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PART I

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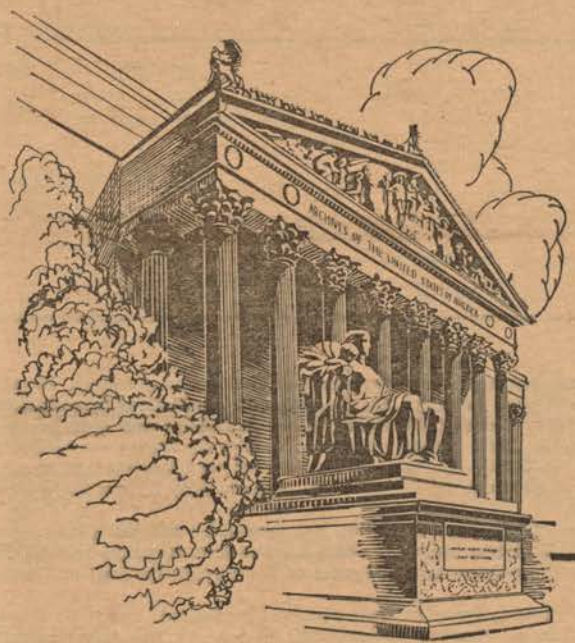

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Title 3—THE PRESIDENT

Executive Order 11432

CONTROL OF ARMS IMPORTS

By virtue of the authority vested in me by Section 414 of the Mutual Security Act of 1954, as amended (22 U.S.C. 1934), and Section 301 of Title 3 of the United States Code, and as President of the United States, it is ordered as follows:

SECTION 1. Section 301 of Executive Order No. 10973 of November 3, 1961, is hereby amended to read as follows:

"Sec. 301. *Department of the Treasury.* There are hereby delegated to the Secretary of the Treasury:

"(a) The function conferred upon the President by the second sentence of Section 612 of the Act.

"(b) So much of the functions conferred upon the President by Section 414 of the Mutual Security Act of 1954, as amended, as relate to control of the import of arms, ammunition and implements of war, including technical data relating thereto. In carrying out such functions the Secretary of the Treasury shall consult with appropriate agencies, and on matters affecting world peace, the external security and foreign policy of the United States he shall be guided by the views of the Secretary of State. Designations, including changes in designations, of articles subject to import control under Section 414 shall have the concurrence of the Secretary of State and the Secretary of Defense."

SEC. 2. All regulations issued and presently in effect pursuant to Section 414 of the Mutual Security Act of 1954, as amended, shall, insofar as they relate to control of the import of arms, ammunition and implements of war, including technical data relating thereto, continue in effect and be administered by the Secretary of the Treasury until revoked or superseded by him. All pending applications for import licenses not acted upon by the Secretary of State at the date of this order shall be transferred to the Secretary of the Treasury for appropriate action.

Lyndon B. Johnson

THE WHITE HOUSE,
October 22, 1968.

[F.R. Doc. 68-13016; Filed, Oct. 22, 1968; 12:49 p.m.]

Rules and Regulations

Title 7—AGRICULTURE

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

PART 1443—OILSEEDS

Subpart—Cottonseed Purchase Program Regulations

GRADE BASIS FOR PURCHASE PRICE

Correction

In F.R. Doc. 68-12569 appearing at page 15331 in the issue of Wednesday, October 16, 1968, the first word of the 40th line of § 1443.7(c) should read "of" instead of "or".

[CCC Peanut Price Support Regs., 1968 Crop Supp., Amdt. 1]

PART 1446—PEANUTS

Subpart—1968 Crop Peanut Warehouse Storage Loans and Sheller Purchases

CALCULATION OF SUPPORT PRICES

Section 1446.44(f) of the regulations issued by Commodity Credit Corporation, published in 33 F.R. 11897, which contain the terms and conditions under which CCC will make warehouse storage loans on and sheller purchases of 1968 crop peanuts, is hereby amended to read as follows:

§ 1446.44 Calculation of support prices.

* * * * *

(f) *Price adjustment for peanuts in Virginia-Carolina area sampled with other than a pneumatic sampler.* Notwithstanding the provisions of paragraphs (a) and (i) of this section, the price for each percent of sound mature and sound split kernels in Virginia type peanuts in the Virginia-Carolina area sampled by other than the pneumatic sampler shall be:

(1) $3.447 per net ton (excluding loose shelled kernels), for Virginia type peanuts containing 40 percent or more "fancy" size, and

(2) $3.223 per net ton (excluding loose shelled kernels), for Virginia type peanuts containing less than 40 percent "fancy" size.

* * * * *

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

Effective date: Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C. on October 17, 1968.

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

[F.R. Doc. 68-12840; Filed, Oct. 23, 1968; 8:45 a.m.]

Title 10—ATOMIC ENERGY

Chapter I—Atomic Energy Commission

PART 1—STATEMENT OF ORGANIZATION, DELEGATIONS, AND GENERAL INFORMATION

Committees, Boards, and Panels

Notice is hereby given of the amendment of the Statement of Organization, Delegations, and General Information of the U.S. Atomic Energy Commission, 10 CFR Part 1, published in the FEDERAL REGISTER on December 29, 1961 (26 F.R. 1279-12745), as amended.

This document amends the section which identifies committees, boards, and panels established by the Commission pursuant to section 161a of the Atomic Energy Act of 1954, as amended.

Because this amendment relates to matters of internal management, general notice of proposed rule making and public procedure thereon are unnecessary.

Pursuant to the Atomic Energy Act of 1954, as amended, the Administrative Procedure Act of 1946, and 1 CFR 17.2, the following amendment of 10 CFR Part 1 is published as a document subject to codification to be effective upon publication in the FEDERAL REGISTER.

In § 1.242, paragraph (a)(2) is deleted, a new paragraph (a)(2) is inserted, and paragraph (a) (4), (8), and (15) is amended. As revised § 1.242 reads as follows:

§ 1.242 Other committees, boards and panels.

(a) Additional committees, boards and panels have been established by the Commission pursuant to section 161a of the Atomic Energy Act of 1954, as amended, as follows:

(1) Advisory Committee on Isotopes and Radiation Development;
(2) High Energy Physics Advisory Panel;
(3) Advisory Committee on Medical Uses of Isotopes;
(4) Plowshare Advisory Committee;
(5) Advisory Committee for Biology and Medicine;
(6) Advisory Committee on Reactor Physics;
(7) Committee of Senior Reviewers;
(8) Nuclear Cross Sections Advisory Committee;
(9) Historical Advisory Committee;
(10) Mathematics and Computer Sciences Research Advisory Committee;
(11) Personnel Security Review Board;
(12) Labor-Management Advisory Committee;
(13) Advisory Committee on Technical Information;
(14) Personnel Security Boards;
(15) Technical Information Panel;
(16) Standing Committee on Controlled Thermonuclear Research;
(17) Advisory Committee on Nuclear Materials Safeguards.

Dated at Washington, D.C., this 21st day of October 1968.

For the U.S. Atomic Energy Commission.

W. B. MCCOOL,
Secretary.

[F.R. Doc. 68-12965; Filed, Oct. 23, 1968; 8:48 a.m.]

Title 13—BUSINESS CREDIT AND ASSISTANCE

Chapter I—Small Business Administration

[Rev. 8, Amdt. 2]

PART 121—SMALL BUSINESS SIZE STANDARDS

Definition of Small Business Concern for Purpose of Bidding on Government Procurement for Food Services

On July 21, 1967, there was published in the FEDERAL REGISTER (32 F.R. 10753) a notice that the Administrator of the SBA proposed to amend the Small Business Size Standards Regulation by establishing a new definition of a small business for the purpose of bidding on Government contracts for food services from average annual receipts of $1 million or less to average annual receipts of $3 million or less.

Interested persons were given 15 days in which to submit written statements of facts, opinions, or arguments concerning the proposed size standard for bidding on Government procurements for food services. After consideration of all relevant matter presented by interested persons in response to the notice of proposal it has been determined to adopt the size standard as proposed. Accordingly, the amendment set forth below is hereby adopted:

Part 121 of Chapter I of Title 13 of the Code of Federal Regulations is hereby amended by:

1. Adding to § 121.3-8(e) new subparagraph (7) to read as follows:

§ 121.3–8 Definition of small business for Government procurement.

* * * * *

(e) *Services.* * * *

* * * * *

(7) Any concern bidding on a contract for food services is classified as small if its average annual sales or receipts for its preceding 3 fiscal years do not exceed $3 million.

* * * * *

Effective date. This amendment shall become effective thirty (30) days after publication in the FEDERAL REGISTER but shall apply only to procurements for which invitations for bids or requests for proposals are issued on or after such effective date.

Dated: October 15, 1968.

HOWARD J. SAMUELS,
Administrator.

[F.R. Doc. 68–12946; Filed, Oct. 23, 1968; 8:47 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Airworthiness Docket No. 68–WE–18–AD, Amdt. 39–674]

PART 39—AIRWORTHINESS DIRECTIVES

Boeing 707–300, –400, –300B, and –300C Series Aircraft

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring repetitive inspections for cracks in the trailing edge of the upper wing skin at wing stations 211 and 232 on Boeing 707–300, –400, –300B, and –300C Series aircraft to supersede Amendment 752, Part 507 (29 F.R. 7923) was published in 33 F.R. 11028.

Interested persons have been afforded an opportunity to participate in the making of the amendment. Two objections were received, one concerned with the applicability statement, and the other with the repetitive inspection intervals for wing skin abrasion. It was pointed out that many airplanes of the fleet were modified during production by incorporation of changes identical to those acceptable for relief from the AD. The AD should not be applicable to these airplanes. The FAA concurred with this point and the applicability statement has been changed accordingly.

The other objection was concerned with 100 hour repetitive inspection intervals for abrasion on wing skins which were modified in accordance with Boeing Service Bulletin 1796, R–1. The Service Bulletin and the NPRM were reviewed in light of this objection. The modification described in Boeing Service Bulletin 1796, R–1, includes installation of stainless steel straps, P/Ns 69–27338–1 and 69–27339–1 and –2. The NPRM, paragraph (c), requires only a one time inspection, not repetitive inspections, for abrasion on aircraft which have installed the stainless steel straps. Therefore no change has been made in the AD as to the inspection requirements.

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

BOEING. Applies to all 707–300, –400, –300B, and –300C Series aircraft listed in Boeing Service Bulletin 1796 (R–3), or later FAA approved revisions.

Compliance required as indicated.

(a) Inspect for cracks in the faying surface around and emanating from the fastener holes in the trailing edge of the upper wing skin at wing stations 211 and 232, as noted in Figure 1 of Boeing Service Bulletin 1796 (Revision 3 or later FAA approved revision), in accordance with eddy current or dye penetrant inspection techniques, at the time specified in (h) or (i). If cracks are found, repair in accordance with (e), (f), or (g), as appropriate. If cracks are not found and unless already accomplished, reinstall fasteners in accordance with step "e" of Part I of Boeing Service Bulletin 1796 (Revision 3 or later FAA approved revision) or equivalent fastener installation approved by the Chief, Aircraft Engineering Division, FAA Western Region.

(b) Unless already accomplished, conduct a one time inspection at Wing Station 232 for gaps between adjacent layers of structure by removing the two fasteners shown in Figure 1 of Boeing Service Bulletin 1796 (Revision 3 or later FAA-approved revision) at the threshold times specified in (h) or (i), as appropriate. Shim as necessary to eliminate these gaps.

(c) On aircraft which do not have the stainless steel straps (Boeing P/N 69–27338–1, P/N 69–27339–1 and –2) installed or have had such straps installed in the field, remove the fasteners shown in Figure 1 of Boeing Service Bulletin 1796 (Revision 3 or later FAA-approved revision) and conduct a one time inspection for abrasion on the trailing edge of the wing skin and around the fastener holes at wing stations 211 and 232, in accordance with eddy current or dye penetrant inspection techniques at the threshold times specified in (h) or (i), as appropriate. Surfaces found abraded are to be cleaned up in accordance with, and to the limits noted, in Part II paragraphs b and c of Boeing Service Bulletin 1796 (Revision 3 or later FAA-approved revisions) or a method approved by Chief, Aircraft Engineering Division, FAA Western Region.

(d) Unless already accomplished, wings which have been repaired in accordance with Boeing Service Bulletin 1796 (Revision 2) for cracks at wing station 211, must have the internal crack stop plate installed in accordance with Figure 3 of Boeing Service Bulletin 1796 (Revision 3 or later FAA-approved revision) or equivalent installation approved by the Chief, Aircraft Engineering Division, FAA Western Region, within 6,000 hours time in service after that repair.

(e) Cracks not exceeding 1.25 inches in length measured from the trailing edge of the wing skin may be repaired in accordance with (d), Note 2, or Part I of Boeing Service Bulletin 1796 (Revision 3 or later FAA-approved revision) or an equivalent repair approved by Chief, Aircraft Engineering Division, FAA Western Region, and the airplane continued in service for the next 200 hours if inspections utilizing eddy current inspection techniques for crack growth are accomplished prior to each day's operation. If crack growth is found, repair prior to further flight in accordance with (f) or (g), as appropriate. If crack growth is not found, the aircraft must be repaired within the aforementioned 200 hours in accordance with (f).

(f) Cracks not exceeding 3 inches in length should be repaired in accordance with Part II of Boeing Service Bulletin 1796 (Revision 3 or later FAA-approved revision) or an equivalent repair approved by the Chief, Aircraft Engineering Division, FAA Western Region.

(g) If cracks exceed 3 inches in length, accomplish the modification described in Boeing Service Bulletin 2607, or repair in accordance with a method approved by the Chief, Aircraft Engineering Division, FAA Western Region.

(h) For those aircraft having less than 7,500 hours time in service on the effective date of this AD, prior to the accumulation of 7,700 hours time in service and at intervals thereafter not to exceed 100 hours time in service from the last inspection.

(i) For those aircraft having 7,500 or more hours time in service on the effective date of this AD, within the next 200 hours time in service and at intervals thereafter not to exceed 100 hours time in service from the last inspection.

(j) The inspections required by this AD may be discontinued when wings have been modified in accordance with:

Boeing Service Bulletin 1796, Part II, Revision 3, or later FAA approved revision Boeing Drawing 65–68328.

Boeing Service Bulletin 1796, Part III, Revision 3, or later FAA-approved revisions.

Boeing Service Bulletin 2427, Part X.

Boeing Service Bulletin 2607.

Or another method approved by the Chief, Aircraft Engineering Division, FAA Western Region.

(k) Airplanes having cracks which require rework under this AD may be flown in accordance with FAR 21.197 with the concurrence of the Chief, Aircraft Engineering Division, FAA Western Region, to a base where rework can be accomplished.

(l) Upon request of an operator, an FAA maintenance inspector, subject to prior approval of the Chief, Aircraft Engineering Division, FAA Western Region, may adjust the repetitive inspection intervals specified in this AD to permit compliance at an established period of the operator if the request contains substantiating data to justify the increase for such operator.

This supersedes Amendment 752, Part 507 (29 F.R. 7923), AD 64–14–1.

This amendment becomes effective October 25, 1968.

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

Issued in Los Angeles, Calif., on October 15, 1968.

A. E. HORNING,
Acting Director,
FAA Western Region.

[F.R. Doc. 68–12948; Filed, Oct. 23, 1968; 8:47 a.m.]

[Airspace Docket No. 68–EA–76]

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

Designation, Alteration, and Revocation of Transition Area

On August 20, 1968, a notice of proposed rule making was published in the FEDERAL REGISTER (33 F.R. 11783) stating

that the Federal Aviation Administration proposed amendments to Part 71 of the Federal Aviation Regulations that would alter the controlled airspace in the vicinity of Erie, Pa., and consolidate the remaining transition areas in Pennsylvania into one transition area that would encompass practically the entire State.

Interested persons were given 30 days in which to submit written comments, suggestions, or objections. All comments received were favorable.

In view of the foregoing, the proposed amendmetns are hereby adopted, effective 0901 G.m.t., December 12, 1968, subject to the following change: In the Pennsylvania transition area, delete "lat. 42°02'00" N., long. 79°51'30" W." and substitute "lat. 40°02'00" N., long., 79°51'30" W." therefor.

Since this change is editorial in nature, notice and public procedure hereon are unnecessary.

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

Issued in Washington, D.C., on October 18, 1968.

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

Section 71.181 (33 F.R. 2137, 4795, 10202, 2630 and 32 F.R. 20705) is amended as follows:

1. The Pennsylvania transition area is added as follows:

PENNSYLVANIA

That airspace extending upward from 1,200 feet above the surface bounded by a line beginning at: Lat. 42°40'00" N., long. 75°30'00" W., to lat. 42°10'00" N., long. 75°25'00" W., to lat. 42°00'00" N., long. 75°26'00" W., to lat. 42°00'00" N., long. 75°00'00" W., to lat. 41°31'00" N., long. 75°07'00" W., to lat. 40°56'16" N., long. 75°11'04" W., to lat. 41°00'00" N., long. 75°15'00" W., to lat. 40°48'00" N., long. 75°00'00" W., to lat. 40°49'00" N., long. 74°37'00" W., to lat. 40°38'00" N., long. 74°49'30" W., to lat. 40°31'15" N., long. 74°42'30" W., to lat. 40°24'20" N., long. 74°45'40" W., to lat. 40°16'10" N., long. 74°39'20" W., to lat. 40°00'35" N., long. 74°54'35" W., to lat. 39°53'00" N., long. 74°48'00" W., to lat. 39°43'00" N., long. 74°48'00" W., to lat. 39°18'20" N., long. 75°36'40" W., to lat. 39°50'00" N., long. 76°19'40" W., to lat. 39°50'00" N., long. 77°47'00" W., to lat. 39°30'00" N., long. 78°30'00" W., to lat. 39°30'00" N., long. 78°58'00" W., to lat. 39°25'00" N., long. 78°58'00" W., to lat. 39°25'00" N., long. 79°20'00" W., to lat. 40°02'00" N., long. 79°51'30" W., thence clockwise along a 37-mile arc centered on the Imperial, Pa., VORTAC to the 202° radial of the Imperial VORTAC; thence within a 60-mile radius of the Imperial VORTAC extending clockwise from the 202° to the 249° radials; thence along a 37-mile arc centered on the Imperial VORTAC, extending clockwise from the 249° radial to: Lat. 40°56'00" N., long. 80°36'00" W., to lat. 40°56'00" N., long. 80°52'00" W., to lat. 41°05'00" N., long. 80°50'00" W., to lat. 41°28'00" N., long. 81°10'00" W., thence counterclockwise via the arc of a 19-mile radius circle centered on the Lost Nation Airport, Willoughby, Ohio (lat. 41°41'00" N., long. 81°23'35" W.) to: Lat. 41°50'55" N., long. 81°05'30" W., to lat. 41°55'00" N., long. 80°35'00" W., to lat. 42°14'00" N., long. 80°41'00" W., to lat. 42°37'00" N., long. 79°15'00" W., to lat. 42°32'00" N., long. 78°52'00" W., to lat. 42°32'00" N., long. 77°36'00" W., to lat. 42°40'00" N., long. 77°23'45" W., to lat. 42°41'30" N., long. 76°23'00" W., thence to the point of beginning.

2. In the Allentown, Pa., transition area, all after "Allentown VORTAC 043° radial to the 205° bearing from the airport." is deleted.

3. In the Bradford, Pa., transition area, all after "Bradford VOR 316° radial" is deleted and "extending from the 7-mile radius area to 15 miles northwest of the VOR." is substituted therefor.

4. In the Clarion, Pa., transition area, all after "effective from sunrise to sunset, daily " is deleted.

5. In the Elmira, N.Y., transition area, all after "12 miles northeast of the Alpine RBN." is deleted.

6. In the Erie, Pa., transition area, all after "and within 2 miles each side of the Erie RBN 054° bearing," is deleted and "extending from the 7-mile radius area to 8 miles northeast of the RBN." is substituted therefor.

7. In the Harrisburg, Pa., transition area, all after "9 miles southeast of the end of the runway." is deleted.

8. In the Johnstown, Pa., transition area, all after "from the VOR to 12 miles southwest of the VOR." is deleted.

9. In the Philadelphia, Pa., transition area, all after "within 2 miles each side of the Woodstown, N.J., VOR 350° radial," is deleted and "extending from the VOR to 10 miles north of the VOR." is substituted therefor.

10. In the Pittsburgh, Pa., transition area, all after "and within 2 miles each side of the Allegheny RBN 257° bearing," is deleted and "extending from the Allegheny County 8-mile radius area to 8 miles west of the RBN." is substituted therefor.

11. The Tidioute, Pa., transition area is revoked.

12. In the Wilkes-Barre, Pa., transition area, all after "extending from the 12-mile radius area for 7 miles." is deleted.

13 In the Youngstown, Ohio, transition area, all after "and within 2 miles each side of the Youngstown VOR 358° radial," is deleted and "extending from the 7-mile radius area to 8 miles north of the VOR." is substituted therefor.

[F.R. Doc. 68-12949; Filed, Oct. 23, 1968; 8:47 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. C-1432]

PART 13—PROHIBITED TRADE PRACTICES

Excel Chemical Corp. and Michael E. Mater

Subpart—Misrepresenting oneself and goods—Business status, advantages or connections: § 13.1395 *Connections and arrangements with others;* § 13.1430 *Government indorsement, sanction or sponsorship;* Misrepresenting oneself and goods—Goods: § 13.1615 *Earnings and profits;* § 13.1632 *Government indorsement or recommendation;* § 13.1645 *Government standards or specifications;* § 13.1647 *Guarantees;* § 13.1715 *Quality.* Subpart—Securing agents or representatives by misrepresentation: § 13.2130 *Earnings;* § 13.2150 *Seller status, advantages or connections.*

(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, Excel Chemical Corp. et al., Chicago, Ill., Docket C-1432, Sept. 30, 1968]

In the Matter of Excel Chemical Corp., a Corporation, and Michael E. Mater, Individually and as Officer of Said Corporation

Consent order requiring a Chicago, Ill., marketer of water repellent paints to cease misrepresenting that it is affiliated with Union Carbide Co., exaggerating the earnings or gross sales of its dealers and the waterproofing quality of its paints, making deceptive guarantee offers, and falsely stating that its products meet U.S. Government specifications.

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

It is ordered, That respondents, Excel Chemical Corp., a corporation, and its officers, and Michael E. Mater, individually and as an officer of said corporation, and respondents' agents, representatives, and employees, directly or through any corporate or other device, in connection with the advertising, offering for sale, sale, or distribution of any paint or paint products or any other articles of merchandise in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

A. Representing, directly or by implication, that:

1. Respondents are a subsidiary of, a division of, an exclusive licensee of, or are affiliated with the Union Carbide Co.; or misrepresenting, in any manner, respondents' trade or business connections or affiliations.

2. Any of respondents' products were manufactured or developed by the Union Carbide Co.; or misrepresenting, in any manner, the company or organization which manufactured or developed the products sold by respondents.

3. Respondents' products have been tested or evaluated by the Union Carbide Co., or an independent laboratory or any other person or organization qualified to test or evaluate such products or that respondents have tested such products: *Provided, however,* That it shall be a defense in any enforcement proceeding instituted hereunder for respondents to establish that they have in their files written reports from the organization or persons represented to have tested said products which clearly and accurately reflect such test results and demonstrate that such tests were devised and conducted so as to constitute a suitable basis for evaluating respondents' products with respect to the properties thereof and the claims made therefor.

4. Respondents' products are guaranteed unless the nature, conditions and extent of the guarantee, the identity of the guarantor and the manner in which the guarantor will perform thereunder are clearly and conspicuously disclosed in immediate conjunction with such representation.

5. Respondents' products contain any specific percentage or amount of silicones; or other ingredients: *Provided, however,* That it shall be a defense in any enforcement proceeding instituted hereunder for the respondents to establish that such percentage or amount is, in fact, true as represented; or misrepresenting, in any manner, the quantity or quality of the constituent elements comprising respondents' products.

6. Dealers will earn any stated or gross or net amount; or representing, in any manner, the past earnings of dealers unless in fact the past earnings represented are those of a substantial number of dealers and accurately reflect the average earnings of these dealers under circumstances similar to those of the dealer to whom the representation is made.

7. Respondents' products will be sold out by the purchaser within any stated period of time; or representing, in any manner, that dealers, in the past, have sold out their supplies within any stated period of time unless the past sales represented are those of a substantial number of dealers and accurately reflect the average sales of these dealers under circumstances similar to those of the dealer to whom the representation is made.

8. Respondents' dealers may return to the respondents any unsold quantities of the respondents' products; or that the respondents will transfer the unsold quantities to another dealer; or that a refund will be made to the dealers for unsold merchandise; or that the contract is other than an outright sale of the respondents' products to the dealer.

9. Respondents' products are waterproof or will cause any surface to which they are applied to become waterproof; or misrepresenting, in any manner, the performance characteristics of respondents' products.

10. Respondents' products prevent rust or will prevent or impede the rusting of any material to which they are applied.

11. Respondents' products are suitable for use on the inside of a structure; or misrepresenting, in any manner, the use characteristics of respondents' products.

12. One or more coats or applications of respondents' products is sufficient to achieve or to produce certain stated or implied results: *Provided, however,* That it shall be a defense in any enforcement proceeding instituted hereunder for the respondents to establish that the represented number of coats or applications of the particular product will, in fact, achieve or produce the results directly or impliedly claimed for it.

13. Respondents' products meet the specifications of the U.S. Government or any branch thereof.

B. Failing to deliver a copy of this order to cease and desist to all present and future salesmen or other persons engaged in the sale of respondents' products or services, and failing to secure from each such salesman or other person a signed statement acknowledging receipt of said order.

It is further ordered, That the respondent corporation shall forthwith distribute a copy of this order to each of its 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 in which they have complied with this order.

Issued: September 30, 1968.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 68-12935; Filed, Oct. 23, 1968; 8:46 a.m.]

[Docket No. C-1435]

PART 13—PROHIBITED TRADE PRACTICES

Jersey Mills Associates et al.

Subpart—Misbranding or mislabeling: § 13.1212 *Formal regulatory and statutory requirements:* 13.1212-80 Textile Fiber Products Identification Act. Subpart—Misrepresenting oneself and goods—Business status, advantages or connections: § 13.1400 *Dealer as manufacturer;* Misrepresenting oneself and goods—Goods: § 13.1715 *Quality.* Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1852 *Formal regulatory and statutory requirements:* 13.1852-70 Textile Fiber Products Identification Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, 72 Stat. 1717; 15 U.S.C. 45, 70) [Cease and desist order, Jersey Mills Associates et al., Newark, N.J., Docket C-1435, Oct. 8, 1968]

In the Matter of Jersey Mills Associates, a Partnership, and Louis Franco and Samuel D. Cohen, Individually and as Copartners Trading as Jersey Mills Associates

Consent order requiring a Newark, N.J., distributor of hosiery and other merchandise to cease misbranding its textile fiber products, misrepresenting imperfect hosiery as perfect, and misrepresenting its business status.

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

It is ordered, That respondents Jersey Mills Associates, a partnership, and Louis Franco and Samuel D. Cohen, individually and as copartners trading as Jersey Mills Associates, or under any other name or names, and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with the introduction, delivery for introduction, sale, advertising, or offering for sale, in commerce, or the transportation or causing to be transported in commerce, or the importation into the United States, of any textile fiber products; or in connection with the sale, offering for sale, advertising, delivery, transportation, or causing to be transported of any textile fiber product, which has been advertised or offered for sale in commerce; or in connection with the sale, offering for sale, advertising, delivery, transportation, or causing to be transported, after shipment in commerce, of any textile fiber product, whether in its original state or contained in other textile fiber products, as the terms "commerce" and "textile fiber product" are defined in the Textile Fiber Products Identification Act, do forthwith cease and desist from misbranding textile fiber products by failing to affix a stamp, tag, label, or other means of identification to each such product showing in a clear, legible, and conspicuous manner each element of information required to be disclosed by section 4(b) of of the Textile Fiber Products Identification Act.

It is further ordered, That respondents Jersey Mills Associates, a partnership, and Louis Franco and Samuel D. Cohen, individually and as copartners trading as Jersey Mills Associates, or under any other name or names, and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, or distribution of hosiery, or other related "industry products," which are "irregulars," "seconds," or otherwise imperfect, as such terms are defined in Rule 4(c) of the Amended Trade Practice Rules for the Hosiery Industry (16 CFR 152.4(c)), in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Selling or distributing any such product without clearly and conspicuously marking thereon the words "irregular" or "second," as the case may be, in such degree of permanency as to remain on the product until the consummation of the consumer sale and of such conspicuousness as to be easily observed and read by the purchasing public.

2. Using any label, advertisement, or promotional material in connection with the offering for sale of any such product unless it is disclosed therein that such article is an "irregular" or "second" as the case may be.

It is further ordered, That respondents Jersey Mills Associates, a partnership, and Louis Franco and Samuel D. Cohen, individually and as copartners trading as Jersey Mills Associates, or under any other name or names, and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of hosiery or other products in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Directly or indirectly using the word "Mills," or any other word or term of

similar import or meaning in or as a part of respondent's corporate or trade name, or representing in any other manner that respondents perform the functions of a mill or otherwise manufacture or process the hosiery or other products sold by them unless and until respondents own and operate, or directly and absolutely control the mill, factory or manufacturing plant wherein said hosiery or other products are manufactured.

2. Misrepresenting in any manner that respondents have mills, factories, or manufacturing plants where their products are manufactured or misrepresenting in any manner the location where respondents' products are manufactured.

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

Issued: October 8, 1968.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 68-12936; Filed, Oct. 23, 1968; 8:46 a.m.]

[Docket No. C-1433]

PART 13—PROHIBITED TRADE PRACTICES

Richard J. Raspanti and Statewide Aluminum Co.

Subpart—Advertising falsely or misleadingly: § 13.70 *Fictitious or misleading guarantees;* § 13.71 *Financing;* § 13.155 *Prices:* § 13.155–10 Bait; 13.155–100 Usual as reduced, special, etc.; § 13.170 *Qualities or properties of produce or service;* 13.170–30 Durability or permanence. § 13.240 *Special or limited offers.* Subpart—Misrepresenting oneself and goods—Goods: § 13.1647 *Guarantees;* § 13.1720 *Quantity;* Misrepresenting oneself and goods—Prices: § 13.1779 *Bait;* § 13.1825 *Usual as reduced or to be increased.* Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1882 *Prices;* § 13.1905 *Terms and conditions.*

(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, Richard J. Raspanti trading as Statewide Aluminum Co., Pittsburgh, Pa., Docket C-1433, Oct. 4, 1968]

In the Matter of Richard J. Raspanti, an Individual Trading as Statewide Aluminum Co.

Consent order requiring a Pittsburgh, Pa., distributor of residential aluminum siding to cease using bait advertising, deceptive pricing, guarantee, and quality claims, and failing to disclose that customers' notes may be assigned to a finance company.

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

It is ordered, That Richard J. Raspanti, an individual trading as Statewide Aluminum Co., or under any other name or names, and respondent's representatives, agents, and employees, directly, or through any corporate or other device, in connection with the advertising, offering for sale, sale, distribution, or installation of residential aluminum siding or other home improvement products or services or any other products, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using, in any manner, a sales plan, scheme or device wherein false, misleading, or deceptive statements or representations are made in order to obtain leads or prospects for the sale of other merchandise or services.

2. Making representations purporting to offer merchandise for sale when the purpose of the representation is not to sell the offered merchandise but to obtain leads or prospects for the sale of other merchandise at higher prices.

3. Discouraging the purchase of or disparaging any merchandise or services which are advertised or offered for sale, either before or after a contract has been signed for the purchase of such merchandise or services.

4. Representing, directly or by implication, that any merchandise or services are offered for sale when such offer is not a bona fide offer to sell such merchandise or services.

5. Representing, directly or by implication, that any price for respondent's products is a special or reduced price, unless such price constitutes a significant reduction from an established selling price at which such products have been sold in substantial quantities by respondent in the recent regular course of his business; or misrepresenting, in any manner, the savings available to purchasers.

6. Representing, directly or by implication, that any offer to sell products is limited as to time, or is limited in any other manner. *Provided, however,* That it shall be a defense in any enforcement proceeding instituted hereunder for respondent to establish that any represented limitation as to time or other represented restriction is actually imposed and adhered to by respondent.

7. Representing, directly or by implication, that respondent's products will never require repainting; or misrepresenting, in any manner, the serviceability or utility of respondent's products.

8. Representing, directly or by implication, that any of respondent's products are guaranteed, less the nature and extent of the guarantee, the identity of the guarantor and the manner in which the guarantor will perform thereunder are clearly and conspicuously disclosed; or making any direct or implied representation that any of respondent's products are guaranteed unless in each instance a written guarantee is given to the purchaser containing provisions fully equivalent to those contained in such representations.

9. Failing to disclose at least 5 days prior to any performance on the contract, in writing on a "settlement sheet" with such conspicuousness and clarity as is likely to be observed and read by purchasers:

a. The cash purchase price;

b. The total amount of all interest charges;

c. The total amount of all credit and service charges;

d. The total amount for which the buyer will be indebted;

e. The number of installment payments and the amount of each.

10. Failing to disclose orally prior to the execution of the contract, and in writing with such conspicuousness and clarity as is likely to be observed and understood by purchasers that a mortgage or other lien will be placed on their property.

11. Failing to clearly and conspicuously incorporate the following statement on the face of all negotiable instruments executed by respondent's customers:

NOTICE

Any holder of this note shall take this note subject to all defenses of any party which would be available in an action on a simple contract.

12. Failing to deliver a copy of this order to cease and desist to all present and future salesmen or other persons engaged in the sale of respondent's products or services, and failing to secure from each such salesmen or other person a signed statement acknowledging receipt of said order.

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: October 4, 1968.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 68-12937; Filed, Oct. 23, 1968; 8:46 a.m.]

[Docket No. C-1434]

PART 13—PROHIBITED TRADE PRACTICES

Standard Fibers, Inc., and Sol Poller

Subpart—Misbranding or mislabeling: § 13.1185 *Composition:* 13.1185–90 Wool Products Labeling Act; § 13.1212 *Formal regulatory and statutory requirements:* 13.1212–90 Wool Products Labeling Act. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1852 *Formal regulatory and statutory requirements:* 13.1852–80 Wool Products Labeling Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, secs. 2–5, 54 Stat 1128–1130; 15 U.S.C. 45, 68) [Cease and desist order, Standards Fibers, Inc., et al., Paterson, N.J., Docket C-1434, Oct. 8, 1968]

In the Matter of Standard Fibers, Inc., a Corporation, and Sol Poller, Individually and as an Officer of the Said Corporation

Consent order requiring a Patterson, N.J., manufacturer of wool batting and other wool products to cease misbranding its merchandise.

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

It is ordered, That respondents Standard Fibers, Inc., a corporation, and its officers, and Sol Poller, individually and as an officer of said corporation, and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with the introduction or manufacture for introduction, into commerce, or the offering for sale, sale, transportation, distribution, delivery for shipment, or shipment, in commerce, of wool products, as "commerce" and "wool product" are defined in the Wool Products Labeling Act of 1939, do forthwith cease and desist from misbranding such products by:

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

2. Failing to securely affix to, or place on, each such product a stamp, tag, label, or other means of identification showing in a clear and conspicuous manner each element of information required to be disclosed by section 4(a)(2) of the Wool Products Labeling Act of 1939.

It is further ordered, That the respondent corporation shall forthwith distribute a copy of this order to each of its 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 in which they have complied with this order.

Issued: October 8, 1968.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 68-12938; Filed, Oct. 23, 1968; 8:46 a.m.]

Title 26—INTERNAL REVENUE

Chapter I—Internal Revenue Service, Department of the Treasury

SUBCHAPTER E—ALCOHOL, TOBACCO AND OTHER EXCISE TAXES

[T.D. 6977]

PART 212—FORMULAS FOR DENATURED ALCOHOL AND RUM

Miscellaneous Amendments

On November 30, 1967, a notice of proposed rule making to amend 26 CFR Part 212 was published in the FEDERAL REGISTER (32 F.R. 16433). On July 11, 1968, the notice of November 30, 1967, was withdrawn and a new notice of proposed rule making to amend 26 CFR Part 212, with respect to formulas for denatured alcohol and specially denatured rum, was published in the FEDERAL REGISTER (33 F.R. 9957). In accordance with the notice, interested persons were afforded an opportunity to submit written comments or suggestions pertaining thereto. After consideration of all relevant matter received within the 30-day period prescribed in the notice regarding the proposed amendments, the amendments as published in the FEDERAL REGISTER are hereby adopted.

This Treasury decision shall become effective on the first day of the first month which begins not less than 90 days after the date of its publication in the FEDERAL REGISTER.

(Sec. 7805, Internal Revenue Code; (68A Stat. 917; 26 U.S.C. 7805))

[SEAL] SHELDON S. COHEN, *Commissioner of Internal Revenue.*

Approved: October 21, 1968.

STANLEY S. SURREY, *Assistant Secretary of the Treasury.*

In order to (1) provide in regulations for the use of alcohol of not less than 185° of proof in formulas of specially denatured alcohol; (2) authorize the use, as a denaturant, of ethyl acetate having an ester content of 100 percent for Formula No. 29; (3) modify Formulas Nos. 40 and 40-A and provide new Formulas Nos. 40-B and 40-C; (4) authorize additional uses for alcohol denatured under certain formulas; (5) specify the number of copies of certain applications to be submitted; (6) refer to National Formulary specifications for the denaturant denatonium benzoate (Bitrex) in lieu of specifying those for benzyldiethyl (2:6 xylylcarbamoyl methyl) ammonium benzoate (Bitrex (THS-839)); (7) revise the specifications for the denaturants sucrose octaacetate and wood alcohol; and (8) provide miscellaneous editorial and clarifying changes, the regulations in 26 CFR Part 212, Formulas for Denatured Alcohol and Rum, are amended as follows:

PARAGRAPH 1. Section 212.3 is amended to correct a printing error and to specify the number of copies of applications to be submitted. As amended, § 212.3 reads as follows:

§ 212.3 Stocks of discontinued formulas.

Denaturers, or specially denatured spirits dealers or users, having on hand stocks of denaturants or formulas of specially denatured spirits no longer authorized by this part may (a) continue to supply or use such stocks in accordance with permits until the stocks are exhausted; (b) otherwise dispose of such stocks in a manner satisfactory to the Director, pursuant to approval of an application (to be filed, in triplicate, with the assistant regional commissioner for transmittal to the Director); or (c) on approval by the assistant regional commissioner of an application, filed in duplicate, to do so, destroy such stocks under such supervision as the assistant regional commissioner may prescribe.

PAR. 2. In § 212.15, paragraph (a) is amended to provide for the use of alcohol of not less than 185° of proof in any formula of specially denatured alcohol. As amended, paragraph (a) reads as follows:

§ 212.15 General.

(a) *Formulas.* Specially denatured alcohol shall be denatured in accordance with formulas prescribed in this subpart. Alcohol of not less than 185° of proof shall be used in the manufacture of all formulas of specially denatured alcohol, unless otherwise authorized by the Director. Rum for denaturation shall be of not less than 150° of proof and shall be denatured in accordance with Formula No. 4.

* * * * *

PAR. 3. In §§ 212.16, 212.17, 212.18, 212.19, and 212.23, paragraphs (b)(2) are amended by deleting the parenthetical phrases "(for rubber processing)" and "(ethylamines)" from code 530 and code 540, respectively. As amended, paragraphs (b)(2) in §§ 212.16, 212.17, 212.18, 212.19, and 212.23 read as follows:

§ 212.16 Formula No. 1.

* * * * *

(b) * * *

(2) As a raw material:

* * * * *

530. Ethylamines.
540. Dyes and intermediates.

* * * * *

§ 212.17 Formula No. 2-B.

* * * * *

(b) * * *

(2) As a raw material:

* * * * *

530. Ethylamines.
540. Dyes and intermediates.

* * * * *

§ 212.18 Formula No. 2-C.

* * * * *

(b) * * *

(2) As a raw material:

* * * * *

530. Ethylamines.
540. Dyes and intermediates.

* * * * *

§ 212.19 Formula No. 3-A.

* * * * *

(b) * * *

(2) As a raw material:

530. Ethylamines.
540. Dyes and intermediates.

* * * * *

§ 212.23 Formula No. 12-A.

* * * * *

(b) * * *

(2) As a raw material:

* * * * *

530. Ethylamines.
540. Dyes and intermediates.

* * * * *

PAR. 4. In § 212.30, paragraph (b) (1) is amended to insert, in numerical order, a new authorized use—code 244. As amended, paragraph (b) (1) reads as follows:

§ 212.30 **Formula No. 23–A.**

* * * * *

(b) *Authorized uses.* (1) As a solvent:

* * * * *

244. Antiseptic solutions (U.S.P. or N.F.).

* * * * *

PAR. 5. In § 212.39, paragraph (a) is revised to provide for an alternate denaturant, and to specify the number of copies of the required application, and paragraph (b) (1) is amended by inserting, in numerical order, a new authorized use—code 511, and by deleting the parenthetical phrases "(for rubber processing)" and "(ethylamines)" from code 530 and code 540, respectively. As amended, paragraphs (a) and (b) (1) read as follows:

§ 212.39 **Formula No. 29.**

(a) *Formula.* To every 100 gallons of alcohol add:

One gallon of 100 percent acetaldehyde or 5 gallons of an alcohol solution of acetaldehyde containing not less than 20 percent acetaldehyde, or 1 gallon of ethyl acetate having an ester content of 100 percent, or, where approved by the Director as to material and quantity, not less than 6.8 pounds if solid, or 1 gallon if liquid, of any chemical. Where material other than acetaldehyde or ethyl acetate is proposed to be used, an application therefor shall be submitted, in sextuplet, to the Director. The applicant shall furnish the Director with specifications, assay methods, and duplicate 8-ounce samples of such other material.

(b) *Authorized uses.* (1) As a raw material:

511. Vinegar.

* * * * *

530. Ethylamines.
540. Dyes and intermediates.

* * * * *

PAR. 6. In § 212.40, paragraph (b) (1) is amended to insert, in numerical order, new authorized uses—code 011 and code 012. As amended, paragraph (b) (1) reads as follows:

§ 212.40 **Formula No. 30.**

* * * * *

(b) *Authorized uses.* (1) As a solvent:

011. Cellulose coatings.
012. Synthetic resin coatings.

* * * * *

PAR. 7. In § 212.46, paragraph (b) (2) is amended by deleting the parenthetical phrases "(for rubber processing)" and "(ethylamines)" from code 530 and code 540, respectively. As amended, paragraph (b) (2) reads as follows:

§ 212.46 **Formula No. 36.**

* * * * *

(b) * * *

(2) As a raw material:

530. Ethylamines.
540. Dyes and intermediates.

* * * * *

PAR. 8. In § 212.48, paragraph (a) is amended to correct the spelling of the word "Anethole" and to clarify requirements relating to the proposed use of substitute denaturants. As amended, paragraph (a) reads as follows:

§ 212.48 **Formula No. 38–B.**

(a) *Formula.* To every 100 gallons of alcohol add:

Ten pounds of any one, or a total of 10 pounds of two or more, of the oils and substances listed below:

Anethole, U.S.P.

* * * * *

Where it is shown that none of the above single denaturants or combinations can be used in the manufacture of a particular product, application (in duplicate) may be submitted to the Director, requesting permission to use another essential oil or substance having denaturing properties satisfactory to the Director. In such case the applicant shall furnish the Director with specifications, assay methods, and duplicate 8-ounce samples of the denaturant for examination.

* * * * *

PAR. 9. In § 212.55, paragraph (b) (1) is amended to include an additional class of product in code 122. As amended, paragraph (b) (1) reads as follows:

§ 212.55 **Formula No. 39–C.**

* * * * *

(b) *Authorized uses.* (1) As a solvent:

* * * * *

122. Toilet waters and colognes.

* * * * *

PAR. 10. Section 212.57 is amended by revising paragraph (a) (1) and by deleting paragraph (a) (2). As amended, § 212.57 reads as follows:

§ 212.57 **Formula No. 40.**

(a) *Formula.* To every 100 gallons of alcohol add:

One and one-half avoirdupois ounces of brucine (alkaloid), or brucine sulfate (N.F. IX), or quassin, or one and one-half avoirdupois ounces of any combination of two or of three of those denaturants, and ⅛ gallon of *tert.*-butyl alcohol.

(b) *Authorized uses.* (1) As a solvent:

051. Polishes.
111. Hair and scalp preparations.
112. Bay rum.
113. Lotions and creams (hand, face, and body).
114. Deodorants (body).
121. Perfumes and perfume tinctures.
122. Toilet waters and colognes.
141. Shampoos.
142. Soaps and bath preparations.
210. External pharmaceuticals (not U.S.P. or N.F.).
410. Disinfectants, insecticides, fungicides, and other biocides.
450. Cleaning solutions (including household detergents).
470. Theater sprays, incense, and room deodorants.
482. Miscellaneous dye solutions.
485. Miscellaneous solutions.

PAR. 11. Section 212.58 is amended to require 1 pound of sucrose octaacetate instead of 5 pounds and to include codes 051, 450, and 482 in the list of authorized uses. As amended, § 212.58 reads as follows:

§ 212.58 **Formula No. 40–A.**

(a) *Formula.* To every 100 gallons of alcohol add:

One pound of sucrose octaacetate and ⅛ gallon of *tert.*-butyl alcohol.

(b) *Authorized uses.* (1) As a solvent:

051. Polishes.
111. Hair and scalp preparations.
112. Bay rum.
113. Lotions and creams (hand, face, and body).
114. Deodorants (body).
121. Perfumes and perfume tinctures.
122. Toilet waters and colognes.
141. Shampoos.
142. Soaps and bath preparations.
210. External pharmaceuticals (not U.S.P. or N.F.).
410. Disinfectants, insecticides, fungicides, and other biocides.
450. Cleaning solutions (including household detergents).
470. Theater sprays, incense, and room deodorants.
482. Miscellaneous dye solutions.
485. Miscellaneous solutions.

PAR. 12. New §§ 212.58a and 212.58b, providing two new formulas for specially denatured alcohol, are inserted immediately following § 212.58. New §§ 212.58a and 212.58b read as follows:

§ 212.58a **Formula No. 40–B.**

(a) *Formula.* To every 100 gallons of alcohol add:

One-sixteenth avoirdupois ounce of denatonium benzoate, N.F., (Bitrex) and ⅛ gallon of *tert.*-buytl alcohol.

(b) *Authorized uses.* (1) As a solvent:

051. Polishes.
111. Hair and scalp preparations.
112. Bay rum.
113. Lotions and creams (hand, face, and body).
114. Deodorants (body).
121. Perfumes and perfume tinctures.
122. Toilet waters and colognes.
141. Shampoos.
142. Soaps and bath preparations.
210. External pharmaceuticals (not U.S.P. or N.F.).
410. Disinfectants, insecticides, fungicides, and other biocides.
450. Cleaning solutions (including household detergents).
470. Theater sprays, incense, and room deodorants.
482. Miscellaneous dye solutions.
485. Miscellaneous solutions.

§ 212.58b **Formula No. 40–C.**

(a) *Formula.* To every 100 gallons of alcohol add:

Three gallons of *tert.*-butyl alcohol.

(b) *Authorized uses.* (1) As a solvent:

051. Polishes.
111. Hair and scalp preparations.
112. Bay rum.
113. Lotions and creams (hand, face, and body).
114. Deodorants (body).
121. Perfumes and perfume tinctures.
122. Toilet waters and colognes.
141. Shampoos.

142. Soaps and bath preparations.
210. External pharmaceuticals (not U.S.P. or N.F.).
410. Disinfectants, insecticides, fungicides, and other biocides.
450. Cleaning solutions (including household detergents).
470. Theater sprays, incense, and room deodorants.
482. Miscellaneous dye solutions.
485. Miscellaneous solutions.

(c) *Conditions governing use.* This formula shall be used only in the manufacture of products which will be packaged in pressurized containers in which the liquid contents are in intimate contact with the propellant and from which the contents are not easily removable in liquid form.

PAR. 13. Section 212.65 is amended to provide for the submission of an application, in duplicate, for a variation from specifications or for the use of substitute denaturants. As amended, § 212.65 reads as follows:

§ 212.65 General.

Denaturants prescribed in this part shall comply with the specifications set forth in this subpart: *Provided*, That in order to meet requirements of national defense or for other valid reasons, the Director may, pursuant to application, in duplicate, authorize variations from such specifications or authorize the use of substitute denaturants where such variation or substitution will not jeopardize the revenue.

