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Agencies in this issue—

Agricultural Stabilization and
Conservation Service
Atomic Energy Commission
Commerce Department
Commodity Credit Corporation
Consumer and Marketing Service
Customs Bureau
Federal Aviation Administration
Federal Communications Commission
Federal Power Commission
Federal Reserve System
Federal Trade Commission
Fish and Wildlife Service
Food and Drug Administration
Foreign Assets Control Office
General Services Administration
Hazardous Materials Regulations
Board
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Department
Interagency Textile Administrative
Committee
Interstate Commerce Commission
Land Management Bureau
Rural Electrification Administration
Securities and Exchange Commission
Tariff Commission
Wage and Hour Division

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Just Released

CODE OF FEDERAL REGULATIONS

(As of January 1, 1969)

Title 14—Aeronautics and Space (Parts 60–199)
(Revised) ----- \$2.50

Title 46—Shipping (Part 200–End) (Revised) ----- 3.00

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Title 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T.D. 69-96]

PART 16—LIQUIDATION OF DUTIES

Countervailing Duties; Sugar Content of Certain Articles From Australia; Correction

MAY 22, 1969.

In F.R. Doc. 69-4307, which was published in the FEDERAL REGISTER of April 12, 1969 (34 F.R. 6418), a line was inadvertently omitted from the first paragraph. The first paragraph is hereby corrected to read:

The Treasury Department is in receipt of official information that the rates of bounties or grants paid or bestowed by the Australian Government within the meaning of section 303, Tariff Act of 1930 (19 U.S.C. 1303), on the exportation during the month of March 1969, of approved fruit products and other approved products containing sugar amounts to Australian \$88.40 per 2,240 pounds of sugar content.

[SEAL]

LESTER D. JOHNSON,
Commissioner of Customs.

[F.R. Doc. 69-6393; Filed, May 28, 1969;
8:48 a.m.]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 101—Federal Property Management Regulations

SUBCHAPTER D—PUBLIC BUILDINGS AND SPACE AVAILABILITY OF SUITABLE HOUSING A FACTOR IN LOCATING FEDERAL FACILITIES

Many suburban sections of urban centers lack adequate housing for low and middle income Government employees within a reasonable proximity of the employees' place of work. This works a hardship on these employees, particularly when the section is not readily accessible from other areas of the urban center. To preclude agency requests for locations in such sections, this revision notifies agencies of the requirement for adequate employee housing.

PART 101-17—CONSTRUCTION AND ALTERATION OF PUBLIC BUILDINGS

Subpart 101-17.1—General

Section 101-17.102 is amended by adding a new paragraph (h) to read as follows:

§ 101-17.102 Basic policy.

(h) In selecting sites for public buildings in urban centers, GSA will avoid locations which will work a hardship on employees because (1) there is a lack of adequate housing for low and middle income employees within a reasonable proximity and (2) the location is not readily accessible from other areas of the urban center.

PART 101-18—ACQUISITION OF REAL PROPERTY

Subpart 101-18.1—Acquisition by Lease

Section 101-18.102 is amended by adding a new paragraph (d) to read as follows:

§ 101-18.102 Basic policy.

(d) GSA will avoid locations which will work a hardship on employees because (1) there is a lack of adequate housing for low and middle income employees within a reasonable proximity and (2) the location is not readily accessible from other areas of the urban center.

(Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c))

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

Dated: May 23, 1969.

ROBERT L. KUNZIG,
Administrator of General Services.

[F.R. Doc. 69-6354; Filed, May 28, 1969;
8:45 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Admin- istration, Department of Transpor- tation

SUBCHAPTER C—AIRCRAFT

[Docket No. 9615; Amdt. 39-770]

PART 39—AIRWORTHINESS DIRECTIVES

Avions Marcel Dassault Fan Jet Falcon and Fan Jet Falcon Series D Air- planes

There have been a number of cases reported where the T2 aspirator flexible hose connecting each nacelle air inlet

to the engine main fuel control unit on certain Avions Marcel Dassault airplanes has collapsed. Collapse of these hoses will cause an improper response to power lever movement and can result in a serious thrust loss at certain altitudes. In view of the serious consequences of such a failure and since this condition is likely to exist or develop in other aircraft of the same type design, an airworthiness directive is being issued to require inspection of the existing aspirator hoses, and replacement if necessary.

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

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (14 CFR 11.89), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

AVIONS MARCEL DASSAULT. Applies to all Fan Jet Falcon and Fan Jet Falcon Series D airplanes.

Compliance required as indicated unless already accomplished.

To prevent a power loss resulting from defective T2 aspirator hoses, accomplish the following:

(a) Within the next 10 hours' time in service after the effective date of this AD, and thereafter at intervals not to exceed 75 hours' time in service from the date of the last inspection, visually inspect the T2 aspirator hose, P/N MY 20 510.001 or P/N MY 20 510.001A, in each nacelle to see if the hose is collapsed, if the fabric is loose from the hose coil, or if the hose is twisted.

