# FEDERAL REGISTER

VOLUME 33 • NUMBER 213

Thursday, October 31, 1968 • Washington, D.C.

Pages 15981–16049

**Agencies in this issue—**



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*Current White House Releases*

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Compiled by Office of the Federal Register, National Archives and Records Service, General Services Administration

**Order from: Superintendent of Documents,
U.S. Government Printing Office,
Washington, D.C. 20402**

FEDERAL REGISTER

Area Code 202 Phone 962-8626

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration (mail address National Archives Building, Washington, D.C. 20408), pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., Ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

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**A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1968, and specifies how they are affected.**

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# Rules and Regulations

## Title 5—ADMINISTRATIVE PERSONNEL

### Chapter I—Civil Service Commission

### PART 213—EXCEPTED SERVICE

### Small Business Administration

Section 213.3132 is amended to show a change in the title of the teams of which Schedule A Community Economic-Industrial Planners, GS–7—12, are members. Effective on publication in the FEDERAL REGISTER, paragraph (g) of § 213.3132 is amended as set out below.

**§ 213.3132 Small Business Administration.**

* * * * *

(g) Position of Community Economic-Industrial Planner, GS–7—12, when filed by local residents who represent the interest of the groups to be served by the Minority Enterpreneurship Teams of which they are members.

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

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
*Executive Assistant to the Commissioners.*

[F.R. Doc. 68–13216; Filed, Oct. 30, 1968; 8:49 a.m.]

### PART 213—EXCEPTED SERVICE

### National Foundation on the Arts and the Humanities

INTERAGENCY COMMITTEE ON CIVIL DISORDERS

Part 213 is amended to bring the listing of positions in Schedule A up to date. Having expired of their own terms subparagraphs (6) and (10) of paragraph (a) of § 213.3182 are revoked and § 213.3197 is revoked in its entirety.

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

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
*Executive Assistant to the Commissioners.*

[F.R. Doc. 68–13215; Filed, Oct. 30, 1968; 8:49 a.m.]

## Title 7—AGRICULTURE

### Chapter IV—Federal Crop Insurance Corporation

[Amendment 23]

### PART 401—FEDERAL CROP INSURANCE

### Subpart—Regulations for the 1969 and Succeeding Crop Years

CORN ENDORSEMENT (GRAIN AND SILAGE)

Pursuant to the authority contained in the Federal Crop Insurance Act, as amended, the above-identified regulations are amended effective beginning with the 1969 crop year in the following respect:

Subsection 4(e) of the corn endorsement (grain and silage) shown in §401.142 of this chapter is amended effective beginning with the 1969 crop year by substituting the amount "16" for "18" as it appears in the first sentence following the second colon of that subsection.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

Adopted by the Board of Directors on October 25, 1968.

[SEAL] EARL H. NIKKEL,
*Secretary, Federal Crop Insurance Corporation.*

Approved on October 28, 1968.

ORVILLE L. FREEMAN,
*Secretary.*

[F.R. Doc. 68–13241; Filed, Oct. 30, 1968; 8:51 a.m.]

[Amendment 22]

### PART 401—FEDERAL CROP INSURANCE

### Subpart—Regulations for the 1969 and Succeeding Crop Years

TOBACCO

Pursuant to authority contained in the Federal Crop Insurance Act, as amended, the above-identified regulations are amended effective beginning with the 1969 crop year in the following respect:

The table at the end of section 8 of the tobacco endorsement shown in § 401.141 is amended effective beginning with the 1969 crop year by changing the line reading "type 14—March 31" to read "type 14—April 10".

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

Adopted by the Board of Directors on October 25, 1968.

[SEAL] EARL H. NIKKEL,
*Secretary, Federal Crop Insurance Corporation.*

Approved on October 28, 1968.

ORVILLE L. FREEMAN,
*Secretary.*

[F.R. Doc. 68–13242; Filed, Oct. 30, 1968; 8:51 a.m.]

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

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

### PART 729—PEANUTS

### Subpart—1969 Crop of Peanuts; Acreage Allotments and Marketing Quotas

*Basis and purpose.* The provisions of §§ 729.100 to 729.104 are issued pursuant to the Agricultural Adjustment Act of 1938, as amended (52 Stat. 31, as amended; 7 U.S.C. 1281 et seq.) (referred to as the "act") with respect to the 1969 crop of peanuts. The purposes of §§ 729.100 to 729.104 are to proclaim a national marketing quota, establish the national acreage allotment, apportion such allotment to the States for the 1969 crop of peanuts in accordance with section 358 of the act (7 U.S.C. 1358), and announce the period of a marketing quota referendum for the 1969, 1970, and 1971 crops of peanuts. The findings and determinations made with respect to these matters are based on the latest available statistics of the Federal Government.

Notice that the Secretary was preparing to determine the acreage allotments and marketing quota for the 1969 crop of peanuts was published in accordance with 5 U.S.C. 553 (80 Stat. 383) in the FEDERAL REGISTER of August 16, 1968 (33 F.R. 11663). No submissions were received in response to such notice. In order that peanut farmers may be notified as soon as possible of farm allotments for the 1969 crop of peanuts and that as much advance notice as possible be given of the period of the referendum, it is essential that §§ 729.100 to 729.104 be made effective as soon as possible. Accordingly, it is hereby found and determined that compliance with the 30-day effective date requirement of 5 U.S.C.

553 is impracticable and contrary to the public interest and §§ 729.100 to 729.-104 shall be effective upon filing of this document with the Director, Office of the Federal Register.

Sec.
729.100 Proclamation of national marketing quota for the 1969 crop of peanuts.
729.101 National acreage allotment for the 1969 crop of peanuts.
729.102 National reserve for new farms.
729.103 Apportionment to States.
729.104 Announcement of period of the marketing quota referendum.

AUTHORITY: The provisions of this subpart issued under secs. 301, 358, 375, 52 Stat. 38, as amended, 55 Stat. 88, as amended, 52 Stat. 66, as amended; 7 U.S.C. 1301, 1358, 1375.

**§ 729.100 Proclamation of national marketing quota for the 1969 crop of peanuts.**

(a) *Statutory requirement.* Section 358(a) of the act provides that between July 1 and December 1 of each calendar year the Secretary shall proclaim a national marketing quota for the crop of peanuts to be produced in the next succeeding calendar year. The quota for such crop shall be a quantity of peanuts which will make available for marketing a supply equal to the average quantity of peanuts harvested for nuts during the immediately preceding 5 years, adjusted for current trends and prospective demand conditions. The national marketing quota shall be a quantity of peanuts sufficient to provide a national acreage allotment of not less than 1,610,000 acres.

(b) *Findings and determinations.* The following findings and determinations under section 358(a) of the act are hereby made:

(1) Average quantity of peanuts harvested for nuts during the 5-year period 1963–67, adjusted for current trends and prospective demand conditions—926,000 tons;

(2) Normal yield per acre of peanuts for the United States on the basis of the average yield per acre of peanuts in the 5-year period 1963–67, adjusted for trends in yields and abnormal conditions of production affecting yields—1,925 pounds;

(3) Conversion of the quantity of peanuts determined under (1) of this paragraph into acres on the basis of the normal yield, with an adjustment for underharvesting—1,142,000 acres;

(4) Conversion of the minimum national acreage allotment of 1,610,000 acres into tons of quota on the basis of the normal yield—1,549,625 tons.

(c) *National marketing quota.* The national marketing quota for the 1969 crop of peanuts is hereby proclaimed to be 1,549,625 tons on the basis of the minimum national acreage allotment determined under paragraph (b)(4) of this section since such amount of quota would not be obtained by the smaller amount determined under paragraph (b)(3) of this section.

**§ 729.101 National acreage allotment for the 1969 crop of peanuts.**

The national acreage allotment for the 1969 crop of peanuts based on the national marketing quota under § 729.100 (c) is hereby established at 1,610,000 acres.

**§ 729.102 National reserve for new farms.**

Section 358(f) of the act provides for the establishment of a national reserve of not more than 1 percent of the national acreage allotment for apportionment among farms on which peanuts are to be produced in 1969 but on which peanuts were not produced during any of the years 1966, 1967, or 1968. A national reserve for such new farms in the amount of 1,610 acres is hereby established.

**§ 729.103 Apportionment to States.**

The national acreage allotment for the 1969 crop of peanuts of 1,610,000 acres, less the national reserve for new farms of 1,610 acres, is hereby apportioned to the States on the basis of their share of the national acreage allotment for 1968 as provided under section 358(c)(1) of the act:

| *State* | *State acreage allotment* |
|---|---|
| Alabama | 217,135 |
| Arizona | 763 |
| Arkansas | 4,192 |
| California | 932 |
| Florida | 55,339 |
| Georgia | 528,689 |
| Louisiana | 1,949 |
| Mississippi | 7,506 |
| Missouri | 247 |
| New Mexico | 5,652 |
| North Carolina | 168,126 |
| Oklahoma | 138,320 |
| South Carolina | 13,873 |
| Tennessee | 3,614 |
| Texas | 357,042 |
| Virginia | 105,011 |
| Total apportioned to States | 1,608,390 |
| National reserve for new farms | 1,610 |
| Total, United States | 1,610,000 |

**§ 729.104 Announcement of period of the marketing quota referendum.**

A referendum of the farmers who were engaged in the production of peanuts in the calendar year 1968 will be held during the period December 2–6, 1968, each inclusive, by mail ballot, pursuant to the provisions of section 358 of the Act and the Regulations Governing the Holding of Referenda on Marketing Quotas, as amended (28 F.R. 13249, as amended), to determine whether said farmers are in favor of or opposed to peanut marketing quotas for the crops of peanuts to be produced in the calendar years 1969, 1970, and 1971. If two-thirds or more of the peanut farmers voting in the referendum favor marketing quotas, marketing quotas will be in effect for the 1969, 1970, and 1971 crops of peanuts. If more than one-third of the peanut farmers voting in such referendum oppose marketing quotas, marketing quotas will not be in effect for the 1969 crop of peanuts; however, farm acreage allotments for the 1969 crop of peanuts established pursuant to the provisions of the Act will be in effect and compliance with such acreage allotments will be a condition of eligibility for price support at 50 percent of the parity price for peanuts.

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

Signed at Washington, D.C., on October 24, 1968.

ORVILLE L. FREEMAN,
*Secretary.*

[F.R. Doc. 68-13212; Filed, Oct. 30, 1968; 8:48 a.m.]

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

## PART 999—SPECIALTY CROPS; IMPORT REGULATIONS

### Dates

This action amends Date Form No. 1 "Dates—section 8e Entry Declaration" in paragraph (e)(2) of § 999.1 *Regulation governing the importation of dates* (7 CFR 999.1), effective pursuant to section 8e (7 U.S.C. 608e–1) of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674).

Under the regulation, date importers filing an executed Date Form No. 1 with the Fruit and Vegetable Division of the Consumer and Marketing Service of the Department of Agriculture may thereafter import dates for processing, or dates prepared or preserved, covered by such form exempt from the grade, inspection, and certification requirements prescribed in § 999.1. This amendment prescribes a shortened certification statement on the form, makes explicit that the information to be given as to the origin of the dates being imported refers to the country of origin of such dates, and that city means the city of arrival of such dates.

It is hereby found that the amendment, as hereinafter set forth, of § 999.1 (e)(2) applicable to Date Form No. 1 is in accordance with and necessary to carry out the provisions of said section 8e of the Act.

Therefore, the text of Date Form No. 1 "Dates—Section 8e Entry Declaration" in Paragraph (e)(2) of § 999.1 *Regulation governing the importation of dates* is hereby amended by revising the portion of the form that precedes item numbered 5 thereof to read as follows:

**§ 999.1 Regulation governing the importation of dates.**

(e) *Importation.* * * *
(2) * * *

DATE FORM NO. 1

*Dates—Section 8e Entry Declaration*

I certify to the U.S. Department of Agriculture and the Bureau of Customs that none of the dates being imported and which are identified below are dates for packaging or dates in retail packages.

1. Name of vessel: _____
2. Country of origin of dates: _____
3. Date of arrival: _____
4. City of arrival: _____

It is further found that it is impracticable, unnecessary and contrary to public interest to give preliminary notice and engage in public rule making procedure, and that good cause exists for making this action effective as hereinafter specified and for not postponing the effective time until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that:

(1) This amendment imposes no additional restrictions on the importation of dates; (2) importers of such dates require no advance preparation to comply therewith because the amended Date Form No. 1 contains essentially the same requirements as currently in effect and is obtainable upon request; and (3) no useful purpose would be served by postponing the effective date of this amendatory action.

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

Dated October 25, 1968, to become effective upon publication in the FEDERAL REGISTER.

ELDON E. SHAW,
*Acting Director,*
*Fruit and Vegetable Division.*

[F.R. Doc. 68–13214; Filed, Oct. 30, 1968; 8:49 a.m.]

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

[Milk Order 136]

## PART 1136—MILK IN GREAT BASIN MARKETING AREA

### Order Amending Order

**§ 1136.0 Findings and determinations.**

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

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

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

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

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

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective November 1, 1968. Any delay beyond that date would tend to disrupt the orderly marketing of milk in the marketing area.

The provisions of the said order are known to handlers. The recommended decision of the Deputy Administrator, Regulatory Programs, was issued on September 17, 1968 (33 F.R. 14325, F.R. Doc. 68–11472), and the decision of the Assistant Secretary containing all amendment provisions of this order, was issued October 24, 1968, and published in the October 26, 1968, issue of the FEDERAL REGISTER. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective November 1, 1968, and that it would be contrary to the public interest to delay the effective date of this order for 30 days after its publication in the FEDERAL REGISTER.

(Sec. 553(d), Administrative Procedure Act, 5 U.S.C. 551–559)

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

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

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

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

*Order relative to handling.* It is therefore ordered that on and after the effective date hereof, the handling of milk in the Great Basin marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended and as hereby amended, as follows:

1. Section 1136.50 is amended by revising paragraph (a) to read as follows:

**§ 1136.50 Class prices.**

* * * * *

(a) *Class I milk price.* The price for Class I milk shall be the basic formula price for the preceding month plus $2.05, plus 20 cents through April 1969.

* * * * *

2. Section 1136.41(c) is amended by deleting the word "and" in subparagraph (7); changing the period to a semicolon at the end of subparagraph (8) and adding the word "and" thereafter; and adding a new subparagraph (9) to read as follows:

**§ 1136.41 Classes of utilization.**

* * * * *

(c) *Class III milk.* * * *

(9) In the form of a flavored cream-sugar product containing at least 8 percent by weight of sugar, which product is disposed of to a commercial bakery solely for the purpose of processing into bakery products. The containers utilized in such disposition shall be clearly labeled as bakery cream.

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

Effective date: November 1, 1968.

Signed at Washington, D.C., on October 28, 1968.

TED J. DAVIS,
*Assistant Secretary.*

[F.R. Doc. 68–13239; Filed, Oct. 30, 1968; 8:51 a.m.]

# Title 14—AERONAUTICS AND SPACE

## Chapter I—Federal Aviation Administration, Department of Transportation

[Docket No. 68–CE–16–AD, Amdt. 39–677]

## PART 39—AIRWORTHINESS DIRECTIVES

### Allison Model 250–C18, 250–C18A, and 250–C10B Engines

Compressor assemblies installed in Allison Models 250–C18, 250–C18A, and 250–C10B engines have experienced failures of first and second stage stator vanes and third stage compressor blades, resulting in complete loss of power. Investigations have indicated that modifications of the compressor assembly in accordance with Allison Commercial Engine Bulletins 250–CEB–51 and 250–CEB–52 will correct the condition causing the failures. This condition exists in 250–C18 engines having compressor assemblies installed with

serial numbers prior to CAC–21073, and in Model 250–C18A engines having compressor assemblies installed with serial numbers prior to CAC–20202, and on all 250–C10B engines. When the existence of this condition in these engines became evident, careful consideration was given to whether in the interest of safety, aircraft equipped with these engines should be grounded. It was determined that while operating limitations applicable to the engine could not completely eliminate the possibility of failure until modification was accomplished, technical evidence indicates that by imposing certain operating limitations which restrict engine operation at those power settings at which failure is most likely to occur, the risk of engine failure can be substantially reduced and operation until modification is accomplished therefore permitted. It is estimated that it will require approximately 6 months for the modification of engines affected by this airworthiness directive. It is, therefore, proposed to impose operating limitations on the operation of Allison Model 250–C18, 250–C18A, and 250–C10B engines until these engines are modified and to require that they be modified in accordance with Allison Commercial Engine Bulletins 250–CEB–51 and 250–CEB–52 by May 1, 1969.

Since immediate action is required in the interest of safety, compliance with the notice and public procedures provisions of the Administrative Procedure Act is not practical and good cause exists for making this amendment effective in less than thirty (30) days.

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 airworthiness directive:

ALLISON: Applies to Model 250–C18, 250–C18A, and 250–C10B engines, to wit Model 250–C18 engines having compressor assemblies installed with Serial Numbers prior to Serial No. CAC–21073; Model 250–C18A engines having compressor assemblies installed with Serial Numbers prior to Serial No. CAC–20202; and all Model 250–C10B engines.

The Allison model engines to which this airworthiness directive is applicable must be modified in accordance with Allison Commercial Engine Bulletins 250–CEB–51 and 250–CEB–52 dated October 16, 1968, on or before May 1, 1969. If not modified, operations thereafter are prohibited. Until modified, the engines to which this airworthiness directive is applicable may be operated provided (1) they are not operated with N1 (gas producer) RPM greater than 96.5% except for "takeoff"; (2) time operated with takeoff power does not exceed two (2) minutes; (3) the generator load does not exceed 60 AMPS when the engine is operating above 70% N1 RPM.[1]

[1] As the result of these operating restrictions, the Rotorcraft Flight Manual and certain powerplant instrument markings for the Bell Model 206A, the Fairchild-Hiller FH–1100 and the Hughes Model 369A and 369H helicopters in which these engines are installed may require modifications or the installation of suitable placards. The necessary information for such changes is available from the manufacturers of these helicopters.

This amendment becomes effective November 1, 1968.

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

Issued in Kansas City, Mo., on October 21, 1968.

DANIEL E. BARROW,
*Acting Director, Central Region.*

[F.R. Doc. 68–13180; Filed, Oct. 30, 1968; 8:46 a.m.]

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[Docket No. 8757; Amdts. 43–10, 91–62]

## PART 43—MAINTENANCE, PREVENTATIVE MAINTENANCE, REBUILDING, AND ALTERATION

## PART 91—GENERAL OPERATING AND FLIGHT RULES

### Mechanical Work Performed on U.S. Registered Aircraft by Certain Canadian Persons

The purpose of these amendments to Parts 43 and 91 of the Federal Aviation Regulations is to extend to authorized employees of approved Canadian companies the privileges presently granted Canadian Aircraft Maintenance Engineers; to authorize certain Canadian individuals to perform 100-hour inspections; to clarify the provisions for approval of Canadian performed mechanical work; and to permit operation of an aircraft following a 100-hour inspection performed by the authorized Canadian persons.

These amendments were proposed in notice of proposed rule making (Notice 68–6) published in the FEDERAL REGISTER on March 12, 1968 (33 F.R. 4420).

One of the comments stated that the proposal was acceptable provided the persons performing the inspections and mechanical work other than holders of Canadian Aircraft Maintenance Engineer licenses, have qualifications which are equivalent to the U.S. standard and requirement for similar work. This comment obviously has reference to a Canadian Approved Inspector. The FAA is satisfied that all the persons authorized to perform these tasks have such qualifications. In this connection, the Canadian Department of Transport (DOT) has advised the FAA that the principal difference between an "Approved Inspector" and a "Canadian Aircraft Maintenance Engineer" (who is authorized by the current provisions of § 43.17 to perform maintenance, preventive maintenance, and alterations on U.S. registered aircraft in Canada) is that the Approved Inspector certifies work under a company approval number instead of a personal license number. In fact, the Canadian DOT advises that employees of an Approved Company who hold signing authority (Approved Inspectors) are classed as Aircraft Maintenance Engineers.

There were other comments that endorsed the proposal and recommended that the Canadian authorities be authorized to perform the required work on U.S. airplanes in Canada necessary for the continued airworthiness status of these airplanes (i.e., the performance of the annual inspections required by Part 91). While these recommendations involve substantive changes to the present requirements that go beyond the scope of Notice 68–6, it should be noted that the purpose of the proposal is to provide for a more uniform administration of the reciprocal arrangement between Canada and the United States. In this connection, the Canadian Department of Transport does not permit U.S. certificated mechanics to perform the yearly inspections required for renewal of Canadian airworthiness certificates.

The notice also proposed that performance of mechanical work be conditioned upon the maintenance record entries being made in accordance with § 43.9 of Part 43. That section requires, in part, that major repairs and major alterations be entered on a form and the form disposed of in the manner prescribed in Appendix B to Part 43. The requirement in Appendix B that a copy of the form be forwarded to the local FAA Flight Standards District Office is not appropriate or applicable to work performed in Canada on U.S. registered aircraft. The form containing the information on major repairs and major alterations should be forwarded to the Federal Aviation Administration, Aircraft Registration Branch, Post Office Box 25082, Oklahoma City, Okla. 73125. In addition, it should be made clear that all of the FAA Form 337 must be completed, including the portion covering approval for return to service prior to the time it is forwarded to the FAA. Therefore, a new paragraph (c) has been added to Appendix B covering major repairs and major alterations performed in accordance with § 43.17. Since this is a clarification that imposes no additional burden on any person, further notice and public procedure thereon is unnecessary.

Interested persons have been afforded an opportunity to participate in the making of this amendment. All relevant matter submitted has been fully considered.

In consideration of the foregoing, Parts 43 and 91 of the Federal Aviation Regulations (14 CFR Parts 43 and 91) are amended effective November 29, 1968 as follows:

1. Section 43.17 is amended to read as follows:

**§ 43.17 Mechanical work performed on U.S. registered aircraft by certain Canadian persons.**

(a) A person holding a valid mechanic certificate of competence (Aircraft Maintenance Engineer license) and appropriate ratings issued by the Canadian Government, or a person who is an authorized employee (Approved Inspector) performing work for a company whose system of quality control for the inspection and maintenance of aircraft has been approved by the Canadian Department of Transport, is not considered to be an airman within the meaning of section 101(7) of the Federal Aviation Act of 1958, with respect to the maintenance, preventive maintenance, or inspection

performed in Canada in connection with aircraft of U.S. registry. Notwithstanding any other section of the Federal Aviation Regulations, those persons may, in connection with aircraft of U.S. registry in Canada:

(1) Perform maintenance, preventive maintenance and alterations if those operations are done in accordance with § 43.13 and the maintenance record entries are made in accordance with § 43.9.

(2) Perform the 100-hour inspection required by Part 91 of this chapter if that inspection is done in accordance with § 43.15 and the maintenance record entries are made in accordance with § 43.11.

(3) Approve (certify) maintenance, preventive maintenance, and alterations performed under this section except that a Canadian Aircraft Maintenance Engineer may not approve a major repair or major alteration.

(b) A Canadian Department of Transport Airworthiness Inspector, or an authorized employee (Approved Inspector) performing work for a company approved by the Canadian Department of Transport, may approve (certify) a major repair or major alteration performed under this section if the work was done in accordance with technical data approved by the Administrator.

(c) No person may operate in air commerce an aircraft, airframe, aircraft engine, propeller, or appliance on which maintenance, preventive maintenance, or alteration has been performed under this section unless it has been approved by a person authorized in this section.

2. Appendix B to Part 43 is amended by amending the introductory statement of paragraph (a), and by adding a new paragraph (c), to read as follows:

APPENDIX B—RECORDING OF MAJOR REPAIRS AND MAJOR ALTERATIONS

(a) Except as provided in paragraphs (b) and (c), each person performing a major repair or major alteration shall—

* * * * *

(c) For a major repair or major alteration made by a person authorized in § 43.17, the person who performs the major repair or major alteration and the person authorized by § 43.17 to approve that work shall execute a FAA Form 337 at least in duplicate. A completed copy of that form shall be—

(1) Given to the aircraft owner; and

(2) Forwarded to the Federal Aviation Administration, Aircraft Registration Branch, Post Office Box 25082, Oklahoma City, Okla. 73125, within 48 hours after the work is inspected.

3. Section 91.169(b) is amended to read as follows:

§ 91.169 Inspections.

* * * * *

(b) Except as provided in paragraph (c) of this section, no person may operate an aircraft carrying any person (other than a crewmember) for hire or to give flight instruction for hire unless, within the preceding 100 hours of time in service, it has been inspected and approved for return to service in accordance with Part 43 of this chapter. The 100-hour limitation may be exceeded by not more than 10 hours if necessary to reach a place at which the inspection can be done. The excess time, however, is included in computing the next 100 hours of time in service.

* * * * *

(Sec. 101(7), 313(a), 601, 610, Federal Aviation Act of 1958; 49 U.S.C. 1301(7), 1354(a), 1421, 1423, 1430)

Issued in Washington, D.C., on October 24, 1968.

OSCAR BAKKE,
*For the Acting Administrator.*

[F.R. Doc. 68-13205; Filed, Oct. 30, 1968; 8:48 a.m.]

[Airspace Docket No. 68-EA-104]

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

### Alteration of Control Zone

The Federal Aviation Administration is amending § 71.171 of Part 71 of the Federal Aviation Regulations so as to alter the Norfolk, Va. (Norfolk Municipal), and Norfolk, Va. (NAS Norfolk), control zones.

As a result of the decommissioning of the Navy Norfolk low frequency radio range and the relocation of the Navy Eclipse, Va., radio beacon, the eastern extension of Norfolk Municipal and western extension of NAS Norfolk may be eliminated.

Since this amendment is relaxatory and imposes no additional burden on any person, notice and public procedure herein are unnecessary.

In view of the foregoing, Federal Aviation Administration having reviewed the terminal airspace for Norfolk, Va., the amendments are adopted effective 0901 G.m.t., December 12, 1968 as follows:

1. Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to delete the description of the Norfolk, Va. (Norfolk Municipal), control zone and insert in lieu thereof:

Within a 5-mile radius of the center, 36°53'45" N., 76°12'15" W., of Norfolk Municipal Airport, Norfolk, Va., excluding the northwest portion subtended by a chord drawn between the points of intersection of the 5-mile radius zone with the Norfolk, Va. (NAS Norfolk), control zone.

2. Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to delete the description of the Norfolk, Va. (NAS Norfolk), control zone and insert in lieu thereof:

Within a 5-mile radius of the center, 36°56'15" N., 76°17'15" W. of NAS Norfolk, Norfolk, Va., excluding the southeastern portion subtended by a chord drawn between the points of intersection of the 5-mile radius zone with the Norfolk, Va. (Norfolk Municipal), control zone.

Section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Jamaica, N.Y., on October 17, 1968.

R. M. BROWN,
*Acting Director, Eastern Region.*

[F.R. Doc. 68-13195; Filed, Oct. 30, 1968; 8:47 a.m.]

[Airspace Docket No. 68-SW-73]

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

### Alteration of Control Zones

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the descriptions of the Lubbock, Tex. (Municipal Airport), and the Lubbock, Tex. (Reese AFB), control zones which include reference to the Lubbock Municipal Airport. This action is necessary since the name of the Lubbock Municipal Airport has been changed to West Texas Air Terminal of Lubbock.

Since this amendment is editorial in nature and imposes no additional burden on any person, notice and public procedures hereon are unnecessary and the amendment may be made effective immediately.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective immediately, as hereinafter set forth.

(1) In § 71.171 (33 F.R. 2099), the Lubbock, Tex. (Municipal Airport), control zone is amended in part to read:

LUBBOCK, TEX. (WEST TEXAS AIR TERMINAL OF LUBBOCK)

Within a 5-mile radius of West Texas Air Terminal of Lubbock (lat. 33°39'33" N., long. 101°49'41" W.) * * *.

(2) In § 71.171 (33 F.R. 2099), the Lubbock, Tex. (Reese AFB), control zone is amended by substituting "* * * West Texas Air Terminal of Lubbock * * *" for "* * * Lubbock Municipal Airport * * *."

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

Issued in Fort Worth, Tex., October 21, 1968.

HENRY L. NEWMAN,
*Director, Southwest Region.*

[F.R. Doc. 68-13206; Filed, Oct. 30, 1968; 8:48 a.m.]

[Airspace Docket No. 68-EA-63]

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

### Alteration, Extension and Revocation of Federal Airways; Designation of Reporting Point

On August 7, 1968, a notice of proposed rule making was published in the FEDERAL REGISTER (33 F.R. 11177) stating that the Federal Aviation Administration was considering amendments to Part 71 of the Federal Aviation Regulations that alters a segment of VOR Federal airway No. 141 east alternate between Lebanon, N.H., and Concord, N.H.; alters and extends a segment of VOR Federal airway No. 322 between Concord, N.H., and Sherbrooke, Quebec, Canada; revokes Blue Federal airway No. 63; and designates Berlin, N.H., as a domestic reporting point.

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

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., December 12, 1968, as hereinafter set forth.

1. Section 71.109 (33 F.R. 2007) is amended by revoking Blue 63.

2. Section 71.123 (33 F.R. 2009) is amended as follows:

a. In V–141, all between "12 AGL Lebanon, N.H.," and "12 AGL Burlington, Vt.," is deleted and "including a 12 AGL east alternate via INT Concord 022° and Lebanon 103° radials;" is substituted therefor.

b. V–322 is amended to read:

V–322 From Concord, N.H., 12 AGL INT Concord, 022° and Berlin, N.H., 161° radials; 12 AGL Berlin, N.H.; 12 AGL Sherbrooke, Quebec, Canada. The airspace within Canada is excluded.

3. Section 71.203 (33 F.R. 2280) is amended by adding "Berlin, N.H."

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

Issued in Washington, D.C., on October 24, 1968.

LOUIS H. MCCAUGHEY,
*Acting Chief, Airspace and Air Traffic Rules Division.*

[F.R. Doc. 68–13207; Filed, Oct. 30, 1968; 8:48 a.m.]

[Airspace Docket No. 68–SO–73]

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

### Alteration of Transition Area

On September 12, 1968, a notice of proposed rule making was published in the FEDERAL REGISTER (33 F.R. 12915), stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Kinston, N.C., transition area.

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

Subsequent to publication of the notice, the geographic coordinate for Stallings Field was refined by Coast and Geodetic Survey to "lat. 35°19'40" N., long. 77°37'05" W." Additionally, a review of controlled airspace requirements for AL–5038–VOR/DME–1 instrument approach procedure revealed that the transition area extension predicated on the Kinston VORTAC 225° radial could be revoked since the aircraft executing this approach vacate 1,500 feet above the surface within the basic 6-mile radius circle.

Since this amendment is either minor or less restrictive in nature, notice and public procedure hereon are unnecessary and action is taken herein to alter the description accordingly.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., January 9, 1969, as hereinafter set forth.

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

KINSTON, N.C.

That airspace extending upward from 700 feet above the surface within a 6-mile radius of Stallings Field (lat. 35°19'40" N., long. 77°37'05" W.); within 2 miles each side of the Kinston VORTAC 046° radial, extending from the 6-mile radius area to 8 miles northeast of the VORTAC.

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

Issued in East Point, Ga., on October 23, 1968.

JAMES G. ROGERS,
*Director, Southern Region.*

[F.R. Doc. 68–13252; Filed, Oct. 30, 1968; 8:52 a.m.]

[Airspace Docket No. 68–SW–61]

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

### Alteration of Control Zone and Designation of Transition Area

On September 10, 1968, a notice of proposed rule making was published in the FEDERAL REGISTER (33 F.R. 12782) stating that the Federal Aviation Administration was considering amending Part 71 of the Federal Aviation Regulations to alter the control zone and designate a 700-foot transition area at College Station, Tex.

Interested persons were given 30 days in which to submit written data, views, or arguments.

No objections have been received and the proposed amendment is hereby adopted without change.

*Effective date.* This amendment shall be effective 0901 G.m.t., January 9, 1969.

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

Issued in Fort Worth, Tex., on October 22, 1968.

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

The above amendment reads as follows:

(1) In § 71.171 (33 F.R. 2072), the College Station, Tex., control zone is amended to read:

COLLEGE STATION, TEX.

Within a 5-mile radius of Easterwood Field, College Station, Tex. (lat. 30°35'00" N., long. 96°22'00" W.), within 2 miles each side of the College Station VOR 287° radial extending from the 5-mile radius zone to 8 miles west of the VOR, within 2 miles each side of the College Station VOR 307° radial extending from the 5-mile radius zone to 9 miles northwest of the VOR, and within 2 miles each side of the College Station VOR 107° radial extending from the 5-mile radius zone to 10 miles east of the VOR.

(2) In § 71.181 (33 F.R. 2137), the College Station, Tex., transition area is designated as follows:

COLLEGE STATION, TEX.

That airspace extending upward from 700 feet above the surface within 2 miles each side of the College Station VOR 107° radial extending from 10 miles east of the VOR to 18 miles east of the VOR.

[F.R. Doc. 68–13253; Filed, Oct. 30, 1968; 8:52 a.m.]

[Airspace Docket No. 67–EA–65]

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

### Control Zone Designation, Transition Area Alteration

On page 13936 of the FEDERAL REGISTER for October 6, 1967, the Federal Aviation Administration published proposed regulations which would designate a part time Farmingdale, N.Y., control zone and alter the Babylon, N.Y., transition area.

Interested parties were given 30 days after publication in which to submit written data or views. The Manager, Mr. E. Lyons, of Zahns Airport, Amityville, N.Y., has objected to the designation of a control zone until a meeting was had on the subject action. An informal airspace conference was held on January 9, 1968, attended by Mr. Lyons amongst others.

In view of the foregoing, the proposed regulations are hereby adopted effective 0901 G.m.t., December 12, 1968.

(Sec. 307(a), Federal Aviation Act of 1958; 72 Stat. 749; 49 U.S.C. 1348)

Issued in Jamaica, N.Y., on October 18, 1968.

R. M. BROWN,
*Acting Director, Eastern Region.*

1. Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to designate a part time Farmingdale, N.Y., control zone described as follows:

FARMINGDALE, N.Y.

Within a 5-mile radius of the center, 40°43'45" N., 73°24'45" W., of Republic Airport, Farmingdale, N.Y.; within 2 miles each side of the Babylon, N.Y., RBN 158° bearing extending from the 5-mile radius zone to 7 miles south of the RBN and within 1.5-mile radius of the center, 40°44'45" N., 73°29'35" W., of Grumman-Bethpage Airport. This control zone shall be in effect from 0700 to 2400 hours, local time, daily.

2. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to delete in the Babylon, N.Y., transition area the coordinates "(latitude 40°43'45" N., longitude 73°24'50" W.)" and insert in lieu thereof "40°43'45" N., 73°24'45" W."; delete "latitude 40°44'46" N., longitude 73°29'36" W.," and insert in lieu thereof "40°44'45" N., 73°29'35" W."

[F.R. Doc. 68–13254; Filed, Oct. 30, 1968; 8:52 a.m.]

[Airspace Docket No. 68-SW-48]

## PART 73—SPECIAL USE AIRSPACE

### Alteration of Temporary Restricted Area

On August 20, 1968, a notice of proposed rule making (NPRM) was published in the FEDERAL REGISTER (33 F.R. 11784) stating that the Federal Aviation Administration (FAA) was considering an amendment to Part 73 of the Federal Aviation Regulations which would extend the time of designation of R-5116A from December 31, 1968, to March 31, 1969, and exclude the airspace from R-5116A below 7,000 feet MSL west of longitude 106°50'00'' W. Additionally, it was stated that since R-5116A has been designated for varying periods during the past 3 years and it is anticipated there will be a requirement for its use for several years to come, all subsequent firing periods for this area would be designated by a rule published in the FEDERAL REGISTER.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. The only comment received was from the Air Transport Association of America (ATA) who did not object to the extension of the time of designation for R-5116A or the exclusion of the airspace below 7,000 feet MSL on the western portion of the area. However, the ATA did object to future designations of this area by going directly to rule and believes the airspace users should have the opportunity to review notice of proposed rule making of such designations based on conditions at the time and past experience with the area. In consideration of this objection the FAA withdraws the proposal for future designation of R-5116A without issuance of a NPRM.

In consideration of the foregoing, Part 73 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., December 12, 1968, as hereinafter set forth.

In § 73.51 (33 F.R. 2328, 6085) Restricted Area R-5116A is amended by deleting from the text "Designated altitudes. Surface to FL 240, excluding the airspace below 6,000 feet MSL west of longitude 106°52'00'' W." and "Time of designation. Sunrise to sunset, June 1, 1968, through December 31, 1968, as published in NOTAMs issued at least 12 hours in advance of use." and substituting therefor "Designated altitudes. Surface to FL 240, excluding the airspace below 7,000 feet MSL west of longitude 106°50'00'' W." and "Time of designation. Sunrise to sunset, June 1, 1968, through March 31, 1969, as published in NOTAMs at least 12 hours in advance of use."

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

Issued in Washington, D.C., on October 24, 1968.

H. B. HELSTROM,
*Acting Director,*
*Air Traffic Service.*

[F.R. Doc. 68-13208; Filed, Oct. 30, 1968; 8:48 a.m.]

# Title 16—COMMERCIAL PRACTICES

## Chapter I—Federal Trade Commission

[Docket No. 8743]

## PART 13—PROHIBITED TRADE PRACTICES

### Brunswick Exchange, Inc., and Vanguard Transmission Centers, et al.

Subpart—Advertising falsely or misleadingly: § 13.70 *Fictitious or misleading guarantees;* § 13.75 *Free goods or services;* § 13.155 *Prices:* 13.155-95 Terms and conditions; § 13.225 *Services.* Subpart—Misrepresenting oneself and goods—Goods: § 13.1625 *Free goods or services;* § 13.1647 *Guarantees;* Misrepresenting oneself and goods—Services: § 13.1835 *Cost;* § 13.1843 *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, Brunswick Exchange, Inc., trading as Vanguard Transmission Centers, et al., Washington, D.C., Docket 8743, Oct. 8, 1968]

*In the Matter of Brunswick Exchange, Inc., a Corporation Trading as Vanguard Transmission Centers, and Manuel Polisher, Individually and as an Officer of Said Corporation*

Order requiring a Washington, D.C., automobile transmission repair shop to cease misrepresenting the nature and cost of its repair service, failing to disclose that the quoted price for repairing a transmission does not include reassembly, failing to furnish itemized statement of parts and labor, furnishing false guarantees, deceptively using the word "free", and using other unfair business practices.

The order to cease and desist is as follows:

*It is ordered,* That respondents Brunswick Exchange, Inc., a corporation trading as Vanguard Transmission Centers or under any other name or names, and its officers, and Manuel Polisher, individually and as an officer of said corporation, and their agents, representatives, and employees, directly or through any corporate or other device, in connection with the advertising, repair, overhauling, rebuilding, offering for sale, sale, or distribution of any transmission, motor, or other automotive component, or any other product or service in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Misrepresenting, in any manner, the nature, extent or quality of any mechanical adjustment, replacement of parts or components, or any other repairs performed on any automobile transmission, other automotive component, or any other product;

2. Misrepresenting, in any manner, the nature, cost or extent of any services rendered or parts used in repairing any automobile transmission, other automotive component, or any other product, or charging for any services not in fact performed or parts not in fact used;

3. Representing, in any manner, that removal, dismantling, inspection, or any similar service will be performed on an automobile transmission, other automotive component, or any other product or component thereof, when the estimate quoted or price advertised for such service does not include reassembly and replacement of the component in the car, or other product, in its former condition;

4. Quoting or estimating a price for repairing an automobile transmission, other automotive component, or any other product, before determining by inspection, or by some other reasonable method, the nature and extent of the repairs needed so that the quoted or estimated price accurately reflects the actual price of the needed repairs;

5. Advertising the price of particular services such as an overhaul, inspection, or reseal job, unless in conjunction therewith disclosure is made, in a prominent place and in a type size that is easily legible, that there are many possible defects in an automobile transmission, other automotive component, or other product, for which the advertised services are ineffective and which require additional parts and labor to repair and that such repairs will cost substantially more than the advertised price;

6. Representing, directly or by implication, that any merchandise or service is offered for sale when such offer is not a bona fide offer to sell said merchandise or service;

7. Representing, directly or by implication, that any merchandise or service is offered for sale when the purpose of the representation is to sell the offered merchandise or service only in connection with the sale of other merchandise or services;

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

9. Obtaining any agreement or authorization from any customer to repair or otherwise service any automobile or other product without:

(a) Specifically listing in such agreement or authorization the extent, nature and actual cost of the repairs to be performed;

(b) Promptly disclosing to the customer the precise extent, nature and cost of such repairs prior to performance thereof, if, despite respondents' best efforts accurately to estimate the cost of repairs in advance, the extent, nature or cost of the needed repairs differs in any degree from what was set out in such agreement or authorization;

(c) Performing according to such agreement or authorization or returning said vehicle in its original condition at a specific price agreed to in advance and fully set out in said authorization;

10. Failing to provide all customers, at the time they are billed, with an itemized list of parts and labor included in the repair, overhaul, reseal, rebuilding

or other service performed on an automobile transmission, other automotive component, or other product, repaired or serviced by respondents;

11. Falsely representing, in any manner, that transmissions rebuilt by the respondents are factory rebuilt; that transmissions rebuilt other than in a factory generally engaged in such rebuilding are factory rebuilt; that the respondents offer for sale factory rebuilt transmissions;

12. Using the term "overhaul" to refer to any transmission service which does not include the removal, disassembly and replacement of all worn parts, hard or soft, and the reassembly and reinstallation of the transmission in the vehicle, unless in conjunction with the use of the term "overhaul", in a prominent place and in type that is easily legible, disclosure is made of:

(a) The parts that will be replaced in connection with the "overhaul" and are included in the overhaul price, as well as their price if purchased separately, and

(b) The parts that will not be replaced as part of the overhaul and their price, and/or

(c) The fact that in many cases substantial additional costs will be incurred if parts other than those regularly included in the overhaul must be replaced in order to repair the transmission;

13. Representing that any article of merchandise or service is guaranteed, unless all of the terms and conditions of the guarantee, the identity of the guarantor, and the manner in which the guarantor will in good faith perform thereunder are clearly and conspicuously disclosed, and, further, unless all such guarantees are in fact fully honored and all the terms thereof fulfilled;

14. Using the word "free" or any other word or words of similar import, as descriptive of an article of merchandise or service: *Provided, however,* That it shall be a defense in any enforcement proceeding hereunder for respondents to establish that in fact no charge of any kind, directly or indirectly, is made for such article of merchandise or service.

By "Final Order" further order requiring report of compliance is as follows:

*It is further ordered,* That respondents, Brunswick Exchange, Inc., a corporation trading as Vanguard Transmission Centers, and Manuel Polisher, individually and as an officer of said corporation shall, within sixty (60) days after service of this order upon them, file with the Commission a report in writing, signed by such respondents, setting forth in detail the manner and form of their compliance with the order to cease and desist.

Issued: October 8, 1968.

By the Commission.

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

[F.R. Doc. 68-13176; Filed, Oct. 30, 1968; 8:45 a.m.]

# Title 20—EMPLOYEES' BENEFITS

## Chapter V—Bureau of Employment Security, Department of Labor

## PART 602—COOPERATION OF THE UNITED STATES EMPLOYMENT SERVICE AND STATES IN ESTABLISHING AND MAINTAINING A NATIONAL SYSTEM OF PUBLIC EMPLOYMENT OFFICES

## PART 620—HOUSING FOR AGRICULTURAL WORKERS

On pages 10266–10268 of the FEDERAL REGISTER of July 17, 1968, there was published a notice of proposed rule making to amend Chapter V of Title 20 of the Code of Federal Regulations by establishing a new Part 620 and by revising paragraph (d) of 20 CFR 602.9. Interested persons were given 15 days in which to submit written statements of data, views, or argument concerning the proposals. After having carefully considered all matter submitted in response to the proposals, I have decided to, and do hereby, adopt them, effective November 30, 1968, subject to the following changes:

1. Section 620.3 is amended by substituting the words "a Regional Administrator" for the words "the Administrator" in both places where it appears.

2. Paragraph (f) of § 620.17 is revised.

Signed at Washington, D.C., this 25th day of October 1968.

WILLARD WIRTZ,
*Secretary of Labor.*

1. As revised § 602.9(d) reads as follows:

**§ 602.9 Interstate recruitment of agricultural workers.**

No order for recruitment of domestic agricultural workers shall be placed into interstate clearance unless:

* * * * *

(d) The State has ascertained that housing and facilities which comply with the provisions of Part 620 of this chapter are available.

* * * * *

(48 Stat. 117, as amended; 29 U.S.C. 49k)

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## PART 620—HOUSING FOR AGRICULTURAL WORKERS

2. The new Part 620 reads as follows:

EXPLANATION



AUTHORITY: The provisions of this Part 620 issued under 48 Stat. 117, as amended; 29 U.S.C. 49k.

EXPLANATION

**§ 620.1 Purpose and scope.**

(a) The Bureau of Employment Security, Manpower Administration, of the U.S. Department of Labor has established facilities to assist agricultural employers in recruiting workers from places outside the State of intended employment. The experiences of the Bureau indicate that employees so referred have on many occasions been provided with inadequate, unsafe, and unsanitary housing facilities. To discourage this practice the Bureau has established a policy of denying its interstate agricultural recruitment services to employers until the State agency affiliated with the U.S. Employment Service which receives the order for interstate recruitment has ascertained that housing and facilities: (1) Are available; (2) are hygienic and adequate to the climatic conditions of the area of employment; (3) are large enough to accommodate the agricultural workers sought; and (4) will not endanger the lives, health, or safety of workers and their families.

(b) In order to implement this policy, interstate recruitment services will be denied if the housing facilities intended for use by the worker or workers and their families fail to comply (1) with an applicable State or local law or regulation concerning safety, health, or sanitation, or (2) with the minimum standards set forth in this Part 620, whichever is more stringent.

(c) The services of the Bureau will also be denied when there exists an insanitary or hazardous condition not contemplated by applicable State or local law or the standards contained in this part, or where past failures to provide safe and sanitary housing indicate that the employer cannot be relied upon to comply with this part.

(d) In establishing this code, due consideration has been given to short term or temporary occupancy. The standards set forth in this part are minimum standards used to determine whether conditions are so inadequate as to require the Bureau to withhold services generally made available upon request. These standards should not in any way discourage (1) voluntary institution of higher standards by employers or their associations, (2) the institution and enforcement of adequate standards by appropriate authorities for the maintenance of safe and sanitary conditions for workers throughout the period of employment, and (3) the institution and enforcement of more stringent standards

by other governmental agencies with regulatory authority.

§ 620.2 Amendments.

(a) Any interested person may at any time file a petition for a change in the regulations contained in this part with the Administrator of the Bureau of Employment Security, Manpower Administration, U.S. Department of Labor, Washington, D.C. 20210.

(b) Any interested persons and organizations are invited to cooperate with the Bureau of Employment Security by submitting suggestions and requests and to provide information to the Bureau concerning the problems of safety and sanitation in housing for agricultural workers. In addition, the Director of the Farm Labor Service of the Bureau of Employment Security shall have authority to obtain information by calling conferences to which he may invite various persons who have had experience or expert knowledge concerning this matter.

