

FEDERAL REGISTER

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Civil Aeronautics Board
Coast Guard
Consumer and Marketing Service
Customs Bureau
Defense Department
Delaware River Basin Commission
Economic Opportunity Office
Education Office
Federal Aviation Administration
Federal Communications Commission
Federal Maritime Commission
Federal Power Commission
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Rules and Regulations

Title 7—AGRICULTURE

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

[Navel Orange Reg. 170]

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

Limitation of Handling

§ 907.470 Navel Orange Regulation 170.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 907, as amended (7 CFR Part 907, 33 F.R. 15471), regulating the handling of Navel oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Navel Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Navel oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Navel oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning

such provisions and effective time has been disseminated among handlers of such Navel oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on February 18, 1969.

(b) *Order.* (1) The respective quantities of Navel oranges grown in Arizona and designated part of California which may be handled during the period February 21, 1969, through February 27, 1969, are hereby fixed as follows:

- (i) District 1: 760,000 cartons;
- (ii) District 2: 240,000 cartons;
- (iii) District 3: Unlimited movement.

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

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

Dated: February 19, 1969.

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

[F.R. Doc. 69-2252; Filed, Feb. 19, 1969;
11:59 a.m.]

[Valencia Orange Reg. 262]

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

Limitation of Handling

§ 908.562 Valencia Orange Regulation 262.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908, 33 F.R. 19829), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Valencia Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the

public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on February 18, 1969.

(b) *Order.* (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period February 21, 1969, through February 27, 1969, are hereby fixed as follows:

- (i) District 1: Unlimited movement;
- (ii) District 2: Unlimited movement;
- (iii) District 3: 133,426 cartons.

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

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

Dated: February 19, 1969.

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

[F.R. Doc. 69-2249; Filed, Feb. 19, 1969;
11:21 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Airworthiness Docket No. 68-WE-35-AD; Amdt. 39-724]

PART 39—AIRWORTHINESS DIRECTIVES

Hughes Model 269A, 269A-1, 269A-2, and 269B Helicopters With Hughes P/N 269A6035 Tail Rotor Blade Installed

Hughes Tool Co., Aircraft Division, has determined that a mandatory service life limitation must be placed on the low tip speed tail rotor blade, P/N 269A6035, to insure continued compliance with the fatigue strength requirements of Civil Air Regulation 6.221. The Federal Aviation Administration concurs with this determination. Therefore, an airworthiness directive is being issued to require the retirement prior to the accumulation of 5,000 hours times in service of the low tip speed tail rotor blades, Hughes P/N 269A6035, which are presently installed, or may subsequently be installed, on the affected helicopters.

Since a situation exists that requires immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective 30 days from date of publication.

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

HUGHES. Applies to Model 269A, 269A-1, 269A-2, and 269B helicopters with P/N 269A6035 low tip speed tail rotor blade installed.

To insure continued airworthiness of the low tip speed tail rotor blade, prior to accumulation of 5,000 hours times in service, remove tail rotor blade, P/N 269A6035, marking it permanently and conspicuously to avoid its inadvertent return to service, and replace with a new or serviceable tail rotor blade, P/N 269A6035, having less than 5,000 hours time in service.

This amendment becomes effective March 22, 1969.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1423); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)))

Issued in Los Angeles, Calif., on February 12, 1969.

LEE E. WARREN,
Acting Director,
FAA Western Region.

[P.R. Doc. 69-2134; Filed, Feb. 19, 1969; 8:47 a.m.]

Chapter II—Civil Aeronautics Board

SUBCHAPTER A—ECONOMIC REGULATIONS

[Reg. ER-559, Amdt. 3; Docket No. 20474]

PART 287—EXEMPTION AND APPROVAL OF CERTAIN INTERLOCKING RELATIONSHIPS

Exemption of Air Carriers With Respect to Interlocking Relationships With Commercial Lending Institutions

Adopted by the Civil Aeronautics Board at its Office in Washington, D.C., on the 17th day of February 1969.

Section 287.3a (14 CFR Part 287) of the economic regulations exempts direct air carriers with respect to interlocking relationships involving the directors of air carriers who are also directors, officers, or employees of commercial lending institutions which do not lease aircraft to the air carrier. This provision being merely permissive does not grant anti-trust immunity, but merely allows such interlocks to exist without first obtaining the approval of the Board under Part 251 of the Board's economic regulations, as otherwise required by section 409(a) of the Federal Aviation Act of 1958, as amended.

Eastern Air Lines, Inc., has filed a petition to change the annual reporting date required by § 287.3a from March 1 to April 1. According to Eastern, the information required for compliance with § 287.3a is similar to the information required for compliance with the SEC's proxy rules, and that the latter require information as to stockholdings of directors and other matters "as of the most recent practical date," whereas the data required by § 287.3a is for the previous calendar year. It appears from the petition that for carriers which, like Eastern, have their annual meetings in April the SEC has objected to use of any data earlier than March 1, and because of the difference between the CAB and SEC time requirements, Eastern has been required in the past to question each of its directors twice on the same matter within a relatively short period of time. Eastern further states that if § 287.3a were amended so that the reporting date was April 1 rather than March 1, Eastern and other carriers which have their annual meetings in April, could obtain the information with one questionnaire covering both CAB and SEC requirements.

Upon consideration, Eastern's request appears reasonable and will be granted.

In adopting § 287.3a, the Board provided that the exemption shall expire after 3 years (i.e., on Mar. 30, 1969), since the exemption is experimental and involves some risk of potential conflict of interest. Experience under the exemption has not disclosed any basis for termination, and the Board has decided to extend the expiration date of § 287.3a for 13 months to April 30, 1970, to coordinate with the change in reporting date.

Since this amendment is being issued as a final rule we shall permit interested

parties to file petitions for reconsideration. Twelve (12) copies of such petitions shall be filed with the Docket Section, Civil Aeronautics Board, Room 712, Universal Building, Washington, D.C. 20428, on or before March 17, 1969. Copies of any petition filed will be available for examination by interested persons in the Docket Section. The filing of petitions shall not operate to stay the effective date of the rule.

As this amendment extends the relief provided in the existing regulation, notice and public procedure hereon are unnecessary and the amendment may be made effective upon less than 30 days' notice.

Accordingly, the Civil Aeronautics Board hereby amends § 287.3a effective March 1, 1969, by (1) extending the expiration date from March 30, 1969, to April 30, 1970, and (2) changing the annual reporting date from March 1 to April 1. As amended, § 287.3a will read as follows:

§ 287.3a Exemption of air carriers with respect to interlocking relationships with commercial lending institutions.

In addition to the exemptions provided in §§ 287.2 and 287.3 of this part, and subject to the other provisions of this part, air carriers are hereby relieved from the provisions of section 409(a) of the Act and Part 251 of this chapter with respect to any interlocking relationship between any such air carrier and a commercial lending institution which does not lease aircraft to the air carrier: *Provided, however,* That such exemption shall expire on April 30, 1970, and shall extend only to the relationship involving a director of the air carrier who is not an officer or employee of the air carrier or a stockholder holding a controlling interest in the air carrier (or the representative or nominee of any such person) and who is not a member of the commercial lending institution: *Provided further,* That in order to qualify for an exemption under this section air carriers shall file with the Bureau of Operating Rights annual reports on or before April 1 of each year showing for the previous calendar year (a) the names and addresses of all directors of the air carrier who were also directors, officers, or employees of commercial lending institutions; (b) the names and addresses of such commercial lending institutions; and (c) a description of all transactions between the air carrier (and/or its directors who were also officers or directors of commercial lending institutions) and such commercial lending institutions.

(Secs. 101(3), 204(a), 409, 416; 72 Stat. 737, 743, 768, 771; 49 U.S.C. 1301, 1324, 1379, 1386)

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDBERSON,
Secretary.

[P.R. Doc. 69-2109; Filed, Feb. 19, 1969; 8:49 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission SUBCHAPTER D—TRADE REGULATION RULES

PART 417—FAILURE TO DISCLOSE THE LETHAL EFFECTS OF INHALING QUICK-FREEZE AEROSOL SPRAY PRODUCTS USED FOR FROSTING COCKTAIL GLASSES

The Federal Trade Commission, pursuant to the Federal Trade Commission Act, as amended, 15 U.S.C. 41, et seq., and the provisions of Subpart B, Part 1 of the Commission's procedures and rules of practice, 16 CFR 1.11, et seq., has conducted a proceeding for the promulgation of a Trade Regulation Rule regarding the failure to disclose the lethal effects of inhaling aerosol spray products used for frosting cocktail glasses. Notice of this proceeding, including a proposed rule, was published in the FEDERAL REGISTER on May 30, 1968 (33 F.R. 7885). Interested parties were thereafter afforded opportunity to participate in the proceeding through the submission of written data, views, and arguments and to appear and orally express their views as to the proposed rule and to suggest amendments, revisions, and additions thereto.

The Commission has now considered all matters of fact, law, policy, and discretion, including the data, views, and arguments presented by interested parties in response to the notice and has determined that the adoption of the Trade Regulation Rule and statement of its basis and purpose set forth herein is in the public interest.

STATEMENT OF BASIS AND PURPOSE

- Sec.
417.1 Basis of the proceeding.
417.2 The practice involved.
417.3 Deceptive character of the practice.
417.4 Data, views, and arguments concerning the rule.
417.5 Purpose of the rule.

THE RULE

- 417.6 The rule.

AUTHORITY: The provisions of this Part 417 issued under 38 Stat. 717, as amended; 15 U.S.C. 41-58.

STATEMENT OF BASIS AND PURPOSE

§ 417.1 Basis of the proceeding.

This proceeding was initiated by the Commission on receipt of information showing that deaths had been caused by the inhaling of aerosol spray products sold for the purpose of frosting cocktail glasses.

§ 417.2 The practice involved.

Marketers of aerosol spray products designed for frosting cocktail glasses, engaged in the sale of such products in commerce, as "commerce" is defined in the Federal Trade Commission Act, have failed to caution purchasers that death may result from inhaling this product.

§ 417.3 Deceptive character of the practice.

(a) Aerosol spray products designed for frosting cocktail glasses contain Fluorocarbon 12 (Dichlorodifluoromethane) which if inhaled in a concentrated amount may cause injury or death. Marketers, in the labeling of such products, have failed to provide a clear and conspicuous warning to the purchaser of the harmful effects of inhaling the product.

(b) The Commission concludes therefore that the failure to disclose that serious harm or death may result from inhaling quick-freeze aerosol spray has the capacity and tendency to mislead and deceive purchasers and prospective purchasers. The Commission further concludes that such practice is violative of section 5 of the Federal Trade Commission Act, and that the public interest in preventing this practice is specific and substantial.

§ 417.4 Data, views, and arguments concerning the rule.

Some industry representatives asserted that the warning statement is unreasonable because the product is harmless when used as directed. Although recognizing that the problem involves a misuse of a product, since the record establishes that in several cases direct inhalation of quick-freeze aerosol spray, albeit intentional, has resulted in death, the Commission concludes that it is in the public interest to caution purchasers who may not otherwise be aware of the lethal effects of inhaling the product.

§ 417.5 Purpose of the rule.

The purpose of this rule is to inform all members of the industry and other interested or affected parties of the Commission's position with respect to the problem at hand and, in the public interest, to eliminate the unlawful deception resulting from the failure to make the disclosure required by the rule.

THE RULE

§ 417.6 The rule.

The Commission hereby promulgates, as a Trade Regulation Rule, its conclusion and determination that in connection with the sale or offering for sale in commerce, as "commerce" is defined in the Federal Trade Commission Act, of quick-freeze aerosol spray products containing Fluorocarbon 12 (Dichlorodifluoromethane) designed for the frosting of beverage glasses it is an unfair or deceptive act or practice to fail to provide a clear and conspicuous warning on the labels of such products, that the contents thereof should not be inhaled in concentrated form and that injury or death may result from such inhalation. Examples of proper warning statements include:

- (1) "WARNING: Use only as directed—Inhalation of the concentrated vapors of this product is harmful and may cause death."
- (2) "WARNING: Use only as directed—misuse of this product by inhaling its con-

centrated vapors is harmful and may cause death."

Effective date of the rule. This rule becomes effective on May 21, 1969.

Adopted: January 31, 1969.

By the Commission.

[SEAL]

JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 69-2113; Filed, Feb. 19, 1969; 8:45 a.m.]

Title 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T.D. 69-58]

PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES

Coastwise Transportation of Containers, etc., by Certain Vessels of Denmark

On the basis of information obtained and furnished by the Department of State, it is found that the Government of Denmark extends to vessels of the United States in ports of Denmark privileges reciprocal to those provided for in section 27 of the Merchant Marine Act of 1920, as further amended by Public Law 90-474 (82 Stat. 700). Therefore, vessels of Denmark are permitted to transport coastwise equipment for use with vans and tanks, empty barges designed for carriage aboard a vessel, empty instruments of international traffic, and stevedoring equipment and material under the conditions specified in the applicable proviso to 46 U.S.C. 883.

Accordingly, § 4.93(b)(2), Customs Regulations, is amended by the insertion of "Denmark" in appropriate alphabetical order in the list of nations in that section.

(80 Stat. 379, sec. 27, 41 Stat. 999, as amended; 5 U.S.C. 301, 46 U.S.C. 883)

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

[SEAL]

LESTER D. JOHNSON,
Commissioner of Customs.

Approved: February 12, 1969.

MATTHEW J. MARKS,
Acting Assistant Secretary
of the Treasury.

[F.R. Doc. 69-2167; Filed, Feb. 19, 1969; 8:49 a.m.]

Title 32—NATIONAL DEFENSE

Chapter I—Office of the Secretary of Defense

SUBCHAPTER F—TRANSPORTATION

PART 178—TRANSPORTATION AND TRAFFIC MANAGEMENT

The Deputy Secretary of Defense approved the following:

- Sec.
178.1 Purpose and applicability.
178.2 Responsibilities.
178.3 Policies.

AUTHORITY: The provisions of this Part 178 issued under sec. 301, title 5, United States Code.

§ 178.1 Purpose and applicability.

(a) This part promulgates general policies governing the use of Department of Defense (DoD)-owned transportation capability and the procurement and use of commercial transportation for the movement of cargo (including personal property) and passengers.

(b) The provisions of this part apply to all components of the DoD.

§ 178.2 Responsibilities.

The Assistant Secretary of Defense (Installations and Logistics) shall be responsible for:

(a) Establishing policies and providing guidance to DoD components concerning (1) the efficient and effective use of DoD and commercial transportation resources and (2) the establishment and operation of Transportation Single Manager Agencies.

(b) Assuring that all DoD components are guided by and pursue policies which are consistent with applicable statutes and relevant decisions and rulings of the courts, the Bureau of the Budget, and transportation regulatory bodies.

§ 178.3 Policies.

(a) *Control and organization of transportation resources.* DoD transportation resources shall be so organized and managed as to assure optimum responsiveness, efficiency, and economy in support of the defense mission.

(b) *The DoD-owned transportation force.* There shall be maintained and operated in peacetime sufficient DoD-owned transportation resources to meet approved DoD emergency and wartime requirements, having due regard for available commercial transportation. These transportation resources will be used in peacetime to provide essential training for operational personnel and for logistic needs as appropriate to assure military effectiveness in support of national defense policies. The military capability generated thereby will be utilized in the most efficient and effective manner possible.

(c) *Selecting the means of transportation.* (1) The means of transportation selected shall be that which will meet DoD requirements satisfactorily at the lowest overall cost from origin to the final known destination (in CONUS or overseas). In determining the lowest overall cost, consideration shall be given to the extent to which expedited movement will contribute to economies through reductions in pipeline or stored supplies, personnel travel time, or other factors such as shipment preparation costs or reduction of loss or damage to cargo. In addition, the benefits of routing cargo to enable (i) consolidation of shipments and (ii) distribution of fixed costs through the use of Government controlled resources shall be considered.

(2) Foreign-flag ships will not be used for DoD traffic except to the extent necessary to meet military requirements when U.S.-flag ships are (i) not available or (ii) available only at prices higher than private persons are charged.

(3) Foreign-flag air carriers will not be used for DoD traffic (cargo and passenger) except when (i) U.S.-flag air carriers are not available or capable of satisfying the transportation requirement or (ii) foreign-flag air carriers will accept payment in excess or near-excess U.S.-owned foreign currencies (DoD Instruction 7360.9, "Use of United States-owned Foreign Currencies," Aug. 28, 1968¹) which U.S.-flag carriers will not accept and the use of such carriers will not result in increased costs to the DoD.

(d) *Explosives and other dangerous articles.* (1) Shipments of explosives and other dangerous articles shall conform to applicable requirements established by statute or by regulatory bodies having responsibility over such traffic.

(2) Shipments will not knowingly be tendered for transportation in a manner, form, or under conditions which will result in a carrier violation of any of the above-mentioned requirements.

(3) Any proposed DoD requirement governing the movement of explosives or other dangerous articles which is more restrictive than or exceeds such requirements must be submitted to the Assistant Secretary of Defense (Installations and Logistics) for approval.

(e) *Negotiations for commercial transportation.* (1) The appropriate Transportation Single Manager or Military Department (DoD Directives 5160.2, 5160.10 (both published at 32 F.R. 6300), 5160.53 (published at 32 F.R. 6295) and DoD Instructions 4500.2¹ and 4500.17¹), shall (i) maintain a continuing review of applicable charges to assure that they are fair and reasonable for the DoD traffic to which they apply, and (ii) take appropriate action to obtain proper relief from those which are found to be unfair or unreasonable.

(2) In negotiations involving general rate and service matters or competitive procurement the responsible DoD element will assure that all qualified carriers are afforded an opportunity to participate on an equal basis.

(3) In negotiating for rates or services, a guarantee of tonnage apart from the contract for specific services shall not be made to individual carriers or carrier groups or associations. This will not preclude dissemination of information as to potential movements if such information does not compromise national security.

(f) *Non-DoD use of DoD transportation.* (1) DoD transportation may be authorized for other than DoD missions when:

(i) U.S. commercial carriers cannot meet the official requirements of other U.S. Government agencies, space is available on DoD transportation resources,

¹ Filed as part of original document. Copies available from U.S. Naval Publications and Forms Center, 5801 Tabor Avenue, Philadelphia, Pa. 19120.

and use of such resources will not impair the defense mission. Reimbursement will be at a rate computed to recover the full costs, inclusive of direct, indirect, and any other applicable surcharge.

(ii) The head of a Federal Executive Department or Agency certifies that U.S. commercial carriers are not available to meet the requirement of non-U.S. Government traffic and the service is justified by reason of statute, public health, or safety. Reimbursement by the organization or individual concerned will be at a rate computed to cover full costs to the U.S. Government, but shall not be lower than comparable commercial rates.

(2) Requests for such DoD transportation will be submitted to the Secretary of Defense or the Secretaries of the Army, Navy, or Air Force, and must include a certification as to the need therefor and the nonavailability of commercial transportation. When the danger to public health or safety is of such imminent seriousness as to preclude obtaining such approval, the appropriate commander will take such action as the circumstances require, with notification to the appropriate Secretary; however, the transportation will be furnished with the understanding that the DoD will be reimbursed unless reimbursement is subsequently waived by the Assistant Secretary of Defense (Installations and Logistics).

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

[F.R. Doc. 69-2115; Filed, Feb. 19, 1969;
8:45 a.m.]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of Transportation

SUBCHAPTER J—BRIDGES

[CGFR 69-7]

PART 117—DRAWBRIDGE OPERA- TION REGULATIONS

East River, Wis.

1. The city of Green Bay, Wis., by letter dated July 30, 1968, requested the Commandant, U.S. Coast Guard to delete the operating regulations for the Monroe Street drawbridge across the East River, mile 0.25, Green Bay, Wis., to permit it to be maintained as a fixed bridge. A public notice dated November 8, 1968, setting forth the proposed revision of the regulations governing this drawbridge was issued by the Commander, 9th Coast Guard District and was made available to all persons known to have an interest in this subject. After consideration of all comments submitted in response to this proposal the revision is accepted. The purpose of this document is to set forth the requirements in 33 CFR 117.644 which permit this drawbridge to be maintained as a fixed bridge.

2. By virtue of the authority vested in me as Commandant, U.S. Coast Guard by 14 U.S.C. 632 and 49 CFR 1.4(a)(3), the text of 33 CFR 117.644 reads as follows and shall be effective on and after 30 days after date of publication of this document in the FEDERAL REGISTER:

§ 117.644 East River, Wis.; Monroe Street bridge, Green Bay, Wis.

(a) The draw need not be opened for the passage of vessels.

(b) The owners of or agency controlling the bridge shall keep a legible copy of this section conspicuously posted on the downstream side of the bridge.

(Sec. 5, 28 Stat. 362, as amended, sec. 6(g), 80 Stat. 941; 33 U.S.C. 499, 49 U.S.C. 1655(g); 49 CFR 1.4(a)(3)(v))

Dated: February 14, 1969.

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

[F.R. Doc. 69-2148; Filed, Feb. 19, 1969;
8:48 a.m.]

Title 45—PUBLIC WELFARE

Chapter X—Office of Economic Opportunity

PART 1060—GENERAL CHARACTERISTICS OF COMMUNITY ACTION PROGRAMS

Subpart—Limitation on Benefits to Those Voluntarily Poor

Chapter X, Part 1060 of Title 45 of the Code of Federal Regulations is amended by adding a new subpart, reading as follows:

Sec.
1060.3-1 Applicability of this subpart.
1060.3-2 Policy.

AUTHORITY: The provisions of this subpart issued under sec. 602, 78 Stat. 530; 42 U.S.C. 2942.

§ 1060.3-1 Applicability of this subpart.

This subpart applies to all agencies receiving funds under Titles I-D, II, and III-B of the Economic Opportunity Act for programs administered by OEO in which income criteria are used as admission standards (with the exception of

Head Start and Upward Bound programs).

§ 1060.3-2 Policy.

(a) Section 611 of the Economic Opportunity Act provides as follows:

The Director shall take such action as may be necessary to assure that, in determining a person's eligibility for benefits under this Act on account of his poverty, such person will not be deemed to meet the poverty criteria if his lack of income results from his refusal, without good cause, to seek or accept employment commensurate with his health, age, education, and ability.

(b) Under section 611 of the Act, an individual should not be treated as meeting poverty criteria for project benefits if he is fully capable of supporting himself but deliberately chooses not to do so. For example, a person having the education and training to earn an income substantially above the poverty line should not be considered eligible under the poverty criteria if, without good cause, he chooses not to work. On the other hand, an individual should not be excluded from project benefits if his lack of motivation is the result of a background of poverty. Section 201 of the Economic Opportunity Act explicitly recognizes that one goal of community action is to strengthen motivation among low-income people.

(c) Determinations regarding an individual's eligibility for project benefits under this subpart should be made as part of the existing screening process for these programs. Special screening procedures should not be created. In making determinations, grantee and delegate agencies must be sure that a needy person is not disqualified because of failure to seek or accept employment in situations where:

(1) Age or ill health, mental or physical, interferes with his ability to accept employment.

(2) Family obligations, especially the care of small children, interfere with his ability to accept employment.

(3) Transportation is not available to the job in question, or travel time or cost to and from work is unreasonable.

(4) Acceptance of the employment in question would subject him to the work situation to discrimination on account of race, color, creed, sex, or national origin.

(5) The employment which was available would not have given him an income above the poverty line. Since he would,

in any event, remain in the target population, he should be considered eligible for antipoverty programs. Appropriate consideration should be given to such factors as the regularity of intermittence of the employment over time, and to seasonal patterns in employment, in determining whether the job would result in a family income above the poverty line.

(6) The length of the work week or other conditions or employment are unreasonable.

Effective date. This subpart shall become effective 30 days after the date of publication in the FEDERAL REGISTER.

THEODORE M. BERRY,
Director,
Community Action Program.

[F.R. Doc. 69-2147; Filed, Feb. 19, 1969;
8:48 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

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

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 4586]

[Misc-2113188]

TEXAS

Transfer of Jurisdiction of Oil and Gas Deposits

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

The jurisdiction over the mineral deposits in approximately 2,477.43 acres of land in Tarrant County, Tex., comprising the former Marine Corps Air Station, Eagle Mountain Lake, which was transferred from the Department of the Navy to the Department of the Interior by Public Land Order No. 1678 of July 16, 1958 (23 F.R. 5562), is hereby transferred to the General Services Administration.

RUSSELL E. TRAIN,
Under Secretary of the Interior.

FEBRUARY 14, 1969.

[F.R. Doc. 69-2130; Filed, Feb. 19, 1969;
8:46 a.m.]

Proposed Rule Making

CIVIL AERONAUTICS BOARD

[14 CFR Parts 207, 208, 212, 214, 295]

[Docket No. 20076; EDR-155]

CHARTERS TO DIRECT FOREIGN AIR CARRIERS FOR LIMITED PURPOSES

Notice of Proposed Rule Making

FEBRUARY 17, 1969.

Notice is hereby given that the Civil Aeronautics Board has under consideration amendments to Parts 207, 208, 212, 214, and 295 which would permit direct air carriers and direct foreign air carriers to charter aircraft to direct foreign air carriers for transportation of commercial traffic in emergency cases, or solely for transportation of company personnel or company property, and would impose a reporting requirement on the emergency commercial charter authorization. The reasons for the proposal are explained in the explanatory statement, and the proposed amendments are set out in the proposed rule. This regulation is proposed under authority of sections 204, 401, and 402 of the Federal Aviation Act of 1958, as amended (72 Stat. 743, 754, and 757; 49 U.S.C. 1324, 1371 (as amended by 76 Stat. 143), and 1372).

Interested persons may participate in the proposed rule making through submission of twelve (12) copies of written data, views, or arguments pertaining thereto, addressed to the Docket Section, Civil Aeronautics Board, Washington, D.C. 20428. All relevant matter in communications received on or before March 24, 1969, will be considered by the Board before taking final action on the proposed rules. Copies of such communications will be available for examination by interested persons in the Docket Section of the Board, Room 712, Universal Building, Washington, D.C., upon receipt thereof.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

Explanatory statement. World Airways, Inc., a supplemental air carrier, has filed a petition for rule making, Docket 20076, to amend Parts 208 and 295 so as to permit supplemental air carriers to charter aircraft to direct foreign air carriers for transportation of commercial traffic in emergency cases, or solely for transportation of company personnel or company property. World believes that the present authority to charter aircraft to "direct air carriers" for such purposes¹ possibly does not ex-

tend to direct foreign air carriers because the statutory definition of "air carrier" applies only to citizens of the United States. The carrier represents that such authority would be in accord with the Board's policy of permitting charters to foreign air carriers in cases of emergency involving national and public interest. World's petition is supported by Modern Air Transport, Inc.

The Flying Tiger Line Inc., has filed a petition, Docket 20328, which is supported by Continental Air Lines, Inc., seeking similar authority for the U.S. scheduled carriers under Part 207 on similar grounds. Since the relief requested is essentially the same, Docket 20328 is consolidated in Docket 20076.

Pan American World Airways, Inc., has filed an answer opposing both petitions, contending that the requested authority would erode the Board's policy with respect to wet leasing to foreign air carriers and circumvent the exemption process by permitting air carriers themselves to determine that a wet lease is for a "case of emergency." Pan American urges that the Board continue to decide each charter for a foreign air carrier on a case-by-case basis.

Upon consideration of these petitions, supporting answers, and opposing answer, the Board tentatively finds that Parts 207, 208, and 295 of the economic regulations should be amended as requested so as to clearly authorize direct foreign air carriers, in addition to direct U.S. carriers, to charter aircraft from U.S. scheduled and supplemental air carriers for carriage of company personnel or property, or in cases of emergency, of commercial traffic. Moreover, the Board tentatively concludes that similar amendments should be made to Parts 212 and 214, which govern charters by foreign scheduled and charter air carriers. It appears desirable from the standpoint of minimizing inconvenience to passengers or delay in the carriage of cargo to permit emergency intercarrier charters, regardless of whether the charterer is a foreign or U.S. direct carrier. Such amendments would also comport with the Board's general policy of adopting uniform standards to govern charter operations.

In order to assure that the emergency commercial charter authority is not abused in the manner suggested by Pan American, the Board proposes to condition such authority on filing of special reports by the carrier performing the transportation. These reports will identify the carrier for which the charter is performed; the date, origin, and destination of the flight; the number of passengers and/or tons of cargo transported; and the reason for the emergency. As we

stated in ER-543:² " * * * the emergency commercial charter authorization embodied in the amendment is intended to allow only one or at most a few flights. It does not authorize a continuing wet lease arrangement where, for example, a carrier has lost or is overhauling an aircraft." Any unwarranted use of emergency commercial charter authority revealed by such reports would subject the carriers involved to enforcement proceedings.

Proposed rules. It is proposed to amend Parts 207, 208, 212, 214, and 295 of the economic regulations (14 CFR Parts 207, 208, 212, 214, and 295) as follows:

1. Amend subparagraph (1) of the definition of "Charter trip" in § 207.1 as follows:

§ 207.1 Definitions.

"Charter trip" means air transportation * * * where the entire capacity of one or more aircraft has been engaged for the movement of persons and their baggage or for the movement of property, on a time, mileage, or trip basis—

(1) By a person for his own use (including a direct air carrier or direct foreign air carrier when such aircraft is engaged solely for the transportation of company personnel or company property, or in cases of emergency, of commercial traffic: *Provided*, That emergency charters for commercial traffic shall be reported in accordance with § 207.10);

2. Add new § 207.10 to read as follows:

§ 207.10 Reports of emergency commercial charters for other direct carriers.

It shall be an express condition upon authority conferred by § 207.1(1) that each air carrier which performs an emergency charter transporting commercial traffic for another direct carrier shall file a report with the Bureau of Operating Rights, within 30 days following each charter trip, containing the following information:

- Name of direct carrier performing the charter and name of direct carrier for which the charter was performed;
- Date of flight or flights;
- Points of origin and destination, and intermediate points, if any;
- Number of passengers and/or tons of cargo transported;
- Description of circumstances creating an emergency.

3. Amend subparagraph (2) (i) (a) and (ii) (a) of the definition of "Charter flight" in § 208.3(s) as follows:

² By ER-543, adopted August 29 and effective Oct. 5, 1968, Part 207 was amended so as to authorize a "direct air carrier" to charter aircraft from U.S. scheduled air carriers for limited purposes.

¹ Section 208.3(s) (2) (i) (a) and (ii) (a); § 295.2(b) (1) (i) and (2) (1).

§ 208.3 Definitions.

(s) "Charter flight" * * * means—

(2) Air transportation performed by a direct air carrier on a time, mileage, or trip basis where—

(i) The entire capacity of one or more aircraft has been engaged for the movement of persons and property—

(a) By a person for his own use (including a direct air carrier or direct foreign air carrier when such aircraft is engaged solely for the transportation of company personnel or company property, or in cases of emergency, of commercial traffic: *Provided*, That emergency charters for commercial traffic shall be reported in accordance with § 208.5);

(ii) Less than the entire capacity of an aircraft has been engaged for the movement of persons and their personal baggage—

(a) By a person for his own use (including a direct air carrier or direct foreign air carrier when such aircraft is engaged solely for the transportation of company personnel and their personal baggage, or in cases of emergency, of commercial passenger traffic: *Provided*, That emergency charters for commercial traffic shall be reported in accordance with § 208.5);

4. Add new § 208.5 to read as follows:

§ 208.5 Reports of emergency commercial charters for other direct carriers.

It shall be an express condition upon authority conferred by § 208.3(s) (2) (i) (a) and (ii) (a) that each supplemental air carrier which performs an emergency charter transporting commercial traffic for another direct carrier shall file a report with the Bureau of Operating Rights, within 30 days following each charter flight, containing the following information:

(a) Name of direct carrier performing the charter and name of direct carrier for which the charter was performed;

(b) Date of flight or flights;

(c) Points of origin and destination, and intermediate points, if any;

(d) Number of passengers and/or tons of cargo transported;

(e) Description of circumstances creating an emergency.

5. Amend subparagraph (5) of the definition of "charter trip" in § 212.1(a) as follows:

§ 212.1 Definitions.

For the purposes of this part:

(a) "Charter trip" means foreign air transportation * * * where the entire capacity of one or more aircraft has been engaged for the movement of persons and their baggage or for the movement of property, on a time, mileage or trip basis—

(5) By a direct air carrier, direct foreign air carrier, or surface carrier when such aircraft is engaged solely for the transportation of company personnel

or company property, or in cases of emergency, of commercial traffic: *Provided*, That emergency charters for commercial traffic shall be reported in accordance with § 212.8.

6. Add new § 212.8 to read as follows:

§ 212.8 Reports of emergency commercial charters for other direct carriers.

It shall be an express condition upon authority conferred by § 212.1(a) (5) that each foreign air carrier which performs an emergency charter transporting commercial traffic for another direct carrier shall file a report with the Bureau of Operating Rights, within 30 days following each charter trip, containing the following information:

(a) Name of direct carrier performing the charter and name of direct carrier for which charter was performed;

(b) Date of flight or flights;

(c) Points of origin and destination, and intermediate points, if any;

(d) Number of passengers and/or tons of cargo transported;

(e) Description of circumstances creating an emergency.

7. Amend subparagraphs (1) (i) and (2) (i) of the definition of "Charter flight" in § 214.2(b) as follows:

§ 214.2 Definitions.

(b) "Charter flight" means air transportation * * * on a time, mileage or trip basis where

(1) The entire capacity of one or more aircraft has been engaged for the movement of persons and their personal baggage—

(i) By a person for his own use (including a direct air carrier or direct foreign air carrier when such aircraft is engaged solely for the transportation of company personnel and their personal baggage, or in cases of emergency, of commercial passenger traffic: *Provided*, That emergency charters for commercial traffic shall be reported in accordance with § 214.5);

(2) Less than the entire capacity of an aircraft has been engaged—

(i) By a person for his own use (including a direct air carrier or direct foreign air carrier when such aircraft is engaged solely for the transportation of company personnel and their personal baggage, or in cases of emergency, of commercial passenger traffic: *Provided*, That emergency charters for commercial traffic shall be reported in accordance with § 214.5);

8. Add new § 214.5 to read as follows:

§ 214.5 Reports of emergency commercial charters for other direct carriers.

It shall be an express condition upon authority conferred in § 214.2(b) (1) (i) and (2) (i) that each foreign charter air carrier which performs an emergency charter transporting commercial passenger traffic for another direct carrier shall file a report with the Bureau of

Operating Rights, within 30 days following each charter flight, containing the following information:

(a) Name of direct carrier performing the charter and the name of the direct carrier for which the charter was performed;

(b) Date of flight or flights;

(c) Points of origin and destination, and intermediate points, if any;

(d) Number of passengers transported;

(e) Description of circumstances creating an emergency.

9. Amend subparagraphs (1) (i) and (2) (i) of the definition of "Charter flight" in § 295.2(b) as follows:

§ 295.2 Definitions.

(b) "Charter flight" means air transportation performed by a direct air carrier on a time, mileage or trip basis where (1) the entire capacity of one or more aircraft has been engaged for the movement of persons and their personal baggage—

(i) By a person for his own use (including a direct air carrier or direct foreign air carrier when such aircraft is engaged solely for the transportation of company personnel and their personal baggage, or in cases of emergency, of commercial passenger traffic: *Provided*, That emergency charters for commercial traffic shall be reported in accordance with § 295.6);

or (2) less than the entire capacity of an aircraft has been engaged—

(i) By a person for his own use (including a direct air carrier or direct foreign air carrier when such aircraft is engaged solely for the transportation of company personnel and their personal baggage, or in cases of emergency, of commercial passenger traffic: *Provided*, That emergency charters for commercial traffic shall be reported in accordance with § 295.6);

10. Add new § 295.6 to read as follows:

§ 295.6 Reports of emergency commercial charters for other direct carriers.

It shall be an express condition upon authority conferred in § 295.2(b) (1) (i) and (2) (i) that each supplemental air carrier which performs an emergency charter transporting commercial passenger traffic for another direct carrier shall file a report with the Bureau of Operating Rights, within 30 days after each charter flight, containing the following information:

(a) Name of direct carrier performing the charter and the name of the direct carrier for which the charter was performed;

(b) Date of flight or flights;

(c) Points of origin and destination, and intermediate points, if any;

(d) Number of passengers transported;

(e) Description of circumstances creating an emergency.

[F.R. Doc. 69-2168; Filed, Feb. 19, 1969; 8:49 a.m.]

SMALL BUSINESS ADMINISTRATION

[13 CFR Part 107]

SMALL BUSINESS INVESTMENT COMPANIES

Records and Reports, and Audits

Notice is hereby given that pursuant to authority contained in section 308 of the Small Business Investment Act of 1958, Public Law 85-699, 72 Stat. 694, as amended, it is proposed to amend, as set forth below, Part 107 of Subchapter B, Chapter I, of Title 13 of the Code of Federal Regulations, as revised in 33 F.R. 326, and amended in 33 F.R. 11147, 33 F.R. 20035, and 34 F.R. 1234, by amending § 107.1102 and Appendixes 1, 2, and 3. Prior to final adoption of such amendments consideration will be given to any comments or suggestions pertaining thereto which are submitted in writing, in triplicate, to the Office of Investment, Small Business Administration, Washington, D.C. 20416, within a period of fifteen (15) days from the date of publication of this notice in the FEDERAL REGISTER.

Information. The proposed amendment to § 107.1102 would prescribe a revised Financial Report, SBA Form 468, and a revised Program Evaluation Report, SBA Form 684.

The revised Financial Report, identified as SBA Form 468 (1-69), includes the following principal changes:

1. Adds one item to the "Statement of Financial Condition" shown as Item 14, "Amounts due from debtors on sale of assets required in liquidation of loans and debt securities," and 14(a), Less: "Allowance for Uncollectibles."
2. Adds two items to the "Statement of Income and Expense" shown as item 46, "Provision for Probable Losses on assets acquired in liquidation," and item 47, "Provision for Probable Losses on amounts due from debtors on sale of assets acquired in liquidation."
3. The "Statement of Surplus Reconciliations" has been changed to reflect payment of "Dividends—Payable in kind" and footnoted information required stating the name and identification number of the small business concern whose shares are being distributed, the number of shares being distributed, and the market or fair value of the dividend.
4. The "Statement of Realized Gain or Loss on Investments" has been changed to simplify the statement and provide for an additional item shown as Item 9, "Add realized gain for current year from prior sales of investments (Deferred Credits)."
5. Adds Schedule 15 title "Amounts Due From Debtors on Sale of Assets Acquired in Liquidation of Loans and Debt Securities and Allowance for Uncollectibles."
6. Provides for total of all special discretionary portfolio amounts to be shown in Schedules 1 and 2.

7. Provision has been made for insertion of SBA code numbers and symbols on the Financial Statements and Schedules 1, 2, 4, and 8, to facilitate computerization of the reported data.

The revised Program Evaluation Report, identified as SBA Form 684 (1-69), is designed to obtain certain information on Licensee financings and portfolio small business concerns which will aid in administering the SBIC program. This information is also required for the purpose of evaluating the benefits of the SBIC program to the business community and to the Nation. The principal new items in the revised report are: Classification of financed small business concerns with respect to emerging industries; number of financed concerns' employees classified as managerial, skilled, or unskilled and semiskilled; taxes of the small concerns broken down by Federal, State, and local taxes; and retained earnings of the financed concerns.

Eliminated from the report are all items, not necessary for identification, which duplicate information contained in the Financial Report, SBA Form 468, together with certain items, including receivables, inventories, and liabilities, determined not to be required in achieving the overall purpose of the report. Provision has been made for insertion of SBA coding symbols to facilitate computerization of the reported data.

The proposed amended Appendix 1, Audit and Examination Guide for Small Business Investment Companies, contains the following principal changes:

1. Allows the independent public accountant's opinion to treat the numerous supporting schedules required by the Financial Report, SBA Form 468, as supplemental data, thus avoiding the possibility that each of the supporting schedules might be considered as a separate presentation.
2. Eliminates the requirement that the audit narrative spell out auditing procedures employed by the accountant. This has been changed since the scope paragraph of the "Accountant's Certificate" (or "Report") states specifically that the audit was made in accordance with generally accepted auditing standards and designates any auditing procedures omitted, and the profession's standards require that any material procedures omitted must be disclosed in the scope paragraph of the "Accountant's Report" along with the reasons for their omission.
3. Eliminates the requirement that the accountant provide comments on the findings of his review of financial statements of concerns financed by the SBIC and substitutes therefor a requirement to provide comments, when considered significant, relative to the financial position of the concern financed.

The proposed amended Appendix 2, Instructions for Preparation of the Financial Report, SBA Form 468 (1-69), would prescribe instructions for preparation of the revised Financial Report, replacing the instructions for the previous version of such report, SBA Form 468 (9-67). The revised instructions

would simplify the instruction format by eliminating the narrative describing in detail what should be entered in each item on the Financial Statements and substituting therefor references by number to the applicable accounts as prescribed by SBA in the System of Account Classifications for Small Business Investment Companies, set forth in Part 111 of this chapter.

The proposed amended Appendix 3, Instructions for the Preparation of the Program Evaluation Report, SBA Form 684 (1-69), would prescribe instructions for preparation of the revised Program Evaluation Report, replacing the instructions for the previous version of such report, SBA Form 684 (1-68).

Proposed amended Appendixes 1, 2, and 3 are included in this notice of proposed rule making and the proposed revised Financial Report, SBA Form 468 (1-69) and Program Evaluation Report, SBA Form 684 (1-69), are filed with the Office of the Federal Register along with the original document. Copies of SBA Form 468 (1-69) and SBA Form 684 (1-69) may be obtained from the Office of Investment, SBA, 1441 L Street NW., Washington, D.C. 20416.

It is proposed that Part 107 be amended as follows:

1. By amending paragraphs (e) and (f) of § 107.1102 to read as follows:

§ 107.1102 Records and reports.

(e) Forms for financial reports: The financial reports required by this section to be filed with SBA by Licensees shall be on the prescribed form constituting the Financial Report, SBA Form 468 (1-69), which shall be filed in triplicate with the Office of Investment, SBA, Washington, D.C. 20416, on or before the last day of the month immediately following the close of the period covered by the report (in the case of an unaudited report), and on or before the last day of the third month following the close of the period covered by the report (in the case of an audited report).

(1) Licensees which are 1940 Act companies, as defined in § 107.3, should refer to the rules promulgated by the Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549, for the requirements as to financial reports to be filed with SEC and the time allowed for filing.

(2) The Financial Report filed by each Licensee shall present fairly the financial position of the Licensee as of the close of the period covered by the report and the results of the Licensee's operations for such period, and shall be prepared in accordance with the Instructions for Preparation of the Financial Report, SBA Form 468 (1-69), which are printed in Appendix 2 as part of the regulations in this part. Copies of SBA Form 468 (1-69) and of the Instructions may be obtained from SBA.

(f) Program Evaluation Reports:

(1) The Program Evaluation Report, SBA Form 684 (1-69), shall be prepared by each Licensee as of March 31 of every calendar year and filed in triplicate with

SBA not later than June 30 of such year, to reflect all transactions involving Licensee's debt or equity financing of small business concerns which were outstanding at any time during the preceding 12-month period ending March 31. The report shall be prepared in accordance with Instructions for Preparation of the Program Evaluation Report, SBA Form 684 (1-69), which are printed in Appendix 3 as part of the regulations of this part. Copies of SBA Form 684 (1-69) and of the Instructions may be obtained from SBA.

(2) Each Licensee shall, as a condition of all financing agreements consummated or renegotiated with small business concerns after March 25, 1966, require such concerns to furnish to the Licensee all information needed by such Licensee for the preparation and filing of SBA Form 684.

(3) The provisions of Part 102 of this chapter prohibiting the disclosure of information contained in SBA's files, documents and records, apply to Program Evaluation Reports filed with SBA. Information submitted on SBA Form 684 (1-69) is for SBA's official use in the performance of its statutory responsibilities, and not for public disclosure. It will not be published or released, as a matter of public information, except in the form of statistical totals or summaries which will not divulge the identity of the Licensee or its portfolio of small business concerns.

2. By amending Appendixes 1, 2, and 3 to read as follows:

APPENDIX 1—AUDIT AND EXAMINATION GUIDE FOR SMALL BUSINESS INVESTMENT COMPANIES

FOREWORD

The Small Business Investment Act of 1958, as amended, expresses the declared policy of the Congress and purpose of the Act to improve and stimulate the national economy, and particularly the small business segment thereof, by establishing a program to stimulate and add to the flow of private equity capital and long-term loan funds which small business concerns need to finance their operations and assist in their growth, expansion, and modernization, and which are not available in the amounts required; "Provided, however, That this policy shall be carried out in such manner as to insure the maximum participation of private financing sources."