§ 212.69a [Deleted]

PAR. 14. Section 212.69a is deleted.

PAR. 15. Section 212.94 is amended to provide for the use of a purer, whiter form of sucrose octaacetate having a higher melting point. As amended § 212.94 reads as follows:

§ 212.94 Sucrose octaacetate.

Sucrose octaacetate is an organic acetylation product occurring as a white or cream-colored powder having an intensely bitter taste.

Free acid (as acetic acid). Maximum percentage 0.15 by weight when determined by the following procedure: Dissolve 1.0 gram of sample in 50 ml. of neutralized ethyl alcohol (or SDA No. 3–A or No. 30) and titrate with 0.1 N sodium hydroxide using phenolphthalein indicator.

$$\text{Percent acid as acetic acid} = \frac{\text{ml. NaOH used} \times 0.6}{\text{weight of sample}}$$

Insoluble matter. 0.30 percent by weight maximum.

Melting point. Not less than 78.0° C.

Purity. Sucrose octaacetate 98 percent minimum by weight when determined by the following procedure: Transfer a weighed 1.50 gram sample to a 500 ml. Erlenmeyer flask containing 100 ml. of neutral ethyl alcohol (or SDA No. 3–A or No. 30) and exactly 50.0 ml. of 0.5 N sodium hydroxide. Reflux for 1 hour on a steam bath, cool and titrate the excess sodium hydroxide with 0.5 N sulfuric acid using phenolphthalein indicator.

$$\text{Percent sucrose octaacetate} = \frac{(\text{ml. NaOH} - \text{ml. } H_2SO_4) \times 4.2412}{\text{weight of sample}}$$

PAR. 16. In § 212.96, the next-to-last paragraph entitled "Specific gravity 15.56°/15.56° C." is amended to read as follows:

§ 212.96 Wood alcohol.

* * * * *

Specific gravity 15.66°/15.56° C. 0.8072 minimum.

* * * * *

PAR. 17. In § 212.105, various lines in the table, as listed below, are amended to conform the list of products, processes, and authorized formulas; and footnote No. 2 at the end of the table is amended to authorize laboratory use of various formulas in product development under Code 810. As amended, the changed lines in the table in § 212.105, and footnote No. 2 at the end thereof, read as follows:

§ 212.105 Listing of products and processes using specially denatured alcohol and rum and formulas authorized therefor.

* * * * *

USES OF SPECIALLY DENATURED ALCOHOL[1]

Product or process	Code No.	Formulas authorized
* * *	*	*
Antiseptic solutions, U.S.P. or N.F.	244	23–A, 37, 38–B, 38–F.
Bath preparations	142	1, 3–A, 3–B, 23–A, 30, 36, 38–B, 39–B, 39–C, 40, 40–A, 40–B, 40–C.
Bay rum	112	23–A, 37, 38–B, 39, 39–B, 39–D, 40, 40–A, 40–B, 40–C.
Biocides, miscellaneous	410	1, 3–A, 3–B, 23–A, 23–H, 27–A, 27–B, 30, 37, 38–B, 39–B, 40, 40–A, 40–B, 40–C.
* * *	*	*
Cellulose coatings	011	1, 23–A, 30.
* * *	*	*
Cleaning solutions	450	1, 3–A, 23–A, 23–H, 30, 36, 39–B, 40, 40–A, 40–B, 40–C.
* * *	*	*
Colognes	122	38–B, 39, 39–A, 39–B, 39–C, 40, 40–A, 40–B, 40–C.
* * *	*	*
Deodorants (body)	114	23–A, 38–B, 39–B, 39–C, 40, 40–A, 40–B, 40–C.
Detergents, household	450	1, 3–A, 23–A, 23–H, 30, 36, 39–B, 40, 40–A, 40–B, 40–C.
* * *	*	*
Disinfectants	410	1, 3–A, 3–B, 23–A, 23–H, 27–A, 27–B, 30, 37, 38–B, 39–B, 40, 40–A, 40–B, 40–C.
* * *	*	*
Dye solutions, miscellaneous.	482	1, 3–A, 23–A, 30, 39–C, 40, 40–A, 40–B, 40–C.
* * *	*	*
Ethylamines	530	1, 2–B, 2–C, 3–A, 12–A, 29, 36.
* * *	*	*
External pharmaceuticals (not U.S.P. or N.F.).	210	23–A, 23–F, 23–H, 27–A, 27–B, 36, 37, 38–B, 38–F, 39–B, 40, 40–A, 40–B, 40–C.
* * *	*	*
Fungicides	410	1, 3–A, 3–B, 23–A, 23–H, 27–A, 27–B, 30, 37, 38–B, 39–B, 40, 40–A, 40–B, 40–C.
* * *	*	*
Hair and scalp preparations.	111	3–B, 23–A, 23–F, 23–H, 37, 38–B, 39, 39–A, 39–B, 39–C, 39–D, 40, 40–A, 40–B, 40–C.
* * *	*	*
Incense	470	3–A, 22, 37, 38–B, 39–B, 39–C, 40, 40–A, 40–B, 40–C.
* * *	*	*
Insecticides	410	1, 3–A, 3–B, 23–A, 23–H, 27–A, 27–B, 30, 37, 38–B, 39–B, 40, 40–A, 40–B, 40–C.
* * *	*	*
Lotions and creams (body, face, and hand).	113	23–A, 23–H, 31–A, 37, 38–B, 39, 39–B, 39–C, 40, 40–A, 40–B, 40–C.
* * *	*	*
Perfumes and perfume tinctures.	121	38–B, 39, 39–B, 39–C, 40, 40–A, 40–B, 40–C.
* * *	*	*
Polishes	051	1, 3–A, 30, 40, 40–A, 40–B, 40–C.
* * *	*	*
Resin coatings, synthetic	012	1, 23–A, 30.
* * *	*	*
Room deodorants	470	3–A, 22, 37, 38–B, 39–B, 39–C, 40, 40–A, 40–B, 40–C.
* * *	*	*
Shampoos	141	1, 3–A, 3–B, 23–A, 27–B, 31–A, 36, 38–B, 39–A, 39–B, 40, 40–A, 40–B, 40–C.
* * *	*	*
Soaps, toilet	142	1, 3–A, 3–B, 23–A, 30, 36, 38–B, 39–B, 39–C, 40, 40–A, 40–B, 40–C.
* * *	*	*
Solutions, miscellaneous	485	1, 3–A, 23–A, 30, 39–B, 40, 40–A, 40–B, 40–C.
* * *	*	*
Theater sprays	470	3–A, 22, 37, 38–B, 39–B, 39–C, 40, 40–A, 40–B, 40–C.
* * *	*	*
Toilet waters	122	38–B, 39, 39–A, 39–B, 39–C, 40, 40–A, 40–B, 40–C.
* * *	*	*
Vinegar	511	18, 29, 35–A.
* * *	*	*

[1] Formula No. 3–A and Formula No. 30 are authorized for general laboratory purposes under Code 810. All other formulas are authorized for laboratory use in specific product development under Code 810.

* * * * *

PAR. 18. In § 212.110, relating to the listing of authorized denaturants, the line for benzyldiethyl (2:6 xylylcarbamoyl methyl) ammonium benzoate (Bitrex (THS–839)) is deleted, several other lines as listed below are amended, and a new line for denatonium benzoate, N.F. (Bitrex), is inserted in alphabetical order. As amended, § 212.110 reads as follows:

§ 212.110 Listing of denaturants authorized for denatured spirits.

* * *	*
tert.-Butyl alcohol	S.D.A. 39; 39–A; 39–B; 40; 40–A; 40–B; 40–C.
* * *	*
Denatonium benzoate N.F. (Bitrex)	S.D.A. 40–B.
* * *	*
Ethyl acetate	S.D.A. 29; 35; 35–A.
* * *	*
Sucrose octaacetate	S.D.A. 40–A.
* * *	*

PAR. 19. In the table in § 212.115, the data on the lines for SDA Formulas Nos. 35[3] and 40–A are revised, and new lines showing data for new SDA Formulas Nos. 40–B and 40–C are added in numerical order. As amended, the table in § 212.115 reads as follows:

§ 212.115 Weights and specific gravities of specially denatured alcohol.

* * * * *

SDA Formula No.	Finished formula (gal.)	190° proof		192° proof		200° proof	
		Wt./gal. in air (pounds)	Sp. gr. in vac.	Wt./gal. in air (pounds)	Sp. gr. in vac.	Wt./gal. in air (pounds)	Sp. gr. in vac.
***	***	***	***	***	***	***	***
35[3]	135.0	6.956	0.8355	6.933	0.8326	6.820	0.8186
***	***	***	***	***	***	***	***
40–A	100.2	6.798	.8164	6.765	.8125	6.613	.7943
40–B	100.1	6.794	.8160	6.761	.8120	6.610	.7939
40–C	103.0	6.788	.8153	6.756	.8114	6.609	.7938
***	***	***	***	***	***	***	***

[3] Calculated on the basis of 85 percent ethyl acetate.

[F.R. Doc. 68–12979; Filed, Oct. 23, 1968; 8:49 a.m.]

Title 18—CONSERVATION OF POWER AND WATER RESOURCES

Chapter I—Federal Power Commission

[Docket No. R–350; Order 372]

PART 141—STATEMENTS AND REPORTS (SCHEDULES)

Miscellaneous Amendments

OCTOBER 17, 1968.

The Commission is here amending FPC Forms Nos. 12, 12E, and 12F, Power System Statements, prescribed by §§ 141.51, 141.56, and 141.57, respectively, of its regulations and required to be filed by electric utilities, licensees, and others engaged in the generation, transmission, or distribution of electric energy.

The revisions herein prescribed are the result of suggestions by representatives of the companies and other entities which make the reports. Schedule 13 (Demand on Generating Plants, Power Received, and Power Delivered for Resale) at page 24 of Form No. 12 is revised to delete therefrom Item F which requires reporting of the peak load system power factor. The information elicited by this question is not especially helpful and normally is not readily available. Its omission does not significantly affect the substance of the form and will lighten the reporting burden of respondents and facilitate the Commission's processing of power system reports. The other revisions to Form No. 12, pages 28 and 29, Schedule 16 (System Dependable and Assured Capacity), and the revisions to Forms Nos. 12E (Monthly Power Statement) Schedule 3, and 12F (Power Line and Generating Station Construction Data) Schedule D, consist of minor editorial changes which essentially pertain to the reporting of pumped storage data and are of a clarifying and interpretive nature.

The Commission finds:

(1) Since the revisions to FPC Forms Nos. 12, 12E, and 12F prescribed herein do not substantially alter the forms and are primarily for the purpose of interpretation or clarification, and since the adoption of such changes reduces the reporting burden and relates to matters of agency practice and procedure necessary and appropriate for the administration of the Federal Power Act, compliance with the notice, public procedure and effective date provisions of title 5 of the United States Code, section 553, is unnecessary.

(2) Since the power statement forms as amended by this order are for immediate use, good cause exists for making the amendments effective forthwith.

The Commission, acting pursuant to the provisions of section 309 of the Federal Power Act as amended (49 Stat. 858; 16 U.S.C. 825h), orders:

(A) FPC Form No. 12, prescribed by § 141.51, Part 141, Subchapter D, Chapter I of Title 18 of the Code of Federal Regulations, is amended to delete item "F" in its entirety from Schedule 13.

(B) Schedule 16 of FPC Form No. 12, prescribed by § 141.51 of Title 18 of the Code of Federal Regulations is amended to add paragraph 1(c) to the Instructions, page 28, defining dependable capacity of pumped storage plants. Also, item 1 of Schedule 16, page 29, is amended to change 1(c) to 1(d), to insert the new subheading "1(c) System pumped storage plants", and to designate subheading 1(d) as "Subtotal (a) plus (b) plus (c)".

(C) Schedule 3 of FPC Form No. 12E, prescribed by § 141.56 of Title 18 of the Code of Federal Regulations is amended to change items 1(c) and 7(c) to 1(d) and 7(d), respectively, to insert the new subheading "1(c) System pumped storage plants", and to designate subheading 1(d) as "Subtotal (a) plus (b) plus (c)".

(D) Schedule D (Scheduled Changes in System Generating Plants) in FPC Form No. 12F, prescribed by § 141.57 of Title 18 of the Code of Federal Regulations is amended under the caption "Type of Unit" to provide space specifically for the reporting of hydro, pumped storage, steam, nuclear, internal combustion, and gas-turbine plants.

(E) The amendments herein adopted shall be effective upon the issuance of this order.

(F) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

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

[F.R. Doc. 68–12934; Filed, Oct. 23, 1968; 8:46 a.m.]

Title 50—WILDLIFE AND FISHERIES

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

PART 33—SPORT FISHING

Buffalo Lake National Wildlife Refuge, Tex.

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

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

TEXAS

BUFFALO LAKE NATIONAL WILDLIFE REFUGE

Sport fishing on the Buffalo Lake National Wildlife Refuge, Tex., is permitted only on the areas designated by signs as open to fishing. These open areas, comprising 2,358 acres, are delineated on maps available at refuge headquarters, Umbarger, Tex., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex. 87103. Sport fishing shall be in accordance with all applicable State regulations subject to the following special condition:

(1) The open season for sport fishing on the refuge extends from March 1 through October 31, 1969, inclusive, on all waters o the Buffalo Lake National Wildlife Refuge; from January 1 through February 28, 1969, inclusive, and November 1 through December 31, 1969, inclusive, on all waters lying north of a diagonal line extending across the lake from the northwest corner of sec. 116 to the southwest corner of sec. 117.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33 and are effective through December 31, 1969.

PAUL E. FERGUSON,
Refuge Manager, Buffalo Lake National Wildlife Refuge, Umbarger, Tex.

OCTOBER 14, 1968.

[F.R. Doc. 68–12943; Filed, Oct. 23, 1968; 8:46 a.m.]

Proposed Rule Making

POST OFFICE DEPARTMENT

[39 CFR Parts 126, 132]

SECOND-CLASS BULK MAILINGS AND SECOND-CLASS MAIL

Air Transportation; Cancellation

In the FEDERAL REGISTER of July 30, 1968, (33 F.R. 10803), the Department published a notice of proposed rule making setting out proposed regulations amending Parts 126 and 132 of Title 39, CFR, in order to implement 39 U.S.C. 4359(d) as added by Section 104 of the Postal Revenue and Federal Salary Act of 1967 (Public Law 90–206, approved Dec. 16, 1967). This law provides that under certain conditions publications mailed in accordance with 39 U.S.C. 4359 (a), upon request by the publisher or news agent, may be transported by air on a space-available basis, on scheduled U.S. air carriers at rates fixed and determined by the Civil Aeronautics Board in accordance with section 406 of the Federal Aviation Act of 1958 (49 U.S.C. 1376).

The Department hereby cancels that notice of proposed rule making.

Among other considerations prompting this action is an insufficient demand on the part of publishers for the proposed service. Relevant factors involved herein include the requirements of the law that the surcharge to be paid for air transportation of second-class mail be fixed at a rate which will compensate the Department for the added cost of providing air service; and that once established the surcharge shall remain unchanged for a period of 2 years.

The compensation of air carriers for transporting this kind of mail is the subject of a proceeding now pending before the Civil Aeronautics Board. This proceeding is designated as Docket 18381, Nonpriority Mail Rates. In this proceeding the Department is seeking a reduction in transportation rates payable to air carriers for the transportation of space-available mail. Public hearings in the proceeding are scheduled to commence on December 3, 1968. The Department intends to give further consideration to implementing an air transportation service for second-class mail upon conclusion of Docket 18381 by the Civil Aeronautics Board.

(5 U.S.C. 301; 39 U.S.C. 501, 4351–4422)

TIMOTHY J. MAY,
General Counsel.

[F.R. Doc. 68–13003; Filed, Oct. 23, 1968; 8:50 a.m.]

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 948]

[Area 1]

IRISH POTATOES GROWN IN COLORADO

Proposed Expenses and Rate of Assessment

Consideration is being given to the approval of proposed expenses and a proposed rate of assessment as hereinafter set forth which were recommended by the area committee for Area No. 1 established pursuant to Marketing Agreement No. 97, as amended, and Order No. 948, as amended (7 CFR Part 948).

This marketing order program regulates the handling of Irish potatoes grown in the State of Colorado. It is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

All persons who desire to submit written data, views, or arguments in connection with these proposals may file the same in quadruplicate with the Hearing Clerk, Room 112, U.S. Department of Agriculture, Washington, D.C. 20250, not later than the 30th day after the publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

The proposals are as follows:

§ 948.259 Expenses and rate of assessment.

(a) The reasonable expenses that are likely to be incurred by the area committee for Area No. 1 to enable such committee to perform its functions, pursuant to the provisions of Marketing Agreement No. 97, as amended, and this part, during the fiscal period ending June 30, 1969, will amount to $415.

(b) The rate of assessment to be paid by each handler pursuant to Marketing Agreement No. 97, as amended, and this part, shall be one cent ($0.01) per hundredweight of potatoes grown in Area No. 1 handled by him as the first handler thereof during said fiscal period.

(c) Unexpended income in excess of expenses for the fiscal period ending June 30, 1969, may be carried over as a reserve.

(d) Terms used in this section shall have the same meaning as when used in Marketing Agreement No. 97, as amended, and this part.

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

Dated: October 21, 1968.

ARTHUR E. BROWNE,
Acting Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 68–12983; Filed, Oct. 23, 1968; 8:50 a.m.]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 39]

[Docket No. 68–CE–15–AD]

AIRWORTHINESS DIRECTIVES

Beech Models 35, A35, B35, and C35 Airplanes

The Federal Aviation Administration is considering amending Part 39 of the Federal Aviation Regulations by adding an airworthiness directive applicable to Beech Models 35, A35, B35, and C35 airplanes (Serial Nos. D–1 through D–2900).

The handle of the P/N 35–924065 fuel unit in these airplanes serves a dual function. It is used to operate the manual emergency fuel pump as well as to turn the fuel tank selector valve. The handle disengages from the selector valve when the pump is operated. Then before the pilot can operate the selector valve to change from one tank to another, the handle must be full down and held in a tongue and groove arrangement for engagement of the valve rotor. When positive reengagement does not occur the handle will turn but the selector valve remains unchanged, and ultimate engine power loss will occur due to fuel exhaustion while the pointer on top of the handle indicates to the pilot the valve has been positioned to allow the engine to draw fuel from a full tank.

Airworthiness Directive 53–20–2 was issued in 1953 due to the high rate of accidents attributed to misuse of the fuel unit. This airworthiness directive required the installation of a placard in the airplanes equipped with a P/N 35–924065 fuel unit. This placard informs all flight personnel of proper fuel selector valve operation. It also states that replacement of the P/N 35–924065 fuel unit with a P/N 35–924230 unit eliminates the need for compliance with AD 53–20–2. This unit has a separate handle for the pump and selector valve.

After issuing AD 53–20–2, reports were received indicating that corrective action

required by this airworthiness directive was inadequate. Mismanagement of the P/N 35–924065 fuel unit was given as either the cause or probable cause in 26 accidents and one incident. The reports cover only the last 4 years. Reports from previous years were unavailable. The accidents resulted in four fatalities and thirteen injuries.

The Administrator is now considering superseding AD 53–20–2 with a new airworthiness directive which requires replacement of Beech P/N 35–924065 fuel unit with P/N 35–924230 fuel unit or with any other modification of this portion of the fuel system approved by the Chief, Engineering and Manufacturing Branch, Central Region, Federal Aviation Administration. The latter fuel unit was standard equipment and gave satisfactory service in Beech Model C35 through G35 airplanes, Serial Nos. D–2901 through D–4865 airplanes.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Department of Transportation, Federal Aviation Administration, Central Region, Attention: Regional Counsel, Airworthiness Rules Docket, 601 East 12th Street, Kansas City, Mo. 64106. All communications received on or before December 22, 1968, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the Airworthiness Rules Docket for examination by interested persons.

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

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

BEECH. Applies to all Model 35, A35, B35, and C35 (Serial Nos. D–1 through D–2900) airplanes equipped with Beech P/N 35–924065 fuel unit.

Compliance: Required as indicated.

Within the next 100 hours' time-in-service, but not to exceed 1 year after the effective date of this airworthiness directive, unless already accomplished, accomplish the following:

Replace Beech P/N 35–924065 fuel unit with Beech P/N 35–924230 fuel unit or with any other modification of this portion of the fuel system approved by Chief Engineering and Manufacturing Branch, Central Region, Federal Aviation Administration.

This airworthiness directive supersedes AD 53–20–2.

Issued in Kansas City, Mo., on October 14, 1968.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 68–12950; Filed, Oct. 23, 1968; 8:47 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 68–WE–79]

CONTROL ZONE

Proposed Alteration

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the description of the Everett, Wash., control zone.

Interested persons may participate in the proposed rule-making by submitting such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Director, Western Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, 5651 West Manchester Avenue, Post Office Box 92007, Worldway Postal Center, Los Angeles, Calif. 90009. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposals contained in this notice may be changed in the light of comments received.

A public docket will be available for examination by interested persons in the office of the Regional Counsel, Federal Aviation Administration, 5651 West Manchester Avenue, Los Angeles, Calif. 90045.

The Air Force has recently moved from Paine Field and the FAA has assumed operation of the control tower. The hours of operation of the control tower are currently from 0700 to 2300 hours local time daily. It is expected, however, that changes in the hours of operation will be necessary in the future and the use of the NOTAM is proposed to designate these changes when required. The NOTAM will provide an expeditious means of designating the effective hours of the control zone to coincide with the hours of operation of the control tower and eliminate the lengthy rule-making process.

The Paine TACAN was an Air Force facility and has been decommissioned. The control zone extension to the south based upon the TACAN 175° T (153° M) radial is no longer required and action is proposed herein to revoke this designation of airspace.

In consideration of the foregoing, the FAA proposes the following airspace action:

In § 71.171 (33 F.R. 12543) the description of the Everett, Wash. control zone is amended to read as follows:

EVERETT, WASH.

Within a 5-mile radius of the Snohomish County Airport (Paine Field), Wash. (latitude 47°54'40" N., longitude 122°16'50" W.), and within 2 miles each side of the Paine VOR 356° radial, extending from the 5-mile radius zone to 8 miles north of the VOR. This control zone shall be effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958, as amended (72 Stat. 749; 49 U.S.C. 1348).

Issued in Los Angeles, Calif., on October 16, 1968.

A. E. HORNING,
Acting Director, Western Region.

[F.R. Doc. 68–12951; Filed, Oct. 23, 1968; 8:47 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 68–EA–14]

TRANSITION AREA

Proposed Designation

The Federal Aviation Administration is considering amendments to Part 71 of the Federal Aviation Regulations that would designate a transition area near Fire Island, N.Y.

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

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

The International Standards and Recommended Practices in Annex 11 apply in those parts of the airspace under the jurisdiction of a contracting state, derived from ICAO, wherein air traffic services are provided and also whenever a contracting state accepts the responsibility of providing air traffic services over high seas or in airspace of undetermined sovereignty. A contracting state accepting such responsibility may apply the International Standards and Recommended Practices to civil aircraft in a manner consistent with that adopted for airspace under its domestic jurisdiction.

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

Since this action involves, in part, the designation of navigable airspace outside the United States, the Administrator has

consulted with the Secretary of State and the Secretary of Defense in accordance with the provisions of Executive Order 10854.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, JFK International Airport, N.Y. 11430. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. The proposals contained in this notice may be changed in the light of comments received.

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

This proposal would designate the Fire Island, N.Y., transition area as that airspace extending upward from 8,500 feet MSL bounded on the north by Control 1169, on the southeast by a line 10 nautical miles southeast of and parallel to the southeast boundary of Victor airway No. 139, on the southwest by Control 1147 and on the northwest by V–139.

The proposed transition area is required to provide air traffic control service, primarily radar vectoring, for air traffic departing Kennedy International Airport for overseas destinations.

A proposal to amend Part 99 of the Federal Aviation Regulations to realign the Atlantic Coastal Air Defense Identification Zone (ACADIZ) will be the subject of a separate rule-making action. The proposed realignment of the ACADIZ is required to prevent aircraft being vectored in the proposed transition area from entering the ACADIZ.

In conjunction with the foregoing rule-making proposals, the following ancillary nonrule-making actions are proposed.

1. Warning Area W–105 would be amended to exclude the airspace extending upward from 8,000 feet MSL bounded by a line beginning at lat. 40°40'00'' N., long. 72°30'00'' W.; thence to lat. 40°41'15'' N., long. 72°11'00'' W.; to lat. 40°25'35'' N., long. 72°30'00'' W.; thence to point of beginning.

2. Warning Area W–106 would be amended by excluding that airspace extending upward from 8,000 feet MSL within 10 nautical miles southeast of the southeast boundary of V–139.

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

Issued in Washington, D.C., on October 17, 1968.

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

[F.R. Doc. 68–12952; Filed, Oct. 23, 1968; 8:47 a.m.]

Notices

FEDERAL POWER COMMISSION

[Docket No. RI69-147, etc.]

SUNRAY DX OIL CO. ET AL.

Order Accepting Supplemental Agreement, Providing for Hearings on and Suspension of Proposed Changes in Rates [1]

OCTOBER 11, 1968.

The above-named Respondents have tendered for filing proposed changes in presently effective rate schedules for sales of natural gas subject to the jurisdiction of the Commission. The proposed changes, which constitute increased rates and charges, are designated as follows:

[1] Does not consolidate for hearing or dispose of the several matters herein.

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in dockets Nos.
RI69-147..	Sunray DX Oil Co., Post Office Box 2039, Tulsa, Okla. 74101.	192	[2] 4	Phillips Petroleum Co. (Azalia Field, Midland County, Tex.) (RR. District No. 8) (Permian Basin Area).	----------	9-18-68	[3] 10-19-68	(Accepted)			
		192	5		$650	9-18-68	[3] 10-19-68	3-19-69	[6] [7] 13.5482	[4] [5] 14.5517	RI65-226.[8]
RI69-148..	Signal Oil & Gas Co. (Operator) et al., 1010 Wilshire Blvd., Los Angeles, Calif. 90017.	11	[11] 3	Northern Natural Gas Co. (Hunt-Baggett and Joe T. Fields, Crockett County, Tex.) (RR. District No. 7-C) (Permian Basin Area).	322	9-18-68	[9] 11-1-68	4-1-69	[6] 16.41	[5] [10] 17.0	
	-----do-----	12	[11] 5	El Paso Natural Gas Co. (Todd-San Andres Field, Crockett County, Tex.) (RR. District No. 8) (Permian Basin Area).	176	9-18-68	[3] 10-19-68	3-19-69	[6] [12] 14.33	[5] [10] 16.5	
	-----do-----	13	2	El Paso Natural Gas Co. (Northwest Todd Field, Crockett County, Tex.) (RR. District No. 8) (Permian Basin Area).	469	9-18-68	[3] 10-19-68	3-19-69	[6] [13] 16.21	[5] [10] 17.5	
RI69-149..	Union Oil Co. of California, Union Oil Center, Los Angeles, Calif. 90017.	10	11	El Paso Natural Gas Co. (Dollarhide Field, Andrews County, Tex.) (RR. District No. 8) (Permian Basin Area).	4,889	9-18-68	[3] 10-19-68	3-19-69	[6] [13] 14.50	[5] [10] 18.1215	RI65-69.[14]
	-----do-----	11	10	El Paso Natural Gas Co. (Weltmer-Clearfork Field, Andrews County, Tex.) (RR. District No. 8) (Permian Basin Area).	3,321	9-18-68	[3] 10-19-68	3-19-69	[6] [13] 15.33	[5] [10] 16.6584	RI65-69.[15]
	-----do-----	48	7	Transwestern Pipeline Co. (Crawford Field, Eddy County, N. Mex.).	9,150	9-18-68	[3] 10-19-68	3-19-69	[6] 14.34	[5] [16] 18.0	
	-----do-----	154	7	El Paso Natural Gas Co. (Red Hill Area, Lee County, N. Mex.).	21,330	9-18-68	[3] 10-19-68	3-19-69	[6] [18] [19] 17.69	[5] [17] 18.48	
	-----do-----	71	6	El Paso Natural Gas Co. (Spraberry Field, Midland County, Tex.) (RR. District No. 8).	3,500	9-18-68	[3] 10-19-68	3-19-69	[6] [20] 14.50	[5] [10] 18.00	RI60-285.
	-----do-----	100	13	El Paso Natural Gas Co. (Clara Couch Field, Crockett County, Tex.) (RR. District No. 7-C).	7,560	9-18-68	[3] 10-19-68	3-19-69	[6] [13] [21] 14.11	[5] [10] 16.7228	RI65-17.
	-----do-----	108	14	El Paso Natural Gas Co. (Dollarhide Field, Andrews County, Tex.) (Permian Basin Area).	19,950	9-18-68	[3] 10-19-68	3-19-69	[22] 14.5	[5] [10] 18.1215	
	-----do-----	109	8	El Paso Natural Gas Co. (Cooper Jal Field, Lea County, N. Mex.) (Permian Basin Area).	3,811	9-18-68	[3] 10-19-68	3-19-69	[24] 13.21	[5] [10] [23] 16.8793	
	-----do-----	118	6	West Texas Gathering Co. (Emperor and South Kermit Fields, Winkler County, Tex.) (Permian Basin Area).	82,200	9-18-68	[3] 10-19-68	3-19-69	[25] 14.39	[5] [10] 18.0	RI68-277.
	-----do-----	124	8	Transwestern Pipeline Co. (Worsham Field, Reeves County, Tex.) (Permian Basin Area).	46,670	9-18-68	[3] 10-19-68	3-19-69	[26] 14.41	[5] [10] 18.0	
	-----do-----	128	9	El Paso Natural Gas Co. (Crosby-Devonian Field, Lea County, N. Mex.) (Permian Basin Area).	1,648	9-18-68	[3] 10-19-68	3-19-69	[27] 14.12	[5] [10] 16.8793	
	-----do-----	129	8	El Paso Natural Gas Co. (South Andrews Field, Andrews County, Tex.) (Permian Basin Area).	2,700	9-18-68	[3] 10-19-68	3-19-69	[28] 12.81	[5] [10] 15.2025	RI65-17.
	-----do-----	130	5	El Paso Natural Gas Co. (Levelland Field, Cochran County, Tex.) (Permian Basin Area).	1,500	9-18-68	[3] 10-19-68	3-19-69	[30] 11.13	[5] [10] [29] [30] 16.7228	RI65-17.
	-----do-----	131	6	El Paso Natural Gas Co. (Andrews Field, Andrews County, Tex.) (Permian Basin Area).	200	9-18-68	[3] 10-19-68	3-19-69	12.81	[5] [10] [31] 15.2025	RI65-18.

See footnotes at end of table.

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in dockets Nos.
RI69-150	Union Oil Co. of California (Operator) et al., Union Oil Center, Los Angeles, Calif. 90017.	72	33	El Paso Natural Gas Co. (Spraberry Field, Midland County, Tex.) (RR. District No. 8).	2,625	9-18-68	[3] 10-19-68	3-19-69	[6] [23] 14.50	[5] [10] 18.00	RI61-26.
	do	73	29	do	2,100	9-18-68	[3] 10-19-68	3-19-69	[6] [24] 14.50	[5] [10] 18.00	RI61-27.

[2] Supplemental agreement dated Sept. 1, 1968, provides for the increased rate and extends term of contract.
[3] The stated effective date is the first day after expiration of the statutory notice.
[4] Renegotiated rate increase.
[5] Pressure base is 14.65 p.s.i.a.
[6] Rate established by previously accepted quality statement.
[7] Subject to reduction of 0.4467 cent per Mcf for compression of low pressure gas.
[8] Rate effective subject to refund in Docket No. RI65-226, consolidated in show cause order, Docket Nos. A R61-1 et al.
[9] The stated effective date is the effective date requested by Respondent.
[10] Increase from applicable area ceiling rate to contractually provided rate.
[11] Respondent has concurrently filed an agreement and undertaking to assure refunds.
[12] Rate of 15.5 cents per Mcf filed for and suspended in Docket No. RI60-120 but never put into effect. Consolidated in show cause order, Docket Nos. A R61-1 et al.
[13] Consolidated in show cause order, Docket Nos. A R61-1 et al. (related section 4(e) docket).
[14] Effective rate is 18.1215 cents per Mcf, effective subject to refund in Docket No. RI65-69.
[15] Effective rate is 16.6584 cents per Mcf, effective subject to refund in Docket No. RI65-69.
[16] Contract provides for a rate of 22 cents per Mcf from Sept. 1, 1967, to Sept. 1, 1971, but Respondent fractured the rate by filing for only 18 cents per Mcf.
[17] Increase from initial rate to applicable area ceiling rate. Contract provides for a rate of 16.50 cents per Mcf plus upward B.t.u. adjustment of 1.98 cents for a total contract rate of 18.48 cents per Mcf.
[18] Includes 1.11 cents per Mcf for upward B.t.u. adjustment in accordance with Opinion No. 468.
[19] Initial rate is 16.50 cents per Mcf. Rate increases, effective subject to refund in Docket Nos. RI66-16 and RI66-390, were disallowed ab initio by Commission order issued Aug. 9, 1968, in Docket Nos. A R61-1, et al.
[20] Effective rate is 17.2295 cents per Mcf, effective subject to refund in Docket No. RI60-385.
[21] Effective rate is 16.72275 cents per Mcf, effective subject to refund in Docket No. RI65-17, reduced to applicable ceiling rate by order issued Aug. 9, 1968, implementing Opinion Nos. 468 and 468-A.
[22] Previous effective rate was 18.1215 cents per Mcf, reduced to present effective rate of 14.5 cents per Mcf by order issued Aug. 9, 1968, in Opinion Nos. 468 and 468-A.
[23] Subject to a compression charge of 0.4467 cent per Mcf for low-pressure gas.
[24] Previous effective rate was 16.8793 cents per Mcf, reduced to present effective rate of 13.21 cents per Mcf by order of Aug. 9, 1968, in Opinion Nos. 468 and 468-A.
[25] Previous effective rate was 18 cents per Mcf, effective subject to refund in Docket No. RI68-277, reduced to present rate of 14.39 cents per Mcf by order of Aug. 9, 1968, in Opinion Nos. 468 and 468-A.
[26] Previous effective rate was 17 cents per Mcf, reduced to present effective rate of 14.41 cents per Mcf by order of Aug. 9, 1968, in Opinion Nos. 468 and 468-A.
[27] Previous effective rate was 16.8793 cents per Mcf, reduced to present effective rate of 14.12 cents per Mcf by order of Aug. 9, 1968, in Opinion Nos. 468 and 468-A.
[28] Previous effective rate was 15.2025 cents per Mcf, effective subject to refund in Docket No. RI65-17, reduced to present rate of 12.81 cents per Mcf by order of Aug. 9, 1968, in Opinion Nos. 468 and 468-A.
[29] Includes 0.2228 cent per Mcf tax reimbursement.
[30] Previous effective rate was 16.7228 cents per Mcf, effective subject to refund in Docket No. RI65-17, reduced to present rate of 11.13 cents per Mcf by order of Aug. 9, 1968, in Opinion Nos. 468 and 468-A.
[31] Includes 0.2025 cent per Mcf tax reimbursement.
[32] Previous effective rate was 15.2025 cents per Mcf, effective subject to refund in Docket No. RI65-18, reduced to present rate of 12.81 cents per Mcf by order issued Aug. 9, 1968, in Opinion Nos. 468 and 468-A.
[33] Effective rate is 17.2295 cents per Mcf, effective subject to refund in Docket No. RI61-26.
[34] Effective rate is 17.2295 cents per Mcf, effective subject to refund in Docket No. RI61-27.

Sunray DX Oil Co. (Sunray) requests that its proposed supplemental agreement be permitted to become effective as of September 1, 1968. Signal Oil and Gas Co. (Operator) et al., request an effective date of October 1, 1968, for Supplements Nos. 5 and 2 to their FPC Gas Rate Schedules Nos. 12 and 13, respectively. Union Oil Company of California and Union Oil Company of California (Operator) et al., request an effective date of October 18, 1968 for 10 of their proposed rate increases. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit earlier effective dates for the aforementioned producers' rate filings and such requests are denied.

Concurrently with the filing of its rate increase, Sunray submitted a Supplemental Agreement dated September 1, 1968, designated as Supplement No. 4 to Sunray's FPC Gas Rate Schedule No. 192, which provides the basis for its proposed rate increase. We believe that it would be in the public interest to accept for filing Sunray's proposed supplemental agreement to become effective on October 19, 1968, the date of expiration of the statutory notice, but not the proposed rate contained therein which is suspended as hereinafter ordered.

All of the producers' proposed increased rates and charges exceed the applicable ceiling rates established by the related quality statements previously accepted by the Commission pursuant to Opinion No. 468, as amended, and should be suspended for 5 months as ordered herein.

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

The Commission finds:

(1) Good cause has been shown for accepting for filing Sunray's supplemental agreement dated September 1, 1968, designated as Supplement No. 4 to Sunray's FPC Gas Rate Schedule No. 192, and for permitting such supplement to become effective on October 19, 1968, the expiration date of the statutory notice.

(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 Commission enter upon hearings concerning the lawfulness of the proposed changes, and that the above-designated supplements be suspended and the use thereof deferred as hereinafter ordered (except for the supplement referred to in paragraph (1) above).

The Commission orders:

(A) Supplement No. 4 to Sunray's FPC Gas Rate Schedule No. 192 is accepted for filing and permitted to become effective on October 19, 1968, the expiration date of the statutory notice.

(B) 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 Ch. I), public hearings shall be held upon dates to be fixed by notices from the Secretary concerning the lawfulness of the proposed increased rates and charges contained in the above-designated supplements (except for the supplement set forth in paragraph (A) above).

(C) Pending hearings and decisions thereon, the above-designated rate supplements are hereby suspended and the use thereof deferred until the date indicated in the "Date Suspended Until" column, and thereafter until such further time as they are made effective in the manner prescribed by the Natural Gas Act.

(D) Neither the supplements hereby suspended, nor the rate schedules sought to be altered thereby, shall be changed until these proceedings have been disposed of or until the periods of suspension have expired, unless otherwise ordered by the Commission.

(E) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before December 4, 1968.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Acting Secretary.

[F.R. Doc. 68-12864; Filed, Oct. 23, 1968; 8:45 a.m.]

[Docket No. CP69-101]

ARKANSAS LOUISIANA GAS CO.

Notice of Application

OCTOBER 17, 1968.

Take notice that on October 9, 1968, Arkansas Louisiana Gas Co. (Applicant), Post Office Box 1734, Shreveport, La. 71102, filed in Docket No. CP69-101 a "budget-type" application pursuant to section 7(c) of the Natural Gas Act as

implemented by § 157.7(b) of the regulations under the Act, for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant seeks authorization to construct and operate various facilities necessary for the connection of additional supplies of gas in new and existing fields, in order to enable Applicant to maintain present deliverability from existing reserves or to receive new reserves.

Total estimated cost of Applicant's proposed construction is $4,651,700, with no single project expenditure to exceed $500,000. Financing will come from cash on hand and from cash generated from normal operations and internal sources.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before November 12, 1968.

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

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

GORDON M. GRANT,
Secretary.

[F.R. Doc. 68-12925; Filed, Oct. 23, 1968; 8:45 a.m.]

CALIFORNIA

Order Vacating Partially and in Whole Lands Withdrawn in Project Nos. 396 and 1625

OCTOBER 16, 1968.

Application [1] has been filed by the U.S. Forest Service (Applicant) for vacation of the power withdrawal pertaining to the following described lands of the United States within the boundaries of the Eldorado National Forest:

MOUNT DIABLO MERIDIAN, CALIFORNIA

T. 11 N., R. 17 E.,
Sec. 16, SW¼NW¼;
Sec. 17, E½SW¼NE¼, SE¼NE¼
(approximately 100 acres).

The purpose of the application is to enable Applicant to develop additional permanent public recreational facilities in the area.

The lands lie along the left bank of the South Fork American River, State of California.

The lands were withdrawn pursuant to the filing on March 8, 1923, of an application for license for minor Project No. 396. Following discontinuance of the project, surrender of the license therefor was accepted by Commission order issued effective as of July 5, 1960. One tract of the subject lands along with other lands was withdrawn pursuant to the filing on September 28, 1939, of an application for license for minor Project No. 1625. The withdrawal for the latter project reserved all lands within 10 feet of the center line of the project works which consisted, among other facilities, of a diversion dam located immediately downstream from the tailrace of the powerhouse of Project No. 396. The tailrace of Project No. 396 and the dam of Project No. 1625 are located on the tract mentioned above. The second license for Project No. 1625 expired on August 16, 1960, and the project is now operating under a Special Use Permit granted by Applicant and dated November 6, 1964.

The only known plan of development ever suggested for a major power project in the area of interest contemplated a dam to be located approximately 10 miles downstream from the subject lands, the reservoir of which would possibly affect a short section of the transmission line formerly under the license for Project No. 1625. In this latter connection, Applicant's Special Use Permit for former Project No. 1625 would adequately protect the power value of the land occupied by the section of transmission line and the project dam.

The water supply of the South Fork American River is limited and is already being supplemented by a diversion pipeline from Echo Lake, a tributary to the Truckee River Basin. To support a feasible power development, the South Fork would require additional supplemental water from adjoining river basins. Moreover, the subject lands lie in a canyon heavily developed by summer homes and recreational facilities, and there is a need for more of the latter. Many of the surrounding slopes have ski resorts and other winter sport lodges—all of which including the summer homes, have an adequate supply of electric energy from existing sources. In these circumstances, development of hydroelectric power in the upper reaches of South Fork appears unlikely or, at best, remote.

The Commission finds: The withdrawals for Project Nos. 396 and 1625, to the extent that they pertain to the subject lands, serve no useful purpose and should be vacated.

The Commission orders: The withdrawals of the subject lands pursuant to the applications for Project Nos. 396 and 1625 are hereby vacated to the extent that they pertain to the subject lands.

By the Commission.

[SEAL] GORDON M. GRANT,
Secretary.

[F.R. Doc. 68-12933; Filed, Oct. 23, 1968; 8:45 a.m.]

[1] Inadvertently docketed as DA-1041-California.

[Docket No. CP69-99]

GREAT LAKES GAS TRANSMISSION CO.

Notice of Application

OCTOBER 15, 1968.

Take notice that on October 9, 1968, Great Lakes Gas Transmission Co. (Applicant), 1 Woodward Avenue, Detroit, Mich. 48226, filed in Docket No. CP69-99 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant seeks authorization for the construction and operation of two gas measuring stations located near Gaylord and Boyne Falls, Mich., respectively, to provide alternate feeds into the transmission and distribution systems of Michigan Consolidated Gas Co. (Michigan Consolidated), an existing customer. Applicant also proposes to construct and operate an emergency connection located at Crystal Falls, Mich., to provide an alternative source of supply to Michigan Consolidated.

Applicant states that the proposed connections near Gaylord and Boyne Falls will eliminate the need for construction of extensive looping and compressor facilities thereby resulting in substantial cost reduction. Applicant further states that the proposed emergency connection at Crystal Falls is required to assure a continuity of gas supply to communities served by Michigan Consolidated, and will eliminate the need for expensive reinforcement of Michigan Consolidated's transmission system.

Total estimated cost of Applicant's proposed construction is $125,400, and will be financed by funds on hand.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before November 12, 1968.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the

Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

GORDON M. GRANT,
Secretary.

[F.R. Doc. 68-12926; Filed, Oct. 23, 1968; 8:45 a.m.]

[Docket No. E-7450]

MONTANA-DAKOTA UTILITIES CO.

Notice of Application

OCTOBER 17, 1968.

Take notice that on October 11, 1968, Montana-Dakota Utilities Co. (Applicant), filed an application seeking an order pursuant to section 204 of the Federal Power Act authorizing the issuance of $10 million principal amount of first mortgage bonds.

Applicant is incorporated under the laws of the State of Delaware with its principal business office at Minneapolis, Minn., and is engaged in the gas and electric utility business in the States of Montana, North Dakota, South Dakota, and Wyoming.

Applicant proposes to sell the new bonds at competitive bidding in accordance with the Commission's regulations under the Federal Power Act. The Applicant proposes to invite bids on or about November 4, 1968, for the purchase of the new bonds.

The proceeds from the sale of the new bonds will be used to pay Applicant's short term notes in the amount of $10 million which were issued pursuant to Commission's order issued August 23, 1968, in Docket No. E-7429.

Any person desiring to be heard or to make any protest with reference to said application should, on or before October 30, 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 and available for public inspection.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 68-12927; Filed, Oct. 23, 1968; 8:45 a.m.]

[Docket No. CP69-98]

NATURAL GAS PIPELINE COMPANY OF AMERICA

Notice of Application

OCTOBER 17, 1968.

Take notice that on October 9, 1968, Natural Gas Pipeline Company of America (Applicant), 122 South Michigan Avenue, Chicago, Ill. 60603, filed in docket No. CP69-98 an application pursuant to section 7(c) of the Natural Gas Act as implemented by § 157.7(b) of the regulations under the Act, for a certificate of public convenience and necessity authorizing the construction, during the calendar year 1969, and the operation of certain natural gas facilities to enable Applicant to take into its pipeline system natural gas which will be purchased from producers in the general area of Applicant's existing pipeline system, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The purpose of this "budget-type" application is to augment Applicant's ability to act with reasonable dispatch in contracting for and connecting to its pipeline system, supplies of natural gas in various producing areas generally coextensive with said system.

The total cost of the facilities proposed herein is not to exceed $3 million, with no single onshore project costing in excess of $500,000. Applicant requests the waiver of the single project cost limitation contained in § 2.58(a)(2) of the Commission's rules of practice and procedure, and seeks authorization to construct offshore purchase facilities in which the total cost of any single project will not exceed $750,000.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before November 12, 1968.

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

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

GORDON M. GRANT,
Secretary.

[F.R. Doc. 68-12928; Filed, Oct. 23, 1968; 8:45 a.m.]

[Docket No. CP69-95]

NORTHERN NATURAL GAS CO.

Notice of Application

OCTOBER 15, 1968.

Take notice that on October 8, 1968, Northern Natural Gas Co. (Applicant), 2223 Dodge Street, Omaha, Nebr. 68102, filed in Docket No. CP69-95 an application pursuant to section 7(b) of the Natural Gas Act for permission and approval to abandon certain natural gas facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant seeks permission and approval to abandon the following facilities:

(A) Prior Lake TBS No. 1B: consisting of one Rockwell 3,000 Meter and appurtenances located in sec. 20, T. 115 N., R. 21 W., Scott County, Minn.;

(B) Nine measuring stations at various locations in Texas and Kansas serving irrigation and oil-pumping customers.

Applicant proposes to abandon and remove the subject sales measuring facilities at an estimated cost of $600 since the various customers have requested that service through such facilities be discontinued and there is no further need for the facilities.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before November 12, 1968.

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

Under the procedure herein provided for, unless otherwise advised, it will be

unnecessary for Applicant to appear or be represented at the hearing.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 68-12929; Filed, Oct. 23, 1968; 8:45 a.m.]

[Docket No. CP69-100]

PENNSYLVANIA GAS AND WATER CO. AND TRANSCONTINENTAL GAS PIPE LINE CORP.

Notice of Application

OCTOBER 17, 1968.

Take notice that on October 9, 1968, Pennsylvania Gas and Water Co. (Applicant), 30 North Franklin Street, Wilkes-Barre, Pa. 18701, filed in Docket No. CP69-100 an application pursuant to section 5(a) and 7(a) of the Natural Gas Act for an order of the Commission directing Transcontinental Gas Pipe Line Corp. (Respondent) to sell and deliver 23,845 Mcf of natural gas per day to Applicant for resale and distribution in Applicant's Susquehanna Division, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that its facilities are directly connected to those of Respondent at the Old Lycoming and Pennsdale-Muncy delivery points located near Williamsport, Pa. Respondent presently delivers to Applicant 23,845 Mcf of natural gas per day at these delivery points, but the sale of the natural gas by Respondent is to The Manufacturers Light and Heat Co. (Manufacturers) who then resells to Applicant.

Applicant contends that this arrangement is unlawful and contrary to the standards of section 4(b) and 5(a) of the Natural Gas Act in that Manufacturers is an unnecessary middleman collecting an override that imposes upon Applicant and its customers an undue and unjust cost burden and creates operational problems that are not in the public interest.