§ 620.3 Variations.

(a) A Regional Administrator of the Bureau of Employment Security may from time to time grant written permission to individual employers to vary from particular provisions set forth in this part when the extent of the variation is clearly specified and it is demonstrated to his satisfaction that (1) such variation is necessary to obtain a beneficial use of an existing facility, (2) the variation is necessary to prevent a practical difficulty or unnecessary hardship, and (3) appropriate alternative measures have been taken to protect the health and safety of the employee and assure that the purpose of the provisions from which variation is sought will be observed.

(b) Written application for such variations shall be filed with the State employment security office serving the area in which the employment is to take place. No such variation shall be effective until granted in writing by a Regional Administrator.

HOUSING STANDARDS

§ 620.4 Housing site.

(a) Housing sites shall be well drained and free from depressions in which water may stagnate. They shall be located where the disposal of sewage is provided in a manner which neither creates nor is likely to create a nuisance, or a hazard to health.

(b) Housing shall not be subject to, or in proximity to conditions that create or are likely to create offensive odors, flies, noise, traffic, or any similar hazards.

(c) Grounds within the housing site shall be free from debris, noxious plants (poison ivy, etc.) and uncontrolled weeds or brush.

(d) The housing site shall provide a space for recreation reasonably related to the size of the facility and the type of occupancy.

§ 620.5 Water supply.

(a) An adequate and convenient supply of water that meets the standards of the State health authority shall be provided.

(b) A cold water tap shall be available within 100 feet of each individual living unit when water is not provided in the unit. Adequate drainage facilities shall be provided for overflow and spillage.

(c) Common drinking cups shall not be permitted.

§ 620.6 Excreta and liquid waste disposal.

(a) Facilities shall be provided and maintained for effective disposal of excreta and liquid waste. Raw or treated liquid waste shall not be discharged or allowed to accumulate on the ground surface.

(b) Where public sewer systems are available, all facilities for disposal of excreta and liquid wastes shall be connected thereto.

(c) Where public sewers are not available, a subsurface septic tank-seepage system or other type of liquid waste treatment and disposal system, privies or portable toilets shall be provided. Any requirements of the State health authority shall be complied with.

§ 620.7 Housing.

(a) Housing shall be structurally sound, in good repair, in a sanitary condition and shall provide protection to the occupants against the elements.

(b) Housing shall have flooring constructed of rigid materials, smooth finished, readily cleanable, and so located as to prevent the entrance of ground and surface water.

(c) The following space requirements shall be provided:

(1) For sleeping purposes only in family units and in dormitory accommodations using single beds, not less than 50 square feet of floor space per occupant;

(2) For sleeping purposes in dormitory accommodations using double bunk beds only, not less than 40 square feet per occupant;

(3) For combined cooking, eating, and sleeping purposes not less than 60 square feet of floor space per occupant.

(d) Housing used for families with one or more children over 6 years of age shall have a room or partitioned sleeping area for the husband and wife. The partition shall be of rigid materials and installed so as to provide reasonable privacy.

(e) Separate sleeping accommodations shall be provided for each sex or each family.

(f) Adequate and separate arrangements for hanging clothing and storing personal effects for each person or family shall be provided.

(g) At least one-half of the floor area in each living unit shall have a minimum ceiling height of 7 feet. No floor space shall be counted toward minimum requirements where the ceiling height is less than 5 feet.

(h) Each habitable room (not including partitioned areas) shall have at least one window or skylight opening directly to the out-of-doors. The minimum total window or skylight area, including windows in doors, shall equal at least 10 percent of the usable floor area. The total openable area shall equal at least 45 percent of the minimum window or skylight area required, except where comparably adequate ventilation is supplied by mechanical or some other method.

§ 620.8 Screening.

(a) All outside openings shall be protected with screening of not less than 16 mesh.

(b) All screen doors shall be tight fitting, in good repair, and equipped with self-closing devices.

§ 620.9 Heating.

(a) All living quarters and service rooms shall be provided with properly installed, operable heating equipment capable of maintaining a temperature of at least 68° F. if during the period of normal occupancy the temperature in such quarters falls below 68°.

(b) Any stoves or other sources of heat utilizing combustible fuel shall be installed and vented in such a manner as to prevent fire hazards and a dangerous concentration of gases. No portable heaters other than those operated by electricity shall be provided. If a solid or liquid fuel stove is used in a room with wooden or other combustible flooring, there shall be a concrete slab, insulated metal sheet, or other fireproof material on the floor under each stove, extending at least 18 inches beyond the perimeter of the base of the stove.

(c) Any wall or ceiling within 18 inches of a solid or liquid fuel stove or a stovepipe shall be of fireproof material. A vented metal collar shall be installed around a stovepipe, or vent passing through a wall, ceiling, floor or roof.

(d) When a heating system has automatic controls, the controls shall be of the type which cut off the fuel supply upon the failure or interruption of the flame or ignition, or whenever a predetermined safe temperature or pressure is exceeded.

§ 620.10 Electricity and lighting.

(a) All housing sites shall be provided with electric service.

(b) Each habitable room and all common use rooms, and areas such as: Laundry rooms, toilets, privies, hallways, stairways etc., shall contain adequate ceiling or wall-type light fixtures. At least one wall-type electrical convenience outlet shall be provided in each individual living room.

(c) Adequate lighting shall be provided for the yard area, and pathways to common use facilities.

(d) All wiring and lighting fixtures shall be installed and maintained in a safe condition.

§ 620.11 Toilets.

(a) Toilets shall be constructed, located and maintained so as to prevent any nuisance or public health hazard.

(b) Water closets or privey seats for each sex shall be in the ratio of not less than one such unit for each 15 occupants,

with a minimum of one unit for each sex in common use facilities.

(c) Urinals, constructed of nonabsorbent materials, may be substituted for men's toilet seats on the basis of one urinal or 24 inches of trough-type urinal for one toilet seat up to a maximum of one-third of the required toilet seats.

(d) Except in individual family units, separate toilet accommodations for men and women shall be provided. If toilet facilities for men and women are in the same building, they shall be separated by a solid wall from floor to roof or ceiling. Toilets shall be distinctly marked "men" and "women" in English and in the native language of the persons expected to occupy the housing.

(e) Where common use toilet facilities are provided, an adequate and accessible supply of toilet tissue, with holders, shall be furnished.

(f) Common use toilets and privies shall be well lighted and ventilated and shall be clean and sanitary.

(g) Toilet facilities shall be located within 200 feet of each living unit.

(h) Privies shall not be located closer than 50 feet from any living unit or any facility where food is prepared or served.

(i) Privy structures and pits shall be fly tight. Privy pits shall have adequate capacity for the required seats.

**§ 620.12 Bathing, laundry, and handwashing.**

(a) Bathing and handwashing facilities, supplied with hot and cold water under pressure, shall be provided for the use of all occupants. These facilities shall be clean and sanitary and located within 200 feet of each living unit.

(b) There shall be a minimum of 1 showerhead per 15 persons. Showerheads shall be spaced at least 3 feet apart, with a minimum of 9 square feet of floor space per unit. Adequate, dry dressing space shall be provided in common use facilities. Shower floors shall be constructed of nonabsorbent, nonskid materials and sloped to properly constructed floor drains. Except in individual family units, separate shower facilities shall be provided each sex. When common use shower facilities for both sexes are in the same building they shall be separated by a solid nonabsorbent wall extending from the floor to ceiling, or roof, and shall be plainly designated "men" or "women" in English and in the native language of the persons expected to occupy the housing.

(c) Lavatories or equivalent units shall be provided in a ratio of 1 per 15 persons.

(d) Laundry facilities, supplied with hot and cold water under pressure, shall be provided for the use of all occupants. Laundry trays or tubs shall be provided in the ratio of 1 per 25 persons. Mechanical washers may be provided in the ratio of 1 per 50 persons in lieu of laundry trays, although a minimum of 1 laundry tray per 100 persons shall be provided in addition to the mechanical washers.

**§ 620.13 Cooking and eating facilities.**

(a) When workers or their families are permitted or required to cook in their individual unit, a space shall be provided and equipped for cooking and eating. Such space shall be provided with: (1) A cookstove or hot plate with a minimum of two burners; and (2) adequate food storage shelves and a counter for food preparation; and (3) provisions for mechanical refrigeration of food at a temperature of not more than 45° F.; and (4) a table and chairs or equivalent seating and eating arrangements, all commensurate with the capacity of the unit; and (5) adequate lighting and ventilation.

(b) When workers or their families are permitted or required to cook and eat in a common facility, a room or building separate from the sleeping facilities shall be provided for cooking and eating. Such room or building shall be provided with: (1) Stoves or hot plates, with a minimum equivalent of two burners, in a ratio of 1 stove or hot plate to 10 persons, or 1 stove or hot plate to 2 families; and (2) adequate food storage shelves and a counter for food preparation; and (3) mechanical refrigeration for food at a temperature of not more than 45° F.; and (4) tables and chairs or equivalent seating adequate for the intended use of the facility; and (5) adequate sinks with hot and cold water under pressure; and (6) adequate lighting and ventilation; and (7) floors shall be of nonabsorbent, easily cleaned materials.

(c) When central mess facilities are provided, the kitchen and mess hall shall be in proper proportion to the capacity of the housing and shall be separate from the sleeping quarters. The physical facilities, equipment and operation shall be in accordance with provisions of applicable State codes.

(d) Wall surface adjacent to all food preparation and cooking areas shall be of nonabsorbent, easily cleaned material. In addition, the wall surface adjacent to cooking areas shall be of fire-resistant material.

**§ 620.14 Garbage and other refuge.**

(a) Durable, fly-tight, clean containers in good condition of a minimum capacity of 20 gallons, shall be provided adjacent to each housing unit for the storage of garbage and other refuse. Such containers shall be provided in a minimum ratio of 1 per 15 persons.

(b) Provisions shall be made for collection of refuse at least twice a week, or more often if necessary. The disposal of refuse, which includes garbage, shall be in accordance with State and local law.

**§ 620.15 Insect and rodent control.**

Housing and facilities shall be free of insects, rodents and other vermin.

**§ 620.16 Sleeping facilities.**

(a) Sleeping facilities shall be provided for each person. Such facilities shall consist of comfortable beds, cots or bunks, provided with clean mattresses.

(b) Any bedding provided by the housing operator shall be clean and sanitary.

(c) Triple deck bunks shall not be provided.

(d) The clear space above the top of the lower mattress of a double deck bunk and the bottom of the upper bunk shall be a minimum of 27 inches. The distance from the top of the upper mattress to the ceiling shall be a minimum of 36 inches.

(e) Beds used for double occupancy may be provided only in family accommodations.

**§ 620.17 Fire, safety, and first aid.**

(a) All buildings in which people sleep or eat shall be constructed and maintained in accordance with applicable State or local fire and safety laws.

(b) In family housing and housing units for less than 10 persons, of one story construction, two means of escape shall be provided. One of the two required means of escape may be a readily accessible window with an openable space of not less than 24 x 24 inches.

(c) All sleeping quarters intended for use by 10 or more persons, central dining facilities, and common assembly rooms shall have at least two doors remotely separated so as to provide alternate means of escape to the outside or to an interior hall.

(d) Sleeping quarters and common assembly rooms on the second story shall have a stairway, and a permanent, affixed exterior ladder or a second stairway.

(e) Sleeping and common assembly rooms located above the second story shall comply with the State and local fire and building codes relative to multiple story dwellings.

(f) Fire extinguishing equipment shall be provided in a readily accessible place located not more than 100 feet from each housing unit. Such equipment shall provide protection equal to a 2½ gallon stored pressure or 5-gallon pump-type water extinguisher.

(g) First aid facilities shall be provided and readily accessible for use at all time. Such facilities shall be equivalent to the 16 unit first aid kit recommended by the American Red Cross, and provided in a ratio of 1 per 50 persons.

(h) No flammable or volatile liquids or materials shall be stored in or adjacent to rooms used for living purposes, except for those needed for current household use.

(i) Agricultural pesticides and toxic chemicals shall not be stored in the housing area.

[F.R. Doc. 68-13185; Filed, Oct. 30, 1968; 8:46 a.m.]

# Title 21—FOOD AND DRUGS

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

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

## PART 42—EGGS AND EGG PRODUCTS

### Dried Eggs, Dried Whole Eggs; Identity Standard; Order Increasing Percentage of Egg Solids Required

In the matter of amending the identity standard for dried eggs, dried whole eggs (21 CFR 42.30) to prescribe the minimum amount of egg solids that may be contained in the food irrespective of whether an anticaking agent is used:

A notice of proposed rulemaking in the above-identified matter was published in the FEDERAL REGISTER of May 17, 1968 (33 F.R. 7328), on the initiative of the Commissioner of Food and Drugs.

In response to the proposal, comments were received from three firms engaged in the production of the subject product and from an organization whose members have an interest in the egg and poultry industry. Two firms and the organization expressed apprehension that the proposed requirement of not less than 95 percent of egg solids would at times necessitate excessive heating in order to attain the necessary low moisture content, thereby injuring the properties of the food. No data, however, were submitted in support of these statements. One firm stated that the proposed requirement was attainable through good manufacturing practice.

Based on consideration given the comments received and other relevant information, the Commissioner concludes that it will promote honesty and fair dealing in the interest of consumers to amend the standard as proposed.

Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055, as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371) and under authority delegated to the Commissioner (21 CFR 2.120): *It is ordered*, That § 42.30(a) be revised to read as follows:

**§ 42.30 Dried eggs, dried whole eggs; identity; label statement of optional ingredients.**

(a) Dried eggs, dried whole eggs are prepared by drying liquid eggs that conform to § 42.10, with such precautions that the finished food is free of viable *Salmonella* micro-organisms. They may be powdered. Before drying, the glucose content of the liquid eggs may be reduced by one of the optional procedures set forth in paragraph (b) of this section. Either silicon dioxide complying with the provisions of § 121.1058 of this chapter or sodium silicoaluminate may be added as an optional anticaking ingredient, but the amount of silicon dioxide used is not more than 1 percent and the amount of sodium silicoaluminate used is less than 2 percent by weight of the finished food. The finished food shall contain not less than 95 percent by weight total egg solids.

* * * * *

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

*Effective date.* This order shall become effective 60 days from the date of its publication in the FEDERAL REGISTER, except as to any provisions that may be stayed by the filing of proper objections. Notice of the filing of objections or lack thereof will be announced by publication in the FEDERAL REGISTER.

(Secs. 401, 701, 52 Stat. 1046, 1055, as amended, 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371)

Dated: October 23, 1968.

J. K. KIRK,
*Associate Commissioner for Compliance.*

[F.R. Doc. 68-13231; Filed, Oct. 30, 1968; 8:50 a.m.]

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## PART 42—EGGS AND EGG PRODUCTS

### Dried Egg Yolks, Dried Yolks; Identity Standard; Amendment Re Percentage of Egg Solids

In the matter of amending the identity standard for dried egg yolks, dried yolks (21 CFR 42.60) to prescribe the minimum amount of egg solids that may be contained in the food irrespective of whether an anticaking agent is used:

A notice of proposed rulemaking in the above-identified matter was published in the FEDERAL REGISTER of May 17, 1968 (33 F.R. 7328), based on a petition from Ballas Egg Products Corp., 40 North Second Street, Zanesville, Ohio 43701, and supplemented by a proposal by the Commissioner of Food and Drugs. In response thereto 4 comments were received, all favorable.

Based on consideration given the information submitted by the petitioner, the comments receive, and other relevant information, the Commissioner concludes that it will promote honesty and fair dealing in the interest of consumers to amend the standard as set forth below.

Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055, as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371) and under authority delegated to the Commissioner (21 CFR 2.120): *It is ordered*, That § 42.60(a) be revised to read as follows:

**§ 42.60 Dried egg yolks, dried yolks; identity; label statement of optional ingredients.**

(a) Dried egg yolks, dried yolks is the food prepared by drying egg yolks that conform to § 42.40, with such precautions that the finished food is free of viable *Salmonella* micro-organisms. Before drying, the glucose content of the liquid egg yolks may be reduced by one of the optional procedures set forth in paragraph (b) of this section. Either silicon dioxide complying with the provisions of § 121.1058 of this chapter or sodium silicoaluminate may be added as an optional anticaking ingredient, but the amount of silicon dioxide used is not more than 1 percent and the amount of sodium silicoaluminate used is less than 2 percent by weight of the finished food. The finished food shall contain not less than 95 percent by weight total egg solids.

* * * * *

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

*Effective date.* This order shall become effective 60 days from the date of its publication in the FEDERAL REGISTER, except as to any provisions that may be stayed by the filing of proper objections. Notice of the filing of objections or lack thereof will be announced by publication in the FEDERAL REGISTER.

(Secs. 401, 701, 52 Stat. 1046, 1055, as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371)

Dated: October 23, 1968.

J. K. KIRK,
*Associate Commissioner for Compliance.*

[F.R. Doc. 68-13232; Filed, Oct. 30, 1968; 8:50 a.m.]

## PART 120—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

### Trifluralin

A petition (PP 8F0731) was filed with the Food and Drug Administration by Elanco Products Co., a division of Eli Lilly & Co., Indianapolis, Ind. 46206, proposing the establishment of a tolerance of 0.05 part per million for negligible residues of the herbicide trifluralin ($\alpha,\alpha,\alpha$-trifluoro-2.6-dinitro-*N*,*N*-dipropyl-*p*-toluidine) in or on the raw agricultural commodity group citrus fruits.

The Secretary of Agriculture has certified that this pesticide chemical is useful for the purposes for which the tolerance is being established.

Data in the petition and elsewhere available show that the use of feed items from treated citrus fruits in compliance with the tolerance proposed will not result in residues of trifluralin in meat or milk. The usage is classified in the category specified in § 120.6(a)(3) and no tolerance for meat or milk is required.

Based on consideration given the data submitted in the petition, and other relevant material, the Commissioner of Food and Drugs concludes that the tolerance established by this order will protect the public health. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2)) and under authority delegated to the Commissioner (21 CFR 2.120), § 120.207 is amended to establish the subject tolerance by revising the paragraph "0.05 part per million * * *" to read as follows:

**§ 120.207 Trifluralin; tolerances for residues.**

* * * * *

0.05 part per million (negligible residue) in or on alfalfa (fresh), citrus fruits, cottonseed, cucurbits, forage legumes, fruiting vegetables, leafy vegetables, nuts, peanuts, potatoes, safflower seed, seed and pod vegetables, stone fruits, sugar beets, sugarcane, sunflower seed.

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

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

(Sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2))

Dated: October 23, 1968.

J. K. KIRK,
*Associate Commissioner for Compliance.*

[F.R. Doc. 68-13234; Filed, Oct. 30, 1968; 8:50 a.m.]

## PART 121—FOOD ADDITIVES

### Subpart C—Food Additives Permitted in the Feed and Drinking Water of Animals or for the Treatment of Food-Producing Animals

### FAMPHUR

The Commissioner of Food and Drugs, having evaluated the data submitted in a petition filed by American Cyanamid Co., Agricultural Division, Post Office Box 400, Princeton, N.J. 08540, and other relevant material, concludes that the food additive regulations should be amended to provide for the safe use of famphur (*O,O*-dimethyl *O*-*p*-(dimethylsulfamoyl) phenyl phosphorothioate) in cattle feed for the control of cattle grubs and aid in the control of sucking lice. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)) and under authority delegated to the Commissioner (21 CFR 2.120), Part 121 is amended by adding to Subpart C the following new section:

**§ 121.323 Famphur (*O,O*-dimethyl *O*-*p*-(dimethylsulfamoyl) phenyl phosphorothioate).**

The food additive famphur may be safely used in accordance with the following prescribed conditions:

(a) The additive is the chemical *O,O*-dimethyl *O*-*p*-(dimethylsulfamoyl) phenyl phosphorothioate ($C_{10}H_{16}NO_5S_2P$). It has a melting point range of 52.5° C.

(b) The additive is used or intended for use as the sole medication as prescribed in the following table:

FAMPHUR (*O,O*-DIMETHYL *O*-*p*-(DIMETHYLSULFAMOYL)PHENYL PHOSPHOROTHIOATE) IN CATTLE FEED

| | Amount | Limitations | Indications for use |
|---|---|---|---|
| 1. Famphur | 1.1 mg. per pound body weight per day. | For beef cattle and nonlactating dairy cows; feed for 30 days; withdraw from dry dairy cows and heifers 21 days prior to freshening; withdraw 4 days prior to slaughter. | Control of grubs and aid in control of sucking lice. |
| 2. Famphur | 2.3 mg. per pound body weight per day. | For beef cattle and nonlactating dairy cows; feed for 10 days; withdraw from dry dairy cows and heifers 21 days prior to freshening; withdraw 4 days prior to slaughter. | Control of grubs. |

(c) To assure safe use, the label and labeling of the additive, any feed additive supplement, feed additive concentrate, feed additive premix, or complete feed or other dosage form prepared therefrom, shall bear in addition to the other information required by the act the following:

(1) The name of the additive.

(2) A statement of the quantity of the additive contained therein.

(3) Adequate directions and warnings for use which shall include a statement that famphur is a cholinesterase inhibitor and that animals being treated with famphur should not be exposed during or within a few days before or after treatment to any other cholinesterase-inhibiting chemicals.

(d) Tolerance limitations for residues of famphur in edible products from treated animals are established in § 120.233 of this chapter under the chemical name.

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

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

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

Dated: October 23, 1968.

J. K. KIRK,
*Associate Commissioner for Compliance.*

[F.R. Doc. 68-13233; Filed, Oct. 30, 1968; 8:50 a.m.]

# Title 32A—NATIONAL DEFENSE, APPENDIX

## Chapter VI—Business and Defense Services Administration, Department of Commerce

[BDSA Order M-17—Revocation]

## M-17—ELECTRONIC COMPONENTS OR PARTS

### Revocation

BDSA Order M-17 (24 F.R. 7377) is hereby revoked. This revocation does not relieve any person of any obligation or

liability incurred under M–17, nor deprive any person of any rights received or accrued under said order prior to the effective date of this revocation.

(Sec. 704, 64 Stat. 816, as amended, 50 U.S.C. App. 2154; Sec. 1, Public Law 90–370, 82 Stat. 279)

This revocation shall take effect October 30, 1968.

BUSINESS AND DEFENSE SERVICES ADMINISTRATION,
RODNEY L. BORUM,
*Administrator.*

[F.R. Doc. 68–13199; Filed, Oct. 30, 1968; 8:47 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

### Wood Alcohol

*Correction*

In F.R. Doc. 68–12979 appearing at page 15708 in the issue of Thursday, October 24, 1968, the entry for § 212.96 should be corrected to read:

* * * * *

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

# Title 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

## Chapter I—Veterans Administration

### PART 17—MEDICAL

### Hospital and Nursing Home Care in Nonveterans Administration Facilities in Alaska and Hawaii

1. In § 17.50, paragraph (j) is amended to read as follows (former subparagraphs (1) and (2) are incorporated in § 17.51 and 17.51a):

**§ 17.50 Utilization of facilities other than those under direct and exclusive jurisdiction of the Veterans Administration.**

* * * * *

(j) A veteran receiving community nursing home care at Veterans Administration expense and who requires immediate hospitalization for treatment of an emergent condition may be authorized such emergency care at Veterans Administration expense, provided: (1) Prior authorization for such care is obtained from the Veterans Administration, (2) admission to a Veterans Administration or other Federal hospital is not feasible, and (3) the authorization is limited to that period of care required to meet the emergent need, until the veteran can be safely moved to a Veterans Administration or other Federal hospital. (For purposes of subparagraph (1) of this paragraph, prior authorization will be conceded when the request for authorization is received by the Veterans Administration within 72 hours of the time of admission of the veteran to the non-Federal hospital.)

* * * * *

2. Section 17.50a is reserved and §§ 17.50b, 17.51, 17.51a, and 17.51b are added to read as follows:

**§ 17.50a [Reserved]**

**§ 17.50b Use of public or private hospitals for veterans in Alaska and Hawaii.**

The Director of the Clinic in Hawaii and the medical officer in charge of the medical program in Alaska may, when it is in the best interests of the Veterans Administration and Veterans Administration patients, contract for the use of public or private hospitals in Alaska and Hawaii for the care of veterans. When demand is only for infrequent use, individual authorizations may be used. Such facilities will be used when a Federal facility to which a patient would otherwise be eligible for admission as a Veterans Administration beneficiary is not feasibly available. Admissions to public or private facilities whether under a contract or as an individual authorization will be authorized if:

(a) The veteran is eligible for hospital care in public or private facilities at Veterans Administration expense under any provision of § 17.50, or

(b) The veteran is a veteran of a war whose public or private hospital admission can be accommodated within an average daily patient load per thousand veteran population at Veterans Administration expense in Federal, public or private hospital facilities in Alaska or Hawaii not exceeding the average daily patient load per thousand veteran population hospitalized by the Veterans Administration within the 48 contiguous States. (The authority under this paragraph expires December 31, 1978.)

**§ 17.51 Transfers to community nursing homes from Veterans Administration facilities.**

Nursing home care in a contract public or private nursing home care facility may be authorized for as much as 6 months in the aggregate in connection with any one transfer for any veteran eligible for hospital care under § 17.47 (a), (b), (c), or (d), who has attained the maximum hospital benefit and for whom a protracted period of nursing home care will be required, provided:

(a) Transfer to the nursing home care facility will be from a hospital under the direct and exclusive jurisdiction of the Veterans Administration (except in Alaska and Hawaii, as provided for in § 17.51b), and

(b) The nursing home care facility is determined to meet the physical and professional standards prescribed by the Chief Medical Director, and

(c) The cost of the nursing home care does not exceed 40 percent of the cost of care furnished by the Veterans Administration in a general medical and surgical hospital as determined from time to time.

**§ 17.51a Extensions of community nursing home care beyond 6 months.**

The Chief Medical Director, his Deputy or the Regional Medical Director may authorize an extension of nursing care in a public or private nursing home care facility at Veterans Administration expense beyond 6 months for circumstances of a most unusual nature such as when additional time is needed to complete imminent arrangements for other care.

**§ 17.51b Transfers from facilities for nursing home care in Alaska and Hawaii.**

Transfer of any veteran hospitalized in a non-Veterans Administration hospital facility at Veterans Administration expense to a community nursing home facility in Alaska or Hawaii may be authorized subject to the provisions of § 17.51, except paragraph (a).

(72 Stat. 1114; 38 U.S.C. 210)

These VA regulations are effective October 21, 1968.

Approved: October 25, 1968.

By direction of the Administrator.

[SEAL] A. W. STRATTON,
*Deputy Administrator.*

[F.R. Doc. 68–13218; Filed, Oct. 30, 1968; 8:49 a.m.]

# Title 32—NATIONAL DEFENSE

## Chapter I—Office of the Secretary of Defense

### SUBCHAPTER N—TRANSPORTATION

### PART 171—POLICY GOVERNING TRANSPORTATION AND ACCOMMODATIONS OF MILITARY PERSONNEL AND THEIR DEPENDENTS, CIVILIAN EMPLOYEES AND THEIR DEPENDENTS WHEN TRAVELING VIA COMMERCIAL, GOVERNMENT OR PRIVATE TRANSPORTATION

### Discontinuance of Part

Codification of Part 171 is discontinued.

MAURICE W. ROCHE,
*Director, Correspondence and Directives Division, OASD (Administration).*

OCTOBER 25, 1968.

[F.R. Doc. 68–13237; Filed, Oct. 30, 1968; 8:51 a.m.]

# Title 10—ATOMIC ENERGY

## Chapter I—Atomic Energy Commission

## PART 140—FINANCIAL PROTECTION REQUIREMENTS AND INDEMNITY AGREEMENTS

### Criteria for Determination of an Extraordinary Nuclear Occurrence

On May 9, 1968, the Commission published for comment in the FEDERAL REGISTER (33 F.R. 6978) proposed amendments to its regulation, "Financial Protection Requirements and Indemnity Agreements," 10 CFR Part 140, which would effectuate the amendments to the Price-Anderson Act of 1966 (Public Law 89–645) providing for waivers of certain defenses in the event of an extraordinary nuclear occurrence.

The principal purpose of the amendments is to assure that the public will receive prompt financial compensation under the available indemnity and underlying financial protection for damage resulting from the hazardous properties of radioactive material or radiation. All interested persons were invited to submit written comments or suggestions for consideration in connection with the proposed amendments to 10 CFR Part 140 within 60 days after publication of the notice of proposed rule making in the FEDERAL REGISTER. The notice also announced that an industry conference would be held on June 11, 1968, at the Commission's offices at 1717 H Street NW., Washington, D.C., to discuss the provisions of the proposed amendments to 10 CFR Part 140.

After careful consideration of the comments received, the views presented at the industry conference, and other factors, the Commission has adopted the amendments set forth below. In most essential respects, the amendments are the same as those set forth in the notice of proposed rule making. However, there are some changes from the proposed rule. As will be indicated, the Commission is providing an opportunity for comment on these changes, but the amendments will be effective 30 days after publication. The principal changes are described below.

New § 140.82 *Procedures*, provides that, if the Commission is unable to make a determination, within 7 days after it has received notification of an alleged event, that there has been an extraordinary nuclear occurrence, it will publish a notice in the FEDERAL REGISTER of the initiation of a procedure for the making of a determination. Such notice will request persons having knowledge of the alleged occurrence to submit their information to the Commission.

New § 140.83 *Determination of extraordinary nuclear occurrence*, provides that the 90-day period for the making of a determination runs from the time of publication of a notice in the FEDERAL REGISTER that the Commission is considering the making of a determination, and also makes clear that the Commission may extend the 90-day time period.

New § 140.84 *Criterion I—substantial discharge of radioactive material or substantial radiation levels offsite*, contains revisions from the proposed rule with respect to surface contamination. The Statement of Considerations published in connection with the proposed rule made clear the intent that Criterion I would not be met by a release of radioactive material within or not greatly in excess of the limits set forth in the Commission's regulations and in license conditions. It has come to the Commission's attention that with respect to some facilities the description of the location (site) for purposes of the Price-Anderson indemnity agreement is so narrowly defined geographically that it is possible under normal operating conditions for levels of contamination in restricted or controlled areas which are offsite to exceed the levels proposed in the table of total surface contamination levels. The table has been revised by applying a factor of 10 to the proposed levels where the contaminated offsite property is contiguous to the site and is owned or leased by the licensee, who is thus able to control access to the area. As was explained in the Statement of Considerations, the levels originally proposed were intended to represent only an administrative index for determing that something unexpected and out of the ordinary has taken place. The higher levels set by the application of a factor of 10 for contamination of property where the public is generally excluded are consonant with this concept and in keeping with the Price-Anderson Act's purpose of protecting the public. The levels originally proposed are applicable to all other offsite property. It should be noted that this revision involves no change in Criterion II.

New § 140.85 *Criterion II—substantial damages to persons offsite or property offsite*, now makes clear that "damage" in all cases refers to damage from the radioactive, toxic, explosive, or other hazardous properties of source, special nuclear, or byproduct material. New § 140.85 also lowers the test for substantial damages to persons offsite by changing from ten to five the number of people the Commission would have to find were killed or hospitalized by physical injury from exposure.

The amendments to the form of nuclear energy liability policy for facilities and to the forms of indemnity agreements with licensees contained in the Appendices to 10 CFR Part 140 (§§ 140.91 through 140.95) are changed from the proposed amendments in the following respects:

(1) The waiver of an issue or defense relating to unforeseeable intervening causes no longer refers to the "operation of a force of nature," since that formulation appears to be only an alternative way of stating the more commonly used term "act of God" which is covered specifically by the rule.

(2) The proposed exclusion in the waivers of defenses relating to the abnormally sensitive character of the claimant's activities or operations is not being adopted at this time. The Commission is not fully convinced of the appropriateness of the exclusion and, at any rate, there appears to be considerable dispute on the appropriate formulation of the abnormally sensitive defense.

One of the tests for meeting Criterion II (§ 140.85) refers to $2,500,000 or more of damage offsite which has been or will probably be sustained by any one person. While no change in this formulation appears to be necessary, it should be understood that the test can be met by a person sustaining the requisite amount of damage by operation of law rather than because of ownership of the damaged property, for example, a railroad, in the event of damage to lading owned by numerous persons but cumulatively totaling the requisite amount.

It has been the intention of the Commission, in connection with these amendments to Part 140, to eliminate the 2-year discovery provision in nuclear policies furnished as proof of financial protection. The Commission still intends to accomplish this change as soon as possible, but final agreement with insurers has not yet been reached.

Pursuant to the Atomic Energy Act of 1954, as amended, and sections 552 and 553 of title 5 of the United States Code, the following amendments to 10 CFR Part 140 are published as a document subject to codification to be effective 30 days after publication in the FEDERAL REGISTER. The Commission invites all interested persons who desire to submit written comments or suggestions with respect to the changes made from the proposed rule to send them to the Secretary, U.S. Atomic Energy Commission, Washington, D.C. 20545, within 90 days after publication of this notice in the FEDERAL REGISTER. Consideration will be given such submission with the view to possible amendments to the rule.

1. Paragraph (a) of § 140.2 is amended and new paragraph (c) is added to § 140.2 to read as follows:

**§ 140.2 Scope.**

(a) The regulations in this part apply

(1) To each persons who is an applicant for or holder of a license issued pursuant to Part 50 of this chapter to operate a nuclear reactor, and

(2) With respect to extraordinary nuclear occurrences, to each person who is an applicant for or holder of a license to operate a production facility or a utilization facility, and to other persons indemnified with respect to such facility.

* * * * *

(c) Subpart E of this part sets forth the procedures the Commission will follow and the criteria the Commission will apply in making a determination as to whether or not there has been an extraordinary nuclear occurrence. The form of nuclear energy liability policy for facilities (Appendix A) and the forms of indemnity agreements with licensees (Appendices B, C, D, and E) include provisions requiring the waiver of certain defenses with respect to an extraordinary nuclear occurrence. These provisions and

Subpart E are incorporated in this part pursuant to Public Law 89–645 (80 Stat. 891). They provide additional assurance of prompt compensation under available indemnity and underlying financial protection for injury or damage resulting from the hazardous properties of radioactive materials or radiation, and they in no way detract from the protection to the public otherwise provided under this part.

§ 140.15 [Amended]

2. Paragraph (a)(1) and paragraph (a)(2) of § 140.15 are each amended by changing the reference to "§ 140.75" to read "§ 140.91".

§ 140.20 [Amended]

3. Paragraph (b)(1) of § 140.20 is amended by changing the reference to "§ 140.76" to read "§ 140.92" and by changing the reference to "§ 140.77" to read "§ 140.93".

4. Paragraph (b)(2) of § 140.20 is amended by changing the reference to "§§ 140.76 and 140.77" to read "§§ 140.92 and 140.93".

§ 140.52 [Amended]

5. Paragraph (b)(1) and paragraph (b)(2) of § 140.52 are each amended by changing the reference to "§ 140.78" to read "§ 140.94".

§ 140.72 [Amended]

6. Paragraph (b)(1) and paragraph (b)(2) of § 140.72 are each amended by changing the reference to "§ 140.79" to read "§ 140.95".

7. A new Subpart E is added to read as follows:

Subpart E—Extraordinary Nuclear Occurrences

Sec.
140.81 Scope and purpose.
140.82 Procedures.
140.83 Determination of extraordinary nuclear occurrence.
140.84 Criterion I—Substantial discharge of radioactive material or substantial radation levels offsite.
140.85 Criterion II—Substantial damages to persons offsite or property offsite.

AUTHORITY: The provisions of this Subpart E issued under sec. 161, 68 Stat. 948; 42 U.S.C. 2201; sec. 170, 71 Stat. 576; 42 U.S.C. 2210.

## Subpart E—Extraordinary Nuclear Occurrences

### § 140.81 Scope and purpose.

(a) *Scope.* This subpart applies to applicants for and holders of licenses authorizing operation of production facilities and utilization facilities, and to other persons indemnified with respect to such facilities.

(b) *Purpose.* One purpose of this subpart is to set forth the criteria which the Commission proposes to follow in order to determine whether there has been an "extraordinary nuclear occurrence." The other purpose is to establish the conditions of the waivers of defenses proposed for incorporation in indemnity agreements and insurance policies or contracts furnished as proof of financial protection.

(1) The system is to come into effect only where the discharge or dispersal constitutes a substantial amount of source, special nuclear or byproduct material, or has caused substantial radiation levels offsite. The various limits in present AEC regulations are not appropriate for direct application in the determination of an "extraordinary nuclear occurrence," for they were arrived at with other purposes in mind, and those limits have been set at a level which is conservatively arrived at by incorporating a significant safety factor. Thus, a discharge or dispersal which exceeds the limits in AEC regulations, or in license conditions, although possible cause for concern, is not one which would be expected to cause substantial injury or damage unless it exceeds by some significant multiple the appropriate regulatory limit. Accordingly, in arriving at the values in the criteria to be deemed "substantial" it is more appropriate to adopt values separate from AEC health and safety regulations, and, of course, the selection of these values will not in any way affect such regulations. A substantial discharge, for purposes of the criteria, represents a perturbation of the environment which is clearly above that which could be anticipated from the conduct of normal activities. The criteria are intended solely for the purposes of administration of the Commission's statutory responsibilities under Public Law 89–645, and are not intended to indicate a level of discharge or dispersal at which damage to persons or property necessarily will occur, or a level at which damage is likely to occur, or even a level at which some type of protective action is indicated. It should be clearly understood that the criteria in no way establish or indicate that there is a specific threshold of exposure at which biological damage from radiation will take place. It cannot be emphasized too frequently that the levels set to be used as criteria for the first part of the determination, that is, the criteria for amounts offsite or radiation levels offsite which are substantial, are not meant to indicate that, because such amounts or levels are determined to be substantial for purposes of administration, they are "substantial" in terms of their propensity for causing injury or damage.

(2) It is the purpose of the second part of the determination that the Commission decide whether there have in fact been or will probably be substantial damages to persons offsite or property offsite. The criteria for substantial damages were formulated, and the numerical values selected, on a wholly different basis from that on which the criteria used for the first part of the determination with respect to substantial discharge were derived. The only interrelation between the values selected for the discharge criteria and the damage criteria is that the discharge values are set so low that it is extremely unlikely the damage criteria could be satisfied unless the discharge values have been exceeded.

(3) The first part of the test is designed so that the Commission can assure itself that something exceptional has occurred; that something untoward and unexpected has in fact taken place and that this event is of sufficient significance to raise the possibility that some damage to persons or property offsite has resulted or may result. If there appears to be no damage, the waivers will not apply because the Commission will be unable, under the second part of the test, to make a determination that "substantial damages" have resulted or will probably result. If damages have resulted or will probably result, they could vary from de minimis to serious, and the waivers will not apply until the damages, both actual and probable, are determined to be "substantial" within the second part of the test.

(4) The presence or absence of an extraordinary nuclear occurrence determination does not concomitantly determine whether or not a particular claimant will recover on his claim. In effect, it is intended primarily to determine whether certain potential obstacles to recovery are to be removed from the route the claimant would ordinarily follow to seek compensation for his injury or damage. If there has not been an extraordinary nuclear occurrence determination, the claimant must proceed (in the absence of settlement) with a tort action subject to whatever issues must be met, and whatever defenses are available to the defendant, under the law applicable in the relevant jurisdiction. If there has been an extraordinary nuclear occurrence determination, the claimant must still proceed (in the absence of settlement) with a tort action, but the claimant's burden is substantially eased by the elimination of certain issues which may be involved and certain defenses which may be available to the defendant. In either case the defendant may defend with respect to such of the following matters as are in issue in any given claim: The nature of the claimant's alleged damages, the causal relationship between the event and the alleged damages, and the amount of the alleged damages.

### § 140.82 Procedures.

(a) The Commission may initiate, on its own motion, the making of a determination as to whether or not there has been an extraordinary nuclear occurrence. In the event the Commission does not so initiate the making of a determination, any affected person, or any licensee or person with whom an indemnity agreement is executed or a person providing financial protection may petition the Commission for a determination of whether or not there has been an extraordinary nuclear occurrence. If the Commission does not have, or does not expect to have, within 7 days after it has received notification of an alleged event, enough information available to make a determination that there has been an extraordinary nuclear occurrence, the Commission will publish a

notice in the FEDERAL REGISTER setting forth the date and place of the alleged event and requesting any persons having knowledge thereof to submit their information to the Commission.

(b) When a procedure is initiated under paragraph (a) of this section, the principal staff which will begin immediately to assemble the relevant information and prepare a report on which the Commission can make its determination will consist of the Directors or Deputies of the following Divisions or Offices: Operational Safety, Radiation Protection Standards, Compliance, Biology and Medicine, State and Licensee Relations; the General Counsel or his designee, and a representative of the program division whose facility or device[1] may be involved.

**§ 140.83 Determination of extraordinary nuclear occurrence.**

If the Commission determines that both of the criteria set forth in §§ 140.84 and 140.85 have been met, it will make the determination that there has been an extraordinary nuclear occurrence. If the Commission publishes a notice in the FEDERAL REGISTER in accordance with § 140.82(a) and does not make a determination within 90 days thereafter that there has been an extraordinary nuclear occurrence, the alleged event will be deemed not to be an extraordinary nuclear occurrence. The time for the making of a determination may be extended by the Commission by notice published in the FEDERAL REGISTER.

**§ 140.84 Criterion I—Substantial discharge of radioactive material or substantial radiation levels offsite.**

The Commission will determine that there has been a substantial discharge or dispersal of radioactive material offsite, or that there have been substantial levels of radiation offsite, when, as a result of an event comprised of one or more related happenings, radioactive material is released from its intended place of confinement or radiation levels occur offsite and either of the following findings are also made:

(a) The Commission finds that one or more persons offsite were, could have been, or might be exposed to radiation or to radioactive material, resulting in a dose or in a projected dose in excess of one of the levels in the following table:

TOTAL PROJECTED RADIATION DOSES

| *Critical organ* | *Dose (rems)* |
|---|---|
| Thyroid | 30 |
| Whole body | 20 |
| Bone Marrow | 20 |
| Skin | 60 |
| Other organs or tissues | 30 |

Exposures from the following types of sources of radiation shall be included:

(1) Radiation from sources external to the body;

(2) Radioactive material that may be taken into the body from its occurrence in air or water; and

(3) Radioactive material that may be taken into the body from its occurrence in food or on terrestrial surfaces.

(b) The Commission finds that—

(1) Surface contamination of at least a total of any 100 square meters of offsite property has occurred as the result of a release of radioactive material from a production or utilization facility or device[1] and such contamination is characterized by levels of radiation in excess of one of the values listed in column 1 or column 2 of the following table, or

(2) Surface contamination of any offsite property has occurred as the result of a release of radioactive material in the course of transportation and such contamination is characterized by levels of radiation in excess of one of the values listed in column 2 of the following table:

TOTAL SURFACE CONTAMINATION LEVELS[2]

| Type of emitter | Column 1<br>Offsite property, contiguous to site, owned or leased by person with whom an indemnity agreement is executed | Column 2<br>Other offsite property |
|---|---|---|
| Alpha emission from transuranic isotopes. | 3.5 microcuries per square meter. | 0.35 microcuries per square meter. |
| Alpha emission from isotopes other than transuranic isotopes. | 35 microcuries per square meter. | 3.5 microcuries per square meter. |
| Beta or gamma emission. | 40 millirads/hour @ 1 cm. (measured through not more than 7 milligrams per square centimeter of total absorber). | 4 millirads/hour @ 1 cm. (measured through not more than 7 milligrams per square centimeter of total absorber). |

[2] The maximum levels (above background), observed or projected, 8 or more hours after initial deposition.

**§ 140.85 Criterion II—Substantial damages to persons offsite or property offsite.**

(a) After the Commission has determined that an event has satisfied Criterion I, the Commission will determine that the event has resulted or will probably result in substantial damages to persons offsite or property offsite if any of the following findings are made:

(1) The Commission finds that such event has resulted in the death or hospitalization, within 30 days of the event, of five or more people located offsite showing objective clinical evidence of physical injury from exposure to the radioactive, toxic, explosive, or other hazardous properties of source, special nuclear, or byproduct material; or

(2) The Commission finds that $2,500,000 or more of damage offsite has been or will probably be sustained by any one person, or $5 million or more of such damage in the aggregate has been or will probably be sustained, as the result of such event; or

(3) The Commission finds that $5,000 or more of damage offsite has been or will probably be sustained by each of 50 or more persons, provided that $1 million or more of such damage in the aggregate has been or will probably be sustained, as the result of such event.

(b) As used in subparagraphs (2) and (3) of paragraph (a) of this section, "damage" shall be that arising out of or resulting from the radioactive, toxic, explosive, or other hazardous properties of source, special nuclear, or byproduct material, and shall be based upon estimates of one or more of the following:

(1) Total cost necessary to put affected property back into use,

(2) Loss of use of affected property,

(3) Value of affected property where not practical to restore to use,

(4) Financial loss resulting from protective actions appropriate to reduce or avoid exposure to radiation or to radioactive materials.

**§§ 140.91–140.95 [Redesignated]**

8. Present §§ 140.75 through 140.79 (Appendix A through Appendix E, respectively) are renumbered §§ 140.91 through 140.95, respectively.

**§ 140.91 [Amended]**

9. Section 140.91 *Appendix A* is amended by adding the following at the end thereof:

NUCLEAR ENERGY LIABILITY POLICY

(FACILITY FORM)

*Waiver of Defenses Endorsement*

(Extraordinary Nuclear Occurrence)

The named insured, acting for himself and every other insured under the policy, and the members of _____ agree as follows:

1. With respect to any extraordinary nuclear occurrence to which the policy applies as proof of financial protection and which—

(a) Arises out of or results from or occurs in the course of the construction, possession, or operation of the facility, or

(b) Arises out of or results from or occurs in the course of the transportation of nuclear material to or from the facility,

the insureds and the companies agree to waive

(1) Any issue or defense as to the conduct of the claimant or the fault of the insureds, including, but not limited to:

(i) Negligence,

(ii) Contributory negligence,

(iii) Assumption of risk, and

(iv) Unforeseeable intervening causes, whether involving the conduct of a third person or an act of God,

(2) Any issue or defense as to charitable or governmental immunity, and

(3) Any issue or defense based on any statute of limitations if suit is instituted within 3 years from the date on which the claimant first knew, or reasonably could have known, of his bodily injury or property damage and the cause thereof, but in no

[1] Although Part 140 does not apply to devices, the reference to "device" is included here so that the complete procedures and criteria will be readily available in one place. Provisions applicable to extraordinary nuclear occurrences involving devices during the course of the contract activity will be included in amendments to 41 CFR, Chapter 9.

[1] Although Part 140 does not apply to devices, the reference to "device" is included here so that the complete procedures and criteria will be readily available in one place. Provisions applicable to extraordinary nuclear occurrences involving devices during the course of the contract activity will be included in amendments to 41 CFR, Chapter 9.

event more than 10 years after the date of the nuclear incident.

The waiver of any such issue or defense shall be effective regardless of whether such issue or defense may otherwise be deemed jurisdictional or relating to an element in the cause of action.

