant in service* in paragraph A, lines 6 and 12 change "account 435, Miscellaneous Debits to Surplus" to "account 426.5, Other Deductions." In paragraph B, lines 10, 11, and 12 change "account 435, Miscellaneous Debits to Surplus, or account 434, Miscellaneous Credits to Surplus" to "account 421.1, Gain on Disposition of Property, or 421.2, Loss on Disposition of Property." In paragraph D, line 5 change "surplus" to "retained earnings."

In Account 112 *Accumulated provision for amortization and depletion of gas plant leased to others* in paragraph A, lines 8 and 9 change "account 435, Miscellaneous Debits to Surplus" to "account 426.5, Other Deductions." In paragraph B, lines 10, 11, and 12 change "account 435, Miscellaneous Debits to Surplus, or account 434, Miscellaneous Credits to Surplus" to "Account 421.1, Gain on Disposition of Property, or 421.2, Loss on Disposition of Property." In paragraph D, line 5 change "surplus" to "retained earnings."

In Account 113.1 *Accumulated provision for abandonment of leases* in paragraph D, line 5 change "surplus" to "retained earnings."

In Account 113.2 *Accumulated provision for amortization of other gas plant held for future use* in paragraph B, line 5 change "surplus" to "retained earnings."

In Account 115 *Accumulated provision for amortization of gas plant acquisition adjustments* in line 6, delete "or account 435, Miscellaneous Debits to Surplus."

In Account 116 *Other gas plant adjustments* add to end of paragraph A: "(See Gas plant instruction 1C)."

In Account 123 *Investment in associated companies* in Note D: line 12 change "435, Miscellaneous Debits to Surplus" to "426.5, Other Deductions."

In Account 181 *Unamortized debt discount and expense* in paragraph D, lines 12, 13, and 14 and paragraph E, lines 5, 6, and 7 change "account 434, Miscellaneous Credits to Surplus, or account 435, Miscellaneous Debits to Surplus" to "account 421, Miscellaneous Nonoperating Income or account 426.5, Other Deductions." In paragraph E(1) delete entire subparagraph and renumber remaining subparagraphs. In new paragraph E(1), lines 1 and 2 change "435, Miscellaneous Debits to Surplus" to "426.5, Other Deductions."

In Account 183.2 *Preliminary survey and investigation charges* in paragraph A, lines 12 and 13 change "435, Miscellaneous Debits to Surplus" to "426.5, Other Deductions."

In Account 213 *Discount on capital stock* and in Account 214 *Capital stock expense* in paragraph B, line 8 and paragraph C, line 6 change "435, Miscellaneous Debits to Surplus" to "426.4, Other Deductions."

In Account 215 *Appropriated earned surplus* change title to "Appropriated retained earnings." and in line 2 change "earned surplus" to "retained earnings."

In Account 216 *Unappropriated earned surplus* change title to "Unappropriated retained earnings." and in line 3 change "surplus arising from earnings" to "retained earnings."

In Account 217 *Reacquired capital stock* in paragraph B, lines 12 and 13 change "435, Miscellaneous Debits to Surplus" to "439, Adjustments to Retained Earnings."

In Account 222 *Reacquired bonds* in paragraph B, lines 6, 7, and 8 change "434, Miscellaneous Credits to Surplus or account 435, Miscellaneous Debits to Surplus" to "421, Miscellaneous Nonoperating Income or account 426.5, Other Deductions."

In Account 236 *Taxes accrued* in paragraph B eliminate last sentence.

In Account 265 *Miscellaneous operating reserves* in the Note change "Earned Surplus" to "Retained Earnings" on last two lines.

In Account 271 *Contributions in aid of construction* in paragraph B, line 2 delete "earned surplus or to." In Note B, under "Accumulated Deferred Income Taxes" section, line 2 add "nonutility property or" following "have," and before "another." In line 8 add "and for non-utility property" following "department."

In Account 281 *Accumulated deferred income taxes—Accelerated amortization* in paragraph C add the following sen-

tence: "This account shall be maintained to allow ready identification of those items relating to Utility Operating Income and Other Income and Deductions." In paragraph E, line 5 change "surplus" to "retained earnings."

In Account 282 *Accumulated deferred income taxes—Liberalized depreciation* in paragraph C, add the following sentence: "This account shall be maintained to allow ready identification of those items relating to Utility Operating Income and Other Income and Deductions." In paragraph E, line 5 change "surplus" to "retained earnings."

In Account 283 *Accumulated deferred income taxes—Other* in paragraph C, add the following sentence: "This account shall be maintained to allow ready identification of those items relating to Utility Operating Income and Other Income and Deductions." In paragraph D, line 5 change "surplus" to "retained earnings."

In Gas Plant Accounts in Account 302 *Franchises and consents* in paragraph B, lines 11 and 12 and paragraph C, lines 3 and 4 change "435, Miscellaneous Debits to Surplus" to "426.5, Other Deductions."

In Account 303 *Miscellaneous intangible plant* in paragraph B, lines 4 and 5 change "435, Miscellaneous Debits to Surplus" to "426.5, Other Deductions."

Print a new page as follows:

Income Accounts

1. UTILITY OPERATING INCOME

- 400 Operating revenues.
- Operating expenses.
- 401 Operation expense.
- 402 Maintenance expense.
- 403 Depreciation expense.
- 404.1 Amortization and depletion of producing natural gas land and land rights.
- 404.2 Amortization of underground storage land and land rights.
- 404.3 Amortization of other limited-term gas plant.
- 405 Amortization of other gas plant.
- 406 Amortization of gas plant acquisition adjustments.
- 407.1 Amortization of property losses.
- 407.2 Amortization of conversion expense.
- 408 Taxes other than income taxes.
- 409 Income taxes.
- 410 Provision for deferred income taxes.
- 411 Income taxes deferred in prior years—Cr.
- 411.1 Investment tax credit adjustments.
- 412-413 Income from utility plant leased to others.
- 414 Other utility operating income.

2. OTHER INCOME AND DEDUCTIONS

A. OTHER INCOME

- 415-416 Income from merchandising, jobbing, and contract work.
- 417-417.1 Income from nonutility operations.
- 418 Nonoperating rental income.
- 419 Interest and dividend income.
- 420 Investment tax credits.
- 421 Miscellaneous nonoperating income.
- 421.1 Gain on disposition of property.

B. OTHER INCOME DEDUCTIONS

- 421.2 Loss on disposition of property.
- 425 Miscellaneous amortization.
- 426 Miscellaneous income deductions.
- 426.1 Donations.

- 426.2 Life insurance.
- 426.3 Penalties.
- 426.4 Expenditures for certain civic, political, and related activities.
- 426.5 Other deductions.

3. INTEREST CHARGES

- 427 Interest on long-term debt.
- 428 Amortization of debt discount and expense.
- 429 Amortization of Premiums on Debt—Cr.
- 430 Interest on debt to associated companies.
- 431 Other interest expense.
- 432 Interest charged to construction—Cr.

4. EXTRAORDINARY ITEMS

- 434 Extraordinary income.
- 435 Extraordinary deductions.

In account 408 *Taxes other than income taxes* in paragraph A, lines 8 and 9 delete: "which are properly chargeable to gas operations." In paragraph C delete that part of last sentence which reads: "or nonutility operations on an equitable basis." and add final sentence: "Also, this account shall be maintained so as to allow ready identification of taxes relating to Utility Operating Income, Other Income and Deductions, Interest Charges and Extraordinary Items."

In Account 409 *Income taxes* in paragraph A, line 5 change word "actual" to "estimated." and in paragraph A, line 12 delete all after, "shall include the" and substitute the following therefore, "estimated income tax liability for the current year." Change paragraph B to read: "The accruals for income taxes shall be apportioned among utility departments so that, as nearly as practicable, each tax shall be included in the expenses of the utility department, the income from which gave rise to the tax. Also, this account shall be maintained so as to allow ready identification of taxes relating to Utility Operating Income, Other Income and Deductions, Interest Charges and Extraordinary Items." Add new paragraph D to read: "D. The income tax effect of amounts recorded in Account 439, Adjustments to Retained Earnings will be reflected in that account." Notes: Delete A, B, C, and D. Change Note E to paragraph C.

In Account 410 *Provision for deferred income taxes* designate first paragraph as "A." and add additional paragraph B:

"B. This account shall be maintained so as to allow ready identification of those deferred taxes relating to Utility Operations and Nonutility Operations.

In Account 411 *Income taxes deferred in prior years—Credit* designate first paragraph as "A." and add additional paragraph B: "B. This account shall be maintained so as to allow ready identification of those deferred taxes relating to Utility Operations and Nonutility Operations.

In Account 411.1 *Investment tax credit adjustments* add additional paragraph C: "C. This account shall be maintained so as to allow ready identification of those investment tax credits relating to Utility Property and Nonutility Property.

In Account 412 *Revenues from gas plant leased to others* and in Account 413

Expenses of gas plant leased to others delete paragraph B and change section heading "2. Other Income" to "2. Other Income and Deductions."

In Account 415 *Revenues from merchandising, jobbing, and contract work* and in Account 416 *Cost and expenses of merchandising, jobbing, and contract work* delete item 24 in list of items and renumber item 25.

In Account 417 *Revenues from non-utility operations* add new account number and title directly under above account number and title. "417.1. Expenses from Nonutility Operations." In paragraph A, line 1, change first two words to read: "These accounts." In paragraph B, delete last two items: "Taxes other than income taxes" and "Income Taxes."

In Account 418 *Nonoperating rental income* in paragraph A, last line, add "or 417.1." and in paragraph B, delete last two items: "Taxes other than income taxes" and "Income Taxes."

In Account 419 *Interest and dividend income* delete paragraph B and reletter remaining paragraphs. In paragraph D, line 2, delete word "including" and substitute word "excluding" therefor and add sentence: "Related operating taxes shall be recorded in Account 408, Taxes Other Than Income Taxes and income taxes shall be recorded in account 409, Income Taxes."

In Account 421 *Miscellaneous non-operating income* add the following item: "3. Gain on reacquisition and resale or retirement of utility's debt securities or investments." Add the following new accounts:

421.1 Gain on disposition of property.

This account shall be credited with the gain on the sale, conveyance, exchange or transfer of utility or other property to another. (See gas plant instruction 5F, 7E, and 10E.) Record income taxes on gains recorded in this account in account 409.

421.2 Loss on disposition of property.

This account shall be charged with the loss on the sale, conveyance, exchange or transfer of utility or other property to another. (See gas plant instruction 5F, 7E, and 10E.) Record the reduction in income taxes attributable to losses recorded in this account in account 409.

Delete section heading, "3. Miscellaneous Income Deductions."

In Account 425 *Miscellaneous amortization* in the last sentence delete entire sentence.

In Account 426 *Other income deductions* change title of account to "Miscellaneous Income Deductions." and add the note now found under account 426.5.

In Account 426.5 *Other Deductions* add the following:

ITEMS

1. Provisions for past accrued depreciation not provided for.
2. Loss relating to investments in securities written off or written down.
3. Loss on sale of investments.
4. Loss on reacquisition, resale or retirement of utility's debt securities.

5. Long-term debt discount and expense written off.

6. Preliminary survey and investigation expenses related to abandoned projects, when not written off to the appropriate operating expense account.

Delete note from account. Change section heading number "4" to "3". Delete section heading "5. Earned Surplus," and substitute the following therefor: "4. Extraordinary Items." Delete: Accounts 433, Balance Transferred From Income; 434, Miscellaneous Credits to Surplus; 435, Miscellaneous Debits to Surplus; 436, Appropriations of Surplus; 437, Dividends Declared—Preferred Stock; and 438, Dividends Declared—Common Stock. Add the following new accounts:

434 Extraordinary income.

This account shall be credited with nonrecurring gains, which would significantly distort the current year's net income if reported other than as extraordinary items. Extraordinary income items must be considered in the aggregate with extraordinary deductions net of any applicable income taxes, and the net result must exceed 5 percent of income, determined before such extraordinary items. (See general instruction 7.)

435 Extraordinary deductions.

This account shall be debited with non-recurring losses, which would significantly distort the current year's net income if reported other than as extraordinary items. Extraordinary deduction items must be considered in the aggregate with extraordinary income items net of any applicable income taxes, and the net result must exceed 5 percent of income determined before such extraordinary items. (See general instruction 7.)

Add complete new section Retained Earnings Accounts following the Income Accounts. This new section will contain a contents sheet and accounts as follows:

Retained Earnings Accounts

- 216 Unappropriated retained earnings (at beginning of period).
- 433 Balance transferred from income.
- 436 Appropriations of retained earnings.
- 437 Dividends declared—preferred stock.
- 438 Dividends declared—common stock.
- 439 Adjustments to retained earnings.
- 216 Unappropriated retained earnings (at end of period).

433 Balance transferred from income.

This account shall include the net credit or debit transferred from income for the year.

436 Appropriations of retained earnings.

This account shall include appropriations of retained earnings.

ITEMS

1. Appropriations required under terms of mortgages, orders of courts, contracts, or other agreements.
2. Appropriations required by action of regulatory authorities.
3. Other appropriations made at option of utility for specific purposes.

437 Dividends declared—preferred stock.

A. This account shall include amounts declared payable out of retained earnings as dividends on actually outstanding preferred or prior lien capital stock issued by the utility.

B. Dividends shall be segregated for each class and series of preferred stock as to those payable in cash, stock and other forms. If not payable in cash, the medium of payment shall be described with sufficient detail to identify it.

438 Dividends declared—common stock.

A. This account shall include amounts declared payable out of retained earnings as dividends on actually outstanding common capital stock issued by the utility.

B. Dividends shall be segregated for each class of common stock as to those payable in cash, stock and other forms. If not payable in cash, the medium of payment shall be described with sufficient detail to identify it.

439 Adjustments to retained earnings.

A. This account shall include significant nonrecurring transactions relating to prior periods. Other than losses on transactions of capital stock as specified in paragraph B below, all entries to this account must receive prior Commission approval. These transactions are limited to one or more of the following items which (a) can be specifically identified with and related to the business activities of particular prior periods, and (b) are not attributable to economic events occurring subsequent to the date of the financial statements for the prior period, and (c) depend primarily on determinations by persons other than the management and (d) were not susceptible of reasonable estimation prior to such determination. This account shall also include the related income taxes (State and Federal) on items included herein. (See general instruction 7.1.)

B. Losses on reacquisition, resale or retirement of the company's capital stock shall be included in this account. (See account 210, Gain on Resale or Cancellation of Required Capital Stock, for the treatment of gains.)

1. Nonrecurring large adjustments or settlements of income taxes.
2. Significant amounts resulting from litigation or similar claims.
3. Significant amounts relating to utility revenue under rate processes.
4. Adjustments to plant in service resulting from Commission action.

In Operation and Maintenance Expense Accounts in Account 914 *Revenues from merchandising, jobbing and contract work* and in Account 915 *Cost and expenses of merchandising, jobbing and contract work* delete item 23 in list of items and renumber item 24 accordingly.

6. Summary of proposed revisions to schedules included in Forms No. 1 and No. 2.

a. The following schedules would be revised:

Statement of Income and Earned Surplus for the Year (title changed to Statement of Income for the Year).

Statement of Earned Surplus (title changed to Statement of Retained Earnings for the Year).

Accrued and Prepaid Taxes (title changed to Taxes Accrued, Prepaid and Charged During the Year).

Accumulated Deferred Income Taxes (Accounts 281, 282 and 283).

Particulars Concerning Certain Other Income Accounts as indicated in Attachment A,¹ hereto.

b. The following new schedules would be added:

Gain or Loss on Disposition of Property, Extraordinary Items (Accounts 434 and 435), as set out in Attachment B,¹ hereto.

c. The following schedule would be deleted:

Taxes Charged During Year.

d. The list of schedules, pages V and VI, would be revised as indicated in Attachment C,¹ hereto.

¹ Attachments A, B, and C filed as part of the original document.

5. The amendment to the Commission's regulations under the Federal Power Act and to FPC Form No. 1 would be issued under the authority granted the Federal Power Commission by the Federal Power Act, particularly sections 301, 304, and 309 (49 Stat. 838, 854, 855, 858, 16 U.S.C. sections 825, 825c, 825h).