No construction is proposed by this application and there would be no change in the quantity of natural gas delivered by Respondent to Applicant.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before November 13, 1968.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 68-12930; Filed, Oct. 23, 1968; 8:45 a.m.]

[Docket No. CP69-97]

SOUTHERN NATURAL GAS CO.

Notice of Application

OCTOBER 16, 1968.

Take notice that on October 8, 1968, Southern Natural Gas Co. (Applicant), Post Office Box 2563, Birmingham, Ala. 35202, filed in Docket No. CP69-97 a "budget-type" application pursuant to section 7(c) of the Natural Gas Act, as implemented by § 157.7(c) of the regulations under the Act, for a certificate of public convenience and necessity authorizing the construction, during the 12-month period commencing December 30, 1968, and the operation of certain natural gas facilities to enable Applicant to make sales of gas to existing distributors, to make direct sales of natural gas to consumers located outside franchise areas and to make miscellaneous rearrangements of existing facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The purpose of the certificate requested is to augment Applicant's ability to supply, with the least possible delay, the natural gas requirements of its distributors in existing market areas and of small direct sale customers located in areas outside the franchise areas of natural gas distributors.

The total cost of the natural gas facilities proposed herein is not to exceed $300,000, with no single project costing more than $50,000. Applicant states that these amounts will be financed from funds on hand or funds generated from operations.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before November 12, 1968.

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

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

GORDON M. GRANT,
Secretary.

[F.R. Doc. 68-12931; Filed, Oct. 23, 1968; 8:45 a.m.]

[Docket No. CP69-96]

TRANSCONTINENTAL GAS PIPE LINE CORP.

Notice of Application

OCTOBER 17, 1968.

Take notice that on October 8, 1968, Transcontinental Gas Pipe Line Corp. (Applicant), Box 1396, Houston, Tex. 77001, filed in Docket No. CP69-96 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale and storage of additional volumes of natural gas to and for existing customers, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant proposes to provide, beginning November 1, 1968, a total of 3,643 Mcf per day in additional pipeline service to eight small distributors and 1,450 Mcf per day in additional liquefied gas storage service to three distributors. Applicant states that each distributor is entirely dependent upon Applicant for its supply of natural gas and that no additional facilities are required to render the proposed service.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before November 12, 1968.

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

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

GORDON M. GRANT,
Secretary.

[F.R. Doc. 68-12932; Filed, Oct. 23, 1968; 8:45 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 1230]

MOTOR CARRIER, BROKER, WATER CARRIER AND FREIGHT FORWARDER APPLICATIONS

OCTOBER 18, 1968.

The following applications are governed by special rule 1.247[1] of the Commission's general rules of practice (49

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

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

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

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

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

No. MC 263 (Sub-No. 188), filed October 4, 1968. Applicant: GARRETT FREIGHTLINES, INC., 2055 Garrett Way, Pocatello, Idaho 83201. Applicant's representative: Maurice H. Greene, 334 First Security Bank Building, Boise, Idaho 83702. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Dore bullion* (impure silver bullion), (1) Over regular routes: From Tacoma, Wash., to Selby, Calif.; from Tacoma, Wash., over Interstate Highway 5 to Seattle, Wash.; thence over U.S. Highway 10 to Ellensburg, Wash.; thence over U.S. Highway 97 to Yakima, Wash.; thence over U.S. Highway 12 to Pasco, Wash.; thence over U.S. Highway 395 to Burns, Oreg.; thence over Oregon Highway 78 to its junction with U.S. Highway 95 at Burns Junction, Oreg.; thence over U.S. Highway 95 to McDermitt, Nev.; thence over Interstate Highway 80 (U.S. Highway 40) to Selby, Calif., and (2) Over irregular routes: From Tacoma, Wash., to Denver, Colo., and St. Paul-Minneapolis, Minn. (restricted to interline traffic only). NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 531 (Sub-No. 244), filed October 3, 1968. Applicant: YOUNGER BROTHERS, INC., 4904 Griggs Road, Post Office Box 14048, Houston, Tex. 77021. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Alcohol, grain neutral spirits, and alcoholic liquors*, in bulk, in tank vehicles, from Peoria, Ill.; ports of entry on the international boundary line between the United States and Canada located at Detroit and Port Huron, Mich., and points in New York, New Jersey, Pennsylvania, and Maryland, to Burlingame, Calif. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 1641 (Sub-No. 85), filed September 27, 1968. Applicant: PEAKE TRANSPORT SERVICE, INC., Box 366, Chester, Nebr. 68327. Applicant's representative: R. B. Parker (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, (1) from terminal located on the Ammonia Pipeline of Mid-America Pipeline Co. located at or near Conway, Kans., to points in Colorado, Kansas, Missouri, and Nebraska, restricted to the transportation of shipments which originate at the facilities of the Mid-America Pipeline Co. located at or near Conway, Kans., and destined to points in the named destination States; (2) from terminals located on the Ammonia Pipeline of Mid-America Pipeline Co. located at or near Whiting, Early, and Garner, Iowa, to points in Illinois, Iowa, Minnesota, Nebraska, North Dakota, South Dakota, and Wisconsin, restricted to the transportation of shipments which originate at the facilities of the Mid-America Pipeline Co. located at or near Whiting, Early, and Garner, Iowa, and destined to points in the named destination States; (3) from the plantsite of Hill Chemicals, Inc., located at or near Borger, Tex., to points in Colorado, Kansas, Oklahoma, and Texas, restricted to the transportation of shipments which originate at the facilities of Hill Chemicals, Inc., plant located at or near Borger, Tex., and destined to points in the named destination States; and (4) from terminal located on the Ammonia Pipeline of Mid-America Pipeline Co. located at or near Greenwood, Nebr., to points in Colorado, Iowa, Kansas, Missouri, Nebraska, South Dakota, and Wyoming, restricted to the transportation of shipments which originate at the facilities of the Mid-America Pipeline Co. located at or near Greenwood, Nebr., and destined to points in the named destination States. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 2392 (Sub-No. 69), filed October 3, 1968. Applicant: WHEELER TRANSPORT SERVICE, INC., Post Office Box 14248, West Omaha Station, Omaha, Nebr. 68114. Applicant's representative: Keith D. Wheeler (same address as applicant) and Leonard A. Jaskiewicz, Madison Building, 1155 15th Street NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, (1) from the terminal located on the Ammonia pipeline of Mid-America Pipeline Co. located at or near Conway, Kans., to points in Colorado, Kansas, Missouri, and Nebraska, restricted to the transportation of shipments which originate at the facilities of the Mid-America Pipeline Co. located at or near Conway, Kans., and destined to points in the named destination States, (2) from the terminals located on the Ammonia pipeline of Mid-America Pipeline Co. located at or near Whiting, Early, and Garner, Iowa, to points in Illinois, Iowa, Minnesota, Nebraska, North Dakota, South Dakota, and Wisconsin, restricted to the transportation of shipments which originate at the facilities of the Mid-America Pipeline Co. located at or near Whiting, Early, and Garner, Iowa, and destined to points in the named destination States; (3) from the terminal located on the Ammonia pipeline of Mid-America Pipeline Co. located at or near Greenwood, Nebr., to points in Colorado, Iowa, Kansas, Missouri, Nebraska, South Dakota, and Wyoming, restricted to the transportation of shipments which originate at the facilities of the Mid-America Pipeline Co. located at or near Greenwood, Nebr., and destined to points in the named destination States; and (4) from the plantsite of Hill Chemicals, Inc., located at or near Borger, Tex., to points in Colorado, Kansas, Oklahoma, and Texas, restricted to the transportation of shipments which originate at the facilities of the Hill Chemicals Inc., plant located at or near Borger, Tex., and destined to points in the named destination States. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 14641 (Sub-No. 7), filed September 26, 1968. Applicant: LUEKING TRANSFER COMPANY, INCORPORATED, 1531 East 14th Street, St. Louis, Mo. 63106. Applicant's representative: Gregory M. Rebman, 314 North Broadway, St. Louis, Mo. 63102. Authority sought to operate as a *contract carrier*,

by motor vehicle, over irregular routes, transporting: *Empty cans and can ends*, between St. Louis, Mo., on the one hand, and, on the other, Roxana and Wood River, Ill., under contract with American Can Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 20729 (Sub-No. 12), filed October 3, 1968. Applicant: FREDDIE AHRENSTORFF, doing business as AHRENSTORFF TRANSFER, Lake Park, Iowa 51247. Applicant's representative: William A. Landau, 1451 East Grand Avenue, Des Moines, Iowa 50306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, in tank vehicles, from the terminals of Mid-America Pipeline Co., located at or near Whiting, Early, and Garner, Iowa, to points in Illinois, Iowa, Minnesota, Nebraska, North Dakota, South Dakota, and Wisconsin, restricted to the transportation of shipments originating at the named terminals and destined to points in the States specified. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 22195 (Sub-No. 135), filed October 4, 1968. Applicant: DAN DUGAN TRANSPORT COMPANY, a corporation, 41st and Grange Avenue, Post Office Box 946, Sioux Falls, S. Dak. 57101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, (1) from Mapco, Inc. (Mid-America Pipeline System), terminal sites located at or near Early, Garner, and Whiting, Iowa, to points in Illinois, Iowa, Minnesota, Nebraska, North Dakota, South Dakota, and Wisconsin; and, (2) from Mapco, Inc. (Mid-America Pipeline System), terminal site located at or near Greenwood, Nebr., to points in Colorado, Iowa, Kansas, Missouri, Nebraska, South Dakota, and Wyoming. Restriction: Restricted to the transportation of shipments which originate at the facilities located at the above origin points and destined to points in the named destination States. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Des Moines, Iowa.

No. MC 31389 (Sub-No. 104), filed October 2, 1968. Applicant: McLEAN TRUCKING COMPANY, a corporation, 617 Waughtown Street, Post Office Box 213, Winston-Salem, N.C. Applicant's representative: James W. Lawson, 1000 16th Street NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Cleveland, Ohio, and Charleston, W. Va., over U.S. Highway 21 and/or Interstate Highway 77, serving Akron and Canton, Ohio, as intermediate or off-route points and serving the junction of U.S. Highways 40 and 21, the junction of U.S. Highway 40 and Interstate Highway 77, and the junction of U.S. Highways 21 and 250, the junction of Interstate Highway 77 and U.S. Highway 250 and the junction of U.S. Highways 22 and 21. Service at the junctions named and at Charleston, W. Va., for purpose of joinder only. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 38198 (Sub-No. 2), filed October 7, 1968. Applicant: SEIDENBERG'S EXPRESS & TRUCKING CORP., 80 Middleton Street, Brooklyn, N.Y. 11206. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Textiles, clothing, and yarn*, between the plant facilities of Aleph Manufacturing Co. at Amityville, N.Y., on the one hand, and, on the other, New York, N.Y. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 47142 (Sub-No. 98), filed October 9, 1968. Applicant: C. I. WHITTEN TRANSFER COMPANY, a corporation, Post Office Box 1833, Huntington, W. Va. 25719. Applicant's representative: William T. Croft, 1815 H Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Class A, B, and C explosives, blasting supplies, nitrocarbonnitrate, and ammonium nitrate*, between points in Ohio and points in Indiana and Illinois. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 52460 (Sub-No. 93), filed October 3, 1968. Applicant: HUGH BREEDING, INC., 1420 West 35th Street, Post Office Box 9515, Tulsa, Okla. 74107. Applicant's representative: James W. Wrape, 2111 Sterick Building, Memphis, Tenn. 38103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Anhydrous ammonia*, in bulk, in tank vehicles, and (2) *fertilizer and fertilizer materials*, liquid or dry, in bags or in bulk, from the plantsite of Sinclair Petrolchemicals, Inc., at or near Fort Madison, Iowa, to points in Arkansas, Illinois, Indiana, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, Tennessee, and Wisconsin. NOTE: Applicant states no duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or St. Louis, Mo.

No. MC 52465 (Sub-No. 32), filed September 30, 1968. Applicant: RICE TRUCK LINES, a corporation, 1627 Third Street Northwest, Great Falls, Mont. 59401. Applicant's representative: Ray F. Koby, 314 Montana Building, Great Falls, Mont. 59401. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, between points in Powder River and Carter Counties, Mont., on the one hand, and, on the other, points in Campbell, Crook, and Weston Counties, Wyo. NOTE: If a hearing is deemed necessary, applicant requests it be held at Great Falls, Mont., or Denver, Colo.

No. MC 56082 (Sub-No. 64), filed October 2, 1968. Applicant: DAVIS & RANDALL, INC., 154 Chautauqua Road, Fredonia, N.Y. 14063. Applicant's representative: Ronald W. Malin, Bank of Jamestown Building, Jamestown, N.Y. 14701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages and advertising materials*, from Columbus, Ohio, to points in West Virginia on and north of U.S. Highway 50; points in Pennsylvania on and west of U.S. Highway 219; points in New York on and west of a line commencing at the New York-Pennsylvania State line and extending along New York Highway 16 to junction New York Highway 78, thence along New York Highway 78 to Lake Ontario. NOTE: Applicant states no duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 59856 (Sub-No. 28), filed October 3, 1968. Applicant: SALT CREEK FREIGHTWAYS, a corporation, 408 Industrial Avenue, Post Office Box 1411, Casper, Wyo. 82601. Applicant's representative: Ward A. White. Post Office Box 568, Cheyenne, Wyo. 82001. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, livestock, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading), between Columbia Geneva Mill located on Wyoming Highway 28 approximately 30 miles south of Lander, Wyo., and Rock Springs, Wyo., from Columbia Geneva Mill over Wyoming Highway 28 to junction with U.S. Highway 187, thence over U.S. Highway 187 to Rock Springs, and return over the same route, as an alternate route for operating convenience only, in connection with presently authorized regular route operations and restricted against service with following authorized regular routes: Authority in its Sub 24, between Utah-Wyoming boundary line and Rawlins, Wyo., over U.S. Highway 30 and Interstate Highway 80, and authority in its Sub 25, between Rawlins, and Lander, Wyo., over U.S. Highway 287 and between Lander, Wyo., and the Columbia Geneva Mill at Atlantic City, Wyo., over U.S. Highway 287 and Wyoming Highway 28. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Cheyenne or Casper, Wyo.

No. MC 61396 (Sub-No. 208), filed October 4, 1968. Applicant: HERMAN BROS. INC., 2501 North 11th Street, Omaha, Nebr. 68103. Applicant's representative: Don L. Stern, 630 City National Bank Building, Omaha, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia* in bulk, in tank vehicles, from the

plantsite of Hill Chemical, Inc., located at or near Borger, Tex., to points in Colorado, Kansas, Oklahoma, and Texas, restricted to the transportation of shipments which originate at the facilities of the Hill Chemical, Inc., plant located at or near Borger, Tex., and destined to points in the named destination States; (2) from the terminal located on the Ammonia pipeline of Mid-America Pipeline Co., located at or near Greenwood, Nebr., to points in Colorado, Iowa, Kansas, Missouri, Nebraska, South Dakota, and Wyoming, restricted to the transportation of shipments which originate at the facilities of the Mid-America Pipeline Co., located at or near Greenwood, Nebr., and destined to points in the named destination States; (3) from the terminal located on the Ammonia pipeline of Mid-America Pipeline Co., located at or near Conway, Kans., to points in Colorado, Kansas, Missouri, and Nebraska; and, (4) from the terminals located on the Ammonia pipeline of Mid-America Pipeline Co., located at or near Whiting, Early, and Garner, Iowa, to points in Illinois, Iowa, Minnesota, Nebraska, North Dakota, South Dakota, and Wisconsin, restricted to the transportation of shipments which originate at the facilities of the Mid-America Pipeline Co., located at or near Whiting, Early, and Garner, Iowa, and destined to points in the named destination States. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Kansas City, Mo.

No. MC 61592 (Sub-No. 124), filed September 23, 1968. Applicant: JENKINS TRUCK LINE, INC., 3708 Elm Street, Bettendorf, Iowa 52722. Applicant's representative: R. Connor Wiggins, Jr., 909, 100 North Main Building, Memphis, Tenn. 38103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Flakeboard laminated flakeboard, hardboard, vinyl film, plywood, and dimensional lumber*, (1) from points in Oregon, Washington, and California, to Wright City and Union, Mo., and (2) from points in Oregon to San Diego, Calif. NOTE: Applicant states it could tack the sought authority with its presently held authority in Sub 55, wherein it conducts operations from Wright City, Mo., to service points in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Ohio, Pennsylvania, and Wisconsin. If a hearing is deemed necessary, applicant requests it be held at St. Louis or Kansas City, Mo.

No. MC 64932 (Sub-No. 459), filed October 4, 1968. Applicant: ROGERS CARTAGE CO., a corporation, 1439 West 103d Street, Chicago, Ill. 60643. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sulphuric acid and phosphatic fertilizer solution*, in bulk, from the plantsite of Freeport Chemical Co., Division of Freeport Sulphur Co., at or near Uncle Sam, St. James Parish, La., to points in Alabama, Arkansas, Florida, Georgia, Illinois, on and south of U.S. Highway 50 including East St. Louis, Kentucky, Louisiana, Mississippi, Missouri, on and south of the Missouri River, Oklahoma, Tennessee, and Texas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 66746 (Sub-No. 12), filed October 7, 1968. Applicant: JOHN L. KERR AND G. O. KERR, JR., a partnership, doing business as SHIPPERS EXPRESS, 1651 Kerr Drive, Post Office Box 8665, Jackson, Miss. 39204. Applicant's representative: Harold D. Miller, Jr., 700 Petroleum Building, Post Office Box 22567, Jackson, Miss. 39205. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between Jackson, Miss., on the one hand, and, on the other, points in Mississippi on and south of Mississippi Highway 4, on and west of Mississippi Highway 55, and on and north of Mississippi Highway 8. NOTE: Applicant states it is authorized to operate between Jackson, Miss., on the one hand, and, on the other, a portion of the territory described above, but it does not seek duplicating authority. Applicant indicates tacking possibilities. If a hearing is deemed necessary, applicant requests it be held at Jackson, Miss.

No. MC 73165 (Sub-No. 255), filed October 9, 1968. Applicant: EAGLE MOTOR LINES, INC., Post Office Box 1348, Birmingham, Ala. 35201. Applicant's representative: Paul M. Daniell, Suite 1600, First Federal Building, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Products used in the agricultural, water treatment, food processing, wholesale grocery and institutional supply industries*, when shipped in mixed loads with salt and salt products (otherwise authorized), from the plantsite of Diamond Crystal Salt Co., Jefferson Island, La., to points in Alabama, Florida, Georgia, Kentucky, North Carolina, South Carolina, and Tennessee. NOTE: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga., or New Orleans, La.

No. MC 82063 (Sub-No. 22), filed October 7, 1968. Applicant: KLIPSCH HAULING CO., a corporation, 119 East Loughborough, St. Louis, Mo. 63111. Applicant's representative: Ernest A. Brooks, 1301 Ambassador Building, St. Louis, Mo. 63101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sulphuric acid*, in bulk, in tank vehicles, from the plantsite of St. Joseph Lead Co., located at or near Herculaneum, Mo., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Mississippi, Missouri, Minnesota, Nebraska, Ohio, Oklahoma, South Dakota, Wisconsin, and Tennessee. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 82944 (Sub-No. 10), filed October 3, 1968. Applicant: FREDERIC A. BETHKE, doing business as BETHKE TRUCK LINES, Gilcrest, Colo. 80623. 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 regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving Windsor, Colo., and a 5-mile radius thereof as an off route point in connection with applicant's otherwise authorized operations between Denver and Ault, Colo., as set forth in applicant's (Sub-No. 7). NOTE: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 87720 (Sub-No. 87), filed October 4, 1968. Applicant: BASS TRANSPORTATION CO., INC., Old Croton Road, Flemington, N.J. 08822. Applicant's representative: Bert Collins, 140 Cedar Street, New York, N.Y. 10006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Paper bags*, from Albion, N.Y., to points in Pennsylvania, Ohio, and Virginia; (2) *kraft wrapping paper and wood pulpboard*, from West Point, Va., to Albion, N.Y.; (3) *paper bags, plain and printed wrapping paper*, from Buffalo, N.Y., to points in the New York, N.Y., commercial zone, New Jersey, and the Philadelphia, Pa. commercial zone; (4) *burlap and paper bags*, from Buffalo, N.Y., to points in Ohio and Michigan; and (5) *returned shipments*, on return, under contract with Bemis Co., Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Buffalo, N.Y.

No. MC 89523 (Sub-No. 14), filed October 9, 1968. Applicant: MID-STATES TRUCKING CO., a corporation, 2517 North Grand, Enid, Okla. Applicant's representative: Donald E. Leonard, Box 2028, 605 South 14th, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, in containers, from Longview, Tex., to Altus, Blackwell, Clinton, Enid, Guymon, Stillwater, and Woodward, Okla., under a continuing contract with (1) Sudik Beverage Distributing Co.; (2) J. K. Boersma Beverage Distributor; and (3) Pan Handle Distributing Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Oklahoma City or Tulsa, Okla.

No. MC 94350 (Sub-No. 198), filed October 1, 1968. Applicant: TRANSIT HOMES, INC., Haywood Road at Transit Drive, Post Office Box 1628, Greenville, S.C. 29602. Applicant's representative: Mitchell King, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers* designed to be drawn by passenger automobiles, in initial movements, from points in Lincoln County, Miss., to points in Florida, Alabama, Georgia,

Tennessee, Kentucky, Louisiana, Arkansas, Texas, Oklahoma, Missouri, Kansas, and Illinois. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Jackson, Miss.

No. MC 95876 (Sub-No. 88), filed October 7, 1968. Applicant: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Avenue North, St. Cloud, Minn. 56301. Applicant's representative: Andrew R. Clark, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fiberglass and plastic products*, from New London, Wis. to points in the United States (except Alaska and Hawaii), and *materials, equipment, and supplies* used in the manufacture of fiberglass and plastic products, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 99213 (Sub-No. 11), filed October 3, 1968. Applicant: VIRGINIA FREIGHT LINES, a corporation, School Street, Kilmarnock, Va. 22482. Applicant's representative: Jno. C. Goddin, 200 West Grace Street, Richmond, Va. 23200. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Empty wooden boxes, furniture frames* (wood), *appliance bases* (wood), *pallets and crates* (wood), and *lumber*, from points in Richmond, Northumberland, and Lancaster Counties, Va., to points in Delaware, Pennsylvania, New Jersey, New York, Ohio, Maryland (except Baltimore), Virginia, West Virginia, and North Carolina. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Richmond, Va.

No. MC 99739 (Sub-No. 3), filed October 1, 1968. Applicant: MERCURY FREIGHT, INC., Taylor, Pa. Applicant's representative: Thomas Jones, Brooks Building, Scranton, Pa. 18503. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except household goods, commodities in bulk, classes A and B explosives, commodities requiring special equipment, and articles of unusual value), between points in Lackawanna, Luzerne, Columbia, Lycoming, Sullivan, Bradford, Tioga, Susquehanna, Wyoming, Wayne, Pike, Monroe, Carbon, and Montour Counties, Pa., on the one hand, and, on the other, Scranton and Wilkes-Barre, Pa., restricted to traffic having a prior or subsequent move by motor carrier. NOTE: If a hearing is deemed necessary, applicant requests it be held at Scranton, Pa.

No. MC 103880 (Sub-No. 403), filed September 23, 1968. Applicant: PRODUCERS TRANSPORT, INC., 215 East Waterloo Road, Akron, Ohio 44306. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, in tank vehicles, *fertilizer and fertilizer materials*, liquid or dry, in bulk, from the plantsite of Sinclair Oil Corp. at or near Fort Madison, Iowa, to points in Arkansas and Tennessee. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 105413 (Sub-No. 35), filed October 7, 1968. Applicant: PETROLEUM TRANSPORT SERVICE, INC., Highway 275, Council Bluffs, Iowa 51501. Applicant's representative: Einar Viren, 904 City National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk in tank vehicles, (a) from the terminals located on the ammonia pipeline of Mid-America Pipeline Co. located at or near Whiting, Early, and Garner, Iowa, to points in Illinois, Iowa, Minnesota, Nebraska, North Dakota, South Dakota, and Wisconsin, restricted to the transportation of shipments which originate at the facilities of the Mid-America Pipeline Co. located at or near Whiting, Early, and Garner, Iowa, and destined to points in the named destination States; (b) from the terminal located on the ammonia pipeline of Mid-America Pipeline Co. located at or near Greenwood, Nebr., to points in Colorado, Iowa, Kansas, Missouri, Nebraska, South Dakota, and Wyoming, restricted to the transportation of shipments which originate at the facilities of the Mid-America Pipeline Co. located at or near Greenwood, Nebr., and destined to points in the named destination States; and (c) from the terminal located on the ammonia pipeline of Mid-America Pipeline Co. located at or near Conway, Kans., to points in Colorado, Kansas, Missouri, and Nebraska, restricted to the transportation of shipments which originate at the facilities of the Mid-America Pipeline Co. located at or near Conway, Kans., and destined to points in the named destination States. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 107460 (Sub-No. 23), filed October 2, 1968. Applicant: WILLIAM Z. GETZ, INC., 2454 Harrisburg Pike, Lancaster, Pa. 17601. Applicant's representative: Christian V. Graf, 407 North Front Street, Harrisburg, Pa. 17101. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Pulpboard, fiberboard, paperboard, and products and byproducts* thereof; and *products produced or distributed by manufacturers and convertors of pulpboard, fiberboard, paperboard and products and byproducts* thereof, from the plantsite and warehouses of Georgia-Pacific Corp. in West Hempfield Township, Lancaster County, Pa., to points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia; and (2) *materials and supplies* (except in bulk) used or useful in the manufacture and distribution of pulpboard, fiberboard, paperboard and products and byproducts thereof, and *products produced or distributed by manufacturers and convertors of pulpboard, fiberboard, paperboard and products and byproducts* thereof, from points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia, to the plantsite and warehouses of Georgia-Pacific Corp. in West Hempfield Township, Lancaster County, Pa., under contract with Georgia-Pacific Corp. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Harrisburg, Pa.

No. MC 108449 (Sub-No. 289), filed October 7, 1968. Applicant: INDIANHEAD TRUCK LINE, INC., 1947 West County Road C, St. Paul, Minn. 55113. Applicant's representatives: Wallace A. Myllenbeck (same address as applicant) and Adolph J. Bieberstein 121 West Doty Street, Madison, Wis. 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, from the terminals located on the ammonia pipeline of Mapco, Inc., located at or near Whiting, Early, and Garner, Iowa, to points in Illinois, Iowa, Minnesota, Nebraska, North Dakota, South Dakota, and Wisconsin, restricted to the transportation of shipments which originate at the facilities of Mapco, Inc., located at or near Whiting, Early, and Garner, Iowa, and destined to points in the named destination States. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 109637 (Sub-No. 348), filed September 30, 1968. Applicant: SOUTHERN TANK LINES, INC., Post Office Box 1047, 4107 Bells Lane, Louisville, Ky. 40201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wine*, in bulk, from Lawrenceburg, Ind., to points in Kentucky. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Louisville, Ky.

No. MC 111323 (Sub-No. 3) (Correction), filed September 23, 1968, published in the FEDERAL REGISTER issue of October 17, 1968, corrected and republished as corrected this issue. Applicant: DALE NICHOLS, doing business as NICHOLS TRUCKING COMPANY, 323 Southwest Fourth Street, Brainerd, Minn. 56401. Applicant's representative: A. R. Fowler, 2288 University Avenue, St. Paul, Minn. 55114. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, (1) from St. Louis, Mo., to Alexandria, Brainerd, Detroit Lakes, and St. Cloud, Minn.; (2) from La Crosse, Wis., to Alexandria, Detroit Lakes, and Hutchinson, Minn.; (3) from

Sheboygan, Wis., to Alexandria, and Detroit Lakes, Grand Rapids, and Hutchinson, Minn.; (4) from Milwaukee, Wis., to Alexandria, Detroit Lakes, Grand Rapids, and Hutchinson, Minn. NOTE: The purpose of this republication is to include (4) above, which was omitted in error in previous issue. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 111397 (Sub-No. 84), filed October 7, 1968. Applicant: DAVIS TRANSPORT, INC., 1345 South Fourth Street, Paducah, Ky. 42001. Applicant's representative: Herbert S. Melton, Jr., Box 1284, Paducah, Ky. 42001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ammonium nitrate fertilizer*, from plantsite of Commercial Solvents Corp., at or near Ordill, Ill., to points in Mississippi. NOTE: If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn., or Washington, D.C.

No. MC 112617 (Sub-No. 253), filed October 4, 1968. Applicant: LIQUID TRANSPORTERS, INC., Post Office Box 5135, Cherokee Station, Louisville, Ky. 40205. Applicant's representative: Leonard A. Jaskiewicz, 600 Madison Building, 1155 15th Street NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, from Catlettsburg, Ky., to points in Arizona. NOTE: If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky., or Columbus, Ohio.

No. MC 112801 (Sub-No. 85) filed October 2, 1968. Applicant: TRANSPORT SERVICE CO., a corporation, Post Office Box 50272, Chicago, Ill. 60650. Applicant's representative: Robert H. Levy, 29 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid adhesives*, in bulk, from Palatine, Ill., to points in Colorado, Illinois, Indiana, Iowa, Michigan, Minnesota, Kentucky, Ohio, Missouri, Pennsylvania, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 133219, filed October 4, 1968. Applicant: PARKS TRANSPORT, INC., Ashland, Nebr. Applicant's representative: J. Max Harding, 605 South 14th Street, Post Office Box 2028, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, (a) from the plantsite of Hill Chemicals, Inc., located at or near Borger, Tex., to points in Colorado, Kansas, Oklahoma, and Texas; (b) from the terminal located on the ammonia pipeline of Mid-America Pipeline Co., located at or near Conway, Kans., to points in Colorado, Kansas, Missouri, and Nebraska; (c) from the terminal located on the ammonia pipeline of Mid-America Pipeline Co. located at or near Greenwood, Nebr., to points in Colorado, Iowa, Kansas, Missouri, Nebraska, South Dakota, and Wyoming; and (d) from the terminals located on the ammonia pipeline of Mid-America Pipeline Co. located at or near Whiting, Early, and Garner, Iowa, to points in Illinois, Iowa, Minnesota, Nebraska, North Dakota, South Dakota, and Wisconsin, restricted to traffic originating at the named origin points and destined to the named destination States. NOTE: Applicant states its President holds contract carrier authority under MC 126311, therefore dual operations and common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 113678 (Sub-No. 329), filed October 3, 1968. Applicant: CURTIS, INC., 770 East 51st Avenue, Denver, Colo. 80216. Applicant's representatives: Duane W. Acklie and Richard Peterson, Post Office Box 806, Lincoln, Nebr. 68501, and Minnie Mandel (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Those commodities normally used by and dealt in by restaurants and restaurant supply houses, and foodstuffs*, between points in Colorado, on the one hand, and, on the other, points in Oklahoma, Texas, Louisiana, Mississippi, and Alabama. NOTE: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 113855 (Sub-No. 186), filed October 2, 1968. Applicant: INTERNATIONAL TRANSPORT, INC., South Highway 52, Rochester, Minn. 55901. Applicant's representative: Alan Foss, 502 First National Bank Building, Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities which by reason of their size or weight require the use of special equipment or special handling;* (2) *factory machinery, materials, supplies, and equipment*, between points in Ballard and Carlisle Counties, Ky., on the one hand, and, on the other, points in California, Oregon, Washington, Utah, Nevada, Colorado, Wyoming, Montana, North Dakota, South Dakota, Minnesota, Kansas, Arizona, Idaho, Nebraska, and Iowa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 113861 (Sub-No. 45) filed October 7, 1968. Applicant: WOOTEN TRANSPORTS, INC., 153 Gaston Avenue, Memphis, Tenn. 38106. Applicant's representative: Dale Woodall, 900 Memphis Bank Building, Memphis, Tenn. 38103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, from the plantsite and storage or pipeline facilities of Lion Oil Co. and Humble Oil & Refining Co. at Nashville, Tenn., to points in Kentucky. NOTE: If a hearing is deemed necessary, applicant requests it be held at Memphis or Nashville, Tenn.

No. MC 114897 (Sub-No. 80), filed September 30, 1968. Applicant: WHITFIELD TANK LINES, INC., 300–316 North Clark Road, Post Office Drawer 9897, El Paso, Tex. 79989. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, in tank vehicles, from the plantsite of Hill Chemicals, Inc., located at or near Borger, Tex., to points in Colorado, Kansas, Oklahoma, and Texas, restricted to the transportation of shipments which originate at the facilities of the Hill Chemicals, Inc., plantsite located at or near Borger, Tex., and destined to points in the named destination States. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 115311 (Sub-No. 92), filed October 3, 1968. Applicant: J & M TRANSPORTATION CO., INC., Post Office Box 488, Milledgeville, Ga. 31061. Applicant's representative: Paul M. Daniell, Suite 1600, First Federal Building, Atlanta, Ga. 31061. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Products used in the agricultural, water treatment, food processing, wholesale grocery, and institutional supply industries*, when shipped in mixed loads with salt and salt products (otherwise authorized), from the plantsite of Diamond Crystal Salt Co., Jefferson Island, La., to points in Mississippi, Alabama, Florida, and Georgia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga., or New Orleans, La.

No. MC 115491 (Sub-No. 112), filed October 3, 1968. Applicant: COMMERCIAL CARRIER CORPORATION, 502 East Bridgers Avenue, Post Office Box 67, Auburndale, Fla. 33823. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, (1) from Tampa, Fla., to points in Alabama (except points in Barbour, Bullock, Butler, Coffee, Conecuh, Covington, Crenshaw, Dale, Escambia, Geneva, Henry, Houston, Lee, Lowndes, Macon, Monroe, Montgomery, Pike, and Russell Counties, Ala.), and points in Georgia north of the northern boundaries of Muscogee, Chattahoochee, Marion, Schley, Sumter, Crisp, Wilcox, Telfair, Wheeler, Montgomery, Toombs, Tattnall, Evans, Bryan, and Chatham Counties, Ga.; (2) from points in Escambia County, Fla., to points in Alabama and points in Georgia and Mississippi on and south of U.S. Highway 80; and (3) from Jacksonville, Fla., to points in Georgia. NOTE: No duplicating authority is being sought. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Tampa, Fla., or Atlanta, Ga.

No. MC 115841 (Sub-No. 336) (Amendment), filed August 19, 1968, published in the FEDERAL REGISTER issue of September 6, 1968, amended and republished as amended this issue. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., 1215 West Bankhead Highway, Post Office Box 2169, Birmingham, Ala. 35201. Applicant's representative: C. E. Wesley (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Foods and foodstuffs* (except in bulk and/or tank vehicles),

and advertising, promotional, and display materials when moving therewith, from points in Sunflower County, Miss., to points in the United States on and east of a line beginning at the mouth of the Mississippi River, and extending along the Mississippi River to its junction with the western boundary of Itasca County, Minn., thence northward along the western boundaries of Itasca and Koochiching Counties, Minn., to the international boundary line between the United States and Canada, and points in Louisiana, Texas, Oklahoma, Arkansas, Kansas, Missouri, Iowa, Nebraska, New Mexico, Arizona, Oregon, California, and Washington; and, (2) *materials, equipment, and supplies utilized by food processing plants,* on return. NOTE: The purpose of this republication is to add (2) above. If a hearing is deemed necessary, applicant requests it be held at Jackson or Greenville, Miss., or Birmingham, Ala.

No. MC 116014 (Sub-No. 44), filed September 23, 1968. Applicant: OLIVER TRUCKING COMPANY, INC., Post Office Box 53, Winchester, Ky. 40391. Applicant's representative: Louis J. Amato, Post Office Box E, Bowling Green, Ky. 42101. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: (1) *Curing compound,* from Elgin, Ill., to points in Kentucky; (2) *contraction and expansion dowel assemblies and fabricated steel stakes,* from Bradley, Ill., and Albany, Ind., to points in Kentucky; and (3) *reinforcing steel,* from Kankakee, Ill., to points in Kentucky. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Louisville, Ky.

No. MC 116254 (Sub-No. 85), filed September 25, 1968. Applicant: CHEM-HAULERS, INC., Post Office Drawer M, Sheffield, Ala. 35660. Applicant's representative: Walter Harwood, 515 Nashville Bank & Trust Building, Nashville, Tenn. 37201. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Dry chemicals,* from El Dorado, Ark., to points in Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, Oklahoma, South Carolina, Tennessee, and Texas. NOTE: Applicant states it proposes to tack the authority sought herein, if and when required, at Sheffield, Ala., with its presently held authority in MC 116254 Sub 5, to provide service to points in Illinois, Indiana, North Carolina, and Virginia. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., St. Louis, Mo., Memphis, Tenn., or Birmingham, Ala.

No. MC 116935 (Sub-No. 6), filed October 4, 1968. Applicant: COMMERCIAL FURNITURE DISTRIBUTORS, INC., 1000 Belleville Turnpike, Kearny, N.J. 07032. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *New Furniture* in containers, from Kearny, N.J., to points in New York, N.Y.; points in Nassau, Suffolk, Orange, Westchester, and Rockland Counties, N.Y.; and Fairfield County, Conn. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 117765 (Sub-No. 69), filed October 7, 1968. Applicant: HAHN TRUCK LINE, INC., 5315 Northwest Fifth Street, Post Office Box 75267, Oklahoma City, Okla. 73107. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Charcoal briquets,* in bags or containers, from Lehigh (Dickinson), N. Dak., to points in Arkansas, Kansas, Missouri, Nebraska, Oklahoma, and Texas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo., Billings, Mont., or Omaha, Nebr.

No. MC 117765 (Sub-No. 70), filed October 7, 1968. Applicant: HAHN TRUCK LINE, INC., 5315 Northwest Fifth Street, Post Office Box 75267, Oklahoma City, Okla. 73107. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Malt beverages,* in containers, and *related advertising matter* when shipped with malt beverages, (1) from Fort Worth, Tex., to Clinton, Enid, Lawton, Ponca City, and Woodward, Okla.; (2) from Kansas City, Mo., to Clinton, Ponca City, and Woodward, Okla.; (3) from Longview, Tex., to Ardmore, Clinton, Lawton, Oklahoma City, and Shawnee, Okla.; and (4) from Milwaukee, Wis., and Peoria, Ill., to Clinton, Enid, Ponca City, and Woodward, Okla. NOTE: If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla.

No. MC 118304 (Sub-No. 2), filed October 7, 1968. Applicant: DARRELL CALDWELL LUMBER TRANS., LTD., Route 2, Florenceville, New Brunswick, Canada. Applicant's representative: Francis E. Barrett, Jr., Investors Building, 536 Granite Street, Braintree, Mass. 02184. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Lumber,* from ports of entry on the international boundary of the United States and Canada at or near Bridgewater and Houlton, Maine, to points in Vermont and Pennsylvania. NOTE: If a hearing is deemed necessary, applicant requests it be held at Boston, Mass., or Portland, Maine.

No. MC 118416 (Sub-No. 3), filed October 3, 1968. Applicant: GREEN MOTOR LINES, INCORPORATED, 1420 Commerce Road, Richmond, Va. Applicant's representative: Jno. C. Goddin, 200 West Grace, Richmond, Va. 23220. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Brick, clay and clay products, shale and shale products and related commodities,* between Alexandria and Richmond, Va., on the one hand, and, on the other, points in Maryland and the District of Columbia. NOTE: Applicant holds contract carrier authority under Docket No. MC 109654 and subs, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Richmond, Va.

No. MC 118816 (Sub-No. 4), filed October 4, 1968. Applicant: MATERIALS TRANSPORT SERVICE, INC., Post Office Box 98, Whitehall, Pa. 18052. Applicant's representative: Beverley S. Simms, 1700 Pennsylvania Avenue NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Cement,* in bulk, from the plantsite of Dragon Cement Co., Division of Martin Marietta Corp., at or near Elizabeth, N.J., to points in Connecticut and New Jersey, and those in that part of New York south of a line beginning at the Massachusetts-New York State line and extending westward along New York Highway 23 to Stamford, N.Y., thence continuing southwestward along New York Highway 10 to Deposit, N.Y., thence southeastward along New York Highway 17 to Hale Eddy, N.Y., and thence in a directly southerly direction to the Pennsylvania-New York State line, including points on the indicated portions of the highways specified. NOTE: Applicant states it intends to tack the sought authority to presently held or pending authority at Elizabeth, N.J., to permit service from points in Pennsylvania to points in Connecticut and New York. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Philadelphia, Pa.

No. MC 119400 (Sub-No. 6), filed October 4, 1968. Applicant: SIMANEK, INC., Wahoo, Nebr. Applicant's representative: J. Max Harding, 605 South 14th Street, Post Office Box 2028, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia,* (1) from the plantsite of Hill Chemicals, Inc., located at or near Borger, Tex., to points in Colorado, Kansas, Oklahoma, and Texas; (2) from the terminal located on the ammonia pipeline of Mid-America Pipeline Co. located at or near Conway, Kans., to points in Colorado, Kansas, Missouri, and Nebraska; (3) from the terminal located on the ammonia pipeline of Mid-America Pipeline Co. located at or near Greenwood, Nebr., to points in Colorado, Iowa, Kansas, Missouri, Nebraska, South Dakota, and Wyoming; and (4) from the terminals located on the ammonia pipeline of Mid-America Pipeline Co. located at or near Whiting, Early and Garner, Iowa, to points in Illinois, Iowa, Minnesota, Nebraska, North Dakota, South Dakota, and Wisconsin, restricted to traffic originating at the named origin points and destined to the named destination States. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 119531 (Sub-No. 96), filed October 4, 1968. Applicant: DIECK-BRADER EXPRESS, INC., 5391 Wooster Road, Cincinnati, Ohio 45226. Applicant's representative: Charles W. Singer, 33 N. Dearborn Street, Suite 1625, Chicago, Ill. 60602. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting:

Paper products, from Mount Vernon, Ohio, to points in Illinois, Indiana (on and north of U.S. Highway 40), Michigan, and Pennsylvania. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 119726 (Sub-No. 15), filed October 4, 1968. Applicant: N. A. B. TRUCKING CO., INC., 1007 East 27th Street, Indianapolis, Ind. 46205. Applicant's representative: James L. Beattey, 130 East Washington Street, No. 1021, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods*, from Plymouth, Ind., to points in Oklahoma and Texas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Fort Wayne, or South Bend, Ind.

No. MC 119777 (Sub-No. 118), filed October 7, 1968. Applicant: LIGON SPECIALIZED HAULER, INC., Post Office Drawer "L", Madisonville, Ky. 42431. Applicant's representative: Louis J. Amato, Post Office Box E, Bowling Green, Ky. 42101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pipe, tubing, iron or steel plates, iron or steel sheets*, between Bellwood, Ill., on the one hand, and, on the other, points in Alabama, Arkansas, Florida, Georgia, Indiana, Iowa, Kansas, Kentucky, Louisville, Michigan, Mississippi, Missouri, Nebraska, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, Wisconsin, and West Virginia. NOTE: Applicant holds contract carrier authority under MC 129670, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 123048 (Sub-No. 144), filed October 7, 1968. Applicant: DIAMOND TRANSPORTATION SYSTEM, INC., 1919 Hamilton Avenue, Racine, Wis. 53401. Applicant's representative: Paul Gartzke, 121 West Doty Street, Madison, Wis. 53703, and C. Ernest Carter, Post Office Box A, Racine, Wis. 53401. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tractors* (except truck tractors) and *attachments, parts, and accessories*, from plant and warehouse sites of the Ford Motor Co., Tractor Operations, at Highland Park, Mich., and Romeo, Mich., to ports of the entry on the international boundary line between the United States and Canada at Detroit, Mich. NOTE: If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich., or Chicago, Ill.

No. MC 123407 (Sub-No. 41), filed October 9, 1968. Applicant: SAWYER TRANSPORT, INC., 2424 Minnehaha Avenue, Minneapolis, Minn. 55404. Applicant's representative: Gene P. Johnson, 502 First National Bank Building, Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Composition board and materials and accessories* used in the installation thereof, from Marrero, La., to points in Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., Tampa, Fla., or New Orleans, La.

No. MC 124951 (Sub-No. 29), filed October 7, 1968. Applicant: WATHEN TRANSPORT, INC., Post Office Box 237, Henderson, Ky. 42420. Applicant's representative: Louis J. Amato, Post Office Box E, Bowling Green, Ky. 42101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer, fertilizer material, and ingredients; urea, and urea products;* dry in bulk or in packages, (1) from Sikeston, Mo., to points in Illinois, Arkansas, Indiana, Kentucky, and Tennessee; and (2) from Cargo Carriers, Inc., terminal at or near Peoria, Ill., to points in Missouri, Iowa, Wisconsin, Indiana, Illinois, and Michigan. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 126276 (Sub-No. 14), filed September 27, 1968. Applicant: FAST MOTOR SERVICE, INC., 12855 Ponderosa Drive, Palos Heights, Ill. Applicant's representative: Robert H. Levy, 29 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Metal containers; container components and ends; and steel, tin, and aluminum tops and closures*, from the plantsite and/or facilities of Crown Cork & Seal Co., Inc., at or near Fairbault, Minn., to points in Wisconsin, Illinois, Indiana, Missouri, and Ohio, under contract with Crown Cork & Seal Co., Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 127154 (Sub-No. 6), filed October 3, 1968. Applicant: BOCK TRANSPORT COMPANY, INC., 413 West Third Street, Garner, Iowa 50438. Applicant's representative: William A. Landau, 1451 East Grand Avenue, Des Moines, Iowa 50306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, in tank vehicles, (1) from the terminals located on the ammonia pipeline of Mid-America Pipeline Co. located at or near Whiting, Early, and Garner, Iowa, to points in Illinois, Iowa, Minnesota, Nebraska, North Dakota, South Dakota, and Wisconsin; and (2) from the terminal located on the ammonia pipeline of Mid-America Pipeline Co., at or near Greenwood, Nebr., to points in Colorado, Iowa, Kansas, Missouri, Nebraska, South Dakota, and Wyoming, restricted to the transportation of shipments which originate at the facilities of the Mid-America Pipeline Co. located at the terminals specified in (1) and (2) above, and destined to points in the named destination States. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 127460 (Sub-No. 3), filed October 9, 1968. Applicant: ZIPPY DISTRIBUTING, INC., Lakefield, Minn. 56150. Applicant's representative: Grant J. Merritt, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glassware, expanded polystyrene, solid plastic foamed materials, and earthenware*, (1) from points in Massachusetts, and Macomb, Ill., to points in Washington, Idaho, Oregon, Utah, California, Nevada, and Arizona; and (2) from Lancaster and Columbus, Ohio, to Macomb, Ill. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Minneapolis, Minn.

No. MC 127689 (Sub-No. 24), filed September 30, 1968. Applicant: PASCAGOULA DRAYAGE COMPANY, INC., 705 East Pine Street, Post Office Box 1326, Hattiesburg, Miss. 39401. Applicant's representatives: W. N. Innis (same address as applicant), and Douglas C. Wynn, Post Office Box 1295, 364–365 May Building, Greenville, Miss. 38701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Canned and/or frozen foods, and advertising promotional or display material traveling therewith*, from points in Sunflower County, Miss., to points in Mississippi, Louisiana, Arkansas, Texas, Oklahoma, Kansas, Missouri, Illinois, Indiana, Kentucky, Tennessee, North Carolina, South Carolina, Georgia, Florida, Alabama, Ohio, Virginia, Maryland, and the District of Columbia; (2) *cans, boxes, cartons, and containers*, from Tampa, Fla., Atlanta, Ga., Birmingham, Ala., New Orleans, La., Dallas, Houston, and Arlington, Tex., Kansas City and St. Louis, Mo., Chicago, Ill., Austin, Ind., Winchester, Va., and Spartanburg, S.C., and their respective commercial zones as defined by the Commission, to points in Sunflower County, Miss.; (3) *cardboard, fiberboard, paper, and composition containers*, from Memphis and Nashville, Tenn., Birmingham, Ala., Atlanta, Ga., Monroe and New Orleans, La., Dallas and Houston, Tex., and their respective commercial zones, to points in Sunflower County, Miss.; (4) *machinery, parts, accessories, equipment, supplies, implements, parts, appliances, and products usually or customarily used or useful in the processing, manufacture, packing, freezing, or canning of foodstuffs*, from points in Arkansas, Louisiana, Texas, Oklahoma, Kansas, Missouri, Illinois, Indiana, Kentucky, Tennessee, North Carolina, South Carolina, Georgia, Florida, Alabama, Ohio, Virginia, Maryland, and the District of Columbia, to points in Sunflower County, Miss. NOTE: If a hearing is deemed necessary, applicant requests it be held at Jackson or Greenville, Miss.