(b) If during the inspection required in paragraph (a) either hose is found to be defective, before further flight, replace the defective hose with a new hose of the same part number, or with either hose P/N MY 20 510.001/2 or hose P/N AWF 1.11.1.2.1.

(c) The repetitive inspections required by paragraph (a) may be discontinued after the installation of either hose P/N MY 20 510.001/2 or hose P/N AWF 1.11.1.2.1 on each nacelle, in accordance with Avions Marcel Dassault Service Bulletin No. 374, Revision 1, dated March 27, 1969, or later SGAC-approved revision or an FAA approved equivalent.

This amendment becomes effective June 2, 1969.

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

Issued in Washington, D.C., on May 20, 1969.

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

[F.R. Doc. 69-6367; Filed, May 28, 1969;
8:47 a.m.]

[Docket No. 9617; Amdt. 30-771]

**PART 39—AIRWORTHINESS
DIRECTIVES****Slingsby Model T.53.B Glider**

It has been determined that structural modifications are necessary in the region of the fuselage center section on Slingsby Model T.53.B Gliders. In view of the serious consequences of such a structural failure and since this condition is likely to exist or develop in other products of the same type design, an airworthiness directive (AD) is being issued to require modification of the center section of the glider before further flight.

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

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (14 CFR 11.89), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

SLINGSBY. Applies to all Slingsby Model T.53.B Gliders.

Before further flight after the effective date of this AD, modify the fuselage center section structure in accordance with Slingsby Technical Instruction No. 39, dated March 1969, or later ARB-approved issue or FAA-approved equivalent.

This amendment becomes effective June 2, 1969.

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

Issued in Washington, D.C., on May 22, 1969.

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

[P.R. Doc. 69-6368; Filed, May 28, 1969; 8:47 a.m.]

SUBCHAPTER E—AIRSPACE

[Airspace Docket No. 69-SO-31]

**PART 71—DESIGNATION OF FEDERAL
AIRWAYS, CONTROLLED AIRSPACE,
AND REPORTING POINTS****Alteration of Control Zone and
Transition Area**

On April 15, 1969, a notice of proposed rule making was published in the FEDERAL REGISTER (34 F.R. 6486), stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Asheville, N.C., control zone and transition area.

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

Subsequent to publication of the notice, the geographic coordinate (lat. 35°26'05" N., long. 82°32'20" W.) for Asheville Airport was obtained from

Coast and Geodetic Survey. It is necessary to alter the control zone description by appropriately inserting the geographic coordinate for the airport.

Since this amendment is editorial in nature, notice and public procedure hereon are unnecessary and action is taken herein to alter the description accordingly.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., July 24, 1969, as hereinafter set forth.

In § 71.171 (34 F.R. 4557), the Asheville, N.C., control zone is amended to read:

ASHEVILLE, N.C.

Within a 5-mile radius of Asheville Airport (lat. 35°26'05" N., long. 82°32'20" W.); within 2 miles each side of Runway 16/34 extended centerlines, extending from the 5-mile radius zone to the Broad River and Biltmore RBN's.

In § 71.181 (34 F.R. 4637), the Asheville, N.C., transition area is amended to read:

ASHEVILLE, N.C.

That airspace extending upward from 700 feet above the surface within 7 miles east and west of the 160° and 340° bearings from the Biltmore RBN, extending from 7 miles north of Biltmore RBN to 12 miles south of Broad River RBN; within 8 miles east and 5 miles west of the Asheville ILS localizer south course, extending from Broad River RBN to 12 miles south of the RBN; within 2 miles each side of the 339° bearing from Biltmore RBN, extending from the RBN to 8 miles north of the RBN; within 2 miles each side of the Asheville VORTAC 230° radial, extending from the VORTAC to the Broad River RBN.

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

Issued in East Point, Ga., on May 19, 1969.

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

[P.R. Doc. 69-6369; Filed, May 28, 1969; 8:47 a.m.]

[Airspace Docket No. 69-WE-10]

**PART 71—DESIGNATION OF FEDERAL
AIRWAYS, CONTROLLED AIRSPACE,
AND REPORTING POINTS****Alteration of Transition Area**

On April 19, 1969, F.R. Doc. 69-4677 was published in the FEDERAL REGISTER which altered the Walla Walla, Wash., transition area. Subsequent to the publication of this document it was determined that recently updated survey data required that a minor alteration to the contents be made. Action is taken herein to effect this change.

Since this change is minor in nature and imposes no additional burden on any person, notice and public procedure hereon are unnecessary and the effective date as originally adopted may be retained.

In consideration of the foregoing F.R. Doc. 69-4677 is amended by deleting

"168° radial," where it appears in the text and substituting "165° radial," therefor.

Issued in Los Angeles, Calif., on May 20, 1969.

LYNN L. HINK,
Acting Director, Western Region.