The Small Business Administration, in carrying out this policy, requests the cooperation of independent public accountants engaged in the practice of public accounting to participate in their own localities in the audit (financial examination) program for small business investment companies. It is desired that the audits of such companies performed by independent public accountants selected by the individual companies will be conducted with the uniformly high degree of competency which the profession has so long striven to maintain. Through the efficient, thorough, and economical performance of the audits, the best interests of the Licensees, the Small Business Administration, and the accounting profession will be served.

This Audit and Examination Guide for Small Business Investment Companies was initially prepared by the Small Business Administration with the advice of a committee of independent certified public accountants. It has been revised primarily to take account

of amendments of the Small Business Investment Act and of the regulations governing small business investment companies. Any inquiries or comments relating to the examination of financial statements of small business investment companies, or to the auditing and reporting procedure as set forth in this Audit and Examination Guide, should be directed to the Staff Accountant, Investment Division, Small Business Administration, 1441 L Street NW., Washington, D.C. 20416.

GENERAL CONSIDERATIONS

The Small Business Administration, under authority granted by the Small Business Investment Act of 1958, as amended, requires small business investment companies licensed by SBA under the Act to have an audit (financial examination) made of their accounts and records annually by independent public accountants selected or approved by SBA. SBA requires that the engagement cover a "financial examination" type of audit described hereinafter. The annual audit shall be performed as of the close of each Licensee's approved fiscal year for SBA purposes, ending March 31, unless prior written approval of SBA has been obtained for a different 12-month period to be covered by such audit. Three copies of the annual audit report should be submitted to SBA as soon as practicable after completion and no later than the last day of the third month following the close of the period covered by the audit.

Any public accountant, certified or licensed by a regulatory authority of a State or other political subdivision of the United States, who is independent and who is duly authorized to practice as a public accountant, and is in good standing under the laws of the State or other comparable authority in which so authorized, may be considered qualified to render an opinion as an independent public accountant on behalf of an SBIC whose principal office is located in such State or authority. Also considered to be similarly qualified to audit certain Licensees in States or other political subdivisions of the United States which do not license public accountants are those independent public accountants of recognized standing with 10 or more years of public accounting experience, selected or approved by SBA prior to September 8, 1967, to audit the particular Licensees, provided such public accountants fulfill to SBA's satisfaction the requirements established by SBA.

The Small Business Administration will not recognize any public accountant as independent who is not in fact independent. For example, an accountant will be considered not independent with respect to any small business investment company with which he has, or had during the period covered by the audit (financial examination), any direct financial interest or any material indirect financial interest; or with which he is, or was during such period, connected as a promoter, underwriter, voting trustee, investment adviser, director, officer, or employee, or in the capacity of rendering bookkeeping services. In determining whether an accountant may in fact be not independent with respect to a particular SBIC, SBA will give appropriate consideration to all relevant circumstances, including evidence bearing on all relationships between the accountant and such SBIC or any affiliate thereof, and will not confine itself to the relationships existing in connection with the filing of reports with this Agency.

The responsibility for the selection of the independent public accountant by the SBIC is vested in the board of directors. Any accountant qualifying as an independent public accountant, as explained above, may be considered as having SBA approval to perform the annual audit (financial examination) upon selection by the

board, and the filing with SBA by such accountant of an executed IPA Statement, I Form 56, certifying as to his qualification and independence, unless the SBIC is otherwise advised by SBA. It is strongly recommended that the board give thorough consideration each year to the matter of selecting the public accountant to perform that year's audit. The board under this policy selects an accountant with whom it agrees as to the engagement and basis of compensation. The SBIC then furnishes notification of the board's selection to the Staff Accountant, Investment Division, Small Business Administration, 1441 L Street NW., Washington, D.C. 20416. Notification to SBA is not necessary when the same accountant or accountants are retained for successive years.

This guide has been prepared, and made a part of the regulations, to inform Licensees under the Small Business Investment Act of 1958, as amended, and independent public accountants engaged by them as to SBA's minimum requirements concerning fidelity bonds, valuation of portfolio assets, and audits (financial examinations) of SBICs. It is not intended to be a complete manual of audit (financial examination) procedure, nor is it intended to supplant the accountant's judgment as to any additional work required to meet generally accepted auditing standards and to render adequate and appropriate reports. Through use of this guide by independent public accountants the Administration expects audits (financial examinations) of uniformly high quality to be made of all small business investment companies licensed by SBA.

The procedures set forth herein apply generally to a type of audit technically termed a "financial examination."

A financial examination is to be made in accordance with generally accepted auditing standards. The auditing procedures employed should include: (1) Review of the system of internal control and of the accounting principles followed; (2) Independent sampling (through inspection, correspondence, etc.) to ascertain the existence of assets; (3) application of audit tests to determine that all liabilities are reflected in the balance sheet in actual or approximate amounts; (4) review and testing of the income and expense accounts; (5) review of the accounting records, with application of appropriate testing procedures, to determine the authenticity and general reliability of the financial statements prepared from the accounts; and (6) such other auditing procedures as the independent public accountant considers necessary in the circumstances.

SBA expects the review and testing of operating transactions during the audit to be of sufficient scope to assure disclosure and correction of any erroneous recording or classification of income and expense items in the SBIC's books that would materially distort the statement of income and expense.

SBA has prescribed a system of account classifications which is required to be used by licensed small business investment companies. The Agency requires uniform reporting and contemplates that generally accepted auditing standards will be maintained. The attainment of accounting and reporting uniformity and the maintenance of auditing standards will provide reliable information for use by SBIC management and SBA. Accountants engaged by SBICs should become familiar with:

- Small Business Investment Act of 1958, as amended.
- Regulations governing small business investment companies issued pursuant to the Small Business Investment Act of 1958, as amended.
- System of Account Classifications for Small Business Investment Companies (Part 111, SBA Rules and Regulations).
- Financial Report, SBA Form 468.

REPORT OF AUDIT (FINANCIAL EXAMINATION)

General

The financial statements referred to in this guide are those constituting the Financial Report, SBA Form 468, and should be prepared on such form. The accountant's examination should be directed toward the expression of an opinion as to whether the statements of (a) financial condition, (b) surplus reconciliations, (c) income and expense, and (d) realized gains and losses on investments, present fairly the financial position of the SBIC as of the audit date and the results of its operations for the period then ended in conformity with generally accepted accounting principles. The schedules called for on pages 5 through 17 of SBA Form 468 should be subjected to the audit procedures applied in the accountant's examination of the basic financial statements to enable him to express an opinion as to whether these schedules are fairly stated in all material respects in relation to the basic financial statements.

If the SBIC prefers, it may have the accountant express an opinion on condensed financial statements consisting, as a minimum, of a statement of financial condition, a statement of surplus reconciliations, a statement of income and expense, and a statement of realized gains or losses on investments, and such other data as are considered necessary to disclose the SBIC's financial position at the close of the period under audit and the results of its operations for the period then ended in conformity with generally accepted accounting principles, all presented in a manner consistent with the presentation of accounts in SBA Form 468. If this optional audit report is prepared, it should be made to accompany the Financial Report, SBA Form 468, filed with SBA.

The accountant's report accompanying the Financial Report should contain narrative comments summarizing the findings on each significant balance sheet account, and on the results of operations; they should also contain an explanation of any deviation from generally accepted auditing standards. (See the scope paragraph of "Accountant's Report.")

The accountant should, when possible, provide an unqualified opinion. In cases in which he considers it necessary to qualify or disclaim an opinion, the accountant should cite, when applicable the specific loans, investments or other items causing such qualification or disclaimer, and also state the specific factors involved which led to the qualification or disclaimer.

It is expected that all audit adjustments will be recorded in the SBIC's records before completion of the audit report, so that financial statements included in the audit report will agree with the books as adjusted to the balance sheet date, giving consideration to reclassifications of account balances for report purposes. Adjustments reflected in the audited statements, but not agreed to by the SBIC and not recorded on its books, must be commented upon in the report.

The accountant's comments should be concise and meaningful. Comments stereotyped as to expression on the basis of previous reports are to be avoided.

The agreement between the SBIC and the accountant with respect to the audit (financial examination) should provide that any information in the accountant's working papers will be made available upon request to the SBIC or to SBA.

Three copies of the audit report, with SBA Form 468, properly executed by the appropriate officers of the SBIC shall be submitted to SBA by the SBIC or by the accountant if so requested by the SBIC. Any matters for SBA attention not included in the audit

report are to be set forth in an accompanying letter by the Accountant.

A copy of all adjusting journal entries recommended by the accountant should be attached to the inside of the back cover of each copy of the audit report submitted to SBA. Also attached to the inside of the back cover of each copy of the audit report should be a copy of any transmittal letter, special report, or similar communication furnished to the SBIC.

All SBIC audit reports submitted to SBA should be sent to: Investment Division, Small Business Administration, 1441 L Street NW., Washington, D.C. 20416.

Accountant's Report (Certificate)

The accountant's report shall be dated, signed, and shall identify without detailed enumeration the financial statements covered by the report. The accountant's report shall state whether the audit was made in accordance with generally accepted auditing standards; and shall designate any auditing procedures generally recognized as acceptable or deemed necessary by the accountant under the circumstances of the particular case, which have been omitted, and the reasons for their omission. Nothing herein shall be construed to imply authority for the omission of any procedures which independent public accountants would ordinarily employ in the course of an audit made for the purpose of expressing the opinion required as stated hereinafter. The accountant's report shall (a) state clearly the opinion of the accountant as to the fairness with which the financial statements present the financial position of the Licensee at the audit date and the results of its operations for the period then ended in conformity with generally accepted accounting principles; (b) state whether the supplemental data contained in the schedules of SBA Form 468 have been subjected to the audit procedures applied in the examination of the basic financial statements and whether, in the accountant's opinion, these data are fairly stated in all material respects in relation to the basic financial statements; and (c) make reference to the consistent application of such principles or to any material changes in accounting principles or practices or method of applying the accounting principles or practices, which affect comparability of such financial statements with those of prior and future periods. Any matter to which the accountant takes exception shall be clearly identified, the exception thereto specifically and clearly stated, and, to the extent practicable, the effect of each such exception on the related financial statements given.

The independent public accountant is expected to satisfy himself as to the reasonableness of the bases used by SBIC's Board of Directors in determining the valuation of loans and investments as presented under the pertinent headings of this Guide. The independent public accountant should determine and report in the narrative comments of his long-form report, whether the SBIC appears to have followed the valuation techniques and standards set forth in SBA Policy and Procedure Release No. 2006 dated December 31, 1965, in making the valuation. Except insofar as the valuations may affect the carrying values of investments shown on the financial statements, it shall be understood that the accountant's opinion on the financial statements contained in SBA Form 468 does not extend to the valuation of loans and investments given in the memorandum item after the end of the Statement of Financial Condition and in the memorandum columns of the applicable schedules.

Procedure for Reporting Irregularities

To meet its responsibilities SBA requires that the Investment Division be notified im-

mediately in the event any apparent defalcation or other apparent criminal violation is disclosed. The examining accountant should determine that this has been done in every applicable case.

AUDIT OF ACCOUNTS AND REPORT OF AUDIT PROCEDURES AND FINDINGS

The audit (financial examination) referred to herein shall be conducted in accordance with generally accepted auditing standards and therefore shall include such tests of the accounting records and such other procedures as deemed necessary to enable the independent public accountant to render an opinion on the statements reported upon. Among the procedures to which particular attention should be given are the following:

Internal Control

It is expected that the independent public accountant will review the company's procedures and form an opinion on the effectiveness of the internal control. In determining the extent and nature of the testing and checking of certain accounts consideration should be given to existing internal control. It is important that the accountant set forth his observations on the effectiveness of internal control in the general comments section of his report, together with any suggestions he may have for improvement. The accountant may if he considers it more appropriate, report on internal control in a supplementary letter report rather than commenting thereon in the general comment section on this report.

Each Licensee is required to establish and maintain effective control arrangements covering its portfolio of investment securities, funds, and equipment. Dual control over disbursements of funds and withdrawals of securities from safekeeping, and the segregation of duties of employees represent key features of such arrangements.

Fidelity Bond

The independent public accountant should check the provisions of the SBIC's fidelity bond against the requirements of SBA as stated in Addendum I of this guide, and should comment in his report regarding the conformity of the bond to such requirements.

Minutes

The accountant should review the minutes, observe that they are up-to-date, and determine that appropriate actions of the SBIC are adequately covered by the minutes and that items covered in the minutes have been reflected in the financial statements to the extent applicable. Where, in the accountant's opinion, material actions of the SBIC are not adequately covered by the minutes and items covered in the minutes are not reflected in the financial statements, appropriate disclosure should be made in the accountant's report.

Cash

Cash on hand should be counted. Cash in banks should be reconciled with book balances and confirmed by correspondence. In addition to bank statements at balance sheet date of the audit, the independent public accountant should request and utilize cutoff statements as of a subsequent date to permit determination of the disposition of outstanding checks, deposits in transit, and other reconciling items.

U.S. Government Obligations, Insured Savings, and Time Deposits

Temporary investments made from the company's general cash funds in direct and/or fully guaranteed U.S. Government obligations should be verified by inspection or,

when applicable, by confirmation from custodians. Verification should include ascertainment that proper interest coupons are attached to bearer bonds. The recorded cost or, in the case of U.S. bonds, the current redemption value should be verified. The accountant should ascertain that registered bonds are in the name of the SBIC or endorsed so as to be transferable to the company, or are accompanied by powers of attorney.

Temporary investments of the company's general cash funds in savings institutions should be reconciled with book balances and confirmed by correspondence. Time certificates of deposits should be examined to verify the SBIC's ownership of time deposits and to ascertain correctness of the balances per books.

Notes and Accounts Receivable, and Allowance for Uncollectibles

Miscellaneous notes on hand should be examined and the details compared with the company's records. A representative number should be confirmed by correspondence with the makers.

Accounts receivable for services rendered participating companies, for commitment fees, for declared dividends and sharings in income, and for management consulting, investigation, appraisal, and related services rendered, as shown by subsidiary records, should be reconciled to control accounts. The same should be done with respect to receivables representing participating companies' portions of principal and accrued interest receivable from financed small business concerns.

The collectibility of notes and accounts receivable should be considered on the basis of the most reliable information the auditor can obtain. Such amounts due should be discussed with the executive officers of the company. Any contractual delinquency in payments to date should be given due consideration. Items considered uncollectible should be recommended for writeoff, and those of doubtful collectibility should be adequately provided for in the allowance for uncollectible notes and accounts receivable. If considered desirable, an adjusting entry to the allowance account should be recommended by the accountant for adoption by the SBIC. Comments concerning the adequacy of the allowance account should be included in the audit report.

Accrued Interest Receivable and Allowance for Uncollectibles

Determination should be made that interest receivable is currently and correctly accrued on the SBIC's records. This involves interest accrued on U.S. Government obligations, loans to and debt securities of small business concerns, notes receivable, sales contracts, and other interest-bearing amounts due from debtors.

Comments concerning the adequacy of the allowance for uncollectible interest receivable should be included in the audit report.

Due From Directors, Officers, and Employees

Advances made to directors, officers, and employees should be reviewed for proper authorization and recording, and should be commented on if not authorized or has been outstanding more than 6 months.

Funds in Escrow and Other Current Assets

Funds in escrow pending closing of financing for small business concerns should be confirmed. Miscellaneous current assets should be reviewed for authenticity and appropriateness of classification.

Loans, Debt Securities, Loans and Debt Securities Sold with Recourse, Allowances for Uncollectibles and Losses, and Unearned Discount, Fees, and Other Charges

The independent public accountant should review notes, mortgages, and other obligation documents evidencing loans granted under section 305 of the Small Business Investment Act, as amended, and should confirm directly with the makers the amount of the unpaid balances. Debt securities of small business concerns, purchased by the SBIC under provisions of section 304 of the Act, as amended, should be subjected to a similar review and confirmation. Either type of financing instruments obtained from other SBICs through purchase or through exchange of portfolio securities should likewise be examined and confirmed with the issuers. All obligation documents should be checked for signing by authorized parties, including proper witnessing and acknowledgment, and for stated interest rate and term. Loans and debt securities pledged should be confirmed by correspondence with the holders. Determine if securities pledged are subject to SBA earmarking or non-hypothecation requirements and if so, that SBA has furnished written approval.

The System of Account Classifications provides for carrying loans and debt securities at their unpaid principal balances, including any related uncollected discounts, fees, or other charges. In the case of any such financings in which participations are sold to others, only the portion retained by the selling company is shown in the seller's books. Loans and debt securities are to be reported in the Statement of Financial Condition of SBA Form 468 on the same basis as recorded in the accounts.

Determination should be made that mortgages required to be recorded bear proper notation of such recording. The accountant should ascertain from such sources as the loan and debt security ledger cards or sheets, the collateral register, document files, minutes of board of directors' meetings, and statements of executive officers, what collateral documents should be on hand evidencing security for loans and debt securities, and should check for the presence of such collateral documents.

The accountant should inspect each participation agreement under which the company has purchased a participation interest in a loan or debt security, should inspect the documents evidencing such participation and should request confirmation from seller to the extent considered necessary. Similarly, amount reflected in subsidiary records as participations of others in loans and debt securities of the company under audit should be reviewed in relation to the pertinent participation agreements and confirmed with the purchasers to the extent warranted.

The amounts of loans and debt securities sold with recourse should be checked to the records of such sales and to the advices received from the purchasers as to payments made by the financed small business concerns.

The independent public accountant should review the current financial statements of the concerns which are financed by the SBIC and provide comments when considered significant relative to the financial position of the concern financed. When such financial statements of the concerns are not available the accountant shall so state in his report.

The board of directors of the SBIC has the responsibility of determining in good faith a realistic valuation for each specific loan and debt security, which shall be arrived at after consideration of all pertinent

factors. Valuation techniques and standards for guidance of the board are set forth in SBA Policy and Procedural Release No. 2006. The independent public accountant should satisfy himself as to the reasonableness of the bases employed by the board of directors in making determinations of the value of loans and debt securities. No appreciation in value of debt securities is to be recorded in the books of account. The valuations as determined by the board of directors are to be shown in the memorandum column of the applicable schedule of the Financial Report, SBA Form 468.

The accountant should discuss all marginal loans and debt securities with the executive officers of the SBIC. Writeoffs should be recommended in instances in which the unpaid balances of loans and debt securities are considered uncollectible. The allowance for uncollectible loans and the allowance for losses on debt securities should be reviewed as to adequacy and commented upon in the report. If considered desirable, adjusting entries to the allowance accounts should be recommended by the accountant for adoption by the SBIC.

Special attention should be given by the accountant to verification of all amounts of unearned discount, fees, and other charges shown as deducted from the unpaid balances of loans and debt securities.

Capital Stock of Small Business Concerns; Warrants, Options, and Other Stock Rights Acquired from SBCs; and Allowances for Losses

All capital stock of small business concerns in the possession of the SBIC should be verified by inspection of the stock certificates. Similar capital stock on the books which is not in the possession of the company should be confirmed by direct correspondence with those having possession thereof. Capital stock of small business concerns is to be recorded on the books of the SBIC at cost. In the case of any such financings in which participations are sold to others, only the portion retained by the selling company is shown in the seller's books.

The independent public accountant should review the cost determinations made with respect to warrants, options, or other stock rights carried on the books at a monetary value. Only the selling company's portion of such stock rights is shown in its books when participations in the stock rights are sold to others.

The accountant should inspect the agreement and other documents evidencing each participation purchased, and should request confirmation from sellers to the extent considered necessary. Similarly, amounts reflected in subsidiary records as participations of others in capital stock and warrants, options, or other stock rights acquired by the company under audit should be reviewed in relation to the pertinent participation agreements and confirmed with the purchasers to the extent warranted.

It is the responsibility of the SBIC's board of directors to determine in good faith a realistic valuation for each capital stock investment and for warrants, options, or other stock rights for which a separate cost has been determined. This valuation shall be arrived at after consideration of all pertinent factors. Valuation techniques and standards for guidance of the board are set forth in SBA Policy and Procedural Release No. 2006. The independent public accountant should satisfy himself as to the reasonableness of the bases employed by the board of directors in making the value determinations. No appreciation in the value of capital stock or stock rights investments is to be

recorded in the books of account. The valuations of the stock and stock rights as determined by the board of directors are to be shown in the memorandum column of the applicable schedule of the Financial Report, SBA Form 468.

The financial position and earnings of the financed small business concerns are important factors in the board of director's determination of the real value of the stock and stock rights issued by such concerns. The independent public accountant should review the current financial statements of the concerns which are financed by the SBIC and provide comments when considered significant relative to the financial position of the concern financed. When financial statements of the concerns are not available the accountant shall so state in his report. Any material decrease in value of capital stock or stock rights, as determined by the board of directors, that is not obviously of a transitory nature should be compensated for by an increase in the allowance for losses on capital stock of small business concerns, or in the allowance for losses on their warrants, options, and other stock rights, as appropriate. These allowance accounts should be reviewed as to adequacy by the accountant and commented upon in his report. An adjusting entry to effect any necessary increase should be recommended by the accountant for adoption by the company. Likewise, entries should be recommended to write off any established loss on capital stock of small business concerns or on stock rights of such concerns.

Venture Capital

Under the Small Business Investment Act of 1958, as amended, SBICs are entitled to borrow additional funds from SBA if they have a qualifying amount of combined paid-in capital and paid-in surplus and maintain a minimum percentage of total funds available for investment in small business concerns invested or committed in "venture capital," as defined in §107.3 of the regulations. The independent public accountant, referring to the official definition of venture capital and reviewing the lending instruments and related documents, should determine that the total amount of venture capital as indicated in the Financial Report, SBA Form 468, is substantially correct.

Assets Acquired in Liquidation of Loans and Debt Securities, Accumulated Depreciation, Mortgages Payable, and Allowance for Losses

These assets may include a wide variety of things of value, as, for example, collateral notes receivable, accounts receivable, judgments, sheriffs' certificates, and various types of real and personal property. Property taken in liquidation should be recorded at an amount determined by the board of directors on the basis of bid-in-price, agreed consideration, or fair appraised value, as deemed most suitable: *Provided*, That the net amount recorded shall not exceed the total amount of the related loan or equity security indebtedness involved. In the case of mortgaged real property acquired in liquidation of loans and debt securities, the property should be recorded at gross value as determined by the board of directors, reduced as necessary to bring the net recorded value within the above-stated limitation. The amount of the existing mortgage or mortgages on such property should be included among the SBIC's liabilities. The accountant should verify each asset through application of procedures generally accepted for audit of the particular class of assets involved. Board authorization for recording these assets at the amounts shown should be ascertained. The amount

recorded will correctly represent only the selling company's portion of any such assets in which participations are sold to others.

It is the board of directors' responsibility to determine in good faith a realistic valuation for each security or other item of property comprising assets acquired through liquidation of loans and debt securities. Such valuation shall be arrived at after consideration of all pertinent factors. Valuation techniques and standards for guidance of the board are set forth in SBA Policy and Procedural Release No. 2006. The independent public accountant should satisfy himself as to the reasonableness of the bases employed by the board in determining the values. No appreciation in the original recorded value of assets acquired in liquidation of loans and debt securities is to be recorded in the books of account. The valuations as determined by the board of directors are to be shown in the memorandum column of the applicable schedule of the Financial Report, SBA Form 468.

The accumulated depreciation on assets acquired in liquidation of loans and debt securities should be reviewed by the accountant to assure that it is not less in amount than a conservative estimate of the expired service life of such property while owned by the SBIC. Insurance coverage should be reviewed.

Such acquired assets should be discussed with the executive officers of the company. Writeoff should be recommended for items considered worthless. The allowance for losses on assets acquired in liquidation of loans and debt securities should be reviewed as to adequacy and commented upon in the report. If considered desirable, adjusting entries to the allowance account should be recommended by the accountant for adoption by the SBIC.

Amounts Due from Debtors on Sale of Assets Acquired in Liquidation of Loans and Debt Securities, Participation by Others, and Allowance for Uncollectibles

Accounts and notes receivable, sales contracts, mortgages, and similar evidences of indebtedness to the SBIC arising from the sale of assets acquired in liquidation of loans and debt securities, as shown by subsidiary records, should be reconciled to the control account. Current and past-due accounts receivable should be confirmed as the independent public accountant may deem appropriate, considering the relative significance of such accounts in the financial statements. The accountant should check all notes, sales contracts, mortgages, and other documents evidencing amounts due from debtors on sale of assets acquired in liquidation of loans and debt securities, and should confirm directly with the makers the unpaid balances of such of these obligations as he considers necessary. Sales contracts and mortgages should be examined to ascertain that such documents required to be recorded bear proper notation of recording.

The collectibility of the amounts due should be estimated on the basis of the most reliable information the auditor can obtain. Such amounts due should be discussed with the executive officers of the company. Any contractual delinquency in payments to date should be given due consideration. Items considered uncollectible should be recommended for write-off, and those of doubtful collectibility should be adequately provided for in the allowance for uncollectible amounts due from debtors on sale of assets acquired in liquidation of loans and debt securities. If considered desirable, an adjusting entry to the allowance account should be recommended by the accountant for adoption by the SBIC. Comments concerning the adequacy of the allowance account should be included in the audit report.

Corporate Premises Owned, Furniture and Equipment, and Accumulated Depreciation

The independent public accountant, during the first audit of the SBIC, should examine the documents showing title to the property owned as corporate premises. It should be ascertained that the land is carried at acquisition cost, plus the cost of subsequent benefit assessments and improvements (other than buildings and improvements related thereto), and that the charging of such additional costs to the land account has been proper. The building owned as a part of the corporate premises should be recorded at acquisition cost plus cost of subsequent improvements thereto. Improvements to leased property used as the company's office quarters should be recorded at cost. The basis for recorded cost should be verified and capital additions should be checked to ascertain that only properly capitalizable items have been added to book cost. Vouchers and invoices covering such additions should be examined. Retirements and sales should be reviewed to see that all transactions have been properly reflected in the accounts. Insurance coverage should be reviewed.

The accumulated depreciation on the building and related improvements owned as a part of the corporate premises should be reviewed to assure that it is not less in amount than a conservative estimate of the expired service life of such building and improvements. The basis for amortization of leasehold improvements should be examined for appropriateness.

On occasion, an SBIC may be found operating in the same or communicating office or building with a bank or other financial institution. Sometimes both institutions are managed by the same individuals and the same facilities may be used for transacting business. The accountant should satisfy himself that safeguards are maintained which effectively segregate the books, records, and assets of the separate institutions at all times.

The accountant should ascertain that furniture and equipment, including automobiles, are recorded on the books at cost. Documents showing ownership of automobiles by the company should be inspected and invoices for all major additions to furniture and equipment during the audit period should be examined. Sales and trade-ins of furniture and equipment should be tested to determine that they have been appropriately recorded. Insurance coverage should be reviewed.

The accumulated depreciation on furniture and equipment, including automobiles, should be reviewed for adequacy.

The report should contain comments concerning unusual conditions, if any, found with respect to these assets.

Organization Costs

Legal fees, promotional expense, stock certificate costs, incorporation fees, taxes, and other charges which may comprise organization costs on the books should be audited for propriety as capital charges pending amortization or writeoff to the organization expense account. Following the first audit, the review of organization costs will ordinarily be concerned chiefly with a determination and evaluation of the basis for amortization and the consistency with which the planned elimination of this balance sheet item is being accomplished. The audit report comments on organization costs (at the first audit) should describe the components of this asset.

Other

Insurance prepayments, and other prepayments and deferred items should be reviewed. All significant items should be examined for

propriety, for applicability to future periods, and for appropriateness of the basis for writeoff. Particular note should be taken of any amounts deferred as the result of improper accounting or failure to identify the correct purposes of the charges.

In reviewing insurance prepayments the independent public accountant should prepare for inclusion in his report a summary of insurance coverage.

The audit report should contain adequate description of prepayments and deferred charges and should contain comments concerning any large or unusual amounts.

Miscellaneous assets of the company not included under other captions should be shown here. Miscellaneous assets should be reviewed for validity and for propriety of their retention on the books.

Accounts Payable

Accounts payable for participating companies' portions of principal and accrued interest receivable from financed small business concerns, compensation for services rendered on participations purchased, for commitment fees on deferred participations by others, and for other values received, as shown by subsidiary records, should be verified and reconciled to control accounts. The accruals of compensation payable and commitment fees payable should be reviewed with reference to the related participation agreements. Unusually large amounts and a reasonable proportion of other amounts due on open account should be confirmed by correspondence with the creditors.

Other Current and Accrued Liabilities

Subsidiary records on other current and accrued liabilities, including those for interest, salaries, taxes, dividends, unapplied receipts, trust receipts, amounts due directors, officers, and employees (other than salaries), and other deferred credits, should be checked and reconciled with the control accounts. A certificate, signed by an executive officer of the company, should be obtained stating that all actual liabilities have been entered in the books and that all existing contingent liabilities have been reported to the auditor. The accountant should communicate with the SBIC's attorney to determine the existence of any claims in litigation or pending against the company for the purpose of reporting any contingent liability.

The accountant should (following upon the fact) state in the report that certificates were received from the executive officer and the attorney concerning the recording of actual liabilities and the existence of any claims in litigation or pending against the company.

The report should also present pertinent information concerning unusual current and accrued liabilities. Special attention and comment should be directed to any amounts due directors, officers, and employees, and to any contingent liabilities, including commitments and guarantees.

Funds Borrowed and Other Liabilities

Indebtedness to SBA should be reconciled to the current statements from the Small Business Administration. Direct confirmation from SBA is required and should be requested on the basis of a statement, submitted in triplicate to the Director, Office of Budget and Finance, Small Business Administration, 1441 L Street NW., Washington, D.C. 20416, showing the unpaid balances of principal and interest at the balance sheet date of the audit. Adequate identification of each obligation, using execution date and SBA loan symbols, should be given.

Debt to others than SBA for funds borrowed likewise should be confirmed by correspondence. Loan agreements, contracts and

mortgages, and minutes of board meetings pertaining thereto should be examined in relation to SBA financing and loans from others to determine whether there has been compliance with such of their terms as have direct bearing on the financial position as represented in the audited statements.

The other liabilities and deferred credits should be checked for validity. If these items are material in amount, appropriate comments thereon should be included in the report. Special attention and comment should be directed to any amounts due directors, officers, and employees, and to any contingent liabilities, including commitments and guarantees.

The independent public accountant should ascertain that the appropriate schedule of the Financial Report, SBA Form 468, reflects all commitments, guaranteed obligations, and other contingent liabilities, and that the total of all contingent liabilities is shown as a footnote at the bottom of page 2 of SBA Form 468.

Capital Stock and Surplus

Verification of capital stock should be carried out by examination of the stock records and the stock certificate books, or by direct confirmation from the registrar and transfer agent, if applicable. Cash records or other records showing the consideration received for capital stock should be reviewed in connection with capital stock transactions during the period. Authorizations of the board of directors and also the charter and bylaws should be referred to. Determination should be made as to the existence of stock options, warrants, rights, conversion privileges, sales of stock on special terms, or reservations of shares of stock for sale to particular groups or for options and other rights. It should also be determined that all such transactions have been appropriately recorded and set forth in the statement of financial condition, notes thereto, or schedules as applicable. The independent public accountant should look for and disclose the existence of any arrearages in the payments on capital stock subscribed or in the payment of dividends on outstanding capital stock. Treasury stock transactions should be analyzed and determination made that appropriate accounting has been effected.

The audit report should contain thoroughly informative comments regarding capital stock transactions during the period.

Changes in the surplus accounts during the period should be reviewed for propriety of the accounting entries effecting the changes. Although all earnings for the year are ultimately transferred to a single retained earnings account, it should be determined that appropriate distinction has been made in classifying items in the Profit and Loss Summary and the Realized Gain and Loss Summary accounts as between (1) income and expense from operations and (2) realized gains and losses on investments. Paid-in surplus debits and credits must also be checked for appropriateness of classification.

Loans and Investments at Market or Fair Value

Review should be made of the valuation of loans and investments. The independent public accountant should determine whether the SBIC has followed the instructions for the memorandum item following the Statement of Financial Condition in SBA Form 468 in making the valuation.

Income and Expense and Gain and Loss Accounts

Appropriate tests should be made of income and expense and gain and loss accounts for the period under review. The

tests should be sufficient, when combined with information obtained in other phases of the audit, to satisfy the accountant that transactions summarized in these accounts are genuine and have been properly authorized and accurately recorded.

The verification procedures applied to income and expense and gain and loss accounts should be based on the same test-check principles as are applied to the balance sheet accounts. After examining representative transactions for the period or periods he has selected for testing, the accountant should scan the accounts and examine any entries which appear unusual. Special attention should be given to transactions contributing to the recorded gain or loss realized on sale of investments. In this connection, reference should be made to SBA requirements concerning the realization and use of income and gains, as set forth in Addendum II of this guide. The accountant should include in his comments information as to the latest year through which Federal income tax returns of the SBIC have been audited by the Internal Revenue Service.

APPENDIX 2—INSTRUCTIONS FOR PREPARATION OF THE FINANCIAL REPORT, SBA FORM 468 (1-69)

GENERAL

There are set forth herein the instructions for preparation of the Financial Report, SBA Form 468, which report is required by Small Business Administration regulations to be filed with SBA by each licensed small business investment company at the end of the first 6-month period of each fiscal year and at the end of each fiscal year, such fiscal year being, for SBA purposes, the period beginning April 1 and ending March 31, and at such other times as SBA may request. The Financial Report filed by each Licensee shall present fairly the financial position of the Licensee as of the close of the period covered by the report and the results of the Licensee's operations for such period, and shall be prepared in accordance with these instructions. The accounts referred to by account number in these instructions are those prescribed by SBA in the System of Account Classifications for Small Business Investment Companies as set forth in Part 111 of this chapter.

The Financial Report, SBA Form 468, shall be filed in triplicate with the Investment Division, Small Business Administration, 1441 L Street NW., Washington, D.C. 20416, on or before the last day of the month immediately following the close of the period covered by the report (in the case of an unaudited report), and on or before the last day of the third month following the close of the period covered by the report (in the case of an audited report).

Licensees which are registered investment companies should refer to the rules promulgated by the Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549, for the official requirements as to financial reports to be filed with SEC and the time allowed for filing.

The Financial Report, SBA Form 468, requires a statement of financial condition, statement of surplus reconciliations, statement of income and expense, statement of realized gain or loss on investments, and supporting schedules 1 through 15. If any statement or schedule is not applicable, it is still required to be filed but should be marked "N/A" or "Not Applicable."

When the Licensee has a wholly owned subsidiary organized solely for the purpose of rendering management consulting services, financial reports submitted to SBA by the parent Licensee shall reflect consolidated figures covering the activities of both the parent Licensee and its subsidiary corporation.

When the Licensee has one or more branch offices, the data contained in the basic financial statements and all supporting schedules shall comprise a combination of the figures for the principal office and all branches. All money amounts required to be shown in the financial statements and schedules shall be expressed in whole dollars. Appropriate adjustments of individual amounts shall be made for the fractional part of a dollar so that the items will add to the totals shown.

HEADING

Set forth in the appropriate spaces the information called for representing the identification and the principal office address of the Licensee. As the employer identification number, enter the number assigned to the Licensee by the U.S. Treasury Department. If such number has not yet been assigned, an Application for Employer Identification Number, Form SS-4, shall be submitted to the U.S. Director of Internal Revenue with whom the Licensee's Federal tax and employee withholding returns are filed.

STATEMENT OF FINANCIAL CONDITION

Assets

Items:

1. *Cash*. State the total of the balances contained in accounts Nos. 100 through 120.
2. *U.S. Government obligations, insured savings, and time certificates of deposits*. State the total of the balances contained in accounts Nos. 130 through 137.
3. *Notes receivable*. State the balance contained in account No. 140.
4. *Accounts receivable*. State the balance contained in account No. 150.
 - (a) *Less: Allowance for uncollectibles* (applicable to items 3 and 4). State the balance contained in account No. 151.
5. *Accrued interest receivable*. State the balance contained in account No. 160.
 - (a) *Less: Allowance for uncollectibles*. State the balance contained in account No. 161.
6. *Due from directors, officers, and employees*. State the balance contained in account No. 255.
7. *Funds in escrow and other current assets*. State the balance contained in account No. 179 and the current portion of account No. 220.
8. *Total short-term assets*. Enter the total of the appropriate amounts opposite items 1, 2, 4(a), 5(a), 6, and 7.
9. *Loans (section 305)*. State the balance contained in account No. 170.
 - (a) *Less: Amount sold with recourse*. State the balance contained in account No. 310.
 - (b) *Less: Allowance for uncollectibles*. State the balance contained in account No. 171.
 - (c) *Less: Unearned discount, fees, etc.* State the balance contained in account No. 173.
10. *Debt securities of SBCs (section 304)*. State the total of the balances contained in accounts Nos. 180 and 184.
 - (a) *Less: Amount sold with recourse*. State the total of the balances contained in accounts Nos. 312 and 314.
 - (b) *Less: Allowance for losses*. State the balance contained in account No. 185.
 - (c) *Unearned discount, fees, etc.* State the balance contained in account No. 187.
11. *Capital stock of SBCs (section 304)*. State the total of the balances contained in accounts Nos. 190 and 192.
 - (a) *Less: Allowance for losses*. State the balance contained in account No. 193.
12. *Warrants, options, and other stock rights, acquired from SBCs (section 304)*. State the balance contained in account No. 196.

- (a) *Less: Allowance for losses*. State the balance contained in account No. 197.
 13. *Assets acquired in liquidation of loans and debt securities*. State the balance contained in account No. 200.
 - (a) *Less: Accumulated depreciation*. State the balance contained in account No. 203.
 - (b) *Less: Mortgages payable*. State the balance contained in account No. 318.
 - (c) *Less: Allowance for losses*. State the balance contained in account No. 201.
 14. *Amounts due from debtors on sale of assets acquired in liquidation of loans and debt securities*. State the balance contained in account No. 210.
 - (a) *Less: Allowance for uncollectibles*. State the balance contained in account No. 211.
 15. *Total Loans and Investments*. Enter the total of the appropriate amounts opposite items 9(c), 10(c), 11(a), 12(a), 13(c), and 14(a).
 16. *Corporate premises owned and furniture and equipment*. State the total of the balances contained in accounts Nos. 230, 240, and 242.
 - (a) *Less: Accumulated depreciation*. State the total of the balances contained in accounts Nos. 231 and 241.
 17. *Organization costs*. State the balance contained in account No. 256.
 18. *Other*. State the total of the balances contained in accounts Nos. 140, 220 (non-current portions), and 257.
 19. *Total Other Assets*. Enter the total of the appropriate amounts opposite items 16(a), 17, and 18.
 20. *Total*. Enter the total of items 8, 15, and 19.
- Liabilities, Capital Stock, and Surplus*
21. *Accounts payable*. State the balance contained in account No. 340.
 22. *Accrued interest payable*. State the balance contained in account No. 350.
 23. *Accrued taxes on income*. State the total of the balances contained in accounts Nos. 354.1, 354.2, etc.
 24. *Other accrued expenses*. State the balance contained in account No. 358.
 25. *Dividends payable*. State the total of the balances contained in accounts Nos. 360 through 364.
 26. *Employee taxes withheld*. State the balance contained in account No. 370.
 27. *Unapplied receipts and trust receipts*. State the total of the balances contained in accounts Nos. 374 and 378.
 28. *Other*. State the total of the balances contained in accounts Nos. 320, 381, and 383 (portions applicable).
 29. *Total Short-Term Liabilities*. Enter the total of items 21 through 28.
 30. *Notes payable to SBA*. State the balance contained in account No. 300.
 31. *Notes payable to other than SBA, guaranteed by SBA*. State the balance contained in account No. 315.
 32. *Notes payable to other than SBA, not guaranteed by SBA*. State the balance contained in account No. 316.
 33. *Mortgages payable for funds borrowed*. State the balance contained in account No. 317.
 34. *Other*. State the total of the balances contained in accounts Nos. 320, 381, and 383 (portions applicable).
 35. *Debentures payable issued to SBA*. State the balance contained in account No. 301.
 36. *Total Liabilities*. Enter the total of the appropriate amounts opposite items 29, 30, 33, 34, and 35.
 37. *Capital stock*. State the total of the balances contained in accounts Nos. 400 through 404 minus the balances contained in accounts Nos. 405 through 409.
 38. *Paid-in surplus*. State the balance contained in account No. 420.

39. *Less: ----- shares of treasury stock at cost*. State the total of the balances contained in accounts Nos. 415 through 419.

40. *Total*. Enter the total of items 37 and 38 minus item 39.

41. *Capital stock subscribed*. State the total of the balances contained in accounts Nos. 410 and 411.

(a) *Less: Subscriptions receivable*. State the total of the balances contained in accounts Nos. 413 and 414.

42. *Total Stockholders' Paid-In Capital and Paid-In Surplus*. Enter the total of the appropriate amounts opposite items 40 and 41(a).

43. *Retained earnings*. State the balance contained in the account No. 425.

44. *Appropriated retained earnings*. State the balance contained in account No. 427.

45. *Total Capital Stock and Surplus*. Enter the total of the appropriate amounts opposite items 42 and 44.

46. *Total*. Enter the total of items 36 and 45.

Memorandum footnote. Show in the space provided the market or fair value of loans and investments (shown at cost less allowance for losses in item 15 of the Statement of Financial Condition). In determining the market or fair value of portfolio securities (including securities which may be readily acquired through exercise of rights), securities for which market quotations are readily available shall be valued at the market bid price, provided the securities are registered, or readily registrable, and salable; *And further provided*, That, in the opinion of the board of directors, the bid price could be realized on immediate liquidation of the investment.

Securities other than those referred to above shall be at cost less allowance for probable losses unless, because of steady progress in the affairs of the portfolio company, an increase above cost to the small business investment company is clearly indicated in the SBIC's equity in the book value of the portfolio company's securities as shown on the portfolio company's books. In the latter case the securities may be valued at fair value as determined in good faith by the board of directors.

The value of loans and investments determined in accordance with the foregoing shall be reduced for purposes of this report by the amount of what would be an appropriate provision for taxes in respect of the unrealized appreciation included in the determined value.

In column (13) of Schedule 1, column (12) of Schedule 2, and column (8) of Schedule 5, identify with an asterisk each security which was valued above cost in arriving at the amount shown as market or fair value of loans and investments.

Footnote on contingent liabilities. Complete the footnote on page 2, at the end of the Statement of Financial Condition, which indicates the total amount of all contingent liabilities of the company. This amount shall be the same as the grand total of Schedule 9 of the report.

STATEMENT OF SURPLUS RECONCILIATIONS

Set forth in this statement all activities in accounts for paid-in surplus, retained earnings, and appropriated retained earnings during the fiscal year to date, showing opening balances, additions and deductions, and balances at close of the period. State separately the various additions and deductions, describing clearly the nature of the transactions out of which the items arose. Net income or loss from page 3 should be labeled "from net income," and realized gain or loss on investments from page 4 should be labeled "from net realized gain (or loss) on investments."

STATEMENT OF INCOME AND EXPENSE FOR THE FISCAL YEAR TO DATE

Income

- Item:
1. *Commitment income.* State the balance contained in account No. 500.
 2. *Interest on loans.* State the balance contained in account No. 512.
 3. *Interest on debt securities.* State the balance contained in account No. 516.
 4. *Interest on invested idle funds.* State the balance contained in account No. 510.
 5. *Interest income—other.* State the balance contained in account No. 520.
 6. *Management consulting service fees.* State the balance contained in account No. 532.
 7. *Investigation and service fees charged other lenders.* State the balance contained in account No. 534.
 8. *Application and appraisal fees.* State the balance contained in account No. 536.
 9. *Dividends on capital stock of SBCs.* State the balance contained in account No. 540.
 10. *Sharings in income or revenue of SBCs.* State the balance contained in account No. 541.
 11. *Income less expense of \$----- from assets acquired in liquidation of loans and debt securities.* State the balance in account No. 582 minus the balance in account No. 710. Show the balance contained in account No. 710 as a separate item in the space provided for the expense.
 12. *Other income.* State the balance contained in account No. 584.
 13. *Total income.* Enter the total of the appropriate amounts opposite items 1, 5, 8, 10, and 12.