No. MC 127799 (Sub-No. 2), filed October 3, 1968. Applicant: LUPPES TRANSPORT COMPANY, INC., Post Office Box 152, Webster City, Iowa 50595. Applicant's representative: William A. Landau, 1451 East Grand Avenue, Des Moines, Iowa 50595. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, in

tank vehicles, (1) from the terminals of Mid-America Pipeline Co., located at or near Whiting, Early, and Garner, Iowa, to points in Illinois, Iowa, Minnesota, Nebraska, North Dakota, South Dakota, and Wisconsin; (2) from the terminal located on the ammonia pipeline of Mid-America Pipeline Co., at or near Conway, Kans., to points in Colorado, Kansas, Missouri, and Nebraska; and (3) from the terminal located on the ammonia pipeline of Mid-America Pipeline Co., at or near Greenwood, Nebr., to points in Colorado, Iowa, Kansas, Missouri, Nebraska, South Dakota, and Wyoming, restricted to the transportation of shipments originating at the specified terminals in (1), (2), and (3) above, and destined to points in the States specified. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 127951 (Sub-No. 7), filed October 4, 1968. Applicant: SOUTHEASTERN CARRIERS, INC., 887 Northeast 145th Street, North Miami, Fla. 33161. Applicant's representative: Bernard C. Pestcoe, 708 City National Bank Building, Miami, Fla. 33130. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) (a) *Carpet underlay and adhesives*, from Barrington, and Saylesville, R.I., and Fall River, Mass., to points in Florida; (b) *carpeting*, from Edgemore, Del., Calhoun, Ga., and Hightstown, N.J., to points in Florida; and (c) *commodities* falling within the partial exemption of section 203(b)6 of the Interstate Commerce Act, on return in (1) (a) and (b), under contract with Northern Distributors, Inc.; and (2) (a) *mat or matting glass fiber and roving or strand glass fiber*, from Aiken and Anderson, S.C., to points in Florida; and (b) *commodities* falling within the partial exemption of section 203(b)6 of the Interstate Commerce Act, on return in (2)(a); under contract with Owens/Corning Fiberglas Corp. NOTE: If a hearing is deemed necessary, applicant requests it be held at Miami, Fla., or Washington, D.C.

No. MC 128750 (Sub-No. 3), filed October 1, 1968. Applicant: PITT TRUCK, INC., Post Office Box 172, Augusta, Ill. 62311. Applicant's representative: Ronald N. Cobert, 600 Madison Building, 1155 15th Street NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and/or cold storage facilities utilized by Wilson & Co., Inc., at or near Monmouth, Ill., to points in Indiana, Michigan, and Ohio, restricted to the transportation of Wilson & Co., Inc., traffic originating at the above-specified plantsite and/or cold storage facilities and destined to the above-specified destinations. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 128791 (Sub-No. 4), filed October 4, 1968. Applicant: L & S BOAT TRANSPORTATION COMPANY, INC., 3356 53d Avenue North, St. Petersburg, Fla. 33714. Applicant's representative: M. Craig Massey, 223 South Florida Avenue, Post Office Drawer J, Lakeland, Fla. 33802. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Boats and boat parts, and supplies and equipment* moving in connection therewith, from points in Pinellas County, Fla., to points in the United States including the District of Columbia, but (excluding Alaska and Hawaii). NOTE: If a hearing is deemed necessary, applicant requests it be held at Tampa, Fla.

No. MC 129264 (Sub-No. 5), filed October 7, 1968. Applicant: CHARLES E. WOLFE, doing business as EVERGREEN EXPRESS, 410 North 10th Street, Post Office Box 212, Billings, Mont. 59103. Applicant's representative: J. F. Meglen, 2822 Third Avenue North, Post Office Box 1581, Billings, Mont. 59103. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Lumber* from points in Broadwater, Flathead, Granite, Meagher, Missoula, Park, and Powell Counties, Mont., to points in Michigan, Pennsylvania, Kentucky, and Tennessee and (2) *industrial chemicals*, dry, in bags and drums, *building materials, and school furniture supplies*, from points in Iowa, Indiana, Illinois, Michigan, Minnesota, North Dakota, Ohio, Pennsylvania, Virginia, West Virgina, New York, and South Dakota, to points in Montana, North Dakota, South Dakota, and Wyoming, under contract with Dyce Sales & Engineering Service Co., Inc., Lee D. Clark Floorcovering, Building Specialties, and R. L. Stratford & Co., Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Billings, Mont.

No. MC 129307 (Sub-No. 3), filed October 7, 1968. Applicant: McKEE LINES, INC., 664 54th Avenue, Mattawan, Mich. 49071. Applicant's representative: William C. Harris (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles* distributed by meat packinghouses, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and/or cold storage facilities utilized by Wilson & Co., Inc., at or near Monmouth, Ill., to points in Indiana, Michigan, and Ohio, restricted to traffic originating at the named plantsite and cold storage facilities and destined to the above-named destination States. NOTE: Applicant is also authorized to operate as a contract carrier under MC 119394, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Chicago, Ill.

No. MC 129413 (Sub-No. 2), filed October 4, 1968. Applicant: C.B. TRANSPORTATION, INC., 1400 Grand Avenue, Post Office Box 3072, Sioux City, Iowa 51102. Applicant's representative: J. Max Harding, 605 South 14th Street, Post Office Box 2028, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Anhydrous ammonia*, (a) from the plantsite of Hill Chemicals, Inc., located at or near Borger, Tex., to points in Colorado, Kansas, Oklahoma, and Texas; (b) from the terminal located on the ammonia pipeline of Mid-America Pipeline Co. located at or near Conway, Kans., to points in Colorado, Kansas, Missouri, and Nebraska; (c) from the terminal located on the ammonia pipeline of Mid-America Pipeline Co. located at or near Greenwood, Nebr., to points in Colorado, Iowa, Kansas, Missouri, Nebraska, South Dakota, and Wyoming; (d) from the terminals located on the ammonia pipeline of Mid-America Pipeline Co. located at or near Whiting, Early, and Garner, Iowa, to points in Illinois, Iowa, Minnesota, Nebraska, North Dakota, South Dakota, and Wisconsin, restricted to traffic originating at the named origin points and destined to the named destination States. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 129465 (Sub-No. 4), filed October 7, 1968. Applicant: D & W REFRIGERATED LTL SERVICE, INC., 875 Reynolds Avenue, Columbus, Ohio 43201. Applicant's representative: James Wiser (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Cheese, candy, and confectionery*, from points in the New York, N.Y., commercial zone as defined by the Commission and points in Bergen, Essex, Hudson, Passaic, and Union Counties, N.J., to points in Illinois on and south of U.S. Highway 136, Indiana, Kentucky, Missouri, Ohio, Pennsylvania, and West Virginia; and (2) *cheese*, from New Holland, Pa., to points in Illinois on and south of U.S. Highway 136, Indiana, Kentucky, Missouri, and Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky., or Cincinnati, Ohio.

No. MC 129667 (Sub-No. 2), filed October 4, 1968. Applicant: LONI-JO TRUCKING CORP., 700 East Gate Boulevard South, Garden City, N.Y. 11530. Applicant's representative: Arthur Liberstein, 160 Broadway, New York, N.Y. 10038. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities* as are dealt in by retail supermarkets and *equipment and supplies* used in the operations thereof, between points in the New York, N.Y., commercial zone and the facilities of Waldbaum's, Inc., in Garden City (Nassau County), N.Y., under continuing contract with Waldbaum's, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 133105 (Sub-No. 1), filed September 30, 1968. Applicant: ROBERT A. JONES and JOHN W. JONES, a partnership, doing business as J. AND J. TRANSFER, Post Office Box 2201, 600

Lumpkin Boulevard, Columbus, Ga. 31902. Applicant's representative: C. E. Walker, 306 First National Bank Building, 11th Street at Broad, Columbus, Ga. 31902. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Food products*, from Columbus, Ga., and points within the commercial zone thereof, to points in Georgia, and to Opelika, Ala. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus or Atlanta, Ga.

No. MC 133122 (Sub-No. 2), filed October 4, 1968. Applicant: DAVE KUHLMAN, 1719 Second Avenue, Scottsbluff, Nebr. 69361. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Zinc sulfate and manganese sulfate fertilizer materials*, in bags, from Coffeyville, Kans., to points in Colorado, Nebraska, and Wyoming, in seasonal operations during the months of September, October, March, April, and May of each year, under contract with Pure Gas & Chemical Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo., Cheyenne, Wyo., or Scottsbluff, Nebr.

No. MC 133123, filed August 20, 1968. Applicant: RUJAC TRUCKING CORP., 43–40 24th Street, Long Island City, N.Y. 11101. Applicant's representative: Morris Honig, 150 Broadway, New York, N.Y. 10038. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Radios, stereos, transceivers, TV receiving sets, tape recorders, phonographs and various combinations* thereof; *home traffic appliances; and parts* for the aforesaid, from points in the New York, N.Y., commercial zone, as defined by the Commission, Port Elizabeth and Port Newark, N.J., to New York, N.Y., and points in New York, New Jersey, and Connecticut, and *refused, rejected, and returned shipments* on return, under contract with Panasonic New York, Division of Matsushita Electric Corp. of America, and, Matsushita Electric Corp. of America. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 133166 EX, filed September 12, 1968. Applicant: HENRY S. JERRED, doing business as TATTON'S AUTO FREIGHT, Post Office Box 1, Kewa, Ferry County, Wash. Applicant seeks a certificate of exemption under section 204(a)(4a) Part II of the Interstate Commerce Act, to conduct operations solely within one State, as a motor common carrier, transporting: *General commodities* (1) between points in Ferry County, Wash.; (2) between points in Ferry County, Wash., and Spokane, Wash.; and (3) between Spokane and Davenport, Wash., on the one hand, and, on the other, Kewa, Covada, and Inchelium, Wash.

No. MC 133183, filed September 17, 1968. Applicant: KENNETH SCHMIDT, Freeport Street, Saxonburg, Butler County, Pa. Applicant's representative: Jerome Solomon, 1302 Grant Building, Pittsburgh, Pa. 15219. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Ceramics, crucibles, shapes, and mortar cement*, from Zelienople, Butler County, Pa., to points in Pennslyvania, New Jersey, New York, Ohio, West Virginia, Maryland, Indiana, and Illinois; and (2) *supplies and materials* used or useful in the manufacture of ceramics, crucibles, shapes, and mortar cement, from points in New Jersey, Pennslyvania, New York, Ohio, West Virginia, Maryland, Indiana, and Illinois, all under contract with Lava-Crucible Refractories Co. NOTE: Applicant holds authority as a common carrier, under MC 126826, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa.

No. MC 133223, filed October 4, 1968. Applicant: OLYMPIC FREIGHTWAYS, INC., 1801 West 31st Place, Chicago, Ill. Applicant's representative: Themis N. Anastos, 120 West Madison Street, Chicago, Ill. 60602. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Bakery goods and products; paper and plastic napkins, straws, cups, containers; meat and meat products; fish; frozen potatoes; cheese; catsup; pickles; flavoring compounds; sauces and salad dressings; and shortening;* from Chicago, Ill., to points in Wisconsin, Indiana, Missouri, and Iowa, under contract with McDonald's System, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 133225, filed October 7, 1968. Applicant: BEN T. McCOWAN, doing business as McCOWAN SALES CO., 1135 North Main, Post Office Box 369, McAlester, Okla. 74501. Applicant's representative: W. T. Brunson, 419 Northwest Sixth Street, Oklahoma City, Okla. 73102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Beer and materials and supplies used in the advertising, distribution, and sale of beer*, from plantsites and warehouses of Jackson Brewery Co., Inc., New Orleans, La., to points in Oklahoma. NOTE: If a hearing is deemed necessary, applicant requests it be held at Oklahoma City or Tulsa, Okla.

MOTOR CARRIERS OF PASSENGERS

No. MC 1002 (Sub-No. 22), filed October 2, 1968. Applicant: ASBURY PARK-NEW YORK TRANSIT CORPORATION, 401 Lake Avenue, Asbury Park, N.J. 07712. Applicant's repesentative: Edward W. Currie, 123 Main Street, Matawan, N.J. 07747. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage* in special round-trip sight-seeing or pleasure tours, beginning and ending at Keyport, Red Bank, Long Branch, and Asbury Park, all in New Jersey, and extending to points in the United States, including Alaska, and excluding Hawaii. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Newark, N.J.

No. MC 48501 (Sub-No. 13) (Correction), filed September 12, 1968, published in FEDERAL REGISTER issue of October 3, 1968, and republished as corrected this issue. Applicant: INDIANA MOTOR BUS COMPANY, a corporation, 715 South Michigan Street, South Bend, Ind. 46624. Applicant's representative: Harry J. Harman, 1110 Fidelity Building, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, and express and newspapers in the same vehicle with passengers*, (1) Between South Bend, Ind., and Benton Harbor, Mich., over combined U.S. Highways 31 and 33, serving all intermediate points; (2) Between junction Indiana Highways 421 and 28, and Indianapolis, Ind., from junction Indiana Highways 421 and 28 over Indiana Highway 28 to Frankfort, Ind., thence over Indiana Highway 39 to Lebanon, Ind., thence over old U.S. Highway 52 (also over Interstate Highway 65) to Indianapolis, and return over the same route, serving all intermediate points. NOTE: Applicant states that the authority sought in (2) above will be operated in connection with its presently authorized operations in MC 48501. (1) The purpose of this republication is to show a regular movement in lieu of irregular routes which was previously published and (2) to remove no duplicating authority is being sought. If a hearing is deemed necessary, applicant requests it be held at South Bend or Indianapolis, Ind.

No. MC 124927 (Sub-No. 4), filed October 2, 1968. Applicant: EMILIO F. CANZANO, doing business as AAAA LIMOUSINE SERVICE, 15 Holland Road, Worcester, Mass. 01603. Applicant's representative: Mary E. Kelley, 10 Tremont Street, Boston, Mass. 02108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage* in special operations in nonscheduled door-to-door service limited to the transportation of not more than 17 passengers in one vehicle (not including the driver thereof and children under 10 years of age who do not occupy a seat or seats), beginning and ending at Auburn, Berlin, Bolton, Boyton, Boylston, Cherry Valley, Charlton, Clinton, Dudley, East Brookfield, Grafton, Holden, Hopedale, Hopkinton, Hudson, Lancaster, Leicester, Leominster, Marlboro, Milford, Millbury, New Braintree, Northboro, Northbridge, North Brookfield, Oakham, Oxford, Paxton, Princeton, Rutland, Spencer, Sterling, Shrewsbury, Southboro, Sutton, Upton, Uxbridge, Webster, Westboro, West Boylston, and Worcester, Mass., and extending to East Providence, Cranston, Warwick and Woonsocket, R.I. Restriction: The service to be restricted to the transportation of passengers who, at the time, are traveling for the purpose of participating in beano or bingo games. NOTE: If a hearing is deemed necessary, applicant requests it be held at Worcester or Boston, Mass.

No. MC 133195, filed September 26, 1968. Applicant: HEALEY TRANSPORTATION LIMITED, 11 Elmsley Street North, Smiths Falls, Ontario, Canada.

Applicant's representatives: Charles H. Trayford and Blanton P. Bergen, 137 East 36th Street, New York, N.Y. 10016. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in charter and special operations, between ports of entry on the international boundary line between the Provinces of Quebec and Ontario in Canada, and the States of Michigan, New York, Vermont, New Hampshire, and Maine, on the one hand, and, on the other, points in Michigan, Ohio, Pennsylvania, New York, Vermont, Massachusetts, New Hampshire, Maine, Rhode Island, Connecticut, New Jersey, Delaware, Maryland, District of Columbia, West Virginia, Virginia, North Carolina, South Carolina, Georgia, and Florida; on traffic originating at or destined to Perth, Carleton Place, Smiths Falls, Brockville, Ontario, Canada. NOTE: If a hearing is deemed necessary, applicant requests it be held at Ogdensburg or Watertown, N.Y.

APPLICATION FOR BROKERAGE LICENSE

No. MC 130071, filed October 3, 1968. Applicant: TUSCARAWAS COUNTY AUTO CLUB, a corporation, 1112 Fourth Street NW., New Philadelphia, Ohio 44663. Applicant's representative: Taylor C. Burneson, 88 East Broad Street, Columbus, Ohio 43215. For a license (BMC 5) to engage in operations as a *broker* at New Philadelphia, and Coshocton, Ohio, in arranging for transportation by motor vehicle, in interstate or foreign commerce, of *passengers and their baggage*, in special and charter operations, beginning and ending at points in Tuscarawas, Carroll, Harrison, Guernsey, Coshocton, and Holmes Counties, Ohio, and extending to all points in the United States, including Alaska and Hawaii.

APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN REQUESTED

No. MC 114965 (Sub-No. 39), filed October 2, 1968. Applicant: CYRUS TRUCK LINE, INC., Post Office Box 327, Iola, Kans. 66749. Applicant's representative: Charles H. Apt, 104 South Washington, Iola, Kans. 66749. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk in specialized equipment, (1) from the terminal located on the ammonia pipeline of Mid-America Pipeline Co. located at or near Conway, Kans., to points in Colorado, Kansas, Missouri, and Nebraska, restricted to the transportation of shipments which originate at the facilities of the Mid-America Pipeline Co. located at or near Conway, Kans., and destined to points in the named destination States; and (2) from the terminal located on the ammonia pipeline of Mid-America Pipeline Co. located at or near Greenwood, Nebr., to points in Colorado, Iowa, Kansas, Missouri, Nebraska, South Dakota, and Wyoming, restricted to the transportation of shipments which originate at the facilities of the Mid-America Pipeline Co. located at or near Greenwood, Nebr., and destined to points in the named destination States.

No. MC 130072, filed October 7, 1968. Applicant: BOB DANZEISEN, INC., 219 Black Horse Pike, Haddon Heights, N.J. 08035. Applicant's representative: V. Baker Smith, 123 South Broad Street, Philadelphia, Pa. 19109. For a license (BMC5) to engage in operations as a *broker* at Haddon Heights, N.J., in arranging for transportation by motor vehicle, in interstate and foreign commerce, of *passengers and their baggage*, in round trip tours in special and charter operations, beginning and ending at points in Camden and Burlington Counties, N.J., and extending to points in Pennsylvania, New York, Connecticut, Massachusetts, Rhode Island, Vermont, New Hampshire, and Maine.

By the Commission.

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

[F.R. Doc. 68-12878; Filed, Oct. 23, 1968; 8:45 a.m.]

FOURTH SECTION APPLICATION FOR RELIEF

OCTOBER 21, 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. 41473—*Sulphur (brimstone) from Rock House, Tex.* Filed by Southwestern Freight Bureau, agent (No. B-9119), for interested rail carriers. Rates on sulphur (brimstone), crude, unground, and unrefined, in carloads, from Rock House, Tex., to points in Eastern Territory.

Grounds for relief—Market competition.

Tariff—Supplement 14 to Southwestern Freight Bureau, agent, tariff ICC 4795.

By the Commission.

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

[F.R. Doc. 68-12960; Filed, Oct. 23, 1968; 8:48 a.m.]

[Notice 716]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

OCTOBER 21, 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 11207 (Sub-No. 277 TA), filed October 17, 1968. Applicant: DEATON, INC., 317 Avenue W (Ensley), Post Office Box 1271, Birmingham, Ala. 35214. Applicant's representative: J. Carl Preston (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Composition boards and materials and accessories used in the installation thereof*, from Milan, Tenn., and points in Henry County, Tenn., to points in Alabama, Arkansas, Florida, Kentucky, Louisiana, and Mississippi, for 180 days. Supporting shipper: The Celotex Corp., 1500 North Dale Mabry, Tampa, Fla. 33607. Send protests to: B. R. McKenzie, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 823, 1221 Building, Birmingham, Ala. 35203.

No. MC 115215 (Sub-No. 15 TA), filed October 17, 1968. Applicant: NEW TRUCK LINES, INC., 500 West Hampton Springs Avenue, Perry, Fla. 32347. Applicant's representative: Norman J. Bolinger, 1729 Gulf Life Tower, Jacksonville, Fla. 32207. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Explosives, explosives components, and explosive products*, from points in Taylor County, Fla., to points in Alabama, Arizona, Arkansas, California, Colorado, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Jersey, New Mexico, New York, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Utah, Virginia, Washington, West Virginia, and Wisconsin. *Materials and supplies* used by the manufacturer for the commodities named above, in the reverse direction, for 180 days. Supporting shipper: Martin Electronics, Inc., North East, Md. 21901. Send protests to: District Supervisor, G. H. Fauss, Jr., Bureau of Operations, Interstate Commerce Commission, 400 West Day Street, Jacksonville, Fla. 32202.

No. MC 117842 (Sub-No. 5TA), filed October 17, 1968, Applicant: INTERSTATE DISTRIBUTING COMPANY, 8311 Durango SW., Tacoma, Wash. 98499. Applicant's representative: George R. La Bissoniere, 920 Logan Building, Seattle, Wash. 98101. Authority

sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Commodities dealt in by wholesale grocery establishments* (under contract to West Coast Grocery Co.). From points in California to Chehalis, Aberdeen, and Tacoma, Wash., for 180 days. Supporting shipper: West Coast Grocery Co., 1525 East D Street, Tacoma, Wash. 98401. Send protests to: E. J. Casey, District Supervisor, Bureau of Operations, 6310 Arcade Building, Seattle, Wash. 98101.

No. MC 119619 (Sub-No. 12 TA), filed October 17, 1968. Applicant: DISTRIBUTORS SERVICE CO., 2000 West 43d Street, Chicago, Ill. 60609. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and packinghouse products* as defined by the Commission, from New Riegel, Ohio, to points in Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Maryland, Pennsylvania, District of Columbia, Delaware, and Virginia, for 180 days. Supporting shipper: Riegel Provision Co., Box 111, New Riegel, Ohio. Send protests to: Mr. Roger L. Buchanan, District Super, Interstate Commerce Commission, Bureau of Operations, 219 South Dearborn Street, Room 1086, Chicago, Ill. 60604.

No. MC 119928 (Sub-No. 10TA), filed October 16, 1968. Applicant: C & E TRUCKING CORPORATION, 1818 West Sample Street, South Bend, Ind. 46619. Applicant's representative: Eugene L. Cohn, One North La Salle Street, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products, and articles distributed by meat packinghouses*, as described in sections A, B, and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, (except liquid commodities in bulk, in tank vehicles), from the plantsite of Swift & Co., at Rochelle, Ill., in combination loads to Fort Wayne, Ind., Toledo, Ohio, and Jackson, Mich., for 180 days. Supporting shipper: Swift & Co., Post Office Box 256, Rochelle, Ill. 61066. Send protest to: District Supervisor J. H. Gray, Bureau of Operations, Interstate Commerce Commission, Room 204, 345 West Wayne Street, Fort Wayne, Ind. 46802.

No. MC 128316 (Sub-No. 3 TA), filed October 17, 1968. Applicant: WM. O'DONELL, INC., Post Office Box 367, Elkhorn, Wis. 53121. Applicant's representative: William C. Dineen, 412 Empire Building, 710 North Plankinton Avenue, Milwaukee, Wis. 53203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Nondairy coffee creamer*, in bulk in tank vehicles, between Rockford, Ill., and Oconomowoc, Wis., for 180 days. Supporting shipper: Dean Milk Co., 1126 Kilburn Avenue, Rockford, Ill. 61101. 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 133218 TA (Correction), filed October 7, 1968, published FEDERAL REGISTER, issue of October 16, 1968, and republished as corrected this issue. Applicant: JAMES A. GLASS, doing business as J. A. GLASS TRUCKING CO., Route No. 2, Ninnekah, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages, containers and advertising matter*, from Omaha, Nebr.; Milwaukee, Wis.; St. Joseph, Mo.; and New Orleans, La.; to points in Oklahoma, and *empty containers and cooperage*, on return, for 180 days. NOTE: The purpose of this republication is to correctly set forth the authority sought in lieu of that previously published, which was in error. Supporting shippers: Marcey Distributing Co., Fred E. Marcey, 120 East Choctaw, Clinton, Okla. 73601; Falstaff Sales Co., Post Office Box 1225, 631 North Main, Muskogee, Okla. 74481; Dale Distributing Co., Richard Dale, 617 East Main Street, Shawnee, Okla. 74801; and Wallace Sales Co., Don Wallace, Post Office Box 752, Chickasha, Okla. 73018. Send protests to: C. L. Phillips, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 350, American General Building, 210 Northwest Sixth, Oklahoma City, Okla. 73102.

No. MC 133236 TA, filed October 17, 1968. Applicant: H. JAMES FRY TRUCKING, INC., Old Fort, Ohio 44861. Applicant's representative: Richard H. Brandon, 810 Hartman Building, Columbus, Ohio 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Rubber tires*, in shipper-supplied semitrailers, between Old Fort, Ohio, and Camden, N.J., for 180 days. Supporting shipper: Super Tire Engineering Co., 7255 Crescent Boulevard, Camden, N.J. 08101. Send protests to: Keith D. Warner, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 5234 Federal Office Building, 234 Summit Street, Toledo, Ohio 43604.

MOTOR CARRIERS OF PASSENGERS

No. MC 133237 TA, filed October 17, 1968. Applicant: GROUP TRAVEL SERVICE, INC., 722 North Third Street, Milwaukee, Wis. 53203. Applicant's representative: William C. Dineen, 412 Empire Building, 710 North Plankinton Avenue, Milwaukee, Wis. 53203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers*, limited to the transportation of not more than 21 passengers in any one vehicle, in special or charter operations, beginning and ending at Milwaukee, Wis., and extending to Arlington Park Race Track, Arlington Heights, Cook County, Ill., Aurora Downs Race Track, Aurora, Kane County, Ill.; Balmoral Race Track, Crete, Will County, Ill.; Blackhawk Downs Race Track, Rockton, Winnebago County, Ill.; Hawthorne Race Course, Stickney, Cook County, Ill.; Sportsman's Park Race Track, Cicero, Cook County, Ill.; Washington Park Race Track, Homewood, Cook County, Ill.; and Maywood Park Race Track, Maywood, Cook County, Ill., for 180 days. Supporting shipper: Travel and Tour Service, Inc., 722 North Third Street, Milwaukee, Wis. 53203, Duwe Tours & Charters, Inc., 1259 Kavanaugh Place, Milwaukee, Wis. 53213, and 38 private individuals (letters may be examined at the Washington, D.C., and Milwaukee, Wis., Commission offices). Send protests to: District Supervisor, Lyle D. Helfer, Interstate Commerce Commission, Bureau of Operation, 135 West Wells Street, Room 807, Milwaukee, Wis. 53203.

By the Commission.

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

[F.R. Doc. 68-12961; Filed, Oct. 23, 1968; 8:48 a.m.]

[Notice 233]

MOTOR CARRIER TRANSFER PROCEEDINGS

OCTOBER 21, 1968.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

As provided in the Commission's general rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 30 days from the date of service of the order. 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-70694. By order of October 15, 1968, the Transfer Board approved the transfer to W. Robert Rymer, doing business as Red Arrow Express, Greensburg, Pa., of the operating rights in certificates Nos. MC-125023, MC-125023 (Sub-No. 6), MC-125023 (Sub-No. 8), MC-125023 (Sub-No. 9), and MC-125023 (Sub-No. 10), issued June 5, 1963, September 20, 1963, September 28, 1964, April 19, 1968, and August 16, 1965, respectively, to Norman A. Bast and George F. Carter, doing business as Sigma-4 Express, Rural Delivery No. 4, Latrobe, Pa. 15650, authorizing the transportation of malt beverages, in containers, and advertising material or related avertising matter moving therewith, empty containers, empty malt-beverage containers, pallets, and canned vegetables, from points as specified in Wisconsin, Illinois, Pennsylvania, and New Jersey, to points as specified in Wisconsin and Pennsylvania. John A. Vuono, 2310 Grant Building, Pittsburgh, Pa. 15219; attorney for transferee.

No. MC-FC-70774. By order of October 16, 1968, the Transfer Board approved the transfer to Terminals Transfer, Inc., San Francisco, Calif., of the certificate of registration in No. MC-125491 (Sub-No. 1), issued July 22, 1968, to Sierra Distributing Ltd., Sacramento, Calif., evidencing a right to engage in transportation in interstate or foreign

commerce corresponding in scope to the authority granted in Decision No. 51313 dated April 12, 1955, acquired through Decision No. 66189 dated October 23, 1963, issued by the Public Utilities Commission of the State of California. Edward J. Hegarty, 100 Bush Street, 21st Floor, San Francisco, Calif. 94104; attorney for transferee. Martin J. Rosen, 140 Montgomery Street, San Francisco, Calif. 94104; attorney for transferor.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 68-12962; Filed, Oct. 23, 1968; 8:48 a.m.]

[S.O. 994, ICC Order 12, Amdt. 2]

NEW YORK, SUSQUEHANNA AND WESTERN RAILROAD CO.

Rerouting and Diversion of Traffic

Upon further consideration of ICC Order No. 12 (New York, Susquehanna and Western Railroad Co.) and good cause appearing therefor:

It is ordered, That:

ICC Order No. 12 be, and it is hereby amended by substituting the following paragraph (g) for paragraph (g) thereof:

(g) Expiration date: This order shall expire at 11:59 p.m., December 31, 1968, unless otherwise modified, changed, or suspended.

It is further ordered, That this amendment shall become effective at 11:59 p.m., October 31, 1968, and that this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., October 17, 1968.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[F.R. Doc. 68-12963; Filed, Oct. 23, 1968; 8:48 a.m.]

[S.O. 994, ICC Order 16, Amdt. 1]

PENN CENTRAL

Rerouting and Diversion of Traffic

Upon further consideration of ICC Order No. 16 (Penn Central) and good cause appearing therefor:

It is ordered, That:

ICC Order No. 16 be, and it is hereby amended by substituting the following paragraph (g) for paragraph (g) thereof:

(g) *Expiration date:* This order shall expire at 11:59 p.m., December 31, 1968, unless otherwise modified, changed, or suspended.

It is further ordered, That this amendment shall become effective at 11:59 p.m., October 25, 1968, and that this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., October 18, 1968.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[F.R. Doc. 68-12964; Filed, Oct. 23, 1968; 8:48 a.m.]

[Notice 715]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

OCTOBER 18, 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 82808 (Sub-No. 12 TA), filed October 16, 1968. Applicant: LEWIS R. HUNT AND C. L. HUNT, a partnership, doing business as HUNT AND SON, Post Office Box 200, Warrensburg, Mo. 64093. Applicant's representative: Frank W. Taylor, Jr., 1221 Baltimore Avenue, Kansas City, Mo. 64105. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: (1) *Agricultural implements, farm machinery, farm equipment, and agricultural implement parts and attachments, farm machinery parts and attachments farm equipment parts and attachments* (except commodities in bulk), from Atherton, Mo., to points in the United States (except Alaska and Hawaii), (2) *Materials, supplies, and equipment, used in the manufacture, processing, sale, and distribution of agricultural implements, farm machinery and farm equipment,* from points in the United States (except Alaska and Hawaii), to Atherton, Mo., for 180 days. Supporting shipper: Clark Manufacturing Co., Atherton, Mo. 64050. Send protests to: John V. Barry, District Supervisor, Interstate Commerce Commission, 1100 Federal Office Building, 911 Walnut Street, Kansas City, Mo. 64106.

No. MC 100666 (Sub-No. 124 TA), filed October 16, 1968. Applicant: MELTON TRUCK LINES, INC., Post Office Box 7666, Shreveport, La. 71107. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Composition boards and materials and accessories used in the installation thereof,* from Milan and points in Henry County, Tenn., to points in Mississippi, Alabama, South Carolina, Florida, Louisiana, Arkansas, Missouri, Texas, Oklahoma, Kansas, South Dakota, Colorado, New Mexico, Georgia, Kentucky, Indiana, Nebraska, Wyoming, Iowa, Montana, Illinois, North Dakota, and Tennessee, for 180 days. Supporting shipper: The Celotex Corp., 1500 North Dale Mabry, Tampa, Fla. 33607. Send protests to: W. R. Atkins, District Supervisor, Interstate Commerce Commission, Bureau of Operations, T-4009 Federal Building, 701 Loyola Avenue, New Orleans, La. 70113.

No. MC 103654 (Sub-No. 142 TA), filed October 16, 1968. Applicant: SCHIRMER TRANSPORTATION COMPANY, INCORPORATED, 1145 Homer Street, St. Paul, Minn. 55116. Applicant's representative: C. E. Swanson (same address as above). Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Petroleum products,* in bulk, from McGregor, Minn., and points within 5 miles thereof to points in Wisconsin and North Dakota, for 180 days. Supporting Shipper: Snelling Oil of McGregor, Inc., McGregor, Minn. 55760. Send protests to: District Supervisor A. E. Rathert, Interstate Commerce Commission, Bureau of Operations, 448 Federal Building & U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn. 55401.

No. MC 116544 (Sub-No. 99 TA), filed October 16, 1968. Applicant: WILSON BROTHERS TRUCK LINE, INC., 700 East Fairview Avenue, Post Office Box 636, Carthage, Mo. 64836. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses,* as described in sections A and C of appendix I to the report in, *Descriptions in Motor Carriers Certificates,* 61 M.C.C. and 766 (except commodities in bulk, in tank vehicles), (1) from Grand Island and Omaha, Nebr., and Sioux City, Iowa, to points in North Carolina and South Carolina; and (2) from Grand Island, Nebr., to points in Florida, for 180 days. Supporting shipper: Swift & Co., Post Office Box 544, Grand Island, Nebr. 68801. Send protests to: John V. Barry, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1100 Federal Office Building, 911 Walnut Street, Kansas City, Mo. 64106.

No. MC 124783 (Sub-No. 10 TA), filed October 15, 1968. Applicant: KATO EXPRESS, INCORPORATED, Route 3, Elizabethtown, Ky. 42701. Applicant's representative: James R. Mays (same address as above). Authority sought to operate as a *common carrier,* by motor

vehicle, over irregular routes, transporting: *General commodities* (except classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), restricted to shipments having a prior or subsequent movement by air, between Dress Memorial Airport at or near Evansville, Ind., on the one hand, and, on the other, Standiford Field Airport at Louisville, Ky., for 180 days. Supporting shipper: George W. Webber, District Sales Manager, Eastern Air Lines, Inc., 1510 Commonwealth Building, Louisville, Ky. 40202. Send protests to: Wayne L. Merilatt, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 426 Post Office Building, Louisville, Ky. 40202.

No. MC 129157 (Sub-No. 1 TA), filed October 16, 1968. Applicant: WILMER J. MEHLHAF, doing business as MEHLHAF TRUCKING, Menno, S. Dak. 57045. Applicant's representative: Don A. Bierle, Suite 4, Law Building, Yankton, S. Dak. 57078. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Feed*, in bags and and in bulk, from Sheldon and Sioux City, Iowa, to Menno, S. Dak., and within 10 miles of Menno, excluding any other municipality, for 180 days. Supporting shippers: Farmers Grain and Stock Co., Menno, S. Dak., Bert Frasch, Manager; and Nusz Feed Co., Menno, S. Dak., Luella Nusz, Manager. Send protests to: J. L. Hammond, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 369, Federal Office Building, Pierre, S. Dak. 57501.

No. MC 133027 (Sub-No. 1 TA) (Correction), filed August 13, 1968, published FEDERAL REGISTER issue of August 22, 1968, and republished as corrected this issue. Applicant: FRANK MOLLICA, doing business as B & M TRUCKING COMPANY, 503 South 16½ Street, Reading, Pa. 19606. Applicant's representative: Samuel W. Earnshaw, 833 Washington Building, Washington, D.C. 20005. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Corrugated paper and corrugated paper products*, between Milltown, N.J., on the one hand, and, on the other, points in Pennsylvania on and east of Interstate Highway 83 from the Maryland State line to Harrisburg, and on and east of Interstate Highway 81 from Harrisburg to the New York State line, points in Delaware County and New York, N.Y., and Newark and Wilmington, Del., under contract with Middlesex Container Co., Inc., for 150 days. NOTE: The purpose of this republication is to show that applicant proposes a between movement rather than a from and to movement. Supporting shipper: Middlesex Container Co., Inc., Milltown, N.J. 08850. Send protests to: Ross A. Davis, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 900 U.S. Customhouse, Second and Chestnut Streets, Philadelphia, Pa. 19106.

No. MC 133127 (Sub-No. 1 TA), filed October 14, 1968. Applicant: JOHN PETER VAN DE HOGEN, Route 4, Chatham, Ontario, Canada. Applicant's representative: William J. Hirsch, 43 Niagara Street, Buffalo, N.Y. 14202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Building brick, stone and tile on self-unloading trailers*, for the accounts of Windsor Builders Supply, Ltd., doing business as Canadian Builders Supply, and Ryancrete Products, from Brazil, Ind.; Princess, Ky.; Alliance, East Canton, East Palestine, Logan, Mansfield, Stone Creek, Waynesburg and Zoarville, Ohio; Beaver Falls and Darlington, Pa., and Detroit, Mich.; to ports of entry on the international boundary line between the United States and Canada in the States of Michigan and New York, for 150 days. Supporting shippers: Ryancrete Products, 210 Detroit Street, Windsor, Ontario, Canada; and Windsor Builders Supply, Ltd., doing business as Canadian Builders Supply, 2295 Dougell Avenue, Windsor, Ontario, Canada. Send protests to: District Supervisor Gerald J. Davis, Bureau of Operations, Interstate Commerce Commission, 1110 Broderick Tower, Detroit, Mich. 48226.

No. MC 133232 TA, filed October 16, 1968. Applicant: L. J. BINGHAM, doing business as BINGHAM TRANSFER & STORAGE, 424 Delwood Street, Westwood, Calif. 96137. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, between Doyle, Calif., and Herlong, Calif., moving in substituted service on rail billing, for 180 days. Supporting shipper: Western Pacific Railroad Co., 526 Mission, San Francisco, Calif. Send protests to: District Supervisor Daniel Augustine, Interstate Commerce Commission, Bureau of Operations, Room 24, 222 East Washington Street, Carson City, Nev. 89701.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 68-12883; Filed, Oct. 22, 1968; 8:49 a.m.]

DEPARTMENT OF THE TREASURY

Bureau of Customs

DICHLOROBENZIDINE DIHYDROCHLORIDE

Antidumping Proceeding Notice

OCTOBER 15, 1968.

On June 26, 1968, information was received indicating a possibility that dichlorobenzidine dihydrochloride (also known as DCB) manufactured by Wakayama Seika Industry Co., Ltd., Wakayama, Japan, is being, or likely to be, sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.). This information is in proper form pursuant to §§ 53.26 and 53.27 of the Customs Regulations (19 CFR 53.26, 53.27).

The merchandise under consideration is a benzenoid product used to produce a yellow pigment for the printing ink industry.

The information was submitted by Leonard, Clammer, Flues, and Redmon, Washington, D.C., on behalf of Lakeway Chemicals, Inc., Muskegon, Mich.

There is evidence on record concerning injury to or likelihood of injury to or prevention of establishment of an industry in the United States.

Having conducted a summary investigation as required by § 53.29 of the Customs Regulations (19 CFR 53.29) and having determined as a result thereof that there are grounds for so doing, the Bureau of Customs is instituting an inquiry to verify the information submitted and to obtain the facts necessary to enable the Secretary of the Treasury to reach a determination as to the fact or likelihood of sales at less than fair value.

A summary of information received from all sources is as follows:

The information received tends to indicate that the prices for home consumption are higher than the prices of the merchandise sold for exportation to the United States.

This notice is published pursuant to § 53.30 of the Customs Regulations (19 CFR 53.30).

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

[F.R. Doc. 68-12980; Filed, Oct. 23, 1968; 8:50 a.m.]

Internal Revenue Service

INTERIM FIREARMS AND AMMUNITION IMPORTATION PROCEDURES

SECTION 1. *Purpose.* On October 22, 1968, the President signed into law the Gun Control Act of 1968 (Public Law 90-618, 82 Stat. 1213). Section 105(b) of Title I of the Act (State Firearms Control Assistance) provides that sections 921, 922(l), 925(a)(1), and 925(d) of Chapter 44 of Title 18, United States Code, as amended by section 102 of Title I of the Act, shall take effect on the date of enactment. In addition, on October 22, 1968, the President issued Executive Order No. 11432 [1] transferring the administration of the arms import control program authorized by section 414 of the Mutual Security Act of 1954 (22 U.S.C. 1934) from the Secretary of State to the Secretary of the Treasury. Accordingly, pending the issuance of regulations to be codified in Title 26 of the Code of Federal Regulations, the following are interim procedures for the importation and bringing into the United States of firearms and ammunition.

SEC. 2. *Statutory provisions.* The statutory sections referred to in section 1, as pertinent to these procedures, are as follows:

"§ 921. Definitions.

"(a) As used in this chapter—

"(1) The term 'person' and the term 'whoever' include any individual, corporation,

[1] *Supra.*

company, association, firm, partnership, society, or joint stock company.

"(2) The term 'interstate or foreign commerce' includes commerce between any place in a State and any place outside of that State, or within any possession of the United States (not including the Canal Zone) or the District of Columbia, but such term does not include commerce between places within the same State but through any place outside of that State. The term 'State' includes the District of Columbia, the Commonwealth of Puerto Rico, and the possessions of the United States (not including the Canal Zone).

"(3) The term 'firearm' means (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device. Such term does not include an antique firearm.

"(4) The term 'destructive device' means—

"(A) Any explosive, incendiary, or poison gas—

"(i) Bomb,

"(ii) Grenade,

"(iii) Rocket having a propellant charge of more than 4 ounces,

"(iv) Missile having an explosive or incendiary charge of more than one-quarter ounce,

"(v) Mine, or

"(vi) Device similar to any of the devices described in the preceding clauses;

"(B) Any type of weapon (other than a shotgun or a shotgun shell which the Secretary finds is generally recognized as particularly suitable for sporting purposes) by whatever name known which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter; and

"(C) Any combination of parts either designed or intended for use in converting any device into any destructive device described in subparagraph (A) or (B) and from which a destructive device may be readily assembled.

The term 'destructive device' shall not include any device which is neither designed nor redesigned for use as a weapon; any device, although originally designed for use as a weapon, which is redesigned for use as a signaling, pyrotechnic, line throwing, safety, or similar device; surplus ordnance sold, loaned, or given by the Secretary of the Army pursuant to the provisions of section 4684(a), 4685, or 4686 of title 10; or any other device which the Secretary of the Treasury finds is not likely to be used as a weapon, is an antique, or is a rifle which the owner intends to use solely for sporting purposes.

* * * * *

"(16) The term 'antique firearm' means—

"(A) Any firearm (including any firearm with a matchlock, flintlock, percussion cap, or similar type of ignition system) manufactured in or before 1898; and

"(B) Any replica of any firearm described in subparagraph (A) if such replica—

"(i) Is not designed or redesigned for using rimfire or conventional centerfire fixed ammunition, or

"(ii) Uses rimfire or conventional centerfire fixed ammunition which is no longer manufactured in the United States and which is not readily available in the ordinary channels of commercial trade.

"(17) The term 'ammunition' means ammunition or cartridge cases, primers, bullets, or propellant powder designed for use in any firearm.

"(18) The term 'Secretary' or 'Secretary of the Treasury' means the Secretary of the Treasury or his delegate.

* * * * *

"(b) For the purposes of this chapter, a member of the Armed Forces on active duty is a resident of the State in which his permanent duty station is located.

"§ 922. Unlawful acts.

* * * * *

"(1) Except as provided in section 925(d) of this chapter, it shall be unlawful for any person knowingly to import or bring into the United States or any possession thereof any firearm or ammunition; and it shall be unlawful for any person knowingly to receive any firearm or ammunition which has been imported or brought into the United States or any possession thereof in violation of the provisions of this chapter.

* * * * *

"§ 925. Exceptions: Relief from disabilities.

"(a)(1) The provisions of this chapter shall not apply with respect to the transportation, shipment, receipt, or importation of any firearm or ammunition imported for, sold or shipped to, or issued for the use of the United States or any department or agency thereof or any State or any department, agency, or political subdivision thereof.

* * * * *

"(d) The Secretary may authorize a firearm or ammunition to be imported or brought into the United States or any possession thereof if the person importing or bringing in the firearm or ammunition establishes to the satisfaction of the Secretary that the firearm or ammunition—

"(1) Is being imported or brought in for scientific or research purposes, or is for use in connection with competition or training pursuant to chapter 401 of title 10;

"(2) Is an unserviceable firearm, other than a machinegun as defined in section 5845(b) of the Internal Revenue Code of 1954 (not readily restorable to firing condition), imported or brought in as a curio or museum piece;

"(3) Is of a type that does not fall within the definition of a firearm as defined in section 5845(a) of the Internal Revenue Code of 1954 and is generally recognized as particularly suitable for or readily adaptable to sporting purposes, excluding surplus military firearms; or

"(4) was previously taken out of the United States or a possession by the person who is bringing in the firearm or ammunition.

The Secretary may permit the conditional importation or bringing in of a firearm or ammunition for examination and testing in connection with the making of a determination as to whether the importation or bringing in of such firearm or ammunition will be allowed under this subsection."

SEC. 3. *Permit to import.* (a) An application for the authorization (a permit) required by § 925(d) to import or bring a firearm or ammunition into the United States shall be filed, in triplicate, with the Director, Alcohol and Tobacco Tax Division, Internal Revenue Service, 1111 Constitution Avenue NW., Washington, D.C. 20224 (hereinafter referred to as the Director). Form DSP-38 (Application for License to Import Arms, Ammunition, and Implements of War) shall be used as the application for the importation of firearms or ammunition. The application shall include the following:

(1) The name, address, date of birth (if an individual), Federal Firearms Act license number (if any), and Department of State registration number (if any), of the applicant;

(2) A description of the firearm or ammunition to be imported, including type (e.g. rifle, shotgun, pistol, revolver), model, caliber, size (if ammunition), or gauge, barrel length (if a firearm), country of manufacture, and the name of the manufacturer;

(3) The approximate net value;

(4) The country from which to be imported;

(5) The name, address, and nationality of the foreign seller and the foreign consignor; and

(6) All other information required by Form DSP-38.

(b) There shall be attached to the application a statement executed under the penalties of perjury setting forth:

(1) The intended use of the firearm or ammunition if it is being imported or brought in for scientific or research purposes; or

(2) The intended use of the firearm or ammunition if it is being imported or brought in for use in connection with competition or training pursuant to chapter 401 of title 10 of the United States Code; or

(3) Why the firearm or ammunition is a curio or museum piece if it is being imported or brought in as a curio or museum piece, and if a firearm, the manner in which, and a description of how, the firearm has been rendered unserviceable; or

(4) The reason[s] why the applicant believes the firearm or ammunition is generally recognized as particularly suitable for or is readily adaptable to sporting purposes, and if a firearm, that it is not a surplus military weapon and does not come within the definition of a firearm as that term is defined in the National Firearms Act (Chapter 53 of the Internal Revenue Code of 1954).

(c) If the Director approves the application, such approved application shall serve as the authorization (permit) required by § 925(d) to import or bring in the firearm or ammunition described therein prior to December 16, 1968. The Director shall furnish the approved application (permit) to the applicant and shall retain two copies for administrative purposes. If the Director disapproves the application, the applicant shall be notified of the basis for the disapproval.

(d) The issuance of a permit to import firearms or ammunition by the Director shall constitute a license to import under section 414 of the Mutual Security Act of 1954 (22 U.S.C. 1934) for the firearms or ammunition described in the application for a permit.

(e) A firearm or ammunition imported or brought into the United States under the provisions of this section may be released from customs custody to the person who holds a valid permit issued under the provisions of this section. The customs officer releasing the firearm(s) or ammunition shall retain the permit until (1) importation has been made of all firearms or ammunition authorized to be imported or brought in, by the permit,

or (2) December 16, 1968, whichever occurs first, after which he shall forward the permit to the Director.

SEC. 4. *Exempt importation.* (a) Firearms and ammunition may be imported or brought into the United States by or for the United States, any department or agency thereof, or any State, or any department, agency, or political subdivision thereof. A firearm or ammunition imported or brought into the United States under this paragraph may be released from customs custody upon a showing that it is being imported or brought into the United States by or for such a governmental entity.

