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Pages 7061–7116

Agencies in this issue—

Detailed list of Contents appears inside.

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Contents

(*Continued on next page*)

List of CFR Parts Affected

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date, appears at the end of each issue beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1969, and specifies how they are affected.

7 CFR

1005 7065
1036 7066
1064 7067

10 CFR

150 7067

12 CFR

584 7068

PROPOSED RULES:

563 7089

14 CFR

71 (9 documents) 7068–7071
73 (2 documents) 7071, 7072
75 (2 documents) 7071, 7072
95 7072

PROPOSED RULES:

298 7085

29 CFR

PROPOSED RULES:

1500 7084

36 CFR

PROPOSED RULES:

7 7084

41 CFR

7–6 7076
7–15 7077
7–16 7077
9–7 7077

45 CFR

1078 7078

47 CFR

73 (2 documents) 7080–7082

PROPOSED RULES:

73 (3 documents) 7086–7088

Rules and Regulations

Title 7—AGRICULTURE

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

[Milk Order 5]

PART 1005—MILK IN TRI-STATE MARKETING AREA

Order Amending Order

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

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

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

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

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

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective not later than May 1, 1969. Any delay beyond that date would tend to disrupt the orderly marketing of milk in the marketing area.

The provisions of the said order are known to handlers. The recommended decision of the Deputy Administrator, Regulatory Programs, was issued March 5, 1969, and the decision of the Assistant Secretary containing all amendment provisions of this order was issued April 10, 1969. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective May 1, 1969, and that it would be contrary to the public interest to delay the effective date of this amendment for 30 days after its publication in the FEDERAL REGISTER (sec. 553(d), Administrative Procedure Act, 5 U.S.C. 551–559).

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

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

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

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

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

1. Section 1005.16 is revised to read as follows:

§ 1005.16 Producer milk.

"Producer milk" means the skim milk and butterfat contained in Grade A milk:

(a) Received at a pool plant directly from a dairy farmer, a reload point or a handler pursuant to § 1005.13(d);

(b) Diverted from a pool plant to a nonpool plant other than an other order plant or a producer-handler plant: *Provided*, That:

(1) Such milk shall be deemed to have been received by the diverting handler at the location of the plant to which diverted;

(2) To the extent that it would result in nonpool plant status for the pool plant from which diverted, milk diverted for the account of a cooperative association from the pool plant of another handler shall not be producer milk;

(3) In any month of August through March, the quantity of milk of any producer diverted to nonpool plants that exceeds that delivered to pool plants shall not be producer milk; and

(4) The diverting handler shall designate the dairy farmers' deliveries that are not producer milk pursuant to this paragraph. If the handler fails to make such designation, no milk diverted by him to a nonpool plant shall be producer milk; or

(c) Diverted from a pool plant to an other order plant if a Class III classification (or its equivalent) is designated for such milk pursuant to the provisions of another order issued pursuant to the Act and such milk is not subject to the pricing and pooling provisions of such order. The provisos in paragraph (b) of this section shall apply to this paragraph as if set forth fully herein.

2. In § 1005.51, paragraph (a) is revised to read as follows:

§ 1005.51 Class prices.

* * * * *

(a) *Class I price.* The Class I price shall be the basic formula price for the preceding month plus $1.55 for plants in the Charleston-Huntington district and $1.47 for plants in the Athens-Scioto district, plus 20 cents for each district. At a plant outside the marketing area add the amount applicable pursuant to this paragraph at the location of the city hall of the following cities that is nearest such plant:

KENTUCKY

Ashland.	Pikeville.
Paintsville.	

OHIO

Coshocton.	Portsmouth.
Gallipolis.	Marietta.
Jackson.	

WEST VIRGINIA

Bluefield.	Huntington.
Charleston.	Williamson.
Hinton.	

* * * * *

3. In § 1005.53, paragraph (a) is revised to read as follows:

§ 1005.53 Location adjustments to handlers.

(a) Except as provided in paragraph (b) of this section, the Class I price for producer milk and other source milk (for which a location adjustment is applicable) at a plant outside the marketing area and more than 100 miles (by the shortest hard-surfaced highway distance as determined by the market administrator) from all the cities listed in § 1005.51 (a) shall be reduced 15 cents and an additional 1.5 cents for each 10 miles or

fraction thereof in excess of 110 miles (by the shortest hard-surfaced highway distance as determined by the market administrator) that such plant is from the city hall of the nearest of the cities listed in § 1005.51(a).

* * * * *

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

Effective date: May 1, 1969.

Signed at Washington, D.C., on April 25, 1969.

RICHARD E. LYNG,
Assistant Secretary.

[F.R. Doc. 69-5142; Filed, Apr. 29, 1969; 8:50 a.m.]

[Milk Order 36]

PART 1036—MILK IN EASTERN OHIO-WESTERN PENNSYLVANIA MARKETING AREA

Order Amending Order

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

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

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

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

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

(4) All milk and milk products handled by handlers, as defined in the Eastern Ohio-Western Pennsylvania order as hereby amended, are in the current of interstate commerce or directly burden, obstruct, or affect interstate commerce in milk or its products; and

(5) It is hereby found that the necessary expense of the market administrator for the maintenance and functioning of such agency will require the payment by each handler, as his pro rata share of such expense, 3 cents per hundredweight or such amount not to exceed 3 cents per hundredweight as the Secretary may prescribe, with respect to: (i) Producer milk (including such handler's own production); (ii) Other source milk allocated to Class I pursuant to § 1036.45 (a) (3) and (7) and the corresponding steps of § 1036.45(b); and (iii) Route disposition in the marketing area from a partially regulated distributing plant that exceeds the hundredweight of Class I milk received during the month at such plant from pool plants and other order plants.

(b) *Additional findings.* It is necessary in the public interest to make this order amending and merging the Eastern Ohio-Western Pennsylvania and Clarksburg orders effective not later than May 1, 1969. Any delay beyond that date would tend to disrupt the orderly marketing of milk in the marketeing area.

The provisions of the said order are known to handlers. The recommended decision of the Deputy Administrator, Regulatory Programs, was issued March 5, 1969, and the decision of the Assistant Secretary containing all amendment provisions of this order was issued April 10, 1969. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending and merging the Eastern Ohio-Western Pennsylvania and Clarksburg orders effective May 1, 1969, and that it would be contrary to the public interest to delay the effective date of this amendment for 30 days after its publication in the FEDERAL REGISTER (sec. 553(d), Administrative Procedure Act, 5 U.S.C. 551–559).

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

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

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

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

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the orders regulating the handling of milk in the Eastern Ohio-Western Pennsylvania and Clarksburg, W. Va., marketing areas (Parts 1036 and 1009, respectively) shall be amended and merged into one order and the handling of milk in the merged marketing area, to be designated as the "Eastern Ohio-Western Pennsylvania marketing area," shall be in conformity to and in compliance with the terms and conditions of Part 1036 as hereby amended. Part No. 1009 is superseded by the revision of Part 1036 and Part 1036 is hereby amended as follows:

1. In § 1036.6, paragraph (c) is revised to read as follows:

§ 1036.6 Eastern Ohio-Western Pennsylvania marketing area.

* * * * *

(c) In West Virginia:

(1) The following counties in their entirety:

Brooke.	Marshall.
Hancock.	Monongalia.
Harrison.	Ohio.
Marion.	

(2) Grafton magisterial district in Taylor County;

(3) Philippi magisterial district in Barbour County;

(4) Leadsville magisterial district in Randolph County;

(5) The city of Buckhannon in Upshur County;

(6) The city of Weston in Lewis County; and

(7) The town of Kingwood in Preston County.

2. Section 1036.20 is revised to read as follows:

§ 1036.20 Pittsburgh district.

"Pittsburgh district" means all the territory in the marketing area that is either within West Virginia or within 80 miles (by the shortest hard-surfaced highway distance as determined by the market administrator) of the Pittsburgh, Pa., city hall.

3. Section 1036.51 is revised to read as follows:

§ 1036.51 Class prices.

Subject to the provisions of §§ 1036.52 and 1036.53, the class prices per hundredweight for the month shall be as follows:

(a) *Class I price.* For each month through December 1969, the Class I price shall be the basic formula price for the preceding month plus $1.67 for plants in the Cleveland-Erie district and $1.77 for plants in the Pittsburgh district, plus 20 cents for each district. At a plant outside the marketing area, add the amount applicable pursuant to this paragraph at the location of the city hall of the following cities that is nearest (by the shortest hard-surfaced highway distance

as determined by the market administrator) such plant: Canton and Cleveland, Ohio; Erie, Pittsburgh, and Uniontown, Pa.; and Clarksburg, W. Va.

(b) *Class II price.* The Class II price shall be the basic formula price for the month: *Provided*, That such Class II price shall not be more than the price computed pursuant to subparagraphs (1), (2), and (3) of this paragraph:

(1) Multiply by 4.2 the Chicago butter price;

(2) Multiply by 8.2 the weighted average of carlot prices per pound of nonfat dry milk solids, spray process, for human consumption, f.o.b. manufacturing plants in the Chicago area, as published for the period from the 26th day of the preceding month through the 25th day of the current month by the Department; and

(3) From the sum of the results arrived at under subparagraphs (1) and (2) of this paragraph subtract 48 cents, and round to the nearest cent.

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

Effective date: May 1, 1969.

Signed at Washington, D.C., on April 25, 1969.

RICHARD E. LYNG,
Assistant Secretary.

[F.R. Doc. 69-5143; Filed, Apr. 29, 1969; 8:50 a.m.]

[Milk Order 64]

PART 1064—MILK IN GREATER KANSAS CITY MARKETING AREA

Order Amending Order

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

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

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

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

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

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective not later than May 1, 1969. Any delay beyond that date would tend to disrupt the orderly marketing of milk in the marketing area.

The provisions of the said order are known to handlers. The recommended decision of the Deputy Administrator, Regulatory Programs, was issued March 18, 1969, and the decision of the Assistant Secretary containing all amendment provisions of this order was issued April 9, 1969. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective May 1, 1969, and that it would be contrary to the public interest to delay the effective date of this amendment for 30 days after its publication in the FEDERAL REGISTER (sec. 553(d), Administrative Procedure Act, 5 U.S.C. 551–559).

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

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

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

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

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

1. In paragraphs (a) and (b) of § 1064.15 the language "for at least 6 days' production" is deleted and the language "for at least 1 days' delivery" is substituted therefor.

2. In § 1064.53 paragraph (a) is revoked.

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

Effective date: May 1, 1969.

Signed at Washington, D.C., on April 25, 1969.

RICHARD E. LYNG,
Assistant Secretary.

[F.R. Doc. 69-5144; Filed, Apr. 29, 1969; 8:50 a.m.]

Title 10—ATOMIC ENERGY

Chapter I—Atomic Energy Commission

PART 150—EXEMPTIONS AND CONTINUED REGULATORY AUTHORITY IN AGREEMENT STATES UNDER SECTION 274

Transfer of Products Containing Byproduct Material and Source Material Exempted From Licensing and Regulatory Requirements

On February 24, 1968, the Atomic Energy Commission published in the FEDERAL REGISTER (33 F.R. 3346) a proposed amendment to 10 CFR Part 150 which would redefine the category of products containing radioactive materials over whose transfer by the manufacturer, processor, or producer in an Agreement State the Commission retains jurisdiction. The notice of proposed rule making was published in the FEDERAL REGISTER once each week for four consecutive weeks, allowing 60 days for public comment after initial publication.

After consideration of the comments and other factors involved, the Commission has adopted the proposed amendment. The text of the effective rule is the same as the proposed rule except for clarifying changes of language.

Subsection 274c of the Atomic Energy Act of 1954, as amended, provides that notwithstanding any agreement between the Atomic Energy Commission and any State, the Commission is authorized to require that the manufacturer, processor, or producer of any equipment, device, commodity, or other product containing source, byproduct, or special nuclear material shall not transfer possession or control of such product except pursuant to a license issued by the Commission.

In issuing 10 CFR Part 150, which implemented certain provisions of section 274 of the Act, in 1962, the Commission exercised its authority under subsection 274c of the Act by providing (§ 150.15(a)(6)) that persons in Agreement States are not exempt from the Commission's licensing requirements with respect to * * *

(6) The transfer of possession or control by the manufacturer, processor, or producer of any equipment, device, commodity, or other product containing source, byproduct, or special nuclear material, intended for use by the general public.

In retaining regulatory authority over transfer of products "intended for use by the general public", the Commission was seeking to maintain surveillance over the safety of products containing radioactive materials, without the imposition of regulatory controls, and to be able to assess the effect of the attendant uncontrolled addition of these radioactive materials to the environment.

In view of the increasing difficulty in determining whether or not such products are intended for use by the general public, the Commission has adopted the amendment of Part 150 set out below, which changes § 150.15(a)(6) by deleting the phrase "product * * * intended for use by the general public" and substituting therefor the phrase "product * * * whose subsequent possession, use, transfer and disposal by all other persons are exempted from licensing and regulatory requirements of the Commission under Parts 30 and 40 of this chapter."

Under Part 150 as amended below the transfer of possession or control by a manufacturer, processor, or producer of any equipment, device, commodity, or other product containing byproduct material or source material whose subsequent possession, use, transfer, and disposal by all other persons are exempted from Commission licensing and regulatory requirements under Parts 30 and 40, is not subject to the licensing and regulatory authority of an Agreement State even though the product is manufactured, processed, or produced pursuant to an Agreement State license. The manufacturer of such products in an Agreement State is subject to the Commission's regulatory authority with respect to transfer of any product which has been so exempted from the Commission's licensing and regulatory requirements. The Commission has confined its regulation of the transfer of exempt products to specifications for the products, quality control procedures, requirements for testing, and labeling. The authority of Agreement States to regulate any radiation hazards that might arise during manufacture of such products is not affected by the amendment. Accordingly, dual regulation will continue to be avoided.

Pursuant to the Atomic Energy Act of 1954, as amended, and sections 552 and 553 of title 5 of the United States Code, the following amendment to Title 10, Chapter I, Code of Federal Regulations, Part 150, is published as a document subject to codification effective thirty (30) days after publication in the FEDERAL REGISTER.

Section 150.15(a)(6) is amended to read as follows:

§ 150.15 Persons not exempt.

(a) Persons in Agreement States are not exempt from the Commission's licensing and regulatory requirements with respect to the following activities:

* * * * *

(6) The transfer of possession or control by the manufacturer, processor, or producer of any equipment, device, commodity, or other product containing source material or byproduct material whose subsequent possession, use, transfer, and disposal by all other persons are exempted from licensing and regulatory requirements of the Commission under Parts 30 and 40 of this chapter.

* * * * *

(Sec. 161, 68 Stat. 948; 42 U.S.C. 2201; sec. 274, 73 Stat. 688; 42 U.S.C. 2021)

Dated at Washington, D.C., this 9th day of April 1969.

For the Atomic Energy Commission.

W. B. McCOOL,
Secretary.

[F.R. Doc. 69-4519; Filed, Apr. 15, 1969; 8:51 a.m.]

Title 12—BANKS AND BANKING

Chapter V—Federal Home Loan Bank Board

SUBCHAPTER F—SAVINGS AND LOAN HOLDING COMPANIES

[No. 22,753]

PART 584—REGULATED ACTIVITIES

Holding Company Indebtedness

APRIL 24, 1969.

Resolved that the Federal Home Loan Bank Board, upon the basis of consideration by it of the desirability of amending § 584.6 of the Regulations for Savings and Loan Holding Companies (12 CFR 584.6) for the purpose of permitting an insurance company subsidiary of a savings and loan holding company to incur indebtedness through the issuance of insurance policies without the need for specific prior written approval by the Federal Savings and Loan Insurance Corporation for each such transaction, hereby amends paragraph (b) of said § 584.6 as follows, effective May 1, 1969:

1. Delete the word "and" at the end of subparagraph (3) thereof.

2. Substitute a semicolon for the period at the end of subparagraph (4) thereof and add the word "and" immediately thereafter.

3. Add a new subparagraph (5), immediately after subparagraph (4) thereof, to read as follows:

§ 584.6 Holding company indebtedness.

* * * * *

(b) *Interim approval by the Corporation.* Until further notice by order or regulation, the Corporation hereby approves without application the issuance, sale, renewal, or guaranty of any debt security, or the assumption of any debt, incurred:

* * * * *

(5) In connection with the issuance of any policy or contract of insurance in the ordinary course of business by a savings and loan holding company's subsidiary insurance company which is authorized to do business subject to regulation by appropriate State authorities.

(Sec. 402, 48 Stat. 1256, as amended, sec. 408, 48 Stat. 1261, as added by 73 Stat. 691, as amended; 12 U.S.C. 1725, 1730a. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1943–1948 Comp., p. 1071)

Resolved further that, as said amendment only relieves restriction, the Board hereby finds that notice and public procedure thereon are unnecessary under the provisions of § 508.11 of the General Regulations of the Federal Home Loan Bank Board (12 CFR 508.11) and 5 U.S.C. 553(b), and as publication of said amendment for the period specified in § 508.14 of such regulations (12 CFR 508.14) and 5 U.S.C. 553(d) prior to its effective date is unnecessary for the same reason, the Board hereby provides that said amendment shall become effective as hereinbefore set forth.

By the Federal Home Loan Bank Board.

[SEAL] JACK CARTER,
Secretary.

[F.R. Doc. 69-5140; Filed, Apr. 29, 1969; 8:49 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Airspace Docket No. 68-CE-112]

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

Alteration of Federal Airway

On March 1, 1969, a notice of proposed rule making was published in the FEDERAL REGISTER (34 F.R. 3696) stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would realign VOR Federal airway No. 177 segment from Stevens Point, Wis., to Duluth, Minn.

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

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., June 26, 1969, as hereinafter set forth.

In § 71.123 (34 F.R. 4509) V-177 is amended by deleting "31 miles 12 AGL, 115 miles 55 MSL, 12 AGL Duluth, Minn." and substituting "12 AGL Wausau, Wis., 32 miles, 12 AGL, 99 miles, 55 MSL, 12 AGL Duluth, Minn." therefor.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348, sec. 6(c), Department of Transportation Act; 49 U.S.C. 1655(c))

Issued in Washington, D.C., on April 25, 1969.

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

[F.R. Doc. 69-5104; Filed, Apr. 29, 1969; 8:46 a.m.]

[Airspace Docket No. 68-SO-91]

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

Alteration of Federal Airway

On January 31, 1969, a notice of proposed rule making was published in the FEDERAL REGISTER (34 F.R. 1564) stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would designate a 1,200-foot AGL north alternate segment to VOR Federal airway No. 70 from Eufaula, Ala., via Macon, Ga., Dublin, Ga., to the intersection of Dublin 101° T (101° M) and Allendale, S.C., 247° T (248° M) radials.

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

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended effective 0901 G.m.t., June 26, 1969, as hereinafter set forth.

In § 71.123 (34 F.R. 4509) V-70 is amended by inserting ", including a 12 AGL north alternate from Eufaula to INT Dublin 101° and Allendale 247° radials, via Macon, Ga., and Dublin, Ga." at the end of the text.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348; sec. 6(c), Department of Transportation Act; 49 U.S.C. 1655(c))

Issued in Washington, D.C., on April 25, 1969.

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

[F.R. Doc. 69-5105; Filed, Apr. 29, 1969; 8:47 a.m.]

[Airspace Docket No. 68-SW-83]

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

Alteration of Federal Airways

On February 15, 1969, a notice of proposed rule making was published in the FEDERAL REGISTER (34 F.R. 2256) stating that the Federal Aviation Administration was considering amendments to Part 71 of the Federal Aviation Regulations that would alter segments of V-15, V-76, and V-222 in the Houston, Tex., area to provide more than 15° lateral separation between these and other airway segments at the Houston, College Station, Tex., and Industry, Tex., VOR's.

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

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t. June 26, 1969, as hereinafter set forth.

Section 71.123 (34 F.R. 4509, 6079) is amended as follows:

1. In V-15 "including a 12 AGL west alternate from Houston to College Station via the INT of Houston 287° and College Station 149° radials;" is deleted and "including a 12 AGL west alternate from Houston to College Station via INT Houston 290° and College Station 151° radials;" is substituted therefor.

2. In V-76 all between "12 AGL Industry, Tex.;" and 12 AGL Houston," is deleted and "12 AGL INT Industry 101° and Houston, Tex., 290° radials;" is substituted therefor.

3. In V-222 "12 AGL Humble, Tex.;" is deleted and "12 AGL INT Industry 085° and Humble, Tex., 274° radials; 12 AGL Humble;" is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348; sec. 6(c), Department of Transportation Act; 49 U.S.C. 1655(c))

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

[F.R. Doc. 69-5106; Filed, Apr. 29, 1969; 8:47 a.m.]

[Airspace Docket No. 69-WA-13]

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

Alteration of Federal Airways

The purpose of these amendments to Part 71 of the Federal Aviation Regulations is to realign V-334 from San Jose, Calif., 12 AGL INT San Jose 026° T (009° M) and Sacramento, Calif., 192° T (175° M) radials; 12 AGL Sacramento, and to realign V-485, in part, from Priest, Calif., 12 AGL INT Priest 325° T (309° M) and San Jose 139° T (122° M) radials; 12 AGL San Jose. Since the San Jose VOR is to be relocated to a site at lat. 37°21'53" N., long. 121°55'44" W., it is necessary to alter the description of the San Jose radial of V-334 by 1°, and of V-485 by 2°.

Since these amendments are minor in nature and ones in which the public is not particularly interested, notice and public procedure hereon is unnecessary. However, since it is necessary that sufficient time be allowed to make the appropriate changes to aeronautical charts, these amendments will become effective more than 30 days after publication.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., June 26, 1969, as hereinafter set forth.

In § 71.123 (34 F.R. 4509) the following changes are made:

1. V-334 is amended to read as follows:

V-334 From San Jose, Calif., 12 AGL INT San Jose 026° and Sacramento, Calif., 192° radials; 12 AGL Sacramento.

2. In V-485 "12 AGL INT of Priest 325° and San Jose, Calif., 137° radials;" is deleted and "12 AGL INT Priest 325° and San Jose, Calif., 139° radials;" is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348; sec. 6(c), Department of Transportation Act; 49 U.S.C. 1655(c))

Issued in Washington, D.C., on April 25, 1969.

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

[F.R. Doc. 69-5107; Filed, Apr. 29, 1969; 8:47 a.m.]

[Airspace Docket No. 68-WE-68]

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

Alteration of Federal Airways and Transition Areas

On February 19, 1969, a notice of proposed rule making was published in the FEDERAL REGISTER (34 F.R. 2357) stating that the Federal Aviation Administration was considering amendments to Part 71 of the Federal Aviation Regulations that would accomplish the following:

1. Realign V-4 north alternate segment from the intersection of Boise, Idaho, 130° T (111° M) and Mountain Home, Idaho, 084° T (066° M) radials with a 1,200-foot AGL floor via the intersection of Mountain Home 084° T (066° M) and Burley, Idaho, 323° T (305° M) radials; to Burley. Redesignate V-4 main airway segment from the intersection of Boise 130° T (111° M) and Burley 290° T (272° M) radials to Burley with a 1,200-foot AGL floor.

2. Extend V-101 airway from Burley to Boise via the intersection of Burley 323° T (305° M) and Pocatello, Idaho, 286° T (269° M) radials. The associated floors for this proposed segment of V-101 would be designated from Burley 1,200 feet AGL to the intersection of Burley 323° T (305° M) and Pocatello 286° T (269° M) radials, 26 miles, 9,500 feet MSL, 25 miles, 9,000 feet MSL, 1,200 feet AGL Boise.

3. Extend V-484 from Twin Falls with a 1,200-foot AGL floor to the intersection of Twin Falls 007° T (349° M) and Burley 323° T (305° M) radials (Kinzie Intersection).

4. Redesignate the airway floors associated with V-500 segment between Boise and Pocatello as follows: From Boise 25 miles, 1,200 feet AGL, 25 miles, 9,000 feet MSL, 26 miles, 9,500 feet MSL, 22 miles, 1,200 feet AGL 25 miles, 7,500 feet MSL, 1,200 feet AGL Pocatello.

5. Alter the Boise transition area 9,000-foot portion by adjusting its southern boundary to the northern boundary of V-4 north alternate segment proposed herein.

6. Alter the Twin Falls transition area 1,200-foot portion to include the area bounded on the north by V-500; on the east by longitude 114°01'00" W.; on the south by V-269 and on the west by V-293.

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

Subsequent to publication of the notice it was determined that the numbering of the airways as proposed in the notice could result in misunderstandings of proposed destinations in flight planned routes. In addition, the proposed redescription of the 9,000-foot MSL portion of the Boise transition area would leave a small segment of uncontrolled airspace northwest of the junction of V–4 and V–293. Accordingly, action is taken herein to alter the NPRM by renumbering the airways and transferring a small segment of the Boise transition area to the Twin Falls transition area as follows:

1. V–4N would extend from Boise 25 miles 12 AGL, 25 miles 90 MSL, 95 MSL INT Pocatello 286° T (269° M) and Burley 323° T (305° M) radials; 12 AGL Burley.

2. The airway segment from INT Boise 130° T (111° M) and Mountain Home 084° T (066° M) radials; 12 AGL to INT Mountain Home 084° T (066° M) and Burley 323° T (305° M) radials would be numbered V–330.

3. V–101 would extend from Burley 12 AGL only to INT of Burley 323° T (305° M) and Pocatello 286° T (269° M) radials.

4. V–484 and V–500 would remain as proposed in the NPRM.

5. The 9,000-foot MSL portion of the Boise transition area would be bounded on the south by V–330 in lieu of V–4N as proposed in the NPRM.

6. A small segment of the former Boise transition area bounded on the north by V–330, the northeast by V–293 and on the southwest by V–4 would be included in the 1,200-foot AGL Twin Falls transition area.

Since these changes are minor and editorial in nature, notice and public procedure hereon are unnecessary and they are incorporated herein.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t. June 26, 1969, as hereinafter set forth.

1. Section 71.123 (34 F.R. 4509) is amended as follows:

a. In V–4 all between "12 AGL Boise, Idaho," and "12 AGL Malad City, Idaho;" is deleted and "including a 12 AGL south alternate; 12 AGL INT Boise 130° and Burley 290° radials; 12 AGL Burley, including a north alternate from Boise 25 miles 12 AGL, 25 miles 90 MSL, 95 MSL INT Pocatello, Idaho, 286° and Burley 323° radials, 12 AGL Burley, excluding the airspace between the main and this alternate airway;" is substituted therefor.

b. In V–101 "12 AGL Burley, Idaho." is deleted and "12 AGL Burley, Idaho; 12 AGL INT Burley 323° and Pocatello, Idaho, 286° radials." is substituted therefor.

c. V–330 is amended to read as follows: V–330 from INT Boise, Idaho, 130° and Mountain Home, Idaho, 084° radials; 12 AGL INT Mountain Home 084° and Burley, Idaho, 323° radials. From Idaho Falls, Idaho, 12 AGL Jackson, Wyo.

d. In V–484 "From Twin Falls, Idaho," is deleted and "From INT Twin Falls, Idaho, 007° and Burley, Idaho, 323° radials, 12 AGL Twin Falls," is substituted therefor.

e. In V–500 all after "12 AGL Boise, Idaho;" is deleted and "25 miles 12 AGL, 25 miles 90 MSL, 26 miles 95 MSL, 22 miles 12 AGL, 25 miles 70 MSL, 12 AGL Pocatello, Idaho." is substituted therefor.

2. Section 71.181 (34 F.R. 4637) is amended as follows:

a. In the 9,000 feet MSL portion of the Boise, Idaho, transition area "on the southwest by the northeast edge of V–4;" is deleted and "on the south by the north edge of V–330;" is substituted therefor.

b. In the 1,200 feet AGL portion of the Twin Falls transition area all after "extending clockwise from the VOR 038° radial to the 311° radial;" is deleted and "including that airspace northeast of Twin Falls bounded on the north by V–500, on the east by long. 114°01'00" W., on the south by V–269 and on the southwest by V–293, and that airspace northwest of Twin Falls bounded on the north by V–330, on the northeast by V–293 and on the southwest by V–4; and within 9 miles southwest and 6 miles northeast of the Twin Falls VOR 311° radial, extending from the VOR to 39 miles northwest of the VOR." is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348; sec. 6(c), Department of Transportation Act; 49 U.S.C. 1655(c))

Issued in Washington, D.C., on April 25, 1969.

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

[F.R. Doc. 69-5108; Filed, Apr. 29, 1969; 8:47 a.m.]

[Airspace Docket No. 68-WA-23]

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

Designation of Additional Control Area

On January 31, 1969, a notice of proposed rule making was published in the FEDERAL REGISTER (34 F.R. 1565) stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would designate an additional control area from the Point Barrow, Alaska, RBN, 1,200 feet AGL via the Lonely, Alaska, RBN, the Oliktok, Alaska, RBN, the Flaxman Island, Alaska, RBN, to the Barter Island, Alaska, RBN.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. No comments were received.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t. June 26, 1969, as hereinafter set forth.

In § 71.163 (34 F.R. 4549) the following additional control area is added:

POINT BARROW/BARTER ISLAND, ALASKA

From the Point Barrow, Alaska, RBN, 12 AGL Lonely, Alaska, RBN; 12 AGL Oliktok, Alaska, RBN; 12 AGL Flaxman Island, Alaska, RBN; 12 AGL Barter Island, Alaska, RBN. The segment from Point Barrow to Oliktok is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will be continuously published in the Alaska Airman's Guide and Chart Supplement.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348, 1510; Executive Order 10854, 24 F.R. 9565, sec. 6(c), Department of Transportation Act; 49 U.S.C. 1655(c))

Issued in Washington, D.C., on April 25, 1969.

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

[F.R. Doc. 69-5111; Filed, Apr. 29, 1969; 8:47 a.m.]

[Airspace Docket No. 69-WA-3]

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

Designation of Federal Airways

On February 26, 1969, a notice of proposed rule making was published in the FEDERAL REGISTER (34 F.R. 2612) stating that the Federal Aviation Administration was considering amendments to Part 71 of the Federal Aviation Regulations that would designate the United States portions of V–342 from Vancouver, British Columbia, Canada, to Princeton, British Columbia, Canada, and V–351 from Vancouver to Carmi, British Columbia, Canada.

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

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t. June 26, 1969, as hereinafter set forth.

In § 71.123 (34 F.R. 4509) the following are added:

1. V–342 from Vancouver, British Columbia, Canada, 12 AGL INT Vancouver 090° and Princeton, British Columbia, Canada, 244° radials; 12 AGL Princeton, excluding the airspace within Canada.

2. V–351 from Vancouver, British Columbia, Canada, 12 AGL INT Vancouver 090° and Princeton, British Columbia, Canada, 213° radials; 12 AGL Carmi, British Columbia, Canada, excluding the airspace within Canada.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348; sec. 6(c), Department of Transportation Act; 49 U.S.C. 1655(c))

Issued in Washington, D.C., on April 25, 1969.

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

[F.R. Doc. 69-5112; Filed, Apr. 29, 1969; 8:47 a.m.]

[Airspace Docket No. 68-CE-93]

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

Designation of Federal Airway Segment and Reporting Point

On March 5, 1969, a notice of proposed rule making was published in the FEDERAL REGISTER (34 F.R. 3851) stating that the Federal Aviation Administration is considering amendments to Part 71 of the Federal Aviation Regulations that would designate VOR Federal airway No. 246 from Nodine, Minn., to Stevens Point, Wis.; and designate the Millston, Wis., Intersection, low altitude reporting point.

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

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., June 26, 1969, as hereinafter set forth.

1. Section 71.123 (34 F.R. 4509) is amended by adding the following: "V-246 From Nodine, Minn., 12 AGL INT Nodine 055° and Stevens Point, Wis., 255° radials; 12 AGL to Stevens Point."

2. Section 71.203 (34 F.R. 4792) is amended by adding the following: "Millston INT: INT Eau Claire, Wis., 134° and Nodine, Minn., 055° radials."

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348; sec. 6(c), Department of Transportation Act; 49 U.S.C. 1655(c))

Issued in Washington, D.C., on April 25, 1969.

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

[F.R. Doc. 69-5113; Filed, Apr. 29, 1969; 8:47 a.m.]

[Airspace Docket No. 69-WA-15]

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

PART 73—SPECIAL USE AIRSPACE

PART 75—ESTABLISHMENT OF JET ROUTES

Miscellaneous Amendments

The purpose of these amendments to the Federal Aviation Regulations is to correct and add FEDERAL REGISTER citations.

On March 5, 1969, F.R. Doc. 69-2251, comprising a compilation of Parts 71, 73, and 75 of the Federal Aviation Regulations was published as Part II of the FEDERAL REGISTER of that date. All amendments to those parts which had been published prior to February 7, 1969, were included.

Subsequent to February 7, 1969, additional amendments to Parts 71, 73, and 75 were published which either incorrectly cited FEDERAL REGISTER volumes and page numbers or omitted them entirely. This action will correct those errors.

Since these amendments are editorial in nature, compliance with the notice and public procedure requirements of 5 U.S.C. 553 is unnecessary and for that reason this docket may be made effective less than 30 days after publication.

In consideration of the foregoing, the F.R. Docs. listed below are amended, effective immediately, as follows:

1. In F.R. Doc. 69-1586 (34 F.R. 1890) change (33 F.R. 2058) to (34 F.R. 4557) and change (33 F.R. 2137) to (34 F.R. 4637).

2. In F.R. Doc. 69-1587 (34 F.R. 1891) change (33 F.R. 2058) to (34 F.R. 4557) and change (33 F.R. 2137) to (34 F.R. 4637).

3. In F.R. Doc. 69-1588 (34 F.R. 1891) change (33 F.R. 2137) to (34 F.R. 4637).

4. In F.R. Doc. 69-1590 (34 F.R. 1891) change (33 F.R. 2047, 2765) to (34 F.R. 4544) and change (33 F.R. 2294) to (34 F.R. 4806).

5. In F.R. Doc. 69-1591 (34 F.R. 1892) change (33 F.R. 2137) to (34 F.R. 4637).

6. In F.R. Doc. 69-1592 (34 F.R. 1892) change (33 F.R. 2210) to (34 F.R. 4637).

7. In F.R. Doc. 69-1593 (34 F.R. 1892) change (33 F.R. 2240) to (34 F.R. 4637).

8. In F.R. Doc. 69-1594 (34 F.R. 1892) change (33 F.R. 4171) as modified by (33 F.R. 4981) to (34 F.R. 4637).

9. In F.R. Doc. 69-1595 (34 F.R. 1893) change (33 F.R. 2224) to (34 F.R. 4637).

10. In F.R. Doc. 69-1596 (34 F.R. 1893) change (33 F.R. 2137) to (34 F.R. 4637).

11. In F.R. Doc. 69-1597 (34 F.R. 1893) change (33 F.R. 2137) to (34 F.R. 4637).

12. In F.R. Doc. 69-1598 (34 F.R. 1893) change (33 F.R. 2058) to (34 F.R. 4557) and change (33 F.R. 2137) to (34 F.R. 4637).

13. In F.R. Doc. 69-1599 (34 F.R. 1894) change (33 F.R. 2137) to (34 F.R. 4637).

14. In F.R. Doc. 69-1600 (34 F.R. 1894) change (33 F.R. 2137) to (34 F.R. 4637).

15. In F.R. Doc. 69-1589 (34 F.R. 1894) change (33 F.R. 2006, 17103) to (34 F.R. 4506) and change (33 F.R. 2007, 17103) to (34 F.R. 4508) and change (33 F.R. 2046, 17103) to (34 F.R. 4543) and change (33 F.R. 2349) to (34 F.R. 4856) and change (33 F.R. 2292) to (34 F.R. 4804) and change (33 F.R. 2292) to (34 F.R. 4805) and change (33 F.R. 2051, 14061) to (34 F.R. 4549) and change (33 F.R. 2137, 14891, 16482) to (34 F.R. 4637).

16. In F.R. Doc. 69-1601 (34 F.R. 1895) change (33 F.R. 2349) to (34 F.R. 4856).

17. In F.R. Doc. 69-1787 (34 F.R. 2047) change (33 F.R. 2051, 13089, 14587, 18135, 18930, 34 F.R. 250) to (34 F.R. 4549) and change (33 F.R. 2058, 13089, 14587, 18135, 18930, 34 F.R. 250) to (34 F.R. 4557) and change (33 F.R. 2137, 13089, 14587, 18135, 18930, 34 F.R. 250) to (34 F.R. 4637) and change (33 F.R. 2292, 13089, 14587, 18135, 34 F.R. 250) to (34 F.R. 4804) and change (33 F.R. 2294, 13089, 14587, 18135, (34 F.R. 250) to (34 F.R. 4805).

18. In F.R. Doc. 69-1843 (34 F.R. 2108) change (33 F.R. 2119) to (34 F.R. 4557).

19. In F.R. Doc. 69-1844 (34 F.R. 2108) change (33 F.R. 2078) to (34 F.R. 4557).

20. In F.R. Doc. 69-1845 (34 F.R. 2108) change (33 F.R. 2072) to (34 F.R. 4557).

21. In F.R. Doc. 69-1846 (34 F.R. 2109) change "§ 71.181 of Part 71" to "§ 71.181 (34 F.R. 4637)."

22. In F.R. Doc. 69-1847 (34 F.R. 2109) change "§ 71.181 of Part 71" to "§ 71.181 (34 F.R. 4637)."

23. In F.R. Doc. 69-1849 (34 F.R. 2109) change (33 F.R. 2137) to (34 F.R. 4637).

24. In F.R. Doc. 69-1850 (34 F.R. 2109) change "§ 71.181 of Part 71" to "§ 71.181 (34 F.R. 4637)."

25. In F.R. Doc. 69-1968 (34 F.R. 2247) change (33 F.R. 2096, 5142) to (34 F.R. 4557) and change (33 F.R. 2206, 5142) to (34 F.R. 4637).

26. In F.R. Doc. 69-1969 (34 F.R. 2247) change (33 F.R. 2212, 14404) to (34 F.R. 4637).

27. In F.R. Doc. 69-2018 (34 F.R. 2306) change (33 F.R. 2009) to (34 F.R. 4509).

28. In F.R. Doc. 69-2019 (34 F.R. 2307) change (33 F.R. 2349) to (34 F.R. 4856).

29. In F.R. Doc. 69-3081 (34 F.R. 5223) change "§ 71.171 of Part 71" to "§ 71.171 (34 F.R. 4557)" and change "§ 71.181 of Part 71" to "§ 71.181 (34 F.R. 4637)."

30. In F.R. Doc. 69-3082 (34 F.R. 5224) change "§ 71.171 of Part 71" to "§ 71.171 (34 F.R. 4557)" and change "§ 71.181 of Part 71" to "§ 71.181 (34 F.R. 4637)."

31. In F.R. Doc. 69-3084 (34 F.R. 5224) change "§ 71.181 of Part 71" to "§ 71.181 (34 F.R. 4637)."

32. In F.R. Doc. 69-3085 (34 F.R. 5224) change "§ 71.181 of Part 71" to "§ 71.181 (34 F.R. 4637)."

33. In F.R. 69-3184 (34 F.R. 5328) change "§ 71.181 of Part 71" to "§ 71.181 (34 F.R. 4637)."

34. In F.R. Doc. 69-3185 (34 F.R. 5328) change "§ 71.171 of Part 71" to "§ 71.171 (34 F.R. 4557)" and change "§ 71.181 of Part 71" to "§ 71.181 (34 F.R. 4637)" wherever they appear.

35. In F.R. Doc. 69-3343 (34 F.R. 5430) change "§ 71.171 of Part 71" to "§ 71.171 (34 F.R. 4557)" wherever it appears.

36. In F.R. Doc. 69-3344 (34 F.R. 5430) change "§ 71.171 of Part 71" to "§ 71.171 (34 F.R. 4557)."

37. In F.R. Doc. 69-3346 (34 F.R. 5430) change "§ 71.171 of Part 71" to "§ 71.171 (34 F.R. 4557)."

38. In F.R. Doc. 69-3611 (34 F.R. 5716) change "§ 71.181 of Part 71" to "§ 71.181 (34 F.R. 4637)."

39. In F.R. Doc. 69-3612 (34 F.R. 5716) change "§ 71.181 of Part 71" to "§ 71.181 (34 F.R. 4637)."

40. In F.R. Doc. 69-3731 (34 F.R. 5929) change (33 F.R. 2137) to (34 F.R. 4637).

41. In F.R. Doc. 69-3800 (34 F.R. 5985) change "§ 71.181 of Part 71" to "§ 71.181 (34 F.R. 4638)."

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348; sec. 6(c), Department of Transportation Act; 49 U.S.C. 1655(c))

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

[F.R. Doc. 69-5109; Filed, Apr. 29, 1969; 8:47 a.m.]

[Airspace Docket No. 69-WA-18]

PART 73—SPECIAL USE AIRSPACE

Alteration of Restricted Areas

Correction

In F.R. Doc. 69-4926 appearing at page 6837 in the issue of Thursday, April 24, 1969, the agency bracket should read as set forth above.