2. The waivers set forth in paragraph 1 above do not apply to

(a) Bodily injury or property damage which is intentionally sustained by the claimant or which results from a nuclear incident intentionally and wrongfully caused by the claimant;

(b) Bodily injury sustained by any claimant who is employed at the site of and in connection with the activity where the extraordinary nuclear occurrence takes place if benefits therefor are either payable or required to be provided under any workmen's compensation or occupational disease law;

(c) Any claim for punitive or exemplary damages, provided, with respect to any claim for wrongful death under any State law which provides for damages only punitive in nature, this exclusion does not apply to the extent that the claimant has sustained actual damages, measured by the pecuniary injuries resulting from such death but not to exceed the maximum amount otherwise recoverable under such law.

3. The waivers set forth in paragraph 1 above shall be effective only with respect to bodily injury or property damage to which the policy applies under its terms other than this endorsement.

Such waivers shall not apply to, or prejudice the prosecution or defense of any claim or portion of claim which is not within the protection afforded under—

(1) The provisions of the policy applicable to the financial protection required of the named insured,

(2) The agreement of indemnification between the named insured and the Atomic Energy Commission made pursuant to section 170 of the Atomic Energy Act of 1954, as amended, and

(3) The limit of liability provisions of subsection 170 e. of the Atomic Energy Act of 1954, as amended.

Such waivers shall not preclude a defense based upon the failure of the claimant to take reasonable steps to mitigate damages.

4. Subject to all of the limitations stated in this endorsement and in the Atomic Energy Act of 1954, as amended, the waivers set forth in paragraph 1 above shall be judicially enforceable in accordance with their terms against any insured in an action to recover damages because of bodily injury or property damage to which the policy applies as proof of financial protection.

5. As used herein:

"Extraordinary nuclear occurrence" means an event which the Atomic Energy Commission has determined to be an extraordinary nuclear occurrence as defined in the Atomic Energy Act of 1954, as amended. "financial protection" and "nuclear incident" have the meanings given them in the Atomic Energy Act of 1954, as amended.

"Claimant" means the person or organization actually sustaining the bodily injury or property damage and also includes his assignees, legal representatives and other persons or organizations entitled to bring an action for damages on account of such injury or damage.

**§ 140.92 [Amended]**

10. Paragraph 2 of Article 1 of § 140.92 Appendix B is amended by changing the words "paragraph 6, Article II," to read "paragraph 8, Article II,".

11. Subparagraph 3(a) and subparagraph 3(b) of Article I of § 140.92 Appendix B are each amended by inserting the words ", including an extraordinary nuclear occurrence," after the word "occurrence" the first time it appears in the subparagraph.

12. Article I of § 140.92 Appendix B is amended by renumbering present paragraphs 4 through 9 as paragraphs 5 through 10, respectively, and by adding a new paragraph 4 to read as follows:

4. "Extraordinary nuclear occurrence" means an event which the Commission has determined to be an extraordinary nuclear occurrence as defined in the Atomic Energy Act of 1954, as amended.

13. Paragraph 1 of Article II of § 140.92 Appendix B is amended by changing the words "subparagraph 4(b), Article I," to read "subparagraph 5(b), Article I,".

14. Article II of § 140.92 Appendix B is amended by renumbering present paragraphs 4 through 7 as paragraphs 6 through 9, respectively, and by adding new paragraphs 4 and 5 to read as follows:

4. With respect to any extraordinary nuclear occurrence to which this agreement applies, the Commission, and the licensee on behalf of itself and other persons idemnified, insofar as their interests appear, each agree to waive—

(a) Any issue or defense as to the conduct of the claimant or fault of persons indemnified, including, but not limited to

(1) Negligence;

(2) Contributory negligence;

(3) Assumption of the risk;

(4) Unforeseeable intervening causes, whether involving the conduct of a third person or an act of God.

As used herein, "conduct of the claimant" includes conduct of persons through whom the claimant derives his cause of action;

(b) Any issue or defense as to charitable or governmental immunity;

(c) Any issue or defense based on any statute of limitations if suit is instituted within 3 years from the date on which the claimant first knew, or reasonably could have known, of his injury or damage and the cause thereof, but in no event more than ten years after the date of the nuclear incident.

The waiver of any such issue or defense shall be effective regardless of whether such issue or defense may otherwise be deemed jurisdictional or relating to an element in the cause of action. The waivers shall be judicially enforceable in accordance with their terms by the claimant against the person indemnified.

5. The waivers set forth in Paragraph 4 of this article—

(a) Shall not preclude a defense based upon a failure to take reasonable steps to mitigate damages;

(b) Shall not apply to injury or damage to a claimant or to a claimant's property which is intentionally sustained by the claimant or which results from a nuclear incident intentionally and wrongfully caused by the claimant;

(c) Shall not apply to injury to a claimant who is employed at the site of and in connection with the activity where the extraordinary nuclear occurrence takes place if benefits therefor are either payable or required to be provided under any workmen's compensation or occupational disease law;

(d) Shall not apply to any claim for punitive or exemplary damages, provided, with respect to any claim for wrongful death under any State law which provides for damages only punitive in nature, this exclusion does not apply to the extent that the claimant has sustained actual damages, measured by the pecuniary injuries resulting from such death but not to exceed the maximum amount otherwise recoverable under such law;

(e) Shall be effective only with respect to those obligations set forth in this agreement;

(f) Shall not apply to, or prejudice the prosecution or defense of, any claim or portion of claim which is not within the protection afforded under (1) the limit of liability provisions under subsection 170e of the Atomic Energy Act of 1954, as amended, and (2) the terms of this agreement and the terms of the nuclear energy liability insurance policy or policies designated in the attachment hereto.

15. Subparagraph 8(d) of Article II of § 140.92 Appendix B is amended by changing the words "paragraph 6, Article II," in both places where they appear to read, "paragraph 8, Article II,".

16. Subparagraph 4(a) and subparagraph 4(b) of Article III of § 140.92 Appendix B are each amended by changing the word "Article" the first time it appears in the subparagraph to read "agreement".

17. Paragraph 7 of Article III of § 140.92 Appendix B is amended by changing the word "Article" to read "agreement".

18. Article VII of § 140.92 Appendix B is amended by changing the words "subparagraph 4(b), Article I" to read "subparagraph 5(b), Article I".

**§ 140.93 [Amended]**

19. Subparagraph 3(a) and subparagraph 3(b) of Article I of § 140.93 Appendix C are each amended by inserting the words "including an extraordinary nuclear occurrence," after the word "occurrence" the first time it appears in the subparagraph.

20. Article I of § 140.93 Appendix C is amended by renumbering present paragraphs 4 through 9 as paragraphs 5 through 10, respectively, and by adding a new paragraph to read as follows:

4. "Extraordinary nuclear occurrence" means an event which the Commission has determined to be an extraordinary nuclear occurrence as defined in the Atomic Energy Act of 1954, as amended.

21. Article II of § 140.93 Appendix C is amended by renumbering present paragraphs 4 through 7 as paragraphs 6 through 9, respectively, and by adding new paragraphs 4 and 5 to read as follows:

4. With respect to any extraordinary nuclear occurrence to which this agreement applies, the Commission, and the licensee on behalf of itself and other persons indemnified, insofar as their interests appear, each agree to waive—

(a) Any issue or defense as to the conduct of the claimant or fault of persons indemnified, including, but not limited to—

(1) Negligence;

(2) Contributory negligence;

(3) Assumption of the risk;

(4) Unforeseeable intervening causes, whether involving the conduct of a third person or an act of God.

As used herein, "conduct of the claimant" includes conduct of persons through whom the claimant derives his cause of action;

(b) Any issue or defense as to charitable or governmental immunity;

(c) Any issue or defense based on any statute of limitations if suit is instituted within 3 years from the date on which the claimant first knew, or reasonably could have known, of his injury or damage and the cause thereof, but in no event more than 10 years after the date of the nuclear incident.

The waiver of any such issue or defense shall be effective regardless of whether such issue or defense may otherwise be deemed jurisdictional or relating to an element in the cause of action. The waivers shall be judicially enforceable in accordance with their terms by the claimant against the person indemnified.

5. The waivers set forth in paragraph 4, of this article—

(a) Shall not preclude a defense based upon a failure to take reasonable steps to mitigate damages;

(b) Shall not apply to injury or damage to a claimant or to a claimant's property which is intentionally sustained by the claimant or which results from a nuclear incident intentionally and wrongfully caused by the claimant;

(c) Shall not apply to injury to a claimant who is employed at the site of and in connection with the activity where the extraordinary nuclear occurrence takes place if benefits therefor are either payable or required to be provided under any workmen's compensation or occupational disease law;

(d) Shall not apply to any claim for punitive or exemplary damages, provided, with respect to any claim for wrongful death under any State law which provides for damages only punitive in nature, this exclusion does not apply to the extent that the claimant has sustained actual damages, measured by the pecuniary injuries resulting from such death but not to exceed the maximum amount otherwise recoverable under such law;

(e) Shall be effective only with respect to those obligations set forth in this agreement and in contracts or other proof of financial protection;

(f) Shall not apply to, or prejudice the prosecution or defense of, any claim or portion of claim which is not within the protection afforded under (1) the limit of liability provisions under subsection 170e, of the Atomic Energy Act of 1954, as amended, and (2) the terms of this agreement and the terms of contracts or other proof of financial protection.

22. Subparagraph 4(a) and subparagraph 4(b) of Article III of § 140.93 Appendix C are each amended by changing the word "Article" the first time it appears in the subparagraph to read "agreement".

23. Paragraph 7 of Article III of § 140.93 Appendix C is amended by changing the word "Article" to read "agreement".

24. Article VII of § 140.93 Appendix C is amended by changing the words "subparagraph 4b, Article I" to read, "subparagraph 5(b), Article I".

§ 140.94 [Amended]

25. Subparagraph 2(a) and subparagraph 2(b) of Article I of § 140.94 Appendix D are each amended by inserting the words ", including an extraordinary nuclear occurrence," after the word "occurrence" the first time it appears in the subparagraph.

26. Article I of § 140.94 Appendix D is amended by renumbering present paragraphs 3 through 8 as paragraphs 4 through 9, respectively, and by adding a new paragraph 3 to read as follows:

3. "Extraordinary nuclear occurrence" means an event which the Commission has determined to be an extraordinary nuclear occurrence as defined in the Atomic Energy Act of 1954, as amended.

27. Article II of § 140.94 Appendix D is amended by renumbering present paragraphs 4 through 7 as paragraphs 6 through 9, respectively, and by adding new paragraphs 4 and 5 to read as follows:

4. With respect to any extraordinary nuclear occurrence to which this agreement applies, the Commission, and the licensee on behalf of itself and other persons indemnified, insofar as their interests appear, each agree to waive—

(a) Any issue or defense as to the conduct of the claimant or fault of persons indemnified, including, but not limited to—

(1) Negligence;

(2) Contributory negligence;

(3) Assumption of the risk;

(4) Unforseeable intervening causes, whether involving the conduct of a third person or an act of God.

As used herein, "conduct of the claimant" includes conduct of persons through whom the claimant derives his cause of action;

(b) Any issue or defense as to charitable or governmental immunity;

(c) Any issue or defense based on any statute of limitations if suit is instituted within 3 years from the date on which the claimant first knew, or reasonably could have known, of his injury or damage and the cause thereof, but in no event more than 10 years after the date of the nuclear incident.

The waiver of any such issue or defense shall be effective regardless of whether such issue or defense may otherwise be deemed jurisdictional or relating to an element in the cause of action. The waivers shall be judicially enforceable in accordance with their terms by the claimant against the person indemnified.

5. The waivers set forth in paragraph 4 of this article—

(a) Shall not preclude a defense based upon a failure to take reasonable steps to mitigate damages;

(b) Shall not apply to injury or damage to a claimant or to a claimant's property which is intentionally sustained by the claimant or which results from a nuclear incident intentionally and wrongfully caused by the claimant;

(c) Shall not apply to injury to a claimant who is employed at the site of and in connection with the activity where the extraordinary nuclear occurrence takes place if benefits therefor are either payable or required to be provided under any workmen's compensation or occupational disease law;

(d) Shall not apply to any claim for punitive or exemplary damages, provided, with respect to any claim for wrongful death under any State law which provides for damages only punitive in nature, this exclusion does not apply to the extent that the claimant has sustained actual damages, measured by the pecuniary injuries resulting from such death but not to exceed the maximum amount otherwise recoverable under such law;

(e) Shall be effective only with respect to those obligations set forth in this agreement;

(f) Shall not apply to, or prejudice the prosecution or defense of, any claim or portion of claim which is not within the protection afforded under (1) the limit of liability provisions under subsection 170e, of the Atomic Energy Act of 1954, as amended, and (2) the terms of this agreement.

28. Article VI of § 140.94 Appendix D is amended by changing the words "subparagraph 3(b), Article I" to read, "subparagraph 4(b), Article I".

§ 140.95 [Amended]

29. Subparagraph 2(a) and subparagraph 2(b) of Article I of § 140.95 Appendix E are each amended by inserting the words ", including an extraordinary nuclear occurrence," after the word "occurrence" the first time it appears in the subparagraph.

30. Article I of § 140.95 Appendix E is amended by renumbering present paragraphs 3 through 8 as paragraphs 4 through 9, respectively, and by adding a new paragraph 3 to read as follows:

3. "Extraordinary nuclear occurrence" means an event which the Commission has determined to be an extraordinary nuclear occurrence as defined in the Atomic Energy Act of 1954, as amended.

31. Article II of § 140.95 Appendix E is amended by designating the present paragraph thereof as paragraph 1 and by adding new paragraphs 2 and 3 to read as follows:

2. With respect to any extraordinary nuclear occurrence to which this agreement applies, the Commission, and the licensee on behalf of itself and other persons indemnified, insofar as their interests appear, each agree to waive—

(a) Any issue or defense as to the conduct of the claimant or fault of persons indemnified, including, but not limited to

(1) Negligence;

(2) Contributory negligence;

(3) Assumption of the risk;

(4) Unforeseeable intervening causes, whether involving the conduct of a third person or an act of God.

As used herein, "conduct of the claimant" includes conduct of persons through whom the claimant derives his cause of action;

(b) Any issue or defense as to charitable or governmental immunity;

(c) Any issue or defense based on any statute of limitations if suit is instituted within 3 years from the date on which the claimant first knew, or reasonably could have known, of his injury or damage and the cause thereof, but in no event more than 10 years after the date of the nuclear incident.

The waiver of any such issue or defense shall be effective regardless of whether such issue or defense may otherwise be deemed jurisdictional or relating to an element in the cause of action. The waivers shall be judicially enforceable in accordance with their terms by the claimant against the person indemnified.

3. The waivers set forth in paragraph 2 of this article—

(a) Shall not preclude a defense based upon a failure to take reasonable steps to mitigate damages;

(b) Shall not apply to injury or damage to a claimant or to a claimant's property which is intentionally sustained by the claimant or which results from a nuclear incident intentionally and wrongfully caused by the claimant;

(c) Shall not apply to injury to a claimant who is employed at the site of and in

connection with the activity where the extraordinary nuclear occurrence takes place if benefits therefor are either payable or required to be provided under any workmen's compensation or occupational disease law;

(d) Shall not apply to any claim for punitive or exemplary damages, provided, with respect to any claim for wrongful death under any State law which provides for damages only punitive in nature, this exclusion does not apply to the extent that the claimant has sustained actual damages, measured by the pecuniary injuries resulting from such death but not to exceed the maximum amount otherwise recoverable under such law;

(e) Shall be effective only with respect to those obligations set forth in this agreement;

(f) Shall not apply to, or prejudice the prosecution or defense of, any claim or portion of claim which is not within the protection afforded under (1) the limit of liability provisions under subsection 170e of the Atomic Energy Act of 1954, as amended, and (b) the terms of this agreement.

32. Subparagraph 4(a) and subparagraph 4(b) of Article III of § 140.95 Appendix E are each amended by changing the word "Article" the first time it appears in the subparagraph to read "agreement."

33. Paragraph 8 of Article III of § 140.95 Appendix E is amended by changing the word "Article" to read "agreement".

34. Article VII of § 140.95 Appendix E is amended by changing the words "subparagraph 3(b), Article I" to read "subparagraph 4(b), Article I".

(Sec. 161, 68 Stat. 948; 42 U.S.C. 2201; sec. 170, 71 Stat. 576; 42 U.S.C. 2210)

Dated at Washington, D.C., this 22d day of October 1968.

For the Atomic Energy Commission.

W. B. McCool,
*Secretary.*

[F.R. Doc. 68-13169; Filed, Oct. 30, 1968; 8:45 a.m.]

# Proposed Rule Making

## DEPARTMENT OF AGRICULTURE

### Consumer and Marketing Service

### [ 7 CFR Part 1004 ]

[Docket No. AO–160–A40]

### MILK IN DELAWARE VALLEY MARKETING AREA

### Notice of Hearing on Proposed Amendments to Tentative Marketing Agreement and Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of a public hearing to be held in the Carlton Room, the Sylvania Hotel, Locust Street at Juniper, Philadelphia, Pa., beginning at 9:30 a.m., on November 7, 1968, with respect to proposed amendments to the tentative marketing agreement and to the order, regulating the handling of milk in the Delaware Valley marketing area.

The public hearing is for the purpose of receiving evidence with respect to the economic and marketing conditions which relate to the proposed amendments, hereinafter set forth, and any appropriate modifications thereof, to the tentative marketing agreement and to the order.

Consideration of proposals No. 3 and No. 4, set forth below, which would modify the treatment of producer-handlers with respect to their source of milk supply, necessarily requires general consideration of the definition and status of producer-handlers under the order. Accordingly, the hearing is opened for any and all proposals relating to the definition and treatment of producer-handlers.

The proposed amendments set forth below, have not received the approval of the Secretary of Agriculture.

Proposed by Inter-State Milk Producers' Cooperative, Inc.:

*Proposal No. 1.*

Add a new paragraph (e) to § 1004.8 *Pool plant*, to read as follows:

**§ 1004.8 Pool plant.**

* * * * *

(e) Any supply plant that was a nonpool plant during any of the months of August through November shall not be a pool plant in any of the immediately following months of March through June in which it was owned by the same handler or affiliate of the handler or by any person who controls or is controlled by the handler.

*Proposal No. 2.*

In § 1004.14 revise paragraph (b) and add a new paragraph (c) to read as follows:

**§ 1004.14 Dairy farmer for other markets.**

* * * * *

(b) Any dairy farmer whose milk is received by a handler at a pool plant during the months of March through August, from a farm which the handler, an affiliate of the handler, or any person who controls or is controlled by the handler, received milk other than as producer milk during any of the preceding months of September through February, unless the handler proves to the market administrator that all of his receipts (or receipts by an affiliate, or person who controls or is controlled by him) of milk from such dairy farm as other than producer milk during the preceding September through February period were neither approved for fluid disposition by a duly constituted health authority nor were disposed of for fluid consumption, or unless the handler proves to the market administrator that during the preceding September through February period the milk of not less than 120 days of production from such dairy farm was received as producer milk at pool plants.

(c) Any dairy farmer who, during the period July through December, stopped delivering milk from his farm to a pool plant, except milk which may be diverted in excess of the volume allowed under § 1004.15 or milk which does not meet the approval of the health authority for disposition in the marketing area and delivers milk from such farm to another nonpool plant during the same period: *Provided*, That such status as "dairy farmer for other markets" shall prevail until June 30 of the following year shall have passed.

*Proposal No. 3.*

Amend § 1004.12 *Producer-handler*, by revising the text preceding the proviso to read as follows:

**§ 1004.12 Producer-handler.**

Producer-handler means any person who operates a dairy farm and distributing plant, and whose full source of supply for Class I milk in his own farm production and transfers from pool plants not operated by a cooperative: * * *

*Proposal No. 4.*

As an alternative to proposal No. 3 make the following amendments:

1. Amend § 1004.12 *Producer-handler*, by revising the text preceding the proviso to read as follows:

**§ 1004.12 Producer-handler.**

Producer-handler means any person who operates a dairy farm and distributing plant and whose full source of supply for Class I milk is his own farm production and transfers from pool plants or a cooperative association qualified as a handler pursuant to § 1004.10(c): * * *

2. In § 1004.30(d) add a new subparagraph (4) to read as follows:

**§ 1004.30 Reports of receipts and utilization.**

* * * * *

(d) * * *

(4) The quantities of skim milk and butterfat delivered to each producer-handler.

3. Amend § 1004.31(e) by changing the cross-reference "§ 1004.10(e)" to "§ 1004.10 (d) or (e)."

4. In § 1004.44 revise paragraph (b) to read as follows:

**§ 1004.44 Transfers.**

* * * * *

(b) As Class I milk, if transferred from a pool plant or delivered by a cooperative-handler to a producer-handler;

*Proposal No. 5.*

In § 1004.41(a) add a new subparagraph (4) to read as follows:

**§ 1004.41 Classes of utilization.**

* * * * *

(a) * * *

(4) Disposed of on routes in the New York-New Jersey, Order 2 marketing area as cream or any mixture of cream with milk or skim milk (except sour cream) for consumption in fluid form.

Proposed by Dairymen's League Cooperative Association, Inc.:

*Proposal No. 6.*

Amend the pool plant definition, § 1004.8(a), so that a distributing plant may qualify as a pool plant on the basis of receipts from a pool supply plant in addition to qualifying upon receipts directly from dairy farmers or from a cooperative association in its capacity as a handler pursuant to § 1004.10(c).

*Proposal No. 7.*

Amend the pool plant definition, § 1004.8(a), so that in determining pool status of a plant, consideration will be given, in addition to route distribution, to packaged fluid milk products transferred to another distributing plant.

*Proposal No. 8.*

Amend the definition of a producer, § 1004.15, to exclude a dairy farmer whose farm is a part of a pool bulk tank unit pursuant to § 1002.25 of Order No. 2.

*Proposal No. 9.*

Amend the definition for a fluid milk product, § 1004.16(a), to include cream.

*Proposal No. 10.*

Delete the base-rating program and its correlating provisions from the order and substitute therefor a seasonal incentive payment plan whereby pool funds are set aside during the months of high production and returned to the pool during the months of low production. The rates to be set aside should be 10 cents per hundredweight in March, 20 cents in April, and 30 cents in May and June. The return to the pool in August should be 25 percent of the total amount set

aside, then 30 percent in both September and October, and 15 percent plus the accumulated interest in November.

Proposed by Eastern Milk Producers Cooperative Association Inc.:

*Proposal No. 11.*

Amend paragraph (b) of § 1004.8 by deleting the last sentence which reads as follows:

However, a supply plant shall not be qualified pursuant to this paragraph in any month in which a greater proportion of its qualifying shipments are made to a plant(s) regulated under another Federal order than to plants regulated under this order.

Proposed by the Dairy Division, Consumer and Marketing Service:

*Proposal No. 12.*

Make such changes as may be necessary to make the entire marketing agreement and the order conform with any amendments thereto that may result from this hearing.

Copies of this notice of hearing and the order may be procured from the Market Administrator, 1528 Walnut Street, Philadelphia, Pa. 19102, or from the Hearing Clerk, Room 112–A, Administration Building, U.S. Department of Agriculture, Washington, D.C. 20250 or may be there inspected.

Signed at Washington, D.C., on October, 28, 1968.

JOHN C. BLUM,
*Deputy Administrator,*
*Regulatory Programs.*

[F.R. Doc. 68–13240; Filed, Oct. 30, 1968; 8:51 a.m.]

# DEPARTMENT OF TRANSPORTATION

## Federal Aviation Administration

## [ 14 CFR Part 21 ]

[Docket No. 9222, Notice 68–27]

## FOREIGN MANUFACTURED PRODUCTS, MATERIALS, PARTS, AND APPLIANCES

### Type Certification and Approval

The Federal Aviation Administration is considering miscellaneous amendments to Part 21 of the Federal Aviation Regulations concerning the certification and approval of aircraft, aircraft engines, propellers, and appliances manufactured in a foreign country and exported to the United States.

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 Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20590. All communications received on or before January 30, 1969, 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 Rules Docket for examination by interested persons.

Present § 21.307(a) provides that any imported material, part, or appliance is considered to meet the requirements for approval in the Federal Aviation Regulations when the country of manufacture certifies that the material, part, or appliance meets those requirements. The FAA has encountered compliance problems with certain of the imported materials, parts, and appliances covered by this provision. Moreover, it is not consistent with the certification requirements applicable to the type certification of import products under § 21.29 of the Federal Aviation Regulations. Therefore, it is proposed to limit the approval under § 21.307 to materials, parts, and appliances manufactured in countries with which the United States has an agreement for the acceptance of those materials, parts, and appliances for export and import.

Section 21.183(c) provides, in pertinent part, that an applicant for an airworthiness certificate for an import aircraft type certificated in accordance with § 21.29 is entitled to that certificate if the country in which the aircraft was manufactured certifies or the Administrator finds that the aircraft conforms to the type design and is in a condition for safe operation. Under § 21.29, aircraft are issued type certificates on the basis of a certification by the country of manufacture that the aircraft has been examined, tested and found to meet the applicable airworthiness requirements. Thus, for import aircraft, the FAA does not necessarily have all the design data with which to make the finding of conformity for the purpose of airworthiness certification. The FAA must, therefore, either look to the certification by the country of manufacture concerning conformity of the aircraft to its type design or independently obtain and evaluate all the necessary design data for the aircraft. This situation has created some misunderstanding on the part of applicants for airworthiness certificates for import aircraft. Therefore, it is proposed to amend § 21.183(c) to make it clear that a certification by the country of manufacture is a necessity in order to obtain an airworthiness certificate for import aircraft.

There are at present no regulatory provisions that speak directly to statements of conformity for engines and propellers imported into the United States that are not attached to an aircraft. A recent amendment to § 21.130 places engines and propellers, generally, within the regulatory ambit governing statements of conformity, but leaves unclear the precise application of the section to import products. Moreover, even assuming its applicability, the requirement of the section that a manufacturer furnish the statement of conformity has not proven satisfactory in connection with import engines and propellers and is not consistent with procedures for certification of conformity of import aircraft required by § 21.183(c). Since engines and propellers come within the definition of "product" and are manufactured under type certificates, reasons exist for imposing upon them procedures for airworthiness approval similar to those for import aircraft. Accordingly, it is proposed to amend § 21.130 to differentiate the statement of conformity requirements for import engines and propellers manufactured in a foreign country with which the United States has an agreement for the acceptance of those products for export and import, from such products manufactured domestically. In the case of such import engines and propellers, the statement of conformity would have to be executed by the country of manufacture.

While the catchline of § 21.29 refers to import products, the text of the rule does not clearly indicate its applicability. The preamble to Civil Air Regulations Part 10 (CAR Part 10), predecessor to § 21.29, stated that those regulations provided for the issuance of type certificates for foreign aircraft and related products under the terms of reciprocal agreements with foreign countries. The preamble further explained that, because of the requirements for a type certificate to precede an airworthiness certificate, the provisions authorizing type certification of aircraft subsequent to being registered in the United States would overcome administrative difficulties in issuing the airworthiness certificates for imported aircraft. Section 21.29 is the recodification of CAR Part 10 and implements in regulatory form, the various bilateral agreements. Inasmuch as there have been requests for type certificates for foreign manufactured aircraft that are not expected to be exported to the United States, the proposed amendment to §21.29 will make it clear that the section is applicable solely to products to be imported into the United States.

The current regulations do not specify the language in which the aircraft flight manuals, placards, listings, and instrument markings for imported products must be presented. Since the manuals, placards, listings, and instrument markings contain the necessary operating limitations applicable to such products, it is proposed to require, as a condition for the issuance of type certificates for foreign products, that all manuals, placards, listings, and instrument markings for products to be type certificated under § 21.29 be presented in the English language.

As a minor editorial change, the FAA proposes to amend § 21.13 so that it conforms with the Federal Aviation Act (section 603(a)(2), 49 U.S.C. 1423(a)(2)), by adding the word "interested" to qualify the person eligible to apply for a type certificate.

In consideration of the foregoing, it is proposed to amend Part 21 of the Federal Aviation Regulations as follows:

1. By amending § 21.13 to read as follows:

**§ 21.13 Eligibility.**

Any interested person may apply for a type certificate.

2. By amending the introductory paragraph of § 21.29(a) and by adding a new subparagraph (3) to § 21.29(a) to read as follows:

**§ 21.29 Issue of type certificate: Import products.**

(a) A type certificate may be issued for a product that is manufactured in a foreign country with which the United States has an agreement for the acceptance of these products for export and import and that is to be imported into the United States—

* * * * *

(3) If the manuals, placards, listings, and instrument markings required by the applicable airworthiness requirements are presented in the English language.

* * * * *

3. By amending § 21.130 to read as follows:

**§ 21.130 Statement of conformity.**

(a) Each holder or licensee of a type certificate only, for a product manufactured in the United States, shall, upon the initial transfer by him of the ownership of such product manufactured under that type certificate, or upon application for the original issue of an aircraft airworthiness certificate or an aircraft engine or propeller airworthiness approval tag (FAA Form 186), give the Administrator a statement of conformity (FAA Form 317). This statement must be signed by an authorized person who holds a responsible position in the manufacturing organization, and must include—

(1) For each product, a statement that the product conforms to its type certificate and is in condition for safe operation;

(2) For each aircraft, a statement that the aircraft has been flight checked; and

(3) For each aircraft engine or variable pitch propeller, a statement that the engine or propeller has been subjected by the manufacturer to a final operational check.

However, in the case of a product manufactured for an Armed Force of the United States, a statement of conformity is not required if the product has been accepted by that Armed Force.

(b) Each holder or licensee of a type certificate for an aircraft engine or propeller manufactured in a foreign country with which the United States has an agreement for the acceptance of those products for export and import, shall furnish with each such aircraft engine or propeller imported into this country, certification by the country of manufacture that the individual aircraft engine or propeller—

(1) Conforms to its type certificate and is in condition for safe operation; and

(2) Has been subjected by the manufacturer to a final operational check.

**§ 21.183 [Amended]**

4. By amending § 21.183(c) by striking out the word "or" after the word "certifies" and inserting the word "and" in place thereof.

5. By amending § 21.307(a) to read as follows:

**§ 21.307 Approval of materials, parts, and appliances: Import.**

(a) A material, part, or appliance, manufactured in a foreign country with which the United States has an agreement for the acceptance of those materials, parts, or appliances for export and import, is considered to meet the requirements for approval in the Federal Aviation Regulations when the country of manufacture certifies that the material, part, or appliance meets those requirements, unless the Administrator finds, based on the technical data submitted under paragraph (b) of this section, that the material, part, or appliance is otherwise not consistent with the intent of the applicable Federal Aviation Regulations.

* * * * *

These amendments are 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).

Issued in Washington, D.C., on October 25, 1968.

EDWARD C. HODSON,
*Acting Director,*
*Flight Standards Service.*

[F.R. Doc. 68-13209; Filed, Oct. 30, 1968; 8:48 a.m.]

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## [ 14 CFR Part 39 ]

[Docket No. 9221]

## AIRWORTHINESS DIRECTIVE

### Vickers Viscount Models 744, 745D, and 810 Series Airplanes

The Federal Aviation Administration is considering amending Part 39 of the Federal Aviation Regulations by adding an airworthiness directive (AD) applicable to Vickers Viscount Models 744, 745D, and 810 Series Airplanes having specified Rotax alternators. In the event of a collapsed bearing in the Rotax alternator, the rubbing of the rotor shaft on the magnesium housing may cause a fire.

The proposed AD would require modifications of the main housing assembly to prevent the fire hazard.

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 Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket GC-24, 800 Independence Avenue SW., Washington, D.C. 20590. All communications received on or before November 29, 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 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 (40 U.S.C. 1354(a), 1421, 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:

VICKERS VISCOUNT. Applies to Vickers Viscount Models 744, 745D, and 810 Series Airplanes in corporating Rotax Alternators N.0501, N.0502, N.0503, N.0505, N.0506, N.0507, N.0509, N.0510, and N.0511 installed on Viscount Models 744, 745D, and 810 Series Airplanes.

Compliance required within the next 1,250 hours' time in service after the effective date of this AD, unless already completed.

To prevent a fire hazard due to rubbing of the rotor shaft on the magnesium housing, in the event of a collapsed bearing, install liner Rotax P/N N.141715/1 in the main housing assembly in accordance with Rotax Modification No. 3599B, dated May 17, 1968, or later ARB-approved issue or an equivalent approved by the Chief, Aircraft Certification Staff, Europe, Africa and Middle East Region.

Issued in Washington, D.C., on October 24, 1968.

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

[F.R. Doc. 68-13210; Filed, Oct. 30, 1968; 8:48 a.m.]

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## Federal Aviation Administration

## [ 14 CFR Part 71 ]

[Airspace Docket No. 68-CE-95]

## CONTROL ZONE AND TRANSITION AREA

### Proposed Alteration

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation Regulations so as to alter the control zone and transition area at Evansville, Ind.

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, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Federal Building, 601 East 12th Street, Kansas City, Mo. 64106. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. 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, Federal Building, 601 East 12th Street, Kansas City, Mo. 64106.

Since designation of the Evansville, Ind., control zone and transition area, the ADF and ILS instrument approach procedures at Dress Memorial Airport, Evansville, Ind., have been slightly modified. In addition, the criteria for designation of transition areas has changed. Accordingly, it is necessary to alter the Evansville control zone and transition area to protect aircraft executing the revised approach procedures and to comply with the new transition area designation criteria.

In consideration of the foregoing, the Federal Aviation Administration proposes to amend Part 71 of the Federal Aviation Regulations as hereinafter set forth:

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

EVANSVILLE, IND.

Within a 5-mile radius of Dress Memorial Airport (latitude 38°02'15" N., longitude 87°32'00" W.); and within 2 miles each side of the Evansville ILS localizer northeast course, extending from the 5-mile radius zone to 1 mile southwest of the OM.

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

EVANSVILLE, IND.

That airspace extending upward from 700 feet above the surface within a 10-mile radius of Dress Memorial Airport (latitude 38°02'15" N., longitude 87°32'00" W.); and within 2 miles each side of the Evansville VORTAC 060° radial, extending from the 10-mile radius area to the VORTAC; and that airspace extending upward from 1,200 feet above the surface bounded by a line beginning at latitude 38°57'00" N., longitude 86°30'00" W., to latitude 37°26'00" N., longitude 86°30'00" W., to latitude 37°17'50" N., longitude 87°18'00" W., to latitude 37°12'50" N., longitude 87°39'30" W., to latitude 37°30'00" N., longitude 88°30'00" W., to latitude 38°39'00" N., longitude 88°30'00" W., to latitude 38°39'00" N., longitude 88°00'00" W., to latitude 38°57'00" N., longitude 88°00'00" W., to point of beginning, excluding the portion which coincides with the Harrisburg, Illinois, transition area.

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

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

EDWARD C. MARSH,
*Director, Central Region.*

[F.R. Doc. 68-13255; Filed, Oct. 30, 1968; 8:52 a.m.]

## [ 14 CFR Part 71 ]

[Airspace Docket No. 68-CE-92]

## TRANSITION AREA

### Proposed Designation

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation Regulations so as to designate a transition area at Charlotte, Mich.

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, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Federal Building, 601 East 12th Street, Kansas City, Mo. 64106. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. 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 proposal 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, Federal Building, 601 East 12th Street, Kansas City, Mo. 64106.

A new public use instrument approach procedure has been developed for the Fitch H. Beach Airport at Charlotte, Mich., utilizing the Lansing, Mich. VOR as a navigational aid. Consequently, it is necessary to provide controlled airspace protection for aircraft executing this new approach procedure by designating a transition area at Charlotte, Mich. The new procedure will become effective concurrently with the designation of the transition area. The Lansing control tower will control IFR air traffic into and out of the Fitch H. Beach Airport.

In consideration of the foregoing, the Federal Aviation Administration proposes to amend Part 71 of the Federal Aviation Regulations as hereinafter set forth:

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

CHARLOTTE, MICH.

That airspace extending upward from 700 feet above the surface within a 6-mile radius of Fitch H. Beach Airport (latitude 42°35'-00" N., longitude 84°49'00" W.); and within 2 miles each side of the Lansing, Mich., VOR 209° radial, extending from the 6-mile radius area to the VOR, excluding the portion which overlies the Lansing, Mich., 700-foot floor transition area.

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

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

EDWARD C. MARSH,
*Director, Central Region.*

[F.R. Doc. 68-13256; Filed, Oct. 30, 1968; 8:52 a.m.]

## [ 14 CFR Part 71 ]

[Airspace Docket No. 68-SO-84]

## CONTROL ZONE AND TRANSITION AREA

### Proposed Alteration

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Charleston, S.C., control zone and transition area.

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

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

The Charleston control zone described in § 71.171 (33 F.R. 2058) would be altered by deleting "* * * within 2 miles each side of the Charleston VORTAC 018° radial, extending from the 5-mile radius zone to 8 miles north of the VOR TAC * * *" and substituting therefor "* * * within 2 miles each side of Charleston VORTAC 018° radial, extending from the 5-mile radius zone to 8 miles north of the VORTAC, within 2 miles each side of Charleston VORTAC 135° radial, extending from the 5-mile radius zone to 5.5 miles southeast of the VORTAC * * *"

The Charleston 700-foot transition area described in § 71.181 (33 F.R. 2137) would be altered by adding "* * * within 2 miles each side of the Charleston VOR TAC 135° radial, extending from the 8-mile radius area to 10 miles southeast of the VORTAC * * *" to the description.

The proposed additional extension to the control zone is required to provide controlled airspace protection for IFR aircraft executing AL-76-VOR/DME-2

instrument approach procedure in descent from 1,000 feet above the surface.

The proposed extension to the 700-foot transition area is required to provide controlled airspace protection for IFR aircraft executing AL–76–VOR/DME–2 instrument approach procedure in descent from 1,500 feet to 1,000 feet above the surface. Coast and Geodetic Survey redefined the final approach radial for this instrument approach procedure from 140° to 135°.

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

Issued in East Point, Ga., on October 22, 1968.

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

[F.R. Doc. 68–13211; Filed, Oct. 30, 1968; 8:48 a.m.]

# CIVIL SERVICE COMMISSION

## [ 5 CFR Part 890 ]

## FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM

### Coverage

Notice is hereby given that under authority of section 8913 of title 5, United States Code, it is proposed to amend Part 890 of Title 5 of the Code of Federal Regulations by revising § 890.102(c)(2) to read as follows:

§ 890.102 Coverage.

* * * * * *

(c) * * *

(2) An employee whose employment is of uncertain or purely temporary duration, or who is employed for brief periods at intervals, and an employee who is expected to work less than 6 months in each year, except an employee who is employed under a cooperative work-study program of at least 1 year's duration which requires the employee to be in pay status during not less than one-third of the total time required for completion of the program.

* * * * *

This proposal would eliminate the requirement as to type of appointment for health benefits coverage of employees under a cooperative work-study program. Interested persons may submit written comments, objections, or suggestions to the Bureau of Retirement and Insurance, U.S. Civil Service Commission, Washington, D.C. 20415, within 30 days of the date of publication of this notice in the FEDERAL REGISTER.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
*Executive Assistant to the Commissioners.*

[F.R. Doc. 68–13217; Filed, Oct. 30, 1968; 8:49 a.m.]

# SECURITIES AND EXCHANGE COMMISSION

## [ 17 CFR Part 270 ]

[Release No. IC–5517]

## ANNUAL CONTINUANCE OF CONTRACTS

### Notice of Proposed Rule Making

Notice is hereby given that the Securities and Exchange Commission has under consideration the adoption of Rule 15a–2 (17 CFR § 270.15a–2) under the Investment Company Act of 1940 ("Act") to specify a method by which the continuance of investment advisory contracts and principal underwriting contracts may be approved "annually" in compliance with the requirements of section 15(a)(2) and section 15(b)(1) of the Act. The proposed rule would be adopted pursuant to the authority granted to the Commission in section 38(a) of the Act.

Section 15(a) of the Act provides that it shall be unlawful for any person to serve or act as investment adviser of a registered investment company, except pursuant to a written contract, which contract, whether with such registered company or with an investment adviser of such registered company, has been approved by the vote of a majority of the outstanding voting securities of such registered company and meets certain other requirements. Section 15(a)(2) of the Act provides, as one such requirement, that the contract shall continue in effect for a period more than 2 years from the date of its execution, only so long as its continuance is specifically approved at least annually by the board of directors or by vote of a majority of the investment company's outstanding voting securities.

Section 15(b) of the Act provides that it shall be unlawful for any principal underwriter for a registered open-end investment company to offer or sell the company's securities except pursuant to a written contract with such company which meets certain requirements. Section 15(b)(1) of the Act provides, as one such requirement, that the contract shall continue in effect for a period more than 2 years from the date of its execution, only so long as its continuance is specifically approved at least annually by the board of directors or by vote of a majority of the investment company's outstanding voting securities.

Section 38(a) of the Act authorizes the Commission to issue such rules as are necessary or appropriate to the exercise of the powers conferred upon the Commission in the Act.

The primary purpose of proposed Rule 15a–2 is to eliminate uncertainty as to when the required approval of the contract must be obtained. The Commission believes that, after the initial 2-year contract period permitted by the Act, the votes of approval ought to be taken at intervals of not more than approximately 1 year and at times when there is meaningful information as to performance over the preceding year on which to base a judgment as to continuing the contract. An additional purpose of the proposed rule is to eliminate certain practices which the Commission, upon the basis of its experience, considers to be contrary to the policy and purposes of section 15 of the Act. One such practice is that of scheduling votes within successive calendar years so that there may be an interval of substantially more than 365 days between them as where votes are scheduled in January of one year and in December of the following year. Another such practice is that of scheduling votes so far in advance of the date on which the continuance of the contract is to take effect that there is no meaningful information on which either the directors or shareholders can base their votes.

Proposed Rule 15a–2 provides that the continuance of a contract shall be deemed to have been approved at least annually if such contract is specifically approved by the board of directors or by vote of a majority of the investment company's outstanding voting securities no later than 15 days after, or no earlier than 60 days prior to, the first anniversary of the date of the last such approval. The proposed rule also provides that the first continuance of a contract shall be deemed to have been approved in compliance with section 15 of the Act if such contract is specifically approved by the board of directors or by vote of a majority of the investment company's outstanding voting securities no later than 15 days after, or no earlier than 60 days prior to, the second anniversary of the date upon which the contract, by its terms, became effective or the date upon which the public shareholders approved the contract, whichever is later.

While compliance with the proposed rule would be deemed to be compliance with section 15(a)(2) or section 15(b)(1) of the Act, it should be noted that the method specified in the proposed rule would not be the exclusive method for complying with the Act. Both section 15(a)(2) and section 15(b)(1) of the Act provide that continuance of a contract must be approved "at least annually." Therefore, Rule 15a–2, which would require votes at intervals of not more than 380 days, would not prohibit votes at more frequent intervals. In this connection, it is recognized that the language of investment advisory and principal underwriting contracts currently in effect varies with respect to the statement of the term of the contract, and it is not contemplated that the proposed rule would require investment companies to amend such existing contracts.

It should also be noted that, with respect to subparagraph (a)(2) of the proposed rule (17 CFR 270.15a–2(a)(2)) concerning the first continuance of a contract, a situation would be possible where a contract might have terminated by its terms, although a subsequent vote approving its continuance complied with the rule. For example, in order to comply

with section 15(a) of the Act, it is usually expected that an investment company, whose private shareholders initially approve an investment advisory contract, will submit the contract to a vote of the company's public shareholders as soon as possible thereafter. In such a situation, where the contract has a stated effective date, the first continuance of the contract would comply with subparagraph (a)(2) of the proposed rule if the contract were approved by the second anniversary date of the public shareholders' approval, even though the contract, by its terms, may have already terminated on the second anniversary date of the contract's stated effective date. Such a result is deemed necessary in order to give effect to the vote of the public shareholders.

The text of the proposed Rule 15a–2 reads as follows:

**§ 270.15a–2 Annual continuance of contracts.**

(a) For purposes of section 15 of the Act, the continuance of a contract, for a period more than 2 years from the date of its execution, shall be deemed to have been approved at least annually, if such contract is specifically approved by the board of directors or by a vote of a majority of the investment company's outstanding voting securities:

(1) No later than 15 days after, or no earlier than 60 days prior to, the first anniversary of the date of the last such approval, or

(2) With respect to the first continuance of a contract, no later than 15 days after, or no earlier than 60 days prior to, the second anniversary of the date upon which such contract by its terms, became effective or of the date upon which the public shareholders approved such contract, whichever is later.

* * * * *

(Sec. 38(a), 54 Stat. 841, 15 U.S.C. 80a–37(a))

All interested persons are invited to submit views and comments on proposed Rule 15a–2. Written statements of views and comments in respect of the proposed rule should be submitted to the Securities and Exchange Commission, Washington, D.C. 20549 on or before November 18, 1968. All such communications will be available for public inspection.

By the Commission.

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

OCTOBER 18, 1968.

[F.R. Doc. 68–13188; Filed, Oct. 30, 1968; 8:46 a.m.]

# Notices

## INTERSTATE COMMERCE COMMISSION

[Notice 1232]

### MOTOR CARRIER, BROKER, WATER CARRIER AND FREIGHT FORWARDER APPLICATIONS

OCTOBER 25, 1968.

The following applications are governed by special rule 1.247[1] of the Commission's general rules of practice (49 CFR, as amended), published in the FEDERAL REGISTER issue of April 20, 1966, effective May 20, 1966. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the FEDERAL REGISTER. Failure 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 section 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.

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

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. 185), filed September 16, 1968. Applicant: GARRETT FREIGHTLINES, INC., 2055 Garrett Way, Pocatello, Idaho 83201. Applicant's representative: Maurice H. Greene, 334 First Security Bank Building, Boise, Idaho 83701. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Explosives, blasting materials, agents, and supplies* (1) between Boise, Idaho, and Portland, Oreg., serving the intermediate points of Nampa, Caldwell, and New Plymouth, Idaho, and Huntington, Baker, Union, La Grange, Pendleton, Vale, Juntura, Burns, and Bend, Oreg., and the off-route points of Weiser and Payette, Idaho, as follows: (a) From Boise over U.S. Highway 30 to Portland; (b) from Boise over Idaho Highway 44 (formerly U.S. Highway 20) to junction U.S. Highway 30, thence over U.S. Highway 30 to Ontario, Oreg., thence over Oregon Highway 201 (formerly U.S. Highway 28) to junction U.S. Highway 20 (formerly U.S. Highway 28) thence over U.S. Highway 20 to Vale, Oreg., thence over U.S. Highway 20 to Bend, Oreg., thence over U.S. Highway 97 to junction U.S. Highway 26 (formerly Oregon Highway 50), and thence over U.S. Highway 26 to Portland; and (c) return from Portland over U.S. Highway 30 to junction Idaho Highway 44 (formerly U.S. Highway 20) thence over either Idaho Highway 44 or U.S. Highway 30 to Boise; (2) between Boise and Ketchum, Idaho, serving the intermediate points of Glenns Ferry, Bliss, Gooding, Shoshone, Richfield, Carey, Picabo, Gannett, Bellevue, Jerome, Hailey, Twin Falls, Buhl, and Hagerman, Idaho; and the off-route points of North Star, the site of the North Star Mine, and Wendell, Idaho, from Boise over U.S. Highway 30 via Bliss, Idaho, to Twin Falls, Idaho, thence over U.S. Highway 93 to junction Idaho Highway 79 (formerly U.S. Highway 93) thence over Idaho Highway 79 to Jerome, Idaho, thence over Idaho Highway 25 (formerly U.S. Highway 93) to junction U.S. Highway 93, thence over U.S. Highway 93 to Shoshone, Idaho (also from Bliss) over U.S. Highway 26 (formerly Idaho Highway 24) to Shoshone, thence over alternate U.S. Highway 93 to Carey, Idaho, thence over Idaho Highway 23 (formerly Idaho Highway 22) to Bellevue, Idaho, and thence over U.S. Highway 93 to Ketchum, and return over these routes.