(b) A firearm or ammunition may be imported or brought into the United States by any person who can establish to the satisfaction of customs that such firearm or ammunition was previously taken out of the United States by such person.

SEC. 5. *Conditional importation.* The Director may permit the conditional importation or bringing into the United States of any firearm or ammunition for the purpose of examining and testing the firearm or ammunition in connection with making a determination as to whether the importation or bringing in of such firearm or ammunition will be authorized. An application under this section shall be filed, in duplicate, with the Director. The Director may impose conditions upon any importation under this section including a requirement that the firearm or ammunition be shipped directly from customs custody to the Director and that the person importing or bringing in the firearm or ammunition must agree either to export the firearm or ammunition or destroy it if a final determination is made that the firearm or ammunition may not be imported or brought into the United States. A firearm or ammunition imported or brought into the United States under this section shall be released from customs custody in the manner prescribed by the conditional authorization of the Director.

SEC. 6. *Other laws.* Nothing contained in these interim procedures shall be construed as relieving, limiting, or mitigating any restrictions with respect to the movement of firearms or ammunition in interstate or foreign commerce under the Federal Firearms Act (15 U.S.C. 901–910) and Title VII, Unlawful Possession or Receipt of Firearms (82 Stat. 236) of the Omnibus Crime Control and Safe Streets Act of 1968 (82 Stat. 197).

SEC. 7. *Effective date.* The interim firearms and ammunition importation procedures prescribed herein shall be effective on the date of publication in the FEDERAL REGISTER.

[SEAL] SHELDON S. COHEN,
Commissioner of Internal Revenue.

Approved: October 22, 1968.

HENRY H. FOWLER,
Secretary of the Treasury.

[F.R. Doc. 68–13027; Filed, Oct. 23, 1968; 8:50 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ARIZONA

Notice of Filing of Plat

OCTOBER 17, 1968.

1. Plat of sec. 14, Unsurveyed, T. 10 N., R. 1 W., will be officially filed in the Land Office, Phoenix, Arizona, at 10 a.m. November 22, 1968.

GILA AND SALT RIVER MERIDIAN

T. 10 N., R. 1 W. (Unsurveyed),
Sec. 14, lots 1, 2, and 3.

The area described aggregates 25.94 acres.

2. All of the above-described land is embraced in the Prescott National Forest by Proclamation 6, of October 21, 1899.

Since the land is withdrawn for the Prescott National Forest the described land is not subject to disposition under the General Public Land Laws by reason of the official filing of the plat.

GLENDON E. COLLINS,
Manager.

[F.R. Doc. 68–12940; Filed, Oct. 23, 1968; 8:46 a.m.]

[Serial No. N–1649]

NEVADA

Notice of Public Sale

OCTOBER 17, 1968.

Under the provisions of the Public Land Sale Act of September 19, 1964 (78 Stat. 988, 43 U.S.C. 1421–1427), 43 CFR Subpart 2243, a tract of land will be offered for sale to the highest bidder at a sale to be held at 1:30 p.m., local time, on Wednesday, December 4, 1968, at the Nevada Land Office, Room 3104, Federal Building, 300 Booth Street, Reno, Nev. 89502. The land is described as follows:

MOUNT DIABLO MERIDIAN, NEVADA

T. 44 N., R. 34 E.,
Sec. 9, S½S½SW¼SW¼.

The area described contains 10 acres. The appraised value of the tract is $620, and the publication costs to be assessed are $12.

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

Bids may be made by the principal or his agent, either at the sale, or by mail. Bids must be for all the land in the parcel. A bid for less than the appraised value of the land is unacceptable. Bids sent by mail will be considered only if received by the Nevada Land Office, Room 3008 Federal Building, 300 Booth Street, Reno, Nev. 89502, prior to 1:30 p.m., on Wednesday, December 4, 1968. Bids made prior to the public auction must be in sealed envelopes, and accompanied by certified checks, postal money orders, bank drafts, or cashier's checks, payable to the Bureau of Land Management, for the full amount of the bid plus publication costs. The envelopes must be marked in the lower left-hand corner "Public Sale Bid, sale N–1649, December 4, 1968."

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

If no bids are received for the tract on Wednesday, December 4, 1968, it will be reoffered on the first Tuesday of subsequent months at 1:30 p.m., beginning January 7, 1969.

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

The lands described in this notice have been segregated from all forms of appropriation, including locations under the general mining laws, except for sale under this Act, from the date of notation of the proposed classification decision. Inquiries concerning this sale should be addressed to the Land Office Manager, Bureau of Land Management, Room 3008, Federal Building, 300 Booth Street, Reno, Nev. 89502.

ROLLA E. CHANDLER,
Manager, Nevada Land Office.

[F.R. Doc. 68–12941; Filed, Oct. 23, 1968; 8:46 a.m.]

[New Mexico 4829]

NEW MEXICO

Notice of Proposed Classification

OCTOBER 17, 1968.

Pursuant to section 2 of the Act of September 19, 1964 (43 U.S.C. 1412), notice is hereby given of a proposal to classify the lands described below for disposal through exchange, under section 8 of the Act of June 28, 1934 (48 Stat. 1269; 43 U.S.C. 315g), as amended, for lands within Hidalgo County, N. Mex.

The District Advisory Board, local governmental officials and other interested parties have been notified of this application. Information derived from discussions and other sources indicates that these lands meet the criterion of 43 CFR 2410.1–3(c)(4), which authorizes classification of lands "for exchanges under appropriate authority where they are found to be chiefly valuable for public purposes because they have special values, arising from the interest of exchange proponents, for exchange for other lands which we need for the support of a Federal program." Information concerning the lands, including the record of public discussions, is available for inspection and study in the Land Office, Bureau of

Land Management, U.S. Post Office and Federal Building, Santa Fe, N. Mex. 87501; Las Cruces District Manager, Bureau of Land Management, Post Office Box 1420, Las Cruces, N. Mex. 88001; and Roswell District Manager, Bureau of Land Management, Post Office Box 1397, Roswell, N. Mex. 88201.

For a period of 60 days from the date of this publication, interested parties may submit comments to the District Manager of the Las Cruces or Roswell District Office.

The lands affected by this proposal are located in Guadalupe, DeBaca, Lincoln, Chaves, and Torrance Counties, N. Mex., and are described as follows:

NEW MEXICO PRINCIPAL MERIDIAN

T. 3 N., R. 15 E.,
Sec. 1, S½NE¼ and E½SE¼;
Sec. 13, SE¼SE¼.
T. 3 N., R. 16 E.,
Sec. 2, lots 1, 2 and S½NE¼;
Sec. 3;
Sec. 8, N½SW¼, SE¼SW¼, and NW¼SE¼;
Sec. 14, W½;
Sec. 15, S½;
Sec. 17, NE¼NE¼, SW¼SW¼, and NE¼SE¼;
Sec. 18, SE¼SE¼;
Sec. 19, N½NE¼ and NE¼NW¼;
Sec. 20, NW¼NW¼;
Sec. 22, E½;
Sec. 23;
Sec. 25, E½;
Sec. 26, E½NW¼, NW¼NW¼, and SW¼.
T. 4 N., R. 16 E.,
Sec. 10, N½NE¼;
Sec. 20, S½NE¼;
Sec. 22, N½;
Sec. 23, N½;
Sec. 24, E½SE¼;
Sec. 35, S½.
T. 5 N., R. 16 E.,
Sec. 18, lots 1 and 2.
T. 3 N., R. 17 E.,
Sec. 3, lots 1, 3, 4, S½NW¼, and SW¼;
Sec. 4, S½;
Sec. 5;
Sec. 6, lots 1, 2, 5, and SE¼NE¼;
Sec. 8;
Sec. 9, W½;
Sec. 10, S½SW¼;
Sec. 11, NW¼NE¼;
Sec. 12, S½NE¼ and SE¼NW¼;
Sec. 13, NE¼, E½NW¼, SW¼NW¼, N½SW¼, and S½SE¼;
Sec. 14, SE¼NE¼;
Secs. 15 and 17;
Sec. 20, W½;
Secs. 21 and 22;
Sec. 24, E½NE¼, E½W½, NW¼SW¼, W½SE¼, and SE¼SE¼;
Sec. 25, NE¼, E½NW¼, SW¼NW¼, SW¼, NE¼SE¼, and W½SE¼;
Secs. 27, 28 and 29.
T. 4 N., R. 17 E.,
Sec. 19, lots 3, 4, E½SW¼, and W½SE¼;
Sec. 30, lots 2, 3, and 4.
T. 3 N., R. 18 E.,
Sec. 18, lots 1, 2, 3, and NE¼SW¼.
T. 3 N., R. 23 E.,
Sec. 7, lot 3, W½E½, E½SW¼, and SE¼SE¼;
Sec. 8, N½NW¼, S½N½, N½SW¼, SE¼SW¼, and SE¼;
Sec. 17, SE¼NW¼ and S½S½;
Sec. 18, NE¼NE¼;
Sec. 20, E½;
Sec. 22, NW¼NE¼ and N½NW¼.
T. 11 S., R. 19 E.,
Sec. 4, lot 5;
Sec. 14, lots 3, 4, and 6;
Sec. 15, NE¼SE¼ and NW¼SE¼SE¼.
T. 11 S., R. 21 E.,
Sec. 12, W½NE¼, NW¼, N½SW¼, and S½SE¼;
Sec. 13, N½NE¼;
Sec. 25, E½NE¼.
T. 11 S., R. 22 E.,
Sec. 7, lot 4, S½NE¼, SE¼NW¼, E½SW¼, and NW¼SE¼;
Sec. 11, NE¼NE¼;
Sec. 14, S½NE¼, SE¼NW¼, and E½SW¼;
Sec. 18, lot 1, SW¼NE¼, and E½NW¼;
Sec. 19, lots 3, 4, and E½SE¼;
Sec. 22, E½SW¼, SW¼SW¼, and SE¼;
Sec. 27, N½NW¼, SE¼NW¼, and SW¼SW¼;
Sec. 28, N½NE¼, SW¼, and S½SE¼;
Sec. 29, E½SW¼ and SE¼;
Sec. 30, lots 1, 2, 3, and E½NE¼;
Sec. 33, E½;
Sec. 34, S½NW¼.
T. 12 S., R. 22 E.,
Sec. 3, S½NE¼, E½SW¼, and SE¼;
Sec. 8, N½N½NW¼.

The lands described aggregate 19,512.65 acres.

MICHAEL T. SOLAN,
Acting State Director.

[F.R. Doc. 68-12942; Filed, Oct. 23, 1968; 8:46 a.m.]

CHIEF ADMINISTRATIVE OFFICER; CRAIG, COLO.

Delegation of Authority Regarding Contracts and Leases

OCTOBER 17, 1968.

A. Pursuant to redelegation of authority contained in Bureau Manual 1510.03C and the State Director's redelegation order of April 16, 1968, the Chief, Division of Administration, Administrative Officer, Craig District is authorized:

1. To enter into contracts with established sources for supplies and services, excluding capitalized and major noncapitalized equipment, regardless of amount and,

2. To enter into contracts on the open market for supplies and materials, excluding capitalized and major noncapitalized equipment, not to exceed $1,000 per transaction, provided the requirement is not available from the established sources, and,

3. To enter into negotiated contracts without advertising pursuant to section 302(c)(2) of the FPAS Act, as amended, for rental of equipment and aircraft covered by offer agreements necessary for the purpose of emergency fire suppression, and,

4. To enter into contracts for construction and land treatment not to exceed $2,000 per transaction.

B. This authority may not be further redelegated.

KEITH E. NORRIS,
District Manager.

[F.R. Doc. 68-12958; Filed, Oct. 23, 1968; 8:48 a.m.]

Office of the Secretary

CARROL M. BENNETT

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past 6 months:

(1) Sold: American Chain & Cable, North American Rockwell, State Street Investment Co., Amicable Life Ins. Co.

(2) Purchased: Rust Craft Greeting Cards, Seilon, Inc., El Chico, Republic Gypsum, Southwest Airmotive 6 percent Debentures.

This statement is made as of October 11, 1968.

Dated: October 11, 1968.

CARROL M. BENNETT.

[F.R. Doc. 68-12944; Filed, Oct. 23, 1968; 8:47 a.m.]

LAYTON E. KINCANNON

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past 6 months:

(1) None.
(2) Purchases: General Motors Corp., Bangor Punta Corp. Sales: John Blair & Co., Susan Thomas, Inc.
(3) None.
(4) None.

This statement is made as of October 8, 1968.

Dated: October 14, 1968.

LAYTON E. KINCANNON.

[F.R. Doc. 68-12945; Filed, Oct. 23, 1968; 8:47 a.m.]

[Secretary's Order No. 2907]

DIRECTOR, NATIONAL PARK SERVICE

Delegation of Authority

Correction

In Federal Register Document 68-12640, published on page 15353 of the issue for Wednesday, October 16, 1968, the citation "81 Stat. 931" should read "82 Stat. 932".

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

FOOD ASSISTANCE AND NONFOOD ASSISTANCE FUNDS

Tentative Allocation

Appendix—Allocation of Food Assistance and Nonfood Assistance Funds provided by clause 4(a) under the item Removal of Surplus Agricultural Commodities of the Agriculture Appropriation Act of 1969, Public Law 90-463, 82 Stat. 645, Fiscal Year 1969.

The section 32 funds provided by clause 4(a) under the item Removal of Surplus

Agricultural Commodities of the Agriculture Appropriation Act of 1969, Public Law 90–463, 82 Stat. 645, are available for use for supplementing "child feeding programs and nutritional programs authorized by law in the School Lunch Act and the Child Nutrition Act, as amended."

Primary emphasis in the use of these funds is on feeding needy children. With the allocation of these funds, the States and CFPDO's where applicable, are authorized to use the funds to expand the lunch program under section 11 of the School Lunch Act and expand the breakfast program under section 4 of the Child Nutrition Act, and for equipment as necessary to initiate lunch or breakfast programs in low-income areas under section 5 of the Child Nutrition Act. Equipment assistance from these funds should be limited to acquisition of types of necessary equipment that will yield quick returns in the form of increased capacity or ability to provide food to more needy children. States will submit a memorandum report covering a breakdown into the three categories of their proposed use of funds for the above purposes.

In addition to the above categories of authorized uses, States may, upon submission of justification and plan for use in other programs under the National School Lunch Act and the Child Nutrition Act, request approval for use of some of the funds for feeding more needy children under the other programs. Funds may be used for these other programs only as approved by the Consumer and Marketing Service.

All programs funded with these funds will be operated within established program regulations and procedures and any amendments thereto.

Funds are being initially allocated to States in accordance with a formula based on the number of children aged 3 to 17, inclusive, from low income families. This is a tentative allocation and is not an apportionment nor does it convey to any State Agency a vested right to the fixed amount of the initial allocation. A partial allotment will be made to the States (by letter of credit) from this tentative allocation. Final apportionments and increases in letters of credit up to the amount of the tentative allocation are subject to review by C&MS of justifications of need from the States. Subsequent reallocations will be made as appropriate.

The table which follows shows the tentative allocations by State:

State	Tentative allocation	State agency	Private schools
Alabama	$1,686,932	$1,648,911	$38,021
Alaska	42,152	42,152	
Arizona	320,583	308,228	12,355
Arkansas	1,040,735	1,015,649	25,086
California	2,434,721	2,434,721	
Colorado	309,242	290,361	18,881
Connecticut	232,129	232,129	
Delaware	65,022	64,489	533
District of Columbia	156,108	156,108	
Florida	1,255,746	1,232,011	23,735
Georgia	1,839,949	1,839,949	
Hawaii	94,857	89,312	5,545
Idaho	123,729	120,411	3,318
Illinois	1,495,316	1,495,316	
Indiana	658,647	658,647	
Iowa	611,302	540,952	70,350
Kansas	388,666	388,666	
Kentucky	1,357,281	1,357,281	
Louisiana	1,516,217	1,516,217	
Maine	185,001	164,429	20,572
Maryland	482,964	469,418	13,546
Massachusetts	540,912	540,912	
Michigan	1,189,427	1,093,636	95,791
Minnesota	698,467	619,301	79,166
Mississippi	1,641,176	1,641,176	
Missouri	1,011,367	1,011,367	
Montana	126,665	119,565	7,100
Nebraska	309,380	265,814	43,566
Nevada	29,439	29,243	196
New Hampshire	64,021	64,021	
New Jersey	650,459	581,625	68,834
New Mexico	309,225	309,225	
New York	2,519,184	2,519,184	
North Carolina	2,347,927	2,347,927	
North Dakota	202,510	181,170	21,340
Ohio	1,324,876	1,204,039	120,837
Oklahoma	699,043	699,043	
Oregon	226,927	226,927	
Pennsylvania	1,721,672	1,529,348	192,324
Rhode Island	125,072	125,072	
South Carolina	1,433,869	1,418,619	15,250
South Dakota	240,200	240,200	
Tennessee	1,617,689	1,593,291	24,398
Texas	3,177,213	3,070,886	106,327
Utah	110,636	110,283	353
Vermont	75,804	75,804	
Virginia	1,320,247	1,301,637	18,610
Washington	345,997	337,392	8,605
West Virginia	728,836	714,372	14,464
Wisconsin	576,716	472,459	104,257
Wyoming	47,745	47,745	
Guam	29,376	21,599	7,777
Puerto Rico	1,193,133	1,193,133	
Virgin Islands	13,606	13,606	
Samoa, American	11,464	11,464	
Trust Territory	42,421	42,421	
Total	43,000,000	41,838,863	1,161,137

(82 Stat. 645–46)

Dated: October 21, 1968.

WINN F. FINNER,
Acting Administrator.

[F.R. Doc. 68–12982; Filed, Oct. 23, 1968; 8:50 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50–5]

PENNSYLVANIA STATE UNIVERSITY

Notice of Issuance of Facility License Amendment

The Atomic Energy Commission has issued to The Pennsylvania State University Amendment No. 17, as set forth below, to Facility License No. R–2. The license, as previously issued, authorizes the University to possess and operate its TRIGA nuclear reactor facility located at University Park, Pa. The amendment, effective as of the date of issuance, authorizes an increase in the amount of contained uranium-235 (from 4 kilograms to 5 kilograms) that the University may receive, possess and use in connection with operation of the reactor in accordance with the University's application for license amendment dated September 20, 1968.

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 amendment may file a petition for leave to intervene. A request 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, the Commission will issue a notice of hearing or an appropriate order.

For further details with respect to this license amendment, see (1) The Pennsylvania State University's application for license amendment dated September 20, 1968, and (2) a related Safety Evaluation prepared by the Division of Reactor Licensing, which are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. A copy of item (2) may be obtained at the Commission's Public Document Room or upon request made to the Atomic Energy Commission, Washington, D.C. 20545, Attention: Director, Division of Reactor Licensing, Washington, D.C.

Dated at Bethesda, Md., this 10th day of October 1968.

For the Atomic Energy Commission.

DENNIS L. ZIEMANN,
Acting Assistant Director for Reactor Operations, Division of Reactor Licensing.

[License R–2, Amdt. 17]

The Atomic Energy Commission has found that:

A. The Pennsylvania State University's application for license amendment dated September 20, 1968, complies with the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations set forth in Title 10, CFR, Chapter 1;

B. The issuance of this amendment and the operation of the reactor in accordance with the license, as amended, will not be inimical to the common defense and security or to the health and safety of the public; and

C. Prior public notice of proposed issuance of this amendment is not required since the amendment does not involve significant hazards considerations different from those previously evaluated.

Accordingly, Facility License No. R–2, as amended, which authorizes The Pennsylvania State University to operate its TRIGA nuclear reactor located at University Park, Pa., is hereby further amended by revising subparagraph 2.B. to read as follows, in accordance with the application dated September 20, 1968:

2.B. Pursuant to the Act and Title 10, CFR, Chapter 1, Part 70, "Special Nuclear Material," to receive, possess and use up to five kilograms of contained uranium-235 in connection with operation of the reactor, and 7.510 kilograms of contained uranium-235 in MTR-type fuel elements, and

This amendment is effective as of the date of issuance.

Date of Issuance: October 10, 1968.

For the Atomic Energy Commission.

DENNIS L. ZIEMANN,
Acting Assistant Director for Reactor Operations, Division of Reactor Licensing.

[F.R. Doc. 68–12923; Filed, Oct. 23, 1968; 8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 17160 etc.; Order 68-10-105]

AIR CARRIER AGREEMENTS

Accessorial Cargo Services

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 18th day of October 1968.

Agreements 10973-A58, 10973-A59, 10973-A76, 10973-A77, 19726, and 19727. CAB Nos.: 19846, 19847, 19848, 19849, 19850. Dockets 17160, 17167, and 18070.

The air carriers have filed 11 agreements relating to air freight matters.[1] The agreements embrace the basic airport-to-airport air freight service and numerous accessorial services, defining each, as well as whether such services will be performed at additional charges. The carriers further propose to subject these agreements to their self-enforcement machinery.

Seven of these agreements have been reached as a result of inter-carrier discussions relating to accessorial cargo services, as authorized by the Board in Order E-24599, dated January 3, 1967, and subsequent orders.[2] As required by the Board in its orders authorizing the discussions, the carriers advised interested shippers in advance of final deliberation as to proposals under consideration, and such shippers were given opportunity to comment upon the proposals, both in writing and in person.[3] In addition, meeting notices and minutes of all meetings have been provided to shippers and filed with the Board. The agreements are explained briefly below: [4]

Special procedures for shippers' documents—Prohibits certain billing and documentation practices, such as attachment of customer documents to carrier billing, billing on customer forms, and inclusion of shipper/consignee purchase order number in carrier billing.

The carriers have stated that certain shippers, for their own convenience, ask the carriers to prepare special summaries, reports, and other documents, and that other shippers expect carriers to sort and handle their internal documents, thereby reducing the shippers' clerical and administrative activities. In either case, the carriers stated that they must provide manpower to perform special procedures not available generally to all shippers.

In-bond shipments, customs procedures and warehousing—Concerns the preparation of import/export documentation, shipment handling and service practices, and which will be performed with or without a fee (fees are not stipulated). For example, the Shippers Export Declaration or Transit Air Cargo Manifest forms, or extra copies of the Carriers Certificate and Release Order, will be prepared by the carrier at an additional charge.[5]

The carriers have stated that similar services and practices have been adopted by the international air carriers pursuant to Resolution No. 512b of the International Air Transport Association (IATA) and approved by the Board for international traffic.[6] The same services are allegedly being provided by domestic carriers, and they desire to establish worldwide standards.

Proof of delivery—Upon request, a photocopy of a signed delivery receipt will be furnished by the carriers as proof of delivery, and a charge will be assessed for such service, except when such document has been furnished to support denial of a written claim.

The carriers have stated that an additional service must be provided by the carrier when proof of delivery is requested by customers, thus entailing an additional administrative expense.

Advance charges—This agreement continues the airline practice of advancing charges without a fee for transportation (air or surface) prior or subsequent to the performance of air transportation, or for loading and unloading when not performed by the carrier, or for cartage or storage, and the party performing such outside services will continue to be paid, directly by the airline, without the assessment of a fee. The agreement also provides that all such advances by the direct air carriers must be supported by appropriate documentation showing a breakdown of charges advanced. The present advancing of charges for Government duties and Customs fees (without charge) has been deleted, but such monies will be advanced for a fee, as will any other monies. However, no shipper or consignee (including forwarders) will be advanced any monies for any reason.

The carriers have stated that forwarders ask for their own tariff charges and/or their shipper C.O.D. amounts as "advance" charges; that such sums can be considerably more than the direct air carrier revenues on the traffic; that this service entails the advancement of significant sums, with consequent drain on working capital; that the carriers desire some compensation for excessive capital costs and the expenses of collection and administration; and that shippers making excessive use of advance charges service should make an appropriate contribution to the cost of the service, instead of its being borne by all shippers.

Rental of carrier-owned equipment—Prohibits the gratuitous furnishing to shippers or consignees of carrier-owned equipment, such as forklift trucks, cargo carts, conveyors, tractors, pallets, and pallet-dollies, except at a reasonable and compensatory rental charge.

In addition to the foregoing agreements, several other pending carrier agreements dealing with cargo services are encompassed herein because of the commitment of the carriers to make all such agreements subject to their self-enforcement machinery, and their close relationship to the general area of cargo services, as follows:

Terminal services—Delineates the basic airport-to-airport air freight service of the airlines, i.e., acceptance, documentation, transport, delivery, and billing.[7] No accessorial services are therefore included within airport-to-airport service. Accordingly, any carrier which extends its service beyond the agreement would be subject to a monetary fine.

This agreement is the cornerstone of the airline effort to place air freight services and practices under their self-enforcement machinery.

Pickup and delivery—Subjects the carriers' pickup and delivery services to policing by their enforcement office, and to monetary fines if the agreement provisions are violated.

Recoopering of in-bond shipments—This agreement is an adjunct to the opening and closing of packages for Customs inspection, and permits carriers to recooper such packages without charge.

In support and justification for the airline agreements,[8] the carriers state that they have attempted to resolve various problems by industry agreement, rather than by individual carrier action, because of the generally recognized need for uniformity of practice within an industry which serves a large number and variety of individual shippers; that the subject matter of these agreements involves practices which can by their nature be burdensome and costly to the carriers and should, therefore, be provided without restriction only when there is a genuine shipper need for them and when substantially all shippers benefit equally therefrom; that to the extent such services are required by only a relatively few shippers, the services provided would inevitably be at the expense of the majority of shippers who do not receive them; and that since these services do involve benefits to some, competitive considerations obviously make it difficult, if not impossible, for individual carriers to refuse to provide such services while other carriers with which they are in direct competition continue to do so.

The carriers further state that policies and procedures with respect to incidental services of this sort are more appropriately established through intercarrier agreement than through the exercise of the Board's general rulemaking powers;

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[1] Appendix A for carrier signatories to the various agreements filed as part of original document.

[2] Docket 17167; Order E-24729, dated Feb. 8, 1967; Order E-25146, dated May 15, 1967; and Order E-25520, dated Aug. 11, 1967.

[3] Airline-shipper meetings (including forwarders) were held in New York, N.Y., on Mar. 28-30, 1967, followed by a further airline-forwarder meeting on Apr. 13, 1967.

[4] An agreement (CAB No. 19850) concerning Assembly and Distribution Service rules will be disposed of at a later date.

[5] A similar agreement has been filed by certain air freight forwarders and will be the subject of a later order.

[6] Order E-24040, dated Aug. 4, 1966.

[7] The provisions on billing practices initially limited billing to one copy; by subsequent amendment, this has been increased to two copies.

[8] Supplementary supporting statement, filed Jan. 29, 1968, in Docket 17167.

that the Board still can maintain its regulatory control over these agreements by virtue of its power under section 412 of the Act, while, at the same time, permitting a greater degree of carrier flexibility to meet new developments in the dynamic and constantly changing field of air freight transportation; that rulemaking of general applicability cannot effectively deal with the variety of detailed and specific provisions needed to produce sound and uniform practices and procedures in this area, and, even if the Board should exercise its rulemaking prerogatives in these areas, industry agreements would still be necessary to fill in the details of the general rules and to provide for workable and uniform practices and procedures; and that a further advantage to resolution of these matters by industry agreement is that it enables self-policing by the industry through their enforcement office.

A formal protest against the agreement on Advance Charges was filed by the Air Freight Forwarder Association (AFFA) on March 15, 1968, on behalf of 18 forwarders. In essence, the forwarders state that the airlines have not made a case for the outright prohibition of advancing charges to shippers (which would include forwarders); that the forwarders are entitled to advancement of any charges for transportation of any kind, without the assessment of any airline fee for such service; and that the airline will advance charges to another airline or a connecting trucker, but that the same trucking charges, when advanced by the forwarder, will not again be advanced by the airline to the forwarder. No other objections to these agreements have been lodged.

In response to the forwarders' protest, the carriers state that the Board has clearly classified the forwarder as a shipper, and therefore not a direct air carrier entitled to normal interline settlement of revenues; that the forwarder is responsible for collecting its own charges from its own customers; that it is inequitable for the airlines to serve as a collection agent for the forwarder; and that when the forwarder does not act in the role of a shipper,[9] the airlines will continue to advance monies (without a fee) for cartage service, etc. Lastly, the carriers allege that forwarders themselves impose a charge for advances of all kinds and amounts.

The thrust of these agreements is inherently restrictive, and each tends to limit the freedom of the individual carriers to compete by providing various types of accessorial services to the users of their air cargo services. For example, in the matter of customer billing, a particular shipper might like all its airline charges billed on a form of its own design for the convenience of its traffic and accounting departments, or such customer might like its airline billing in three or more copies. Some shippers want and expect the carrier to prove that delivery has been effected as a prerequisite to payment of charges, and some shippers, located near or adjacent to the airlines' airport facilities enjoy the free use of carrier-owned equipment to transport cargo from and to their respective terminals.

On the one hand, these extra services are useful to the recipients and may promote air cargo transport. On the other hand, these accessorial services may result in higher overall costs for the carriers and may tend to inhibit their ability to reduce cargo rates. To the extent that a few shippers may avail themselves of these accessorial services, while other shippers may not be aware of the existence of them, the situation lends itself to potential discrimination. These types of accessorial cargo services are not an essential part of the transportation function on every shipment, and the cost of providing such services should, to the maximum extent possible, be borne by the shippers or consignees who utilize the services. Otherwise the nonusers will be required to bear a prorata portion of the costs of such services.

As a general rule, the carriers have normally not been permitted to engage in collective action to limit the service they perform. On occasion, however, the Board has approved agreements which tend to restrain competition because of the overriding public interest benefits. For example, the existing agreements on containerization,[10] limit the types of containers and related incentive discounts which the carriers may offer to shippers. Notwithstanding, the Board approved the agreements because of the public interest benefits resulting from a uniform program as to container sizes, specifications, and discounts. For the most part, the carriers appear to have stayed within reasonable bounds in their delineation of accessorial services which will be performed free or at a charge, and have avoided the elimination of any previously free services which are an integral part of the typical and usual air cargo service. As a practical matter, such standards could probably not have been reached by individual carrier actions because of competitive pressures. Those services for which a fee will be assessed do not appear to be of critical concern to shippers, and the overall control of the present competitive situation established by these agreements can affect costs and result in economies which may benefit all shippers in the form of lower rates. For example, it is evident that a large number of highly specialized billing practices have evolved in the industry, pursuant to customer requests, to the point where a costly burden may have been placed upon the carriers. Although the carriers have furnished the Board some samples of shipper-furnished billing documents, which appear to substantiate the alleged burden upon the carriers, no conclusive factual data has been presented by the carriers as to the actual volume of such practices, or the cost. However, no shipper has come forward to urge that any existing practice or documentation be continued.

Moreover, the carriers' intent to subject virtually their entire air freight services and practices to self-enforcement is believed to be a step in the right direction, and, in the long run, will serve to encourage the development of the air freight industry.

With respect to the agreement on Advance Charges, the carriers have furnished insufficient and inconclusive data showing the current magnitude of charges advanced by the carriers and the monetary burden thus put upon them, either in the absolute or in proportion to their freight revenues. The net effect of the proposed agreement is to eliminate the advancing of any monies to shippers (including forwarders when acting as the shipper) and to eliminate the gratuitous advancing of Customs duties and brokers' fees. In either instance, the shipper, forwarder, or broker may avail himself of the carriers' C.O.D. service, at a fee, and is accordingly not precluded from having the carrier perform a collection service. However, delivery on C.O.D. shipments is effected only upon immediate payment of C.O.D. charges, with reimbursement of such monies to the shipper subsequent to such delivery and payment. The use of C.O.D. service would also place the forwarder at a competitive disadvantage vis-a-vis the airline which extends credit to such customer. By the same token, the present services with respect to advancement of charges which have been performed for a long period of time, appear to be important to the forwarding industry in that the latter cannot maintain offices at every point to which it may ship air cargo. Accordingly, we will tentatively disapprove the agreement.

Enforcement—As noted above, the carriers intend to make their agreements on these cargo services subject to their own office of enforcement.

The Board will propose to condition its approval of the carriers' cargo agreements to provide for the submission of reports of formal and informal enforcement actions by the ATC. Such reports are to include all pertinent information concerning the incident investigated. The proposed reporting requirements will contribute to the Board's evaluation of the need for regulation in this area.

On the basis of the foregoing considerations, the Board has decided tentatively to approve all but one of the agreements and to disapprove the other. Before making our tentative decision final, however, we shall afford interested persons a period of 30 days within which to file comments in support of or in opposition to the Board's tentative conclusion herein.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a), 412, and 414 thereof:

[9] As agent for the shipper, forwarders do and will continue to receive advances from the airlines for cartage services, etc. In such instances, the traffic does not move under the forwarders' tariff, but rather under the airline tariff.

[10] Order E-26320 dated Feb. 6, 1968, approving the carriers' revised container agreements.

It is ordered, That:

1. The Board proposes to approve the following agreements:

No. 10973–A58.	No. 19727.
No. 10973–A59.	No. 19846.
No. 10973–A76.	No. 19847.
No. 10973–A77.	No. 19849.
No. 19726.	

Provided, That the carriers file with the Board copies of all written opinions and reports submitted by their enforcement office, and decisions of the arbitrators thereon. In addition, the carriers shall file a monthly report with the Board listing all formal and informal actions related to enforceable freight agreements or resolutions, and all such reports shall contain full disclosure of all pertinent details of the practices or shipments involved, and the actions taken.

2. The Board proposes to disapprove Agreement CAB No. 19848;

3. The protest of the Air Freight Forwarder Association concerning Agreement No. 19848 in Docket 17167 is dismissed, except to the extent herein granted; and

4. Interested persons be and they hereby are afforded a period of 30 days from the date of this order within which to file comments in support of or in opposition to the Board's tentative action herein.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 68–12966; Filed, Oct. 23, 1968; 8:48 a.m.]

[Docket No. 20152; Order 68–10–113]

CONTINENTAL AIR LINES, INC.

Order To Show Cause Regarding Certificate of Public Convenience and Necessity

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 21st day of October 1968.

On August 27, 1968, Continental Air Lines filed two applications. One requests amendment of its certificate for route 29 to delete condition (17)[1] to permit nonstop service between Colorado Springs and Los Angeles. The other application seeks an order to show cause granting the carrier Colorado Springs-Los Angeles nonstop authority.

In support of its application for a show cause order Continental states that the requirement of a stop at Denver was imposed because it had not requested inclusion of Colorado Springs-Los Angeles nonstop authority in its application for a show cause order in Docket 19052,[2] and that it was not prepared to institute such service at that time; the Board found in 1958 that the public convenience and necessity required single-plane service by Continental in the market;[3] Colorado Springs O&D traffic is growing at a rate greater than the national average; the level of Colorado Springs-Los Angeles traffic, estimated at 34.4 passengers per flight in each direction in 1969, is sufficient to support an extension of its Chicago-Colorado Springs DC–9 flight to Los Angeles; and as the major carrier of traffic in the market, diversion by the provision of nonstop service would be minimal.

The city of Colorado Springs and the Colorado Springs Chamber of Commerce filed a statement in support of the applications. No objections have been received.

Upon consideration of the pleadings and all the relevant facts, we have decided to grant Continental's request for an order to show cause and we tentatively find and conclude that the public convenience and necessity require the amendment of Continental's certificate for route 29 so as to delete condition (17).

In support of our ultimate finding we tentatively find and conclude as follows: The Board previously found in 1958 that the public convenience and necessity require single-plane service by Continental in the Colorado Springs-Los Angeles market. The requirement of a stop at Denver was imposed because the carrier did not request inclusion of Colorado Springs-Los Angeles nonstop authority in connection with its application for a show cause order for Colorado Springs-Chicago nonstop authority[4] and because the carrier was not prepared to institute nonstop service at that time. The market is growing rapidly and will undoubtedly continue to do so. At present traffic levels, 60 passengers per day as of 1967, passengers are inconvenienced by a mandatory stop at Denver and a substantial number of other passengers drive the 70-mile distance to Denver to originate their flight. The present and future volume of traffic is therefore sufficient to support the proposed nonstop service. In addition, Continental is the only carrier presently holding Colorado Springs-Los Angeles authority and is the dominant carrier in the market carrying 78 percent of the traffic. Thus, grant of nonstop authority to Continental will expose other carriers to diversion of a relatively insignificant volume of traffic which will be largely offset by growth of the market.

Interested persons will be given 20 days following service of this order to show cause why the tentative findings and conclusions set forth herein should not be made final. We expect such persons to direct their objections, if any, to specific markets and to support such objections with detailed answers, specifically setting forth the tentative findings and conclusions to which objection is taken. Such objections should be accompanied by arguments of fact or law and should be supported by legal precedent or detailed economic analysis. If an evidentiary hearing is requested, the objector should state in detail why such a hearing is considered necessary and what relevant and material facts he would expect to establish through such a hearing. General, vague, or unsupported objections will not be entertained.

Accordingly, it is ordered, That:

1. All interested persons are directed to show cause why the Board should not issue an order making final the tentative findings and conclusions stated herein and amending Continental's certificate of public convenience and necessity for route 29 so as to delete condition (17) thereof;

2. Any interested persons having objection to the issuance of an order making final the proposed findings, conclusions, and certificate amendment set forth herein shall within 20 days after service of a copy of this order, file with the Board and serve upon all persons made parties to this proceeding a statement of objections together with a summary of testimony, statistical data, and other evidence expected to be relied upon to support the stated objections;[5]

3. If timely and properly supported objections are filed, full consideration will be accorded the matters or issues raised by the objections before further action is taken by the Board;

4. In the event no objections are filed, all further procedural steps will be deemed to have been waived, and the case will be submitted to the Board for final action; and

5. A copy of this order sall be served upon Continental Air Lines, Inc., the city and Chamber of Commerce of Colorado Springs, Colo., and the city of Los Angeles, Calif., who hereby are made parties to this case.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 68–12967; Filed, Oct. 23, 1968; 8:48 a.m.]

[Docket No. 19914 etc.; Order 68–10–96]

SEDALIA, MARSHALL, BOONVILLE STAGE LINE, INC.

Order To Show Cause Regarding Establishment of Service Mail Rates

Issued under delegated authority on October 18, 1968.

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[1] Condition (17) requires flights on segment 6 schedule to serve Colorado Springs and Los Angeles to serve Denver as an intermediate point.

[2] Order E–26250, Jan. 17, 1968, p. 3. Order E–26397, Feb. 23, 1968.

[3] Continental Air Lines, Certificate Amendment, 26 CAB 414 (1958).

[4] Order E–26250.

[5] All motions and/or petitions for reconsideration shall be filed within the period allowed for filing objections and no further such motions, requests, or petitions for reconsideration of this order will be entertained.

By notices of intent filed on May 27 and 28, 1968, pursuant to 14 CFR Part 298, the Postmaster General petitioned the Board to establish for Sedalia, Marshall, Boonville Stage Line, Inc. (Sedalia), an air taxi operator, final service mail rates for the transportation of mail by aircraft. These final rates were established by Orders 68–7–16, 68–7–14, 68–8–48, and 68–7–17 respectively.

On September 19, 1968, the Postmaster General filed petitions on behalf of Sedalia requesting the Board to fix new final service mail rates for this transportation of mail. The current and proposed rates per great circle aircraft mile are as follows:

Nominal day visibility distance (feet)	Height of numeral (inches)	Type standard alphabet	Vertical spacing of numerals (feet)
Less than 500	12	Series C	2
500 to 750	18	Series C	2
750 to 1000	24	Series D	5
1000 to 2000	30	Series E	5
More than 2000	36	Series E	10

The Postmaster General states that since the submission by Sedalia of the proposals which resulted in establishment of the current rates the air taxi operator has experienced increased costs as a result of additional requirements imposed by the Post Office Department and in some cases new or increased landing and ramp fees imposed by airport operators. The Postmaster General further states that these increases in costs were not known nor reasonably foreseeable at the time the original petitions were filed. Because of these increased costs, the Postmaster General petitions the new final service mail rates.

The Postmaster General states that the proposed rates are acceptable to the Department and the carrier and represent fair and reasonable rates of compensation for the performance of these services under the present requirements of the Department.

The Board finds it is in the public interest to determine, adjust, and establish the fair and reasonable rates of compensation to be paid by the Postmaster General for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, between the aforesaid points. Upon consideration of the petitions and other matters officially noticed, it is proposed to issue an order [1] to include the following findings and conclusions:

On and after September 19, 1968, the fair and reasonable final service mail rates per great circle aircraft mile to be paid in their entirety to Sedalia 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, shall be as follows:

Docket	Between	Cents
19914	Emporia and Wichita via Topeka, Kans.	33.16
19916	Hays and Wichita via Salina, Kans.	40.14
19917	Independence and Wichita via Fort Scott, Kans.	36.06
19918	Colby and Wichita via Dodge City, Kans.	32.71

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. Sedalia, Marshall, Boonville Stage Line, Inc., the Postmaster General, Frontier 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 rates for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith as specified therein as the fair and reasonable rates of compensation to be paid to Sedalia, Marshall, Boonville Stage Line, Inc.;

2. Further procedures herein shall be in accordance with 14 CFR Part 302, and notice of any objection to the rates 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 rates specified herein;

4. If answer is filed presenting issues for hearing, the issues involved in determining the fair and reasonable final rates 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 Sedalia, Marshall, Boonville Stage Line, Inc., the Postmaster General, and Frontier Airlines, Inc.

This order will be published in the FEDERAL REGISTER.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 68–12968; Filed, Oct. 23, 1968; 8:48 a.m.]

[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).

[Docket No. 19751; Order 68–10–100]

WESTERN AIR LINES, INC.

Order To Show Cause Regarding Temporary Exemption

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 18th day of October 1968.

On March 25, 1968, Western Air Lines, Inc. (Western), filed an application in Docket 19751 requesting a temporary exemption from the provisions of section 401 of the Federal Aviation Act of 1958, as amended, and the terms, conditions and limitations of its certificates of public convenience and necessity for Routes 35 and 63 insofar as the applicable provisions would prevent Western from operating nonstop services between Las Vegas and Minneapolis/St. Paul (Twin Cities).[1] Western requests that any grant of exemption authority remain in effect until 60 days after a final decision entered on an application for permanent Twin Cities-Las Vegas nonstop authority which Western states it will file immediately following the Board's grant of the exemption authority sought herein.

In support of its application, Western contends that it carried over 27,000 online passengers in the Twin Cities-Las Vegas market in 1967, which represented 96 percent of the single-carrier traffic; that; since 1964, the experienced growth rate in this market, which has a 1,296-mile stage length, averaged 30 percent; that, if authorized to provide nonstop service, Western will add a nonstop flight in the market that will reduce round-trip travel time by approximately 28 percent without any diminution or downgrading of service at the intermediate points; [2] that coach fares will be reduced from $87 to $80 and first class fares will be reduced from $112 to $94 to give recognition to the more economical nonstop services; and that Western's service proposal will produce a net income of $122,372, and will not have any adverse competitive impact on any other carrier since only Western is authorized to provide single-plane service in the market.

Civic parties in the Las Vegas and Twin Cities areas support Western's application. A group known as the Utah Agencies does not oppose Western's proposal so long as no reduction or downgrading of service at Salt Lake City is contemplated.

Frontier opposes Western's application, contending that it plans to offer

[1] Twin Cities is the eastern terminal point on Route 35 and Las Vegas is an intermediate point on Route 63. Western's authority to operate in the Twin Cities-Las Vegas market is by combination of route authority and all flights must stop at Salt Lake City, the route junction point for Routes 35 and 63.

[2] Western now provides one round trip in the market over Sioux Falls and Salt Lake City and a half roundtrip over Salt Lake City. On-line connections are also available through Salt Lake City. OAG, QRE, Oct. 15, 1968. Western plans to add a second nonstop flight in the market as traffic response develops.

single-carrier service in the Twin Cities-Las Vegas market if it is awarded authority to provide nonstop service in the Denver-Twin Cities Case; [3] that Western's failure to "exercise its best authority" [4] in the market establishes that there is no basis to warrant the use of the Board's extraordinary exemption powers; that Western's proposal will not produce an operating profit; and that the market is not of sufficient size to consider the grant of an exemption to benefit through-plane passengers.

In a reply to Frontier, Western states that traffic growth in the market has reached a point where Western will be required to add another roundtrip flight in the near future; that the additional service should not be compelled to stop at any intermediate points; that, contrary to the contentions of Frontier, the proposed service will accommodate over 33,000 passengers and produce an operating profit; and that Frontier's interest in this market is wholly dependent on a route award in the Denver-Twin Cities Case.[5]

After full consideration of Western's application and the responsive pleadings, the Board tentatively finds and concludes that Western's certificate of public convenience and necessity for Route 63 should be amended by extending segment 2(a) thereof from Salt Lake City to the new terminal point Minneapolis-St. Paul. Although the factual situation presented by Western's application clearly meets the statutory requirements for an exemption, the Board has decided to propose permanent authority for Western through the use of the show cause procedure to avoid undue delay and further inconvenience to the traveling public. In the event that use of the show cause procedure fails, the Board will then be disposed to consider the grant of an exemption to Western authorizing nonstop service between the Twin Cities and Las Vegas pending a final Board decision in a certificate amendment proceeding.

Western's authority to serve the Twin Cities-Las Vegas market dates back to 1952 when its Route 35 was extended from Rapid City to Salt Lake City.[6] As a result of the route extension, Western was able to provide single-carrier, single-plane service in the market, but the carrier was required to make a stop at Salt Lake City, the route junction point for Routes 35 and 63. During the piston era when Western received its restricted authority in the market it was clear that nonstop service was not economically feasible. Now, however, the availability of large jet equipment and the substantial number of passengers moving in the market suggest that such is no longer the case. Western, therefore, finds it is in the position of being unable to provide an expedited service to a substantial number of passengers due to restrictions imposed in a different era, and also in the position of incurring additional expense through being required to make intermediate stops which are unnecessary in relation to the transportation of through passengers.

Data submitted by Western indicate that on-line traffic in the Twin Cities-Las Vegas market has increased from 1,000 passengers in 1953, the year that Western introduced single-plane service, to slightly over 27,000 passengers in 1967. Western is the only carrier now authorized to provide single-plane service in the market, and it carried 96 percent of the traffic on a single-carrier basis. With the introduction of nonstop service in the market, accompanied by the proposed fare reduction, traffic in the market in fiscal 1969 is expected to increase by 33,000 passengers over fiscal 1967.[7]

We find no merit in Frontier's objections to Western's nonstop service proposal. Despite the fact that Frontier was recently awarded Denver-Las Vegas authority,[8] it has no authority to serve the Twin Cities and does not participate in Las Vegas-Twin Cities traffic to any appreciable extent.[9] Consequently grant of nonstop authority to Western will have no impact on the competitive relationship in the market and we tentatively find that any traffic diversion resulting from the action we propose to take herein will be more than offset by market growth and that the public benefits of Western's nonstop service proposal will far outweigh the minimal diversionary threat.[10]

The Board tentatively finds and concludes that Western's service proposal will accommodate a substantial volume of traffic both in terms of market service improvements and lower fares, no other carrier will be exposed to the threat of traffic diversion, the carrier providing the service improvements will benefit from operating economies by eliminating an unnecessary intermediate stop, and the intermediate points now served in the market will not lose any service benefits which they now enjoy because Western has represented that the proposed services will be in addition to the services now provided.

Interested persons will be given an opportunity to show cause why our tentative findings and conclusions should not be adopted. We expect such persons to support their objections with detailed answers specifically setting forth the tentative findings and conclusions to which objection is taken. Such objections should be accompanied by arguments of fact or law and supported by legal precedent and detailed economic analysis.