6. Any interested person may submit to the Federal Power Commission, Washington, D.C. 20426, not later than October 29, 1968, data, views, comments, and suggestions, in writing, concerning the proposed revised report forms and regulations. An original and nine conformed copies of any such submittal should be filed. The Commission will consider any such written submittals before acting on the proposed revised forms and regulations.

By direction of the Commission.

KENNETH F. PLUMB,
Acting Secretary.

[F.R. Doc. 68-11087; Filed, Sept. 12, 1968; 8:45 a.m.]

[18 CFR Part 260]

[Docket No. R-317]

CLASS A NATURAL GAS COMPANIES OF 5-YEAR FORECASTS OF PEAK DAY AND ANNUAL NATURAL GAS REQUIREMENTS AND PIPELINE CONSTRUCTION PLANS

Notice of Further Postponement of Oral Argument Regarding Annual Reporting

SEPTEMBER 6, 1968.

The oral argument in the above-designated proceeding heretofore scheduled for September 27, 1968, by notice issued August 13, 1968, is further postponed to Friday, October 11, 1968, at 10 a.m., e.d.s.t. In all other respects, the order issued July 11, 1968, is in full force and effect.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 68-11088; Filed, Sept. 12, 1968; 8:45 a.m.]

Notices

DEPARTMENT OF THE INTERIOR

Bonneville Power Administration

CHIEF, BRANCH OF LAND

Redelegations of Authority

Redelegation of Authority section 10.15 (33 F.R. 9784), July 6, 1968, is amended to read as follows:

10.15 Land activities. a. The Chief, Branch of Land, may:

(12) Negotiate and execute contracts without advertising for land appraisal services pursuant to 63 Stat. 394 (41 U.S.C. 252(c)(4)).

Dated: August 30, 1968.

JOHN F. BALDINO,
Deputy Administrator.

[F.R. Doc. 68-11118; Filed, Sept. 12, 1968;
8:47 a.m.]

Bureau of Indian Affairs

[Bureau Order 551, Amdt. 119]

CERTAIN AREA DIRECTORS

Redelegation of Authority Regarding Specific Legislation

SEPTEMBER 6, 1968.

Order 551 (an order by which the Commissioner of Indian Affairs redelegates authority to Bureau officials), as amended, is further amended by the addition of section 379. The addition authorizes certain Area Directors to exercise the authority of the Secretary of the Interior delegated to the Commissioner in Order 2508, sections 13(t), and 30(a) (32) through (38). As so added section 379 reads as follows:

Sec. 379. *Authority of Certain Area Directors.*

(a) Area Directors of the Aberdeen, Anadarko, Juneau, Minneapolis, Muskegon, Phoenix, Portland, and Sacramento Area Offices are authorized to exercise the authority vested in the Secretary of the Interior under the Acts cited in Order 2508, section 30(a) (32) through (37) and all other Acts which may authorize the Secretary of the Interior to prepare a roll for purposes of distributing judgment funds.

(b) The same Area Directors are also authorized to approve membership rolls prepared specifically for use in the disposition of judgment or dividend funds.

(c) The authority granted in this section shall not be redelegated or exercised by an officer or employee designated by the Area Director to pass on enrollment applications.

ROBERT L. BENNETT,
Commissioner.

[F.R. Doc. 68-11107; Filed, Sept. 12, 1968;
8:46 a.m.]

SANTA ROSA RESERVATION, CALIF.

Ordinance Legalizing the Introduction, Sale, or Possession of Intoxicants

SEPTEMBER 3, 1968.

In accordance with authority delegated by the Secretary of the Interior to the Commissioner of Indian Affairs by 230 DM 2, and in accordance with the Act of August 15, 1953, Public Law 277, 83d Congress, 1st Session (67 Stat. 586), I certify that the following ordinance relating to the application of the Federal Indian Liquor Laws on the Santa Rosa Indian Reservation, Calif., was adopted on July 7, 1968, as a result of an election of the adult members of the tribe, which has jurisdiction over the area of Indian country included in the ordinance, reading as follows:

Whereas, Public Law 277 83d Congress, approved August 15, 1953, provides that sections 1154, 1156, 3113, 3488, and 3618 of title 18, United States Code commonly referred to as the Federal Indian Liquor Laws, shall not apply to any act or transaction within any area of Indian country provided such act or transaction is in conformity with both the laws of the State (sic) in which such an act or transaction occurs and with an ordinance duly adopted by the tribe having jurisdiction over such area of Indian country, certified by the Secretary of the Interior, and published in the FEDERAL REGISTER.

Therefore, be it resolved that the introduction, sale or possession of intoxicating beverages shall be lawful within the Indian country under the jurisdiction of the Santa Rosa Band, provided that such introduction, sale or possession in conformity with the laws of California.

Be it further resolved that any tribal laws, resolutions or ordinances heretofore enacted which prohibit the sale, introduction or possession of intoxicating beverages are hereby repealed.

ROBERT L. BENNETT,
Commissioner of Indian Affairs.

[F.R. Doc. 68-11098; Filed, Sept. 12, 1968;
8:46 a.m.]

Bureau of Land Management

[Montana 10280(SD)]

SOUTH DAKOTA

Notice of Proposed Withdrawal and Reservation of Lands

SEPTEMBER 6, 1968.

The Bureau of Sport Fisheries and Wildlife of the Fish and Wildlife Service filed an application, serial number Montana 10280(SD), for the withdrawal of lands described below. The withdrawal is from all forms of appropriation under the public land laws including the mining laws, but not from leasing under the mineral leasing laws, subject to valid existing rights.

The applicant desires the land for use in connection with its waterfowl management program.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 316 North 26th Street, Billings, Mont. 59101.

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

The authorized officer will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the Bureau of Sport Fisheries and Wildlife.

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

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

FIFTH PRINCIPAL MERIDIAN, SOUTH DAKOTA

T. 115 N., R. 65 W.,
Sec. 4, SW ¼;
Sec. 8, SW ¼ NE ¼ and W ½.
T. 127 N., R. 74 W.,
Sec. 27, NE ¼ SW ¼, W ½ SW ¼, and NW ¼ SE ¼.
T. 121 N., R. 75 W.,
Sec. 14, Lot 5;
Sec. 15, Lot 7.

The areas described aggregate 680.20 acres.

EUGENE H. NEWELL,
Land Office Manager.

[F.R. Doc. 68-11096; Filed, Sept. 12, 1968;
8:45 a.m.]

OUTER CONTINENTAL SHELF TRACTS OFFSHORE LOUISIANA

Oil and Gas Lease Sales

Pursuant to section 8 of the Outer Continental Shelf Lands Act (67 Stat. 462; 43 U.S.C. 1331 et seq.) and the regulations issued thereunder (43 CFR Part 3380) sealed bids addressed to the Manager, New Orleans Outer Continental Shelf Office, Bureau of Land Management, Room T-9003 Federal Office Building, 701 Loyola Avenue, New Orleans, La.,

or Post Office Box 53226, New Orleans, La. 70150, will be received until 9:30 a.m., c.s.t., on November 19, 1968; 9:30 a.m., c.s.t., on January 14, 1969, and 9:30 a.m., c.s.t., on February 25, 1969, for the lease of oil and gas in certain areas of the Outer Continental Shelf adjacent to the State of Louisiana. Bids will be opened on these dates at 10 a.m., c.s.t. in the Grand Ballroom, Sheraton Charles Hotel, 211 St. Charles Street, New Orleans, La., for the respective groups of tracts designated herein. Each opening of bids is for the sole purpose of publicly announcing and recording bids received, and no bids will be accepted or rejected at that time.

On the days listed above bids may be delivered in person to the Manager, New Orleans Outer Continental Shelf Office, Bureau of Land Management, at the Grand Ballroom in the Sheraton Charles Hotel between 8:30 a.m., c.s.t., and 9:30 a.m., c.s.t. Bids delivered by mail or in person after 9:30 a.m., c.s.t. on these dates for the tracts then being offered will be returned to the bidders unopened.

All bids must be submitted in accordance with applicable regulations, particularly 43 CFR 3382.1; 3382.3; 3382.4. Each bidder must submit the certification required by 41 CFR 60-1.6(b) and Executive Order No. 11246 of September 24, 1965, on Form 1140-1, November 1966. Bidders are advised that all leases granted pursuant to this notice will include in its provisions a "Certification of Non-segregated Facilities, Form 1140-3 (May 1968)", and that, in submitting their bids, bidders are deemed to have agreed to the inclusion of this certification in any lease issued to them hereunder.

Bids may not be modified or withdrawn unless written modifications or withdrawals are received prior to the end of the period fixed for the filing of bids. Bidders are warned against violation of section 1860 of Title 18 U.S.C. prohibiting unlawful combination or intimidation of bidders. Attention is directed to the nondiscrimination clauses in section 2(k) of the lease agreement (Form 3380-1, February 1966). Bidders must submit with each bid, one-fifth of the amount bid, in cash or by cashier's check, bank draft, certified check or money order, payable to the order of the Bureau of Land Management. Bidders are notified that any cash, checks, drafts, or money orders submitted with their bids may be deposited in an unearned escrow account in the Treasury during the period their bids are being considered, and that such deposit does not constitute, and shall not be construed as, acceptance of any bid on behalf of the United States. The leases will provide for a royalty rate of one-sixth, and a yearly rental or minimum royalty of \$10 per acre or fraction thereof. The successful bidder will be required to pay the remainder of the bid and the first year's rental of \$10 per acre or fraction thereof and furnish an accept-

able surety bond as required in 43 CFR 3384.1 prior to the issuance of each lease.

Bids will be considered on the basis of the highest cash bonus offered for a tract. The United States reserves the right and discretion to reject any and all bids, regardless of the amount offered. Oil payment, overriding royalty, logarithmic or sliding scale bids will not be considered. No bid for less than a full tract, as listed below, will be considered.

A separate bid, in a separate envelope, must be submitted for each tract. The envelope should be endorsed "Sealed bid for oil and gas lease, Louisiana (insert number of tract) not to be opened until 10 a.m., c.s.t. (insert date of sale)".

Official leasing maps in a set of 25, which contains the maps for the areas in which the tracts being offered for lease may be located, can be purchased for \$5 per set. The official leasing maps, copies of the lease form (Form 3380-1, February 1966) as well as the Compliance Report Certification (Form 1140-1, November 1966) and Certification of Nonsegregated Facilities (Form 1140-3, May 1968) may be obtained from the above listed manager or the Manager, Eastern States Land Office, 7981 Eastern Avenue, Silver Spring, Md. 20910.

Operations under leases which may be issued pursuant to this sale will be subject to provisions for the protection of fishing operations and aquatic values.

The tracts offered for bid on November 19, 1968 are as follows:

LOUISIANA

OFFICIAL LEASING MAP, LOUISIANA MAP NO. 1

(Approved June 8, 1954; Revised July 22, 1954; Revised Apr. 28, 1966)

West Cameron Area

Tract No.	Block	Description	Acreage
La. 1972	19	SW $\frac{1}{4}$; W $\frac{1}{2}$ SE $\frac{1}{4}$	1,061
La. 1973	{ 21	S $\frac{1}{2}$ NW $\frac{1}{4}$; N $\frac{1}{2}$ SW $\frac{1}{4}$	1,186.5
	44	SE $\frac{1}{4}$ SW $\frac{1}{4}$	
La. 1974	{ 34	NE $\frac{1}{4}$ NW $\frac{1}{4}$	1,250
	67	S $\frac{1}{2}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$	
La. 1975	{ 35	NW $\frac{1}{4}$ NE $\frac{1}{4}$	1,562.5
	66	SE $\frac{1}{4}$ SE $\frac{1}{4}$	
La. 1976	53	NE $\frac{1}{4}$ NE $\frac{1}{4}$	625
La. 1977	{ 55	SE $\frac{1}{4}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ SE $\frac{1}{4}$	1,250
	56	N $\frac{1}{2}$ SW $\frac{1}{4}$	
La. 1978	66	S $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$	312.5

OFFICIAL LEASING MAP, LOUISIANA MAP NO. 2

(Approved June 8, 1954; Revised Apr. 28, 1966)

East Cameron Area

Tract No.	Block	Description	Acreage
La. 1979	{ 9	W $\frac{1}{2}$ SW $\frac{1}{4}$	1,250
	14	W $\frac{1}{2}$ NW $\frac{1}{4}$	
La. 1980	14	N $\frac{1}{2}$ SE $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$	937.5

OFFICIAL LEASING MAP, LOUISIANA MAP NO. 4

(Approved June 8, 1954; Revised July 22, 1954; Revised Apr. 28, 1966)

Eugene Island Area

Tract No.	Block	Description	Acreage
La. 1981	45	SW $\frac{1}{4}$	1,250
La. 1982	64	N $\frac{1}{2}$	2,500
La. 1983	90	NE $\frac{1}{4}$	1,250

OFFICIAL LEASING MAP, LOUISIANA MAP NO. 5

(Approved June 8, 1954; Revised Apr. 28, 1966; Revised July 22, 1968)

Ship Shoal Area

Tract No.	Block	Description	Acreage
La. 1984	13	S $\frac{1}{2}$ SW $\frac{1}{4}$	625
La. 1985	14	N $\frac{1}{2}$ SW $\frac{1}{4}$	625
La. 1986	26	E $\frac{1}{2}$ SW $\frac{1}{4}$; E $\frac{1}{2}$ NW $\frac{1}{4}$; NE $\frac{1}{4}$	2,174
La. 1987	{ 37	N $\frac{1}{2}$ NE $\frac{1}{4}$	847
	38	NW $\frac{1}{4}$ NW $\frac{1}{4}$	

OFFICIAL LEASING MAP, LOUISIANA MAP NO. 6

(Approved June 8, 1954; Revised July 22, 1954; Revised Dec. 9, 1954; Revised Apr. 28, 1966)

South Timbalier Area

Tract No.	Block	Description	Acreage
La. 1988	26	NW $\frac{1}{4}$; S $\frac{1}{2}$ NE $\frac{1}{4}$	1,875

OFFICIAL LEASING MAP, LOUISIANA MAP NO. 7

(Approved June 8, 1954; Revised Apr. 28, 1966)

Grand Isle Area

Tract No.	Block	Description	Acreage
La. 1989	55	All	5,000
La. 1990	56	All	5,000

OFFICIAL LEASING MAP, LOUISIANA MAP NO. 8

(Approved June 8, 1954; Revised Apr. 28, 1966)

West Delta Area

Tract No.	Block	Description	Acreage
La. 1991	34	All ²	3,467
La. 1992	65	N $\frac{1}{2}$	2,500
La. 1993	79	S $\frac{1}{2}$	3,437.5
	80	W $\frac{1}{2}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ NW $\frac{1}{4}$	
La. 1994	97	N $\frac{1}{2}$	1,832.54
La. 1995	98	N $\frac{1}{2}$	2,500
La. 1996	106	S $\frac{1}{2}$ (Portion in Zone 2 ¹ and that portion formerly in Zone 2 now more than 3 geographical miles seaward of the line described in paragraph 1 of the Supplemental Decree of the U.S. Supreme Court entered December 13, 1965, in United States v. Louisiana No. 9 Original (382 US 288)).	1,648

107 SW $\frac{1}{4}$ (Portion in Zone 2¹ and less than 3 geographical miles seaward of the line described in paragraph 1 of the Supplemental Decree of the U.S. Supreme Court entered December 13, 1965, in United States v. Louisiana No. 9, Original (382 US 288)).