(3) Between Durango, Colo., and Gallup, N. Mex., from Durango over U.S. Highway 550 to Shiprock, N. Mex., thence over U.S. Highway 666 to Gallup, and return over the same route, serving all intermediate points: (4) between Cortez, Colo., and Gallup, N. Mex., over U.S. Highway 666 serving no intermediate points: (5) From Denver, Colo., to Grand Junction, Colo., serving the intermediate point of Rifle, Colo., restricted to delivery only; and serving the intermediate points of Wheeler and Dowd, Colo., and those on U.S. Highway 6 between Wheeler and Dowd in connection with operations over U.S. Highway 6 from Denver, Colo., to Grand Junction, Colo., as follows: (a) From Denver over U.S. Highway 285 to junction U.S. Highway 24, thence over U.S. Highway 24 to Grand Junction, and return over the same route with no transportation for compensation except as otherwise authorized. (b) From Denver over U.S. Highway 285 to junction Colorado Highway 291 (formerly U.S. Highway 285), thence over Colorado Highway 291 to Salida, Colo., thence over U.S. Highway 50 to Grand Junction, and return over the same route with no transportation for compensation except as otherwise authorized. (c) From Denver over U.S. Highway 85 to Colorado Springs, Colo., thence over U.S. Highway 24 to Grand Junction, and return over the same route with no transportation for compensation except as otherwise authorized. (d) From Denver over U.S. Highway 40 (formerly U.S. Highway 6) to junction U.S. Highway 6 near Idaho Springs, Colo., thence over U.S. Highway 6 to Dowd, Colo., and thence over U.S. Highway 24 to Grand Junction, and return over the same route with no transportation for compensation except as otherwise authorized.

(6) Between Pocatello, Idaho, and San Francisco, Calif., serving the intermediate points of Sacramento, Stockton, Oakland, Berkeley, Alameda, Emeryville, and Richmond, Calif., and those in the States of Nevada and Idaho, as follows: (a) From Pocatello over U.S. Highway 30N to Burley, Idaho, thence over U.S. Highway 30 to Twin Falls, Idaho, thence over U.S. Highway 93 to Wells, Nev., and thence over U.S. Highway 40 via Sacramento, Calif., to San Francisco, and return over the same route (b) from Pocatello to Sacramento, Calif., as specified

above, thence over U.S. Highway 50 via Hayward, Calif., to San Francisco (also from Hayward over unnumbered highway to San Mateo, Calif., thence over U.S. Highway 101 to San Francisco), and return over the same routes. (7) Between Winnemucca, Nev., and Boise, Idaho, serving the intermediate points of McDermitt, Nev., and those in Idaho: (a) from Winnemucca over U.S. Highway 95 via McDermitt, Nev., to junction Idaho Highway 72 (formerly Idaho Highway 20), thence over Idaho Highway 72 to junction U.S. Highway 30, and thence over U.S. Highway 30 to Boise, and return over the same route. (8) Between Winnemucca, Nev., and Ontario, Oreg., serving the intermediate points of McDermitt, Nev., and those in Idaho: From Winnemucca to junction Idaho Highway 72 (formerly Idaho Highway 20) and U.S. Highway 30 as specified above, thence over U.S. Highway 30 to Ontario, and return over the same route. (9) Between Caldwell, Idaho, and junction unnumbered highway and Idaho Highway 72 (formerly Idaho Highway 20), serving all intermediate points: from Caldwell over unnumbered highway to junction Idaho Highway 72 (formerly Idaho Highway 20) and return over the same route.

(10) serving points within 10 miles of Provo, Utah and points within 15 miles of Salt Lake City, Utah, except points on U.S. Highways 89 and 91 north of Salt Lake City, as intermediate and off-route points in connection with carrier's authorized regular-route operations between Salt Lake City, Utah, and Grand Junction, Colo., restricted to shipments moving either to or from points east of Price, Utah, and to shipments of 10,000 pounds or more from a single consignor or to a single consignee within the respective described areas. (11) Serving points in Grand and San Juan Counties, Utah, as off-route points in connection with carrier's authorized regular-route operations between Salt Lake City, Utah, and Grand Junction and Durango, Colo. (12) Serving the off-route points within 10 miles of Gallup, N. Mex., and off-route points within 10 miles of Grand Junction, Colo., in connection with carrier's authorized regular route operations between Salt Lake City, Utah, and Grand Junction, Colo., between Durango, Colo., and Gallup, N. Mex., between Cortez, Colo., and Gallup, N. Mex., and from Denver, Colo., to Grand Junction, Colo., restricted to shipments of 10,000 pounds or more. (13) Between Wells, Nev., and Salt Lake City, Utah: from Wells over U.S. Highway 40 to Salt Lake City, and return over the same route. Service is not authorized to or from intermediate points. (14) Between Ontario, Oreg., and Caldwell, Idaho: from Ontario over U.S. Highway 28 to junction U.S. Highway 20, thence over U.S. Highway 20 to Caldwell and return over the same route. Service is authorized to and from Nyssa, Oreg., as an intermediate point.

(15) Between Boise, Idaho, and junction of U.S. Highway 20 with U.S. Highway 30 at or near Caldwell, Idaho: From Boise over U.S. Highway 20 to junction U.S. Highway 30, and return over the same route. Service is not authorized to or from intermediate points. (16) Serving Vacaville, Pittsburg, Martinez, and Avon, Calif., as intermediate or off-route points in connection with carrier's authorized regular-route operations. (17) Service is authorized to and from the Lucky Peak Damsite, near Boise, Idaho, and the Ticeska Damsite, near Bliss, Idaho, as off-route points in connection with said carrier's otherwise authorized regular route operations to and from Boise and Bliss. (18) Between the townsite of the Calera Mining Co., near Forney, Idaho, and Challis, Idaho: From the said townsite in a southerly direction over an unnumbered highway through Forney to junction U.S. Highway 93, thence over U.S. Highway 93 to Challis, and return over the same route. Service is authorized to and from all intermediate points, and the site of the Blackbird Mine, as an off-route point. (19) Between the townsite of the Calera Mining Co., near Forney, Idaho, and Salmon, Idaho: From the said townsite over an unnumbered highway via Shoup, Idaho, to North Fork, Idaho, thence over U.S. Highway 93 to Salmon, and return over the same route, service is not authorized to or from intermediate points. (20) Service is authorized to and from Palisades Dam Site and points within 5 miles thereof as off-route points in connection with said carrier's presently authorized regular-route operations between Idaho Falls, Idaho, and West Yellowstone, Mont., over U.S. Highway 191.

(21) Service is authorized to and from the C. J. Strike Dam located approximately 20 miles west of Mountain Home, Idaho, and points within 1 mile of said dam as off-route points in connection with applicant's presently authorized regular routes. (22) Between Los Angeles, Calif., and San Francisco, Calif.: From Los Angeles over U.S. Highway 99 to Manteca, Calif., thence over California Highway 128 to junction U.S. Highway 50, thence over U.S. Highway 50 to San Francisco, and return over the same route, as a connecting route for operating convenience only, in connection with carrier's presently authorized regular-route operations to and from Los Angeles and San Francisco, Calif. Service is not authorized to or from intermediate point. Restriction: Service over the above specified connecting route shall be limited to the transportation of traffic originating at, destined to, or interchanged at points in Malheur County, Oreg., or at points on carrier's regular routes east of the Nevada-Utah State line and the Oregon-Idaho State line. (23) Serving Travis Air Force Base, Calif., as an off-route point in connection with authorized regular-route operations, restricted to shipments transported by carrier from or to points outside of California. (24) Service is authorized to and from the Test Site of the U.S. Atomic Energy Commission at or near Mercury, Nev., as an off-route point in connection with carrier's otherwise authorized regular route operations.

(25) From Portland, Oreg., to junction U.S. Highways 26 and 20 east of Vale, Oreg., and south of Ontario, Oreg., serving no intermediate points and serving junction U.S. Highways 26 and 20 for joinder only: Over an alternate route for operating convenience only, from Portland over U.S. Highway 26 to junction U.S. Highway 97 to Madras, Oreg., thence over U.S. Highway 97 to junction U.S. Highway 20 near Bend, Oreg., thence over U.S. Highway 20 to Vale, Oreg., and thence over U.S. Highway 26 to junction U.S. Highway 20 and return over same route with no transportation for compensation on return except as otherwise authorized. (26) Between Butte, Mont., and Great Falls, Mont., with service to and from all intermediate points and the off-route point of Craig, Mont.: From Butte, over U.S. Highway 91 to Great Falls, and return over the same route. (27) Between Las Vegas, Nev., and Henderson, Nev., serving all intermediate points: From Las Vegas over U.S. Highway 95 to Henderson, and return over the same route. (28) From Grand Junction, Colo., to Denver, Colo., serving the intermediate points of Rifle, Glenwood Springs, and Eagle, Colo., for delivery only: From Grand Junction, over U.S. Highway 6 to junction U.S. Highway 40, near Idaho Springs, Colo., thence over U.S. Highway 40 to Denver, and return over the same route. (29) Between Denver, Colo., and Montpelier, Idaho, as an alternate route only, serving no intermediate points: From Denver over U.S. Highway 87 to junction Colorado Highway 14, thence over Colorado Highway 14 to Fort Collins, Colo., thence over U.S. Highway 287 to Rawlins, Wyo., thence over U.S. Highway 30 to junction U.S. Highway 30N, near Little America, Wyo., thence over U.S. Highway 30N to Montpelier, and return over the same route.

(30) Between San Francisco, Calif., and San Jose, Calif., serving all intermediate points: From San Francisco over U.S. Highway 101 and also Bypass U.S. Highway 101 to San Jose, Calif., and return over the same route. (31) Between Oakland, Calif., and San Jose, Calif., serving all intermediate points: From Oakland over California Highway 17 to Milpitas, Calif. (also from junction California Highways 17 and 9, at or near San Leandro, Calif., over California Highway 9 to Milpitas), thence over California Highway 17 to San Jose, and return over the same route. (32) Between Mount Eden, Calif., and San Mateo, Calif., serving no intermediate points: From Mount Eden over appropriate access roads and the San Mateo Bridge to San Mateo, and return over the same route. (33) Between Centerville, Calif., and Palo Alto, Calif., serving no intermediate points: From Centerville over appropriate access roads and the Dumbarton Bridge to Palo Alto, and return over the same route. Restriction: The authority granted herein is restricted to shipments transported by carrier to and from points outside of California. (34) Serving all intermediate points between Cortez, Colo., and Shiprock, N. Mex., over U.S. Highway 666,

and the off-route point of Towaoc, Colo., in connection with carriers regular-route operations between Cortez, Colo., and Gallup, N. Mex. (35) Between Huntington, Oreg., and the Brownlee Dam Site, serving intermediate and off-route points within 5 miles of the dam site: From Huntington over unnumbered highway in a northerly direction to the Brownlee Dam Site, and return over the same route.

(36) Between Baker, Oreg., and the Brownlee Dam Site, serving intermediate and off-route points within 5 miles of the dam site: From Baker over Oregon Highway 86 to Robinette, Oreg., and thence over unnumbered highway in a northerly direction to the Brownlee Dam Site, and return over the same route. (37) Between junction U.S. Highways 30 and 95, near Fruitland, Idaho, and the Brownlee Dam Site, serving intermediate and off-route points within 5 miles of the dam site: From junction U.S. Highways 30 and 95 over U.S. Highway 95 to Cambridge, Idaho, and thence over unnumbered highway in a northwesterly direction to the Brownlee Dam Site, and return over the same route. (38) Between Fruitland, Idaho, and the Brownlee Dam Site, serving intermediate and off-route points within 5 miles of the dam site: From Fruitland over U.S. Highway 95 via Cambridge, Idaho, to Council, Idaho, thence over unnumbered highway in a northwesterly direction to Cuprum, Idaho, and thence over unnumbered highway to the Brownlee Dam Site, and return over the same route. (39) Serving the site of the Glenn L. Martin plant, near Waterton, Colo., as an off-route point in connection with carrier's regular route operations to and from Denver, Colo. (40) Between junction U.S. Highway 20 and Oregon Highway 201 (5 miles south of Ontario, Oreg.), and junction U.S. Highway 95 and Idaho Highway 72 (2 miles west of Marsing, Idaho), serving all intermediate points: From junction U.S. Highway 20 and Oregon Highway 201 (5 miles south of Ontario, Oreg.), over U.S. Highway 20 to Parma, Idaho, thence over U.S. Highway 95 to junction Idaho Highway 72 (2 miles west of Marsing, Idaho), and return over the same route.

(41) Between Nyssa, Oreg., and Caldwell, Idaho, serving all intermediate points: From Nyssa over Oregon Highway 201 to Oregon-Idaho State line, thence over Idaho Highway 19 to Homedale, Idaho, thence over unnumbered highway to junction second unnumbered highway between Caldwell and Idaho Highway 72, thence over second unnumbered highway to Caldwell, and return over the same route. (42) Between Parma, Idaho, and Caldwell, Idaho, serving all intermediate points: From Parma over U.S. Highway 20 to Caldwell, and return over the same route. (43) Between junction U.S. Highway 95 and Idaho Highway 19 (near Wilder, Idaho) and Caldwell, Idaho, serving all intermediate points: From junction U.S. Highway 95 and Idaho Highway 19 (near Wilder, Idaho) over Idaho Highway 19 to Caldwell, and return over the same route. (44) Between junction Idaho Highways 16 and 44 (2 miles east of Star, Idaho) and junction U.S. Highway 30 and Idaho Highway 52 (4 miles east of New Plymouth, Idaho, serving all intermediate points: From junction Idaho Highways 16 and 44 (2 miles east of Star, Idaho) over Idaho Highway 16 to Emmett, Idaho, thence over Idaho Highway 52 to junction U.S. Highway 30 (4 miles east of New Plymouth, Idaho), and return over the same route. (45) Between Weiser, Idaho, and Payette, Idaho, serving all intermediate points: From Weiser over U.S. Highway 30N to Payette, and return over the same route. (46) Between Weiser, Idaho, and Ontario, Oreg., serving all intermediate points: From Weiser over U.S. Highway 30N to junction U.S. Highway 30 in Oregon, thence over U.S. Highway 30 to Ontario, and return over the same route.

(47) Between Payette, Idaho, and junction U.S. Highway 30 and Oregon Highway 90, serving all intermediate points: from Payette over Idaho Highway 52 to the Idaho-Oregon State line, thence over Oregon Highway 90 to junction U.S. Highway 30, and return over the same route. (48) Serving the site of Thiokol Chemical Corp. plant, located approximately 7 miles west of Corinne, Utah, as an off-route point in connection with carrier's authorized regular-route operations over U.S. Highways 191 and 30S between Brigham City and Tremonton, Utah. (49) Between Dove Creek, Colo., and the mine and mill site of the Union Carbide Nuclear Co. near Slick Rock, Colo., serving no intermediate points: From Dove Creek over unnumbered highway to the mine and mill site of Union Carbide Nuclear Co. near Slick Rock, and return over the same route. (50) Between Farmington, N. Mex., and Albuquerque, N. Mex., serving all intermediate points, except Bernalillo, N. Mex., and points on U.S. Highway 85 between Bernalillo and Albuquerque, N. Mex.: From Farmington over New Mexico Highway 17 to junction New Mexico Highway 44, thence over New Mexico Highway 44 to junction U.S. Highway 85, at Bernalillo, N. Mex., and thence over U.S. Highway 85 to Albuquerque, and return over the same route. Restriction: The authority granted herein shall not be combined or joined with any other authority held by carrier for the purpose of serving Albuquerque, N. Mex., in connection with traffic originating at or destined to Ogden or Salt Lake City, Utah.

(51) Serving the mine and plant of the Central Farmers Fertilizer Co., located approximately 8 miles northwest of Georgetown, Idaho, as an off-route point in connection with carrier's regular-route operations between Pocatello and Montpelier, Idaho. (52) Serving the site of the Little Mountain, Utah Production Testing Facility of the Marquardt Aircraft Co. plant approximately 11 miles west of Ogden, Utah, as an off-route point in connection with carrier's authorized regular route operations over U.S. Highway 91. (53) Between Portland, Oreg., and Vancouver, Wash., serving no intermediate points: From Portland over U.S. Highway 99 to Vancouver, and return over the same route. (54) Serving the Navajo Dam site, near Blanco, N. Mex., and points in Rio Arriba County, N. Mex., within 10 miles of site, as off-route points in connection with carrier's regular route operations between Durango, Colo., and Gallup, N. Mex. (55) Serving intercontinental ballistic missile testing and launching sites, and supply points therefor located in Weld, Washington, Lincoln, Gilpin, Jefferson, Adams, Morgan, Arapahoe, Elbert, Douglas, El Paso, Larimer, Teller, Park, Clear Creek, and Boulder Counties, Colo., as off-route points in connection with carrier's authorized regular route operations, to, from, or through Denver, Colo. (56) Between Valier, Mont., and junction unnumbered highway and U.S. Highway 91, serving all intermediate points; and off-route points within 10 miles of Valier, Mont., and points within 1 mile of the below specified routes: (a) From Valier over unnumbered highway to junction U.S. Highway 91, 9 miles north of Conrad, Mont., and return over the same route. (b) From Valier over unnumbered highway to junction U.S. Highway 91, 5 miles north of Conrad, Mont., and return over the same route.

(57) Between Great Falls, Mont., and Browning, Mont., serving all intermediate points: From Great Falls over combined U.S. Highways 89 and 91 to Vaughn, Mont., thence over U.S. Highway 89 to Browning, and return over the same route. (58) Between Great Falls, Mont., and Shelby, Mont., serving all intermediate points: (59) Between Great Falls, Mont., and junction U.S. Highway 89 and Montana Highway 20 (Lange's Corner, Mont.) for the purpose of joinder only at Great Falls, Mont., and the junction of U.S. Highway 89 and Montana Highway 20, in connection with carrier's regular route operating between Great Falls, Mont., and Browning, Mont., over U.S. Highway 89, and between Great Falls, Mont., and Sweetgrass, Mont., over U.S. Highway 91, serving no intermediate points: From Great Falls over combined U.S. Highways 89 and 91 to junction of said highways at or near Vaughn, Mont., and thence over U.S. Highway 89 to junction Montana Highway 20, and return over the same route. (60) Serving points in the Minneapolis-St. Paul, Minn., commercial zone, as defined by the Commission, and also Chemolite (formerly Scotchlite), Minn., as intermediate or off-route points in connection with carrier's otherwise authorized regular-route operations to or from Minneapolis and St. Paul, restricted to the transportation of such commodities as carrier is otherwise authorized to transport to or from Minneapolis or St. Paul, over regular routes. (61) Serving the Canyon Ferry Dam Site, Mont. (approximately 18 miles east of Helena, Mont.), as an off-route point in connection with carrier's authorized regular-route operations between Helena and Three Forks, Mont.

(62) Serving West Fargo and Southwest Fargo, N. Dak., as off-route and intermediate points, respectively, in

connection with carrier's otherwise authorized regular-route operations, (63) Serving the site of the Waldorf Paper Products Co. plant, at or near Schilling, Mont., approximately 12 miles west of Missoula, Mont., as an off-route points operations between St. Paul, Minn., and Missoula, Mont. (64) Between Billings, Mont., and St. Paul, Minn., serving the intermediate points of Minneapolis, Minn., and Bismarck, N. Dak., and points between Billings, Mont., and Bismarck, N. Dak., without restriction, and Fargo, N. Dak., restricted to traffic moving to or from Billings, and the said intermediate points in Montana; and serving the intermediate and off-route points of West Fargo and Southwest Fargo, N. Dak., restricted against commodities in bulk. (a) From Billings over U.S. Highway 10 via Fargo, N. Dak., and Motley, Anoka, and Minneapolis, Minn., to St. Paul, Minn., and return over the same route. (b) From Billings to Fargo as specified above, thence over U.S. Highway 52 via Evansville, Minn., to Minneapolis, Minn., and thence over city streets to St. Paul, and return over the same route. (c) From Billings to Anoka as specified above, thence over U.S. Highway 169 to Minneapolis, Minn., and thence to St. Paul as specified above, and return over the same route. (d) From Billings to Fargo as specified above, thence over U.S. Highway 52 to junction U.S. Highway 59, thence over U.S. Highway 59 to Elbow Lake, Minn., thence over Minnesota Highway 79 to Evansville, Minn., and thence to St. Paul as specified above, and return over the same route.

(65) Between Butte, Mont., and Billings, Mont., serving all intermediate points: From Butte over U.S. Highway 10 (a portion formerly U.S. Highway 10S) via Whitehall and Three Forks, Mont., to Billings, and return over the same route. (66) Between Helena, Mont., and junction Montana Highway 287 and U.S. Highway 10 (formerly shown as Montana Highway 287 (formerly shown west of Three Forks, Mont., serving all intermediate points: From Helena over Montana Highway 287 (formerly shown as Montana Highway 10N) to junction U.S. Highway 10 (formerly shown as Montana Highway 10S), just west of Three Forks, and return over the same route. (67) Between Fargo, N. Dak., and Moorhead, Minn., serving no intermediate points: From Fargo over U.S. Highway 10 to Moorhead, and return over the same route. Restriction: The service authorized immediately above is restricted to traffic moving to or from Billings, Mont., or to or from points in Montana east of Billings on U.S. Highway 10. (68) Between Helena, Mont., and Garrison, Mont., serving all intermediate points: From Helena over U.S. Highway 12 (formerly portion U.S. Highway 10N) to Garrison, and return over the same route. (69) Between Missoula, Mont., and Spokane, Wash., serving all intermediate points: From Missoula over U.S. Highway 10 to Spokane, and return over the same route. Restriction: The authority granted in the two paragraphs next above is subject to the restriction that at intermediate points in Idaho no service will be rendered on shipments moving to or from Spokane, Wash.

(70) Serving the Ice Harbor Dam Site, near Pasco, Wash., and points within 15 miles thereof, as intermediate and off-route points in connection with carrier's authorized regular-route operations between Seattle, Wash., and the junction of U.S. Highways 410 and 730 at or near Wallula, Wash., and between Portland, Oreg., and Spokane, Wash. (71) Serving Ford, Wash., as an off-route points in connection with carrier's authorized regular-route operation. (72) Between Milton, Oreg., and Pendleton, Oreg., serving all intermediate points and the off-route point of the U.S. Army Air Base, approximately 2 miles northwest of Pendleton, from Milton over Oregon Highway 11 to Pendleton, and return over the same route. (73) Between Spokane, Wash., and Bonners Ferry and Spirit Lake, Idaho, (a) from Spokane over U.S. Highway 195 to Priest River, Idaho, thence over U.S. Highway 2 (formerly portion U.S. Highway 195) to Sandpoint, Idaho, thence over U.S. Highway 95 to Bonners Ferry, and return over the same route. (b) From Spokane over U.S. Highway 10 to junction unnumbered highway approximately 1 mile west of the Washington-Idaho State Line, thence over unnumbered highway to junction U.S. Highway 95, and thence over U.S. Highway 95 to Bonners Ferry, and return over the same route. (c) From Spokane over Washington Highway 2H via Otis Orchards, Wash., to junction U.S. Highway 10, thence over U.S. Highway 10 to Coeur D'Alene, Idaho, and thence over U.S. Highway 95 to Bonners Ferry, and return over the same route.

(d) From Spokane to Otis Orchards as specified above, thence over unnumbered highway to the Washington-Idaho State line, thence over Idaho Highway 53 to Rathdrum, Idaho, thence over unnumbered highway to Corbin, Idaho, and thence over U.S. Highway 95 to Bonners Ferry, and return over the same route. (e) From Spokane to Rathdrum as specified above, thence over Idaho Highway 41 to Spirit Lake; and return over the same route. Serving all intermediate points on the five routes specified next above, except that service is not authorized between Spokane, on the one hand, and, on the other, points between and including Post Falls, and Coeur d'Alene, Idaho; and between Spokane, on the one hand, and on the other, points between Spokane and Newport, Wash., including Newport; and the off-route points of Kootenai, Nordman, Coolin, Copeland, Porthill, Bayview and Belmont, Idaho. (74) Between Umatilla, and Cold Springs, Oreg., and Westland, Oreg., serving the intermediate and off-route points of Hermiston, U.S. Ordnance Depot, and U.S. Munitions Dump near Hermiston and Westland, Oreg.; (a) from Umatilla over unnumbered highway (formerly U.S. Highway 30) to Hermiston, Oreg., thence over Oregon Highway 207 to Westland, and return over the same route. (b) From Cold Springs over Oregon Highway 207 to Westland, and return over the same route. Restriction: The service authorized immediately above is subject to the condition that no traffic moving to or from points on the carrier's route over U.S. Highway 30 west of Umatilla, Oreg., shall be transported over the immediately above-specified routes between Umatilla and Cold Springs, Oreg., and Westland, Oreg. (75) Serving Chelatchie Prairie, Wash., as an off-route point in connection with carrier's authorized regular-route operations between Portland, Oreg., and Bellingham, Wash., restricted against the transportation of any shipments moving to, or through Portland, Oreg.

(76) Between Portland, Oreg., and Bellingham, Wash., serving the off-route point to St. Clair, Wash.: From Portland over U.S. Highway 99 to Olympia, Wash., thence over unnumbered highway via Lacey, Union Mills and Nisqually to Du Pont, Wash., thence over U.S. Highway 99 to Bellingham, and return over the same route. (77) Between Vancouver, Wash., and Camas, Wash.: From Vancouver over U.S. Highway 830 to Camas, and return over the same route. (78) Between Toledo, Wash., and Bay Center, Wash.: From Toledo over unnumbered highway (formerly portion U.S. Highway 99) to junction U.S. Highway 99, thence over U.S. Highway 99 to junction Washington Highway 12E, thence west over Washington Highway 12E via Winlock, Wash., to Chehalis, Wash., thence over Washington Highway 12 to Raymond, Wash., thence over U.S. Highway 101 to South Bend, Wash., thence over unnumbered highway to Bay Center, and return over the same route. (79) Between Castle Rock, Wash., and Ryderwood, Wash.: From Castle Rock over U.S. Highway 99 to junction unnumbered highway, thence over unnumbered highway via Olequa, Wash., to junction Washington Highway 1P, thence over Washington Highway I–P to Ryderwood, and return over the same route. (80) Between Grand Mound, Wash., and Raymond, Wash.: From Grand Mound over Washington Highway 9 to junction U.S. Highway 410, thence over U.S. Highway 410 to Aberdeen, Wash., thence south over U.S. Highway 101 to Raymond, and return over the same route.

(81) Between Grand Mound, Wash., and Hoquiam, Wash.: From Grand Mound over route specified immediately above to Aberdeen, Wash., thence over U.S. Highway 410 to Hoquiam, and return over the same route. (82) Between Tenino, Wash., and Tacoma, Wash.: From Tenino over unnumbered highway (formerly portion U.S. Highway 99) to junction Washington Highway 5H, thence over Washington Highway 5H via Rainier, McKenna, and Roy, Wash., to junction Washington Highway 5, thence over Washington Highway 5 to Tacoma, and return over the same route. (83) Between Olympia, Wash., and Hoodsport, Wash.: From Olympia over U.S. Highway 410 to junction U.S. Highway 101, thence over U.S. Highway 101 to Hoodsport, and return over the same route. (84) Between Tacoma, Wash., and Seattle, Wash.: From Tacoma over U.S. Highway 410 to Sumner, Wash., thence over

Washington Highway 5 via Auburn, Wash., to Renton, Wash., thence over Washington Highway 5 to Seattle (also from Renton over Washington Highway 2 to Seattle), and return over the same routes. (85) Between Seattle, Wash., and Everett, Wash.: From Seattle over Washington Highway 2 to Bothell, Wash., thence over Washington Highway 2J (formerly Washington Highway 2A) to Everett, and return over the same route. (86) Between Mount Vernon, Wash., and Bellingham, Wash., from Mount Vernon over U.S. Highway 99 to junction Washington Highway 1G, thence over Washington Highway 1G via Clearlake, Wash., to Sedro Woolley, Wash., thence over Washington Highway 1A to Deming, Wash., thence over Washington Highway 1 to Bellingham, and return over the same route.

(87) Between Bellingham, Wash., and Lynden, Wash.: From Bellingham over U.S. Highway Alternate 99 to junction unnumbered highway, thence east over unnumbered highway to Lynden, and return over the same route. (88) Between Montesano, Wash., and Cosmopolis, Wash.: From Montesano over Washington Highway 9 via Melbourne, Wash., to Cosmopolis, and return over the same route. (89) Between Olympia, Wash., and Elma, Wash.: From Olympia over U.S. Highway 410 to Elma, and return over the same route. (90) Between Shelton, Wash., and Matlock, Wash.: From Shelton over unnumbered highway to Matlock, and return over the same route. Serving all intermediate points, and the off-route points of Paine Field, Wash., except that no service is authorized between Portland, Oreg., on the one hand, and, on the other, Vancouver and Camas, Wash., and intermediate points between Portland, Vancouver, and Camas, in connection with the above-specified routes. (91) Between Olympia, Wash., and Du Pont, Wash., serving all intermediate points: From Olympia over U.S. Highway 99 to Du Pont, and return over the same route. (92) Between Vancouver, Wash., and Tumwater, Wash., serving all intermediate points: From Vancouver over U.S. Highway 99 to Tumwater, and return over the same route. (93) Between Missoula, Mont., and Kalispell, Mont., serving all intermediate points, and the off-route point of Charlo, Mont.: From Missoula over U.S. Highway 93 to Kalispell, and return over the same route. (94) Between West Yellowstone, Mont., and Bozeman, Mont., as an alternate route for operating convenience only in connection with carrier's authorized regular route operations, serving no intermediate points (except traffic originating at or destined to points in Yellowstone National Park, on the one hand, and, on the other, points located on U.S. Highway 10 between Butte and Billings, Mont., both inclusive): from West Yellowstone over U.S. Highway 191 to Bozeman, and return over the same route.

(95) Serving the mine site of the Monsanto Chemical Corp. near Soda Springs, Idaho, as an off-route point in connection with carrier's presently authorized regular route between the junction of U.S. Highways 91 and 30N near McCammon, Idaho, and Paris, Idaho. (96) Between Salmon, Idaho, and Missoula, Mont., as an alternate route for operating convenience only, serving no intermediate points, with service at the termini for joinder only: From Salmon over U.S. Highway 93 to Missoula, and return over the same route. (97) Serving the site of Lower Monumental Dam, located on the Snake River about 10 miles downstream from Ayer, Wash., and points within 15 miles of said dam, as off-route points in connection with carrier's authorized regular route operations. (98) Between Riverside, Calif., and junction Colorado Highway 40 and U.S. Highway 666, approximately 20 miles south of Cortez, Colo.; from Riverside, Calif., over U.S. Highway 60 to junction Arizona Highway 71 at Aguila, Ariz., thence over Arizona Highway 71 to junction U.S. Highway 89 to Congress, Ariz., thence over 89 to junction U.S. Alternate Highway 89 to Entro, Ariz., thence over U.S. Alternate Highway 89 to Flagstaff, Ariz., thence over U.S. Highway 89 to junction Arizona Highway 64, approximately 15 miles north of Cameron, Ariz., thence over Arizona Highway 64, also designated officially as Navajo Trail No. 1, to Teec Nos Pos, Ariz., thence over Arizona Highway 364 to the Arizona-Colorado State line, and thence over Colorado Highway 40 to junction U.S. Highway 666, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only in connection with carrier's authorized regular route operations, restricted against traffic moving from, to, or through Gallup or Albuquerque, N. Mex.

(99) Between the junction of Montana Highway 20 and U.S. Highway 10 near Milltown, Mont., and the junction of Montana Highway 20 and U.S. Highway 89 near Vaughn, Mont., in connection with carrier's authorized regular-route operations, serving no intermediate points; as an alternate route for operating convenience only, from Junction Montana Highway 20 and U.S. Highway 10 near Milltown, over Montana Highway 20 to junction U.S. Highway 89 near Vaughn, and return over the same route. (100) Serving Conda, Idaho, as an off-route point in connection with carrier's regular route operations between Pocatello and Montpelier, Idaho. (101) Between Paris, Idaho, and Randolph, Utah, serving all intermediate points and the off-route point of the Utah Power & Light Co. Pumping Plant near St. Charles, Idaho: From Paris over U.S. Highway 89 to junction Utah Highway 16 (formerly Utah Highway 3), thence over Utah Highway 16 to Randolph, and return over the same route. (102) Between Yakima, Wash., and Zillah, Wash., serving the intermediate points of Donald, Sawyer, and Buena, Wash.: From Yakima over U.S. Highway 410 to Zillah and return over the same route. (103) Between Yakima, Wash., and Toppenish, Wash., serving the intermediate points of Union Gap, Parker, and Wapato, Wash., from Yakima over Washington Highway 3A to Toppenish and return over the same route. (104) Serving the Spangler Dam Project located approximately 14 miles north of Weiser, Idaho, and 1 mile west of U.S. Highway 95, as an off-route point in connection with carrier's regular route operations between Boise, Idaho, and Portland, Oreg., over U.S. Highway 30.

(105) Serving the terminal site of Spector Freight System, Inc., located on Minnesota Highway 49 in Eagan Township, Dakota County, Minn., approximately one-half mile south of the junction of Minnesota Highways 49 and 55, as an off-route point in connection with carrier's authorized regular route operations. (106) Serving the El Paso National Gas Co. mine site about 16 miles east of Weiser, Idaho, as an off-route point, in connection with its otherwise authorized regular route operations. (107) Between Portland, Oreg., and Tacoma, Wash., serving Olympia, Wash., as an intermediate point and the plantsite of Hercules, Inc., near Tenino, Wash., from Portland over U.S. Highway 99 to Tacoma; and return over the same route. (11) Serving all points not on applicant's regular routes located in California, Nevada, Utah, Colorado, New Mexico, Idaho, Oregon, Washington, Montana, North Dakota, and Minnesota, as off-route points in connection with applicant's regular route operations. NOTE: Applicant states it presently holds regular route authority over the same routes and serving the same points in the transportation of commodities under the generic term of "general commodities" with certain exceptions among which also excluded classes A and B explosives which embraces the commodity description sought in the instant application. Applicant further states that no duplicating authority is sought. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 921 (Sub-No. 16), filed October 3, 1968. Applicant: DEAN TRUCK LINE, INC., Post Office Drawer 32, Fulton Drive, Corinth, Miss. 38834. Applicant's representative: James W. Wrape, 2111 Sterick Building, Memphis, Tenn. 38103. 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, to serve the plantsite of Ford Motor Co., at the intersection of Westport Road and Murphy Lane, Jefferson County, near Louisville, Ky., as an off-route point in connection with applicant's presently authorized regular route into and out of Louisville, Ky. NOTE: If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 2229 (Sub-No. 148), filed October 1, 1968. Applicant: RED BALL MOTOR FREIGHT, INC., 3177 Irving Boulevard, Post Office Box 47407, Dallas, Tex. 75247. Applicant's representative: Jerry Prestridge, Post Office Box 47407, Dallas, Tex. 75247. Authority sought to operate as a *common carrier*, by motor

vehicle, over regular routes, transporting: *General commodities* (except household goods as defined by the Commission, classes A and B explosives, commodities in bulk, and commodities which because of size and weight require the use of special equipment), serving the plantsite of Pineville Kraft Corp., near Pineville, La., as an off-route point in connection with carrier's presently authorized regular route operation. NOTE: If a hearing is deemed necessary, applicant requests it be held at Alexandria, New Orleans, or Shreveport, La.

No. MC 2860 (Sub-No. 41), filed October 11, 1968. Applicant: NATIONAL FREIGHT, INC., 57 West Park Avenue, Vineland, N.J. 08360. Applicant's representative: Alexander Markowitz (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building construction wall sections, doors, sash or window frames, sliding doors, frames or members, and fittings or hardware assembly*, between Medley and Miami, Fla., and points in Connecticut, New Jersey and New York. NOTE: Applicant states joinder is possible, but not intended at this time. If a hearing is deemed necessary, applicant requests it be held at Miami, Fla., or Washington, D.C.

No. MC 2860 (Sub-No. 42), filed October 14, 1968. Applicant: NATIONAL FREIGHT, INC., 57 West Park Avenue, Vineland, N.J. Applicant's representative: Alvin Altman, 1776 Broadway, New York, N.Y. 10019. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned, preserved or prepared foodstuffs*, except commodities in bulk, (1) from Atlanta, Ga., to points in Kentucky, North Carolina, South Carolina, and Tennessee, and (2) between Atlanta, Ga., on the one hand, and, on the other, points in Florida. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., Philadelphia, Pa., or Washington, D.C.

No. MC 2860 (Sub-No. 43), filed October 14, 1968. Applicant: NATIONAL FREIGHT, INC., 57 West Park Avenue, Vineland, N.J. 08360. Applicant's representative: Alvin Altman, 1776 Broadway, New York, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, except commodities in bulk, from points in Cook and Lake Counties, Ill., to points in Alabama, Connecticut, Delaware, Florida, Georgia, Kentucky, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Virginia, West Virginia, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., Washington, D.C., or Philadelphia, Pa.

No. MC 4575 (Sub-No. 2), filed October 8, 1968. Applicant: JOHN E. BRUNER AND JOHN P. BRUNER, a partnership, doing business as BRUNER TRANSFER, 1545 Henry Avenue, Beloit, Wis. 53511. Applicant's representative: John L. Bruemmer, 121 West Doty Street, Madison, Wis. 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Engine parts and accessories, including motors and compressors*, in emergency shipments of 10,000 pounds or less, from Beloit, Wis., to points in Arizona, Illinois, Indiana, Kansas, Louisiana, Massachusetts, South Dakota, and Texas, restricted to shipments originating at the plantsites and storage facilities of Fairbanks Morse, Inc., Power Systems Division, at Beloit, Wis. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Madison, Wis.

No. MC 5470 (Sub-No. 46), filed October 8, 1968. Applicant: TAJON, INC., Rural Delivery 5, Mercer, Pa. 16137. Applicant's representative: Donald E. Cross, 917 Munsey Building, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum dross and aluminum scrap* in dump vehicles, (1) from points in Michigan and Indiana to Akron, Ohio, and points in Tuscarawas County, Ohio, and (2) from Frederick, Md., to Akron, Ohio, and points in Tuscarawas County, Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washintgon, D.C., or Cleveland, Ohio.

No. MC 11220 (Sub-No. 112), filed October 9, 1968. Applicant: GORDONS TRANSPORTS, INC., 185 West McLemore Avenue, Memphis, Tenn. 38102. Applicant's representative: James W. Wrape, 2111 Sterick Building, Memphis, Tenn. 38102. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between Cullman, Ala., and Jackson, Miss., from Cullman over U.S. Highway 31 and/or Interstate Highway 65 to Birmingham, Ala., thence over U.S. Highway 11 and/or Interstate Highway 59 to Meridian, Miss., thence over U.S. Highway 80 and/or Interstate Highway 20 to Jackson and return over the same route, serving the intermediate point of Meridian, Miss., for purposes of joinder only in connection with carrier's authorized regular route authority, and (2) between junction U.S. Highways 11 and 190 near Slidell, La., and Baton Rouge, La., from the junction of U.S. Highway 11 and U.S. Highway 190 near Slidell, La., over U.S. Highway 190 to Baton Rouge and return over the same route, serving no intermediate points and serving the junction of U.S. Highways 11 and 190 for purposes of joinder only in connection with carrier's authorized regular route authority. Restriction: Any authority granted as the result of this application is to be restricted to the transportation of traffic moving from, to or through Cullman, Ala., and is to be further restricted against the handling of any traffic originating at, destined to, or interchanged at Birmingham, Ala., or points in its commercial zone. NOTE: If a hearing is deemed necessary, applicant requests it be held at New Orleans or Baton Rouge, La.

No. MC 13806 (Sub-No. 31), filed October 9, 1968. Applicant: VIRGINIA HAULING COMPANY, a corporation, Post Office Box 9525, Richmond, Va. 23228. Applicant's representative: Daniel B. Johnson, Perpetual Building, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Composition building board*, from plantsite and warehouses of Southern Johns Manville Corp. at or near Jarratt, Va., to points in Connecticut, Massachusetts, and Rhode Island. NOTE: Applicant states that no duplicating authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Richmond, Va.

No. MC 13806 (Sub-No. 32), filed October 9, 1968. Applicant: VIRGINIA HAULING COMPANY, Post Office Box 9525, Richmond, Va. 23228. Applicant's representative: Daniel B. Johnson, Perpetual Building, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *New furniture* in boxes, crates, or other containers, from Richmond, Va., and the plant and warehouse facilities of Kenlea Craft, Inc., at Kenbridge, Va., to points in Maryland, Pennsylvania, West Virginia, Ohio, New Jersey, Connecticut, Delaware, Rhode Island, Massachusetts, and the District of Columbia, and (2) *damaged shipments of new furniture and materials and supplies used in the manufacture of furniture* (except in bulk), from points in Maryland, Pennsylvania, West Virginia, Ohio, New Jersey, New York, Connecticut, Delaware, Rhode Island, Massachusetts, and the District of Columbia to Richmond, Va., and the plant and warehouse facilities of Kenlea Craft, Inc., at Kenbridge, Va. NOTE: If a hearing is deemed necessary, applicant requests it be held at Richmond, Va.

No. MC 13806 (Sub-No. 33), filed October 9, 1968. Applicant: VIRGINIA HAULING COMPANY, a corporation, Post Office Box 9525, Richmond, Va. 23228. Applicant's representative: Daniel B. Johnson, Perpetual Building, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Fabricated steel beams, channels, liner plates, steel rods, bolts*, and *nuts*, and (2) *boiler or tank heads or ends*, from Youngstown, Ohio, to points in Florida, Georgia, Kentucky, Maryland, North Carolina, South Carolina, Tennessee, Virginia, West Virginia, and the District of Columbia. NOTE: Applicant states no duplicating authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Richmond, Va.

No. MC 17211 (Sub-No. 8), filed October 14, 1968. Applicant: JESCO MOTOR EXPRESS, INC., 139 Columbus Road, Mount Vernon, Ohio 43050. Applicant's representative: A. Charles Tell, 100 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular

routes, transporting: *Pulpboard and pulpboard products; fiberboard and fiberboard products; paper and wastepaper; and machinery, equipment, materials, and supplies* used in manufacturing and shipping the above named commodities, between Mount Vernon, Ohio, on the one hand, and, on the other, points in Illinois, Indiana, Iowa, Kentucky, Michigan, Missouri, Pennsylvania, and West Virginia, under contract with Weyerhaeuser Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 19227 (Sub-No. 131), filed October 8, 1968. Applicant: LEONARD BROS. TRUCKING CO., INC., 2595 Northwest 20th Street, Miami, Fla. 33152. Applicant's representative: J. Fred Dewhurst (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Airline ground support equipment*, from points in Leavenworth County, Kans.; points in Platte and Jackson Counties, Mo.; Salinas, Calif., and Stamford, Conn., to points in the United States (except Alaska and Hawaii). NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 27817 (Sub-No. 79), filed October 16, 1968. Applicant: H. C. GABLER, INC., Rural Delivery No. 3, Chambersburg, Pa. 17201. Applicant's representative: Christian V. Graf, 407 North Front Street, Harrisburg, Pa. 17101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in by wholesale, retail, and chain grocery and food business houses*, between points in Camp Hill and Mechanicsburg Boroughs, and points in Hampden and Silver Spring Townships, Cumberland County, Pa., on the one hand, and, on the other, points in Delaware, Maryland, New Jersey, New York, Virginia, West Virginia, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Harrisburg, Pa.

No. MC-31389 (Sub-No. 105), filed October 10, 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, (1) between Albany, N.Y., and Pittsfield, Mass.: (a) From Albany, over U.S. Highway 20 to Pittsfield, Mass., and return over the same route; (b) From Albany, over New York Highway 2 via Troy, N.Y., to the Massachusetts State line, thence over Massachusetts Highway 2 to junction U.S. Highway 7, and thence over U.S. Highway 7 to Pittsfield, Mass., and return over the same route; (2) between Albany, N.Y., and Lee, Mass.: (a) From Albany over Interstate Highway 87 to junction Interstate Highway 90, thence over Interstate Highway 90 to Lee and return over the same route; (b) From Albany over Interstate Highway 90 to Lee and return over the same route, serving points in Berkshire County, Mass., as intermediate or off-route points in connection with routes 1(a), 1(b), 2(a), and 2(b). NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 41406 (Sub-No. 23), filed October 18, 1968. Applicant: ARTIM TRANSPORTATION SYSTEM, INC., 7105 Kennedy Avenue, Hammond, Ind. 46323. Applicant's representative: Walter F. Jones, Jr., 601 Chamber of Commerce Building, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Iron and steel articles*, from the plantsite and/or warehouse facilities of Continental Steel Corp., located in Howard County, Ind., at or near Kokomo, Ind., to points in the United States located on and east of U.S. Highway 85; and (2) *materials, equipment, and supplies used in the manufacturing and processing of iron and steel articles*, from points in the United States located on and east of U.S. Highway 85, to the plantsite and/or warehouse facilities of Continental Steel Corp., located in Howard County, Ind., at or near Kokomo, Ind. Restriction: Restricted to traffic originating at or destined to the plantsite and/or warehouse facilities of Continental Steel Corp., and against the transportation of commodities in bulk. NOTE: Applicant states it has authority by virtue of its Sub. 18 grant from the Chicago commercial zone to Kokomo, Ind., and certain additional authority can be tacked. If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind., or Chicago, Ill.

No. MC 42487 (Sub-No. 703), filed October 11, 1968. Applicant: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Drive, Menlo Park, Calif. 94025. Applicant's representative: A. John Warren, Western Traffic Service, Post Office Box 3062, Portland, Oreg. 97208. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fatty acid esters*, in bulk, in tank vehicles, from Santa Fe Springs, Calif., to North Andover, Mass., and Baton Rouge, La. NOTE: If a hearing is deemed necessary, applicant requests it be held at Los Angeles or San Francisco, Calif.