In § 71.181 (34 F.R. 4637) amend the description of the Walla Walla, Wash., transition area by deleting " * * * , excluding the portion within the Pendleton, Oreg., transition area." and substitute therefor " * * * within 5 miles east and 10 miles west of the Walla Walla 165° radial, extending from the 19-mile radius area to the northeast edge of V-298 and within 5 miles each side of the Walla Walla 329° radial extending from the northwest edge of V-112 to the southeast edge of V-112W, excluding the portion within the Pendleton, Oreg., transition area."

[P.R. Doc. 69-6370; Filed, May 28, 1969; 8:47 a.m.]

[Airspace Docket No. 69-SO-49]

**PART 71—DESIGNATION OF FEDERAL
AIRWAYS, CONTROLLED AIRSPACE,
AND REPORTING POINTS****Redesignation of Control Zone**

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to redesignate the Elizabeth City, N.C., control zone.

The Elizabeth City control zone is described in § 71.171 (34 F.R. 4557) and is presently effective 24 hours per day. Since the Flight Service Station will begin operating from 0700 to 2200 hours, local time, daily, effective June 15, 1969, it is necessary to alter the description to redesignate it as a part-time control zone.

Since this amendment is less restrictive in nature and imposes no additional burden on the public, notice and public procedure hereon are unnecessary and action is taken herein to amend the description accordingly.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., June 15, 1969, as hereinafter set forth.

In § 71.171 (34 F.R. 4557), the Elizabeth City, N.C., control zone is redesignated as follows:

ELIZABETH CITY, N.C.

Within a 5-mile radius of CGAS Elizabeth City (lat. 36°15'35" N., long. 76°10'20" W.); within 2 miles each side of the Elizabeth City VOR 195° radial, extending from the 5-mile radius zone to 8 miles south of the VOR; within 2 miles each side of the Elizabeth City VOR 357° radial, extending from the 5-mile radius zone to 8 miles north of the VOR. This control zone is effective from 0700 to 2200 hours, local time, daily.

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

Issued in East Point, Ga., on May 19, 1969.

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

[P.R. Doc. 69-6371; Filed, May 28, 1969; 8:47 a.m.]

SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Reg. Docket No. 9598; Amdt. 631]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Amendments

The amendments to the standard instrument approach procedures contained herein are adopted to become effective when indicated in order to promote safety. The amended procedures supersede the existing procedures of the same classification now in effect for the airports specified therein. For the convenience of the users, the complete procedure is republished in this amendment indicating the changes to the existing procedures.

As a situation exists which demands immediate action in the interests of safety in air commerce, 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 view of the foregoing and pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 97 (14 CFR Part 97) is amended as follows:

1. By amending § 97.11 of Subpart B to amend low or medium frequency range (L/MF), automatic direction finding (ADF) and very high frequency omnirange (VOR) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE NDB (ADF)

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition		Course and distance	Minimum altitude (feet)	Condition	Ceiling and visibility minimums		
From—	To—				2-engine or less 65 knots or less	More than 2-engine, more than 65 knots	More than 2-engine, more than 65 knots
Payette Int.	ONO RBN	Direct	5000	T-dn	300-1	300-1	300-1
				C-dn	1100-1	1100-1	1100-1
				A-dn	1100-2	1100-2	1100-2

Procedure turn E side of crs, 140° Outbd, 330° Inbd, 4300' within 10 miles. Not authorized beyond 10 miles.

Minimum altitude over facility on final approach crs, 330°.

Facility on airport.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 9 mile of ONO RBN, turn right, climb to 4300' on crs of 140° Outbd within 15 miles.

*Alternate minimums authorized when Ontario weather is available.

MSA: 000°-090°-7900'; 090°-180°-6500'; 180°-270°-8500'; 270°-360°-8500'.

City, Ontario; State, Oreg.; Airport name, Ontario Municipal; Elev., 2189'; Fac. Class., MHW; Ident., ONO; Procedure No. NDB (ADF)-1, Amdt. 6; Eff. date, 19 June 69; Sup. Amdt. No. 8; Dated, 29 Aug. 64

Woodstown VOR	LOM	Direct	1700	T-dn	300-1	300-1	300-1
				C-dn	800-2	800-2	800-2
				S-dn-1	800-2	800-2	800-2
				A-dn	800-2	800-2	800-2
				If Stack Int received the following minimums apply:			
				C-dn	500-1	500-1	500-1
				S-dn-1	500-1	500-1	500-1

Procedure turn W side of final approach crs, 194° Outbd, 014° Inbd, 1700' within 10 miles.

Minimum altitude over facility on final approach crs, 1700'.

Crs and distance, facility to airport, 014°-5.3 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.3 miles after passing LOM, make climbing left turn to 1700' and return to Wilmington LOM. Hold S, Wilmington LOM, 1-minute right turns, 014° inbd.

MSA within 25 miles of facility: 000°-090°-2100'; 090°-180°-2100'; 180°-270°-1600'; 270°-360°-2000'.