OFFICIAL LEASING MAP, LOUISIANA MAP NO. 10

(Approved June 8, 1954; Revised July 22, 1954; Revised Apr. 28, 1966)

Main Pass Area

Tract No.	Block	Description	Acreage
La. 1997	{ 43	N $\frac{1}{2}$ N $\frac{1}{2}$ SW $\frac{1}{4}$; N $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$; SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$	858.4
	44	S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$; N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$	

OFFICIAL LEASING MAP, LOUISIANA MAP NO. 10
(Approved June 8, 1954; Revised July 22, 1954; Revised
Apr. 28, 1966)

Breton Sound Area

Tract No.	Block	Description	Acreage
La. 53	53	NW $\frac{1}{4}$; N $\frac{1}{2}$ SW $\frac{1}{4}$ (Portion in Zone 2 ¹ and more than 3 geographical miles seaward of the line described in para- graph 3 of the Sup- plemental Decree of the U.S. Supreme Court entered De- cember 13, 1965, in United States v. Louisiana No. 9 Original (382 US 288)).	475

The tracts offered for bid on Jan-
uary 21, 1969 are as follows:

LOUISIANA

OFFICIAL LEASING MAP, LOUISIANA MAP NO. 1

(Approved June 8, 1954; Revised July 22, 1954; Revised
Apr. 28, 1966)

West Cameron Area

La. 1999	111	NE $\frac{1}{4}$	1,250
La. 2000	194	S $\frac{1}{2}$	2,500

OFFICIAL LEASING MAP, LOUISIANA MAP NO. 1A

(Approved Nov. 15, 1955; Revised Jan. 30, 1957; Revised
Apr. 28, 1966)

West Cameron Area—West Addition

La. 2001	385	All	5,000
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OFFICIAL LEASING MAP, LOUISIANA MAP NO. 2

(Approved June 8, 1954; Revised Apr. 28, 1966)

East Cameron Area

La. 2002	126	S $\frac{1}{2}$	2,500
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OFFICIAL LEASING MAP, LOUISIANA MAP NO. 2A

(Approved Sept. 8, 1959; Revised Apr. 28, 1966)

East Cameron Area—South Addition

Tract No.	Block	Description	Acreage
La. 2003	264	All	5,000

OFFICIAL LEASING MAP, LOUISIANA MAP NO. 3

(Approved June 8, 1954; Revised June 25, 1954; Revised
July 22, 1954; Revised Apr. 28, 1966)

Vermilion Area

La. 2004	97	N $\frac{1}{2}$	2,500
La. 2005	101	N $\frac{1}{2}$	2,265.8
La. 2006	112	SE $\frac{1}{4}$	1,239.74
La. 2007	207	SE $\frac{1}{4}$	1,250
La. 2008	208	SW $\frac{1}{4}$	1,250
La. 2009	216	NE $\frac{1}{4}$	1,250

OFFICIAL LEASING MAP, LOUISIANA MAP NO. 3A

(Approved Aug. 7, 1959; Revised Apr. 28, 1966)

South Marsh Island Area

La. 2010	20	S $\frac{1}{2}$	2,500
La. 2011	40	W $\frac{1}{2}$	2,500

OFFICIAL LEASING MAP, LOUISIANA MAP NO. 3C

(Approved Sept. 8, 1959; Revised Apr. 28, 1966)

South Marsh Island Area—South Addition

La. 2012	107	All	5,000
La. 2013	113	S $\frac{1}{2}$	2,500
La. 2014	114	NE $\frac{1}{4}$	1,250

OFFICIAL LEASING MAP, LOUISIANA MAP NO. 4

(Approved June 8, 1954; Revised July 22, 1954; Revised
Apr. 28, 1966)

Eugene Island Area

Tract No.	Block	Description	Acreage
La. 2015	110	W $\frac{1}{2}$	2,500
La. 2016	187	S $\frac{1}{2}$	2,500
La. 2017	203	N $\frac{1}{2}$	2,500
La. 2018	247	S $\frac{1}{2}$	2,500
La. 2019	248	SW $\frac{1}{4}$	1,250
La. 2020	248	N $\frac{1}{2}$; SE $\frac{1}{4}$	3,750
La. 2021	260	SE $\frac{1}{4}$	1,250
La. 2022	265	NW $\frac{1}{4}$	1,250
La. 2023	265	E $\frac{1}{2}$	2,500
La. 2024	265	SW $\frac{1}{4}$	1,250

OFFICIAL LEASING MAP, LOUISIANA MAP NO. 5

(Approved June 8, 1954; Revised Apr. 28, 1966; Revised
July 22, 1968)

Ship Shoal Area

La. 2025	173	N $\frac{1}{2}$	2,500
La. 2026	192	E $\frac{1}{2}$	2,500
La. 2027	193	E $\frac{1}{2}$	2,500

OFFICIAL LEASING MAP, LOUISIANA MAP NO. 6

(Approved June 8, 1954; Revised July 22, 1954; Revised
Dec. 9, 1954; Revised Apr. 28, 1966)

South Pelto Area

La. 2028	24	SW $\frac{1}{4}$	1,250
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South Timbalier Area

La. 2029	148	W $\frac{1}{2}$	2,500
La. 2030	188	NW $\frac{1}{4}$	1,250

OFFICIAL LEASING MAP, LOUISIANA MAP NO. 7

(Approved June 8, 1954; Revised Apr. 28, 1966)

Grand Isle Area

Tract No.	Block	Description	Acreage
La. 2031	62	S $\frac{1}{2}$	2,269.94

OFFICIAL LEASING MAP, LOUISIANA MAP NO. 9A

(Approved Sept. 8, 1959; Revised Apr. 28, 1966)

South Pass Area—South and East Addition

La. 2032	64	All	5,000
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OFFICIAL LEASING MAP, LOUISIANA MAP NO. 10

(Approved June 8, 1954; Revised July 22, 1954; Revised
Apr. 28, 1966)

Main Pass Area

La. 2033	7	S $\frac{1}{2}$ SE $\frac{1}{4}$	624.32
La. 2034	95	All	4,994.55

OFFICIAL LEASING MAP, LOUISIANA MAP NO. 10A

(Approved Sept. 8, 1959; Revised Apr. 28, 1966)

Main Pass Area—South and East Addition

La. 2035	276	All	4,994.55
La. 2036	315	All	4,999.96

The tracts offered for bid on February
25, 1969, are as follows:

LOUISIANA

OFFICIAL LEASING MAP, LOUISIANA MAP NO. 1

(Approved June 8, 1954; Revised July 22, 1954; Apr. 28,
1966)

West Cameron Area

Tract No.	Block	Description	Acreage
La. 2037	144	All	5,000

OFFICIAL LEASING MAP, LOUISIANA MAP NO. 1B

(Approved Sept. 8, 1959; Revised Apr. 28, 1966)

West Cameron Area—South Addition

La. 2038	455	All	5,000
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OFFICIAL LEASING MAP, LOUISIANA MAP NO. 2

(Approved June 8, 1954; Revised Apr. 28, 1966)

East Cameron Area

La. 2039	163	All	1,833.48
La. 2040	164	All	1,777.38
La. 2041	225	All	5,000

OFFICIAL LEASING MAP, LOUISIANA MAP NO. 2A

(Approved Sept. 8, 1959; Revised Apr. 28, 1966)

East Cameron Area—South Addition

La. 2042	260	S $\frac{1}{2}$	2,500
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OFFICIAL LEASING MAP, LOUISIANA MAP NO. 3

(Approved June 8, 1954; Revised June 25, 1954; Revised
July 22, 1954; Revised Apr. 28, 1966)

Vermilion Area

Tract No.	Block	Description	Acreage
La. 2043	103	All	5,000
La. 2044	120	All	5,000

OFFICIAL LEASING MAP, LOUISIANA MAP NO. 3B

(Approved Sept. 8, 1959; Revised Apr. 28, 1966)

Vermilion Area—South Addition

La. 2045	265	All	5,000
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OFFICIAL LEASING MAP, LOUISIANA MAP NO. 3C

(Approved Sept. 8, 1959; Revised Apr. 28, 1966)

South Marsh Island Area—South Addition

La. 2046	113	N $\frac{1}{2}$	2,500
La. 2047	114	S $\frac{1}{2}$; NW $\frac{1}{4}$	3,750

OFFICIAL LEASING MAP, LOUISIANA MAP NO. 4

(Approved June 8, 1954; Revised July 22, 1954; Revised
Apr. 28, 1966)

Eugene Island Area

La. 2048	157	SE $\frac{1}{4}$	1,250
La. 2049	247	N $\frac{1}{2}$	2,500
La. 2050	254	S $\frac{1}{2}$	2,500
La. 2051	265	S $\frac{1}{2}$	2,500
La. 2052	268	All	5,000

OFFICIAL LEASING MAP, LOUISIANA MAP NO. 5

(Approved June 8, 1954; Revised Apr. 28, 1966; Revised July 22, 1968)

Ship Shoal Area

Tract No.	Block	Description	Acreage
La. 2053	192	W $\frac{1}{2}$	2,500
La. 2054	213	W $\frac{1}{2}$	2,500

OFFICIAL LEASING MAP, LOUISIANA MAP NO. 6

(Approved June 8, 1954; Revised July 22, 1954; Revised Dec. 9, 1954; Revised Apr. 28, 1966)

South Timbalier Area

La.	Block	Description	Acreage
La. 2055	148	E $\frac{1}{4}$	2,500
La. 2056	149	SW $\frac{1}{4}$	1,250
La. 2057	204	All	5,000

OFFICIAL LEASING MAP, LOUISIANA MAP NO. 10

(Approved June 8, 1954; Revised July 22, 1954; Revised Apr. 28, 1966)

Main Pass Area

La.	Block	Description	Acreage
La. 2058	18	S $\frac{1}{4}$	2,497.28
La. 2059	104	NW $\frac{1}{4}$; N $\frac{1}{2}$ SW $\frac{1}{4}$	1,872.96
La. 2060	143	All	4,994.55
La. 2061	152	All ¹	4,977.5
La. 2062	153	All	4,999.96

OFFICIAL LEASING MAP, LOUISIANA MAP NO. 10A

(Approved Sept. 8, 1959; Revised Apr. 28, 1966)

Main Pass Area—South and East Addition

La.	Block	Description	Acreage
La. 2063	291	All	4,500.81

¹ Portion in Zone 2 only as that zone is defined in the agreement between the United States and the State of Louisiana, Oct. 12, 1956.

² Portion in Zone 3 only as that zone is defined in the agreement between the United States and the State of Louisiana, Oct. 12, 1956.

³ Portion more than 3 geographical miles seaward of the line described in paragraph 1 of the Supplemental Decree of the U.S. Supreme Court entered Dec. 13, 1965 in United States v. Louisiana No. 9 Original (382 U.S. 288).

Some of the tracts offered for lease may fall in fairway areas (including prolongations thereof) or anchorage areas, or both, as designated by the District Engineer, New Orleans District, Corps of Engineers, U.S. Army. For the location of these areas and for operational restrictions imposed by that Agency, the District Engineer should be consulted.

Leases issued pursuant to this notice for lands which are on the date of their issuance, or are thereafter adjudicated to be, subject to the exclusive jurisdiction and control of the United States will be subject to all rules and regulations which the Secretary of the Interior is authorized to prescribe and administer under the Outer Continental Shelf Lands Act (43 U.S.C. secs. 1331-1343) including rules and regulations for the prevention of waste and for conservation of the natural resources of the Outer Continental Shelf. The protection of correlative rights therein will be administered by the Secretary of the Interior in accordance with such rules and regulations.

In the event a cooperative agreement is concluded between the Secretary and the conservation agency of the State of Louisiana with respect to enforcement of conservation laws, rules and regulations pursuant to section 5 of the Act, the lessee will be given notice thereof by publication in the FEDERAL REGISTER.

It is suggested that bidders submit their bids in the following form:

Manager, Bureau of Land Management, Department of the Interior, Post Office Box 53226, T-9003 Federal Office Building, New Orleans, La. 70150.

OIL AND GAS BID

The following bid is submitted for an oil and gas lease on land of the Outer Continental Shelf specified below:

Area _____ Official Leasing Map No. _____

Tract No.	Total amount bid	Amount per acre	Amount submitted with bid

Signature
(Please type signer's name under signature)

Company

Address

IMPORTANT

The bid must be accompanied by one-fifth of the total amount bid. This amount may be cash, money order, cashier's check, certified check or bank draft. A separate bid must be made for each tract.

ROBERT A. JONES,
Acting Director,
Bureau of Land Management.

Approved: September 11, 1968.

DAVID S. BLACK,
Under Secretary
of the Interior.

[F.R. Doc. 68-11182; Filed, Sept. 12, 1968; 8:50 a.m.]

DEPARTMENT OF COMMERCE

Business and Defense Services Administration

UNIVERSITY OF WISCONSIN

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 68-00412-80-86000. Applicant: The University of Wisconsin, 750 University Avenue, Madison, Wis. 53706. Article: Universal vibration laboratory apparatus. Manufacturer: Techquipment, Ltd., United Kingdom. Intended use of article: The article will be used

as a teaching device in the following classes:

- Undergraduate structures laboratory
- Undergraduate independent studies
- Dynamics of structures
- Thesis and advanced independent studies

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, is being manufactured in the United States. Reasons: The foreign article, a mechanical vibration device, intended to assist in teaching the dynamics of structures and illustrate, solutions of differential equations with the mechanical motions of the device.

The Department of Commerce knows of no instrument or apparatus or equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, which is being manufactured in the United States.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 68-11145; Filed, Sept. 12, 1968; 8:50 a.m.]

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

ASSISTANT ADMINISTRATOR, OFFICE OF PROGRAM OPERATIONS, URBAN MASS TRANSPORTATION ADMINISTRATION

Redelegation of Authority With Respect to Urban Mass Transportation Program

Pursuant to the authority delegated to me by § 1.4(e) of the Regulations of the Office of the Secretary of Transportation (49 CFR 1.4(e)), the Assistant Administrator, Office of Program Operations, Urban Mass Transportation Administration, is hereby authorized in connection with the administration of contracts for grants or loans under section 3, and of contracts for grants for technical studies under section 9, and of contracts for grants for managerial training under section 10 of the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1602, 1607a, and 1607b), to approve requisitions for funds; third-party contracts; and project budget amendments.

The Assistant Administrator, Office of Program Operations, is further authorized to redelegate to one or more employees under his jurisdiction the authority redelegated herein.

This redelegation of authority becomes effective on September 16, 1968.

Issued in Washington, D.C., on September 9, 1968.

JOHN E. ROBSON,
Urban Mass Transportation
Administrator.

[F.R. Doc. 68-11104; Filed, Sept. 12, 1968;
8:46 a.m.]

ASSISTANT ADMINISTRATOR, OFFICE OF RESEARCH, URBAN MASS TRANSPORTATION ADMINISTRATION

Redelegation of Authority With Respect to Urban Mass Transportation Program

Pursuant to the authority delegated to me by § 1.4(e) of the Regulations of the Office of the Secretary of Transportation (49 CFR 1.4(e)), the Assistant Administrator, Office of Research, Urban Mass Transportation Administration, is hereby authorized in connection with the administration of contracts for grants for demonstration projects under section 6(a) and of contracts for grants for research and training under section 11 of the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1605(a) and 1607(c)), to approve requisitions for funds; third-party contracts; and project budget amendments.

The Assistant Administrator, Office of Research, is further authorized to redelegate to one or more employees under his jurisdiction the authority redelegated herein.

This redelegation of authority becomes effective on September 16, 1968.

Issued in Washington, D.C., on September 9, 1968.

JOHN E. ROBSON,
Urban Mass Transportation
Administrator.

[F.R. Doc. 68-11105; Filed, Sept. 12, 1968;
8:46 a.m.]

ATOMIC ENERGY COMMISSION

[Docket Nos. 50-295, 50-304]

COMMONWEALTH EDISON CO. (ZION STATION UNITS 1 AND 2)

Order Changing and Designating New Place for Hearing

Due to inadequacy of space at one location and construction being undertaken at another location,

It is hereby ordered, That the hearing scheduled by the Atomic Energy Commission to convene at 10 a.m., on September 24, 1968, shall convene at that time in the West Campus Auditorium of Waukegan Township High School at 2325 Brookside Road, Waukegan, Ill.

Issued: September 10, 1968, Germantown, Md.

ATOMIC SAFETY AND LICENSING BOARD,
SAMUEL W. JENSCH,
Chairman.

[F.R. Doc. 68-11187; Filed, Sept. 12, 1968;
8:50 a.m.]

[Docket No. 50-297]

NORTH CAROLINA STATE UNIVERSITY AT RALEIGH

Notice of Proposed Issuance of Construction Permit

The Atomic Energy Commission ("the Commission") is considering the issuance of a construction permit, substantially in the form annexed, to North Carolina State University at Raleigh, which would authorize the construction of the NCSU PULSTAR nuclear research reactor on the University's campus at Raleigh, N.C. The proposed reactor will be operated at power levels up to 1 megawatt thermal.