No. MC 50002 (Sub-No. 65), filed October 3, 1968. Applicant: T. CLARENCE BRIDGE AND HENRY W. BRIDGE, a partnership, doing business as BRIDGE BROTHERS, Bridge and Anderson Streets, Box 929, Lamar, Colo. 81052. Applicant's representative: C. Zimmerman, 503 Schweiter Building, Wichita, Kans. 67202. 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, 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; (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, 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; (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 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: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 52110 (Sub-No. 110), filed October 2, 1968. Applicant: BRADY MOTORFRATE, INC., 1223 Sixth Avenue, Des Moines, Iowa. Applicant's representative: Ferdinand Born, 601 Chamber of Commerce Building, Indianapolis, Ind. 46204. 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, (1) serving the plantsite of Essex Wire Corp., located in Whitley County, Ind., south of U.S. Highway 30 with entrance from County Road 600E as an off-route point in connection with applicant's present regular route and (2) between the above-mentioned plantsite and the junction of U.S. Highway 30 and City Road 600E (Whitley County, Ind.) over City Road 600E, serving the junction of U.S. Highway 30 and City Road 600 for purposes of joinder only. NOTE: The request for authority in (2) above is made so as to make use of the present alternate route, reading between Chicago, Ill., and Fort Wayne, Ind., a portion of which is over U.S. Highway 30. If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind., or Chicago, Ill.

No. MC 52579 (Sub-No. 114), filed October 9, 1968. Applicant: GILBERT CARRIER CORP., One Gilbert Drive, Secaucus, N.J. 07094. Authority sought to operate as a *common carrier*, by motor

vehicle, over irregular routes, transporting: *Wearing apparel*, loose, on hangars, from Miami and Hialeah, Fla., to Atlanta and Chamblee, Ga. NOTE: Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at New York, or Newark, N.J.

No. MC 59583 (Sub-No. 120), filed September 23, 1968. Applicant: THE MASON AND DIXON LINES, INCORPORATED, Eastman Road, Kingsport, Tenn. 37660. Applicant's representative: Clifford E. Sanders, 321 East Center Street, Kingsport, Tenn. 37660. 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, commodities requiring special equipment, and those injurious or contaminating to other lading), serving the plantsite of Essex Wire Corp. located on U.S. Highway 30 approximately 9½ miles west of Fort Wayne, Ind., as an off-route point in connection with applicant's presently authorized regular-route authority between Indianapolis and Fort Wayne, Ind. NOTE: Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Nashville, Tenn.

No. MC 59680 (Sub-No. 165) (clarification), filed September 18, 1968, published in FEDERAL REGISTER issue of October 10, 1968, clarified September 20, 1968, and republished, as clarified, this issue. Applicant: STRICKLAND TRANSPORTATION CO., INC., 3011 Gulden Lane, Post Office Box 5689, Dallas, Tex. 75222. Applicant's representative: Leroy Hallman, 4555 First National Bank Building, Dallas, Tex. 75202. 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), (1) serving Carthage, Tex., as a point of joinder only, in connection with carrier's alternate routes between Memphis, Tenn., and Round Rock, Tex., and between Little Rock, Ark., and Round Rock, Tex., in its MC 59680 Sub 131, and its route for operating convenience only between Texarkana, Ark.-Tex., and Houston, Tex., in MC-59680, and (2) between Hamburg, Ark., and Bastrop, La., from Hamburg, Ark., over Arkansas Highway 81 to the Arkansas-Louisiana State line, thence over Louisiana Highway 139 to Bastrop, La., as an alternate route for operating convenience only in connection with carrier's authorized regular route operations, serving no intermediate points. NOTE: The purpose of this republication is to show Arkansas Highway 81 in lieu of U.S. Highway 81, in the route description in (2) above. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 61231 (Sub.-No. 40), filed October 10, 1968. Applicant: ACE-ALKIRE FREIGHT LINES, INC., 4143 East 43d Street, Des Moines, Iowa 50305. 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: *Steel angles, bars and rods*, from the plantsite of North Star Steel Co., at St. Paul, Minn., to points in Iowa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 61619 (Sub-No. 7), filed October 11, 1968. Applicant: GLENN L. HORMEL AND LAWSON E. LONGSTRETH, a partnership, doing business as L & H TRUCKING COMPANY, R.F.D. 3, Spring Grove, Pa. 17362. Applicant's representative: Donald E. Freeman, Post Office Box 806, Westminster, Md. 21157. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products*, from Spring Grove, Pa., to points in Virginia, West Virginia, Ohio, Indiana, and New York (except points in New York on and north of U.S. Highway 44 from Connecticut-New York State line to Highland; on and east of U.S. Highway 9W from Highland to Albany, thence along New York Highway 32 to Watervliet, and on and south of New York Highway 7 from Watervliet to the New York-Vermont State line; and points in Westchester, Rockland, and Nassau Counties, N.Y.; and Cornwall-on-the-Hudson and New York, N.Y.), and Chicago, Ill., under a continuing contract with P. H. Glatfelter Co., of Spring Grove, Pa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 65781 (Sub-No. 3), filed October 13, 1968. Applicant: DAWN MOVING & STORAGE COMPANY, INC., 6009 Wayzata Boulevard, Minneapolis, Minn. 55416. Applicant's representative: Clay R. Moore, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, moving on through bills of lading of forwarders operating under the section 402(b)(2) exemption and having an immediately prior or subsequent line-haul movement by rail, motor, water, or air (1) between points in the Minneapolis-St. Paul, Minn., commercial zone, on the one hand, and, on the other, points in Minnesota; (2) between points in the Minneapolis-St. Paul, Minn., commercial zone. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Minneapolis or St. Paul, Minn.

No. MC 69579 (Sub-No. 3), filed October 8, 1968. Applicant: BILL CLARK TRUCK LINE, INC., 311 Sixth Street, Alamosa, Colo. 81101. Applicant's representative: John J. Conway, 946 Metropolitan Building, Denver, Colo. 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except livestock, household goods as defined in *Practices of Motor Common Carrier of Household Goods*, 16 M.C.C. 467, commodities in bulk, and those requiring special equipment), between Denver and Walsenburg, Colo., over Interstate Highway 25, serving the intermediate points of Colorado Springs and Pueblo, Colo. NOTE: If a hearing is deemed necessary, applicant requests it be held at Walsenburg or Denver, Colo.

No. MC 72442 (Sub-No. 23), filed October 9, 1968. Applicant: AKERS MOTOR LINES, INCORPORATED, Post Office Box 579, Gastonia, N.C. 28052. Applicant's representatives: Donald E. Cross, 917 Munsey Building, Washington, D.C. 20004, and Lennox O. Boyles, Post Office Box 579, Gastonia, N.C. 28052. 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, tobacco, liquor, commodities in bulk, commodities requiring special equipment, and household goods as defined by the Commission, serving Cuthbert, Ga., as an off-route point in conjunction with carriers regular routes in MC-72442, Sub 4 and subsequent Subs. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Atlanta, Ga.

No. MC 74695 (Sub-No. 11), filed October 10, 1968. Applicant: SOUTHERN TRUCKING COMPANY, a corporation, 101 Broad Avenue, Fairview, N.J. 07022. Applicant's representative: Robert B. Pepper, 207 Academy Street, Jersey City, N.J. 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Compressed industrial gases in cylinders*, from Morrisville, Pa., to the plantsite and warehouse of National Cylinder Gas Co., division of Chemtron Corp., North Bergen, N.J., and *empty gas cylinders* on return, under contract with National Cylinder Gas Co., division of Chemtron Corp. NOTE: If a hearing is deemed necessary, applicant requests it be held at Newark, N.J., or New York, N.Y.

No. MC 75406 (Sub-No. 33), filed October 8, 1968. Applicant: SUPERIOR FORWARDING COMPANY, INC., 2600 South Fourth Street, St. Louis, Mo. 63118. Applicant's representative: Gregory M. Rebman, 314 North Broadway, St. Louis, Mo. 63102. 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), between Jonesboro, Ark., and junction U.S. Highways 63 and 61, at or near Turrell, Ark., over U.S. Highway 63, as an alternate route for operating convenience only, and serving Jonesboro, Ark., and junction U.S. Highways 63 and 61 for purposes of joinder only. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Little Rock, Ark.

No. MC 76177 (Sub-No. 317) (Amendment), filed May 13, 1968, published in the FEDERAL REGISTER issue of May 30, 1968, and republished as amended this

issue. Applicant: BAGGETT TRANSPORTATION COMPANY, a corporation, 2 South 32d Street, Birmingham, Ala. 35233. Applicant's representative: Harold G. Hernly, 711 14th Street NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, explosives and blasting supplies, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), (1) between Chattanooga, Tenn., and Atlanta, Ga., (a) over U.S. Highway 41 serving all intermediate points and the off-route points of Hot House, N.C., and Flat Rock, Ala., and (b) over Interstate Highway 75, serving no intermediate points; and (2) between Rome and Calhoun, Ga., (a) over Georgia Highway 53, serving all intermediate points and (b) over U.S. Highway 27 to junction Georgia Highway 156, thence over Georgia Highway 156 to Calhoun, serving no intermediate points. NOTE: The purpose of this republication is to reflect the addition of Hot House, N.C., Flat Rock, Ala., as proposed service points, in (1) above; reflect part (b) in (2) above, and to omit the alternate route previously published. If a hearing is deemed necessary, applicant requests it be held at Chattanooga, Tenn.

No. MC 78786 (Sub-No. 274), filed October 3, 1968. Applicant: PACIFIC MOTOR TRUCKING COMPANY, a corporation, 9 Main Street, San Francisco, Calif. 94105. Applicant's representative: W. A. Gregory, Room 845, 65 Market Street, San Francisco, Calif. 94105. 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 described in *Practices of Motor Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading, serving the plantsite of American Can Co. located at San Francisco, Calif., as an off-route point in connection with carrier's authorized regular route authority. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif., or Eugene, Oreg.

No. MC 94350 (Sub-No. 199), filed October 11, 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: *Portable buildings* traveling on their own or removable undercarriages which are designed to be joined together to form a complete structure, equipped with hitch ball coupler, and *trailers* designed to be drawn by passenger automobiles, from points in Larimer County, Colo., to points in the United States. NOTE: If a hearing is deemed necessary, applicant requests it be held at Madison or Milwaukee, Wis.

No. MC 94350 (Sub-No. 200), filed October 14, 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 Holmes County, Miss., to points in the United States. NOTE: If a hearing is deemed necessary, applicant requests it be held at Jackson, Miss.

No. MC 102616 (Sub-No. 829), filed October 9, 1968. Applicant: COASTAL TANK LINES, INC., 501 Grantley Road, York, Pa. 17405. Applicant's representative: Harold G. Hernly, 711 14th Street NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Soda ash*, in bulk, from Nitro, W. Va., to points in Ohio and Pennsylvania. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 103654 (Sub-No. 141), filed October 10, 1968. Applicant: SCHIRMER TRANSPORTATION COMPANY, INCORPORATED, 1145 Homer Street, St. Paul, Minn. 55116. Applicant's representative: Val M. Higgins, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, from Mid-American Pipeline Co., terminals 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 above-named origins and destined to points in the named destination States. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 103993 (Sub-No. 341), filed October 14, 1968. Applicant: MORGAN DRIVE AWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind. 46514. Applicant's representatives: Robert G. Tessar and Ralph H. Miller (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 Madison County, Tenn., to points in the United States (excluding Alaska and Hawaii). NOTE: If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn.

No. MC 103993 (Sub-No. 342), filed October 16, 1968. Applicant: MORGAN DRIVE AWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind. 46514. Applicant's representatives: Robert G. Tessar and Ralph H. Miller (both same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Trailers* designed to be drawn by passenger automobiles, in initial movements, from points in Franklin County, Va., to points in Louisiana, Minnesota, and those States east of the Mississippi River; (2) *buildings*, complete, knocked down, or in sections, and *equipment and materials* incidental to the erection and completion of such buildings, from points in Hamilton County, Ohio, to points in the District of Columbia, Maryland, New York, and Pennsylvania; and (3) *relocatable classrooms* and other *sectionalized buildings*, from points in Franklin County, Va., to points in the United States. NOTE: If a hearing is deemed necessary, applicant requests it be held at Cincinnati, Ohio, or Washington, D.C.

No. MC 103993 (Sub-No. 343), filed October 16, 1968. Applicant: MORGAN DRIVE AWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind. 46514. Applicant's representative: Robert G. Tessar (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 Umatilla County and Union County, Oreg., to points in Arkansas, Iowa, Kansas, Louisiana, Minnesota, Missouri, Nebraska, New Mexico, Oklahoma, South Dakota, and Texas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg.

No. MC 105350 (Sub-No. 15), filed October 4, 1968. Applicant: NORTH PARK TRANSPORTATION COMPANY, a corporation, 1600 Eliot Street, Denver, Colo. 80204. Applicant's representative: Leslie R. Kehl, 420 Denver Club Building, Denver, Colo. 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquified petroleum gas*, from Lybrook, N. Mex. (approximately 3 miles east of Conselor, N. Mex.) and Moab, Utah, to Granby and Idaho Springs, Colo. NOTE: Applicant states no duplicating authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 106920 (Sub-No. 30), filed October 14, 1968. Applicant: RIGGS FOOD EXPRESS, INC., Post Office Box 26, West Monroe Street, New Bremen, Ohio 45869. Applicant's representative: Carroll V. Lewis, 122 East North Street, Sidney, Ohio 45365. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Oleomargarine, table sauces, vegetable oils, cooking oils, table spreads, salad dressings, salad oils, shortening, lard, tallow, and animal fats* in containers, in vehicles equipped for controlled temperatures, from Jacksonville, Ill., to points in North Carolina and South Carolina; restricted to traffic originating at the plantsite or storage facilities of Anderson, Clayton & Co. Foods Division within the Jacksonville, Ill., commercial zone as defined by the Commission. NOTE: Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Dallas, Tex.

No. MC 107010 (Sub-No. 37), filed October 14, 1968. Applicant: BULK CARRIERS, INC., Post Office Box 106, Auburn, Nebr. 68305. Applicant's representative: Ralph Darling, Post Office Box 106, Auburn, Nebr. 68305. 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 terminal located on the ammonia pipeline of Mid-America Pipeline Co. located at or near Grenwood, 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 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; and, (4) from the terminals located on the ammonia pipeline of 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 or Lincoln, Nebr.

No. MC 107295 (Sub-No. 135), filed October 11, 1968. Applicant: PRE-FAB TRANSIT CO., a corporation, 100 South Main Street, Farmer City, Ill. 61842. Applicant's representative: Dale L. Cox, Post Office Box 146, Farmers City, Ill. 61842, and Mack Stephenson, 301 Building, 301 North Second Street, Springfield, Ill. 62702. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wallboard, fiberboard, hardboard, doors, millwork, and accessories*, from Lucas County, Ohio, to points in the United States in and east of the States of Montana, Wyoming, Colorado, and New Mexico. NOTE: Applicant states it intends to tack the sought authority at Toledo, Ohio, to presently held authority of traffic originating in New York and Virginia for service beyond. If a hearing is deemed necessary, applicant requests it be held at Cleveland or Columbus, Ohio, or Washington, D.C.

No. MC 107295 (Sub-No. 136), filed October 11, 1968. Applicant: PRE-FAB TRANSIT CO., a corporation, 100 South Main Street, Farmer City, Ill. 61842. Applicant's representatives: Dale L. Cox, Post Office Box 146, Farmer City, Ill. 61842, and Mack Stephenson, 301 Building, 301 North Second Street, Springfield, Ill. 62702. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plywood*, from New Orleans, La., to points in Mississippi, Missouri, Kansas, Tennessee, Oklahoma, Texas, and Louisiana. NOTE: Applicant states it intends to tack the sought authority with presently held authority at points in Tennessee and Missouri to serve points in Iowa, Wisconsin, Illinois, Indiana, Kentucky, Ohio, and Michigan. If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 107295 (Sub-No. 137), filed October 14, 1968. Applicant: PRE-FAB TRANSIT CO., a corporation, 100 South Main Street, Farmer City, Ill. 61842. Applicant's representatives: Dale L. Cox, Post Office Box 146, Farmer City, Ill. 61842, and Mack Stephenson, 301 Building, 301 North Second Street, Springfield, Ill. 62702. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (a) *Flooring and curing compounds, building mortar, paint, and related commodities* when shipped therewith; and (b) *machinery and hand tools* used in the installation and application of those commodities in (a) above and when shipped with said commodities, from Cleveland, Ohio, to points in the United States (except Washington, Oregon, California, Arizona, Utah, Nevada, Alaska, Hawaii, and Idaho.) NOTE: If a hearing is deemed necessary, applicant requests it be held at Cleveland, Ohio.

No. MC 107295 (Sub-No. 138), filed October 14, 1968. Applicant: PRE-FAB TRANSIT CO., a corporation, 100 South Main Street, Farmer City, Ill. 61842. Applicant's representatives: Dale L. Cox, Post Office Box 146, Farmer City, Ill. 61842, and Mack Stephenson, 301 Building, 301 North Second Street, Springfield, Ill. 62702. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building products*, from Ambridge, Pa., and Connersville, Ind., to points in the United States in and East of the States of Montana, Wyoming, Colorado, and New Mexico. NOTE: Applicant states it intends to tack its presently held authority, originating in Arkansas, Illinois, Iowa, Kentucky, Michigan, Missouri, Ohio, Tennessee, and Wisconsin, with authority sought over Connersville, Ind., or Ambridge, Pa., to points beyond. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio, or Washington, D.C., or Pittsburgh, Pa.

No. MC–107799 (Sub-No. 6), filed October 7, 1968. Applicant: J. O. RINGGENBERG, INC., Jetmore, Kans. 67854. Applicant's representative: Clyde N. Christey, 641 Harrison Street, Topeka, Kans. 66603. Authority to 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 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 Chemicals, Inc., plant located at or near Borger, Tex., 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; (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: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC–108460 (Sub-No. 36), filed October 7, 1968. Applicant: PETROLEUM CARRIERS COMPANY, a corporation, 5104 West 14th Street, Sioux Falls, S. Dak. 57101. Applicant's representative: Richard Hopewell, 511 Northwestern National Bank Building, Sioux Falls, S. Dak. 57102. 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 pipeline facilities of the Mid-America Pipeline Co., at or near Greenwood, Nebr., to points in Colorado, Iowa, Kansas, Missouri, Nebraska, South Dakota, and Wyoming; and, (2) from the pipeline facilities of the Mid-America Pipeline Co., at or near Whiting, Early, or Garner, Iowa, to points in Illinois, Iowa, Minnesota, Nebraska, North Dakota, South Dakota, and Wyoming. Restriction: Restricted to the transportation of shipments which originate at the facilities of the Mid-America Pipeline Co., located at the above origins. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Des Moines, Iowa.

No. MC 109324 (Sub-No. 18) (Amendment), filed August 15, 1968, published FEDERAL REGISTER issue of September 6, 1968, and republished as amended this issue. Applicant: GARRISON MOTOR FREIGHT, INC., Garrison Place, Post Office Box 969, Harrison, Ark. 72601. Applicant's representative: Louis Tarlowski, 914 Pyramid Life Building, Little Rock, Ark. 72201. 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 in tank vehicles, and those requiring special equipment) (1) between Harrison, Ark., and Kansas City, Kans., as follows: From Harrison over U.S. Highway 65 to junction U.S. Highway 66 (Interstate 44) thence over U.S. Highway 66 (Interstate 44) to junction Missouri Highway 13, thence over Missouri Highway 13 to junction Missouri Highway 7, thence over Missouri Highway 7 to junction U.S. Highway 71, thence over U.S. Highway 71 to junction U.S. Highway 40 (Interstate 70), thence over U.S. Highway 40 (Interstate 70) to Kansas City, Kans., serving no intermediate points, except Kansas City, Mo., and return over the same route, (2) between Harrison, Ark., and East St. Louis, Ill., as follows: From Harrison over U.S. Highway 65 to junction U.S. Highway 66 (Interstate Highway 44), thence over U.S. Highway 66 (Interstate Highway 44), to East St. Louis, Ill., serving no intermediate points, except St. Louis, Mo., and return over same route.

(3) Between Mountain Home, Ark., and East St. Louis, Ill., as follows: From Mountain Home over Arkansas Highway 5 to Arkansas-Missouri State line, thence over Missouri Highway 5 to junction U.S. Highway 160, thence over U.S. Highway 160 to junction U.S. Highway 63, thence over U.S. Highway 63 to junction U.S. Highway 66 (Interstate Highway 44), thence over U.S. Highway 66 (Interstate 44) to East St. Louis, Ill., serving the intermediate point of St. Louis, Mo., and return over same route. Restrictions: Foregoing sought operations are restricted against the transportation of shipments: (1) Between East St. Louis, Ill., and St. Louis, Mo., and the commercial zones thereof, and Little Rock, Ark., Memphis, Tenn., and Springfield, Mo., and the commercial zones thereof; (2) between Kansas City, Kans., and Kansas City, Mo., and the commercial zones thereof, and Little Rock, Ark., Memphis, Tenn., and Springfield, Mo., and the commercial zones thereof. NOTE: (1) Applicant states foregoing restrictions to include shipments originating at or interchanged at the above-named points. Except as restricted above, and as restricted in any existing certificate, applicant proposes to tack with present authority, MC–109324. (2) The purpose of this republication is to redescribe the authority sought as amended. If a hearing is deemed necessary, applicant requests it be held at Harrison or Little Rock, Ark.

No. MC 110525 (Sub-No. 881), filed October 10, 1968. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. 19335. Applicant's representatives: Edwin H. van Deusen (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: *Chemicals*, in bulk, in tank or hopper-type vehicles, from Memphis, Tenn., to points in Alabama, Arkansas, Georgia, Kentucky, Louisiana, Mississippi, Texas, and Illinois. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 110563 (Sub-No. 41) (Correction), filed October 2, 1968, published in FEDERAL REGISTER issue of October 17, 1968, and republished as corrected this issue. Applicant: COLDWAY FOOD EXPRESS, INC., Ohio Building, North Ohio Avenue, Sidney, Ohio 45365. Applicant's representative: Joseph M. Scanlan, 111 West Washington, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foods and food products, and materials and supplies* used or useful in the preparation, serving or consumption of foods and food products, including premiums and advertising materials and special containers or racks used in the transportation of these commodities, from the plantsite and warehouse facilities of American Sugar Co. in Mantua Township at or near Pitman, N.J., to points in Illinois, Indiana, Kentucky, Missouri, Michigan, Ohio, and Wisconsin. NOTE: The purpose of this republication is to more clearly set forth the commodity description, and to add Missouri as a destination State which was inadvertently omitted in previous publication. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 110683 (Sub-No. 48), filed October 8, 1968. Applicant: SMITH'S TRANSFER CORPORATION OF STAUNTON, VA., Post Office Box 1000, Staunton, Va. 24401. 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 irregular routes, transporting: *Frozen foods*, from the plantsites and warehouses of Stokeley VanCamp, Inc., Kansas City, Kans., and the commercial zones thereof, to points in West Virginia, Virginia, Tennessee, Maryland, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind., or Washington, D.C.

No. MC 110683 (Sub-No. 49), filed October 9, 1968. Applicant: SMITH'S TRANSFER CORPORATION OF STAUNTON, VA., Post Office Box 1000, Staunton, Va. 24401. 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, livestock, household goods as defined by the Commission, commodities in bulk and, commodities requiring special equipment), between Winchester, Va., and Cincinnati, Ohio, over U.S. Highway 50, serving no intermediate points, as an alternate route for operating convenience only. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 111289 (Sub-No. 2), filed October 16, 1968. Applicant: RICHARD D. FOLTZ, 806 North Warren Street, Orwigsburg, Pa. 17961. Applicant's representative: James W. Hagar, 100 Pine Street, Post Office Box 432, Harrisburg, Pa. 17108. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Foodstuffs* (except liquids in bulk, in tank vehicles); and (2) *advertising materials, displays, dispensing equipment, and premiums*, moving in connection with (1) above, from Derry Township, Dauphin County, Pa., to points in Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, Mercer, Monmouth, Ocean, and Salem Counties, N.J., and New Castle County, Del., under contract with Hershey Foods Corp., Hershey, Pa., and H. B. Reese Candy Co., Inc., Hershey, Pa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Harrisburg, Pa., or Washington, D.C.

No. MC 111545 (Sub-No. 112), filed October 7, 1968. Applicant: HOME TRANSPORTATION COMPANY, INC., Post Office Box 6426, Station A, Marietta, Ga. 30060. Applicant's representative: Robert E. Born, 1425 Franklin Road SE., Marietta, Ga. 30060. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products*, from Pensacola, Fla., to points in Alabama, Arkansas, Arizona, Georgia, Kentucky, Illinois, Indiana, Iowa, Kansas, Louisiana, Mississippi, Michigan, Missouri, Minnesota, North Carolina, New Mexico, New York, Ohio, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, West Virginia, Wisconsin, and Jacksonville, Fla. NOTE: If a hearing is deemed necessary, applicant requests it be held at Pensacola or Jacksonville, Fla.

No. MC 112617 (Sub-No. 254), filed October 10, 1968. Applicant: LIQUID TRANSPORTERS, INC., Post Office Box 5135, Cherokee Station, Louisville, Ky. 40205. Applicant's representative: L. 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: *Dry fertilizer, fertilizer materials, and fertilizer ingredients; urea and urea products*, dry, in bulk or in packages, from Sikeston, Mo., to points in Arkansas, Illinois, Indiana, Kentucky, and Tennessee. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Kansas City, Mo.

No. MC 113624 (Sub-No. 47), filed October 7, 1968. Applicant: WARD TRANSPORT, INC., Post Office Box 133, Pueblo, Colo. 81002. Applicant's representative: Marion F. Jones, 420 Denver Club Building, Denver, Colo. 80202. 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, 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; (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, restricted to the transportation of shipment 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; (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, 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 (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 the transportation of shipments which originated 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 Denver, Colo., or Omaha, Nebr.

No. MC 113678 (Sub-No. 330), filed October 14, 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. 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, from Kansas City, Kans., and Kansas City, Kans.-Mo., commercial zone, and Seward County, Kans., to points in Alabama, Arizona, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Missouri, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, Texas, Utah, Vermont, Virginia, Washington, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Dallas, Tex.

No. MC 113678 (Sub-No. 331), filed October 17, 1968. Applicant: CURTIS, INC., 770 East 51st Avenue, Post Office Box 16004, Stockyards Station, Denver, Colo. 80216. Applicant's representatives: Duane W. Acklie and Richard Peterson, Post Office Box 806, Lincoln, Nebr. 68501. 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*, (1) from Wichita, Kans., to points in New York, New Jersey, Pennsylvania, Maryland, Massachusetts, Rhode Island, Connecticut, Delaware, Virginia, Ohio, Illinois, Iowa, and Minnesota; and (2) from Wichita, Kans., and York, Nebr., to points in Kentucky, Texas, Alabama, Tennessee (except Memphis), Georgia, South Carolina, Florida, Oklahoma, California, Colorado, Nevada, and Utah. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC-113751 (Sub-No. 11), filed October 11, 1968. Applicant: HAROLD F. DUSHEK, INC., 10th and Columbia Streets, Waupaca, Wis. 54981. Applicant's representative: Edward Solie, Executive Building, Suite 100, 4513 Vernon Boulevard, Madison, Wis. 53705. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Charcoal and charcoal briquettes, and wood chips, vermiculite, lighter fluid, and accessories* used in outdoor cooking, in mixed loads with charcoal and charcoal briquettes, from the plantsite of Husky Briquetting, Inc., in Waupaca, Wis., to points in Indiana (except points in Indiana located in the Chicago, Ill., commercial zone, as defined by the Commission), Kentucky, Nebraska, and Ohio, with no transportation for compensation on return except as otherwise authorized; *materials, equipment and supplies* utilized in the manufacture, sale, or distribution of the commodities specified above, between the plantsite of Husky Briquetting, Inc., at or near Dickinson, N. Dak., on the one hand, and, on the other, the plantsites of Husky Briquetting, Inc., in Waupaca, Wis., and Isanti, Minn. NOTE: Applicant states its presently held certificate MC 113751, now authorizes the transportation of charcoal, from Waupaca, Wis., to points in that part of Indiana north of Indiana Highway 28 and points in Ohio, except points in Preble, Montgomery, Butler, Warren, Hamilton, and Clermont Counties, Ohio. Applicant further states that its Sub-No. 10 certificate is susceptible of joinder by tacking of the authority sought in the instant application, however, applicant does not intend to tack or join for the purpose of providing a through service to, from, or between points not included in the instant application. It would accept a restriction against tacking of the authority being sought with its presently held operations if the Commission deems proper. No duplicating authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Madison, Wis.

No. MC 114789 (Sub-No. 21), filed October 14, 1968. Applicant: NATIONWIDE CARRIERS, INC., Post Office Box 104, Maple Plain, Minn. 55359. Applicant's representative: Marshall D. Becker, 630 City National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Toys and games*, from Bloomington and Minneapolis, Minn., to points in Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming, and the District of Columbia; (2) *Toys, games and parts*, from Los Angeles and San Francisco, Calif., to points in Arizona, Colorado, Idaho, Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, Oklahoma, South Dakota, Texas, Utah, and Wyoming; (3) *Plastic, plastic parts, and plastic granuals* (except in bulk), from Port Newark, N.J.; Port Arthur, Tex.; McKeesport and Pittsburgh, Pa.; Milwaukee, Phillips, Sparta and La Crosse, Wis., Cleveland, Ohio; and points in Illinois and Indiana, to Bloomington, Minn.; and (4) *Advertising and display signs*, from Bloomington and Minneapolis, Minn., to points in Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Wisconsin, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wyoming, and the District of Columbia; under contract with Lakeside Industries, Inc. NOTE: Applicant has an application for common authority pending under MC-117940 (Sub-No. 3), therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn., or Chicago, Ill.

No. MC 114890 (Sub-No. 38), filed October 14, 1968. Applicant: C. E. REYNOLDS TRANSPORT, INC., 2209 Range Line, Joplin, Mo. 64802. Applicant's representative: J. David Harden, Jr., 450 American National Building, Oklahoma City, Okla. 73102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ammonia*, in bulk, in tank vehicles, from the facilities of the Mid-America Pipeline Co. located at or near Conway, Kans., to points in Colorado, Kansas, Missouri, and Nebraska, restricted to traffic orginating 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 114890 (Sub-No. 39), filed October 14, 1968. Applicant: C. E. REYNOLDS TRANSPORT, INC., 2209 Range Line, Joplin, Mo. 64802. Applicant's representative: J. David Harden, Jr., 450 American National Building, Oklahoma City, Okla. 73102. 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., at or near Herculaneum, Mo., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Missouri, Minnesota, Nebraska, Oklahoma, South Dakota, and Wisconsin. NOTE: Applicant states it is not aware of any feasible tacking operation that would arise as a result of a grant herein; however, it opposes the imposition of a tacking restriction. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 114890 (Sub-No. 40), filed October 16, 1968. Applicant: C. E. REYNOLDS TRANSPORT, INC., 2209 Range Line, Joplin, Mo. 64802. Applicant's representative: J. David Harden, Jr., 450 American National Building, Oklahoma City, Okla. 73102. 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 Central Farmers Fertilizer Co., at or near Palmyra in Marion County, Mo., to points in Missouri, Illinois, and Iowa. NOTE: Applicant states that it is not aware of any feasible tacking operation that would result from a grant herein, however, applicant opposes the imposition of a tacking restriction. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 115162 (Sub-No. 158), filed September 30, 1968. Applicant: WALTER POOLE, doing business as POOLE TRUCK LINE, Post Office Box 310, Evergreen, Ala. 36401. Applicant's representative: Robert E. Tate, Post Office Box 310, Evergreen, Ala. 36401. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Lumber; plywood, panels, molding, and trim and advertising and display materials and paint stains* when moving in mixed loads with plywood, panels, molding, and trim; (a) from New Orleans, La. to points in Alabama, Arkansas, Colorado, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Kansas, Missouri, Mississippi, Maryland, Maine, Michigan, Minnesota, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, District of Columbia, West Virginia, and Wisconsin; (b) from points in Escambia County, Fla., to points in Alabama, Arkansas, Colorado, Connecticut, Delaware, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, District of Columbia, West Virginia, and Wisconsin; (c) from Beaumont, Miss., to points in Louisiana, points in Kentucky (west of U.S. Highway 41) and points in Tennessee (except points on and east of a line beginning at the Tennessee-Alabama State line and extending over U.S. Highway 31 to Nashville, Tenn., and thence over U.S. Highway 41 to the Tennessee-Kentucky State line); (2) *building materials* from Mobile, Ala., and Montgomery, Ala., to points in Kentucky and West Virginia; (3) *hardboard, paneling, and building board*, from Blountstown, Fla., to points in Alabama; (4) *physical fitness, gymnastic, athletic, and sporting goods equipment* from points in Lee County, Ala., to points in Kentucky, Illinois, Indiana, Ohio, Pennsylvania, and West Virginia; and, (5) *marble chips*, from points in Talladega County, Ala., to points in Okaloosa County, Fla. NOTE: If a hearing is deemed necessary, applicant requests it be held at Mobile, Ala., or New Orleans, La.

No. MC 115841 (Sub-No. 338), filed October 7, 1968. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., 1215 Bankhead Highway West, 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: *Foods and foodstuffs* (except in bulk), from Springdale, Ark., to points in Missouri, Kansas, Alabama, Georgia, Florida, South Carolina, and North Carolina. NOTE: If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala.

No. MC 115917 (Sub-No. 19), filed October 7, 1968. Applicant: UNDERWOOD & WELD COMPANY, INC., Post Office Box 348, Crossnore, N.C. 28616. 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, 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 116073 (Sub-No. 85), filed October 10, 1968. Applicant: BARRETT MOBILE HOME TRANSPORT, INC., 1825 Main Avenue, Post Office Box 601, Moorhead, Minn. 56560. Applicant's representative: John G. McLaughlin, 624 Pacific Building, Portland, Oreg. 97204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers designed to be drawn by passenger automobiles; and sectional buildings*, from points in Idaho to points in the United States, excluding Hawaii. NOTE: If a hearing is deemed necessary, applicant requests it be held at Boise, Idaho.

No. MC 116073 (Sub-No. 86), filed October 19, 1968. Applicant: BARRETT MOBILE HOME TRANSPORT, INC., 1825 Main Avenue, Post Office Box 601, Moorhead, Minn. 56560. Applicant's representative: Donald E. Cross, 1329 E Street NW., 217 Munsey Building, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers designed to be drawn by passenger automobiles, sectional buildings, and pickup campers, in truckaway and towaway service*, between points in Washington, Oregon, California, Idaho, Nevada, Arizona, Utah, Montana, Wyoming, Colorado, and New Mexico. NOTE: If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 116077 (Sub-No. 250), filed October 14, 1968. Applicant: ROBERTSON TANK LINES, INC., 5700 Polk Avenue, Post Office Box 1505, Houston, Tex. 77001. Applicant's representative: Thomas E. James, The 904 Lavaca Building, Austin, Tex. 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, from the International Boundary line between the United States and Mexico at or near Brownsville, Tex., to points in Zapata, Jim Hogg, Brooks, Kenedy, Starr, Hidalgo, Willacy, and Cameron Counties, Tex. NOTE: If a hearing is deemed necessary, applicant requests it be held at Houston, Tex.

No. MC 116763 (Sub-No. 138), filed October 9, 1968. Applicant: CARL SUBLER TRUCKING, INC., North West Street, Versailles, Ohio 45380. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Food and foodstuffs* (other than frozen), from points in Maine, to points in Arkansas, Oklahoma, and Texas. NOTE: No duplicating authority being sought. If a hearing is deemed necessary, applicant requests it be held at Portland, Maine.

No. MC 116763 (Sub-No. 139), filed October 10, 1968. Applicant: CARL SUBLER TRUCKING, INC., North West Street, Versailles, Ohio 45380. Applicant's representative: W. J. Bohman (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Food and foodstuffs* (other than frozen), (1) from Rossford, Ohio to points in Arkansas, Alabama, Delaware, Maryland, Oklahoma, North Carolina, South Carolina, Texas, Virginia, West Virginia, and points in Aroostook County, Maine; (2) from Bridgeport and Imlay City, Mich., to points in Alabama, Arkansas, Colorado, Georgia, Iowa, Kansas, Mississippi, Missouri, Nebraska, Oklahoma, Tennessee, Texas, and Virginia; and, (3) from Imlay City, Mich., to points in North Carolina and South Carolina. NOTE: If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich.

No. MC 117574 (Sub-No. 175) (Correction), filed September 10, 1968, published in the FEDERAL REGISTER issue of October 3, 1968, corrected and republished as corrected this issue. Applicant: DAILY EXPRESS, INC., Post Office Box 39, Carlisle, Pa. 17013. Applicant's representative: E. S. Moore, Jr. (same address

as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Antennas, accessories, parts, equipment, materials, and supplies used in the manufacture, transportation, and installation thereof*, between Sherburne and Norwich, N.Y., and Philadelphia, Pa., on the one hand, and, on the other, points in the United States (excluding Alaska and Hawaii). NOTE: The purpose of this republication is to correct the territorial description. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 117760 (Sub-No. 5), filed September 5, 1968. Applicant: FLOYD A. SCHEIB, INC., Rural Delivery No. 2, Hegins, Pa. 17938. Applicant's representative: Norman T. Petow, 43 North Duke Street, York, Pa. 17401. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Concrete masonry units* of various aggregates and sizes and *precast concrete lintels*, from the plant of York Building Products Co., Inc., located in Harford County, Md., to points in Delaware, District of Columbia, and New Jersey: points in Arlington, Loudoun, Fairfax, Prince William, Stafford, and Fauquier Counties, Va.; Philadelphia, Pa., and points in Lancaster, Chester, Delaware, Montgomery, and Bucks Counties, Pa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Harrisburg, Pa.

No. MC 117765 (Sub-No. 67), 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: *Fertilizer, and fertilizer materials*, dry, in bags or in bulk, from the plantsite of Sinclair Petrochemicals, 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: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., St. Louis, Mo., or Oklahoma City, Okla.

No. MC 117765 (Sub-No. 68), 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: *Petroleum and petroleum products*, in containers, and of *advertising materials, articles* distributed by wholesale or retail suppliers, marketers, or distributors of petroleum products, and such commodities as are used by wholesale or retail suppliers, marketers, or distributors of petroleum products in the conduct of their businesses, when moving in mixed loads with the petroleum and petroleum products, from Enid and Oklahoma City, Okla., and Wichita, Kans., to points in Illinois, and *empty barrels and containers*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla.

No. MC 118459 (Sub-No. 2), filed October 10, 1968. Applicant: SIGNAL DELIVERY SERVICE, INC., 782 Industrial Drive, Elmhurst, Ill. 60126. Applicant's representative: J. A. Kundtz, 1050 Union Commerce Building, Cleveland, Ohio 44115. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Toilet preparations, soaps, cosmetics, premiums and related advertising materials*, limited to packages and parcels not exceeding 200 pounds per shipment from one consignor to one consignee, from Baltimore, Md., to points in Frederick, Carroll, Baltimore, Harford, Cecil, Howard, Montgomery, Anne Arundel, Prince Georges, Charles, Calvert, and St. Marys Counties, Md. NOTE: Applicant holds contract carrier authority under Docket No. MC 108393 and subs, therefore, dual operations may be involved. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 118468 (Sub-No. 28), filed October 3, 1968. Applicant: UMTHUN TRUCKING CO., a corporation, Eagle Grove, Iowa 50533. Applicant's representative: J. Max Harding, 605 South 14th Street, Box 2028, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Building materials, gypsum and gypsum products, and materials and supplies* used in the installation and application of such commodities, from the plantsite of the United States Gypsum Co. at Fort Dodge, Iowa, to points in Wisconsin, under contract with United States Gypsum Co., Chicago, Ill. NOTE: Applicant has common carrier authority in MC 124813 and subs thereunder, therefore dual authority may be involved. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 119489 (Sub-No. 20), filed October 4, 1968. Applicant: PAUL ABLER, doing business as CENTRAL TRANSPORT COMPANY, Post Office Box 596, Norfolk, Nebr. 68701. 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 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: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 119619 (Sub-No. 13), filed October 16, 1968. Applicant: DISTRIBUTORS SERVICE CO., a corporation, 2000 West 43d Street, Chicago, Ill. 60609. Applicant's representative: Arthur J. Piken, 160–16 Jamaica Avenue, Jamaica, N.Y. 11432. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and packinghouse products*, from New Riegel, Ohio, to points in Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Maryland, Pennsylvania, Delaware, Virginia, and the District of Columbia. NOTE: Applicant states no duplicating authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 119726 (Sub-No. 16), filed October 14, 1968. Applicant: N. A. B. TRUCKING CO., INC., 1007 East 27th Street, Indianapolis, Ind. 46205. Applicant's representative: Douglas C. Wynn, Post Office Box 1295, Greenville, Miss. 38701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned food preparations and canned foodstuffs and advertising, promotional and display materials* when moving therewith, from points in Sunflower County, Miss., to points in Oklahoma, Arkansas, Texas, Minnesota, Ohio, Missouri, Wisconsin, Illinois, Michigan, Indiana, Georgia, Florida, Louisiana, Kentucky, Alabama, Iowa, and Tennessee. NOTE: If a hearing is deemed necessary, applicant requests it be held at Greenville or Jackson, Miss.

No. MC 119777 (Sub-No. 119), 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: *Pallets, skids, bases, boxes, crating, veneer, baskets, oak treads, oak risers, oak sills, oak molding, cardboard cartons, nails and lumber*, between points in Allen County, Ky., on the one hand, and, on the other, points in the United States (except Alaska, Hawaii, California, Colorado, Arizona, New Mexico, Nevada, Utah, Wyoming, Montana, Idaho, Oregon, and Washington). NOTE: Applicant has contract carrier authority in MC 129670, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn.

No. MC 121454 (Sub-No. 2), filed October 7, 1968. Applicant: WALSH MESSENGER SERVICE, INC., 18 Third Street, New Hyde Park, N.Y. Applicant's representatives: Douglas Miller, Meadowbrook Bank Building, Malverne, N.Y. 11565, and Morton E. Kiel, 140 Cedar

Street, New York, N.Y. 10006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except household goods as defined by the Commission, classes A and B explosives, commodities in bulk, and commodities requiring special equipment), in shipments not to exceed 100 pounds in packages not to exceed 50 pounds, restricted to service to be completed in one calendar day or within 10 hours; (1) between New York, N.Y., and points in Nassau, Suffolk, and Westchester Counties, N.Y.; and (2) between points in Nassau and Suffolk Counties, N.Y., on the one hand, and, on the other, points in Connecticut, New Jersey, and Rockland, Orange, Putnam, Dutchess, Columbia, Ulster, Sullivan, Albany, and Greene Counties, N.Y. NOTE: Applicant states it is now authorized to provide service under (1) above pursuant to certificate of registration MC 121454 (Sub-No. 1) which will be terminated upon grant of multistate operations sought under (2) above. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 124211 (Sub-No. 124), filed October 2, 1968. Applicant: HILT TRUCK LINE, INC., 2648 Cornhusker Highway, Post Office Box 824, Lincoln, Nebr. 68501. Applicant's representative: Thomas L. Hilt (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Advertising matter and advertising paraphernalia*, when intended for use by the beverage industry and when moving in the same vehicle at the same time with beverages; and, *beverages;* and, *beverage concentrates;* (a) from points in Nebraska, to points in Iowa and Missouri; and (b) from points in the United States (except Alaska and Hawaii), to Omaha, Nebr., for purpose of tacking or joinder; and (2) *containers and pallets*, (a) from points in Iowa and Missouri, to points in Nebraska; and (b) from St. Louis, Mo., to East St. Louis, Ill., for purposes of tacking or joinder; and (3) *brewery equipment, materials and supplies; beverage dispensing equipment; machinery and parts thereof*, between points in Nebraska on the one hand, and, on the other, points in the United States (except Alaska and Hawaii); and (4) *chemicals, drugs, and medicines*, between points in Lancaster County, Nebr., on the one hand, and, on the other, points in Arkansas, Oklahoma, and Texas. NOTE: Applicant states it does not seek any duplicating authority. If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr.

No. MC 124353 (Sub-No. 3), filed October 3, 1968. Applicant: B AND S HAULERS, INC., Box 216, Highway 441, Sylva, N.C. 28779. Applicant's representative: Robert R. Williams, Jr., 4 South Pack Square, Post Office Box 7316, Asheville, N.C. 28807. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Lumber;* (a) from points in Cobb, Fulton, De Kalb, Douglas, Clayton, Gwinnett, Stephens, Spaulding, Gilmer, White, Habersham, Clarke, Hall, and Richmond Counties, Ga.; Scott Morgan, Knox, Washington, Sullivan, Hamblen, Campbell, and Sevier Counties, Tenn.; Sumter, Florence, Richland, Spartanburg, Greenville, Charleston, Horry, Kershaw, Anderson, Pickens, Oconee, Berkeley, and Dorchester Counties, S.C.; and Pittsylvania, Campbell, and Washington Counties, Va.; to points in Macon, Jackson, Swain, and Cherokee Counties, N.C.; to points in Gilmer, White, Habersham, Clarke, Hall, and Richmond Counties, Ga.; Campbell, Sevier, and Jefferson Counties, Tenn.; and Horry, Kershaw, Anderson, Pickens, Oconee, Berkeley, and Dorchester Counties, S.C.; and (2) *livestock and poultry feeds*, from Spartanburg, S.C. and Gainesville, Ga., to points in Macon and Jackson Counties, N.C. NOTE: Applicant states that tacking with presently held authority is possible at common points in Macon, Swain, Jackson, and Cherokee Counties, N.C. If a hearing is deemed necessary, applicant requests it be held at Asheville or Charlotte, N.C., or Atlanta, Ga.

No. MC 124701 (Sub-No. 3), filed October 11, 1968. Applicant: HAYWARD TRANSPORTATION, INC., Fairlee, Vt. 05045. Applicant's representative: Fred Hayward II (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Sand, gravel, and crushed stone*, from West Lebanon, N.H., to South Royalton, Bradford, and Randolph, Vt., under contract with Miller Ready-Mix Concrete, Inc., West Lebanon, N.H. NOTE: If a hearing is deemed necessary, applicant requests it be held at Boston, Mass., or Concord, N.H.

No. MC 124821 (Sub-No. 2), filed October 14, 1968. Applicant: WILLIAM GILCHRIST, 509 Susquehanna Avenue, Old Forge, Pa. 18518. Applicants' representative: Kenneth R. Davis, 1106 Dartmouth Street, Scranton, Pa. 18504. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic, portable swimming or wading pools, accessories, supplies, and equipment used in connection therewith*, from plant and warehouse sites of Muskin Manufacturing Co., Inc., in Luzerne County, Pa., to points in Michigan, Illinois, and California, and *supplies, equipment, and machinery* used in the manufacture of the above commodities, on return. NOTE: Applicant is also authorized to conduct operations as a contract carrier in Permit No. MC 124608 and Sub 2, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 124951 (Sub-No. 30), filed October 11, 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: *Precast and prestressed concrete products*, from Henderson, Ky., to points in Georgia and West Virginia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn.

No. MC 126473 (Sub-No. 7), filed October 7, 1968. Applicant: HAROLD DICKEY TRANSPORT, INC., Packwood, Iowa 52580. Applicant's representative: William L. Fairbank, 610 Hubbell Building, Des Moines, Iowa 50309. 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, 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; (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, 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; (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; (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.