[Airspace Docket No. 69-WA-4]

PART 75—ESTABLISHMENT OF JET ROUTES

Alteration and Establishment of Jet Routes

On March 11, 1969, a notice of proposed rule making was published in the FEDERAL REGISTER (34 F.R. 5080) stating that the Federal Aviation Administration was considering amendments to Part 75 of the Federal Aviation Regulations that would exchange numbered identifiers between J-501 and J-502 between Oakland, Calif./Seattle, Wash., and the United States/Canadian border and that would establish a VOR and L/F jet route between Annette Island, Alaska, and Sandspit, British Columbia, Canada.

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

In consideration of the foregoing, Part 75 of the Federal Aviation Regulations is amended, effective 0901 G.m.t. June 26, 1969, as hereinafter set forth.

Section 75.100 (34 F.R. 4856) is amended as follows:

1. Jet Route No. 501 is amended to read as follows:

Jet Route No. 501 (Oakland, Calif., to Bethel, Alaska) (Join Canadian High Level Airway No. 501).

From Oakland, Calif., via INT Oakland 305° and Ukiah, Calif., 172° radials; Ukiah; Medford, Oreg.; Hoquiam, Wash.; Neah Bay, Wash., RBN; Tofino, British Columbia, Canada, RBN; Cape Scott, British Columbia, Canada, RBN; Sandspit, British Columbia, Canada; Biorka Island, Alaska; Yakutat, Alaska; Johnstone Point, Alaska; Anchorage, Alaska; to Bethel, Alaska, excluding the airspace within Canada.

2. Jet Route No. 502 is amended to read as follows:

Jet Route No. 502 (Seattle, Wash., to Kotzebue, Alaska) (Joins Canadian High Level Airway No. 502).

From Seattle, Wash.; via Victoria, British Columbia, Canada; Malcolm Island, Alaska; Annette Island, Alaska; Sisters Island, Alaska; Burwash Landing, Yukon Territory Canada, RR; Northway, Alaska; Fairbanks, Alaska; to Kotzebue, Alaska, excluding the airspace within Canada.

3. Jet Route No. 523 is amended as follows:

In the caption "to Neah Bay, Wash." is deleted and "to Neah Bay, Wash., Sandspit, British Columbia, Canada, to Annette Island, Alaska" is substituted therefor.

In the text "From Sandspit, British Columbia, Canada, to Annette Island, Alaska; excluding the airspace within Canada." is added.

4. Jet Route No. 525 is added as follows:

Jet Route No. 525 (Sandspit, British Columbia, Canada, to Annette Island, Alaska) (Joints Canadian High Level Airway No. 525).

From the Sandspit, British Columbia, Canada, RR to Annette Island, Alaska, RR, excluding the airspace within Canada.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348; sec. 6(c), Department of Transportation Act; 49 U.S.C. 1655(c))

Issued in Washington, D.C., on April 25, 1969.

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

[F.R. Doc. 69-5110; Filed, Apr. 29, 1969; 8:47 a.m.]

SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Reg. Docket No. 9546; Amdt. 95-179]

PART 95—IFR ALTITUDES

Miscellaneous Amendments

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

As a situation exists which demands immediate action in the interest of safety, I find that compliance with the notice and procedure provisions of the Administrative Procedure Act is impracticable and that good cause exists for making this amendment effective within less than 30 days from publication.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 95 of The Federal Aviation Regulations is amended, effective May 29, 1969 as follows:

1. By amending Subpart C as follows:

Section 95.640 *Blue Federal airway 40* is added to read:

From, to, and MEA

Haines, Alaska, LF/RBN; Robinson, Yukon Territory, Canada; *#10,000. *8,000—MOCA. #For that airspace over U.S. territory.

Section 95.648 *Blue Federal airway 48* is amended to delete:

Gulfstream INT, Fla., Portland, Fla., LF/RBN; *2,000. *1,300—MOCA.

Section 95.1001 *Direct routes*—United States is amended to delete:

Allendale, S.C., VOR; Int 302° M rad, Charleston, S.C., VOR and 170° M rad, Columbia, S.C., VOR; *2,000. *1,700—MOCA.

Augusta, Ga., LF/RBN; Int 280° M bearing from Augusta LF/RBN and 158° M rad, Augusta VOR; 2,000.

Blythe INT, Ga.; Augusta, Ga., LOM; *2,000. *1,300—MOCA.

Eagle Lake, Tex., VOR; Roy INT, Tex.; *1,800. *1,400—MOCA.

Emory, Ga., LF/RBN; Int 280° M bearing from Emory LF/RBN and 158° M rad. Augusta VOR; 2,000.

Columbus, Ga., LOM; Geneva INT, Ala.; *2,200. *1,900—MOCA. Via C SE LOM 046° RAD.

Midway INT, Ala.; Seale INT, Ala.; 2,000.

Roy INT, Tex.; Key INT, Tex.; *1,800. *1,500—MOCA.

Panama Routes

V-1:

Foxtrot 2; France Field, C.Z.; *8,000. *1,300—MOCA.

V-2:

France Field, C.Z., 40-mile DME Fix; *3,000. *1,300—MOCA.

40-mile DME Fix; Juliette-2; *10,000. *1,000—MOCA.

V-3:

France Field, C.Z., VOR; 40-mile DME Fix; *3,000. *1,300—MOCA.

40-mile DME Fix; Quebec-3; *10,500. *1,000—MOCA.

France Field, C.Z., VOR; Chorrera INT, C.Z., *2,500. *2,100—MOCA.

Chorrera INT, C.Z.; Taboga, Republic of Panama, VOR; 2,700.

V-4:

France Field, C.Z., VOR; 40-mile DME Fix; *3,000. *1,300—MOCA.

40-mile DME Fix; Zulu-3; *12,500. *1,000—MOCA.

France Field, C.Z., VOR; Madden INT, C.Z.; 2,700.

Madden INT, C.Z.; Tocumen, Republic of Panama, VOR; 3,600.

Tocumen, Republic of Panama, VOR; Taboga, Republic of Panama, VOR; 2,100.

V-5:

Mike/Hotel-4; Charco INT, Republic of Panama; *4,000. *3,500—MOCA.

Charco INT, Republic of Panama; Taboga, Republic of Panama, VOR; 2,100.

V-6:

Foxtrot-3; Diego INT, Republic of Panama; *3,000. *2,100—MOCA.

Diego INT, Republic of Panama; Taboga, Republic of Panama, VOR; 2,100.

V-8:

Taboga, Republic of Panama, VOR; Zulu-4; 3,000.

V-9:

Taboga, Republic of Panama, VOR; Quebec-4; 3,000.

V-10:

Taboga, Republic of Panama, VOR; Rio Hato INT, Republic of Panama; 3,500.

V-11:

Taboga, Republic of Panama, VOR; Chorrera INT, Republic of Panama; 2,700.

Chorrera INT, Republic of Panama; Mike-5; *3,600. *2,700—MOCA.

V-12:

France Field, C.Z., VOR; Mike-5; *5,000. *2,200—MOCA.

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

Allendale, S.C., VOR; Columbia, S.C., VOR; *2,000. Via ALD R 029°/CAE 170°. *1,700—MOCA.

Int V-56S and CSG LOC; Seale INT, Ala.; 2,000.

Lynchburg, Va., VOR; Pine Hall INT, N.C.; 4,000.

Santa Barbara, Calif., VOR; Palmdale, Calif., VOR; COP 40 NM SBA; *9,000. *8,900—MOCA.

Route 11:

Ponce, P.R., VOR; Vega INT, P.R.; 5,000.
Vega INT, P.R.; San Juan, P.R., VOR; 2,500.

Panama Routes

V–1:

Barry INT, C.Z.; France Field, C.Z., VOR; *8,000. *1,300—MOCA.

V–3:

Taboga Island, Republic of Panama, VOR; Chorrera INT, C.Z.; 2,700.
Chorrera INT, C.Z.; France Field, C.Z., VOR; *2,500. *2,100—MOCA.
France Field, C.Z., VOR; 40-mile DME Fix; *10,500. *1,000—MOCA.

V–4:

Taboga Island, Republic of Panama, VOR; Tocumen, Republic of Panama, VOR; 2,100.
Tocumen, Republic of Panama, VOR; Madden INT, C.Z.; 3,600.
Madden INT, C.Z.; France Field, C.Z., VOR; 2,700.
France Field, C.Z., VOR; 40-mile DME Fix; *12,500. *1,300—MOCA.
40-mile, DME Fix; Canning INT, C.Z.; *12,500. *1,000—MOCA.

V–5:

Taboga Island, Republic of Panama, VOR; Charco INT, Republic of Panama; 2,100.
Charco INT, Republic of Panama; Taylor INT, Republic of Panama; *4,000. *3,500—MOCA.

V–6:

Taboga Island, Republic of Panama, VOR; Diego INT, Republic of Panama; 2,100.
Diego INT, Republic of Panama; Fleming INT, Republic of Panama; *3,000. *2,100—MOCA.

V–8:

Baxter INT, Republic of Panama; Taboga Island, Republic of Panama, VOR; *3,000. *2,100—MOCA.

V–9:

Clinton INT, Republic of Panama; Taboga Island, Republic of Panama, VOR; *3,000. *2,100—MOCA.

V–10:

Rio Hato INT, Republic of Panama; Taboga Island, Republic of Panama, VOR; 3,500.

V–11:

Ambros INT, Republic of Panama; Chorrera INT, Republic of Panama; *5,000. *2,700—MOCA.
Chorrera INT, Republic of Panama; Taboga Island, Republic of Panama, VOR; 2,700.

V–12:

Ambros INT, Republic of Panama; France Field, C.Z., VOR; *5,000. *2,200—MOCA.

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

Columbus, Ga., VOR; Seale INT, Ala.; 2,000.
Eufaula, Ala., VOR; Seale INT, Ala.; 2,000.
Key West, Fla., VOR; Pahokee, Fla., VOR; *5,000. *1,300—MOCA.
Lawson, Ga., LF/RBN; Seale INT, Ala.; 2,000.

Puerto Rico Routes

Route 9:

Midway INT, P.R.; *Guaynabo INT, P.R.; 4,600. *5,200—MRA.
Guaynabo INT, P.R; San Juan, P.R., VOR; 3,700.

Section 95.6004 *VOR Federal airway 4* is amended to delete:

Hill City, Kans., VOR; Russell, Kans., VOR; *4,500. *3,800—MOCA.
Russell, Kans., VOR; *Glendale INT, Kans.; **3,600. *4,000—MRA. **2,900—MOCA.
Glendale INT, Kans.; Salina, Kans., VOR; *3,600. *2,500—MOCA.

Section 95.6004 *VOR Federal airway 4* is amended by adding:

Hill City, Kans., VOR; Salina, Kans., VOR; *5,500. *3,800—MOCA.
Hill City, Kans., VOR via S alter.; Hays, Kans., VOR via S alter.; *4,200. *3,900—MOCA.
Hays, Kans., VOR via S alter.; *Glendale INT, Kans., via S alter.; 3,900. *4,000—MRA.
Glendale INT, Kans., via S alter.; Salina, Kans., VOR via S alter.; *3,600. *2,500—MOCA.

Section 95.6005 *VOR Federal airway 5* is amended to read in part:

Dublin, Ga., VOR via W alter.; Macon, Ga., VOR via W alter.; 2,300.

Section 95.6006 *VOR Federal airway 6* is amended to read in part:

New Sharon INT, Iowa; Wellman INT, Iowa; *2,700. *2,100—MOCA.

Section 95.6007 *VOR Federal airway 7* is amended to read in part:

Evansville, Ind., VOR; Princeton INT, Ind.; *2,300. *1,800—MOCA.
Princeton INT, Ind.; Decker INT, Ind.; *2,400. *1,900—MOCA.
Decker INT, Ind.; Carlisle INT, Ind.; *2,400. *2,000—MOCA.
Carlisle INT, Ind.; Lewis, Ind., VOR; *2,400. *1,700—MOCA.
Lewis, Ind., VOR; Terre Haute, Ind., VOR; *2,400. *1,700—MOCA.
Evansville, Ind., VOR via W alter.; Patton INT, Ill., via W alter.; *2,500. *1,900—MOCA.
Patton INT, Ill., via W alter.; New Hebron INT, Ill., via W alter.; *4,500. *2,000—MOCA.
New Hebron INT, Ill., via W alter.; Terre Haute, Ind., VOR via W alter.; 2,500.
Lewis, Ind., VOR; Terre Haute, Ind., VOR; *2,400. *1,700—MOCA.
Terre Haute, Ind., VOR; Wingate INT, Ind.; *2,600.*1,900—MOCA.
Wingate INT, Ind.; *Westpoint INT, Ind.; **2,500. *4,000—MRA. **2,000—MOCA.
Westpoint INT, Ind.; Lafayette, Ind., VOR; *2,500. *2,000—MOCA.

Section 95.6008 *VOR Federal airway 8* is amended to read in part:

New Sharon INT, Iowa; Wellman INT, Iowa; *2,700. *2,100—MOCA.
Garrett INT, Ind.; *Grabill INT, Ind.; **4,000. *4,000.—MRA. **2,200—MOCA.
Grabill INT, Ind.; Antwerp INT, Ind.; *4,000. *2,200—MOCA.
Mansfield, Ohio, VOR; Briggs, Ohio, VOR; 3,000.

Section 95.6011 *VOR Federal airway 11* is amended to delete:

Evansville, Ind., VOR via E. alter.; Augusta INT, Ind., via E alter.; 2,100.
Augusta INT, Ind., via E alter.; *Jasper INT, Ind., via E alter.; **3,700. *3,700—MRA. **2,000—MOCA.
Jasper INT, Ind., via E alter.; Scotland, Ind., VOR via E alter.; *2,700. *2,000—MOCA.

Section 95.6011 *VOR Federal airway 11* is amended by adding:

Evansville, Ind., VOR via E alter.; Augusta INT, Ind., via E alter.; *2,300. *1,800—MOCA.
Augusta INT, Ind., via E alter.; Jasper INT, Ind., via E alter.; $3,500. *1,900—MOCA.
Jasper INT, Ind., via E alter.; Bloomington, Ind., VOR via E alter.; *2,800. *2,200—MOCA.
Bloomington, Ind., VOR via E alter.; Brooklyn, INT, Ind., via E alter.; *2,800. *2,200—MOCA.
Brooklyn INT, Ind., via E alter.; Indianapolis, Ind., VOR E alter.; *2,700. *2,000—MOCA.

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

Evansville, Ind., VOR; Mackey INT, Ind.; *2,300. *1,800—MOCA.
Mackey INT, Ind.; Scotland INT, Ind.; *4,000. *2,000—MOCA.
Scotland INT, Ind.; Cataract INT, Ind.; *2,900. *2,000—MOCA.
Cataract INT, Ind.; Indianapolis, Ind., VOR; *2,700. *2,000—MOCA.
Fort Wayne, Ind., VOR; *Grabill INT, Ind.; **3,000. *4,000–MRA. **2,600—MOCA.
Grabill INT, Ind.; Edgerton INT, Ohio; *3,000. *2,600—MRA.

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

Shaw INT, Mo.; Readsville, INT, Mo.; *2,600. *2,300—MOCA.
Guthrie INT, Mo., via S alter.; Readsville INT, Mo., via S alter.; *4,000. *2,300—MOCA.

Section 95.6013 *VOR Federal airway 13* is amended to delete:

Houston, Tex., VOR via W alter.; Gulf Coast INT, Tex., via W alter.; *2,000. *1,800—MOCA.
Gulf Coast INT, Tex., via W alter.; New Waverly INT, Tex., via W alter.; *3,300. *1,600—MOCA.
New Waverly INT, Tex., via W alter.; Lufkin, Tex., VOR via W alter.; *4,000. *1,700—MOCA.

Section 95.6013 *VOR Federal airway 13* is amended by adding:

Humble, Tex., VOR via W alter.; Sheppard INT, Tex., via W alter.; *1,700. *1,400—MOCA.
Sheppard INT, Tex., via W alter.; *New Waverly INT, Tex., via W alter.; **1,900. *4,000—MRA. **1,500—MOCA.
New Waverly INT, Tex., via W alter.; Lufkin, Tex., VOR via W alter.; *3,300. *1,700—MOCA.

Section 95.6013 *VOR Federal airway 13* is amended to read in part:

Houston, Tex., VOR; Humble, Tex., VOR; 1,800.
Humble, Tex., VOR; Cleveland INT, Tex.; *1,700. *1,400—MOCA.
Cleveland INT, Tex.; Leggett INT, Tex.; 1,800.
Leggett INT, Tex.; Lufkin, Tex., VOR; *1,900. *1,800—MOCA.
Houston, Tex., VOR via E alter.; Crosby INT, Tex., via E alter.; 1,600.
Crosby INT, Tex., via E alter.; Daisetta, Tex., VOR via E alter.; *1,600. *1,400—MOCA.

Section 95.6015 *VOR Federal airway 15* is amended by adding:

Houston, Tex., VOR via E alter.; Humble, Tex., VOR via E alter.; 1,800.
Humble, Tex., VOR via E alter.; Magnolia INT, Tex., via E alter.; *1,700. *1,600—MOCA.
Magnolia, Tex., VOR via E alter.; Navasota, Tex., VOR via E alter.; *1,900. *1,600—MOCA.

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

Red Oak INT, Tex., via E alter.; Dallas, Tex., VOR via E alter.; 2,000.
Waco, Tex., VOR via W alter.; Whitney INT, Tex., via W alter.; *2,000. *1,900—MOCA.
Pharoah INT, Okla.; Okmulgee, Okla., VOR; *2,500. *2,200—MOCA.
Silver INT, Tex.; Cypress INT, Tex.; *1,800. *1,500—MOCA.
Cypress INT, Tex.; Navasota, Tex., VOR; *1,800. *1,600—MOCA.
Navasota, Tex., VOR; College Station, Tex., VOR; *1,800. *1,600—MOCA.

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

*Grapevine INT, Ark.; Pine Bluff, Ark., VOR; **1,700. *6,000—MCA Grapevine INT, southwestbound. **1,600—MOCA.
Jacks Creek, Tenn., VOR via N alter.; Vanleer INT, Tenn., via N alter.; *3,000. *2,200—MOCA.
Vanleer INT, Tenn., via N alter.; Nashville, Tenn., VOR via N alter.; 3,000.

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

St. George INT, S.C.; Charleston, S.C., VOR; *1,800. *1,400—MOCA.

Section 95.6519 *VOR Federal airway 19* is amended to read in part:

Hanover INT, Colo.; Kettle INT, Colo.; *9,000. *8,500—MOCA.
Kettle INT, Colo.; Kiowa, Colo., VOR; 9,000.

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

Houston, Tex., VOR via N alter.; Crosby INT, Tex., via N alter.; 1,600.
Crosby INT, Tex., via N alter.; Trinity INT, Tex., via N alter.; *1,600. *1,300—MOCA.
Trinity INT, Tex., via N alter; China INT, Tex., via N alter.; *1,600. *1,400—MOCA.
China INT, Tex., via N alter.; Beaumont, Tex., VOR via N alter.; *1,600. *1,300—MOCA.
Houston, Tex., VOR via S alter.; La Porte INT, Tex., via S alter.; *1,500. *1,400—MOCA.
La Porte INT, Tex., via S alter.; Smith Point INT, Tex., via S alter.; *1,500. *1,100—MOCA.
Palacios, Tex., VOR; Key INT, Tex.; *1,800. *1,400—MOCA.
Key INT, Tex.; Arcola INT, Tex.; *1,800. *1,600—MOCA.
Pry INT, Tex.; Monroe City INT, Tex.; *1,600. *1,400—MOCA.
Monroe City INT, Tex.; Beaumont, Tex., VOR; *1,600. *1,300—MOCA.
South Boston, Va., VOR; Amelia INT, Va.; 2,700.
Amelia INT, Va.; Richmond, Va., VOR; 2,000.

Section 95.6022 *VOR Federal airway 22* is deleted:

Section 95.6037 *VOR Federal airway 37* is amended to read in part:

Allegheny, Pa., VOR.; Imperial, Pa., VOR; 3,000.
Imperial, Pa., VOR; Ellwood City, Pa., VOR; 3,000.

Section 95.6044 *VOR Federal airway 44* is amended to read in part:

Samsville, Ill., VOR; Decker INT, Ill.; *2,300. *1,900—MOCA.
Decker INT, Ill.; Livonia INT, Ind.; *3,000. *2,100—MOCA.
Livonia INT, Ind.; Nabb, Ind., VOR; *2,700. *2,100—MOCA.

Section 95.6049 *VOR Federal airway 49* is amended by adding:

Jacks Creek, Tenn., VOR; Vanleer INT, Tenn.; *3,000. *2,200—MOCA.
Vanleer INT, Tenn.; Thomasville INT, Tenn.; 4,000.
Thomasville INT, Tenn.; Bowling Green, Tenn., VOR; 3,000.

Section 95.6053 *VOR Federal airway 53* is amended by adding:

Indianapolis, Ind., VOR; Advance INT, Ind.; *2,700. *2,200—MOCA.
Advance INT, Ind.; Jackson INT, Ind.; *2,700. *2,100—MOCA.
Jackson INT, Ind.; Lafayette, Ind., VOR; *2,600. *2,000—MOCA.
Lafayette, Ind., VOR; Peotone, Ill., VOR; *2,600. *2,000—MOCA.

Section 95.6053 *VOR Federal airway 53* is amended to delete:

Indianapolis, Ind., VOR; Jackson INT, Ind.; *2,000. *2,200—MOCA.
Jackson INT, Ind.; Westpoint, Ind., VOR; *2,500. *2,000—MOCA.
Westpoint, Ind., VOR; Peotone, Ill., VOR; *2,600. *2,000—MOCA.

Section 95.6053 *VOR Federal airway 53* is amended to read in part:

Charleston, S.C., VOR; St. George INT, S.C.; *1,800. *1,400—MOCA.

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

Harris, Ga., VOR; Dillard INT, Ga.; 7,500.
Dillard INT, Ga.; Sunset INT, S.C.; 6,000.
Texarkana, Ark., VOR; Washington INT, Ark.; *2,500. *1,700—MOCA.

Section 95.6057 *VOR Federal airway 57* is amended to delete:

Birmingham, Ala., VOR; Trimble INT, Ala.; *2,500. *2,200—MOCA.
Trimble INT, Ala.; Roundtree INT, Ala.; *2,800. *2,300—MOCA.
Roundtree INT, Ala.; Hartselle INT, Ala.; *2,300. *1,900—MOCA.
Hartselle INT, Ala.; Decatur, Ala., VOR; *2,100. *2,000—MOCA.
Birmingham, Ala., VOR via E alter.; Hobbs INT, Ala., via E alter.; *3,000. *2,200—MOCA.
Hobbs INT, Ala., via E alter.; Decatur, Ala., VOR via E alter.; 2,600.
Birmingham, Ala., VOR via W alter.; Johney INT, Ala., via W alter.; *2,700. *2,000—MOCA.
Johney INT, Ala., via W alter.; Decatur, Ala., VOR via W alter.; *2,400. *2,200—MOCA.
Decatur, Ala., VOR; Bethel INT, Tenn.; *2,100. *2,000—MOCA.
Bethel INT, Tenn.; Graham, Tenn., VOR; *3,000. *2,300—MOCA.
Graham, Tenn., VOR; Pleasant View INT, Tenn.; *2,600. *1,900—MOCA.
Pleasant View INT, Tenn.; Bowling Green, Ky., VOR; *2,600. *1,900—MOCA.

Section 95.6062 *VOR Federal airway 62* is amended to read in part:

Texico, N. Mex., VOR; Plainview, Tex., VOR; *5,800. *5,500—MOCA.
Texico, N. Mex., VOR via S alter.; Littlefield INT, Tex., via S alter.; *5,700. *5,500—MOCA.

Section 95.6066 *VOR Federal airway 66* is amended to read in part:

Prosper INT, Tex.; Sulphur Springs, Tex., VOR; *4,000. *2,100—MOCA.

Section 95.6068 *VOR Federal airway 68* is amended to read in part:

Hobbs, N. Mex., VOR via W alter.; Goldsmith INT, Tex., via W alter.; *5,200. *5,000—MOCA.

Section 95.6070 *VOR Federal airway 70* is amended by adding:

Palacios, Tex., VORTAC via N alter.; Rosenberg INT, Tex., via N alter.; *2,000. *1,400—MOCA.
Rosenberg INT, Tex., via N alter.; Humble, Tex., VOR via N alter.; 1,600.
Humble, Tex., VOR via N alter.; Sabine Pass, Tex., VOR via N alter.; *1,600. *1,400—MOCA.

Section 95.6071 *VOR Federal airway 71* is amended to read in part:

*Baskin INT, La.; Monroe, La., VOR; **2,000. *3,500—MRA. **1,900—MOCA.
Monroe, La., VOR; El Dorado, Ark., VOR; *2,000. *1,900—MOCA.

Section 95.6076 *VOR Federal airway 76* is amended to read in part:

Pat INT, Tex.; Big Spring, Tex., VOR; *4,500. *4,300—MOCA.

Section 95.6077 *VOR Federal airway 77* is amended to read in part:

*Florence INT, Kans.; **Wilsey INT, Kans.; ***5,000. *5,000—MRA. **5,000—MRA. ***2,800—MOCA.
Ponca City, Okla., VOR; Mayfield INT, Kans.; *3,000. *2,700—MOCA.
Mayfield INT, Kans.; Conway INT, Kans.; *3,000. *2,700—MOCA.

Section 95.6081 *VOR Federal airway 81* is amended to read in part:

Mustang INT, Tex.; Pat INT, Tex.; *4,500. *4,300—MOCA.

Section 95.6092 *VOR Federal airway 92* is amended to read in part:

Edgerton INT, Ohio; Waterville, Ohio, VOR; 3,000.
Mansfield, Ohio, VOR; Briggs, Ohio, VOR; 3,000.

Section 95.6094 *VOR Federal airway 94* is amended to read in part:

Deming, N. Mex., VOR; *Morgan INT, N. Mex.; 9,000. *10,000—MRA.
Morgan INT, N. Mex.; Newman, Tex., VOR; 9,000.

Section 95.6100 *VOR Federal airway 100* is amended to delete:

Deming, N. Mex., VOR; *Morgan INT, N. Mex.; 9,000. *10,000—MRA.
Morgan INT, N. Mex.; Newman, Tex., VOR; 9,000.
Medicine Bow, Wyo., VOR; *Wheatland INT, Wyo.; 10,300. *9,200—MCA Wheatland INT, westbound.
Wheatland INT, Wyo.; Chadron, Nebr., VOR; *9,000. *7,000—MOCA.
Chadron, Nebr., VOR; O'Neil, Nebr., VOR; *10,000. *5,900—MOCA.

Section 95.6100 *VOR Federal airway 100* is amended by adding:

Medicine Bow, Wyo., VOR; Scottsbluff, Nebr., VOR; 9,300.
Scottsbluff, Nebr., VOR; Alliance, Nebr., VOR; *6,300. *5,600—MOCA.
Alliance, Nebr., VOR; Ainsworth, Nebr., VOR; *7,500. *5,600—MOCA.
Ainsworth, Nebr., VOR; O'Neill, Nebr., VOR; *4,400. *3,800—MOCA.

Section 95.6106 *VOR Federal airway 106* is amended to read in part:

Gardner, Mass., VOR; State Line INT, N.H.; 3,500.
State Line INT, N.H.; Manchester, N.H., VOR; 2,000.

Section 95.6108 *VOR Federal airway 108* is amended to read in part:

Colorado Springs, Colo., VOR; Kettle INT, Colo.; 9,600.
Kettle INT, Colo.; Hugo Colo., VOR; 9,000.

Section 95.6126 *VOR Federal airway 126* is amended to read in part:

Edgerton INT, Ohio; Waterville, Ohio, VOR; 3,000.

Section 95.6128 *VOR Federal airway 128* is amended to delete:

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

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

Peotone, Ill., VOR; Fowler INT, Ind.; *2,600. *2,000—MOCA.

Fowler INT, Ind.; *Westpoint INT, Ind.; **4,000. *4,000—MRA. **2,000—MOCA.

Westpoint INT., Ind.; Jackson INT, Ind.; *4,000. *1,900—MOCA.

Jackson INT, Ind.; Advance INT, Ind.; *2,700 *2,100—MOCA.

Advance INT, Ind.; Indianapolis, Ind., VOR; *2,700. *2,200—MOCA.

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

Tulsa, Okla., VOR via N alter.; Adair INT, Okla., via N alter.; *2,500. *2,200—MOCA.

Section 95.6154 *VOR Federal airway 154* is amended to read in part:

Macon, Ga., VOR; Dublin, Ga., VOR; 2,300.

Section 95.6157 *VOR Federal airway 157* is amended to read in part:

Lawrenceville, Va., VOR; Richmond, Va., VOR; 2,000.

Section 95.6161 *VOR Federal airway 161* is amended to read in part:

Pharoah INT, Okla.; Okmulgee, Okla., VOR; *2,500. *2,200—MOCA.

Section 95.6168 *VOR Federal airway 168* is deleted:

Section 95.6171 *VOR Federal airway 171* is amended to read in part:

Louisville, Ky., VOR; Martinsburg INT, Ind.; 2,900. Martinsburg INT, Ind.; Scotland INT, Ind.; *2,700. *2,000—MOCA.

Scotland INT, Ind.; Lewis, Ind., VOR; *2,500. *1,800—MOCA.

Section 95.6171 *VOR Federal airway 171* is amended by adding:

Louisville, Ky., VOR via N alter.; Livonia INT, Ind., via N alter.; 2,900.

Livonia INT, Ind., via N alter.; Bloomington, Ind., VOR via N alter.; *2,800. *2,200—MOCA.

Bloomington, Ind., VOR via N alter.; Lewis, Ind., VOR via N alter.; *2,800. *2,100—MOCA.

Section 95.6180 *VOR Federal airway 180* is amended to read in part:

Arcola INT, Tex.; Manvel INT, Tex.; *2,000. *1,300—MOCA.

Manvel INT, Tex.; Galveston, Tex., VOR; 2,200.

Section 95.6198 *VOR Federal airway 198* is amended by adding:

Houston, Tex., VOR; La Porte INT, Tex.; *1,500. *1,400—MOCA.

La Porte INT, Tex.; Smith Point INT, Tex.; *1,500. *1,100—MOCA.

Smith Point INT, Tex.; Sabine Pass, Tex. VOR; *1,500. *1,000—MOCA.

Sabine Pass, Tex., VOR; Holly Beach INT, La.; *2,000. *1,200—MOCA.

Holly Beach INT, La; White Lake, La., VOR; *2,000. *1,300—MOCA.

White Lake, La. VOR; Rich INT, La.; *2,000. *1,000—MOCA.

Rich INT, La.; Tibby, La., VOR; *2,000. *1,500—MOCA.

Tibby, La., VOR; Lizard INT, La.; *2,000. *1,400—MOCA.

Lizard INT, La.; Sally INT, La.; *2,000. *1,200—MOCA.

Sally INT, La.; Harvey, La., VOR; 2,000.

Harvey, La., VOR; Violet INT, La.; 2,000.

Violet INT, La.; Dog INT, La.; *3,000. *2,000—MOCA.

Dog INT, La.; Horn INT, Miss.; *3,000. *1,100—MOCA.

Horn INT, Miss.; Moss INT, Miss.; *2,000. *1,400—MOCA.

Moss INT, Miss.; Brookley, Ala., VOR; *1,800. *1,400—MOCA.

Brookley, Ala., VOR; Saufley, Fla., VOR; *2,500. *1,400—MOCA.

Saufley, Fla., VOR; Crestview, Fla., VOR; *2,500. *1,500—MOCA.

Crestview, Fla., VOR; Marianna, Fla., VOR; *2,000. *1,700—MOCA.

Marianna, Fla., VOR; Tallahassee, Fla., VOR; *2,000. *1,600—MOCA.

Tallahassee, Fla., VOR; Greenville, Fla., VOR; *2,000. *1,600—MOCA.

Greenville, Fla., VOR; Taylor, Fla., VOR; *2,000. *1,500—MOCA.

Taylor, Fla., VOR; Bryceville INT, Fla., *2,000. *1,400—MOCA.

Bryceville INT, Fla.; Jacksonville, Fla., VOR; *1,600. *1,300—MOCA.

Eagle Lake, Tex., VOR via N alter. Sealy INT, Tex., via N alter.; *2,000. *1,500—MOCA.

Sealy INT, Tex., via N alter.; Humble, Tex., VOR via N alter.; *1,600. *1,500—MOCA.

Humble, Tex., VOR via N alter.; Sabine Pass, Tex., VOR via N alter.; *1,600. *1,400—MOCA.

Section 95.6209 *VOR Federal airway 209* is amended by adding:

Birmingham, Ala., VOR; Trimble INT, Ala.; *2,500. *2,200—MOCA.

Trimble INT, Ala.; Rountree INT, Ala.; *2,800. *2,300—MOCA.

Rountree INT, Ala.; Hartselle INT, Ala.; *2,300. *1,900—MOCA.

Hartselle INT, Ala.; Decatur, Ala., VOR; *2,100. *2,000—MOCA.

Birmingham, Ala., VOR via E alter.; Hobbs INT, Ala., via E alter.; *3,000. *2,200—MOCA.

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

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

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

Decatur, Ala., VOR; Bethel INT, Tenn.; *2,100. *2,000—MOCA.

Bethel INT, Tenn.; Graham, Tenn., VOR; *3,000. *2,300—MOCA.

Graham, Tenn., VOR; Vanleer INT, Tenn.; *3,000. *2,200—MOCA.

Vanleer INT, Tenn.; Thomasville INT, Tenn.; 4,000.

Thomasville INT, Tenn.; Bowling Green, Tenn., VOR; 3,000.

Section 95.6212 *VOR Federal airway 212* is amended to read in part:

Navasota, Tex., VOR; Dacus INT, Tex.; *2,000. *1,700—MOCA.

Section 95.6216 *VOR Federal airway 216* is amended to read in part:

Charlotte INT, Iowa; *Wacker INT, Ill.; **4,000. *4,000—MRA. **2,200—MOCA.

Wacker INT, Ill.; Lena INT, Ill.; *2,700. *2,100—MOCA.

Section 95.6222 *VOR Federal airway 222* is amended to delete:

Houston, Tex., VOR via N alter.; *Crosby INT, Tex., via N alter.; 1,600. *2,000—MRA.

Crosby INT, Tex., via N alter.; Daisetta, Tex., VOR via N alter.; *1,800. *1,300—MOCA.

Section 95.6222 *VOR Federal airway 222* is amended by adding:

Humble, Tex., VOR via N alter.; Daisetta, Tex., VOR via N alter.; *1,800. *1,400—MOCA.

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

Industry, Tex., VOR; Prairie INT, Tex.; *2,000. *1,600—MOCA.

Prairie INT, Tex.; Waller INT, Tex.; *1,800. *1,300—MOCA.

Waller INT, Tex.;Cypress INT, Tex.; *1,700. *1,500—MOCA.

Cypress INT, Tex.; Humble, Tex., VOR; *1,700. *1,600—MOCA.

Humble, Tex., VOR; Trinity INT, Tex.; *1,600. *1,300—MOCA.

Trinity INT, Tex.; China INT, Tex.; *1,600. *1,400—MOCA.

China INT, Tex.; Beaumont, Tex., VOR; *1,600. *1,300—MOCA.

Section 95.6243 *VOR Federal airway 243* is amended to delete:

Bowling Green, Ky., VOR; Apalona INT, Ind.; *3,500. *2,500—MOCA.

Apalona INT, Ind.; *Baden INT, Ind.; **2,500. *3,000—MRA. **2,000—MOCA.

Baden INT, Ind.; Scotland, Ind., VOR; *2,500. *2,000—MOCA.

Section 95.6243 *VOR Federal airway 243* is amended by adding:

Bowling Green, Ky., VOR; Goetz INT, Ky.; *2,800. *2,100—MOCA.

Goetz INT, Ky.; Apalona INT, Ind.; *4,000. *1,800—MOCA.

Apalona INT, Ind.; Jasper INT, Ind.; *4,000. *2,000—MOCA.

Jasper INT, Ind.; Lewis, Ind., VOR; *2,400. *1,900—MOCA.

Section 95.6244 *VOR Federal airway 244* is amended to delete:

Modoc INT, Kans.; *Ransom INT, Kans.; **10,000, *10,000—MRA. **4,300—MOCA.

Ransom INT, Kans.; Russell, Kans., VOR; *5,500. *3,400—MOCA.

Section 95.6244 *VOR Federal airway 244* is amended by adding:

Modox INT, Kans.; *Ransom INT, Kans.; **9,000. *10,000—MRA. **4,300—MOCA.

Ransom INT, Kans.; Hays, Kans., VOR; *5,000. *3,900—MOCA.

Hays, Kans., VOR; *Glendale INT, Kans.; 3,900. *4,000—MRA.

Glendale INT, Kans.; Salina, Kans., VOR; *3,600. *2,500—MOCA.

Section 95.6266 *VOR Federal airway 266* is amended to read in part:

South Boston, Va., VOR; Lawrenceville, Va., VOR; 2,300.

Section 95.6278 *VOR Federal airway 278* is amended to read in part:

Texico, N. Mex., VOR; Plainview, Tex., VOR; *5,800. *5,500—MOCA.

Section 95.6306 *VOR Federal airway 306* is amended to read in part:

Navasota, Tex., VOR; Conroe INT, Tex.; *2,000. *1,700—MOCA.

Conroe INT, Tex.; Sheppard INT, Tex.; *2,000. *1,500—MOCA.

Sheppard INT, Tex.; Daisetta, Tex., VOR; *1,700. *1,400—MOCA.

Section 95.6317 *VOR Federal airway 317* is amended to read in part:

Whittier, Alaska, LF/RBN; *Anchorage, Alaska, VOR; **10,000. *5,000—MCA Anchorage VOR, eastbound. **8,000—MOCA.

Hope INT, Alaska, via S alter.; *Anchorage, Alaska, VOR via S alter.; **7,000. *5,000—MCA Anchorage VOR, eastbound. **6,200—MOCA.

Section 95.6440 *VOR Federal airway 440* is amended to read in part:

Hope INT, Alaska; *Anchorage, Alaska, VOR; **7,000. *5,000—MCA Anchorage VOR, eastbound. **6,200—MOCA.

Section 95.6477 *VOR Federal airway 477* is amended to delete:

Houston, Tex., VOR via E alter.; Gulf Coast INT, Tex., via E alter.; *2,000. *1,800—MOCA.

Gulf Coast INT, Tex., via E alter.; New Waverly INT, Tex., via E alter.; *3,300. *1,600—MOCA.

New Waverly INT, Tex., via E alter.; Leona, Tex., VOR via E alter.; *2,500. *1,800—MOCA.

Section 95.6477 *VOR Federal airway 477* is amended by adding:

Humble, Tex., VOR via E alter.; Sheppard INT, Tex., via E alter.; *1,700. *1,400—MOCA.

Sheppard INT, Tex., via E alter.; *New Waverly INT, Tex., via E alter.; **1,900. *4,000—MRA. **1,500—MOCA.

New Waverly INT, Tex., via E alter.; Leona, Tex., VOR via E alter.; *2,000. *1,800—MOCA.

Section 95.6477 *VOR Federal airway 477* is amended to read in part:

Houston, Tex., VOR; Humble, Tex., VOR; 1,800.

Humble, Tex., VOR; Conroe INT, Tex.; *1,700. *1,500—MOCA.

Conroe INT, Tex.; Montgomery INT, Tex.; *1,700. *1,600—MOCA.

Motgomery INT, Tex.; Dacus INT, Tex.; *1,900. *1,600—MOCA.

Dacus INT, Tex.; Leona, Tex., VOR; *2,000. *1,500—MOCA.

Houston, Tex., VOR via W alter.; Silver INT, Tex., via W alter.; 1,800.

Silver INT, Tex., via W alter.; Cypress INT, Tex., via W alter.; *1,800. *1,500—MOCA.

Cypress INT, Tex., via W alter.; Navasota, Tex., VOR via W alter.; *1,800. *1,600—MOCA.

Navasota, Tex., VOR via W alter.; Leona, Tex., VOR via W alter.; 2,100.

Section 95.6422 *Hawaii VOR Federal airway 22* is amended to read in part:

*Barracuda INT, Hawaii; Sardine INT, Hawaii; 11,000. *11,000—MCA Barracuda INT, southbound.

Sardine INT, Hawaii; Bonita INT, Hawaii; 8,000.

Section 95.6530 *VOR Federal airway 530* is amended to read in part:

Texico, N. Mex., VOR; Childress, Tex., VOR; *6,000. *5,500—MOCA.

Section 95.7002 *Jet Route No. 2* is amended to read in part:

From, to, MEA, and MAA

San Antonio, Tex., VORTAC; Humble, Tex., VORTAC; 18,000; 45,000.

Humble, Tex., VORTAC; Lake Charles, La., VORTAC; 18,000; 45,000.

Section 95.7015 *Jet Route No. 15* is amended to delete:

Houston, Tex., VORTAC; Austin, Tex., VOR TAC; 18,000; 45,000.

Section 95.7015 *Jet Route No. 15* is amended by adding:

Humble, Tex., VORTAC; Austin, Tex., VOR TAC; 18,000; 45,000.