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

For further details with respect to this proposed license, see (1) the application dated July 17, 1967, and amendments thereto, and (2) a related safety evaluation prepared by the Division of Reactor Licensing, which are available for public inspection in the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. A copy of the safety evaluation may be obtained at the Commission's Public Document Room or upon request addressed to the Atomic Energy Commission, Washington, D.C. 20545, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Md., this 6th day of September 1968.

For the Atomic Energy Commission.

DONALD J. SKOVHOLT,
Assistant Director for Reactor
Operations, Division of Reactor
Licensing.

PROPOSED CONSTRUCTION PERMIT
Construction Permit No. -----

1. By application dated July 17, 1967, and amendments thereto dated February 23, May 2, and August 8, 1968 (hereinafter "the application"), North Carolina State University at Raleigh (hereinafter "the University"), requested a Class 104 license authorizing construction and operation of the NCSU PULSTAR nuclear research reactor facility (hereinafter "the facility") on the University's campus in Raleigh, N.C.

2. The Atomic Energy Commission ("the Commission") has found that:

A. The application complies with the requirements of the Atomic Energy Act of 1954, as amended ("the Act"), and the Commission's regulations set forth in Title 10, Chapter 1, CFR;

B. The facility will be a utilization facility as defined in the Commission's regulations contained in Title 10, Chapter 1, CFR, Part 50, "Licensing of Production and Utilization Facilities";

C. The facility will be used in the conduct of research and development activities of the types specified in section 31 of the Act;

D. The University is financially qualified to construct the facility in accordance with the Commission's regulations contained in Title 10, Chapter 1, CFR;

E. The University and its contractor, American Machine and Foundry Co., are technically qualified to design and construct the facility;

F. The University has submitted sufficient technical information concerning the proposed facility to provide reasonable assurance that the proposed facility can be constructed and operated at the proposed location without endangering the health and safety of the public;

G. The issuance of the proposed construction permit will not be inimical to the common defense and security or to the health and safety of the public.

3. Pursuant to the Act and Title 10, CFR, Part 50, "Licensing of Production and Utilization Facilities", the Commission hereby issues a construction permit to North Carolina State University at Raleigh to construct the facility in accordance with the application. This permit shall be deemed to contain and be subject to the conditions specified in sections 50.54 and 50.55 of said regulations; is subject to all applicable provisions of the Act and rules, regulations, and orders of the Commission now or hereafter in effect, and is subject to the additional conditions specified below:

A. The earliest completion date of the facility is October 1, 1969. The latest completion date of the facility is April 1, 1970. The term "completion date", as used herein, means the date on which construction of the facility is completed except for the introduction of the fuel material.

B. The facility shall be constructed and located on the site specified in the application on the University's campus in Raleigh, N.C.

4. Upon completion of the construction of the facility in accordance with the terms and conditions of this permit, upon the filing of any additional information needed to bring the application up to date, upon finding by the Commission that the facility authorized has been constructed and will operate in conformity with the application and the provisions of the Act and of the rules and regulations of the Commission, upon execution of the indemnity agreement as required by section 170 of the Act and the absence of any good cause being shown to the Commission why the granting of a license would not be in accordance with the provisions of the Act, the Commission will issue a Class 104 license to the University pursuant to section 104c of the Act, which license shall expire twenty (20) years from the date of issuance of this construction permit, unless sooner terminated.

For the Atomic Energy Commission.

Date of issuance: September 6, 1968.

DONALD J. SKOVHOLT,
Assistant Director for Reactor
Operations, Division of Reactor
Licensing.

[F.R. Doc. 68-11188; Filed, Sept. 12, 1968;
8:50 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 18595]

ALM DUTCH ANTILLEAN AIRLINES

Notice of Oral Argument

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act

of 1958, as amended, that oral argument in the above-entitled matter is assigned to be heard on September 25, 1968, at 10 a.m., e.d.t., in Room 1027, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before the Board.

Dated at Washington, D.C., September 10, 1968.

[SEAL] THOMAS L. WRENN,
Chief Examiner.

[F.R. Doc. 68-11138; Filed, Sept. 12, 1968;
8:49 a.m.]

[Docket No. 20116; Order 68-9-39]

MOHAWK AIRLINES, INC.

Order Regarding Certificate of Public Convenience and Necessity

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 10th day of September, 1968.

On August 16, 1968, Mohawk Airlines, Inc. (Mohawk), filed an application for amendment of its certificate of public convenience and necessity for route 94, pursuant to Subpart M of Part 302 of the Board's procedural regulations, to authorize it to provide, without subsidy eligibility, nonstop service between Islip, N.Y., and Syracuse, N.Y., and one-stop service between Islip, N.Y., and Buffalo, N.Y. Mohawk is authorized to serve Islip on segment 10, Buffalo on segments 1 and 3, and Syracuse on segments 1, 2, 3, 5, and 6. No statements requesting dismissal were filed.

Upon consideration of Mohawk's application, we do not find that Mohawk's application is not in compliance with, or is inappropriate for processing under the provisions of Subpart M. Accordingly, we order further proceedings pursuant to the provisions of Subpart M, §§ 302.1306-10, with respect to Mohawk's application.

Accordingly, it is ordered, That: Further proceedings, pursuant to Subpart M, §§ 302.1306-10 of the procedural regulations, shall take place with respect to the application of Mohawk Airlines, Inc., Docket 20116.

This order shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 68-11140; Filed, Sept. 12, 1968;
8:49 a.m.]

[Docket No. 19201]

SERVICE TO WHITE PLAINS, N.Y.

Notice of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a public hearing in the above-entitled proceeding will be held on October 28, 1968 at 10 a.m., e.s.t., in Room 726, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before Examiner Ross I. Newmann.

Without limiting the scope of the issues to be considered, particular attention will be directed to the question whether the public convenience and necessity require

additional service on a nonsubsidy basis between Chicago, Cincinnati, Cleveland, Pittsburgh, and St. Louis, on the one hand, and New York City (to be served through Westchester County Airport at White Plains, N.Y., and/or Long Island MacArthur Airport at Islip, N.Y.), on the other hand.

For further details of the issues involved in this proceeding, interested persons are referred to the Board's order of investigation, Order E-25913, dated November 2, 1967; Order E-26711, dated April 25, 1968; Order 68-7-10, dated July 2, 1968; the prehearing conference report served on July 5, 1968; the supplemental prehearing conference report served on July 24, 1968; and other documents which are in the docket of this proceeding on file in the Docket Section of the Civil Aeronautics Board.

Dated at Washington, D.C., September 4, 1968.

[SEAL] ROSS I. NEWMANN,
Hearing Examiner.

[F.R. Doc. 68-11139; Filed, Sept. 12, 1968;
8:49 a.m.]

[Docket No. 20139; Order 68-9-32]

SUN AIRLINE CORP.

Order To Show Cause Regarding Establishment of Service Mail Rate

SEPTEMBER 9, 1968.

Issued under delegated authority.

The Postmaster General filed a notice of intent August 23, 1968, pursuant to 14 CFR Part 298, petitioning the Board to establish for the above-captioned air taxi operator, a final service mail rate of 29 cents per great circle aircraft mile for the transportation of mail by aircraft between Cincinnati, Ohio, and Nashville, Tenn., via Louisville, Ky.

No protest or objection was filed against the proposed services during the time for filing such objections. The Postmaster General states that the Department and the carrier agree that the above rate is a fair and reasonable rate of compensation for the proposed services. The Postmaster General believes these services will meet postal needs in the market. He states the air taxi plans to initiate mail service with Beechcraft, Model E-18, twin-engine aircraft equipped for all-weather operation.

It is in the public interest to fix, determine, and establish the fair and reasonable rate of compensation to be paid by the Postmaster General for the proposed 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 order¹ to include the following findings and conclusions:

¹ As this order to show cause is not a final action but 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). These provisions for Board review will be applicable to final action taken by the staff under authority delegated in § 385.14(g).

1. The fair and reasonable final service mail rate to be paid to Sun Airline Corp. in its entirety by the Postmaster General 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 Cincinnati, Ohio, and Nashville, Tenn., via Louisville, Ky., shall be 29 cents per great circle aircraft mile.

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. Sun Airline Corp., the Postmaster General, Trans World Airlines, Inc., American Airlines, Inc., Eastern Air Lines, Inc., Delta Air Lines, Inc., Piedmont Aviation, Inc., Allegheny Airlines, Inc., Ozark Air Lines, Inc., and all other interested persons 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 for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith as specified above as the fair and reasonable rate of compensation to be paid to Sun Airline Corp.;

2. Further procedures herein shall be in accordance with 14 CFR Part 302, and notice of any objection to the rate or to the other findings and conclusions proposed herein, shall be filed within 10 days, and if notice is filed, written answer and supporting documents shall be filed within 30 days after 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 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 Sun Airline Corp., the Postmaster General, Trans World Airlines, Inc., American Airlines, Inc., Eastern Air Lines, Inc., Delta Air Lines, Inc., Piedmont Aviation, Inc., Allegheny Airlines, Inc., and Ozark Air Lines, Inc.

This order will be published in the FEDERAL REGISTER.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 68-11141; Filed, Sept. 12, 1968;
8:50 a.m.]

[Docket No. 20141; Order 68-9-36]

SUN AIRLINE CORP.**Order To Show Cause Regarding Establishment of Service Mail Rate**

SEPTEMBER 9, 1968.

Issued under delegated authority.

The Postmaster General filed a notice of intent August 23, 1968, pursuant to 14 CFR Part 298, petitioning the Board to establish for the above-captioned air taxi operator, a final service mail rate of 29 cents per great circle aircraft mile for the transportation of mail by aircraft between Bowling Green and Louisville, Ky.

No protest or objection was filed against the proposed services during the time for filing such objections. The Postmaster General states that the Department and the carrier agree that the above rate is a fair and reasonable rate of compensation for the proposed services. The Postmaster General believes these services will meet postal needs in the market. He states the air taxi plans to initiate mail service with Cessna, Model 402, Beechcraft, Model E-18 or D-18, King Air, Model A-90, or other twin-engine aircraft equipped for all-weather operation.

It is in the public interest to fix, determine, and establish the fair and reasonable rate of compensation to be paid by the Postmaster General for the proposed 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 order¹ to include the following findings and conclusions:

1. The fair and reasonable final service mail rate to be paid to Sun Airline Corp. in its entirety by the Postmaster General 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 Bowling Green and Louisville, Ky., shall be 29 cents per great circle aircraft mile.

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. Sun Airline Corp., the Postmaster General, Eastern Air Lines, Inc., and all other interested persons 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 for the transportation of mail by aircraft, the facilities used and useful therefor,

¹ As this order to show cause is not a final action but 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). These provisions for Board review will be applicable to final action taken by the staff under authority delegated in § 385.14(g).

and the services connected therewith as specified above as the fair and reasonable rate of compensation to be paid to Sun Airline Corp.;

2. Further procedures herein shall be in accordance with 14 CFR Part 302, and notice of any objection to the rate or to the other findings and conclusions proposed herein, shall be filed within 10 days, and if notice is filed, written answer and supporting documents shall be filed within 30 days after 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 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 Sun Airline Corp., the Postmaster General, and Eastern Air Lines, Inc.

This order will be published in the FEDERAL REGISTER.

[SEAL] HAROLD R. SANDERSON,
Secretary.
[F.R. Doc. 68-11142; Filed, Sept. 12, 1968;
8:50 a.m.]

[Docket No. 20142; Order 68-9-34]

SUN AIRLINE CORP.**Order To Show Cause Regarding Establishment of Service Mail Rate**

SEPTEMBER 9, 1968.

Issued under delegated authority.

The Postmaster General filed a notice of intent August 23, 1968, pursuant to 14 CFR Part 298, petitioning the Board to establish for the above-captioned air taxi operator, a final service mail rate of 29 cents per great circle aircraft mile for the transportation of mail by aircraft between Paducah and Louisville, Ky.

No protest or objection was filed against the proposed services during the time for filing such objections. The Postmaster General states that the Department and the carrier agree that the above rate is a fair and reasonable rate of compensation for the proposed services. The Postmaster General believes these services will meet postal needs in the market. He states the air taxi plans to initiate mail service with Cessna, Model 402, Beechcraft, Model E-18 or D-18, King Air, Model A-90, or other twin-engine aircraft equipped for all-weather operation.

It is in the public interest to fix, determine, and establish the fair and reasonable rate of compensation to be paid by the Postmaster General for the proposed

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 order¹ to include the following findings and conclusions:

1. The fair and reasonable final service mail rate to be paid to Sun Airline Corp. in its entirety by the Postmaster General 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 Paducah and Louisville, Ky., shall be 29 cents per great circle aircraft mile.

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. Sun Airline Corp., the Postmaster General, Delta Air Lines, Inc., Ozark Air Lines, Inc., and all other interested persons 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 for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith as specified above as the fair and reasonable rate of compensation to be paid to Sun Airline Corp.

2. Further procedures herein shall be in accordance with 14 CFR Part 302, and notice of any objection to the rate or to the other findings and conclusions proposed herein, shall be filed within 10 days, and if notice is filed, written answer and supporting documents shall be filed within 30 days after 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 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 Sun Airline Corp., the Postmaster General,

¹ As this order to show cause is not a final action but 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). These provisions for Board review will be applicable to final action taken by the staff under authority delegated in § 385.14(g).

Delta Air Lines, Inc., and Ozark Air Lines, Inc.

This order will be published in the FEDERAL REGISTER.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 68-11143; Filed, Sept. 12, 1968;
8:50 a.m.]

[Docket No. 20143; Order 68-9-33]

SUN AIRLINE CORP.

Order To Show Cause Regarding Establishment of Service Mail Rate

SEPTEMBER 9, 1968.

Issued under delegated authority.

The Postmaster General filed a notice of intent August 23, 1968, pursuant to 14 CFR Part 298, petitioning the Board to establish for the above-captioned air taxi operator, a final service mail rate of 29 cents per great circle aircraft mile for the transportation of mail by aircraft between Evansville, Ind., and Louisville, Ky.

No protest or objection was filed against the proposed services during the time for filing such objections. The Postmaster General states that the Department and the carrier agree that the above rate is a fair and reasonable rate of compensation for the proposed services. The Postmaster General believes these services will meet postal needs in the market. He states the air taxi plans to initiate mail service with Cessna, Model 402, Beechcraft, Model E-18 or D-18, King Air, Model A-90, or other twin-engine aircraft equipped for all-weather operation.

It is in the public interest to fix, determine, and establish the fair and reasonable rate of compensation to be paid by the Postmaster General for the proposed 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 order¹ to include the following findings and conclusions:

1. The fair and reasonable final service mail rate to be paid to Sun Airline Corp. in its entirety by the Postmaster General 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 Evansville, Ind., and Louisville, Ky., shall be 29 cents per great circle aircraft mile.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly

¹ As this order to show cause is not a final action but 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). These provisions for Board review will be applicable to final action taken by the staff under authority delegated in § 385.14(g).

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. Sun Airline Corp., the Postmaster General, Eastern Air Lines, Inc., Delta Air Lines, Inc., Allegheny Airlines, Inc., and all other interested persons 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 for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith as specified above as the fair and reasonable rate of compensation to be paid to Sun Airline Corp.;

2. Further procedures herein shall be in accordance with 14 CFR Part 302, and notice of any objection to the rate or to the other findings and conclusions proposed herein, shall be filed within 10 days, and if notice is filed, written answer and supporting documents shall be filed within 30 days after 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 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 Sun Airline Corp., the Postmaster General, Eastern Air Lines, Inc., Delta Air Lines, Inc., and Allegheny Airlines, Inc.

This order will be published in the FEDERAL REGISTER.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 68-11144; Filed, Sept. 12, 1968;
8:50 a.m.]

CIVIL SERVICE COMMISSION

ENGINEERING TECHNICIAN

Manpower Shortage

Under the provisions of 5 U.S.C. 5723, the Civil Service Commission found a manpower shortage on August 26, 1968, for a single position of Engineering Technician, GS-802-11 (limited to ballistic missile launching systems associated with submarines) at the Puget Sound Naval Shipyard, Bremerton, Wash. This finding is self-canceling and will terminate when the position is filled.