City, Wilmington; State, Del.; Airport name, Greater Wilmington; Elev., 79'; Fac. Class., LOM; Ident., IL; Procedure No. NDB (ADF)-1, Amdt. 9; Eff. date, 19 June 69; Sup. Amdt. No. 8; Dated, 29 Oct. 66

2. By amending § 97.11 of Subpart B to delete low or medium frequency range (L/MF), automatic direction finding (ADF) and very high frequency omnirange (VOR) procedures as follows:

Baraboo, Wis.—Baraboo-Wisconsin Dells, VOR-1, Amdt. 2, 23 Dec. 1967 (established under Subpart C).

Decatur, Ill.—Decatur, VOR 1, Amdt. 5, 14 Jan. 1967 (established under Subpart C).

Indianapolis, Ind.—Bob Shank, VOR-1, Amdt. 1, 15 Aug. 1968 (established under Subpart C).

Pierre, S. Dak.—Pierre Municipal, VOR 1, Amdt. 9, 16 July 1966 (established under Subpart C).

3. By amending § 97.11 of Subpart B to cancel low or medium frequency range (L/MF), automatic direction finding (ADF) and very high frequency omnirange (VOR) procedures as follows:

Bloomington, Ind.—Monroe County, VOR Runway 24, Amdt. 5, 20 Mar. 1969, canceled, effective 19 June 1969.

4. By amending § 97.15 of Subpart B to delete very high frequency omnirange-distance measuring equipment (VOR/DME) procedures as follows:

Pierre, S. Dak.—Pierre Municipal, VOR/DME-1, Orig., 10 Nov. 1966 (established under Subpart C).

5. By amending § 97.17 of Subpart B to amend instrument landing system (ILS) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE ILS

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition		Course and distance	Minimum altitude (feet)	Condition	Ceiling and visibility minimums		
From—	To—				2-engine or less 65 knots or less	More than 2-engine, more than 65 knots	More than 2-engine, more than 65 knots
Rochelle Int.	LOM (final)	Direct	2000	T-dn**	300-1	300-1	200-1/4
PLL VOR	LOM	Direct	2500	C-dn	500-1	500-1	500-1/4
RFD VOR	LOM	Direct	2000	S-dn-3848	300-1/4	300-1/4	300-1/4
Belvedere Int.	LOM	Direct	2500	A-dn	600-2	600-2	600-2
JVL VOR	LOM	Direct	*2500				
Malta Int.	LOM	Direct	2500				
Creston Int.	South crs ILS (final)	Via R 150°	2000				
RFD VOR, R 240° counterclockwise	RFD VOR, R 158°	RFD VOR	2500				
5-mile DME Fix RFD VOR, R 158°	LOM (final)	Via 15-mile DME arc.	2000				
		Direct	2000				

Procedure turn W side of crs, 182° Outbd, 002° Inbd, 2000' within 10 miles.

Minimum altitude at glide slope interception Inbd, 2000'.

Altitude at glide slope and distance to approach end of runway at LOM, 1860'—4.1 miles; at MM, 916'—0.6 mile.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.1 miles after passing LOM, make left-climbing turn to 2500', proceed direct to RFD VOR or, when directed by ATC, (1) climb to 2500' on N crs of ILS within 10 miles; (2) make left-climbing turn to 2000' direct to LOM.

CAUTION: High-tension powerline 894' AMSL 0.7 mile N of outer marker.

*400-3/4 required when glide slope not utilized.

*2000' after passing RFD VOR R090°.

**RVB 2400' authorized Runway 36.

\$RVR 4000'.

MSA within 25 miles of RF LOM: 000°-090°-2300'; 090°-180°-2500'; 180°-270°-2300'; 270°-360°-2000'.

City, Rockford; State, Ill.; Airport name, Greater Rockford; Elev., 735'; Fac. Class., ILS; Ident., I-RFD; Procedure No. ILS Runway 36, Amdt. 11; Eff. date, 19 June 69; Sup. Amdt. No. 10; Dated, 10 Apr. 60

Woodstown VOR	LOM	Direct	1700	T-dn**	300-1	300-1	200-1/4
				C-dn	400-1	500-1	500-1/4
				S-dn-18°	200-1/4	200-1/4	200-1/4
				A-dn	600-2	600-2	600-2

Procedure turn W side S crs 194° Outbd, 014° Inbd, 1700' within 10 miles.

Minimum altitude at glide slope interception Inbd, 1700'.

Altitude at glide slope and distance to approach end of runway at OM, 1631'—5.3 miles; at MM 284'—0.6 mile.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished make climbing left turn to 2000' on EWT R 270° to Elkton Int, hold W, 1-minute right turn, 090° Inbd.

**RVB 2400' authorized Runway 1.

*RVR 2400'. Descent below 270' not authorized unless approach lights are visible.

*300-3/4 required with glide slope inoperative.

MSA within 25 miles of LOM: 000°-090°-2100'; 090°-180°-2100'; 180°-270°-1600'; 270°-360°-2000'.