Expenses

14. *Commitment expense.* State the balance contained in account No. 600.
15. *Interest on obligations payable to SBA.* State the balance contained in account No. 610.
16. *Interest on obligations payable to other than SBA.* State the balance contained in account No. 622.
17. *Stock record and other financial expenses.* State the balance contained in account No. 642.
18. *Total Financial Expenses.* Enter the total of items 14 through 17.
19. *Advertising and promotional costs.* State the balance contained in account No. 650.
20. *Appraisal and investigation costs.* State the balance contained in account No. 651.
21. *Auditing and examination costs.* State the balance contained in account No. 652.
22. *Communications.* State the balance contained in account No. 653.
23. *Cost of space occupied.* State the balance contained in account No. 654.
24. *Depreciation of corporate premises owned, furniture, and equipment.* State the balance contained in account No. 655.
25. *Directors' and stockholders' meetings costs.* State the balance contained in account No. 657.
26. *Insurance.* State the balance contained in account No. 658.
27. *Investment adviser costs.* State the balance contained in account No. 660.
28. *Legal services.* State the balance contained in account No. 661.
29. *Salaries of officers.* State the balance contained in account No. 663.1.
30. *Salaries of employees.* State the balance contained in account No. 663.2.
31. *Taxes, excluding income taxes.* State the balance contained in account No. 664.
32. *Travel.* State the balance contained in account No. 665.
33. *Employee benefits expense.* State the balance contained in account No. 670.
34. *Organization expense.* State the balance contained in account No. 672.

35. *Miscellaneous operating expenses.* State the balance contained in account No. 679.
36. *Through 39.* (For unclassified items.)
40. *Total Operating Expenses.* Enter the total of items 19 through 39.
41. *Other expenses.* State the balance contained in account No. 715.
42. *Total Expenses.* Enter the total of items 18, 40, and 41.
43. *Net Operating Income before provision for probable losses and income taxes.* Enter the balance resulting from the deduction of item 42 from item 13.
44. *Provision for probable losses on receivables.* State the balance contained in account No. 680.
45. *Provision for probable losses on portfolio securities.* State the balance contained in account No. 682.
46. *Provision for probable losses on assets acquired in liquidation of loans and debt securities.* State the balance contained in account No. 684.
47. *Provision for probable losses on amounts due from debtors on sale of assets acquired in liquidation of loans and debt securities.* State the balance contained in account No. 686.
48. *Net Operating Income before provision for income taxes.* Enter the balance resulting from the deduction of the appropriate amount opposite item 47 from item 43.
49. *Provision for Federal income taxes—net income.* State the balance contained in account No. 720.1.
50. *Provision for State and other income taxes.* State the balance contained in account No. 720.2.
51. *Net Income (Loss) From Operations.* Enter the balance resulting from the deduction of the appropriate amount opposite item 50 from item 48.

STATEMENT OF REALIZED GAIN OR LOSS ON INVESTMENTS

1. *U.S. Government securities.* Show the aggregate cost, aggregate net proceeds, and net gain or net loss on the sale or other disposition of U.S. Government obligations, direct and fully guaranteed.
2. *Debt securities of SBCs.* Show the aggregate cost less allowance for losses, aggregate net proceeds, and net gain or loss on the sale or other disposition of debt securities of small business concerns.
3. *Capital stock of SBCs.* Show the aggregate cost less allowance for losses, aggregate net proceeds, and net gain or loss on the sale or other disposition of capital stock of small business concerns.
4. *Warrants, options, and other stock rights acquired from SBCs.* Show the aggregate cost less allowance for losses, aggregate net proceeds, and net gain or loss on the sale or other disposition of warrants, options, and other stock rights acquired by the company from small business concerns.
5. *Assets acquired in liquidation of loans and debt securities.* Show the aggregate cost less allowance for losses and mortgages payable, aggregate net proceeds, and net gain or loss on the sale or other disposition of assets acquired in liquidation of loans and debt securities of small business concerns. The aggregate cost shown for this item shall be the same as that recorded in the books of account on the basis determined by the board of directors from among (1) bid-in price of the property, (2) agreed consideration for the property, and (3) fair appraised value of the property, but not to exceed the total amount of the related loan or debt security involved.
6. *Other.* Show the aggregate cost less allowance for losses, aggregate net proceeds, and net gain or loss on the sale or other disposition of any investments not included in items 1 through 5.
7. *Net Gain and/or Loss on Investments.* Enter the net total of items 1 through 6.

8. *Combined Net Gain (Loss) on Investments.* Enter the balance resulting from the deduction of item 7, column (5) from item 7, column (4).

9. *Add realized gain for current year from prior sales of investments (Deferred Credits).* State the amount of deferred gain of prior years transferred to gain accounts in the current year.

10. *Less portion of gain not realized in cash, demand certificates of deposit issued by FDIC-member banks, and/or negotiable direct obligations of the U.S. Government.* State the amount of the above gain represented by proceeds other than cash, demand certificates of deposit issued by FDIC-member banks, and/or negotiable direct obligations of the U.S. Government.

11. *Net Realized Gain (Loss) on Investments before provision for income taxes.* Enter the balance resulting from the addition of item 9 and deduction of item 10 from item 8.

12. *Federal income taxes—net realized gain on investments.* State the amount of estimated Federal income taxes applicable to net realized gain on investments for the fiscal year to date.

13. *State and other income taxes—net realized gain on investments.* Show the amount of estimated State and other non-Federal income taxes applicable to net realized gain on investments for the fiscal year to date.

14. *Total provision for income taxes.* Enter the total of items 12 and 13.

15. *Net Realized Gain (Loss) on Investments.* Enter the balance resulting from the deduction of item 14 from item 11.

NOTE: Describe the transactions in this Statement in accordance with the instructions set forth in the note at bottom of the form.

SCHEDULE 1—LOANS AND DEBT SECURITIES

Furnish in this schedule a summary of all loans (section 305) and debt securities (section 304), setting forth the pertinent data indicated by the column headings. The items to be listed shall include: (1) All loans held, made, or otherwise obtained, or disposed of by the company during the fiscal year to date, and (2) all debt securities held, acquired, converted, or disposed of during such period. Participations purchased in loans and debt securities shall be included, but only the reporting company's portion of loans and debt securities in which participations have been sold to others shall be shown.

List each loan and debt security by employer identification number; owner group code number designating the group classification of the principal ownership of the small business concern as follows: (0) Negroes; (1) Puerto Ricans; (2) American Indians; (3) Spanish Americans; (4) Asians (Japanese, Chinese, Koreans, Filipinos); (5) Eskimos and Aleuts; (6) Undetermined; and (7) Others—including whites; Standard Industrial Classification code; name of financed small business concern, together with street address, city, State, ZIP code, and county in which located; type (loan or debt security); financing number; interest rate; date and maturity date; principal balance at beginning of period; additions during period; deductions during period; and principal balance at close of period. The total in column (11) for loans shall agree with item 9 of the Statement of Financial Condition and the total in column (11) for debt securities shall agree with item 10 of such Statement.

Show in column 12 for each loan and debt security any allowance for losses established for such item on the basis of the estimated realizable value of the individual item, or any portion of an overall allowance established on a percentage or other basis which has been allocated to the individual item.

Show in column 13 the market value, or fair value as determined by the board of directors, of each debt security which is determined to be worth more than the cost amount shown for it in column (11) and each loan or debt security which is determined to be worth less than the cost amount shown for it in column (11), minus any allowance for losses established for it as shown in column (12). Any loan or debt security for which an allowance for losses has been established shall not be listed in column (13) at any value higher than cost less such allowance.

An explanatory notation or footnote shall be entered in the schedule with respect to any loan or debt security (or any interest therein) obtained from another Licensee.

The notes referred to on the form, and which must be carefully observed in preparation of Schedule 1, are as follows:

(a) Group together the financing for each small business concern and classify each financing by category (loan or debt security) in column (4), treating multiple disbursements under the same financing agreement as a single financing. Show the totals of each category of financing and the grand totals of all loan and/or debt security financing on the last sheet of this schedule.

(b) In column (1) enter the employer identification number of each listed small business concern; if a concern does not have such number, it should obtain one by filing Form SS-4 with the U.S. Director of Internal Revenue with whom its Federal tax and employee withholding returns are filed. Insert the appropriate owner group code number, in parentheses, following the employer identification number of each small business concern. In column (2) enter for each listed small business concern the 4-digit Standard Industrial Classification Code of the principal industry in which the concern is engaged; refer to the SIC Manual issued by the Bureau of the Budget.

(c) If the Licensee has had more than one financing in the same category outstanding to the same small business concern (cumulative beginning with Mar. 31, 1966, outstanding balances), each such similar financing should be assigned a financing number (1-2-3, etc.) for identification purposes, and this number should be shown in column (5) on this report and on future reports in relation to the same financing. A number once assigned to a specific financing of a small business concern should never be reassigned to another financing in the same category to the same concern.

(d) In column (11) identify each item "pledged" or "earmarked" by letter (P) or letter (E), as appropriate. Also, identify by the letter (V) each item qualifying under the regulations as venture capital. Show the total of all venture capital amounts immediately under the "Grand Totals" line at the foot of column (11). Show the total of all special discretionary portfolio amounts immediately under the "Total Venture Capital".

(e) Show in column (14) opposite each debt security financing the percentage of the financed small business concern's voting securities which has been and/or can be obtained by the Licensee through exercise of conversion privileges and/or stock purchase warrants or options received in connection with the specific financing. This percentage shall be computed without giving consideration to the possibility of simultaneous exercise of stock rights by other investment interests. Whenever a Licensee considers it important to disclose that its percentage of actual and potential ownership is affected by the probable action of others in exercising their stock rights, a footnote should be appended to the percentage figure arrived at by consideration of only the Licensee's ac-

tion. In such footnote the percentage of actual and potential ownership giving consideration to the probable action of others should be set forth, together with an explanation including the names of the other investors who are likely to exercise their rights, the percentages of actual and potential ownership they hold, and the general terms of their stock rights.

SCHEDULE 2—CAPITAL STOCK OF SBCs AND WARRANTS, OPTIONS AND OTHER STOCK RIGHTS ACQUIRED FROM SBCs

Furnish in this schedule a summary of all investments (section 304), other than debt securities, setting forth the pertinent data indicated by the column headings. The items to be listed shall include: (1) All capital stock of small business concerns held, acquired, converted, or disposed of during the fiscal year to date and (2) all warrants, options, and other stock rights acquired from SBCs (for which a cost has been determined separate from that of the financing instruments which they accompanied and/or for which there exists a market value, or a fair value as determined by the board of directors) which were held, obtained, surrendered, expired, or sold during such period. Participations purchased in investments shall be included, but only the reporting company's portion of investments in which participations have been sold to others shall be shown.

List each investment by employer identification number; Owner Group Code number; Standard Industrial Classification code; name of financed small business concern, together with street address, city, State, zip code, and county in which located; type (stock, or warrant or option); financing number; dated; balance at cost at beginning of period; cost of additions during period; cost of deductions during period; and balance at cost at close of period.

The total in column (10) for capital stock of SBCs shall agree with item 11 of the Statement of Financial Condition and the total in column (10) for warrants, options, and other stock rights acquired from SBCs shall agree with item 12 of such Statement.

Show in column (11) for each investment any allowance for losses established for such item on the basis of the estimated realizable value of the individual item, or any portion of an overall allowance established on a percentage or other basis which has been allocated to the individual item.

Show in column (12) the market value, or fair value as determined by the board of directors, of each investment which is determined to be worth more than the cost amount shown for it in column (10) and each investment which is determined to be worth less than the cost amount shown for it in column (10), minus any allowance for losses established for it as shown in column (11). Any investment for which an allowance for losses has been established shall not be listed in column (12) at any value higher than cost less such allowance.

An explanatory notation or footnote shall be entered in the schedule with respect to any investment (or any interest therein) obtained from another Licensee.

The notes referred to on the form, and which must be carefully observed in preparation of Schedule 2, are as follows:

(a) Group together the financings for each small business concern; classify each financing by category (stock or warrants or options) in column (4), treating multiple disbursements under the same financing agreement as a single financing. Show the totals of each category of financing and the grand totals of all capital stock and/or stock rights financing on the last sheet of this schedule.

(b) In column (1) enter the employer identification number of each listed small business concern; if a concern does not have such number, it should obtain one by filing Form SS-4 with the U.S. Director of Internal Revenue with whom its Federal tax and employee withholding returns are filed. Enter the appropriate Owner Group Code number in parentheses. In column (2) enter for each listed small business concern the 4-digit Standard Industrial Classification Code of the principal industry in which the concern is engaged; refer to the SIC Manual issued by the Bureau of the Budget.

(c) If the Licensee has had more than one financing in the same category outstanding to the same small business concern (cumulative beginning with Mar. 31, 1966, outstanding balances), each such similar financing should be assigned a financing number (1-2-3, etc.) for identification purposes, and this number should be shown in column (5) on this report and on future reports in relation to the same financing. A number once assigned to a specific financing of a small business concern should never be reassigned to another financing in the same category to the same concern.

(d) In column (10) identify each item "pledged" or "earmarked" by letter (P) or letter (E), as appropriate. Also, identify by the letter (V) each item qualifying under the regulations as venture capital. Show the total of all venture capital amounts immediately under the "Grand Totals" line at the foot of column (10). Show the total of all special discretionary portfolio amounts immediately under the "Total Venture Capital".

(e) Show in column (13) opposite each financing item the percentage of the financed small business concern's voting securities which has been and/or can be obtained by the Licensee through exercise of conversion privileges and/or stock purchase warrants or options received in connection with the specific financing, or which is represented by the financing item itself. This percentage shall be computed without giving consideration to the possibility of simultaneous exercise of stock rights by other investment interests. Whenever a Licensee considers it important to disclose that its percentage of actual and potential ownership is affected by the probable action of others in exercising their stock rights, a footnote should be appended to the percentage figure arrived at by consideration of only the Licensee's action. In such footnote the percentage of actual and potential ownership giving consideration to the probable action of others should be set forth, together with an explanation including the names of the other investors who are likely to exercise their rights, the percentages of actual and potential ownership they hold, and the general terms of their stock rights.

SCHEDULE 3—DETAILS OF CERTAIN LOANS (SECTION 305) AND INVESTMENTS (SECTION 304) LISTED IN SCHEDULE 1 AND SCHEDULE 2

Enter in this schedule all loans and debt securities shown in Schedule 1 and all investments shown in Schedule 2 concerning which any one or more of the following conditions exist:

1. New or additional financing has been furnished during the fiscal year to date, as shown in column (9) of Schedule 1 or column (8) of Schedule 2.

2. The terms of existing financing have been amended and/or the related collateral has been changed during the fiscal year to date.

3. Any rescheduling, refinancing, or refunding of principal and/or interest has occurred, or conversion of a delinquent item has taken place, during the fiscal year to date. (Full details on such events are to be furnished in column (6) or on an attached sheet.)

4. Installment payments of principal and/or interest on loans or debt securities are past due more than 1 month.

List the items by employer identification number in column (1) and identify them by name of small business concern, type of financing, and financing number in columns (2), (3), and (4). In column (5) show the original principal amount or other cost. Details of the amortization plan and other significant provisions of the financing instruments, including a precise description of capital stock of SBCs, shall be set forth in column (6). The value and description of collateral are to be set forth in columns (7) and (8), respectively. Information as to the portion of such collateral assigned as security for the financing granted by the Licensee is required to be presented in column (8).

If any loans or debt securities earmarked or pledged to SBA are in default as to payment of principal or interest, or with respect to any other covenants of the financing agreements, the repayment delinquencies will, of course, be included in Schedule 4. Any other defaults are to be described in column (6) of Schedule 3. Such earmarked or pledged loans and debt securities shall be identified in the schedule by the letter (E) or (P), as appropriate. If no earmarked loans or debt securities are in default as to principal or interest payments, or as to any other covenants in the financing agreements, a statement to that effect shall be placed on Schedule 3.

SCHEDULE 4—ALLOWANCE FOR LOSSES ON PORTFOLIO SECURITIES—DELINQUENT LOANS AND DEBT SECURITIES

List in this schedule all loans and investments for which an allowance for losses has been established or allocated on a specific item basis and/or which (if loans or debt securities) are delinquent to the extent of having installment payments past due more than 1 month. Identify each item in column (1) by the employer identification number and name of the financed small business concern; indicate by appropriate letter in column (2) the type of financing (loan, debt security, stock warrants and options); and record the financing number in column (3) if there has been more than one financing of the same type with respect to the same small business concern.

In columns (4) through (8), show the opening balance of the allowance for losses on each security, the additions and deductions pertaining to such allowance, and the closing balance, all relating to the fiscal year to date. If there exists an overall allowance for losses, established on a percentage or other basis and not allocated to individual securities, the beginning and ending balances thereof, together with changes during the period, shall be shown appropriately on the "General allowance" line at the bottom of the schedule. The grand total of column (8) shall equal the sum of items 9(b), 10(b), 11(a), and 12(a) in the Statement of Financial Condition.

Show in column (9) the principal balance or other cost, as of the close of the period, of each security listed on the schedule. In columns (10) and (11) show all installments of principal and/or interest past due more than 1 month on loans and debt securities. Such portfolio items shall be identified and classified in columns (1), (2), and (3), and any allowances for losses related thereto shall be included appropriately in the columns provided therefor. Any loans or debt securities earmarked or pledged to SBA shall be identified in the schedule by the letter (E) or (P), as appropriate. Show the totals of columns (10) and (11).

SCHEDULE 5—ASSETS ACQUIRED IN LIQUIDATION OF LOANS AND DEBT SECURITIES—ALLOWANCE FOR LOSSES

List and describe in this schedule, by former debtors (small business concerns), all assets carried during the fiscal year to date in the account for assets acquired in liquidation of loans (section 305) and debt securities (section 304). This will correctly represent only the reporting company's portion of such assets. The balance at the beginning of the reporting period, additions and deductions during the period, and balance at the close of the period shall be shown in columns (3), (4), (5), and (6). The allowance for losses established for the reporting company's portion of the assets held with reference to each small business concern shall be recorded in column (7). Current market value, or fair value as determined by the board of directors at the close of the period shall be shown in column (8). The totals of columns (6) and (7) shall agree with items 13 and 13(c), respectively, of the Statement of Financial Condition.

In column (6) identify by the letter (V) each asset acquired in liquidation of a portfolio security which original security qualified under the regulations as venture capital. Show the total of all such secondary venture capital amounts in the space provided at the foot of column (6).

SCHEDULE 6—PARTICIPATIONS AND JOINT FINANCINGS

Show in this schedule all financings in which the reporting company participated and all financings made jointly by the reporting company and one or more other lenders or investors during the fiscal year to date, or which were outstanding at any time during such period. Identify each item in column (1) by the employer identification number and name of the financed small business concern; indicate by appropriate letter in column (2) the type of financing (loan, debt security, stock, warrants, and options); and enter the financing number in column (3) if there has been more than one financing of the same type by the reporting company to the same small business concern.

In column (4) show the original total amount contributed by all parties in the participation or joint financing. The names of such participating or joint financing entities (including the name of the reporting company) shall be shown in column (5) with appropriate indication as to which is the initiating (sponsoring) entity.

Show in column (6), (7), or (8), as appropriate, the reporting company's outstanding principal balance, or other cost, of participation purchased, participation sold, or joint financing, as of the close of the period covered in the report. Enter in column (9) a description of collateral pertaining to each financing, together with information as to the percentage applicable to each party and as to any preferences agreed upon.

SCHEDULE 7—CASH, U.S. GOVERNMENT OBLIGATIONS, INSURED SAVINGS, AND THE CERTIFICATES OF DEPOSIT

Show in Schedule 7a all cash on hand and in general fund's demand deposits; funds in imprest bank accounts. Demand deposits are balances subject to withdrawal without notice and shall be in commercial banks which are members of the Federal Deposit Insurance Corporation. Cash items in process of collection represent those cash items which have been placed with banks for collection. Petty cash shall represent the full amount of the petty cash imprest fund.

List in Schedule 7b(1) all securities owned which have been issued or guaranteed by the U.S. Government, showing the name of the

issuer and the title of each issue. Other required data, such as interest rate, call date, maturity date, and principal amount at par of bonds and notes, may be obtained by inspection of the securities or from records of securities pledged. The cost of the securities shall be shown in column (6) and the current market value thereof in column (7).

Show in Schedule 7b(2) all funds invested in insured savings accounts and all funds on time deposit evidenced by time certificates of deposit. Savings accounts shall be in institutions the accounts of which are insured by the Federal Savings and Loan Insurance Corporation. Time deposits shall include all time certificates of deposit held by the company in commercial banks which are members of the Federal Deposit Insurance Corporation.

SCHEDULE 8—DUE FROM DIRECTORS, OFFICERS, AND EMPLOYEES

Show in this schedule amounts due from directors, officers, and employees for advances made to them (listing name and title of debtor in column (1)). The unpaid balance of each amount due at the beginning of the fiscal year shall be shown in column (2); additions, writeoffs, and collections during the fiscal year to date shall be set out in columns (3), (4), and (5); and the balance at the close of the period shall be shown in column (6). The total of column (6) shall agree with item 6 in the Statement of Financial Condition. An explanation shall be furnished for any amount written off or for any collection other than in cash.

SCHEDULE 9—COMMITMENTS, GUARANTEES, AND OTHER CONTINGENT LIABILITIES

Furnish in Schedule 9a, (1) commitments to small business concerns for equity financing under section 304 of the Act, as amended, (2) commitments to small business concerns for loans under section 305 of the Act, as amended, and (3) commitments to banks or other lenders for deferred participations in loans or commitments to small business concerns. Show the total amount of all commitments outstanding. Show the total of all venture capital commitments outstanding immediately under "Total commitments outstanding". Enter license number in the space allotted and enter owner group code number in parenthesis alongside name of small business concern.

Furnish in Schedule 9b all obligations of portfolio concerns guaranteed by the company, showing (1) date of guarantee, (2) name of debtor small business concern, (3) name of lender, owner group code number, and (4) outstanding amount of guarantee. Show the total outstanding amount of all guarantees.

Set forth separately in Schedule 9c, with total, all other contingent liabilities.

Show at the bottom of the schedule the grand total of all commitments, guarantees, and other contingent liabilities. This amount shall be the same as that given in the footnote on page 2 at the end of the Statement of Financial Condition.

SCHEDULE 10—OBLIGATIONS PAYABLE

Show in this schedule, by creditors, all obligations payable representing (1) debentures payable to SBA, (2) SBA direct loans, (3) guaranteed loans purchased by SBA, (4) loans guaranteed by SBA, (5) loans not guaranteed by SBA, (6) mortgages payable for funds borrowed, and (7) mortgages payable on assets acquired in liquidation of loans and debt securities. Such liabilities shall be grouped by the foregoing categories, and described in column (2), but subtotals are not required. Guaranteed loans purchased by SBA represent loans, originally financed by banks, which have been transferred to

SBA through reassignment, transfer, and delivery of the notes to SBA.

The interest rate and other terms of each obligation shall be recorded in columns (3) and (4); the unpaid balance at the beginning of the fiscal year and additions and deductions during the fiscal year to date shall be shown in columns (5), (6), and (7); and the balance payable at the close of the period, segregated between (a) amounts owed to SBA for funds borrowed and (b) amounts owed to others for funds borrowed and/or amounts representing mortgages payable on assets acquired in liquidation of loans and debt securities, shall be reflected in columns (8) and (9).

The total of column (8) shall agree with the total of items 30 and 35 of the Statement of Financial Condition, and the total of column (9) shall agree with the total of items 13(b), 31, and 32, and the appropriate amount opposite item 33 of such statement.

Furnish in this schedule a complete description of the company's capital stock authorized, capital stock issued and outstanding, and data relating to special transactions involving capital stock.

In column (1) shall be described the type and class of each issue, such as common—\$5 par, preferred (7 percent Series of 1969), etc. The par value or, for no-par stock, the stated value shall also be reported in column (1).

The number of shares authorized, whether issued or not, shall be reported in column (2).

The number of shares and amount, at par or stated value, of stock issued and not retired or canceled shall be reported in columns (3) and (4). The total of column (4) shall agree with item 37 of the Statement of Financial Condition. The number of shares held as treasury stock shall be shown in column (5). Column (6) will represent the difference between column (3) and column (5).

Column (7) shall be the amount at par or stated value representing the number of shares outstanding as shown in column (6). The total of column (8) shall represent the amount of capital stock subscribed at the subscription price and shall agree with item 41 of the Statement of Financial Condition.

In column (9) shall be reported the amount of subscriptions receivable, which shall agree in total with item 41(a) of the Statement of Financial Condition.

Column (10) shall show the number of shares (other than those under option) reserved for purchase by officers and employees, and column (11) shall show the number of shares reserved to cover options and other rights.

SCHEDULE 12—OPTIONS ON LICENSEE'S CAPITAL STOCK

Furnish in this schedule full information concerning outstanding capital stock options which have been granted by the company.

The holder of each option shall be identified in column (1). The number of shares optioned shall be shown in column (2). In column (3) shall be described the type and class of stock called for by the option, such as common—\$5 par, preferred (7 percent Series of 1969), etc.

Column (4) shall show the grant and expiration dates of each option and column (5) shall set forth the price or prices at which each option is exercisable, together with the period during which each price applies.

Column (6) shall show the fair market value, per share, of stock called for by each option, at the date the option was granted. The price at which the option is exercisable as a percentage of fair market value, per share, of the optioned stock at date of granting shall be shown in column (7). Column (8) shall set forth the provisions made

with respect to each option in the event of the optionee's death or retirement, or other circumstances.

The fair market value, per share, of stock called for at date the option was granted, if not ascertainable on the basis of actual market, shall be as determined by the board of directors.

SCHEDULE 13—OWNERSHIP OF EQUITY SECURITIES OF SBIC

Furnish in this schedule the information as required by the form regarding equity securities issued by the Licensee and regarding the Licensee's officers, directors, and employees.

In column (1) list:

(a) Each person or company directly or indirectly owning, controlling, or holding with power to vote, 5 percent or more of the outstanding voting securities of the company.

(b) Each person or company owning of record or being known to own beneficially more than 10 percent of any other class of equity securities of the company.

(c) Each officer and director of the SBIC. (List and identify all officers and directors regardless of whether or not they own any equity securities of the company.)

(d) Each employee of the company. (List all employees, including salaried officers and directors, regardless of whether or not they own any equity securities of the company and show whether they are full-time or part-time employees.)

Show in column (2) whether each natural person listed in column (1) is an officer, director, employee, or specific combination of any of the three. Indicate in column (3) the type of business in which each listed person or company is engaged. Column (4) show the title of each class of stock owned by any person or company and column (5) shall indicate whether the securities of the specific class are owned both of record and beneficially, of record only, or beneficially only.

In columns (6), (7), and (8), respectively, show the number of shares of each class owned by each listed person or company, the total par or stated value of such shares, and the percentage of the total number of shares of this class outstanding which is represented by the shares owned by the particular person or company.

Summarize the foregoing information by class of equity security at the bottom of the schedule.

SCHEDULE 14—SUNDRY ASSETS

Show and explain in this schedule, by appropriate classification, the amounts of all sundry assets. Such assets will include: (1) Notes receivable; (2) accounts receivable, including dividends receivable; (3) accrued interest receivable; (4) funds in escrow pending closing of financing, and prepayments or deferred charges; and (5) unamortized organization costs.

Identify each item and describe the transaction out of which it arose, giving names of debtors and terms of debt instruments.

SCHEDULE 15—AMOUNTS DUE FROM DEBTORS ON SALE OF ASSETS ACQUIRED IN LIQUIDATION OF LOANS AND DEBT SECURITIES—ALLOWANCE FOR UNCOLLECTIBLES

Show in this schedule, by debtors, all accounts receivable, notes receivable, sales contracts, purchase money mortgages, etc., carried during the period in the account for amounts due from debtors on sale of assets acquired in liquidation of loans (section 305) and debt securities (section 304). The interest rate and other terms shall be given. The balances at the beginning and close of the period shall be shown, together with

additions and deductions during such reporting period. Allowances for uncollectibles based upon an evaluation of the reporting company's portion of individual amounts due shall be recorded in column (9) opposite the name of the debtor. If a general allowance is utilized instead of individual allowances, it shall appear only at the bottom of column (9). The totals of columns (8) and (9) shall agree with items 14 and 14(a), respectively, of the Statement of Financial Condition. Under column (2) identify the asset or assets originally acquired in liquidation to which the amount due relates.

VERIFICATION OF THE FINANCIAL REPORT, SBA FORM 468

The verification of the the Financial Report, SBA Form 468, shall bear the signature of the chief financial officer of the Licensee, or other officer authorized by the board of directors to sign in the event the chief financial officer is unavailable. A secretarial officer of the Licensee shall attest by signature to the fact that the minutes of a meeting of the board of directors show that the Financial Report, SBA Form 468, has been reviewed and approved by the board of directors. The date on which each signature is affixed shall be shown. All signatures on all copies of the Financial Report, SBA Form 468, submitted to SBA shall be original signatures in ink.

VERIFICATION OF LICENSEE'S STATEMENT ON IMPLEMENTATION OF PLAN FOR DIVESTITURE OF CONTROL OF SMALL BUSINESS CONCERNS

The verification of the Licensee's statement concerning prospects for divestiture of control, which is required by § 107.901(e) of the regulations to be furnished to SBA in triplicate with the annual financial report (SBA Form 468), shall bear the signature of a secretarial officer of the Licensee attesting to the fact that the minutes of a meeting of the board of directors show that such statement has been reviewed and approved by the board of directors. The date on which such signature is affixed shall be shown. The secretarial officer's signature on all copies of the Licensee's statement concerning prospects for divestiture of control submitted to SBA shall be an original signature in ink.

APPENDIX 3—INSTRUCTIONS FOR PREPARATION OF THE PROGRAM EVALUATION REPORT, SBA FORM 684(1-60)

Section 107.1102(f) of the regulations governing small business investment companies includes a provision requiring each Licensee to submit a Program Evaluation Report, SBA Form 684, as of March 31 of each year. The report is required to be filed with the Small Business Administration on or before June 30 of the same calendar year. Three executed copies of the report shall be furnished to SBA.

Each such report as of March 31 shall reflect all Licensee financings of small business concerns which were outstanding at any time during the preceding 12-month period.

If the Licensee has engaged in more than one financing of a single small business concern (for example: two loans made at different times evidenced by separate financing instruments, or one loan, one debt security with warrants, and one purchase of capital stock of the SBC), each such financing shall be entered in a separate column of the form. Make the appropriate entry opposite each numbered line for the first such financing, and make entries only on lines 1, 2, and 6 through 11 for other financings of the same small business concern.

Multiple disbursements under a single financing agreement to a small business concern are to be treated as one financing, and only one entry shall be made on line 8 to include all such disbursements to the small

business concern. If as of the date of this report the total amount of the financing provided for in a multiple-disbursement agreement has not yet been fully disbursed, the total financing provided for in the agreement shall be entered on line 8, rather than the amount actually disbursed.

Except as noted above with respect to more than one financing of a single small business concern, entries shall be made in the report on each line (1 through 30) for each financing outstanding at any time during the 12-month period ended March 31. Except when the additional column is needed to show an additional financing of the same concern, two separate small business concerns may be listed on each sheet of SBA Form 684, thus reducing the bulk of the report.

In entering financings in which participation by others is a factor, an "Initiating" Licensee shall show on line 8 only its own share of total funds disbursed (net of participations sold), and a Licensee which has purchased a participation shall enter on line 8 the amount represented by its participation in total funds disbursed. Both the "Initiating" company and the "participating" company shall complete all lines (1 through 30) of the report for such financings. A participation is defined as an undivided interest shared with one or more other lenders or investors in a note, debenture, certificate of stock, or other instrument evidencing a loan to, or equity financing of, a small business concern.

The spaces for license number and name of Licensee, and lines 1, 2, 6, 7, 8, 11, and 21 through 29 must be filled out in each year's report. Lines 3 through 5, 9, 10, and 12 through 20 are required to be filled out only if the specific information called for has not been furnished in a prior report. Line 30, if applicable, should be filled out only once for any one small business concern.

If the "current information," represented by entries on lines 21 through 29, is either impossible to obtain or misleading with respect to small business concerns which (a) have been merged into other companies since the financing, (b) are presently inactive, or (c) are insolvent, the Licensee may write the word "merged," "inactive," or "insolvent," as appropriate, on lines 21 through 29 rather than make detailed entries for these items.

Entries of all dollar amounts shall be rounded to the nearest dollar.

Instructions covering each line of the report are as follows:

A. Entries to be made on each page of the report:

1. Page number, and total number of pages in the report. (Examples: Page 1 of 4 pages, or page 3 of 6 pages.)

2. SBIC license number.

3. Name of Licensee.

B. Entries to be made for each financing outstanding during the 12-month period covered by the report, or for each small business concern financed:

Line Numbers

1. *Employer identification number of the small business concern (SBC) financed.* The small business concern will have an employer identification number or must obtain one by filing Form SS-4 with the U.S. Director of Internal Revenue with whom its Federal tax and employee withholding returns are filed.

2. *Name of small business concern financed.*

3. *Date business established.* Enter the month and year that the small business concern commenced business in its present form.

4. *Form of business.* Show whether the financing concern is a corporation, partnership, proprietorship, etc.

5. *Emerging Industries (code).* Enter the code number indicating which of the following emerging industries (if any) is the field of activity in which the financed small busi-

ness concern is principally engaged. If more than one industry is applicable, select the single most important industry and enter only one code number. If the SBC is not operating in any of these fields, enter Code No. 9 for "Other."

Aeronautics (Code No. 1).

Includes aerodynamics; aeronautics; aircraft; aircraft flight control and instrumentation; air facilities.

Learning aids (Code No. 2).

Includes audiovisual devices; teaching machines; programmed instruction.

New Medical technology (Code No. 3).

Includes electro-diagnostic systems; ultrasonics; electronic monitoring systems; electronic pacemakers; heart-lung machines; defibrillators.

Nuclear science and technology (Code No. 4).

Includes thermonuclear fusion devices; isotopes; nuclear explosions; nuclear instrumentation; nuclear power plants; radiation shielding and protection; radioactive wastes and fission products; reactor engineering and operation; reactor materials; reactors.

Oceanography (Code No. 5).

Includes biological oceanography; physical oceanography; submersible vehicles; offshore production of oil and natural gas; extraction of minerals from the oceans; desalination of sea water.

Pollution control (Code No. 6).

Includes pollution detection and measuring instruments; air pollution abatement devices and facilities; water treatment facilities.

Propulsion and fuels (Code No. 7).

Includes air-breathing engines; combustion and ignition; electric propulsion; fuels; jet and gas turbine engines; nuclear propulsion; reciprocating engines; rocket motors; rocket propellants.

Space technology (Code No. 8).

Includes astronautics; spacecraft and equipment; launch vehicles and equipment; ground support equipment.

Other (Code No. 9).

Includes any industry or activity other than those given in code numbers 1 through 8.

If the Licensee has financed small business concerns in one or more emerging industries not listed here, the Licensee's cooperation in providing SBA by letter with a description of such industries is requested, in order that this form may be revised to identify such additional emerging industries in the future.

6. *Type of investment and financing number.* Types of investment include loans, debt securities, capital stock, and stock rights (including warrants or options). If the Licensee has had more than one financing of the same type outstanding with the same small business concern, each such financing shall be entered in the form in the manner described in the third paragraph of this appendix. Each such similar financing shall be assigned a financing number for purposes of identification, and this financing number shall be shown on future reports setting forth the same financing. Typical entries on this line would be: Loan-1, loan-2, debt security, etc. (If there has been only one financing of a given type for the small business concern, no financing number need be assigned.)

7. *Initial disbursement date.* Enter the date of the first disbursement applicable to the specific financing made to the small business concern.

8. *Total funds disbursed.* Show the total amount of funds disbursed, including the amount of any discount, fees, and other charges, to the small business concern applicable to each specific financing. Refer to the fourth paragraph of this appendix for instruction regarding the treatment of multiple disbursements under a single financing agreement to a small business concern.

9. *Use of proceeds (code).* Enter the code number indicating which of the following was the primary purpose of the small business concern in obtaining the financing. If it had multiple purposes, select the single most important purpose. Enter only one code number for each financing:

Operating capital (Code No. 1).

Plant modernization (Code No. 2).

Acquisition of all or part of an existing business (Code No. 3).

Consolidation of obligations, debt refunding, etc. (Code No. 4).

New building or plant construction (Code No. 5).

Acquisition of machinery and equipment (Code No. 6).

Land acquisition (Code No. 7).

Marketing activities (Code No. 8).

Research and development (Code No. 9).

Other (Code No. 10).

10. *Secured (yes or no).* Indicate by "yes" or "no" whether or not the financing was fully secured by collateral or guaranty at the time the original disbursement of funds was made. "Fully secured" means that the value of the collateral security for the financing was at least equal to the amount of the financing when disbursed. (The references to Nos. 1 and 2 are for SBA computer purposes.)

11. *Status of financing (code).* Enter the appropriate code number to indicate the current status of the financing:

Repayment or other investment recovery of the full amount of principal and interest or cost of other investment appears to be reasonably assured (Code No. 1).

Repayment or other investment recovery of the full amount of principal and interest or cost of other investment is possible, but not assured pending improvement in the performance of the small business concern financed (Code No. 2).

Repayment or other investment recovery is in jeopardy and some loss is probable (Code No. 3).

The financing has been paid off in full by the financed small business concern or has been disposed of otherwise at cost or at a profit to the Licensee (Code No. 4).

The financing has been liquidated through sale, partial repayment and writeoff, or foreclosure, and Licensee has either absorbed a loss on the financing or may absorb a loss in the future when collateral is liquidated (Code No. 5).

The financing instrument was exchanged for another financing instrument of the same small business concern prior to the reporting date (Code No. 6). Note: The new financing instrument should be reflected in entries in another column of the report.

The financing instrument was exchanged through merger, etc., for a financing instrument of a different business concern prior to the reporting date (Code No. 7). Note: The new financing instrument, if considered to evidence financing of an eligible small business concern, should be reflected in entries in another column of the same report.

12 and 21. *Fiscal year ended immediately prior to financing (date) and latest fiscal year ended (date).* Enter the date of the close of the financed small business concern's latest fiscal year which ended prior to the initial date of disbursement of funds related to the financing (line 12) and the date of the close of the financed concern's most recently completed fiscal year, for which amounts are entered in the current information section of the report (line 21). If current fiscal year information is not available from the small business concern, enter the date of the close of the financed concern's latest fiscal year for which information is available, and enter such information on the appropriate lines of the current information section of the report.

The respective fiscal years ended on the dates shown on lines 12 and 21 are the ones referred to in the following instructions for lines 13 and 22 through 20 and 29.

13 and 22. *Number of employees: Total.* Enter the financed small business concern's total number of employees at the close of the respective fiscal years.

13 and 22. *Number of employees: Managerial.* Enter the financed small business concern's number of managerial employees at the close of the respective fiscal years. Managerial employees are administrative personnel who set broad policies, exercise overall responsibility for execution of these policies, and direct individual departments or special phases of a firm's operations. They include executives, middle management, plant managers, department managers and superintendents, salaried foremen who are members of management, purchasing agents and buyers, and kindred workers.

13 and 22. *Number of employees: Skilled.* Enter the financed small business concern's number of skilled employees at the close of the respective years. Skilled employees include professional workers, technicians, sales representatives, office and clerical workers, and craftsmen (manual workers of relatively high skill level who exercise considerable independent judgment and usually receive an extensive period of training).

13 and 22. *Number of employees: Unskilled and semiskilled.* Enter the financed small business concern's number of unskilled and semiskilled employees at the close of the respective fiscal years. Unskilled employees are laborers in manual occupations which generally require no special training and embrace elementary duties that may be learned in a few days and require the application of little or no independent judgment. Semiskilled employees are workers who operate machines or processing equipment or perform other duties of intermediate skill level which can be mastered in a few weeks and require only limited training.

14 and 23. *Gross revenue for the year.* Enter the amount of total sales or other gross revenues of the financed small business concern for the respective fiscal years.

15 and 24. *Profit or (loss) for the year.* Enter the amount of net profit or (loss), before taxes, of the financed small business concern for the respective fiscal years. In determining profit or loss for the year, disregard any loss carryovers from previous years.

16 and 25. *Taxes for the year: Federal.* Enter the amount of Federal income and other taxes applicable to the financial small business concern for the respective fiscal years, but not including taxes withheld or collected from others.

16 and 25. *Taxes for the year: State.* Enter the amount of State income and other taxes applicable to the financed small business concern for the respective fiscal years, but not including taxes withheld or collected from others.

16 and 25. *Taxes for the year: Local.* Enter the amount of local income and other taxes (including property taxes) applicable to the financed small business concern for the respective fiscal years, but not including taxes withheld or collected from others.

17 and 26. *Total assets.* Enter the total amount of all assets, but net of valuation reserves, held by the financed small business concern as of the close of the respective fiscal years.

18 and 27. *Net worth (deficit).* Enter the amount of the net worth or (deficit net worth) of the financed small business concern as of the close of the respective fiscal years.

19 and 28. *Retained earnings (deficit).* Enter the amount of the retained earnings or (retained earnings deficit) of the financed

small business concern as of the close of the respective fiscal years.

20 and 29. *Borrowing: Short-term.* Enter that portion of the financed small business concern's outstanding borrowing which was due within 1 year from the close of the respective fiscal years. This entry shall cover fund borrowing of all types, such as bank loans, mortgages, amounts borrowed from SBICs, etc.

20 and 29. *Borrowing: Long-term.* Enter that portion of the financed small business concern's outstanding borrowing which was due after 1 year from the close of the respective fiscal years. This entry shall cover borrowing of all types, such as bank loans, mortgages, amounts borrowed from SBICs, etc.

30. *SBC discontinuances (code).* If the financed small business concern has discontinued business during the period covered by the report, enter the code number designating the reason for its discontinuance. If the concern has not discontinued business, enter "N/A" (not applicable). Enter only one code or "N/A" for each financed small business concern.

Discontinuance codes are:
Insolvency and/or bankruptcy (Code No. 1).

Merger with, or sale to, another business concern, the resulting firm being eligible for further SBIC financing (Code No. 2).

Merger with, or sale to, another business concern, the resulting firm not being eligible for further SBIC financing (Code No. 3).

Voluntary liquidation, for reasons such as retirement of concern's principal (Code No. 4).

Involuntary liquidation, for reasons other than insolvency such as fire, death of a principal, or condemnation of business location (Code No. 5).

Other causes (Code No. 6).

C. Verification.

The chief financial officer of the Licensee shall sign in ink the verification section on the last page of each copy of the report submitted to SBA. The date on which the report is signed and the title of the signer shall be entered in the spaces provided.

Dated: February 10, 1969.

HOWARD GREENBERG,
Acting Administrator.

[F.R. Doc. 69-2149; Filed, Feb. 19, 1969;
8:48 a.m.]

INTERSTATE COMMERCE COMMISSION

[49 CFR Ch. X]

[No. 34013 (Sub-No. 1)]

COST STANDARDS IN INTERMODAL RATE PROCEEDINGS

Notice of Proposed Rule Making

At a general session of the Interstate Commerce Commission, held at its office in Washington, D.C., on the 5th day of February 1969.

Notice is hereby given, pursuant to the provisions of the Administrative Procedure Act, 5 U.S.C. 553, that the Commission has under consideration (1) what inherent cost advantages of the respective modes are entitled to protection under section 15a(3) and the National Transportation Policy; and (2) under what circumstances and in what manner

should particular costs be recognized in cost comparisons involving competition between the various modes of transportation to protect and preserve those advantages. In this regard would a different measure or cost standard be appropriate where there is water and rail competition than where there is motor and rail competition?

In addition to their positions on the use of out-of-pocket, fully distributed or other basis of costs, the parties should also present their analyses of specific cost advantages that are normally entitled to protection, and should be considered by us in intermodal rate cases. For example, to meet rail or unregulated competition, railroads often reduce rates to a long-term out-of-pocket basis; what inherent cost advantages are motor carriers deprived of if competing railroads reduce rates to a long-term out-of-pocket basis?

Bargelines do not pay for their right-of-way. Is this an inherent cost advantage entitled to protection under the statute? If railroads may omit constant right-of-way costs in the rail-barge comparison of costs, then a barge advantage in not having those costs may be impaired or destroyed. If, on the other hand, the cost comparison includes all right-of-way costs on the rail side, then such a barge advantage may be preserved.

Motor carriers, on the other hand, unlike bargelines, may have large fixed investments, and will pay at least a share of their right-of-way costs in the form of taxes and user charges. If these costs are also fixed, are the motor carriers essentially in the same position as the railroads with respect to right-of-way costs, and all else being equal, is a comparison of long-term out-of-pocket costs fair to both sides? If motor carriers pay their full right-of-way costs in the form of variable taxes and user charges, would the long-term out-of-pocket cost comparison still be fair? If the variable taxes and user charges of motor carriers pay only a portion of their total right-of-way bill, then do motor carriers possess an inherent cost advantage? And, if motor carriers possess such a cost advantage, then should some portion of the rail constant right-of-way costs be added to rail long-term out-of-pocket costs for the purposes of a comparison with the motor carrier long-term out-of-pocket costs?