Assuming other legal requirements are met, the appointee to this position may

be paid for the expense of travel and transportation to first post of duty.

UNITED STATES CIVIL SERVICE COMMISSION,
JAMES C. SPRY,
Executive Assistant to
the Commission.

[F.R. Doc. 68-11116; Filed, Sept. 12, 1968;
8:47 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 16679, 16680; FCC 68-892]

RKO GENERAL, INC. (KHJ-TV) AND FIDELITY TELEVISION, INC.

Memorandum Opinion and Order Enlarging Issues

In re applications of RKO General, Inc. (KHJ-TV), Los Angeles, Calif., for renewal of broadcast license, Docket No. 16679, File No. BRCT-58; Fidelity Television, Inc., Norwalk, Calif., for construction permit for new television broadcast station, Docket No. 16680, File No. BPCT-3655.

1. The Commission has under consideration: (a) A Review Board Memorandum Opinion and Order, FCC 68R-196, released May 10, 1968; (b) an application for review, filed May 17, 1968, by Fidelity Television, Inc.; (c) a motion to strike or, in the alternative, opposition to application for review, filed May 29, 1968, by RKO General, Inc.; and (d) a reply, filed June 5, 1968, by Fidelity Television, Inc.

2. The relief sought by Fidelity before the Review Board requested the addition of issues permitting an inquiry into the anticompetitive practices manifested by allegedly coercive reciprocal dealings indulged in by RKO General, Inc., as a subsidiary of General Tire and Rubber Co. in what may be broadly described as a policy of coercing vendors to General Tire and Rubber and its subsidiaries into purchasing advertising time on RKO's television station and similar practices. In addition, Fidelity sought to have the Commission make its own investigation of the facts underlying an antitrust suit by the United States against General Tire and Rubber et al, to secure information concerning the civil suit from the Department of Justice (which information, says Fidelity, has been denied to it as a private party), to place the burden of going forward with the introduction of evidence on RKO General, and to add a disqualification issue. The Review Board denied all relief on the ground that Fidelity's petition was inexcusably dilatory and that the likelihood of Fidelity's proving its allegations was not so substantial as to outweigh the public interest benefits of orderly and fair administration of the Commission's business.

3. We are not disposed to reverse the Review Board. However, we note that, at an earlier stage in this proceeding, the Review Board held, inter alia, that

Fidelity might introduce evidence of the anticompetitive practices attributed to RKO under the existing comparative issues,³ and that, on March 11, 1968, Hearing Examiner Donahue reopened the record² for the reception of such evidence. We further note that Fidelity, while still wishing the Commission to make its own investigation, obtain material from the Department of Justice, and place the burden of going forward with the introduction of evidence on RKO, claims the ability to prove its own case without such assistance.³ It would therefore appear that Fidelity has already obtained essentially the relief it seeks, save for the addition of a disqualification issue.

4. We shall add such disqualification issue. Since the Hearing Examiner has already reopened the record, the addition of a mere conclusory issue will neither enlarge the scope of the evidence admissible nor prolong the hearing, and we emphasize that it is not our intention to do so. On the other hand, to permit the adduction of evidence, as damaging as Fidelity claims it to be, without affording the Examiner the option of disqualification if he deems it appropriate, would impose improper fetters upon his evaluation of the entire evidence. Nothing we have said herein has, of course, any bearing on the reservation to the Commission of the power to take such steps as it deems proper upon the conclusion of the entire civil proceeding now pending in the U.S. District Court for the Northern District of Ohio.⁴

5. Accordingly, it is ordered, That the application for review filed by Fidelity Television, Inc., is denied; and,

6. It is further ordered, That, on the Commission's own motion, the issues herein are enlarged to add:

"To determine, in light of the evidence adduced with respect to the preceding issues, whether RKO General, Inc., should be disqualified or, if not, whether a comparative demerit should be assessed against it in this proceeding."

Adopted: September 5, 1968.

Released: September 9, 1968.

FEDERAL COMMUNICATIONS
COMMISSION,⁵

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 68-11128; Filed, Sept. 12, 1968;
8:48 a.m.]

[FCC 68-917]

AMERICAN TELEGRAPH AND TELEPHONE CO.

Interim Procedure Relating to Tele- phone "Foreign Attachment" Tariff Regulations

SEPTEMBER 9, 1968.

On August 29, 1968, American Tele-
graph & Telephone Co. (A.T. & T.) sub-
mitted to the Commission an application

for permission to file revised tariffs effective November 1, 1968, which would permit greater use of customer-supplied "foreign attachments" in connection with interstate or foreign telephone service and which would establish certain new requirements that must be met by all customer-supplied "foreign attachments." A.T. & T. stated that permission to file these new tariffs was being requested because of the circumstances involved in the Carterfone proceedings now pending before the Commission in Docket Nos. 16942 and 17073. We believe it desirable to set out the interim procedure to be followed with respect to this matter.

We therefore specify that no pleadings shall be filed directed to A.T. & T.'s, request for permission to file the tariff, until further order of the Commission, such order to be issued in the near future after consideration of the pending petitions for reconsideration in Docket Nos. 16942 and 17073. We believe that this procedure is appropriate at this posture, and will "best conduce to the proper dispatch of the Commission's business and the ends of justice." (section 4(j) of the Communications Act of 1934, as amended). Finally, we point out that this procedural action is not, of course, meant to indicate any disposition with respect to the merits of the tariff and that in any event, if and when this tariff is accepted for filing, all interested persons will be afforded a full and fair opportunity to address themselves to the tariff. See § 1.773, 47 CFR 73.773.

Action by the Commission, September 6, 1968, Commissioners Hyde (Chairman), Bartley, Lee, Cox, and Johnson.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 68-11129; Filed, Sept. 12, 1968;
8:48 a.m.]

FEDERAL MARITIME COMMISSION NORTH ATLANTIC CONTINENTAL FREIGHT CONFERENCE

Notice of Agreements Filed for Approval

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

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreement at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such

statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Burton H. White, Esquire, Burlingham, Underwood, Wright, White, and Lord, 25 Broadway, New York, N.Y. 10004.

Agreement No. 9214-2, between the members of the North Atlantic Continental Freight Conference, (1) modifies Article XIII of the basic agreement to add Article XV to those exceptions to the three-fourths majority vote otherwise required for all Conference action, and (2) amends Article XV to empower the Emergency Rate Committee to open and close rates and to permit independent action in accordance with the powers from time to time granted, and to provide that actions of the Emergency Rate Committee may be authorized by a simple majority vote of those members present and entitled to vote.

Dated: September 10, 1968.

By Order of the Federal Maritime
Commission.

THOMAS LIST,
Secretary.

[F.R. Doc. 68-11134; Filed, Sept. 12, 1968;
8:49 a.m.]

N.V. NEDERLANDSCH-AMERI- KAANSCH E STOOMVAART-MAAT- SCHAPPIJ AND DEUTSCHE AT- LANTIK SCHIFFAHRTS-GESELL- SCHAFT m.b.H & CO.

Notice of Agreement Filed for Approval

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

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

Notice of Agreement filed for Approval by:

Mr. Burton H. White, Burlingham, Underwood, Wright, White, and Lord, 25 Broadway, New York, N.Y. 10004.

Agreement No. 9740 between N.V. Nederlandsch-Amerikaansche Stoomvaart-Maatschappij "HOLLAND-AMERIKA LIJN" and DEUTSCHE ATLANTIK SCHIFFAHRTS-GESELLSCHAFT

¹ 8 FCC 2d 632, 10 RR 2d 282.

² FCC 68M-394.

³ Application for review, par. 19.

⁴ 8 FCC 2d 632, 10 RR 2d 282.

⁵ Commissioner Wadsworth abstaining from voting.

m.b.H. & CO. (GERMAN ATLANTIC LINE) provides:

(1) For the spacing of sailings of vessels of N.V. Nederlandsch-Amerikaansche Stoomvaart-Maatschappij (HOLLAND-AMERIKA LIJN) and the S.S. HANSEATIC and S.S. HAMBURG of DEUTSCHE ATLANTIK SCHIFFFAHRTS-GESELLSCHAFT m.b.H. & CO. (GERMAN ATLANTIC LINE) from United States and foreign ports both in transatlantic service and on cruises. The parties will publish joint sailing schedules, rate sheets, advertising and promotional material relating to such vessels.

(2) For the employment by Deutsche Atlantik Schifffahrts-Gesellschaft m.b.H. & CO. (GERMAN ATLANTIC LINE) of N.V. Nederlandsch-Amerikaansche Stoomvaart-Maatschappij (HOLLAND-AMERIKA LIJN) as its General Agent in North America (Canada, U.S.A., and Mexico).

Dated: September 10, 1968.

By Order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 68-11135; Filed, Sept. 12, 1968; 8:49 a.m.]

PACIFIC-STRAITS CONFERENCE

Notice of Petition Filed for Approval

Notice is hereby given that the following petition has been filed with the Commission for approval pursuant to section 14b of the Shipping Act, 1916, as amended (75 Stat. 762, 46 U.S.C. 814).

Interested parties may inspect a copy of the current contract form and of the petition, reflecting the changes proposed to be made in the language of said contract, at the Washington office of the Federal Maritime Commission, 1321 H Street NW., room 301; or at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to the proposed changes and the petition, including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the petition (as indicated hereinafter), and the comments should indicate that this has been done.

Notice of application to modify an approved dual rate contract filed by:

Mr. R. E. Spaulding, Secretary, Pacific-Straits Conference, 635 Sacramento Street, San Francisco, Calif. 94111.

The Pacific-Straits Conference, Agreement 5680, as amended, has filed with the Commission an application to modify its approved form of exclusive patronage contract under section 14b of the Shipping Act, 1916. The proposed modification would include "currency devaluation by governmental action" as a force majeure circumstance warranting suspension of the system pursuant to Article

10(a) of the contract; or an appropriate increase in rates in lieu of suspension pursuant to Article 10(b) subject to the terms and conditions enumerated therein.

Dated: September 10, 1968.

By Order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 68-11136; Filed, Sept. 12, 1968; 8:49 a.m.]

[Independent Ocean Freight Forwarder License No. 1033]

WILLIAM J. MARQUETTE

Order of Revocation

Whereas, on March 20, 1968, William J. Marquette, holder of Independent Ocean Freight Forwarder License No. 1033, advised the Commission that he has been inactive as an ocean freight forwarder; that he had not utilized his license for the past 18 months; and had closed his office.

Whereas, on August 19, 1968, licensee advised the Commission that he had misplaced Independent Ocean Freight Forwarder License No. 1033, and therefore could not return it, at this time, for cancellation as was requested.

Now, therefore, by virtue of authority vested in me by the Federal Maritime Commission as set forth in Manual of Orders, Commission Order 201.1 (Revised), section 6.03.

It is ordered, That the Independent Ocean Freight Forwarder License No. 1033 of William J. Marquette, be and is hereby revoked effective September 6, 1968.

It is further ordered, That if the Independent Ocean Freight Forwarder License No. 1033 is found to be returned to the Commission for cancellation.

It is further ordered, That a copy of this order be published in the FEDERAL REGISTER and served on the licensee.

LEROY F. FULLER,
Director.

Bureau of Domestic Regulation.

[F.R. Doc. 68-11137; Filed, Sept. 12, 1968; 8:49 a.m.]

FEDERAL POWER COMMISSION

[Docket No. RI 67-113 etc.]

WILLIAM HARVEY DENMAN ET AL.

Notice Fixing Oral Argument

SEPTEMBER 6, 1968.

William Harvey Denman, Trustee et al v. J. M. Huber Corp., Docket No. RI67-113; Mobil Oil Corp. v. Carl F. Matzen et al, Docket No. RI67-114; Western Natural Gas Co. v. Elmer Hennigh et al, Docket No. RI67-310; Pan American Petroleum Corp. v. Leland C. Waechter et al, Docket No. RI67-400.

The Commission has before it the Presiding Examiner's decision issued July 23, 1968, and the Briefs on Excep-

tions. Requests for oral argument were filed by The Land and Royalty Owners of Louisiana and the named defendants in Docket Nos. RI67-114, RI67-310, and RI67-400.

Take notice that an oral argument in the above-designated proceeding will be heard by the Commission en banc commencing at 10 a.m., e.d.s.t., October 21, 1968, in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C.

All parties desiring to participate in such oral argument shall notify the Secretary of the Commission in writing on or before October 1, 1968, of the amount of time desired for presentation of their respective arguments.

By direction of the Commission.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 68-11089; Filed, Sept. 12, 1968; 8:45 a.m.]

[Project No. 2221]

EMPIRE DISTRICT ELECTRIC CO.

Notice of Application for New License for Constructed Project

SEPTEMBER 5, 1968.

Public notice is hereby given that application for new license has been filed under the Federal Power Act (16 U.S.C. 791a-825r) by The Empire District Electric Co. (correspondence to: J. T. Jones, President, The Empire District Electric Co., 602 Joplin Street, Joplin, Mo. 64801) for constructed Project No. 2221, known as the Ozark Beach Project, located on White River, in Taney County, Mo., near the cities of Forsyth, Branson, and Hollister.

The existing project, which is currently operated under the terms of a Federal Power Commission license issued for a period extending from September 1, 1958, through August 31, 1968, consists of (1) a dam composed of (a) a reinforced concrete Ambursen type spillway section 593 feet long and 50 feet high with a crest elevation of 697.1 feet (USGS) surmounted by 4-foot flashboards, adjoined on the westerly end by (b) a 390-foot-long earth embankment with a maximum height of 70 feet and a crest elevation of 722.1 feet (USGS), and adjoined on the easterly end by (c) a 237-foot-long fishway and powerhouse section connected to (d) a 45-foot wing-wall; (2) a reservoir, Lake Taneycomo, approximately 20 miles long, with a surface area of 2,100 acres and total storage of 9,175 acre-feet at elevation 701.1 feet (USGS); (3) a reinforced concrete and brick powerhouse which contains four turbines connected to four generators having a capacity of 4,000 kw. each, and provision for four additional units; (4) a substation and (5) appurtenant transmission facilities.

Any person desiring to be heard or to make any protest with reference to said application should on or before October 29, 1968, file with the Federal Power Commission, Washington, D.C. 20426, petitions or protests in accordance with

the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). The application is on file with the Commission and available for public inspection.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 68-11090; Filed, Sept. 12, 1968;
8:45 a.m.]

[Docket No. CS69-5]

**WILLIAM A. AND EDWARD R.
HUDSON**

**Notice of Application for "Small
Producer" Certificate**

SEPTEMBER 6, 1968.

Take notice that on August 22, 1968, William A. & Edward R. Hudson, joint operators, 1510 First National Building, Fort Worth, Tex. 76102, filed an application pursuant to section 7(c) of the Natural Gas Act and § 157.40 of the regulations thereunder for a "small producer" certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce from the Permian Basin area of Texas and New Mexico, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before September 30, 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 providing no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter believes that a grant of the certificate is required by the public convenience and necessity. Where a protest or petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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. 68-11091; Filed, Sept. 12, 1968;
8:45 a.m.]

[Project No. 2684]

NORTH CENTRAL POWER CO., INC.

**Notice of Application for License for
Partly Constructed Project**

SEPTEMBER 5, 1968.

Public notice is hereby given that application for license has been filed under

the Federal Power Act (16 U.S.C. 791a-825r) by North Central Power Co., Inc. (correspondence to: Frank N. Dahlberg, North Central Power Co., Inc., Grantsburg, Wis. 54840) for partly constructed Project No. 2684, known as Aspin Dam, located on the Chippewa River in Sawyer County, Wis., near the villages of Radisson, Hayward, and Ladysmith.

The project when completely constructed will consist of: (1) a stone masonry dam in three sections, each 30 feet high (presently constructed but to be repaired) and about 1,466 feet long in the aggregate, each section having an overflow spillway section and two stop log sections (one section of the dam will contain an opening for the passage of a minimum flow of 40 c.f.s.), and a service bridge and headgate structure at the east end of the three section dam; (2) a reservoir with surface area of about 247 acres at maximum elevation 1,227.32 feet (U.S.G.S. datum); (3) a canal about 3,200 feet long carrying water from the headgate section at the dam to the powerhouse forebay; (4) a powerhouse (to be constructed) containing one 250 kw. and two 600 kw. generators; and (5) appurtenant facilities.