City, Wilmington; State, Del.; Airport name, Greater Wilmington; Elev., 79'; Fac. Class., ILS; Ident., I-ILG; Procedure No. ILS-1, Amdt. 10; Eff. date, 19 June 69; Sup. Amdt. No. 9; Dated, 29 Oct. 66

6. By amending § 97.23 of Subpart C to establish very high frequency omnirange (VOR) and very high frequency-distance measuring equipment (VOR/DME) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL, except HAT, HAA, and RA. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles or hundreds of feet RVR.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approach minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Terminal routes			Minimum altitudes (feet)	Missed approach MAP: 1.3 miles after passing DLL VOR TAC.
From—	To—	Via		
R 284°, DLL VORTAC CW	R 007°, DLL VORTAC	7-mile Arc	3000	Climb to 3000' on R 187° DLL VORTAC
R 140°, DLL VORTAC CCW	R 094°, DLL VORTAC	7-mile Arc	3300	within 10 miles; return to VORTAC.
R 094°, DLL VORTAC CCW	R 007°, DLL VORTAC	7-mile Arc	3000	Supplementary charting information:
7-mile Arc	DLL VORTAC (NOPT)	R 007°, DLL VORTAC	1900	2280' steel tower 7 miles SE of airport.

Procedure turn W side of crs, 007° Outbd, 187° Inbd, 2000' within 10 miles of DLL VORTAC.

FAF, DLL VORTAC. Final approach crs, 187°. Distance FAF to MAP, 1.3 miles.

Minimum altitude over DLL VORTAC, 1900'.

MSA: 000°-090°-2300'; 090°-180°-3300'; 180°-270°-2800'; 270°-360°-2300'.

NOTES: (1) Use Lone Rock altimeter setting. (2) Final approach from holding pattern at DLL VORTAC not authorized. Procedure turn required.

CAUTION: Runways 4/22 unlighted.

% IFR departure procedure: When weather is below 1300-2, aircraft departing southeastbound, flight below 2800' beyond 2 miles from airport is prohibited between radials 110° and 180° inclusive of the DLL VORTAC.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	
C	1600	1	621	1600	1	621	1600	1/4	621	NA
A	Not authorized.			T 2-eng. or less—Standard.%			T over 2-eng.—Standard.%			

City, Baraboo; State, Wis.; Airport name, Baraboo-Wisconsin Dells; Elev., 979'; Facility, DLL; Procedure No. VOR-1, Amdt. 3; Eff. date, 19 June 69; Sup. Amdt. No. 2; Dated, 23 Dec. 67

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 5.4 miles after passing DEC VOR
Hendon Int.	DEC VOR (NOPT)	Direct	2300	Climbing right turn to 2300' direct to DEC VOR. Supplementary charting information: 906' elevator 1.4 miles NNW of airport, 911' elevator 1.6 miles NW of airport, 1004' elevator 1.8 miles NW of airport, 1749' tower 6.9 miles N of airport. Runway 36, TDZ elevation, 677'.

Procedure turn E side of crs, 168° Outbd, 348° Inbd, 2300' within 10 miles of DEC VOR.

FAP, DEC VOR. Final approach crs, 348°. Distance FAP to MAP, 5.4 miles.

Minimum altitude over DEC VOR, 2300'.

MSA: 045°-225°-2100'; 225°-315°-2600'; 315°-045°-2600'.

NOTES: (1) Inoperative component table does not apply to REILS Runway 36. (2) Use Champaign altimeter setting when control zone not effective. (3) Circling and straight-in MDA raised 120' when control zone not effective except operators with approved weather reporting service.

% IFR departures: For northbound departures when weather is below 1100-1 flight beyond 6 miles N of airport between R 345° to R 017° below 2300' not authorized. Restriction due to 1749' tower 7 miles N.

*Alternate minimums not authorized when control zone not effective except operators with approved weather service.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-36	1000	1	383	1000	1	383	1000	1	383	1000	1	383
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	1120	1	441	1220	1	541	1220	1½	541	1320	2	641
A	Standard.*			T 2-eng. or less—Standard.½			T over 2-eng.—Standard.¾					

City, Decatur, State, Ill.; Airport name, Decatur; Elev., 679'; Facility, DEC; Procedure No. VOR Runway 36, Amdt. 6; Eff. date, 19 June 60; Sup. Amdt. No. VOR 1, Amdt. 3; Dated, 14 Jan. 67

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 5.5 miles after passing IND VOR TAC.
				Make left-climbing turn to 2500' and return to IND VORTAC. Supplementary charting information: Towers: 1852', 4 miles NNE; 1104', 2 miles ENE; 1173', 3 miles ENE; 1043', 1.1 miles N.

Procedure turn N side of crs, 200° Outbd, 080° Inbd, 2500' within 10 miles of IND VORTAC.

FAP, IND VORTAC. Final approach crs, 080°. Distance FAP to MAP, 5.5 miles.

Minimum altitude over IND VORTAC, 2500'.

MSA: 135°-225°-3100'; 225°-315°-2300'; 315°-135°-2900'.

NOTES: (1) Radar vectoring. (2) Use Indianapolis (Weir-Cook) altimeter setting.