The prior discussion in terms of right-of-way costs does not exhaust the potential differences between the different modes, nor necessarily indicate the proper answers to such inquiries. They are inquiries which merely merit further consideration by the parties. The parties are free to develop other differences in their operations which give one mode a cost advantage that is entitled to protection.

The issues herein pertain primarily to the determination of cost standards in intermodal rate proceedings. However, the emphasis herein on inherent cost advantages should not be construed as limiting the consideration in future proceedings, where appropriate, of other inherent advantages.

It is ordered. That the matter will be reopened for further hearing under Docket No. 34013 (Sub-No. 1); that the record in No. 34013 is incorporated herein by reference; that the parties which have already presented evidence in Docket No. 34013 will be limited to supplementing their evidence herein.

It is further ordered. That the parties to Docket No. 34013 may supplement their evidence, and all other interested persons may file, on or before April 7, 1969, with the Secretary of the Interstate Commerce Commission, Washington, D.C. 20423, an original signed copy and 25 additional copies of written repre-

sentations containing statements of fact and argument to be considered in this matter. An original and 25 copies of replies thereto may be filed on or before May 12, 1969. A copy of any statement shall be furnished to any interested person upon request addressed to the party filing such statement. In lieu of verification under oath, any statement of facts contained in the representations or the replies thereto may be made subject to the following declarations: "I solemnly declare that I have examined the foregoing document and that to the best of my knowledge and belief the representations of fact contained therein are true." (Signature)

And it is further ordered. That notice to the public shall be given by posting a copy of this notice and order in the office of the Secretary of the Commission for public inspection, and by filing a copy of this notice and order with the Director of the Office of the Federal Register for publication in the FEDERAL REGISTER.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[P.R. Doc. 69-2153; Filed, Feb. 19, 1969;
8:48 a.m.]

Notices

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

Notice of Filing of Protraction Diagrams for Northern Alaska; Correction

The notice of filing of protraction diagrams for Northern Alaska appearing in the FEDERAL REGISTER January 24, 1969, is hereby corrected as follows:

Opening paragraph: Notice is hereby given that the following approved protraction diagrams, additionally labeled "Official Leasing Map" and amended January 16, 1969, to show leasing blocks, will be officially filed in the District and Land Office, Bureau of Land Management, Fairbanks, Alaska, at 10 a.m., on January 24, 1969.

Paragraph (1): The foregoing diagrams constitute the official leasing maps required by PLO 1621 as supplemented by section 1 of PLO 3521, however, only those lands delineated and described as leasing blocks on the protraction diagrams are available for oil and gas lease.

T. G. BINGHAM,
Acting State Director.

FEBRUARY 14, 1969.

[F.R. Doc. 69-2128; Filed, Feb. 19, 1969;
8:46 a.m.]

[C-2286]

COLORADO

Notice of Classification for Multiple-Use Management, and Opening Order

FEBRUARY 13, 1969.

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411-18) and to the regulations in 43 CFR Parts 2410 and 2411, the lands described below are hereby classified for multiple-use management. Publication of this notice segregates all the described lands from appropriation only under the agricultural land laws (43 U.S.C., Parts 7 and 9, 25 U.S.C. 334) and from sale under section 2455 of the Revised Statutes (43 U.S.C. 1171). The described lands shall remain open to all other applicable forms of appropriation, including the mining and mineral leasing laws.

2. No protests or objections were received following posting and circulation of a notice of proposed classification. No protests or objections were received following publication of a notice of proposed classification (33 F.R. 18449), or at a public hearing at Montrose, Colo., which was held on August 11, 1967, pertaining to the public lands in these sections. The record showing the comments received and other information is on file and can be examined in the Montrose

District Office, Bureau of Land Management, Highway 550 South, Montrose, Colo. 81401. The public lands affected by this classification are located within the following described area and are shown on a map designated by Serial No. C-2286 in the Montrose District Office, Bureau of Land Management, Highway 550 South, Montrose, Colo. 81401, and at the Land Office of the Bureau of Land Management, Room 15019, Federal Building, 1961 Stout Street, Denver, Colo. 80202.

NEW MEXICO PRINCIPAL MERIDIAN

MONTRÖSE AND OURAY COUNTIES

T. 47 N., R. 10 W.,
Sec. 11, W $\frac{1}{2}$, W $\frac{1}{2}$ E $\frac{1}{2}$;
Sec. 14, SW $\frac{1}{4}$.

The area described contains 640 acres. These lands were reconveyed to the United States under 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) and at 10 a.m. on March 21, 1969, shall be open to location, entry and selection consistent with paragraph 1 of this order. The lands have been open to mining and mineral leasing.

3. For a period of 30 days from the date of publication of this notice in the FEDERAL REGISTER, interested parties may submit comments to the Secretary of the Interior, LLM, 721, Washington, D.C. 20240 (43 CFR 2411.1-2(d)).

E. I. ROWLAND,
State Director.

[F.R. Doc. 69-2129; Filed, Feb. 19, 1969;
8:46 a.m.]

Fish and Wildlife Service

[Docket No. C-300]

FRED ANGELO CEFALU

Notice of Loan Application

FEBRUARY 13, 1969.

Fred Angelo Cefalu, 785 Marina Street, Morro Bay, Calif. 93442, has applied for a loan from the Fisheries Loan Fund to aid in financing the construction of a new 54-foot length overall steel vessel to engage in the fishery for salmon, albacore and Dungeness crab.

Notice is hereby given pursuant to the provisions of Public Law 89-85 and Fisheries Loan Fund Procedures (50 CFR Part 250, as revised) that the above entitled application is being considered by the Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, Bureau of Commercial Fisheries, within 30 days from the date of

publication of this notice. If such evidence is received it will be evaluated along with such other evidence as may be available before making a determination that the contemplated operations of the vessel will or will not cause such economic hardship or injury.

WILLIAM M. TERRY,
Acting Director,
Bureau of Commercial Fisheries.

[F.R. Doc. 69-2131; Filed, Feb. 19, 1969;
8:46 a.m.]

[Docket No. H-25]

HENRY A. LESLIE, JR. AND MARY K. LESLIE

Notice of Loan Application

FEBRUARY 13, 1969.

Henry A. Leslie, Jr. and Mary K. Leslie, R.R. No. 1 Box 179, Capt. Cook, Hawaii 96704, have applied for a loan from the Fisheries Loan Fund to aid in financing the purchase of a used 38.5-foot registered length wood vessel to engage in the fishery for tuna and other pelagic species.

Notice is hereby given pursuant to the provisions of Public Law 89-85 and Fisheries Loan Fund Procedures (50 CFR Part 250, as revised) that the above entitled application is being considered by the Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, Bureau of Commercial Fisheries, within 30 days from the date of publication of this notice. If such evidence is received it will be evaluated along with such other evidence as may be available before making a determination that the contemplated operations of the vessel will or will not cause such economic hardship or injury.

WILLIAM M. TERRY,
Acting Director,
Bureau of Commercial Fisheries.

[F.R. Doc. 69-2132; Filed, Feb. 19, 1969;
8:46 a.m.]

DEPARTMENT OF AGRICULTURE

Office of the Secretary

SOUTH DAKOTA

Designation of Area 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 county in the State of South Dakota, natural disasters have caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

SOUTH DAKOTA

Deuel.

Pursuant to the authority set forth above, emergency loans will not be made in the above-named county 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 14th day of February 1969.

J. PHIL CAMPBELL,
Acting Secretary.

[F.R. Doc. 69-2145; Filed, Feb. 19, 1969;
8:47 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education

TALENT SEARCH

Notice of Information

Publication is hereby made of the following "Application Information for the Educational Talent Search Program Fiscal Year 1969." The publication contains minimum requirements for Talent Search programs, suggestions for program activities, and the procedures to be followed in submitting program applications. Attention is directed to the new March 20 cutoff date for filing of applications.

Dated: February 13, 1969.

PRESTON VALIEN,
Acting Associate Commissioner
for Higher Education.

Approved: February 17, 1969.

PETER P. MUIRHEAD,
Acting U.S. Commissioner
of Education.

[F.R. Doc. 69-2151; Filed, Feb. 19, 1969;
8:48 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 20306; Order 69-2-56]

SEDALIA, MARSHALL, BOONVILLE STAGE LINE, INC.

Order To Show Cause

Issued under delegated authority on February 12, 1969.

In response to a notice of intent filed by the Postmaster General on October 1, 1968, the Board, by Order 69-1-23 issued January 7, 1969, fixed for Sedalia, Marshall, Boonville Stage Line, Inc. (Sedalia) a final mail rate of 53.5 cents per great circle mile for the transportation of

¹ Filed as part of the original document.

mail by aircraft between Muskogee, Tulsa, and Oklahoma City, Okla.

By petition filed on January 15, 1969, on behalf of Sedalia the Postmaster General requested that the Board fix a new final service mail rate of 59.14 cents per great circle aircraft mile for the above service. The Postmaster General states that since negotiation of the 53.5 cent rate Sedalia has experienced increased costs as a result of additional requirements imposed by the Post Office Department, FAA regulations, and new or increased landing and ramp fees levied by airports. The Postmaster General states that the Department and the carrier agree that 59.14 cents per great circle aircraft mile is a fair and reasonable rate of compensation for the above services. The Postmaster General believes these services will meet postal needs in the market.

The Board finds that it is in the public interest to fix, determine, and establish the fair and reasonable rate of compensation to be paid by the Postmaster General for the proposed transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, between the aforesaid points. Upon consideration of the petition of the Postmaster General and other matters officially noticed, it is proposed to issue an order¹ to include the following findings and conclusions:

1. On and after January 15, 1969, the fair and reasonable final service mail rate to be paid Sedalia, Marshall, Boonville Stage Line, Inc., entirely by the Postmaster General pursuant to section 406 of the Act for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith shall be 59.14 cents per great circle aircraft mile between Muskogee, Tulsa, and Oklahoma City, Okla.

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

It is ordered, That:

1. Sedalia, Marshall, Boonville Stage Line, Inc., the Postmaster General, American Airlines, Inc., Braniff Airways, Inc., Continental Air Lines, Inc., Frontier Airlines, Inc., Trans World Airlines, Inc., and all other interested persons are directed to show cause why the Board should not adopt the foregoing proposed findings and conclusions and fix, determine, and publish the final rate specified above for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith as specified above as the fair and reasonable rate of compensation to be paid to Sedalia, Marshall, Boonville Stage Line, Inc.;

¹ As this order to show cause is not a final action but merely affords interested persons an opportunity to be heard on the matters herein proposed, it is not regarded as subject to the review provisions of Part 385 (14 CFR Part 385). These provisions for Board review will be applicable to final action taken by the staff under authority delegated in § 385.14(g).

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

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

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

5. This order shall be served upon Sedalia, Marshall, Boonville Stage Line, Inc., the Postmaster General, American Airlines, Inc., Braniff Airways, Inc., Continental Air Lines, Inc., Frontier Airlines, Inc., and Trans World Airlines, Inc.

This order will be published in the FEDERAL REGISTER.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 69-2171; Filed, Feb. 19, 1969;
8:49 a.m.]

[Docket No. 18936]

STANDBY YOUTH FARES, "YOUNG ADULT" FARES

Notice of Oral Argument

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that oral argument in the above-entitled proceeding is assigned to be held on March 12, 1969, at 10 a.m., e.s.t., in Room 1027, Universal Building, 1825 Connecticut Avenue N.W., Washington, D.C., before the Board.

Dated at Washington, D.C., February 14, 1969.

[SEAL] THOMAS L. WRENN,
Chief Examiner.

[F.R. Doc. 69-2170; Filed, Feb. 19, 1969;
8:49 a.m.]

DELAWARE RIVER BASIN COMMISSION

COMPREHENSIVE PLAN

Notice of Public Hearing

Notice is hereby given that the Delaware River Basin Commission will hold a public hearing on February 26, 1969. The hearing will take place in Room 1600, Municipal Services Building, 15th

and Kennedy Boulevard, Philadelphia, beginning at 2 p.m. The hearing will be on proposals to amend the Comprehensive Plan so as to include the following projects:

1. *Township of Moorestown.* A well water supply project to augment public water supplies in the Township of Moorestown, Burlington County, N.J. Located off Hartford Road, the new well is expected to yield 1 million gallons per day.

2. *Horsham Township Authority.* A well water supply project to augment public water supplies in portions of Horsham Township, Montgomery County, Pa., and Warminster Township, Bucks County, Pa. Designated as Well No. 7, the new facility is expected to yield 400 gallons per minute.

3. *Bucks County Board of Commissioners.* A well water supply project to augment public water supplies in Hilltown Township, Bucks County, Pa. Designated as Hilltown Well No. 1, the new facility is expected to yield 400 gallons per minute.

4. *Bucks County Board of Commissioners.* A well water supply project to augment public water supplies in Springfield Township, Bucks County, Pa. Designated as Springtown Well No. 4, the new facility is expected to yield 750 gallons per minute.

5. *Lionville Water Co.* A well water supply project to augment public water supplies in portions of Uwchlan and West Whiteland Townships, Chester County, Pa. Designated as Well No. 3, the new facility is expected to yield 800 gallons per minute.

6. *Green Valley Farms (Shangri-La).* A well water supply project to provide supplemental water supplies from two new wells to be used for irrigation during dry seasons. The new facilities located in New Garden Township, Chester County, Pa., are expected to yield a combined total of 800 gallons per minute.

7. *Nesquehoning Borough Authority.* A water supply reservoir to be constructed on Broad Run, a tributary of the Nesquehoning Creek in the Lehigh River Watershed, Carbon County, Pa. Located on Broad Mountain, the new reservoir will have a storage capacity of 27 million gallons.

Documents relating to the proposed amendments to the Comprehensive Plan may be examined at the Commission offices. All persons wishing to testify at the public hearing are requested to register in advance with the Secretary to the Commission. (609) 883-9500.

W. BRINTON WHITALL,
Secretary.

FEBRUARY 13, 1969.

[F.R. Doc. 69-2116; Filed, Feb. 19, 1969;
8:45 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Report No. 427]

COMMON CARRIER SERVICES INFORMATION¹

Domestic Public Radio Services Applications Accepted for Filing²

FEBRUARY 17, 1969.

Pursuant to §§ 1.227(b)(3) and 21.26 (b) of the Commission's rules, and 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

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).

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.

APPLICATIONS ACCEPTED FOR FILING

DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE

File No., applicant, call sign, and nature of application

- 4621-C2-P-69—Imperial Communication; (New); C.P. for a new 1-way-signaling station. Frequencies: 152.24 and 158.70 MHz. Locations: Location No. 1: Mount Soledad, San Diego, Calif. Location No. 2: 5555 Grossmont Center Drive, La Mesa, Calif.
- 4619-C2-P-69—Nashville Mobilphone, Inc.; (New); C.P. for a new 1-way-signaling station. Frequency: 152.24 MHz. Locations: Location No. 1: Life & Casualty Building, Fourth and Church Streets, Nashville, Tenn. Location No. 2: 1.75 miles west of junction, U.S. 70 South and 100, Nashville, Tenn.
- 4620-C2-P-69—Nashville Mobilphone, Inc.; (New); C.P. for a new 1-way station. Frequency: 158.70 MHz. Locations: Location No. 1: On Short Mountain, 23.4 miles east of Murfreesboro, Tenn. Location No. 2: 909 Northwest Broad Street, Murfreesboro, Tenn.
- 4629-C2-AL-69—Atlantic Electronics, Inc.; (KCA748); Consent to assignment of license from Atlantic Electronics, Inc., Assignor, to Connecticut Mobile Telephone Co., Assignee (2-way station at Stamford, Conn.).
- 4633-C2-P-69—Gerard T. Uht; (New); C.P. for a new 2-way station. Base frequency: 152.06 MHz. Location: 675 Delaware Avenue, Buffalo, N.Y.
- 4634-C2-P-69—Gerard T. Uht; (New); C.P. for a new 1-way signaling station. Frequency: 158.70 MHz. Location: 675 Delaware Avenue, Buffalo, N.Y.
- 4689-C2-P-69—Forester Radiotelephone Service; (KKO344); C.P. to add a new site to be identified as location No. 2: Top of New Republic National Bank Building, Ervay and Pacific Streets, Dallas, Tex., to operate on frequency 35.58 MHz.
- 4688-C2-P-69—Joe Cameron, doing business as Kam-Ron Co.; (New); C.P. for a new 1-way-signaling station. Frequencies: 152.24 and 158.70 MHz. Location: 1070 Adams Avenue, Montgomery, Ala.
- 4690-C2-P-69—J. B. Bacon, doing business as Telephone Message Exchange; (KMM697); C.P. to establish an additional control station at a site to be identified as location No. 4: 1905 Coeur d'Alene Avenue, Coeur d'Alene, Idaho, to operate on frequency 158.64 MHz.
- 4691-C2-P-69—South Central Bell Telephone Co.; (KKG415); C.P. to replace transmitters operating on base frequencies 152.51 and 152.63 MHz at its station located at 2.5 miles northwest of Haughton, La.
- 4694-C2-MP-69—Telephone Answering Service of Owensboro, Inc.; (KIN649); Modification of C.P. to change the transmission line and replace transmitter operating on base frequency 152.09 MHz at its station located approximately 50 feet north of intersection of Leitchfield Road and 19th Street, Owensboro, Ky.

DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE—continued

4695-C2-P-69—Answerphone, Inc.; (KFL930); C.P. to change antenna location from lat. 39°43'15" N., long. 105°14'14" W. To: lat. 39°43'59" N., long. 105°14'12" W. located at Lookout Mountain near Golden, Colo.
 4696-C2-P-69—Answerphone, Inc.; (New); C.P. for a new 1-way-signaling station. Frequency: 152.24 MHz. Location: Lookout Mountain, near Golden, Colo.
 4697-C2-P-69—Radio Communications, Inc.; (KGC587); C.P. to install an additional channel to operate on base frequency 152.21 MHz, at a site to be identified as location No. 2: WDCA-TV Tower, 5202 River Road, Bethesda, Md.
 4698-C2-P-69—Radio Communications, Inc.; (KGC594); C.P. to install an additional channel to operate on base frequency 152.06 MHz at a new site to be identified as location No. 3: WDCA-TV Tower, 5202 River Road, Bethesda, Md.
 4733-C2-P-69—Communications Industries, Inc., doing business as New Orleans Mobilfone; (KLB759); C.P. to install an additional channel to operate on base frequency 152.06 MHz at a site to be identified as location No. 2: 109 West Cazesu Lane, Buras, La.
 4734-C2-P-69—Peninsula Radio Secretarial Service, Inc.; (KMA608); C.P. to install an additional channel to operate on frequency 454.35 MHz at a new site to be identified as location No. 2: 500 feet west of intersection of Lincoln Avenue and Newlands Avenue, San Mateo, Calif.
 4735-C2-P-69—The Mountain States Telephone & Telegraph Co.; (KOA795); C.P. to change antenna system for base frequencies 152.60, 152.66, and 152.75 MHz at its station located at Telegraph Pass, 12 miles west of Wellton, Ariz.
 4736-C2-P-69—Communications Engineering, Inc.; (KWA633); C.P. to relocate base facilities from 519 Eighth Avenue, Anchorage, Alaska, to Anchorage Westward Hotel, Third and E Streets, Anchorage, Alaska; replace the transmitter for base frequency 152.21 MHz and change the antenna system.
 4744-C2-P-69—Baltimore Mobile Telephone Co.; (New); C.P. for a new 2-way station. Frequencies: 454.200, 454.275, and 454.350 MHz. Location: Rolling Road, 0.203 mile north of U.S. Route No. 40, Catonsville, Md.
 4745-C2-P-69—Connecticut Mobile Telephone Co.; (New); C.P. for a new 2-way station. Frequencies: 454.125, 454.175, and 454.325 MHz, location: 1 Strawberry Hill Court, Stamford, Conn.

Renewals of licenses expiring April 1, 1969. Term: April 1, 1969, to April 1, 1974

ALABAMA	
<i>Licensee</i>	<i>Call Sign</i>
Mobile Dispatch Service	KIP658
Paging Montgomery, Inc.	KIY757
Southeastern Electronics	KIY720
Do	KIY721
ARIZONA	
Albert E. Armour, Jr.	KOF912
General Communications Services, Inc.	KOA265
Do	KOA611
Do	KOE254
Do	KOE257
Do	KOF328
Do	KOH280
CALIFORNIA	
American Mobile Radio, Inc.	KMA249
Do	KMD344
Imperial Communications Corp.	KMA262
Kern Radio Dispatch	KMD993
Mobile Radio System of San Jose, Inc.	KMA741
Peninsula Radio Secretarial Service, Inc.	KMA608
Radio Electronics Products Corp.	KMD687
Tel-Page, Inc.	KMB305
Do	KMB306
COLORADO	
Mobile Radio Communication Service.	KFL917
CONNECTICUT	
Liberty Communications, Inc.	KCC485
DELAWARE	
Rawlins & Kinkade, Inc.	KGA800
FLORIDA	
A B C Phone and Radio Answering Services, Inc.	KFL895
Answerite Professional Telephone Service.	KFL869
Do	KFL873
Do	KIY581
Canaveral Communications	KIY516
Charlotte Message Center	KIM903
Do	KIQ513

FLORIDA—continued	
<i>Licensee</i>	<i>Call Sign</i>
Sarasota's Telephone Answering Service, Inc.	KIY358
Do	KIQ511
Southern Radio-Phone, Inc.	KLF637
West Side Answering Service	KFL877
GEORGIA	
Beasley & Carlson, Inc.	KIY588
James L. Hope	KIB531
Do	KIY523
James G. Prestwood, Jr.	KIE960
Do	KIG844
Radio Telephone Service	KIJ356
Do	KIY509
Do	KIY583
IDAHO	
Radio Paging Service	KOK344
Telanswer Radiophone Service	KOA739
ILLINOIS	
Chicago Communications Service, Inc.	KSD310
Credit Bureau of Decatur, Inc.	KSJ823
Danville Redipage, Inc.	KSA343
McLean County Telephone Answering Service, Inc.	KSA746
Mobile Radio Systems, Ltd.	KSJ824
Rogers Radio Communication Service, Inc.	KSA262
Do	KSC644
Do	KSJ787
Do	KSJ759
Do	KSJ760
Do	KSJ761
INDIANA	
Calumet Radio Dispatch	KSB589
Do	KSC649
IOWA	
Electronic Engineering Co.	KAF242
Farnsworth Radiophone	KAA896
Muscatine Seed & Supply Co.	KAF252
Otis J. Stanley	KAF642

KANSAS	
<i>Licensee</i>	<i>Call Sign</i>
General Communication Systems, Inc.	KAD927
Do	KAF643
Do	KAI926
Do	KAQ629
Do	KAQ630
Lett Electronics, Inc.	KEK275
Two-Way Radio Communications Co. of Kansas, Inc.	KAF650
LOUISIANA	
AAA Telephone Answering Service and Medical Exchange, Inc.	KLB781
Lafayette Radiophone	KKO352
LaVergne's Telephone Answering Service.	KFL865
MAINE	
RaCom, Inc.	KCA752
MARYLAND	
Salisbury Answering Service	KGH868
MASSACHUSETTS	
Americall, Inc.	KCC263
Berkshire Radio Dispatch Service	KCB891
Boston Two-Way Radio Service	KCA237
Mobilfone of Boston	KCA240
Peabody Telephone Answering Service.	KCC786
MINNESOTA	
Fire Safety Corp.	KFQ931
MISSOURI	
Business Communications, Inc.	KAA888
Do	KDN396
Mobile Radio Communications, Inc.	KAA275
Do	KBM508
Physicians' and Businessmen's Paging Service, Inc.	KAD931
Do	KAF254
MONTANA	
Answering by Birken, Inc.	KOP295
Karl's Radio Service Co.	KFL921
Montana Communications	KOF914
Do	KOP294
NEBRASKA	
ATS Mobile Telephone, Inc.	KBM512
Do	KBM513
NEW HAMPSHIRE	
Haverhill Answering Service	KCC790
NEW JERSEY	
Answering Service of Trenton Inc.	KED352
Ira Magod	KEC928
New Jersey Exchanges, Inc.	KEC738
Radiomobile Answering Service	KEC943
Do	KEC927
Shaw-Rose Communications, Inc.	KED360
NEW MEXICO	
Caprock Radio Dispatch	KKJ449
Do	KKO353
Do	KLB311
Bruce Graham	KLB710
Sierra Communications	KFL891
NEW YORK	
Air Call of Kingston	KEJ887
Air Page	KEC515
Aircall New York Corp.	KEA627
Byrnes Message Bureau, Inc.	KEJ884
Cayuga Telephone Co.	KEK274
Long Island Telephone Co.	KEJ885
Mobile Radio Message Service, Inc.	KEA260
Page Boy, Inc.	KEA890
L. H. Smith	KEA855
Suffolk Answer Phone, Inc.	KEC739
Tappan Zee Answering Service, Inc.	KEC933
Tel-Rad Message Center	KEC530
Westchester Mobilfone System, Inc.	KEA274
NORTH CAROLINA	
Radio Paging & Telephone Answering Service of Charlotte, Inc.	KIM905

POINT-TO-POINT MICROWAVE RADIO SERVICE (TELEPHONE CARRIERS)—continued

4730-C1-P-69—American Telephone & Telegraph Co. (KOY66); C.P. to add frequency 4198 MHz toward Mullan, Mont., at its station located at Coeur d'Alene, 4 miles northwest of Boealake, Idaho, also change antenna system for same.
 4742-C1-P-69—Florida Telephone Corp. (New); C.P. for a new fixed station. Frequencies: 6197.94 and 6315.84 MHz. Location: Southern terminus of Lemon Avenue, Beverly Hills, Fla.
 4743-C1-P-69—Florida Telephone Corp. (KJJB37); C.P. to add frequencies 5945.2 and 6083.8 MHz toward Beverly Hills, Fla., at its station located 131 Apopka Street, Inverness, Fla.

Major Amendment

3087-C1-P-69—Illinois Bell Telephone Co. (KSN 59); Major amendment to change frequency toward Eola, Ill., from 11,115 MHz to 10,995 MHz. All other particulars the same as reported in public notice dated Jan. 6, 1968.
 3089-C1-P-69—Illinois Bell Telephone Co. (KXB54); Change frequency toward Wasco, Ill., from 11,665 MHz to 11,445 MHz. All other particulars same as reported in public notice dated Jan. 6, 1968.

POINT-TO-POINT MICROWAVE RADIO SERVICE (NONTELEPHONE)

4741-C1-P-69—Mountain Microwave Corp. (New); C.P. for a new station to be located at 0.75 miles east-northeast of Rapid City, S. Dak. (lat. 44°05'36" N., long. 103°11'02" W.), to operate on frequencies 5974.8, 6094.2, and 6093.5 MHz toward Rapid City (KOTA-TV), S. Dak. (lat. 44°04'05" N., long. 103°15'03" W.). (Informative: Applicant proposes further physical rearrangement of its proposed facilities (Public notice, Oct. 21, 1968) and, in addition, proposes to provide Rapid City signal KBHE-TV, in lieu of Denver signal KOA-TV, to subscribers in Belle Fourche, Spearfish, and Sturgis, S. Dak.)

Major Amendment

2146-C1-P-69—Mountain Microwave Corp. (KQA88); Application amended to delete Rapid City (KRSD-TV), S. Dak., and Rapid City (Relay), S. Dak., as points of communications; and change the designation of the remaining point of communication; and change the designation city (CATV Drop) to Rapid City (Drop-Relay). Station location: KQA88, Mount Coolidge, 8 miles east-southeast of Custer, S. Dak. (Note: Service to KRSD-TV will be dropped at 1 mile west of Rapid City.)

2147-C1-P-69—Mountain Microwave Corp. (New); Application amended to change frequencies 5945.2, 5974.8, and 6034.2 MHz to 6226.9, 6266.2, and 6345.5 MHz toward Terry Peak, S. Dak.

2148-C1-P-69—Mountain Microwave Corp. (New); Application amended to change frequencies 6226.9, 6266.2, and 6345.5 MHz to 5974.8, 6034.2, and 6083.5 MHz toward Belle Fourche, Spearfish, and Sturgis, S. Dak. Station location: Terry Peak, S. Dak. All other particulars same as reported in public notice dated Oct. 21, 1968.

2754-C1-MP-69—American Television Relay, Inc. (KVH75); Application amended to (a) delete frequencies 6019.3, 6078.6, and 6137.9 MHz toward Hobbs, N. Mex., and add frequency 6419.5 MHz toward same point (b) change frequencies 6019.3, 6078.6, 6137.9, and 6989.9 MHz to 6111.9, 6301.0, 6360.3, and 6419.5 MHz toward Carlsbad, N. Mex., (c) change frequencies 5989.6, 6019.3, 6078.6, and 6137.9 MHz toward Artesia and Roswell, N. Mex., to 6111.9, 6301.0, 6360.3, and 6419.5 MHz, and (d) delete frequencies 6019.3, 6078.6, and 6137.9 MHz toward Lovington, N. Mex., and add frequency 6419.5 MHz toward same point. (Informative: Applicant proposes to modify its frequency plan to eliminate potential radio interference. Applicant is also revising service plans to deliver only two Los Angeles signals, KTLA-TV and KTTV-TV, instead of four LA signals to subscribers in Hobbs and Lovington, N. Mex. See public notice dated Nov. 18, 1968.)

[P.R. Doc. 69-2161; Filed, Feb. 19, 1969; 8:48 a.m.]

Informative

4740-C2-P/L-69—Greyhound Van Lines, Inc.; Applicant has filed an application for 100 individual mobile units using facilities of Wireline Common Carriers throughout the continental United States.

Major Amendment

3683-C2-P-69—Industrial Communication of Pecos, Inc. (KKJ454); Change base station frequency from 152.09 MHz to 152.12 MHz. All other particulars to remain as reported on Public Notice No. 430 dated Dec. 30, 1968.

Correction

Airsignal International; (New); Correct name of applicant to read Telephone Answering Service, Inc., all other terms same as indicated in report No. 426, dated Feb. 10, 1969.

RURAL RADIO SERVICE

4622-C2-P-69—South Central Bell Telephone Co. (KKZ88); C.P. to change frequency from 157.89 MHz to 157.98 MHz at station located approximately 17 miles northeast of Franklin, La.
 4623-C2-P-69—South Central Bell Telephone Co. (KSV48); C.P. to change frequency from 157.89 MHz to 157.98 MHz at station located approximately 9 miles northwest of Pierre Pass, La. Subscriber: Amerasia Petroleum.

POINT-TO-POINT MICROWAVE RADIO SERVICE (TELEPHONE CARRIERS)

4624-C1-P-69—Southwestern Bell Telephone Co. (New); C.P. for a new fixed station. Frequencies: 5989.7, 6093.5, 10,755, and 10,955 MHz. Location: 13.8 miles east-northeast of 4625-C1-P-69—Southwestern Bell Telephone Co. (New); C.P. for a new fixed station. Frequencies: 5989.7, 6093.5, 10,755, and 10,955 MHz. Location: 13.8 miles east-northeast of Laredo, Tex.

4626-C1-P-69—Southwestern Bell Telephone Co. (New); C.P. for a new fixed station to be located at 2.3 miles north of Odilon, Tex., to operate on frequencies 6241.7, 6301.0, 11,985, and 11,665 MHz.

4630-C1-P-69—New Jersey Bell Telephone Co. (KYS37); C.P. to add frequencies 5989.7 and 11,115 MHz toward Sayreville, N.J., and change antenna system at its station located 18 Paterson Street, New Brunswick, N.J.

4631-C1-P-69—New Jersey Bell Telephone Co. (KYS28); C.P. to add frequencies 6271.4 and 11,565 MHz toward New Brunswick, N.J. and 6941.7 and 11,645 MHz toward Newark, N.J. at station located 1.75 miles west of South Amboy, Sayreville, N.J.

4632-C1-P-69—New Jersey Bell Telephone Co. (KEK36); C.P. to add frequencies 6019.3 and 10,715 MHz toward Sayreville, N.J., at its station located 85 William Street, Newark, N.J.

4684-C1-P-69—West Texas Telephone Co. (New); C.P. for a new fixed station. Frequencies: 5922.5 and 6049.0 MHz. Location: Cypress Street, Pecos, Tex.

4685-C1-P-69—West Texas Telephone Co. (New); C.P. for a new fixed station. Frequencies: 6182.4, 6271.4, 6301.0, 6390.0 MHz. Location: El Paso Street, Mentone, Tex.

4698-C1-P-69—West Texas Telephone Co. (New); C.P. for a new fixed station. Frequencies: 5922.5, 6019.3, 6049.0, and 6137.9 MHz. Location: 200 feet east of Highway 652 and 400 feet north of Highway 288, Oris, Tex.

4697-C1-P-69—West Texas Telephone Co. (New); C.P. for a new fixed station. Frequencies: 6182.4 and 6301.0 MHz. Location: On Duval Chemical Property, 18½ miles west-southwest of Oris, Tex.

4737-C1-P-69—American Telephone & Telegraph Co. (KOY64); C.P. to add frequency 4198 MHz toward Mullan, Mont., and change antenna system at its station located 10.5 miles northeast of Superior, Mont.

4783-C1-P-69—American Telephone & Telegraph Co. (KOY63); C.P. to add 4190 MHz toward Superior, Mont., and change antenna system at station located 7 miles east of Mullan, Mont.

[Dockets Nos. 18436-18438; FCC 69-101]

**JOHN R. AND JEANNETTE B.
BANOCZI ET AL.**

**Order Designating Applications for
Consolidated Hearing on Stated
Issues**

In re applications of John R. and Jeannette B. Banoczi, Las Vegas, Nev., Docket No. 18436, File No. BPH-6290; Requests: 93.1 mcs, No. 226; 41.03 kw; 1,188 feet; James B. Francis, Las Vegas, Nev., Docket No. 18437, File No. BPH-6435; Requests: 93.1 mcs, No. 226; 29.69 kw; 25 feet; Quality Broadcasting Corp., Las Vegas, Nev., Docket No. 18438, File No. BPH-6522; Requests: 93.1 mcs, No. 226; 41.5 kw; 1,190 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. 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 Banoczi and Quality proposals as contrasted with that of Francis. 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 any of the applicants.

3. Francis proposes to operate 133 hours per week and Quality 119 hours per week, while the Banoczi's propose to operate only 36 hours per week. Therefore, evidence regarding hours of programming will be admissible under the standard comparative issue. As with duplicated programming, the showing permitted under the standard comparative issue will be limited to evidence concerning the efficiency at the proposed operations, and a full comparison of the applicants' program proposals will not be permitted in the absence of a specific programming inquiry—Jones T. Sudbury 8 FCC 2d 360, FCC 67-614 (1967).

4. In Suburban Broadcasters, 30 FCC 1020, 20 RR 951 (1961), and our Public Notice of August 22, 1968, (FCC 68-847), we indicated that applicants were expected to provide full information on their awareness of and responsiveness to local community needs and interests. Neither the Banoczi's nor Francis appears to have made an adequate survey and neither has adequately listed the suggestions received, or the programming proposed to meet these needs as evaluated. Although Quality appears to have made an adequate survey, it has failed to provide the suggestions it received. Thus, we are unable at this time to determine whether any of the applicants are aware of and responsive to the needs of the area. Accordingly, Suburban issues are required.

5. According to the Quality application, \$56,313 would be required for construction and first-year operation. To meet this requirement Quality relies on existing capital of \$2,500 and a stockholder loan of \$60,000. While these sources could provide sufficient funds, Quality has not provided the necessary showing to establish the stockholder's ability to supply this loan. Accordingly, an issue will be specified to determine the availability of the additional \$53,813 required.

6. 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.

7. 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 efforts made by John R. and Jeannette B. Banoczi 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.

(2) To determine the efforts made by James B. Francis 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.

(3) To determine the efforts made by Quality Broadcasting Corp. 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 whether Quality Broadcasting Corp. has available to it the additional \$53,813 required to construct and operate for 1 year and thus demonstrate its financial qualifications.

(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 issues, which of the applications for construction permit should be granted.

8. 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.

9. 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: February 5, 1969.

Released: February 17, 1969.

FEDERAL COMMUNICATIONS
COMMISSION,¹

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 69-2162; Filed, Feb. 19, 1969;
8:49 a.m.]

[Dockets Nos. 18441-18445; FCC 69-104]

**BROADCASTING SERVICE OF
CAROLINA, INC., ET AL.**

**Memorandum Opinion and Order
Designating Applications for Con-
solidated Hearing on Stated Issues**

In re applications of Broadcasting Service of Carolina, Inc., Graham, N.C., Docket No. 18441, File No. BP-17143; Requests: 710 kc, 10 kw, DA-Day; RCR, Ltd., Asheboro, N.C., Docket No. 18442, File No. BP-17273; Requests: 710 kc, 1 kw, DA-Day; J. M. Farlow and William D. Mills, doing business as Duplin County Broadcasters, Rose Hill, N.C., Docket No. 18443, File No. BP-17406; Requests: 710 kc, 250 w, DA-Day; WEAL, Inc., Greensboro, N.C., Docket No. 18444, File No. BP-17411; Has: 1510 kc, 1 kw, 250 w (CH), Day; Requests: 710 kc, 50 kw, DA-Day; C. M. Taylor and J. H. Lewis, doing business as Blue Ridge Broadcasting, Blacksburg, Va., Docket No. 18445, File No. BP-17580; Requests: 710 kc, 5 kw, DA-Day; for construction permits.

1. The Commission has before it the above-captioned applications which are mutually exclusive in that simultaneous operation of the stations as proposed would result in prohibited overlap of contours as defined by § 73.37 of the Commission's rules.

2. On December 23, 1965, RKO General, Inc., licensee of Station WOR, New York, N.Y., filed a petition opposing the acceptance for filing of the Broadcasting Service of Carolina application, alleging prohibited overlap of the respective 0.1 and 0.005 mv/m contours. However, on the basis of a new directional antenna system described in an amendment filed on March 9, 1966, by Broadcasting, this proposal now complies with § 73.37 of the rules and offers the required protection to the existing WOR facilities. RKO filed no objection to the amended proposal. Accordingly, the petition will be dismissed as moot.

3. Although Broadcasting Service of Carolina shows existing capital of \$775 and a properly documented bank commitment of \$140,000, a total of \$142,375 will be required to meet its estimated first-year costs of construction and operation. This applicant has therefore failed to demonstrate its financial ability

¹ Commissioner Robert E. Lee absent.

to construct and operate the proposed facility for 1 year without revenues, and accordingly, a financial issue will be specified. Furthermore, Commission study indicates that the vertical radiation patterns proposed may not be in agreement with the values of radiation which would be produced by the proposed directional antenna system. Accordingly, an appropriate engineering issue will also be specified.

4. To finance the construction and operation of its station Blue Ridge Broadcasting relies solely on a loan from a principal partner in the amount of \$75,000. Since its first year costs of construction and operation are estimated to be \$94,829, this applicant is approximately \$20,000 short of the necessary funds. Furthermore, no provision has been made for costs of real estate.

5. Blue Ridge also fails to meet the requirements set forth in the Commission's public notice of August 22, 1968, FCC 68-847. The applicant conducted 145 telephone interviews of a cross section of the citizens of Blacksburg, and names several typical civic organizations and clubs which were represented in the survey. However, there is no listing of specific suggestions or observations made by the persons interviewed. Subsequently, in response to a Commission letter Blue Ridge provided a list of the names, occupations, and organizations represented in its telephone survey, together with a sample survey form and a verified letter from the individual who conducted the survey. However, other than reporting an evidenced desire for local news, a balanced musical format, and sports, Blue Ridge still does not report specific significant suggestions as to community needs. Moreover, the list of interviewees, while including some 32 members of various civic organizations, includes few if any representatives who could, as identified in the list, be considered as community leaders. In addition the antenna site photos supplied by this applicant indicate that the site may be unsatisfactory due to terrain irregularities. On the basis of the foregoing, the applicant has not provided sufficient information to enable the Commission to determine whether it is aware of and responsive to the needs of the Blacksburg area. Accordingly, a financial, a Suburban programming, and a site suitability issue will be specified.

6. Except as indicated by the issues specified below, the applicants are qualified to construct and operate as proposed. However, since the proposals are mutually exclusive, they must be designated for hearing in a consolidated proceeding on the issues specified below.

7. Accordingly, 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 areas and populations which would receive primary service from the proposed operations and the availability of other primary service to such areas and populations.

(2) To determine the areas and populations which may be expected to gain or lose primary service from the proposed operation of station WEAL and the availability of other primary service to such areas and populations.

(3) To determine, with respect to the application of Broadcasting Service of Carolina, Inc.:

(a) The sources of additional funds necessary to meet the costs of construction and operation of the proposed station during the first year.

(b) In light of the evidence adduced pursuant to (a) above, whether this applicant is financially qualified.

(4) To determine whether the vertical radiation patterns submitted by Broadcasting Service of Carolina, Inc., accurately depict the radiation patterns which would be produced by the proposed top-loaded antenna towers.

(5) To determine, with respect to the application of Blue Ridge Broadcasting:

(a) What, if any, provision has been made for the acquisition and/or rental of real estate required for its proposal.

(b) The additional expense, if any, not already provided for in its proposal, which said real estate will entail.

(c) The sources of additional funds necessary to meet the costs of construction and operation of the proposed station during the first year.

(d) In light of the evidence adduced pursuant to (a) through (c) above, whether this applicant is financially qualified.

(6) To determine the efforts made by Blue Ridge Broadcasting to ascertain the community needs and interests of the area to be served, and the means by which it proposes to meet those needs and interests.

(7) To determine whether the transmitter site proposed by Blue Ridge Broadcasting is satisfactory with particular regard to terrain irregularities which may exist in the vicinity of the antenna system.

(8) To determine, in the light of section 307(b) of the Communications Act of 1934, as amended, which of the proposals would best provide a fair, efficient and equitable distribution of radio service.

(9) To determine, in the event it is concluded that a choice between the applications should not be based solely on considerations relating to section 307(b), which of the operations proposed in the above-captioned applications would better serve the public interest.

(10) To determine, in the light of the evidence adduced pursuant to the foregoing issues which, if any of the applications should be granted.

8. It is further ordered, That the petition to withhold acceptance, return or designate for hearing the application of Broadcasting Service of Carolina, Inc., filed by RKO General, Inc., licensee of Radio Station WOR, New York, N.Y., is dismissed as moot.

9. It is further ordered, That, to avail themselves of the opportunity to be heard, the applicants herein, pursuant to § 1.221(c) of the Commission's rules, in person or by attorney, shall within 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: February 5, 1969.

Released: February 17, 1969.

FEDERAL COMMUNICATIONS
COMMISSION,¹

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 69-2163; Filed, Feb. 19, 1969;
8:49 a.m.]

[Docket Nos. 18439, 18440; FCC 69-102]

CHRISTIAN BROADCASTING ASSOCIATION, INC., AND K & M BROADCASTING CO.

Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of Christian Broadcasting Association, Inc., Huntington, W. Va., Docket No. 18439, File No. BPH-6437; Requests: 107.9 mcs, No. 300; 50 kw; 500 feet; Edgar Kitchen and Hal Murphy, doing business as K & M Broadcasting Co., Catlettsburg, Ky., Docket No. 18440, File No. BPH-6466; Requests: 107.9 mcs, No. 300; 50 kw; 165 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. The respective proposals, although for different communities, would serve substantial areas in common. Consequently, in addition to determining, pursuant to section 307(b) of the Communications Act of 1934, as amended, which of the proposals would better provide a fair, efficient, and equitable distribution of radio service, a contingent comparative issue also will be specified.

3. K & M Broadcasting Co. proposes two-thirds duplication of its proposed AM station's programming while Christian Broadcasting Association, Inc., proposes independent operation. Therefore, evidence regarding program duplication will be admissible under the contingent comparative issue. When duplicated programming is proposed, the showing permitted under the comparative issue will be limited to evidence concerning the benefits to be derived from the proposed duplication, and a full comparison of the

¹ Commissioner Robert E. Lee absent.

applicants' program proposals will not be permitted in the absence of a specific programming inquiry (Jones T. Sudbury 8 FCC 2d 360, FCC 67-614 (1967)), as is called for under paragraph 4, *infra*.