Any person desiring to be heard or to make any protest with reference to said application should on or before October 23, 1968, file with the Federal Power Commission, Washington, D.C. 20426, petitions or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). The application is on file with the Commission and available for public inspection.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 68-11092; Filed, Sept. 12, 1968;
8:45 a.m.]

[Docket No. RP69-1]

NORTHERN NATURAL GAS CO.

**Order Providing for Hearing, Suspending
Proposed Revised Tariff Sheets
and Providing Hearing Procedures**

SEPTEMBER 6, 1968.

Northern Natural Gas Co. (Northern) on July 26, 1968, filed proposed changes in its presently effective FPC Gas Tariff, Second Revised Volume No. 1.¹ The proposed changes would increase the company's jurisdictional rates, resulting in an estimated annual revenue increase of \$18,565,142. The increased rates are proposed to become effective on September 10, 1968.

In setting forth its reasons for the filing, Northern states that the proposed rate increases are designed to recover its increased overall cost of service, and specifically alleges (1) the need for a 7.5 percent rate of return; (2) increased cost

¹ Proposed revised tariff sheets: First Revised Sheets Nos. 14, 16, 20, 22, 26, 28, 32, 34, 38, 40, 44, 46, 50, 51, 54, 55, 58, 59, 66, 72, 78, 84, 90, 96, 102, 105, 108, and 114; Second Revised Sheet No. 126e, Third Revised Sheets Nos. 126b and 126d.

of purchased gas supplies; (3) increased Federal and State income taxes and other ad valorem and payroll taxes; and (4) increased cost of construction, wages, supplies, and expenses.

A review of the filing indicates that certain issues are raised therein which require development in an evidentiary proceeding. The proposed increased rates and charges have not been shown to be justified and may be unjust, unreasonable, unduly discriminatory or preferential, or otherwise unlawful.

We contemplate that some of the issues mentioned above and others, may be susceptible of hearing and decision within the 5-month suspension period. In order that the collection and refunding of any possible excess charges may be avoided, we will prescribe a procedure under which such issues may be tried in an initial phase of the hearing.

Following publication of the Commission's notice of Northern's rate increase filing, petitions for leave to intervene were filed by 25 of Northern's resale customers and four consumers. In general these petitioners are concerned about the magnitude of the rate increase and its effect upon their operations. One customer, Minneapolis Gas Co., requests an early hearing on all issues.

Notices of intervention were submitted by the following regulatory bodies: Suburban Rate Authority, an organization of municipalities in the State of Minnesota; Iowa State Commerce Commission; Michigan Public Service Commission; city of Saint Paul; and the Metropolitan Utilities District of Omaha.

The Commission finds:

(1) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the rates and charges contained in Northern's FPC gas tariff, as proposed to be amended, and that the proposed tariff sheets listed above be suspended, and the use thereof be deferred as herein provided.

(2) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the disposition of this proceeding be expedited in accordance with the procedures set forth below.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR, Chapter I), a public hearing shall be held commencing September 19, 1968, at 10 a.m., e.d.t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the lawfulness of the rates, charges, classifications and services contained in Northern's FPC gas tariff, as proposed to be amended.

(B) Pending such hearing and decision thereon, Northern's proposed revised tariff sheets listed above are hereby suspended and the use thereof is deferred until February 10, 1969, and until such further time as they are made effective

in the manner prescribed by the Natural Gas Act.

(C) At the hearing on September 19, 1968, Northern's prepared testimony (Statement P) filed and served on August 7, 1968, together with its entire rate filing as submitted and served on July 26, 1968, shall be admitted to the record as Northern's complete case-in-chief as provided in the Commission's regulations, section 154.63(e) (1), and Order No. 254, 28 FPC 495, 496. At the same time, the production cost of service data submitted by Northern on August 27, 1968, shall be admitted to the record without prejudice to rights claimed by any party either with regard to this issue or any other issue in this proceeding. The admission of the foregoing is subject to appropriate motions, if any, by parties to the proceeding.

(D) Following admission of Northern's complete case-in-chief, the parties shall present their views and the Presiding Examiner, in the exercise of his discretion, shall determine whether there shall be an initial phase and, if so, which issues shall be heard therein. If he determines that there shall be an initial phase hearing, he shall fix dates for service of Staff's and Interveners' Evidence and Northern's rebuttal evidence on such issues; fix dates for witnesses to appear for adoption of their testimony and to stand cross-examination thereon; and proceed with such hearing as expeditiously as feasible. The Presiding Examiner shall thereafter fix dates for service of testimony and cross-examination on all issues not being heard in the initial phase hearing.

(E) Presiding Examiner Dyer Justice Taylor, or any other designated by the Chief Examiner for that purpose (see Delegation of Authority, 18 CFR 3.5(d)), shall preside at the hearing in this proceeding; shall prescribe relevant procedural matters not herein provided; and shall control this proceeding in accordance with the policies expressed in § 2.59 of the Commission's rules of practice and procedure.

By the Commission.

[SEAL] GORDON M. GRANT,
Secretary.
[F.R. Doc. 68-11093; Filed, Sept. 12, 1968;
8:45 a.m.]

[Project No. 2685]

POWER AUTHORITY OF THE STATE OF NEW YORK

Notice of Application for License for Unconstructed Project

SEPTEMBER 5, 1968.

Public notice is hereby given that application for license has been filed under the Federal Power Act (16 U.S.C. 791a-825r) by Power Authority of the State of New York (correspondence to: W. S. Chapin, General Manager, Power Authority of the State of New York, 10 Columbus Circle, New York, N.Y. 10019) for unconstructed Project No. 2685, known as the Blenheim-Gilboa Pumped

Storage Project, to be located on Schoharie Creek, tributary of the Mohawk River, in the towns of Gilboa and Blenheim, in Schoharie County, N.Y.

The proposed project would consist of: (1) An upper reservoir having earth embankment sections totaling 12,100 feet overall length with maximum height of 110 feet and crest at 2,008 feet (m.s.l.) to maintain a normal maximum operating level at 2,003 feet (m.s.l.) and having storage capacity of 16,500 acre-feet; an ungated, submerged circular-weir inlet; (2) a concrete-lined vertical pressure shaft 1,000 feet long, a horizontal tunnel 900 feet long, and the manifold 350 feet long; (3) four steel-lined penstock tunnels 12 feet in diameter, each 2,200 feet long, leading to the pumping-generating plant; (4) an outdoor type powerhouse of reinforced concrete housing four pump-turbine motor-generator units, each rated at 250,000 kw. with net generating head varying between 1,007 and 1,100 feet; (5) a switchyard, located adjacent to the pumping-generating plant, supplying three 345 kv. transmission lines (one to Delhi, one to New Scotland, and one to Catskill); (6) a lower reservoir formed by a dam across Schoharie Creek, downstream of the pumping-generating plant consisting of an earth embankment across the valley with 1,600 feet crest length at a maximum height of 100 feet with crest at elevation 901 feet (m.s.l.); and a concrete-lined, side-chute spillway on the west abutment controlled by three 44 x 36 feet tantor gates (the surface elevation of the reservoir would vary from 896 to 860 feet m.s.l.) and have a total storage capacity of 18,500 acre-feet and (7) appurtenant facilities.

Any person desiring to be heard or to make any protest with reference to said application should on or before October 29, 1968, file with the Federal Power Commission, Washington, D.C. 20426, petitions or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). The application is on file with the Commission and available for public inspection.

GORDON M. GRANT,
Secretary.
[F.R. Doc. 68-11094; Filed, Sept. 12, 1968;
8:45 a.m.]

[Docket No. RI63-271]

SINCLAIR OIL & GAS CO.

Order Severing and Terminating Proceeding

SEPTEMBER 4, 1968.

On July 19, 1968, Sinclair Oil & Gas Co. (Sinclair) filed a motion requesting the Commission to sever and terminate the above docketed proceeding. This proceeding concerns a proposed increased rate for the sale of natural gas to El Paso Natural Gas Co. in the Permian Basin under Sinclair's FPC Gas Rate Schedule No. 221. The increased rate of 17 cents, subject to a treating charge not in excess of 4.5 cents per

Mcf (designated as Supplement No. 1 to said rate schedule), was filed by Sinclair on November 20, 1962, suspended by order of the Commission issued December 31, 1962, in Docket No. RI63-271, and placed in effect subject to refund on June 1, 1963. The highest net rate collected by Sinclair in Docket No. RI63-271 was 13.947339 cents per Mcf. By its order to show cause issued August 5, 1965, in the Area Rate Proceeding (Permian Basin), Docket No. AR61-1 et al., 34 FPC 424, the Commission consolidated this proceeding therein.

On July 12, 1966, in compliance with Opinion Nos. 468 and 468-A, 34 FPC 159, and 34 FPC 1068, respectively, Sinclair filed with the Commission its Quality Statement for the subject sale, establishing a rate of 14.25 cents per Mcf. By order issued August 26, 1966, the Commission accepted such statement, and designated it as Supplement No. 1 to Supplement No. 3 to Sinclair's FPC Gas Rate Schedule No. 221.

Since the rate charged and collected, subject to refund, by Sinclair in this proceeding is below the applicable area ceiling rate of 14.25 cents per Mcf the motion of Sinclair should be granted.

The Commission finds: The proceeding in Docket No. RI63-271 should be severed from the order to show cause and terminated.

The Commission orders: The proceeding in Docket No. RI63-271 is severed from the order to show cause in the Permian Basin Area Rate Proceeding, Docket No. AR61-1, and said proceeding is terminated.

By the Commission.

[SEAL] GORDON M. GRANT,
Secretary.

[F.R. Doc. 68-11095; Filed, Sept. 12, 1968;
8:45 a.m.]

[Docket No. RP69-6]

EL PASO NATURAL GAS CO.

Notice of Proposed Changes in Rates and Charges

SEPTEMBER 11, 1968.

Take notice that El Paso Natural Gas Co., on September 6, 1968, tendered for filing proposed changes in its FPC Gas Tariff, Original Volume No. 1, to become effective on October 7, 1968. The proposed rate changes would increase charges for jurisdictional sales by about \$29,700,000 per year, based upon sales for the 12-month period ending May 31, 1968, as adjusted. The proposed increase would be applicable to all rates of El Paso for natural gas service rendered to its distributor customers, except those served from that portion of its system (and related properties) to be divested pursuant to the decree of the U.S. District Court for the District of Utah (Central Division) entered on August 29, 1968.

El Paso states that the principal reasons for the proposed rate increases are: (1) Increased costs of labor, materials, and supplies; (2) increased Federal,

State, and local taxes; and (3) the need for a 7.5 percent rate of return.

Copies of the filing were served on all of El Paso's distributor customers in its Southern Division and on Interested State Commissions.

Protests, petitions to intervene, or notices of intervention may be filed with the Federal Power Commission, Washington, D.C. 20426, pursuant to the Commission's rules of practice and procedure on or before September 25, 1968.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 68-11193; Filed, Sept. 12, 1968;
8:50 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 1-4672]

CAMEO-PARKWAY RECORDS, INC.

Order Suspending Trading

SEPTEMBER 9, 1968.

The common stock, 10 cents par value of Cameo-Parkway Records, Inc., Philadelphia, Pa., being listed and registered on the American Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of Cameo-Parkway Records, Inc., being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such Exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to sections 15(c)(5) and 19(a)(4) of the Securities Exchange Act of 1934, that trading in such securities on the American Stock Exchange and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period September 10, 1968, through September 14, 1968, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 68-11108; Filed, Sept. 12, 1968;
8:46 a.m.]

[File No. 1-2250]

COMSTOCK-KEYSTONE MINING CO.

Order Suspending Trading

SEPTEMBER 9, 1968.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Comstock-Keystone Mining Co. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities

otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period September 10, 1968, through September 19, 1968, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 68-11109; Filed, Sept. 12, 1968;
8:46 a.m.]

[File No. 70-4669]

PENNSYLVANIA POWER CO.

Notice of Proposed Issuance of First Mortgage Bonds for Sinking Fund Purposes

SEPTEMBER 9, 1968.

Notice is hereby given that Pennsylvania Power Co. ("Pennsylvania"), 1 East Washington Street, New Castle, Pa. 16103, a public-utility subsidiary company of Ohio Edison Co., a registered holding company, has filed with this Commission an application pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating section 6(b) of the Act as applicable to the proposed transaction. All interested persons are referred to the application, which is summarized below, for a complete statement of the proposed transaction.

To satisfy the sinking fund requirements of its trust indenture, Pennsylvania will issue \$451,000 principal amount of its first mortgage bonds, 3¼ percent series due 1982, to The First National City Bank of New York, as trustee ("Trustee"), under its mortgage indenture dated November 1, 1945, as amended and supplemented. The bonds will be authenticated by the Trustee and delivered to Pennsylvania on the basis of unfunded net property additions and will be surrendered by Pennsylvania to the Trustee for cancellation in consideration of the return by the Trustee to Pennsylvania of a like amount of cash previously deposited under the sinking fund provisions of the mortgage. Pennsylvania intends to use the cash received from the Trustee for current construction requirements, or to reimburse its treasury for previous expenditures for such purpose.

It is stated that the proposed issue and use of the bonds is subject to the jurisdiction of the Pennsylvania Public Utility Commission and that such Commission's order is to be supplied by amendment. No other State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transaction. The fees, commissions and expenses incident to the proposed issuance of bonds are estimated at \$1,075 of which \$625 is to be paid to the Trustee.

Notice is further given that any interested person may, not later than September 27, 1968, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such

request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the applicant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application, as filed or as it may be amended, may be granted as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 68-11110; Filed, Sept. 12, 1968;
8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

SEPTEMBER 10, 1968.

Protests to the granting of an application must be prepared in accordance with Rule 1100.40 of the general rules of practice (49 CFR 1100.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 41436—*Calcium chloride to New Orleans, La.* Filed by Traffic Executive Association—Eastern Railroads, agent (E.R. No. 2921), for interested rail carriers. Rates on calcium chloride, other than liquid, in bags in box cars, in carloads, from Akron and Barberton, Ohio, to New Orleans, La.

Grounds for relief—Market competition.

Tariff—Supplement 86 to Traffic Executive Association—Eastern Railroads, agent, tariff ICC C-438.

FSA No. 41437—*Hot topping compounds from Conneaut, Ohio, and Saxonburg, Pa.* Filed by Southwestern Freight Bureau, agent (No. B-9102), for interested rail carriers. Rates on hot topping compounds, as described in the application, in carloads, from Conneaut, Ohio, and Saxonburg, Pa., to Cypress, Tex.

Grounds for relief—Market competition.

Tariff—Supplement 155 to Southwestern Freight Bureau, agent, tariff ICC 4645.

FSA No. 41438—*Superphosphate from Occidental, Fla.* Filed by O. W. South, Jr., agent (No. A6048), for interested rail carriers. Rates on superphosphate, not defluorinated superphosphate, nor feed grade superphosphate, in bulk, in carloads, from Occidental, Fla., to points in western trunkline territory.

Grounds for relief—Market competition.

Tariff—Supplement 46 to Southern Freight Association, agent, tariff ICC S-718.

FSA No. 41439—*Chlorine to New Johnsonville, Tenn.* Filed by O. W. South, Jr., agent (No. A6047), for interested rail carriers. Rates on chlorine, in tank carloads, from Charleston, Tenn., McIntosh, Ala., and Nixon, Ga., to New Johnsonville, Tenn.

Grounds for relief—Market competition.

Tariffs—Supplements 135 and 209 to Southern Freight Association, agent, tariffs ICC S-600 and S-484, respectively.

FSA No. 41440—*Soda ash to Ottawa and Utica, Ill.* Filed by Western Trunk Line Committee, agent (No. A-2564), for interested rail carriers. Rates on soda ash, other than modified soda ash, in bulk, or in bulk in bags, barrels, boxes, or pails, in carloads, from Alchem, Stauffer, and Westvaco, Wyo., to Ottawa and Utica, Ill.

Grounds for relief—Carrier competition.

Tariff—Supplement 250 to Western Trunk Line Committee, agent, tariff ICC A-4411.