% Plan IFR departures N and NE to avoid 1043' tower 1.1 miles N and several 1852' towers 4.6 to 7 miles NNE.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	VIS		
C	1300	1	584	1300	1	584	1300	1½	584	NA		
A	Not authorized.			T 2-eng. or less—400-1 required Runway 3; Standard Runway 21.½			T over 2-eng.—400-1 required Runway 3; Standard Runway 21.½					

City, Indianapolis, State, Ind.; Airport name, Bob Shank; Elev., 776'; Facility, IND; Procedure No. VOR-1, Amdt. 2; Eff. date, 19 June 60; Sup. Amdt. No. 1; Dated 15 Aug. 68

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR—Continued

Terminal routes			Minimum altitudes (feet)	Missed approach
From—	To—	Via		MAP: 4.8 miles after passing PIR VORTAC.
R 040°, PIR VORTAC CW.....	R 076°, PIR VORTAC.....	7-mile Arc.....	3500	Climb to 4000' on R 242° within 10 miles; return to VORTAC. Supplementary charting information: Runway 25, TDZ elevation, 1717'.
R 100°, PIR VORTAC CCW.....	R 076°, PIR VORTAC.....	7-mile Arc.....	3500	
7-mile DME Fix, R 076°.....	PIR VORTAC (NOPT).....	Direct.....	3200	

Procedure turn N side of crs, 076° Outbd, 256° Inbd, 3500' within 10 miles of PIR VORTAC.

FAF, PIR VORTAC. Final approach crs, 256°. Distance FAF to MAP, 4.8 miles.

Minimum altitude over PIR VORTAC, 3200'; over 2-mile DME Fix, 2080'.

MSA: 090°-180°-3400'; 180°-270°-3500'; 270°-090°-3900'.

NOTE: Inoperative table does not apply to REILs Runway 25.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-25.....	2080	1	363	2080	1	363	2080	1	363	2080	1	363
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C.....	2140	1	399	2300	1	459	2300	1 1/4	459	2300	2	559
VOR/DME Minimums:												
S-25.....	2000	1	283	2000	1	283	2000	1	283	2000	1	283
A.....	Standard.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.					

City, Pierre; State, S. Dak.; Airport name, Pierre Municipal; Elev., 1741'; Facility, PIR; Procedure No. VOR Runway 25, Amdt. 10; Eff. date, 19 Aug. 69; Sup. Amdt. No. VOR 1, Amdt. 9; Dated, 16 July 66

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR/DME

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL, except HAT, HAA, and RA. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles or hundreds of feet RVR.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approach minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Terminal routes			Minimum altitudes (feet)	Missed approach
From—	To—	Via		MAP: 5.9-mile DME Fix, R 254°.
PIR VORTAC.....	10-mile DME Fix, R 254°.....	Direct.....	3600	Climb direct to PIR VORTAC, continue climb to 3300' on R 076° within 10 miles; return to VORTAC. Supplementary charting information: *Chart in plan view. Runway 7, TDZ elevation, 1734'.
R 291°, PIR VORTAC CW.....	R 254°, PIR VORTAC.....	15-mile Arc.....	3600	
R 242°, PIR VORTAC CCW.....	R 254°, PIR VORTAC.....	15-mile Arc.....	3600	
17-mile DME Fix, R 254°.....	10-mile DME Fix, R 254° (NOPT).....	Direct.....	2600	

Procedure turn S side of crs, 254° Outbd, 074° Inbd, 3600' within 10 miles of 10-mile DME Fix.

Final approach crs., 074°.

Minimum altitude over 10-mile DME Fix, R 254°, 2600'.

MSA: 090°-180°-3400'; 180°-270°-3500'; 270°-090°-3900'.

*Final approach from holding pattern at 10-mile DME Fix, R 254° not authorized; procedure turn required.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-7.....	2100	1	366	2100	1	366	2100	1	366	2100	1	366
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C.....	2140	1	399	2300	1	459	2300	1 1/4	459	2300	2	559
A.....	Standard.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.					

City, Pierre; State S. Dak.; Airport name, Pierre Municipal; Elev., 1741'; Facility, PIR; Procedure No. VOR/DME Runway 7, Amdt. 1; Eff. date, 19 June 69; Sup. Amdt. No. VOR/DME-1, Orig.; Dated, 19 Nov. 66

7. By amending § 97.23 of Subpart C to amend very high frequency omnirange (VOR) and very high frequency-distance measuring equipment (VOR/DME) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL, except HAT, HAA, and RA. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles or hundreds of feet RVR.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approach minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Terminal routes			Minimum altitudes (feet)	Missed approach MAP: CHS VORTAC.
From—	To—	Via		
R 223°, CHS VORTAC CW	R 334°, CHS VORTAC	CHS 10-mile DME Arc	1800	Climb to 2000' on R 154° CHS VORTAC within 15 miles of CHS VORTAC. Supplementary charting information: Final approach crs intercepts runway centerline 3500' from threshold. VASI Runways 21, 15, 33. TDZ elevation, 44'.
R 052°, CHS VORTAC CCW	R 334°, CHS VORTAC	CHS 10-mile DME Arc	1800	
10-mile DME Arc	CH LOM/5.8-mile DME (NOPT)	CHS, R 334°	480	

Procedure turn W side of crs, 334° Outbnd, 154° Inbnd, 1300' within 10 miles of CHS VORTAC.