Section 95.7043 *Jet Route No. 43* is amended to delete:

Rosewood, Ohio, VORTAC; Int 010° M rad, Rosewood VORTAC and 091° M rad, Pullman VORTAC; 18,000; 45,000.

Section 95.7043 *Jet Route No. 43* is amended by adding:

Rosewood, Ohio, VORTAC; Salem, Mich., VOR; 18,000; 45,000.

Section 95.7070 *Jet Routes No. 70* is amended to read part:

Pullman, Mich., VORTAC; Salem, Mich., VOR; 18,000; 45,000.

Salem, Mich., VOR; United States-Canadian border; 18,000; 45,000.

United States-Canadian border; Jamestown, N.Y., VOR; 18,000; 45,000.

Section 95.7085 *Jet Route No. 85* is amended by adding:

United States-Canadian border; Salem, Mich., VOR; 18,000; 45,000.

Section 95.7086 *Jet Route No. 86* is amended to read in part:

Austin, Tex., VORTAC; Humble, Tex., VOR TAC; 18,000; 45,000.

Humble, Tex., VORTAC; Grand Isle, La., VORTAC; 18,000; 45,000.

Section 95.7087 *Jet Route No. 87* is amended to delete:

Houston, Tex., VORTAC; Greater Southwest, Tex., VORTAC; 18,000; 45,000.

Section 95.7087 *Jet Route No. 87* is amended by adding:

Humble, Tex., VORTAC; Greater Southwest, Tex., VORTAC; 18,000; 45,000.

Section 95.7094 *Jet Route No. 94* is amended to delete:

Battle Mountain, Nev., VOR; Bonneville, Utah, VOR; 18,000; 45,000.

Bonneville, Utah, VOR; Salt Lake City, Utah, VORTAC; 18,000; 45,000.

Salt Lake City, Utah, VORTAC; Rock Springs, Wyo., VORTAC; 18,000; 45,000.

Section 95.7094 *Jet Route No. 94* is amended by adding:

Battle Mountain, Nev., VORTAC; Lucin, Utah, VOR; 18,000; 45,000.

Lucin, Utah, VOR; Rock Springs, Wyo., VOR TAC; #18,000; 45,000. #MEA is established with a gap in navigation signal coverage.

Section 95.7101 *Jet Route No. 101* is amended to delete:

Houston, Tex., VORTAC; Luffiin, Tex., VOR TAC; 18,000; 45,000.

Section 95.7101 *Jet Route No. 101* is amended by adding:

Humble, Tex., VORTAC; Lufkin, Tex., VOR TAC; 18,000; 45,000.

Section 95.7138 *Jet Route No. 138* is amended by adding:

San Antonio, Tex., VORTAC; Houston, Tex., VORTAC; 18,000; 45,000.

Section 95.7154 *Jet Route No. 154* is added to read:

Battle Mountain, Nev., VORTAC; Bonneville, Utah, VORTAC; 18,000; 45,000.

Bonneville, Utah, VORTAC; Salt Lake City, Utah, VORTAC; 18,000; 45,000.

Salt Lake City, Utah, VORTAC; Rock Springs, Wyo., VORTAC; 18,000; 45,000.

2. By amending subpart D as follows:

Section 95.8003 VOR FEDERAL AIRWAY CHANGEOVER POINTS

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

V–14 is amended to delete:

Lubbock, Tex., VORTAC; Childress, Tex., VOR; 33; Lubbock.

V–37 is amended to read in part:

Savannah, Ga., VOR; Allendale, S.C., VOR; 36; Savannah.

V–40 is added to read:

Briggs, Ohio, VORTAC; Imperial, Ohio; 47; Imperial.

V–49 is added to read:

Jacks Creek, Tenn., VORTAC; Bowling Green, Ky., VORTAC; 70; Jacks Creek.

V–54 is amended by adding:

Hot Springs, Ark., VOR via N alter.; Little Rock, Ark., VOR via N alter.; 20; Hot Springs.

V–57 is amended to delete:

Birmingham, Ala., VORTAC; Decatur, Ala., VOR; 34; Birmingham.

V–100 is amended to delete:

Medicine Bow, Wyo., VOR; Chadron, Nebr., VOR; 45; Medicine Bow.

Chadron, Nebr., VOR; O'Neill, Nebr., VOR; 109; Chadron.

V–124 is amended by adding:

Hot Springs, Ark., VOR; Little Rock, Ark., VOR; 20; Hot Springs.

V–209 is amended by adding:

Birmingham, Ala., VORTAC; Decatur, Ala., VOR; 34; Birmingham.

V–212 is amended by adding:

Navasota, Tex., VOR; Lufkin, Tex., VORTAC; 48; Navasota.

V–243 is amended to delete:

Bowling Green, Ky., VOR; Scotland, Ind., VOR; 60; Bowling Green.

V–243 is amended by adding:

Bowling Green, Ky., VOR; Lewis, Ind., VOR; 68; Bowling Green.

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

Issued in Washington, D.C., on April 18, 1969.

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

[F.R. Doc. 69–5045; Filed, Apr. 29, 1969; 8:45 a.m.]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 7—Agency for International Development, Department of State

MISCELLANEOUS AMENDMENTS TO CHAPTER

Chapter 7 of Title 41 is amended as follows:

PART 7–6—FOREIGN PURCHASES

Subpart 7–6.52—U.S. Source Restrictions-Commodities

§ 7–6.5205 [Amended]

1. The list in the last paragraph of § 7–6.5205 is revised as follows:

(1) 000 United States, including the AID Regional Technical Aid Centers.

(2) --- Cooperating Country, identified, when applicable, by specific reference to the name and corresponding AID geographic code.
(3) 901 Limited Free World.
(4) 899 Free World.

PART 7–15—CONTRACT COST PRINCIPLES AND PROCEDURES

1. The Table of Contents for Part 7–15 is revised as follows: Add:

Sec. 7–15.102 Cost reimbursement supply and research contracts with concerns other than educational institutions. 7–15.102–50 State and local governments.

Subpart 7–15.1—Applicability

1. New § 7–15.102–50 is added as follows:

§ 7–15.102 Cost reimbursement supply and research contracts with concerns other than educational institutions.

§ 7–15.102–50 State and local governments.

Bureau of the Budget Circular No. A–87 dated May 9, 1968, sets forth principles for determining costs applicable to grants and contracts with State and local governments. These cost principles shall be used in all new grants and contracts, as well as any amendments to existing grants and contracts, with State or local governments which are executed after the effective date of this amendment.

PART 7–16—PROCUREMENT FORMS

Subpart 7–16.9—Illustrations of Forms

§ 7–16.952 [Amended]

1. The list at the end of paragraph (c) of General Provision Clause 17 of § 7–16.952 is revised as follows:

(1) 000 United States, including the AID Regional Technical Aid Centers.
(2) --- Cooperating Country, identified, when applicable, by specific reference to the name and corresponding AID geographic code.
(3) 901 Limited Free World.
(4) 899 Free World.

2. New paragraph (n) is added to General Provision 43 of § 7–16.952 as follows:

Reduced rates on U.S.-flag carriers are in effect for shipments of household goods and personal effects of AID contract personnel between certain locations. These reduced rates are available provided the shipper furnishes to the carrier at the time of the issuance of the bill of lading documentary evidence that the shipment is for the account of AID. The Contracting Officer will, on request, furnish to the Contractor current information concerning the availability of a reduced rate with respect to any proposed shipment. The Contractor will not be reimbursed for shipments of households goods or personal effects in amounts in excess of the reduced rates which are available in accordance with the foregoing.

§ 7–16.953 [Amended]

3. New paragraph (b)(14) is added to General Provision 6 of § 7–16.953 as follows:

(14) *Reduced rates on U.S.-flag carriers.* Reduced rates on U.S.-flag carriers are in effect for shipments of household goods and personal effects of AID contract personnel between certain locations. These reduced rates are available provided the shipper furnishes to the carrier at the time of the issuance of the bill of lading documentary evidence that the shipment is for the account of AID. The Contracting Officer will, on request, furnish to the Contractor current information concerning the availability of a reduced rate with respect to any proposed shipment. The Contractor will not be reimbursed for shipments of household goods or personal effects in amounts in excess of the reduced rates which are available in accordance with the foregoing.

4. The list at the end of paragraph (c) of General Provision Clause 13 of § 7–16.953 is revised as follows:

(1) 000 United States, including the AID Regional Technical Aid Centers.
(2) --- Cooperating Country, identified, when applicable, by specific reference to the name and corresponding AID geographic code.
(3) 901 Limited Free World.
(4) 899 Free World.

§ 7–16.954 [Amended]

5. New paragraph (b)(9) is added to General Provision 5 of § 7–16.954 as follows:

(9) *Reduced rates on U.S.-flag carriers.* Reduced rates on U.S.-flag carriers are in effect for shipments of household goods and personal effects of AID contract personnel between certain locations. These reduced rates are available provided the shipper furnishes to the carrier at the time of the issuance of the bill of lading documentary evidence that the shipment is for the account of AID. The Contracting Officer will, on request, furnish to the Contractor current information concerning the availability of a reduced rate with respect to any proposed shipment. The Contractor will not be reimbursed for shipments of household goods or personal effects in amounts in excess of the reduced rates which are available in accordance with the foregoing.

6. The list at the end of paragraph (c) of General Provision Clause 11 of § 7–16.954 is revised as follows:

(1) 000 United States, including the AID Regional Technical Aid Centers.
(2) --- Cooperating Country, identified, when applicable, by specific reference to the name and corresponding AID geographic code.
(3) 901 Limited Free World.
(4) 899 Free World.

This amendment is effective upon publication in the FEDERAL REGISTER.

Dated: April 23, 1969.

FRED C. FISCHER,
Associate Assistant Administrator for Administration, Agency for International Development.

[F.R. Doc. 69–5120; Filed, Apr. 29, 1969; 8:48 a.m.]

Chapter 9—Atomic Energy Commission

PART 9–7—CONTRACT CLAUSES

Subpart 9–7.50—Use of Standard Clauses

SECURITY

This amendment to the AEC Procurement Regulations updates the standard security clause.

Section 9–7.5004–11, *Security*, is revised to read as follows:

§ 9–7.5004–11 Security.

(a) *Contractor's duty to safeguard Restricted Data, Formerly Restricted Data, and other classified information.* In the performance of the work under this contract, the contractor shall, in accordance with the Atomic Energy Commission's security regulations and requirements, be responsible for safeguarding Restricted Data, Formerly Restricted Data, and other classified information and protecting against sabotage, espionage, loss, and theft, the classified documents and material in the contractor's possession in connection with the performance of work under this contract. Except as otherwise expressly provided in this contract, the contractor shall, upon completion or termination of this contract, transmit to the Commission any classified matter in the possession of the contractor or any person under the contractor's control in connection with performance of this contract. If retention by the contractor of any classified matter is required after the completion or termination of the contract and such retention is approved by the contracting officer, the contractor will complete a certificate of possession to be furnished to the Atomic Energy Commission specifying the classified matter to be retained. (Note A.) If retention is approved by the contracting officer, the security provisions of the contract will continue to be applicable to the matter retained.

(b) *Regulations.* The contractor agrees to conform to all security regulations and requirements of the Commission.

(c) *Definition of Restricted Data.* The term "Restricted Data," as used in this clause, means all data concerning (1) design, manufacture, or utilization of atomic weapons; (2) the production of special nuclear material; or (3) the use of special nuclear material in the production of energy, but shall not include data declassified or removed from the Restricted Data category pursuant to section 142 of the Atomic Energy Act of 1954.

(d) *Definition of Formerly Restricted Data.* The term "Formerly Restricted Data," as used in this clause, means all data removed from the Restricted Data category under section 142 d. of the Atomic Energy Act of 1954, as amended.

(e) *Security clearance of personnel.* The contractor shall not permit any individual to have access to Restricted Data, Formerly Restricted Data, or other classified information, except in accordance with the Atomic Energy Act of 1954, as amended, and the Commission's regulations or requirements applicable to the particular type or category of classified information to which access is required.

(f) *Criminal liability.* It is understood that disclosure of Restricted Data, Formerly Restricted Data, or other classified information relating to the work or services ordered hereunder to any person not entitled to receive it, or failure to safeguard any Restricted Data, Formerly Restricted Data, or

any other classified matter that may come to the contractor or any person under the contractor's control in connection with work under this contract, may subject the contractor, its agents, employees, or subcontractors to criminal liability under the laws of the United States. (See the Atomic Energy Act of 1954, as amended, 42 U.S.C. 2011; 18 U.S.C. Sections 793 and 794; and Executive Order 10501, as amended.)

(g) *Subcontracts and purchase orders.* Except as otherwise authorized in writing by the contracting officer, the contractor shall insert provisions similar to the foregoing in all subcontracts and purchase orders under this contract.

NOTE A: The certification shall identify the items and types or categories of matter retained, the conditions governing the retention of the matter and the period of retention, if known.

(Sec. 161, Atomic Energy Act of 1954, as amended, 68 Stat. 948, 42 U.S.C. 2201; sec. 205, Federal Property and Administrative Services Act of 1949, as amended, 63 Stat. 390, 40 U.S.C. 486)

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

Dated at Germantown, Md., this 23d day of April 1969.

For the U.S. Atomic Energy Commission.

JOSEPH L. SMITH,
Director,
Division of Contracts.

[F.R. Doc. 69-5100; Filed, Apr. 29, 1969; 8:46 a.m.]

Title 45—PUBLIC WELFARE

Chapter X—Office of Economic Opportunity

PART 1078—COMMUNITY ACTION PROGRAM POLICY AND EVALUATION

Chapter X of Title 45 of the Code of Federal Regulations is amended by adding a new Part 1078, reading as set forth above, and a new subpart, reading as follows:

Subpart—Standards for Evaluating the Effectiveness of Community Action Programs

Sec.
1078.1-1 Applicability of this subpart.
1078.1-2 Definitions.
1078.1-3 Policy.
1078.1-4 National standards of effectiveness.
1078.1-5 Setting local goals consistent with national standards.
1078.1-6 Procedures.
1078.1-7 Indicators of improvements in community response to poverty.

AUTHORITY: The provisions of this Part 1078 issued under sec. 233, 81 Stat. 704; 42 U.S.C. 2826.

Subpart—Standards for Evaluating the Effectiveness of Community Action Programs

§ 1078.1-1 Applicability of this subpart.

This subpart applies to all Community Action Agencies, Limited Purpose Agencies, and State Economic Opportunity Offices assisted by OEO under sections 221, 222, 230, 231, and 312 or the Economic Opportunity Act of 1964, as amended.

§ 1078.1-2 Definitions.

(a) *CAP program effectiveness.* The extent to which identifiable progress is being made toward achieving the basic purpose of Community Action, as cited in section 201(a) of the Economic Opportunity Act, and in the Statement of CAP Mission and Objectives (OEO Instruction 1105-1),[1]

(b) *CAP program quality.* The extent to which specific needed services or benefits are being provided efficiently and responsively to poor people by OEO-funded grantees and programs.

§ 1078.1-3 Policy.

(a) All CAP grantees and programs are subject to evaluation, both in terms of quality and in terms of effectiveness, as defined in § 1078.1-2. However, this subpart deals exclusively with program effectiveness. General standards of CAP program quality are included in a variety of CAP policy and program guidelines.

(b) Effectiveness in carrying out the mission of Community Action will be assessed on two levels:

(1) The extent to which the grantee as a whole or any of its individual programs is achieving the broad purposes set forth in the Economic Opportunity Act and the CAP Mission Statement.

(2) The extent to which the grantee or individual program is achieving, within the funding period, the more specific goals established locally, consistent with the broad national purposes.

§ 1078.1-4 National standards of effectiveness.

(a) The standards which can be applied uniformly on a national basis are limited by the very nature of Community Action, which emphasizes the development of local answers to local problems and conditions. The basic effectiveness standard which does apply to all grantees and all programs under sections 211, 222, 230, 231, and 312 of the Economic Opportunity Act is that they must be stimulating measurable improvement in the way their communities respond to the problems and needs of poverty. That is, community action programs and grantees must in fact be stimulating the better focusing of a range of resources on the goal of eliminating poverty. This means helping to build greater community understanding of the problems of poverty, increased community commitment to undertake the actions needed to deal with them, and strengthened community capacity to carry out such actions, whether in education, health, employment, housing, community or family services, legal protection, welfare or any other programs and activities which are relevant to the elimination of poverty.

(b) The basic standard of effectiveness is further divided into five parts, which represent five broad types of desired improvements in the community's responses identified in the CAP Mission Statement. Each community action grantee and program must produce or stimulate, during any funding period, some measurable improvement in the community's response to poverty in each of these five standards categories:

(1) Strengthened community capacity for planning and coordinating poverty-related programs;

(2) Better organization of a range of services related to the needs of the poor;

(3) Innovations and improvements in programs, institutional practices, laws, and regulations which increase opportunities for the poor;

(4) Increased and more effective participation by the poor in the planning and conduct of programs which affect their lives;

(5) Broadening of the base of human and material resources invested by the non-poor community in antipoverty activities;

(c) Section 1078.1-7 lists a representative sample of the kinds of improvements in community response which are indicators that these standards are being met. The lists in § 1078.1-7 are not exhaustive. They merely identify a range of constructive effects which have been or can be achieved through effective community action programs. It is unlikely that any single grantee will achieve all or even most of the improvements listed. It may, of course, achieve other improvements, not listed, which are equally valid indicators of improved community response.

(d) The range, depth, and speed of improvements will depend on local conditions, capabilities, and needs. Priorities and strategies will therefore differ from one community to the next, and may change over time in any single community. Since each community has a different potential for change, and since each community action program is at a different stage of development, the effectiveness of a grantee or program will be measured by improvements over previous performance in that community rather than by comparing different communities against a single absolute level of performance. The longer a grantee or program has been in operation, the greater will be the degree of improved community response expected from its current programs and activities. The general presumption is that there should be a continuing cumulative increase in the grantee's ability to produce or stimulate constructive effects in the community.

(e) Since the purpose of Community Action is to improve the community's response to poverty, the desired improvement in the focusing of resources should occur in the activities of other community groups and institutions outside the grantee organization. However, program effectiveness is determined also by a finding that grantee programs or actions significantly contributed to the improvements achieved in the response of other groups. Program effectiveness is thus judged both by the nature of the improvement, and the grantee's contribution to it.

[1] Not filed with the Office of the Federal Register.

§ 1078.1–5 Setting local goals consistent with national standards.

(a) Every CAP grantee is required to establish planning goals as part of its annual application process. The additional requirement established by this subpart is that such goals must be consistent with and directly related to the national standards of program effectiveness. This means that in addition to indicating how the grantee's programs will meet standards of program quality, grantee goals must indicate what specific improvements in the community's response to poverty the grantee will attempt to accomplish during the new funding period. In reviewing and approving grantee applications for funding OEO will be concerned not only with whether the grantee's goals are realistic and consistent with the grantee's overall strategy, but also with whether such goals are consistent with the basic community action purpose of stimulating a better focusing of the community's resources.

(b) In establishing planning goals, CAP grantees are subject to the following requirement:

(1) Every grantee goal must meet at least one of the five general national standards.

(2) Every grantee must establish a sufficient range of goals so that taken together they meet each of the five national standards.

(c) Local grantee goals may be more specific, locally tailored versions of one or more of the indicators listed in § 1078.-1–7 or of some other indicator which the OEO funding office approves as meeting one or more of the national standards. In any event, grantee goals must be specific as to both the character and the extent of the improvement in community response which should be accomplished during the funding period. Where suitable, goals should be stated in quantitative terms, but whether they use quantitative or other concrete measures, grantee goals should deal with the question of "how much" as well as with the quality and character of improvements to be achieved.

§ 1078.1–6 Procedures.

(a) CAP grantees should establish their local goals consistent with the national standards of program effectiveness as part of their regular grant application process. Local goals should be identified, and the strategy for attaining them should be discussed, in the grantee's Plans and Priorities form (CAP Form 81)[1] and Program Account Work Program forms (CAP Forms 7 and supplementary or alternative Forms 7a–7i).[1] Instructions for completing these forms are found in OEO Instruction 6710–1 [1] and subsequent instructions in the 6710 series.

(b) Local goals established for the funding period and subsequent years will be reviewed and approved by the OEO funding office as part of the grant approval process. These goals, consistent with national standards, will then form the basis against which the effectiveness of the grantee's programs will be evaluated.

§ 1078.1–7 Indicators of improvements in community response to poverty.

(a) *Strengthened community capacity for planning and coordinating poverty-related programs.* (1) Development and dissemination of more accurate information about the problem, conditions, and causes of poverty.

(2) Improved information on and evaluation of the impact and effectiveness of poverty-related programs.

(3) Greater and more effective exchange of information among agencies dealing with poverty-related problems.

(4) Increased allocation of staff and fiscal resources to antipoverty planning.

(5) Increased pooling and interchange of planning staffs and other resources among poverty-related agencies.

(6) Increased joint planning of poverty programs.

(7) Improved mechanisms for both formal and informal working contacts among agencies with related antipoverty responsibilities.

(8) Better division of labor and responsibilities among antipoverty agencies.

(9) Increased communication and cooperation between public and private poverty-related agencies.

(10) Increased joint funding and operation of poverty programs by agencies with related responsibilities.

(b) *Better organization of a range of services related to the needs of the poor.* (1) Decentralization of services to low-income neighborhood locations.

(2) Relocation of related services to common or nearby sites.

(3) Establishment of programs which fill significant services gaps, and elimination of duplicative services.

(4) Operation of related service programs so that each supports the other in helping the poor solve a combination of individual or family problems.

(5) Changes in hours and methods of operation which increase utilization of services by poor people.

(6) Improved information and publicity about available services.

(7) Improved outreach, intake, and followup to maximize full use and benefit from available services.

(c) *Innovations and improvements in programs, institutional practices, laws, and regulations which increase opportunities for the poor.* (1) Implementation of new program concepts, designs, and techniques which increase the accessibility, quality, relevance, and effectiveness of services for the poor.

(2) Modification of eligibility and other rules to assure maximum use of services by those who need them.

(3) Improved incentives to service beneficiaries to move from dependency to self-sufficiency.

(4) Improved and expanded employment opportunities for the poor:

(i) Modification of State and local civil service laws and regulations, as well as private employment practices, to remove arbitrary requirements for prior education and experience which exceed the actual demands of the job, or where necessary skills could be readily acquired through on-the-job training.

(ii) Increasing use of nonprofessionals to perform functions, otherwise performed by professionals, for which professional qualifications are not necessary.

(iii) Establishment of career development programs through which nonprofessionals can advance to positions of greater responsibility and higher pay through in-service training, education incentives, and other aids to self-improvement.

(iv) Elimination of automatic disqualification from employment because of arrest or bad credit records, or because of previous conviction of crime where the crime was not serious or has no connection to the nature of the position.

(v) Enactment and better enforcement of equal employment opportunity measures.

(vi) Increased active recruitment among the poor and minority group members for supervisory as well as entry level positions.

(5) Increased protection of the rights of poor people as consumers:

(i) Strengthening and improved enforcement of housing codes.

(ii) Enactment and stronger enforcement of open housing measures, and adoption of nondiscriminatory practices by real estate brokers.

(iii) Improved relocation assistance, fair compensation for replacement of property, and provision of increased low-income housing in urban renewal and other housing programs.

(iv) Elimination of discriminatory pricing, merchandising, and credit practices in low-income neighborhoods.

(6) Improved administration of justice and law enforcement:

(i) Provision of adequate and competent counsel for low-income residents.

(ii) Elimination of discriminatory bail/bond requirements.

(iii) Inclusion of low-income and minority group members on juries.

(iv) Elimination of discriminatory sentences for poor persons convicted of crimes.

(v) Improved police-community relations and elimination of discriminatory policy practices in low-income areas.

(d) *Increased and more effective participation by the poor in the planning and conduct of programs which affect their lives.* (1) Development and strengthening of neighborhood-based and target area organizations of low-income residents addressing a broad range of problems and issues.

(2) Development and strengthening of organizations of low-income participants or beneficiaries of specific service programs:

(i) Welfare rights groups.

(ii) Parent-school organizations.

(iii) Youth groups.

[1] Not filed with the Office of the Federal Register.

(3) Development and strengthening of economic self-help organizations:

(i) Production and marketing cooperatives.

(ii) Buyers clubs.

(iii) Credit unions.

(iv) Neighborhood improvement and low-income housing organizations.

(v) Private business enterprises owned and operated by organizations of low-income people.

(vi) Day-care cooperatives for working mothers.

(4) Development and strengthening of indigenous leadership in the low-income community and in organizations of poor people.

(5) Increased and more productive communication and consultation between organizations of the poor and the public and private institutions which serve the poor.

(6) Increased authority, responsibility, and administrative capability for organizations of the poor:

(i) Delegation to such organizations of policy-making or operating authority for poverty-related programs.

(ii) Delegation to such organizations of policy-making or operating authority for nonpoverty programs.

(iii) Provision to such organization of discretionary funds to plan, develop, and conduct programs of their choice.

(7) More active and widespread participation by individual residents and poor people in both low-income organizations and in other community, neighborhood, civic, and school organizations.

(8) Greater understanding and exercise by the poor of their rights and privileges as citizens.

(9) Greater and more meaningful representation by the poor on the governing and/or advisory boards of public and private agencies.

(10) Increased employment of low-income people by public and private agencies in positions of responsibility through which they can influence the character and quality of programs serving the poor.

(e) *Broadening of the base of human and material resources invested by the nonpoor community in antipoverty activities.* (1) Increased support by nonpoor groups and individuals from programs and measures needed to deal with poverty problems.

(2) Expansion of and improvements in public community services for residents of low-income areas:

(i) Police and fire protection.

(ii) Public transportation.

(iii) Garbage collection and street cleaning.

(iv) Education.

(v) Recreation.

(vi) Library services.

(3) Redirection of public or private agency programs to focus more resources on the needs of the poor.

(4) Increased local or state appropriations and revenue for antipoverty programs.

(5) New or increased (non-OEO) Federal funds in the community for antipoverty programs.

(6) Absorption by local or state public or private agencies of costs of established antipoverty originally financed with OEO or other Federal funds.

(7) Increased provision of volunteer time and services to antipoverty programs by individuals or organizations:

(i) Professionals and professional societies.

(ii) Civic associations.

(iii) Women's groups.

(iv) Fraternal orders.

(v) Business organizations.

(vi) Student groups.

(vii) Private individuals.

(8) Increased development and provision by private industry of job training and placement programs for low-income persons.

(9) New and increased investment by private industry in job-creating enterprises in low-income areas.

(10) Provision of administrative and programmatic incentives to encourage increased or sustained commercial and industrial investment in low-income areas.

(11) Elimination of discriminatory practices which withhold regular private loan capital from members of minority groups wishing to invest in commercial enterprises in low-income areas.

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. 69-5086; Filed, Apr. 29, 1969; 8:45 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 18390; RM-1354; FCC 69-437]

PART 73—RADIO BROADCAST SERVICES

Television Table of Assignments, New Orleans, La.

1. We here consider the rule making to amend the Television Table of Assignments (§ 73.606(b) of the Commission's rules and regulations) to change the educational noncommercial reservation from Channel 8 to Chanel 12 at New Orleans, La., and the simultaneous modifications of the licenses of Stations WYES-TV (now Channel *8) and WVUE (now Channel 12). This proceeding was instituted by a joint petition of The Greater New Orleans Educational Television Foundation, Inc., and Screen Gems Broadcasting of Louisiana, Inc.,[1] the respective licensees of these stations. A notice of proposed rule making was adopted November 26, 1968 (FCC 68-1148). Timely comments were filed by the petitioners (jointly) and Romac Baton Rouge Corporation (Romac), the permittee of Station WRBT, UHF Channel 33, Baton Rouge. The Foundation and Screen Gems also filed joint reply comments to Romac's comments in opposition. Romac did not file reply comments.

2. We adopted the notice because it appeared that the public interest, convenience, and necessity might be served because of mutual benefits that would be derived from the interchange. On the one hand, the Foundation, licensee of ETV Station WYES-TV, would (1) be given an enhanced facility without cost to it, (2) have its operating cost reduced through subsidy, and (3) receive $700,000 in cash over a 4 year period. On the other hand, Screen Gems, licensee of Station WVUE, would be able to obtain a channel without the need to provide equivalent protection to the north and east (the direction of New Orleans population growth), thus enabling it to become more competitive with Stations WWL-TV (CBS) and WDSU-TV (NBC). The change would also increase the competitive equality of ABC in a major market. In the latter respect, Screen Gems would be able to provide service including ABC network programing and material of a local nature (e.g., news) to areas beyond the New Orleans Metropolitan Area where it is now unable to serve because of the protection it must give to cochannel Station WJTV, Jackson, Miss. This is necessitated by the mileage separation shortage between WVUE and WJTV (about 30 miles less than the 190 miles required by section 73.610(b)).[2] Thus, WVUE would become more competitive with Stations WWL-TV and WDSU-TV.[3]

[1] Hereafter sometimes referred to as the "Foundation" and "Screen Gems."

[2] For background and history, see memorandum opinion and order, Docket No. 13340, adopted Dec. 6, 1961, 21 R.R. 1710a, 1710f; and New Orleans Television Corp., 23 R.R. 1113, aff'd sub nom. Capitol Broadcasting v. FCC, 324 F 2d 402 (C.A.D.C.).

[3] The following material from the current *Television Factbook* (No. 38) and the ARB *1968 Television Market Analysis* is pertinent:

	Network hourly rate	Total households	TV homes	Net weekly circulation	Average daily circulation
WVUE	$950	510,500	473,100	371,200	245,600
WWL-TV	1,150	607,000	555,400	428,100	312,800
WDSU	1,400	502,400	516,200	438,100	323,700

3. The benefits to the Foundation flow from an agreement with Screen-Gems, contingent on the reassignment and appropriate license modifications being made. Screen Gems would (a) lease to the Foundation the Chalmette Tower from which Station WVUE transmits, for 99 years at $50 per month; (b) contribute $700,000 to the Foundation over about a 4 year period; (c) reimburse the Foundation for operating expenses (up to 145 man hours per week for transmitter operations, and repairs and maintenance, which is estimated at a value of $35,000 per year); (d) give WYES–TV much transmitting equipment and install other equipment at the new site; and (e) make available to the Foundation at no charge certain documentary programing suitable for educational broadcast use to which Screen Gems, Inc., the parent of the licensee of Station WVUE, has television rights in the New Orleans market. The Foundation also referred to its "plight" which it anticipated would worsen. The Foundation's contentions are briefly set forth below.

4. While Station WYES–TV has operated at maximum power (316 kw.) since September 16, 1965, it does not provide satisfactory service because its antenna atop the Hibernia Bank Building in downtown New Orleans is only 400 feet above average terrain. This inadequacy will increase because present buildings and proposed construction in the immediate vicinity are and will be at greater heights. The Foundation's desire to obviate this problem and to provide better service including color broadcast (the latter alone at an estimated cost of at least $1.8 million) is unlikely to reach fruition in the light of the lack of an increased funding over the years. It received $238,644 in supporting contributions and operating revenues in 1967;[4] $264,621 in fiscal 1966; $197,496 in fiscal 1965; $313,727 in 1964; $245,068 in 1963; and $221,948 in 1962. During these fund raising campaigns, an oft-repeated inquiry is when would the station commence regular color broadcasting. This fluctuation of receipts, the Foundation says, has precluded planning an expanded operation each successive year. If the exchange is permitted, however, the immediate benefits are a $4,200 per year saving for rent, about $35,000 per year for costs of operation, $700,000 cash over a 4-year period, and, more importantly, an improved broadcasting facility serving a greater area and population with the capability to broadcast in color. The Foundation feels that in these circumstances it will be better able to fulfill its role as an ETV outlet in one of the South's outstanding centers of higher education[5] and an area of substantial growth.[6] As concerns WYES–TV's needs and opportunities, the Foundation points to New Orleans as a center of education and cultural organizations, musicians, world trade associations, and a famous mecca for tourists. The Foundation feels that a number of tangible benefits to it would result, including additional production facilities and program personnel available because of the cash and operating-cost payments. It would be able to supplement programing with its own productions, and it would have an opportunity to develop innovative programing. Station WYES–TV's management and staff, in a statement entitled "Areas of Future Programing Interest", contemplate various specified significant program undertakings which cannot be broadcast with present staff, time, and monetary limitations. The Foundation urged that the acquisition of better technical facilities and the availability of additional financing would enable Station WYES–TV in large measure to attain the hallmarks of what the Carnegie Commission on Educational Television stated are needed by ETV stations generally; see Public Television, A Program for Action, pp. 34, 79, and 91. Station WYES–TV, in this respect, would qualify as a "key station", one located in a large metropolitan area capable of producing an hour per week of national programing in color and 10 hours of local and exchange programing in color (id., p. 141).

5. If the proposed change is made, the coverage of both stations, compared to present service, would be enhanced. For Station WYES–TV it would be:

	Present	Proposed
Grade A:		
Area	2,364 square miles	3,527 square miles.
Population	937,031	968,031.
Grade B:		
Area	5,986 square miles	7,304 square miles.
Population	1,125,909	1,224,385.

The comparable showing of Station WVUE is as follows:

	Present	Proposed
Grade A:		
Area	3,527 square miles	4,838 square miles.
Population	968,031	1,942,218.
Grade B:		
Area	7,304 square miles	8,923 square miles.
Population	1,224,385	1,280,637.

6. Romac, the Baton Rouge UHF permittee (CP for WRBT granted June 15, 1968), opposes the shift in assignments because of alleged economic impact on WRBT's position as a UHF station competing with VHF stations. It is asserted that the change is not compatible with the Commission's expressed policy of fostering the expanded use of UHF channels. Romac contends that part of the area it proposes to serve is where Station WVUE would gain most, and, thus, there would be direct competition for revenues, listening audience, and network program material. Romac says that its success or failure is largely dependent on a network affiliation which the proposed change would materially lessen because of the increased coverage of the Baton Rouge market by Station WVUE. It is asserted that, with the two Baton Rouge VHF stations having network affiliations, and the proposed increase in coverage of the Baton Rouge market by WVUE as proposed here and by the Houma Channel 11 permittee as proposed in Docket 17446, et al (which Romac also opposes), the networks will have all the coverage in the area they need and WRBT will be "left out in the cold" as far as network programing is concerned.[7]

7. The Foundation and Screen Gems argue that the increment and amount of overlap are small, and an amount which as between network affiliates is not unusual (citing a number of examples including the Baton Rouge CBS and NBC affiliates with their counterparts at New Orleans, Lafayette, and Alexandria, Louisiana). Moreover, Screen Gems and the Foundation urge that the change in overlap is only coincidental to a nondirectional operation on Channel 8 to equalize Station WVUE's position with that of Stations WWL–TV (CBS) and WDSU–TV (NBC) without any "intent [ion] to invade the Baton Rouge market."[8] The overlap between WVUE and WRBT is shown as an area of 1,423 square miles with 101,968 persons as com-

[4] The total funds for support for 1967 was $433,484. The source of the remainder is not stated.

[5] Accredited collegiate and graduate schools include: Tulane University; Loyola University; Louisiana State University in New Orleans; H. Sophie Newcomb College for Women; St. Mary's Dominican College; Dillard University; Xavier University; Southern University; Delgado College; Tulane University Medical School; and the Medical School of Louisiana State University. There also are more than 380 private, parochial, public, and business schools in metropolitan New Orleans.

[6] The 1960 Census reports an SMSA population of 868,480. It was 685,405 in 1950. According to Sales Management Survey of Buying Power (June 1968), it had increased to 1,075,400 as of Dec. 31, 1967.

[7] The two Baton Rouge VHF stations are respectively CBS and NBC affiliates, each also secondarily affiliated with ABC. The three networks also have New Orleans affiliates, WVUE being affiliated with ABC.

[8] The Foundation and Screen Gems urge that the extent of Grade B overlap which would exist between WVUE and WRBT (with its authorized facilities) is much less than that between the CBS and NBC New Orleans and Baton Rouge affiliates. It is asserted that the Grade B contours of the two CBS affiliates reach the city limits of the other city; and that the situation of the two NBC affiliates is similar. These statements appear, from the maps contained in the petition and comments herein, to be generally correct; however, it appears that the proposed WVUE Grade B contour would lie about as far toward Baton Rouge as does that of WDSU–TV (New Orleans NBC). It is also pointed out that the coverage areas of the two Baton Rouge stations overlap those of CBS and NBC-affiliated stations elsewhere (at Lafayette and Alexandria, La., respectively). WVUE's chief coverage gain would be to the north, toward Jackson; toward Baton Rouge, roughly west-northwest, the Grade B contour would lie some 6 miles closer to Baton Rouge than it is now.

pared to the "present" overlap in an area of 1,032 square miles and 66,805 persons. As to Station WRBT, the increases are 6 percent in area (from 15.8 percent to 21.8 percent) and 6.5 percent in population (12.4 percent to 18.9 percent.)[9] However, these figures do not necessarily represent the actual coverage picture, since Romac is presently seeking to get much greater coverage by locating on the tower of one of the Baton Rouge VHF stations. So operating, WRBT would have a much larger coverage area, more nearly comparable to those of the two existing Baton Rouge stations, with which it would be in a better position to compete. According to its recent application for more time to construct (BMPCT-6947), Romac is negotiating with ABC concerning an affiliation.

CONCLUSIONS

8. The Commission, as is well known, has been and is concerned with any change in VHF station assignments or facilities which might have an adverse effect on UHF development. Nevertheless, we cannot find here the substantial likelihood of serious impact which would warrant denial of the proposal before us, with its obvious public-interest benefits. The area which WRBT will serve, either as now authorized or with the increased facilities which it contemplates, is and long has been one of multiple VHF signals, from stations in Baton Rouge and elsewhere.[10] The adverse effect in this situation of increased coverage toward Baton Rouge by WVUE—which is the only impact involved here—is at most speculative, compared to the clear public benefit which will result from permitting WVUE and WYES-TV to exchange facilities. The fairly small improved coverage which WVUE will have in the area toward Baton Rouge is incidental to improved service which both it and WYES-TV will render in the area around New Orleans. In these respects the situation here is similar to that considered in Atlantic Television Corporation (WECT), 3 F.C.C. 2d 442, 7 R.R. 2d 297 (1966), affd sub nom. Lee v. FCC, 374 F 2d 259 (C.A.D.C., 1967), and a similar result is indicated. It is also to be observed that in part Romac's opposition to the present proposal is based on the assumption that not only WVUE but also KHMA, the Houma Channel 11 station, will increase service in areas close to Baton Rouge. The Houma application to move to a location closer to that city has been vigorously opposed (by Romac and others) and is the subject of a pending hearing proceeding; it would be inappropriate to base a decision here on the assumption that it will be granted. In any event, WRBT will be the third station in a sizable market, and (particularly with the larger facilities it appears to contemplate) will be able to bring additional service to large areas and populations not now receiving ABC service on a primary-affiliate basis.[11] While the Commission, of course, does not determine network affiliations, we do not find persuasive Romac's contention that the present action constitutes a substantial threat to its getting an affiliation which would otherwise be available.

9. We conclude that the proposed interchange of the ETV reservation from Channel 8 to 12 at New Orleans will serve the public interest, convenience, and necessity. ETV Station WYES-TV would be able to overcome the fundamental limitations that now bar its ability to provide adequate service, limitations which, it appears, would otherwise exist in large part for a long time to come. While the Screen Gems-Foundation agreement will not completely obviate the financial difficulties of WYES-TV, its ability to do more should enhance the likelihood of support from the community at large and local groups interested in ETV programing—foundations, school boards, and institutions. Thus, clear benefit outweighs whatever speculative possibility of harm to WRBT may be involved. We need not again elaborate on the benefits accruing to Station WVUE and the ABC network. Authority for the amendment adopted is contained in sections 4 (i) and (j), 303, and 307(b) of the Communications Act of 1934, as amended.

10. In view of the foregoing: *It is ordered*, That, effective June 2, 1969, the Television Table of Assignments (section 73.606(b)) of the Commission's rules and regulations is amended, insofar as the city listed below is concerned, to read as follows:

City	Channel No.
New Orleans, La	4†, 6†, 8, *12, 20, 26, *32, 38

It is further ordered, That also effective June 2, 1969:

(a) The license of Station WYES-TV, licensed to The Greater New Orleans Educational Foundation, Inc., is modified to specify operation on Channel *12 with the same technical specifications (i.e., location and height and power) and subject to the same engineering conditions Screen Gems Broadcasting of Louisiana, Inc., licensee of Station WVUE, presently operates on Channel 12;

(b) The license of Station WVUE, licensed to Screen Gems Broadcasting of Louisiana, Inc., is modified to specify operation on Channel 8 in accordance with specifications to be issued by the Commission; and

(c) Both Stations WVUE and WYES-TV are granted temporary authority to operate with present facilities until such time as Screen Gems commences to operate on Channel 8.

(Secs. 4, 303, 307, 48 Stat., as amended, 1066, 1082, 1083; 47 U.S.C. 154, 303, 307)

Adopted: April 23, 1969.

Released: April 25, 1969.

FEDERAL COMMUNICATIONS COMMISSION,[12]

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

[F.R. Doc. 69-5132; Filed, Apr. 29, 1969; 8:49 a.m.]