FSA No. 41441—*Superphosphate from points in Idaho and Utah.* Filed by Western Trunk Line Committee, agent (No. A-2565), for interested rail carriers. Rates on superphosphate, not defluorinated superphosphate, nor feed grade superphosphate, also ammonium phosphate fertilizer, in carloads, from Don and Epco, Idaho, and Garfield, Utah, to points in Iowa, Minnesota, South Dakota, and Wisconsin.

Grounds for relief—Market competition.

Tariffs—Supplements 250 and 21 to Western Trunk Line Committee, agent, tariff ICC A-4411, and Union Pacific Railroad Co. tariff ICC 5636, respectively.

FSA No. 41442—*Wheat or grain sorghums to Texas gulf ports.* Filed by The Atchison, Topeka & Santa Fe Railway Co. (No. 99-A), for and on behalf of itself. Rates on wheat or grain sorghums, in bulk, in carloads, from points in Kansas and Oklahoma, to gulf ports viz: Beaumont, Galveston, Houston, and Texas City, Tex., for export.

Grounds for relief—Motortruck and barge competition.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 68-11131; Filed, Sept. 12, 1968; 8:49 a.m.]

[Notice 687]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

SEPTEMBER 10, 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 112372 (Sub-No. 12 TA), filed September 5, 1968. Applicant: CLARENCE G. JEWELL, Post Office Box 703, Leesburg, Va. 22075. Applicant's representative: Eston H. Alt, Post Office Box 81, Winchester, Va. 22601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Feed and feed ingredients*, from Camp Hill, York, and Lancaster, Pa., to Loudoun County, Va., for 150 days. Supporting shippers: Loudoun County Milling Co., Purcellville, Va.; Leesburg Grain & Feed Co., Inc., Leesburg, Va.; Ashburn Milling Co., Ashburn, Va.; Whitmore & Arnold, Inc., Purcellville, Va. Send protests to: Robert D. Caldwell, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 1220 ICC Building, 12th and Constitution Avenue NW., Washington, D.C. 20423.

No. MC 116045 (Sub-No. 34 TA), filed September 5, 1968. Applicant: NEUMAN TRANSIT CO., INC., Post Office Box 38, Rawlins, Wyo. 82301. Applicant's representative: Leslie R. Kehl, 420 Denver Club Building, Denver, Colo. 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Uranium concentrate*, in drums, from points in Fremont County, Wyo., to Rawlins, Wyo., for 180 days. Supporting shipper: Utah Construction & Mining Co., Lucky Mc Mine, Post Office Box 831, Riverton, Wyo. 82501. Send protests to: Paul A. Naughton, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 255 North Center Street, Casper, Wyo. 82601.

No. MC 117615 (Sub-No. 7 TA), filed September 5, 1968. Applicant: BOYER VALLEY COMPANY, Post Office Box 100, Charter Oak, Iowa 51439. Applicant's representative: William A. Landau, Post Office Box 1634, Des Moines, Iowa 50306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Animal blood*, in liquid form, in bulk, in tank vehicles, from Omaha, Nebr., to Sioux City, Iowa, for 180 days. Supporting shipper: Pacific Adhesives Co., Inc., Gordon J. Schmarzo, Area Manager, 619 Southwest Wood Street, Hillsboro, Ore. 97123. Send protests to: Carroll Russell, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 304 Post Office Building, Sioux City, Iowa 51101.

No. MC 123778 (Sub-No. 15 TA), filed September 5, 1968. Applicant: JOSEPH BAIO, doing business as UNITED NEWSPAPER DELIVERY SERVICE, 75 Cutters Lane, Woodbridge, N.J. 07095. Applicant's representative: Bert Collins, 140 Cedar Street, New York, N.Y. 10006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Magazines*, for the account of Time, Inc., from Albany, N.Y., to points in Connecticut and New Jersey, that part of Pennsylvania on and east of U.S. Highway 15, and (over interstate routes via Woodbridge, N.J.) in New York west of the Hudson River on and east of a line beginning at the New York-Pennsylvania State line and extending along New York Highway 26 to Binghamton, thence on and south of a line extending along New York Highway 7 to Oneonta and thence along New York Highway 28 to Kingston, and east of the Hudson River on and south of the Dutchess-Columbia County line, for 180 days. Supporting shipper: Time, Inc., Traffic Department, 330 East 22d Street, Chicago, Ill. 60616. Send protests to: Robert S. H. Vance, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 970 Broad Street, Newark, N.J. 07102.

No. MC 124221 (Sub-No. 19 TA), filed September 6, 1968. Applicant: HOWARD BAER, 821 East Dunne Street, Morton, Ill. 61550. Applicant's representative: Howard Baer (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Snowmobile bodies*, from Morton, Ill., to Minneapolis, Minn., commercial zone, for 180 days. Supporting shipper: Morton Metalcraft Co., Route 98, Morton, Ill. 61550. Send protests to: Raymond E. Mauk, District Supervisor, Interstate Commerce Commission, Bureau of Operations, U.S. Courthouse, Federal Office Building, Room 1086, 219 South Dearborn Street, Chicago, Ill. 60604.

No. MC 126045 (Sub-No. 14 TA), filed September 5, 1968. Applicant: ALTER TRUCKING AND TERMINAL CORPORATION, 2333 Rockingham Road (52802), Post Office Box 3122, Davenport, Iowa 52808. Applicant's representative: John W. Lavender (same address as above). Authority sought to operate as a

common carrier, by motor vehicle, over irregular routes, transporting: *Silica sand*, in pneumatic type vehicles, from Clayton, Iowa, to Winona, Minn., for 180 days. Supporting shipper: Clayton Silica Division, Martin Marietta Corp., 4096 First Avenue NE., Cedar Rapids, Iowa 52406. Send protests to: Chas. C. Biggers, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 332 Federal Building, Davenport, Iowa 52801.

No. MC 127215 (Sub-No. 41 TA), filed September 5, 1968. Applicant: KENDRICK CARTAGE CO., Post Office Box 63, Salem, Ill. 62881. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Residual fuel oils and coal spray oils*, from Lawrenceville, Ill., to all points in Kentucky, for 180 days. Supporting shipper: Apex Oil Co., 111 South Meramec Avenue, St. Louis 5, Mo. Send protests to: Harold C. Jolliff, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 476, 325 West Adams Street, Springfield, Ill. 62704.

No. MC 129568 (Sub-No. 1 TA), filed September 6, 1968. Applicant: HAROLD KLEIN CARTAGE, INC., 5235 North Hopkins Street, Milwaukee, Wis. 53209. Applicant's representative: William C. Dineen, 412 Empire Building, 710 North Plankinton Avenue, Milwaukee, Wis. 53203. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Steel casing pipe*, from Milwaukee, Wis., to barge terminals in the Chicago, Ill., commercial zone; and *steel plate* (skelp) from South Chicago, Ill., to Milwaukee, Wis., for the account of A. O. Smith Corp., for 180 days. Supporting shipper: A. O. Smith Corp., Post Office Box 584, Milwaukee, Wis. 53201 (R. H. Hellman, Director of Transportation and Distribution). Send protests to: District Supervisor Lyle D. Helfer, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street, Room 807, Milwaukee, Wis. 53203.

No. MC 133137 TA, filed September 5, 1968. Applicant: MARIO BRIGHENTI, doing business as MARIO BRIGHENTI TRUCKING COMPANY, Rural Delivery No. 2, Belle Vernon, Pa. 15012. Applicant's representative: Albert C. Gaudio, 112 Fifth Street, Monessen, Pa. 15062. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Fly ash*, from New Eagle, Pa., to Bellaire, Akron, Alliance, Bolivar, Cambridge, Canton, Cleveland, Coshocton, Dover, East Liverpool, Elyria, Gnadenhutten, Hartsville, Lorain, Lowellville, Massillon, Medina, Midvale, Mogadore, Newcomerstown, Niles, Norwalk, Salem, Sandusky, Tiltonsville, Wooster,

Youngstown, and Zanesville, Ohio, and Benwood, Blacksville, Bula, Fairmont, Hagans, Morgantown, Moundsville, New Martinsville, and Wheeling, W. Va., for 180 days. Supporting shipper: Dayton Fly Ash Co., Inc., 2101 Dryden Road, Akron, Ohio 45439. Send protests to: Frank L. Calvary, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 2109 Federal Building, 1000 Liberty Avenue, Pittsburgh, Pa. 15222.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 68-11132; Filed, Sept. 12, 1968;
8:49 a.m.]

[Notice 208]

MOTOR CARRIER TRANSFER PROCEEDINGS

SEPTEMBER 10, 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-70656. By order of August 28, 1968, the Transfer Board approved the transfer to Robert D. Olson, doing business as Olson Transfer, 101 24th Street NW., Minot, N. Dak. 58701 of a portion of the operating rights in certificate of registration No. MC-96736 (Sub-No. 1) issued May 13, 1964, to Marvin A. Baska and Ruth Baska, doing business as M & R Transfer, Mohall, N. Dak. 58761 evidencing a right to engage in transportation in interstate or foreign commerce solely within the State of North Dakota, corresponding in scope to the portion of the service authorized by certificate of convenience and necessity granted in Decision No. 325, issued May 13, 1957, as reflected in certificate of convenience and necessity granted by the Public Service Commission of North Dakota, by order No. 377, issued June 25, 1968.

No. MC-FC-70665. By order of August 29, 1968, the Transfer Board approved the transfer to Valley Bus Lines, Inc., New Martinsville, W. Va., of

certificates in Nos. MC-127138 and MC-127138 (Sub-No. 2), issued March 21, 1966, and February 2, 1967, respectively, to Vincent Dalesio, New Martinsville, W. Va., authorizing the transportation of: Passengers and their baggage, between Sistersville, W. Va., and Hannibal, Ohio; and between Jacksonburg, W. Va., and Hannibal, Ohio. D. L. Bennett, 206 First National Bank Building, 2207 National Road, Wheeling, W. Va. 26003, registered practitioner.

No. MC-FC-70668. By order of August 29, 1968, the Transfer Board approved the transfer to Americo L. Sciarra, Guilford, Conn., of certificate No. MC-72149, issued April 28, 1961, to M. R. Buell, Inc., Guilford, Conn., authorizing the transportation of: Household goods, between New Haven, Conn., and points in Connecticut within 15 miles of New Haven, on the one hand, and, on the other, points in Connecticut, Massachusetts, New York, and New Jersey. William J. Meuser, 101 River Street, Milford, Conn. 06460, attorney for applicants.

No. MC-FC-70738. By order of August 29, 1968, the Transfer Board approved the transfer to Charles Grossman Trucking Co., Inc., Brooklyn, N.Y., of the operating rights in certificate No. MC-72480 issued May 21, 1956, to Charles R. Grossman, doing business as Chas. Grossman Trucking Co., Brooklyn, N.Y., authorizing the transportation of building materials, from New York, N.Y., to points in Fairfield and Litchfield Counties, Conn.; Bergen, Essex, Hudson, Middlesex, Monmouth, Morris, Passaic, Somerset, and Union Counties, N.J.; and Dutchess, Nassau, Orange, Putnam, Rockland, Suffolk, Ulster, and Westchester Counties, N.Y. Edward M. Alfano, Werner and Alfano, 2 West 45th Street, New York, N.Y. 10036, attorney for applicants.

No. MC-FC-70742. By order of August 27, 1968, the Transfer Board approved the transfer to Martin Van Lines, Inc., Kansas City, Mo., of a portion of the operating rights in certificate No. MC-18821 issued March 20, 1959, to Dooley Transfer Co., Inc., Columbus, Ind., authorizing the transportation of: Household goods, between points in Indiana, on the one hand, and, on the other, points in Alabama, Florida, Massachusetts, Maryland, New York, North Carolina, New Jersey, Oklahoma, West Virginia, Tennessee, Texas, Virginia, South Carolina, Pennsylvania, and the District of Columbia, J. F. Miller, 7501 Mission Road, Shawnee Mission, Kans. 66208, attorney for applicants.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 68-11133; Filed, Sept. 12, 1968;
8:49 a.m.]