Final approach crs, 154°.

Minimum altitude over CH LOM or 5.8-mile DME Fix, 480'.

MSA: 000°-090°-3100'; 090°-180°-2100'; 180°-360°-1500'.

Note: ASR.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-15	480	RVR 24	436	480	RVR 24	436	480	RVR 24	436	480	RVR 30	436
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	480	1	435	500	1	455	500	1½	455	600	2	555
	VOR/DME/NDB Minimums:											
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-15	440	RVR 24	396	440	RVR 24	396	440	RVR 24	396	440	RVR 30	396
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	480	1	435	500	1	455	500	1½	455	600	2	555
A	Standard.			T 2-eng. or less—RVR 24', Runway 15; Standard all other runways.			T over 2-eng.—RVR 24', Runway 15; Standard all other runways.					

City, Charleston; State, S.C.; Airport name, Charleston AFB/Municipal; Elev., 45'; Facility, CHS; Procedure No. VOR Runway 15, Amdt. 3; Eff. date, 19 June 60; Sup. Amdt. No. 2; Dated, 19 Dec. 68

8. By amending § 97.27 of Subpart C to amend nondirectional beacon (automatic direction finder) (NDB/ADF) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE NDB (ADF)

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL, except HAT, HAA, and RA. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles or hundreds of feet RVR.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approach minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Terminal routes			Minimum altitudes (feet)	Missed approach MAP: 4.5 miles after passing CH LOM.
From—	To—	Via		
CHS VORTAC	CH LOM	Direct	1500	Climb to 2000' on 149° bearing from CH LOM within 15 miles. Supplementary charting information: VASI Runways 21, 15, 33. TDZ elevation, 44'.
Rockville Int.	CH LOM	Direct	1800	
Jaxboro Int.	CH LOM	Direct	1800	
Walterboro Int.	CH LOM	Direct	1800	
Givhams Int.	CH LOM	Direct	1800	
Gillyard Int.	CH LOM	Direct	1800	
Cooper Int.	CH LOM	Direct	1800	
Wando Int.	CH LOM	Direct	1800	

Procedure turn W side of crs, 329° Outbnd, 149° Inbnd, 1300' within 10 miles of CH LOM.

FAF, CH LOM. Final approach crs, 149°. Distance FAF to MAP, 4.5 miles.

Minimum altitude over CH LOM, 1300'.

MSA: 000°-180°-3100'; 180°-270°-1500'; 270°-360°-1500'.

Note: ASR.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-15	440	RVR 40	396	440	RVR 40	396	440	RVR 40	396	440	RVR 50	396
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	480	1	435	500	1	455	500	1½	455	600	2	555
A	Standard.			T 2-eng. or less—RVR 24', Runway 15; Standard all other runways.			T over 2-eng.—RVR 24', Runway 15; Standard all other runways.					

City, Charleston; State, S.C.; Airport name, Charleston AFB/Municipal; Elev., 45'; Facility, CH; Procedure No. NDB (ADF) Runway 15, Amdt. 10; Eff. date, 19 June 60; Sup. Amdt. No. 5; Dated, 19 Dec. 68

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE NDB (ADF)—Continued

Terminal routes				Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: MQB NDB.	
BRL VORTAC.....	MQB NDB.....	Direct.....	2500	Climb to 2300', right turn to MQB NDB. Supplementary charting information: Final approach crs crosses runway centerline extended 3000' from threshold. Steel tower 3 miles SW to 1200'.	
Canton Int.....	MQB NDB.....	Direct.....	2500		
Webster Int.....	MQB NDB.....	Direct.....	2500		

Procedure turn S side of crs, 080° Outbnd, 260° Inbnd, 2300' within 10 miles of MQB NDB.

Final approach crs, 260°.

MSA: 000°-360°-2300'.

NOTE: Use Burlington, Iowa, altimeter setting.

%IFR departure procedures: Runways 26 and 8—When weather below 500-3, climb straight ahead to 2300' before proceeding on crs.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-26.....	1240	1	537	1240	1	537	NA			NA		
	MDA	VIS	HAA	MDA	VIS	HAA						
C.....	1240	1	537	1240	1	537	NA			NA		
A.....	Not authorized.			T 2-eng. or less—Standard. %			T over 2-eng.—Standard. %					

City, Macomb; State, Ill.; Airport name, Municipal; Elev., 703'; Facility, MQB; Procedure No. NDB (ADF) Runway 26, Amdt. 1; Eff. date, 19 June 69; Sup. Amdt. No. NDB (ADF) Runway 27, Orig.; Dated, 1 May 69

Terminal routes				Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: 4.1 miles after passing IA LOM.	
Buffalo VORTAC.....	IA LOM.....	Direct.....	2000	Climb straight ahead to 2000' within 10 miles, right turn direct IA LOM and hold. Supplementary charting information: Hold E of IA LOM, 1-minute right turns, 278° Inbnd. TDZ elevation, 589'. Numerous obstructions penetrating 40:1 all runways except 28R and 10L.	
Grand Island Int.....	IA LOM.....	Direct.....	2500		
Wolcottville Int.....	IA LOM (NOPT).....	Direct.....	1800		

Procedure turn N side of crs, 098° Outbnd, 278° Inbnd, 1800' within 10 miles of IA LOM.