[Docket No. 18222; FCC 69-438]

PART 73—RADIO BROADCAST SERVICES

Certain FM Broadcast Stations; Table of Assignments

In the matter of amendment of § 73.202, table of assignments, FM broadcast stations. (Blairstown Township, N.J., Lexington, Mo., Knox, Ind., North Syracuse, N.Y., Williamsport, Md., Ukiah, Calif., and New Castle, Ind.) Docket No. 18222; RM-1283, RM-1284, RM-1285, RM-1292, RM-1293, RM-1294, RM-1295.

1. The Commission has before it for consideration its notice of proposed rule making, issued in this proceeding on June 21, 1968, FCC 68-651, and published in the FEDERAL REGISTER on June 26, 1968 (33 F.R. 9348), inviting comments on a number of changes in the FM Table of Assignments proposed by various interested parties. In a previously issued first report and order, FCC 68-881, all petitions except for RM-1293, Ukiah, Calif., were disposed of. The subject decision concerns the remaining petition. All population figures, unless otherwise stated, are from the 1960 U.S. Census. All duly filed comments and data were considered in making the following determination.

2. On April 22, 1968, a petition was filed jointly by Daniel S. Cubberly and Elma J. Cubberly, requesting substitution of Channel 277 for Channel 228A at Ukiah, Calif., as follows:

City	Channel No.	
	Present	Proposed
Ukiah, Calif.	228A, 233	233, 277

Ukiah, population 9,900, is the largest community in Mendocino County, which has a population of 51,059. Ukiah has one AM station, a Class IV, licensed to petitioners. FM Channel 233 is in operation and the petitioners hold a construction permit for Channel 228A (KUKI-FM). An order is also requested to modify the construction permit for KUKI-FM to specify operation on Channel 277 in lieu of Channel 228A.

3. In support of the proposed substitution of Channel 277 for 228A, the peti-

[9] In terms of WVUE's coverage area, the area increase would be only 1.8 percent (14.1 to 15.9 percent) and there would be a population percentage decrease (8.5 to 7.9 percent).

[10] With respect to ABC service in particular, we note that Station KALB, Lafayette (Channel 3), an ABC primary affiliate, provides a Grade B signal out of a distance just short of Baton Rouge; Alexandria and Monroe-West Monroe stations provide some ABC programing to the potential WRBT coverage area.

[11] Baton Rouge is ranked in Television Factbook (1968-1969 edition) as the nation's 84th market in net weekly circulation (89th in primary circulation, 92d in total homes and 94th in TV homes). The 1960 U.S. Census ranks it as the 88th urbanized area and 109th SMSA.

[12] Commissioners Bartley and Robert E. Lee absent; Commissioner Johnson concurring in result.

tioners show that the proposal would conform to the separation requirements of the rules. It is claimed that, due to the nature of northern California and the distribution therein of population and communities, a Class B assignment is necessary to meet the coverage conditions and adequately serve the public. The petitioners assert that no FM service is available in the area, except as may be provided by Ukiah-based facilities, and that other communities in the region are too small to support an FM station. The petitioners urge that Class A FM facilities at Ukiah could not reach the cities and rural populations in the area because of power and height limitations. They therefore conclude that the only practical solution for reliable service in the area is by allocation of Class B FM facilities to Ukiah. The proponents cite the Commission's action of partially recognizing the above-described situation by substituting Class B Channel 233 for Channel 232A at the request of another FM permittee in Ukiah and contend that the instant proposal would eliminate the problem of mixing Class A and B channels in the same community resulting from that action.

4. Opposition to the petition was filed by J & W Broadcasters, Ukiah,[1] who states that the petition does not contain the showings required by the Commission's statement of policy on FM assignments.[2] Additionally, J & W contends that adoption of the proposal would result in increased concentration of control of mass media of communications in Ukiah, since petitioner is also licensee of full-time Station KUKI (Class IV), the only AM station operating in Ukiah. Accordingly, it is argued that the proposal runs counter to the intent of the pending rule making proceeding in Docket No. 18110.[3]

5. In petitioners' reply to the opposition, it is submitted that the proposed assignment would not preclude use of channels in any feasible place; and that, since the proposal is for substitution of a Class B channel for a Class A, the "white" area principles are not applicable here, but, assuming that they were, a second Class B assignment would be appropriate in view of the rugged terrain and need for broad coverage in the area outside of Ukiah. Petitioners claim that the proposed rules in Docket No. 18110 are not applicable to existing stations and, therefore, its citation here is inappropriate.

6. Our study of petitioners' preclusion showing, filed in response to our request in the notice, reveals that assignment of Channel 277 at Ukiah would develop areas of impact on Channels 276A, 277, 278, and 280A containing 12 communities with populations greater than 2,500 persons without an FM assignment.[4] However, our further analysis indicates that other channels are presently available for assignment to the communities so affected, should a future need develop. Our study also supports the petitioners' contention that (assuming reasonable facilities for proposed and existing assignments as well as operating stations in the area) the anticipated Class B operation would provide a substantial increase in "gray area" gain over that which could be provided by its presently authorized Class A facility.[5]

7. We have carefully considered petitioners' proposal and the opposition's contentions relative thereto and we conclude that substitution of a Class B channel for the Class A channel at Ukiah would serve the public interest. The preclusion aspect of the assignment is favorable, by virtue of other channel availabilities in the impact areas. The substitution would also eliminate the technical and competitive disparity that results from Class A and B channels operating in the same community. Moreover, the assignment would make it possible to provide a substantial rural and mountainous area with a second FM service ("gray area"). In view of the isolated nature of the area from other services (the nearest other FM assignments to Ukiah are two Class A channels about 38 miles distant), assignment of two Class B channels to the community with an approximate population of 10,000 appears warranted.

8. The contention of J & W Broadcasters that assignment of Channel 277 to Ukiah would run counter to the intention of the rule making proceeding in Docket No. 18110, in which it is proposed to limit ownership of full-time broadcast stations to one in a market, is incorrect. That proceeding, as petitioners state, is prospective and not retrospective in nature. It applies to existing licensees only if they desire to assign or transfer control of their licenses or acquire additional facilities. It does not apply to increases in facilities.[6]

9. The instant proposal, involving as it does the substitution of a Class B for a Class A channel at Ukiah and modification of petitioners' construction permit to specify operation on the former instead of the latter channel, is in essence an application to increase facilities. As such, it does not fall within the purview of the interim policy unless there are countervailing considerations. None have been shown. Thus, the pendency of the rule making proceeding in Docket No. 18110 has no effect here.

10. In view of the foregoing, we are amending the Table by substituting Channel 277 for Channel 228A at Ukiah, Calif., and modifying the KUKI-FM construction permit accordingly.

11. Authority for the adoption of the amendment contained herein is contained in sections 4(i), 303, 307(b), and 316 of the Communications Act of 1934, as amended.

12. In accordance with the determination made above: *It is ordered*, That effective June 2, 1969, § 73.202 of the Commission's rules, the FM Table of Assignments, is amended to read, insofar as the community named is concerned, as follows:

City	*Channel No.*
Ukiah, Calif.	233, 277

13. *It is further ordered*, That, effective June 2, 1969, the outstanding construction permit of Daniel S. Cubberly and Elma J. Cubberly, Joint Tenants, for the construction of Station KUKI-FM on Channel 228A at Ukiah, Calif., is modified to specify operation on Channel 277 in lieu of Channel 228A, subject to the following condition:

(a) The permittee shall submit to the Commission by June 2, 1969, technical information conforming with the rules of the type normally required for the issuance of a construction permit on Channel 277.

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

(Secs. 4, 303, 307, 48 Stat. as amended, 1066, 1082, 1083; 47 U.S.C. 154, 303, 307)

Adopted: April 23, 1969.

Released: April 25, 1969.

FEDERAL COMMUNICATIONS COMMISSION,[7]
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 69-5133; Filed, Apr. 29, 1969; 8:49 a.m.]

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[1] J & W Broadcasters was the permittee of FM Class B Station KLIL, Ukiah, at the time of its opposition. On Nov. 15, 1968, subsequent to all comments filed in this proceeding, an assignment of the KLIL(FM) construction permit was granted to K-LIL, Inc.

[2] See Public Notice, "Policy to Govern Requests for Additional FM Assignments" FCC 67-577, 9 R.R. 2d 1245.

[3] Rules proposed in Docket No. 18110, FCC 68-332, 33 F.R. 5315 (1968), would, inter alia, preclude grant of an FM license to a party licensed an unlimited-time AM station in the same market.

[4] As noted by opposition, the showing did not reflect the differences in spacing requirements for Zones IA and II. Our evaluation here is based on appropriate corrections to petitioners' showing.

[5] See further notice of proposed rule making, RM-1034, Docket 17095, FCC 67-665 (June 1967), for what are considered acceptable criteria for such determinations.

[6] In a memorandum opinion and order adopted in Docket No. 18110 on May 15, 1968, we clarified numerous questions about the interim policy that would be followed with regard to applications filed during the pendency of the proceeding and falling within the scope of the proposed rules. In paragraph 32 of that document, 13 F.C.C. 2d 912, 918, we stated the following:

If a party is the licensee of two or three full-time stations in the same market, e.g., licensee of an AM, an FM, and a TV station, would an application to increase the facilities of one or more of the stations be subject to the interim policy? No. The proposed rules, if adopted, would not require divestiture of existing facilities. Thus, multiple licensees of full-time facilities in the same market would be "grandfathered in." Since such multiple ownership would be permitted, it would be permissible for a multiple owner to apply for increased facilities of a station, assuming no countervailing considerations are present.

[7] Commissioners Bartley and Robert E. Lee absent.

Proposed Rule Making

DEPARTMENT OF THE INTERIOR

National Park Service

[36 CFR Part 7]

BLUE RIDGE PARKWAY, N.C.-VA.

Fishing, Bicycles, and Boating

Notice is hereby given that pursuant to the authority contained in section 3 of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 3), the Act of June 30, 1936 (49 Stat. 2041; 16 U.S.C. 460a–2 as amended), 245DM.1 (27 F.R. 6395), National Park Service Order No. 34 (31 F.R. 4255), Regional Director, Southeast Region Order No. 4 (31 F.R. 8135), as amended, it is proposed to amend § 7.34 of Title 36 of the Code of Federal Regulations as is set forth below.

The purpose of this amendment is to delete materials which are duplicated in the general regulations applicable to the areas of the National Park System, to amend the regulations on fishing, and to add regulations concerning bicycles and boating.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rule-making process. Accordingly, interested persons may submit written comments, suggestions, or objections with respect to the proposed amendments to the Superintendent, Blue Ridge Parkway, Post Office Box 1710, Roanoke, Va. 24008, within 30 days of the publication of this notice in the FEDERAL REGISTER.

Section 7.34 is amended as follows:

§ 7.34 Blue Ridge Parkway.

(a) Speed. [Revoked]

(b) Fishing. (1) Fishing is prohibited from one-half hour after sunset until one-half hour before sunrise.

(2) Fishing from the dam at Price Lake or from the footbridge in Price Lake picnic area in Watauga County, N.C., and from the James River Parkway Bridge in Bedford and Amherst Counties, Va., is prohibited.

(3) The following waters are subject to the restrictions indicated:

(i) *North Carolina.* Basin Creek and its tributaries in Doughton Park; Trout Lake in Moses H. Cone Memorial Park; Ash Bear Pen Pond, Boone Fork River, Cold Prong Branch, Laurel Creek, Price Lake, Sims Creek, and Sims Pond in Julian Price Memorial Park; Camp Creek and Linville River in Linville Falls Recreation Area.

(*a*) On all of the above designated waters in North Carolina the use of bait other than artificial lures having a single hook is prohibited, except that on Basin Creek and its tributaries and Boone Fork River from Price Lake Dam downstream to the Parkway boundary the use of bait other than single hook artificial flies is prohibited.

(*b*) On all of the above designated waters in North Carolina the daily creel and size limits shall be posted around the lake shore lines and along the stream banks.

(ii) *Virginia.* Peaks of Otter Lake in Bedford County, Va.

(*a*) On the above designated water in Virginia the use of bait other than artificial lures having one single hook is prohibited.

(*b*) On the above designated water in Virginia the daily creel and size limits shall be as posted on the lake shore line.

(4) Prohibited bait in waters in (3) (i) and (ii) above: Possession of or use as bait of fish eggs, small fish or minnows, insects, worms, and other similar organic bait or parts thereof adjacent to, on, or in streams or lakes while in possession of fishing tackle is prohibited.

(c) Fishing license. [Revoked]

* * * * *

(e) [Revoked]

* * * * *

(i) [Revoked]

(j) [Revoked]

(k) Bicycles. The use of bicycles on trails of the Blue Ridge Parkway is prohibited, except on those trails designated for bicycle use by posted signs.

(l) Boating.

(1) The use of any vessel, as defined in § 3.1 of this chapter, on the waters of the Blue Ridge Parkway is prohibited except on the waters of Price Lake.

(2) Vessels using Price Lake shall be restricted to vessels propelled solely by oars or paddles.

(3) Vessels using Price Lake may be launched only at established or designated ramps and shall be removed from the water from the night. Campers shall remove their vessels from the water to their campsites at night.

GRANVILLE B. LILES,
Superintendent,
Blue Ridge Parkway.

[F.R. Doc. 69–5084; Filed, Apr. 29, 1969; 8:45 a.m.]

DEPARTMENT OF LABOR

Bureau of Labor Standards

[29 CFR Part 1500]

HAZARDOUS OCCUPATIONS IN AGRICULTURE

Vocational-Agriculture Training Exemption

Pursuant to section 3(1) and 13(c)(2) of the Fair Labor Standards Act of 1938, as amended (29 U.S.C. 203(1), 213(c)(2)), and Reorganization Plan No. 2 of 1946 (3 CFR 1946–48 Comp., p. 1064), it is proposed to grant certain exemptions from § 1500.71(b) of Title 29, Code of Federal Regulations, to children at least 14 years of age who have received training in the safe use of tractors and farm machinery under the programs of the U.S. Department of Health, Education, and Welfare's Division of Vocational and Technical Education by amending § 1500.70 of that title to add a new paragraph (g) as set out below.

Any interested person may present written data, views, or argument concerning the proposal to the Director of the Bureau of Labor Standards, U.S. Department of Labor, 400 First Street NW., Washington, D.C. 20210, within 30 days after this document is published in the FEDERAL REGISTER.

The proposed new paragraph (g) is as follows:

§ 1500.70 General.

* * * * *

(g) *Vocational-Agriculture Training Exemption.*

(1) To the extent provided in subparagraphs (2) or (3) of this paragraph (g) the findings and declarations of fact made in § 1500.71(b) shall not apply to children who have been instructed by their employer on the safe and proper operation of the specific equipment they are to use, and over whom he maintains close supervision where feasible, or, where not feasible in work such as cultivating, the employer or his representative checks on each child's safety at least mid-morning, noon, and mid-afternoon.

(2) With respect to the occupations identified in subparagraph (5) of § 1500.71(b), the findings and declarations of fact expressed in that paragraph shall not apply to any child when the requirements of subparagraph (1) of this paragraph (g) and each of the following requirements are met:

(i) The child is 14 years of age, or older.

(ii) The child is familiar with the normal working hazards in agriculture.

(iii) The child has completed a 15-hour training program which includes the following units from the Vocational Agriculture Training Program in Safe Tractor Operation outlined by the Division of Vocational and Technical Education of the U.S. Department of Health, Education, and Welfare: [1]

(*a*) Pre-operating procedures.

[1] Descriptions of the programs are available in publications of the Division of Vocational and Technical Education, U.S. Department of Health, Education, and Welfare, Washington, D.C. 20202. Descriptions are also filed with the original document.

(b) Adjustments to meet operating needs.
(c) Starting and stopping tractor engine.
(d) Controlling movement.
(e) Hitching to tractor operated equipment.
(f) Operating under field conditions.
(g) Operating under highway conditions.
(h) Unhitching equipment.
(i) Refueling.

(iv) The child has passed both the written and practical tests on tractor safety (the practical test must include demonstrating his ability to operate a tractor safely with a two-wheeled trailed implement on the test course included in the Vocational Agriculture Training Program in Safe Tractor Operation outlined by the Division of Vocational and Technical Education of the U.S. Department of Health, Education, and Welfare.)

(v) His employer has on file with the employee's records kept pursuant to Part 516 of this title a true copy of a certificate relating to him, signed by his parent or guardian and signed by the Vocational-Agriculture teacher who conducted the course to the effect that he has completed all the requirements specified in subdivisions (i) throug (iv) of this subparagraph.

(3) With respect to the occupations identified in subparagraphs (5), (6), (7), (8), (9), and (10) of § 1500.71(b), the findings and declarations of fact expressed in that paragraph shall not apply to any child when the requirements of subparagraph (1) of this paragraph (g) and each of the following requirements are met:

(i) The child satisfied all the requirements of subparagraph (2) of this paragraph.

(ii) The child has completed an additional 10-hour training program which includes the following units from the Vocational Agriculture Training Program in Safe Farm Machinery Operation outlined by the Division of Vocational and Technical Education of the U.S. Department of Health, Education, and Welfare:

(a) Importance of Farm Machinery Safety.
(b) Safety Practices Common to all Farm Machinery Operation.
(c) Safety in Tillage Operations.
(d) Seeding Equipment.
(e) Handling Agricultural Chemicals.
(f) Forage Equipment.
(g) Harvesting Equipment.
(h) Wagons and Trailers.
(i) Fork Lift Operation.
(j) Augers, Conveyors and Portable Elevators.
(k) Farm Equipment on Highways.

(iii) He has passed both the written and practical tests on safe machinery operation included in the Vocational-Agriculture Training Program in Safe Farm Machinery Operation outlined by the Division of Vocational and Technical Education of the U.S. Department of Health, Education, and Welfare.

(iv) His employer has on file with the employee's records kept pursuant to Part 516 of this title a true copy of a certificate relating to him, signed by his parent or guardian and signed by the Vocational-Agriculture teacher who conducted the course to the effect that he has completed all the requirements specified in subdivisions (i) through (iii) of this subparagraph.

(29 U.S.C. 203, 213)

Signed at Washington, D.C., this 24th day of April 1969.

GEORGE P. SHULTZ,
Secretary of Labor.

[F.R. Doc. 69-5099; Filed, Apr. 29, 1969; 8:46 a.m.]

CIVIL AERONAUTICS BOARD

[14 CFR Part 298]

[Docket No. 20945; EDR-160]

CLASSIFICATION AND EXEMPTION OF AIR TAXI OPERATORS

Air Taxi Mail Service

APRIL 25, 1969.

Notice is hereby given that the Civil Aeronautics Board is proposing to amend Part 298 to extend the exemption granted air taxi operators to engage in the transportation of mail until June 30, 1974. The reasons for the proposal are explained in the explanatory statement and the proposed amendment is set out in the proposed rule. This regulation is proposed under authority of sections 204(a), 406 and 416 of the Federal Aviation Act of 1958, as amended (72 Stat. 743, 763 (as amended by 76 Stat. 145, 80 Stat. 942), 771; 49 U.S.C. 1324, 1376, 1386).

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 May 19, 1969, will be considered by the Board before taking action on the proposal. Copies of such communications will be available for examination by interested persons in the Docket Section of the Board, Room 712 Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., upon receipt thereof.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

Explanatory statement. On October 11, 1967, the Board adopted ER-514 (32 F.R. 14320, October 17, 1967) which authorized individual exemptions for air taxi mail service in certain competitive markets and extended the term of the air taxis' authority to carry mail to June 30, 1969. The Postmaster General has petitioned the Board to institute rule making proceedings to extend this authority until June 30, 1974.[1]

Since 1967, when the rule authorizing air taxi mail service in competitive markets was issued, 159 notices of intent under § 298.24 have been filed with the Board by the Post Office Department—only 18 of which have been protested. In the decided protested cases, the Board has found that the proposed air taxi services were required by postal needs in that, thus, in typical situations, the certificated carriers were unable to meet the early morning or late night round-trip scheduling essential to Post Office operations. The Postmaster General represents that he has a continued need for air taxi mail service in both certificated and noncertificated markets, stating that "the introduction of larger, faster jet aircraft, and the growing emphasis placed by local service carriers on longer, non-stop schedules, compels the Post Office Department to continue to seek the services of air taxi operators in those markets where certificated schedules fulfilling postal requirements cannot be obtained."

In light of the foregoing, the Board tentatively finds that the air taxi mail authority should be extended for an additional 5 year period and that insofar as the provisions of Title IV of the Federal Aviation Act of 1958, as amended, and the rules and regulations issued thereunder, would prevent air taxi operators from exercising the proposed authority, the enforcement of those provisions would be an undue burden on such air taxi operators by reason of the limited extent of, and unusual circumstances affecting their operations, and would not be in the public interest.[2]

Proposed rule. It is proposed to amend Part 298 of the Economic Regulations (14 CFR Part 298) by revising § 298.13 to read as follows:

§ 298.13 Duration of exemption.

The exemption from any provision of Title IV of the Act provided by § 298.11 shall continue in effect only until such time as the Board shall find that enforcement of such provision would be in the public interest or would no longer be a burden on air taxi operators: *Provided,* That upon such a finding as to any air taxi operator or class of air taxi operators, such exemption shall to that extent terminate with respect to such operator or class of operators: *And provided further,* That the authorizations to air taxi operators to engage in the transportation of mail by aircraft within the 48 contiguous States and Hawaii shall terminate on June 30, 1974.

[F.R. Doc. 69-5147; Filed, Apr. 29, 1969; 8:50 a.m.]

[1] In addition to this request, the petition seeks several other amendments to Part 298 concerning air taxi mail service. These proposals are under consideration and will be the subject of future action by the Board.

[2] The circumstances warranting this exemption have been previously set forth by the Board and remain applicable. See EDR-119, dated July 11, 1967, 32 F.R. 10450 and ER-514 supra.

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 73]

[Docket No. 18476, RM-1376]

CERTAIN FM BROADCAST STATIONS

Order Extending Time for Filing Reply Comments

In the matter of amendment of § 73.-202, Table of Assignments, FM Broadcast Stations. (Doniphan, Mo., Princeton, W. Va., Auburn, Nebr., Cayce, S.C., Sallisaw, Okla., Heber Springs, Ark., Preston, Minn., Barnstable, Nantucket, and Falmouth, Mass., Mineral Wells, Tex., Fayette, Hartselle, and Talladega, Ala., Mariposa, Calif., Greenville, Hartford, Cadiz, Elizabethtown, Burnside, and Greensburg, Ky., Flora, Ill.); Docket No. 18476, RM-1356, RM-1359, RM-1360, RM-1364, RM-1368, RM-1373, RM-1374, RM-1376, RM-1377, RM-1378, RM-1379, RM-1382, RM-1383, RM-1389, RM-1390, RM-1391, RM-1414.

1. In a notice of proposed rule making, released March 6, 1969, in this proceeding (FCC 69-207), the Commission invited comments on a number of proposals to amend the FM Table of Assignments, including the assignment of channel 244A to Cayce, S.C. The time for filing comments was designated as April 14, 1969, and that for replies as April 24, 1969.

2. On April 22, 1969, the attorney for Palmetto Radio Corp. (WNOK-FM) (Palmetto), filed a request for extension of time to and including May 5, 1969, in which to file reply comments. Palmetto states that comments filed by WCAY and WIS-TV contain a counterproposal involving channel 228A, and the WQXL comments contain a counterproposal involving channel 244A. It further states that in order to give them an opportunity to fully study the comments of WCAY, WIS-TV and WQXL and their engineering implications, the additional time will be necessary.

3. We are of the view that the requested additional time is warranted and would serve the public interest. *Accordingly, it is ordered*, That the time for filing reply comments in this proceeding in the matter of RM-1376 only is extended to and including May 5, 1969.

4. This action is taken pursuant to authority found in section 4(i), 5(d)(1), and 303(r) of the Communications Act of 1934, as amended and § 0.281(d)(8) of the Commission's rules.

Adopted: April 23, 1969.

Released: April 25, 1969.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] GEORGE S. SMITH,
Chief, Broadcast Bureau.

[F.R. Doc. 69-5134; Filed, Apr. 29, 1969; 8:49 a.m.]

[47 CFR Part 73]

[Docket No. 18535, RM-1365; FCC 69-440]

ENCODED (SCRAMBLED) TRANSMISSIONS BY NONCOMMERCIAL EDUCATIONAL TELEVISION STATIONS

Notice of Proposed Rule Making

1. Community Television of Southern California (Community Television), licensee of noncommercial educational television station KCET, channel 28, Los Angeles, Calif., on November 1, 1968, filed a petition for rule making (RM-1365) requesting that the rules be amended so as to permit noncommercial educational stations to transmit limited amounts of encoded or scrambled television programs. Such programs would be transmitted for the instruction of doctors, nurses and law enforcement personnel. Community Television has transmitted such programs under experimental authority during the past 4 years.

2. In its petition Community Television states that there is a need for these programs; that medical knowledge is expanding at a very rapid rate, and that there is a serious problem of getting this information from the laboratories and research centers to the practicing doctors and nurses. It states that this project has proved very successful in bringing new knowledge rapidly from the sources of the new information to the working doctor and nurse at their offices or hospitals without their needing to take time out of their busy schedule to go to a school or laboratory to attend lectures on these subjects; and that the service Community Television is proposing would bring this knowledge to the doctors, nurses, and law enforcement officers on a continuing basis. It states that these programs are unsuitable for viewing by the general public, as the subject matter would disturb or be disagreeable to most persons, and that the use of scrambled transmissions are the only way of providing this service to the specialized audience they wish to serve. It claims that the normal educational broadcast schedule would not be impaired as this service would be offered early in the day when programs to the general public were not being transmitted; and that the public reaction to the scrambled transmissions has been minimal. It also claims that the use of the normal broadcast channel is more economical than the use of any other service, and that the broadcast by television is more satisfactory than other means such as moving pictures, lectures, etc.

3. Comments were received from the following: Huntington Memorial Hospital, Pasadena; Beverly Hospital, Montebello; Conejo Valley Community Hospital, Thousand Oaks; California Hospital, Los Angeles; St. Mary's Long Beach Hospital, Long Beach; Valley Presbyterian Hospital, Van Nuys; Santa Paula Memorial Hospital, Santa Paula; University of Southern California, Los Angeles; La Mirada Community Hospital, La Mirada; Hollywood Presbyterian Hospital, Los Angeles; Central California Educational Television, licensee of Educational Television Station KVIE, Sacramento; San Fernando Valley State College, Northridge; White Memorial Medical Center, Los Angeles; Glendale Community Hospital, Glendale; Burbank Community Hospital, Burbank; Veterans Administration Center, Los Angeles; Veterans Administration Hospital, Long Beach; County of Los Angeles, Office of the District Attorney, Los Angeles. All of the comments supported the petition filed by Community Television on the basis of two arguments. The first is that the subject matter is not suitable for viewing by the general public; that much of the subject matter seen and heard would not be understood by the lay public; that baseless fears or anxieties could be aroused; that some of the subject matter would be distasteful to the general public; and that the viewer might be disturbed by the airing of differences of professional opinion between members of the medical professional. It is argued that if the television signal were not scrambled the medical and nursing faculty members would not freely and openly speak about controversial subjects, and that the privacy of participating patients would not be protected.

4. The other argument relates to cost and convenience of using educational television as compared to other methods of transmitting this information such as film, video tape or the Instructional Television Fixed Service (ITFS). Community Television argues that if film were used all of the doctors and nurses in a given area would not have the chance to see it at the same time and that the pressure of work would tend to cause them to "put off" seeing films.[1] It is said that the cost of video play-back equipment is so expensive as to make it infeasible, and that the cost of an ITFS transmitter and the necessary receiving points is also expensive. It is urged that a costly ITFS system would be used only a few hours per week, and that the use of an educational station with scrambled programs would be more economical to these groups and more efficient from the standpoint of frequency usage.

5. The broadcast bands were set aside for broadcasting to the general public, for anyone who wishes to obtain a receiver, AM, FM or TV and to listen to or see the programs that are being offered. It appears that uses such as this are of a substantially more limited nature, with an intentionally restricted audience. Even though there are several or many receiving locations it is for a very highly specialized group of people, and the programs are to be scrambled to further restrict the audience. Noncommercial educational stations were designed for a cultural type of programing to be broadcast to the general public which is not normally offered on commercial stations. While many of the educational stations do broadcast classroom programs, that is an incidental use of their facilities, and is not restricted from the gen-

[1] It would seem that this problem would be present whatever the means of transmission.

eral public, and in many cases in fact is programed for the public as well as in school. It appears that if services of this kind were generally authorized it would be diverting frequencies that have been set aside for general broadcast use to services that are of a more limited character. This is of concern to the Commission.

6. However, the petitioner states that there is a clear need for such programs, and that the proposed usage provides an indirect service to the public of great value and should be considered. It is urged that it provides a means of transmitting the very latest methods of medical treatment and knowledge that have been developed in the medical laboratories, directly to the doctor in his hospital or office without necessitating a trip to a school or laboratory, and that it does this very economically. The petitioner's argument has merit sufficient to persuade us that it should be examined further, as to whether or not it would be desirable to provide a new service such as this by educational television broadcast stations. This is perhaps especially true because of growing congestion in the ITFS frequencies particularly in large metropolitan areas such as Los Angeles.

7. The petitioner has proposed that these scrambled transmissions be limited to a maximum of 7 hours weekly and to not more than 2 hours in any one day; that certain voice transmissions be made over the regular audio channel so as to inform the viewing public that a scrambled program is in progress and that failure to receive it does not reflect on their television receivers; and that this type of programing shall not be presented at times which would preclude or limit the educational programing that the station would normally transmit. These limitations and requirements appear appropriate, as a minimum, if this service is to be authorized. We also submit for comment proposed restrictions as to the hours when such programs may or may not be broadcast. Petitioner has presented such a proposal in general terms in the material set forth as § 73.621(f) below. In addition, we are proposing more particular restrictions, including prohibition of such programing in "prime time", generally 6 to 11 p.m.

8. In view of the above, the Commission is inviting comments from all interested parties in this matter. The comments should be directed to the following questions, but not necessarily limited to them:

(a) Is it in the public interest to divert broadcast frequencies to a service such as this which is of a private nature?

(b) What should be the limits as to the amount of time per day or per week an educational station may devote to scrambled programs of this nature? Should they be limited to, or excluded from, particular times of day? and, besides the number of hours, should there be a limitation on the percentage of total weekly operating time which can be so used?

(c) Should there be limitations on what noncommercial educational TV stations are eligible to engage in scrambled operations, for example should it be permitted only by stations in markets having two or more ETV stations (including one not engaged in such operation), or limited to only one station in a market?

9. Accordingly, pursuant to the authority contained in sections 4(i) and 303 (g) and (r) of the Communications Act of 1934, as amended, it is proposed to amend Part 73 of the Commission's rules (Subpart E) to permit noncommercial educational television stations, under some circumstances and with some limitations, to present scrambled programing during part of their broadcast day. The appendix hereto contains (with a few editorial changes) the proposed rules as drafted by the petitioner. If it is decided to authorize the transmission of programing of this character, the rules will be amended substantially along the lines of those set forth therein, with whatever changes or additions appear appropriate on further consideration (for example, restrictions on time, eligibility, etc., as mentioned in paras. 7 and 8, above).

10. In setting forth this proposal for comment, however, we wish to emphasize that we are by no means convinced that rendition of a conventional educational broadcast service should be curtailed in favor of these more specialized uses. We are also concerned lest what is proposed here would tend to be only an opening wedge for more widespread demands by these and other possible users; commenting parties should discuss how this development might be avoided.

11. Pursuant to applicable procedures set out in § 1.415 of the Commission's rules, interested persons may file comments on or before June 2, 1969, and reply comments on or before June 12, 1969. All relevant and timely comments and reply comments will be considered by the Commission before final action is taken. In reaching its decision in this proceeding, the Commission may also take into account other relevant information before it, in addition to the specific comments invited by this notice.

12. In accordance with the provisions of § 1.419 of the rules, an original and 14 copies of all comments, replies, pleadings, briefs, and other documents shall be furnished the Commission.

Adopted: April 23, 1969.

Released: April 25, 1969.

FEDERAL COMMUNICATIONS COMMISSION,[2]
[SEAL] BEN F. WAPLE,
Secretary.

Petitioner, Community Television of Southern California, proposes (except for certain editorial changes made in the text below) that Subpart E of Part 73 of the Commission's rules be amended in the following respects:

1. In § 73.621, new paragraph (f) would be added as follows:

(f) Noncommercial educational television broadcast stations may transmit medical or police instructional programs not deemed suitable for viewing by the general public through the use of an encoded visual signal and a multiplexed FM subcarrier aural signal, in accordance with the provisions of this paragraph and with the technical standards in § 73.682 (a)(22):

(1) Such encoded transmissions shall be limited to not more than 7 hours per week and not more than 2 hours per day. During the time of such encoded transmissions, announcements shall be broadcast at least once every 5 minutes over the station's regular aural channel stating that an encoded transmission is being made and that failure to receive it does not indicate any deficiency in a television receiver. The program logging requirements of § 73.670 of this subpart shall not apply to the scrambled transmissions, except that the name of the program that was transmitted in scrambled form must be recorded, and the announcements required by this section to be made over the regular aural channel during the transmission of scrambled programs must be logged, as must any other matter which is broadcast over the regular aural channel. § 73.651(c) of this subpart does not apply to transmissions over the regular aural channel during the time a licensee is making scrambled transmissions, and licensees may transmit other matter over the regular channel, in addition to the required announcements, such as music or informational announcements.

(2) Licensees shall not conduct scrambled transmissions at times which would interfere with their normal broadcast schedule, but shall conduct such operations during the times within their program schedules which are not ordinarily devoted to regular programing, such as before the commencement of in-school instructional programing, during any noon-hour break between in-school instructional programs, during the hours between the end of in-school instructional programing and the beginning of evening programing, or the hours prior to or after the licensee's normal broadcast day.[3]

2. In Section 73.682(a), new subparagraph (22) would be added as follows:

(22) Transmission of encoded visual signals and multiplexed FM subcarrier aural signals by noncommercial educational television stations conducted pursuant to § 73.621(f) of this subpart shall be in accordance with this subparagraph (22). Each licensee proposing transmissions pursuant to § 73.621(f) shall notify the Commission of this fact at least 20 days prior to the beginning of such operation, and 20 days prior to the making of any change in the equipment used for such operation. Such notification shall be accompanied by a detailed description of the modification to permit transmission of an encoded visual signal and a multiplexed FM subcarrier aural signal,

[2] Commissioners Bartley and Robert E. Lee absent.

[3] See paragraph 7 of the notice of proposed rule making concerning more specific restrictions on permissible time.

and shall show compliance with the following conditions:

(i) An FM subcarrier shall be multiplexed on the regular aural channel at a center frequency of 63 kc with a maximum deviation of ±7.5 kc.

(ii) Video signals shall be transmitted with positive modulation, so that an increase in light intensity will cause an increase in radiated power.

(iii) The standard synchronizing signals and the modulation levels for both the video and aural signals shall be maintained within the normal limits specified by this section of the rules. The subcarrier injection level shall be limited to 10 percent of the aural main channel normal 100 percent modulation level. The main channel modulation level shall be limited to 90 percent of normal.

(iv) The multiplexed aural channel operation shall not cause spurious emissions outside the assigned channel beyond that permitted by this section of the rules for normal operation.

(v) The Commission may notify the licensee not to commence or to delay commencement of encoded transmissions, or to suspend such operation as and when such action may appear to be in the public interest, convenience, and necessity.

[F.R. Doc. 69-5135; Filed, Apr. 29, 1969; 8:49 a.m.]

[47 CFR Part 73]

[Docket No. 18534, RM-1355; FCC 69-439]

FM BROADCAST STATIONS; PANAMA CITY, PORT ST. JOE, AND WARD RIDGE, FLA.

Table of Assignments

1. The Commission has under consideration the petition for reconsideration filed on February 28, 1969, by Radio Gulf, Inc., licensee of Station WGNE (AM), Panama City Beach, Fla. Radio Gulf seeks reconsideration of the decision made by the Commission in a memorandum opinion and order, released January 29, 1969 (FCC 69-68), denying petitioner's request for rule making, RM-1355, to assign FM channel 294 to Panama City, Fla.

2. After consideration of the showings and data submitted with Radio Gulf's earlier petition, the Commission concluded that it was unable to find sufficient public interest to warrant institution of rule making to assign a third Class C channel to Panama City. The denial was based on two principal grounds: First, a number of communities without a local FM or nighttime AM service would be precluded from the requested and/or one or more adjacent channels if the assignment were adopted as proposed; and second, the maximum number of channels under the population criterion used in establishing the FM Table of Assignments for a community the size of Panama City had already been reached. Since the number and types of radio services available to the Panama City area, as well as the petitioner's statements in support of the petition, were given in detail in the memorandum opinion and order, it will not be necessary to repeat them here.

3. Radio Gulf's subject request contains a substantial amount of new data not provided in its earlier petition for rule making. First, in addressing itself to the matter of communities identified in the Order as being precluded, the petitioner shows that other channels are presently available to some of the communities affected, but not in all cases and not always with the same class of channel.[1] For example, we noted that certain of the smaller communities (less than 5,000) would be precluded from a Class A channel. Petitioner shows only Class C channels available to certain of these communities, but does not indicate that they would meet the general criteria for such assignments.[2] Our concern, therefore, has not been entirely dispelled on the important matter of preclusion when evaluated on the basis of the data now before us, as to Channel 294.

4. As to the second grounds for denial—that the population of Panama City (33,275, 1960 U.S. Census) does not warrant an additional assignment—Radio Gulf argues that the populations on which the decision was based are nearly 10 years old and do not properly reflect the subsequent growth and present populations of Panama City and the adjoining urban areas. New population data is submitted which estimates the Panama City population to be in excess of 40,000 persons and that of Bay County to be between 80,000 and 90,000.[3] An accompanying exhibit [4] represents that the "Panama City urban complex" has a population in excess of 50,000, the petitioner urging, therefore, that the community meets the population criterion (used in establishing the table) for a third FM channel assignment. It is pointed out that Panama City is the largest community between Pensacola, 95 miles to the west, and Tallahassee, 85 miles to the east, and it is alleged that Panama City is the principal trade center within a 50-mile radius that includes an approximate population of 150,000 persons. In addition, numerous data are now offered for consideration, some becoming available only subsequent to filing of the original petition, to support petitioner's contention that Panama City is a rapidly expanding and economically healthy center for industrial, commercial and recreational facilities for the north central Florida area.

5. Upon further consideration, we are of the view that Panama City, despite its city-proper population of less than 50,000 is of a size and importance warranting a third FM assignment. This is particularly true because of its importance to its area and relatively great distance from larger population centers (Pensacola and Tallahassee, 85 miles or more away). However, as we indicated above (par. 3), we still hold concern for the preclusion impact on certain communities which may have a future need for an assignment. As far as use of channel 294 at Panama City is concerned, petitioner's showing does not remove this concern.

6. However, it appears from our further study on this aspect that Class C channel 253 could be assigned to Panama City and meet all spacing requirements and, more importantly, would involve substantially less preclusion impact areas and on only two channels. Such an area on channel 253 would include the communities of Springfield (4,628), Port St. Joe (4,217), Chipley (3,159), Apalachicola (3,099), Lynn Haven (3,078), and Parker (2,669). None of the named communities has its own local FM assignment. However, it appears that other Class A channels are available to each community, and thus, the preclusion caused on channel 253 may be disregarded.[5] Finally, channel 252A would be precluded from assignment to Apalachicola and Port St. Joe. However, as we noted above, other Class A channels are available to these same communities. Accordingly, it appears that if channel 253 were assigned to Panama City, preclusion of assignments to other communities would not need to be a factor of further consideration. With regard to Port St. Joe, petitioner points out that unused channel 228A assigned to Ward Ridge, a contiguous community of only 45 persons, would be available for application at Port St. Joe under the "10-mile" provision of § 73.203(b). Because of the limited size of Ward Ridge and the lack of interest shown in activating the channel since its assignment there,[6] we are proposing in this proceeding to move the channel to the larger community of Port St. Joe, from which location the channel would remain available to Ward Ridge under the same provisions of § 73.203(b). This will conform to the usual preference of making the first assignment in a limited area to the community having the greater population.

7. In consideration of the above, we are inviting comments and pertinent data from all interested parties on our

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[1] Blountstown and Bay Harbor were inadvertently included with those communities identified as being precluded in the Commission's order. Petitioner correctly notes that Blountstown is presently assigned an FM channel. Bay Harbor, formerly a Bay County community having separate identity, is now included within the city of Springfield, according to information that we obtained from the Bay County Engineer's Office. These facts reduce the number of precluded communities considered in the decision from eleven to nine.

[2] See public notice, "Policy to Govern Requests for Additional FM Assignments," (FCC 67-577) May 12, 1967.

[3] Estimates by City Manager, Panama City, as of Feb. 1, 1969.

[4] Source: Bay County Research and Analysis, Planning Department of the Florida Development Commission, Vol. I, Aug. 1968.

[5] We find that Class A channels appear to be available to each community as follows: Springfield, 249A; Port St. Joe, 257A; Chipley, 296A; Apalachicola, 292A; Lynn Haven, 240A; and Parker, 261A.