Accordingly, it is ordered, That:

1. All interested persons are directed to show cause why the Board should not issue an order making final the tentative findings and conclusions stated herein and amending Western's certificate of public convenience and necessity for Route 63 by extending segment 2(a) thereof from Salt Lake City to the new terminal point Minneapolis-St. Paul;

2. Any interested persons having objections to the issuance of an order making final the proposed findings, conclusions, and certificate amendments set forth herein shall, within 20 days after service of a copy of this order, file with the Board and serve upon all persons made parties to this proceeding a statement of objections together with a summary of testimony, statistical data, and other evidence expected to be relied upon to support the stated objections; [11]

3. If timely and properly supported objections are filed, full consideration will be accorded the matters or issues raised by the objections before further action is taken by the Board;

4. In the event no objections are filed, all further procedural steps will be deemed to have been waived, and the case will be submitted to the Board for final action; and

5. A copy of this order be served on the Attorneys General of the States of Minnesota, Nevada, and Utah; the city attorneys for the cities of Minneapolis, St. Paul, Las Vegas, and Salt Lake City; the Aeronautical Commissions or Departments for the States of Minnesota, Nevada, and Utah; the Minneapolis-St. Paul Metropoltian Airports Commission; Air West, Inc.; Braniff Airways, Inc.; Delta Air Lines, Inc.; Eastern Air Lines, Inc.; Frontier Airlines, Inc.; National Airlines, Inc.; North Central Airlines, Inc.; Northwest Airlines, Inc.; Ozark Air Lines, Inc.; Trans World Airlines, Inc.; United Air Lines, Inc.; and Western Air Lines, Inc.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 68-12969; Filed, Oct. 23, 1968; 8:48 a.m.]

[Docket No. 19912; Order 68-10-99]

WESTERN AIR LINES, INC.

Order To Show Cause Regarding Exemption

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 18th day of October 1968.

[3] Docket 18828.

[4] Frontier contends that the two-stop service provided by Western is less than the best service since Western could offer a one-stop service in the market.

[5] The Examiner's Initial Decision in the Denver-Twin Cities Case was issued on Aug. 13, 1968, and petitions for review are now pending.

[6] Salt Lake City-Rapid City Extension Case, 16 CAB 338 (1952).

[7] Western states that additional capacity will be required to accommodate 19,000 passengers generated through normal growth and that the market will be stimulated by 14,000 passengers as the result of nonstop service and fare reductions.

[8] Order E-26232, Jan. 10, 1968.

[9] Frontier's participation is limited to the small volume of interline connecting traffic that moves through the Denver gateway.

[10] See Order E-26250, Jan. 17, 1968, and compare Order E-24982, Apr. 14, 1967.

[11] All motions and/or petitions for reconsideration shall be filed within the period allowed for filing objections and no further such motions, requests, or petitions for reconsideration of this order will be entertained.

On May 27, 1968, Western Air Lines, Inc., filed an application requesting exemption authority to operate nonstop flights between Phoenix, Ariz., and San Diego, Calif., on the one hand, and Minneapolis/St. Paul, Minn., on the other. Minneapolis/St. Paul is a terminal point on segment 1, while Phoenix is an intermediate point and San Diego is a terminal point on segment 3 of Western's route 35. Due to the requirement that flights between points on different segments must stop at the segment junction point, Western's flights between the Twin Cities and Phoenix/San Diego must stop at Denver, the junction point of segments 1 and 3. A further restriction (6) requires that flights serving Denver on segment 3 also serve Phoenix; therefore, San Diego-Twin Cities flights must stop at both Phoenix and Denver.

In support of its application, Western alleges, inter alia: Western was authorized in the Service to Phoenix Case, 25 CAB 647 (1957), to provide direct Phoenix-Twin Cities and San Diego-Twin Cities service, and it seeks only the privilege of better serving its passengers; the Phoenix/San Diego-Twin Cities markets can support, and are therefore entitled to, nonstop service; during 1967 Western carried 42,185 and 33,096 online origin and destination passengers in the Twin Cities-Phoenix and Twin Cities-San Diego markets, respectively, wherein the annual traffic growth rate has averaged 30 percent and 25 percent respectively; Western carries over 90 percent of the traffic in the two markets, and no carrier will be injured as a result of the proposal; grant of the requested authority would (a) realize time savings for the San Diego-Phoenix-Twin Cities passengers, and (b) enable Western to (1) save $413,000 annually in expenses, and (2) realize an annual net operating profit of $556,624; and new flights will be in addition to and not in substitution for existing flights.

Western would implement the proposed service by operating one daily round trip Twin Cities-Phoenix-San Diego and one daily-except-Sunday round trip between Twin Cities and San Diego. All flights will be operated with B-720B four-engine jet equipment. Western presently provides four round trips between Minneapolis/St. Paul and Phoenix/San Diego, two of which stop at the additional intermediate point Sioux Falls.

The Minneapolis-St. Paul Airports Commission, the San Diego parties,[1] and the city of Phoenix filed answers supporting Western's application. No answers opposing Western's application have been received.

Upon consideration of the foregoing pleadings and all the relevant facts and circumstances, we have decided to take action by show cause procedure rather than by exemption. We tentatively find and conclude that the public convenience and necessity require the amendment of Western's certificate for route 35 so as to extend segment 3 thereof from the present terminal point Denver, Colo., to the new terminal point Minneapolis/St. Paul, Minn.[2]

We tentatively find and conclude as follows: Western is the only carrier authorized to provide direct service between Minneapolis/St. Paul and Phoenix/San Diego. In the Service to Phoenix Case,[3] Western was awarded a Denver-Phoenix-San Diego segment. By tacking with its previous Denver-Twin Cities authority Western was thus able to provide single-plane service in the markets in question here. A condition was imposed upon the award which required a stop at Phoenix on all Denver-San Diego flights. This condition, in combination with the required stop at the segment junction point, now precludes nonstop service for the substantial traffic in the markets in issue. For the year ended September 30, 1967, there were 105 passengers per day between the Twin Cities and Phoenix and 96 per day between the Twin Cities and San Diego. These markets are growing rapidly and should continue to do so with the stimulation provided by improved service. Western's service proposal will produce substantial time savings for travel in each market, and there will be no diminution in existing Phoenix/San Diego-Denver services. It is clear that present and anticipated traffic volumes warrant a nonstop authorization in each of the markets in question.

Furthermore, Western is the only carrier authorized to provide direct service in the markets in question. It now carries 96 percent of the traffic in each market. This degree of market dominance means that the grant of nonstop authority to Western will not divert a significant volume of traffic from any other carrier. In this connection we note that no carrier filed an objection to Western's exemption application.

Interested persons will be given 20 days following service of the order to show cause why the tentative findings and conclusions set forth herein should not be made final. We expect such persons to direct their objections, if any, to specific markets and to support such objections with detailed answers, specifically setting forth the tentative findings and consclusions to which objection is taken. Such objections should be accompanied by argument of fact or law and should be supported by legal precedent or detailed economic analysis. If an evidentiary hearing is requested, the objector should state in detail why such a hearing is considered necessary and what relevant and material facts he would expect to establish through such a hearing. General, vague, or unsupported objections will not be entertained.

Accordingly, it is ordered, That:

1. All interested persons are directed to show cause why the Board should not issue an order making final the tentative findings and conclusions stated herein and amending Western's certificate of public convenience and necessity for route 35 so as to (a) extend segment 3 thereof from Denver, Colo., to the new terminal point Minneapolis-St. Paul, Minn., and (b) add the words "or Minneapolis-St. Paul, Minn." at the end of condition (8) thereof;

2. Any interested persons having objection to the issuance of an order making final the proposed findings, conclusions, and certificate amendments set forth herein shall, within 20 days after service of a copy of this order, file with the Board and serve upon all persons made parties to this proceeding a statement of objections together with a summary of testimony, statistical data, and other evidence expected to be relied upon to support the stated objection;[4]

3. If timely and properly supported objections are filed, full consideration will be accorded the matters or issues raised by the objections before further action is taken by the Board;

4. In the event no objections are filed, all further procedural steps will be deemed to have been waived, and the case will be submitted to the Board for final action;

5. The application of Western Air Lines, Inc., in Docket 19912, be and it hereby is deferred; and

6. A copy of this order shall be served upon Western Air Lines, Inc., the Minneapolis-St. Paul Airports Commission, the San Diego Parties, the city of Phoenix, Ariz., and the city of Denver, Colo.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 68-12970; Filed, Oct. 23, 1968; 8:49 a.m.]

[Docket No. 16196 etc.]

CENTRAL ROUTE 81 CASE

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 held on November 13, 1968, at 10 a.m. (e.s.t.) in Room 1027, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before the Board.

[1] The San Diego Unified Port District, the city of San Diego, and the San Diego Chamber of Commerce.

[2] Since this extension of segment 3 will permit overflight of Denver, Colo., there is no need to amend condition (6) of Western's certificate which requires a stop at Phoenix for all flights serving both San Diego and Denver. To preserve the status quo with respect to Western's Los Angeles-Phoenix-Twin Cities authority, we will add the words "or Minneapolis/St. Paul, Minn." at the end of condition (8) of its certificate.

[3] 25 CAB 647 (1957).

[4] All motions and/or petitions for reconsideration shall be filed within the period allowed for filing objections and no further such motions, requests, or petitions for reconsideration of this order will be entertained.

Dated at Washington, D.C., October 17, 1968.

[SEAL] THOMAS L. WRENN,
Chief Examiner.

[F.R. Doc. 68-12971; Filed, Oct. 23, 1968; 8:49 a.m.]

[Docket No. 19557]

ROYALAIR LTD.

Notice of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a hearing on the above-entitled application, which was indefinitely postponed, is reassigned to be held on October 25, 1968, at 10 a.m., e.d.s.t., in Room 701, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before the undersigned examiner.

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

[SEAL] JOSEPH L. FITZMAURICE,
Hearing Examiner.

[F.R. Doc. 68-12972; Filed, Oct. 23, 1968; 8:49 a.m.]

[Docket No. 20357]

SOCIETE ANONYME BELGE D'EXPLOITATION DE LA NAVIGATION AERIENNE (SABENA)

Notice of Prehearing Conference

Application for amendment of its foreign air carrier permit under section 402 (b) of the Federal Aviation Act of 1958, as amended, so as to authorize: "(a) Stop-over rights at Anchorage, Alaska, for passengers and their accompanied baggage on scheduled flights between Brussels, Belgium, and Tokyo, Japan; (b) foreign air transportation of passengers, property, and mail between Brussels, Belgium, and Anchorage, Alaska; and (c) combining on the same aircraft of passengers moving between Brussels, Belgium, and Tokyo, Japan, with passengers, property, and mail moving between Brussels, Belgium, and Anchorage, Alaska."

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on November 4, 1968, at 10 a.m., e.s.t. in Room 1027, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before Examiner William J. Madden.

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

[SEAL] THOMAS L. WRENN,
Chief Examiner.

[F.R. Doc. 68-12973; Filed, Oct. 23, 1968; 8.49 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 18362; FCC 68-1034]

CAMEL CO.

Order Designating Application for Hearing on Stated Issues

In re application of Camel Co., Kenedy-Karnes City, Tex., Requests: 94.3 mcs, No. 232; 3 kw; 259.5 feet, Docket No. 18362, File No. BPH-6158, for construction permit.

1. The Commission has under consideration the above captioned and described application.

2. Applicant has already obtained dual-city designation for its companion AM station, and it requests similar treatment for the proposed FM station. Applicant's justification is the inability of a station to survive in the area without being licensed to both of these communities. From its earlier experience with a losing operation being licensed to only one community and on the basis of its experience since then, applicant contends that dual-city designation is indispensible. This it principally attributes to the fierce competition between these small towns and the refusal of advertisers to utilize a station not licensed to their own town. This, we believe, is adequate to justify dual-city designation if the application is granted.

3. Applicant's stockholders also control the licensee of station KEEZ(FM), San Antonio, Tex. Because of their proximity, that station could not increase its facilities beyond 100 kw at 500 feet without causing 1 mv/m overlap in contravention of § 73.240(a)(1) of the Commission's rules. In this connection it should be noted that there are three television towers in the area, which if used by KEEZ(FM), would provide a height above average terrain up to 1,400 feet. Because of this situation the Commission is of the view that a question of 307(b) efficience is raised, particularly since much of the area it otherwise would serve is without 1 mv/m FM service.

4. Except as indicated below, the applicant is qualified to construct and operate as proposed. However, because of the matters discussed above, the Commission is unable to make the statutory finding that a grant of the application would serve the public interest, convenience and necessity, and is of the opinion that the application must be designated for hearing on the issues set forth below.

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

1. To determine the extent to which duopoly considerations would preclude future expansion of Station KEEZ(FM) and in light of the evidence adduced in response to this question, whether this proposal represents an efficient use of the channel within the meaning of section 307(b) of the Communications Act of 1934, as amended.

2. To determine, in the light of the evidence adduced pursuant to the foregoing issue, whether a grant of the application would serve the public interest, convenience, and necessity.

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

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

Adopted: October 16, 1968.

Released: October 21, 1968.

FEDERAL COMMUNICATIONS COMMISSION,[1]

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 68-12974; Filed, Oct. 23, 1968; 8:49 a.m.]

[Docket Nos. 18358—18359; FCC 68-1032]

HEART OF THE BLACK HILLS STATIONS

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

In re applications of Eli and Harry Daniels, doing business as the Heart of the Black Hills Stations, Docket No. 18358, File No. BRCT-410, for renewal of license of Station KRSD-TV, Rapid City, S. Dak. Eli and Harry Daniels, doing business as the Heart of the Black Hills Stations, Docket No. 18359, File No. BRCT-564, for renewal of license of station KDSJ-TV, Lead, S. Dak.

1. The Commission has before it the KRSD-TV and the KDSJ-TV renewal applications filed in December 1967 by Eli and Harry Daniels doing business as The Heart of the Black Hills Stations. In both cases, action on the renewal applications was deferred on April 1, 1968, because of the problems set forth below. We also have before us Official Notices of Violation dated September 27, 1966, and October 24, 1967, concerning Station

[1] Chairman Hyde absent.

KRSD–TV, and Official Notices of Violation dated September 27, 1966 (corrected copy dated Nov. 4, 1966) and October 24, 1967, concerning Station KDSJ–TV; the licensees' responses thereto and related documents.

2. *KRSD–TV, Rapid City, S. Dak.* The most recent inspections of KRSD–TV occurred on September 14, 1966, and October 3, 1967. Prior to both of these inspections, off-the-air measurements and signal analysis observations were made by the Central TV Mobile Monitoring Unit. The inspection of September 14, 1966, disclosed eight serious violations, including unauthorized operation with the substitute aural exciter in the aural transmitter (§ 73.639(b)(6)); unauthorized operation with visual output power less than 80 percent of that authorized (§ 73.689(b)(3)); required maintenance log not maintained (§ 73.669(a)); failure to have records available showing inspection of tower lights and controls, showing calibration of the visual and aural power meters, or showing that the monthly frequency measurements had been made; and the aural transmitter output power was in excess of 110 percent of authorized power.

3. The KRSD–TV monitoring of September 14, 1966, disclosed six serious violations including excessive visual to aural frequency separation (§ 73.668(b)); failure to maintain reference white and set-up levels within prescribed levels (§ 73.682(a) (13) and (17)); aural radiated power maintained at equal level with visual radiated power (§ 73.683(a)(15)); large variations when full sweep applied to visual transmitter (§ 73.687(a)(2)); and color burst amplitude measured at not more than 20 percent of synchronizing level. The licensee provided acceptable responses or explanations for three of the 14 listed violations. As to the other 11 violations, the replies either did not explain the reason for the dereliction, did not indicate what remedial measures had been adopted, or did not state what types of action would be taken to meet the Commission's requirements.

4. At the October 3, 1967 inspection of Station KRSD–TV, 11 violations were noted, including failure to replace burned out tower lights as soon as practicable (beacon was out at least 24 days) and quarterly inspection of tower lighting apparatus not logged; maintenance logs not maintained; monthly frequency measurements not logged; virtually no entries to indicate that transmitter maintenance was performed; aural and visual power not maintained within proper ranges; wiring and shielding not in accordance with accepted standards of good engineering practice; reference white and set-up levels not maintained within proper limits; color burst amplitude measured at only 8 percent of synchronizing level.

5. Of the 11 violations during the inspection of October 3, 1967, only responses to four items have been accepted. These responses were submitted only after a warning notice (FCC Form 794) had been mailed on November 8, 1967.

6. *Station KDSJ–TV, Lead, S. Dak.* The most recent inspections of KDSJ–TV were made on September 16, 1966, and October 3, 1967. Immediately preceding the inspections, this station was also monitored. The September 16, 1966, inspection disclosed seven violations including overpower operation of aural transmitter; failure to maintain a maintenance log; required entries in operating log not made; no record available showing that calibration of visual and aural power meters had been made; no records available showing inspection of tower lighting equipment or monthly frequency measurements. The monitoring of KDSJ–TV of the same date disclosed six items of noncompliance: transmission of both an upper and lower sideband with spurious mixtures present 9 Mc/s either side of the visual carrier frequency; operation with visual carrier frequency beyond tolerance; reference white and set-up levels not maintained; peak to peak variation of more than 5 percent; horizontal synchronizing pulses so distorted as to be unmeasurable; and color burst measured less than 20 percent of synchronizing level. None of the replies submitted in response to the notice of official violation and the warning notice arising from the inspection were deemed acceptable, and only one reply to the infractions listed due to the monitoring was accepted.

7. Eighteen separate rule violations were found in the monitoring and inspection of Station KDSJ–TV on October 3, 1967. These violations included failure of station records to reflect daily inspection of tower lighting; deteriorated condition of tower painting impairing visibility; according to operating logs, the obstruction lights on the tower were inoperative since April 30, 1967; maintenance log not maintained; numerous periods of station being shut down appeared in the operating log without proper explanation; monthly frequency measurements not logged; lack of setup interval on network programing; measurements indicated that KDSJ–TV was transmitting a double sideband with spurious signals above and below visual carrier; transmitter operated with front paneling removed exposing high voltage power supply to touch by operators; wiring and shielding not in accordance with accepted standards of good engineering practice; color burst amplitude measured 5 percent of synchronizing level; and emergency broadcast receiver would not trigger alarm device. The licensees replied to the notice of official violation only after they had received a warning (FCC Form 794). Only three explanations were acceptable, leaving fifteen (15) derelictions unsatisfactorily explained.

8. Many of the same infractions observed in the 1966 inspection of Station KRSD–TV were found extant in the 1967 inspection. The same can be said of Station KDSJ–TV: six identical violations of the rules were found during the 1966 and 1967 inspections. Five rule violations were noted at both stations at both 1966 and 1967 inspections.[1] From the foregoing, it would appear that there is a pattern of faulty technical performance by the management of these stations and we think it is appropriate to include an issue to determine whether the licensees are technically qualified to be licensees of this Commission and whether their representations in this regard can be relied upon.

9. Because the Commission cannot make the statutory finding that the renewal of the above-captioned applications would serve the public interest, convenience, and necessity, and because we find a substantial and material question of fact remains—whether the licensees possess the technical qualifications, resources and intention to operate the stations in conformity with the law and Commission regulations—the applications must be designated for hearing on the issues specified below.

10. *Therefore, it is ordered,* That pursuant to section 309(e) of the Communications Act of 1934, as amended, the above-captioned renewal applications are designated for a consolidated hearing on the following issues:

1. To determine the nature and extent of the violations of the Commission rules and regulations by the licensees of Station KRSD–TV, Rapid City, S. Dak., as disclosed by Official Notices of Violation issued against that station on September 27, 1966, and October 24, 1967, by the station's responses thereto, and by related documents;

2. To determine the nature and extent of the violation of Commission rules and regulations by the licensees of Station KDSJ–TV, Lead, S. Dak., as disclosed by Official Notices of Violation issued against that station on September 27, 1966 (corrected Nov. 4, 1966), and October 24, 1967, by the station's responses thereto and by related documents;

3. To determine whether the licensees' management and operation of Stations KRSD–TV and KDSJ–TV was so negligent, careless, or inept, or evidences such disregard for the Commission's rules and regulations, that they cannot be relied upon to fulfill the responsibilities imposed upon them; and

4. To determine, in light of the evidence adduced under the foregoing issues, whether the licensees of Stations KRSD–TV and KDSJ–TV are qualified to receive renewals of these licenses and whether renewal of these licenses would serve the public interest.

11. *It is further ordered,* That respecting Issues No. 1 through 3 above, the initial burden of coming forward with

[1] The following infractions were found at both stations at both inspections:

a. Section 73.669(a)—Maintenance log not maintained.

b. Section 73.672(a)(3)(ii)—No records available showing monthly frequency checks.

c. Section 73.682(a) (13) and (17)—Reference white and set-up level not properly maintained.

d. Section 73.687(a)(2)—Visual transmitter response does not meet requirements.

e. Section 73.699—Color burst amplitude measured at only fraction of correct synchronizing level.

the introduction of evidence shall be on the Broadcast Bureau.

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

13. *It is further ordered,* That the licensees herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594 of the Commission's rules and regulations, give notice of the hearing within the time and in the manner prescribed in such rule, and shall advise the Commission thereof as required by § 1.594 of the Commission's rules and regulations.

14. *It is further ordered,* That the Chief of the Broadcast Bureau shall serve on the licensees within ten (10) days of the release of this Order a Bill of Particulars setting forth the facts on which the designated issues are based.

Adopted: October 16, 1968.

Released: October 21, 1968.

FEDERAL COMMUNICATIONS COMMISSION,[2]

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

[F.R. Doc. 68-12975; Filed, Oct. 23, 1968; 8:49 a.m.]

[Docket No. 18360; FCC 68-1036]

RADIO FREQUENCY AMPLIFIERS FOR MODULATION MONITORS IN STANDARD BROADCAST AND FM BROADCAST STATIONS

Type Approval

1. Paragraph (a) of § 73.56 of the Commission's standard broadcast rules, and corresponding sections of the FM and noncommercial educational FM rules (§§ 73.253(a) and 73.553(a) respectively) require each broadcasting station (with the exception of noncommercial educational FM stations with power of 10 watts or less) to have in operation, "either at the transmitter or at the place the transmitter is controlled, a modulation monitor of a type approved by the Commission".

2. Paragraph (d) of § 73.56 further requires that:

> Each station operated by remote control shall continuously, except when other readings are being taken, monitor percent of modulation or shall be equipped with an automatic device to limit percent of modulation on negative peaks to 100.

While there is no similar requirement in the FM and educational FM rules, the need is generally recognized for continuous monitoring of modulation levels, if over-modulation is to be avoided.

3. While probably the majority of AM and FM stations operated by remote control have their modulation monitors located at their transmitters, and feed the monitor indications over telemetry circuits to the remote control point, many station licensees have chosen to locate their monitors at remote control points, and drive the monitors with off-the-air signals. Because the typical type approved monitor is designed to be coupled to the transmitter, and requires substantial RF power for its proper operation, a remotely located monitor must be used in connection with an RF amplifier to raise the off-the-air signal to a level adequate for monitor operation.

4. In the usual instance where the modulation monitor is located at the transmitter, only the indications of the semipeak meter are relayed to the remote control point, despite the fact that the indications of the peak flasher and the carrier reference meter have an important bearing on proper transmitter operation. Since the modulation percentage must be almost continuously monitored, the provision of this function fully occupies a telemetry circuit. The continuously varying nature of the parameter makes its translation to the remote control point by modern digital methods infeasible. Finally, the advent of FM stereo, and the desirability of monitoring several modulation parameters more or less simultaneously makes for a more complicated and costly telemetry system. If, as is the usual case, the indications are transmitted over commercial telephone lines, non-linearities and noise not under the control of the station licensee may affect the accuracy and reliability of indications.

5. For the above reasons, the Commission believes it highly desirable that the modulation monitor be located at the remote control point, where all indications of the monitor may be directly observed. As previously noted, when the monitor is so located it must be fed by an RF amplifier whose input is an off-the-air pickup of the transmitted signal.

6. The accuracy of indication of a monitor fed with an off-the-air signal, however, is critically dependent on the design and performance of the RF amplifier associated with it. Despite this fact, the Commission has not heretofore established standards for such amplifiers, and probably the great majority of the amplifiers used in standard broadcast stations for this purpose are constructed by engineering personnel in each station in accordance with its individual conception of what constitutes an adequate design. A few manufacturers of FM monitoring equipment offer amplifiers for use with modulation monitors in this service, which presumably may be used at least with type approved modulation monitors which they market without performance compromise. However, under present conditions, any FM station licensee may build its own amplifier.

7. Because of the importance of amplifier design to proper monitor operation, we do not believe that the present haphazard situation should be allowed to continue. We are, therefore, contemplating the establishment of a type approval program for such amplifiers. However, before proposing definitive requirements, we believe that comments from the industry on a number of pertinent points would be of assistance to the Commission. It is the purpose of this notice to solicit such assistance.

8. It appears to us that the requirements for type approval of RF amplifiers should include specifications with respect to the characteristics and features listed below, but suggestions are requested as to the desirability of including other items. It would be comparatively easy to specify the ideal characteristics for the amplifier in each of the performance areas listed, but such characteristics may not be fully achievable in practice, and may be incompatible, one with another. What then, is sought, are the minimum specifications for AM and FM amplifiers of practical design, which can be used with any type approved monitor without significantly compromising the basic accuracy of the monitor indications or producing adverse effects on monitoring and transmitting equipment. Comments are requested with respect to the following, separately for amplifiers for AM, FM, and FM stereo:

(1) Sensitivity—the minimum signal necessary to produce the required output, i.e., the output required to drive the least sensitive type approved modulation monitor.

(2) Width and flatness of pass band. Roll off characteristics, if desirable.

(3) Selectivity and susceptibility to cross modulation.

(4) Power output capability-permissible nonlinear distortion.

(5) Suppression of radiation; isolation of input/output.

(6) Controls and metering.

(7) Signal pickup facilities.

9. Our thinking concerning the problems and considerations in each of the areas listed above are set forth below in an endeavor to channel the requested comments and data in a manner most helpful to the Commission. (1) The sensitivity of the amplifier should be such that it will deliver a signal of adequate level to the monitor when fed by a simple antenna in the lowest ambient field from the controlled station likely to be present at a remote control point. Since the remote control point will usually be located at the main studio in the city to which the station is assigned, a minimum field of 2 to 5 mv/m could be relied upon, although the special problem of stations operating under PSA's sometimes with extremely low power, needs consideration. A requirement for greater sensitivity than is reasonably necessary may pose needlessly severe requirements on the amplifier with respect to stability and output-input isolation.

10. (2) and (3). There is a direct and severe conflict in the amplifier pass band requirement for full preservation of the performance capability of the modulation monitor, and the necessary ability

[2] Chairman Hyde absent.

of the amplifier to reject undesired signals on channels adjacent to the channel to which the amplifier is tuned. This conflict is most evident with respect to AM amplifier design, although the problem is by no means absent in FM amplifiers, especially those amplifiers with sufficient band width for use with stereo modulation monitors (250–300 kilocycles).

11. For instance, subparagraph (4) of § 73.50 of the rules—Requirements for approval of [AM] modulation monitors—requires, in part:

> The frequency characteristics curve shall not depart from a straight line more than ±½ db from 30 to 10,000 cycles.

It is axiomatic that if the capability of the monitor in this respect is not to be adversely affected in some degree, the pass band of an RF amplifier feeding the monitor must be flat ±10 kilocycles to within considerably less than ±½ db. An RF amplifier with such a characteristic would pass into the monitor signals from stations on channels adjacent to the desired signal essentially without attenuation. Allocation practices for standard broadcast stations would usually insure that groundwave signals of troublesome strength would not appear on these adjacent channels at a remote control point. However, skywave signals with median strength of up to a millivolt per meter might be present on these channels at night, and could create serious deficiencies in monitor performance unless the remote control point were so located that the signals intercepted from the controlled station were extremely strong. Such a situation will not always, or even usually, obtain.

12. Since nearly all of the sound energy and the higher modulation peaks in program material occur at frequencies below 5000 cycles, it may be possible to considerably restrict the pass band of the RF amplifier without significantly affecting the basic accuracy of monitor indications. We desire comment, supported by measurements, as to the degree this may be achieved, with appropriate pass band and selectivity specifications, if a reasonable accommodation of the two requirements is possible. The same kind of trade off would not seem to be feasible in an amplifier for an FM modulation monitor. On the other hand, the main source of interference in such amplifiers appears to be from strong local signals, whose center frequencies are generally removed 800 kilocycles or more from the desired signal. Here the solution may be a front end design insensitive to cross modulation, and perhaps the incorporation of suitable traps. In any event, proposals for suitable performance specifications are requested.

13. (4) Some type approved modulation monitors apparently require an input of in excess of 1 watt of unmodulated power for proper operation. The least sensitive AM monitor for which we have specifications would seem to require an amplifier with a peak instantaneous power capability of approximately 14 watts for accurate reproduction of positive modulation peaks up to 120 percent. Obviously, nonlinear distortion in the amplifier can affect the accuracy of indication of the monitor. It also seems obvious that the condition where the distortion in the AM amplifier might be expected to be greatest—at the modulation peaks—is one at which inaccuracy of indication is least tolerable. Comment is requested as to appropriate specifications for power output of AM and FM amplifiers, and as to permissible nonlinear distortion. Also, since the relationship of the conventional specification of distortion to errors in a modulation indication resulting from such distortion is not clear, consideration should be given to the manner in which the maximum permissible nonlinearity should be specified, and the methods by which it may be measured.

14. (5) An RF amplifier with the power capability required to drive a modulation monitor, if insufficiently shielded and otherwise isolated may produce considerable radiation on the fundamental frequency of the amplified signal, or on its harmonics. Also, the designer of such an amplifier may find it desirable to employ frequency conversion to attain the necessary band pass—selectivity characteristics, and/or to increase input/output isolation. In such a case, local oscillator radiation may be a problem. The radiation restrictions on incidental radiation devices in Part 15 of the rules are general in nature. Comment is requested as to what, if any, limitations on radiation from RF amplifiers should be made a condition for type approval.

15. (6) It seems desirable that metering be required to indicate the proper centering of the signal within the pass band of the amplifier, and to indicate output level. A readily accessible control should also be provided for the adjustment of the signal input to the amplifier. The incorporation of automatic control circuits might minimize, but probably not eliminate the need for such facilities. It may be desirable to require AGC in the AM amplifier to minimize the need for manual adjustment of the input level made necessary by diurnal changes in transmitter power and/or the directional radiation pattern. It may be desirable to specify the time constant for AGC, if used. Comments are requested on all of the above.

16. (7) It should be noted that some types of signal pickup facilities, as, for instance, the loop antenna, may have "Q's" so high as to limit the width of the band of frequencies passed on to the modulation monitor. Presumably, in an RF amplifier designed for use with a loop antenna, sideband attenuation occurring in the loop circuit may be compensated for by proper shaping of the response of the frequency selective circuits in the amplifier. It may be desirable or necessary to type approve an RF amplifier and its antenna as a package, or, in the alternative, to place specific limitations on the types of antennas which may be employed with type approved RF amplifiers.

17. Frequency monitors are frequently located at remote control points. While some type approved monitors appear sufficiently sensitive to operate satisfactorily without amplifiers at remote control points located where the signal of the controlled station is of substantial strength, in other cases amplifiers must be utilized. We have considered the question of the establishment of type approval requirements for such amplifiers, but have concluded that such action is unnecessary. It should be possible to use a stable, signal frequency amplifier with moderate gain and almost any degree of selectivity found desirable to feed any type approved AM frequency monitor without derogation of its accuracy of indication. The design requirements for a similar amplifier for FM frequencies are more demanding, but still do not appear to be such as to require the establishment of specifications by the Commission.

18. On the other hand, we see no objection to permitting an RF amplifier type approved for use with modulation monitors also to supply excitation to a frequency monitor, if an output suitable for this purpose is provided.

19. Parties proposing amplifier specifications should supply experimental data supporting these specifications or outline the theoretical background on which they are based. Comments are requested as to whether specifications in the areas outlined will adequately define the essential characteristics of RF amplifiers, or whether additional or alternative characteristics should be specified.

20. Pursuant to applicable procedures set out in § 1.415 of the Commission's rules, interested parties may file comments on or before January 17, 1969, and reply comments on or before February 17, 1969. All relevant and timely comments and reply comments will be considered by the Commission before final action is taken in this proceeding. In reaching its decision in this proceeding, the Commission may also take into account other relevant information before it, in addition to the specific comments invited by this Notice.

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

22. Authority for the institution of this proceeding is found in section 403 of the Communications Act of 1934, as amended.

Adopted: October 16, 1968.

Released: October 21, 1968.

FEDERAL COMMUNICATIONS COMMISSION,[1]

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 68–12976; Filed, Oct. 23, 1968; 8:49 a.m.]

[1] Chairman Hyde absent.

[Report 410]

COMMON CARRIER SERVICES INFORMATION [1]

Domestic Public Radio Services Applications Accepted for Filing [2]

OCTOBER 21, 1968.

Pursuant to §§ 1.227(b)(3) and 21.26 (b) of the Commission's rules, an application, in order to be considered with any domestic public radio services application appearing on the attached list, must be substantially complete and tendered for filing by whichever date is earlier: (a) The close of business 1 business day preceding the day on which the Commission takes action on the previously filed application; or (b) within 60 days after the date of the public notice listing the first prior filed application (with which subsequent applications are in conflict) as having been accepted for filing. An application which is subsequently amended by a major change will be considered to be a newly filed application. It is to be noted that the cutoff dates are set forth in the alternative—applications will be entitled to consideration with those listed in the appendix if filed by the end of the 60-day period, only if the Commission has not acted upon the application by that time pursuant to the first alternative earlier date. The mutual exclusivity rights of a new application are governed by the earliest action with respect to any one of the earlier filed conflicting applications.

The attention of any party in interest desiring to file pleadings pursuant to section 309 of the Communications Act of 1934, as amended, concerning any domestic public radio services application accepted for filing, is directed to § 21.27 of the Commission's rules for provisions governing the time for filing and other requirements relating to such pleadings.

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

[1] All applications listed in the appendix are subject to further consideration and review and may be returned and/or dismissed if not found to be in accordance with the Commission's rules, regulations, and other requirements.

[2] The above alternative cutoff rules apply to those applications listed in the appendix as having been accepted in Domestic Public Land Mobile Radio, Rural Radio, Point-to-Point Microwave Radio, and Local Television Transmission Services (Part 21 of the rules).

APPENDIX

APPLICATIONS ACCEPTED FOR FILING

DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE

File No., applicant, call sign, and nature of application

2133-C2-P-69—Radio Mobile Phones, Inc.; (KKG412); C.P. to replace the base transmitter operating on frequency 454.20 MHz at location No. 1: Southland Life Building, Live Oak, Olive, Bryant, and Pearl Streets, Dallas, Tex.

2134-C2-P-69—Orange County Radiotelephone Service, Inc.; (KMB304); C.P. to replace base transmitter operating on 152.21 MHz at location No. 1: 702 West Fifth Street, Santa Ana, Calif., and replace base transmitters operating on 152.12, 152.21, and 454.35 MHz at location No. 2: Panorama Point, El Modeno, Calif., also change the antenna system at both locations.

2135-C2-TC-69—Mobilfone Radio System; (KEA254); Consent to transfer of control from Benjamin Cutler, transferor, to: Morton Levy, transferee.

2136-C2-TC-69—Mobilfone Radio System; (KEA254); Consent to transfer of control from Morton Levy, transferor, to: Affiliated Telephone Answering Service, Inc., and Queens Telephone Secretary, Inc., transferees.

2137-C2-P-69—The Pacific Telephone and Telegraph Co.; (New); C.P. for a new two-way station to be located at Antelope Mountain, 6 miles west-southwest of Grenada, Calif., to operate on base frequency 152.69 MHz.

2138-C2-P-69—Radio Communications Corp.; (New); C.P. for a new two-way station to be located at the corner of Main Street and North Stolp Avenue, Aurora, Ill., to operate on base frequency 454.125 MHz.

2139-C2-P-69—The Medical-Dental Bureau, Inc.; (New); C.P. for a new one-way station to be located on Mabel Street, Youngstown, Ohio, to operate on base frequency 158.70 MHz.

2149-C2-MP-69—AAA Telephone Answering Service and Medical Exchange, Inc.; (KLB781); Modification of C.P. to change antenna system and replace transmitter for base frequency 152.09 MHz at location No. 2: East of River Road, 6 miles southwest of Baton Rouge, La.

2141-C2-P-69—Answer Iowa, Inc.; (New); C.P. for a new two-way station to be located 1 mile east of Sioux City, Iowa, to operate on base frequency 152.21 MHz.

2142-C2-P-69—Mobile Radio System of Ventura, Inc.; (New); C.P. for a new one-way station to be located at Willis Canyon Peak, north of Foothill and Day Road, Ventura, Calif., to operate on base frequency 152.24 MHz.

2150-C2-P-69—Morris Communications, Inc.; (KFL904); C.P. to relocate two-way facilities operating on base frequency 152.18 MHz to 800 North Fant Street, Anderson, S.C.

2151-C2-P-69—Radio Communications Corp.; (New); C.P. for a new one-way station to be located at the corner of Main Street and North Stolp Avenue, Aurora, Ill., to operate on base frequency 158.70 MHz.

2140-C2-P-69—Mobile Radio System of San Jose, Inc.; (New); C.P. for a new one-way station to operate on frequency 158.70 MHz at location No. 1: 777 North First Street, San Jose, Calif., and location No. 2: Mount Loma Prieta, Calif.

2169-C2-P-69—Addison Home Telephone Co.; (New); C.P. for a new two-way station to be located at Sullivan Road, 0.1 mile north of intersection of Le Munyan Road, Tuscarora, N.Y., to operate on base frequency 152.69 MHz.

2178-C2-AL-69—Anserphone of Kansas City, Inc.; (KAF245); Consent to assignment of license from Anserphone of Kansas City, Inc., assignor, to: Airsignal International, Inc., assignee.

CORRECTION

2116-C2-P-69—Central Mobile Radio Phone Service; (KQD599); Correct entry to read: C.P. to change location from 3615 Glenmore Avenue, Cincinnati, Ohio, to 2200 Victory Parkway, Cincinnati, Ohio, operating on 152.12 and 152.15 MHz also change antenna for base frequency 152.15 MHz. All other particulars same as reported on public notice dated Oct. 14, 1968, Report No. 409.

RURAL RADIO SERVICE

2109-C1-P-69—Southern Bell Telephone and Telegraph Co.; (New); C.P. for a new rural subscriber station. Subscriber: Residence of Arthur Graves. Location: Ossabaw Island, approximately 16 miles south of Savannah, Ga. Frequency: 157.89 MHz communicating with Station KIF655, Savannah, Ga.

2110-C1-P-69—Southern Bell Telephone and Telegraph Co.; (KIN91); C.P. to replace transmitter operating on frequency 157.89 MHz communicating with Station KIF655, Savannah, Ga. Subscriber: Residence of Wm. F. Torrey. Location: Ossabaw Island, off the Georgia Coast, 15 miles south of Savannah, Ga.

2123-C1-AL-(8)-69—Bruce Graham; Consent to assignment of license from Bruce Graham, assignor to: Jim Mayfield, assignee. Stations: KZA22 Harding County, N. Mex. KZA24 Union County, N. Mex. KZA26 Union County, N. Mex. KZA27 Harding County, N. Mex. KZA28 Union County, N. Mex. KZA29 Union County, N. Mex. KZA30 Union County, N. Mex. KKB34 Temporary-Fixed.

2124-C1-ML-69—Bruce Graham; (KKB34); Modification of license to delete Station KLB689 as a point of communication. All other terms of the existing license to remain the same.

Renewals of Licenses expiring November 1, 1968. TERM: November 1, 1968 to November 1, 1973.

Licensee	Call sign	Licensee	Call sign
General Electronics Co	KZS44	Southern Message Service, Inc	KKK95
Lincoln County Telephone System, Inc	KPY66	Do	KVH87
Do	KPY67	Utah Telephone Co	KVU85
New England Telephone & Telegraph Co	KZA20	Western States Telephone Co., Inc	KPV96
Ozarks Radio Co	KAZ62	Do	KPV97
		Do	KPZ99
		Do	KLD87

POINT-TO-POINT MICROWAVE RADIO SERVICE (TELEPHONE CARRIER)

2152–C1–P–69—The Chesapeake & Potomac Telephone Co. of Virginia; (KIB23); C.P. to add frequencies 6204.7 and 10835 MHz toward Staunton, Va., at station located on Bucks Elbow Mountain, approximately 3.3 miles northwest of Crozet, Va.

2153–C1–P–69—The Chesapeake & Potomac Telephone Co. of Virginia; (KIB24); C.P. to add frequencies 5952.6 and 11285 MHz toward Crozet, Va., at station located at 115 Fillmore Street, Staunton, Va.

2154–C1–P–69—Illinois Bell Telephone Co.; (KSN57); C.P. to add frequency 2178.4 MHz toward Cherry Valley, Ill., at station located 1.2 miles south of intersection of U.S. Highway No. 30 and Illinois Route No. 23, De Kalb, Ill.

2155–C1–P–69—Illinois Bell Telephone Co.; (New); C.P. for a new fixed station to be located 2 miles south-southwest of Nelson, Ill., to operate on frequency 2178.4 MHz toward Sterling, Ill.

2156–C1–P–69—Illinois Bell Telephone Co.; (KYS92); C.P. to add frequency 2128.4 MHz toward Nelson, Ill., at station located at 506 North First Avenue, Sterling, Ill.

2157–C1–P–69—Illinois Bell Telephone Co.; (KYS93); C.P. to add frequency 2178.4 MHz toward Cordova, Ill., at station located 5 miles south-southeast of Albany, Ill.

2158–C1–P–69—Illinois Bell Telephone Co.; (New); C.P. for a new fixed station to be located at 3.5 miles north-northeast of Cordova, Ill., to operate on frequency 2128.4 MHz toward Albany, Ill.

2159–C1–P–69—Northwestern Bell Telephone Co.; (KAX45); C.P. to add frequencies 6404.8, 6315.9, and 6375.2 MHz toward Arlington, Nebr., and 3990.0 MHz toward Gretna, Nebr., at station located at 118 South 19th Street, Omaha, Nebr.

2160–C1–P–69—Northwestern Bell Telephone Co.; (KVI33); C.P. to add frequency 3950.0 MHz toward Lincoln, Nebr., and Omaha, Nebr., at station located at 4.5 miles south of Gretna, Nebr.

2161–C1–P–69—Northwestern Bell Telephone Co.; (New); C.P. for a new fixed station to be located 3 miles east of Arlington, Nebr., to operate on frequencies 6093.5, 6034.2, and 6004.5 MHz toward Omaha and 6152.8, 5974.8, and 6123.1 MHz toward North Bend, Nebr.

2162–C1–P–69—Northwestern Bell Telephone Co.; (New); C.P. for a new fixed station to be located 4.8 miles northwest of North Bend, Nebr., to operate on frequencies 6345.5, 6197.2, and 6256.5 MHz toward Arlington and 6404.8, 6226.9, and 6286.2, MHz toward Columbus, Nebr.

2163–C1–P–69—Northwestern Bell Telephone Co.; (New); C.P. for a new fixed station to be located 8 miles south of Columbus, Nebr., to operate on frequencies 6093.5, 5945.2, and 6063.8 MHz toward North Bend and 6152.8, 5974.8, and 6034.2 MHz toward Fullerton, Nebr.

2164–C1–P–69—Northwestern Bell Telephone Co.; (KAY63); C.P. to add frequencies 6375.2, 6197.2, and 6256.5 MHz toward Columbus and 6404.8, 6226.9, and 6286.2 MHz toward St. Libory, Nebr., at station located 1.3 miles west-southwest of Fullerton, Nebr.

2165–C1–P–69—Northwestern Bell Telephone Co.; (KCO90); C.P. to add frequencies 5945.2, 6123.1, and 6004.5 MHz toward Grand Island and Fullerton, Nebr., at station located 5.5 miles northwest of St. Libory, Nebr.

2166–C1–P–69—Northwestern Bell Telephone Co.; (New); C.P. for a new fixed station to be located at 2201 North Broadwell Street, Grand Island, Nebr., to operate on frequency 6286.2 MHz toward St. Libory, Nebr.

2167–C1–P–69—Northwestern Bell Telephone Co.; (KBI62); C.P. to add frequencies 6226.9 and 6345.5 MHz toward St. Libory, Nebr., at station located at 105 North Wheeler Street, Grand Island, Nebr.

2170–C1–P–69—California Interstate Telephone Co.; (New); C.P. for a new fixed station to be located at 21 Van Ness Street, Yerington, Nev., to operate on frequency 2171.8 MHz toward Pine Grove, Nev.

2171–C1–P–69—California Interstate Telephone Co.; (New); C.P. for a new fixed station to be located at Smith, Nev., to operate on frequency 2111.0 MHz toward Pine Grove, Nev.

2172–C1–P–69—California Interstate Telephone Co.; (KYJ58); C.P. to add frequencies 2121.8 MHz toward Yerington and 2161 MHz toward Smith, Nev., at station located at Pine Grove, 19.8 miles south of Yerington, Nev.

2173–C1–P–69—Standard Telephone Co.; (New); C.P. for a new fixed station to be located at highway No. 76, northwest quadrant of city limits, Hiawassee, Ga., to operate on frequency 2175.4 MHz toward Brasstown Bald Mountain, Ga.

2174–C1–P–69—Standard Telephone Co.; (New); C.P. for a new fixed station to be located at Brasstown Bald Mountain, 6.02 miles from Hiawassee, Ga., to operate on frequency 2125.4 MHz toward Hiawassee, Ga.

2179–C1–MP–69—Puerto Rico Communications Authority; (WWM22); Modification of C.P. to add frequencies 11325 and 11485 MHz toward Cayey and 11525 and 11685 MHz toward Caguas, P.R. All other terms of the existing C.P. to remain the same.

2180–C1–MP–69—Puerto Rico Communications Authority; (WWM23); Modification of C.P. to add frequencies 10715 and 10875 MHz toward Las Pinas, P.R. All other terms of the existing C.P. to remain the same.

2181–C1–MP–69—Puerto Rico Communications Authority; (WWT51); Modification of C.P. to add frequencies 10915 and 11075 MHz toward Las Pinas, P.R. All other terms of the existing C.P. to remain the same.

2184–C1–P–69—Southern Bell Telephone and Telegraph Co.; (KJK66); C.P. to add 3930 MHz toward Flagler Beach, Fla., at station located at 268 North Ridgewood Avenue, Daytona Beach, Fla.

2185–C1–P–69—Southern Bell Telephone and Telegraph Co.; (KJK65); C.P. to add 3890 MHz toward Daytona Beach and Midway, Fla., at station located at approximately 1.2 miles southwest of Flagler Beach, Fla.

2186–C1–P–69—Southern Bell Telephone and Telegraph Co.; (KJK63); C.P. to add 3930 MHz toward Flagler Beach and St. Augustine, Fla., at station located approximately 5.2 miles west-southwest of Summer Haven, Fla.

2187–C1–P–69—Southern Bell Telephone and Telegraph Co.; (KJK64); C.P. to add 3890 MHz toward Midway and Sampson Church, Fla., at station located approximately 0.75 mile west of city limits of St. Augustine, Fla.

2188–C1–P–69—Southern Bell Telephone and Telegraph Co.; (KJK62); C.P. to add 3930 MHz toward St. Augustine and Jacksonville Beach, Fla., at station located approximately 3.8 miles southwest of Durbin, Fla.

2189–C1–P–69—Southern Bell Telephone and Telegraph Co.; (KJK61); C.P. to add 3890 MHz toward Sampson Church and Jacksonville, Fla., at station located on corner of North Third Street and North 17th Avenue, Jacksonville Beach, Fla.

2190–C1–P–69—Southern Bell Telephone and Telegraph Co.; (KJB50); C.P. to add 3930 MHz toward Jacksonville, Fla., at station located at 415 Clay Street, Jacksonville, Fla.

POINT-TO-POINT MICROWAVE RADIO SERVICE (NONTELEPHONE)

2090–C1–TC–69—Columbia Television Co., Inc.; (KPV31); Consent to transfer of control from: Existing stockholders (some 21 in number), transferors, to: Columbia Cable Systems, Inc., transferee.

2144–C1–P–69—Mountain Microwave Corp.; (KCM81); C.P. to add frequencies 6305.0 and 6355.0 MHz toward Manchester, Nebr., on azimuth 354°28′. Location: Angora, 7.5 miles northeast of Bridgeport, Nebr.

2145–C1–P–69—Mountain Microwave Corp.; (KZA62); C.P. to add frequencies 5960.0, 6005.0, 6050.0, 6108.3, and 6167.6 MHz toward Mount Coolidge, S. Dak., on azimuth of 345°37′; add 6167.6 MHz toward Gordon, Nebr., on azimuth of 77°23′; add 5960.0, 6050.0, 6005.0, and 6167.6 MHz toward Chadron, Nebr., on azimuth of 19°44′ and add 5960.0, 6005.0, and 6050.0 MHz toward Hot Springs, S. Dak. (site relocated to lat. 43°26′43″ N.–long. 103°27′30″ W.) on azimuth of 341°38′. Location: 14 miles southwest of Chadron, Nebr.