4. Such full comparison is warranted when one applicant proposes predominantly specialized programming and the other general market programming—Ward L. Jones, FCC 67-82 (1967); Policy Statement on Comparative Broadcast Hearings, 1 FCC 2d 393, footnote 9 at 397 (1965). In this case, Christian Broadcasting Association, Inc., proposes predominantly religiously oriented programming and K & M Broadcasting Co., general market programming. Therefore, the programming proposals of the applicants may be compared under the contingent comparative issue.

5. According to its application, Christian Broadcasting would require \$61,407 to construct and operate for 1 year without reliance on revenues. To meet this need, it proposes to rely on cash of \$2,000, sale of church bonds valued at \$22,000, and a bank loan for \$20,000. Although Christian Broadcasting has provided a letter from Institutional Investments, Inc., indicating its willingness to purchase these bonds, no showing has been made of its financial ability to do so. Nor can credit be given for the bank loan since the applicable terms and conditions have not been specified. Accordingly, an issue will be specified to determine the availability of the additional \$59,407 required by Christian Broadcasting.

6. According to its application, K & M would require \$41,985 to construct and operate for 1 year without reliance on revenues. To meet this need it relies on the showing made in its pending application for a new AM station at Catlettsburg, Ky. However, examination of that application reveals only \$1,200 in available funds. Moreover, certain of the cost estimates for this application appear to be based on a joint AM-FM operation. Since action has yet to be taken on the other application, such reliance is misplaced. Accordingly, an issue is required to determine the costs attributable to the FM proposal and K & M's ability to meet these costs.

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 whether Christian Broadcasting Association, Inc., has available to it the additional \$59,407 required for construction and first-year operation and as a result whether it has demonstrated its financial qualifications.

(2) To determine the anticipated costs for construction and first-year operation of K & M Broadcasting Co.'s FM proposal and the availability of funds to meet these costs, and as a result whether it is financially qualified.

(3) To determine the areas and populations which would receive FM service of 1 mv/m or greater intensity from the respective proposals and the availability of other FM services of 1 mv/m or greater intensity in such areas.

(4) To determine, in the light of section 307(b) of the Communications Act of 1934, as amended, which of the proposals would better provide a fair, efficient, and equitable distribution of radio service.

(5) To determine, in the event it is concluded that a choice between applications should not be based solely on considerations relating to section 307(b), which of the proposals would better serve the public interest.

(6) To determine, in light of the evidence adduced pursuant to the foregoing issues which, if either, of the applications 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 an 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: February 5, 1969.

Released: February 17, 1969.

FEDERAL COMMUNICATIONS
COMMISSION,¹

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 69-2164; Filed, Feb. 19, 1969;
8:49 a.m.]

[Docket Nos. 18446, 18447; FCC 69-105]

NACHUSA CORP. AND PBW BROADCASTING CORP.

Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of Nachusa Corp., Webster City, Iowa, Docket No. 18446, File No. BPH-6446; Requests: 95.9 mcs, No. 240; 3 kw; 91 feet; PBW Broadcasting Corp., Webster City, Iowa, Docket No.

¹ Commissioner Robert E. Lee absent.

18447, File No. BPH-6524; Requests: 95.9 mcs, No. 240; 3 kw(H); 3 kw(V); 222 feet; for construction permit.

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. Data submitted by the applicants indicate that there would be 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.

3. Nachusa Corp., proposes 22.22 percent duplicated programming while PBW Broadcasting Corp., proposes independent operation. Therefore, evidence regarding program duplication will be admissible under the standard comparative issue. When duplicated programming 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 programming inquiry—Jones T. Sudbury 8 FCC 2d 360, FCC 67-614 (1967).

4. Each of the applicants is qualified to construct and operate as proposed. However, because of their mutual exclusivity, the Commission is unable to make a statutory finding that a grant of the subject applications would serve the public interest, convenience, and necessity, and is of the opinion that they must be designated for hearing in a consolidated proceeding on the issues set forth below.

5. *It is ordered*, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the 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 which of the proposals would better serve the public interest.

(2) To determine in the light of the evidence adduced pursuant to the foregoing issue, which of the applications for construction permit should be granted.

6. *It is further ordered*, That to avail themselves of the opportunity to be heard, the applicant(s), pursuant to § 1.221(c) of the Commission's rules, in person or by attorney shall, within twenty (20) days of the mailing of this order, file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

7. *It is further ordered*, That the 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: February 5, 1969.

Released: February 17, 1969.

FEDERAL COMMUNICATIONS
COMMISSION,¹

[SEAL] BEN F. WAPLE,
Secretary.

[P.R. Doc. 69-2165; Filed, Feb. 19, 1969;
8:49 a.m.]

FEDERAL MARITIME COMMISSION

ARABIAN/PERSIAN GULF U.S. ATLANTIC AND GULF RATE AGREEMENT

Notice of Agreement Filed for Approval

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

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1202; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. M. Prudenti, States Marine-Isthmian Agency, Inc., 90 Broad Street, New York, N.Y. 10004.

Agreement No. 9778, between Concor dia Line Joint Service, Constellation Line, Hellenic Lines, Isthmian Lines, Inc., States Marine Lines Joint Service, N.V. Nedlloyd Lijnen, and Hoegh Lines Joint Service, provides for the establishment of a rate agreement between the parties in the trade from ports in the Persian Gulf and adjacent waters in the range west of Karachi and northeast of Aden, excluding Aden and Karachi, to U.S. Atlantic and gulf ports, in accord-

ance with the terms and conditions set forth in the agreement.

Dated: February 17, 1969.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[P.R. Doc. 69-2172; Filed, Feb. 19, 1969;
8:49 a.m.]

JAVA-NEW YORK RATE AGREEMENT

Notice of Agreement Filed for Approval

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

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1202; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. Gerard H. Wollweber, Secretary, New York Committee of Inward Far East Lines, 11 Broadway, New York, N.Y. 10004.

Agreement No. 90-14, between the member lines of the Java-New York Rate Agreement No. 90, as amended, and Yamashita-Shinnihon Steamship Co., Ltd., provides for the admission of Yamashita-Shinnihon as an associate member of the conference. Under the agreement Yamashita-Shinnihon (1) will be subject to all of the duties and obligations and entitled to all of the rights and privileges of members of the Java-New York Rate Agreement except that Yamashita-Shinnihon's voting rights will be limited to arbitrators from ports as described therein to Singapore, and (2) for the purpose of this agreement, discontinuance, abandonment, and termination of service as embodied in Clause 10 of Agreement 90, as amended, shall refer to the berthing of Yamashita-Shinnihon's vessels at Singapore for the loading of through cargoes originating at

ports within the scope of the Java-New York Rate Agreement.

Dated: February 17, 1969.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[P.R. Doc. 69-2173; Filed, Feb. 19, 1969;
8:49 a.m.]

FEDERAL POWER COMMISSION

[Docket No. R169-520 etc.]

CITIES SERVICE OIL CO. ET AL.

Order Providing for Hearings on and Suspension of Proposed Changes in Rates¹

FEBRUARY 12, 1969.

The Respondents named herein have filed proposed increased 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.

(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 April 2, 1969.

By the Commission.

[SEAL] GORDON M. GRANT,
Secretary.

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

¹ Commissioner Robert E. Lee absent.

NOTICES

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 subject to refund in dockets Nos.
									Rate in effect	Proposed increased rate	
R169-520	Cities Service Oil Co., Post Office Box 300, Tulsa, Okla. 74102.	86	13	Cities Service Gas Co. (Hugoton Field, Finney and Haswell Counties, Kans.)	\$ 3290	1-13-69	2-2-13-69	7-13-69	\$ 11.0	\$ 12.0	
.....do.....	.....do.....	98	7	Northern Natural Gas Co. (Belpre Field, Edward County, Kans.)	2,800	1-13-69	2-2-13-69	7-13-69	\$ 13.5	\$ 14.5	
.....do.....	.....do.....	108	3	Kansas Nebraska Natural Gas Co., Inc. (Hugoton Field, Morton, Finney, and Kearny Counties, Kans.)	32,500	1-13-69	2-2-13-69	7-13-69	\$ 11.0	\$ 12.0	
.....do.....	.....do.....	126	4	Colorado Interstate Gas Co. (Greenwood Field, Morton County, Kans., and Baca County, Colo.)	210,000	1-13-69	2-2-13-69	7-13-69	\$ 15.0	\$ 17.0	
.....do.....	.....do.....	127	4	Northern Natural Gas Co. (Harper Ranch Field, Clark County, Kans.)	3,600	1-13-69	2-2-13-69	7-13-69	\$ 15.0	\$ 17.0	
.....do.....	.....do.....	131	2	Northern Natural Gas Co. (Pawnee County, Okla. (Oklahoma "Other" Area).	4,200	1-13-69	2-2-13-69	7-13-69	\$ 15.0	\$ 17.0	
.....do.....	.....do.....	146	2	Colorado Interstate Gas Co. (Greenwood Field, Morton County, Kans.)	1,050	1-13-69	2-2-13-69	7-13-69	\$ 16.0	\$ 17.0	
.....do ¹¹.....	.....do.....	232	13	Cities Service Gas Co. (Hugoton Field, Grant and Haskell Counties, Kans.)	310,000	1-13-69	2-2-13-69	7-13-69	\$ 12.0	\$ 14.0	
.....do.....	.....do.....	260	4	Panhandle Eastern Pipe Line Co. (Hugoton Field, Stevens County, Kans.)	40	1-13-69	2-2-13-69	7-13-69	\$ 11.0	\$ 12.0	
.....do.....	.....do.....	91	22	Colorado Interstate Gas Co. (Keyes Field, Cimarron and Texas Counties, Okla.) (Panhandle Area).	67,500	1-13-69	2-2-13-69	7-13-69	\$ 15.0	\$ 17.5	
.....do.....	.....do.....	96	5	Northern Natural Gas Co. (North Hansford Field, Hansford County, Tex.) (R.R. District No. 10).	7,000	1-13-69	2-2-13-69	7-13-69	\$ 15.5	\$ 17.5	
.....do.....	.....do.....	100	13	Colorado Interstate Gas Co. (Southwest Camp Creek Field, Beaver County, Okla.) (Panhandle Area).	54,000	1-13-69	2-2-13-69	7-13-69	\$ 15.0	\$ 17.0	
.....do ¹².....	.....do.....	102	5	Cities Service Gas Co. (Alfalfa and Grant Counties, Okla.) (Oklahoma "Other" Area).	400	1-13-69	2-2-13-69	7-13-69	\$ 12.0	\$ 14.0	
.....do.....	.....do.....	121	11	Kansas-Nebraska Natural Gas Co., Inc. (Hugoton (Deep) Field, Texas County, Okla.) (Panhandle Area).	3,640	1-13-69	2-2-13-69	7-13-69	\$ 16.2	\$ 17.5	
.....do.....	.....do.....	129	6	Natural Gas Pipeline Co. of America (Camrick Field, Beaver County, Okla.) (Panhandle Area).	216	1-13-69	2-2-13-69	7-13-69	\$ 16.6	\$ 17.5	
.....do.....	.....do.....	130	3	El Paso Natural Gas Co. (Beckham and Greer Counties, Okla.) (Oklahoma "Other" Area).	140	1-13-69	2-2-13-69	7-13-69	13.0	\$ 14.0	R166-399.
.....do.....	.....do.....	138	4	Panhandle Eastern Pipe Line Co. (Murdock Area, Texas County, Okla.) (Panhandle Area).	62,500	1-13-69	2-2-13-69	7-13-69	\$ 17.0	\$ 17.5	
.....do.....	.....do.....	142	9	Transwestern Pipeline Co. (Beaver and Ellis Counties, Okla.) (Panhandle Area).	2,750	1-13-69	2-2-13-69	7-13-69	\$ 17.0	\$ 17.5	
.....do.....	.....do.....	151	3	Colorado Interstate Gas Co. (Mocana Field, Beaver County, Okla.) (Panhandle Area).	250	1-13-69	2-2-13-69	7-13-69	\$ 17.0	\$ 17.5	
.....do.....	.....do.....	162	6	Natural Gas Pipeline Co. of America (Southeast Camrick Gas Pool, Beaver County, Okla.) (Panhandle Area).	65	1-13-69	2-2-13-69	7-13-69	\$ 17.0	\$ 17.5	
.....do.....	.....do.....	147	5	Transwestern Pipeline Co. (Beaver County, Okla.) (Panhandle Area).	70	1-13-69	2-2-13-69	7-13-69	\$ 17.0	\$ 17.5	
.....do.....	.....do.....	154	1	Panhandle Eastern Pipe Line Co. (Hugoton Field, Stevens and Seward Counties, Kans.)	1,000	1-13-69	2-2-13-69	7-13-69	16.0	\$ 17.0	
.....do.....	.....do.....	157	2	Northern Natural Gas Co. (Clark County, Kans.)	1,200	1-13-69	2-2-13-69	7-13-69	\$ 16.0	\$ 17.0	
.....do.....	.....do.....	160	2	Northern Natural Gas Co. (Beaver County, Okla.) (Panhandle Area).	1,900	1-13-69	2-2-13-69	7-13-69	\$ 17.0	\$ 17.5	
.....do.....	.....do.....	162	6	Michigan Wisconsin Pipe Line Co. (Woodward Area, Major and Woods Counties, Okla.) (Oklahoma "Other" Area).	2,400	1-13-69	2-2-13-69	7-13-69	\$ 15.0	\$ 17.5	
.....do.....	.....do.....	163	2	Natural Gas Pipeline Co. of America (Southeast Camrick Gas Pool, Beaver County, Okla.) (Panhandle Area).	325	1-13-69	2-2-13-69	7-13-69	\$ 17.0	\$ 17.5	
.....do.....	.....do.....	164	2	.....do.....	80	1-13-69	2-2-13-69	7-13-69	\$ 17.0	\$ 17.5	
.....do.....	.....do.....	172	9	Arkansas Louisiana Gas Co. (Lacey Area Kingfisher County, Okla.) (Oklahoma "Other" Area).	4,200	1-13-69	2-2-13-69	7-13-69	15.0	\$ 17.8	
.....do.....	.....do.....	174	1	Northern Natural Gas Co. (Beaver County, Okla.) (Panhandle Area).	145	1-13-69	2-2-13-69	7-13-69	\$ 17.0	\$ 17.5	
.....do ¹³.....	.....do.....	200	6	Cities Service Gas Co. (Medicine Lodge Field, Barber County, Kans.)	1,000	1-13-69	2-2-13-69	7-13-69	\$ 12.0	\$ 14.0	
.....do.....	.....do.....	212	2	Northern Natural Gas Co. (Ellis and Woodward Counties, Okla.) (Panhandle Area).	425	1-13-69	2-2-13-69	7-13-69	\$ 17.0	\$ 17.5	
.....do.....	.....do.....	229	10	Panhandle Eastern Pipe Line Co. (Keyes Field, Cimarron County, Okla.) (Panhandle Area).	1,580	1-13-69	2-2-13-69	7-13-69	\$ 15.0	\$ 17.0	
.....do.....	.....do.....	230	16	Panhandle Eastern Pipe Line Co. (Adams Ranch Field, Seward, Morton, and Mende Counties, Kans.)	4,800	1-13-69	2-2-13-69	7-13-69	\$ 15.0	\$ 17.0	

See footnotes at end of table.

NOTICES

APPENDIX A—Continued

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 subject to refund in dockets Nos.
									Rate in effect	Proposed increased rate	
.....do.....		246	7	Colorado Interstate Gas Co. (Adams Ranch Field, Meade County, Kans.).	900	1-13-69	2-13-69	7-13-69	** 15.0	** 17.0	
.....do.....		249	6	Northern Natural Gas Co. (Belpre Pool, Edwards County, Kans.).	56	1-13-69	2-13-69	7-13-69	** 13.5	** 15.5	
.....do.....		251	4	Northern Natural Gas Co. (Edstaff Pool, Edwards County, Kans.).	26	1-13-69	2-13-69	7-13-69	** 13.5	** 15.5	
.....do.....		253	6	Colorado Interstate Gas Co. (Greenwood Field, Morton County, Kans.).	300	1-13-69	2-13-69	7-13-69	** 15.0	** 17.0	
.....do.....		256	2	Panhandle Eastern Pipe Line Co. (Intermediate Zones, Hugoton Field, Grant County, Kans.).	7,500	1-13-69	2-13-69	7-13-69	* 12.0	** 15.0	
.....do.....		287	6	Panhandle Eastern Pipe Line Co. (Texas County, Okla.) (Panhandle Area).	38	1-13-69	2-13-69	7-13-69	** 17.0	** 17.5	
.....do.....		288	2	Northern Natural Gas Co. (Deep Zones, Stevens County, Kans.).	850	1-13-69	2-13-69	7-13-69	* 16.0	** 17.0	
RI69-521..	Cities Service Oil Co. (Operator) et al.	94	6	Panhandle Eastern Pipe Line Co. (Taloga Field, Morton County, Kans.).	4,000	1-13-69	2-13-69	7-13-69	* 15.0	** 17.0	
.....do.....		97	6	Panhandle Eastern Pipe Line Co. (Holt and Light Fields, Grant, Seward, and Morton Counties, Kans., and Beaver County, Okla.) (Panhandle Area).	3,400 2,000	1-13-69	2-13-69	7-13-69	** 15.0 ** 15.0	** 16.0 ** 17.0	
.....do.....		99	10	Colorado Interstate Gas Co. (Mokane Field, Beaver County, Okla.) (Panhandle Area).	26,000	1-13-69	2-13-69	7-13-69	** 15.0	** 17.0	
.....do.....		137	8	Transwestern Pipeline Co. (Roberts, Gehlertree, and Hemphill Counties, Tex.) (R.R. District No. 10).	1,750	1-13-69	2-13-69	7-13-69	** 17.0	** 17.5	
.....do.....		140	5	Northern Natural Gas Co. (Beaver County, Okla.) (Panhandle Area).	11,000	1-13-69	2-13-69	7-13-69	** 15.0	** 17.0	
.....do.....		167	15	Northern Natural Gas Co. (Intermediate Zone, Hugoton Field, Finney, Grant, Kearny, Haskell, Seward, and Morton Counties, Kans.).	25,000	1-13-69	2-13-69	7-13-69	* 14.0	** 15.0	RI66-308.
.....do.....		168	15	Northern Natural Gas Co. (Deep Zone, Hugoton Field, Finney, Grant, Kearny, Haskell, Seward, and Morton Counties, Kans.).	12,000	1-13-69	2-13-69	7-13-69	* 16.0	** 17.0	RI66-308.
.....do.....		170	16	Northern Natural Gas Co. (Intermediate Zone, Hugoton Field, Texas County, Okla.) (Panhandle Area).	3,400	1-13-69	2-13-69	7-13-69	* 14.0	** 15.0	(b)
.....do.....		171	16	Northern Natural Gas Co. (Deep Zone, Hugoton Field, Texas County, Okla.) (Panhandle Area).	28,000	1-13-69	2-13-69	7-13-69	* 16.0	** 17.0	(b)
.....do.....		175	1	Colorado Interstate Gas Co. (Wilburton Field, Morton County, Kans.).	6,500	1-13-69	2-13-69	7-13-69	* 16.0	** 17.0	
.....do.....		182	9	Michigan Wisconsin Pipe Line Co. (Laverne Field, Harper County, Okla.) (Panhandle Area).	17,500	1-13-69	2-13-69	7-13-69	** 17.0	** 17.5	
.....do.....		244	8	Colorado Interstate Gas Co. (Keyes Field, Cimarron County, Okla.) (Panhandle Area).	325	1-13-69	2-13-69	7-13-69	** 15.0	** 17.5	
RI69-522..	J. M. Huber Corp., 2401 East Second Ave., Denver, Colo. 80205.	56	3	Panhandle Eastern Pipe Line Co. (Kismet Northwest Field, Seward County, Kans.).	250	1-13-69	2-13-69	7-13-69	16.0	** 17.0	
RI69-523..	Amerinda Petroleum Corp. (Operator) et al., Post Office Box 2040, Tulsa, Okla. 74102.	71	5	Natural Gas Pipeline Co. of America (West Cement Field, Caddo County, Okla.) (Oklahoma "Other" Area).	18,297	1-15-69	2-17-69	7-17-69	* 17.015	** 18.015	RI68-126.
RI69-524..	Radcliffe Killam, Post Office Box 490, Laredo, Tex. 79040.	1	4	Colorado Interstate Gas Co. (Greenwood-Sparks Field, Morton County, Kans.).	300	1-15-69	2-16-69	(Accepted) 7-16-69	* 15.0	** 16.0	
RI69-525..	Union Oil Co. of California, Union Oil Center, Los Angeles, Calif. 90017.	148	3	Arkansas Louisiana Gas Co. (Southwest Waukomis Field, Garfield County, Okla.) (Oklahoma "Other" Area).	840	1-15-69	2-20-69	7-20-69	** 15.0	** 17.8	
RI69-526..	Union Texas Petroleum, a division of Allied Chemical Corp. et al., Post Office Box 2129, Houston, Tex. 77001.	73	2	Arkansas Louisiana Gas Co. (North-east Ames Field, Major County, Okla.) (Oklahoma "Other" Area).	730	1-17-69	2-21-69	7-21-69	15.0	** 16.015	
RI69-527..	Sun Oil Co., Post Office Box 2880, Dallas, Tex. 75221.	332	5	Colorado Interstate Gas Co. (Keyes Field, Cimarron County, Okla.) (Panhandle Area).	1,000	1-17-69	2-17-69	7-17-69	* 17.15	** 18.15	RI68-301.
RI69-528..	Lario Oil & Gas Co., 301 South Market St., Wichita, Kans. 67202.	10	8	Colorado Interstate Gas Co. (Greenwood Gas Field, Morton County, Kans.).	467	1-16-69	2-16-69	7-16-69	* 17.0	** 18.0	RI64-248.
.....do.....		15	4	Colorado Interstate Gas Co. (Hugoton Field, Kearny County, Kans.).	1,350	1-16-69	2-16-69	7-16-69	* 13.5	** 14.5	RI60-404.

See footnotes at end of table.

APPENDIX A—Continued

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 subject to refund in dockets Nos.
									Rate in effect	Proposed increased rate	
RI69-529..	Robert F. White (Operator) et al., 714 Union Center Bldg., Wichita, Kans. 67202.	11	3	Panhandle Eastern Pipe Line Co. (Greenwood Field, Morton County, Kans.).	500	1-17-69	* 2-17-69	7-17-69	* 16.0	** 17.0	
RI69-530..	Nafco Oil & Gas Inc., Post Office Box 446, Dallas, Tex. 75221.	25	3	Colorado Interstate Gas Co. (Hugoton Field, Kearny and Grant Counties, Kans.).	18,925	1-22-69	* 2-22-69	7-22-69	* 13.5	** 14.5	RI65-437.
RI69-531..	Pan American Petroleum Corp., Post Office Box 1410, Fort Worth, Tex. 76101, Attention: J. K. Smith, Esq.	279	* 8	Transwestern Pipeline Co. (Crawar Field, Crane County, Tex.) (R.R. District No. 8) (Permian Basin Area).	780	1-13-69	* 2-13-69	7-13-69	** 10.43	** 11.43	

* The stated effective date is the first day after expiration of the statutory notice.
 † Periodic rate increase.
 ‡ Pressure base is 14.65 p.s.i.a.
 § Subject to a downward B.t.u. adjustment.
 ¶ Settlement rate approved by Commission order issued Dec. 8, 1965, in Docket Nos. G-14101 et al. and G-20002 et al. Filing moratorium expired on Apr. 1, 1968.
 †† Settlement rate approved by Commission order issued Dec. 26, 1962, in Docket Nos. G-9510 et al. Filing moratorium expired on Apr. 1, 1965.
 ‡‡ Contractually due 15.5 cents per Mcf.
 §§ Subject to upward and downward B.t.u. adjustment.
 ¶¶ Contractually due 18 cents per Mcf.
 ††† Two-step periodic rate increase.
 ‡‡‡ "Fractured" rate increase. Respondent is contractually due 13 cents base rate plus 1.5 cents gathering and compression charge.
 §§§ Buyer and seller are affiliated.
 ¶¶¶ "Fractured" rate increase. Respondent is contractually due 18 cents base rate.
 †††† "Fractured" rate increase. Respondent contractually due 18.4 cents per Mcf.
 ‡‡‡‡ "Fractured" rate increase. Respondent contractually due 19.5 cents per Mcf.
 §§§§ "Fractured" rate increase. Respondent contractually due 19.3 cents per Mcf.
 ¶¶¶¶ "Fractured" rate increase. Respondent contractually due 18.4 cents per Mcf.
 ††††† "Fractured" rate increase. Respondent contractually due 19.5 cents per Mcf.
 ‡‡‡‡‡ "Fractured" rate increase. Respondent contractually due 18 cents per Mcf.
 §§§§§ "Fractured" rate increase. Respondent contractually due base rate of 22 cents per Mcf.
 ¶¶¶¶¶ "Fractured" rate increase. Respondent contractually due base rate of 18.5 cents per Mcf.
 †††††† Footnote 23 not used.

* Respondent is filing from initial certificated rate to first periodic increase under contract. Initial contract rate is 16 cents per Mcf.
 † "Fractured" rate increase. Respondent contractually due 18 cents per Mcf.
 ‡ Renegotiated rate increase.
 § Settlement rate approved by Commission order issued Dec. 28, 1965, in Docket Nos. G-20302 et al. Filing moratorium expired Apr. 1, 1968.
 †† "Fractured" rate increase. Contractually due a base rate of 19.5 cents per Mcf.
 ‡‡ Kansas production.
 §§ Oklahoma Panhandle production.
 ¶¶ "Fractured" rate increase. Contractually due 19.5 cents per Mcf.
 ††† Does not apply to Campbell G-1 Well which was certificated in Docket No. G-18235 by order issued May 31, 1968. Subject to a moratorium on increased rates until Jan. 1, 1970.
 ‡‡‡ Rate in effect subject to refund in Docket No. RI69-398 (all acreage other than that added by Supplement No. 14) and RI68-230 for acreage added by Supplement No. 14.
 §§§ "Fractured" rate increase. Respondent contractually due base rate of 22 cents per Mcf.
 ¶¶¶ Rate not to exceed 17 cents including B.t.u. adjustment.
 †††† "Fractured" rate increase. Respondent contractually due a base rate of 15 cents per Mcf.
 ‡‡‡‡ The stated effective date is the effective date requested by Respondent.
 §§§§ Amendment dated Dec. 27, 1968, provides, among other things, for Radcliffe's proposed rate increase.
 ¶¶¶¶ Seller pays 2.1 cents to Cam-Gas Co. for gathering and delivering gas to buyer.
 ††††† Applicable only to Fusselman production from J. B. Tubb "A" Lease covered by Supplement No. 1.
 ‡‡‡‡‡ "Fractured" rate increase. Respondent contractually due 18 cents per Mcf.

Cities Service Oil Co. and Cities Service Oil Co. (Operator) et al. (both referred to herein as Cities Service), request an effective date of February 1, 1969, for their proposed rate increases. Lario Oil & Gas Co. requests waiver of notice to permit an effective date of January 1, 1969. Radcliffe Killam and Nafco Oil & Gas, Inc., request an effective date of January 1, 1969, for their proposed rate increases. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit an earlier effective date for the aforementioned producers' rate filings and such requests are denied.

Concurrently with the filing of his rate increase, Radcliffe Killam (Killam) submitted a contract amendment dated December 27, 1968, designated as Supplement No. 4 to Killam's FPC Gas Rate Schedule No. 1, which provides the basis for his proposed rate increase. We believe that it would be in the public interest to accept for filing Killam's contract amendment to become effective on February 16, 1969, the expiration date of the statutory notice, but not the proposed rate contained therein which is suspended as ordered herein. Supplement No. 4 to Killam's FPC Gas Rate Schedule No. 1 is accepted for filing and permitted to become effective on February 16, 1969.

All of the producers' proposed increased rates and charges exceed the applicable area price levels for increased rates, as set forth in the Commission's statement of general policy No. 61-1, as amended (18 CFR 2.56), with the exception of the rate increase filed by Pan American Petroleum Corp. in the Permian Basin Area which exceeds the just and reasonable rates established by the Commission in Opinion No. 468, as amended, and should be suspended for 5 months as ordered herein.

[F.R. Doc. 69-2052; Filed, Feb. 19, 1969; 8:45 a.m.]

[Docket No. RI69-532 etc.]

CITIES SERVICE OIL CO. ET AL.

Order Providing for Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund¹

FEBRUARY 12, 1969.

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

¹ Does not consolidate for hearing or disposition of the several matters herein.

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.²

(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.

² If an acceptable general undertaking, as provided in Order No. 377, has previously been filed by a producer, then it will not be necessary for that producer to file an agreement and undertaking as provided herein. In such circumstances the producer's proposed increased rate will become effective as of the expiration of the suspension period without any further action by the producer.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before April 2, 1969.

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 subject to refund in dockets Nos.
									Rate in effect	Proposed increased rate	
RI69-532	Cities Service Oil Co., Post Office Box 300, Tulsa, Okla. 74102.	120	3	Phillips Petroleum Co. ² (West Panhandle Field, Moore County, Tex.) (RR. District No. 10).	8100	1-13-69	* 2-13-69	* 2-14-69	** 11.0	* ** 12.0	
	do.	" 148	2	Panhandle Eastern Pipe Line Co. (Texas County, Okla.) (Panhandle Area).	2,800	1-13-69	* 2-13-69	* 2-14-69	" 16.0	* ** 17.0	
	do.	" 161	2	Cities Service Gas Co. (Carson County, Tex.) (RR. District No. 10).	8,500	1-13-69	* 2-13-69	* 2-14-69	" 12.0	* ** 13.0	
	do.	" 259	2	Panhandle Eastern Pipe Line Co. (Texas County, Okla.) (Panhandle Area).	190	1-13-69	* 2-13-69	* 2-14-69	" 16.0	* ** 17.0	
	do.	" 284	2	do.	260	1-13-69	* 2-13-69	* 2-14-69	" 16.0	* ** 17.0	
RI69-533	Mobil Oil Corp., Post Office Box 1774, Houston, Tex. 77001.	" 433	3	Arkansas Louisiana Gas Co. (Annes Area, Major County, Okla.) (Oklahoma "Other" Area).	1,033	1-15-69	" 1-15-69	* 1-16-69	13.574	* ** 14.579	RI68-391.
	do.	442	3	Arkansas Louisiana Gas Co. (Southwest Waukomis Field, Garfield County, Okla.) (Oklahoma "Other" Area).	481	1-15-69	" 1-15-69	* 1-16-69	" 15.082	* ** 17.897	
RI69-534	Lario Oil & Gas Co., 301 South Market St., Wichita, Kans. 67202.	" 18	2	Colorado Interstate Gas Co. (Hugoton Field, Seward County, Kans.).	300	1-16-69	* 2-16-69	* 2-17-69	" 13.5	* ** 14.5	RI65-503.
RI69-535	Union Oil Co. of California, Union Oil Center, Los Angeles, Calif. 90017.	188	3	Phillips Petroleum Co. ² (Hugoton Field, Hutchinson County, Tex.) (RR. District No. 10).	1,440	1-21-69	" 1-21-69	* 1-22-69	" 13.0	* ** 14.0	

¹ It cannot be determined under which of Phillips' plants the acreage is dedicated. Some of Phillips' rates for resale of the gas are in effect subject to refund.

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 deduction of 0.5 cent if gas is sour.

⁷ Settlement rate approved by Commission order issued Dec. 26, 1962, in Docket Nos. G-9519 et al. Filing moratorium expired Apr. 1, 1965.

⁸ Basic 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 17 cents initial rate ceiling.

⁹ Subject to a downward B.t.u. adjustment.

¹⁰ Settlement rate approved by Commission order issued Dec. 8, 1965, in Docket Nos. G-20302, et al. Filing moratorium expired Apr. 1, 1968.

¹¹ Settlement rate approved by Commission order issued Dec. 8, 1965, in Docket Nos. G-14101 and G-20302 et al. Filing moratorium expired on Apr. 1, 1968.

¹² Basic 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 initial area rate ceiling of 16.087 cents at 14.73 p.s.i.a.

¹³ Pressure base is 14.73 p.s.i.a.

¹⁴ The stated effective date is the date of filing.

¹⁵ Seller pays 2.1 cents to Cam-Gas Co. for gathering and delivering gas to buyer.

¹⁶ Basic 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 initial area rate ceiling of 16 cents per Mcf.

¹⁷ Sweet gas rate. Subject to a deduction of 0.4466 cent for sour gas.

Cities Service Oil Co. (Cities Service) requests an effective date of February 1, 1969, for its proposed rate increases. Lario Oil & Gas Co. (Lario) requests waiver of the statutory notice to permit an effective date of January 1, 1969, 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 earlier effective dates for Cities Service and Lario's rate filings and such requests are denied.

Cities Service (Supplement No. 3 to Cities Service's FPC Gas Rate Schedule No. 120) and Union Oil Company of California (Union Oil) propose rate increases from 11 cents to 12 cents and 13 cents to 14 cents per Mcf, respectively, for wellhead sales to Phillips Petroleum Co. (Phillips) in Texas Railroad District No. 10. Phillips gathers and processes the gas and resells the residue gas to an interstate pipeline company at resale rates which are in effect subject to refund.¹⁸ Cities

¹⁸ It cannot be determined to which of Phillips' plants the acreage involved is dedicated. Phillips resells gas in the area from its Sherman Plant under its FPC Gas Rate Schedule No. 4 to Michigan Wisconsin Pipe Line Co., Hansford and Sneed Plants under its FPC Gas Rate Schedule No. 5 to Panhandle Eastern Pipe Line Co., and Dumas Plant under its FPC Gas Rate Schedule No. 32 to El Paso Natural Gas Co. at resale rates which are in effect subject to refund.

Service and Union Oil's proposed 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 Cities Service and Union Oil's rate increases should be suspended for 1 day from February 13, 1969 (Cities Service), the expiration date of the statutory notice, and January 21, 1969 (Union Oil), the date of filing. Good cause exists for granting Union Oil's request for waiver of the statutory notice to permit an effective date of January 21, 1969, the date of filing.

The contracts related to the rate filings of Cities Service (Supplement No. 2 to Cities Service's FPC Gas Rate Schedule Nos. 148, 161, 259, and 284, respectively; Lario, and Mobil Oil Corp. (Mobil) (Supplement No. 3 to Mobil's FPC Gas Rate Schedule No. 433) were 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 rates exceed the area increased rate ceilings, but do not exceed the initial service ceilings established for the areas involved. We believe, in this situation, the aforementioned producers' rate filings should be suspended for 1 day from February 13, 1969 (Cities Service), February 16, 1969 (Lario), the expiration dates of the statutory notice, and January 15, 1969 (Mobil), the date of filing.

Mobil Oil Corp. (Mobil) requests waiver of the statutory notice to permit an effective

date of January 15, 1969, the date of filing, for its proposed rate increases. Mobil also requests a 1 day suspension period if its rate increases are suspended by the Commission. Good cause exists for granting Mobil's request for a 1 day suspension period from January 15, 1969, the date of filing, for Mobil rate increases as ordered herein (Supplement No. 3 to Mobil's FPC Gas Rate Schedule No. 433 is suspended for 1 day as indicated above).

[P.R. Doc. 69-2053; Filed, Feb. 19, 1969; 8:45 a.m.]

[Docket No. RI66-253]

BIG CHIEF DRILLING CO. ET AL.
Order Making Successor Co-Respondent, Redesignating Proceeding, Requiring Filing of Surety Bond

FEBRUARY 13, 1969.

Big Chief Drilling Co., Post Oak Oil Co., and Payne, Inc.

By order issued March 21, 1967, in Docket No. G-4592, et al., the Commission amended the order issued pursuant to section 7(c) of the Natural Gas Act in Docket No. CI62-1449 granting a certificate of public convenience and necessity to Big Chief Drilling Co. in said docket by authorizing Payne, Inc., to

continue the sale of natural gas in interstate commerce. Big Chief Drilling Co. FPC Gas Rate Schedule No. 12 was redesignated as Payne, Inc., FPC Gas Rate Schedule No. 2. The then effective rate under said rate schedule was in effect subject to refund in Docket No. RI66-253. Therefore, Payne, Inc., will be made a co-respondent in said proceeding; the proceeding will be redesignated accordingly; and Payne, Inc., will be required to file a surety bond to assure refunds.

The Commission orders:

(A) Payne, Inc., is made a co-respondent in the proceeding pending in Docket No. RI66-253 and the proceeding is redesignated accordingly.

(B) Within 30 days from the issuance of this order Payne, Inc., shall execute, in the form set out below, and shall file with the Secretary of the Commission in Docket No. RI66-253 an acceptable surety bond in the amount of \$1,400 to assure the refund of any amounts collected by it, together with interest at the rate of 7 percent per annum, in excess of the amount determined to be just and reasonable in said proceeding. Said surety bond shall be accompanied by a certificate to the effect that no obligation has been assumed in connection with the bond in addition to the payment of the bond premium. Unless notified to the contrary by the Secretary of the Commission within 30 days from the date of submission, said bond shall be deemed to have been accepted for filing.

(C) Payne, Inc., shall comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, and the surety bond filed by Payne, Inc., in Docket No. RI66-253 shall remain in full force and effect until discharged by the Commission.

By the Commission.

[SEAL] GORDON M. GRANT,
Secretary.

SURETY BOND

Know All Men by These Presents:

That we (name and address of the natural gas company) (hereinafter called "Principal"), as Principal, and (Name and address and place of incorporation of Surety Bond Company) (hereinafter called "Surety"), as Surety, are held and firmly bound unto the Federal Power Commission (Agency of the United States of America) (hereinafter called the "Obligee") in the sum of (Amount of proposed annual increased rates in dollars) for the payment of which well and truly to be made, we, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

The condition of this obligation is such that:

Whereas, (Name of Respondent), on (Date of original filing), filed with the Federal Power Commission (herein called the Commission) Supplement No. _____ to Respondent's FPC Gas Rate Schedule No. _____, proposing to increase a rate and charge over which the Commission has exercised jurisdiction; and

Whereas, by order issued (Suspension or order issuance date), the Commission suspended the operation of the proposed supplement and ordered a hearing to be held con-

cerning the lawfulness of the proposed rate, charge, and classification, subject to the Commission's jurisdiction, as therein set forth; and by said order the use of such supplement was deferred until (Suspended until date), and until such further time as it is made effective in the manner prescribed by the Natural Gas Act; and

Whereas, a hearing has not been held and this proceeding has not been concluded; and (Name of Respondent), pursuant to the provisions of section 4(e) of the Natural Gas Act, having on (Date motion filed), filed a motion to make the change in rate effective as of (Requested effective date); and

Whereas, the Commission, in response to said motion, on (Date of notice), issued its notice making the rate, charge, and classification set forth in the aforesaid Supplement No. _____ to Respondent's FPC Gas Rate Schedule No. _____, effective as of (Effective date), subject to Respondent's furnishing a bond in the sum of \$ _____, satisfactory to the Commission, and requiring that Respondent refund any portion of the increased rate and charge found by the Commission in Docket No. _____ not justified;

Now, Therefore, if (Name of Respondent), its corporate surety (and their heirs, executors, administrators¹) successors and assigns, in conformity with the terms and conditions of the notice issued (Date of notice) by the Federal Power Commission, Docket No. _____ (Name of Respondent), shall:

(1) Well and truly repay at such times and in such amounts, to the persons entitled thereto, and in such manner as may be required by the final order of the Commission in said proceeding, subject to court review thereof, any portion of such rate and charge collected by (Name of Respondent) after (Effective date) as such final order may find not justified, together with interest thereon at the rate of seven (7) percent per annum from the date of payment thereof to (Name of Respondent) until refunded; and

(2) Comply otherwise with the terms and conditions of the notice issued (Date) in Docket No. _____ and with the provisions of the Natural Gas Act relating thereto,

then this obligation shall be terminated, otherwise to remain in full force and effect.

In Witness Whereof, the parties hereto have placed their hands and seals on this _____ day of _____

Attest:

By _____
Principal

By _____
Surety

[F.R. Doc. 69-2117; Filed, Feb. 19, 1969;
8:45 a.m.]

[Docket No. RP69-21]

CITIES SERVICE GAS CO.

Notice of Proposed Changes in Rates and Charges

FEBRUARY 13, 1969.

Notice is hereby given that Cities Service Gas Co. on February 6, 1969, filed proposed changes in its FPC Gas Tariff, Original Volume No. 2, to be effective on April 1, 1969. The proposed change would increase the rates charged to Western Gas Interstate Co. for gas

¹To be included if a noncorporate respondent.

sold under Rate Schedule No. X-14 from 12.6738 cents per Mcf at 14.65 p.s.i.a. to 14.6738 cents.

Cities Service alleges that its purchased gas cost for volumes produced from acreage designated in Rate Schedule No. X-14 has increased by 2 cents per Mcf and that the rate schedule provides for increasing its rates to Western in an equal amount.

Protests, petitions to intervene, or notices of intervention may be filed with the Federal Power Commission, Washington, D.C. 20426, pursuant to the Commission's rules of practice and procedure on or before March 7, 1969.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-2119; Filed, Feb. 19, 1969;
8:45 a.m.]

[Docket No. G-4579 etc.]

CITIES SERVICE OIL CO. ET AL.

Findings and Order; Correction

FEBRUARY 7, 1969.

Cities Service Oil Co. and other Applicants listed herein, Docket No. G-4579 et al.; Estate of Russell Maguire, Agent (Operator), et al. (successor to Russell Maguire, Agent (Operator), et al.), Docket No. CI62-1305.

In the findings and order after statutory hearing issuing certificates of public convenience and necessity, canceling docket numbers, dismissing applications, amending orders issuing certificates, permitting and approving abandonment of service, terminating certificates, severing proceedings, terminating proceedings, substituting respondents, making successors co-respondents, redesignating proceedings, requiring filing of surety bonds, requiring filing of agreements and undertakings, accepting agreements and undertakings for filing, and accepting related rate schedules and supplements for filing, issued December 3, 1968, and published in the FEDERAL REGISTER December 11, 1968, 33 F.R. 18395, on page 11, paragraph (M): Add "1a" after Docket No. CI62-1305; and on page 11, add footnote "1a Temporary certificate."

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-2120; Filed, Feb. 19, 1969;
8:45 a.m.]

[Docket No. DA-1059-California]

FOREST SERVICE

Order Partially Vacating Withdrawal of Lands in California

FEBRUARY 13, 1969.

Application has been filed by the U.S. Forest Service (Applicant) for a determination under section 24 of the Federal Power Act for the purpose of restoring to entry the following described lands of the United States withdrawn for power purposes:

MOUNT DIABLO MERIDIAN, CALIFORNIA

T. 20 N., R. 8 E.,
Sec. 3, S $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$.
(Approximately 120 acres.)

The lands lie near Sly Creek, a secondary tributary to South Fork Feather River, and are withdrawn pursuant to the filing on March 29, 1960, of an amended application for license for Oroville-Wyandotte Irrigation District's South Fork Project No. 2088. At the time of the filing of the amended application, it was contemplated that the subject land would be used for the construction thereon of a diversion tunnel in connection with the then proposed project. However, on August 3, 1967, the licensee for the project filed "as built" exhibits for the project, one of which, a revised map designated Exhibit K-2 (2088-134) showed the diversion tunnel as located south of the right-of-way originally proposed and in no way affecting the subject lands.

Applicant is seeking to exchange the subject lands for lands located in the vicinity of the new Bullards Bar Reservoir presently being developed as a part of Yuba County Water Agency's licensed Project No. 2246. The offered lands have high recreational potential which would be utilized to provide for development of public recreational facilities. Moreover, the proposed land exchange would consolidate Applicant's holdings in the area.

In the circumstances, vacation of the power withdrawal insofar as it pertains to the subject lands to permit the consummation of the proposed land exchange would be in the public interest.

The Commission finds: The withdrawal of the subject lands pursuant to the above-mentioned application for amendment of the application for Project No. 2088 serves no useful purpose and should be vacated.

The Commission orders: The withdrawal of the subject lands pursuant to the application for Project No. 2088 is hereby vacated insofar as it affects the subject lands.

By the Commission.

[SEAL] GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-2118; Filed, Feb. 19, 1969;
8:45 a.m.]

[Docket No. RI69-412, etc.]

MOBIL OIL CORP. ET AL.

Order Providing for Hearings on and Suspension of Proposed Changes in Rates; Correction

FEBRUARY 7, 1969.

Mobil Oil Corporation (Operator), Docket Nos. RI69-412 et al.; Phillips Petroleum Company, Docket No. RI69-417; Phillips Petroleum Company (Operator) et al., Docket No. RI69-418.