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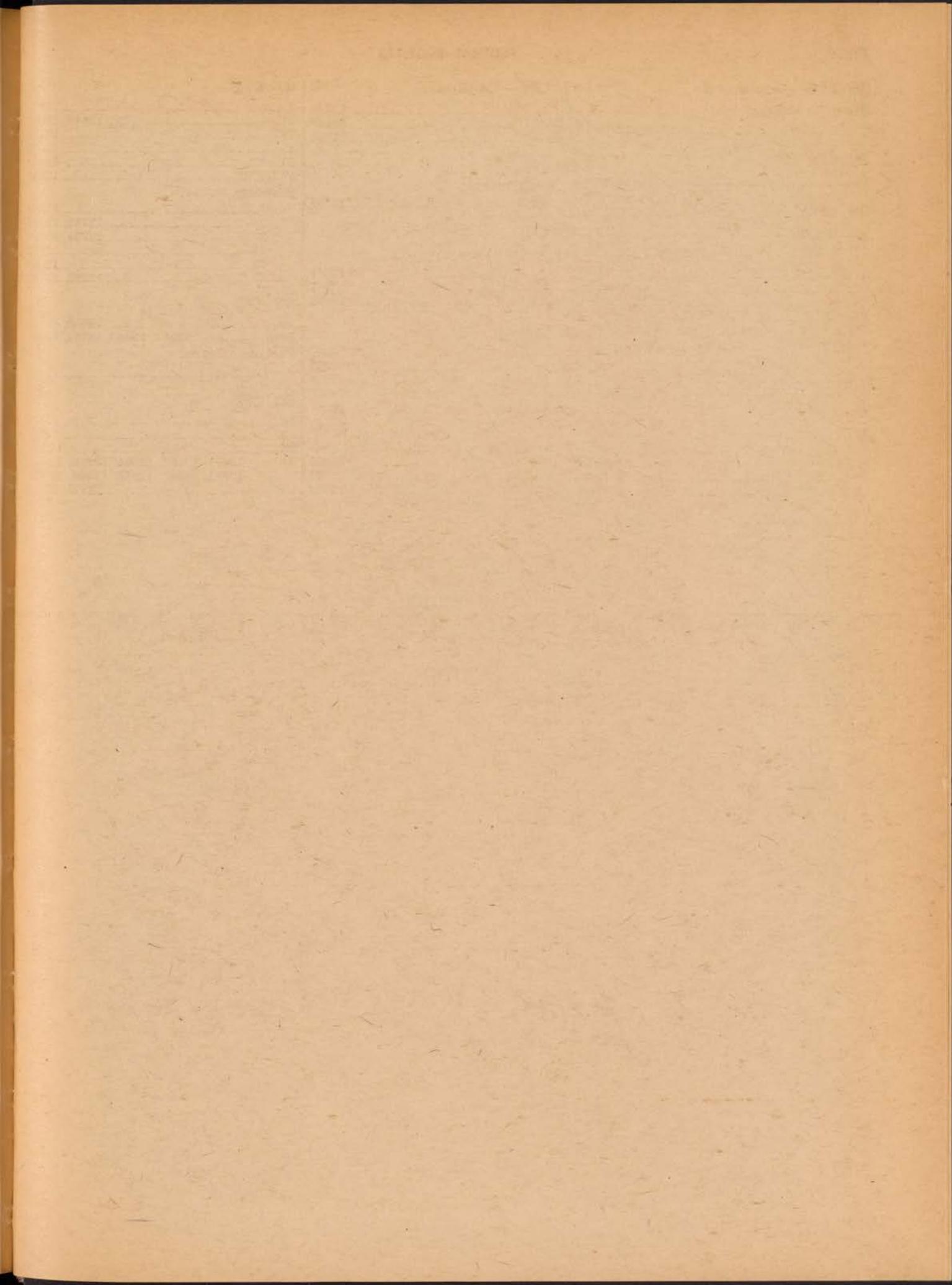
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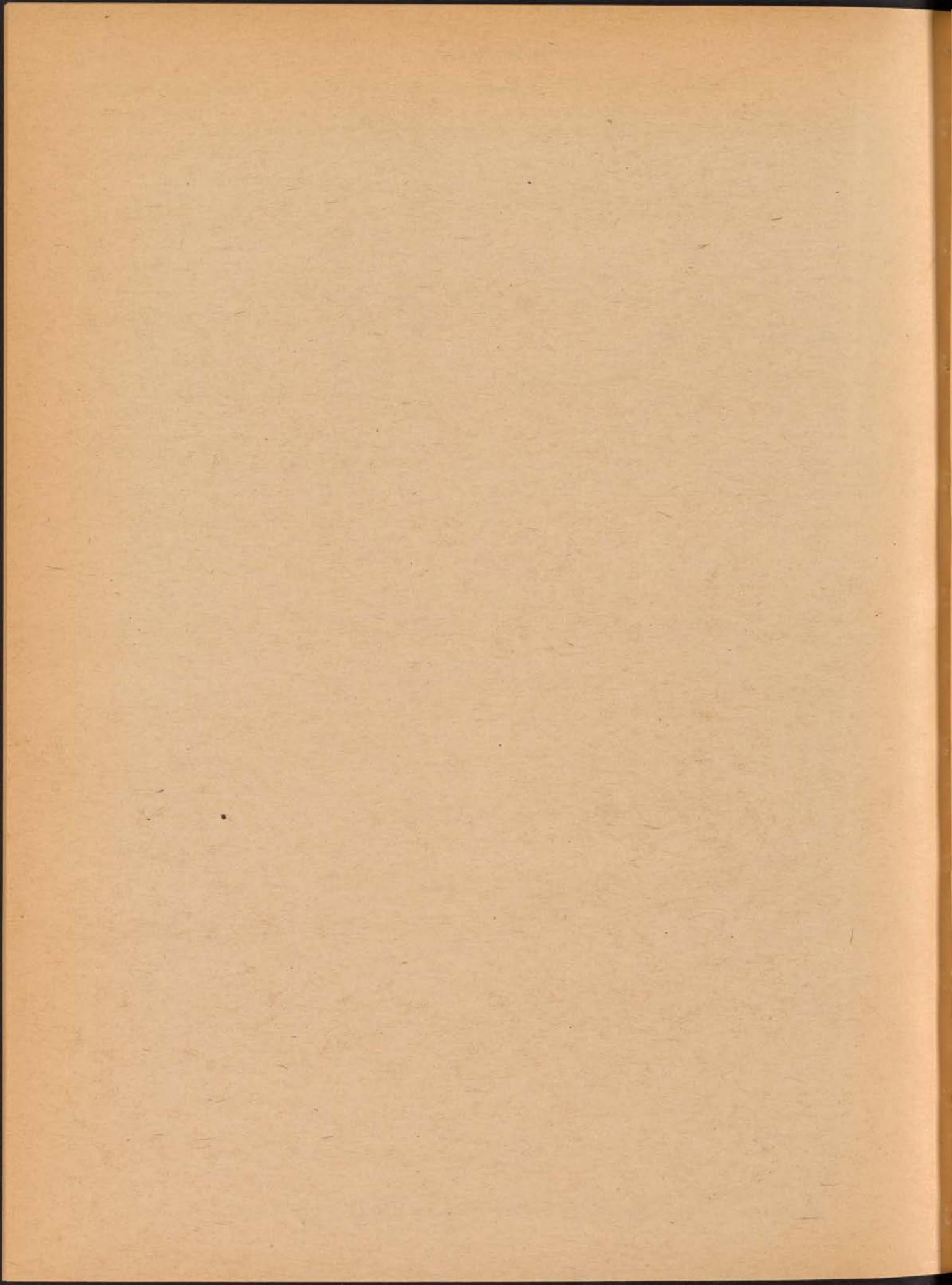
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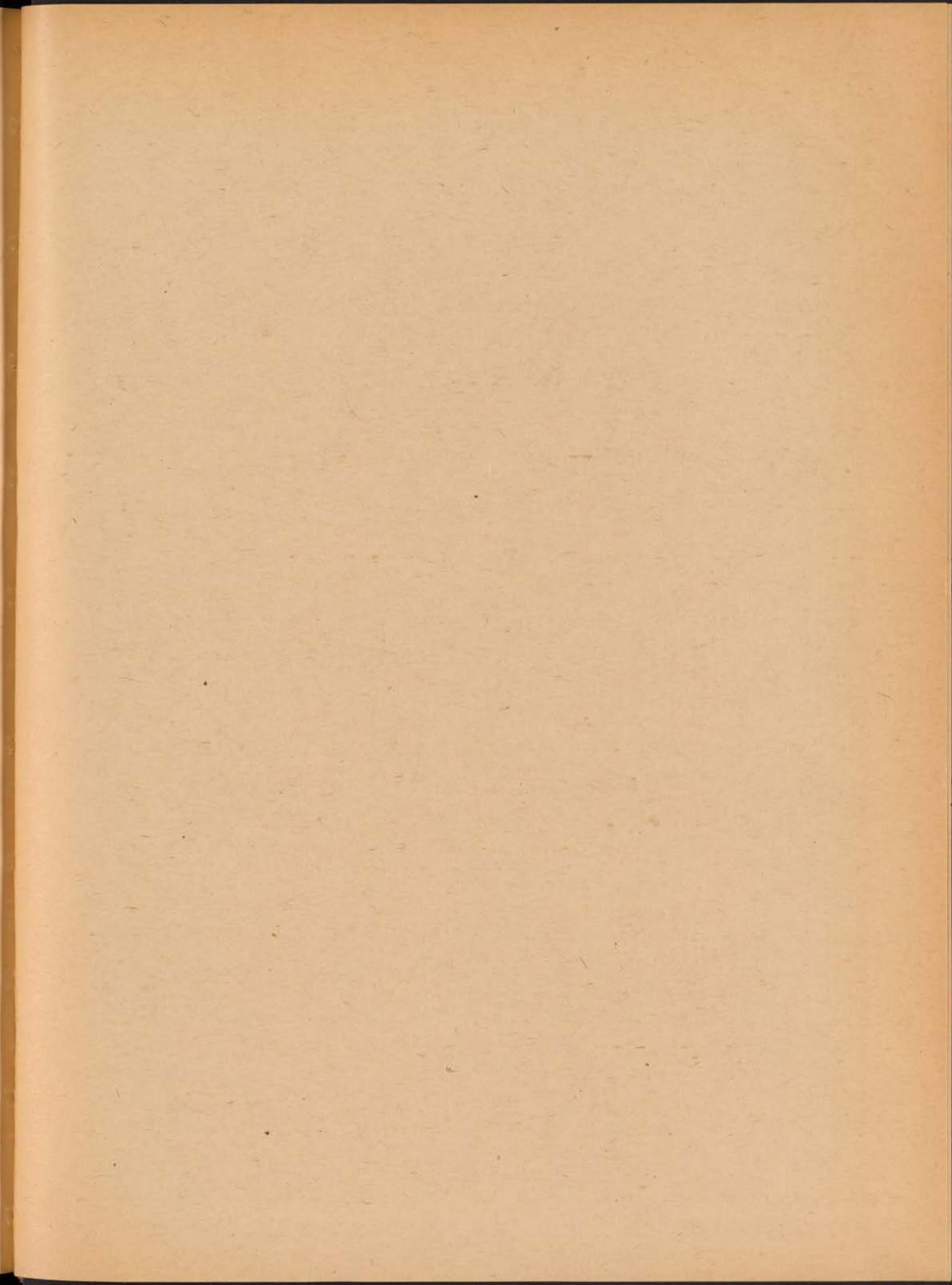
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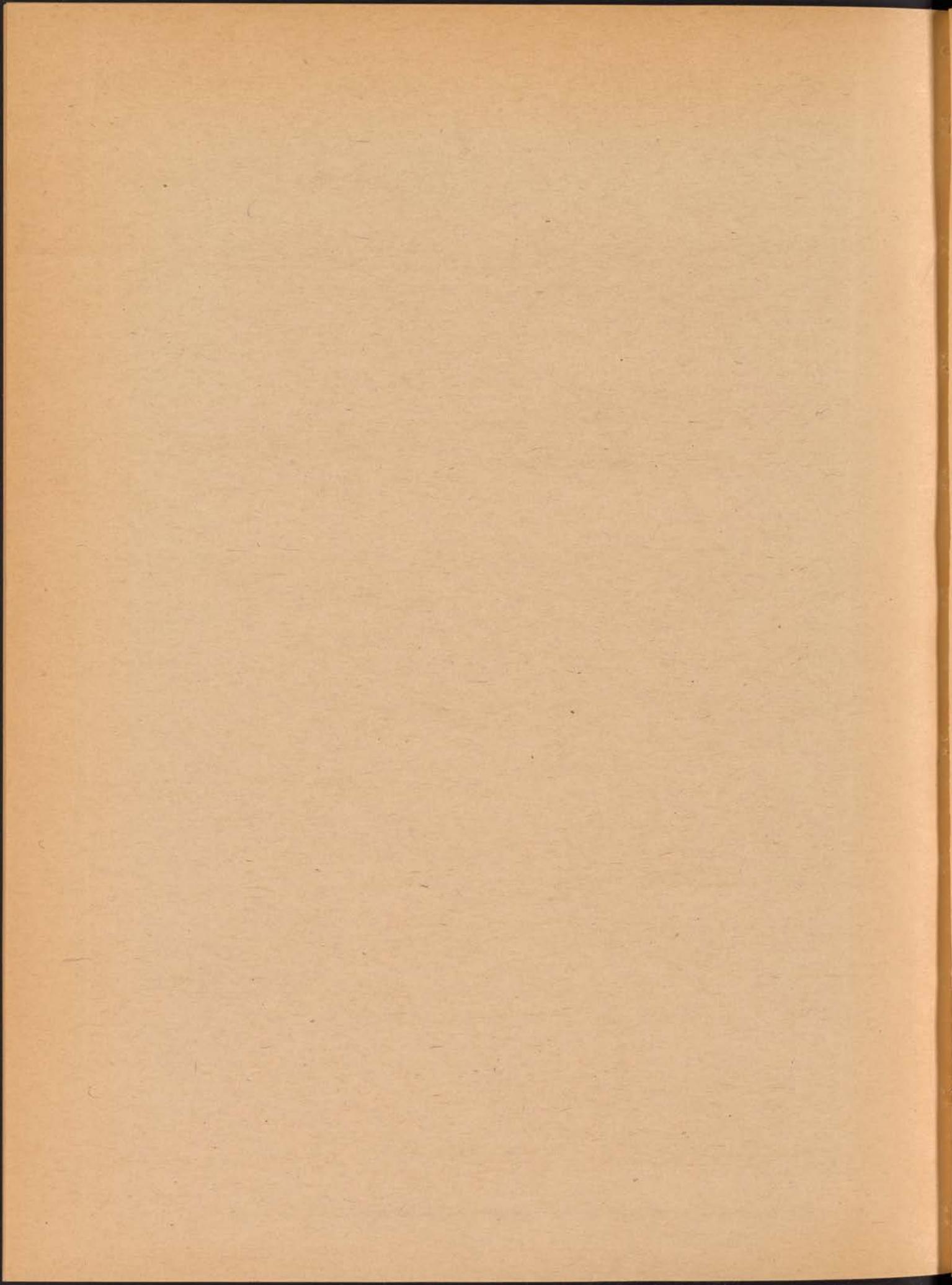
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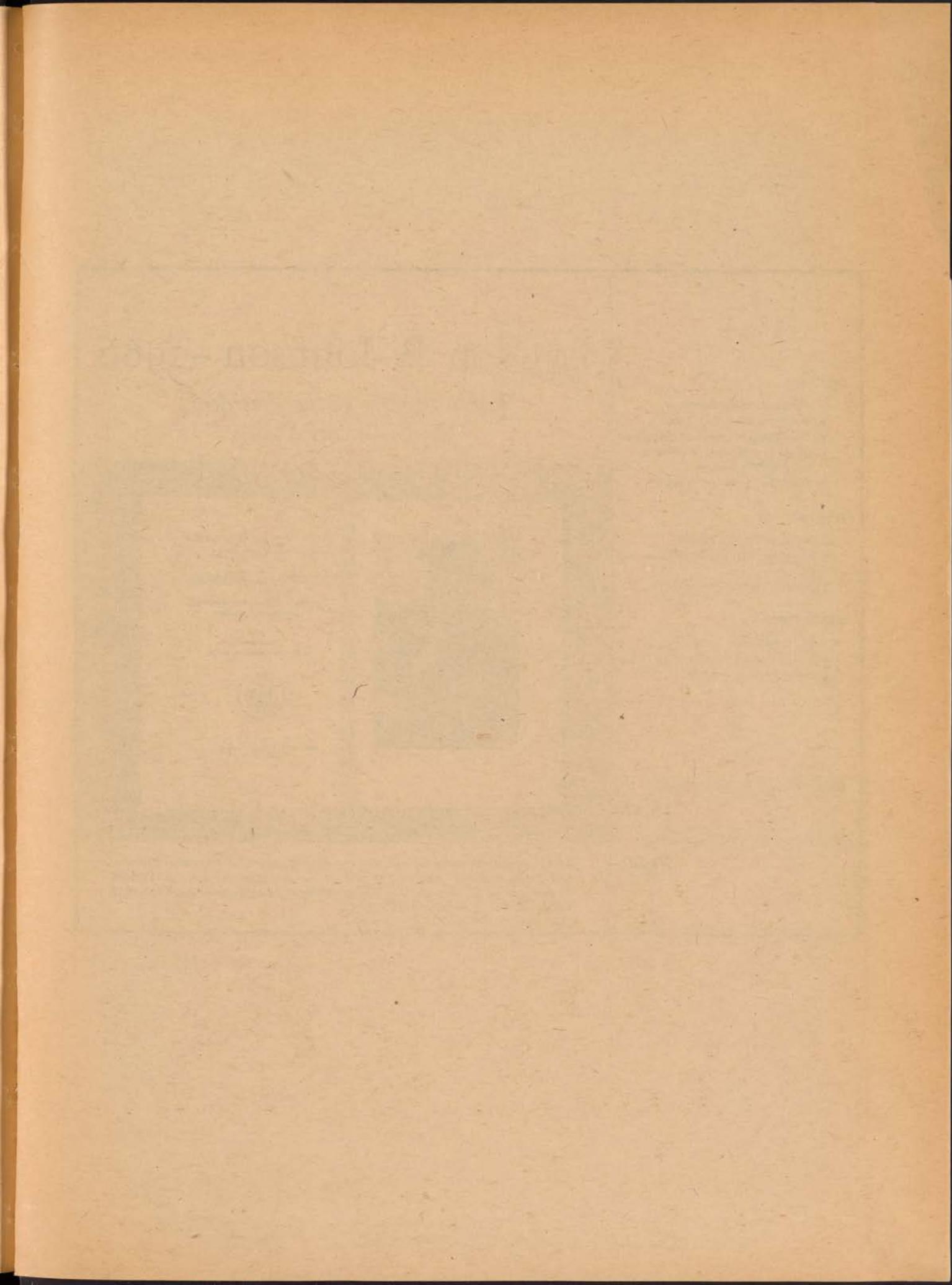
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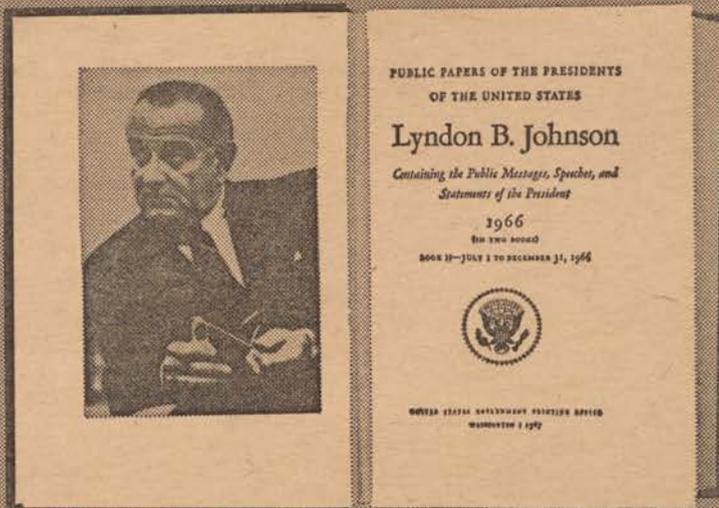


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