2146–C1–P–69—Mountain Microwave Corp.; (KAQ88); C.P. to add frequencies 6315.9 and 6345.5 MHz toward Rapid City (KRSD–TV), S. Dak., on azimuth of 26°53′; change frequencies 6045.0, 6165.0, and 6285.0 MHz to 6286.2, 6315.9, and 6345.5 MHz and add frequencies 6226.9 and 6256.5 MHz toward Rapid City (CATV Drop), S. Dak., on azimuth of 31°38′; and add frequencies 6286.2, 6315.9, and 6345.5 MHz toward Rapid City (Relay), S. Dak., on azimuth of 27°14′. Location: Mount Coolidge, 6 miles east-southeast of Custer, S. Dak.

2147–C1–P–69—Mountain Microwave Corp.; (New); C.P. for a new station to be located at 1 mile west of Rapid City, S. Dak., to operate on frequencies 5945.2, 5974.8, and 6034.2 MHz toward Terry Peak, S. Dak., on azimuth of 301°28′.

2148–C1–P–69—Mountain Microwave Corp.; (New); C.P. for a new station to be located at Terry Peak, 3 miles southwest of Lead, S. Dak., to operate on frequencies 6345.5, 6226.9, and 6286.2 MHz toward Spearfish, S. Dak., on azimuths of 03°37′, same frequencies toward Belle Fourche and Sturgis, S. Dak., on azimuths of 359°00′ and 66°59′, respectively. (Informative: Applicant proposes to rearrange existing system and, in addition, to provide the TV signals of Denver, Colo., station(s) KLZ–TV to See-More Cable Co. in Gordon, Nebr.; KWGN(TV) to See-More Cable Co., in Chadron, Nebr.; KWGN(TV) and KRMA(TV) to Cable Television Systems in Rapid City, S. Dak.; KOA–TV and KBTV(TV) to Television Station KRSD–TV in Rapid City, S. Dak.; KWGN(TV), KOA–TV, and KBTV(TV) to CATV systems to be operated by Midcontinent Broadcasting Co. in Spearfish, Belle Fourche, Sturgis, and Lead-Deadwood, S. Dak. NOTE: Applicant has requested waiver of section 21.701(l).)

1726–C1–ML–69—West Texas Microwave Co.; (KLR75); Modification of license to change designation of Anson, Tex., receiving site to (Drop) in order to provide the TV signals of stations KERA–TV, WFAA–TV, and KTVT–TV, all of Dallas-Fort Worth, to Cable Electronics, Inc., in Anson, Tex.

1727–C1–ML–69—West Texas Microwave Co.; (KLU91); Modification of license to change designation of Estes Farm, Tex., repeater site to (Drop) in order to provide the signals of stations KTVT–TV, WFAA–TV, and KFJZ–FM (audio), all of Dallas-Fort Worth, to Texas Cablevision Corp. at Estes Farm, Tex., where the signals will then be relayed via CARS facilities to CATV systems in San Angelo and Ballinger, Tex.

1728–C1–ML–69—West Texas Microwave Co.; (KLU88); Modification of license to Drop the TV signal of station KDTV, Dallas, Tex., to existing customer, Breckenridge TV Distributing Co., at Breckenridge, Tex.

2183–C1–MP–69—American Television Relay, Inc.; (KGC90); Modification of C.P. to change designation of El Paso, Tex., repeater site to (Drop-Relay) in order to provide the TV signals of stations KTLA, KHJ–TV, KTTV, and KCOP, all of Los Angeles, Calif., to El Paso Cablevision, Inc., in El Paso, Tex.

MAJOR AMENDMENTS

579–C1–P–67—Sierra Microwave Inc.; (New); To change point of communication from Mount Diablo to Mount Vaca, 10.5 miles north-northwest of Fairfield, Calif. (lat. 38°23′56″ N.–long. 122°06′06″ W.), on azimuth of 19°42′.

580–C1–P–67—Sierra Microwave, Inc.; (New); To change station location to Mount Vaca; change point of communication from Sloughhouse to Newtown, 1.5 miles south-southwest of Newtown, Calif. (lat. 38°41′10″ N.–long. 120°41′04″ W.) and add frequencies 6390.0, 6360.3, 6330.3, and 6301.0 MHz toward Newtown on azimuth of 75°32′.

581–C1–P–67—Sierra Microwave, Inc.; (New); To change station location to Newtown; change point of communication from Emigrant Gap to Freels Peak, 7 miles southeast of Al Tahoe, Calif. (lat 38°51′27″ N.–long. 119°53′57″ W.) and add frequencies 6197.4, 6226.2, 6256.5, and 6286.2 MHz toward Freels Peak on azimuth of 74°25′.

582–C1–P–67—Sierra Microwave, Inc.; (New); Dismissal of application without prejudice requested.

583–C1–P–67—Sierra Microwave, Inc.; (KNJ62); To change frequencies to 10735, 10815, 10895, and 10975 MHz toward Slide Mountain, Nev., on azimuth of 01°33′.

584–C1–P–67—Sierra Microwave, Inc.; (KPY35); To change frequencies to 11225, 11305, 11385, and 11465 MHz toward Reno, Nev., on azimuth of 15°52′. (Informative: Applicant (Sierra) proposes to adopt six (6) of the ten (10) pending applications filed by TransAmerican Microwave, Inc., on Aug. 8, 1966, proposing to provide Los Angeles, Calif., TV signals to Reno, Nev. Sierra proposes to adopt applications File Nos. 579, 584–C1–P–67 and, in addition, Sierra proposes major technical changes in the applications. Other particulars same as reported on public notice dated Oct. 10, 1966.

2197–C1–TC–(6)–69—Tower Communications Systems Corporation; Consent to transfer of control from Tower Antennas, Inc., transferor, to: Tower Communications, Inc., transferee. Stations: KQA33 South of Portsmouth, Ky. KQA36 Ball Knob, Ohio. KQO40 St. Louisville, Ohio. KQO41 Coshocton, Ohio. KQO42 Shanesville, Ohio. KQO43 New Philadelphia, Ohio.

2196–C1–P–69—Mountain Microwave Corp.; (KZI52); C.P. to add frequencies 6375.0, 6256.5, and 6315.9 MHz via power split, toward Huron and Redfield, S. Dak., on azimuths of 87°11′ and 33°27′, respectively. (Informative: Applicant proposes to serve existing customers at Huron and Redfield, S. Dak., from the Spring Lake relay station (KZI52) instead of the Huron relay station (KZI53).)

MAJOR AMENDMENT

5592–C1–P–68—Mountain Microwave Corp.; (KZI53); To change station location to 1 mile south-southwest of Huron, S. Dak. (lat 44°20′05″ N.–long. 98°14′00″ W.) and delete radio patch toward Redfield, S. Dak. Other particulars same as reported in public notices dated May 13, 1968 and Apr. 24, 1967.

[F.R. Doc. 68–12977; Filed, Oct. 23, 1968; 8:49 a.m.]

[Canadian List 247]

CANADIAN BROADCAST STATIONS

List of Changes, Proposed Changes, and Corrections in Assignment

OCTOBER 7, 1968.

List of new stations, proposed changes in existing stations, deletions, and corrections in assignments of Canadian standard broadcast stations modifying the assignments of Canadian broadcast stations contained in the Appendix to the Recommendations of the North American Regional Broadcasting Agreement Engineering Meeting January 30, 1941.

Call letters	Location	Power kw	Antenna	Schedule	Class	Expected date of commencement of operation
		590 kilocycles				
CKEY (now in operation with increased nighttime power).	Toronto, Ontario	10	DA–2	U	III	
		680 kilocycles				
CHFI (PO: 680 kc/s 1 kwD/10 kwN DA–2. Authorized 680 kc/s 2.5 kwD/25 kwN DA–2).	Toronto, Ontario	*10D/25N*	*DA–2*	U	II	E.I.O. 10–15–69.
		1340 kilocycles				
CFKC (now in operation—Assignment of call letters).	Creston, British Columbia.	0.25	ND	U	IV	
		1490 kilocycles				
CFWB (now in operation with increased daytime power).	Campbell River, British Columbia.	1D/0.25N	ND	U	IV	

[SEAL]

FEDERAL COMMUNICATIONS COMMISSION,
WALLACE E. JOHNSON,
Assistant Chief, Broadcast Bureau.

[F.R. Doc. 68–12978; Filed, Oct. 23, 1968; 8:49 a.m.]

FEDERAL MARITIME COMMISSION

AMERICAN MAIL LINE, LTD., ETC.

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.

American Mail Line, Ltd., American President Lines, Ltd., and Pacific Far East Line, Inc.

Notice of agreement filed for approval by:

Mr. George D. Wick, Jr., Assistant General Counsel, American President Lines, 601 California Street, San Francisco, Calif. 94108.

Agreement 8485–C–4 modifies Agreement 8485–C between American Mail Line, Ltd., American President Lines, Ltd., and Pacific Far East Line, Inc., under which there has been established an independent corporation, Consolidated Marine, Inc., for the performance of (1) husbanding services, (2) purchasing services, and (3) joint data processing services for the three lines. The purpose of the modification is to enlarge the functions of Consolidated Marine, Inc., to include the operation of "an equipment pool to provide containers, chassis, and any other related equipment, facilities and services for the three companies" under the terms of a standard contract to be executed by each of the individual lines and the corporation, Consolidated Marine, Inc.

Dated: October 18, 1968.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 68–12955; Filed, Oct. 23, 1968; 8:47 a.m.]

AMERICAN PRESIDENT LINES, LTD. AND TRANS-PACIFIC STEAMSHIP AGENCIES, LTD.

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. George D. Wick, Jr., Assistant General Counsel, American President Lines, 601 California Street, San Francisco, Calif. 94108.

Agreement 9752, between American President Lines, Ltd., and Trans-Pacific Steamship Agencies, Ltd., a subsidiary of American Mail Line, Ltd., provides for the appointment by American President Lines, Ltd., of Trans-Pacific Steamship Agencies, Ltd., to act as its freight agent in Vancouver and the Western Canadian provinces for the purposes of soliciting and booking commercial cargo, issuing bills of lading and collecting freight charges in connection with said cargo in accordance with the terms and conditions set forth in the Agreement.

Dated: October 18, 1968.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 68–12956; Filed, Oct. 23, 1968; 8:47 a.m.]

EVANS PRODUCTS CO. AND RETLA STEAMSHIP 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:

Amy Scupi, Esq., Galland, Kharasch, Calkins & Lippman, 1824 R Street NW., Washington, D.C. 20009.

Agreement No. 9549–2, between Evans Products Co. and Retla Steamship Co., modifies Article 9 of the basic agreement by expanding its geographic scope to include Australia and New Zealand.

Dated: October 18, 1968.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 68–12957; Filed, Oct. 23, 1968; 8:47 a.m.]

SECURITIES AND EXCHANGE COMMISSION

MOONEY AIRCRAFT, INC.

Order Suspending Trading

OCTOBER 18, 1968.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Mooney Aircraft, Inc. (a Kansas corporation), 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 October 18, 1968, through October 27, 1968, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 68–12947; Filed, Oct. 23, 1968; 8:47 a.m.]

INTERNATIONAL JOINT COMMISSION—UNITED STATES AND CANADA

DIVERSION OF WATER FROM ST. LAWRENCE RIVER TO RAISIN RIVER

Application of Raisin Region Conservation Authority; Public Hearing

Notice is hereby given that the International Joint Commission will conduct a public hearing on November 19, 1968, at 10 a.m., local time, in the auditorium of the Cornwall Collegiate School, Cornwall, Ontario, in the matter of the Application of the Raisin Region Conservation

Authority, a body corporate, established under the Conservation Authorities Act of the Province of Ontario, for approval of the diversion of water from the St. Lawrence River into the Raisin River. The Applicant proposes to divert a total of 25 cubic feet per second of water from the St. Lawrence at two locations above the Robert Saunders and Robert Moses Generating Stations, to improve the conditions of the Raisin River during periods of natural low summer flow. The diversions would continue for 100 days or as required for this purpose. The diverted water would be returned to the St. Lawrence via the Raisin River at Lancaster, Ontario.

At the hearing opportunity will be given to all interested persons to express their views orally or by written statements regarding the proposed diversion of water. Where possible twenty (20) copies of the written statements should be filed with either Secretary ten (10) days in advance of the hearing with thirty (30) additional copies to be deposited with them at the hearing. Copies of the Application are available on request to the Secretaries of the Commission.

W. A. BULLARD,
Secretary, U.S. Section International Joint Commission.
D. G. CHANCE,
Secretary, Canadian Section International Joint Commission.

OCTOBER 18, 1968.

[F.R. Doc. 68-12939; Filed, Oct. 23, 1968; 8:46 a.m.]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

U.S. NATIONAL STANDARD FOR IFF MARK X (SIF) AIR TRAFFIC CONTROL RADAR BEACON SYSTEM CHARACTERISTICS

Selection Order

This selection order approved by the Administrator on October 10, 1968, amends previous selection orders covering ATCRBS Standards.

On May 2, 1968, a notice of proposed selection was published in the FEDERAL REGISTER (33 F.R. 6753) stating that the FAA is considering adopting a Selection Order No. 1 for U.S. National Standard for the IFF Mark X (SIF) Air Traffic Control Radar Beacon System Characteristics. Interested persons were afforded an opportunity to participate in the selection order process through the submission of comments.

Three comments were received and reviewed. One supported the order. Another submitted three technical comments which were rescinded after discussion. One comment clarified the "reply jitter requirements for transponders" and this was incorporated in the final approved order. The text of the approved selection order is as follows:

1. *Purpose.* This order provides for amendment of the ATCRBS Standard which defines system performance characteristics.

2. *Requirement.* The National Airspace System will utilize ATCRBS as a primary data acquisition source for aircraft position, identity, and pressure-altitude data. The Standard must be amended to include requirements for interrogation side lobe suppression, pressure-altitude reporting in 100-foot increments, and 4096 discrete identity codes.

3. *Selection decision.* The ATCRBS Standard described in paragraph 4 of this order has been shown to be responsive to the requirement stated in paragraph 2. Accordingly, it is hereby selected for incorporation in the National Airspace System, pursuant to section 312 (c) of the Federal Aviation Act.

4. *Description.* The attached National Standard for ATCRBS specifies the performance required of each component to meet the overall operational requirements of the common civil/military system. It specified the technical parameters, tolerances, and techniques to the extent required to ensure proper operation and compatibility between elements of the ATCRBS.

Amendment to the Standard is needed to upgrade the permissive use of interrogation side lobe suppression, pressure-altitude transmission, and 4096 identity codes to a requirement. Additional revisions are made to the Standard to clarify the transponder reply rate and power output requirements.

Characteristics of a transponder in-flight monitor are defined so that the system is not degraded by their usage.

A new Guidance Material Section has been provided to replace the outdated material. It includes new guidance on the installation of aircraft antennas and the application of improved side lobe suppression.

The Standard is basically identical to the International Civil Aviation Organization Standards and Recommended Practices (SARPS) for Secondary Surveillance Radar (SSR) including the recent changes recommended by the COM/OPS Divisional Meeting (1966).

5. *Initial implementation criteria.* The National Standard for ATCRBS will be used as the basic document for defining the technical parameters, tolerances, and performance of all ATCRBS components.

6. *Directed action.* Subject to applicable rule making, programing, and budgetary procedures, action shall be taken by the elements of the Agency concerned to implement this selection in accordance with the foregoing initial implementation criteria.

D. D. THOMAS,
Acting Administrator.

U.S. NATIONAL STANDARD FOR THE IFF MARK X (SIF)/AIR TRAFFIC CONTROL RADAR BEACON SYSTEM CHARACTERISTICS

1. GENERAL

1.1 *System characteristics.* 1.1.1 Under Public Law 85-726, the Federal Aviation Administration is charged with providing for the regulation and promotion of civil aviation in such manner as to best foster its development and safety, and to provide for the safe and efficient use of the airspace by both civil and military aircraft, and for other purposes. Explicitly, the Administrator shall develop, modify, test, and evaluate systems, procedures, facilities, and devices, as well as define the performance characteristics thereof, to meet the needs for safe and efficient navigation and traffic control of all civil and military aviation operating in a common Civil/Military System of Air Navigation and Traffic Control.

1.1.2 A System Characteristic, the logical result of such development effort, specifies the performance required of a component (or subsystem) to meet the overall operational requirements of the System. It specifies the technical parameters, tolerances, and techniques to the extent required to insure proper operation and compatibility between elements of the National Airspace System.

1.1.3 If optimum performance is to be obtained, these System Characteristics must be met by all civil and military users of the Air Traffic Control Radar Beacon System under all expected operating conditions. It is recognized that certain existing equipment does not comply with all requirements of these characteristics. Since such equipment may degrade the quality of service to all users, it is expected that its usage will be phased out as soon as practicable.

1.2 *System characteristics and guidance material.* 1.2.1 The System Characteristics and Guidance Material provided herein are restricted to those system elements which must be treated in a uniform manner by all concerned, both civil and military, if the IFF Mark X (SIF)/Air Traffic Control Radar Beacon System is to function satisfactorily. In this connection, it is necessary to define closely many characteristics of the airborne component of the system (transponder). The system composed of the Mode 3 portion of the IFF Mark X (SIF) and Modes A and C of the Air Traffic Control Radar Beacon System shall be referred to herein as ATCRBS.

1.2.2 The following are the modes provided by the system, and their associated functions:

Mode 1—For Military use.
Mode 2—For Military use.
Mode 3/A—To initiate transponder response for identification and tracking.
Mode B—In some parts of the world, during a transition period, to initiate transponder response for identification and tracking.
Mode C—To initiate transponder responses for automatic pressure altitude transmission.
Mode D—For future expansion of the system to satisfy operational requirements that may be agreed by the International Civil Aviation Organization. No functional need for Mode D has been defined.

1.2.3 The Air Traffic Control (ATC) System will use Mode 3/A with 4096 identity codes and Mode C with pressure altitude transmission in 100-foot increments in providing separation service to both military and civil aircraft. There are no plans for use of Modes B and D in the United States.

1.2.4 The ATC System will provide vital support to military operation during periods of national emergency through the continued ATC use of Modes 3/A and C.

1.3 *Operational requirements.* Revised operational requirements for the Common System ATCRBS were originally established by the President's Air Coordinating Committee in Paper ACC 59/20.1–1 dated February 24, 1953, which endorsed the recommendations of the Joint Chiefs of Staff, Joint Communications-Electronics Committee as set forth in their memorandum CECM 58–53, Case 386–G, dated January 15, 1953. These recommendations were subsequently modified by classified correspondence to include a recognition of the 64-code capability of the ATCRBS and to provide for compatibility with the Military IFF Mark X System. Common System Component Characteristics for the ATCRBS were established by the President's Air Coordination Committee in Paper ACC 59/20.4 dated September 1957. Compatible system characteristics were approved by the International Civil Aviation Organization (ICAO), Sixth Communication Division, and published in the International Standards and Recommended Practices Aeronautical Telecommunications, Annex 10, Fifth Edition dated October 1958. Three-pulse side lobe suppression, automatic pressure-altitude transmission and other improvements were recommended by the ICAO Seventh Communications Division and included in the report of the Seventh Session dated February 9, 1962. At the ICAO COM/OPS Meeting in 1966, the three-pulse method was designated as the sole means of side lobe suppression and 4096 identity codes were raised to Standards. A standard of correspondence (paragraph 2.7.13.2.5) was established for automatic pressure-altitude transmission and a functional description of the modes and their intended usage was defined.

1.3.1 *Compatibility.* The required compatibility of the Military Mark X (SIF) airborne transponders with the ICAO SSR (ATCRBS) has been established using the Military Mode 3 and Civil Mode A which are identical in characteristics. This mode of operation is referred to herein as Mode 3/A. The memorandum of understanding between Department of Defense and the Federal Aviation Administration on the Joint Operational Use of the Military IFF Mark X (SIF) System and the Common System Air Traffic Control Radar Beacon System, dated March 18, 1966, contains the agreement on the use of Modes 3/A and C.

1.3.2 *System coverage.* The ATCRBS is intended to provide the air traffic controller with continuous, reliable, and accurate information concerning the plan-position (rho-theta), altitude, and identity of any or all equipped aircraft in the airspace under his control. With a properly sited Air Traffic Control Radar Beacon Interrogator-Receiver and other units having characteristics as stated herein, the ATCRBS will provide spatial line-of-sight coverage equal to or greater than the following limits:

a. Range— 1 to 200 [1] nautical miles.

b. Elevation—½ to 45° above the horizontal plane.

c. Altitude—Limited only by service ceiling of aircraft.

While it is necessary to establish specific standards for the airborne components of the System and to define the characteristics of the radiated signals from both the interrogator and transponder, the power and sensitivity requirements for the interrogator-receiver may be modified on the basis of the intended usage with due regard for the precautions outlined in the guidance material.

1.3.3 *System accuracy.* The system accuracy is determined by the characteristics of the ATC beacon interrogator-receiver (including its antenna), transponder, altimeter and transducer, ground processing equipment, and the associated display. With equipment of present day design meeting the characteristics stated herein, ATCRBS is capable of providing data within the following accuracies:

a. Range: ±1,000 feet.

b. Azimuth: ±1 degree.

c. Altitude correspondence: Within ±125 feet, on a 95 percent probability basis, with the pressure altitude information (referenced to the standard pressure setting of 29.92 inches of mercury) used on board the aircraft to adhere to the assigned flight profile.

1.3.4 *Identification coding.* 1.3.4.1 The ATCRBS is a valuable tool for identifying aircraft, as well as for providing radar target reinforcement.

The inherent capability of the system to provide radar identification of participating aircraft will be utilized to provide the controller with the specific radar beacon target identity of those aircraft equipped. The characteristics specified herein provide for 4096 discrete reply codes. In addition to the 4096 discrete reply codes, a Special Position Identification (SPI) pulse is available for transmission upon request of the control agency, on any mode except Mode C.

1.3.4.2 Two codes shall be reserved for transmission of distinct emergency and radio communications failure indications.

1.3.4.2.1 Code 7700 shall be used on Mode 3/A to provide recognition of an aircraft in an emergency.

NOTE: Some existing military transponders transmit four trains of the code in use as an emergency reply. Other military transponders transmit the code in use followed by three trains of Code 0000 as the emergency reply. New military transponders will transmit Code 7700 followed by three trains of Code 0000 as an emergency reply.

1.3.4.2.2 Code 7600 shall be used on Mode 3/A to provide recognition of an aircraft with radio communications failure.

1.3.5 *Altitude transmission.* The system provides for automatic pressure-altitude data transmission in 100-foot increments from −1000 feet to 126,700 feet.

1.3.5.1 This pressure altitude data transmission capability will be used to:

a. Reduce the volume of communications between controllers and pilots by obviating the need for oral altitude reports.

b. Improve utilization of airspace in connection with the provision of ATC services to climbing and descending aircraft.

c. Enable the controller, when desirable, to assure himself that vertical separation between two aircraft is being maintained.

d. Provide ATC an improved means of determining when greater vertical separation is required due to turbulence.

e. Improve the integrity of the Air Traffic Control Radar Beacon System (ATCRBS) for ATC purposes by automatically displaying to the controller the targets and altitudes or flight levels of aircraft in or near the airspace under his jurisdiction which are not otherwise selected for display.

f. Reduce the number of advisories and traffic avoidance vectors required in the provision of radar traffic information and vectoring service.

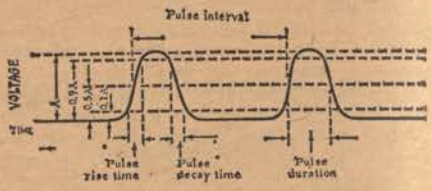
g. Improve ATC efficiency in serving high performance aircraft during cruise-climb profiles.

h. At a future date, enable automatic prediction of projected flight conflicts in elevation using electronic data processing systems.

1.4 *ATCRBS System description.* The System consists of airborne transponders, ground interrogator-receiver, processing equipment, and an antenna system. The antenna may or may not be associated with, or slaved to, a primary surveillance radar. In operation, an interrogation pulse-group transmitted from the interrogator-transmitter unit, via an antenna assembly, triggers each airborne transponder located in the direction of the main beam, causing a multiple pulse reply group to be transmitted from each transponder. These replies are received by the ground receiver and, after processing, are displayed to the controller. Measurement of the round-trip transit time determines the range (rho) to the replying aircraft while the mean direction of the main beam of the interrogator antenna, during the reply, determines the azimuth (theta). The arrangement of the multiple-pulse reply provides individualized pressure altitude and identity information pertaining to the responding aircraft. The ATCRBS is the preferred means of obtaining aircraft three dimensional position and indentification data in the National Airspace System.

2. SYSTEM CHARACTERISTICS

PULSE SHAPE AND SPACING DEFINITIONS



Definitions

Pulse amplitude A. The peak voltage amplitude of the pulse envelope.

Pulse duration. The time interval between 0.5A points on leading and trailing edges of the pulse envelope.

Pulse interval. The time interval between the 0.5A point on the leading edge of the first pulse and the 0.5A point on the leading edge of the second pulse.

Pulse rise time. The rise time as measured between 0.1A and 0.9A on the leading edge of the pulse envelope.

Pulse decay time. The decay time as measured between 0.9A and 0.1A on the trailing edge of the pulse envelope.

2.1 *Interrogation and control (interrogation side lobe suppression) radiofrequencies (ground-to-air).* 2.1.1 Center frequency of the interrogation and control transmissions shall be 1030 MHz.

2.1.1.1 The frequency tolerance shall be ±0.2 MHz.

2.1.2 Center frequencies of the control transmission and each of the interrogation pulse transmissions shall not differ from each other by more than 0.2 MHz.

2.2 *Reply radiofrequency (air-to-ground).* 2.2.1 Center frequency of the reply transmission shall be 1090 MHz.

2.2.1.1 The frequency tolerance shall be ±3 MHz.

2.3 *Polarization.* 2.3.1 Polarization of the interrogation, control, and reply transmissions shall be predominantly vertical.

2.4 *Interrogation modes (signals-in-space).* 2.4.1 The interrogation shall consist of two transmitted pulses designated P_1 and P_2. A control pulse P_2 shall be transmitted following the first interrogation pulse P_1.

2.4.2 The interrogation modes shall be as defined in 2.4.3.

2.4.3 The interval, between P_1 and P_3, shall determine the mode of interrogation and shall be as follows:

Mode 1: 3±0.1 microseconds.
Mode 2: 5±0.2 microseconds.
Mode 3/A: 8±0.2 microseconds.
Mode B: 17±0.2 microseconds.
Mode C: 21±0.2 microseconds.
Mode D: 25±0.2 microseconds.

2.4.4 The interval between P_1 and P_2 shall be 2±0.15 microseconds.

2.4.5 The duration of pulses P_1, P_2, and P_3 shall be 0.8±0.1 microsecond.

[1] Interrogators having limited range may be employed at many locations.

2.4.6 The rise time of pulses P_1, P_2, and P_3 shall be between 0.05 and 0.1 microsecond.

NOTE: The intent of the lower limit of rise time (0.05 microsecond) is to reduce sideband radiation. Equipment will meet this requirement if the sideband radiation is no greater than that which theoretically would be produced by a trapezoidal wave having the stated rise time.

2.4.7 The decay time of pulses P_1, P_2, and P_3 shall be between 0.05 and 0.2 microsecond.

NOTE: The intent of the lower limit of decay time (0.05 microsecond) is to reduce sideband radiation. Equipment will meet this requirement if the sideband radiation is no greater than that which theoretically would be produced by a trapezoidal wave having the stated decay time.

2.5 *Interrogation and side lobe suppression transmission characteristics (signals-in-space).* 2.5.1 The system relies on pulse amplitude comparison between pulses P_1 and P_2 in the transponder to prevent response to side lobe interrogation. The radiated amplitude of P_2 at the antenna of the transponder shall be (1) equal to or greater than the radiated amplitude of P_1 from the greatest side lobe transmission of the antenna radiating P_1, and (2) at a level lower than 9 dB below the radiated amplitude of P_1 within the desired arc of interrogation (see 3.2.2).

2.5.2 Within the desired arc of the directional interrogation (main lobe), the radiated amplitude of P_2 shall be within 1 dB of the radiated amplitude of P_1.

2.6 *Reply transmission characteristics (signals-in-space)*—2.6.1 *Framing pulses.* The reply function shall employ a signal comprising two framing pulses spaced 20.3 microseconds, as the most elementary code.

2.6.2 *Information pulses.* Information pulses shall be spaced in increments of 1.45 microseconds from the first framing pulse. The designation and position of these information pulses shall be as follows:

Pulse Position	*(microseconds)*
C_1	1.45
A_1	2.90
C_2	4.35
A_2	5.80
C_4	7.25
A_4	8.70
X	10.15
B_1	11.60
D_1	13.05
B_2	14.50
D_2	15.95
B_4	17.40
D_4	18.85

NOTE: The Standard relating to the use of these pulses is given in 1.3.4 and 2.7.13. However, the position of the "X" pulse is specified only as a technical standard to safeguard possible future use. Further guidance on this matter is given in 3.3.6.

2.6.3 *Special Position Identification (SPI) pulse.* In addition to the information pulses provided, a Special Position Identification pulse, which may be transmitted with the information pulses, shall occur at a pulse interval of 4.35 microseconds following the last framing pulse.

2.6.4 *Reply pulse shape.* All reply pulses shall have a pulse duration of 0.45 ± 0.10 microsecond, a pulse rise time between 0.05 and 0.1 microsecond, and a pulse decay time between 0.05 and 0.2 microsecond. The pulse amplitude variation of one pulse with respect to any other pulse in a reply train shall not exceed 1 dB.

NOTE: The intent of the lower limit of rise and decay times (0.05 microsecond) is to reduce sideband radiation. Equipment will meet this requirement if the sideband radiation is no greater than that which theoretically would be produced by a trapezoidal wave having the stated rise and decay times.

2.6.5 *Reply pulse interval tolerances.* The pulse interval tolerance for each pulse (including the last framing pulse) with respect to the first framing pulse of the reply group shall be ± 0.10 microsecond. The pulse interval tolerance of the Special Position Identification Pulse with respect to the last framing pulse of the reply group shall be ± 0.10 microsecond. The pulse interval tolerance of any pulse in the reply group with respect to any other pulse (except the first framing pulse) shall not exceed ± 0.15 microsecond.

2.6.6 *Code nomenclature.* The code designations shall consist of four digits, each of which lies between 0 and 7, inclusive, and is determined by the sum of the pulse subscripts given in 2.6.2, employed as follows:

Digit	*Pulse group*
First (most significant)	A
Second	B
Third	C
Fourth	D

2.6.6.1 *Examples.* a. Code 3600 would consist of information pulses A_1, A_2, B_2, and B_4.

b. Code 2057 would consist of A_2, C_1, C_4, D_1, D_2, and D_4.

c. Code 0301 would consist of B_1, B_2, and D_1.

2.7 *Technical characteristics of the airborne transponder*—2.7.1 *Reply.* When selected to reply to a particular interrogation mode, the transponder shall reply (not less than 90 percent efficiency) when all of the following conditions have been met:

2.7.1.1 The received amplitude of P_2 is in excess of a level 1 dB below the received amplitude of P_1 but no greater than 3 dB above the received amplitude of P_1.

2.7.1.2 Either the received amplitude of P_1 is in excess of a level 9 dB above the received amplitude of P_2, or no pulse is received at the position 2 ± 0.7 microseconds following P_1.

2.7.1.3 The received amplitude of a proper interrogation is more than 10 dB above the received amplitude of random pulses where the latter are not recognized by the transponder as P_1, P_2, or P_3.

2.7.2 *No reply.* The transponder shall not reply to more than 10 percent of the interrogations under the following conditions:

2.7.2.1 To interrogations when the interval between pulses P_1 and P_3 differs from that specified in 2.4.3 for the mode selected in the transponder by more than ± 1 microsecond.

2.7.2.2 Upon receipt of any single pulse which has no amplitude variations approximating a normal interrogation condition.

2.7.3 *Dead time.* After reception of a proper interrogation, the transponder shall not reply to any other interrogation at least for the duration of the reply pulse train. This dead time shall end no later than 125 microseconds after the transmission of the last reply pulse of the group.

2.7.4 *Suppression.* Upon receipt of an interrogation, complying with 2.4 in respect of the mode selected manually or automatically, the transponder shall be suppressed (not less than 99-percent efficiency) when the received amplitude of P_2 is equal to or in excess of the received amplitude of P_1, and spaced 2 ± 0.15 microseconds.

NOTE: It is not the intent of this paragraph to require the detection of P_2 as a prerequisite for initiation of suppression action.

2.7.4.1 The transponder suppression shall be for a period of 35 ± 10 microseconds.

2.7.4.2 The suppression shall be capable of being reinitiated for the full duration within two microseconds after the end of any suppression period.

2.7.5 *Receiver sensitivity and dynamic range.* 2.7.5.1 The minimum triggering level (MTL) of the transponder shall be such that replies are generated to 90 percent of the interrogation signals when:

2.7.5.1.1 The two pulses P_1 and P_2 constituting an interrogation are of equal amplitude and P_2 is not detected; and,

2.7.5.1.2 The amplitude of these signals received at the antenna end of the transmission line of the transponder is nominally 71 dB below 1 milliwatt with limits between 69 and 77 dB below 1 milliwatt.

NOTE: For this MTL requirement, a nominal 3 dB transmission line loss and an antenna performance equivalent to that of a simple quarter wave antenna are assumed. In the event these assumed conditions do not apply, the MTL of the installed transponder system must be comparable to that of the assumed system.

2.7.5.2 The variation of the minimum triggering level between modes shall not exceed 1 dB for nominal pulse spacings and pulse widths.

2.7.5.3 The reply characteristics shall apply over a received signal amplitude range between minimum triggering level and 50 dB above minimum triggering level.

2.7.5.4 The suppression characteristics shall apply over a received signal amplitude range between 3 dB above minimum triggering level and 50 dB above minimum triggering level.

2.7.6 *Pulse duration discrimination.* Signals of received amplitude between minimum triggering level and 6 dB above this level, and of a duration less than 0.3 microsecond at the antenna, shall not cause the transponder to initiate more than 10 percent reply or suppression action. With the exception of single pulses with amplitude variations approximating an interrogation, any single pulse of a duration more than 1.5 microseconds shall not cause the transponder to initiate reply or suppression action over the signal amplitude range of minimum triggering level (MTL) to 50 dB above that level.

2.7.7 *Echo suppression and recovery.* The transponder shall contain an echo suppression facility designed to permit normal operation in the presence of echoes of signals in space. The provision of this facility shall be compatible with the requirements for suppression of side lobes given in 2.7.4.

2.7.7.1 *Desensitization.* Upon receipt of any pulse more than 0.7 microsecond in duration, the receiver shall be desensitized by an amount that is within at least 9 dB of the amplitude of the desensitizing pulse, but shall at no time exceed the amplitude of the desensitizing pulse, with the exception of possible overshoot during the first microsecond following the desensitizing pulse. Single pulses of duration less than 0.7 microsecond are not required to cause the specified desensitization, but may not cause desensitization of duration greater than permitted by 2.7.7.1 and 2.7.7.2.

2.7.7.2 *Recovery.* Following desensitization, the receiver shall recover sensitivity (within 3 dB of minimum triggering level) within 15 microseconds after reception of a desensitizing pulse having a signal strength up to 50 dB above minimum triggering level. Recovery shall be nominally linear at an average rate not exceeding 3.5 dB per microsecond.

NOTE: Transponders that respond to military modes will recover within 15 microseconds, but may employ methods other than nominally linear recovery.

2.7.8 *Random triggering rate.* Installation in the aircraft shall be made in such manner that, with all possible interfering equipments installed in the same aircraft operating in their normal manner on operational channels of maximum interference, but with the absence of bona fide interrogations, the random triggering rate (squitter) of the transponder shall not exceed 30 replies per second as integrated over an interval

equivalent to at least 300 random triggers, or 30 seconds, whichever is less.

2.7.9 *Interference suppression pulses.* If the equipment is designed to accept and respond to suppression pulses from other electronic equipment in the aircraft (to disable it while the other equipment is transmitting), the equipment must regain normal sensitivity, within 3 dB, not later than 15 microseconds after the end of the applied suppression pulse.

2.7.10 *Reply rate.* 2.7.10.1 For equipment intended for installation in aircraft which operate at altitudes above 15,000 feet, the transponder shall be capable of at least 1,200 replies per second for a 15-pulse coded reply.

2.7.10.2 For equipment intended for installation in aircraft which operate at altitudes not exceeding 15,000 feet, the transponder shall be capable of at least 1,000 replies per second for a 15-pulse coded reply.

2.7.10.3 A sensitivity reduction type reply rate limit control shall be incorporated in the transponder. The range of this control shall permit adjustment, as a minimum, to any value between 500 and 2,000 replies per second, or to the maximum reply rate capability if less than 2,000 replies per second, without regard to the number of pulses in each reply. Sensitivity reduction in excess of 3 dB shall not take effect until 90 percent of the selected value is exceeded. Sensitivity reduction shall be at least 30 dB for rates in excess of 150 percent of the selected value.

2.7.10.3.1 *Recommendation.* The reply rate limit control should be set at 1,200 replies per second, or the maximum value below 1,200 replies per second of which the transponder is capable (see 2.7.10.2).

2.7.11 *Reply delay and jitter.* The time delay between the arrival at the transponder of the leading edge of P_3, and the transmission of the leading edge of the first pulse of the reply shall be 3 ± 0.5 microseconds. The total jitter of the reply pulse code group, with respect to P_3, shall not exceed ±0.1 microsecond for receiver input levels between 3 and 50 dB above minimum triggering level. Delay variations between modes on which the transponder is capable of replying shall not exceed 0.2 microsecond.

2.7.12 *Transponder power output.* 2.7.12.1 For equipment intended for installation in aircraft which operate at altitudes above 15,000 feet, the peak pulse power available at the antenna end of the transmission line of the transponder shall be at least 21 dB and not more than 27 dB above 1 watt.

2.7.12.2 For equipment intended for installation in aircraft which operate at altitudes not exceeding 15,000 feet, the peak pulse power available at the antenna end of the transmission line of the transponder shall be at least 18.5 dB and not more than 27 dB above 1 watt.

NOTE: For the power output requirement of 2.7.12.1 and 2.7.12.2, a nominal 3 dB transmission line loss and an antenna performance equivalent to that of a simple quarter-wave antenna are assumed. In the event these assumed conditions do not apply, the peak pulse power of the installed transponder system must be comparable to that of the assumed system.

2.7.13 *Reply codes*—2.7.13.1 *Identification.* The 4096 codes available in the Standard at 2.6.2 shall be manually selectable for reply to interrogations on Mode 3/A.

2.7.13.2 *Pressure-altitude transmissions.* 2.7.13.2.1 Independently of the other modes and codes manually selected, the transponder shall automatically reply to Mode C interrogations.

NOTE: Military transponders may include provisions to disable Mode C replies.

2.7.13.2.2 The reply to Mode C interrogations shall consist of the two framing pulses specified in 2.6.1 together with information pulses specified in 2.6.2.

2.7.13.2.3 At as early a date as practicable, transponders shall be provided with means to remove the information pulses, but to retain the framing pulses when the provision of 2.7.13.2.6 is not complied with, in reply to Mode C interrogation.

NOTE: The information pulses should be capable of being removed either in response to a failure detection system or manually at the request of the controlling agency.

2.7.13.2.4 The information pulses shall be automatically selected by an analog-to-digital converter connected to a pressure-altitude data source in the aircraft referenced to the standard pressure setting of 29.92 inches of mercury.

2.7.13.2.5 Pressure altitude shall be reported in 100-foot increments by selection of pulses as shown in Figure 1.[2]

NOTE: Some transponders in service transmit the Special Position Identification (SPI) pulse in addition to the D_1 pulse.

2.7.13.2.6 The digitizer code selected shall correspond to within ±125 feet, on a 95 percent probability basis, with the pressure altitude information (referenced to the standard pressure setting of 29.92 inches of mercury) used on board the aircraft to adhere to the assigned flight profile.

NOTE: Guidance material relating to pressure altitude transmission is contained in 3.3.4 and 3.3.5.

2.7.14 *Transmission time of Special Position Identification (SPI) pulse.* When manually selected, the SPI pulse shall be transmitted for a period of beween 15 and 30 seconds and must be capable of being reinitiated at any time.

2.7.15 *Transponder receiver bandwidth.* The skirt bandwidth should be such that the sensitivity of the transponder is at least 60 dB down at frequencies outside the band 1030 ± 25 MHz.

2.7.16 *Transponder self-test and monitor.* 2.7.16.1 Self-test and monitor devices that radiate test interrogation signals, or prevent transponder reply to proper interrogation during the test period, shall be limited to intermitten use which is no longer than required to determine the transponder status.

2.7.16.2 The test interrogation rate shall not exceed 450 per second and the test interrogation signal level at the antenna end of the transmission line shall not exceed a level of -70 dBm.

2.7.17 *Antenna.* 2.7.17.1 The transponder antenna system, when installed on an aircraft, shall have a radiation pattern which is essentially omni-directional in the horizontal plane.

2.7.17.2 *Recommendation.* The vertical beamwidth (half power points) should be at least 30° above and below the horizontal plane.

NOTE: Guidance material relating to airborne transponder antennas is contained in 3.3.2.

2.8 *Technical characteristics of the interrogator-receiver*—2.8.1 *Interrogation repetition frequency.* The maximum interrogation repetition frequency shall be 450 interrogations per second.

NOTE: This value is the sum total of the interrogation rate of all modes in use.

2.8.1.1 *Recommendation.* To minimize unnecessary transponder triggering and the resulting high density of mutual interference, all interrogators should use the lowest practicable interrogation repetition frequency that is consistent with the display characteristics, interrogator antenna beamwidth, and antenna rotation speed employed.

2.8.2 *Power output.* 2.8.2.1 The effective radiated peak power of interrogation pulses (P_1 and P_3) shall not exceed 52.5 dB above 1 watt, and P_1 shall be within 1 dB of P_3.

NOTE: The effective radiated peak power includes the antenna gain and the transmission line losses. The effective radiated peak power of interrogation should be the minimum required to provide the system coverage. The system coverage stated in 1.3.2 can be met by an interrogator having a nominal 1,000 watts power (peak pulse), a transmission line loss of 3 dB, and an antenna gain of 21 dB.

2.8.2.2 Interrogators with range coverage requirements of less than 200 miles will be employed at many locations. The effective radiated peak power of interrogation at these sites shall be reduced to the minimum required level which is practical to achieve.

2.8.3 *Receiver sensitivity.* 2.8.3.1 The maximum receiver sensitivity shall be not less than 85 dB below 1 milliwatt, to produce a tangential signal output, for a 200-mile facility.

NOTE: For this receiver sensitivity requirement, a nominal 3 dB transmission line loss and an antenna gain of 21 dB are assumed. In the event these assumed conditions do not apply, the receiver sensitivity of the installed system should be comparable to that of the assumed system.

2.8.3.2 Interrogators with range coverage requirements of less than 200 miles will be employed at many locations. The maximum receiver sensitivity at these sites may be reduced to the minimum required level.

2.8.4 *Sensitivity Time Control (STC).* The receiver sensitivity shall be reduced at short ranges to minimize reply path reflections and pulse stretching. At 15.36 microseconds after the leading edge of pulse P_3 (1 nautical mile plus transponder delay), the gain shall be reduced to an adjustable value between 10 and 50 dB below maximum sensitivity. The recovery rate shall be adjusted to suit local conditions.

2.8.4.1 *Recommendation.* Following the initial reduction of sensitivity at 15.36 μsec. after the leading edge of pulse P_3 (1 nautical mile plus transponder delay), a recovery rate of 6 dB for each doubling of range is satisfactory for most applications.

2.8.5 *Receiver bandwidth and video response.* The bandwidth of the receiver shall be centered on 1090 MHz and shall be adequate to reproduce the transponder pulse train described in paragraph 2.6 and to accommodate the transponder transmitter frequency tolerance and interrogator receiver local oscillator drift. The bandwidth shall not be more than 24 MHz at 40 dB below maximum sensitivity. The video response shall be capable of reproducing the pulse trains described in paragraph 2.6 without appreciable pulse stretching or distortion over a dynamic range from receiver threshold to a level 24 dB above threshold, at any range with STC provisions operative.

2.8.5.1 *Image response.* The image response shall be at least 60 dB below maximum sensitivity.

2.8.6 *Azimuth accuracy.* The electrical alignment of the main lobe of the directional antenna radiation pattern, with respect to the associated display shall be such as to permit received replies to be displayed within 1 degree of true orientation.

2.9 *Interrogator radiated field pattern—Recommendation.* The beamwidth of the directional interrogator antenna should not be wider than is operationally required. The side- and back-lobe radiation of the directional antenna should be at least 24 dB below the peak of the main-lobe radiation.

2.10 *Interrogator monitor.* 2.10.1 The range and azimuth accuracy of the ground interrogator shall be monitored continuously.

NOTE: Interrogators that are associated with and operated in conjunction with primary radar may use the primary radar as the monitoring device; alternatively an electronic range and azimuth accuracy monitor would be required.

[2] Figure 1 filed as part of original document.

2.10.2 *Recommendation.* In addition to range and azimuth monitoring, provision should be made to monitor continuously the other critical parameters of the ground interrogator for any degradation of performance exceeding the allowable system tolerances and to provide an indication of any such occurrence.

NOTE: Guidance on those system parameters for which continuous or periodic monitoring provisions are of particular importance is to be found in paragraph 3.2.7.

2.11 *Spurious emissions and spurious responses*—2.11.1 *Spurious radiation.* Spurious radiation shall not exceed 76 dB below 1 watt for the interrogator and 70 dB below 1 watt for the transponder.

2.11.2 *Spurious responses.* The response of both airborne and ground equipment to signals not within the receiver bandpass shall be at least 60 dB below maximum sensitivity.

3. GUIDANCE MATERIAL RELATED TO THE AIR TRAFFIC CONTROL RADAR BEACON SYSTEM CHARACTERISTICS

3.1 *Factors affecting optimum utilization of the system.* A number of specific precautions may be taken in order to obtain maximum utilization of the ATCRBS system, such as:

3.1.1 Coordination of the number and type of interrogators installed in any particular area, and cooperative use of interrogators, where possible, for several related functions.

3.1.2 Use for each interrogator of the lowest interrogation rate which is required to perform its function.

3.1.3 Use for each interrogator of the lowest power output which is required for it to provide satisfatcory performance.

3.1.4 Use of particular interrogators only during the periods necessary for them to perform their function.

3.1.5 Limitation of antenna beamwidth to the minimum required and use of low-side-lobe antennas.

3.1.6 Coordination of the interrogation repetition frequency used to minimize interference.

3.2 *Application considerations of the ATCRBS system*—3.2.1 *Siting.* Care should be taken in siting the ground interrogator to ensure that the number of ground installations is kept to a minimum consistent with the operational requirement for ATCRBS information. It should be emphasized that the effects obtained by reflection of the main lobe are more serious than those associated with primary radar. It is therefore necessary to ensure that no large vertical reflecting surfaces are within a reasonable distance of the ATCRBS interrogator antenna. This distance will depend on the area of the reflecting surface and its elevation with respect to the interrogator, but as a guide, it is desirable to site the interrogator at least half a mile away from large metal structures. Although it may be desirable to associate the interrogator antenna physically with a primary radar antenna, siting and maintenance considerations may make it necessary to have a separate site for the interrogator. When this is necessary, the rotation of the two antennas should be synchronized with a maximum error not to exceed 1°.

3.2.2 *Interrogator antenna.* 3.2.2.1 It is necessary that the side lobe level of the antenna relative to the main lobe be as low as practicable. A level lower than −24 dB is desirable. It is important that the interrogation beamwidth be kept as narrow as possible, normally of the order of 3°, but it should be noted that there is a minimum number of replies necessary for processing and display. This minimum will depend on the particular processing and display facilities provided, but would, typically, fall in the range of four to eight replies per beamwidth on each interrogation mode.