[6] Third Report, memorandum opinion and order, Docket 14185 (FCC 63-735), Aug. 1963.

counterproposal to amend the FM Table of Assignments as follows:

City (all in Florida)	Channel No.	
	Present	Proposed
Panama City	223, 300	223, 253, 300
Port St. Joe		228A
Ward Ridge	228A	

8. In view of the foregoing: *It is ordered*, That the petition for reconsideration filed by Radio Gulf, Inc., is granted to the extent indicated herein and in all other respects is denied.

9. Authority for the adoption of the amendments proposed herein is contained in sections 4(i), 303, and 307(b) of the Communications Act of 1934, as amended.

Pursuant to applicable procedures set out in § 1.415 of the Commission's rules, interested persons may file comments on or before June 2, 1969, and reply comments on or before June 12, 1969. All submissions by parties to this proceeding or persons acting in behalf of such parties must be made in written comments, reply comments or other appropriate pleadings.

11. In accordance with the provisions of § 1.419 of the rules, an original and 14 copies of all comments, replies, pleadings, briefs, and other documents shall be furnished the Commission.

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

[F.R. Doc. 69-5136; Filed, Apr. 29, 1969; 8:49 a.m.]

FEDERAL HOME LOAN BANK BOARD

[12 CFR Part 563]

[No. 22752]

FEDERAL SAVINGS AND LOAN INSURANCE CORP.

Adjustment of Book Value of Over-Valued Assets

APRIL 24, 1969.

Resolved that the Federal Home Loan Bank Board considers it advisable to amend § 563.17-2 of the rules and regulations for Insurance of Accounts (12 CFR 563.17-2) by revising paragraph (d) of said section for the purpose of permitting a charge to any net worth account when establishing a specific reserve required by paragraph (c) of said section and for the purpose of stating more clearly the provisions thereof. Accordingly, it hereby proposes to revise paragraph (d) of § 563.17-2, to read as follows:

§ 563.17-2 Re-evaluation of assets; adjustment of book value; adjustment charges.

* * * * *

(d) *Adjustment charges.* Establishment of a specific reserve account to adjust book value of an over-valued asset in compliance with paragraph (c) of this section shall be effected by a charge against earnings for the period in which such charge is made or by a charge against any net worth account. For the purposes of this paragraph (d), any charge against such a specific reserve account shall be deemed to be a recovery on an asset the book value of which was previously adjusted, unless such charge is made for the purpose of concurrently writing down the book value of such asset. In the event of recovery of any portion of an amount previously charged against a reserve established for the sole purpose of absorbing losses and transferred to a specific reserve account, the amount so recovered shall be credited to the reserve from which it was originally transferred; such credit shall be in addition to all other required credits to such reserves. In the event of recovery of any portion of an amount previously charged against earnings, the amount so recovered shall be credited to earnings for the period in which the recovery is effected.

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

Resolved further that interested persons are invited to submit written data, views and arguments to the Office of the Secretary, Federal Home Loan Bank Board, 101 Indiana Avenue NW., Washington, D.C. 20552, by June 2, 1969, as to whether this proposal should be adopted, rejected or modified. Written material submitted will be available for public inspection at the above address unless confidential treatment is requested or the material would not be made available to the public or otherwise disclosed under § 505.6 of the general regulations of the Federal Home Loan Bank Board (12 CFR 505.6).

By the Federal Home Loan Bank Board.

[SEAL] JACK CARTER,
Secretary.

[F.R. Doc. 69-5141; Filed, Apr. 29, 1969; 8:50 a.m.]

Notices

DEPARTMENT OF THE INTERIOR

National Park Service

[Order 6]

PARK SUPERINTENDENTS, ET AL., NORTHEAST REGION

Delegation of Authority

SECTION 1. The National Park Service superintendents in the Northeast Region whose positions are allocated to Civil Service grades GS–13 and above, in the administration, operation, and development of the areas under their supervision, are authorized to exercise all of the authority now or hereafter delegated to the Regional Director by the Director, except with respect to the following:

(a) Acceptance of an offer in settlement of a timber trespass unless (1) the trespass is an innocent one, (2) the damages therefrom do not exceed $500 and (3) payment of the full amount of the damages is offered.

SEC. 2. The superintendents whose positions are allocated to Civil Service grades GS–11, and GS–12, in the administration, operation, and development of the areas under their supervision, are authorized to exercise all of the authority now or hereafter delegated to the Regional Director by the Director, except with respect to the following matters:

(a) Approval of contracts for construction, supplies, or services in excess of $50,000, provides that construction contracts will be entered into only with the advice and consent of the design and construction office chief.

(b) Acceptance of an offer in settlement of a timber trespass unless (1) the trespass is an innocent one, (2) the damages therefrom do not exceed $500 and (3) payment of the full amount of the damages is offered.

SEC. 3. The superintendents whose positions are allocated to Civil Service grades GS–10 and below in the administration, operation, and development of the areas under their supervision, are authorized to exercise all of the authority now or hereafter delegated to the Regional Director by the Director, except with respect to the following matters:

(a) Execution or approval of contracts for construction, supplies, or services in excess of $10,000: *Provided*, That construction contracts will be entered into only with the advice and consent of the design and construction office chief.

(b) Issuance of concession permits having a term of more than 3 years.

(c) Reimbursement of employees and other owners for property lost, damaged, or destroyed.

(d) Acceptance of an offer in settlement of a timber trespass unless (1) the trespass is an innocent one, (2) the damages therefrom do not exceed $500, and (3) payment of the full amount of the damages is offered.

(e) Acceptance of donations of personal property valued in excess of $5,000, and acceptance of donations of money in excess of $5,000.

SEC. 4. Assistant Regional Director, Administration: The Assistant Regional Director, Administration, may execute, approve and administer contracts not in excess of $200,000 for construction, supplies, equipment, and services: *Provided*, That construction contracts will be entered into only with the advice and consent of the design and construction office chief. This authority may be exercised by the Assistant Regional Director, Administration, in behalf of any office or area for which the Northeast Regional Office serves as the field finance office.

SEC. 5. Regional Chief, Division of Property Management and General Services: The Regional Chief, Division of Property Management and General Services may execute, and approve and administer contracts not in excess of $50,000 for construction, supplies, equipment, and services: *Provided*, That construction contracts will be entered into only with the advice and consent of the design and construction office chief. This authority may be exercised by the Regional Chief, Division of Property Management and General Services in behalf of any area or office for which the Northeast Regional Office serves as the field office.

SEC. 6. Supervisory General Supply Specialist: The Supervisory General Supply Specialist, Northeast Regional Office, may execute, approve, and administer contracts not in excess of $10,000 for supplies, equipment, or services in conformity with applicable regulations and statutory authority and subject to the availability of appropriations. This authority may be exercised by the Supervisory General Supply Specialist in behalf of any area or office for which the Northeast Regional Office serves as the field office.

SEC. 7. Procurement Agent: The Procurement Agent, Northeast Regional Office, may execute, approve, and administer purchase orders not in excess of $2,500 for supplies, equipment, or services in conformity with applicable regulations and statutory authority and subject to the availability of appropriations. This authority may be exercised by the Procurement Agent in behalf of any area or office for which the Northeast Regional Office serves as the field office.

SEC. 8. Redelegation: A superintendent may, in writing, redelegate to any officer or employee the authority delegated to him by this order. Each redelegation shall be published in the FEDERAL REGISTER.

SEC. 9. Revocation: This order supersedes Northeast Regional Office Order No. 5, as amended. However, redelegations based thereon are continued in effect to the extent that they are not in conflict with this order.

(National Park Service Order No. 34 (31 F.R. 4255), as amended; 39 Stat. 535; 16 U.S.C., sec. 2)

Dated: April 9, 1969.

LEMUEL A. GARRISON,
Regional Director,
Northeast Region.

[F.R. Doc. 69–5085; Filed, Apr. 29, 1969; 8:45 a.m.]

Office of the Secretary

HOWARD A. BECK

Statement of Changes in Financial Interests

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

(1) No change.
(2) No change.
(3) No change.
(4) No change.

This statement is made as of April 8, 1969.

Dated: April 8, 1969.

H. A. BECK.

[F.R. Doc. 69–5114; Filed, Apr. 29, 1969; 8:47 a.m.]

C. R. BILBY

Statement of Changes in Financial Interests

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

(1) No change.
(2) No change.
(3) No change.
(4) No change.

This statement is made as of April 7, 1969.

Dated: April 7, 1969.

C. R. BILBY.

[F.R. Doc. 69–5115; Filed, Apr. 29, 1969; 8:47 a.m.]

JAMES S. BROADDUS

Statement of Changes in Financial Interests

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

(1) None.
(2) None.
(3) None.
(4) None.

This statement is made as of April 7, 1969.

Dated: April 7, 1969.

JAMES S. BROADDUS.

[F.R. Doc. 69-5116; Filed, Apr. 29, 1969; 8:48 a.m.]

JOHN W. HIERONYMUS

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1965, the following changes have taken place in my financial interests during the past 6 months:

(1) No change.
(2) Remove: Sinclair Oil Corp. Add: Atlantic Richfield Co.
(3) No change.
(4) No change.

This statement is made as of April 8, 1969.

Dated: April 8, 1969.

JOHN W. HIERONYMUS.

[F.R. Doc. 69-5117; Filed, Apr. 29, 1969; 8:48 a.m.]

KENNETH I. SEWELL

Statement of Changes in Financial Interests

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

(1) No change.
(2) Added 100 shares of "Sunshine Fifty".
(3) No change.
(4) No change.

This statement is made as of April 9, 1969.

Dated: April 9, 1969.

K. I. SEWELL.

[F.R. Doc. 69-5118; Filed, Apr. 29, 1969; 8:48 a.m.]

E. F. TIMME

Statement of Changes in Financial Interests

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

(1) No change.
(2) No change.
(3) No change.
(4) No change.

This statement is made as of April 4, 1969.

Dated: April 4, 1969.

E. F. TIMME.

[F.R. Doc. 69-5119; Filed, Apr. 29, 1969; 8:48 a.m.]

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

GRAINS AND SIMILARLY HANDLED COMMODITIES

Notice of Final Date for Redemption of Warehouse-Storage Loans Made Under 1968 Price Support Programs [1]

Unless demand is made earlier by CCC, warehouse-storage loans under 1968 price support programs on the commodities listed in the table below mature and are due and payable on the dates indicated. Unless on or before the final date for repayment specified below such loans are repaid or the producer notifies the ASCS county office in writing that the funds have been placed in the mail, title to the unredeemed collateral shall immediately vest in CCC without a sale thereof on the date next succeeding the final date for repayment specified below. This notice applies to all such unredeemed collateral pledged to CCC under warehouse-storage loans. CCC shall have no obligation to pay for any market value which the unredeemed collateral may have in excess of the Loan indebtedness; i.e., the unpaid amount of the note plus interest and charges. Nothing herein shall preclude making payment to a producer of any amount by which the settlement value of the pledged commodity may exceed the principal amount of the loan. The settlement value as used herein is the price support value of the pledged commodity determined on the basis of the weight, grade and other quality factors shown on the warehouse receipts or accompanying documents in accordance with the applicable support rate provided in the program regulations. Not withstanding the foregoing provisions, if the producer has made a fradulent representation in obtaining the loan or in settlement or deliveries under the loan, the producer shall remain personally liable for the amounts specified in the Warehouse Storage Note and Security Agreement and in the price support program regulations.

Amounts due the producer will be paid to the producer by the appropriate ASCS county office.

	Maturity date	Final date for repayment
Barley: [1]		
In Alaska, Idaho, Minnesota, Montana, North Dakota, Oregon, South Dakota, Washington, Wisconsin, and Wyoming	1969	1969
	May 31	June 2
In all other States	Apr. 30	Apr. 30
Corn: [1]		
In all States	July 31	July 31
Dry edible beans:		
In all States	Apr. 30 [2]	Apr. 30
Flaxseed:		
In Minnesota, Montana, North Dakota, South Dakota, and Wisconsin	May 31	June 2
In all other States	Apr. 30	Apr. 30
Grain sorghum: [1]		
In Oklahoma and Texas	June 30	June 30
In all other States	July 31	July 31
Honey:		
In all States	Apr. 30	Apr. 30
Oats: [1]		
In Alaska, Idaho, Maine, Michigan, Minnesota, Montana North Dakota, Oregon, South Dakota, Washington, Wisconsin, and Wyoming	May 31	May 31
In all other States	Apr. 30	Apr. 30
Rice:		
In all States	do.	Do.
Rye:		
In all States	do.	Do.
Soybeans: [1]		
In all States	July 31	July 31
Wheat: [1]		
In Idaho, Minnesota, Montana, North Dakota, Oregon, Washington, and Wyoming	May 31	May 31
In all other States	Apr. 30	Apr. 30

[1] This notice does not apply to loans on barley, corn, grain sorghum, oats, soybeans, and wheat with respect to which producers, prior to the above maturity dates, have given written notice to the ASCS county office through which they obtained such loans that they wish to have such maturity dates extended.

[2] Maturity date for loans may be extended at the producer's request to June 30, 1969; if extended, the final date for redemption is June 30, 1969.

(Secs. 4 and 5, 62 Stat. 1070, as amended; secs. 101, 105, 107, 301, 401, 405, 63 Stat. 1051, as amended; 15 U.S.C. 714 b and c; 7 U.S.C. 1441, 1447, 1421, 1425)

Effective date: Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on April 23, 1969.

CARROLL G. BRUNTHAVER,
Acting Executive Vice President, Commodity Credit Corporation.

[F.R. Doc. 69-5101; Filed, Apr. 29, 1969; 8:45 a.m.]

Packers and Stockyards Administration

FLOYD COUNTY LIVESTOCK MARKET ET AL.

Notice of Changes in Names of Posted Stockyards

Correction

In F.R. Doc. 69-4716 appearing at page 6702 in the issue of Saturday, April 19, 1969, the following correction should be made under the center heading "Oklahoma": The entry in the "current name of stockyard and date of change in name"

column should read "Woodward Livestock Auction Market, Inc., Feb. 17, 1969."

SOUTH FLORIDA HORSE AUCTION ET AL.

Deposting of Stockyards

It has been ascertained, and notice is hereby given, that the livestock markets named herein, originally posted on the respective dates specified below as being subject to the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), no longer come within the definition of a stockyard under said Act and are, therefore, no longer subject to the provisions of the Act.

Name, location of stockyard, and date of posting
South Florida Horse Auction, Hialeah, Fla., June 23, 1965.
Capital Livestock Auction Co., Inc., Atlanta, Ga., May 22, 1959.
Jackson County Sales Barn, Brownstown, Ind., Mar. 19, 1960
Northampton Cooperative Auction Ass'n, Inc., Northampton, Mass., Jan. 12, 1960.
Hattiesburg Livestock Market, Hattiesburg, Miss., Jan. 6, 1959.

Notice or other public procedure has not preceded promulgation of the foregoing rule since it is found that the giving of such notice would prevent the due and timely administration of the Packers and Stockyards Act and would, therefore, be impracticable and contrary to the public interest. There is no legal warrant or justification for not deposting promptly a stockyard which is no longer within the definition of that term contained in the Act.

The foregoing is in the nature of a rule granting an exemption or relieving a restriction and, therefore, may be made effective in less than 30 days after publication in the FEDERAL REGISTER. This notice shall become effective upon publication in the FEDERAL REGISTER.

(42 Stat. 159, as amended and supplemented; 7 U.S.C. 181 et seq.)

Done at Washington, D.C., this 23d day of April 1969.

G. H. HOPPER,
Chief, Registrations, Bonds, and Reports Branch, Livestock Marketing Division.

[F.R. Doc. 69-5145; Filed, Apr. 29, 1969; 8:50 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

2-ETHYLAMINO-4-ISOPROPYLAMINO-6-METHYLTHIO-S-TRIAZINE

Notice of Establishment of Temporary Tolerance

Notice is given that at the request of Geigy Chemical Corp., Ardsley, N.Y. 10502, a temporary tolerance of 0.25 part per million is established for negligible residues of the herbicide 2-ethylamino-4-isopropylamino-6-methylthio-*s*-triazine in or on the raw agricultural commodity corn in grain or ear form (including field corn, popcorn, and sweet corn). The Commissioner of Food and Drugs has determined that this temporary tolerance will protect the public health.

A condition under which this temporary tolerance is established is that the herbicide will be used in accordance with the temporary permit issued by the U.S. Department of Agriculture. Distribution will be under the Geigy Chemical Corp. name.

This temporary tolerance expires April 24, 1970.

This action is taken pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(j), 68 Stat. 516; 21 U.S.C. 346a(j)) and under authority delegated to the Commissioner (21 CFR 2.120).

Dated: April 24, 1969.

R. E. DUGGAN,
Acting Associate Commissioner for Compliance.

[F.R. Doc. 69-5083; Filed, Apr. 29, 1969; 8:45 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-340]

PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE AND THE UNITED ILLUMINATING CO.

Notice of Receipt of Application for Construction Permit and Facility License

Public Service Company of New Hampshire, 1087 Elm Street, Manchester, N.H., pursuant to section 104(b) of the Atomic Energy Act of 1954, as amended, has filed an application, dated April 9, 1969, for authorization to construct and operate a pressurized water nuclear reactor on a 650-acre site located on the western shore of Hampton Harbor, in Seabrook Township, about 11 miles south of Portsmouth, Rockingham County, N.H. The site is located approximately 40 miles to the northeast of Boston, Mass.

The application notes that Public Service Company of New Hampshire will share ownership of the plant and the plantsite with The United Illuminating Co. Public Service of New Hampshire will be responsible for the construction and the ultimate operation of the facility. Each will share in the construction and operating costs and eventual energy output.

The proposed reactor, designated as the Seabrook Nuclear Station Unit No. 1, is designed for initial operation at approximately 2660 megawatts (thermal), with a gross electrical output of approximately 885 megawatts.

A copy of the application is available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C.

Dated at Bethesda, Md., this 23d day of April 1969.

For the Atomic Energy Commission.

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

[F.R. Doc. 69-5078; Filed, Apr. 29, 1969; 8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 20901]

AIR INDIA

Notice of Postponement

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that the prehearing conference and hearing in the above-entitled proceeding now assigned to be held on April 30, 1969, are hereby postponed to May 2, 1969, at 10 a.m., e.d.s.t., in Room 911, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before the undersigned examiner.

Dated at Washington, D.C., April 24, 1969.

[SEAL] JAMES S. KEITH,
Hearing Examiner.

[F.R. Doc. 69-5148; Filed, Apr. 29, 1969; 8:50 a.m.]

[Docket No. 20838; Order 69-4-107]

ALLEGHENY AIRLINES, INC.

Order Providing for Further Proceedings Regarding Certificate of Public Convenience and Necessity

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 24th day of April 1969.

On March 21, 1969, Allegheny Airlines, Inc. (Allegheny), filed an application pursuant to Subpart M of Part 302 of the Board's procedural regulations for amendment of its certificate of public convenience and necessity for Route 97 to permit nonstop service, without subsidy eligibility, between New York, N.Y.-Newark, N.J., and Norfolk, Va. Allegheny is presently authorized to provide one stop service between New York and Norfolk via Philadelphia by combining its authority for segments 2 and 6.

National Airlines, Inc., filed a statement requesting that the Board dismiss Allegheny's application.

Upon consideration of the foregoing, we do not find that Allegheny's application is not in compliance with, or is inappropriate for processing under the provisions of Subpart M. Accordingly, we order further proceedings pursuant to the provisions of Subpart M, §§ 302.1306–302.1310, with respect to Allegheny's application.

Accordingly, it is ordered:

1. That the application of Allegheny Airlines, Inc., in Docket 20838 be and it is hereby set for further proceedings pursuant to Rules 1306–1310 of the Board's procedural regulations; and

2. That this order shall be served upon all parties served by Allegheny in its application.

This order shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON, *Secretary.*

[F.R. Doc. 69-5149; Filed, Apr. 29, 1969; 8:50 a.m.]

FEDERAL MARITIME COMMISSION

CITY OF LOS ANGELES AND METROPOLITAN STEVEDORE CO.

Notice of Agreement Filed for Approval

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

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 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. John E. Schaeffer, Cooper, White & Cooper, 44 Montgomery Street, San Francisco, California 94104

Agreement No. T-2287 between the City of Los Angeles (City) and Metropolitan Stevedore Company (Metropolitan) is a permit which grants Metropolitan the right to use certain berths for docking and servicing vessels and for handling cargo and passengers in its capacity as agent on an agency-agreement basis, stevedore or terminal operator. City retains the right of secondary use when such use does not interfere with Metropolitan's use of the premises. For use of the premises, City will receive revenues for services performed in accordance with Port of Los Angeles Tariff, with Metropolitan assuming a minimum obligation of $175,000 during each 12-month period of the term of the permit. At the end of each 12-month period, the difference between the minimum obligation and the total revenue accrued during the 12-month period will be divided. Fifty percent of revenue accrued in excess of $175,000 but not in excess of $250,000 will be paid to City; in addition, Metropolitan will pay to City 25 percent of all revenue accrued in excess of $250,000. All revenue due City from cargo which is discharged or loaded at the wharf area subject to the permit and brought to point of rest upon such premises, together with all dockage revenue, shall apply on the minimum obligation of Metropolitan and to the compensation division set forth in the agreement. All other revenue due City which is not included above, shall not be applied to the minimum obligation nor to the revenue division described.

Dated: April 25, 1969.

By order of the Federal Maritime Commission.

THOMAS LISI, *Secretary.*

[F.R. Doc. 69-5137; Filed, Apr. 29, 1969; 8:49 a.m.]

METROPOLITAN STEVEDORE CO. AND TOKAI SHIPPING CO., LTD.

Notice of Agreement Filed for Approval

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

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 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. John E. Schaeffer, Cooper, White & Cooper, 44 Montgomery Street, San Francisco, Calif. 94104.

Agreement No. T-2288 between Metropolitan Stevedore Co. (Metropolitan) and Tokai Shipping Co., Ltd. (Tokai), provides for Metropolitan to furnish certain services to Tokai at premises which Metropolitan expects to receive from the city of Los Angeles pursuant to a use permit. Metropolitan agrees to discharge at berths covered by its permit all steel carried by Tokai to the Port of Los Angeles. Tokai agrees to deliver to Metropolitan sufficient steel cargoes so that revenues accrued pursuant to applicable Port of Los Angeles terminal tariff will be equal to at least $175,000 in each 12-month period. Tokai agrees that if its tariff obligations for each 12-month period do not meet the $175,000 guarantee, then it will pay Metropolitan the difference between $175,000 and the total revenues accrued under said tariff. If total revenues exceed $175,000 during each 12-month period, Tokai will share in a portion of such excess revenues attributable to revenue accrued through use of the premises on behalf of Tokai, on a percentage basis outlined in the agreement. Tokai agrees to pay to Metropolitan a proportionate share of all license and excise fees, occupation and property taxes due under Metropolitan's use permit.

Dated: April 25, 1969.

By order of the Federal Maritime Commission.

THOMAS LISI, *Secretary.*

[F.R. Doc. 69-5138; Filed, Apr. 29, 1969; 8:49 a.m.]

[Docket No. 69-20; Agreement 7616, Amended]

LYKES BROTHERS STEAMSHIP CO., INC., AND THOMAS AND JAMES HARRISON

Order To Show Cause Regarding Cancellation of Agreement

Agreement No. 7616, originally approved on July 1, 1948, between Lykes Bros. Steamship Co., Inc. (hereinafter "Lykes"), and Thos. & Jas. Harrison (hereinafter "Harrison"), provides for the pooling of total revenue derived from gross ocean freight less carrying charges in the trade from U.S. gulf ports to the United Kingdom ports of Liverpool, Manchester, Garston, Birkenhead, and Runcorn. The pool revenue is divided on a 50–50 basis and each party agrees to supply 50 percent of the tonnage.

On February 7, 1966, the Commission approved Agreement No. 7616–2 which permitted retroactive suspension of the pool from May 31, 1965, through February 28, 1966, on the grounds that Lykes could not meet its tonnage obligations because of a strike of seagoing labor against American vessels from June 15, 1965, through August 31, 1965, and the chartering of 23 of its vessels to MSTS to provide troop support in the Vietnam action.

On March 31, 1966, the Commission approved Agreement No. 7616–3 which provided for the suspension of the pooling agreement for any calendar quarter during which either of the member lines, when in the position of being an undercarrier in the pool, failed to supply a minimum of four (4) vessel sailings by reason of strikes, natural disasters, weather delays, the chartering of vessels to a line's own government, or reduction of sailings due to port conditions, volume of cargo and/or unremunerative rates forcing the reassignment of vessels to the line's other trade routes.

From May 31, 1965, to the present time, the operations of the Pooling Agreement have been suspended. Because of this continued suspension, by letter dated January 9, 1968 (Attachment 1),[1] Lykes was asked what its plans were with regard to the subject agreement. In its reply dated February 6, 1968 (Attachment 2[1]), Lykes advised that it was their long term intentions to serve the trade covered by the pooling agreement relative to new construction plans under active pursuit at the time. Since no action was taken by Lykes to reactivate the pool, by letter dated September 12, 1968 (Attachment 3[1]), Lykes was advised that the parties should either terminate the agreement or justify its continuation. No response has been received to this communication. At present, there is still no indication that Lykes has taken any steps or has any immediate plans to reactivate Agreement No. 7616, as amended.

A prerequisite for the initial and continued approval of an agreement is the actual existence or immediate probability of transportation circumstances which warrant approval (see Agreement 8765—Order To Show Cause, 9 FMC 333, 335–36). Suspension of an agreement because of the voluntary action of a party or parties thereunder constitutes that lack of transportation circumstances which would warrant disapproval (see Agreement No. 4188, et al., 10 FMC 92). Since Agreement No. 7616 has been suspended for over 3 years due to Lykes' voluntary chartering its vessels to MSTS, it would seem that there are no actual or immediately probable transportation circumstances in the trade which warrant its continued approval.

No questions of fact have been raised by the respondents in this matter which require an evidentiary hearing. However, in view of the length of time during which the agreement has been in effect, and the benefits derived from it by the parties thereto, further opportunity is afforded them to justify its continued approval in lieu of summary cancellation.

Now therefore, pursuant to sections 15 and 22 of the Shipping Act, 1916,

It is ordered, That the parties to Agreement No. 7616, as amended, show cause why the Commission should not order the cancellation of this agreement on the grounds that its continued approval is contrary to the public interest because of its suspension since May 31, 1965, and there is no evidence that it will be reactivated within the foreseeable future.

This proceeding shall be limited to the submission of affidavits of fact and memoranda of law and oral argument. The affidavits of fact and memoranda of law shall be filed by respondents no later than close of business May 16, 1969, replies thereto shall be filed by Hearing Counsel and intervenors, if any, no later than close of business June 2, 1969. An original and 15 copies of affidavits of fact, memoranda of law, and replies are required to be filed with the Secretary, Federal Maritime Commission, Washington, D.C. 20573. Copies of any papers filed with the Secretary should also be served upon all parties hereto. Time and date of oral argument will be announced at a later date.

It is further ordered, That the parties to Agreement No. 7616 as indicated in the attached appendix are hereby made respondents in this proceeding.

It is further ordered, That this order be published in the FEDERAL REGISTER and a copy of such order be served upon each respondent.

Persons other than respondents and Hearing Counsel who desire to become a party to this proceeding shall file a petition for leave to intervene in accordance with Rule 5(1) (46 CFR § 502.72) of the Commission's rules of practice and procedure no later than close of business May 12, 1969.

By the Commission.

[SEAL] THOMAS LISI, *Secretary.*

APPENDIX

Lykes Bros. Steamship Co., Inc., 821 Gravier Street, New Orleans, La. 70150.
Thos. & Jas. Harrison Ltd., c/o Le Blanc-Parr, Inc., General Agents, 204 Sanlin Building, New Orleans, La. 70130.

[F.R. Doc. 69-5139; Filed, Apr. 29, 1969; 8:49 a.m.]

[1] Filed as part of the original document.

FEDERAL POWER COMMISSION

[Docket Nos. RI62-543, G-17960]

TURNBULL & ZOCH DRILLING CO. ET AL.

Order Accepting Offer of Settlement Requiring Refunds and Severing the Terminated Proceedings

APRIL 23, 1969.

Turnbull & Zoch Drilling Co. (Operator) et al. (T&Z), filed an offer of settlement on June 17, 1968, in these proceedings, pursuant to section 1.18(e) of the Commission's rules of practice and procedure, involving a sale of natural gas to Florida Gas Transmission Co. (Florida) under its FPC Gas Rate Schedule No. 1 from the Monte Christo field, Hildalgo County, Tex. (Texas Railroad Commission District No. 4).

The subject sale of natural gas commenced under an unconditfoned temporary certificate issued on March 18, 1959, in Docket No. G-17960, at a rate of 16 cents per Mcf at 14.65 p.s.i.a. On June 12, 1962, T&Z filed a proposed increase in rate to 17 cents per Mcf, and said proposed increase was suspended by the Commission in Docket No. RI62-543 for the statutory period. Subsequently, T&Z placed the proposed increased rate into effect, subject to refund, on December 13, 1962, and continued to charge and collect such rate until December 1964, at which time sales were terminated because of production depletion.

In the interim, the certificate proceeding in Docket No. G-17960 had been consolidated by order of the Commission in Turnbull & Zoch Drilling Co. (Operator) et al., Docket No. G-17960 et al. On September 30, 1965, the Commission issued its Opinion No. 478, 34 FPC 1001, wherein it found the rate of 15 cents per Mcf at 14.65 p.s.i.a. to be proper for this sale. And, on July 25, 1966, the Commission issued its Opinion No. 499, 36 FPC 164, wherein it ordered T&Z to compute refunds of amounts collected above the 15 cents per Mcf rate, it had determined to be proper, for the period prior to December 13, 1962, when T&Z had placed its increased rate in Docket No. RI62-543 in effect, subject to refund, with interest at 6 percent per annum for all sales made prior to March 1, 1960, and at 7 percent per annum thereafter.

On November 25, 1968, the Commission issued an order applicable to Opinion No. 499, among others, wherein it provided that refunds, including both principal and interest, under that opinion, which were retained by the producer and commingled with its corporate assets pending further Commission order as to the disposition of such amounts, should bear interest at 5¾ percent per annum from the date of issuance of the opinion.

T&Z, in its offer of settlement, has agreed to refund all amounts collected in excess of 15 cents in Dockets Nos. G-17960 and RI62-543 with applicable interest, except that the offer does not provide for the payment of the 5¾ percent interest required under the November 25, 1968, order on amounts retained by the producer under Opinion No. 499. This order will provide for such additional interest.

In regard to refunds, Florida is not presently required to flow-through any refund amounts which it may receive from T&Z under the settlement proposal. Consequently, for the reasons set forth in our order in Humble Oil & Refining Co., Docket No. G-9287 et al., 32 FPC 49, we shall require T&Z to retain such amounts pending further Commission action. T&Z shall be permitted to either place such retained refund amounts in a special escrow account, or to commingle the refund monies with its general assets and use them for its corporate purposes as hereinafter provided.

The Commission orders:

(A) The offer of settlement filed by T&Z, in Dockets Nos. RI62-543 and G-17960, on June 17, 1968 is approved as hereinafter provided.

(B) T&Z shall compute the difference between the rates collected by it subject to refund in Dockets Nos. RI62-543 and G-17960, and the settlement rate of 15 cents per Mcf of natural gas at 14.65 p.s.i.a., with interest to the date of this order as provided in Docket No. RI62-543 in the Commission's notice of effectiveness of December 26, 1962, and as provided in Docket No. G-17960 in Opinion No. 499 and the order issued on November 25, 1968, and shall within 15 days of the date of issuance of this order submit a report to the Commission, with a copy to Florida, setting out the amount of refunds (showing separately the principal and applicable interest) the bases used for such determination

and the period covered, and ten days thereafter shall submit to the Commission a copy of a letter from Florida agreeing to the correctness of such amounts.

(C) T&Z shall retain the amounts shown in the report required under paragraph (B) above, subject to further action of the Commission directing the disposition of those amounts.

(D) T&Z shall retain the refunds amounts, comprising the principal monies collected subject to refund, and applicable interest, and at its option may: (1) Use the funds in its own operations, in which event it shall pay interest on the amounts retained at the current prime interest rate of 7½ percent per annum from the date of this order until the date of their disposition pursuant to Commission action; or (2) deposit such funds in an escrow account, and, within 30 days after the date of this order, tender for filing an executed escrow agreement. Unless notified to the contrary by the Secretary, within 30 days from the date of such tender, the escrow agreement shall be deemed to be satisfactory, and to have been accepted for filing. The escrow agreement shall be entered into between T&Z and any bank or trust company used as a depository for funds of the U.S. Government, and it shall include such terms and provisions as are substantially comparable to those set forth for such an agreement in the Commission's order issued in Atlantic Refining Co. et al., 32 FPC 933, 937.

(E) Upon compliance by T&Z with the terms and provisions of this order, the proceeding in Docket No. RI62-543 shall be severed from the Area Rate Proceeding, Docket No. AR64-2, and shall be terminated without further order of the Commission.

By the Commission.

[SEAL] GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-5079; Filed, Apr. 29, 1969; 8:45 a.m.]

OFFICE OF EMERGENCY PREPAREDNESS

MINNESOTA

Notice of Major Disaster

Pursuant to the authority vested in me by the President under Executive Order 10427 of January 16, 1953, Executive Order 10737 of October 29, 1957, and Executive Order 11051 of September 27, 1962 (18 F.R. 407, 22 F.R. 8799, 27 F.R. 9683); Reorganization Plan No. 1 of 1958, Public Law 85-763, Public Law 87-296, and Public Law 90-608; by virtue of the Act of September 30, 1950, entitled "An Act to authorize Federal assistance to States and local governments in major disasters, and for other purposes" (42 U.S.C. 1855-1855g), as amended; notice is hereby given of a declaration of "major disaster" by the President in his letter dated April 18, 1969, reading in part as follows:

I have determined that the damages in those areas of the State of Minnesota adversely affected by flooding beginning on or about March 22, 1969, are of sufficient severity and magnitude to warrant a major disaster declaration under Public Law 81-875.

I do hereby determine the following areas in the State of Minnesota to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of April 18, 1969:

The counties of:

Aitkin.	Meeker.
Anoka.	Mille Lacs.
Becker.	Morrison.
Benton.	Murray.
Big Stone.	Nicollet.
Blue Earth.	Nobles.
Brown.	Norman.
Carver.	Otter Tail.
Chippewa.	Pine.
Clay.	Pipestone.
Cottonwood.	Polk.
Crow Wing.	Pope.
Dakota.	Ramsey.
Douglas.	Red Lake.
Faribault.	Redwood.
Goodhue.	Renville.
Grant.	Rock.
Hennepin.	Roseau.
Houston.	Scott.
Isanti.	Sherburne.
Jackson.	Sibley.
Kanabec.	Stearns.
Kandiyohi.	Stevens.
Kittson.	Swift.
Lac Qui Parle.	Traverse.
Lake of the Woods.	Wabasha.
Le Sueur.	Wadena.
Lincoln.	Washington.
Lyon.	Watonwan.
Mahnomen.	Wilkin.
McLeod.	Winona.
Marshall.	Wright.
Martin.	Yellow Medicine.

Dated: April 24, 1969.

G. A. LINCOLN,
Director,
Office of Emergency Preparedness.

[F.R. Doc. 69-5087; Filed, Apr. 29, 1969; 8:45 a.m.]

NORTH DAKOTA

Notice of Major Disaster

Pursuant to the authority vested in me by the President under Executive Order 10427 of January 16, 1953, Executive Order 10737 of October 29, 1957, and Executive Order 11051 of September 27, 1962 (18 F.R. 407, 22 F.R. 8799, 27 F.R. 9683); Reorganization Plan No. 1 of 1958, Public Law 85-763, Public Law 87-296, and Public Law 90-608; by virtue of the Act of September 30, 1950, entitled "An Act to authorize Federal assistance to States and local governments in major disasters, and for other purposes" (42 U.S.C. 1855-1855g), as amended; notice is hereby given of a declaration of "major disaster" by the President in his letter dated April 18, 1969, reading in part as follows:

I have determined that the damages in those areas of the State of North Dakota adversely affected by flooding beginning on or about April 7, 1969, are of sufficient severity and magnitude to warrant a major disaster declaration under Public Law 81-875.

I do hereby determine the following areas in the State of North Dakota to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of April 18, 1969:

The counties of:

Barnes.	Nelson.
Benson.	Pembina.
Bottineau.	Pierce.
Burke.	Ramsey.
Burleigh.	Ransom.
Cass.	Renville.
Cavalier.	Richland.
Dickey.	Rolette.
Foster.	Sargent.
Grand Forks.	Steele.
Griggs.	Stutsman.
LaMoure.	Towner.
McHenry.	Traill.
Mercer.	Walsh.
Morton.	Ward.

Dated: April 24, 1969.

G. A. LINCOLN,
Director,
Office of Emergency Preparedness.

[F.R. Doc. 69-5088; Filed, Apr. 29, 1969; 8:46 a.m.]

SOUTH DAKOTA

Notice of Major Disaster

Pursuant to the authority vested in me by the President under Executive Order 10427 of January 16, 1953, Executive Order 10737 of October 29, 1957, and Executive Order 11051 of September 27, 1962 (18 F.R. 407, 22 F.R. 8799, 27 F.R. 9683); Reorganization Plan No. 1 of 1958, Public Law 85-763, Public Law 87-296, and Public Law 90-608; by virtue of the Act of September 30, 1950, entitled "An Act to authorize Federal assistance to States and local governments in major disasters, and for other purposes" (42 U.S.C. 1855-1855g), as amended; notice is hereby given of a declaration of "major disaster" by the President in his letter dated April 18, 1969, reading in part as follows:

I have determined that the damage in those areas of the State of South Dakota adversely affected by flooding beginning on or about April 2, 1969, is of sufficient severity and magnitude to warrant a major disaster declaration under Public Law 81-875.

I do hereby determine the following areas in the State of South Dakota to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of April 18, 1969:

The Counties of:

Beadle.	Kingsbury.
Brookings.	Lake.
Brown.	Lincoln.
Clay.	McPherson.
Codington.	Minnehaha.
Deuel.	Moody.
Edmunds.	Spink.
Grant.	Turner.
Hamlin.	Union.
Hanson.	

Dated: April 24, 1969.

G. A. LINCOLN,
Director,
Office of Emergency Preparedness.

[F.R. Doc. 69-5089; Filed, Apr. 29, 1969; 8:46 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[812-2503]

AMERICAN-HAWAIIAN STEAMSHIP CO.

Notice of Filing of Application for Order Granting Application

APRIL 24, 1969.

Notice is hereby given that American-Hawaiian Steamship Co. ("American-Hawaiian"), 360 Lexington Avenue, New York, N.Y., a New Jersey corporation registered as a closed-end, nondiversified investment company under the Investment Company Act of 1940 ("Act"), has filed an application pursuant to section 17(d) of the Act and Rule 17d-1 thereunder for an order granting an application permitting certain persons and American-Hawaiian, each of whom owns stock of McLean Industries, Inc. ("McLean Industries"), to participate in the transactions described in the application. Such transactions relate to the proposed acquisition by R. J. Reynolds Tobacco Co. ("Reynolds") of the business of McLean Industries. The proposed transactions include (1) the proposed sale to Reynolds by American-Hawaiian and others of all of their holdings (a total of 2,304,000 shares) of McLean Industries A common stock ("A common stock") at a price of $50 a share, and (2) following such sale, the merger of McLean Industries into Reynolds, and, in that connection, the exchange of McLean Industries common stock and its other outstanding securities (other than the shares of A common stock mentioned above) for securities of Reynolds or cash, as provided in the merger agreement. All interested persons are referred to the application on file with the Commission for a statement of the representations therein, which are summarized below.

McLean Industries is a Delaware corporation which is principally engaged through subsidiaries in the transportation by water of freight in regular service. The outstanding capital stock of McLean Industries includes 146,925 shares of First Preferred Stock, $4 Series, $5 par value ("First Preferred Stock") and 10,632,000 shares of common stock consisting of 6,412,535 shares of A common stock and 4,219,465 shares of Class B Common Stock ("B common stock"), (which stocks when referred to collectively hereinafter are called "common stock"). Also outstanding are options of McLean Industries and subsidiaries entitling officers and key employees to purchase shares of McLean Industries common stock (254,100 shares as of Feb. 28, 1969). The A common stock and the B common stock are identical except that cash dividends may be paid on the A common stock without any such dividends being paid on the B common stock. Each share of B common stock is convertible into one share of A common stock at any time.

The name of each of the persons who proposes to sell A common shares to Reynolds at $50 a share and the number of such shares each owns and proposes to sell are set forth in Table I below:

TABLE I

Name	*Number McLean Industries A common stock owned and to be sold*
American-Hawaiian	1,000,000
National Bulk Carriers, Inc.	250,000
Litton Industries, Inc.	965,000
Monroe International Corp. Retirement Plan Trust [1]	85,000
Hal A. Kroeger	4,000
Total	2,304,000

[1] This is a pension trust for certain employees of Litton Industries, Inc.