In the Order Providing for Hearings on and Suspension of Proposed Changes in Rates, issued January 8, 1969, and published in the FEDERAL REGISTER January 18, 1969, 34 F.R. 877, in Appendix "A", page 2, Docket No. RI69-417, Phillips Petroleum Company: (Opposite Rate

Schedule No. 294) under column "Proposed Increased Rate" change "17.5" to read "18.5." In Appendix "A", page 3, Docket No. RI69-417, Phillips Petroleum Company: (Opposite Rate Schedule No. 298) under column headed "Proposed Increased Rate" change "18.0" to read "18.6." In Appendix "A", page 3, Docket No. RI69-418, Phillips Petroleum Company (Operator) et al. (Opposite Rate Schedule No. 389) under column headed "Supp. No." change "6" to read "9".

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-2121; Filed, Feb. 19, 1969;
8:45 a.m.]

[Docket No. CP69-212]

NORTHERN UTILITIES, INC., AND
NORTHERN INTERSTATE PIPELINE,
INC.

Notice of Application

FEBRUARY 13, 1969.

Take notice that on February 5, 1969, Northern Interstate Pipeline, Inc. (Applicant Interstate), 441 South Center Street, Casper, Wyo., and Northern Utilities, Inc. (Applicant Utilities), 441 South Center Street, Casper, Wyo., filed in Docket No. CP69-212 a joint application pursuant to sections 7(b) and 7(c) of the Natural Gas Act for permission and approval to abandon certain natural gas facilities and for a certificate of public convenience and necessity authorizing the acquisition and operation of the same facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant Interstate requests authority to acquire from Applicant Utilities and operate certain interstate pipeline facilities in Fremont and Natrona Counties, Wyo., for the purpose of transporting gas for Kansas-Nebraska Natural Gas Co., Inc. In the same application Applicant Utilities seeks permission and approval to abandon the above-mentioned facilities through sale to Applicant Interstate.

No new facilities are proposed to be constructed in connection with said application. Financing for the acquisition will be by issuance of common stock of Texas Oil & Gas Corp., the parent company, to shareholders of Applicant Utilities in payment for the assets of Applicant Utilities.

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 March 10, 1969.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to inter-

vene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate and permission and approval for the proposed abandonment is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-2122; Filed, Feb. 19, 1969;
8:45 a.m.]

[Docket No. RI69-331, etc.]

UNION PRODUCING CO. ET AL.

Order Providing for Hearings on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund; Correction

FEBRUARY 7, 1969.

Union Producing Co. (Operator) et al., Docket No. RI69-331 et al.; Union Producing Co. (Operator), Docket No. RI69-331; Union Producing Co., Docket No. RI69-333.

In the order providing for hearing on and suspension of proposed changes in rates, and allowing rate changes to become effective subject to refund, issued December 27, 1968 and published in the FEDERAL REGISTER, 34 F.R. 281, in Appendix A, page 4, Docket No. RI69-331, Union Producing Co. (Operator), et al.: (Opposite Rate Schedule No. 89) under column headed "Rate in Effect" (Last portion of rate) change "12.0252" to read "12.0757." In Appendix A, page 15, Docket No. RI69-333, Union Producing Co.: (Opposite Rate Schedule No. 206) under column headed "Rate in Effect" (Last portion of rate) change "12.0752" to read "12.0252."

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-2123; Filed, Feb. 19, 1969;
8:45 a.m.]

[Docket No. CP69-213]

UNITED GAS PIPE LINE CO.

Notice of Application

FEBRUARY 13, 1969.

Take notice that on February 6, 1969, United Gas Pipe Line Co. (Applicant), Post Office Box 1407, Shreveport, La. 71102, filed in Docket No. CP69-213 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities for the transportation and sale of natural gas in interstate commerce for resale, all as more fully set forth in the application

which is on file with the Commission and open to public inspection.

Specifically, Applicant seeks authorization to construct and operate one positive sales meter station and appurtenant facilities near mile post 249.6 on its existing 30-inch Agua Dulce to Sterlington main line in Tyler County, Tex. Applicant also seeks authorization to construct and operate one positive sales meter station and appurtenant facilities near mile post 386.7 on the same main line, but in Winn Parish, La.

Applicant states that the facilities will be used for the sale and delivery of natural gas to the city of Chester, Tyler County, Tex., and Mississippi Gas Corp., Winn Parish, La., for resale and distribution through their proposed distribution systems.

Applicant estimates that it will sell and deliver to the city of Chester and Mississippi Gas Corp. approximately 80,000 Mcf of natural gas during the first year of operation of the proposed facilities.

The total estimated cost of the proposed facilities is \$15,000, which will be financed through funds on hand.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before March 13, 1969.

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

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

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-2124; Filed, Feb. 19, 1969;
8:46 a.m.]

FEDERAL RESERVE SYSTEM

EXCHANGE BANCORPORATION, INC.

Order Approving Application Under Bank Holding Company Act

In the matter of the application of Exchange Bancorporation, Inc., Tampa, Fla., for approval of action to become a bank holding company through the ac-

quisition of voting shares of The Exchange National Bank of Tampa, Tampa; The Exchange Bank of Temple Terrace, Temple Terrace; Exchange National Bank of Winter Haven, Winter Haven; and Gulf-to-Bay Bank & Trust Co., Clearwater, all in Florida.

There has come before the Board of Governors, pursuant to section 3(a)(1) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(1)), and § 222.3(a) of Federal Reserve Regulation Y (12 CFR 222.3(a)), an application by Exchange Bancorporation, Inc., Tampa, Fla., for the Board's prior approval of action whereby Applicant would become a bank holding company through the acquisition of voting shares of the following four banks in Florida: 80 percent or more of the voting shares of The Exchange National Bank of Tampa, Tampa; The Exchange Bank of Temple Terrace, Temple Terrace; and Exchange National Bank of Winter Haven, Winter Haven; and 60 percent or more of the voting shares of Gulf-to-Bay Bank & Trust Co., Clearwater.

As required by section 3(b) of the Act, the Board gave written notice to the Comptroller of the Currency and the Florida Commissioner of Banking of receipt of the application and requested their views and recommendations. Both recommended approval of the application.

Notice of receipt of the application was published in the FEDERAL REGISTER on October 4, 1968 (33 F.R. 14910), providing an opportunity for interested persons to submit comments and views with respect to the proposed transaction. A copy of the application was forwarded to the U.S. Department of Justice for its consideration. Time for filing comments and views has expired and all those received have been considered by the Board.

It is hereby ordered, For the reasons set forth in the Board's statement¹ of this date, that said application be and hereby is approved: *Provided*, That the action so approved shall not be consummated (a) before the 30th calendar day following the date of this order or (b) later than 3 months after the date of the order, unless such period is extended for good cause by the Board or by the Federal Reserve Bank of Atlanta pursuant to delegated authority.

Dated at Washington, D.C. this 11th day of February 1969.

By order of the Board of Governors.²

[SEAL] ROBERT P. FORRESTAL,
Assistant Secretary.

[F.R. Doc. 69-2125; Filed, Feb. 19, 1969;
8:46 a.m.]

¹ Filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551, or to the Federal Reserve Bank of Atlanta.

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

FIDELITY UNION TRUST CO.

Order Denying Application for Approval of Merger of Banks

In the matter of the application of Fidelity Union Trust Co. for approval of merger with Montclair National Bank and Trust Co.

There has come before the Board of Governors, pursuant to the Bank Merger Act (12 U.S.C. 1828(c)), an application by Fidelity Union Trust Co., Newark, N.J., a State member bank of the Federal Reserve System, for the Board's prior approval of the merger into that bank of Montclair National Bank and Trust Co., Montclair, N.J., under the charter and title of Fidelity Union Trust Co. Notice of the proposed merger, in form approved by the Board, has been published pursuant to said Act.

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

It is hereby ordered, For the reasons set forth in the Board's statement¹ of this date, that said application be and hereby is denied.

Dated at Washington, D.C. this 13th day of February 1969.

By order of the Board of Governors.²

[SEAL] ROBERT P. FORRESTAL,
Assistant Secretary.

[F.R. Doc. 69-2126; Filed, Feb. 19, 1969;
8:46 a.m.]

FIRST FINANCIAL CORP.

Order Approving Application Under Bank Holding Company Act

In the matter of the application of First Financial Corp., Tampa, Fla., for approval of action to become a bank holding company through the acquisition of voting shares of The First National Bank of Tampa, Tampa, Fla., and Union Security & Investment Co., Tampa, Fla., both of which are registered bank holding companies.

There has come before the Board of Governors, pursuant to section 3(a)(1) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(1)) and § 222.3(a) of Federal Reserve Regulation Y (12 CFR 222.3(a)), an application by First Financial Corp., Tampa, Fla., for the Board's prior approval of action whereby Applicant would become a bank holding company through the acquisition of vot-

¹ Filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551, or to the Federal Reserve Bank of New York.

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

ing shares of The First National Bank of Tampa, Tampa, Fla., and Union Security & Investment Co., Tampa, Fla., both of which are registered bank holding companies. Union Security & Investment Co., 60.4 percent of the voting shares of which are held by Trustees for the benefit of shareholders of The First National Bank of Tampa, owns a majority of the voting shares of four banks in Florida: The Broadway National Bank of Tampa, Tampa; The First National Bank of Brooksville, Brooksville; The First National Bank of Lakeland, Lakeland; and The Second National Bank of Tampa, Tampa. Applicant proposes to acquire 85 percent or more of the voting shares of First National Bank of Tampa, and sufficient additional shares of Union Security & Investment Co. to result in its direct and indirect ownership of 85 percent or more of the voting shares of that corporation.

As required by section 3(b) of the Act, the Board notified the Comptroller of the Currency of the application and requested his views and recommendation. The Comptroller recommended that the application be approved.

Notice of receipt of the application was published in the FEDERAL REGISTER on January 9, 1969 (34 F.R. 339), providing an opportunity for interested persons to submit comments and views with respect to the proposal. A copy of the application was forwarded to the U.S. Department of Justice for its consideration. Time for filing comments and views has expired and all those received have been considered by the Board.

It is hereby ordered, For the reasons set forth in the Board's statement¹ of this date, that said application be and hereby is approved: *Provided*, That the action so approved shall not be consummated (a) before the 30th calendar day following the date of this order or (b) later than 3 months after the date of this order, unless such time shall be extended by the Board or by the Federal Reserve Bank of Atlanta pursuant to delegated authority.

Dated at Washington, D.C., this 12th day of February 1969.

By order of the Board of Governors.²

[SEAL] ROBERT P. FORRESTAL,
Assistant Secretary.

[F.R. Doc. 69-2127; Filed, Feb. 19, 1969;
8:46 a.m.]

¹ Filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20561, or to the Federal Reserve Bank of Atlanta.

² Voting for this action: Chairman Martin and Governors Robertson, Mitchell, Daane, Malsel, Brimmer, and Sherrill.

INTERAGENCY TEXTILE ADMINISTRATIVE COMMITTEE

CERTAIN COTTON TEXTILES AND COTTON TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN THE REPUBLIC OF CHINA

Entry and Withdrawal From Warehouse for Consumption

FEBRUARY 14, 1969.

On December 11, 1968 the U.S. Government established import controls on cotton textiles and cotton textile products in Categories 9, 26, 34, 39, 41/42, 49, 50, 53, 54, 55, 57, 60, and 64, produced or manufactured in the Republic of China and exported prior to January 1, 1969, and on cotton textile products in Categories 45 and 62, produced or manufactured in the Republic of China and exported November 8, 1968, through December 31, 1968, because entries into the United States for consumption and withdrawals from warehouse for consumption for the agreement year which began on January 1, 1968, had either exceeded or nearly filled the adjusted levels of restraint for those categories provided in the bilateral agreement of October 12, 1967, between the Government of the United States and the Republic of China. Discussions with the Government of the Republic of China have been held on this matter and it has been determined that the import controls should be terminated. Consultations are still in progress between the two Governments to determine the amount of any adjustments to the levels of restraint provided in the above bilateral agreement for the period which began on January 1, 1969, and extends through December 31, 1969, as a result of certain overshoots which occurred prior to January 1, 1969. Notice of any such adjustments will be published in the FEDERAL REGISTER.

Accordingly, there is published below a letter of February 14, 1969, from the Chairman of the President's Cabinet Textile Advisory Committee to the Commissioner of Customs rescinding, as soon as possible, the directive of December 11, 1968, from the Chairman of the President's Cabinet Textile Advisory Committee to the Commissioner of Customs.

STANLEY NEHMER,
Chairman, Interagency Textile
Administrative Committee,
and Deputy Assistant Secretary
for Resources.

SECRETARY OF COMMERCE

PRESIDENT'S CABINET TEXTILE ADVISORY
COMMITTEE

COMMISSIONER OF CUSTOMS,
Department of the Treasury,
Washington, D.C. 20226.

February 14, 1969.

DEAR MR. COMMISSIONER: On December 11, 1968, the Chairman of the President's Cabinet

Textile Advisory Committee directed you, effective as soon as possible, and until further notice, to prohibit further entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textiles and cotton textile products in Categories 9, 26, 34, 39, 41/42, 49, 50, 53, 54, 55, 57, 60, and 64 produced or manufactured in the Republic of China and exported prior to January 1, 1969, and of cotton textile products in Categories 45 and 62, produced or manufactured in the Republic of China and exported during the period beginning November 8, 1968, and extending through December 31, 1968, in excess of the designated adjusted levels of restraint.

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, pursuant to the bilateral cotton textile agreement of October 12, 1967, between the Governments of the United States and the Republic of China, and in accordance with the procedures outlined in Executive Order 11052 of September 28, 1962, as amended by Executive Order 11214 of April 7, 1965, the above directive of December 11, 1968, is hereby rescinded, to be effective as soon as possible.

The actions taken with respect to the Government of the Republic of China and with respect to imports of cotton textiles and cotton textile products from the Republic of China have been determined by the President's Cabinet Textile Advisory Committee to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the notice provisions of 5 U.S.C. 553 (Supp. II, 1965-66). This letter will be published in the FEDERAL REGISTER.

Sincerely yours,

MAURICE H. STANS,
Secretary of Commerce, Chairman,
President's Cabinet Textile Ad-
visory Committee.

[F.R. Doc. 69-2152; Filed, Feb. 19, 1969;
8:48 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 1-3774]

ALGEMENE KUNSTZIJDE UNIE N.V.

Notice of Application To Withdraw From Listing and Registration

FEBRUARY 13, 1969.

In the matter of Algemene Kunstzijde Unie N.V. (United Rayon Manufacturing Corp.) ("AKU"), ADR's for Ordinary Shares, Hfl.20 Par Value.

The above-named issuer has filed an application with the Securities and Exchange Commission pursuant to section 12(d) of the Securities Exchange Act of 1934 and Rule 13d2-2(d) promulgated thereunder, to withdraw the specified security from listing and registration on the American Stock Exchange.

The reasons alleged in the application for withdrawing this security from listing and registration include the following: The number of American Depository

Receipts available for trading on the exchange, and the number of registered holders thereof have been reduced. As of December 31, 1968, only 9,762 American Depositary Receipts were outstanding in the hands of only 59 holders which is less than the exchange's minimum requirement of 150,000 shares outstanding and 450 security holders.

Any interested person may, on or before February 28, 1969, submit by letter to the Secretary of the Securities and Exchange Commission, Washington 25, D.C., facts bearing upon whether the application has been made in accordance with the rules of the exchange and what terms, if any, should be imposed by the Commission for the protection of investors. An order granting the application will be issued after the date mentioned above, on the basis of the application and any other information furnished to the Commission, unless it orders a hearing on the matter.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 69-2137; Filed, Feb. 19, 1969;
8:47 a.m.]

[812-2341]

AMERICA GROUP COMPANIES FUND ET AL.

Notice of Application for Exemption

FEBRUARY 14, 1969

In the matter of the America Group Companies Fund, State Mutual Life Assurance Company of America, Worcester Mutual Fire Insurance Co., Guarantee Mutual Assurance Company of America, American Variable Annuity Life Assurance Co., 440 Lincoln Street, Worcester, Mass. 01605; Beacon Mutual Indemnity Co., American Select Risk Insurance Co., 50 West Gay Street, Columbus, Ohio 43215; Citizens Mutual Insurance Co., 645 West Grand River, Howell, Mass.

Notice is hereby given that The America Group Companies Fund ("Fund"), a Delaware Corporation and an open-end management nondiversified investment company registered under the Investment Company Act of 1940 ("Act"), and the companies comprising The America Group (collectively referred to with Fund as "Applicants"), have filed an application pursuant to section 6(c) of the Act for an order of exemption from the provisions of sections 17(d) and 20(a) of the Act and Rules 17d-1 and 20a-1 thereunder. All interested persons are referred to the application on file with the Commission for a statement of the representations therein, which are summarized below.

The Fund. The Fund was established to provide a means for collective investment of funds committed to equity investments by the institutional investors comprising The America Group. The America Group is comprised of State Mutual Life Assurance Company of America ("State Mutual") and companies related to State Mutual through stock ownership or, in

the case of mutual companies, by agreements regarding joint marketing efforts and common procedures for effecting management and operational economies.

The present members of The America Group consist of the following companies:

State Mutual Life Assurance Company of America.
Worcester Mutual Fire Insurance Co.
Guarantee Mutual Assurance Company of America.
Citizens Mutual Insurance Co.
American Variable Annuity Life Assurance Co.
Beacon Mutual Indemnity Co.
American Select Risk Insurance Co.

Fund's shares will be sold only to financial institutions in The America Group at the net asset value of such shares without the imposition of any sales load. Fund's shares may not be transferred except to the Fund for redemption or to another member of The America Group. The number of the Fund's shareholders will at no time exceed 15. No investment company will be a shareholder of the Fund and no assets of an investment company will be invested in the Fund.

The Requested Exemptions—Section 17(d) and Rule 17d-1. Section 17(d) of the Act and Rule 17d-1 thereunder, in substance, prohibit an affiliated person of any registered investment company or an affiliated person of such a person, acting as principal, from participating in, or effecting any transaction in connection with, any joint enterprise or other joint arrangement or profit-sharing plan in which any such registered company is a participant unless an application with respect thereto has been filed with, and granted by, the Commission.

State Mutual will control Fund and accordingly will be an affiliated person of Fund as that term is defined in section 2(a)(3) of the Act. Other members of The America Group may also be affiliated persons of Fund because they own, control, or hold with power to vote, 5 per centum or more of the outstanding voting securities of the Fund.

It is anticipated that Fund will invest in equity securities of issuers whose debt securities are owned by State Mutual or other members of The America Group. Fund and one or more members of The America Group also expect to invest in or hold equity securities of the same issuer.

Applicants request exemption from section 17(d) of the Act and Rule 17d-1 thereunder to the extent necessary to permit the Fund and members of The America Group to invest in securities of the same issuers. The exemption requested would not affect application of section 17(d) and Rule 17d-1 to any joint enterprise or other joint arrangement or profit-sharing plan in which an officer, investor, or employee, of the Fund or of any member of The America Group, is a participant with the Fund. Applicants contend that the freedom of Fund and the institutional investors in The America Group to respond to opportunities and changing conditions would be limited in the absence of the requested

order and that this would be to the detriment of Fund's shareholders and The America Group companies' policyholders.

Applicants submit that the requested exemption is consistent with the protection of investors and the purposes fairly intended by the policy of section 17(d) and Rule 17d-1 thereunder, because the potential conflicts of interest frequently present when investment company shares are in the hands of the public will not be present here since all members of The America Group participating in the Fund will share a common interest. Any securities transaction which might be detrimental to Fund would also be detrimental to the financial institutions in The America Group which are also shareholders of the Fund. Hence, there will be no incentive for overreaching at the expense of the Fund. In this connection, State Mutual is prepared to undertake, as a condition of the order of exemption, that its investment in Fund will at all times amount to at least 50 per cent of the value of the net assets of Fund.

Section 20(a) and Rule 20a-1. Section 20(a) of the Act and Rule 20a-1 thereunder, in substance, prohibit any person from soliciting or permitting the use of his name to solicit any proxy, consent, or authorization in respect of any security issued by a registered investment company except upon compliance with the requirements of Rules 20a-2 and 20a-3 under the Act and the Commission's Proxy Rules under section 14(a) of the Securities Exchange Act of 1934.

The Applicants request exemption from section 20(a) and Rule 20a-1 thereunder in order to permit Fund to conduct its annual meetings and other corporate affairs without compliance with the proxy requirements specified therein.

Applicants submit that the requested exemption will be consistent with the protection of investors and the purposes fairly intended by the policy and provisions of section 20(a) of the Act and Rule 20a-1 thereunder, because the Fund will have only a small number of institutional investors, each of whom will be related to State Mutual, and, because, as Applicants represent, detailed current information concerning the operations of the Fund will be readily available to each corporate shareholder.

Section 6(c) of the Act provides, *inter alia*, that the Commission by order upon application may conditionally or unconditionally exempt any person, security or transaction, or any class or classes of persons, securities or transactions, from any provision or provisions of the Act or of any rule or regulation thereunder, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than March 10, 1969, 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 should 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 address 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.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[P.R. Doc. 69-2159; Filed, Feb. 19, 1969;
8:48 a.m.]

[File No. 1-2250]

COMSTOCK-KEYSTONE MINING CO.

Order Suspending Trading

FEBRUARY 14, 1969.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock and all other securities of Comstock-Keystone Mining Company, now known as Memory Magnetics International, 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 February 15, 1969, through February 24, 1969, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[P.R. Doc. 69-2138; Filed, Feb. 19, 1969;
8:47 a.m.]

CRESTLINE URANIUM & MINING CO.

Order Suspending Trading

FEBRUARY 14, 1969.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Crestline Uranium & Mining Co.,

Denver, Colo., 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 February 16, 1969, through February 25, 1969, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[P.R. Doc. 69-2139; Filed, Feb. 19, 1969;
8:47 a.m.]

DYNA RAY CORP.

Order Suspending Trading

FEBRUARY 14, 1969.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Dyna Ray Corp., New York, N.Y., and all other securities of Dyna Ray Corp. 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 February 15, 1969, through February 24, 1969, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[P.R. Doc. 69-2140; Filed, Feb. 19, 1969;
8:47 a.m.]

ELECTROGEN INDUSTRIES, INC.

Order Suspending Trading

FEBRUARY 14, 1969.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock and all other securities of ElectroGen Industries, Inc. (formerly Jodmar Industries, Inc.) (may be known as American Lima Corp.) 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 February 16, 1969, through February 25, 1969, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[P.R. Doc. 69-2141; Filed, Feb. 19, 1969;
8:47 a.m.]

GENERAL PUBLIC UTILITIES CORP.

Notice of Post-Effective Amendment Regarding Issue and Sale of Notes to Banks and to Dealers in Commercial Paper and Exemption From Competitive Bidding

FEBRUARY 14, 1969.

Notice is hereby given that General Public Utilities Corp. ("GPU"), 80 Pine Street, New York, N.Y. 10005, a registered holding company, has filed with this Commission a post-effective amendment to its declaration in this proceeding pursuant to sections 6(a) and 7 of the Public Utility Holding Company Act of 1935 ("Act") and Rule 50(a) (5) promulgated thereunder regarding the following proposed transactions. All interested persons are referred to the declaration, as now amended, which is summarized below, for a complete statement of the proposed transactions.

By order dated February 29, 1968 (Holding Company Act Release No. 15987), the Commission authorized GPU to issue and sell its promissory notes (including commercial paper) with a maturity of not more than 9 months and in an aggregate principal amount outstanding at any one time of not more than \$75 million, of which the aggregate principal amount of commercial paper outstanding at any one time would be not more than \$50 million.

GPU now proposes that (a) the latest date during which GPU may issue and sell such promissory notes be extended from December 31, 1969, to June 30, 1970 and (b) the aggregate principal amount of such promissory notes that may be outstanding at any one time be increased to \$100 million, of which the aggregate principal amount of commercial paper outstanding at any one time would not exceed \$75 million. GPU states that generally the effective interest cost of the commercial paper will not exceed the prime rate for borrowings from commercial banks in effect in New York City at the date of issue, but, in a particular instance, it may exceed such prime rate provided that the maturity date of any commercial paper sold at an effective interest cost in excess of such prime rate shall not be more than 60 days after the date of issue. GPU also proposes to file on a quarterly basis the Rule 24 certification regarding transactions effected pursuant to the declaration. The issue and sale of GPU's commercial paper notes are asserted to be exempt from the requirements of Rule 50 under the Act pursuant to subparagraph (a) (5) thereof.

It is stated that the additional fees and expenses resulting from the additional or modified transactions are estimated at \$3,000, of which not more than \$2,500 is to consist of legal fees. It is further stated that no State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than March 4, 1969, request in writing that

a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said amended declaration which he desires to contravert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the declaration, as amended by said post-effective amendment or as it may be further amended, may be permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 69-2160; Filed, Feb. 19, 1969;
8:48 a.m.]

MOONEY AIRCRAFT, INC.

Order Suspending Trading

FEBRUARY 14, 1969.

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 February 15, 1969, through February 24, 1969, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 69-2142; Filed, Feb. 19, 1969;
8:47 a.m.]

NORSUL OIL & MINING LTD.

Order Suspending Trading

FEBRUARY 14, 1969.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common

stock of Norsul Oil & Mining Ltd., Calgary, Alberta, Canada, being traded in the United States 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 the United States in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period February 16, 1969, through February 25, 1969, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 69-2143; Filed, Feb. 19, 1969;
8:47 a.m.]

UNITED AUSTRALIAN OIL, INC.

Order Suspending Trading

FEBRUARY 14, 1969.

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

It is ordered, Pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period February 15, 1969, through February 24, 1969, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 69-2144; Filed, Feb. 19, 1969;
8:47 a.m.]

DEPARTMENT OF LABOR

Wage and Hour Division

CERTIFICATES AUTHORIZING EMPLOYMENT OF LEARNERS AT SPECIAL MINIMUM WAGES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 29 U.S.C. 201 et seq.) and Administrative Order No. 595 (31 F.R. 12981) the firms listed in this notice have been issued special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates otherwise applicable under section 6 of the act. For each certificate, the effective and expiration dates, number or proportion of learners and the principal product manufactured by the establishment are as indicated. Conditions on occupations, wage rates, and learning periods which are provided in certificates issued under the supple-

mental industry regulations cited in the captions below are as established in those regulations; such conditions in certificates not issued under the supplemental industry regulations are as listed.

Apparel Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended and 29 CFR 522.20 to 522.25, as amended).

The following normal labor turnover certificates authorize 10 percent of the total number of factory production workers except as otherwise indicated.

Berwick Shirt Co., Inc., Berwick, Pa.; 1-30-69 to 1-29-70 (men's sport shirts).

Big Yank Corp., Water Valley, Miss.; 1-28-69 to 1-27-70 (men's and boys' semidress pants).

Chester Manufacturing Co., Henderson, Tenn.; 1-31-69 to 1-30-70 (juvenile pants).

Diaper Jeans, Inc., Denison, Tex.; 1-26-69 to 1-25-70 (infants' and children's outerwear).

Gloria Manufacturing Corp., Newport News, Va.; 1-27-69 to 1-26-70 (children's dresses and sportswear).

Huggins Garment Co., Inc., Donalds, S.C.; 1-29-69 to 1-28-70 (men's sport shirts).

Huggins Garment Co., Inc., Due West, S.C.; 1-26-69 to 1-25-70 (men's sport and utility coats).

The Jay Garment Co., Brookville, Ind.; 1-31-69 to 1-30-70 (men's and boys' pants).

The Jay Garment Co., Portland, Ind.; 1-31-69 to 1-30-70 (men's work clothing).

Kinston Shirt Co., Kinston, N.C.; 1-31-69 to 1-30-70 (men's shirts and pajamas).

Mount Airy Pants Factory, Mount Airy, Md.; 1-29-69 to 1-28-70; 10 learners (men's work pants).

Publix Shirt Corp., Hazleton, Pa.; 1-30-69 to 1-29-70 (men's and boys' dress and sport shirts).

The Raleigh Corp., Raleigh, Miss.; 1-31-69 to 1-30-70 (ladies' slacks).

Levi Strauss & Co., Warsaw, Va.; 1-30-69 to 1-29-70 (men's work pants).

Tennessee Overall Co., Tullahoma, Tenn.; 1-29-69 to 1-28-70 (men's pants).

Glove Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended and 29 CFR 522.60 to 522.65, as amended).

Co-Op Glove Manufacturing, Inc., Shuqualak, Miss.; 1-28-69 to 7-27-69; 40 learners for plant expansion purposes (work gloves).

Mountain City Glove Co., Inc., Shouns, Tenn.; 1-29-69 to 1-28-70; 10 percent of the total number of machine stitchers for normal labor turnover purposes (work gloves).

Mount Vernon Plant, Edmont-Wilson Division, Mount Vernon, Ohio; 1-31-69 to 1-30-70; 10 percent of the total number of machine stitchers for normal labor turnover purposes (work gloves).

Mount Vernon Plant, Edmont-Wilson Division, Mount Vernon, Ohio; 1-31-69 to 7-30-69; 20 learners for plant expansion purposes (work gloves).

Hosiery Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended and 29 CFR 522.40 to 522.43, as amended).

Belmont Knitting Co., Belmont, N.C.; 1-30-69 to 1-29-70; 5 percent of the total number of factory production workers for normal labor turnover purposes (seamless).

U.S. Industries, Inc., Grenada, Miss.; 1-25-69 to 1-24-70; 5 percent of the total number of factory production workers for normal labor turnover purposes (seamless).

Knitted Wear Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended and 29 CFR 522.30 to 522.35, as amended).

The H. W. Gossard Co., Troy, Mo.; 1-27-69 to 1-26-70; 5 percent of the total number of factory production workers for normal labor turnover purposes (women's lingerie, and nightwear).

Mistee Lingerie, Inc., Boyertown, Pa.; 1-25-69 to 1-24-70; 5 percent of the total number of factory production workers for normal labor turnover purposes (women's lingerie).

Each learner certificate has been issued upon the representations of the employer which, among other things, were that employment of learners at special minimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within 15 days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of 29 CFR 522.9. The certificates may be annulled or withdrawn, as indicated therein, in the manner provided in 29 CFR Part 528.

Signed at Washington, D.C., this 14th day of February 1969.

ROBERT G. GRONEWALD,
Authorized Representative
of the Administrator.

[F.R. Doc. 69-2133; Filed, Feb. 19, 1969;
8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice No. 1270]

MOTOR CARRIER, BROKER, WATER CARRIER, AND FREIGHT FOR- WARDER APPLICATIONS

FEBRUARY 14, 1969.

The following applications are governed by Special Rule 1.247¹ 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 § 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—

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

by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one copy of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such requests shall meet the requirements of § 1.247(d)(4) of the special rules, and shall include the certification required therein.

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

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

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

No. MC 1117 (Sub-No. 9), filed January 20, 1969. Applicant: M.G.M. TRANSPORT CORPORATION, 70 Maltese Drive, Totowa, N.J. Applicant's representatives: Morton E. Kiel and Bert Collins, 140 Cedar Street, New York, N.Y. 10006. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *New furniture, appliances, and house furnishings*, between points in Florida. NOTE: If a hearing is deemed necessary, applicant requests it be held at Miami, Fla.

No. MC 2202 (Sub-No. 365), filed January 28, 1969. Applicant: ROADWAY EXPRESS, INC., 1077 Gorge Boulevard, Post Office Box 471, Akron, Ohio 44309. Applicant's representatives: William O. Turney, 2001 Massachusetts Avenue NW., Washington, D.C. 20036, and Douglas Paris (same address as applicant). 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 Com-

mission, commodities in bulk, and those requiring special equipment), between Nashville, Tenn., and Springfield, Mo.; (1) from Nashville over U.S. Highway 41A to Hopkinsville, Ky., thence over U.S. Highway 68 to Paducah, Ky., thence over U.S. Highway 60 to Springfield and return over the same route, serving no intermediate points; and (2) from Nashville over Interstate Highway 24 to Paducah, Ky., thence to Springfield as in (1) above, and return over the same route serving no intermediate points; as alternate routes for operating convenience only, in connection with carrier's regular-route operations. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 2229 (Sub-No. 149), filed January 23, 1969. Applicant: RED BALL MOTOR FREIGHT, INC., 3177 Irving Boulevard, Post Office Box 47407, Dallas, Tex. 75247. Applicant's representatives: Charles D. Mathews and E. Larry Wells, Post Office Box 47407, Dallas, Tex. 75247. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *Classes A and B explosives*; (1) between Shreveport, La., on the one hand, and, on the other, the Louisiana Ordnance Plant near Doyline, La., over U.S. Highway 80 and Interstate Highway 20; and (2) between Shreveport, La., on the one hand, and, on the other, Leesville, La., over U.S. Highway 171. NOTE: Applicant states it presently holds authority to transport general commodities, including classes A and B explosives, between Leesville, La., and Fort Polk, La., as well as to and from Shreveport, La., under certificate MC 2229 and subs thereof. Applicant further states it proposes to tack the proposed operation with its existing operations so as to render a complete coordinated service in the transportation of classes A and B explosives. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Dallas, or Fort Worth, Tex.

No. MC 2379 (Sub-No. 7), filed January 27, 1969. Applicant: JOYNER TRUCKING COMPANY, a corporation, Minton Road, Woodland, N.C. 27897. Applicant's representative: J. Guy Revelle, 201 Main Street, Murfreesboro, N.C. 27855. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer materials*, between points in Virginia and North Carolina. NOTE: If a hearing is deemed necessary, applicant requests it be held at Raleigh, N.C., or Norfolk, Va.

No. MC 2535 (Sub-No. 1), filed January 21, 1969. Applicant: N. L. & B. TRANSPORTATION CORP., 4 May Avenue, Quaker Hill (Waterford), Conn. Applicant's representative: Reubin Kaminsky, 419 Asylum Street, Hartford, Conn. 06103. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Malt beverages*, namely: *Beer and ale*, in barrels and containers, in cases or cartons, from Merrimack, N.H., to Norwich and New London, Conn., *empty barrels, cases, cartons, and containers*, on return. NOTE:

If a hearing is deemed necessary, applicant requests it be held at Hartford, Conn., or New York, N.Y.

No. MC 2900 (Sub-No. 168), filed January 24, 1969. Applicant: RYDER TRUCK LINES, INC., 2050 Kings Road, Jacksonville, Fla. 32203. Applicant's representative: Larry D. Knox (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the plantsite of The Tennessee Valley Authority (TVA) Sequoyah Powerplant located on the north bank of the Tennessee River, approximately 4½ miles east of Daisy, Tenn., in Hamilton County, Tenn., as an off-route point in connection with carrier's regular route authority. NOTE: If a hearing is deemed necessary, applicant requests it be held at Jacksonville, Fla., Atlanta, Ga., or Washington, D.C.

No. MC 3252 (Sub-No. 55), filed January 20, 1969. Applicant: PAUL E. MERRILL, doing business as MERRILL TRANSPORT CO., 1037 Forest Avenue, Portland, Maine 04104. Applicant's representative: Francis E. Barrett, Jr., Investors Building, 536 Granite Street, Braintree, Mass. 02184. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products* in bulk, in tank vehicles, from Portsmouth and Newington, N.H., to points in Vermont. NOTE: If a hearing is deemed necessary, applicant requests it be held at Boston, Mass., and Portland, Maine.

No. MC 8468 (Sub-No. 1), filed January 23, 1969. Applicant: SCOBAY MOVING & STORAGE CO., a corporation, 307 Market Street, Laredo, Tex. 78040. Applicant's representative: W. Scott Clark, Fort Worth Club Building, Fort Worth, Tex. 76102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods* as defined by the Interstate Commerce Commission, with prior or subsequent containerized movement by freight forwarder, between points in Webb County, Tex. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Fort Worth or Dallas, Tex.

No. MC 10761 (Sub-No. 234), filed January 24, 1969. Applicant: TRANS-AMERICAN FREIGHT LINES, INC., 1700 North Waterman Avenue, Detroit, Mich. 48209. Applicant's representative: A. Alvis Layne, Pennsylvania Building, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Printed matter, telephone directories, paper and materials, supplies, and equipment* used in maintenance of printing houses, serving the plantsite of R. R. Donnelley & Sons Co., at or near Dwight, Ill., as an off-route point in connection with applicant's present authority to and from Chicago, Ill. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 10875 (Sub-No. 30), filed January 16, 1969. Applicant: BRANCH MOTOR EXPRESS COMPANY, a corporation, 114 Fifth Avenue, New York, N.Y. 10011. Applicant's representative: G. G. Heller (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum scrap*, in bulk, from Lancaster, Pa., to New York, N.Y. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 14702 (Sub-No. 25), filed January 22, 1969. Applicant: OHIO FAST FREIGHT, INC., Post Office Box 808, Warren, Ohio 44482. Applicant's representative: Paul F. Berry, 88 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Iron and steel articles*, from the plant or warehouse sites of Continental Steel Corp., located in Howard County, Ind., to points in the United States on and east of U.S. Highway 85; and (2) *materials, equipment, and supplies* used in the manufacture and processing of iron and steel articles, from points in the United States on and east of U.S. Highway 85, to the plant or warehouse sites of Continental Steel Corp., located in Howard County, Ind., restricted to traffic originating at or destined to the named origins and destinations in (1) and (2) above, and further restricted against the transportation of commodities in bulk. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 20722 (Sub-No. 21), filed January 27, 1969. Applicant: M & G CONVOY, INC., 590 Elk Street, Post Office Box 218, Buffalo, N.Y. 14205. Applicant's representative: Walter N. Bieneman, Suite 1700, 1 Woodward Avenue, Detroit, Mich. 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Automobiles, trucks, and buses*, as described in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, and *parts thereof* moving therewith, in secondary movements, in truckaway and driveway service, from points in New York and Massachusetts, to points in Vermont, New Hampshire, Maine, and Rhode Island, restricted to the transportation of traffic originating at plantsites Chrysler Corp. or Kaiser Jeep Corp. and having an immediately prior movement by rail. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 29910 (Sub-No. 78), filed January 30, 1969. Applicant: ARKANSAS-BEST FREIGHT SYSTEM, INC., 301 South 11th, Fort Smith, Ark. 72901. Applicant's representative: Thomas Harper, Kelley Building, Post Office Box 43, Fort Smith, Ark. 72901. 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, currency, bullion, articles of virtu, commodities injurious to other lading, household goods as defined by the Commission, bulk commodities, and those requiring special equipment), be-

tween junction Illinois Highway 3 and 146, near Ware, Ill., and Cincinnati, Ohio: From junction Illinois Highways 3 and 146 near Ware, Ill., over Illinois Highway 146 to junction U.S. Highway 45, thence over U.S. Highway 45 to junction Illinois Highway 141, thence over Illinois Highway 141 to junction Illinois Highway 62, thence over Illinois Highway 62 to junction Indiana Highway 57 at or near Evansville, Ind., thence over Indiana Highway 57 to junction U.S. Highway 50, thence over U.S. Highway 50 to Cincinnati, Ohio, and return over the same route, serving no intermediate points, and serving junction Illinois Highways 3 and 146 for purposes of joiner only, as an alternate route only, in connection with carrier's regular-route operations. NOTE: If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark., St. Louis, Mo., or Washington, D.C.

No. MC 29910 (Sub-No. 79), filed January 30, 1969. Applicant: ARKANSAS-BEST FREIGHT SYSTEM, INC., 301 South 11th, Fort Smith, Ark. 72901. Applicant's representative: Thomas Harper, Kelley Building, Post Office Box 43, Fort Smith, Ark. 72901. 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, currency, bullion, articles of virtu, commodities injurious to other lading, household goods as defined by the Commission, bulk commodities, and those requiring special equipment); (1) between Cincinnati and Dayton, Ohio, over Interstate Highway 75, serving no intermediate points, as an alternate route for operating convenience only, in connection with applicant's regular route authority; and (2) between Cincinnati and Columbus, Ohio, over Interstate Highway 71, serving no intermediate points, as an alternate route for operating convenience only, in connection with applicant's regular route operations. NOTE: If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark., St. Louis, Mo., or Washington, D.C.

No. MC 30237 (Sub-No. 16), filed January 24, 1969. Applicant: YEATTS TRANSFER COMPANY, a corporation, Post Office Box 666, Altavista, Va. 24517. Applicant's representative: Eston H. Alt, Post Office Box 81, Winchester, Va. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, as described in appendix II to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, from Winchester, Va., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington D.C.

No. MC 30837 (Sub-No. 362), filed January 21, 1969. Applicant: KENOSHA AUTO TRANSPORT CORPORATION, 4200 39th Avenue, Kenosha, Wis. 53141.

Applicant's representative: Paul F. Sullivan, Colorado Building, 1341 G Street NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Motor truck seat cabs*, in truckaway service, from Detroit, Mich., to Clintonville, Wis. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 30844 (Sub-No. 265), filed January 31, 1969. Applicant: KROBLIN REFRIGERATED XPRESS, INC., 2125 Commercial, Waterloo, Iowa 50704. Applicant's representative: Truman A. Stockton, Jr., The 1650 Grant Street Building, Denver, Colo. 80202. Authority sought to operate as a *common carrier*, by motor vehicle over irregular routes, transporting: *Glassware, rods or tubing*, from Millville, N.H., to Broken Bow, Columbus, and Holdrege, Nebr. **NOTE:** Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Waterloo, Iowa or Washington, D.C.

No. MC 35072 (Sub-No. 2), filed January 21, 1969. Applicant: EDWIN L. ELLOR & SON, INC., Mountain Boulevard, Warren, N.J. 07060, also 26 Meadow Street, East Orange, N.J. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Hydrants, pipes, patterns, castings, valves, machinery and equipment, materials, and supplies* used or useful in the manufacture, sale, and installation of such commodities, between East Orange, N.J., on the one hand, and, on the other, points in New Jersey, New York, Connecticut, Massachusetts, Rhode Island, Pennsylvania, Ohio, Delaware, Maryland, Virginia, and the District of Columbia under continuing contract with Valve & Hydrant Division of United States Pipe & Foundry, East Orange, N.J. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 40978 (Sub-No. 13), filed January 27, 1969. Applicant: CHAIR CITY MOTOR EXPRESS COMPANY, a corporation, 3321 Highway 141 South, Sheboygan, Wis. 53081. 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: *New furniture*, from Sheboygan Falls and the township of Sheboygan Falls, Wis., to points in Connecticut, Delaware, Kentucky, Maryland, Michigan, Massachusetts, Missouri, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Tennessee, West Virginia, Vermont, New Hampshire, Mississippi, and Virginia. Restriction: Restricted to shipments originating at the plant and warehouse sites of Richardson Brothers Co. located in the township of Sheboygan Falls and the city of Sheboygan Falls, Wis. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Milwaukee, Wis.

No. MC 52110 (Sub-No. 111), filed January 26, 1969. Applicant: BRADY

MOTORFRATE, INC., 2150 Grand Avenue, Des Moines, Iowa 50312. Applicant's representative: Cecil L. Goettsch, 11th floor, Des Moines Building, Des Moines, Iowa 50309. 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 packing-houses* as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk) from Austin, Minn.; Fremont, Nebr.; Des Moines and Fort Dodge, Iowa; to points in Pennsylvania, New York, New Jersey, Massachusetts, Connecticut, Rhode Island, Delaware, Maryland, West Virginia, and the District of Columbia, restricted to traffic originating at the plantsite and/or warehouse facilities of Geo. A. Hormel & Co. at Austin, Minn.; Fort Dodge, Iowa; Fremont, Nebr.; and I. D. Packing Co. at Des Moines, Iowa, restricted to shipments destined to Pennsylvania, New York, New Jersey, Massachusetts, Connecticut, Rhode Island, Delaware, Maryland, West Virginia, and the District of Columbia. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa, or Chicago, Ill.

No. MC 52460 (Sub-No. 97) (Clarification), filed December 11, 1968, published in the FEDERAL REGISTER issue of January 16, 1969, and republished as clarified this issue. Applicant: HUGH BREEDING, INC., 1420 West 35th Street, Post Office Box 9515, Tulsa, Okla. 74107. Applicant's representative: James W. Wrape, 2111 Sterick Building, Memphis, Tenn. 38103. The purpose of this republication (in part) is to include *Further Explanatory Statement:* Applicant can presently serve most of the State of Arkansas under its certificate No. MC-52460 (Sub-No. 2). It has found that there are times when it cannot render to its patrons a complete service, due to the restriction against service to certain intermediate points along U.S. Highways 64, 65, and 70, in Arkansas, particularly with respect to the handling of split deliveries. It is believed that a lifting of the restriction by the grant of this application cannot have any seriously detrimental effect on any existing carrier. Applicant further states that it has served the petroleum industry for many years, transporting petroleum products in containers, as well as in bulk. The rest of the application remains the same.