No. MC 126925 (Sub-No. 3), filed October 11, 1968. Applicant: MARTIN VAN & STORAGE CO., INC., 901 Joy Road, Columbus, Ga. 31904. Applicant's representative: Alan F. Wohlstetter, 1 Farragut Square South, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, between New Orleans, La., Mobile, Ala., Jacksonville, Fla., Savannah, Ga., and Charleston, S.C., on the one hand, and, on the other, points in Georgia, Alabama, Mississippi, Louisiana, Florida, South Carolina, North Carolina, Tennessee, and Kentucky, restricted to shipments having an immediate prior or subsequent out-of-State line-haul movement by rail, motor, water, or air, and moving on through bill of lading of a freight forwarder operating under the section 402

(b)(2) exemption. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ga.

No. MC 127022 (Sub-No. 1), filed October 10, 1968. Applicant: CLYDE LOVE DISTRIBUTING COMPANY, a corporation, 520 East Seventh Street, Joplin, Mo. 64801. Applicant's representative: Frank J. Iuen, 101 East High Street, Jefferson City, Mo. 65101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, from St. Louis, Mo., to Coffeyville, Kans. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City or Jefferson City, Mo.

No. MC 127042 (Sub-No. 26), filed October 10, 1968. Applicant: HAGEN, INC., 4120 Floyd Boulevard, Post Office Box 6, Leeds Station, Sioux City, Iowa 51108. Applicant's representative: Joseph W. Harvey (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses* as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), (1) from Huron, S. Dak., to points in Illinois, Iowa, Indiana, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, and Wisconsin; and, (2) between Fremont and Omaha, Nebr., Fort Dodge, Iowa, Austin and Owatonna, Minn. Restriction: Restricted to traffic originating at Huron, S. Dak., in part (1) above. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn., or Omaha, Nebr., or Chicago, Ill.

No. MC 128095 (Sub-No. 3), filed October 11, 1968. Applicant: PARKER TRUCK LINE, INC., Westmoreland Drive, Box 1402, Tupelo, Miss. 38801. Applicant's representative: Donald B. Morrison, 829 Deposit Guaranty National Bank Building, Post Office Box 961, Jackson, Miss. 39205. Authority sought to operate as a *common carrier* by motor vehicle, over irregular routes, transporting: *Urethane and urethane products*, from Cornelius, N.C., to New Albany, Channon, and Tupelo, Miss. NOTE: If a hearing is deemed necessary, applicant requests it be held at Jackson, Miss., or Memphis, Tenn.

No. MC 128860 (Sub-No. 2), filed October 14, 1968. Applicant: BEN LARRY, doing business as LARRY'S EXPRESS, 720 Lake Street, Tomah, Wis. 54660. Applicant's representative: Edward Soliee, Executive Building, Suite 100, 4513 Vernon Boulevard, Madison, Wis. 53705. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages and related advertising materials, and premiums and malt beverages dispensing equipment* in mixed loads with malt beverages, from New York, N.Y., and Newark, N.J., to points in Iowa, Michigan, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, and Wisconsin, limited to a transportation service to be performed, under a continuing contract or contracts, with Van Munching & Co., Inc., New York, N.Y. NOTE: If a hearing is deemed necessary, applicant requests it be held at Madison, Wis.

No. MC 129416 (Sub-No. 5), filed October 11, 1968. Applicant: B.D.C. LTD., 20 Sheffield Street Toronto, Ontario, Canada. Applicant's representative: Warren W. Wallin, 330 South Jefferson Street, Chicago, Ill. 60606. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commercial papers, documents, and written instruments* (except coins, currency, and negotiable securities) as are used in the conduct and operation of banks and banking institutions, and *audit media and other business records*, between Seattle, Wash., on the one hand, and, on the other, ports of entry on the international boundary line between the United States and Canada located at Blaine, Wash. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant did not specify location.

No. MC 129455 (Sub-No. 2), filed October 8, 1968. Applicant: CARRETTA TRUCKING INC., 70 Canal Street, Jersey City, N.J. 07302. Applicant's representative: Charles J. Williams, 47 Lincoln Park, Newark, N.J. 07102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Swimming pools and swimming pool parts, accessories, and supplies, garden sheds, and radiator enclosures*, from Carlstadt and Paterson, N.J., to points in Georgia, Florida, South Carolina, North Carolina, Maryland, Delaware, Connecticut, Rhode Island, Massachusetts, (Washington, Colorado, Utah, Arizona, Texas, Louisiana, Wisconsin, Tennessee, points in Arlington and Fairfax Counties, Va., points in that part of Pennsylvania east of the Susquehanna River, and the District of Columbia; and, (2) *materials used in the manufacture of garden sheds*, from McKeesport, Pa., to Paterson, N.J., under contract with Quaker City Industries, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Newark, N.J., or New York, N.Y.

No. MC 129928 (Sub-No. 1), filed October 11, 1968. Applicant: E. B. WILLS COMPANY, INC., 4752 East Carmen Avenue, Fresno, Calif. 93703. Applicant's representative: William H. Kessler, 638 Divisadero Street, Fresno, Calif. 93721. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Steel bars, rods, and structural steel bars and rods, beams, and shapes* which, because of size or weight, require the use of special equipment; steel rods under 60 feet in length in mixed loads with steel rods exceeding 60 feet limited to 25 percent of total weight, from Alameda, Oakland, San Francisco, and Union City, Calif., to points in California, Nevada, and Arizona, under contract with Rods, Western Division, Stressteel Corp., and Pacific Steel Corp. Restriction: Shipments in California are restricted to traffic having a prior or subsequent out-of-state movement by water. NOTE: If a hearing is deemed necessary, applicant requests it be held at San Francisco or Oakland, Calif.

No. MC 129944 (Sub-No. 1), filed September 3, 1968. Applicant: THREE-B FREIGHT SERVICE, INC., 3973 Riverside Drive, Chino, Calif. 91710. Applicant's representative: Milton W. Flack, 1813 Wilshire Boulevard, Suite 400, Los Angeles, Calif. 90057. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *New household appliances, and new household furnishings*, in pool car shipments, from all points within the area bounded as follows: Beginning at U.S. Highway 66 and Grand Avenue, near Glendora, Calif., south on Grand Avenue, to its intersection with U.S. Highway 60, east on U.S. Highway 60 to its intersection with California Highway 71, southeast on California Highway 71, to its intersection with California Highway 91, east on California Highway 91 to Hamner Avenue in Corona, Calif., north on Hamner Avenue to River Road, north on River Road to Archibald Avenue, north on Archibald Avenue to U.S. Highway 66, west on U.S. Highway 66 to point of beginning; to Victorville, Barstow, Palm Springs, Indio, and points in San Diego County, Calif., on traffic having a prior out-of-State movement, under contract with McMahan's Furniture Stores. NOTE: If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 133052 (Sub-No. 1), filed October 14, 1968. Applicant: THE T & W TRUCKING CO., a corporation, 18 Van Ness Place, Newark, N.J. Applicant's representative: Edward F. Bowes, 744 Broad Street, Newark, N.J. 07102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Swimming pools*, knocked down and *swimming pool supplies and materials*, in cartons, from Newark, N.J., to points in Albany, Rensselaer, Schenectady, Saratoga, Washington, Broome, Onondaga, and Chemung Counties, N.Y., points in Pennsylvania on and east of U.S. Highway 15, points in Connecticut on and east of U.S. Highway 5, points in Baltimore County, Md., Washington, D.C., and points in Fairfax and Prince George Counties, Va., under contract with Richards Inc.; (2) *rugs and carpets*, (a) from New York, N.Y., to Newark, N.J., under contract with Carpet Linoleum Service, Inc., and (b) from Springfield, N.J., to points in Rockland and Orange Counties, N.Y., under contract with Sandler and Worth. NOTE: If a hearing is deemed necessary, applicant requests it be held at Newark, N.J., or New York, N.Y.

No. MC 133158, filed August 29, 1968. Applicant: P. A. IVERSON, doing business as IVERSON TRANSFER, Box 126, Commerce Building, Windom, Minn. 56101. Applicant's representative: Charles E. Nieman, 1160 Northwestern Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular

routes, transporting: *Petroleum and petroleum products,* in bulk, from points in Dickinson County, Iowa, to points in Minnesota. NOTE: Applicant holds contract carrier authority under Docket No. MC 125103 and subs, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Minneapolis or St. Paul, Minn.

No. MC 133193 (Correction), filed September 25, 1968, published in FEDERAL REGISTER issue of October 10, 1968, and republished as corrected this issue. Applicant: JAMES ANDREWS, doing business as JAMES ANDREWS TRUCKING CO., 550 Shepherd Avenue, Brooklyn, N.Y. 11208. Applicant's representative: John L. Alfano, 2 West 45th Street, New York, N.Y. 10036. Authority sought to operate as a *contract carrier,* by motor vehicle, over irregular routes, transporting: *Wearing apparel,* loose and in containers, from Inwood, N.Y., to New York, N.Y., and points in Bergen, Essex, Hudson, Passaic, and Union Counties, N.J., under contract with Gay Togs, Inc. NOTE: The purpose of this republication is to show the name of the supporting shipper as Gay Togs, Inc., in lieu of Gray Togs, Inc., as previously published. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 133194, filed September 25, 1968. Applicant: WOODLINE, INC., Route 1, Russellville, Ark. 72801. Applicant's representative: R. Connor Wiggins, Jr., Suite 909, 100 North Main Building, Memphis, Tenn. 38103. Authority sought to operate as a *common carrier,* by motor vehicle, over regular routes, transporting: *General commodities.* (1) between Little Rock, Ark., and Fort Smith, Ark.; from Little Rock over U.S. Highway 65 to Conway, thence over U.S. Highway 64, and return over the same route, (2) between Russellville, Ark., and Fort Smith, Ark.; from Russellville over Arkansas Highway 7 to Dardanelle, thence over Arkansas Highway 22, and return over the same route, and (3) between Russellville, Ark., and Hector, Ark.; from Russellville over Arkansas Highway 7 to Dover, thence over Arkansas Highway 27, and return over the same route; serving all intermediate points on the above routes. NOTE: Applicant states it holds a permit as a contract carrier in No. MC 129172, in the name of Marshall Wood, doing business as Marshall Wood Trucking. Dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Little Rock or Fort Smith, Ark.

No. MC 133197 (Sub-No. 1), filed September 30, 1968. Applicant: CLARENCE WYATT TRANSFER, INC., 17th and East Broad Streets, Richmond, Va. 23219. Applicant's representative: Ralph C. Lynn, 2311 Westwood Avenue, Post Office Box 6595, Richmond, Va. 23230. Authority sought to operate as a *contract carrier,* by motor vehicle, over irregular routes, transporting: *Toilet preparations, soap, cosmetics, and related advertising material,* from Richmond, Va., to points in Henrico, Hanover, Charles City, New Kent, Prince George, Dinwiddie, Amelia, Powhatan, King William, Goochland, and Chesterfield Counties, Va., under contract with Avon Products, Inc., Newark, Del. NOTE: If a hearing is deemed necessary, applicant requests it be held at Richmond, Va.

No. MC 133198 (Sub-No. 2), filed October 16, 1968. Applicant: WILLARD NELSON, doing business as NELSON TRUCK LINE, 336 West Lincoln Street, Caly Center, Kans. 67432. Applicant's representative: Leland M. Spurgeon, 308 Casson Building, Topeka, Kans. 66603. Authority sought to operate as a *contract carrier,* by motor vehicle, over irregular routes, transporting: *Meats, packinghouse products and commodities used by packinghouses,* from St. Joseph, Mo., to points in Wyandotte, Shawnee, Wabaunsee, Pottawatomie, Riley, Geary, Dickinson, Clay, Washington, Republic, Cloud, Ottawa, Mitchell, and Jewell Counties, Kans., under contract with Swift & Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, St. Joseph, Mo., or Topeka, Kans.

No. MC 133211 (Sub-No. 1), filed October 4, 1968. Applicant: JERSEY FURNITURE WAREHOUSE & TRUCKING CORP., 46–01 Dell Avenue, North Bergen, N.J. 07047. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07036. Authority sought to operate as a *contract carrier,* by motor vehicle, over irregular routes, transporting: *Furniture,* from the warehouse facilities of Arbed Co. at North Bergen, N.J., to points in Nassau, Suffolk, Westchester, Orange, and Rockland Counties, N.Y., and points in New Jersey and Connecticut, under contract with Arbed Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 133221 (Sub-No. 1), filed October 8, 1968. Applicant: OVERLAND CO., INC., 2285 Stewart Avenue, Atlanta, Ga. 30315. Applicant's representatives: Paul M. Daniell and Bill R. Davis, 1600 First Federal Building, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Polystyrene products,* from points in Georgia, to points in the United States east and on U.S. Highway 85. NOTE: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 113362 (Sub-No. 152), filed October 14, 1968. Applicant: ELLSWORTH FREIGHT LINES, INC., 310 East Broadway, Eagle Grove, Iowa 50533. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Hardwood, hardwood furniture and parts thereof, and millwork,* from points in Bradford, Cambria, Cameron, Clinton, Clarion, Crawford, Columbia, Forest, Erie, Jefferson, Lycoming, Lancaster, McKean, Potter, Susquehanna, Venango, and Warren Counties, Pa., and points in Onondaga, Fulton, Cattaraugus, and Chautauqua Counties, N.Y., to points in Michigan, Indiana, Illinois, Wisconsin, Minnesota, Iowa, Nebraska, Missouri, Arkansas, Tennessee, and Kentucky. NOTE: If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa.

MOTOR CARRIERS OF PASSENGERS

No. MC 1934 (Sub-No. 28), filed September 30, 1968. Applicant: THE ARROW LINE, INC., 105 Cherry Street, East Hartford, Conn. 06108. Applicant's representative: Richard N. Dupuis (same address as applicant). Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Passengers and their baggage* when moving in the same vehicle with passengers in special operations limited to 11 persons or less who have a prior or subsequent movement by air, (1) from Bradley International Airport located in Windsor Locks, Conn., to points in Berkshire, Franklin, Hampden, Hampshire, and Worcester Counties, Mass., and return (except that no passengers will be served between points in Massachusetts on U.S. Highway 5, between Greenfield and Northampton including Greenfield and Northampton on the one hand, and, on the other, Bradley International Airport at Windsor Locks, Conn., between Amherst, Mass., on the one hand, and, on the other, Bradley International Airport at Windsor Locks, Conn.). NOTE: If a hearing is deemed necessary, applicant requests it be held at Hartford, Conn., or Springfield, Mass.

No. MC 124986 (Sub-No. 5), filed October 8, 1968. Applicant: JOSEPH T. MIGNANELLI, doing business as ROCHESTER TRANSIT CO., 704 California Avenue, Rochester, Pa. 15074. Applicant's representative: William J. Lavelle, 2310 Grant Building, Pittsburgh, Pa. 15219. 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 Chester, W. Va., and Waterford Park Race Track, approximately 6.5 miles from Chester, W. Va.: From Chester over West Virginia Highway 66 to Waterford Park Race Track, and return over the same route. Restriction: No passengers shall be picked up at Chester or Newell, W. Va., for discharge at Waterford Park Race Track, or picked up at Waterford Park Race Track for discharge at Chester, or Newell, W. Va. NOTE: If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa.

APPLICATION FOR BROKERAGE LICENSE

No. MC 130019 (Sub-No. 1), filed October 10, 1968. Applicant: CONLON TRAVEL, INC., doing business as CONLON TRAVEL, 163 North Mechanic Street, Cumberland, Md. 21501. Applicant's representative: Charles J. Williams, 47 Lincoln Park, Newark, N.J. 07102. For a license (BMC–5) to engage in operations as a *broker,* at Cumberland, Md., in arranging for transportation in interstate or foreign commerce of *passengers and their baggage,* in special and charter operations, beginning and ending at points in Bedford and Somerset Counties, Pa., points in Garrett and Allegany

(except Cumberland) Counties, Md., and points in Hampshire and Mineral Counties, W. Va., and extending to points in the United States (including Alaska, but excluding Hawaii).

APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN REQUESTED

No. MC 71074 (Sub-No. 3), filed October 14, 1968. Applicant: WAREHOUSE TRANSPORT, INC., 211 Plainfield Street, Springfield, Mass. 01107. Applicant's representative: Francis E. Barrett, Jr., Investors Building, 536 Granite Street, Braintree, Mass. 02184. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise* as is dealt in by wholesale, retail, and chain grocery and food business houses, and, in connection therewith, *equipment, materials, and supplies* used in the conduct of such business (except in bulk); (1) between points within the territory bounded by a line beginning at Norwalk, Conn., and extending along U.S. Highway 7 to the junction of Connecticut Highway 123, thence along Connecticut Highway 123 to the Connecticut-New York State line, thence along the Connecticut-New York State line to the junction of the Connecticut-New York-Massachusetts State lines, thence along the Massachusetts-New York State line to the junction of the Massachusetts-New York-Vermont State lines, thence along the Massachusetts-Vermont State line to U.S. Highway 7, thence along U.S. Highway 7 to Rutland, Vt., thence along U.S. Highway 4 to Sherburne Center, Vt., thence along Vermont Highway 100 to junction Vermont Highway 107, thence along Vermont Highway 107 to junction Vermont Highway 12, thence along Vermont Highway 12 to Montpelier, Vt., thence along U.S. Highway 302 to Woodville, N.H., thence along New Hampshire Highway 10 to Hanover, N.H., thence along New Hampshire Highway 120 to Lebanon, N.H., thence along U.S. Highway 4 to junction of New Hampshire Highway 11, thence along New Hampshire Highway 11 to junction of New Hampshire Highway 10, thence along New Hampshire Highway 10 to the junction of New Hampshire Highway 12, thence along New Hampshire Highway 12 to the New Hampshire-Massachusetts State line, thence along the New Hampshire-Massachusetts State line to U.S. Highway 202, thence along U.S. Highway 202 to the junction of New Hampshire Highway 136, thence along New Hampshire Highway 136 to the junction of New Hampshire Highway 13, thence along New Hampshire Highway 13, to the junction of New Hampshire Highway 114, thence along New Hampshire Highway 114 to Manchester, N.H., thence along New Hampshire Highway 101 to the Atlantic Ocean, thence along the Atlantic Ocean to Norwalk, Conn., including points located on said highways; (2) between points in the above specified territory on the one hand, and, on the other, Portland, Maine. Restriction: The operations sought herein are limited to a transportation service to be performed, under a continuing contract, or contracts, with the Great Atlantic & Pacific Tea Co., Inc. of New York, N.Y. NOTE: Applicant states if the application is granted, it will request in writing cancellation of its existing permit Nos. MC 71074 and MC 71074 Sub 2. Common control may be involved.

No. MC 1515 (Sub-No. 125), filed October 11, 1968. Applicant: GREYHOUND LINES, INC., 10 South Riverside Plaza, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, tranporting: *Passengers and their baggage, express, and newspapers* in the same vehicle, with passengers, (1) between junction U.S. Highway 25 and Kentucky Highway 236 at Erlanger, Ky., and the Greater Cincinnati Airport over Kentucky Highway 236, serving no intermediate points, but with ingress and egress at Interstate Highway 75, restricted against the transportation of any passenger whose entire ride is between Cincinnati, Ohio, and The Greater Cincinnati Airport, or between The Greater Cincinnati Airport, and (a) points within a radius of 25 miles of the city of Cincinnati and (b) the city of Middletown, Ohio; (2) between Lafayette, La., and the junction of U.S. Highway 167 and Louisiana Highway 182, west of Grand Coteau, La., over U.S. Highway 167, serving all intermediate points; and (3) between Raleigh, N.C., and Holland, Va., from Raleigh over U.S. Highway 64 to Rocky Mount, N.C., thence over North Carolina Highway 97 to junction U.S. Highway 258, at Lawrence, N.C., thence over U.S. Highway 258 to junction Virginia Highway 189, south of Franklin, Va., thence over Virginia Highway 189 to Holland, and return over the same route, as an alternate route for operating convenience only, serving no intermediate points.

No. MC 1515 (Sub-No. 126), filed October 14, 1968. Applicant: GREYHOUND LINES, INC., 10 South Riverside Plaza, Chicago, Ill. 60606. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, express, and newspapers* in the same vehicles with passengers, (1) between River Falls, Wis., and junction U.S. Highway 12 and Wisconsin Highway 35, over Wisconsin Highway 35, serving all intermediate points, and (2) between junction U.S. Highway 12 and Wisconsin Highway 65 and junction Wisconsin Highways 65 and 35, over Wisconsin Highway 65, serving all intermediate points.

By the Commission.

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

[F.R. Doc. 68-13147; Filed, Oct. 30, 1968; 8:45 a.m.]

[Notice 721]

## MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

OCTOBER 28, 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 109 (Sub-No. 1 TA), filed October 24, 1968. Applicant: LOUIS G. HANNUM, doing business as CAMPBELL'S AUTO EXPRESS, 527 Elm Avenue, Pitman, N.J. 08071. Applicant's representative: Raymond A. Thistle, Jr., Suite 1710, 1500 Walnut Street, Philadelphia, Pa. 19102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, and except household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading), between the plantsite of CBS Records, a division of Columbia Broadcasting System, Pitman, N.J., on the one hand, and, on the other, points in Connecticut, Delaware, Maryland, Massachusetts, New York, Pennsylvania, and the District of Columbia, for 180 days. Supporting shipper: CBS Records, a division of Columbia Broadcasting System, Inc., 51 West 52d Street, New York, N.Y. 10019. Send protests to: District Supervisor Raymond T. Jones, Interstate Commerce Commission, Bureau of Operations, 410 Post Office Building, Trenton, N.J. 08608.

No. MC 59570 (Sub-No. 35 TA), filed October 24, 1968. Applicant: HECHT BROTHERS, INC., Route No. 9, Toms River, N.J. 08753. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cinders, clay, shale, and slate*, in bulk, in dump trailers, from Weehawken, N.J., to Wilmington, Del., for 180 days. Supporting shipper: Hudson Valley Lightweight Aggregate Corp., 1967 Turnbull Avenue, Bruckner Plaza Office Center, Bronx, N.Y. 10473. Send protests to: District Supervisor Raymond T. Jones, Interstate Commerce Commission, Bureau of Operations, 410 Post Office Building, Trenton, N.J. 08608.

No. MC 109533 (Sub-No. 38 TA), filed October 23, 1968. Applicant: OVERNITE TRANSPORTATION COMPANY, 1100 Commerce Road, Post Office Box 1216 (23209), Richmond, Va. 23224. Applicant's representative: C. H. Swanson (same address as above). Authority

sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Sprouses Corner, Va., and junction U.S. Highway 460 and junction U.S. Highway 15, over U.S. Highway 15 serving all intermediate points, for 180 days. NOTE: Applicant intends to tack MC 109533, Sub-No. 22. Supporting shippers: P. M. Jones Sons Co., Sheppards, Va., Mail address—Route 2, Farmville, Va.; Kyanite Mining Corp., Dillwyn, Va. 23936. Send protests to: Robert W. Waldron, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 10–502 Federal Building, Richmond, Va. 23240.

No. MC 125637 (Sub-No. 2 TA), filed October 24, 1968. Applicant: KODIAK OILFIELD HAULERS, INC., doing business as HOMER FREIGHT LINES, Post Office Box 329, Soldotna, Alaska 99669. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Machinery, materials and supplies used in or in connection with the discovery, development, production, refining, manufacturing, processing, storage, transmission, and distribution of natural gas and petroleum and their products and byproducts* (except commodities in bulk and household goods), between points in Alaska (except points south of Haines, Alaska), excluding points on the Kenai Peninsula, for 180 days. NOTE: (Applicant already holds authority between points on the Kenai Peninsula. Therefore, it does not desire duplicating authority.) Applicant intends to tack with existing authority and interline at common points of Canadian border, Fairbanks and Valdez, Alaska. Supporting shippers: Reading & Bates, Inc., 430 C Street, First Federal Savings & Loan Building, Anchorage, Alaska 99501; Coastal Drilling Co., 7300 Downing Avenue, Bakersfield, Calif. 93308; Rowan Drilling Co., Inc., Rowan Building, 6000 Camp Bowie Boulevard, Fort Worth, Tex. 76116. Send protests to: Hugh H. Chaffee, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Post Office Box 1532, Anchorage, Alaska 99501.

No. MC 127480 (Sub-No. 2 TA), filed October 23, 1968. Applicant: LAMPERT TRUCKING, INC., 41 Ruth Boulevard, Commach, N.Y. 11725. Applicant's representative: Arthur J. Piken, 160–16 Jamaica Avenue, Jamaica, N.Y. 11432. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Wearing apparel and piece goods*, between the premises of Sidney Gould Co., Ltd., 120 Old Broadway, Garden City Park, Long Island, N.Y., on the one hand, and, on the other, points in the New York, N.Y., commercial zone as defined by the Commission, for 180 days. Supporting shipper: Sidney Gould Co., Ltd., 1407 Broadway, New York, 18, N.Y. Send protests to: E. N. Carignan, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 26 Federal Plaza, New York, N.Y. 10013.

By the Commission.

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

[F.R. Doc. 68–13222; Filed, Oct. 30, 1968; 8:49 a.m.]

[Notice 237]

## MOTOR CARRIER TRANSFER PROCEEDINGS

OCTOBER 28, 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–70857. By order of October 24, 1968, the Transfer Board approved the transfer to Richard A. George, Inc., Coplay, Pa., of permit No. MC–93927 (Sub-No. 2), issued January 11, 1962, to Richard A. George, Allentown, Pa., authorizing the transportation of (1) pipe organs, knocked down, and loose and component parts and accessories thereof, from Boston, Mass., to points in the United States (except points in Alaska and Hawaii); and (2) dismantled used pipe organs, and component parts and accessories thereof, from points in the United States (except points in Alaska and Hawaii) to Boston, Mass., over irregular routes, restricted to transportation service to be performed under a continuing contract, or contracts, with Aeolian-Skinner Organ Company of Boston, Mass. Robert Margolis, Esquire, 2650 Schoenersville Road, Bethlehem, Pa. 18001, attorney for applicants.

No. MC–FC–70860. By order of October 24, 1968, the Transfer Board approved the transfer to Terminal Grain Corp., Sioux City, Iowa, of the operating rights in certificate No. MC–128810 issued December 15, 1967, to Ella Kurtzhals, Le Mars, Iowa, authorizing the transportation of: Dry fertilizer and dry fertilizer materials, from the storage facilities of Monsanto Co. and the Big Soo Terminal at or near Sioux City, Iowa, to points in Nebraska, South Dakota, and those points in Minnesota located on and south of U.S. Highway 12 (except Minneapolis and St. Paul, Minn.), with no transportation for compensation on return except as otherwise authorized. Martin J. Klass, 830 Frances Building, Sioux City, Iowa 51101; attorney for transferee. Wallace W. Huff, 314 Security Building, Sioux City, Iowa 51101; attorney for transferor.

No. MC–FC–70866. By order of October 24, 1968, the Transfer Board approved the transfer to Dempsey Transportation, Inc., Lubbock, Tex., of the certificate in No. MC–113851, issued September 21, 1962, to W. G. Dempsey, Lubbock, Tex., authorizing the transportation of: Houses, except knocked-down houses, between points in Texas, New Mexico, Oklahoma, and a described area in Kansas. David D. Brunson, 519 Northwest Ninth Street, Oklahoma City, Okla. 73101; attorney for applicants.

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

[F.R. Doc. 68–13223; Filed, Oct. 30, 1968; 8:49 a.m.]

## NOTICE OF FILING OF MOTOR CARRIER INTRASTATE APPLICATIONS

OCTOBER 18, 1968.

The following applications for motor common carrier authority to operate in intrastate commerce seek concurrent motor carrier authorization in interstate or foreign commerce within the limits of the intrastate authority sought, pursuant to section 206(a)(6) of the Interstate Commerce Act, as amended October 15, 1962. These applications are governed by Special Rule 1.245 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of April 11, 1963, page 3533, which provides, among other things, that protests and requests for information concerning the time and place of State Commission hearings or other proceedings, any subsequent changes therein, and any other related matters shall be directed to the State Commission with which the application is filed and shall not be addressed to or filed with the Interstate Commerce Commission.

State Docket No. CC–7043 (Correction), filed August 13, 1968, published in FEDERAL REGISTER issue of October 2, 1968, and republished as corrected, this issue. Applicant: HENRY MARVIN FIELDS, doing business as FIELDS BUS LINE, Route 1, Box 78–D, Roanoke, Va. Applicant's representative: Jno. C. Goddin, 200 West Grace Street, Richmond, Va. Certificate of public convenience and necessity sought to operate a passenger service as follows: Transportation of *passengers*, between Roanoke, Va., and Bedford, Va., via U.S. Highway 460, serving all intermediate points and off-route points within 2 miles of said highway. Both intrastate and interstate authority sought.

*HEARING:* Tuesday, November 19, 1968, at 10 a.m., Courtroom, Virginia State Corporation Commission, Blanton Building, Richmond, Va. 23209. Requests for procedural information including the time for filing protests concerning this application should be addressed to the State Corporation Commission of Virginia, Box 1158, Richmond, Va. 23209, and should not be directed to the Interstate Commerce Commission. NOTE: The purpose of this republication is to include Bedford, Va., in the route description

above, which was erroneously omitted in previous publication.

By the Commission.

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

[F.R. Doc. 68-13224; Filed, Oct. 30, 1968; 8:49 a.m.]

[Notice 238]

## MOTOR CARRIER TRANSFER PROCEEDINGS

OCTOBER 29, 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-70869. By order of October 29, 1968, the Transfer Board approved the transfer to Sunvan Hawaii, Inc., Honolulu, Hawaii, of the operating rights in certificate No. MC-118498 (Sub-No. 2) issued May 4, 1967, to Sunvan & Storage Co., Inc., Seattle, Wash., authorizing the transportation of household goods, as defined by the Commission, between points in the State of Hawaii. Alan F. Wohlstetter, Denning and Wohlstetter, 1 Farragut Square South, Washington, D.C. 20006; attorney for applicants.

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

[F.R. Doc. 68-13257; Filed, Oct. 30, 1968; 8:52 a.m.]

# DEPARTMENT OF THE TREASURY

### Bureau of Customs

## TIRE STUDS FROM SWEDEN

### Antidumping Proceeding Notice

OCTOBER 23, 1968.

On August 19, 1968, information was received indicating a possibility that tire studs manufactured by Frank Dahlberg, A.B., Stockholm, Sweden, are 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 tire studs under consideration are used as inserts in studded snow tires.

The information was submitted by Firth Sterling, McKeesport, Pa.

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. 68-13226; Filed, Oct. 30, 1968; 8:50 a.m.]

# DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[Montana 7867]

## MONTANA

### Notice of Proposed Classification of Public Lands

OCTOBER 24, 1968.

Notice is hereby given of a proposal to classify the lands described below for disposal through exchange under section 8 of the Taylor Grazing Act (43 U.S.C. 315) for lands within the Garber Land and Livestock Company Ranch located approximately 40 to 50 air miles east of Miles City, Mont. This publication is made pursuant to the Act of September 19, 1964 (43 U.S.C. 1412).

All minerals now owned by the United States on the lands will remain in Federal ownership.

This proposal has been discussed with District Advisory Board members, local governmental officials and other interested parties. Information derived from these discussions and other sources indicates these lands meet the criteria of 43 CFR Part 2410.1-3(c)(4), which authorizes classification of lands "for exchange 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 are needed for the support of a Federal Program."

The lands affected by this proposal are located in Custer and Prairie Counties and are described as follows:

PRINCIPAL MERIDIAN, MONTANA

T. 9 N., R. 53 E.,
Sec. 12, W½ and N½NE¼.
T. 9 N., R. 54 E.,
Sec. 1, A11;
Sec. 4, S½;
Sec. 7, N½;
Sec. 8, N½.
T. 9 N., R. 55 E.,
Sec. 6, Lots 5 and 6;
Sec. 30, E½;
Sec. 32, N½ and N½SW¼.

The areas described aggregate 2,793.71 acres.

Information concerning the lands, including the records of public discussions, is available for study at the Bureau of Land Management District Office located west of Miles City, Mont.

For a period of 60 days from the date of this publication, interested parties may submit comments to the District Manager of the Miles City District, Post Office Box 940, Miles City, Mont. 59301.

HAROLD TYSK,
*State Director.*

[F.R. Doc. 68-13203; Filed, Oct. 30, 1968; 8:48 a.m.]

[S-2182—S-2185]

## CALIFORNIA

### Notice of Proposed Classification of Public Lands for Multiple Use Management; Correction

OCTOBER 23, 1968.

In F.R., Vol. 33, No. 197 appearing at page 15077 of the issue for Wednesday, October 9, 1968, the following change should be made in paragraph 4: T. 34 N., R. 11 W., section 26, SW¼NW¼, SE¼NE¼ should be NE¼NW¼, NW¼NE¼.

For State Director.

RICHARD L. THOMPSON,
*District Manager.*

[F.R. Doc. 68-13177; Filed, Oct. 30, 1968; 8:45 a.m.]

[New Mexico 4842]

## NEW MEXICO

### Notice of Classification

OCTOBER 25, 1968.

Pursuant to section 2 of the Act of September 19, 1964 (43 U.S.C. 1412), the lands described below are hereby classified for disposal through exchange under section 8 of the Act of June 28, 1934 (48 Stat. 1272; 43 U.S.C. 315g), as amended, for lands within Chaves County, N. Mex., and are described as follows:

NEW MEXICO PRINCIPAL MERIDIAN

T. 23 N., R. 6 W.,
Sec. 21, NE¼NE¼.
T. 19 N., R. 8 W.,
Sec. 14, lots 3, 4, and E½SW¼.
T. 23 N., R. 9 W.,
Sec. 1, lots 3, 4, and S½NW¼.
T. 25 N., R. 9 W.,
Sec. 5, S½;
Sec. 6, lots 6, 7, E½SW¼, and SE¼;
Sec. 7, lot 1, NE¼, and E½NW¼;
Sec. 19, NW¼NE¼, and NE¼NW¼.

T. 25 N., R. 10 W.,
Sec. 1, NE¼SW¼, N½SE¼SW¼, N½SE¼, and N½S½SE¼.
T. 13 N., R. 17 W.,
Sec. 28, W½NW¼ and S½SE¼.
T. 14 N., R. 17 W.,
Sec. 4, lots 1, 2, 3, 4, S½N½, and SE¼;
Sec. 6, lots 1, 3, SE¼NE¼, SE¼NW¼, E½SW¼, and E½SE¼;
Sec. 8, W½, and SE¼;
Sec. 22, lots 1, 2, 3, 4, and W½W½.
T. 13 N., R. 19 W.,
Sec. 32, W½SW¼, and SE¼SW¼.
T. 13 N., R. 20 W.,
Sec. 28, NE¼.

The areas described aggregate 3500.58 acres.

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

W. J. ANDERSON,
*State Director.*

[F.R. Doc. 68-13178; Filed, Oct. 30, 1968; 8:48 a.m.]

[OR 519]

## OREGON

### Order Providing for Opening of Public Lands

OCTOBER 25, 1968.

1. In an exchange of lands made under the provisions of section 8 of the Act of June 28, 1934 (48 Stat. 1272), as amended June 26, 1936 (49 Stat. 1976; 43 U.S.C. 315g), the following lands have been reconveyed to the United States:

WILLAMETTE MERIDIAN

T. 10 S., R. 46 E.,
Sec. 16, N½, SW¼, and W½SE¼.
A parcel in the E½SE¼ described as follows: Beginning at a point on the South line of said section, which point bears S. 87°19′ E., 478.47 feet, more or less, from the Southwest corner of the SE¼SE¼, said point being on the 2,100 foot elevation contour, U.S.G.S. mean sea level datum;
Thence along said contour by the following courses and distances: N. 19°51′ E., 138.5 feet; N. 11°47′ W., 67.1 feet; N. 00°15′ E., 288.6 feet; N. 32°17′ E., 235 feet; N. 11°38′ W., 134.9 feet; N. 63°57′ W., 103 feet; N. 34°04′ E., 161.2 feet; N. 26°06′ W., 121.5 feet; N. 65°33′ W., 117.8 feet; N. 77°13′ E., 246.1 feet; N. 40°03′ E., 109.2 feet; N. 12°47′ E., 28.8 feet, more or less, to a point on the north line of said SE¼SE¼ said point being S. 87°12′ E., 761.43 feet from the NW corner of said SE¼SE¼; N. 12°47′ E., 274.44 feet; N. 43°16′ E., 99.2 feet; N. 24°58′ E., 116.3 feet; N. 03°08′ W., 103.7 feet; N. 60°56′ E., 92.5 feet; N. 24°54′ E., 220.3 feet; N. 08°04′ E., 66.3 feet; N. 32°59′ E., 308.4 feet, more or less, to a point on the East line of said section, which point bears S. 00°13′ W., 186.60 feet from the quarter corner common to secs. 16 and 15, said T. and R.;
Thence N. 00°13′ E., 186.60 feet to the Northeast corner of said NE¼SE¼;
Thence West along the North line thereof to the Northwest corner of said NE¼SE¼;
Thence South along the West line of said E½SE¼ to the SW corner of said SE¼SE¼;
Thence S. 87°19′ E., 478.47 feet to the point of beginning.

The areas described aggregate 609.59 acres.

2. The lands are located in Baker County. They are semiarid in character and are not suitable for farming.

3. Subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law, the lands are hereby open to application, petition, location, and selection. All valid applications received at or prior to 10 a.m., December 2, 1968, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

4. Inquiries concerning the lands should be addressed to the Chief, Division of Lands and Minerals Program Management and Land Office, Post Office Box 2965, Portland, Oreg. 97208.

VIRGIL O. SEISER,
*Chief, Branch of Lands.*

[F.R. Doc. 68-13179; Filed, Oct. 30, 1968; 8:45 a.m.]

## National Park Service

[Order No. 1]

### ADMINISTRATIVE OFFICER, GEORGE WASHINGTON MEMORIAL PARKWAY, VA.

#### Delegation of Authority

SECTION 1. *Administrative Officer.* The Administrative Officer, George Washington Memorial Parkway, may issue purchase orders not in excess of $2,500 for supplies and equipment in conformity with applicable regulations and statutory authority and subject to availability of alloted funds.

SEC. 2. *Revocation.* This order supersedes Order No. 3, Prince William Forest Park and George Washington Memorial Parkway, dated December 22, 1966.

(National Park Service Order 34 (31 F.R. 4255; 32 F.R. 12199); (National Capital Region Order 3 (31 F.R. 8500))

Dated: October 10, 1968.

FLOYD B. TAYLOR,
*Superintendent.*

[F.R. Doc. 68-13183; Filed, Oct. 30, 1968; 8:46 a.m.]

[Order No. 1]

### ADMINISTRATIVE OFFICER; PRINCE WILLIAM FOREST PARK, VA.

#### Delegation of Authority

SECTION 1. *Administrative Officer.* The Administrative Officer may issue purchase orders not in excess of $2,500 for supplies and equipment in conformity with applicable regulations and statutory authority and subject to availability of allotted funds.

(National Park Service Order 34 (31 F.R. 4255; 32 F.R. 12199); National Capital Region Order 3 (31 F.R. 8500))

Dated: October 9, 1968.

ALBERT A. HAWKINS,
*Superintendent.*

[F.R. Doc. 68-13184; Filed, Oct. 30, 1968; 8:46 a.m.]

### WASHINGTON METROPOLITAN AREA

#### Notice of Intention To Negotiate Concession Contract

Pursuant to the provisions of section 5, of the Act of October 5, 1965 (79 Stat. 969; 16 U.S.C. 20) notice is hereby given that thirty (30) days after the date of publication of this notice, the Department of the Interior, through the Director of the National Park Service, proposes to extend the concession contract with the S. G. Leoffler Co. authorizing it to provide golfing facilities and services for the public in the Washington Metropolitan area of the National Capital Region, Washington, D.C., for a period of 1 year from January 1, 1969, through December 31, 1969.

The foregoing concessioner has performed its obligations under the contract to the satisfaction of the National Park Service and, therefore, pursuant to the Act cited above, is entitled to be given preference in the renewal of the contract and in the negotiation of a new contract. However, under the Act cited above, the Secretary is also required to consider and evaluate all proposals received as a result of this notice.

Interested parties should contact the Chief of Concessions Management, National Park Service, Washington, D.C. 20240, for information as to the requirements of the proposed contract.

Dated: October 22, 1968.

R. B. MOORE,
*Assistant Director, National Park Service.*

[F.R. Doc. 68-13204; Filed, Oct. 30, 1968; 8:48 a.m.]

## Office of the Secretary

### EISENHOWER NATIONAL HISTORIC SITE

#### Notice of Description of Boundaries

By Order of Designation of the Secretary of the Interior dated November 27, 1967, and concurred in by Lyndon B. Johnson, President of the United States, the Eisenhower farmstead at Gettysburg, Pa., which had been conveyed to the United States subject to the retention of a life estate and a lesser interest, was designated as "The Eisenhower National Historic Site." Said order, published in the FEDERAL REGISTER simultaneously with this document, requires that the designated property be more particularly described by publication of notice in the FEDERAL REGISTER.

Pursuant to the said Order of Designation, the property known as "The Eisenhower National Historic Site," situate, lying and being in Cumberland Township, Adams County, Pa., is bounded and described as follows:

Beginning at a spike in State Highway Route 01026, known as the "Gettysburg Pumping Station Road," at land now or formerly of John S. D. Eisenhower;
Thence in said State Highway S. 61°45′ E., 193.62 feet to a point;
Thence continuing in same S. 66°15′ E., 353.1 feet to a point;

Thence continuing in same S. 87°15′ E., 755.7 feet to a point;
Thence continuing in same N. 87°15′ E., 495.9 feet to a point;
Thence continuing in same N. 46°43′ E., 752.4 feet to a spike in said State Highway (said spike being N. 6°19′ W. of a U.S. stonemarker);
Thence leaving said State Highway and by lands of the U.S. Government through said U.S. stonemarker S. 6°19′ E., 1612.15 feet to another U.S. stonemarker;
Thence by land of the U.S. Government N. 58°48′ W., 595.65 feet to a granite stone at lands of the U.S. Government;
Thence by the same S. 3°30′ W., 1620. 3 feet to a point;
Thence by the same S. 75°31′ E., 165 feet to a point;
Thence by the same S. 9°24′ W., 814.76 feet to a point in a private lane leading to U.S. Route 15;
Thence in the center of said private lane N. 73°44′ W., 1,287 feet to a iron pin at the edge of said private lane;
Thence leaving said private lane and by lands of the U.S. Government S. 83° W., 321.75 feet to a point;
Thence by the same N. 49° W., 97.35 feet to a point;
Thence by the same N. 59° W., 442.2 feet to a point;
Thence by the same S. 31° W., 75.9 feet to a point;
Thence by the same N. 83° W., 313.5 feet to a point;
Thence by the same N. 85° W., 432.3 feet to a point;
Thence by the same N. 68° W., 247.5 feet to a point;
Thence by the same N. 79° W., 734.25 feet to a stone in the public road known as "McCleary's School Road";
Thence along said road by lands now or formerly of Joseph C. Redding N. 18°15′ E., 714.45 feet to a point;
Thence by the same N. 26°30′ E., 1331.55 feet to a point;
Thence by the same N. 69° W., 74.25 feet to an iron pin;
Thence along lands now or formerly of E. Donald Scott N. 3° E., 353.1 feet to an iron pin at corner of lands now or formerly of Hugh Keckler;
Thence along a public road and by said lands of Hugh Keckler N. 57°30′ E., 496.12 feet to a point in the center of said road at lands now or formerly of John S. D. Eisenhower aforesaid;
Thence by said lands S. 65°30′ E., 634.86 feet to a point;
Thence by the same N. 24°30′ E., 369.4 feet to a spike, the place of beginning. Containing 229 acres and 66.1 perches, more or less;
Together with free and uninterrupted use of a private lane along the southern boundary of the above tract, which lane is described at page 3 of the deed to the United States of America from Dwight D. Eisenhower and Mamie D. Eisenhower, dated November 27, 1967, and recorded in Deed Book 264 at pages 923 to 927.

Although the property herein described has been conveyed to the United States by donation for administration as a part of the National Park System under the Department of the Interior, it is not presently administered by the Federal Government. Under the terms of the conveyance the grantors, General and Mrs. Dwight D. Eisenhower, retain a life estate and certain other interests in the property and during the period these rights are being exercised by them, the property will not be open to the public.

Dated: October 24, 1968.

STEWART L. UDALL,
*Secretary of the Interior.*

[F.R. Doc. 68–13181; Filed, Oct. 30, 1968; 8:46 a.m.]

## EISENHOWER NATIONAL HISTORIC SITE

### Order of Designation

Whereas the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461 et seq.), declares it to be a national policy to preserve for public use historic sites, buildings, and objects of national significance for the inspiration and benefit of the people of the United States; and

Whereas the farm of General Dwight D. Eisenhower, 34th President of the United States, at Gettysburg, Pa., is of outstanding historical significance to the people of the United States because of its close association with the life and work of General Eisenhower, and because of its relation to the historic Battle of Gettysburg during the Civil War; and

Whereas the Advisory Board on National Parks, Historic Sites, Buildings, and Monuments, at its 55th meeting in April 1966, considered the historical importance of the Eisenhower Farm and found that it possesses outstanding national significance; and

Whereas I have determined that the said farm of General Eisenhower possesses exceptional value in commemorating or illustrating the history of the United States within the meaning of the Act of August 21, 1945; and

Whereas General and Mrs. Dwight D. Eisenhower have conveyed to the United States for historic site purposes their historic farm and residence, subject to the retention of a life estate by General Eisenhower and subject to the retention of the right to occupy the property for a certain period upon the expiration of said life estate by Mamie D. Eisenhower; and

Whereas the establishment of the property so conveyed as a national historic site will constitute a fitting and enduring memorial to General Dwight D. Eisenhower and to the events of far-reaching importance which have occurred on the property.

Now, therefore, with the concurrence of Lyndon B. Johnson, President of the United States, I, Stewart L. Udall, Secretary of the Interior, by virtue of and pursuant to the authority vested in me under the Act of Congress approved August 21, 1935, do hereby designate the Eisenhower farm at Gettysburg, Pa., which shall be more particularly described by publication of notice in the FEDERAL REGISTER to be a national historic site having the name "The Eisenhower National Historic Site."

Subject to the limitation contained in the second sentence of this paragraph, and upon the termination of the estates reserved by the donors, the administration, protection, and development of this national historic site shall be exercised in accordance with the provisions of the Act of August 21, 1935. Unless provided otherwise by Act of Congress, no funds appropriated to the Department of the Interior shall be expended for the development of the Eisenhower National Historic Site.

In witness whereof, I have hereunto set my hand and caused the official seal of the Department of the Interior to be affixed in the city of Washington, District of Columbia, this 27th day of November 1967.

STEWART L. UDALL,
*Secretary of the Interior.*

I concur:

LYNDON B. JOHNSON,
*President of the United States.*

[F.R. Doc. 68–13182; Filed, Oct. 30, 1968; 8:46 a.m.]