The names of certain persons who own securities of McLean Industries which are not proposed to be sold and which will be subject to the exchange and other provisions of the contemplated merger, and the securities of McLean Industries which they own are set forth in Table II below:

TABLE II

Name	Number of shares owned		
	$4 first preferred	A common	B common
Malcolm P. McLean	18,383	88,137	3,521,336
James K. McLean		446	539,474
Clara L. McLean		146,250	3,750
Edward A. Hirs		63,203	50,000
James T. Murff		40,550	
Beverly R. Wilson, Jr.	50	6,000	
Disque D. Deane		500	
Total	18,433	345,086	[1] 4,114,560

[1] The balance of B common stock outstanding is held by other officers and directors of McLean Industries.

The relationships of the persons mentioned in Table I and Table II to American-Hawaiian and McLean Industries are as follows: National Bulk Carriers, Inc. ("Bulk Carriers"), owns indirectly approximately 95 percent of the voting securities of American-Hawaiian outstanding, and Mr. Daniel K. Ludwig owns substantially all of the voting securities of Bulk Carriers. It therefore appears that Ludwig and Bulk Carriers control American-Hawaiian within the meaning of section 2(a)(9) of the Act. As a consequence of their control of American-Hawaiian and their direct and indirect ownership of stock of that company, Ludwig and Bulk Carriers are affiliated persons of American-Hawaiian within the meaning of section 2(a)(3) of the Act. Mr. Hal A. Kroeger is an officer and director of American-Hawaiian and therefore also an affiliated person of American-Hawaiian under section 2(a)(3) of the Act.

American-Hawaiian owns 9.4 percent of McLean Industries common stock outstanding. Therefore, McLean Industries is an affiliated person of American-Hawaiian under section 2(a)(3) of the Act. Malcolm P. McLean and James K. McLean own (exclusive of shares owned by each one's minor children and wife) approximately 33.9 percent and 5.1 percent, respectively, of McLean Industries common stock outstanding and Litton Industries, Inc. ("Litton") owns approximately 9.1 percent of the common stock of McLean Industries outstanding. Malcolm P. McLean is president and Clara L. McLean is vice president and secretary of McLean Industries and each of these individuals and Disque D. Deane, Edward A. Hirs, James T. Murff, and Beverly R. Wilson are directors of that company. Litton, each of the individuals mentioned in this paragraph, and officers, directors or employees of McLean Industries are affiliated persons of an affiliated person (McLean Industries) of American-Hawaiian, a registered investment company.

On March 20, 1969, the boards of directors of Reynolds and McLean Industries approved proposals providing (1) that Reynolds would offer to purchase from each of the persons listed in Table I their holdings of A common shares of McLean Industries shown therein at a price of $50 a share in cash and (2) that McLean would be merged into Reynolds under an agreement to provide, among other things, as follows: (i) That each share of McLean Industries common stock (other than the shares listed in Table I) will be exchanged for one share of $2.25 Convertible Preferred Stock of Reynolds, which stock would be convertible into 1.5 shares of Reynolds common stock upon surrender and payment of $22, and would be redeemable after 10 years at $50 a share, and would be entitled to a preference of $50 on voluntary liquidation, and to cast one-half a vote on certain matters and one vote in the case of certain other matters, and (ii) each share of First Preferred Stock of McLean Industries would be converted into cash equal to $56 a share plus accrued dividends (being the current redemption price).

Subsequently, all of the persons listed in Table I entered into agreements ("Sale Agreement") with Reynolds providing for the sale by each to Reynolds of each one's holdings of common stock of McLean Industries at the price of $50 a share, and the board of directors of Reynolds and McLean Industries entered into a merger agreement ("Merger Agreement") incorporating the terms referred to above.

On the effective date of the merger each person holding options to acquire McLean Industries common stock will become entitled to an option to purchase Reynolds $2.25 Convertible Preferred Stock in whole shares equal to the number of shares of McLean Industries common stock he would have received if he had exercised his option in full immediately prior to the merger. The option price under each such option will be the same as that under the prior option.

Each Sale Agreement provides that the obligation of Reynolds to purchase the common stock of McLean Industries is conditioned, among other things, on prior approval of the terms of the Merger Agreement by stockholders of Reynolds and McLean Industries; each Sale Agreement also provides that the purchase of stock under such agreement shall be consummated simultaneously with

the purchases under the other Sale Agreements.

Each of the persons mentioned in Table I and Malcolm P. McLean have agreed, subject to specified conditions, to vote its McLean Industries shares in favor of the merger.

American-Hawaiian states that stockholders of McLean Industries who receive convertible preferred stock of Reynolds will in most cases be entitled to treat the transaction as a tax-free exchange for Federal income tax purposes, while the stockholders who sell their shares will be required to pay taxes on any gain so realized.

American-Hawaiian acquired its A common stock in January 1965 at a price of $8.50 per share, from McLean Industries, the issuer.

In a transaction entered into in May of 1967, McLean Industries and its subsidiary, Sea-Land Service, Inc. ("Sea-Land") entered into an agreement with Containership Chartering Service ("Charter"), a limited partnership organized for the purpose and controlled by Bulk Carriers and Litton, providing for the acquisition by Chartering of a number of vessels and their conversion and for their chartering to Sea-Land. Under the agreement Chartering is committed to expend up to $36 million for the conversion of such vessels, and each of the two partners has agreed to furnish Chartering with up to $18 million. In connection with this transaction, on May 25, 1967, McLean Industries sold 250,000 shares of A common stock at a price of $18 per share to Bulk Carriers pursuant to an agreement dated February 28, 1967, and a like transfer of shares at the same price to Litton, pursuant to a similar agreement of the same date. The price of $18 per share was based upon the market price of A common stock on February 27, 1967.

In conjunction with the proposed merger of McLean Industries into Reynolds, rights and obligations under the above-mentioned agreement with Chartering and other agreements related thereto will be assumed by a wholly owned subsidiary of Reynolds, to which the latter will convey the assets and obligations of McLean Industries. In addition, Reynolds has agreed to guarantee performance of these agreements.

It is anticipated that the wholly owned subsidiary of Reynolds, which will continue to operate the business operated by McLean Industries prior to the merger, will enter into a 5-year employment contract with Malcolm P. McLean providing for compensation of $100,000 annually but terminable by the employer at any time on payment of 6 months salary.

The high and low sales prices of Reynolds common stock on the New York Stock Exchange since January 1, 1964 and the high and low sales prices of McLean Industries A common stock on the New York Stock Exchange since December 1, 1968, as reported in The Commercial and Financial Chronicle, and the high and low bid prices of McLean Industries A common stock in the over-the-counter market from January 1, 1964, through November 30, 1968, and the high and low bid prices of McLean Industries First Preferred Stock in the over-the-counter market since July 1, 1965, as reported by the National Quotation Bureau, Incorporated are set forth in Table III below:

TABLE III

	Reynolds		McLean Industries			
	Common		A common		First preferred	
	High	Low	High	Low	High	Low
1964	51½	38¼	11⅞	3¼		
1965	48	38¾	43¾	11⅝	57½	50¾
1966:						
First Quarter	45⅞	40¾	51	20¾	57¾	51
Second Quarter	41¾	37½	22⅞	13⅝	54	51½
Third Quarter	38¾	34	16¾	9⅜	54½	52½
Fourth Quarter	39	34	15½	10¾	54	48
1967:						
First Quarter	41¾	34½	31½	14¾	53½	51
Second Quarter	41	36½	34¼	24	54	51¾
Third Quarter	45¾	38¾	36¾	30¾	54	52¾
Fourth Quarter	44½	38½	33½	24¾	52	48
1968:						
First Quarter	46½	41	32½	26	52	49
Second Quarter	44⅝	40	39	27¾	52¾	50
Third Quarter	43½	39¾	35½	29	53	50
Fourth Quarter	48¼	40¾	(1)	(1)	53	49
1969:						
First Quarter	50¾	40½	47¾	30	52½	49

(1) Through Nov. 30 the high was 47 and the low 35½; from Dec. 1 through 3: the high was 50¾ and the low 44¼.

Disque D. Deane, a director of McLean Industries, is a general partner of Lazard Frères & Co., which firm is financial adviser to McLean Industries and is to receive a fee of $500,000 for their services rendered to McLean Industries in connection with the proposed merger.

The closing sales prices of Reynolds common stock and McLean Industries A common stock on the New York Stock Exchange on April 8, 1969, were 40⅛ and 40, respectively. The last bid price on that day for McLean Industries First Preferred Stock was 50. On March 12, 1969, the day before the public announcement of the terms of the merger, the closing sales prices of Reynolds common Stock and McLean Industries A common stock were 42½ and 40⅜, respectively. The high bid and low asked prices for McLean Industries First Preferred Stock on February 25, 1969 (the date of the last available quotations before Mar. 12, 1969) were 52 and 52, respectively.

Section 17(d) of the Act and Rule 17d–1 thereunder, in pertinent part, provide that it shall be unlawful, with certain exceptions not applicable here, for an affiliated person of a registered investment company or an affiliated person of such person, acting as principal, to participate in or effect any transaction in which such registered company, or a company controlled by such registered company, is a joint or joint and several participant unless an application regarding such arrangement has been granted by the Commission, and that, in passing upon such an application, the Commission will consider whether the participation of such registered company or controlled company in such arrangement is consistent with the provisions, policies, and purposes of the Act and the extent to which such participation is on a basis different from or less advantageous than that of other participants. A joint enterprise or arrangement as used in Rule 17d–1 is defined as any written or oral plan, contract, authorization or arrangement, or any practice or understanding concerning an enterprise or undertaking whereby a registered investment company or a controlled company thereof and any affiliated person of such registered company, or any affiliated person of such person, have a joint or a joint and several participation, or share in the profits of such enterprise or undertaking.

American-Hawaiian states that it has elected to dispose of its A common stock of McLean Industries for cash (rather than receive Reynolds securities in the merger) because of the greater flexibility which this course will afford it in the future.

American-Hawaiian also states that the terms of the transaction were negotiated at arm's length between the parties; that it does not know of any relationship between Reynolds, on the one hand, and American-Hawaiian or any person controlling or under common control of American-Hawaiian on the other hand which is material to this transaction; and that there is no relationship between Reynolds and McLean Industries or persons in control of McLean Industries or under common control known to American-Hawaiian which is material to this transaction.

American-Hawaiian points out that Bulk Carriers (which, with Ludwig, controls American-Hawaiian) and Kroeger (a director of American-Hawaiian) are to receive the same consideration per share of A common stock as American-Hawaiian is to receive.

American-Hawaiian states, among other things, that it will not be participating on a basis less advantageous than that of the other participants in the proposed transaction, and that the transaction is consistent with the provisions, policies, and purposes of the Act.

Notice is further given that any interested person may, not later than May 12, 1969 at 12:30 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 American-Hawaiian at the address stated above. Proof of such service (by affidavit or in case of an attorney-at-law by certificate) shall be filed contemporaneouly 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 thereon 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.

It is ordered, That the Secretary of the Commission shall send a copy of this notice by certified mail to the following: Mr. Julius Frankel and Mr. Michael H. Brodkin, c/o David Levy, Esq., Arnstein, Gluck, Weitzenfeld & Midow, 120 South La Salle Street, Chicago, Ill.; Sidney Bender, Esq., Leventritt, Lewittes & Bender, 405 Lexington Avenue, New York, N.Y. 10017; Mr. Louis Osterman, 86 West 12 Street, New York, N.Y. 10011; and Mr. Harry Buchman, 551 Fifth Avenue, New York, N.Y. 10017.

For the Commission (pursuant to delegated authority).

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

[F.R. Doc. 69–5090; Filed, Apr. 29, 1969; 8:45 a.m.]

[70–4742]

COLUMBIA GAS SYSTEM, INC., ET AL.

Notice of Proposed Issue and Sale of Notes and Common Stock by Subsidiary Companies to Holding Company and Open Account Advances by Holding Company to Subsidiary Companies

APRIL 24, 1969.

In the matter of the Columbia Gas System, Inc., 120 East 41st Street, New York, N.Y. 10017, United Fuel Gas Co., Atlantic Seaboard Corp., Columbia Gas of Kentucky, Inc., Virginia Gas Distribution Corp., Kentucky Gas Transmission Corp., Columbia Gas of Ohio, Inc., The Ohio Fuel Gas Co., The Ohio Valley Gas Co., The Preston Oil Co., Columbia Gas of Pennsylvania, Inc., The Manufacturers Light and Heat Co., Home Gas Co., Columbia Gas of New York, Inc., Columbia Gas of Maryland, Inc., Columbia Gulf Transmission Co., The Inland Gas Co., Inc.

Notice is hereby given that The Columbia Gas System, Inc. ("Columbia"), a registered holding company, and its above-named wholly-owned subsidiary companies (hereinafter referred to collectively as the "subsidiary companies", and individually as "United Fuel," "Seaboard," "Columbia of Ky.," "Distribution," "Kentucky Gas," "Columbia of Ohio," "Ohio Fuel," "Ohio Valley," "Preston," "Columbia of Pa.," "Manufacturers," "Home," "Columbia of N.Y.," "Columbia of Md.," "Columbia Gulf," and "Inland") have filed an application-declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(a), 6(b), 7, 9(a), 10, 12(b), and 12(f) of the Act and Rules 43 and 45 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the application-declaration, which is summarized below, for a complete statement of the proposed transactions.

Columbia proposes to advance on open account to certain of the subsidiary companies for construction and for short-term seasonal purposes up to the respective amounts set forth below. All construction open account advances will mature on March 31, 1970. On that date, such advances, in an amount equal to the Columbia notes to banks issued under a $100 million commitment agreement (Holding Company Act Release No. 16295 (Feb. 25, 1969)), are proposed to be converted, pro rata, into unsecured promissory notes to Columbia maturing February 25, 1972, on which date Columbia's commitment notes to banks also mature. Authorization is requested herein for the issue and sale of such notes as may be required for such conversions. The remaining construction open account advances will be converted, pro rata, into long-term installment notes and common stocks in maximum amounts as indicated hereinafter.

The following table sets forth the maximum amounts of construction advances, "seasonal" advances, common stocks, and installment notes for which authorization is requested in the present filing:

	Construction advances	Seasonal advances	Common stock	Installment notes
United Fuel	$3, 600, 000	$14, 500, 000	.....	$6, 600, 000
Seaboard	16, 000, 000	500, 000	$4, 500, 000	11, 500, 000
Columbia of Kentucky	2, 275, 000	1, 300, 000	.....	2, 275, 000
Distribution	1, 200, 000	550, 000	450, 000	750, 000
Kentucky Gas	5, 150, 000	750, 000	.....	5, 150, 000
Columbia of Ohio	14, 500, 000	13, 000, 000	.....	14, 500, 000
Ohio Fuel	13, 000, 000	25, 700, 000	.....	13, 000, 000
Ohio Valley	1, 642, 000	1, 000, 000	342, 000	1, 300, 000
Preston	34, 500, 000	.....	17, 000, 000	17, 500, 000
Columbia of Pennsylvania	4, 700, 000	2, 600, 000	.....	4, 700, 000
Manufacturers	7, 000, 000	11, 500, 000	.....	7, 000, 000
Columbia of New York	850, 000	250, 000	.....	850, 000
Columbia of Maryland	1, 200, 000	150, 000	.....	1, 200, 000
Home	1, 700, 000	3, 200, 000	.....	1, 700, 000
Inland	450, 000	.....	150, 000	300, 000
Columbia Gulf	79, 500, 000	.....	30, 500, 000	49, 000, 000
Total	190, 267, 000	75, 000, 000	52, 942, 000	137, 325, 000

The subsidiary companies will use the proceeds from the construction advances to finance a part of their respective construction programs, which, in the aggregate, are estimated for 1969 to require expenditures of $198,676,000. The proceeds of the "seasonal" advances will be used by the subsidiary companies to purchase natural gas for inventory, for the prepayment of winter service gas, and for other short-term seasonal requirements.

The construction open account advances will be made by Columbia up to and including March 31, 1970. The interest rate on such construction advances will be the same as the rates Columbia is to be charged by the banks for its borrowings, that is, the prime rate in effect for commercial borrowers at Morgan Guaranty Trust Company of New York (currently 7½ percent) on the day the advance is made. Any change in that bank's prime rate will be effective as to such advances then outstanding on the first business day following such change. As of March 31, 1970, Columbia will determine what the composite effective annual rate of interest has been on its borrowings under bank loans (including the commitment fee to be paid to the banks), debentures, and commercial paper, if any, and will, thereafter, retroactively adjust the interest charges paid or incurred by the subsidiaries on such advances to March 31, 1970, to reflect Columbia's composite effective annual interest rate during that same period.

The notes proposed to be issued on March 31, 1970, in conversion of part of the construction advances will, as stated, mature on February 25, 1972. The notes will bear interest at the prime commercial bank rate in effect from time to time and may be prepaid at any time without premium.

The installment notes will be acquired no later than March 31, 1970, will be dated when issued, will be payable in 25 equal annual installments on May 31 of each of the years 1971–95, inclusive, and may be prepaid at any time, in whole or in part, without premium. Interest will accrue from the date of issue and is to be paid semiannually on the unpaid principal balance. The interest rate will be the actual cost of money to Columbia with respect to its planned sale of debentures in October 1969, decreased by an amount necessary in order that the interest rate be a multiple of 1/10th of 1 percent. In the event Columbia does not sell debentures prior to March 31, 1970, the interest rate will be 7.0 percent (that being Columbia's approximate cost

of money on its debentures sold in October 1968) subject to adjustment, effective the first day of the month following Columbia's next sale of debentures. In the event the effective rate of interest on Columbia's interim construction financing between April 1, 1970, and the date of such sale be less than 7 percent, the interest savings will be passed on to the issuers of the installment notes.

The "seasonal" open account advances will be made from time to time during 1969 and will be paid by the subsidiary companies in three equal installments on February 25, March 25, and April 24, 1970. The interest rate on the proposed "seasonal" open account advances will be identical with the interest rate to be paid by Columbia on borrowings from banks which Columbia expects to make to provide the funds for such advances and will be the prime rate in effect at the time the bank borrowings are negotiated (see File No. 70-4741). Columbia also intends to issue commercial paper, and, to the extent commercial paper is sold at lower effective interest costs than the prime bank rate, such savings will be passed on to the subsidiaries by adjusting interest charges.

The expenses to be paid by Columbia and by the subsidiary companies in connection with the proposed transactions are estimated at $400 and $4,520, respectively.

The application-declaration states that the following State commissions have jurisdiction over certain of the proposed transactions: Pennsylvania Public Utility Commission, Public Service Commission of West Virginia, Public Utilities Commission of Ohio, State Corporation Commission of Virginia, Kentucky Public Service Commission, and New York Public Service Commission. It is also stated that the orders of said Commissions will be filed with this Commission by amendment. No ther State commission and no Federal commission, other than this Commission, is stated to have jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than May 19, 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 the filing which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the applicants-declarants at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application-declaration, as filed or as it may be amended, may be granted and 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. 69-5094; Filed, Apr. 29, 1969; 8:45 a.m.]

[70-4744]

ARKANSAS POWER & LIGHT CO.

Notice of Proposed Issue and Sale of Notes to Banks and to Dealer in Commercial Paper and Exemption From Competitive Bidding

APRIL 24, 1969.

Notice is hereby given, that Arkansas Power & Light Co. ("Arkansas"), Ninth and Louisiana Streets, Little Rock, Ark. 72203, a subsidiary company of Middle South Utilities, Inc., a registered holding company, has filed a declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(a) and 7 of the Act and Rule 50(a)(5) promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the declaration, which is summarized below, for a complete statement of the proposed transactions.

Arkansas proposes to issue and sell, from time to time during the period commencing on the effective date of this declaration and continuing through April 30, 1971, unsecured short-term promissory notes, of a maturity of not more than 9 months, to various commercial banks and/or to a dealer in commercial paper. The aggregate principal amount of all such notes, including the commercial paper, to be outstanding at any one time will not exceed $35 million. The proceeds from the issue and sale of the notes will be used in financing Arkansas' construction program and for other corporate purposes. Arkansas' construction expenditures are estimated to be $62,600,000 for 1969 and $79,400,000 for 1970. Arkansas expects to retire all of the proposed notes not later than January 31, 1972, out of funds available from operations or derived from the issuance and sale of similar securities or long-term debt and/or equity securities.

The notes proposed to be issued and sold to banks will be in the form of unsecured promissory notes payable not more than 9 months from the date of issue with the right of renewal, will bear interest at the prime rate in effect at the lending bank at the date of issue or renewal or from time to time depending upon the requirements of the lending bank, and will, at the option of Arkansas, be prepayable, in whole or in part, at any time without premium or penalty. While no commitments have been made, it is expected that the banks to whom such notes will be issued and sold and the maximum amount to be issued and outstanding at any one time to each such bank will be substantially as follows:

First National Bank of Eastern Arkansas, Forrest City, Ark.	$175,000
Arkansas Bank & Trust Co., Hot Springs, Ark.	320,000
Arkansas First National Bank, Hot Springs, Ark.	150,000
The Commercial National Bank, Little Rock, Ark.	400,000
First National Bank in Little Rock, Ark.	1,000,000
Union National Bank, Little Rock, Ark.	800,000
Worthen Bank & Trust Co., Little Rock, Ark.	1,800,000
Manufacturers Hanover Trust Co., New York, N.Y.	10,000,000
National Bank of Commerce, Pine Bluff, Ark.	550,000
Simmons First National Bank, Pine Bluff, Ark.	4,000,000
Peoples Bank & Trust Co., Russellville, Ark.	100,000
Total	19,295,000

The filing states that except as indicated above, Arkansas will not effect borrowings from banks pursuant to this declaration until it shall have filed an amendment hereto setting forth the name or names of the banks from which such other borrowings are to be effected and the amounts thereof and such amendment shall have been granted by order of the Commission.

The proposed commercial paper will be issued and sold in the form of unsecured promissory notes of varying maturities not to exceed 270 days to Salomon Brothers & Hutzler ("dealer"), a dealer in commercial paper. The commercial paper will be sold at a discount rate which will not be in excess of the discount rate per annum prevailing at the date of issuance for commercial paper of comparable quality of that particular maturity sold by issuers thereof to commercial paper dealers. The commercial paper will be of denominations not less than $50,000 and will not be payable prior to maturity. The filing states that the rate for commercial paper will not exceed the commercial bank rate which, on the date of issue, Arkansas could obtain from commercial banks on notes of equal principal amounts, except for commercial paper of a maturity not exceeding 60 days issued to refund outstanding commercial paper if, in Arkansas' judgment, it would be impractical to borrow from commercial banks to refund such outstanding commercial paper.

No commission or fee will be payable by Arkansas in connection with the issuance and sale of the commercial paper. The dealer, as principal, will reoffer and sell the commercial paper at a discount rate of one-eighth of 1 percent per annum less than the prevailing discount rate to the company in such a manner as not to constitute a public offering. The dealer in reoffering the commercial paper will limit the reoffer and sale to a

nonpublic customer list of not more than 100 buyers of commercial paper. The filing states that it is anticipated that the commercial paper will be held by the buyers to maturity. However, the dealer may, if desired by a buyer, repurchase the commercial paper for resale to others on the list of customers.

Arkansas requests exemption from the competitive bidding requirements of Rule 50 for the proposed issue and sale of commercial paper. The company states that the proposed commercial paper will have a maturity not in excess of 270 days, that current rates for commercial paper for such prime borrowers as Arkansas are published daily in financial publications, and that it is not practical to invite bids for commercial paper.

The declaration further states that no State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions and that the fees and expenses to be incurred in connection therewith will not exceed $2,000.

Notice is further given that any interested person may, not later than May 19, 1969, request in writing that a hearing be held in respect of such matters, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said declaration which he desires to controvert; or he may request, that he be notified should the Commission 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 filed or as it may be amended, may be permitted to become effective in the manner provided by 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. 69-5091; Filed, Apr. 29, 1969; 8:46 a.m.]

[File 1-3909]

BSF CO.

Order Suspending Trading

APRIL 24, 1969.

The capital stock (66⅔ cents par value) and the 5¾ percent convertible subordinated debentures due 1969 of BSF Co. being listed and registered on the American Stock Exchange, and such capital stock being listed and registered on the Philadelphia-Baltimore-Washington Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934; and all other securities of BSF Co. being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchanges and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to sections 15(c)(5) and 19(a)(4) of the Securities Exchange Act of 1934, that trading in the said capital stock on such exchanges and in the debentures on the American Stock Exchange, and trading otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period April 25, 1969, through May 4, 1969, both dates inclusive.

By the Commission.

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

[F.R. Doc. 69-5092; Filed, Apr. 29, 1969; 8:46 a.m.]

CAPITOL HOLDING CORP.

Order Suspending Trading

APRIL 24, 1969.

It appearing to the Securities and Exchange Commission that the summary suspension of trading otherwise than on a national securities exchange in the common stock and all other securities of Capitol Holding Corp. 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 April 25, 1969, through May 4, 1969, both dates inclusive.

By the Commission.

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

[F.R. Doc. 69-5093; Filed, Apr. 29, 1969; 8:46 a.m.]

[File 1-3468]

MOUNTAIN STATES DEVELOPMENT CO.

Order Suspending Trading

APRIL 24, 1969.

The common stock, 1-cent par value, of Mountain States Development Co., being listed and registered on the Salt Lake Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of Mountain States Development Co., being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such Exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to sections 15(c)(5) and 19(a)(4) of the Securities Exchange Act of 1934, that trading in such securities on the Salt Lake Stock Exchange and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period April 25, 1969, through April 28, 1969, both dates inclusive.

By the Commission.

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

[F.R. Doc. 69-5095; Filed, Apr. 29, 1969; 8:46 a.m.]

TELSTAR, INC.

Order Suspending Trading

APRIL 24, 1969.

It appearing to the Securities and Exchange Commisison that the summary suspension of trading in the common stock and all other securities of Telstar, 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 April 25, 1969, through May 4, 1969, both dates inclusive.

By the Commission.

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

[F.R. Doc. 69-5096; Filed, Apr. 29, 1969; 8:46 a.m.]

SMALL BUSINESS ADMINISTRATION

[Delegation of Authority 30, Los Angeles Disaster 1]

MANAGER OF DISASTER BRANCH OFFICE, LOS ANGELES, CALIF.

Delegations of Authority Relating to Financial Assistance Functions

I. Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30 (Revision 1) (33 F.R. 10677) as amended (33 F.R. 14250) there is hereby redelegated to the Manager of the Los Angeles Disaster Branch Office the following authority:

A. Financial assistance. 1. To approve or decline disaster direct and immediate participation loans up to the total SBA

shares of $20,000 per household for repairs or replacement of the home and/or not to exceed an additional $10,000 allowable for household goods and personal items, but in no event may the money loaned exceed $25,000 for a single disaster on home loans, and $100,000 on disaster business loans except to the extent of refinancing of a previous SBA disaster loan. To approve or decline disaster Guaranteed Loans in amounts of total loan not exceeding $350,000.

2. To execute loan authorizations for Washington, area and regional office approved loans and disaster loans approved under delegated authority, said execution to read as follows:

(Name), Administrator
By ----------
Manager, Disaster Branch Office

3. To cancel, reinstate, modify and amend authorizations for disaster loans approved under delegated authority.

4. To disburse unsecured disaster loans.

5. To extend the disbursement period on disaster loan authorizations or undisbursed portions of disaster loans.

II. The authority delegated herein may not be redelegated.

III. All authority delegated herein may be exercised by an SBA employee designated as acting manager of the disaster branch office.

Effective date: April 8, 1969.

ALVIN P. MEYERS,
Regional Director,
Los Angeles, California.

[F.R. Doc. 69-5097; Filed, Apr. 29, 1969; 8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

[S.O. 1002; Car Distribution Direction 48]

SOUTHERN PACIFIC CO. AND MISSOURI-KANSAS-TEXAS RAILROAD CO.

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) Southern Pacific Co. shall deliver to the Missouri-Kansas-Texas Railroad Co., a weekly total of 175 empty plain serviceable boxcars with inside length less than 44'8" and doors less than 8 feet wide. Exceptions: 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., April 28, 1969.

(4) *Expiration date.* This direction shall expire at 11:59 p.m., May 18, 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., April 24, 1969.

INTERSTATE COMMERCE COMMISSION,
[SEAL] N. THOMAS HARRIS,
Agent.

[F.R. Doc. 69-5122; Filed, Apr. 29, 1969; 8:48 a.m.]

[S.O. 1002; Car Distribution Direction 49]

SOUTHERN RAILWAY CO. AND CHICAGO, ROCK ISLAND AND PACIFIC RAILROAD CO.

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 Southern Railway Co. shall deliver to the Chicago, Rock Island and Pacific Railroad Co., a weekly total of 175 empty plain serviceable boxcars with inside length less than 44'8" and doors less than 8 feet wide. *Exceptions:* 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 carriers 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 carriers 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., April 28, 1969.

(4) *Expiration date.* This direction shall expire at 11:59 p.m., May 18, 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 at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

Issued at Washington, D.C., April 24, 1969.

INTERSTATE COMMERCE COMMISSION,
[SEAL] N. THOMAS HARRIS,
Agent.

[F.R. Doc. 69-5123; Filed, Apr. 29, 1969; 8:48 a.m.]

[S.O. 1002; Car Distribution Direction 47-A]

SOUTHERN RAILWAY CO. AND MISSOURI-KANSAS-TEXAS RAILROAD CO.

Car Distribution

Upon further consideration of Car Distribution Direction No. 47 and good cause appearing therefor:

It is ordered, That:

Car Distribution Direction No. 47 be, and it is hereby vacated.

It is further ordered, That this order shall become effective at 11:59 p.m., April 27, 1969, and that it shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., April 24, 1969.

INTERSTATE COMMERCE COMMISSION,
[SEAL] N. THOMAS HARRIS,
Agent.

[F.R. Doc. 69-5124; Filed, Apr. 29, 1969; 8:48 a.m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

APRIL 25, 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. 41621—Phosphatic fertilizer solution from Garfield, Utah. Filed by Western Trunk Line Committee, agent (No. A-2584), for interested rail carriers. Rates on phosphatic fertilizer solution, in tank carloads, as described in the application, from Garfield, Utah, to Sioux City, Iowa, and Weeping Water, Nebr.

Grounds for relief—Market competition.

Tariff—Supplement 281 to Western Trunk Line Committee, agent, tariff ICC A-4411.

FSA No. 41622—Chemicals from Baton Rouge and North Baton Rouge, La. Filed by O. W. South, Jr., agent (No. A6093), for interested rail carriers. Rates on perchloroethylene, trichloroethylene, or trichloroethane, in tank carloads, as described in the application, from Baton Rouge and North Baton Rouge, La., to Minneapolis, Minn., transfer and St. Paul, Minn.

Grounds for relief—Market competition.

Tariff—Supplement 5 to Southern Freight Association, agent, tariff ICC S-838.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 69-5125; Filed, Apr. 29, 1969; 8:48 a.m.]

[Notice 548]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

APRIL 25, 1969.

The following letter-notices of proposals to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission, under the Commission's Deviation Rules Revised, 1957 (49 CFR 211.1 (c)(8)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 211.1(d)(4)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 211.1(e)) at any time, but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's Deviation Rules Revised, 1957, will be numbered consecutively for convenience in identification and protests if any should refer to such letter-notices by number.

MOTOR CARRIERS OF PROPERTY

No. MC 10875 (Deviation No. 20), BRANCH MOTOR EXPRESS CO., 114 Fifth Avenue, New York, N.Y. 10011, filed April 11, 1969. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Scranton, Pa., over Interstate Highway 81 to junction Interstate Highway 83, thence over Interstate Highway 83 to York, Pa., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: from Scranton, Pa., over U.S. Highway 11 to Wilkes Barre, Pa., thence over U.S. Highway 309 to Hazleton, Pa., thence over Pennsylvania Highway 924 to Shenendoah, Pa., thence over Pennsylvania Highway 61 (formerly U.S. Highway 122) to Reading, Pa., thence over U.S. Highway 222 to Lancaster, Pa., thence over U.S. Highway 30 to York, Pa., and return over the same route.

No. MC 30139 (Deviation No. 3), HOLMES TRANSPORTATION, INC., 550 Cochituate Road, Framingham, Mass. 01706, filed April 16, 1969. Carrier's representative: Kenneth B. Williams, 111 State St., Boston, Mass. 02109. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over deviation routes, as follows: (1) From Portland, Me., over Interstate Highway 95 to Boston, Mass., (2) from Concord, N.H., over Interstate Highway 89 to St. Albans, Vt., (3) from Glen Falls, N.Y., over Interstate Highway 87 to junction New York Highway 17 at the New York-New Jersey State line near Hillburn, N.Y., and (4) from Sturbridge, Mass., over Massachusetts Highway 15 to the Massachusetts-Connecticut State line, thence over Interstate Highway 84 to junction New York Highway 17, thence over New York Highway 17 to Binghamton, N.Y., and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: (1) From Portland, Me., over U.S. Highway 1 to Boston, Mass., (2) from Concord, N.H., over U.S. Highway 4 to White River Junction, Vt. (also from Concord over U.S. Highway 202 to Henniker, N.H., thence over New Hampshire Highway 114 via Bradford, N.H., to junction New Hampshire Highway 11, thence over New Hampshire Highway 11, thence over New Hampshire Highway 11 to junction New Hampshire Highway 10, thence over New Hampshire Highway 10 to junction U.S. Highway 4, thence over U.S. Highway 4 to White River Junction), thence over Vermont Highway 14 to Barre, Vt., thence over U.S. Highway 302 to junction U.S. Highway 2, thence over U.S. Highway 2 to junction U.S. Highway 7, thence over U.S. Highway 7 to St. Albans, Vt., (3) from Glens Falls, N.Y., over New York Highway 32-B to Hudson Falls, N.Y., thence over U.S. Highway 4 to junction U.S. Highway 9, thence over U.S. Highway 9 to junction U.S. Highway 9-D, thence over U.S. Highway 9-D to Newburgh, N.Y. (also from Albany, N.Y., over New York Highway 9-W to Newburgh), thence over New York Highway 32 to junction New York Highway 17, thence over New York Highway 17 to junction Interstate Highway 84 at the New York-New Jersey State line, near Hillburn, N.Y., and (4) from Sturbridge, Mass., over U.S. Highway 20 to junction New York Highway 7 at Duanesburg, N.Y., thence over New York Highway 7 to Binghamton, N.Y., and return over the same routes.

No. MC 31389 (Deviation No. 5), McLEAN TRUCKING COMPANY, 617 Waughtown Street, Winston-Salem, N.C. 27102, filed April 17, 1969. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Kearny, N.J., over Interstate Highway 280 to junction Interstate Highway 80, thence over Interstate Highway 80 to junction Ohio Highway 14 (also from junction Interstate Highways 280 and 80 over Interstate Highway 80 to junction Interstate Highway 80-S, thence over Interstate Highway 80-S to Akron, Ohio), and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: (1) From Hartford, Conn., over U.S. Highway 5 to junction U.S. Highway 1, thence over U.S. Highway 1 to Bridgeport, Conn., thence over U.S. Highway 1 to Philadelphia, Pa., thence over U.S. Highway 30 to Pittsburgh, Pa., thence over Pennsylvania Highway 65 to Rochester, Pa., thence over Pennsylvania Highway 51 to the Pennsylvania-Ohio State line, thence over Ohio Highway 14 to junction Ohio Highway 14-A, thence over Ohio Highway 14-A via Salem, Ohio, to Deerfield, Ohio, thence over Ohio Highway 14 to Cleveland, Ohio (also from Deerfield, Ohio, over U.S. Highway 224 to Akron, Ohio, (2) from junction U.S. Highways 22 and 202 near Raritan, N.J., thence over U.S. Highway 202 via New Hope and Norristown, Pa., to junction Pennsylvania Turnpike at the Valley Forge, Pa., Interchange, thence over the Pennsylvania Turnpike to Gateway, Pa., Interchange, thence over access roads to junction Ohio Highway 170, thence over Ohio Highway 170 to junction Ohio Highway 14, (3) from Newark, N.J., over U.S. Highway 22 via Holidaysburg, Lewistown, Harrisburg, and Allentown, Pa., to Pittsburgh, Pa., (4) from Hartford, Conn.,

over U.S. Highway 5 (also over Alternate U.S. Highway 5) to junction U.S. Highway 20, thence over U.S. Highway 20 to Albany, N.Y., thence over U.S. Highway 20 to junction New York Highway 130, thence over New York Highway 130 to Buffalo, N.Y., thence over New York Highway 5 to Irving, N.Y. (also from junction U.S. Highway 20 and New York Highway 130 over U.S. Highway 20 to Irving, N.Y.), thence over U.S. Highway 20 to Cleveland, Ohio, and (5) from Hartford, Conn., over U.S. Highway 6 to Cleveland, Ohio, and return over the same routes.

No. MC 31389 (Deviation No. 6), McLEAN TRUCKING COMPANY, 617 Waughtown Street, Winston-Salem, N.C. 27102, filed April 17, 1969. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From junction U.S. Highway 20 and Interstate Highway 79 over Interstate Highway 79 to junction Interstate Highway 80, thence over Interstate Highway 80 to junction Ohio Highway 8 (also from junction Interstate Highways 79 and 80 over Interstate Highway 80 to junction Interstate Highway 80–S, thence over Interstate Highway 80–S to Akron, Ohio), and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: (1) From Hartford, Conn., over U.S. Highway 5 (also over Alternate U.S. Highway 5) to junction U.S. Highway 20, thence over U.S. Highway 20 to Albany, N.Y., thence over U.S. Highway 20 to junction New York Highway 130, thence over New York Highway 130 to Buffalo, N.Y., thence over New York Highway 5 to Irving, N.Y. (also from junction U.S. Highway 20 and New York Highway 130 over U.S. Highway 20 to Irving), thence over U.S. Highway 20 to Cleveland, Ohio, thence over Ohio Highway 8 to Akron, Ohio, and (2) from Hartford, Conn., over U.S. Highway 6 to Cleveland, Ohio, and return over the same routes.

No. MC 31389 (Deviation No. 7), McLEAN TRUCKING COMPANY, 617 Waughtown Street, Winston-Salem, N.C., filed April 17, 1969. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From junction Interstate Highway 79 and U.S. Highway 30 in Pittsburgh, Pa., over Interstate Highway 79 to junction Interstate Highway 80 (also from junction Interstate Highway 79 and the Pennsylvania Turnpike northwest of Pittsburgh, Pa., over Interstate Highway 79 to junction Interstate Highway 80), thence over Interstate Highway 80 to junction Ohio Highway 14 (also from junction Interstate Highways 79 and 80 over Interstate Highway 80 to junction Interstate Highway 80–S, thence over Interstate Highway 80–S to Akron, Ohio), and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: (1) from Kearny, N.J., over U.S. Highway 1 to Philadelphia, Pa., thence over U.S. Highway 30 to Pittsburgh, Pa., thence over Pennsylvania Highway 65 to Rochester, Pa., thence over Pennsylvania Highway 51 to the Pennsylvania-Ohio State line, thence over Ohio Highway 14 to junction Ohio Highway 14–A, thence over Ohio Highway 14–A via Salem, Ohio to Deerfield, Ohio, thence over Ohio Highway 14 to Cleveland, Ohio (also from Deerfield over U.S. Highway 224 to Akron, Ohio, (2) from junction U.S. Highways 22 and 202 near Raritan, N.J., over U.S. Highway 202 via New Hope and Norristown, Pa., to junction Pennsylvania Turnpike at Valley Forge, Pa., Interchange, thence over the Pennsylvania Turnpike to Gateway, Pa., Interchange, thence over access roads to junction Ohio Highway 170, thence over Ohio Highway 170 to junction Highway 14, and (3) from Newark, N.H., over U.S. Highway 22 via Holidaysburg, Lewistown, Harrisburg, and Allentown, Pa., to Pittsburgh, Pa., and return over the same routes.

No. MC 52110 (Deviation No. 2), BRADY MOTORFRATE, INC., 2150 Grand Ave., Des Moines, Iowa 50312, filed April 18, 1969. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over deviation routes as follows: (1) From Des Moines, Iowa, over U.S. Highway 65 to junction Interstate Highway 80, thence over Interstate Highway 80 to junction Interstate Highway 74 near Moline, Ill., thence over Interstate Highway 74 to Indianapolis, Ind., and (2) from Indianapolis, Ind., over Interstate Highway 74 to Cincinnati, Ohio, and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: (1) From Des Moines, Iowa, over U.S. Highway 6 to Joliet, Ill., (2) from Kentland, Ind., over U.S. Highway 24 to Forest, Ill., thence over Illinois Highway 47 to Morris, Ill., and (3) from St. Paul, Minn., over Interstate Highway 94 to junction U.S. Highway 12, thence over U.S. Highway 12 to junction Interstate Highway 90, thence over Interstate Highway 90 to junction U.S. Highway 41, thence over U.S. Highway 41 to junction U.S. Highway 52, thence over U.S. Highway 52 to Cincinnati, Ohio, and return over the same routes.