3.2.2.2 Side lobe suppression requires two radiation patterns: A directional pattern to radiate the interrogation pulses, and an omni-directional pattern to radiate the control pulse. It should be noted that "omi-directional", as used here, assumes that adequate power is radiated in all directions, not necessarily that equal power is radiated in all directions. It is necessary that the control pattern be in the right relationship to the interrogation pattern over the operational angles of elevation. This may demand that the antennas be designed in a common assembly so that the same effective height above the ground can be maintained for both.

3.2.2.3 Some antenna sites may experience severe reflections from buildings and re-siting may not be practicable. If the reflections are not adequately suppressed by side lobe suppression, satisfactory performance is possible by use of modified three-pulse side lobe suppression techniques. One technique makes use of the omni-directional antenna during transmission of the P_1 interrogation pulse. The P_1 interrogation is fed to both the directional and omni-directional antennas in a power ratio depending on the particular reflection problem and assists transponder suppression in the side lobe areas.

3.2.5 *Sensitivity Time Control (STC).* This feature is extremely effective in minimizing the undesirable processing and display of side lobe replies from older transponders that do no have side lobe suppression (SLS) capability. Even with SLS fully implemented, the use of STC will be required to minimize the effects of reflected signals and pulse stretching. The setting of STC is critical since too much attenuation will cause target loss and too little allows reflection and side lobe breakthrough. Once an optimum setting is determined, it should be maintained with close tolerance. A tolerance of ±1.5 dB is recommended.

3.2.6 *Rejection of unwanted responses.* 3.2.6.1 In an area where a large number of ground interrogators are necessary, there will be a considerable number of transponder responses, which have been triggered by other interrogators, received at any one ground equipment. The responses will be received at recurrence frequencies which will, in all probability, be different from that of the interrogator receiving the information and will constitute a nuisance called "fruit" (unsynchronized replies) on the radar display.

3.2.6.2 Defruiting techniques which use delay lines, storage tubes, or digital storage to defruit on a pulse-to-pulse basis should be employed to remove these nonsynchronous replies. The defruiting function may also be an integral part of the digital detection process.

3.2.7 *Monitoring of ATCRBS interrogator.* 3.2.7.1 The performance monitoring of the ground interrogator called for in 2.10 is required to provide responsible personnel with an indication that the equipment is functioning satisfactorily within the system limits and to give an immediate indication of any significant fault developing in the equipment. Additionally, it is desirable that continuous monitoring provisions with respect to at least the system parameters listed hereafter in 3.2.7.1.1 and 3.2.7.1.2 be provided and that an alarm indication be given in the event of a failure of the monitor itself.

3.2.7.1.1 *Pulse intervals.* Means should be provided to measure pulse spacings for all modes which are to be employed.

3.2.7.1.2 *Interrogator relative radiated pulse levels.* When side lobe suppression is provided, monitoring of this parameter is most important and should be associated with the tolerances indicated in 2.5.

3.2.7.2 Monitoring of the following ATCRBS system parameters is also desirable; however, checking on a periodic basis should suffice.

3.2.7.2.1 *Interrogator radio frequencies.* Assuming that a high stability crystal controlled oscillator is used as the frequency control element of the ATCRBS, it will be necessary only on a periodic basis to determine that the tolerances specified in 2.1 are satisfied.

3.2.7.2.2 *Interrogator pulse duration.*

3.2.7.2.3 *Receiver sensitivity.*

3.2.7.2.4 *Radiated power.*

3.2.7.2.5 *Spurious radiation.*

3.2.7.3 The precise location of the monitor warning indication is a matter for determination by the Administration concerned in the light of local circumstances, but should take into account the need to prevent the presentation of erroneous information to the controller without his knowledge.

3.3 *Airborne equipment*—3.3.1 *Transponder peak power output and sensitivity.* System requirements can be met by a transponder having a nominal output power of 500 watts (peak pulse) or a nominal minimum triggering level (MTL) of −74 dBm, when used in an aircraft having a nominal 3 dB transmission line attenuation and mismatch loss and an antenna performance equivalent to that of a simple quarter-wave antenna. Other combinations of transponder peak pulse power output and MTL, transmission line loss and antenna performance, which result in comparable installed system effective radiated peak pulse power and MTL may be considered equally acceptable.

3.3.2 *Antenna.* 3.3.2.1 A technique which uses two transponders connected to separate antennas must be considered with extreme caution. Such an arrangement, unless carefully controlled, could result in unsatisfactory performance because of the difficulty of matching transponder parameters. This technique requires matching of the relevant characteristics specified in 2.7 and in particular, matching of the reply delay (2.7.11) to within 0.2 microsecond.

3.3.2.2 Any switching device that alternately changes the transponder from one antenna to another at a preset rate should be avoided. A preferred method, if dual antennas are used, is through received signal amplitude comparison whereby the transponder reply is routed to the antenna which receives the stronger interrogation signal.

3.3.3 *Transponder self-test and monitor.* If self-test and/or monitor devices are installed and used in aircraft to indicate normal or faulty operation, care should be exercised to minimize any system derogation (particularly fruit generation) that may result. The duration of use of the test mode should be an absolute minimum and limited to that required by the pilot to determine the transponder status. In order to minimize suppression of replies to ground interrogations, the test signal interrogation rate and level should be the lowest practicable for test.

3.3.4 *Pressure-altitude transmission.* 3.3.4.1 In order to achieve maximum operational benefit from automatic pressure-altitude transmission, the altitude information used by the pilot and that automatically provided to the controller must closely correspond (2.7.13.2.5). The highest degree of correspondence will be achieved by having airborne systems which use the same static pressure source, same aneroid unit, same static pressure error correction device and same scale correction device for both the pilot and the automatically transmitted pressure-altitude data.

3.3.4.2 For aircraft installations which are not yet equipped with altitude digitizer

units, the use of Mode C reply framing pulses only (2.7.13.2.3) is encouraged as an interim arrangement.

3.3.4.3 The wording of the standard recognizes that facilities are provided on many transponders in service which only enable the information and framing pulses to be removed together. But its main objective is to ensure that inaccurate information pulses are removed while retaining the capability of position determination. The framing pulses alone are useful in certain ground processing equipments for enhancing the detection probability and azimuth accuracy.

3.3.4.4 The capability required by the Standard at 2.7.13.2.2 should be provided in new installations.

3.3.5 *Automatic conversion of pressure altitude data to altitude.* Automatically transmitted pressure altitude data obtained via ATCRBS may be displayed to air traffic controllers directly after being decoded when such data indicates that the aircraft from which it is received is at or above the transition level. When the aircraft is below the transition level, such data could be misleading, since it is based upon the standard atmospheric pressure reference datum of 29.92 inches of mercury, while the pilot's altimeter is adjusted to a different reference. In this case, therefore, the data must be converted by application of an appropriate correction factor based upon the same reference datum as that to which the pilot's altimeter is set.

3.3.6 *Transmission of the "X" pulse.* In 2.6.2, the position of the "X" pulse is specified as a technical standard to provide for possible future expansion of the system. It is recognized that though a majority of airborne transponders of later design contain an "X" pulse position, there are no means at present embodied to permit the operational use of this pulse. To do so, modifications of existing transponders and/or ancillary equipment would be necessary. The extent of modifications required would depend on the future function of the "X" pulse.

3.3.7 *Transponder low sensitivity setting.* Many existing transponders are equipped with a low sensitivity setting (minus 12 dB below normal sensitivity) which is manually selectable by the pilot upon request of the controlling agency. This feature has been found useful as an interim technique for reducing transponder side lobe response. However, SLS is being implemented at interrogator sites and the low sensitivity feature will not be needed in new transponders.

[F.R. Doc. 68-12959, Filed, Oct. 23, 1968; 8:48 a.m.]

GENERAL AVIATION DISTRICT OFFICE AT VAN NUYS, CALIF.

Notice of Relocation

Notice is hereby given that on or about October 31, 1968, the General Aviation District Office at 16700 Roscoe Boulevard, Van Nuys, Calif., will be relocated to 7120 Hayvenhurst Avenue, Van Nuys, Calif. Services to the public will not be affected.

(Sec. 313(a), 72 Stat. 752; 49 U.S.C. 1354)

Issued in Los Angeles, Calif., on October 17, 1968.

A. E. HORNING,
Acting Director, Western Region.

[F. R. Doc. 68-12953; Filed, Oct. 23, 1968; 8:47 a.m.]

Title 2—THE CONGRESS

ACTS APPROVED BY THE PRESIDENT

EDITORIAL NOTE: After the adjournment of the Congress *sine die*, and until all public acts have received final Presidential consideration, a listing of public laws approved by the President will appear in the daily FEDERAL REGISTER under Title 2—The Congress. A consolidated listing of the new acts approved by the President will appear in the Daily Digest in the final issue of the Congressional Record covering the 90th Congress, Second Session.

Approved October 21, 1968

H.R. 7417 ..... Public Law 90-614
District of Columbia Administrative Procedure Act.

H.R. 7735 ..... Public Law 90-615
An Act to continue for three years the existing suspension of duties on certain alumina and bauxite, and for other purposes.

S. 4120 ..... Public Law 90-616
An Act to amend title 5, United States Code, to authorize the waiver, in certain cases, of claims of the United States arising out of erroneous payments of pay to employees of the executive agencies, and for other purposes.

S. 3207 ..... Public Law 90-617
An Act to amend section 2 of the Act of June 30, 1954, as amended, providing for the continuance of civil government for the Trust Territory of the Pacific Islands.

Approved October 22, 1968

H.R. 17735 ..... Public Law 90-618
Gun Control Act of 1968.

H.R. 14095 ..... Public Law 90-619
An Act to amend the Internal Revenue Code of 1954 so as to make certain changes to facilitate the production of wine, and for other purposes.

H.R. 18612 ..... Public Law 90-620
An Act to enact title 44, United States Code, "Public Printing and Documents", codifying the general and permanent laws relating to public printing and documents.

H.R. 18942 ..... Public Law 90-621
An Act relating to the income tax treatment of certain statutory mergers of corporations.

H.R. 18486 ..... Public Law 90-622
An Act to amend the Internal Revenue Code of 1954 with respect to the treatment of income from the operation of a communications satellite.

H.R. 17864 ..... Public Law 90-623
An Act to amend titles 5, 10, and 37, United States Code, to codify recent law, and to improve the Code.

H.R. 7567 ..... Public Law 90-624
An Act to amend the Internal Revenue Code of 1954 with respect to the definition of compensation for purposes of tax under the Railroad Retirement Tax Act, and for other purposes.

S. 3736 ..... Public Law 90-625
An Act to authorize the Secretary of Agriculture to sell to the Village of Central, State of New Mexico, certain lands administered by him formerly part of the Fort Bayard Military Reservation, New Mexico.

S. 3416 ..... Public Law 90-626
An Act to amend the Federal Property and Administrative Services Act of 1949, as amended, to authorize the rendering of direct assistance to and performance of special services for the Inaugural Committee.

H.R. 859 ..... Public Law 90-627
An Act for the relief of Public Utility District Numbered 1 of Klickitat County, Washington.

H.R. 13058 ..... Public Law 90-628
An Act to repeal certain Acts relating to containers for fruits and vegetables, and for other purposes.

CUMULATIVE LIST OF PARTS AFFECTED—OCTOBER

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PART II

Department of Transportation

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Coast Guard

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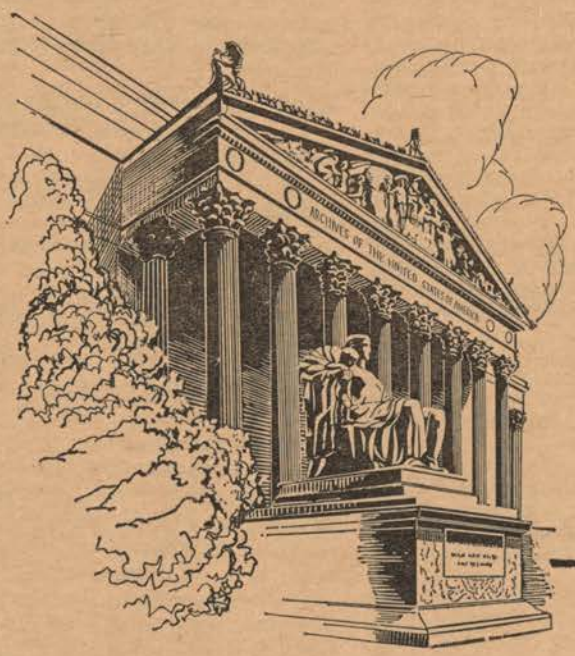
Bridges and Their Lighting, Construction, Maintenance, and Operation

Proposed Rule Making



DEPARTMENT OF TRANSPORTATION

Coast Guard

[33 CFR Parts 68, 115–118]

[CGFR 68–43W]

BRIDGES AND THEIR LIGHTING, CONSTRUCTION, MAINTENANCE, AND OPERATION

Notice of Proposed Rule Making

1. The Commandant, U.S. Coast Guard, is considering proposals to change the rules and regulations governing bridges in 33 CFR Parts 68 and 115 to 118, inclusive, as follows:

(a) Bring up-to-date and transfer the rules and regulations regarding lighting of bridges from 33 CFR Part 68 to 33 CFR Part 118.

(b) Revise and bring into one place in 33 CFR Part 115 the various conditions imposed in the permit governing the construction of a bridge.

(c) Revise and clarify the requirements regarding installations of clearance gauges required by 33 CFR Parts 115 and 117, as well as prescribe in detail the requirements and characteristics of a clearance gauge with the view of establishing a standard gauge for use on all navigable waters.

(d) Add provisions in 33 CFR Part 115 which will authorize the subsequent imposition of specific conditions relating to maintenance and operation of bridges when changing conditions of navigation require additional or other specific conditions to preserve the public right of navigation.

(e) Revise procedures in 33 CFR Part 116 when an owner of a bridge is required to alter such a bridge so that the owner will submit the bridge specifications directly to the Commandant (OAN) rather than to the District Commander, as well as to revise the form and method of presenting the computation of proportionate shares of costs to be born by the United States and the bridge owner.

2. This document contains these proposals together with appropriate references to statutory authorities which authorize rules and regulations governing the lighting of bridges and the construction, maintenance and operation of bridges. Interested persons may participate in this proposed rule making by submitting such written data, views, arguments, or comments as they may desire, in triplicate, within 60 days after the date of publication of this document in the FEDERAL REGISTER, to the Commandant (OAN–5), U.S. Coast Guard, Department of Transportation, Washington, D.C. 20591. Each communication should identify the subject and section number(s) of the proposal(s) to which it is directed; set forth the specific wording of each proposal being recommended in lieu of the proposed wording in this document; the reason or basis for each recommended change; and the name, address, and business firm or organization (if any) of the submitter. Each communication received within the time period specified above by the Commandant will be considered and evaluated before taking final actions on the proposals in this document. Copies of all written communications received by the Commandant (OAN–5) will be available for examination and reading by interested persons in Room 7211, Coast Guard Headquarters, Washington, D.C., both before and after the closing date for receipt of comments. The proposals contained in this document may be changed in the light of comments received.

3. At this time no hearing is contemplated on the proposals in this document, but arrangements may be made for informal conferences with cognizant Coast Guard officials by contacting the Chief, Aids to Navigation Division, Room 7211, Coast Guard Headquarters, Washington, D.C. 20591. Any data or views presented during such informal conferences must also be submitted in writing to the Commandant (OAN–5) in accordance with this notice in order that it may become part of the record.

4. In addition to publication in the FEDERAL REGISTER, copies of the printed document will be mailed to persons and organizations who have expressed to the Commandant (OAN–5) a continued interest in this subject of bridges, and have requested that copies of proposed changes in rules and regulations be furnished them. After the supply of copies of this printed document is exhausted, copies will be available for reading purposes in Room 7211, Coast Guard Headquarters, or at the offices of the various Coast Guard District Commanders.

5. In the process of issuing permits for the construction of bridges over the navigable waters of the United States approving the location and plans of any bridge, the Commandant is authorized under the General Bridge Authority (33 U.S.C. 525) to impose any specific conditions relating to the maintenance and operation of the structure which may be deemed necessary in the interest of public navigation. Title 33 CFR Part 115 is proposed to be amended to add to § 115.60 a new paragraph (d)(4) listing specific conditions which are now and have historically in various forms been normally and routinely imposed in the permit. Section 115.15 *Permit bonds* is recodified as § 115.60(g) to list all permit conditions together.

6. In the list of certain specific conditions to be listed under § 115.60(d)(4) is a provision for installation of clearance gauges which if recommended by the District Commander shall be as prescribed by the Commandant. A new § 115.65 is proposed to be added to prescribe in detail the requirements and characteristics of such clearance gauges in a manner intended to establish a standard gauge for all navigable waters.

7. A new § 117.1(d) is proposed to be added to § 117.1 for the purpose of extending the standard clearance gauge requirements and characteristics to be prescribed under § 115.65 to drawbridges whose operations are regulated under Part 117.

8. In recognition of the continuing public rights of navigation, notwithstanding the specific conditions relating to maintenance and operation of the bridge imposed when approval of the location and plans of any bridge is given, a new § 115.60(f) is proposed to be added to 33 CFR Part 115. This addition will authorize the subsequent imposition of specific conditions when changing conditions of navigation require additional specific conditions of the permit to preserve the public right of navigation.

9. The existing provisions of 33 CFR Part 116 are proposed to be amended to reflect a change in procedure in § 116.25 (b) whereby an owner of a bridge required to be altered will be advised of the requirements for submission of bridge specifications directly by the Commandant instead of by the District Commander as now provided. Section 116.30 is also proposed to be revised by changing the form and method of presenting the computation of proportionate shares of costs to be borne by the United States and the bridge owner.

10. In reviewing and summarizing the provisions of 33 CFR 68, Subchapter C, Part 68 is recodified as Part 118, Subchapter J, to arrange all principal bridge regulations together under one subchapter. The sections are renumbered to conform to the numbering system used in the other parts of this subchapter.

11. The rules and regulations under 33 CFR Part 68 governing the lighting of bridges are proposed to be revised generally to reflect the transfer of bridge functions, powers and duties from the Corps of Engineers to the Secretary of Transportation by the Department of Transportation Act (49 U.S.C. 1651–1659) and in turn delegated to the Commandant by rule in 49 CFR 1.4(a). In addition to the editorial changes various minor changes are proposed to be made throughout to clarify the meaning of the language.

PART 115—BRIDGE LOCATIONS AND CLEARANCES; ADMINISTRATIVE PROCEDURES

Section 115.10 is amended to read as follows:

§ 115.10 Limiting dates in permits and extension of time.

Specific time limitations will be inserted in all permits, normally 2 years for start of construction and 2 additional years for completion. Extension of time may be requested for good reason and will normally be granted. The District Commander may grant one extension of time for commencement and/or completion of one year. Subsequent extensions or those for a longer period of time will normally be granted by the Commandant, upon recommendation of the District Commander, unless the type and amount of waterborne traffic or the navigational characteristics of the waterway have changed to such an extent that this bridge, as proposed, would be an unreasonable obstruction to navigation.

§ 115.15 [Deleted]

Section 115.15 *Permit bonds* is amended by deleting the section and recodifying under § 115.60(g).

Section 115.50 is amended as follows:

§ 115.50 Bridges across waterways.

* * * * *

(g) *Plans.* An original and three copies of plans showing the location, elevation and plan view of the work shall be submitted with the application. Essential navigation features covered by the application will be outlined in red. Each sheet must have a title, date, and page number, preferably in the lower right hand corner.

* * * * *

(i) * * *

(3) The plans shall show the minimum clear horizontal distance beneath the navigation span, measured normal to the axis of the navigation channel. The plans will also show the least clear height of the lowest part of the superstructure of the navigation span, with respect of the navigation span, with respect to the appropriate recognized datum at the site. Lesser vertical clearances that may be available and the horizontal distances through which they may extend shall also be indicated, where appropriate.

* * * * *

Section 115.60 is amended as follows:

§ 115.60 Procedures for handling applications for bridge construction authorization.

* * * * *

(d) * * *

(4) If approval is recommended, all conditions to which the permit should be subject will be stated. Such conditions may include, but are not necessarily limited to, the following:

(i) No deviation from the approved plans shall be made either before or after completion of the structure unless the modification of said plans has previously been submitted to and received the approval of the Commandant.

(ii) All work shall be so conducted that the free navigation of the waterway is not unreasonably interfered with and the present navigable depths are not impaired. The construction of false-work, pilings or other obstructions, if required, shall be accomplished in accordance with plans submitted to and approved by the District Commander prior to construction of the bridge. The channel or channels through the structure shall be promptly cleared of all obstructions placed therein or caused by the construction of the bridge to the satisfaction of the District Commander, when in his judgment the construction work has reached a point where such action should be taken, and in any case, not later than 90 days after the bridge has been opened to traffic.

(iii) Issuance of this permit does not relieve the permittee of the obligation or responsibility for compliance with the provisions of any other law or regulation under the jurisdiction of any other Federal, State, or local authority having cognizance of any aspect of the construction, operation and maintenance of said bridge.

(iv) All parts of the existing bridge not utilized in the proposed bridge shall be removed down to the natural bottom of the waterway and the channel cleared to the satisfaction of the District Commander within 90 days after completion of the new bridge or when said bridge has been opened to vehicular traffic, whichever occurs first.

(v) Suitable pier protection fenders shall be installed in accordance with plans submitted to and approved by the Commandant prior to construction of the bridge.

(vi) Clearance gauges, when required, shall be installed in such locations as the District Commander may designate. Installation and maintenance of such clearance gauges shall be by and at the expense of the bridge owner or operator. Clearance gauges shall conform to the provisions of § 115.65.

(vii) Any lights displayed on the bridge, other than lights under the jurisdiction of the U.S. Coast Guard or the Federal Aviation Administration, shall be of such color, intensity, and hooded or shielded so that visibility from vessels operating through this reach of the river during periods of darkness is not impaired or that lighted aids to navigation in the vicinity, including required bridge lights, are not obscured.

(viii) The channel under the bridge shall be kept free of aquatic material and debris. No such material is to be allowed to accumulate against the supports of the bridge. The costs for such removal and maintenance work shall be borne by the bridge owner.

(ix) The approval hereby granted shall cease and be null and void unless the actual construction of the bridge be commenced within _____ years and completed within _____ years of the date of this permit. (Periods of time will be recommended by the District Commander.)

(e) *Final action.* The processed application is received in the office of the Commandant (OAN) where it is again subjected to analysis and review. When the Commandant disagrees with the District Commander on a substantive matter, he may return the case for reconsideration, or, when he disagrees as to a matter of procedure, he may return the case with instructions to correct the procedural defect (such as the failure to give notice, or to hold a public hearing). When favorable action is taken on an application, the permit is signed by the Commandant and forwarded to the District Commander for transmittal to the applicant. When unfavorable action is taken, the Commandant will inform the applicant of the reasons for rejection and the modification of plans which would justify reconsideration and will advise the District Commander of such action.

(f) *Other conditions.* When the Commandant deems it necessary in the interest of public navigation, he may subsequently impose additional conditions of the permit relating to the maintenance and operation of the structure including installation of clearance gauges, pier protection systems and other features affecting the safety of navigation not originally provided for in the permit.

(g) *Permit bonds.* When compensatory works or the removal of temporary structures should be required of the permittee, or in other unusual cases when there is reason to anticipate that the permittee may fail to carry out parts of the work that are against his interest, an additional condition will be included in the permit requiring the permittee to furnish a bond insuring compliance with the permit requirements.

Part 115 is amended to add a new section as follows:

§ 115.65 Bridge clearance gauges.

(a) Clearance gauges installed on bridges across navigable waters subject to the provisions of this subchapter shall be so constructed and placed as to indicate the vertical distance between "low steel" of the bridge channel span and the level of the water. The gauge shall read from top to bottom, measured from low steel to the bottom of the foot marks. The gauge shall be installed so as to face approaching traffic and shall extend to a reasonable height above high water so as to be meaningful to the viewer.

(1) When a clearance gauge shall be required by the regulations in this part, such gauge shall be installed on end of right channel pier or pier protection structure facing approaching traffic. The District Commander may specify other or additional locations for clearance gauge installations, as particular conditions or circumstances may warrant.

(2) The costs of installation and maintenance of clearance gauge installations shall be borne by the bridge owner or operator.

(b) Clearance gauges shall be of durable material permanently fixed to the bridge pier, or pier protection structure, and of such strength as to provide a structure resistant to weather, tide, and current. However, clearance gauges may be painted directly on the bridge channel pier if the face of the pier is flat and has sufficient width to accommodate the foot marks (graduations) and numerals.

(c) The gauge shall be marked by black numerals and foot marks on a white background. Paint, if used, should be of good exterior quality, resistant to chalking or bleeding. Manufactured numerals and background material may be used. The size, type and spacing of numerals conforming with those published in "Standard Alphabets for Highway Signs", Bureau of Public Roads, Department of Transportation, shall be used as follows:

Docket	Between	Rate in cents	
		Current	Proposed
19914	Emporia and Wichita via Topeka, Kans.	29.1	33.16
19916	Hays and Wichita via Salina, Kans.	35.22	40.14
19917	Independence and Wichita via Fort Scott, Kans.	32.22	36.06
19918	Colby and Wichita via Dodge City, Kans.	28.9	32.71

(1) The nominal day visibility distance, the distance at which the available clearance needs to be ascertained, shall be established by the District Commander after determination of the requirements of navigation for such information.

(2) The length of the foot marks shall be no less than the width of a single numeral used (except numerals 1 and 4), the same thickness as the width of stroke of the numeral, and should extend to the nearest margin of the white background. "Foot marks" shall be spaced every foot for nominal day visibility of less than 500 feet, every 2 feet for a nominal day visibility of more than 500 feet but less than 1,000 feet, and every 5 feet for nominal day visibility of more than 1,000 feet.

(3) Intermediate foot marks may be used when more precise determination of actual clearance is necessary. Such intermediate foot marks shall have a width of stroke one-half the width of the stroke required for the numeral and shall be three-quarters as long as the primary foot marks.

(4) The horizontal distance between the numeral and nearest edge of the white background shall be no less than one-half the width of a single numeral (excepting numerals 1 and 4).

(5) The minimum width of the white background shall be no less than three times the width of a single numeral (excepting numerals 1 and 4) plus the width of each additional numeral (when multiple numerals are used) plus numeral spacing.

(6) The vertical distance between the top and bottom ends of the clearance gauge and "low steel" shall be as established by the District Commander after determination of the requirements of navigation for such information.

(d) Clearance gauges shall be maintained in good repair and kept in good legible condition by and at the expense of the owner or operator of the bridge. The bridge owner or operator shall be responsible for the accuracy of the gauge. The vertical distance of the numerals and foot marks below "low steel" of the bridge should be remeasured whenever the gauge is repainted or the structure is repaired.

(e) When special or peculiar circumstances or conditions exist which make compliance with these standards impractical, the bridge owner or operator may apply in writing to the Commandant via the District Commander for permission to deviate from these standards or obtain a waiver of the requirement for clearance gauges.

(f) Existing clearance gauges may be continued in use so long as they are maintained in a satisfactory condition. However, whenever such clearance gauges are repaired or repainted the requirements in this section shall be met as deemed necessary by the District Commander.

Section 115.70 is amended to read as follows:

§ 115.70 Advance approval of bridges.

(a) The General Bridge Act of 1946 requires the approval of the location and plans of bridges prior to start of construction (33 U.S.C. 525). The Commandant has given his approval by general permit to the location and plans of bridges to be constructed across reaches of waterways navigable in law but not actually navigated other than by logs, log rafts, rowboats, canoes, and small motorboats. The term "small motorboats" is intended to mean rowboats, canoes and other similar craft with outboard motors. In these cases the clearances provided for highwater stages will be considered adequate to meet the reasonable needs of navigation. It does not include sailing or cabin cruiser craft. This term is used to distinguish such craft from the definition of "motorboat" in the Motorboat Act of June 25, 1940 (46 U.S.C. 526) which includes craft up to 65 feet in length.

(b) In cases of reasonable doubt as to the navigable character of the waterway under paragraph (a) of this section, a general permit for any such reach of a waterway navigable in law may be issued by the Commandant, after notice and opportunity for public participation, based upon the facts and existing circumstances. Such general permit may include special conditions as to minimum horizontal and vertical clearances approved and other aspects as circumstances require. Issuance of a general permit by the Commandant pursuant to this paragraph will be made by publication in the FEDERAL REGISTER.

(c) The general permits issued under paragraph (a) or (b) of this section are intended to apply only to routine and obvious circumstances and shall be subject to withdrawl after notice and opportunity for public participation when the character of navigation or circumstances require reconsideration.

(d) Requests for issuance of a general permit or reconsideration of a general permit shall be made in writing to the District Commander. The procedures for handling such requests shall generally follow the provisions of § 115.60, as applicable.

(Sec. 5, 28 Stat. 362, as amended, sec. 11, 54 Stat. 501, as amended, sec. 12, 60 Stat. 244, as amended, sec. 6(g), 80 Stat. 941; 33 U.S.C. 499, 521, 5 U.S.C. 559, 49 U.S.C. 1655(g); 49 CFR 1.4(a)(3))

PART 116—ALTERATION OF OBSTRUCTIVE BRIDGES

Section 116.25 is amended as follows:

§ 116.25 Order to alter obstructive bridges.

* * * * *

(b) The owner of a bridge to be altered under the provisions of the Truman-Hobbs Act, as amended (54 Stat. 497; 33 U.S.C. 511 et seq.), will be advised by the Commandant of the requirements for submission of general plans and specifications. These general plans and specifications will be submitted to the Commandant. The Commandant will then determine:

(1) Whether the plans and specifications provide for the minimum structure meeting the requirements of the "Order to Alter".

(2) Whether the plans and specifications include items or features not necessary to meet the "Order to Alter", or have no counterpart in the existing bridge but desired by the bridge owner.

(3) Whether the plans and specifications provide for materials of a higher grade than that of comparable items or features of the existing bridge, or of a higher grade than provided in the recommended practice of the Association of American Railroads for railroad bridges, or in specification of the American Association of State Highway Officials for highway bridges, or both for any bridge used for both highway and railroad traffic.

Section 116.30 is amended as follows:

§ 116.30 Approval of award and guaranty of cost under Truman-Hobbs Act.

(a) Bids obtained by the bridge owner will be submitted to the Commandant together with recommendations as to award and guaranty of cost and a statement of the proportionate shares of cost to be borne by the United States and the owner in the following form:

Total estimated cost of project		$------
Less salvage		------
Cost of alteration to be apportioned		$------
Cost to be borne by the bridge owner:		
Direct and special benefits:		
Removing old bridge	$------	
Fixed charges (engineering and inspection)	$------	
Contribution by the bridge owner	$------	
Anticipated savings in repair or maintenance costs	$------	
Costs attributable to requirements of (railroad) (highway) traffic	$------	
Expenditure for increased carrying capacity	$------	
Expired service life of old bridge	$------	$------
Cost to be borne by the United States		$------
Contingencies ±15%		$------
Total		$------
Cost to be borne by bridge owner		$------
Contingencies ±15%		$------
Total		$------

(b) [Deleted.]

(Sec. 5, 28 Stat. 362, as amended, sec. 11, 54 Stat. 501, as amended, sec. 12, 60 Stat. 244, as amended, sec. 6(g), 80 Stat. 941, 33 U.S.C. 499, 521 (5 U.S.C. 559, 49 U.S.C. 1655(g); 49 CFR 1.4(a)(3))

PART 117—DRAWBRIDGE OPERATION REGULATIONS

Section 117.1 is amended to add a new paragraph as follows:

§ 117.1 General.

* * * * *

(e) Clearance gauges required to be installed under the provisions of this part shall conform with the requirements for bridge clearance gauges in § 115.65 of this subchapter.

(Sec. 5, 28 Stat. 362, as amended, sec. 6(g), 80 Stat. 941; 33 U.S.C. 499, 49 U.S.C. 1655(g); 49 CFR 1.4(a)(3)(v))

PART 118—LIGHTING OF BRIDGES

Part 68 is recodified as Part 118, Subchapter J, Lighting of Bridges, Title 33 CFR. The text is revised to read as follows:

Sec.
118.100 General requirements.
118.105 Penalty for failure to maintain.
118.110 Interference or obstruction prohibited.
118.115 Penalty for interference or obstruction.
118.200 Obtaining information.
118.205 Application procedure.
118.210 Action by Coast Guard.
118.250 Drawbridge operation signals.
118.300 Lights and signals required during bridge construction.
118.305 Lights and signals required upon completion of construction.
118.310 Visibility of lights.
118.315 Periods of operation.
118.320 Inspection.
118.330 General illumination lighting.
118.400 Lights on fixed bridges.
118.405 Lights on swing bridges.
118.410 Lights on single opening drawbridges.
118.415 Lights on bascule bridges.
118.420 Lights on vertical lift bridges.
118.500 Bridges crossing channel obliquely.
118.505 Lights on sheer booms.
118.510 Modification of requirements.
118.520 Unusual cases.

AUTHORITY: The provisions of this Part 118 issued under sec. 4, 34 Stat. 85, as amended, sec. 92, 63 Stat. 503, sec. 6(b)(1), 80 Stat. 938; 33 U.S.C. 494, 14 U.S.C. 92, 49 U.S.C. 1655(b); 49 CFR 1.4(a)(2). Interpret or apply secs. 84, 85, 633, 63 Stat. 500, 501, as amended, 545; 14 U.S.C. 84, 85, 633.

§ 118.100 General requirements.

All persons owning, occupying, or operating bridges over the navigable waters of the United States shall install and maintain at their own expense such lights and other signals as may be prescribed by the Commandant, and on any international bridge constructed after March 23, 1906, such additional signals as may be prescribed by the Commandant.

§ 118.105 Penalty for failure to maintain.

Any person required to maintain lights and other signals upon any bridge or abutment over or in the navigable waters of the United States who fails or refuses to maintain such lights and other signals, or to obey any of the lawful rules and regulations relating to the same is subject to a penalty as provided in 14 U.S.C. 85.

§ 118.110 Interference or obstruction prohibited.

No person shall obstruct or interfere with any lights or signals maintained in accordance with the regulations in this part.

§ 118.115 Penalty for interference or obstruction.

Any person violating the provisions of § 118.110 shall be deemed guilty of a misdemeanor and be subject to a fine not exceeding $500 for each offense as provided in 14 U.S.C. 84. Each day during which such violation shall continue shall be considered a new offense.

§ 118.200 Obtaining information.

Persons desiring information concerning lights and other signals required to mark bridges for the protection or navigation should address their inquiry to the District Commander having jurisdiction over the area concerned, or to the Commandant.

§ 118.205 Application procedure.

(a) On the plans submitted with application for a bridge permit, pursuant to Part 115 of this subchapter, lights and signals should be indicated for approval by the District Commander.

(b) The application for approval of installation or changes in lights or signals on an existing bridge shall be submitted to the District Commander and accompanied by two sets of drawings. The lights and signals proposed shall be shown on the plan and elevation view of the structure. The location of the bridge and all other bridges across the waterway within 1,000 feet shall be indicated on a chart/map section of this vicinity.

§ 118.210 Action by Coast Guard.

(a) *New bridges.* (1) In the course of his study of a proposed bridge, conducted under the provisions of Part 115 of this subchapter, the District Commander receiving an application for a bridge permit will determine what lights and/or other signals will be necessary for the protection of navigation.

(2) Those lights and/or signals required by the District Commander will be indicated on the bridge plans approved by the Commandant, and the notation "Navigational lights and/or other signals approved (date) as shown" placed thereon. The District Commander will sign the copy of the plans attached to the bridge permit being delivered to the applicant.

(3) In certain situations, exemptions from lighting requirements are permitted under the provisions of § 118.515.

(b) *Existing bridges.* The District Commander receiving the application for installation of or changes in lights or signals on an existing bridge will review it. If satisfactory, the District Commander may approve the lights or other signals proposed, or indicate on the drawings those that are required. In the case of lights, the applicable section of this part which prescribes the lights required will be cited. Approval will be indicated in the same manner as for new bridges.

§ 118.250 Drawbridge operation signals.

Lights and signals for the operation of drawbridges are prescribed in Part 117 of this subchapter.

§ 118.300 Lights and signals required during bridge construction.

When a bridge is under construction, the District Commander having jurisdiction over the area in which the bridge is being built may authorize the temporary lights and other signals required or needed to be displayed for the protection of navigation.

§ 118.305 Lights and signals required upon completion of construction.

Upon completion of construction of a bridge the permanent lights and other signals approved by the District Commander for the protection of navigation shall be displayed.

§ 118.310 Visibility of lights.

All lights required by the regulations in this part shall be securely attached to the structure and shall be of sufficient intensity as to be visible against the background lighting at a distance of at least 2,000 yards 90 percent of the nights of the year. Their locations, colors, and arcs of visibility shall be as required by the District Commander.

§ 118.315 Periods of operation.

(a) Lights shall be displayed from sunset to sunrise and at other times when the visibility is less than 1 mile.

(b) The prescribed lights need not be exhibited during seasons when vessels are unable to navigate in the vicinity of the bridge.

(c) The operation of signals other than lights shall be as required by the District Commander.

§ 118.320 Inspection.

Lights and signals required by the regulations in this Subchapter are subject to inspection at any time by the District Commander or his agent.

§ 118.330 General illumination lighting.

Any lights displayed on bridges, other than lights under the jurisdiction of the Coast Guard or the Federal Aviation Administration, shall be of such color, intensity, and so hooded or shielded so that visibility from vessels operating through this reach of the river during periods of darkness is not impaired or that lighted aids to navigation in the vicinity, including required bridge lights, are not obscured.

§ 118.400 Lights on fixed bridges.

(a) Each fixed bridge span over a navigable channel shall be lighted so that the center of the navigable channel under each span will be marked by a range of two green lights, and each margin of each navigable channel will be marked by a red light: *Provided,* That when a margin of a channel is limited by a pier, only those lights prescribed in paragraph (b) of this section shall be required to mark such channel margin. The green lights shall each show through a horizontal arc of 360°; they shall be securely mounted just below the outermost edge of the bridge span structure so as to be visible from an approaching vessel. Each red light shall show through a horizontal arc of 180°, and shall be securely mounted just below the outermost edge of the bridge span structure to show 90° on either side of a line parallel to the axis of the channel so as to be visible from an approaching vessel. However, until such time that major repairs to or replacements of existing fixed span navigation lights colored green are made, it is permitted that only one of these lights marking the centerline of the same channel under a span shall be visible to an approaching vessel. When major repairs to or replacement of such existing green lights are made they shall conform with this paragraph.

(b) Pier lights: When the navigable channel extends from pier to pier or when piers are located within the navigable channel, each end of such piers shall be lighted with a red light. Each such light shall show through a horizontal arc of 180°, and shall be securely fastened at the end of the pier as low as practicable but not lower than 2 feet above navigable high water to show 90° on either side of line parallel to the axis of the channel so as to be visible from an approaching vessel.

(c) Main channel: When necessary, the District Commander may prescribe that fixed bridges having two or more spans over a navigable channel shall have the main channel span marked with a set of three white lights arranged in a vertical line directly above each green light on the main channel span. Each white light shall show through a horizontal arc of 180°, and shall be mounted so that one-half of the horizontal arc will show on either side of a line parallel to the axis of the channel. These three white lights shall be securely mounted on the bridge structure and spaced as nearly 15 feet apart as the structure of the bridge will permit, with a minimum spacing of 7 feet. The lowest white light in the line of three lights shall be placed not less than 10 nor more than 15 feet above each green light on the main channel span. However, until such time that major repairs to or replacements of existing main channel lights showing white are made, it is permitted that these lights show through a horizontal arc of not less than 60° nor more than 180° with one-half of such arc showing either side of a line parallel to the axis of the main channel. When major repairs or replacement of such existing white lights are made, they shall conform with this paragraph.

§ 118.405 Lights on swing bridges.

(a) *Swing span lights on through bridges.* Each swing span of every through swing bridge shall be lighted with three lights so that when viewed from an approaching vessel the swing span when closed will display three red lights on top of the span structure, one at each end of the span on the same level and one at the center of the span no less than 10 feet above the other two lights, and when open for navigation will display three green lights on top of the span structure in a line parallel to and directly above the long axis of the span, one at each end of the span on the same level, and one at the center of the span no less than 10 feet above the other two lights. Each light shall show through alternate red and green horizontal arcs of 60° each, the axis of adjacent arcs to be 90° from each other; each light shall be securely mounted with the axis of the green arcs parallel to the long axis of the swing span.

(b) *Swing span lights on deck and half-through bridges.* Each swing span of every deck, half-through, girder, or similar type swing bridge shall be lighted with four lights so that when viewed from an approaching vessel the swing span when closed will display one red light at each end, and when open to navigation will display two green lights from each end. Each light shall show through one red and two green horizontal arcs of 60° each, the axis of each green arc to be 90° from the axis of the red arc; each light shall be securely mounted at the floor level of the span as near to the side of the span as practicable with the axis of the red light normal to the long axis of the swing span and so that the red light will be visible from an approaching vessel when the span is closed.

(c) *Pier lights.* Every swing bridge shall be lighted so that each end of the piers adjacent to the navigable channel (draw piers) or each end of their protection piers (draw pier protection piers) and each end of the piers protecting the pivot pier (pivot protection pier) will be marked by a red light. Each of these lights shall show through a horizontal arc of 180° and shall be mounted as low as practicable below the floor level of the swing span to show 90° on either side of a line parallel to the axis of the channel so as to be visible from an approaching vessel.

(d) *Axis lights.* Every swing bridge shall be lighted so that the intersection of the bridge axis with each side of the pivot pier and the channel side of each draw pier which has a protection pier will be marked by a red light: *Provided,* That if the draw and draw protection piers are straight along their channel faces these lights shall not be required. Each such light shall show through a horizontal arc of 180°, and shall be mounted on the navigable channel face of the pier as low as practicable below the floor level of the swing span to show 90° either side of a line normal to the axis of the navigable channel so as to be visible from an approaching vessel.

(e) *Omission of lights.* Where the permanent navigable channel passes on only one side of the pivot pier of any swing span, the District Commander may authorize the omission of lighting of the unused channel.

§ 118.410 Lights on single-opening drawbridges.

(a) *Bridges in this class.* Bridges of the folding, pontoon and similar type single opening drawbridges are included in this class.

(b) *Draw span lights.* Each draw span of every single opening drawbridge shall be lighted with two lights so that when viewed from an approaching vessel the draw span when closed will display two red lights, one at each end of the span and when open to navigation will display two green lights, one at each end of the span. Each light shall show alternate red and green horizontal arcs of 60° each, the axis of adjacent arcs to be located 90° from each other; each light shall be securely mounted 15 feet above the roadway with the axis of the green arcs parallel to the long axis of the swing span.

(c) *Pier or abutment lights.* Every swing bridge shall be lighted so that the end of each pier, abutment or fixed portion of the bridge adjacent to the navigable channel through the draw, or each end of the protection piers for such piers, abutments, or fixed portion of the bridge will be marked by a red light. Each red light shall show through an arc of 180°, and shall be securely mounted on the pier, abutment or fixed portion of the bridge as low as practicable to show 90° on either side of a line parallel to the axis of the channel so as to be visible from an approaching vessel.

§ 118.415 Lights on bascule bridges.

(a) *Lift span lights.* Each lift span of every bascule bridge shall be lighted so that the free end of the span will be marked on each side by a green light which shows only when the span is fully open for the passage of a vessel and by a red light which shows for all other positions of the lift span. Each red and each green light shall show through a horizontal arc of 180°. The lighting apparatus shall be securely mounted to the side of the span so that the light will show equally on either side of a line parallel to the axis of the channels, so that they will be visible from an approaching vessel. However, until such time that major repairs to or replacement of lift span navigation lights are made, existing lights may show through a horizontal arc of less than 180°. When major repairs to or replacement of existing lights are made they shall conform with this paragraph.

(b) *Multiple parallel lift span lights.* The outermost side of each outer span of every bascule bridge with parallel multiple lifts shall be lighted as prescribed in paragraph (a) of this section; the lights shall be controlled so that the green lights will be displayed only when all spans are open for navigation. The inner

sides of each outer lift span and both sides of each inner lift span of such bascule bridge shall be lighted by red lights for all positions of the lift span. These lights shall have the same arcs of illumination and shall be mounted as described in paragraph (a) of this section.

(c) *Pier lights.* Every bascule bridge shall be lighted so that each end of every pier, or protection pier where provided, in or adjacent to the navigable channels under the lift span or spans will be marked by a red light. Each such red light shall show through a horizontal arc of 180° and shall be securely mounted as low as practicable on the end of the pier, or protection pier, to show 90° either side of a line parallel to the axis of the navigable channel so as to be visible from an approaching vessel.

(d) *Axis lights.* Every bascule bridge which has at least one pier provided with a protection pier shall be lighted so that the intersection of the long axis of the lift span with the channel side of each pier, or protection pier, will be marked by a red light: *Provided,* That if all such piers and protection piers are straight along their channel faces these lights shall not be required. Each such red light shall show through a horizontal arc of 180° and shall be securely mounted on the navigable channel face of the pier as low as practicable to show 90° on either side of a line normal to the axis of the navigable channel so as to be visible from an approaching vessel.

§ 118.420 Lights on vertical lift bridges.

(a) *Lift span lights.* The vertical lift span of every vertical lift bridge shall be lighted so that the center of the navigable channel under the span will be marked by a range of two green lights when the vertical lift span is open for navigation, and by one red light on each side for all other positions of the lift span. The green lights shall each show through a horizontal arc of 360°; they shall be securely mounted just below the outermost edge of the bridge span structure so as to be visible from an approaching vessel. Each red light shall show through a horizontal arc of 180°, and shall be securely mounted just below the outermost edge of the lift span to show 90° on either side of the line parallel to the axis of the channel so that only one such light will be visible from an approaching vessel. However, until such time that major repairs to or replacement of lift span navigation lights are made, it is permitted that these lights show through a horizontal arc of not more than 60°. When major repairs to or replacement of such existing lights are made they shall conform with this paragraph.

(b) *Pier lights.* Every vertical lift bridge shall be lighted so that each end of every pier in or adjacent to navigable channels under the lift span, or each end of every protection pier when provided, will be marked by a red light. Each such light shall show through a horizontal arc of 180°, and shall be securely mounted as low as practicable on the end of the pier, or the protection pier, to show 90° on either side of line parallel to the axis of the navigable channel so as to be visible from an approaching vessel.

(c) *Axis lights.* Every lift bridge which has at least one pier provided with a protection pier shall be lighted so that the intersection of the lift span axis with the channel side of each pier adjacent to the navigable channel will be marked by a red light: *Provided,* That if every such pier, or protection pier, is straight along its channel face these lights shall not be required. Each such light shall show through a horizontal arc of 180°, and shall be securely mounted on the navigable channel face of the pier as low as practicable to show 90° on either side of a line normal to the axis of the navigable channel so as to be visible from an approaching vessel.

§ 118.500 Bridges crossing channel obliquely.

Bridges crossing a body of water at an angle other than 90° with the axis of the channel shall be lighted in accordance with the regulations in this part with such modifications as are necessary in each particular case.

§ 118.505 Lights on sheer booms.

The lights on sheer booms, isolated piers, and obstructions not part of the bridge or bridge approach structure come under the purview of § 66.01–35 of Subchapter C of this title and shall show a white or green light if kept on the left of vessels approaching from seaward, and shall show a white or red light if kept on the right of vessels approaching from seaward. For rivers the same rule shall apply, white or green lights shall be shown from the right descending bank. The color of the light and its characteristics (fixed, flashing, occulting, etc.) shall be determined by the District Commander. Fender systems and pier protection cells in close proximity, but not attached, to bridge piers should be lighted as a part of the bridge structure.

§ 118.510 Modification of requirements.

The District Commander may further modify or change the requirements for the display of lights and signals on any bridge subject to the regulations in this part when conditions warrant such modification for the protection of navigation.

§ 118.515 Exemptions.

Drawbridges across minor streams which are not opened more frequently than four times weekly between sunset and sunrise and fixed bridges across minor streams may be exempted from any of the regulations in this part upon recommendation by the District Commander and approval by the Commandant. In making such recommendations, consideration will be given to the type and volume of waterborne traffic, the extent of night-time operations, lighting requirements (or existing exemptions) for other bridges in the vicinity, navigational clearance of bridge, channel depth, and any other facts of significance in the case.

§ 118.520 Unusual cases.

The manner of lighting structures not covered by the rules in this part will be prescribed on an individual basis by the Commandant at the request of the District Commander.

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

OCTOBER 21, 1968.

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