# DEPARTMENT OF AGRICULTURE

## Agricultural Stabilization and Conservation Service

## PRICES FOR HAWAIIAN SUGARCANE AND DESIGNATION OF PRESIDING OFFICERS

### Notice of Hearing

Pursuant to the authority contained in section 301(c)(2) of the Sugar Act of 1948, as amended (61 Stat. 929; 7 U.S.C. 1131), and in accordance with the rules of practice and procedure applicable to fair price proceedings (7 CFR 802.1 et seq.), notice is hereby given that a public hearing will he held in Hilo, on the Island of Hawaii, in the Auditorium of the Hilo Electric Light Co., Ltd., on December 13, 1968, beginning at 9 a.m.

The purpose of this hearing is to receive evidence likely to be of assistance to the Secretary of Agriculture in determining, pursuant to the provisions of section 301(c)(2) of said act, fair and reasonable prices or rates for the 1969 crop of Hawaiian sugarcane to be paid, under either purchase or toll agreements, by producers who process sugarcane grown by other producers and who apply for payments under the said act.

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

In the interest of obtaining the best possible information, all interested persons are requested to appear at the hearing to express their views and present appropriate data in regard to the foregoing matter. Pertinent information on all relevant matters is requested. With respect to the Puna factory, it is especially desired that witnesses be prepared to present data and make recommendations concerning the delivery point for

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

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

Signed at Washington, D.C., on October 25, 1968.

H. D. GODFREY,
*Administrator, ASCS.*

[F.R. Doc. 68-13213; Filed, Oct. 30, 1968; 8:49 a.m.]

## Office of the Secretary

## NORTH CAROLINA AND SOUTH CAROLINA

### Designation of Areas for Emergency Loans

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

NORTH CAROLINA

| | |
|---|---|
| Alamance. | Guilford. |
| Anson. | Iredell. |
| Beaufort. | Pamlico. |
| Bladen. | Union. |
| Columbus. | Yadkin. |
| Edgecombe. | |

SOUTH CAROLINA

| | |
|---|---|
| Abbeville. | Horry. |
| Anderson. | Laurens. |
| Cherokee. | Oconee. |
| Greenville. | Pickens. |
| Greenwood. | Spartanburg. |

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after June 30, 1969, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 28th day of October 1968.

ORVILLE L. FREEMAN,
*Secretary.*

[F.R. Doc. 68-13243; Filed, Oct. 30, 1968; 8:51 a.m.]

# DEPARTMENT OF COMMERCE

## Bureau of the Census

## SURVEY OF DISTRIBUTORS STOCKS OF CANNED FOODS

### Notice of Consideration

Notice is hereby given that the Bureau of the Census is planning to conduct its usual annual survey of inventories covering 30 canned and bottled products, including vegetables, fruits, juices, and fish as of December 31, 1968, under the provisions of title 13, United States Code, sections 181, 224, and 225. This survey, together with the previous surveys, provides the only continuing source of information on stocks of the specified canned foods held by wholesalers and in warehouses of retail multiunit organizations.

On the basis of information received by the Bureau of the Census, these data will have significant application to the needs of the public, industry and the distributive trades, and governmental agencies and are not publicly available from nongovernmental or other governmental sources.

Such survey, if conducted, shall begin not earlier than 30 days after publication of this notice in the FEDERAL REGISTER.

Reports will not be required from all firms but will be limited to a scientifically selected sample of wholesalers and retail multiunit organizations handling canned foods, in order to provide year-end inventories of the specified canned food items with measurable reliability. These stocks will be measured in terms of actual cases with separate data requested for "all sizes smaller than No. 10" and for "sizes No. 10 or larger." (In addition, multiunit firms reporting separately by establishment will be requested to update the list of their establishments maintaining canned food stocks.)

Copies of the proposed forms and a description of the collection methods are available upon request to the Director, Bureau of Census, Washington, D.C. 20233.

Any suggestions or recommendations concerning the subject matter of this proposed survey should be submitted in writing to the Director of the Census within 30 days after the date of this publication and will receive consideration.

Dated: October 17, 1968.

ROBERT F. DRURY,
*Acting Director,*
*Bureau of the Census.*

[F.R. Doc. 68-13202; Filed, Oct. 30, 1968; 8:47 a.m.]

## Business and Defense Services Administration

## NATIONAL INSTITUTES OF HEALTH

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

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

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

Docket No. 69-00026-33-46500. Applicant: National Institutes of Health, Building 5, Room 127, Bethesda, Md. 20014. Article: Ultramicrotome, LKB 8800A Ultrotome III. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article will be used in a proposed research program which requires that high resolution microscopy be carried out on virus-cell interrelationships. Uniformity and continuity of the sections to be studied are needed to evaluate the exact relationships of the virus and cirrus subunits with the cellular components. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, is being manufactured in the United States. Reasons: (1) The only known comparable domestic instrument is the Model MT-2 ultramicrotome manufactured by Ivan Sorvall, Inc. (Sorvall). For the purposes for which the foreign article is intended to be used, the applicant requires an ultramicrotome capable of cutting sections of biological specimens down to 50 angstroms. The foreign article has the capability of cutting sections down 50 angstroms (1965 catalog for the "Ultrotome III" Ultramicrotome, LKB Produkter AB, Stockholm, Sweden). The thin-sectioning capability of the Sorvall Model MT-2 is specified as 100 angstroms (1966 catalog for Sorvall "Porter-Blum" MT-1 and MT-2 Ultramicrotomes, Ivan Sorvall, Inc., Norwalk, Conn.). The better thin-sectioning capability of the foreign article is pertinent because the thinner the section that can be examined under an electron microscope, the more is it possible to take advantage of the ultimate resolving power of the electron microscope. (2) The applicant requires an ultramicrotome capable of reproducing a series of ultrathin sections with consistent accuracy and uniformity. This capability in the required dimensions can be furnished only with microtomes based on the thermal advance principle. The foreign article is equipped with a thermal advance system for ultrathin sectioning, in addition to a mechanical advance for thicker sections (see "Ultrotome III" catalog cited above). Ultramicrotomes employing the mechanical advance utilize a system of gears to advance the specimen and, inherent in such systems are backlash and slippage no matter how slight. In mechanical systems, the variation in thickness is bound to be greater than in thermal systems even when both are functioning at their best. We therefore find that the thermal advance of the foreign article is pertinent to the purposes for which such article is intended to be used. (3) The foreign article incorporates a device which permits measuring the knife-angle setting to an accuracy of 1 degree (see catalog on "Ultrotome III"), whereas no similar device is specified in

the Sorvall catalog. The capability of accurately measuring the setting of the knife-angle is pertinent because the thickness of the section is varied by varying the angle at which the knife enters the specimen.

For the foregoing reasons, we find that the Sorvall Model MT–2 ultramicrotome is not of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used.

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

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

[F.R. Doc. 68–13201; Filed, Oct. 30, 1968; 8:47 a.m.]

# DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

## Food and Drug Administration

## CHEMAGRO CORP.

### Notice of Filing of Petition Regarding Pesticide Chemicals

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a (d)(1)), notice is given that a petition (PP 9F0762) has been filed by Chemagro Corp., Post Office Box 4913, Hawthorn Road, Kansas City, Mo. 64120, proposing that § 120.154 *O,O-Dimethyl S-[4-oxo-1, 2, 3-benzotriazin-3(4H)-ylmethyl] phosphorodithioate; tolerances for residues* (21 CFR 120.154) be amended to permit postharvest application of the subject insecticide in the production of tomatoes (currently, only preharvest application is permitted). No change is proposed in the tolerance level of 2 parts per million.

The analytical method proposed in the petition for determining residues of the insecticide is a colorimetric procedure based on the method of W. R. Meagher et al. published in the "Journal of Agricultural and Food Chemistry," 8:282 (1960).

Dated: October 23, 1968.

J. K. KIRK,
*Associate Commissioner for Compliance.*

[F.R. Doc. 68–13235; Filed, Oct. 30, 1968; 8:50 a.m.]

## PHENFORMIN HYDROCHLORIDE

### Drugs for Human Use—Drug Efficacy Study Implementation

The Food and Drug Administration has received and evaluated reports from the National Academy of Sciences—National Research Council, Drug Efficacy Study Group, on the following preparations: DBI (phenformin hydrochloride, 25-milligram tablets) and DBI–TD (phenformin hydrochloride, 50-milligram timed disintegration capsules), marketed by U.S. Vitamin and Pharmaceutical Corp., 800 Second Avenue, New York, N.Y. 10017 (NDA Nos. 11–624 and 12–752).

The Food and Drug Administration concurs in the evaluation of the Academy that phenformin hydrochloride is an effective hypoglycemic agent when used in selected cases of diabetes mellitus and that labeling revisions are needed to narrow the conditions under which the drug is recommended for use.

An approved new-drug application pursuant to section 505 of the Federal Food, Drug, and Cosmetic Act is required for marketing these articles.

The above-named applicant is requested to submit, within 60 days from the date of publication of this announcement in the FEDERAL REGISTER, supplements to its new-drug applications to provide for labeling revisions. Those parts of the labeling indicated below should be substantially as follows:

ACTION

The precise mode of action of phenformin is unknown; however, it does block aerobic glycolysis, does not stimulate insulin production, and may actually decrease insulin secretion.

INDICATIONS

Stable adult diabetes mellitus: Phenformin may be used alone or in combination with sulfonylureas. Sulfonylurea failures, primary and secondary: Phenformin may give satisfactory control.

Adjunct to insulin therapy of unstable diabetes mellitus adult and juvenile: Phenformin added to the insulin regimen may be of value in improving control.

CONTRAINDICATIONS

Diabetes mellitus that can be regulated by diet alone.

Juvenile diabetes mellitus that is uncomplicated and well regulated on insulin.

Acute complications of diabetes mellitus such as metabolic acidosis, coma, infection, gangrene, or during or immediately following surgery, where insulin is indispensable.

Severe hepatic disease.

Renal disease with uremia.

Cardiovascular collapse (shock).

After disease states associated with hypoxemia.

WARNINGS

USE IN PREGNANCY: The use of phenformin in any form is to be avoided in pregnancy. Adequate data on the effects on the fetus are not available at the present time, and use in pregnancy can be considered in the experimental stage.

PRECAUTIONS

DO NOT GIVE INSULIN WITHOUT FIRST CHECKING BLOOD AND URINE SUGAR DETERMINATIONS

1. Starvation ketosis: This must be differentiated from "insulin lack" ketosis and is characterized by ketonuria in spite of relatively normal blood sugar with little or no urinary sugar. This may result from excess phenformin HCl therapy, excessive insulin, or insufficient carbohydrate intake. Appropriate measures to supply carbohydrates or lower insulin or phenformin dosage result in alleviation of this state.

2. Lactic acidosis: Questions have arisen regarding the possible contribution of phenformin to the appearance of lactic acidosis in patients with renal disease and azotemia, as well as cardiovascular collapse (hypotensive state or hypoxemia) of any cause. In view of this it is recommended that phenformin HCl not be used in the presence of azotemia and in any clinical situation that predisposes to sustained hypotension that could lead to lactic acidosis.

Appropriate diagnostic measures should be taken in the diabetic patient who has been stabilized on phenformin hydrochloride or phenformin hydrochloride with insulin, and has subsequently become unstable, so that metabolic acidosis (which must be differentiated from ketosis of the diabetic type) may be properly diagnosed and treated. These include periodic determinations of ketones in blood and urine, electrolytes, pH, and lactate and pyruvate ratios. Either of these forms of acidosis necessitates the withdrawal of phenformin HCl and the use of insulin and other corrective measures.

3. Hypoglycemia: During the dosage adjustment period, hypoglycemic reactions may occur. Phenformin HCl and insulin dosages should be readjusted to conform with metabolic requirements.

ADVERSE REACTIONS

Principal side effects are related to the gastrointestinal tract, of which a warning signal is an unpleasant metallic taste. Anorexia, nausea, and, less frequently, vomiting and diarrhea are seen. At the first sign of gastrointestinal upset the dose of phenformin HCl should be reduced and, in case of vomiting, should be immediately withdrawn.

DOSAGE AND ADMINISTRATION

Oral therapy must be individualized, and low doses should be used initially with gradual adjustment of higher levels if needed. Phenformin HCl 25-milligram tablets should be administered orally with meals one to four times a day according to the patient's needs. Effective dosages for most diabetic patients may range from 50 to 150 milligrams daily. Some patients may respond to 25 milligrams daily while a few may require and tolerate dosages as high as 300 milligrams per day.

When timed-disintegration phenformin is used, one 50-milligram tablet with breakfast may be effective, or a second dose with the evening meal.

When phenformin HCl is administered to patients receiving insulin, dosage is adjusted in an individual pattern. Usually in patients receiving more than 30 units of insulin per day, the reduction of insulin is not more than 25 percent of the total daily dose. In stable, ketosis resistant, adult diabetes, insulin may be totally withdrawn (if less than 20–30 units) and the patient carefully observed for his clinical response.

The holder of the new-drug applications for these drugs has been mailed a

copy of the NAS-NRC reports along with a copy of the labeling conditions contained in this announcement. Any manufacturer, packer, or distributor of a drug of similar composition and labeling to the drugs listed in this announcement or any other interested person may obtain a copy of the NAS-NRC report by a request to the office named below.

Communications forwarded in response to this announcement should be directed to the attention of the following appropriate office and addressed to the Food and Drug Administration, 200 C Street SW., Washington, D.C. 20204:

Requests for NAS–NRC report: Press Relations Office (CE–300).

Supplements: Office of Marketed Drugs, tation, Bureau of Medicine (MD–16).

Comments on this announcement: Special Assistant for Drug Efficacy Study Implementation, Bureau of Medicine (MD–16).

This statement is issued pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 505, 52 Stat. 1050–53, as amended; 21 U.S.C. 352, 355) and under the authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120).

Dated: October 23, 1968.

HERBERT L. LEY, Jr.,
*Commissioner of Food and Drugs.*

[F.R. Doc. 68–13236; Filed, Oct. 30, 1968; 8:51 a.m.]

# BUREAU OF THE BUDGET

## OAHE DAM AND RESERVOIR

### Order Transferring Certain Lands From Department of Agriculture to Department of the Army

Whereas the hereinafter-described lands administered by the Secretary of Agriculture for conservation purposes under provisions of Title III of the Bankhead-Jones Farm Tenant Act are located adjacent to the Oahe Dam and Reservoir Project, S. Dak.; and

Whereas it appears that transfer of jurisdiction over such lands from the Secretary of Agriculture to the Secretary of the Army for administration pursuant to Title III would be in the public interest and in furtherance of the purposes thereof:

Now, therefore, by virtue of the authority vested in the President of the United States by the last sentence of section 32(c) of Title III of the Bankhead-Jones Farm Tenant Act of July 22, 1937 (50 Stat. 522, 526; 7 U.S.C. 1011 (c)), and delegated to the Director of the Bureau of the Budget by section 1(11) of Executive Order No. 11230 of June 28, 1965 (30 F.R. 8447), and upon the recommendation of the Secretary of Agriculture, it is ordered as follows:

Subject to valid existing rights, jurisdiction over the following described lands administered by the Secretary of Agriculture under the provisions of Title III of the said Bankhead-Jones Farm Tenant Act, together with waters or water rights, improvements, and structures acquired or constructed in connection with the use and administration of said lands is hereby transferred to the Department of the Army for use in carrying on outdoor recreation, wildlife conservation, and other public programs in association with administration of the Oahe Dam and Reservoir Project, S. Dak.:

SOUTH DAKOTA-FORT SULLY PROJECT
(SD–LU–5)

FIFTH PRINCIPAL MERIDIAN

T. 115 N., R. 81 W.,
Sec. 7, S½ of lot 7 except that portion lying within the E. 20 acres of said lot 7; lot 8; the SW¼SE¼SW¼ (61 acres);
Sec. 17, NW¼NW¼SW¼; S½NW¼SW¼; N½SW¼SW¼; E½SW¼SW¼SW¼; SE¼SW¼SW¼; S½NW¼SE¼SW¼; S½SE¼SW¼ (90 acres);
Sec. 18, W½SW¼NW¼NE¼; SW¼NE¼; W½W½SE¼NE¼; lot 1; W½NE¼NW¼; SE¼NE¼NW¼; N½SE¼NW¼; SE¼SE¼NW¼; NE¼SE¼; NE¼NW¼SE¼; N½NE¼SE¼SE¼ (210.53 acres);
Sec. 20, NW¼NW¼NE¼; N½SW¼NW¼NE¼; NE¼NE¼NW¼; N½NW¼NE¼NW¼; S½SE¼NE¼; E½NE¼SE¼; E½NW¼NE¼SE¼ (75 acres);
Sec. 21, W½NW¼SW¼; SE¼NW¼SW¼; N½SW¼SW¼; SE¼SW¼SW¼; SE¼SW¼; W½SW¼SE¼ (120 acres);
Sec. 26, SW¼NW¼SW¼; SW¼SW¼; SW¼SE¼SW¼ (60 acres);
Sec. 27, lot 2; lot 5; lot 6; the S½SW¼NW¼; SW¼SE¼NW¼; N½SW¼; N½S½SW¼; S½NW¼SE¼; N½SW¼SE¼ (268.47 acres);
Sec. 28, SW¼NE¼NE¼; W½NW¼NE¼; SE¼NW¼NE¼; SW¼NE¼; W½SE¼NE¼; SE¼SE¼NE¼; NE¼NW¼; E½SE¼NW¼; E½W½SE¼NW¼; N½SE¼; SE¼SE¼ (300 acres);
Sec. 33, E½NE¼; E½NW¼NE¼; SE¼SW¼NE¼; E½NE¼SE¼ (130 acres);
Sec. 34, W½SW¼SW¼NW¼; W½W½NW¼SW¼; W½NW¼SW¼SW¼; SW¼SW¼SW¼; W½SE¼SW¼SW¼ (35 acres);
T. 115 N., R. 82 W.,
Sec. 1, S½ of lot 5 except the E. 15 acres thereof; the W½NW¼SW¼NW¼; SW¼SW¼NW¼; S½NE¼SW¼; W½SW¼; SE¼SW¼ (160 acres);
Sec. 2, S. 20 acres of lot 1; lot 2; the E½ of lot 3; S½NE¼; SW¼SW¼NW¼; E½E½SE¼NW¼; E½NE¼NE¼SW¼; S½NE¼SW¼; NW¼SW¼; N½SW¼SW¼; SE¼SW¼SW¼; SE¼SW¼; SE¼ (475.55 acres);
Sec. 3, S. 20 acres of lot 2; S½NE¼; NE¼SE¼NW¼; N½SE¼; NE¼SW¼SE¼; NE¼SE¼SE¼ (210 acres);
Sec. 11, NE¼; NE¼NW¼; NE¼NW¼NW¼; S½NW¼NW¼; N½S½NW¼; SW¼SW¼NW¼; SE¼SE¼NW¼; N½N½SE¼ (330 acres);
Sec., 12, W½NW¼NE¼; SE¼NW¼NE¼; SW¼NE¼; SW¼SE¼NE¼; NW¼; NE¼SW¼; N½NW¼SW¼; SE¼NW¼SW¼; SE¼SE¼SW¼; N½SE¼SW¼; SE¼SE¼SW¼; N½SE¼; N½SW¼SE¼; SW¼SW¼SE¼; SE¼SE¼ (490 acres).
T. 116 N., R. 82 W.,
Sec. 35, SE¼SE¼SW¼; SW¼SW¼SE¼ (20 acres).

Acreage: 3,035.55 acres more or less.

Dated: October 24, 1968.

PHILLIP S. HUGHES,
*Acting Director,*
*Bureau of the Budget.*

[F.R. Doc. 68–13251; Filed, Oct. 30, 1968; 8:52 a.m.]

# DEPARTMENT OF TRANSPORTATION

## Federal Aviation Administration

### INTERNATIONAL FIELD OFFICE AT JOHN F. KENNEDY INTERNATIONAL AIRPORT, JAMAICA, N.Y.

### Notice of Relocation

Notice is hereby given that on October 3, 1968, the International Field Office at John F. Kennedy International Airport, Jamaica, N.Y., was relocated to 181 South Franklin Avenue, Valley Stream, N.Y. 11581. This information will be reflected in the FAA Organization Statement the next time it is reissued.

(Sec. 313(a), 72 Stat. 752; 49 U.S.C. 1354)

Issued in Washington, D.C., on October 23, 1968.

RAYMOND B. MALOY,
*Assistant Administrator,*
*Europe, Africa, and Middle East.*

[F.R. Doc. 68–13198; Filed, Oct. 30, 1968; 8:47 a.m.]

# CIVIL AERONAUTICS BOARD

[Docket No. 20253]

## ONE-STOP TOURIST FARES OF TRANS CARIBBEAN AIRWAYS, INC.

### Notice of Postponement of Prehearing Conference

Pursuant to the request of Trans Caribbean Airways, Inc., to which request the other parties do not object, the prehearing conference in this proceeding, presently scheduled to be held on October 25, 1968, is hereby postponed to November 12, 1968. The conference will be held in Room 701, Universal Building, Washington, D.C., commencing at 10 a.m.

Trans Caribbean Airways, Inc., agreed that if its request is granted it would voluntarily defer the effective date of the fares under investigation herein beyond the statutory period by the equivalent amount of time represented by the postponement. The request is granted pursuant to that agreement and with the understanding that the effective date will be so deferred.

Requests of the parties for the production of information or evidence shall be in writing and shall be served not later than November 5, 1968.

[SEAL] E. ROBERT SEAVER,
*Hearing Examiner.*

[F.R. Doc. 68–13238; Filed, Oct. 30, 1968; 8:51 a.m.]

## MOHAWK AIRLINES, INC.

### Notice of Application for Amendment of Certificate of Public Convenience and Necessity

OCTOBER 28, 1968.

Notice is hereby given that the Civil Aeronautics Board on October 25, 1968,

received an application, Docket 20411, from Mohawk Airlines, Inc., for amendment of its certificate of public convenience and necessity for route 94 to authorize it to engage in nonstop service between Boston, Mass. and Buffalo-Niagara Falls, N.Y., nonstop service between Buffalo-Niagara Falls, N.Y., and Cleveland, Ohio, and one-stop service between Boston, Mass., and Cleveland, Ohio, via Buffalo-Niagara Falls, N.Y. The applicant requests that its application be processed under the expedited procedures set forth in Subpart M of Part 302 (14 CFR Part 302).

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

[F.R. Doc. 68-13228; Filed, Oct. 30, 1968; 8:50 am.]

[Docket No. 20357]

## SOCIETE ANONYME BELGE D'EXPLOITATION DE LA NAVIGATION AERIENNE (SABENA)

### Notice of Reassignment 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 now assigned to be held on November 4, 1968, is reassigned to November 7, 1968, at 10 a.m., e.s.t., in Room 701, Universal Building, 1825 Connecticut Avenue, NW., Washington D.C., before Examiner William J. Madden.

Dated at Washington, D.C., October 24, 1968.

[SEAL] THOMAS L. WRENN,
*Chief Examiner.*

[F.R. Doc. 68-13229; Filed, Oct. 30, 1968; 8:50 a.m.]

[Docket No. 20118]

## NOVO INDUSTRIAL CORP. AND BOSS-LINCO LINES, INC.

### Order of Tentative Approval

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 25th day of October 1968.

By application filed August 16, 1968 Novo Industrial Corp. (Novo) and Boss-Linco Lines, Inc. (Boss-Linco) request the Board to approve pursuant to section 408(b) of the Federal Aviation Act of 1958, as amended (the Act), a purchase agreement between Victor J. Palisano (V. Palisano), Charles J. Palisano (C. Palisano), Joseph S. Palisano (J. Palisano), and the Estate of Samuel J. Palisano (Estate), on the one hand (hereinafter referred to as the Palisano Interest), and Novo, on the other, providing for the acquisition by Novo of approximately 40 percent of the outstanding common stock of Boss-Linco. In addition, the application seeks Board approval of the ultimate acquisition of control of Boss-Linco by Novo.[1]

Novo is a diversified company with manufacturing and service divisions and subsidiaries in the United States and Canada. By Order E-24429, November 21, 1966, the Board approved the acquisition of control by Novo of Air Dispatch Inc. (ADI), a domestic air freight forwarder. On January 5, 1968, ADI was granted international air freight forwarder authority. By Order E-26863, June 3, 1968, the Board approved the acquisition by Novo of control of Trans-World Forwarding and Air Expediting Co. (Air Expediting), a company possessing both domestic and international air freight forwarder authority.[2] At the time of acquisition of the foregoing air freight forwarders Novo controlled and continues to control the Fleet Carrier Corporation (Fleet), an interstate common carrier of new trucks and buses from factory to dealer.

Boss-Linco is an Interstate Commerce Commission (ICC) certificated short-haul motor carrier of general commodities, whose routes extend from Rochester, N.Y. in the north to Richmond, Va. in the south, with services to various cities in New York, Pennsylvania, New Jersey, Maryland, Virginia, and the District of Columbia.[3] Boss-Linco also controls Modern Terminals, Inc., a wholly owned subsidiary which operates 15 Boss-Linco freight terminals.

Under the purchase agreement the Palisano Interest agreed to sell to Novo the 137,554 shares of Boss-Linco Class A common stock which it owns. The shares, which represent approximately 40 percent of the 332,500 shares of such stock issued and outstanding, are distributed as follows:

| Owner | Number of shares |
|---|---|
| V. Palisano | 38,754 |
| C. Palisano | 38,950 |
| J. Palisano | 29,950 |
| Estate | 29,900 |
| Total | 137,554 |

Novo has agreed to pay $15 per share for the Boss-Linco stock to be acquired from both the above-mentioned individuals and those persons tendering such stock in response to the tender offer to be made on Novo's behalf.

Among the obligations of Boss-Linco that Novo will assume are employment contracts dated July 15, 1968, with V. Palisano for 10 years and C. Palisano for 5 years. In addition, the agreement provides that Novo shall have received the written resignations, dated the closing date, of all directors of Boss-Linco, other than V. Palisano, C. Palisano and James G. Hurley.[4]

The application alleges that the common control by Novo of two air freight forwarders, ADI and Air Expediting, and two motor carriers, Fleet and Boss-Linco, will not create a monopoly or restrain competition. It is also indicated that all four subsidiaries will continue to do business as they do now. Applicants further assert that the acquisition of Boss-Linco by Novo will not present any conflicts of interest between surface and air transportation. In this connection it is pointed out that Novo's infusion of large sums of money and managerial talent into Air Dispatch, as well as the outlay of $325,000 for Air Expediting, are indicative of Novo's interest in fostering the development of its air freight forwarder subsidiaries.

The applicants allege that the Boss-Linco system is not, essentially, in conflict with the air freight forwarder operations conducted by ADI. In support of this contention it is asserted that Boss-Linco is a short-haul motor carrier. Its average length of haul is 215 miles, and its longest segment is 468 miles between Buffalo and Richmond. The latter segment accounted for less than 2 percent of the shipments Boss-Linco carried between the top 20 pairs of points on its system during the first quarter of 1968.

[1] As a condition precedent to the closing of the agreement between the Palisano Interest and Novo, a tender offer, on behalf of Novo, for the remaining shares of Boss-Linco Class A common stock must have been successful in that at least 80 percent of the issued and outstanding shares of such stock (including the 40 percent to be acquired under the agreement) have been tendered.

[2] Order E-26863 required that Air Expediting submit its domestic authorization for cancellation within 10 days of the effective date of such order. Air Expediting is also required to submit its international authorization for cancellation by Dec. 31, 1969.

[3] In October 1967 Boss-Linco acquired all of the outstanding stock of Atlantic Coast Freight Lines, Inc. (Atlantic), thereby permitting Boss-Linco to expand into Maryland, Virginia, and the District of Columbia. We understand that Atlantic, although a subsidiary of Boss-Linco, no longer operates as a motor carrier but leases its truck trailers to Boss-Linco. As in the application itself, reference in this order to the Boss-Linco system includes the results of operations over the consolidated routes of Boss-Linco and Atlantic.

[4] The application recites that upon consummation of the purchase agreement Novo intends to name to the Boss-Linco Board of Directors the following: Mr. Walter Bronston, Novo and Fleet Board Chairman and ADI Director; Mr. Chester M. Ross, Novo Director and Vice President, President, Bonded Services Division of Novo, ADI Board Chairman, and Air Expediting Director; and Mr. Richard E. Garley, Novo and ADI Vice President, Secretary and General Counsel and Air Expediting and ADI Director. The application also notes that to the extent that these directorships involve interlocking relationships with an indirect air carrier, a company controlling and a company under common control with same, it appears that the exemption provided for in Part 287 of the Board's Economic Regulations would be applicable to such relationships.

By contrast, the application points out, the four top markets in the Boss-Linco system, on a tonnage basis, are all intra-New York State. The three leading revenue-producing markets are Buffalo-New York (292 miles), Albany-New York (136 miles), and Syracuse-New York (199 miles). Of the 15 Boss-Linco terminals, 12 are within the States of New York and Pennsylvania.

Additionally, the applicants refer to a recent staff study which shows that in 1965 in the Middle Atlantic region consisting of New York, New Jersey, and Pennsylvania, there was virtually no intraregional air freight forwarder traffic.[5] In 1965, 51,000 tons of airfreight were shipped by air freight forwarders to and from the Middle Atlantic region but only 205 tons shipped within the region. The study also showed that the only market in the region which in 1965 ranked in the top 50 air freight forwarder markets was the Philadelphia-New York market which ranked 40th.[6] However, the applicants contend that the Philadelphia-New York market is an insignificant one for Boss-Linco, accounting for only 0.9 percent of its revenues for the first quarter of 1968.

No comments or requests for a hearing have been received.

Upon consideration of the application, the Board concludes that the proposed transaction involves the acquisition by a person controlling air carriers (ADI and Air Expediting) of a common carrier within the meaning of section 408 of the Act. However, the Board has concluded tentatively that such acquisition does not affect the control of an air carrier directly engaged in the operation of aircraft in air transportation and does not result in creating a monopoly or tend to restrain competition. Furthermore, no person disclosing a substantial interest is currently requesting a hearing and it is concluded that a hearing is not required in the public interest.

It is also concluded that interlocking relationships within the scope of section 409 of the Act will result from the appointment of the aforementioned Novo and ADI officers and directors to officers and directorships in Boss-Linco. However, upon approval of the acquisition, such relationships would come within the scope of the exemption from section 409 afforded by section 287.2 of the Board's Economic Regulations.

Based upon the foregoing, and information on file with the Board, it does not appear that the control by Novo of ADI and Boss-Linco will pose any significant conflict of interest problems since the ADI and Boss-Linco systems do not appear to be competitive. Boss-Linco's system is essentially short haul in nature. Only one of its markets, Philadelphia-New York, ranked in the top 50 air freight forwarder markets in 1965. This market ranked 40th. Moreover, the market does not appear to be a major air freight forwarder market since it generated only 205 tons in 1965. Furthermore, this market accounted for less than 1 percent of Boss-Linco's revenues in the final quarter of 1968. Finally, not one of the markets served by Boss-Linco was among the top 10 served by ADI for the year ended June 30, 1968.[7] Under these circumstances the control relationships do not pose issues like those now before the Board in the Motor Carrier-Air Freight Forwarder Investigation, Docket 16857.

The Board believes that expansion of the operating rights of either Fleet or Boss-Linco may give rise to issues not now present. Accordingly, the Board, in its final order, will condition its approval so as to make that approval effective only as long as the Novo subsidiaries engaged in surface transportation do not obtain expanded surface rights. The Board will also reserve jurisdiction generally over the control relationships subject to its approval.

In view of the foregoing, the Board tentatively concludes that it should approve without hearing under the third proviso of section 408(b) of the Act, the purchase agreement between Novo and the Palisano Interests providing for the acquisition by Novo of 40 percent of the outstanding Class A common stock of Boss-Linco and the ultimate control of Boss-Linco by Novo. In accordance therewith, this order, constituting notice of the Board's tentative findings, will be published in the FEDERAL REGISTER and interested persons will be afforded an opportunity to file comments or request a hearing on the Board's tentative decision.

*Accordingly, it is ordered:*

1. That interested persons are hereby afforded a period of ten (10) days from the date of this order within which to file comments or request a hearing with respect to the Board's proposed action on the application in Docket 20118;[8] and

2. That the Attorney General of the United States be furnished a copy of this order within 1 day of publication.

This order shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

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

[F.R. Doc. 68-13230; Filed, Oct. 30, 1968; 8:50 a.m.]

[5] An Economic Study of Air Freight Forwarding, Table 44, page 179. Although the data are for a past period, there are no reasons to believe that they do not give a reasonable indication of the traffic within the Middle Atlantic region today.

[6] Table 50, page 189.

[7] Form 244, schedule T-3.

[8] Comments shall conform to the requirements of the Board's Rules of Practice for filing documents. Further, since an opportunity to file comments is provided for, petitions for reconsideration of this order will not be entertained.

# FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 18364, 18365; FCC 68-1059]

## DIXIE RADIO, INC., AND BLUFF CITY BROADCASTING CO.

### Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of Dixie Radio, Inc., Eufaula, Ala., Docket No. 18364, File No. BPH-6228; Requests: 92.7 mcs, No. 224; 3 kw; 84 feet; Harry I. Goggans and Charles E. Gilmore doing business as Bluff City Broadcasting Co., Eufaula, Ala., Docket No. 18365, File No. BPH-6300; Requests: 92.7 mcs, No. 224; 3 kw; 300 feet; for construction permits.

1. The Commission has under consideration the above captioned and described applications which are mutually exclusive in that operation by the applicants as proposed would result in mutually destructive interference.

2. According to its application, Bluff City Broadcasting Co. would require $48,750 to construct and operate for 1 year without revenue. To meet this requirement it relies on $2,000 in cash and on new capital of $26,000. No documentation has been provided for the availability of either of these amounts. Similarly, bank letters included in the application are not acceptable for they do not indicate the terms and conditions under which loans would be extended, or even the amounts thus available. Accordingly, an issue on this matter will be specified.

3. The stockholders of Dixie Radio, Inc., also control station WGBA-FM, Columbus, Ga. Because of their proximity, both stations would be precluded from significantly increasing facilities without causing 1 mv/m overlap in contravention of § 73.240(a)(1) of the Commission's rules. Under these circumstances, an issue will be specified to determine the efficiency of this proposal.

4. In *Minshall Broadcasting Co., Inc.*, 11 FCC 2d 796, 12 RR 2d 502 (1968), we indicated that applicants were expected to provide full information on (i) the steps they have taken to inform themselves of the real needs and interests of the area; (ii) the suggestions they have received; (iii) their evaluation of those suggestions; and (iv) the programing proposed to meet the community needs as they have been evaluated. Although Dixie Radio, Inc., appears to have made an adequate survey, Bluff City Broadcasting Co. has failed to show that it has done so. Moreover, neither one of the applicants has listed the suggestions received, or the programing proposed to meet these needs as evaluated. Thus, we are unable at this time to determine whether the applicants are aware of and responsive to the needs of the area. Accordingly, Suburban issues are required.

5. Data submitted by the applicants indicate that there would be a significant

difference in the size of the areas and populations which would receive service from the proposals. Consequently, for the purposes of comparison, the areas and populations within the 1 mv/m contours together with the availability of other FM services of 1 mv/m or greater intensity in such areas will be considered under the standard comparative issue, for the purpose of determining whether a comparative preference should accrue to either of the applicants.

6. Dixie Radio, Inc., proposes complete duplication of AM programing while Bluff City Broadcasting Co. proposes independent programing. Therefore, evidence regarding program duplication will be admissible under the standard comparative issue. When duplicated programing is proposed, the showing permitted under the standard comparative issue will be limited to evidence concerning the benefits to be derived from the proposed duplication, and a full comparison of the applicants' program proposals will not be permitted in the absence of a specific programing inquiry—Jones T. Sudbury 8 FCC 2d 360, FCC 67-614 (1967).

7. Except as indicated below, the applicants are qualified to construct and operate as proposed. However, because of their mutual exclusivity, the Commission is unable to make the statutory finding that a grant of the applications would serve the public interest, convenience and necessity, and is of the opinion that the applications must be designated for hearing on the issues set forth below.

8. *It is ordered,* That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the applications are designated for hearing in a consolidated proceeding, 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 WGBA-FM and BPH-6228, and in light of the evidence adduced in response to this question, whether the Dixie Radio, Inc., 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 whether Bluff City Broadcasting Co. has available to it the required $48,750 for construction and first-year operation to thus demonstrate its financial qualification.

(3) To determine the efforts made by Dixie Radio, Inc., to ascertain the community needs and interests of the area to be served and the means by which the applicant proposes to meet those needs and interests.

(4) To determine the efforts made by Bluff City Broadcasting Co. to ascertain the community needs and interests of the area to be served and the means by which the applicant proposes to meet those needs and interests.

(5) To determine which of the proposals would better serve the public interest.

(6) To determine in the light of the evidence adduced pursuant to the foregoing issue, which, if either, of the applications for construction permit should be granted.

9. *It is further ordered,* That to avail themselves of the opportunity to be heard, the applicants, 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.

10. *It is further ordered,* That the applicants 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, either individually or, if feasible and consistent with the rules, jointly, 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 23, 1968.

Released: October 28, 1968.

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

[F.R. Doc. 68-13220; Filed, Oct. 30, 1968; 8:49 a.m.]

[1] Commissioners Hyde and Cox absent; Commissioner Lee concurring in the result.

[Report No. 411]

## COMMON CARRIER SERVICES INFORMATION [1]

### Domestic Public Radio Services Applications Accepted for Filing [2]

OCTOBER 28, 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*

2191-C2-P-69-RCC of Virginia, Inc.; (KIY783); C.P. to change antenna system operating on base frequency 152.09 MHz at station located 1318 Spratley Street, Portsmouth, Va.

2192-C2-P-69—Airsignal International, Inc.; (New); C.P. for a new one-way signaling station. Base frequencies: 152.24 and 158.70 MHz at location No. 1: 3600 Georgetown Road, Baltimore, Md., and at location No. 2: 4338 Park Heights Avenue, Baltimore, Md.

2193-C2-P-69—Airsignal International, Inc.; (New); C.P. for a new one-way station. Base frequencies: 152.24 and 158.70 MHz. Loation: Toledo Trust Building, 245 Summit Street, Toledo, Ohio.

2194-C2-P-69—Telephone Message Bureau, Inc. trading as Contract; (New); C.P. for a new one-way station. Base frequencies: 152.24 and 158.70 MHz. Location: 12 South 12th Street, Philadelphia, Pa.

2198-C2-P-69—Airsignal International, Inc.; (New); C.P. for a new one-way station. Base frequency: 152.24 MHz. Location: Hotel Harrisburger, Third and Locust Streets, Harrisburg, Pa.

DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE—continued

*File No., applicant, call sign, and nature of application*

2199–C2–P–69—Telephone Answering Service, Inc.; (New); C.P. for a new one-way station. Base frequency: 152.24 MHz. Location: 1715 Grandview Avenue, Pittsburgh, Pa.

2200–C2–P–69—Nicholas Mervos, Jr., Ben Farkas, and Joseph S. Miller, doing business as Allegheny Mobile Communications; (New); C.P. for a new one-way signaling station. Base frequency: 152.24 MHz. Location: 750 Ivory Avenue, Pittsburgh, Pa.

2201–C2–P–69—FWS Radio, Inc.; (New); C.P. for a new one-way station. Base frequency: 152.24 MHz. Location: Southland Life Building, Live Oak, Olive, Bryant and Pearl Streets, Dallas, Tex.

2202–C2–P–69—Houston Mobilfone, Inc.; (New); C.P. for a new one-way station. Base frequency: 152.24 MHz. Location: 11918 Almeda Road, Houston, Tex.

2203–C2–P–69—Radio Dispatch, Inc.; (New); C.P. for a new one-way station. Base frequency: 158.70 MHz. Location: Orchard Street and Highway No. 36, Rosenberg, Tex.

2207–C2–P–69—Fresno Mobile Radio, Inc.; (New); C.P. for a new one-way station. Base frequencies: 152.24 MHz. Locations No. 1: 30 miles northeast of Fresno, at Alder Springs, Calif. Location No. 2: On Joaquin Ridge, near Coalinga, Calif. Location No. 3: 160 North Broadway, Fresno, Calif.

2208–C2–P–69—Radio Communications Corp.; (New); C.P. for a new two-way station. Base frequency: 454.175 MHz. Location: 900 North State Street, Elgin, Ill.

2209–C2–P–69—Radio Communications Corp.; (New); C.P. for a new one-way station. Base frequency: 158.70 MHz. Location: 900 North State Street, Elgin, Ill.

2210–C2–P–69—Indiana Bell Telephone Co.; (KSA629); C.P. to add four additional base channels to operate on frequencies: 454.375, 454.400, 454.425, and 454.475 MHz at its station located 240 North Meridian Street, Indianapolis, Ind.

2280–C2–AL–60—Gray Haddock Telephone Co., Inc.; (KIY791); Consent to assignment of license from Gray Haddock Telephone Co., Inc., Assignor to Georgia State Telephone Co., Assignee.

2281–C2–P–69—Maine Telephone Co.; (New); C.P. for a new two-way station. Base frequency: 152.75 MHz. Location: Haystack Mountain, Liberty, Maine.

2282–C2–P–69—Maine Telephone Co.; (New); C.P. for a new dispatch station. Base frequency: 158.01 MHz. Location: Unity, Maine.

2283–C2–P–69—Maine Telephone Co.; (New); C.P. for a new dispatch station. Base frequency: 158.01 MHz. Location: 24 Cross Street, Belfast, Maine.

2284–C2–P–69—Peninsula Radio Secretarial Service, Inc.; (New); C.P. for a new one-way station. Frequencies: 152.24 and 158.70 MHz. Location: 135 South B Street, San Mateo, Calif.

2285–C2–P–69—General Communications Service, Inc.; (New); C.P. for a new one-way station. Frequency: 152.24 MHz. Location: 34 Peachtree Street, NW., Atlanta, Ga.

2286–C2–P–69—Thomas R. Poor, doing business as Kern Radio Dispatch; (KMD993); C.P. to relocate station (location No. 2) from 105 Fourth Street, Taft, Calif., to 111 Asher Street, Taft, Calif., operating on frequencies 75.88 and 75.94 MHz.

2375–C2–P–69—Phone Depots, Inc., doing business as Mobilfone Radio System; (New); C.P. for a new one-way station. Frequency: 152.24 MHz. Location: 399 Park Avenue, New York, N.Y.

2376–C2–P–69—W. L. and R. L. Meadow, doing business as Jacksonville Radio Dispatch Service; (New) C.P. for a new one-way station. Base frequency: 152.24 MHz. Location: 2630 Lloyd Road, Jacksonville, Fla.

2377–C2–P–69—Sidney C. Childers and Shirley Childers, doing business as Communication Equipment & Service Co.; (New) C.P. for a new two-way station with base and control facilities. Location No. 1: Approximately 21 miles north of Sagwon Airstrip, Alaska, 152.03 MHz (Base). Location No. 2: Sagwon Airstrip, Alaska, 158.49 MHz (Control).

2378–C2–P–69—Southwestern Bell Telephone Co.; (KKE969); C.P. to change antenna system operating on 152.63 and 152.72 MHz at location No. 1 and add a third channel to operate on 152.54 MHz at location No. 1: 489 Harrison Avenue, Groves Subdivision, Port Arthur, Tex.

2379–C2–P/ML–69—South Shore Radio-Telephone, Inc.; (KSB591); C.P. and modification of license to change antenna system operating on 454.20 MHz at its station located Olcott Avenue, Hammond, Ind.

2380–C2–P–69—Intrastate Telephone, Inc. of San Francisco; (KMA833); C.P. to install an additional channel to operate on 454.025 MHz. at location No. 2: San Bruno Peak, near South San Francisco, Calif.

DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE—continued

*File No., applicant, call sign, and nature of application*

2391–C2–P–69—Joseph N. Thomas; (KFL918); C.P. to change antenna location operating on 152.15 MHz from 107 Second Avenue, to location No. 1: 11 miles east on Coyote Five Points Road, Walla Walla, Wash., and add repeater facilities 459.35 MHz at location No. 1 also. Add control 454.35 MHz at a new site location No. 2: 618 South Second Avenue, Walla Walla, Wash.

2392–C2–P–69—Radio & Electronic Service Company, Inc., doing business as Mobilfone; (New); C.P. for a new one-way signaling station. Frequency: 158.70 MHz. Location: 3101 North R Street, Pensacola, Fla.

2393–C2–P–69—Kidd's Communications, Inc.; (New); C.P. for a new one-way station with base and control facilities. Location No. 1: Granite Station Hill, Calif., 152.24 MHz (Base). Location No. 2: 215 East 18th Street, Bakersfield, Calif., 72.84 MHz (Control).

2394–C2–MP–69—Anserphone, Inc.; (KQK714); Modification of C.P. to change antenna location from Central Tower Building, Market and East Federal Streets, Youngstown, Ohio, to WFMJ–TV site, Mable Street, Youngstown, Ohio; replace transmitter and change frequency from 35.22 MHz to 152.24 MHz.

2395–C2–P–69—Murray Cohen; (New); C.P. for a new one-way station base frequency: 158.70 MHz. Location: 1 Strawberry Hill Court, Stamford, N.Y.

2396–C2–P–69—Two-Way Radio of Carolina, Inc.; (New); C.P. for a new one-way station. Frequency: 152.24 MHz. Location: Baugh Building, 112 South Tryon Street, Charlotte, N.C.

2397–C2–P–69—Buckeye Communications Co.; (KJU813); C.P. to change antenna location from 120 Main Street, Findlay, Ohio, to 201 Crystal Avenue, Findlay, Ohio, operating on 454.15 MHz.

2398–C2–TC–69—Union Telephone Co.; (KCI298); Consent to transfer of control from Russell W. and Billigene B. Hosmer, Transferor, to Continental Telephone Corp., Transferee (two-way station at Union, Maine).

2411–C2–P–69—Answer, Inc. of San Antonio; C.P. for a new one-way station. Frequency: 158.70 MHz. Location: Pecan and Soledad, San Antonio, Tex.

RURAL RADIO SERVICE

2204–C1–P/ML–69—United Telephone Company of the Northwest; (KPQ63); C.P. and modification of license to add frequencies 459.375, 459.425, 459.475, 459.525, 459.575, and 459.625 MHz. Location: Operating in any temporary fixed location within the territory of the grantee.

2205–C1–P/ML–69—United Telephone Company of the Northwest; (KPP97); C.P. and modification of license to add frequencies 454.375, 454.425, 454.475, 454.525, 454.575, and 454.625 MHz at its Central Office fixed station. Location: (4 Units) In any temporary fixed location within territory of the grantee.

2206–C1–P/ML–69—United Telephone Company of the Northwest; (KPP98); C.P. and modification of license to add frequencies 454.375, 454.425, 454.475, 454.525, 454.575, 454.625, 459.375, 459.425, 459.475, 459.525, 459.575, and 459.625 MHz at its Interoffice fixed station, operating in any temporary fixed location within the territory of the grantee.