No. MC 108398 (Deviation No. 1), RINGSBY-PACIFIC LTD., 3201 Ringsby Court, Denver, Colo. 80216, filed April 16, 1969. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From junction Interstate Highway 5 (formerly U.S. Highway 99) and California Highway 14 at or near Newhall, Calif., over California Highway 14 to junction U.S. Highway 395 about 4 miles north of Inyokern, Calif., thence over U.S. Highway 395 to junction California Highway 70 (Hallelujah Junction), and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: from Newhall, Calif., over California Highway 99 (formerly U.S. Highway 99) to Sacramento, Calif., thence over Interstate Highway 80 (formerly U.S. Highway 99–E) to Roseville, Calif., thence over California Highway 65 (formerly U.S. Highway 99–E) to Marysville, Calif., thence over California Highway 70 (formerly Alternate U.S. Highway 40) via Portola, Calif., to junction U.S. Highway 395 (Hallelujah Junction), and return over the same route.

No. MC 115093 (Deviation No. 1), MERCURY MOTOR EXPRESS, INC., 704 W. Kennedy Blvd., Tampa, Fla. 33606, filed April 15, 1969. Carrier's representative: James E. Wilson, 1735 K Street NW., Washington, D.C. 20006. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over deviation routes as follows: (1) From New Haven, Conn., over Interstate Highway 95 to New York, N.Y., thence over Interstate Highway 95 (via the George Washington Bridge), to junction New Jersey Turnpike, thence over the New Jersey Turnpike to Fellowship, N.J., thence over New Jersey Highway 73 to junction Interstate Highway 295, thence over Interstate Highway 295 to junction Interstate Highway 95, thence over Interstate Highway 95 to Baltimore, Md. (also from New York, N.Y., over Interstate Highway 278 to junction New Jersey Turnpike, thence as specified above to Baltimore) (also from New York, N.Y., over Interstate Highway 495 (the Lincoln Tunnel) to junction New Jersey Turnpike, thence as specified above to Baltimore), and (2) from Baltimore, Md., over Interstate Highway 95 to junction Maryland Highway 198, thence over Maryland Highway 198 to junction U.S. Highway 1, thence over U.S. Highway 1 to junction Interstate Highway 495, thence over Interstate Highway 495 to junction Interstate Highway 95, thence over Interstate Highway 95 to Miami, Fla. (using or traversing the following highways pending completion of Interstate Highway 95: U.S. Highway 301 from junction Interstate Highway 95 near Battleboro, N.C., and junction Interstate Highway 95 near Kenley, N.C.; U.S. Highway 301 from junction Interstate Highway 95 near Fayetteville, N.C., to junction Interstate Highway 95 approximately 9 miles south of Fayetteville, N.C.; U.S. Highway 301 from junction Interstate Highway 95 approximately 3 miles south of Lumberton, N.C., and junction Interstate Highway 95 near Dillon, S.C.; U.S. Highway 301 from junction Interstate Highway 95 near Manning, S.C., to junction U.S. Highway 15, thence U.S. Highway 15 to junction U.S. Highway 17, thence U.S. Highway 17 to junction Interstate Highway 95 near Yulee, Fla.; U.S. Highway 1 from junction Interstate Highway 95 near Daytona Beach, Fla., to junction Interstate Highway 95 near Mims, Fla.; unnumbered highway and

U.S. Highway 1 from junction Interstate Highway 95 near Palm Bay, Fla., and Fort Lauderdale, Fla.), and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: from New Haven, Conn., over U.S. Highway 1 to Petersburg, Va., thence over U.S. Highway 301 to Wilson, N.C., thence over U.S. Highway 117 to Goldsboro, N.C., thence over U.S. Highway 13 to Fayetteville, N.C., thence over U.S. Highway 401 to junction U.S. Highway 15, thence over U.S. Highway 15 to Bishopville, S.C., thence over South Carolina Highway 34 to Camden, S.C., thence over U.S. Highway 1 to Miami, Fla., and return over the same route.

MOTOR CARRIERS OF PASSENGERS

No. MC 1515 (Deviation No. 519) GREYHOUND LINES, INC. (Eastern Division), 1400 West Third Street, Cleveland, Ohio 44113, filed April 14, 1969. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage, and express and newspapers* in the same vehicle with passengers, over deviation routes as follows: (1) From Bay City, Mich., over U.S. Highway 10 to junction Clare Bypass, thence over Clare Bypass to junction U.S. Highway 27, thence over U.S. Highway 27 to junction unnumbered highway 1 mile north of Clare, Mich., (2) from Midland, Mich., over U.S.B.R. (Business Route) 10 to junction U.S. Highway 10, east of Midland, Mich., (3) from Midland, Mich., over U.S.B.R. (Business Route) 10 to junction Eastman Road, thence over Eastman Road to junction U.S. Highway 10, (4) from Clare, Mich., over U.S. Highway 10 to junction unnumbered highway approximately 2 miles east of Clare, thence over U.S. Highway 10 to interchange U.S. Highway 10 and Clare Bypass, and (5) from Clare, Mich., over unnumbered highway to junction U.S. Highway 27, and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over pertinent service routes as follows: (1) From Scottsville, Mich., over U.S. Highway 10 via Clare, Mich., to junction unnumbered highway approximately 2 miles east of Clare, thence over unnumbered highway (formerly U.S. Highway 10) via Loomis, Coleman, North Bradley, and Averill, Mich., to Midland, Mich., thence over U.S. Highway B.R. 10 to junction U.S. Highway 10, thence over U.S. Highway 10 to junction Michigan Highway 47, thence over Michigan Highway 47 via Freeland, Mich., to junction Michigan Highway 46, thence over Michigan Highway 46 to Saginaw, Mich., and (2) from Bay City, Mich., over unnumbered highway via Auburn, Mich., to Midland, Mich., and return over the same routes.

No. MC 1515 (Deviation No. 520), GREYHOUND LINES, INC. (Eastern Division), 1400 West Third Street, Cleveland, Ohio 44113, filed April 18, 1969. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage, and express and newspapers* in the same vehicle with passengers, over a deviation route as follows: From junction unnumbered highway and Indiana Highway 37 approximately 2 miles south of Martinsville, Ind., over Indiana Highway 37 to junction unnumbered highway 1 mile north of Martinsville, Ind., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over a pertinent service route as follows: From Paoli, Ind., over Indiana Highway 37 via Bedford to junction unnumbered highway (formerly Indiana Highway 37) and Indiana Highway 37, about one-half mile north of the north city limits of Bloomington, Ind., thence over unnumbered highway via Dolan and Hindustan, Ind., to junction Indiana Highway 37 approximately 3 miles south of Martinsville, Ind., thence over Indiana Highway 37 to junction unnumbered highway (formerly Indiana Highway 37) approximately 2 miles south of Martinsville Ind., thence over unnumbered highway via Martinsville to junction Indiana Highway 37 approximately 1 mile north of Martinsville, Ind., thence over Indiana Highway 37 to Indianapolis, Ind., and return over the same route.

No. MC 41638 (Deviation No. 2), DE-LUXE TRAILWAYS, INC., 1718 South Clark Street, Chicago, Ill. 60616, filed April 14, 1969. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage, and express and newspapers* in the same vehicle with passengers, over a deviation route as follows: From Junction Interstate Highway 80 and U.S. Highway 54 at the city limits of Harvey, Ill., over Interstate Highway 80 to junction Interstate Highway 57, thence over Interstate Highway 57 to Onarga, Ill., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over a pertinent service route as follows: From Harvey, Ill., over U.S. Highway 54 to Onarga, Ill., and return over the same route.

By the Commission.

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

[F.R. Doc. 69-5126; Filed, Apr. 29, 1969; 8:48 a.m.]

[Notice 1289]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

APRIL 25, 1969.

The following publications are governed by the new Special Rule 1.247 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of December 3, 1963, which became effective January 1, 1964.

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

APPLICATIONS ASSIGNED FOR ORAL HEARING

MOTOR CARRIERS OF PROPERTY

No. MC 8973 (Sub-No. 14) (Republication), filed March 18, 1969, published in the FEDERAL REGISTER of April 17, 1969, and republished this issue. Applicant: METROPOLITAN TRUCKING, INC., 2424 95th Street, North Bergen, N.J. 07047. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Building materials and composition boards, and articles* used or useful in the installation thereof (except commodities in bulk), from Edgewater and Carteret, N.J.; Philadelphia, Pittston, and Sunbury, Pa., and New York, N.Y., to points in Tennessee, West Virginia, Kentucky, Mississippi, Alabama, Arkansas, Ohio, Indiana, Michigan, Illinois, and Louisiana, (2) *composition boards and articles* used or useful in the installation thereof (except commodities in bulk), from Deposit, N.Y., to points in Indiana and Michigan, and (3) *returned shipments* of the commodities in (1) and (2) above, on return. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction if warranted. The purpose of this republication is to reflect the hearing information.

HEARING: May 14, 1969, before an examiner to be later designated at the Offices of the Interstate Commerce Commission, Washington, D.C.

No. MC 133175 (Correction), filed September 16, 1968, published FEDERAL REGISTER issue of October 10, 1968, corrected April 11, 1969, and republished as corrected, this issue. Applicant: METALS TRANSPORT CO., a corporation, 1140 Poland Avenue, Youngstown, Ohio 44502. Applicant's representative: Richard H. Brand, 79 East State Street, Columbus, Ohio 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Steel buildings* and (2) *building sections, panels, materials, parts and accessories*, from Niles and Youngstown, Ohio, to St. Louis, Mo., and points in Connecticut, Delaware, District of Columbia, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and Wisconsin, under contract with Republic Steel Corporation of Cleveland, Ohio. NOTE: The purpose of this republication is (1) to include "under contract with Republic Steel Corporation of Cleveland, Ohio," and (2) to reflect hearing information.

HEARING CONTINUED: May 22, 1969, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Warren C. White.

No. MC 118282 (Sub-No. 24), filed April 14, 1969. Applicant: JOHNNY BROWN'S, INC., 6801 Northwest 74th Avenue, Miami, Fla. 33166. Applicant's representative: Archie B. Culbreth, 1273 West Peachtree Street NE., Atlanta, Ga. 30309. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except household goods as defined by the Commission, and those of unusual value), (1) between Jacksonville, Fla. and San Diego, Calif.: From Jacksonville, Fla. over U.S. Highway 90 to Mobile, Ala., thence over U.S. Highway 45 to Meridian, Miss., thence over U.S. Highway 80 to San Diego, Calif., and return over the same route (no intermediate points will be served between Jacksonville, Fla., and El Centro, Calif.); (2) between Jacksonville, Fla., and Los Angeles, Calif., (a) from Jacksonville, Fla., over U.S. Highway 90 to Van Horn, Tex., thence over U.S. Highway 80 to Las Cruces, N. Mex., thence over U.S. Highway 70 to Globe, Ariz., thence over U.S. Highway 60 to Los Angeles, Calif., and return over the same route, and (b) over Interstate Highway 10 (no intermediate points will be served between Jacksonville, Fla., and Blythe, Fla.); (3) between Jacksonville, Fla., and Key West, Fla., over U.S. Highway 1; (4) between Miami, Fla., and Tallahassee, Fla., over U.S. Highway 27 (no intermediate points will be served between Archer, Fla., and Tallahassee, Fla.).

This route for joiner purposes only: (5) between Jacksonville, Fla., and Miami, Fla., over Interstate 95; (6) between Lake City, Fla., and Miami, Fla., (a) over U.S. Highway 41 (no intermediate points to be served between Archer, Fla., and Lake City, Fla.). This route for purposes of joiner only; and (b) from the intersection of Interstate Highway 75 and Interstate Highway 10, over Interstate Highway 75 to Wildwood, Fla., thence over the Sunshine State Parkway (Florida's Turnpike) to Miami, Fla., and return over the same route (no intermediate points to be served from the junction of Florida Highway 24 and Interstate Highway 75 to the junction of Interstate Highway 75 and Interstate Highway 10). This route for joiner purposes only; (7) between Wildwood, Fla., and Tampa, Fla., over Interstate Highway 75; (8) between Daytona Beach, Fla., and St. Petersburg, Fla., over Interstate Highway 4; (9) between Ocala, Fla., and Baldwin, Fla., over U.S. Highway 301; (10) between St. Petersburg, Fla., and Tallahassee, Fla., over U.S. Highway 19 (no intermediate points to be served between Otter Creek and Tallahassee). This route for joiner purposes only; (11) between Lebanon Station, Fla., and Dunnellon, Fla., over Florida Highway 336; (12) between Lakeland, Fla., and Punta Gorda, Fla.: From Lakeland, Fla., over U.S. Highway 98 to Bartow, Fla., thence over U.S. Highway 17 to Punta Gorda, Fla., and return over the same route; (13) between Orlando, Fla., and Belle Glade, Fla., over U.S. Highway 441; (14) between Jacksonville, Fla. and Orlando, Fla., over U.S. Highway 17; (15) between Palmetto, Fla., and Wildwood, Fla., over U.S. Highway 301;

(16) between Fort Myers, Fla., and West Palm Beach, Fla., from Fort Myers, Fla., over Florida Highway 80 to junction of U.S. Highway 27, thence over U.S. Highway 27 to South Bay, Fla., thence over Florida Highway 827A to Belle Glade, Fla., thence over U.S. Highway 441 to West Palm Beach, Fla., and return over the same route; (17) between Tampa, Fla., and Vero Beach, Fla., over Florida Highway 60; (18) between Bradenton, Fla., and West Palm Beach, Fla., from Bradenton, Fla., over Florida Highway 64 to junction of Florida Highway 675, thence over Florida Highway 675 to junction of Florida Highway 70, thence over Florida Highway 70 to junction of Florida Highway 710, thence over Florida Highway 710 to West Palm Beach, Fla., and return over the same route; (19) between Ocala, Fla., and Ormond Beach, Fla., over Florida Highway 40; (20) between Orlando, Fla., and Indian River City, Fla., over Florida Highway 50; (21) between Orlando, Fla., and Tampa, Fla., over U.S. Highway 92; (22) between San Diego and Crescent City, Calif., from San Diego, Calif., over Interstate Highway 5 to Los Angeles, Calif., thence over U.S. Highway 101 to Crescent City, Calif., and return over same route; (23) between Los Angeles and Weed, Calif., over U.S. Highway 99 and Interstate Highway 5; (24) between San Diego and Alturas, Calif., over U.S. Highway 395; (25) between San Francisco, Calif., and Reno, Nev., over Interstate Highway 80; (26) between Blythe and San Bernardino, Calif., from Blythe over U.S. Highway 95 to Needles, Calif., thence over U.S. Highway 66 to San Bernardino, and return over the same route;

(27) between Santa Maria and Greenfield, Calif., from Santa Maria over California Highway 166 to junction California Highway 33, thence over California Highway 33 to junction California Highway 119, thence over California Highway 119 to Greenfield, and return over the same route; (28) between Bakersfield and Barstow, Calif., over California Highway 58; (29) between Gilroy and Fairmead, Calif., over California Highway 152; (30) between Ventura, Calif., and junction California Highways 33 and 152, over California Highway 33; (31) between San Jose and Stockton, Calif., from San Jose over Interstate Highway 680 to junction U.S. Highway 50, thence over U.S. Highway 50 to Stockton, and return over the same route; and (32) between Mobile, Ala., and Jackson, Miss.; from Mobile over U.S. Highway 98 to Hattiesburg, Miss., thence over U.S. Highway 49 to Jackson, and return over the same route, serving Mobile, Ala., and Jackson, Miss., for purpose of joiner only. NOTE: Applicant states service will be performed at all intermediate points on the above described routes in Florida and California. All points in Florida and those in California not on the above described route will be served as off-route points in connection with the otherwise authorized routes. No local operations will be performed between points in Florida or between points in California. Applicant holds contract carrier authority under MC-125811 and Sub 5, therefore, dual operations may be involved.

HEARING: May 12, 1969, through May 29, 1969, at the Biltmore Hotel, Los Angeles, Calif., before Examiner John S. Messer. A continued hearing is contemplated in the East at a date to be hereafter fixed by the Hearing Officer. This application will be subject to the special procedure rules that are in effect in MC 95540 (Sub-No. 733) WATKINS MOTOR LINES, INC., in order dated March 26, 1969 and service date of April 2, 1969.

No. MC 108676 (Sub-No. 20) (Republication), filed May 22, 1967, published FEDERAL REGISTER issue June 15, 1967, and republished this issue. Applicant: A. J. METLER HAULING AND RIGGING, INC., 117 Chicamauga Avenue, NE., Knoxville, Tenn. 37917. Applicant's representative: Robert M. Pearce, Central Building, 1033 State Street, Bowling Green, Ky. 42101. By report and order entered in the above-entitled proceeding, the examiner recommended the granting to applicant a certificate of public convenience and necessity, authorizing operation in interstate or foreign commerce as a common carrier, by motor vehicle, over irregular routes of the commodities, to and from points substantially as indicated below. An order of the Commission, Review Board Number 4, decided September 13, 1968, and served September 24, 1968, finds that the present and future public convenience and necessity require operation by applicant as a *common carrier* by motor vehicle, in interstate or foreign commerce, over irregular routes transporting (1) *general commodities* (except explosives, those of unusual value, livestock, household goods as defined by the Commission, commodities in bulk, those requiring special equipment, and cement and lime), from Knoxville, Tenn., to points in McCreary, Whitley, Knox, Bell, Wayne, and Harlan Counties, Ky.; Madison, Haywood, Swain, Jackson, Graham, Cherokee, Clay, and Macon Counties, N.C.; Fentress, Scott, Campbell, Claiborne, Hancock, Hawkins, Morgan, Anderson, Union, Grainger, Hamblen, Greene, Cumberland, Roane, Knox, Jefferson, Cocke, Bledsoe, Rhea, Meigs, McMinn, Loudon, Blount, Sevier, Bradley, Polk, and Monroe Counties, Tenn., and Lee County, Va., restricted to traffic having an immediate prior movement by rail; and

(2) *Fabricated iron and steel articles, and steel decking*, from the plantsites of Wise Iron and Wire Works, Inc., and Faener Corp., at or near Ebenezer and Clinton, Tenn., respectively, to Knoxville, Tenn., restricted to traffic having an immediate subsequent movement by rail; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that

other persons, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file a petition to reopen or for other appropriate relief setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 115841 (Sub-No. 335) (Republication), filed July 10, 1968, published FEDERAL REGISTER issue of July 25, 1968, and republished this issue. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., 1215 West Bankhead Highway, Post Office Box 2169, Birmingham, Ala. 35201. Applicant's representative: C. E. Wesley (same address as applicant's). By application filed July 10, 1968, applicant seeks a certificate of public convenience and necessity authorizing operations, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes of yeast and related bakery items (except in bulk), in vehicles equipped with mechanical refrigeration, from Belleville, N.J., to Lynchburg and Bristol, Va.; Nashville and Knoxville, Tenn.; and Birmingham, Ala. A report of the Commission, Review Board Number 4, decided April 11, 1969, and served April 21, 1969, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of bakery materials, except in bulk, in vehicles equipped with mechanical refrigeration, from Belleville, N.J., to Lynchburg and Bristol, Va., Nashville and Knoxville, Tenn., and Birmingham, Ala., that applicant is fit, willing and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other persons, who have relied upon the notice of the publication as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file a petition to reopen or for other appropriate relief setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 116101 (Sub-No. 5) (Republication), filed November 4, 1968, published FEDERAL REGISTER issue of November 21, 1968, and republished this issue. Applicant: QUICK AIR FREIGHT, INC., Cargo Building, Port Columbus Airport, Columbus, Ohio. Applicant's representative: James R. Stiverson, 50 West Broad Street, Columbus, Ohio 43215. By application filed November 4, 1968, applicant seeks a certificate of public convenience and necessity authorizing operation, in interstate or foreign commerce, as a common carrier, by motor vehicles, over irregular routes, transporting: (1) Machinery parts, from the plantsite of the Jeffrey Manufacturing Co., Columbus, Ohio, to points in Kentucky and West Virginia; and (2) damaged and worn machinery parts, on return. Restriction: The operations proposed herein will be restricted to the exclusive use of one motor vehicle, and restricted against the transportation of commodities which by reason of their size or weight require special equipment to transport, load, and/or unload. An order of the Commission, Operating Rights Board, dated March 21, 1969, and served April 10, 1969, finds that operation by applicant, in interstate or foreign commerce as a common carrier, by motor vehicle, over irregular routes, transporting, (1) of *machinery parts* (except those which, because of size or weight, require the use of special equipment) from the plantsite of the Jeffrey Manufacturing Co. at Columbus, Ohio, to points in Kentucky and West Virginia, and (2) of *used machinery parts* (except those which, because of size or weight, require the use of special equipment) from points in Kentucky and West Virginia to the plantsite of the Jeffrey Manufacturing Co. at Columbus, Ohio; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulation thereunder; Because it is possible that other parties, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this report, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file a petition to reopen or for other appropriate relief setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 129935 (Sub-No. 1) (Republication), filed May 28, 1968, published in the FEDERAL REGISTER issue of June 13, 1968, and republished this issue. Applicant: BARROWS TRANSFER AND STORAGE COMPANY, a corporation, Armory Road, Waterville, Maine 04901. Applicant's representative: Arthur E. Finger, 30 Boylston Street, Cambridge, Mass. 02138. By application filed May 28, 1968, applicant seeks a permit authorizing operation, in interstate or foreign commerce, as a contract carrier, by motor vehicle, over irregular routes, of new crated furniture, from Monson, Maine, and Dover-Foxcroft, Maine, the location of the production facilities of supporting shipper, to customers of shipper at points and places in New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, and the District of Columbia, and also furniture originally manufactured by Moosehead Manufacturing Co. being returned because of damage, from customers of shipper at the above described points and places to the plants at Monson, Maine, and Dover-Foxcroft, Maine, under a continuing contract with Moosehead Manufacturing Co., of Monson, Maine. By order of the Commission, dated August 13, 1968, and served August 19, 1968, it was ordered that this proceeding be handled under modified procedure. An order of the Commission, Division 1, Acting as an Appellate Division, dated April 10, 1969, and served April 18, 1969, requires publication in the FEDERAL REGISTER of the grant of motor carrier authority made in the Report and Order of Review Board Number 3, decided January 6, 1969, and served January 17, 1969, which finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a *common carrier*, by motor vehicle, over irregular routes, of *new furniture*, crated, from the plantsites of Moosehead Manufacturing Co. at Dover-Foxcroft and Monson, Maine, to points in Connecticut, Delaware, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, and the District of Columbia; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other parties, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings of this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a certificate in this proceedings will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file a petition to reopen or for other appropriate relief setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 129962 (Republication), filed June 6, 1968, published in the FEDERAL REGISTER issue of June 27, 1968, and republished this issue. Applicant: GERARD HARBEC TRANSPORT, INC., 162 Main Street, Farnham, Quebec, Canada. Applicant's representative: Andre J. Barbeau, 795 Elm Street, Manchester, N.H. 03101. By application filed June 6, 1969, as amended, applicant seeks a certificate of public convenience and necessity authorizing operation, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of soya beans (oil meal), (1) from, to, or between the States of Ohio and New York to the ports of entry on the United States border at Champlain and Rouses Point, N.Y., and High

Gate Springs, Vt., restricted to traffic destined for delivery in the Province of Quebec, Canada; and (2) from ports on entry on the United States-Canada border in the States of Vermont and New York, to St. Albans, Vt., and Canton, Cayuga, and Buffalo, N.Y., restricted to traffic originating in the Province of Quebec, Canada, with the above authority restricted against the transportation of commodities in bulk, in tanks or hopper type vehicles. An order of the Commission, Operating Rights Board, dated March 21, 1969, and served April 15, 1969, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a *common carrier* by motor vehicle, over irregular routes, of *soybean oil meal*, in bags, (1) from points in Ohio and New York to those ports of entry on the international boundary line between the United States and Canada at High Gate Springs, Vt., and Champlain and Rouses Point, N.Y., restricted to the transportation of traffic destined to points in the Province of Quebec, Canada, and (2) from those ports of entry on the international boundary line between the United States and Canada in Vermont and New York, to St. Albans, Vt., and to Canton, Cayuga, and Buffalo, N.Y., restricted to the transportation of traffic originating at points in the Province of Quebec, Canada; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other persons, who have relied upon the notice of the application as published may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file a petition to reopen or for other appropriate relief setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 130069 (Republication), filed August 28, 1968, published in the FEDERAL REGISTER issue of September 19, 1968, and republished this issue. Applicant: INTERNATIONAL FREIGHT SERVICE, INC., Post Office Box 6461, Savannah, Ga. 31405. Applicant's representative: William P. Jackson, Jr., 1819 H Street NW., Federal Bar Building, West, Washington, D.C. 20006. By application filed August 28, 1968, as amended, applicant seeks a license authorizing operation, in interstate or foreign commerce, as a broker at Savannah, Ga., Laredo, Tex., Hidalgo, Tex., and Brownsville, Tex., in arranging for the transportation, in interstate or foreign commerce, of general commodities (except household goods as defined by the Commission, other than containerized household goods shipments) between all ports of entry on the International Boundary line between the United States and Mexico (except San Ysidro, Calif.), on the one hand, and, on the other, points in the United States. An order of the Commission, Operating Rights Board, dated March 28, 1969, and served April 18, 1969, finds that operation by applicant at Savannah, Ga., Laredo, Tex., Hidalgo, Tex., and Brownsville, Tex., as a *broker*, in arranging for the transportation, in interstate or foreign commerce, of *general commodities* (except classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment), between ports of entry on the International Boundary line between the United States and Mexico (except San Ysidro, Calif.), on the one hand, and, on the other, points in the United States (including Alaska but excluding Hawaii) will be consistent with the public interest and the national transportation policy; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other parties who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a license in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file a petition to reopen or for other appropriate relief setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 133105 (Sub-No. 1) (Republication), filed September 30, 1968, published FEDERAL REGISTER issue of October 24, 1968, and republished this issue. Applicant: ROBERT A. JONES AND JOHN W. JONES, a partnership, doing business as J. AND J. TRANSFER, Post Office Box 2201, 600 Lumpkin Boulevard, Columbus, Ga. 31902. Applicant's representative: C. E. Walker, 306 First National Bank Building (11th St. at Broad), Columbus, Ga. 31902. By application filed September 30, 1968, as amended, applicant seeks a permit authorizing operations, in interstate or foreign commerce, as a contract carrier by motor vehicle, over irregular routes, of food products, except in bulk, from Columbus, Ga., and points in the Columbus, Ga., commercial zone and to points indicated below. An order of the Commission, Operating Rights Board, dated March 21, 1969, and served April 21, 1969, finds that operation by applicant, in interstate or foreign commerce, as a *contract carrier*, by motor vehicle, over irregular routes, of *such merchandise* (except in bulk) as is usually dealt in by wholesale retail, and chain grocery stores from Columbus, Ga., to points in Georgia and to Opelika, Ala., and a continuing contract with General Mills, Inc., of Minneapolis, Minn., will be consistent with the public interest and the national transportation policy; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other persons, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a permit in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file a petition to reopen or for other appropriate relief setting forth in detail the precise manner in which it has been so prejudiced.

NOTICE OF FILING OF PETITIONS

No. MC 115924 (Sub-No. 16) (Notice of Filing of Petition To Amend Permit by Adding an Additional Contracting Shipper), filed April 7, 1969. Petitioner: SUGAR TRANSPORT, INC., Port Wentworth, Ga. Petitioner's representative: J. A. Kundtz, 1050 Union Commerce Building, Cleveland, Ohio 44115. Petitioner holds a permit in MC 115924 (Sub-No. 16) authorizing it to transport, over irregular routes, Molasses and mixtures of molasses and feed supplements, in bulk, in tank vehicles, from Port Wentworth, Ga., to points in Alabama, Florida, North Carolina, South Carolina, and Tennessee, with no transportation for compensation on return except as otherwise authorized, restricted to a transportation service to be performed, under a continuing contract, or contracts, with Savannah Sugar Refining Corp. By the instant petition, petitioner requests permission to add Kaiser Agricultural Chemicals, Division of Kaiser Aluminum and Chemical Corp., Port Wentworth, Ga., as a contracting shipper. Any interested person desiring to participate may file an original and six copies of his written representations, views or argument in support of, or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

No. MC 118808 (Sub-No. 6) (Notice of Filing of Petition To Modify Permit), filed April 8, 1969. Petitioner: ABC EXPRESS COMPANY, a corporation, Philadelphia, Pa. Petitioner's representative: Anthony C. Vance, Suite 301, Tavern Square, 421 King Street, Alexandria, Va. 22314. Petitioner states it holds a permit in MC 118808 (Sub-No. 6) to transport "*Such commodities* as are dealt in by department stores, between Philadelphia, Pa., on the one hand, and, on the other, Broomall, Willow Grove, and Plymouth Meeting, Pa. Restriction: The operations authorized herein are limited to a transportation service to be performed, under a continuing contract, or contracts with Lit Bros. of Philadelphia, Pa." By the instant petition, petitioner requests that its Sub 6 permit be modified to read as follows: "(1) *Such commodities* as are

dealt in by department stores, between Philadelphia, Pa., on the one hand, and, on the other, Broomall, Willow Grove, and Plymouth Meeting, Pa. Restriction: The operations authorized above are limited to a transportation service to be performed, under a continuing contract, or contracts, with Lit Bros. of Philadelphia, Pa. (2) Between Philadelphia, Pa., on the one hand, and, on the other, Plymouth Meeting, Pa. Restriction: The operation authorized above is limited to a transportation service to be performed under a continuing contract, or contracts, with Strawbridge & Clothier, Philadelphia, Pa." Any interested person desiring to participate may file an original and six copies of his written representations, views or argument in support, or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

No. MC 119474 (Sub-No. 1), (Notice of Filing of Petition To Remove Restriction From Certificate), filed March 28, 1969. Petitioner: OSENGA'S TRUCKING SERVICE, INC., Chicago, Ill. Petitioner's representative: Robert H. Levy, 29 South La Salle Street, Chicago, Ill. 60603. Petitioner holds a certificate in No. MC 119474 (Sub-No. 1) authorizing it to operate as a common carrier, by motor vehicle, over irregular routes, transporting: General commodities (except those of unusual value and classes A and B explosives, commodities in bulk, and petroleum products), between points in the Chicago, Ill., commercial zone as defined by the Commission, *restricted to the transportation of traffic having an immediately prior or immediately subsequent movement by water.* By the instant petition, petitioner requests that the Commission remove the restriction from the certificate, or in the alternative, make a finding that petitioner has authority to interline rail or motor carrier traffic within the Chicago commercial zone. Any interested person desiring to participate, may file an original and six copies of his written representations, views, or argument in support of, or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers under sections 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto. (49 CFR 1.240).

MOTOR CARRIERS OF PROPERTY

No. MC-F-10453. Authority sought for purchase by W. S. THOMAS TRANSFER, INC., 1854 Morgantown Avenue, Post Office Box 507, Fairmont, W. Va. 26554, of a portion of the operating rights of DAVIS & RANDALL, INC., 154 Chautaugua Road, Post Office Box 390, Fredonia, N.Y. 14063, and for acquisition by ROBERT H. THOMPSON, ERWIN LANE, both also of Fairmont, W. Va., of control of such rights through the purchase. Applicants' attorney: John A. Vuono, 2310 Grant Building, Pittsburgh, Pa. 15219. Operating rights sought to be transferred: *Malt beverages, empty malt beverage containers, and advertising materials,* as a *common carrier* over irregular routes from points in Wayne County, Mich., to points in West Virginia. Vendee is authorized to operate York, Michigan, Indiana, Illinois, Virginia, Kentucky, New Jersey, the District of Columbia, and Missouri. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-10454. Authority sought for control and merger by YELLOW FREIGHT SYSTEM, INC., Post Office Box 8462, 92d at State Line Road, Kansas City, Mo. 64114, of the operating rights and property of LANG TRANSIT COMPANY, 38th Street and Quirt Avenue, Post Office Box 1265, Lubbock, Tex. 79404, and for acquisition by GEORGE E. POWELL, 801 West 64th Terrace, Kansas City, Mo., GEORGE E. POWELL, JR., 1040 West 57th St., Kansas City, Mo., and LESTER H. BRICKMAN, 6419 Belinder, Shawnee Mission, Kansas City, Mo., of control of such rights and property through the transaction. Applicants' attorneys: Axelrod, Goodman & Steiner, 39 South La Salle Street, Chicago, Ill. 60603 and W. D. Benson, Jr., 900 Citizens Tower Building, Lubbock, Tex. 79401. Operating rights sought to be controlled and merged: *General commodities,* excepting among others, household goods and commodities in bulk, as a *common carrier,* over irregular routes, between Plains, Tex., and Lovington, N. Mex., serving certain intermediate points in Texas, between Brownfield, Tex., and Hobbs, N. Mex., serving all intermediate points, and the off-route points of the sites of the Phillips Petroleum Company Plant and Refinery near Buckeye, N. Mex., and the Sinclair Oil & Gas Company's Gas Products Plant No. 29, near Tatum, N. Mex., with restriction; between Morton, Tex., and Portales, N. Mex., serving all intermediate points, between Portales, N. Mex., and Clovis, N. Mex., serving all intermediate points, and off-route points on U.S. Highway 60 between Clovis, N. Mex., and the New Mexico-Texas State line, between Needmore, Tex., and the junction of an unnumbered New Mexico Highway with New Mexico Highway 116 at or near Causey, N. Mex., serving all intermediate points; between Amarillo, Tex., and Clovis, N. Mex., serving the intermediate points of Bovina and Friona, Tex., between Lubbock, Tex., and Olton, Tex., serving the intermediate point of Spade, Tex., between Spade, Tex., and Littlefield, Tex., serving no intermediate points, with restriction; between Levelland, Tex., and Littlefield, Tex., between Lubbock, Tex., and Morton, Tex., between Levelland, Tex., and Morton, Tex., between Morton, Tex., and Enochs, Tex., serving no intermediate points; over numerous alternate routes for operating convenience only. *General commodities,* except those of unusual value, classes A and B explosives, livestock, automobiles, cotton, lumber, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, between Amarillo, Tex., and junction U.S. Highway 87 and unnumbered highway 5 miles south of Canyon, Tex., between junction Texas Highway 86 and unnumbered highway 1 mile south of Nazareth, Tex., and Earth, Tex., serving all intermediate points except Canyon, Tex., with restriction; between junction U.S. Highway 87 and unnumbered highway 5 miles south of Canyon, Tex., and junction Texas Highway 86 and unnumbered highway 1 mile south of Nazareth, Tex., between Earth, Tex., and Muleshoe, Tex., between Springlake, Tex., and Littlefield, Tex., serving no intermediate points; over one alternate route for operating convenience only. YELLOW FREIGHT SYSTEM, INC., is authorized to operate as a *common carrier* in Kansas, Oklahoma, Missouri, Texas, Indiana, Michigan, Illinois, Ohio, and Kentucky. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-10456. Authority sought for control by INTERSTATE MOTOR FREIGHT SYSTEM, 134 Grandville SW., Grand Rapids, Mich. 49502, of DIRECT WINTERS TRANSPORT LIMITED, 207 Queen's Quay, West, Toronto, Ontario, Canada, and for acquisition by FUQUA INDUSTRIES, INC., 3800 First National Bank Building, Atlanta Ga. 30303, of control of DIRECT WINTERS TRANSPORT LIMITED, through the acquisition by INTERSTATE MOTOR FREIGHT SYSTEM. Applicants' attorneys: Leonard D. Verdier, Jr., 900 Old Kent Building, Grand Rapids, Mich. 49502, Edward K. Wheeler and Richard H. Strodel, both of Southern Building, 15th and H Streets NW., Washington, D.C. 20005. Operating rights sought to be controlled: *General commodities,* excepting, among others, household goods and commodities in bulk, as a *common carrier,* over regular routes, between Detroit, Mich., and the ports of entry located on the United States-Canada boundary line at Detroit, Mich., serving all intermediate points, between Niagara Falls, N.Y., and the port of entry on the United States-Canada boundary line located on the new Lewiston-Queenston Bridge at Lewiston, N.Y., serving no intermediate points; *general commodities,* excepting, among others, commodities in bulk, but not excepting household goods, between the United States-Canada boundary line at Niagara Falls (Lower Arch Bridge), N.Y., and Bladsdell and Akron, N.Y., serving all intermediate points; *fresh fruit,* from Holley, N.Y., to the United States-Canada boundary line at Niagara Falls (Lower Arch Bridge), N.Y., serving intermediate and off-route points within 25 miles of Holley for pick-up only; *general commodities,* excepting, among others, household goods and commodities in bulk, over irregular routes, between Detroit, Mich., on the one hand, and, on the other, points in Michigan within 8 miles of Detroit, between the site of

the Kelsey Hayes Company plant located at the intersection of the North Line Road and Huron River Drive, Romulas Township, Wayne County, Mich., on the one hand, and, on the other, the United States-Canada boundary line at Detroit, Mich.; and between Wellesley Island, Jefferson County, N.Y., and the port of entry on the United States-Canada boundary line at or near the Thousand Islands International Bridge, Jefferson County, N.Y., with restriction. INTERSTATE MOTOR FREIGHT SYSTEM, is authorized to operate as a *common carrier* in Ohio, Illinois, Indiana, New York, Missouri, Pennsylvania, Michigan, Minnesota, Wisconsin, Kentucky, West Virginia, Maryland, Massachusetts, New Jersey, Iowa, Delaware, Colorado, Nebraska, Wyoming, Kansas, Connecticut, Rhode Island, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

No. MC–F–10457. Authority sought for purchase by K & W TRUCKING CO., INC., 2669 Territorial Road, St. Paul, Minn. 55114, of the operating rights and property of WAYNE LOFGREN and KATHLEEN LOFGREN, doing business as K & W TRUCKING, 1224 Whitney Road, Anchorage, Alaska 99501, and for acquisition by HAROLD E. ANDERSON, 203 Cooper Avenue North, St. Cloud, Minn., of control of such rights and property through the purchase. Applicants' attorney: Donald A. Morken, 1000 First National Bank Building, Minneapolis, Minn. 55402. Operating rights sought to be transferred: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier*, over irregular routes, between points in Alaska, with restriction, between Chicago, Ill., and St. Paul, Minn., on the one hand, and, on the other, points in Alaska. K & W TRUCKING CO., INC., hold no authority from this Commission. However, its controlling stockholder is affiliated with ANDERSON TRUCKING SERVICE, INC., 203 Cooper Avenue North, Post Office Box 844, St. Cloud, Minn., which is authorized to operate as a *common carrier* in all points in the United States (except Alaska and Hawaii). Application has been filed for temporary authority under section 210a(b).

No. MC–F–10458. Authority sought for continuance in control by UNITED-BUCKINGHAM FREIGHT LINES, INC., 5773 South Prince Street, Littleton, Colo. 80120, of MILLAR & BROWN, LTD., Cranbrook, British Columbia, Canada, upon issuance to it of a certificate applied for in pending Docket No. MC–133008, and for acquisition by JOHN MANLOWE, East 4005 Broadway Avenue, Spokane, Wash. 99202, of control of MILLAR & BROWN, LTD., through the acquisition by UNITED-BUCKINGHAM FREIGHT LINES, INC. Applicants' attorney: George R. LaBissoniere, 1424 Washington Building, Seattle, Wash. 98101. Operating rights sought to be controlled: In pending Docket No. MC–133008, covering the transportation of general commodities, excepting, among others, household goods and commodities in bulk, as a common carrier, over irregular routes, between those ports of entry located on the international boundary line between the United States and Canada, at or near Blaine and Oroville, Wash., Porthill and Eastport, Idaho, Eureka and Sweet Grass, Mont., and Portal, Noyes, and Pembina, N. Dak. UNITED-BUCKINGHAM FREIGHT LINES, INC., is authorized to operate as a *common carrier* in Minnesota, South Dakota, Nebraska, Iowa, Wyoming, Colorado, North Dakota, Montana, Illinois, Utah, Texas, Kansas, Oklahoma, Missouri, Washington, Idaho, Oregon, Indiana, and Michigan. Application has not been filed for temporary authority under section 210a(b). NOTE: This application was filed pursuant to the order in No. MC–133008, by Operating Rights Board, dated November 29, 1968.

No. MC–F–10459. Authority sought for purchase by MAIN TRUCKING & RIGGING CO., INC., 21 Camden Street, Paterson, N.J. 07503, of a portion of the operating rights of PROSPECT TRUCKING CO., INC., 2129 Nottingham Way, Trenton, N.J. 08619, and for acquisition by AL LEE, 74 Winding Way, Cedar Grove, N.J., of control of such rights through the purchase. Applicants' representative: Rona Goldsmith, 21 Camden Street, Paterson, N.J. 07503. Operating rights sought to be transferred: *Iron and steel, structural steel, building materials, exhibits, display and advertising matter, machinery, fiberboard, and electrical appliances*, as a *common carrier*, over irregular routes, between Trenton, N.J., on the one hand, and, on the other, points in New York and Pennsylvania within 75 miles of Trenton, N.J.; *electrical refrigerators, oil burners, washing machines, air conditioning equipment, radios, electrical equipment, and materials and supplies* used or useful in connection with the above commodities, from points in Philadelphia County, Pa., to Paterson, Passaic, Newark, and Elizabeth, N.J., Baltimore, Salisbury, and Elkton, Md., Wilmington, Claymont, and Delmar, Del., and points in that part of New Jersey south of a line extending from Trenton, N.J., through Freehold, N.J., to the Atlantic Ocean; *damaged, defective, rejected, or returned shipments* of the commodities specified immediately above, from the destination points specified immediately above, to points in Philadelphia County, Pa.; and *prefabricated buildings, knocked down, or in sections*, from West Trenton, N.J., to points in Connecticut, Delaware, Maryland, New York, Pennsylvania, and the District of Columbia. Vendee is authorized to operate as a *common carrier* in New Jersey, Connecticut, New York, Pennsylvania, Rhode Island, and Massachusetts. Application has been filed for temporary authority under section 210a(b).