No. MC 52460 (Sub-No. 98), filed January 27, 1969. Applicant: HUGH BREEDING, INC., 1420 West 35th Street, Post Office Box 9515, Tulsa, Okla. 74107. Applicant's representative: James W. Wrape, 2111 Sterick Building, Memphis, Tenn. 38103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, in tank vehicles; (1) from points in Illinois to points in Indiana, Iowa, Michigan, Minnesota, Missouri, and Ohio; (2) from points in Indiana, to points in Illinois, Michigan, Missouri, and Ohio; (3) from points in Iowa to points in Illinois,

Indiana, Michigan, and Ohio; (4) from points in Kentucky to points in Illinois, Indiana, Michigan, and Ohio; (5) from points in Missouri to points in Illinois, Indiana, and Iowa; and (6) from points in Ohio to points in Illinois, Indiana, and Michigan. **NOTE:** Applicant states that no duplicating authority is sought. Applicant indicates tacking possibilities. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or St. Louis, Mo.

No. MC 52861 (Sub-No. 16), filed January 20, 1969. Applicant: HAROLD W. STEWART, INC., 2535 Center Street, Cleveland, Ohio 44113. Applicant's representative: James W. Muldoon, Suite 1650, 88 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Calcium chloride*, in bulk, in dump trucks, from Lorain, Ohio, to points in Pennsylvania located on and west of U.S. Highway 220, beginning at the Pennsylvania-New York State line, thence south along U.S. Highway 220 to junction with Pennsylvania Highway 147, thence along Pennsylvania Highway 147 to junction with U.S. Highways 22 and 322 thence along U.S. Highways 22 and 322 to Harrisburg, Pa., thence along Interstate Highway 83 to the Pennsylvania-Maryland State line, including all points on and west of the designated highways. **NOTE:** Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 52861 (Sub-No. 17), filed January 24, 1969. Applicant: HAROLD W. STEWART, INC., 2535 Center Street, Cleveland, Ohio 44113. Applicant's representative: Paul F. Beery, 88 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum coke*, in bulk, in dump vehicles, from Robinson, Ill., to points in Michigan on and south of U.S. Highway 10 (Lower Peninsula) and Ohio. **NOTE:** Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 52869 (Sub-No. 90), filed January 29, 1969. Applicant: NORTHERN TANK LINE, Post Office Box 970, Miles City, Mont. 59301. Applicant's representative: Alan Foss, 502 First National Bank Building, Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gas*, in bulk, in tank vehicles, from points in Carter and Powder River Counties, Mont., to points in Nebraska, South Dakota, and Wyoming. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Denver, Colo., or Cheyenne, Wyo.

No. MC 61231 (Sub-No. 42), filed January 31, 1969. Applicant: ACE-ALKIRE FREIGHT LINES, INC., 4143 East 43d Street, Des Moines, Iowa 50317. 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: *Iron and steel articles* as described in appendix V to the report in *Descriptions in Motor Carrier Certificates*, 61 MCC 209, from Sterling and Rock Falls, Ill., to points in Kansas, Missouri, and Nebraska. **NOTE:** Applicant states it would propose to serve from Illinois and Indiana origins in the Chicago, Ill., commercial zone as defined by the Commission, to points in Kansas, Missouri, and Nebraska, by joinder of its present authority at Rock Falls or Sterling, Ill. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 61592 (Sub-No. 135), filed January 23, 1969. Applicant: JENKINS TRUCK LINE, INC., 3708 Elm Street, Bettendorf, Iowa 52722. Applicant's representative: Donald W. Smith, 900 Circle Tower, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Iron and steel and iron and steel articles*, from Bradley, Kankakee, and Indian Oaks, Ill., to points in the United States (except Hawaii); (2) *materials, equipment, and supplies* used in the manufacture and distribution of iron and steel and iron and steel articles, from points in the United States (except Hawaii), to Bradley, Kankakee, and Indian Oaks, Ill. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 61592 (Sub-No. 136), filed January 23, 1969. Applicant: JENKINS TRUCK LINE, INC., 3708 Elm Street, Bettendorf, Iowa 52722. Applicant's representative: Donald W. Smith, 900 Circle Tower, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Concrete products, attachments, and accessories* therefor, when moving in the same vehicle, from Rock Island, Ill., to points in the United States (except Alaska and Hawaii). **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 61619 (Sub-No. 7) (Amendment), filed October 11, 1968, published *FEDERAL REGISTER*, issue of October 31, 1968, and republished as amended this issue. 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 (York County), Pa., to points in Virginia, West Virginia, and New York (except points in New York on and north of U.S. Highway 44 from the Connecticut-New York 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 line; and points in Westchester, Rockland, and Nassau

Counties, N.Y.; and Cornwall-on-the-Hudson and New York, N.Y.), Hammond, Indianapolis, Angola, Elkhart, South Bend, Huntington, Crawfordville, Fort Wayne, and Greencastle, Ind., Chicago, Ill., and Cincinnati, Solon, Hamilton, Mansfield, Cleveland, Willard, Columbus, Dayton, Troy, Akron, Youngstown, and Chardon, Ohio, under a continuing contract with P. H. Glatfelter Co., of Spring Grove, Pa. **NOTE:** The purpose of this republication is to show the authority requested as amended, which deletes the States of Indiana and Ohio, but names specific points in those two States. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 64932 (Sub-No. 465), filed January 21, 1969. Applicant: ROGERS CARTAGE CO., a corporation, 1439 West 103d Street, Chicago, Ill. 60643. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Chemicals*, in bulk, in tank vehicles, from the plantsite of Monsanto Co. located at or near St. Peters, Mo., to Sistersville, W. Va.; and (2) *ethylene gas*, in shipper-owned equipment, from the plantsite of U.S. Industries at Tuscola, Ill., to the plantsite of Monsanto Co. at St. Louis, Mo. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 76449 (Sub-No. 12), filed January 27, 1969. Applicant: NELSON'S EXPRESS, INC., 675 Market Street, Millersburg, Pa. 17061. Applicant's representative: John W. Frame, Box 626, 2207 Old Gettysburg Road, Camp Hill, Pa. 17011. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, livestock, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Harrisburg, Pa., and York, Pa.; from Harrisburg, over Interstate Highway 83 to York, and return over the same route, serving all intermediate points, restricted to shipments originating at or destined to points on applicant's presently authorized routes. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Harrisburg, Pa.

No. MC 94201 (Sub-No. 65), filed January 23, 1969. Applicant: BOWMAN TRANSPORTATION, INC., Post Office Box 2188, East Gadsden, Ala. Applicant's representative: Maurice F. Bishop, 327 Frank Nelson Building, Birmingham, Ala. 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Iron and steel and iron and steel articles*, from the plant or warehouse sites of Continental Steel Corp., located in Howard County, Ind., to points in the United States on and east of U.S. Highway 85; (2) *materials, equipment, and supplies* used in the manufacture and processing of iron and steel articles, from points in the United States on and east of U.S. Highway 85, to the plant or warehouse sites of Continental Steel Corp., located in Howard County, Ind., restricted to

traffic originating at or destined to the named origins and destinations in (1) and (2) above, and restricted against the transportation of commodities in bulk. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Indianapolis, Ind.

No. MC 94350 (Sub-No. 211), filed January 17, 1969. Applicant: TRANSIT HOMES, INC., Haywood Road, 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 Chaves County, N. Mex., to all States west of the Mississippi River, including Louisiana and Minnesota, but excluding Alaska and Hawaii. **NOTE:** Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Roswell or Albuquerque, N. Mex.

No. MC 94350 (Sub-No. 212), filed January 29, 1969. Applicant: TRANSIT HOMES, INC., Haywood Road, Post Office Box 1628, Greenville, S.C. 29602. Applicant's representative: Mitchell King, Jr., Post Office Box 1628, Greenville, S.C. 29602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles in initial movements, in truck-away service, from points in Brown County, Minn., to points in the United States (excluding Flint, Detroit, and Mount Clemens, Mich., also Alaska and Hawaii). **NOTE:** Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 97872 (Sub-No. 2), filed January 27, 1969. Applicant: R. L. NEHLS TRANSFER, INC., 315 Barrington Avenue, Dundee, Ill. Applicant's representative: Charles W. Singer, 33 North Dearborn Street, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Paper and paper products, and products* produced by manufacturers or converters of paper and paper products, from Carpentersville, Ill., to points in Illinois, Indiana, Iowa, and Wisconsin; and (2) *returned, rejected, and damaged shipments* of the above-described commodities and *equipment, materials, and supplies* used in the manufacture and distribution of the above-described commodities, from the above-named destination points to Carpentersville, Ill. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 100666 (Sub-No. 131), filed January 28, 1969. Applicant: MELTON TRUCK LINES, INC., Post Office Box 7666, Shreveport, La. 71107. Applicant's representative: Wilburn L. Williamson, 450 American National Building, Oklahoma City, Okla. 73102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Floor coverings, facing tile, moulding, and adhesives*, from Jackson, Miss., to points in Louisiana, Oklahoma,

and Texas. NOTE: Applicant states to the extent the involved commodities could be construed as "Building Materials", applicant could tack the sought authority (1) with its Sub 66 at the plantsite of the Celotex Corp. at or near Hamlin, Tex., and serve points in New Mexico; (2) with its Sub 67 at Duke, Okla., and serve points in New Mexico and Colorado; (3) with its Sub 95 at the plantsite of the Celotex Corp. at or near Hamlin, Tex., and serve points in Colorado; and (4) with its Sub 106 at Acme, Tex., and serve points in Colorado and New Mexico. If a hearing is deemed necessary, applicant requests it be held at Shreveport, La., Oklahoma City, Okla., or Jackson, Miss.

No. MC 100666 (Sub-No. 132), filed January 30, 1969. Applicant: MELTON TRUCK LINES, INC., Post Office Box 7666, Shreveport, La. 71107. Applicant's representative: Wilburn L. Williamson, 450 American National Building, Oklahoma City, Okla. 73102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pipe, plastic tubing, plastic conduit, valves, fittings, compounds, joint sealer, bonding cement, primer, coating, thinner, and accessories* used in the installation of such products, from High Springs, Fla., to points in Iowa, Missouri, Kansas, Oklahoma, Arkansas, Texas, Louisiana, and points in the United States east of the Mississippi River (except Minnesota and Wisconsin). NOTE: Applicant states it could tack with its Sub 84 at Little Rock, Ark., for service to points west thereof. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 100666 (Sub-No. 133), filed January 30, 1969. Applicant: MELTON TRUCK LINES, INC., Post Office Box 7666, Shreveport, La. 71107. Applicant's representative: Wilburn L. Williamson, 450 American National Building, Oklahoma City, Okla. 73102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Composition lumber*, from Urania, La., to points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Carolina, Ohio, Oklahoma, South Carolina, Tennessee, Texas, Virginia, West Virginia, and Wisconsin; and (2) *lumber*, from Urania, La., to points in Alabama, Florida, Georgia, Illinois, Indiana, Michigan, Nebraska, North Carolina, Ohio, South Carolina, Virginia, and West Virginia. NOTE: Applicant states it could tack with (1) its Sub 66 at the plantsite of the Celotex Corp. at or near Hamlin, Tex., for service to points in New Mexico; (2) with its Sub 67 at Duke, Okla., for service to points in New Mexico and Colorado; (3) with its Sub 95 at the plantsite of the Celotex Corp. at or near Hamlin, Tex., for service to points in Colorado; (4) and, with its Sub 106 at Acme, Tex., for service to points in Colorado and New Mexico. Also applicant could tack with its Sub 39 at Craig, Okla., or with its Sub 63 at the plant and warehouse sites of

Dierks Forests, Inc., at Broken Bow, Okla., for service to points in Colorado and New Mexico. If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark., or Shreveport, La.

No. MC 102616 (Sub-No. 831), filed January 29, 1969. 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: *Paving coal tar*, in bulk; (1) from Youngstown, Ohio, to points in Armstrong, Cameron, Centre, Clarion, Clearfield, Clinton, Crawford, Elk, Erie, Forest, Indiana, Jefferson, Lawrence, Mercer, Potter, Venango, and Warren Counties, Pa.; and (2) from Follansbee, W. Va., to those points in Ohio, on and east of a line beginning at Portsmouth, Ohio, thence along U.S. Highway 23 to Columbus, Ohio, thence along Interstate Highway 71 to Cleveland, Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Philadelphia, Pa.

No. MC 103051 (Sub-No. 226), filed January 27, 1969. Applicant: FLEET TRANSPORT COMPANY, INC., 1000 44th Avenue North, Post Office Box 7645, Nashville, Tenn. 37209. Applicant's representative: R. J. Reynolds, Jr., 604-09 Healey Building, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, from Tampa, Fla., to points in Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, Tennessee, and Charleston, W. Va., Taft, La., and Texas City, Tex. NOTE: If a hearing is deemed necessary, applicant requests it be held at Tampa, Fla., or Washington, D.C.

No. MC 103880 (Sub-No. 405), filed January 20, 1969. Applicant: PRODUCERS TRANSPORT, INC., 215 East Waterloo Road, Akron, Ohio 44306. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, in tank vehicles, from the plantsite of Central Farmers Fertilizer Co., located at or near Palmyra, Mo., to points in Illinois, Iowa, and Missouri. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 103993 (Sub-No. 372), filed January 21, 1969. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind. 46514. Applicant's representatives: Paul D. Borgheani and Ralph H. Miller (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel products*, from points in Davidson County, Tenn., to points in Dallas County, Tex. NOTE: If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn.

No. MC 105566 (Sub-No. 6), filed January 27, 1969. Applicant: SAM TANKSLEY TRUCKING, INC., Post Office Box

68, East Prairie, Mo. 63845. Applicant's representative: Thomas F. Kilroy, 1341 G Street NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, moving on Government bills of lading, between points in Tennessee, Missouri, Illinois, Ohio, Virginia, West Virginia, Indiana, and Kentucky, on the one hand, and, on the other, points in Washington, California, Arizona, Nevada, Utah, and Oregon. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 105902 (Sub-No. 15), filed January 21, 1969. Applicant: PENN YAN EXPRESS, INC., 100 West Lake Road, Post Office Box 396, Penn Yan, N.Y. 14527. Applicant's representative: Marvin H. Lourie (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, livestock, silk, furs, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between Syracuse, N.Y., and Binghamton, N.Y., over Interstate Highway 81 to Binghamton, N.Y., and return over the same route, serving no intermediate points, as an alternate route for operating convenience only in connection with carrier's presently authorized regular route operations. NOTE: If a hearing is deemed necessary, applicant did not specify location.

No. MC 106163 (Sub-No. 28), filed February 3, 1969. Applicant: RED LINE TRANSFER AND STORAGE COMPANY, INC. Post Office Box 7608, 2600 West Sixth Avenue, Pine Bluff, Ark. 71601. 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, those requiring special equipment, and commodities in bulk, in tank vehicles), between Bastrop, La., and Shreveport, La.: (a) From Bastrop over Louisiana Highway 139 to junction U.S. Highway 165, thence over U.S. Highway 165 to junction U.S. Highway 80 and thence over U.S. Highway 80 to Shreveport and return over same route, serving all intermediate points; and (b) from Bastrop over Louisiana Highway 139 to junction U.S. Highway 165, thence over U.S. Highway 165 to junction Interstate Highway 20, thence over Interstate Highway 20 to Shreveport, and all access roads of ingress and egress to and from Interstate Highway 20, and return over the same route, serving all intermediate points. NOTE: If a hearing is deemed necessary, applicant requests it be held at Monroe or Shreveport, La.

No. MC 106398 (Sub-No. 385), filed January 17, 1969. Applicant: NATIONAL

TRAILER CONVOY, INC., 1925 National Plaza, Tulsa, Okla. 74151. Applicant's representative: Irvin Tull (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers* designed to be drawn by passenger automobiles and *buildings* in sections mounted on wheeled undercarriages equipped with a hitchball connector, in initial movements, from points in Scotts Bluff County, Richardson County, and Dodge County, Nebr., to points in the United States (except Alaska and Hawaii). **NOTE:** Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 106398 (Sub-No. 386), filed January 17, 1969. Applicant: **NATIONAL TRAILER CONVOY, INC.**, 1925 National Plaza, Tulsa, Okla. 74151. Applicant's representative: Irvin Tull (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 Brown County, Minn., to points in the United States (except Alaska and Hawaii). **NOTE:** Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 106398 (Sub-No. 387), filed January 31, 1969. Applicant: **NATIONAL TRAILER CONVOY, INC.**, 1925 National Plaza, Tulsa, Okla. 74151. Applicant's representative: Irvin Tull (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 Warren and Leflore Counties, Miss., to points in the United States (except Alaska and Hawaii). **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Jackson, Miss.

No. MC 106644 (Sub-No. 93), filed January 21, 1969. Applicant: **SUPERIOR TRUCKING COMPANY, INC.**, 2770 Peyton Road NW., Atlanta, Ga. 30321. Applicant's representative: Frank D. Hall, 1273 West Peachtree Street NE., Atlanta, Ga. 30309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products*; (1) from points in Escambia County, Fla., to points in Arkansas, Arizona, Connecticut, Delaware, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Mexico, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Virginia, West Virginia, Wisconsin, and the District of Columbia; and (2) from points in Putnam County, Fla., and points in Jefferson County, Ark., to points in Alabama, Arizona, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachu-

setts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia. **NOTE:** Applicant states it intends to tack authority sought where possible with its existing authority set forth in MC-106644 and Subs. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga., or Washington, D.C.

No. MC 106920 (Sub-No. 31), filed January 22, 1969. 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: *Table spreads, products made with vegetable oils, and/or animal fats*, from Jacksonville, Ill., to points in Pennsylvania, New York, New Jersey, Connecticut, Massachusetts, Delaware, Maryland, Rhode Island, Virginia, West Virginia, North Carolina, South Carolina, and the District of Columbia 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 may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Dallas, Tex.

No. MC 107295 (Sub-No. 145) (Correction), filed November 20, 1968, published **FEDERAL REGISTER**, issue of December 19, 1968, and republished as corrected this issue. 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, Farmer City, Ill. 61842. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Pipe, cable, conduit, and fittings therefor*, from Glendale, W. Va.; (2) *pipe, tube, wire, cable, connections, joints and fittings and accessories therefor*, from New Brunswick, N.J.; (3) *pipe, conduit, boxes, and fittings therefor, and aluminum or steel plates or sheets*, from Carnegie, Pa.; (4) *pipe and fittings and accessories therefor*, from South Brunswick, N.J.; and (5) *pipe, tubing, and fittings and accessories therefor*, from Footville, Wis., and South Plainfield, N.J., to points in the United States excluding Washington, Oregon, California, Arizona, Nevada, Utah, Idaho, Alaska, and Hawaii. **NOTE:** The purpose of this republication is to add the following tacking information inadvertently omitted from previous publication. Applicant states it proposes to tack the above authority, if granted, at origin points when feasible, with present authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 107295 (Sub-No. 166), filed January 30, 1969. Applicant: **PRE-FAB TRANSIT CO.**, a corporation, 100 South Main Street, Farmer City, Ill. 61842. Ap-

plicant's representative: 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: *Wooden mouldings*, from Stoughton, Wis., to points in New York, Pennsylvania, Minnesota, North Dakota, South Dakota, Colorado, and Nebraska. **NOTE:** Applicant states it will tack with its MC 107295 where feasible. If a hearing is deemed necessary, applicant requests it be held at Madison or Milwaukee, Wis.

No. MC 107403 (Sub-No. 768), filed January 28, 1969. Applicant: **MATLACK, INC.**, 10 West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemical or mineral slurry*, in bulk, from Maple Grove, Liberty Township, Seneca County, Ohio, to points within the United States on and east of the Mississippi River, and points in Texas and Oklahoma. **NOTE:** Applicant states by tacking with its present authority under Subs 682, 740, 405, it may serve points in Pennsylvania (within 150 miles of Monongahela, Pa., and points within 25 miles of Philadelphia), Maryland (within 150 miles of Monongahela, Pa.), and points in New Jersey on and north of New Jersey Highway 33, in the transportation of *chemical slurry only*. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio, or Washington, D.C.

No. MC 107496 (Sub-No. 704), filed January 21, 1969. Applicant: **RUAN TRANSPORT CORPORATION**, Keosauqua Way at Third, Post Office Box 855, Des Moines, Iowa 50304. Applicant's representative: H. L. Fabritz (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal blood*, in bulk; (1) from Monmouth, Ill., to points in Iowa, Minnesota, Nebraska, Wisconsin, and Michigan; (2) from Cedar Rapids, Iowa, to points in Illinois, Minnesota, Nebraska, Wisconsin, and Michigan; and (3) from Minneapolis, Minn., and Milwaukee, Wis., to points in Michigan. **NOTE:** Applicant states that it has no present intention to tack. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa, or Chicago, Ill.

No. MC 107496 (Sub-No. 705), filed January 21, 1969. Applicant: **RUAN TRANSPORT CORPORATION**, Keosauqua Way at Third, Post Office Box 855, Des Moines, Iowa 50304. Applicant's representative: H. L. Fabritz (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Calcium chloride*, in bulk; (1) from Dubuque, Iowa, and points within 5 miles thereof, to points in Illinois, Wisconsin, Iowa, and Minnesota; and (2) from Lemont, La Salle, and Peru, Ill., to points in Wisconsin. **NOTE:** Applicant states that it has no present intention to tack. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Des Moines, Iowa.

No. MC 107515 (Sub-No. 637), filed January 23, 1969. Applicant: REFRIGERATED TRANSPORT CO., INC., Post Office Box 10799, Station A, Atlanta, Ga. 30310. Applicant's representative: B. L. Gundlach (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper articles*, from Palatka, Fla., and points in Putnam County and Yulee, Fla., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Missouri, Nebraska, Ohio, Oklahoma, Texas, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Jacksonville, Fla., or Atlanta, Ga.

No. MC 107515 (Sub-No. 638), filed January 27, 1969. Applicant: REFRIGERATED TRANSPORT CO., INC., Post Office Box 10799, Station A, Atlanta, Ga. 30310. Applicant's representative: B. L. Gundlach (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Tulsa, Okla., to points in Alabama, Georgia, Tennessee (except Memphis), Pennsylvania, New Jersey, New York, Connecticut, Rhode Island, Massachusetts, Florida, South Carolina, North Carolina, Virginia, Maryland, Delaware, and the District of Columbia. NOTE: Applicant states tacking is possible with its Sub 141 at Florence, Ala., to enable service to points in Indiana, Ohio, Michigan, and Kentucky. If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla., or Dallas, Tex.

No. MC 107839 (Sub-No. 133), filed January 30, 1969. Applicant: DENVER-ALBUQUERQUE MOTOR TRANSPORT, INC., 4985 York Street, Denver, Colo. 80216. Applicant's representative: Rodger Spahr (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paint, paint thinner, and epoxy coatings*, in vehicles equipped with mechanical temperature control devices, from Edgewater, Fla., to points in California, Colorado, Kansas, Louisiana, Missouri, Texas, and Washington. NOTE: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 108068 (Sub-No. 77), filed February 3, 1969. Applicant: U.S.A.C. TRANSPORT, INC., Post Office Box G, Joplin, Mo. 64801. Applicant's representatives: Wilburn Williamson, 450 American-National Building, Oklahoma City, Okla. 73102, and A. N. Jacobs (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Aircraft and aircraft parts*, between points in Tennessee, Arkansas, Texas, Colorado, Kansas, Nebraska, North Dakota, South Dakota, Wyoming, Montana, Oklahoma, Missouri, New Mexico, Arizona, Nevada, and Utah; and (2) *equipment, parts, materials, machinery, and supplies* used in the assembling, maintenance, servicing, repairing, and operation of aircraft, between points in (1) above, on the one hand, and, on the

other, points in the United States (except Hawaii and Alaska). Restriction: Restricted to traffic originating at or destined to terminals and facilities of Frontier Airlines, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo., or Chicago, Ill.

No. MC 108341 (Sub-No. 22) (Correction), filed December 26, 1968, published in FEDERAL REGISTER, issue of January 24, 1969, and republished as corrected this issue. Applicant: MOSS TRUCKING COMPANY, INC., 3027 North Tryon Avenue, Charlotte N.C. 28208. Applicant's representative: 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: (1) *Commodities* which require the use of special equipment or special handling by reason of size or weight; and (2) *ordnance materials and supplies and quartermaster supplies*, except household goods and commodities in bulk; (a) between military installations or Defense Department establishments in the United States, except Hawaii; and (b) between points in (a) above on the one hand, and, on the other, points in the United States. NOTE: Common control may be involved. The purpose of this republication is to show (b) above to reflect a change in territorial description. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 109435 (Sub-No. 59), filed January 16, 1969. Applicant: ELLSWORTH BROS. TRUCK LINE, INC., Drawer J, 116 North Allied Road, Stroud, Okla. 74079. Applicant's representative: Wilburn L. Williamson, 450 American National Building, Oklahoma City, Okla. 73102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry urea, dry ammonium nitrate, dry fertilizer, and dry fertilizer materials*, in bulk, in pneumatic type vehicles, from Tulsa and Pryor, Okla., and points within 10 miles thereof, to points in Arkansas, Iowa, Kansas, Missouri, Nebraska, and Texas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla.

No. MC 109689 (Sub-No. 203), filed February 6, 1969. Applicant: W. S. HATCH CO., a corporation, 643 South 800 West, Woods Cross, Utah 84087. Applicant's representative: Mark K. Boyle, 345 South State Street, Salt Lake City, Utah 84110. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sodium chlorate*, in bulk, from Portland, Oreg., and Henderson, Nev., to points in Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah.

No. MC 110098 (Sub-No. 95), filed January 24, 1969. Applicant: ZERO REFRIGERATED LINES, a corporation, 815 Merida Street, Box 7249, Station A, San Antonio, Tex. 78207. 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: *Foodstuffs* (except commodities in bulk, in tank vehicles) in vehicles equipped with mechanical refrigeration, from points in Fresno County, Calif., to points in Oregon, Washington, Idaho, Utah, Nevada, Colorado, Montana, and Wyoming. NOTE: Applicant states that it now holds authority under its Sub 89 to transport oleomargarine, shortening, tallow, vegetable oils, salad dressings, and table sauces, in containers, in vehicles equipped with mechanical refrigeration, from points in Fresno County, Calif., to points in Oregon, Washington, Idaho, Utah, Nevada, Colorado, Montana, and Wyoming. The purpose of this instant application is only to expand the commodity description. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex., or San Francisco, Calif.

No. MC 110525 (Sub-No. 893), filed January 21, 1969. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. 19335. Applicant's representatives: Edwin H. van Deusen (same address as above), and Leonard A. Jaskiewicz, 1155 15th Street NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hydrogen peroxide*, in bulk, from the plantsite of the E. I. du Pont de Nemours & Co., at or near Woodstock, Tenn., to points in Minnesota and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 110923 (Sub-No. 7), filed January 29, 1969. Applicant: ALBERT LIVEK, doing business as AL LIVEK'S TRUCKING SERVICE, 808 Harrison Street, Kewanee, Ill. 61443. Applicant's representative: Edward M. Bazelon, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Agricultural implements and machinery*; (2) *tractors* (except those with vehicle beds, bed frames, or fifth wheels), including lawn or garden tractors and tractor excavating, grading, or loading attachments, combined; (3) *attachments and accessories* for, and equipment designed for use with, the foregoing articles; and (4) *twine*, from West Chicago, Ill., to points in Alabama, Connecticut, Delaware, Florida, Georgia, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia, restricted to traffic originating at the plantsites of, or storage or distribution facilities used by, International Harvester Co., at West Chicago, Ill. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 111231 (Sub-No. 163), filed January 22, 1969. Applicant: JONES TRUCK LINES, INC., 610 East Emma Avenue, Springdale, Ark. 72764. Applicant's representative: B. J. Wiseman (same address as applicant). Authority

sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, iron and steel articles, including scrap iron and steel and iron and steel articles*; (1) from points in Missouri on and east of Missouri Highway 51, to points in Arkansas and Missouri, and (2) from Webb City, Mo., to points in Arkansas, Oklahoma, and Kansas. NOTE: Applicant intends to tack the authority sought herein with its presently held authority under MC 111231 and Subs thereto. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 111397 (Sub-No. 86), filed January 29, 1969. Applicant: DAVIS TRANSPORT, INC., 1345 South Fourth Street, Paducah, Ky. 42001. Applicant's representative: Herbert S. Melton, Jr., Box 1284, Paducah, Ky. 42001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ferrophosphorus*, from the plantsite of Mobil Chemical Co., Mount Pleasant, Tenn., to points in Ohio, Indiana, Illinois, Alabama, West Virginia, Kentucky, Michigan, and Pennsylvania. NOTE: If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky., or Washington, D.C.

No. MC 111594 (Sub-No. 42), filed January 27, 1969. Applicant: C W TRANSPORT, INC., 610 High Street, Wisconsin Rapids, Wis. 54494. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic materials, plastic pellets, granules, and cubes*, in bulk, in tank or hopper-type vehicles, from Henry, Ill., to points in Arkansas, Indiana, Iowa, Kansas, Kentucky, Ohio, Michigan, Minnesota, Missouri, Pennsylvania, Nebraska, Tennessee, Wisconsin, Connecticut, New York, New Jersey, Massachusetts, Maine, Rhode Island, and Vermont. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 111785 (Sub-No. 39), filed January 31, 1969. Applicant: BURNS MOTOR FREIGHT, INC., Post Office Box 149, U.S. Highway 219 North, Marlinton, W. Va. 24954. Applicant's representative: Theodore Polydoroff, 1120 Connecticut Avenue NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wooden pallets*, from points in Tucker County, W. Va., to points in Alabama, Georgia, North Carolina, South Carolina, and Tennessee. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 112520 (Sub-No. 195), filed January 20, 1969. Applicant: McKENZIE TANK LINES, INC., Post Office Box 1200, Tallahassee, Fla. 32302. Applicant's representative: W. Guy McKenzie, Jr. (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, from Tampa, Fla., to points in Alabama,

Florida, Georgia, Mississippi, North Carolina, South Carolina, Tennessee; and Charleston, W. Va., Taft, La., and Texas City, Tex. NOTE: If a hearing is deemed necessary, applicant requests it be held at Tampa, Fla., Atlanta, Ga., or Washington, D.C.

No. MC 112520 (Sub-No. 196), filed January 31, 1969. Applicant: McKENZIE TANK LINES, INC., Post Office Box 1200, Tallahassee, Fla. 32302. Applicant's representative: W. Guy McKenzie, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal food and animal food supplements*, in bulk, in tank vehicles, from Bainbridge, Ga., to points in Alabama, Florida, Georgia, South Carolina, and Tennessee. NOTE: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 112822 (Sub-No. 89), filed January 27, 1969. Applicant: BRAY LINES, INCORPORATED, Post Office Box 1191, 1401 North Little Street, Cushing, Okla. 74023. Applicant's representative: Carl L. Wright (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ammonium nitrate, dry; fertilizer compounds, dry; fertilizer materials, dry; and blends thereof*, in bulk and in containers, from Beaumont, Tex., to points in Alabama, Arkansas, Colorado, Kansas, Kentucky, Louisiana, Mississippi, Missouri, New Mexico, Oklahoma, Tennessee, and Texas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., Houston or Dallas, Tex.

No. MC 112822 (Sub-No. 90), filed January 30, 1969. Applicant: BRAY LINES, INCORPORATED, Post Office Box 1191, 1401 North Little Street, Cushing, Okla. 74023. Applicant's representative: Carl L. Wright (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from points in Fresno County, Calif., to points in Arizona, Colorado, Idaho, Nevada, Montana, Oregon, Utah, Washington, and Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex., Denver, Colo., or San Francisco, Calif.

No. MC 112822 (Sub-No. 91), filed January 30, 1969. Applicant: BRAY LINES, INCORPORATED, Post Office Box 1191, 1401 North Little Street, Cushing, Okla. 74023. Applicant's representative: Carl L. Wright (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Oleomargarine, table sauces, table spreads, salad dressings, salad oils, vegetable oils, cooking oils, shortening, lard, tallow, animal fats, and products made with vegetable oils and/or animal fats* (except commodities in bulk), in vehicles equipped with controlled temperatures, from Jacksonville (Morgan County), Ill., to points in Iowa, Minnesota, Wisconsin, Indiana, and Michigan.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex., Denver, Colo., or Chicago, Ill.

No. MC 113388 (Sub-No. 87), filed January 22, 1969. Applicant: LESTER C. NEWTON TRUCKING CO., a corporation, Post Office Box 248, Bridgeville, Del. Applicant's representative: William J. Augello, Jr., 36 West 44th Street, New York, N.Y. 10036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Barker, Buffalo, and Medina, N.Y., to points in Connecticut, Massachusetts, Maine, New Hampshire, Rhode Island, and Vermont. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 113843 (Sub-No. 147), filed January 23, 1969. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass. 02210. Applicant's representative: Lawrence T. Shells (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Oleomargarine, table vegetable oils, cooking oils, shortening, lard, tallow, animal fats, products made with vegetable oils and/or animal fats*, in containers, in vehicles equipped for controlled temperatures, from the plantsite of Anderson, Clayton & Co., Foods Division, at or near Jacksonville, Ill., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Dallas, Tex.

No. MC 114004 (Sub-No. 69), filed January 23, 1969. Applicant: CHANDLER TRAILER CONVOY, INC., 8828 New Benton Highway, Little Rock, Ark. 72204. Applicant's representative: W. G. Chandler (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; and (2) *buildings* in sections mounted on wheeled undercarriages, in initial movements in truckaway service, from points in Prairie County, Ark., Henry County, Tenn., Chaves County, N. Mex., and Berthoud, Colo. and points within 20 miles thereof, to points in the United States including Alaska, but excluding Hawaii. NOTE: If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark.

No. MC 114679 (Sub-No. 13), filed January 30, 1969. Applicant: HOWARD H. KRAPP, doing business as KRAPP TRUCK SERVICE, Rural Delivery No. 4, Allentown, Pa. Applicant's 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: *General commodities* (except cement and commodities in bulk), between Allentown, Pa., on the one hand, and, on the other, points in Berks, Bucks, Carbon, Lehigh, Monroe,

Montgomery, Northampton, and Schuylkill Counties, Pa., and Warren and Hunterdon Counties, N.J. NOTE: If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 114725 (Sub-No. 43), filed January 24, 1969. Applicant: WYNNE TRANSPORT SERVICE, INC., 2606 North 11th Street, Omaha, Nebr. Applicant's representative: J. Max Harding, 605 South 14th Street, Post Office Box 2038, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid feed supplement*, in bulk, in tank vehicles, from Omaha, Nebr. (except the plantsite or warehouse facilities of Allied Chemical Corp.), to points in Minnesota, South Dakota, Kansas, Missouri, Iowa, and Illinois. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 115331 (Sub-No. 265), filed January 27, 1969. Applicant: TRUCK TRANSPORT, INCORPORATED, 1931 North Geyer Road, St. Louis, Mo. 63131. Applicant's representative: J. R. Ferris (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Barite and limestone*, from points in Washington County, Mo., to points in Alabama, Arkansas, Colorado, Georgia, Illinois, Maryland, Mississippi, Nebraska, New Mexico, New York, North Carolina, North Dakota, South Carolina, South Dakota, Virginia, and West Virginia; and (2) *manufactured fertilizer compounds, ingredients, and materials*, in bulk, from North Little Rock, Ark., to points in Mississippi. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 115491 (Sub-No. 114), filed January 27, 1969. Applicant: COMMERCIAL CARRIER CORPORATION, 502 East Bridgers Avenue, Post Office Box 67, Auburndale, Fla. 33823. Applicant's representative: Tony G. Russell (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Beer, ale, and other malt beverages*, from Jacksonville, Fla., to points in Georgia on and south of U.S. Highway 80. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Jacksonville, Fla., or Atlanta, Ga.

No. MC 115826 (Sub-No. 189), filed January 24, 1969. Applicant: W. J. DIGBY, INC., 1960 31st Street, Denver, Colo. 80217. Applicant's representatives: Charles J. Kimball and Donald E. Leonard, 605 South 14th Street, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products, and articles distributed by meat packinghouses* as described in appendix I, *Description in Motor Carrier Certificates*, 61 M.C.C. 766 and 209, from points in Colorado to points in Arizona, California, Nevada, and New Mexico. Restriction: The authority set forth herein to the extent that it duplicates any authority heretofore granted to or now held

by carrier shall not be construed as conferring more than one operating right. NOTE: Applicant states it could connect in California under its Sub 113 to Oregon, Washington; New Mexico under Sub of MC-F-10097, MC 107698 to Texas; Colorado with Sub 72 permitting from Phelps City, Mo., to California, Arizona, and New Mexico. This application in large part constitutes removal of gateways arising under operations pursuant to Subs 4, 28, 83, 113, 116, 124, and 178. Applicant states no duplicating authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 116073 (Sub-No. 93), filed February 6, 1969. Applicant: BARRETT MOBILE HOME TRANSPORT INC., 1825 Main, Post Office Box 601, Moorhead, Minn. 56560. Applicant's representative: Donald E. Cross, 1329 E Street NW., 917 Munsey Building, Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers* designed to be drawn by passenger automobiles and *buildings* complete or in sections in initial movement, from points in Clark County, Wis., to points in the United States including Alaska but excluding Hawaii. NOTE: If hearing is deemed necessary, applicant requests it be held at Madison, Wis.

No. MC 116077 (Sub-No. 258), filed January 24, 1969. 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: (1) *Dry ammonium nitrate*; (2) *dry fertilizer compounds*; (3) *dry fertilizer materials*; and (4) *blends* of the items named in (1), (2), and (3) above, from Beaumont, Tex., to points in Alabama, Arkansas, Colorado, Kansas, Kentucky, Louisiana, Mississippi, Missouri, New Mexico, Oklahoma, Tennessee, and Texas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Houston or Dallas, Tex.

No. MC 117574 (Sub-No. 178), filed January 28, 1969. 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: *Conduit and pipe, and attachments, parts, and fittings* therefor (except commodities which because of size or weight require the use of special equipment), between points in North Carolina, South Carolina, Georgia, Florida, Alabama, Tennessee, Mississippi, Louisiana, and Virginia, on the one hand, and, on the other, Orangeburg, N.Y. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 117823 (Sub-No. 35), filed January 30, 1969. Applicant: DUNKLEY REFRIGERATED TRANSPORT, INC., 240

West California Avenue, Salt Lake City, Utah 84115. Applicant's representative: Lon Rodney Kump, 720 Newhouse Building, Salt Lake City, Utah 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, when transported in the same vehicle with frozen foods, from points in Washington and Oregon to points in Utah, and Twin Falls, Pocatello, and Idaho Falls, Idaho. NOTE: If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah.

No. MC 118039 (Sub-No. 10), filed January 30, 1969. Applicant: MUSTANG TRANSPORTATION, INC., 833 Warner Street SW., Atlanta, Ga. 30310. Applicant's representative: Virgil H. Smith, 431 Title Building, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Boxes, fiberboard*, other than corrugated, and bottle or can carrying cartons, from plantsite and warehouses of The Mead Packaging Division of Mead Corp. in Fulton County, Ga., to points in Mississippi, Arkansas, Oklahoma, Louisiana, and Texas. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 118808 (Sub-No. 10), filed January 28, 1969. Applicant: A B C EXPRESS COMPANY, a corporation, Fifth Street and Columbia Avenue, Philadelphia, Pa. 19122. Applicant's representative: Anthony C. Vance, Suite 301, Tavern Square, 421 King Street, Alexandria, Va. 22314. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities* as are dealt in by department stores, between Bloomfield, N.J., on the one hand, and, on the other, New York, N.Y., and points in Long Island, Westchester, Rockland, Orange, and Putnam Counties, N.Y., and Fairfield County, Conn.; restricted to a transportation service to be performed under a continuing contract with Bamberger's New Jersey, a division of R. H. Macy & Co., Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa., or Washington, D.C.

No. MC 119741 (Sub-No. 27), filed January 30, 1969. Applicant: GREEN FIELD TRANSPORT COMPANY, INC., Post Office Box 1235, Fort Dodge, Iowa 50501. 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: *Oleomargarine, table sauces, table spreads, salad dressings, salad oils, vegetable oils, cooking oils, shortening, lard, tallow, animal fats, products made with vegetable oils and/or animal fats* (except commodities in bulk), in vehicles equipped for controlled temperatures, from the plantsite and storage facilities of Anderson, Clayton & Co. Foods Division at or near Jacksonville, Ill., to points in Pennsylvania, New York, Massachusetts, Rhode

Island, Connecticut, New Jersey, Delaware, Maryland, Washington, D.C., Virginia, and West Virginia. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 119741 (Sub-No. 28), filed January 30, 1969. Applicant: GREEN FIELD TRANSPORT COMPANY, INC., Post Office Box 1235, Fort Dodge, Iowa 50501. 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: (1) *Table spreads, salad oils, vegetable oils, cooking oils, animal fats, and products made with vegetable oils and/or animal fats* (except commodities in bulk), in vehicles equipped with mechanical refrigeration, from points in Morgan County, Ill., to points in Nebraska, Missouri, Iowa, Kansas, Minnesota (except points in the Minneapolis-St. Paul, commercial zone as defined by the Commission), Indiana (except points in the Chicago, Ill., commercial zone as defined by the Commission), the Lower Peninsula of Michigan, Ohio, Kentucky, North Dakota and South Dakota; and (2) *oleomargarine, table sauces, table spreads, salad dressings, salad oils, vegetable oils, cooking oils, shortening, lard, tallow, animal fats, and products made with vegetable oils and/or fats* (except commodities in bulk) in vehicles equipped with mechanical refrigeration, from points in Morgan County, Ill., to points in the Minneapolis-St. Paul, Minn., commercial zone as defined by the Commission, Wisconsin and the Upper Peninsula of Michigan. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 119988 (Sub-No. 22) (Amendment), filed January 27, 1969, published in FEDERAL REGISTER issue of February 13, 1969, and republished as amended, this issue. Applicant: GREAT WESTERN TRUCKING CO., INC., 811½ North Timberline Drive, Lufkin, Tex. 75901. Applicant's representative: Mert Starnes, The 904 Lavaca Building, Austin, Tex. 78701. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Newsprint*, (1) from points in Angelina County, Tex., to points in Oklahoma, restricted against the transportation of shipments of Oklahoma City, Tulsa, and Sapulpa, and the respective commercial zones thereof, and points on U.S. Highway 77 (Interstate Highway 35) between the Texas-Oklahoma State line and Oklahoma City; and (2) points in Arkansas. NOTE: The purpose of this republication is to add (2) above, broadening the territorial scope of the application. If a hearing is deemed necessary, applicant requests it be held at Austin or Houston, Tex.

No. MC 123067 (Sub-No. 73), filed January 27, 1969. Applicant: M & M TANK LINES, INC., Post Office Box 612, Winston-Salem, N.C. 27102. Applicant's representative: B. M. Shirley, Jr. (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Commodities in bulk*, in tank, hop-

per, or dump vehicles, restricted to shipments having had a prior movement by rail; (1) from points in Bedford and Roanoke Counties, Va., to points in Tennessee, Virginia, West Virginia, and that part of North Carolina on and west of U.S. Highway 220; and (2) from Chesapeake, Va., to points in Delaware, Maryland, North Carolina, and Virginia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 123067 (Sub-No. 76), filed January 31, 1969. Applicant: M & M TANK LINES, INC., Post Office Box 612, Winston-Salem, N.C. 27102. Applicant's representatives: Monty Schumacher, Bankers Fidelity Life Building, 2045 Peachtree Road NE., Atlanta, Ga. 30309, and B. M. Shirley, Jr. (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from points in Chatham County, Ga., to points in Alabama, Georgia, and Tennessee. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Savannah, Ga.

No. MC 123383 (Sub-No. 40), filed January 28, 1969. Applicant: BOYLE BROTHERS, INC., 276 River Road, Edgewater, N.J. 07020. Applicant's representative: 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: *Plywood, hardboard, and particle board, and accessories used in the installation thereof*, from Baltimore, Md., to points in Maine, New Hampshire, Vermont, Michigan, Ohio, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, District of Columbia, Virginia, and West Virginia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 123548 (Sub-No. 1), filed January 31, 1969. Applicant: M.T.I. CORPORATION, 90 Brookfield Street, South Windsor, Conn. Applicant's representative: John E. Fay, 79 Lafayette Street, Hartford, Conn. 06106. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Road construction and grading materials* (except such materials as may be transported in bulk, in tank vehicles), between points in Litchfield, Tolland, Hartford, and Windham Counties, Conn., and points in Massachusetts (except Springfield and 25 miles thereof). NOTE: If a hearing is deemed necessary, applicant requests it be held at Hartford, Conn., Springfield or Boston, Mass.