2278–C1–P/L–69—Southern Bell Telephone & Telegraph Co.; (New); C.P. and license for a new rural subscriber fixed station. Frequency: 158.07 MHz. Subscriber and location: Islandia Yacht Club, Ragged Key (Island) approximately 19 miles east of Homestead, Fla.

2279–C1–P/ML–69—The Mountain States Telephone & Telegraph Co.; (KBI51); C.P. and modification of license to replace transmitter operating on frequency 157.95 MHz at station located 15.9 miles southeast of Sterling, Colo.

2372–C1–P–69—California Interstate Telephone Co.; (New); C.P. for a new rural subscriber fixed station to be located Flying M Ranch, 26 miles south-southeast of Yerington, Nev., to operate on 157.83 MHz.

2373–C1–P–69—California Interstate Telephone Co.; (New); C.P. for a new rural subscriber fixed station. Frequency 157.80 MHz. Subscriber and location: Cinder Pit Mine, 10.5 miles south-southeast of Newberry, Calif.

2374–C1–P–69—California Interstate Telephone Co.; (New); C.P. for a new rural subscriber fixed station. Frequency 157.80 MHz. Subscriber and location: Theide and Associates, Tyler Valley, 15.5 miles north-northeast of Lucerne Valley, Calif.

RURAL RADIO SERVICE—continued

*File No., applicant, call sign, and nature of application*

Renewals of licenses expiring November 1, 1968. Term: November 1, 1968, to November 1, 1973.

| Licensee | Call sign |
|---|---|
| Communications Services, Inc. and Fairbanks Radio Dispatch. | KWX60 |
| El Paso Radiotelephone Co | KLP93 |
| Farmers' Mutual Telephone Co | KBI50 |
| Marianas Telephone Co | KZS77 |
| The Pacific Telephone and Telegraph Co. | KMW66 |
| Do | KMW67 |
| Reservation Telephone Cooperative. | KAS71 |
| United Telephone Company of the Northwest. | KPQ63 |
| Do | KPP97 |
| Do | KPP98 |

CORRECTION

Correct licensee to read South Central Bell Telephone Co., not Southern Bell Telephone & Telegraph Co. All other terms to remain same as reported in public notice dated Oct. 7, 1968, page 13, report No. 408.

POINT-TO-POINT MICROWAVE RADIO SERVICE (TELEPHONE CARRIERS)

2212–C1–P–69—New England Telephone & Telegraph Co.; (KCK72); C.P. to add frequency 11445.0 MHz toward Rockland, Maine, at its station located 2 miles southwest of North Haven at Fox Rocks, Vinalhaven, Maine.

2213–C1–P–69—New England Telephone & Telegraph Co.; (KCK73); C.P. to add frequency 10995.0 MHz toward Vinalhaven, Maine, at its station located 2.3 miles northwest of Rockland, off Dodge Mountain Road, Rockland, Maine.

2214–C1–P–69—Pacific Northwest Bell Telephone Co.; (KOE81); C.P. to add frequencies 6011.9 and 11075 MHz toward Auburn, Wash., at its station located 1708 East Pike Street, Seattle, Wash.

2215–C1–P–69—Pacific Northwest Bell Telephone Co.; (KPZ54); C.P. to add 6264.0 and 11525 MHz toward Seattle, Wash., and add 6249.1 and 11245 MHz toward Tacoma, Wash., at its station located 3 miles south of Auburn, Wash.

2216–C1–P–69—Pacific Northwest Bell Telephone Co.; (KPZ55); C.P. to add frequencies 5997.1 and 10795 MHz toward Auburn, Wash., at station located 757 Fawcett Avenue, Tacoma, Wash.

2218–C1–P–69—Pacific Northwest Bell Telephone Co.; (KOC69); C.P. to add frequency 3990 MHz toward Seattle, Wash., at station located 3.5 miles southeast of Orting, Wash.

2219–C1–P–69—Pacific Northwest Bell Telephone Co.; (KOE81); C.P. to add frequency 3790 MHz toward Orting, Wash., delete frequencies 3950, 4030, 4110 MHz and add 3970, 4050, 3890, and 4130 MHz toward Rattlesnake Ledge, Wah., and replace transmitters at station located 1708 East Pike Street, Seattle, Wash.

2220–C1–P–69—Pacific Northwest Bell Telephone Co.; (KOT50); C.P. to delete 3870 MHz toward Orting, Wash., delete frequencies: 3990, 4070, 4150 MHz and add 3930, 4010, 4090, and 4170 MHz toward Seattle, Wash., and add frequency 4090 MHz toward Bald Hill, Wash., at its station located at Rattlesnake Ledge, 2.8 miles southwest of North Bend, Wash.

2221–C1–P–69—Pacific Northwest Bell Telephone Co.; (KOT51); C.P. to add 3730 and 2111.0 MHz toward Devil's Mountain, and 4050 MHz toward Rattlesnake Ledge, Wash., and change antenna system at station locate d Bald Hill, 4.5 miles southeast of Snohomish, Wash.

2222–C1–P–69—Pacific Northwest Bell Telephone Co.; (KOY41); C.P. to add frequencies 3930 and 2161.0 MHz toward Bald Hill, Wash., and 3870, 2179.0, MHz toward Lookout Mountain, Wash., and change antenna system at its station located Devil's Mountain, 5 miles southeast of Mount Vernon, Wash.

2223–C1–P–69—Pacific Northwest Bell Telephone Co.; (KOY42); C.P. to add 3970 MHz toward Bellingham, Wash., 3910, 2129.0 MHz toward Devil's Mountain and change antenna system at its station located at Lookout Mountain, 4.7 miles southeast of Bellingham, Wash.

2224–C1–P–69—Pacific Northwest Bell Telephone Co.; (KPG74); C.P. to add frequency 4010 MHz toward Lookout Mountain, Wash., at its station located 1201 North Forest Street, Bellingham, Wash.

POINT-TO-POINT MICROWAVE RADIO SERVICE (TELEPHONE CARRIERS)—continued

*File No., applicant, call sign, and nature of application*

2287–C1–P/ML–69—South Central Bell Telephone Co.; (KZA97); C.P. and modification of license to add frequency 6345.5 MHz toward Lexington, Ky. (Station WBLG–TV) at station located 1.8 miles southwest of Sadieville, Ky.

1027–C1–R–69—Bell Telephone Company of Nevada; (KPF80); Renewal of developmental license expiring Dec. 10, 1968. Term: Dec. 10, 1968 to Dec. 10, 1969. (28 Units) operating in any temporary fixed location within the territory of the grantee.

2381–C1–P–69—Estacada Telephone & Telegraph Co.; (New); C.P. for a new fixed station to be located 2500 feet east of end of Oregon Highway 224 by Alder Flat Forest Camp, Oreg., to operate on 10795 and 11035 MHz.

2382–C1–P–69—Estacada Telephone & Telegraph Co.; (New); C.P. for a new fixed station to be located on Day Hill Road, 1.1 miles south of Junction Day Hill Road and Highway No. 211, Estacada, Oreg. Frequencies: 11245 and 11485 MHz.

2399–C1–P/L–69—Southwestern Bell Telephone Co.; (New); C.P. and license for a new fixed station. Frequencies: 5945.2 and 6063.8 MHz. Location: 8.8 miles west-southwest of Salt Flat, Tex.

2400–C1–P/L–69—Southwestern Bell Telephone Co.; (New); C.P. and license for a new fixed station. Frequencies: 6197.2 and 6315.9 MHz. Location: 9.5 miles southwest of Cornudas, Tex.

2401–C1–P/L–69—The Western Union Telegraph Co.; (New); C.P. and license for a new temporary fixed station. Frequency: 5925–6425 MHz. Operating (two units) within the territory of the grantee.

2402–C1–P–69—American Telephone & Telegraph Co.; (KAI71); C.P. to add 3990 MHz toward Adaville, Iowa, at its station located Moville Junction, 6.5 miles southeast of Moville, Iowa.

2403–C1–P–69—American Telephone & Telegraph Co.; (KAM41); C.P. to add 3950 MHz toward Moe, S. Dak., at station located Adaville, 6.2 miles northwest of Merrill, Iowa.

2404–C1–P–69—American Telephone & Telegraph Co.; (KAM42); C.P. to add 3990 MHz toward Pumpkin Center, S. Dak., at station located Moe, 7.75 miles southwest of Fairview, S. Dak.

2405–C1–P–69—American Telephone & Telegraph Co.; (KAM43); C.P. to add 3810 MHz toward Salem, S. Dak., at station located Pumpkin Center, 7.1 miles southwest of Hartford, S. Dak., and change antenna system.

2388–C1–MY–69—The Pacific Telephone & Telegraph Co.; (KMA38); Modification of license to change from frequency diversity operation on six 11 GHz microwave channels to a two-for-four protection arrangement in order to increase the capacity of the microwave route between stations KMA38 and KNM40 in Los Angeles, Calif., by one message channel.

2389–C1–ML–69—The Pacific Telephone & Telegraph Co.; (KNM40); Modification of license same as above.

POINT-TO-POINT MICROWAVE RADIO SERVICE (NONTELEPHONE)

2413–C1–P–69—Upper Peninsula Microwave, Inc.; (KYO47); C.P. to add frequency 5974.8 MHz toward Perrinton, Mich., on azimuth of 324°45′. Location: 3.5 miles north of Williamston, Mich.

2414–C1–P–69—Upper Peninsula Microwave, Inc.; (KYO48); C.P. to add frequency 6256.5 MHz toward Mount Pleasant, Mich., on azimuth of 347°45′. Location: 1.5 miles southeast of Perrinton, Mich.

2415–C1–P–69—Upper Peninsula Microwave, Inc.; (KYO49); C.P. to add frequency 5974.8 MHz toward Harrison, Mich., on azimuth of 353°02′. Location: 2 miles south of Mount Pleasant, Mich.

2416–C1–P–69—Upper Peninsula Microwave, Inc.; (KYO50); C.P. to add frequency 6256.5 MHz via power split, toward Grayling and Cadillac, Mich., on azimuths of 04°05′ 296°03′, respectively. Location: Harrison, Mich.

2417–C1–P–69—Upper Peninsula Microwave, Inc.; (KQM44); C.P. to add frequency 5974.8 MHz toward Leetsville, Mich., on azimuth of 311°30′. Location: 7 miles southwest of Grayling, Mich. (Informative: Applicant proposes to provide the TV signal of station CKLW–TV, Windsor, Ontario, to Midwestern Cablevision Corp. in Leetsville, Mich., and Booth Communications Co. in Cadillac, Mich. NOTE: Applicant has requested waiver of section 21.701(i).)

[F.R. Doc. 68–13221; Filed, Oct. 30, 1968; 8:49 a.m.]

# FEDERAL MARITIME COMMISSION

[Docket No. 68–44]

## MALPRACTICES—BRAZIL/UNITED STATES TRADES

### Order of Investigation

In Docket No. 68–10, the Examiner certified to the Commission its disposition of certain motions of the parties therein. By order served September 16, 1968, the Commission placed in abeyance certain malpractice issues raised in the first and second supplemental orders in that proceeding. The Commission has decided to make these issues the subject of a separate proceeding. Therefore,

*It is ordered,* That, pursuant to sections 16, 18(b)(3), and 22 of the Shipping Act, 1916, as amended, an investigation and hearing is hereby instituted to determine whether any common carriers by water in the trades between the U.S. Atlantic and Gulf Coasts and Brazil either alone or in conjunction with other persons, directly or indirectly, made or gave any undue preference or advantage to any particular person, locality or description of traffic to any undue or unreasonable prejudice or disadvantage in any respect whatsoever in violation of section 16, First, of the Act, and whether any common carrier or other person subject to the Act, either alone or in conjunction with, any other person directly or indirectly, allowed any person to obtain transportation for property at less than the regular rates or charges then established and on the lines of such carriers by means of any unjust or unfair device or means in violation of section 16, Second, and 18(b)(3) of the Act.

*It is further ordered,* That the parties listed in Appendix A hereto be made respondents in this proceeding;

*It is further ordered,* That this matter be assigned for public hearing before an examiner of the Commission's Office of Hearing Examiners and that the hearing be held at a date and place to be determined and announced by the presiding examiner; and

*It is further ordered,* That notice of this order be published in the FEDERAL REGISTER and that a copy thereof and notice of hearing be served upon respondents; and

*It is further ordered,* That any person other than respondents and petitioners or Hearing Counsel, who desires to become a party to this proceeding and participate therein, shall file a petition to intervene with the Secretary, Federal Maritime Commission, Washington, D.C. 20573, on or before November 12, 1968, with copy to parties.

*And it is further ordered,* That all future notices issued by or on behalf of the Commission in this proceeding, including notice of time and place of hearing or prehearing conference, shall be mailed directly to all parties of record.

By the Commission.

[SEAL] THOMAS LISI,
*Secretary.*

[F.R. Doc. 68–13244; Filed, Oct. 30, 1968; 8:51 a.m.]

APPENDIX A

RESPONDENTS

Brodin Line, c/o Garcia & Diaz, Inc., 25 Broadway, New York, N.Y. 10004.
The Booth Steamship Co., Ltd., Cunard Building, Water Street, Liverpool, England.
Columbus Line, Inc., 26 Broadway, New York, N.Y. 10004.
Companhia De Navegacao Loide Brasilerio, Rua do Rosario, 1/17, Rio de Janeiro, Brazil.
Companhia De Navegacao Maritima Netumar, Avenida Presidente Vargas, 482–22°, Rio de Janeiro, Brazil.
Delta Steamship Lines, Inc., c/o Macleary, Lynch, Bernhard & Gregg, 1625 K Street NW., Washington, D.C. 20006.
Dovar Line, Dovar Shipping Agency, Inc., 29 Broadway, New York, N.Y. 10006.
Empresa Hineas Maritimas Argentinas (E.L.M.A.), 25 de Mayo, 459, Buenos Aires, Argentina.
Georgia Steamship Corp., Georgia-Pacific International Corp., Post Office Box 909, Augusta, Ga. 30903.
Holland Pan-American Line A/S, c/o Black Diamond Steamship Co., 2 Broadway, New York, N.Y. 10004.
Ivaran Line, c/o United States Navigation Co., Inc., 17 Battery Place, New York, N.Y. 10004.
The Lamport-Holt Line, Ltd., Royal Liver Building, Liverpool 3, England.
Navegacao Mercantel S/A, Avenida Rio Branco, 115, Rio de Janeiro, Brazil.
The Northern Pan-American A/S, Biehl & Co., Inc., agent, 416 Common Street, New Orleans, La. 70130.
Montemar S.A. Commercial Y Maritima, Rincon 468, Montevideo, Uruguay.
Moore-McCormack Lines, Inc., 2 Broadway, New York, N.Y. 10004.
Norton Line, 26 Beaver Street, New York, N.Y. 10004.

## GULF/MEDITERRANEAN PORTS CONFERENCE

### Notice of Agreements Filed for Approval

Notice is hereby given that the following agreements have 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(s) at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1202; or may inspect agreements at the office 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 application to extend approval of a modification to Agreement No. 134 filed by:

Mr. John T. Crook, Chairman, Gulf/Mediterranean Ports Conference, Suite 927, Whitney Building, New Orleans, La. 70130.

Agreement 134–31, between the member lines of the Gulf/Mediterranean Ports Conference, approved December 26, 1967, modified the basic agreement to permit the conference carriers to serve Rivalta Scrivia, Italy, an inland distribution center, by the issuance of through bills of lading from ports of origin to this inland point. This permission was limited by the Commission's order of December 26, 1967 to a period of one (1) year. The member lines have requested approval of an extension of this service for an additional period in order that they may continue to offer this facility to shippers.

Dated: October 25, 1968.

By Order of the Federal Maritime Commission.

THOMAS LISI,
*Secretary.*

[F.R. Doc. 68–13245; Filed, Oct. 30, 1968; 8:51 a.m.]

[Docket No. 68–10]

## INTER-AMERICAN FREIGHT CONFERENCE CARGO POOLING AGREEMENTS NOS. 9682, 9683, AND 9684

### Discontinuance of Issues

By order of even date, the Commission has instituted a separate proceeding to deal with those issues involving the existence of malpractices in the U.S. Atlantic and Gulf/Brazil trades. Therefore, and except to the extent that rebates and malpractices are offered as a circumstance or fact demonstrating the need for approval of the agreements here in issue,

*It is ordered,* That as to the issues raised by the first and second supplemental orders, this proceeding is hereby discontinued.

By the Commission.

[SEAL] THOMAS LISI,
*Secretary.*

[F.R. Doc. 68–13246; Filed, Oct. 30, 1968; 8:51 a.m.]

[Independent Ocean Freight Forwarder License No. 1046]

## GOTHAM SHIPPING CO., INC.

### Order of Revocation

On September 11, 1968, the St. Paul Fire and Marine Insurance Co., notified the Commission that the Independent Ocean Freight Forwarder Surety Bond No. 431BD 6458, underwritten in behalf of Gotham Shipping Co., Inc., 16 Beaver Street, New York, N.Y. 10004, would be canceled effective October 12, 1968.

Gotham Shipping Co., Inc., was notified that unless a new surety bond was submitted to the Commission its Independent Ocean Freight Forwarder License No. 1046 would be revoked effective October 12, 1968, pursuant to general order 4, Amendment 12 (46 CFR 510.9).

Gotham Shipping Co., Inc., has failed to submit a valid surety bond in compliance with the above Commission rule.

*It is ordered,* That the Independent Ocean Freight Forwarder License No. 1046 is revoked effective October 12, 1968; and

*It is further ordered,* That the Independent Ocean Freight Forwarder License No. 1046 be returned to the Commission for cancellation.

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

LEROY F. FULLER,
*Director,*
*Bureau of Domestic Regulation.*

[F.R. Doc. 68-13247; Filed, Oct. 30, 1968; 8:52 a.m.]

[Independent Ocean Freight Forwarder License No. 731]

## ROUTED THRU-PAC, INC.

### Order of Revocation

On August 26, 1968 the New Hampshire Insurance Co. notified the Commission that the Independent Ocean Freight Forwarder Surety Bond No. 925261, underwritten in behalf of Routed Thru-Pac, Inc., would be canceled effective September 28, 1968.

Routed Thru-Pac, Inc., 7024 Wisconsin Avenue, Chevy Chase, Md. 20015, was notified that unless a new surety bond was submitted to the Commission its Independent Ocean Freight Forwarder License No. 731 would be revoked effective September 28, 1968, pursuant to General Order 4, Amendment 12 (46 CFR 510.9).

Routed Thru-Pac, Inc., has failed to submit a valid surety bond in compliance with the above Commission rule.

*It is ordered,* That the Independent Ocean Freight Forwarder License No. 731 is revoked effective September 28, 1968; and

*It is further ordered,* That the Independent Ocean Freight Forwarder License No. 731 be returned to the Commission for cancellation.

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

LEROY F. FULLER,
*Director,*
*Bureau of Domestic Regulation.*

[F.R. Doc. 68-13248; Filed, Oct. 30, 1968; 8:52 a.m.]

[Independent Ocean Freight Forwarder License No. 1187]

## TRAFFIC NAVIGATORS, INC.

### Order of Revocation

On September 13, 1968, the Western Pacific Insurance Co. notified the Commission that the Independent Ocean Freight Forwarder Surety Bond No. SUR 3704, underwritten in behalf of Traffic Navigators, Inc., 308 Northeast 72d Street, Seattle, Wash. 98115, would be canceled effective October 15, 1968.

Traffic Navigators, Inc., was notified that unless a new surety bond was submitted to the Commission its Independent Ocean Freight Forwarder License No. 1187 would be revoked effective October 15, 1968, pursuant to General Order 4, Amendment 12 (46 CFR 510.9).

Traffic Navigators, Inc., has failed to submit a valid surety bond in compliance with the above Commission rule.

*It is ordered,* That the Independent Ocean Freight Forwarder License No. 1187 is revoked effective October 15, 1968; and

*It is further ordered,* That the Independent Ocean Freight Forwarder License No. 1187 be returned to the Commission for cancellation.

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

LEROY F. FULLER,
*Director,*
*Bureau of Domestic Regulation.*

[F.R. Doc. 68-13249; Filed, Oct. 30, 1968; 8:52 a.m.]

[Independent Ocean Freight Forwarder License No. 1140]

## TRANSPORT SERVICES INTERNATIONAL

### Order of Revocation

On September 18, 1968, the St. Paul Fire and Marine Insurance Co. notified the Commission that the Independent Ocean Freight Forwarder Surety Bond No. 400TF 4156, underwritten in behalf of Transport Services International, 1360 West Pacific Coast Highway, Harbor City, Calif. 90710, would be canceled effective October 22, 1968.

Transport Services International was notified that unless a new surety bond was submitted to the Commission its Independent Ocean Freight Forwarder License No. 1140 would be revoked effective October 22, 1968, pursuant to General Order 4, Amendment 12 (46 CFR 510.9).

Transport Services International has failed to submit a valid surety bond in compliance with the above Commission rule.

*It is ordered,* That the Independent Ocean Freight Forwarder License No. 1140 is revoked effective October 22, 1968; and

*It is further ordered,* That the Independent Ocean Freight Forwarder License No. 1140 be returned to the Commission for cancellation.

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

LEROY F. FULLER,
*Director,*
*Bureau of Domestic Regulation.*

[F.R. Doc. 68-13250; Filed, Oct. 30, 1968; 8:52 a.m.]

# FEDERAL POWER COMMISSION

[Docket No. RI69-112]

## ATLANTIC RICHFIELD CO.

### Order Amending Order Accepting Contract Amendments, Providing for Hearings on and Suspension of Proposed Chages in Rates To Permit Substitute Rate Filing

OCTOBER 23, 1968.

Atlantic Richfield Co. (Atlantic), on August 30, 1968, filed with the Commission a proposed change in rate from 19.905 cents to 20.943 cents per Mcf [1] which pertains to its jurisdictional sales of natural gas from the Northeast Trail Field, Dewey County, Okla. (Oklahoma "Other" Area) to Panhandle Eastern Pipe Line Co. The Commission by order issued September 13, 1968, in Docket No. RI69-112, suspended for 5 months Atlantic's rate filing until March 1, 1969, and thereafter until made effective in the manner prescribed by the Natural Gas Act. Atlantic's proposed rate increase has not been made effective pursuant to section 4(e) of the Natural Gas Act.

On September 25, 1968, Atlantic submitted an amended notice of change in rate [2] proposing to substitute its full contractual base rate of 18 cents due October 1, 1968, in lieu of the fractured base rate of 17.9 cents per Mcf filed on August 30, 1968, and suspended in Docket No. RI69-112. The now proposed full contract rate consists of 18 cents base rate plus 0.0150-cent tax reimbursement and 3.0600-cent B.t.u. adjustment for a total rate of 21.0750 cents. Atlantic states that it restricted its base rate to 17.9 cents as it misinterpreted the Commission's 10th and 11th Amendments to the General Policy Statement No. 61-1 and believed that they were limited to filing only to the antitriggering base rate level of 17.9 cents per Mcf until January 1, 1970. However, such antitriggering level and moratorium period only applies to rate schedules for which the related certificate applications were filed after July 1, 1967. As the related certificate applications involving Atlantic's rate schedule were filed prior to such date the antitriggering level and moratorium period does not apply. Atlantic requests that the instant proposed rate be suspended in Docket No. RI69-112 and carry the same suspension period (until Mar. 1, 1969) now in effect in said docket.

Atlantic's proposed 21.075 cents per Mcf rate exceeds the area ceiling of 11 cents per Mcf for increased rates in the Oklahoma "Other" Area as announced in the Commission's statement of general policy No. 61-1, as amended, as did the previously suspended rate in said docket. Under the circumstances, we believe that it would be in the public interest to accept Atlantic's amended rate filing subject to the suspension proceeding in Docket No. RI69-112, with the suspension period of such amended rate filing to terminate concurrently with the suspension period (Mar. 1, 1969) of the original rate filing in said docket.

The Commission orders:

(A) The suspension order issued September 13, 1968, in Docket No. RI69-112, is amended only so far as to permit the 21.075 cents per Mcf rate contained in Supplement No. 1 to Supplement No. 4 to Atlantic's FPC Gas Rate Schedule No. 274 to be filed to supersede the 20.943 cents per Mcf rate provided by Supplement No. 4 to the aforementioned rate

[1] Designated as Supplement No. 4 to Atlantic's FPC Gas Rate Schedule No. 274.

[2] Designated as Supplement No. 1 to Supplement No. 4 to Atlantic's FPC Gas Rate Schedule No. 274.

schedule, subject to the suspension proceeding in Docket No. RI69–112. The suspension period for such substitute filing to terminate concurrently with the suspension period (Mar. 1, 1969) presently in effect in said docket.

(B) In all other respects, the order issued by the Commission on September 13, 1968, in Docket No. RI69–112, shall remain unchanged and in full force and effect.

By the Commission.

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

[F.R. Doc. 68–13170; Filed, Oct. 30, 1968; 8:45 a.m.]

[Docket No. E–7446]

## IOWA ELECTRIC LIGHT AND POWER CO.

### Notice of Application; Correction

OCTOBER 24, 1968.

In the notice of application issued October 2, 1968, and published in the FEDERAL REGISTER October 10, 1968 (33 F.R. 15136), correct "Des Moines" to read "Cedar Rapids" on page 1, line 8, also change "central and Southwestern Iowa" to read "the States of Iowa, Minnesota, Colorado, and Nebraska."

GORDON M. GRANT, *Secretary.*

[F.R. Doc. 68–13171; Filed, Oct. 30, 1968; 8:45 a.m.]

[Docket No. CP65–352]

## TENNESSEE GAS PIPELINE CO.

### Notice of Petition To Amend

OCTOBER 24, 1968.

Take notice that on October 18, 1968, Tennessee Gas Pipeline Co., a division of Tenneco Inc., Post Office Box 2511, Houston, Tex. 77001 (Petitioner) filed in Docket No. CP65–352, a petition to amend the order issued by the Commission July 26, 1965, which order authorized the construction and operation of below-ground liquefied natural gas (LNG) storage facilities at its compressor station No. 267 near Hopkinton, Mass.

By the instant filing, Petitioner seeks authorization to construct and operate at its facility near Hopkinton, Mass., three above-ground storage facilities with a storage capacity of approximately 870,000 barrels of LNG which is equivalent to 3,000,000 Mcf of natural gas. The proposed facility will replace the below-ground storage facilities authorized by the aforementioned order.

Applicant states that the replacement is necessary because the below-ground reservoir has proven unsatisfactory for storage of the full quantity of LNG for which it was designed.

Total estimated cost of the proposed facility is $10,067,160.

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 21, 1968.

GORDON M. GRANT, *Secretary.*

[F.R. Doc. 68–13172; Filed, Oct. 30, 1968; 8:45 a.m.]

[Docket No. RI69–169 etc.]

## RIP C. UNDERWOOD ET AL.

### Order Providing for Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund [1]

OCTOBER 23, 1968.

The Respondents named herein have filed proposed changes in rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

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

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

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

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

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before December 10, 1968.

By the Commission.

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

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

APPENDIX A

| Docket No. | Respondent | Rate schedule No. | Supplement No. | Purchaser and producing area | Amount of annual increase | Date filing tendered | Effective date unless suspended | Date suspended until— | Cents per Mcf: Rate in effect | Cents per Mcf: Proposed increased rate | Rate in effect subject to refund in dockets Nos. |
|---|---|---|---|---|---|---|---|---|---|---|---|
| RI69–169 | Rip C. Underwood (Operator) et al., Post Office Box 2588, Amarillo, Tex. 79105. | 9 | 1 | Phillips Petroleum Co.[2] (West Panhandle Field, Hutchinson County, Tex.) (R.R. District No. 10). | $600 | 9–24–68 | [3] 10–25–68 | [4] 10–26–68 | 13.0 | [5] 14.0 | |
| | do | 10 | 2 | do[2] | 600 | 9–24–68 | [3] 10–15–68 | [4] 10–26–68 | 13.0 | [5] 14.0 | |
| RI69–170 | Cities Service Oil Co., Cities Service Bldg., Bartlesville, Okla. 74003. | 301 | 2 | do[2] | 79 | 9–27–68 | [7] 12–1–68 | [4] 12–2–68 | [8] 13.0 | [5] [8] 14.0 | |

[2] Phillips Petroleum Co. gathers and processes the gas in its Sneed and Dumas Plants and resells the residue gas under various rate schedules at various rates, some of which are in effect subject to refund.
[3] The stated effective date is the first day after expiration of the statutory notice.
[4] The suspension period is limited to 1 day.
[5] Periodic rate increase.
[6] Pressure base is 14.65 p.s.i.a.
[7] The stated effective date is the date requested by Respondent.
[8] Subject to a deduction of 0.4466 cent for sour gas.

Rip C. Underwood (Operator) et al. (Underwood), request waiver of the statutory notice to permit their proposed rate increases to become effective as of September 1, 1968, the contractually provided effective date. 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 an earlier effective date for Underwood's rate filings and such request is denied.

Underwood and Cities Service Oil Co. (Cities Service) propose rate increases from 13 cents to 14 cents per Mcf for wellhead sales of gas to Phillips Petroleum Company (Phillips) which gathers and processes the gas and resells the residue gas to interstate pipeline companies. Some of Phillips' resale rates are in effect subject to refund. Underwood and Cities Service's proposed 14 cents per Mcf rates exceed the area increased rate ceiling of 11 cents per Mcf for Texas Railroad District No. 10 as announced in the Commission's statement of general policy No. 61–1, as amended. Since Phillips' resale rates are in effect subject to refund, we conclude that Underwood and Cities Service's rate increases should be suspended for one day from October 25, 1968 (Underwood), the date of expiration of the statutory notice, and December 1, 1968 (Cities Service), the proposed effective date.

[F.R. Doc. 68–13173; Filed, Oct. 30, 1968; 8:45 a.m.]

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[Docket No. RI69–168]

## APACHE CORP.

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

OCTOBER 16, 1968.

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

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

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

The Commission orders:

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

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

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

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before December 10, 1968.

By the Commission.

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

APPENDIX A

| Docket No. | Respondent | Rate schedule No. | Supplement No. | Purchaser and producing area | Amount of annual increase | Date filing tendered | Effective date unless suspended | Date suspended until— | Cents per Mcf: Rate in effect | Cents per Mcf: Proposed increased rate | Rate in effect subject to refund in docket No. |
|---|---|---|---|---|---|---|---|---|---|---|---|
| RI69–168 | Apache Corp., 823 South Detroit, Tulsa, Okla. 74120. | 6 | [1] 1 | Cities Service Gas Co. (Hugoton Field, Finney County, Kans.). | $1,176 | 9–26–68 | [2] 10–27–68 | [3] 10–28–68 | [6] 12.0 | [4] [5] [6] 13.0 | |

[1] Contract dated after Sept. 28, 1960, the date of issuance of general policy statement No. 61–1 and the proposed rate does not exceed the area initial rate ceiling of 16 cents per Mcf.
[2] The stated effective date is the first day after expiration of the statutory notice.
[3] The suspension period is limited to 1 day.
[4] Periodic rate increase.
[5] Pressure base is 14.65 p.s.i.a.
[6] Subject to a downward B.t.u. adjustment.

Apache Corp. (Apache) requests a retroactive effective date of April 1, 1967, for its proposed rate increase. 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 an earlier effective date for Apache's rate filing and such request is denied.

The contract related to Apache's rate filing was executed subsequent to September 28, 1960, the date of issuance of the Commission's statement of general policy No. 61-1, as amended, and the proposed increased rate of 13 cents per Mcf exceeds the area increased rate ceiling of 11 cents per Mcf for the Kansas area but does not exceed the initial service ceiling of 16 cents per Mcf established for the area involved. We believe, in this situation, Apache's proposed rate filing should be suspended for 1 day from October 27, 1968, the date of expiration of the statutory notice.

[F.R. Doc. 68-13174; Filed, Oct. 30, 1968; 8:45 a.m.]

[Docket Nos. CS69-11, etc.]

## ROSEMARY HALE GREANY ET AL.

### Notice of Applications for "Small Producer" Certificates [1]

OCTOBER 24, 1968.

Take notice that each of the Applicants listed herein has filed an application pursuant to section 7(c) of the Natural Gas Act and § 157.40 of the regulations thereunder for a "small producer" certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce from the Permian Basin area of Texas and New Mexico, all as more fully set forth in the applications which are on file with the Commission and open to public inspection.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before November 19, 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 all applications in which no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter believes that a grant of the certificates is required by the public convenience and necessity. Where a protest or petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

GORDON M. GRANT,
*Secretary.*

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

| Docket No. | Date filed | Name of applicant |
|---|---|---|
| CS69-11 | 10- 1-68 | Rosemary Hale Greany, Post Office Box 813, Midland, Tex. 79701. |
| CS69-12 | 10- 7-68 | BTA Oil Producers (Operators) agent et al., c/o J. R. Stimmel, agent, 104 South Pecos, Midland, Tex. 79701. |
| CS69-13 | 10-14-68 | John H. Hendrix, 316 Central Bldg., Midland, Tex. 79701. |
| CS69-14 | 10-14-68 | Ann W. Morris, Post Office Box 781, Roswell, N. Mex. 88201. |
| CS69-15 | 10- 9-68 | Penton & Penton, Post Office Box 308, De Quincy, La. 70633. |
| CS69-16 | 10-14-68 | James W. Rasmussen, 1127 Wilco Bldg., Midland, Tex. 79701. |
| CS69-17 | 10-14-68 | Bruce A. Wilbanks, Post Office Box 763, Midland, Tex. 79701. |

[F.R. Doc. 68-13175; Filed, Oct. 30, 1968; 8:45 a.m.]

# SECURITIES AND EXCHANGE COMMISSION

[812-2387]

## ADAMS EXPRESS CO. AND AMERICAN INTERNATIONAL CORP.

### Notice of Filing of Joint Application for Exemption

OCTOBER 25, 1968.

Notice is hereby given that The Adams Express Co. ("Adams"), and American International Corp. ("AIC"), both New York corporations, 48 Wall Street, New York, N.Y., registered under the Investment Company Act of 1940 ("Act") as closed-end diversified management investment companies, have filed a joint application pursuant to section 17(b) of the Act for an order exempting from the provisions of section 17(a) certain transactions incident to a proposed merger of AIC and Adams, with Adams to continue as the surviving corporation. All interested persons are referred to the application on file with the Commission for a statement of the proposed transactions which are summarized below.

Since the inception of the Act, AIC and Adams have been affiliated persons of each other within the meaning of section 2(a)(3) of the Act by virtue, among other things, of the fact that Adams has owned more than 25 percent of AIC's outstanding voting securities. Adams currently owns 75.33 percent of the shares of AIC common stock outstanding. The same individuals comprise the officers and boards of directors of Adams and AIC. As of September 30, 1968, these officers and directors, including their associates, as a group owned beneficially a total of 94,098 shares of Adams common stock and 15,448 shares of AIC common stock representing 1.14 percent and 0.46 percent of the outstanding shares of these companies, respectively.

The terms of the proposed merger are set forth in the Plan and Agreement of Merger (Merger Agreement) adopted by the Board of Directors of each company on September 10, 1968. The Merger Agreement provides that each share of AIC common stock outstanding on the effective date of the merger (other than shares owned by Adams) will be converted into the number of shares of Adams common stock determined by dividing the net asset value per share of AIC common stock as of the close of business on the day that the merger becomes effective, by the net asset value per share of Adams common stock on that date.

Section 17(a) of the Act, as here pertinent, makes it unlawful for an affiliated person of a registered investment company to sell to or to purchase from such registered company any securities or other property. However, the Commission, upon application pursuant to section 17(b), may grant an exemption from the provisions of section 17(a) after finding that the terms of the proposed transactions, including the consideration to be paid or received, are reasonable and fair and do not involve overreaching on the part of any person concerned and that the proposed transactions are consistent with the policy of such investment company and with the general purposes of the Act.

Unless the requested exemption is granted, section 17(a) therefore would prohibit, among other things, sale by Adams to AIC of Adams common stock, the purchase by Adams of all of AIC's assets subject to its liabilities, and the sale by AIC to Adams of all of AIC's assets subject to its liabilities.

Applicants submit that the terms of the proposed transactions including the consideration to be paid are fair and reasonable, that there has been no overreaching on the part of any person and that the proposed transactions are consistent with the investment policies of both companies and with the general purposes of the Act.

Notice is further given that any interested person may, not later than November 14, 1968, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicants at the addresses stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon

said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing (if ordered), and any postponements thereof.

For the Commission (pursuant to delegated authority).

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

[F.R. Doc. 68-13189; Filed, Oct. 30, 1968; 8:46 a.m.]

[File No. 1-3909]

## BSF CO.

### Order Suspending Trading

OCTOBER 25, 1968.

The capital stock (66⅔ cents par value) and the 5¾ percent convertible subordinated debentures due 1969 of BSF Co., being listed and registered on the American Stock Exchange, and such capital stock being listed and registered on the Philadelphia-Baltimore-Washington Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934; and all other securities of BSF Co. being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchanges and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

*It is ordered,* Pursuant to sections 15(c)(5) and 19(a)(4) of the Securities Exchange Act of 1934, that trading in the said capital stock on such exchanges and in the debentures on the American Stock Exchange, and trading otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period October 27, 1968, through November 5, 1968, both dates inclusive.

By the Commission.

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

[F.R. Doc. 68-13190; Filed, Oct. 30, 1968; 8:47 a.m.]

[File No. 1-1130]

## GALE INDUSTRIES, INC.

### Order Suspending Trading

OCTOBER 25, 1968.

The common stock, 50 cents par value, of Gale Industries, Inc., being listed and registered on the American Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of Gale Industries, Inc., being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such Exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

*It is ordered,* Pursuant to sections 15(c)(5) and 19(a)(4) of the Securities Exchange Act of 1934, that trading in such securities on the American Stock Exchange and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period October 25, 1968, at 12:35 e.d.t., through October 31, 1968, both dates inclusive.

By the Commission.

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

[F.R. Doc. 68-13191; Filed, Oct. 30, 1968; 8:47 a.m.]

## MOONEY AIRCRAFT, INC.

### Order Suspending Trading

OCTOBER 25, 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 28, 1968, through November 6, 1968, both dates inclusive.

By the Commission.

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

[F.R. Doc. 68-13192; Filed, Oct. 30, 1968; 8:47 a.m.]

[File No. 1-3468]

## MOUNTAIN STATES DEVELOPMENT CO.

### Order Suspending Trading

OCTOBER 25, 1968.

The common stock, 1 cent par value, of Mountain States Development Co. being listed and registered on the Salt Lake Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of Mountain States Development Co. being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such Exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

*It is ordered,* Pursuant to sections 15(c)(5) and 19(a)(4) of the Securities Exchange Act of 1934, that trading in such securities on the Salt Lake Stock Exchange and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period October 27, 1968, through November 5, 1968, both dates inclusive.

By the Commission.

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

[F.R. Doc. 68-13193; Filed, Oct. 30, 1968; 8:47 a.m.]

## STANWOOD OIL CORP.

### Order Suspending Trading

OCTOBER 25, 1968.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Stanwood Oil Corp., Warren, Pa., 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 26, 1968, through November 4, 1968, both dates inclusive.

By the Commission.

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

[F.R. Doc. 68-13194; Filed, Oct. 30, 1968; 8:47 a.m.]

# SMALL BUSINESS ADMINISTRATION

[License No. 01/01-0030]

## ATLAS CAPITAL CORP.

### Notice of Application for Exemption From Restrictions on Conflict-of-Interest Transactions

Notice is hereby given that Atlas Capital Corp., 338 Park Square Building, Boston, Mass. 02116, a licensed small business investment company under the Small Business Investment Act of 1958, as amended, has requested permission to make a loan to three affiliated small business concerns presently financed by Atlantic Corp., the Licensee's parent. Prior approval of conflict-of-interest transactions is required under § 107.1004 of SBA Regulations (13 CFR Part 107, 33 F.R. 326).

Atlas proposes to make a loan of $125,000 to Newton Truck Rental Corp., Gringeri Bros. Transportation Co., Inc., and T. Stewart & Sons, Inc., all affiliated concerns with headquarters in Watertown, Mass.

The proposed loan will be for a period of 5 years with provisions for monthly payments of principal and interest of $2,940. The loan proceeds will be used to liquidate certain short-term obligations to Atlantic Corp. (Licensee's parent), to pay off other short-term debts to firms

not affiliated with Atlas, and for working capital.

Interested persons should address their comments on the proposed transaction to the Associate Administrator for Investment, Small Business Administration, 1441 L Street NW., Washington, D.C. 20416, within 10 days after the publication of this Notice.

Dated: October 21, 1968.

GLENN R. BROWN,
*Associate Administrator for Investment.*

[F.R. Doc. 68-13186; Filed, Oct. 30, 1968; 8:46 a.m.]

## W.F.I. CO.

### Notice of Application for a License as a Small Business Investment Company

Notice is hereby given concerning the filing of an application with the Small Business Administration (SBA) pursuant to § 107.102 of the Regulations Governing Small Business Investment Companies (13 CFR Part 107, 33 F.R. 326) under the name of W.F.I. Co., 464 California Street, San Francisco, Calif. 94120, for a license to operate in the State of California as a small business investment company under the provisions of the Small Business Investment Act of 1958, as amended. (15 U.S.C. 661 et seq.)

The proposed officers and directors are as follows:

Ernest C. Arbuckle, Wells Fargo Bank, 464 California Street, San Francisco, Calif. 94120. President and director.

Robert G. Perring, Wells Fargo Bank, 464 California Street, San Francisco, Calif. 94120. Vice president, secretary-treasurer, and director.

John W. Larson, 111 Sutter Street, San Francisco, Calif. 94104. Assistant secretary.

Adolph Mueller II, Wells Fargo Bank, 464 California Street, San Francisco, Calif. 94120. Director.

Marco Hellman, J. Barth & Co., 404 Montgomery Street, San Francisco, Calif. 94120. Director.

Charles M. Pigott, 1400 North Fourth Street, Renton, Wash. 98055, Director.

Carl Nelson, 802 Wichita Plaza Building, Wichita, Kans. 67202, Investment adviser.

Matters involved in SBA's consideration of the application include the general business reputation and character of the proposed owners and management, and the probability of successful operations of the new company under their management, including adequate profitability and financial soundness, in accordance with the Act and Regulations.

The company will be owned as follows:

| | *Percent* |
|---|---|
| Wells Fargo Bank, 464 California Street, San Francisco, Calif. 94120 | 44.96 |
| J. Barth & Co., 404 Montgomery Street, San Francisco, Calif. 94120 | 20.04 |
| Bank of Stockton, Post Office Box 1110, Stockton, Calif. 95203 | 10.00 |
| Bank of Hawaii, Post Office Box 2900, Honolulu, Hawaii 96802 | 10.00 |
| Three other concerns, each owning less than 10 percent | 15.00 |
| Total | 100.00 |

The company will begin operations with a capitalization of $2,500,000 and proposes to aid in the financial development of qualified small business concerns in the communities it serves.

Notice is further given that any interested person may not later than November 5, 1968, at 5 p.m., submit to SBA in writing, relevant comments on the proposed company. Any communication should be addressed to: Associate Administrator for Investment, Small Business Administration, 1441 L Street NW., Washington, D.C. 20416.

A copy of this notice shall be published in a newspaper of general circulation in San Francisco, Calif.

For SBA (pursuant to delegated authority).

Dated: October 22, 1968.

GLENN R. BROWN,
*Associate Administrator for Investment.*

[F.R. Doc. 68-13187; Filed, Oct. 30, 1968; 8:46 a.m.]

# TARIFF COMMISSION

[332-58]

## CERTAIN WOOL FABRICS

### Notice of Investigation and Hearing

OCTOBER 28, 1968.

In response to a request of the President dated October 24, 1968, the U.S. Tariff Commission has instituted an investigation with respect to Public Law 90-638, approved on October 24, 1968 (H.R. 653 of the 90th Congress), on imports of certain wool fabrics. The full text of the request is as follows:

DEAR MR. CHAIRMAN: I have today approved H.R. 653, the major provision of which stipulates that the provisions in parts 3 and 4 of schedule 3 of the Tariff Schedules of the United States for fabrics in chief value of wool shall also apply to fabrics in chief weight of wool.

However, because of reservations concerning the height of the duties imposed by this provision, I request the Tariff Commission, pursuant to section 332(g) of the Tariff Act of 1930, to conduct a study and report back to me by December 31, 1968, the probable effect of the chief weight test on imports of these fabrics and the simple ad valorem tariff rate or rates in column 1 of the Tariff Schedules of the United States which would permit fabrics of, in chief weight of, reprocessed or reused wool provided for in parts 3 and 4 of schedule 3 of such Tariff Schedules to enter the United States without causing or threatening serious injury to the domestic industry producing like or directly competitive articles.

Sincerely,

LYNDON B. JOHNSON.

*Hearing.* A public hearing in connection with this investigation will be held in the Tariff Commission's Hearing Room, Tariff Commission Building, Eighth and E Streets NW., Washington, D.C., beginning at 10 a.m., e.s.t., on November 14, 1968. All parties will be given opportunity to be present, to produce evidence, and to be heard at such hearing. Interested parties desiring to appear at the hearing should notify the Secretary at the above address, in writing, at least 5 days in advance of the date set for the hearing. Witnesses should bring to the hearing at least 20 copies of any prepared statements, and where feasible, of any exhibits they plan to introduce.

The Commission will consider all written submissions received from interested parties by November 14, 1968. Information so submitted shall include a signed original and nineteen true copies. Business data which are deemed confidential shall be submitted on separate sheets, each clearly marked at the top "Business Confidential". All material submitted, except confidential business data, will be made available for inspection by interested parties.

Issued: October 28, 1968.

By order of the Commission.

[SEAL] DONN N. BENT,
*Secretary.*

[F.R. Doc. 68-13219; Filed, Oct. 30, 1968; 8:49 a.m.]

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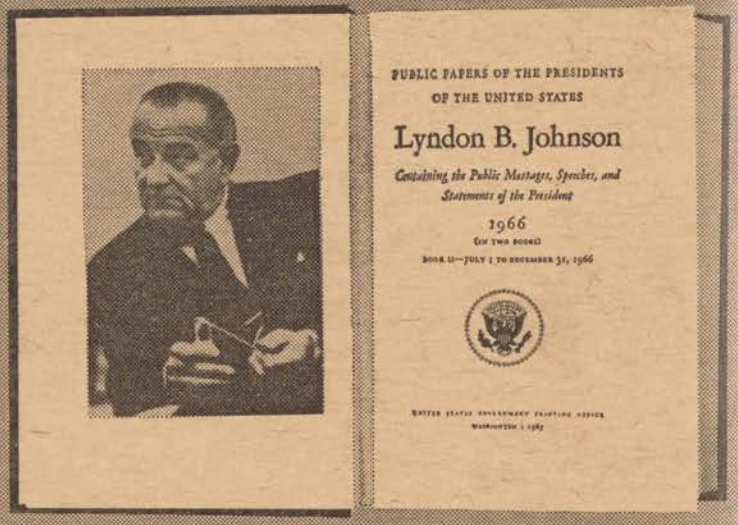


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