No. MC–F–10461. Authority sought for purchase by GORDONS TRANSPORTS, INC., Post Office Box 2696, De Soto Station, Memphis, Tenn. 38102, of a portion of the operating rights of BOWMAN TRANSPORTATION, INC., 1010 Stroud Avenue, East Gadsden, Ala. 35903, and for acquisition by M. M. GORDON, 4271 Montrose, Memphis, Tenn., A. W. GORDON, JR., 4679 Walnut Grove, Memphis, Tenn., J. K. GORDON, 3910 Paula Drive, Memphis, Tenn., ESTHER G. CATO, 329 Clawson Cove, Memphis, Tenn., MARY G. CONAWAY, 3925 South Galloway Drive, Memphis, Tenn., and ESTATE OF A. W. GORDON, SR., 185 West McLemore, Memphis, Tenn., of control of such rights through the purchase. Applicants' attorney: James W. Wrape, 2111 Sterick Building, Memphis, Tenn. 38103. Operating rights sought to be transferred: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier*, over irregular routes, between points in Alabama within 65 miles of Birmingham, Ala., including Birmingham, on the one hand, and, on the other, Louisville, Ky. Restriction: The authority granted immediately above is restricted against the transportation of cement and lime from origin points of Leeds, Roberta, Ragland, and North Birmingham, Ala. Vendee is authorized to operate as a *common carrier* in Illinois, Tennessee, Missouri, Mississippi, Louisiana, Alabama, Kentucky, Georgia, Arkansas, Oklahoma, Texas, and Indiana. Application has not been filed for temporary authority under section 210a(b).

No. MC–F–10462. Authority sought for purchase by COOPER-JARRETT, INC., 23 South Essex Avenue, Orange, N.J. 07051, of the operating rights of VINCENT J. SUCATO, doing business as AUSTIN'S EXPRESS, 13 Verazzano Boulevard, Poughkeepsie, N.Y., and for acquisition by ROBERT E. COOPER, JR., also of Orange, N.J., of control of such rights through the purchase. Applicant's attorneys: William Biederman, 280 Broadway, New York, N.Y. 10007, and William D. Traub, 10 East 40th Street, New York, N.Y. Operating rights sought to be transferred: *General commodities*, except classes A and B explosives, commodities in bulk, and those requiring special equipment, as a *common carrier*, over irregular routes, between points in Dutchess County, N.Y., between points in Dutchess County, N.Y., on the one hand, and, on the other, points in Orange and Westchester Counties, N.Y., between points in Dutchess County, N.Y., on the one hand, and, on the other, certain specified points in New York. Vendee is authorized to operate as a *common carrier* in Missouri, Nebraska, Massachusetts, Illinois, Ohio, Pennsylvania, New York, Rhode Island, Connecticut, Iowa, Kansas, New Jersey, Maryland, Delaware, Oklahoma, Tennessee, West Virginia, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

No. MC–F–10463. Authority sought for control by NOVO INDUSTRIAL CORPORATION, 733 Third Avenue, New York, N.Y. 10017, of UNITED MOTOR FREIGHT, INC., 2008 North East Street, Lansing, Mich. 48906. Applicant's attorney: David A. Sutherlund, 1140 Connecticut Avenue NW., Washington, D.C.

20036. Operating rights sought to be controlled: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier*, over regular routes, between Jackson, Mich., and the Willow Run Airport and the Wayne Major Airport, both located in Michigan near Detroit, Mich., serving no intermediate points, with restriction; *general commodities*, excepting, among others, household goods and commodities in bulk, over irregular routes, between Lansing, and Flint, Mich., on the one hand, and, on the other, the Willow Run Airport, and the Wayne Major Aiport, both located in Michigan near Detroit, Mich., between Owosso, Mich., and points within 8 miles thereof, on the one hand, and, on the other, Willow Run Airport, and Detroit Metropolitan Airport, Wayne County, Mich., between Elsie and Durand, Mich., on the one hand, and, on the other, Detroit Metropolitan Airport, and Willow Run Airport, Wayne County, Mich., between Owosso, Mich., and Bishop Airport, Flint Township, Mich., with restriction. NOVO INDUSTRIAL CORPORATION, holds no authority from this Commission. However, it owns all of the stock of FLEET CARRIER CORPORATION, 586 South Boulevard East, Pontiac, Mich. 48056, which is authorized to operate as a *common carrier* in all points in the United States (except Alaska and Hawaii); and BOSS-LINCO LINES, INC., 1 West Genessee Street, Buffalo, N.Y. 14240, which is authorized to operate as a *common carrier* in New York, Pennsylvania, New Jersey, Virginia, Maryland, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b). NOTE: See also MC-F-10287 (Michigan Transportation Co.—Purchase (Portion)—UNITED MOTOR FREIGHT, INC.) and MC-F-10336 (NOVO INDUSTRIAL CORP.—Control—HOURLY MESSENGERS, INC.) published in the November 6, 1968 and December 19, 1968, issues of the FEDERAL REGISTER, on pages 16318 and 18964, respectively.

MOTOR CARRIER OF PASSENGERS

No. MC-F-10455. Authority sought for control by MISSOURI, KANSAS AND OKLAHOMA COACH LINES, INC., doing business as M. K. & O. LINES, 321 South Cincinnati, Tulsa, Okla. 74103, of (1) OKLAHOMA TRANSPORT COMPANY, 1206 Exchange Avenue, Oklahoma City, Okla., (2) MID-CONTINENT COACHES, INC., 1206 Exchange Avenue, Oklahoma City, Okla., and (3) SOUTHWEST COACHES, INC., 1206 Exchange Avenue, Oklahoma City, Okla., and for acquisition by ROBERT W. ALLEN, also of Tulsa, Okla., of control of OKLAHOMA TRANSPORT COMPANY, MID-CONTINENT COACHES, INC., and SOUTHWEST COACHES, INC., through the acquisition by MISSOURI, KANSAS AND OKLAHOMA COACH LINES, INC., doing business as M. K. & O. LINES. Applicants' attorneys: J. G. Dail, Jr., 1111 E Street NW., Washington, D.C., John L. Arrington, Jr., 510 Oklahoma Natural Building, Tulsa, Okla., and Robert J. Bernard, 10 South Riverside Plaza, Chicago 60606. Operating rights sought to be controlled: (1) Passengers and their baggage, and express and newspapers in the same vehicle with passengers, as a *common carrier*, over regular routes, between Oklahoma points, serving all intermediate points, between Lawton, Okla., and the Fort Sill Military Reservation, Okla., serving no intermediate points, between Oklahoma City, Okla., and Fort Smith, Ark., between Oklahoma City, Okla., and Wichita Falls, Tex., serving all intermediate points; and passengers and their baggage, and express in the same vehicle with passengers, between junction Oklahoma Highways 3 and 9, approximately 1 mile northwest of Seminole, Okla., and junction Oklahoma Highway 9 and U.S. Highway 271, approximately 3 miles west of Spiro, Okla., serving all intermediate points, with restriction;

(2) Passengers and their baggage, and express and newspapers in the same vehicle with passengers, as a *common carrier*, over regular routes, between Woodward, Okla., and Seiling, Okla., between Woodward, Okla., and Dodge City, Kans., between Kingfisher, Okla., and Seiling, Okla., between Oklahoma City, Okla., and junction U.S. Highways 64 and 81, near Fond Creek, Okla., between Oklahoma City, Okla., and junction Oklahoma Highway 3 and U.S. Highway 81 near Okarche, Okla., between Liberal, Kans., and junction U.S. Highways 64 and 81, between Oklahoma City, Okla., and Altus, Okla., between El Reno, Okla., and Union City, Okla., between Cyril, Okla., and Lawton, Okla., between Apache, Okla., and junction U.S. Highways 281 and 66, between junction Oklahoma Highways 5 and 36, and Wichita Falls, Texas, between junction Oklahoma Highways 5 and 36, and Lawton, Okla., serving all intermediate points, between Altus, Okla., and Childress, Texas; serving Altus and all intermediate points between Altus, and Hollis, Okla., restricted against the transportation of newspapers, and all intermediate points between Hollis and junction U.S. Highways 62 and 83, inclusive, without restriction, between Vernon, Texas, and Hobart, Okla., serving all intermediate points, between El Reno, Okla., and Watonga, Okla., serving certain intermediate points, between junction Oklahoma Highway 58 and U.S. Highway 270 and junction Oklahoma Highway 51 and U.S. Highway 270; serving the intermediate points of Eagle City, and Canton, Okla., between Hinton Junction, Okla. (at the intersection of U.S. Highways 281 and 66), and Geary Junction, Okla. (approximately 6 miles south of Geary, Okla.), serving no intermediate points; over one alternate route for operating convenience only; and passengers and their baggage, and express in the same vehicle with passengers, between Garden City, Kans., and Liberal, Kans., serving all intermediate points, and the off-route point of Sublette, Kans.; and (3) Passengers and their baggage, and express, newspapers, and mail, in the same vehicle with passengers, as a *common carrier*, over regular routes, between Wichita Falls, Texas, and Abilene, Texas, between Haskell, Texas, and Knox City, Texas, between Munday, Texas, and Knox City, Texas serving all intermediate points. MISSOURI, KANSAS AND OKLAHOMA COACH LINES, INC., doing business as M. K. & O. LINES, is authorized to operate as a *common carrier* in Missouri, Oklahoma, and Kansas. Application has not been filed for temporary authority under section 210a(b). NOTE: MC-36364 Sub-15 is a matter directly related.

By the Commission.

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

[F.R. Doc. 69-5127; Filed, Apr. 29, 1969; 8:48 a.m.]

NOTICE OF FILING OF MOTOR CARRIER INTRASTATE APPLICATIONS

APRIL 25, 1969.

The following applications for motor common carrier authority to operate in intrastate commerce seek concurrent motor carrier authorization in interstate or foreign commerce within the limits of the intrastate authority sought, pursuant to section 206(a)(6) of the Interstate Commerce Act, as amended October 15, 1962. These applications are governed by Special Rule 1.245 of the Commission's Rules of Practice, published in the FEDERAL REGISTER, issue of April 11, 1963, page 3533, which provides, among other things, that protests and requests for information concerning the time and place of State Commission hearings or other proceedings, any subsequent changes therein, any other related matters shall be directed to the State Commission with which the application is filed and shall not be addressed to or filed with the Interstate Commerce Commission.

State Docket No. MC 4441 Sub 2, filed March 3, 1969. Applicant: JACK C. ROBINSON, doing business as ROBINSON FREIGHT LINES, Post Office Box 10234, Knoxville, Tenn. 37919. Applicant's representative: Harlan Dodson, 900 Nashville Trust Building, Nashville, Tenn. 37201. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of *General commodities* (except for petroleum products in tank vehicles, LPG Gas and commodities requiring special equipment), between Memphis, Tenn., and Nashville, Tenn., over Interstate Highway 40, Tennessee Highway 100, U.S. Highway 64, U.S. Highway 70, U.S. Highway 79, and U.S. Alternate Highway 70 and U.S. Alternate Highway 41, serving all intermediate points; between Linden, Tenn., and junction of U.S. Highway 40 over Tennessee Highways 20 and 100 serving all intermediate points; between Waverly, Tenn., and Clarksville, Tenn., over U.S. Highway 13, serving all intermediate points; between Nashville, Tenn., and Knoxville, Tenn., on U.S. Highway 40, U.S. Highway 70 and 70S, serving all intermediate points between

Crossville and Nashville, Tenn.; between Nashville, Tenn., and Erin, Tenn., over Tennessee Highway 12 and U.S. Highway 49, serving no intermediate points; between Chattanooga, Tenn., and Nashville, Tenn., over U.S. Highways 41, Alternate 41, 24, and 64, serving all intermediate points, except Monteagle and Jasper, Tenn.; between Johnson City, Tenn., and Erwin, Tenn., over U.S. Highway 19W and 23, serving all intermediate points; between Greeneville, Tenn., and Erwin, Tenn., on U.S. Highway 411 and Tennessee Highway 107, serving all intermediate points; between Erwin, Tenn., and Flag Pond, Tenn., via U.S. Highway 19W and 23, serving all intermediate points. Applicant intends to connect all routes requested in the application with all authority held by applicant. Both intrastate and interstate authority sought.

HEARING: Tuesday, August 19, 1969, 9:30 a.m., C-1-110 Hull Building, Nashville, Tenn. Requests for procedural information including the time for filing protests concerning this application should be addressed to the Tennessee Public Service Commission, Cordell Hull Building, Nashville, Tenn. 37219, and should not be directed to the Interstate Commerce Commission.

State Docket No. M-4976, filed April 15, 1969. Applicant: H. E. McCONNELL AND SON, a partnership, 5117½ Broadway, North Little Rock, Ark. Applicant's representative: Kemp and Whitmore, 1021 Pyramid Life Building, Little Rock, Ark. Applicant seeks a permit to operate as a contract carrier as follows: Transportation of *Ore*, between points and places on the Arkansas River, on the one hand, and, on the other, points and places in the State of Arkansas located in the following counties, Arkansas, Ashley, Boone, Bradley, Calhoun, Cleburne, Cleveland, Conway, Cross, Dallas, Desha, Drew, Faulkner, Franklin, Garland, Grant, Hempstead, Howard, Independence, Izard, Jackson, Jefferson, Johnson, Lawrence, Lee, Lincoln, Lonoke, Marion, Montgomery, Monroe, Nevada, Newton, Searcy, Sharp, Stone, St. Francis, Van Buren, White, Woodruff, and Yell. Both intrastate and interstate authority sought.

HEARING: Tuesday, May 27, 1969, at 10 a.m., Hearing Room, Arkansas Commerce Commission, Justice Building, Little Rock, Ark. Requests for procedural information including the time for filing protests concerning this application should be addressed to the Arkansas Commerce Commission, Justice Building, Little Rock, Ark. 72201, and should not be directed to the Interstate Commerce Commission.

State Docket No. M-4977, filed April 15, 1969. Applicant: LEON OLSEN, ALBERT OLSEN, WILLIAM OLSEN, doing business as LEON OLSEN TRUCKING CO., 900 Wisconsin Street, Pine Bluff, Ark. Applicant's representative: Kemp and Whitmore, 1021 Pyramid Life Building, Little Rock, Ark. Applicant seeks a permit to operate as a contract carrier as follows: Transportation of *Ore*, between points and places on the Arkansas River, on the one hand, and, on the other, points and places in the State of Arkansas located in the following counties: Arkansas, Ashley, Boone, Bradley, Calhoun, Cleburne, Cleveland, Conway, Cross, Dallas, Desha, Drew, Faulkner, Franklin, Garland, Grant, Hempstead, Howard, Independence, Izard, Jackson, Jefferson, Johnson, Lawrence, Lee, Lincoln, Lonoke, Marion, Montgomery, Monroe, Nevada, Newton, Ouachita, Perry, Phillips, Pike, Poinsett, Prairie, Pulaski, Saline, Searcy, Sharp, Stone, St. Francis, Van Buren, White, Woodruff, and Yell. Both intrastate and interstate authority sought.

HEARING: Tuesday, May 27, 1969, at 10 a.m., Hearing Room, Arkansas Commerce Commission, Justice Building, Little Rock, Ark. Requests for procedural information including the time for filing protests concerning this application should be addressed to the Arkansas Commerce Commission, Justice Building, Little Rock, Ark. 72201, and should not be directed to the Interstate Commerce Commission.

State Docket No. MT-8763, filed February 20, 1969. Applicant: SWANSON DELIVERY SERVICE, INC., 50 Caroline Street, Staten Island, N.Y. 10310. Applicant's representative: Alex V. Mysticki, Jr., 1086 Forest Avenue, Staten Island, N.Y. 10310. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of *General Commodities*, including baggage and packages, and a messenger pickup and delivery service, between Kennedy and La Guardia Airports and Westside Airlines Terminal on the one hand, and, on the other, all points in the State. Both intrastate and interstate authority.

HEARING: Not yet assigned. Requests for procedural information including the time for filing protests concerning this application should be addressed to the New York State Public Service Commission, 44 Holland Avenue, Albany, N.Y. 12208, and should not be directed to the Interstate Commerce Commission.

State Docket No. MC 21834, filed March 21, 1969. Applicant: MAURICE SMITH AUSLEY II, doing business as AUSLEY MOTOR FREIGHT, 906 South Rock Island, El Reno, Okla. Applicant's representative: Dean Williamson, 600 Leininger Building, Oklahoma City, Okla. 73112. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of *General commodities* (1) between Oklahoma City, Okla., and Gotebo, Okla., via State Highway 152 to its intersection with State Highway 146 west of Binger, Okla., thence south on State Highway 146 to Fort Cobb, thence over State Highway 9 to Gotebo, serving the intermediate points of Albert, Fort Cobb, Carnegie, and Mountain View and the off-route points of Washita, Okla.; and (2) between Carnegie, Okla., and the intersection of State Highways 152 and 146 west of Binger, Okla., serving the intermediate point of Alfalfa and the off-route point of Eakly, Okla. Both intrastate and interstate authority sought.

HEARING: Monday, May 5, 1969, 9 a.m., Corporation Commission Court Room, Oklahoma Corporation Commission, Jim Thorpe Building, Oklahoma City, Okla. Requests for procedural information including the time for filing protests concerning this application should be addressed to the Oklahoma Corporation Commission, Jim Thorpe Building, Oklahoma City, Okla. 73105, and should not be directed to the Interstate Commerce Commission.

By the Commission.

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

[F.R. Doc. 69-5128; Filed, Apr. 29, 1969; 8:49 a.m.]

[Notice 822]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

APRIL 25, 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 20894 (Sub-No. 11 TA) filed April 21, 1969. Applicant: P. CALLAHAN, INC., 5240 Comly Street, Philadelphia, Pa. 19135. Applicant's representative: Terrence L. Bowers (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Advertising material, books, records and record albums, and commodities dealt in by manufacturers of electrical equipment*, between carrier's terminal/warehouse in Jersey City, N.J. on the one hand, and, on the other, points in Nassau, Suffolk, and West Chester Counties, N.Y., for 180 days. Supporting shipper: RCA, Camden, N.J. 08102. Send protests to: F. W. Doyle, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 900 U.S. Custom House, 2d and Chestnut Streets, Philadelphia, Pa. 19106.

No. MC 67361 (Sub-No. 5 TA) filed April 21, 1969. Applicant: GENERAL ROAD TRUCKING CORPORATION, 99 Mauran Avenue, Post Office Box No. 6, East Providence, R.I. 02914. Applicant's representative: Frank J. Weiner, Investors Building, 536 Granite Street, Braintree, Mass. 02184. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coke*, in bulk, in dump vehicles, from Upton, Mass., to points in Connecticut, Massachusetts, New Hampshire, Rhode Island, and Vermont, for 180 days. Supporting shipper: Allied Chemical Corp., 40 Rector Street, New York, N.Y. 10006. Send protests to: Gerald H. Curry, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 167 Westminster Street, Providence, R.I. 02903.

No. MC 107107 (Sub-No. 397 TA), filed April 21, 1969. Applicant: ALTERMAN TRANSPORT LINES, INC., 2424 Northwest 46th Street, Miami, Fla. 33142. Applicant's representative: Ford W. Sewell (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular transporting: *Frozen foods*, from King of Prussia, Pa., to Jacksonville, Tampa, and Miami, Fla., for 180 days. Supporting shipper: Hanscom Bros., Inc., Hanscom Road, King of Prussia, Pa. 19406. Send protests to: District Supervisor Joseph B. Teichert, Interstate Commerce Commission, Bureau of Operating, Room 1226, 51 Southwest First Avenue, Miami, Fla. 33130.

No. MC 107496 (Sub No. 729 TA), filed April 21, 1969. Applicant: RUAN TRANSPORT CORPORATION, Third and Keosauqua Way, Des Moines, Iowa 50309. 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, in tank vehicles, from Dubuque, Iowa to points in Illinois, Wisconsin, Iowa, and Minnesota, for 180 days. Supporting shipper: The Dow Chemical Co., 2030 Abbott Road Center, Midland, Mich. 48640. Send protests to: Ellis L. Annett, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 677 Federal Building, Des Moines, Iowa 50309.

No. MC 112801 (Sub-No. 93 TA), filed April 21, 1969. Applicant: TRANSPORT SERVICE CO., Post Office Box 50272, Chicago, Ill. 60650. Applicant's representative: Robert H. Levy, 29 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vegetable oils*, from Lincoln, Nebr., to Des Moines and Council Bluffs, Iowa; Kansas City and Topeka, Kans., Kansas City, St. Joseph and Carthage, Mo., Sioux Falls, S. Dak., and Minneapolis, Albert Lea, and Mankato, Minn., for 180 days. Supporting shipper: Archer Daniels Midland Co., 4666 Faries Parkway, Decatur, Ill. 62521. Send protests to: District Supervisor Roger L. Buchanan, Interstate Commerce Commission, Bureau of Operations, 219 South Dearborn Street, Chicago, Ill. 60604.

No. MC 116254 (Sub-No. 96 TA), filed April 21, 1969. Applicant: CHEM-HAULERS, INC., Post Office Drawer M, Sheffield, Ala. 35660. Applicant's representative: L. Winston Biggs (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer*, from Port Birmingham, Ala., to points in Tennessee, for 150 days. Supporting shipper: Allied Chemical Corp., 40 Rector Street, New York, N.Y. 10006. Send protests to: B. R. McKenzie, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 814, 2121 Building, Birmingham, Ala. 35203.

No. MC 124402 (Sub-No. 4 TA), filed, April 22, 1969. Applicant: FLEET LINE, INC., 3919 Eighth Avenue, Post Office Box 7026, Chattanooga, Tenn. 37410. Applicant's representative: Blaine Buchanan, 1024 James Building, Chattanooga, Tenn. 37402. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Canned meats and meat products, baby foods and animal foods and dry animal foods*, from Chattanooga, Tenn., to points in Georgia, *rejected and return merchandise*, on return, for 180 days. Supporting shipper: Swift & Co., 115 West Jackson Boulevard, Chicago, Ill. 60604. Send protests to: Joe J. Tate, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 803, 1808 West End Building, Nashville, Tenn. 37203.

No. MC 125375 (Sub-No. 3 TA), filed April 22, 1969. Applicant: F. B. GUEST, doing business as F. B. G. TRANSPORT, Route 5, Box 95A, Covington, Ga. 30209. Applicant's representative: Monty Schumacher, Suite 310, 2045 Peachtree Road, NE., Atlanta, Ga. 30309. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Cottage cheese*, from Rock Island, Ill., to the warehouse of Winn-Dixie Stores, Inc., located in the Great Southwest Industrial Area, Fulton County, Ga. (near Atlanta, Ga.), for 180 days. Supporting shippers: The Bordon Co., 400 16th Street, Rock Island, Ill. 61201; Winn-Dixie, Greenville, Ind., Post Office Box 1088, Greenville, S.C. Send protests to: William L. Scroggs, District Supervisor, Interstate Commerce Commission, Room 309, 1252 West Peachtree Street NW., Atlanta, Ga. 30309.

No. MC 133219 (Sub-No. 5 TA), filed April 21, 1969. Applicant: PARKS TRANSPORTS, INC., Ashland, Nebr. 68003. Applicant's representative: Charles J. Kimball, Post Office Box 2028, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Edible vegetable oils and blends thereof*, in bulk, in tank vehicles, from the plantsite and storage facilities of Archer Daniels Midland Co., at or near Lincoln, Nebr., to points in Arkansas, Arizona, California, Colorado, Idaho, Iowa, Kansas, Minnesota, Missouri, Montana, North Dakota, Oklahoma, Oregon, New Mexico, South Dakota, Texas, Utah, Washington, and Wyoming, for 180 days. Supporting shipper: Archer Daniels Midland Co., Decatur, Ill. Send protests to: District Supervisor Johnston, Bureau of Operations, Interstate Commerce Commission, 315 Post Office Building, Lincoln, Nebr. 68508.

No. MC 133242 (Sub-No. 2 TA), filed April 21, 1969. Applicant: C. AND V. CORPORATION, 10345 Rainbow Lane, Indianapolis, Ind. 46236. Applicant's representative: Warren C. Moberly, 1212 Fletcher Trust Building, Indianapolis, Ind. 46204. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Steel bars, angles, sheets, plates, I beams, and channels, and new and used machine tools;* from Indianapolis, Ind., to points in Kankakee, Iroquois, Ford, Champaign, Vermilion, Edgar, Coles, Clark, Crawford, and Lawrence Counties, Ill., and Jefferson County, Ky., for 180 days. Supporting shipper: Indianapolis Machinery Co., Inc., 1559 South Meridian Street, Indianapolis, Ind. Send protests to: James W. Habermehl, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 802 Century Building, 36 South Pennsylvania Street, Indianapolis, Ind. 46204.

No. MC 133528 (Sub-No. 1 TA), filed April 21, 1969. Applicant: UPTON FUEL & CONSTRUCTION CO., INC., Maple Avenue, West Upton, Mass. 01587. Applicant's representative: Arthur A. Wentzell, Shrewsbury, Mass., Post Office Box 720, Worcester, Mass. 01601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foundary supplies*, in bulk, in dump vehicles, from West Upton, Mass. to Northbridge, Mass., restricted to shipments having had a prior movement by rail, for 150 days. Supporting shipper: Whitin Machine Works, Inc., Whitinsville, Mass. Send Protests to: Gerald H. Curry, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 187 Westminster Street, Providence, R.I. 02903.

No. MC 133629 TA, filed April 14, 1969. Applicant: TERRIFIC TRUCKING SERVICE, INC., Hood and Calcon Hook Roads, Sharon Hill, Pa. 19070. Applicant's representative: Arthur D. Bernstein, 1824 R Street NW., Washington, D.C. 20009. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except classes A and B explosives, commodities in bulk, and those requiring the use of special equipment), (1) between Philadelphia International Airport and Northeast Philadelphia Airport, both located in Philadelphia, Pa., on the one hand, and, on the other, points in Bucks, Chester, Delaware, and Montgomery Counties and Philadelphia, Pa., Burlington, Camden, Gloucester, and Salem Counties and Trenton, N.J., and New Castle County, Del., and (2) between Philadelphia International Airport and Northeast Philadelphia Airport, restricted to shipments having an immediate prior or subsequent movement by air, for 180 days.

Supporting shippers: There are approximately nine statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: Peter R. Guman, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 900 U.S. Custom House, 2d & Chestnut Streets, Philadelphia, Pa. 19106.

No. MC 133647 (Sub-No. 1 TA), filed April 22, 1969. Applicant: WILLIAM W. WESTON, Pleasant Valley Road, Post Office Box 412, Saxton's River, Vt. 05154. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer materials*, from North Walpole, N.H., to points in Bennington, Windham, Ruthland, and Windsor Counties, Vt., for 180 days. Supporting shipper: Kerr-McGee Chemical Co., North Walpole, N.H. Send protests to: Martin P. Monaghan, Jr., District Supervisor, Interstate Commerce Commission, Bureau of Operations, 52 State Street, Room 5, Montpelier, Vt. 05602.

No. MC 133649 TA, filed April 21, 1969. Applicant: LARISON FARM SERVICE, INC., Warner Street, Van Etten, N.Y. 14889. Applicant's representative: Raymond A. Richards, 23 West Main Street, Webster, N.Y. 14580. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Feed*, from points in Chemung County, N.Y., to points in Bradford, Pike, Potter, Sullivan, Susquehanna, Tioga, and Wayne Counties, Pa., for 180 days. Supporting shipper: Ralston Purina Co., Canandaigua, N.Y. 14424. Send protests to: Morris H. Gross, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 104, 301 Erie Boulevard West, Syracuse, N.Y. 13202.

No. MC 133650 TA, filed April 21, 1969. Applicant: JOSEPH M. CARROLL, doing business as CARROLL's MOVING & STORAGE CO., 1410 Broadway, Macon, Ga. 31201. Applicant's representative: Robert J. Gallagher, 111 State Street, Boston, Mass. 02100. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, between points in Georgia, for 180 days. Supporting shippers: Four Winds Forwarding, Inc., 4600 Wheeler Avenue, Post Office Box 9056, Alexandria, Va. 22303; Garrett Forwarding Co., subsidiary of Garrett Freight Lines, Inc., Post Office Box 4048, Pocatello, Idaho 83201; Home-Pak Transport, Inc., 57–58 49th Street, Maspeth, N.Y. 11378. Send protests to: William L. Scroggs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 309, 1252 West Peachtree Street NW., Atlanta, Ga. 30309.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 69-5129; Filed, Apr. 29, 1969; 8:49 a.m.]

[Notice 336]

MOTOR CARRIER TRANSFER PROCEEDINGS

APRIL 25, 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 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-71266. By order of April 23, 1969, the Motor Carrier Board approved the transfer to John Long Trucking, Inc., Sapulpa, Okla., of the permit in No. MC-124656, issued May 6, 1963, to John B. Long, doing business as John Long Trucking, Sapulpa, Okla., authorizing the transportation of glass bottles from Sapulpa, Okla., to points in Arizona and California. Wilburn L. Williamson, 600 Leininger Building, Oklahoma City, Okla. 73112 and Daniel B. Johnson, 716 Perpetual Building, Washington, D.C. 20004, attorneys for applicants.

No. MC-FC-71271. By order of April 23, 1969, the Motor Carrier Board approved the transfer to Gary A. Carlson, doing business as Carlson Truck Line, Montevideo, Minn., of Certificate Nos. MC-127123 and MC-127123 (Sub-No. 2), issued February 9, 1966 and July 27, 1966, respectively, to Dwight Dickason, Castlewood, S. Dak., authorizing the transportation of feed, except liquid molasses, from Minneapolis, Minn., to points in Hamlin and Clark Counties, S. Dak., Brown County, S. Dak. (except Aberdeen), and Day County, S. Dak. (except Waubay and points within 30 miles thereof, and animal and poultry feed (except liquid molasses), from Minneapolis, Minn., to points in Day, Roberts, Marshall, Grant, Spink, Deuel, Codington, Brookings, Kingsbury, Beadle, Hand, Hyde, Faulk, Edmunds, McPherson, Campbell, Walworth, Potter, Sully, Hughs, Stanley, Haakon, Ziebach, Corson, Perkins, Meade, Butte, Dewey, and Harding Counties, S. Dak. Donald L. Maland, 102 Parkway Drive, Montevideo, Minn. 56265, attorney for applicants.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 69-5130; Filed, Apr. 29, 1969; 8:49 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—APRIL

The following numerical guide is a list of parts of each title of the Code of Federal Regulations affected by documents published to date during April

3 CFR

Page

PROCLAMATIONS:
3908 ... 6467
3909 ... 6679
3910 ... 6961

EXECUTIVE ORDERS:
July 2, 1910 (revoked in part by PLO 4654) ... 7009
Sept. 7, 1917 (revoked in part by PLO 4604) ... 6585
Sept. 27, 1917 (revoked in part by PLO 4604) ... 6585
June 8, 1926 (revoked in part by PLO 4604) ... 6585
Mar. 14, 1927 (revoked by PLO 4600) ... 6584
718 (revoked by PLO 4597) ... 6584
1357 (revoked by PLO 4623) ... 6689
1568 (revoked in part by PLO 4625) ... 6690
2067 (revoked in part by PLO 4596) ... 6583
4872 (revoked by PLO 4620) ... 6689
5289 (revoked in part by PLO 4602) ... 6585
5327 (see PLO 4615) ... 6658
6276:
Revoked in part by PLO 4610 ... 6697
Revoked in part by PLO 4635 ... 6779
6544 (revoked in part by PLO 4613) ... 6657
6583:
Revoked in part by PLO 4610 ... 6687
Revoked in part by PLO 4619 ... 6688
7106 (revoked in part by PLO 4641) ... 6781
7415 (see PLO 4620) ... 6689
8598 (revoked in part by PLO 4617) ... 6688
11248 (amended by EO 11463) ... 6029
11368 (amended by EO 11464) ... 6233
11462 ... 5983
11463 ... 6029
11464 ... 6233
11465 ... 6415
11466 ... 6727

5 CFR

213 ... 5985, 6035, 6036, 6180, 6515, 6639, 6730, 6767, 6837
315 ... 3639
550 ... 5985, 6277
735 ... 6515

PROPOSED RULES:
890 ... 6799

7 CFR

51 ... 6180
52 ... 6437
68 ... 6963
215 ... 6515
220 ... 6321
301 ... 7014
319 ... 6571, 6963
718 ... 6235, 6572
777 ... 6907
778 ... 6767
811 ... 6469
813 ... 6321
814 ... 6031, 7015
815 ... 6964
849 ... 6237
862 ... 6651
905 ... 6277
906 ... 6075, 6651, 6848
907 ... 6034, 6325, 6572, 6848
908 ... 6035, 6325, 6326, 6470, 6572, 6729, 6849
910 ... 6181, 6437, 6470, 6681, 6729, 6965, 7017
911 ... 6438
912 ... 6181, 6439, 6681, 6965
913 ... 6182, 6439, 6681
944 ... 6516
959 ... 6439, 6573
966 ... 6326
980 ... 6326
987 ... 6471
1005 ... 7065
1036 ... 7066
1064 ... 7067
1073 ... 6516
1103 ... 6516
1133 ... 6182
1421 ... 6965, 7017
1430 ... 6471
1434 ... 6966
1468 ... 6328
1472 ... 6327
1483 ... 6768, 6769
1601 ... 6328

PROPOSED RULES:
28 ... 6244, 6852
81 ... 6283
362 ... 6106, 6194
725 ... 6785
908 ... 6787
913 ... 6693
932 ... 6482
950 ... 6787
980 ... 6396
1004 ... 6788
1005 ... 6531
1009 ... 6531
1036 ... 6531
1060 ... 6738
1064 ... 6482
1079 ... 6589, 7019
1125 ... 6697
1103 ... 5998
1138 ... 6001
1201 ... 6738

8 CFR

214 ... 6036
238 ... 6036
316a ... 6036

9 CFR

83 ... 6573

PROPOSED RULES:
76 ... 6047
317 ... 6284, 6538

10 CFR

Page

1 ... 6972
2 ... 6037
30 ... 6652, 6653
31 ... 6652
32 ... 6652, 6653
50 ... 6037, 6769
73 ... 6277
115 ... 6037, 6972
150 ... 6517, 6770, 7067

PROPOSED RULES:
1 ... 6002
2 ... 6002, 6540, 6931, 7033
50 ... 6002, 6540, 6599
115 ... 6002

12 CFR

201 ... 6417
204 ... 6329
207 ... 7005
221 ... 7005
224 ... 6472
226 ... 6417
329 ... 6574
508 ... 6575
563 ... 6279
584 ... 7068
650 ... 6329
654 ... 6329

PROPOSED RULES:
210 ... 6739
217 ... 6200
226 ... 6295
329 ... 6198
526 ... 6199
545 ... 6542
563 ... 6543, 7089
569 ... 6200

14 CFR

39 ... 6330, 6375, 6376, 6472, 6518, 6519, 6639, 6640, 6729, 6770, 7005, 7006
71 ... 5895, 5896, 6038, 6075–6079, 6173, 6280, 6331, 6376, 6473–6475, 6519, 6640, 6682, 6683, 6771, 6907, 7007, 7008, 7068–7071
73 ... 5986, 6079, 6080, 6837, 7007, 7008, 7071, 7072
75 ... 6079, 7071, 7072
93 ... 6475
95 ... 7072
97 ... 6174, 6377, 6641, 6908
203 ... 6771
207 ... 6772
208 ... 6081, 6773
212 ... 6773
214 ... 6087, 6773
249 ... 6774
302 ... 6838
385 ... 6091
389 ... 6838
1204 ... 6393

PROPOSED RULES:
23 ... 6195
25 ... 6443
29 ... 6196

14 CFR—Continued

Page

PROPOSED RULES—Continued

39 ... 6398, 6659
61 ... 6112, 6484
71 ... 6001, 6122, 6197, 6288, 6289, 6486–6489, 6540, 6697, 6698, 6794, 7030
73 ... 6050, 7030
75 ... 6289, 6660, 6795
91 ... 6196
121 ... 6112, 6196, 6198, 6333, 6443
123 ... 6443
127 ... 6196, 6198
135 ... 6195, 6198
225 ... 6489
244 ... 6853
296 ... 6853
297 ... 6853
298 ... 6256, 7085
399 ... 6853

15 CFR

30 ... 6183
372 ... 6091
373 ... 6092
379 ... 6094
385 ... 6096

PROPOSED RULES:

1000 ... 6246, 6254

16 CFR

13 ... 6039, 6040, 6097–6100, 6393, 6476–6478, 6774–6776
15 ... 6519, 6654, 6655, 6907, 7008
303 ... 6776

PROPOSED RULES:

250 ... 6857

17 CFR

1 ... 6478
150 ... 6777
231 ... 6575
240 ... 6101
249 ... 6730
279 ... 6730

PROPOSED RULES:

240 ... 6700

18 CFR

141 ... 6520

PROPOSED RULES:

50 ... 6984
160 ... 6984

19 CFR

1 ... 6375, 6923
8 ... 6418
10 ... 6520, 6655
16 ... 5986, 6418

20 CFR

404 ... 6973

21 CFR

2 ... 6237
8 ... 6777, 6975
17 ... 6479
120 ... 6041, 6239, 6418, 6419, 6655, 6976
121 ... 6043, 6239, 6240, 6419, 6684, 6778, 6976, 6977
128 ... 6977
130 ... 6778

21 CFR—Continued

Page

138 ... 6043
141 ... 6420
145 ... 6044
146 ... 6237
147 ... 6241
148p ... 6420
148v ... 6044
149d ... 6420
281 ... 5987
320 ... 6685

PROPOSED RULES:

3 ... 6441
8 ... 6396
120 ... 6442
121 ... 6194, 6284, 6442
130 ... 6443
141 ... 6443
141c ... 6284
146c ... 6284
146d ... 6284
146e ... 6284, 6443
148h ... 6983

22 CFR

41 ... 6479

24 CFR

25 ... 6421
200 ... 6183, 6575
207 ... 6980
213 ... 6980
220 ... 6980
221 ... 6980
232 ... 6981
235 ... 6981
236 ... 6981
242 ... 6183
1000 ... 6982
1100 ... 6982
1906 ... 6421

PROPOSED RULES:

1907 ... 6245

25 CFR

503 ... 6838

PROPOSED RULES:

257 ... 6783

26 CFR

601 ... 6424

PROPOSED RULES:

41 ... 6244, 6333

29 CFR

1504 ... 6150

PROPOSED RULES:

52 ... 6983
850 ... 6396
1500 ... 7084

30 CFR

PROPOSED RULES:

14 ... 6735
55 ... 6737
56 ... 6737
57 ... 6737

31 CFR

54 ... 6982
82 ... 6393
205 ... 6521
316 ... 7011

PROPOSED RULES:

306 ... 6930

32 CFR

Page

198 ... 5987
200 ... 6375
536 ... 6241, 6839
537 ... 6433
806a ... 6841
1711 ... 6778
1812 ... 6843

32A CFR

NSA (Ch. XVIII):

AGE 1 ... 6522
INS–1 ... 6188, 6656

33 CFR

110 ... 5988, 6480, 6577, 6685
117 ... 5989, 6280, 7008, 7009
204 ... 6656
207 ... 6480, 6924
401 ... 6685

PROPOSED RULES:

117 ... 6539

36 CFR

7 ... 6331, 6523

PROPOSED RULES:

7 ... 6283, 6660, 6931, 7084

37 CFR

1 ... 6843

PROPOSED RULES:

1 ... 6852

39 CFR

201 ... 6101
542 ... 6190
822 ... 5989
832 ... 6101

PROPOSED RULES:

132 ... 5998

41 CFR

1–3 ... 6844
1–6 ... 6844
5–1 ... 6192
5–2 ... 6192
5–3 ... 6192
5–53 ... 5990
7–6 ... 7076
7–15 ... 7077
7–16 ... 7077
8–6 ... 6730
8–8 ... 6730
8–12 ... 6731
8–18 ... 6732
9–1 ... 6578
9–2 ... 6578
9–3 ... 6579
9–6 ... 6579
9–7 ... 6579, 7077
9–8 ... 6579
9–14 ... 6579
9–18 ... 6579
9–58 ... 6582
12–3 ... 6242
12–7 ... 6243
12–15 ... 6243
12B–3 ... 6687
14–2 ... 6982
14–7 ... 6982
50–201 ... 6687
50–204 ... 6779
101–18 ... 6732
101–19 ... 6192

42 CFR

43 CFR

43 CFR—Continued

45 CFR

46 CFR

47 CFR

49 CFR

50 CFR