No. MC 123922 (Sub-No. 18), filed January 27, 1969. Applicant: CHARTER BULK SERVICE, INC., 80 Doremus Avenue, Newark, N.J. 07105. Applicant's representative: Charles J. Williams, 47 Lincoln Park, Newark, N.J. 07102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Process clay*, in bulk, from Paulsboro, N.J., to Philadelphia, Pa., and points in Delaware, Michigan, and Ohio. NOTE: If a hearing is deemed necessary, applicant requests it

be held at Washington, D.C., or Philadelphia, Pa.

No. MC 124078 (Sub-No. 358), filed January 21, 1969. Applicant: SCHWERTMAN TRUCKING CO., a corporation, 611 South 28th Street, Milwaukee, Wis. 53246. Applicant's representative: Richard H. Prevette (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia and ammonium nitrate*, in bulk, from the plantsite of Central Nitrogen, Inc., located at or near Terre Haute (Vigo County) Ind., to points in Illinois, Indiana, Michigan, Ohio, and Wisconsin. NOTE: Applicant states it intends to tack the sought authority with authority held in MC 124078 Sub No. 225 at Lima, Ohio, to serve points in Kentucky and Pennsylvania. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 124796 (Sub-No. 42) (Amendment), filed December 12, 1968, published FEDERAL REGISTER issue of January 9, 1969, amended January 21, 1969, and republished as amended this issue. Applicant: CONTINENTAL CONTRACT CARRIER CORP., 15045 East Salt Lake Avenue, Post Office Box 1257, City of Industry, Calif. 91747. Applicant's representative: J. Max Harding, 605 South 14th Street, Post Office Box 2028, Lincoln, Nebr. 68501. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Floor mats and runners, and wooden doors*, uncarted, from Industry, Calif., to points in the United States (except Maine, New Hampshire, Vermont, Alaska, and Hawaii), restricted to traffic originating at the plantsites or warehouse facilities utilized by Roberts Consolidated Industries, under continuing contract with Roberts Consolidated Industries. NOTE: The purpose of this republication is to broaden the commodity description. If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 125473 (Sub-No. 7), filed January 22, 1969. Applicant: YAZOO TRUCKING CO., INC., 1633 Highway 49E, Yazoo City, Miss. 39194. Applicant's representative: Donald B. Morrison, 717 Deposit Guaranty National Bank Building, Post Office Box 22533, Jackson, Miss. 39205. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Fertilizer, fertilizer materials, urea and urea products*, dry, in bags, and in packages, from the plantsite of Triad, located near Donaldsonville, La., to points in Alabama, Arkansas, Louisiana, Mississippi, Missouri, Georgia, and Texas, under contract with Miss. Chemical Corp.; Coastal Chemical Corp.; First Mississippi Corp.; Triad, Miscoa & Ammochem, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Jackson, Miss.

No. MC 125777 (Sub-No. 126), filed January 27, 1969. Applicant: JACK GRAY TRANSPORT, INC., 4600 East 15th Avenue, Gary, Ind. 46403. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a common carrier, by motor vehicle, over irregular

routes, transporting: (1) *Pig iron*, in dump vehicles, from Buffalo, N.Y., to points in Connecticut, Delaware, Illinois, Indiana, Massachusetts, Maryland, Michigan, New Hampshire, Rhode Island, Virginia, and Vermont; (2) *pig iron*, in dump vehicles, from the plantsites of Interlake Steel Corp. at (a) Chicago, Ill., to points in Colorado, Oklahoma, Texas, Tennessee, and Kentucky; and (b) Toledo, Ohio, to points in Tennessee, Arkansas, Texas, and Oklahoma; (3) *fluorspar, lead and zinc concentrate*, in bulk, in dump vehicles, from points in Hardin County, Ill., Crittenden, Livingston, and Caldwell Counties, Ky.; and Jackson County, Colo., to points in Wisconsin, Iowa, Kansas, Indiana, Michigan, Ohio, Mississippi, Georgia, North Carolina, Florida, Illinois, Minnesota, Missouri, Kentucky, West Virginia, Pennsylvania, Tennessee, Arkansas, Oklahoma, and Louisiana. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 126512 (Sub-No. 5), filed January 27, 1969. Applicant: BROAD TOP SALES AND SERVICE, INC., 11 North Carlisle Street, Greencastle, Pa. 17225. Applicant's representative: Eston H. Alt, Post Office Box 81, Winchester, Va. 22601. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, from points in Somerset and Westmoreland Counties, Pa., to Baltimore, Hagerstown, Lime Kiln, and Williamsport, Md., under contracts with Robert H. Glessner, Jr., doing business as Glessner Mines, and C. W. Brown, doing business as C. W. Brown Coal Co. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 127061 (Sub-No. 2), filed January 20, 1969. Applicant: L. C. WALSON, Box 56, Dover, Idaho 83825. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chips, shavings, sawdust, lumber, and equipment* used in logging operations, between points in Boundary, Kootenai, Lewis, Bonner, Nez Perce, and Latah Counties, Idaho; Pend Oreille, Lincoln, Walla Walla, and Spokane Counties, Wash.; and Missoula, Sanders, Mineral, and Lake Counties, Mont. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Spokane, Wash.

No. MC 127684 (Sub-No. 5), filed January 21, 1969. Applicant: SAMARDICK OF OMAHA, INC., 410 South 18th Street, Omaha, Nebr. 68102. Applicant's representative: Jean C. Whinnery (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Currency, coin, negotiable securities, and other valuables*, between Omaha, Nebr., and points in Iowa located on and west of U.S. Highway 65. **NOTE:** Applicant states it does not seek duplicate authority. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Chicago, Ill.

No. MC 127705 (Sub-No. 23), filed January 21, 1969. Applicant: KREVDA BROS. EXPRESS, INC., Post Office Box 68, Gas City, Ind. 46933. Applicant's rep-

resentative: Donald W. Smith, 900 Circle Tower, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass containers and closures therefor*, from Gas City, Ind., to points in Kentucky (except Covington, Bradstown, Owensboro, Clermont, and Taylor). **NOTE:** Applicant holds contract carrier authority under MC 123934 and Subs thereunder, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind., or Washington, D.C.

No. MC 128746 (Sub-No. 10), filed January 22, 1969. Applicant: D'AGATA NATIONAL TRUCKING CO., a corporation, 3240 South 61st Street, Philadelphia, Pa. 19153. Applicant's representative: G. Donald Bullock, Wyncote, Pa. 19095. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, in containers, from Norristown and Philadelphia, Pa., to points in Maine, New Hampshire, Vermont, and Rhode Island. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa., or Washington, D.C.

No. MC 128940 (Sub-No. 6), filed January 28, 1969. Applicant: RICHARD A. CRAWFORD, doing business as R. A. CRAWFORD TRUCKING SERVICE, 9327 Riggs Road, Post Office Box 722, Adelphi, Md. 20783. Applicant's representative: Daniel B. Johnson, 716 Perpetual Building, 1111 E Street NW., Washington, D.C. 20004. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts* as described in appendix I to *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 (except in bulk): (1) from Milwaukee, Wis., to points in Maryland, Pennsylvania, New Jersey, New York, and the District of Columbia; (2) from Washington, D.C., to points in Maryland, Pennsylvania, New Jersey, New York, and Washington, D.C.; and (3) from Philadelphia, Pa., to points in Maryland, Pennsylvania, New Jersey, New York, and Washington, D.C.; under contract with Peck Meat Packing Corp. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 129200 (Sub-No. 3), filed January 2, 1969. Applicant: WELDON MOVING AND STORAGE CO., INC., U.S. No. 1 North, Post Office Box 1442, Cocoa, Fla. 32922. Applicant's representative: Robert J. Gallagher, 111 State Street, Boston, Mass. 02132. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, between points in Brevard, Osceola, Indian River, Okeechobee, St. Lucie, and Martin Counties, Fla., restricted to traffic having either a prior or subsequent movement in Interstate or Foreign Commerce. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Jacksonville or Miami, Fla.

No. MC 129708 (Sub-No. 3), filed January 23, 1969. Applicant: McRAY TRUCK LINE, INC., Post Office Box 329,

Springfield, Ky. 40069. Applicant's representative: George M. Catlett, 703-706 McClure Building, Frankfort, Ky. 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Rigid polyvinyl chloride pipe*, between the plantsite of Universal Pipe & Plastic, Inc., near Springfield, Ky., on the one hand, and, on the other, points in the United States (except Hawaii and Alaska); and (2) *materials, equipment, and supplies* used in the manufacture of rigid polyvinyl chloride pipe, between points in the United States (except Hawaii and Alaska), on the one hand, and, on the other, the plantsite of Universal Pipe & Plastic, Inc., near Springfield, Ky., restricted against the transportation of commodities in bulk, and those requiring special equipment in (2) above. **NOTE:** Applicant holds contract carrier authority under MC 112567 and Subs thereunder, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Louisville or Nashville, Tenn.

No. MC 133042 (Sub-No. 2), filed January 27, 1969. Applicant: LIONEL LAROSE, doing business as LAROSE TRANSPORT, 106 Western Avenue, Sutton, Province of Quebec, Canada. Applicant's representative: Edwin W. Free, Jr., 25 Keith Avenue, Barre, Vt. 05641. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Dry brewery grain*, in bulk and bags, from ports of entry on the international boundary line between the United States and Canada located in Vermont, to Castleton, Newport, Richford, St. Albans, St. Johnsbury, and Westminster, Vt.; and (2) *limestone*, in bulk, from ports of entry on the international boundary line between the United States and Canada located in Vermont, to Richford, Vt.; under contract with H. K. Webster Co. and Lockwood Nutrition Service, Inc. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Montpelier or Burlington, Vt.

No. MC 133102 (Sub-No. 2), filed January 31, 1969. Applicant: ALLEN TRUCKING COMPANY, INC., Route 2, Box 51, Keithville, La. 71047. Applicant's representative: Paul L. Caplinger, Post Office Box 7295, Shreveport, La. 71107. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sawdust, wood flour, shavings, chips, bark, and waste wood blocks*, between points in Arkansas, Louisiana, Oklahoma, and Texas. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Shreveport, La.

No. MC 133104 (Sub-No. 1), filed January 27, 1969. Applicant: GEORGE D. CONROY, 1923 Court Street, Redding, Calif. 96001. Applicant's representative: Raymond A. Greene, Jr., 405 Montgomery Street, San Francisco, Calif. 94104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wrecked, disabled and inoperative motor vehicles and trailers* (except mobile homes and house

trailers designed to be drawn by passenger vehicles), and replacements thereof in truckaway service by wrecker equipment only, between points in California, Nevada, and Oregon. NOTE: If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

No. MC 133121 (Sub-No. 2), filed January 21, 1969. Applicant: SILLS TRUCKING COMPANY, INC., 339 Whitaker Street, Apartment No. 5, Savannah, Ga. 31401. Applicant's representative: John R. Calhoun, 339 Whitaker Street, Apartment 5, Savannah, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plant mix asphalt and aggregates* used in the construction of highways or other paved surfaces, in bulk, in dump type vehicles, from points in Chatham County, Ga., to points in South Carolina. NOTE: If a hearing is deemed necessary, applicant requests it be held close to Savannah, Ga.

No. MC 133208 (Sub-No. 1), filed February 3, 1969. Applicant: KAYLON T. HOWARD, Post Office Box 647, Twin Falls, Idaho 83301. Applicant's representative: Kenneth G. Bergquist, Post Office Box 1775, Boise, Idaho 83701. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Steel pipe and steel well casing*, between points in Idaho, California, Oregon, Washington, Nevada, Montana, Wyoming, Colorado, Nebraska, Kansas, Oklahoma, Utah, Texas, and ports of entry on the international boundary line between the United States and Canada, at or near Raymond and Sweetgrass, Mont., and Blaine, Wash., under contract with Southwest Pipe of Idaho, Inc. NOTE: Applicant states it is not seeking Mercer Description authority (74 MCC 459) or Willett Description authority (89 MCC 427). If a hearing is deemed necessary, applicant requests it be held at Boise, Idaho.

No. MC 133236 (Sub-No. 1), filed January 23, 1969. Applicant: H. JAMES FRY TRUCKING, INC., Old Fort, Ohio 44861. Applicant's representative: Richard H. Brandon, 79 East State Street, Columbus, Ohio 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Rubber tires*, under contract with Super Tire Engineering Co., between Old Fort, Ohio, and Camden, N.J. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 133314 (Amendment), filed November 25, 1968, published FEDERAL REGISTER issue of December 19, 1968, amended January 28, 1969 and republished as amended this issue. Applicant: SILVAN TRUCKING COMPANY, INC., Route 2, Post Office Box 87, Pendleton, Ind. 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: *Fertilizer and fertilizer ingredients*, between points in Hancock, Marion, and Pulaski Counties, Ind., on the one hand, and, on the other, Van Wert, Mercer, Darke, Preble, Butler,

Allen, Putnam, Auglaize, Shelby, Miami, Montgomery, Warren, Clinton, Greene, Clark, Champaign, Logan, Hardin, Union, Madison, and Fayette Counties, Ohio. NOTE: The purpose of this republication is to add the origin point of Pulaski County, Ind. If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind., or Columbus, Ohio.

No. MC 133317 (Sub-No. 2), filed January 31, 1969. Applicant: DON EICHELBERGER, doing business as EICHELBERGER TRUCKING, R.F.D. 1, Shickley, Nebr. 68436. Applicant's representative: Richard A. Peterson, 521 South 14th Street, Post Office Box 806, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Breeding swine*, from points in Fillmore County, Nebr., to points in the United States (except Alaska and Hawaii). NOTE: If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr.

No. MC 133374 (Sub-No. 1), filed January 28, 1969. Applicant: CARTER TRANSFER, INC., South Church Street, Lake City, S.C. 29560. Applicant's representative: J. Warren Carter (same as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Produce containers, produce baskets, produce tubs, and wooden pallets*, from points in Florence and Colleton Counties, S.C., to points in Maryland, Virginia, Tennessee, North Carolina, Georgia, and Florida; and (2) *lumber and wooden shipping containers*, from points in North Carolina, to Florence and Colleton Counties, S.C. NOTE: Applicant states no duplicate authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Columbia, S.C.

No. MC 133416 (Sub-No. 1), filed January 21, 1969. Applicant: JACK M. ROTH COMPANY, a corporation, 6987 Los Tilos Road, Los Angeles, Calif. 90028. Applicant's representative: Marshal G. Berol, 100 Bush Street, 21st Floor, San Francisco, Calif. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Corrugated fiberboard boxes*, for the account of Salinas Valley Wax Co., from the plantsites of Crown Zellerbach Corp., Gaylord Container Division, at Antioch and Gilroy, Calif., to points in Cochise, Maricopa, and Yuma Counties, Ariz. NOTE: If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

No. MC 133422, filed January 16, 1969. Applicant: FRANCIS E. BROCKWAY, doing business as BROCKWAY TRANSPORTATION, Route No. 1, Wheeler, Mich. 48662. Applicant's representative: William B. Elmer, 22644 Gratiot Avenue, East Detroit, Mich. 48021. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Milk beverages*, from Columbus, Ohio, and South Bend, Ind., to Lansing, Mich. NOTE: If a hearing is deemed necessary, applicant requests it be held at Lansing or Detroit, Mich.

No. MC 133424, filed January 16, 1969. Applicant: AARON COPE, doing busi-

ness as AARON COPE TRUCKING COMPANY, 101 North Oakhill Drive, McMinnville, Tenn. 37110. Applicant's representative: Walter Harwood, 1832 Parkway Towers, Nashville, Tenn. 37219. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Lightweight aggregate*, in bulk, in dump trailers, from Greenbrier, Tenn., to points in Kentucky, Indiana, and Illinois, on and south of U.S. Highway 40; Missouri on and south of U.S. Highway 66; Arkansas on and east of U.S. Highway 65; Mississippi and Alabama on and north of U.S. Highway 80; and Georgia on and north of U.S. Highway 78; and (2) *coal*, in bulk, in dump trailers, from points in Kentucky and those in Alabama on and north of U.S. Highway 78 to points in Tennessee. NOTE: If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn.

No. MC 133444, filed January 31, 1969. 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 *contract carrier*, by motor vehicle, over irregular routes, transporting: *Engine parts and accessories, and motors and compressors*, in shipments of 10,000 pounds or less, between Beloit, Wis., on the one hand, and, on the other, points in Arizona, Connecticut, Illinois, Indiana, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Mississippi, Missouri, New Jersey, New York, Ohio, South Dakota, Texas, Virginia, and West Virginia, under a continuing contract or contracts with Fairbanks Morse, Inc., Power Systems Division, of Beloit, Wis. NOTE: Applicant holds common carrier authority under Docket No. MC 4575, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Madison, Wis.

No. MC 133436, filed January 21, 1969. Applicant: DUDDEN ELEVATOR, INC., Post Office Box 97, Venango, Nebr. 69168. Applicant's representative: Richard A. Dudden (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Alfalfa products, feed ingredients, and feed*, between points in Nebraska on and west of U.S. Highway 77, Kansas, Oklahoma, Wyoming, Colorado, those in Texas on and north of U.S. Highway 82, and those in New Mexico on and north of U.S. Highway 380 and on and east of U.S. Highway 85, under contract with Western Alfalfa Corp. NOTE: If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr.

No. MC 133437, filed January 21, 1969. Applicant: DAVIS CARTAGE CO., a corporation, Saginaw, Mich. 48601. Applicant's representative: William B. Elmer, 22644 Gratiot Avenue, East Detroit, Mich. 48021. Authority sought to operate as a *contract carrier*, by motor

vehicle, over irregular routes, transporting: *Sugar*, in bulk, from points in Bay County, Mich., to points in Indiana, Ohio, those points in New York on and west of U.S. Highway 11 and those points in Pennsylvania on and west of U.S. Highway 15 under contract with Monitor Sugar Co. of Bay City, Mich. NOTE: If a hearing is deemed necessary, applicant requests it be held at Lansing or Detroit, Mich.

No. MC 133447, filed January 26, 1969. Applicant: BALLEW STORAGE COMPANY, INC., 175 West Woodrow Wilson Drive, Jackson, Miss. 39211. Applicant's representative: Donald B. Morrison, 717 Deposit Guaranty National Bank Building, Post Office Box 22533, Jackson, Miss. 39205. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between Jackson, Miss., on the one hand, and, on the other, points in Attala, Adams, Claiborne, Copiah, Hinds, Lauderdale, Lawrence, Leake, Lincoln, Madison, Rankin, Scott, Simpson, Smith, Warren, and Yazoo Counties, Miss., restricted to shipments moving in containers and having an immediately prior or subsequent movement by rail, motor, water, or air, and moving on through bills of lading of forwarders operating under the section 402(b)(2) exemption. NOTE: If a hearing is deemed necessary, applicant requests it be held at Jackson, Miss.

MOTOR CARRIERS OF PASSENGERS

No. MC 61016 (Sub-No. 33), filed January 21, 1969. Applicant: PETER PAN BUS LINES, INC., 144 Bridge Street, Springfield, Mass. 01103. Applicant's representative: Frank Daniels, 15 Court Square, Boston, Mass. 02108. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage* in special operations, beginning and ending at Amherst, Northampton, Easthampton, Holyoke, Chicopee, and Springfield, Mass., and extending to the sites of Aqueduct Race Track, New York, Belmont Park, Belmont, N.Y., and Yonkers Raceway, Mount Vernon, N.Y., during the respective racing seasons. NOTE: If a hearing is deemed necessary, applicant requests it be held at Springfield, Mass.

No. MC 118848 (Sub-No. 11), filed January 29, 1969. Applicant: DOMENICO BUS SERVICE, INC., Box 47, 75 New Hook Access Road, Bayonne, N.J. 07002. Applicant's representative: Charles J. Williams, 47 Lincoln Park, Newark, N.J. 07102. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers: (1) Between junction Hyland Boulevard and Midland Avenue and junction Willow Brook Road and Forest Avenue, Staten Island, N.Y., from junction Hyland Boulevard and Midland Avenue over Midland Avenue to junction Seaside Boulevard, thence over Seaside Boulevard to junction Sand Lane, thence over Sand Lane to junction McClean Avenue, thence over McClean

Avenue to junction Lily Pond Avenue, thence over Lily Pond Avenue to junction School Road, thence over School Road to junction Bay Street, thence over Bay Street to junction Broad Street, thence over Broad Street to junction Targee Street, thence over Targee Street to junction Vanderbilt Avenue, thence over Vanderbilt Avenue to junction Richmond Road, thence over Richmond Road to junction Rockland Avenue, thence over Rockland Avenue to junction Brielle Avenue, thence over Brielle Avenue to junction Bradely Avenue, thence over Bradely Avenue to junction Watchogue Road, thence over Watchogue Road to junction Willow Brook Road, thence over Willow Brook Road to junction Forest Avenue, and return over the same route, serving all intermediate points; and (2) between junction Forest Avenue and Victory Boulevard and junction Seneca Street and Victory Boulevard, Staten Island, N.Y., from junction Forest Avenue and Victory Boulevard over Victory Boulevard to thence over Seneca Avenue to junction Victory Boulevard, and return over the same route, serving all intermediate points. NOTE: Applicant proposes to tack the authority sought herein with its existing regular-route authority in lead docket No. MC-118848 Sub 4 and subs thereto. The Sub 4 certificate authorizes generally the transportation of passengers between the Borough of Richmond and the Borough of Manhattan, N.Y., over the Goethals Bridge, New Jersey Turnpike, and the Lincoln Tunnel. The purpose of this authority is merely to extend the present interstate routes of applicant within Staten Island. If a hearing is deemed necessary, applicant requests it be held at Staten Island, N.Y., or Bayonne, N.J.

APPLICATIONS OF FREIGHT FORWARDERS

No. FF-364 (Correction) COMMERCIAL TRAFFIC SERVICE, INC.—Freight Forwarder Application, filed January 2, 1969, published in the FEDERAL REGISTER, issue of January 16, 1969, and republished as corrected this issue. Applicant: COMMERCIAL TRAFFIC SERVICE, INC., 2501 South Alameda Street, Los Angeles, Calif. 90058. Applicant's representative: Floyd C. Ellis, Suite 757, Roosevelt Building, 727 West Seventh Street, Los Angeles, Calif. 90017. Authority sought under section 210, part IV of the Interstate Commerce Act as a freight forwarder in interstate or foreign commerce, through use of the facilities of common carriers by motor vehicle and railroad, in the transportation of general commodities, from points in Los Angeles, Orange, and San Bernardino Counties, Calif., to points in the United States (except in the States of Arizona, California, Hawaii, and New Mexico). NOTE: The purpose of this republication is to show that authority is sought for San Bernardino County, Calif., and not San Francisco County, Calif., which was published in error.

APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN REQUESTED

No. MC 133430 (Sub-No. 1), filed February 3, 1969. Applicant: NARBIG JA-

FARJIAN, 1120 Hyde Park Boulevard, Niagara Falls, N.Y. 14301. Applicant's representative: Clarence E. Rhoney, 55 16th Avenue, North Tonawanda, N.Y. 14120. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Lumber*, between points in New York, Ohio, and Pennsylvania; under contract with R. T. Jones Lumber Co., Inc.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 69-2111; Filed, Feb. 19, 1969;
8:45 a.m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

FEBRUARY 17, 1969.

Protests to the granting of an application must be prepared in accordance with Rule 1100.40 of the general rules of practice (49 CFR 1100.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 41566—*Asphalt (Asphaltum)* from points in Colorado, Nebraska, and Wyoming. Filed by Western Trunk Line Committee, agent (No. A-2579), for interested rail carriers. Rates on asphalt (asphaltum), natural, byproduct or petroleum (other than paint, stain, or varnish), petroleum road oil and petroleum wax tallings, in tank carloads, from points in Colorado, Nebraska, and Wyoming, to specified points in Illinois, Iowa, Kentucky, Michigan, Minnesota, Missouri, and Wisconsin.

Grounds for relief—Market competition.

Tariff—Supplement 69 to Western Trunk Line Committee, agent, tariff ICC A-4572.

FSA No. 41567—*Salt to Lexington, N.C.* Filed by Traffic Executive Association—Eastern Railroads, agent (E.R. No. 2937), for interested rail carriers. Rates on salt, in bulk, in carloads, as described in the application, from St. Clair, Mich., to Lexington, N.C.

Grounds for relief—Market competition.

Tariff—Supplement 49 to Traffic Executive Association—Eastern Railroads, agent, tariff ICC C-262.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 69-2154; Filed, Feb. 19, 1969;
8:48 a.m.]

[S.O. 1002; Car Distribution Direction 31]

LOUISVILLE AND NASHVILLE RAILROAD CO. AND MONON RAILROAD

Car Distribution

Pursuant to section 1 (15) and (17) of the Interstate Commerce Act and authority vested in me by Interstate Commerce Commission Service Order No. 1002:

It is ordered, That:

(1) Each common carrier by railroad subject to the Interstate Commerce Act shall comply with the following distribution directions:

(a) The Louisville and Nashville Railroad Co. shall deliver to the Monon Railroad a weekly total of 175 empty plain serviceable boxcars with inside length less than 44 feet 8 inches, and doors less than 8 feet wide. Exception: Canadian ownerships.

It is further ordered, That the rate of delivery specified in this direction shall be maintained within weekly periods ending each Sunday at 11:59 p.m., so that at the end of each 7 days the full delivery required for that period shall have been made.

It is further ordered, That cars applied under this direction shall be so identified on empty car cards, movement slips, and interchange records as moving under the provisions of this direction.

(b) The carrier delivering the empty boxcars as described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars, covered by this direction, delivered during the preceding week, ending each Sunday at 11:59 p.m.

(c) The carrier receiving the cars described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars received during the preceding week, ending each Sunday at 11:59 p.m.

(2) *Regulations suspended.* The operation of all rules and regulations, insofar as they conflict with the provisions of this direction, is hereby suspended.

(3) *Effective date.* This direction shall become effective at 12:01 a.m., February 16, 1969.

(4) *Expiration date.* This direction shall expire at 11:59 p.m., March 8, 1969, unless otherwise modified, changed, or suspended by order of this Commission.

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

Issued at Washington, D.C., February 14, 1969.

INTERSTATE COMMERCE
COMMISSION,

[SEAL] R. D. PFAHLER,
Agent.

[P.R. Doc. 69-2155; Filed, Feb. 19, 1969;
8:48 a.m.]

[Notice 782]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

FEBRUARY 17, 1969.

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 808 (Sub-No. 42 TA), filed February 12, 1969. Applicant: ANCHOR MOTOR FREIGHT, INC., 21111 Chagrin Boulevard, Cleveland, Ohio 44122. Applicant's representative: J. W. Kundtz, 1050 Union Commerce Building, Cleveland, Ohio 44115. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *New automobiles* in secondary movements, in truckaway service, from Kinsler Station, Lexington County, S.C., to points in Georgia and South Carolina under continuing contract with General Motors Corp., for 180 days. Supporting shipper: General Motors Corp., Chevrolet Motor Division, General Motors Building, Detroit, Mich. 48202. Send protests to: G. J. Baccei, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 181, 1240 East Ninth Street, Cleveland, Ohio 44199.

No. MC 52460 (Sub-No. 99 TA), filed February 12, 1969. Applicant: HUGH BREEDING, INC., 1420 West 45th Street, Tulsa, Okla. 74107. Applicant's representative: Steve B. McCommas (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, in tank vehicles; (1) from the plantsite of Central Farmers Fertilizer Co. near Albany, Ill., to points in Iowa; (2) from the plantsite of Central Farmers Fertilizer Co. at Kingston Mines, Ill., to points in Indiana; (3) from the plantsite of Agrico Chemical Co., a division of Continental Oil Corp. at North Pekin, Ill., to points in Indiana; (4) from the plantsite of Central Nitrogen Corp. near Terre Haute, Ind., to points in Illinois and Ohio; (5) from the plantsite of Agrico Chemical Co., a division of Continental Oil Corp. near Mount Vernon, Ind., to points in Illinois; and (6) from the plantsite of Agrico Chemical Co., a division of Continental Oil Corp. at Wilder, Ky., to points in Ohio and Michigan; for 180 days. Supporting shipper: American Cyanamid Co., R. J. Van Nostrand, Traffic Manager, Post Office Box 400, Prince-

ton, N.J. 08540. Send protests to: C. L. Phillips, District Supervisor, Bureau of Operations, Room 350, American General Building, 210 Northwest Sixth, Oklahoma City, Okla. 73102.

No. MC 106595 (Sub-No. 6 TA), filed February 12, 1969. Applicant: MAC BOYD, doing business as BOYD TRUCKING COMPANY, San Gabriel, Calif. 91776. Applicant's representative: Donald Murchison, Suite 211, Paris Building, 211 South Beverly Drive, Beverly Hills, Calif. 90212. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Pumps, and pump parts*, and (2) *materials, equipment, supplies, and accessories incidental and related to repair, installation and maintenance of pumps*, from points in Los Angeles County, Calif., to points in the United States, including ports of entry on the international boundary line between the United States and Canada, for 180 days. Supporting shipper: Johnston Pump Co., 1775 East Allen Avenue, Glendora, Calif. 91740. Send protests to: District Supervisor John E. Nance, Interstate Commerce Commission, Bureau of Operations, Room 7708, Federal Building, 300 North Los Angeles Street, Los Angeles, Calif. 90012.

No. MC 107010 (Sub-No. 39 TA), filed February 11, 1969. Applicant: BULK CARRIERS, INC., Box 106, Auburn, Nebr. 68305. Applicant's representative: J. Max Harding, Post Office Box 2028, Lincoln, Nebr. 68501. 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 or warehouse facilities of to points in Colorado, Kansas, Illinois, Indiana, Iowa, Michigan, Missouri, Montana, Nebraska, North Dakota, South Dakota, Wisconsin, and Wyoming, for 150 days. Supporting shipper: Agrico Chemical Co., Post Office Box 346, Memphis, Tenn. 38101. Send protests to: District Supervisor Johnston, Bureau of Operations, Interstate Commerce Commission, 315 Post Office Building, Lincoln, Nebr. 68508.

No. MC 107403 (Sub-No. 769 TA), filed February 12, 1969. Applicant: MATH-LACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Polypropylene dry*, in bulk, in tank vehicles, from West Deptford Township, N.J., to points in Ohio, for 180 days. Supporting shipper: Shell Chemical Co., a division of Shell Oil Co., 1250 Sixth Avenue, New York, N.Y. 10020. Send protests to: Ross A. Davis, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 900 U.S. Customhouse, Second and Chestnut Streets, Philadelphia, Pa. 19106.

No. MC 109637 (Sub-No. 355 TA), filed February 11, 1969. Applicant: SOUTHERN TANK LINES, INC., Post Office Box 1047, Louisville, Ky. 40201. Applicant's representative: Harris G. Andrews (same address as above). Authority sought to

operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Washing compounds and water softener compound and chemicals*, in bulk, in tank vehicles, from the plantsite of G A F Corp. at Calvert City, Ky., to points in Alabama, Georgia, Florida, North Carolina, and South Carolina, with stop-off at plantsite of G A F Corp. at Chattanooga, Tenn., to complete loading, for 180 days. Supporting shipper: J. B. Sondey, General Traffic Manager, G A F Corp., 140 West 51 Street, New York, N.Y. 10020. Send protests to: Wayne L. Merlatt, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 426 Post Office Building, Louisville, Ky. 40202.

No. MC 116763 (Sub-No. 146 TA), filed February 12, 1969. Applicant: CARL SUBLER TRUCKING, INC., North West Street, Post Office Box 81, Versailles, Ohio 45380. Applicant's representative: W. J. Bohman (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prepared food-stuffs*, not frozen (except meat, meat products, and meat byproducts, and commodities in bulk), from the plantsite and/or warehouse facilities of the J. M. Smucker Co., located at Memphis, Tenn., to points in Alabama, Arkansas, Colorado, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Mexico, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, and Wisconsin, for 180 days. Supporting shipper: The J. M. Smucker Co., Post Office Box 18498, Memphis, Tenn. 38118. Send protests to: Emil P. Schwab, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 1010 Federal Building, 550 Main Street, Cincinnati, Ohio 45202.

No. MC 119400 (Sub-No. 9 TA), filed February 11, 1969. Applicant: SIMANEK, INC., 150 West Seventh Street, Wahoo, Nebr. 68066. Applicant's representative: J. Max Harding, Post Office Box 2028, Lincoln, Nebr. 68501. 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 or warehouse facilities of Agrico Chemical Co., located at or near Blair, Nebr., to points in Colorado, Kansas, Illinois, Indiana, Iowa, Michigan, Missouri, Montana, Nebraska, North Dakota, South Dakota, Wisconsin, and Wyoming, for 150 days. Supporting shipper: Agrico Chemical Co., Post Office Box 346, Memphis, Tenn. 38101. Send protests to: District Supervisor Johnston, Bureau of Operations, Interstate Commerce Commission, 315 Post Office Building, Lincoln, Nebr. 68508.

No. MC 119489 (Sub-No. 23 TA), filed February 11, 1969. Applicant: PAUL ABLE, doing business as CENTRAL TRANSPORT COMPANY, Post Office Box 596, 2500 North 13th Street, Norfolk, Nebr. 68701. Applicant's representative: J. Max Harding, Post Office Box 2028, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transport-

ing: *Anhydrous ammonia*, in bulk, in tank vehicles, from the plantsite or warehouse facilities of Agrico Chemical Co., located at or near Blair, Nebr., to points in Colorado, Kansas, Illinois, Indiana, Iowa, Michigan, Missouri, Montana, Nebraska, North Dakota, South Dakota, Wisconsin, and Wyoming, for 150 days. Supporting shipper: Agrico Chemical Co., Post Office Box 346, Memphis, Tenn. 38101. Send protests to: Carroll Russell, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 304 Post Office Building, Sioux City, Iowa 51101.

No. MC 119493 (Sub-No. 46 TA), filed February 12, 1969. Applicant: MONKEM COMPANY, INC., Post Office Box 1196, West 20th Street Road, Joplin, Mo. 64801. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products*, from plant and storage facilities of Bancroft Bag Co., in West Monroe, La., to points in Iowa, Illinois, Indiana, Kansas, Missouri, Nebraska, Oklahoma, and points in that part of Texas north of U.S. Highway 80, for 150 days. Supporting shipper: The Bancroft Bag Factory, Inc., West Monroe, La. 71291. Send protests to: John V. Barry, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 1100 Federal Office Building, 911 Walnut Street, Kansas City, Mo. 64106.

No. MC 127042 (Sub-No. 31 TA), filed February 11, 1969. Applicant: HAGEN, INC., 4120 Floyd Boulevard, Post Office Box 6, Sioux City, Iowa 51108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and 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, from Huron, S. Dak., to points in Michigan, Iowa, Illinois, Wisconsin, North Dakota, Indiana, and Minnesota, for 180 days. Supporting shippers: D. A. Chute, Transportation and Service Department, Chicago, Ill.; K. O. Petrick, General Transportation Department, George A. Hormel & Co., Post Office Box 800, Austin, Minn. 55912. Send protests to: Carroll Russell, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 304 Post Office Building, Sioux City, Iowa 51101.

No. MC 127834 (Sub-No. 29 TA), filed February 13, 1969. Applicant: CHEROKEE HAULING & RIGGING, INC., 540-42 Merritt Avenue, Nashville, Tenn. 37203. 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: *Manganese metals*, from the plantsite of KEMCO Division, Foote Mineral Co., New Johnsonville, Tenn., to points in Alabama, Illinois, Indiana, Kentucky, Maryland, Michigan, Missouri, New Jersey, New York, Ohio, Pennsylvania, Texas, and West Virginia, for 150 days. Supporting shipper: KEMCO Division & Extractive Metals, Foote Mineral Co., Route 100, Exton, Pa. 19341. Send pro-

tests to: J. E. Gamble, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Suite 803, 1808 West End Building, Nashville, Tenn. 37203.

No. MC 128805 (Sub-No. 2 TA), filed February 12, 1969. Applicant: NEIL E. HAWKINS, 10443 Southeast 264th Street, Kent, Wash. 98031. Applicant's representative: Joseph O. Earp, 411 Lyon Building, 607 Third Avenue, Seattle, Wash. 98104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats and meat products*, in vehicles equipped with mechanical refrigeration, from points in Los Angeles County, Calif., to points in Oregon and Washington, for 180 days. Supporting shippers: Old Strasbourg, Ltd., 609 South Santa Fe Avenue, Los Angeles, Calif. 90021; and King Meat Packing Co., 3349 Packers Avenue, Los Angeles, Calif. 90058. Send protests to: E. J. Casey, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 6130 Arcade Building, Seattle, Wash. 98101.

No. MC 133463 TA, filed February 11, 1969. Applicant: JAMES T. HODGES, Route 1, Sonora, Ky. 42776. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products, and materials, and supplies used in the production and distribution of dairy products*, between Indianapolis, Ind., and Louisville, Ky., on the one hand, and, on the other, points in Illinois on or south of U.S. Highway 36; Indiana, Kentucky, Tennessee, on or west of U.S. Highway 231; Alabama on or north of U.S. Highway 278; Ohio on or south of U.S. Highway 40; West Virginia on or west of U.S. Highway 220, for 180 days. Supporting shipper: Warren L. Ores, Assistant General Traffic Manager, Sugar Creek Foods, 450 East Illinois Street, Chicago, Ill. 60611. Send protests to: Wayne L. Merlatt, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 426 Post Office Building, Louisville, Ky. 40202.

No. MC 133474 TA, filed February 13, 1969. Applicant: LEONARD W. MICHAELS, doing business as MICHAELS SAND & GRAVEL, 6223 64th Street, Kenosha, Wis. 53140. Applicant's representative: William C. Dineen, 412 Empire Building, 710 North Plankton Avenue, Milwaukee, Wis. 53140. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Sand and gravel*, in dump vehicles, from points within 10 miles of Antioch, Ill., to points in Kenosha County, Wis., for 180 days. Supporting shipper: Ken-Crete Products Co., Inc., Route 2, Box 247, Kenosha, Wis. 53140 (A. W. Johnson, president). Send protests to: Lyle D. Helfer, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 135 Wells Street, Room 807, Milwaukee, Wis. 53203.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[P.R. Doc. 60-2156; Filed, Feb. 19, 1969; 8:48 a.m.]

[Notice 297]

MOTOR CARRIER TRANSFER PROCEEDINGS

FEBRUARY 17, 1969.

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 special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-71092. By order of February 11, 1969, the Motor Carrier Board approved the transfer to Frank L. Brown, Inc., Amherst, N.Y., of certificate of registration No. MC-121614, issued October 27, 1967, to Frank L. Brown, Amherst, N.Y., authorizing the transportation of specified commodities in New York. William J. Hirsch, 43 Niagara Street, Buffalo, N.Y. 14202, attorney for applicants.

No. MC-FC-71098. By order of February 7, 1969, the Motor Carrier Board approved the transfer to Archer Freight Lines, Inc., Julesburg, Colo., of a portion of certificate No. MC-32107, issued April 25, 1966, and all the operating rights set forth in certificate No. MC-32107 (Sub-No. 10), issued November 5, 1959, to Archer and Archer, Inc., Julesburg, Colo., authorizing the transportation of: Bulk and service station equipment, each article to weigh maximum 5,000 pounds, agricultural commodities, feeds, seeds, feed-lot supplies, building and construction materials and equipment, office and store fixtures (except those transported as part of a household-goods movement), telephone and power line materials, and coal, and farm machines, between Julesburg, Colo., and points within 75 miles of Julesburg, on the one hand, and, on the other, points in Wyoming, South Dakota, Iowa, Kansas, and Nebraska, except North Platte, Ogallala, and Chappell, Nebr., also between points in Nebraska and Colorado within 75 miles of Julesburg, Colo., on the one hand, and, on the other, points in Colorado, Wyoming, South Dakota, Iowa, Kansas, and

Nebraska, except North Platte, Ogallala, and Chappell, Nebr.; and agricultural machinery and implements and parts thereof when transported in same vehicles, at same time with such machinery and implements, except commodities which by reason of size or weight require the use of special equipment, from specified points in Illinois and Iowa, to Julesburg, Colo., and points in Keith County, Nebr., and prefabricated buildings and building materials, with specified exceptions, from Julesburg, Colo., and points within 75 miles thereof, to points in Iowa, and from points in Missouri to Julesburg, Colo., and points within 75 miles thereof. Marion F. Jones, 420 Denver Club Building, Denver, Colo. 80202, attorney for applicants.

No. MC-FC-71112. By order of February 11, 1969, the Motor Carrier Board approved the transfer to Sharon Express Trucking Corp., Flushing, N.Y., of certificate No. MC-73081, issued November 14, 1968, to E Transport, Inc., New York, N.Y., authorizing the transportation of general commodities, with the usual exceptions, between points in New York, and New Jersey within 35 miles of Columbus Circle, New York, N.Y., Arthur Winston, 6 East 45th Street, New York, N.Y. 10017, attorney for transferee. Harry Sena, 225 Broadway, New York, N.Y. 10007, practitioner for transferor.

No. MC-FC-71114. By order of February 11, 1969, the Motor Carrier Board approved the transfer to Pete J. Otten, doing business as Otten Truck Line, Cole Camp, Mo. 65325, of certificates Nos. MC-70090 and MC-70090 (Sub-No. 1), issued June 14, 1941, and December 19, 1947, respectively, to Archie T. Meyer, Cole Camp, Mo., authorizing the transportation of: (1) General commodities, except those of unusual value and except dangerous explosives, household goods (when transported as a separate and distinct service in connection with so-called "household movements"), commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, over a regular route, between Cole Camp, Mo., and Sedalia, Mo., serving all intermediate points; (2) livestock, over irregular routes, from Cole Camp, Mo., and points within 10 miles thereof, to Kansas City, Kans.; and feed, fertilizer, oil, grease in containers, and livestock, from Kansas

City, Kans., to Cole Camp, Mo., and points within 10 miles thereof.

[SEAL]

H. NEIL GARSON,
Secretary.[F.R. Doc. 69-2157; Filed, Feb. 19, 1969;
8:48 a.m.]

[Section 5a Application 47, Amdt. 2]

MISSISSIPPI VALLEY MOTOR FREIGHT BUREAU, INC.**Petition for Approval of Amendments to Agreement**

FEBRUARY 14, 1969.

The Commission is in receipt of a petition in the above-entitled proceeding for approval of amendments to the agreement therein approved.

Filed December 8, 1967, as revised and supplanted January 27, 1969, by: Morris D. Acree, Post Office Box 523, St. Louis, Mo. 63166.

The amendments involve: Changes in the agreement so as to (1) completely revise the ratemaking procedures, also providing public notice of independent action to comply with Ex Parte No. 253, 322 ICC 22; (2) establish standing and general rate committees for processing proposals; (3) revise the form of agreement to be executed; (4) clarify carrier membership eligibility and qualifications for membership on board of directors; (5) amend composition of executive committee; (6) eliminate use of proxies for quorums at meetings; (7) require Commission approval of agreement amendments prior to effectiveness; (8) revise list of member carrier parties; and (9) make other incidental changes to clarify or effectuate the foregoing changes.

The petition is docketed and may be inspected at the office of the Commission, in Washington, D.C.

Any interested person desiring to protest and participate in this proceeding shall notify the Commission in writing within 20 days from the date of this notice. As provided by the general rules of practice of the Commission, persons other than applicants should fully disclose their interests, and the position they intend to take with respect to the petition. Otherwise, the Commission, in its discretion, may proceed to investigate and determine the matters involved without public hearing.

[SEAL]

H. NEIL GARSON,
Secretary.[F.R. Doc. 69-2158; Filed, Feb. 19, 1969;
8:48 a.m.]

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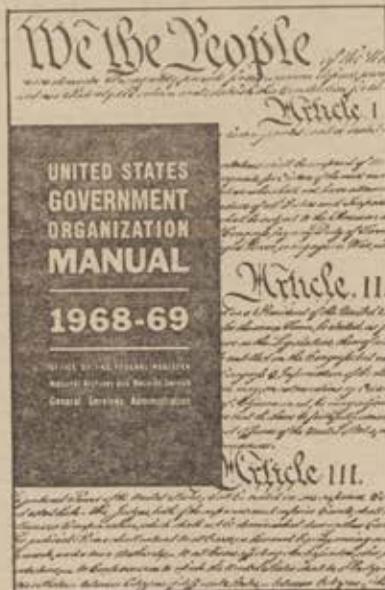
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