FAF, IA LOM. Final approach crs, 278°. Distance FAF to MAP, 4.1 miles.

Minimum altitude over IA LOM, 1800'.

MSA: 000°-150°-2600'; 150°-240°-3700'; 240°-330°-2600'; 330°-090°-1800'.

Notes: (1) Radar vectoring. (2) Inoperative table does not apply to ALS.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-28R.....	1000	RVR 50	411	1000	RVR 50	411	1000	RVR 50	411	1000	RVR 50	411
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C.....	1080	1	490	1080	1	490	1080	1½	490	1140	2	550
A.....	Standard.			T 2-eng. or less—RVR 24', Runway 28R, 1 mile required, Runways 10R-28L. Standard all others.			T over 2-eng.—RVR 24', Runway 28R, 1 mile required, Runways 10R-28L. Standard all others.					

City, Niagara Falls; State, N.Y.; Airport name, Niagara Falls International; Elev., 590'; Facility, IA; Procedure No. NDB (ADF) Runway 28R, Amdt. 11; Eff. date, 19 June 69; Sup. Amdt. No. 10; Dated, 11 Apr. 69

9. By amending § 97.29 of Subpart C to amend instrument landing system (ILS) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—Type ILS

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL, except HAT, HAA, and RA. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles or hundreds of feet RVR.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approach minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Terminal routes			Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: ILS DH 244', LOC 4.5 miles after passing CH LOM.
CHS VORTAC, R 211° CW	CHS LOC	10-mile Arc CHS, R 330° lead radial.	1800	Climb to 2000' on R 149° CHS VORTAC within 15 miles of CHS VORTAC, or when directed by ATC, climbing right turn to 3000' on R 211°, CHS VORTAC to Rockville Int and hold. Supplementary charting information: Hold SW, 1 minute, right turns, 031° Inbnd. VASI Runways 21, 15, 33. TDZ elevation, 44'.
CHS VORTAC, R 052° CCW	CHS LOC	10-mile Arc CHS, R 340° lead radial.	1800	
10-mile DME Arc	CH LOM (NOPT)	LOC crs.	1300	
CHS VORTAC	CH LOM	Direct	1500	
Rockville Int.	CH LOM	Direct	1800	
Jaxboro Int.	CH LOM	Direct	1800	
Walterboro Int.	CH LOM	Direct	1800	
Givhans Int.	CH LOM	Direct	1800	
Gillyard Int.	CH LOM	Direct	1800	
Cooper Int.	CH LOM	Direct	1800	
Wando Int.	CH LOM	Direct	1800	

Procedure turn W side of crs, 329° Outbnd, 149° Inbnd, 1300' within 10 miles of CH LOM.
FAF, CH LOM. Final approach crs, 149°. Distance FAF to MAP, 4.5 miles.
Minimum glide slope interception altitude, 1300'. Glide slope altitude at OM, 1281'; at MM, 233'.
Distance to runway threshold at OM, 4.5 miles; at MM, 0.6 mile.
MSA: 000°-180°-3100'; 180°-270°-1800'; 270°-360°-1500'.
NOTE: ASR.
LOC (BC) unusable.
Front crs not usable above 5000'.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT
8-15.	244	RVR 24	200	244	RVR 24	200	244	RVR 24	200	244	RVR 24	200
LOC:	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
8-15.	400	RVR 24	356	400	RVR 24	356	400	RVR 24	356	400	RVR 40	356
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	480	1	435	500	1	455	500	1½	455	600	2	555
A	Standard.			T 2-eng. or less—RVR 24', Runway 15; Standard all other runways.			T over 2-eng.—RVR 24', Runway 15; Standard all other runways.					

City, Charleston; State, S.C.; Airport name, Charleston AFB/Municipal; Elev., 45'; Facility, I-CHS; Procedure No. ILS Runway 15, Amdt. 11; Eff. date, 19 June 69; Sup. Amdt. No. 10; Dated, 19 Dec. 68

Terminal routes			Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: ILS DH 793'. LOC 4.1 miles after passing IA LOM.
Wolcottville Int.	IA LOM (NOPT)	Direct	1800	Climb straight ahead to 2000' within 10 miles, right turn direct IA LOM and hold. Supplementary charting information: Hold E of IA LOM, 1-minute right turns, 278° Inbnd. TDZ elevation, 580'. Numerous obstructions penetrating 40:1 all runways except 28R and 10L.
Grand Island Int.	IA LOM	Direct	2500	
Buffalo VOR	IA LOM (NOPT)	BUF VOR R 300°/E crs ILS.	2000	

Procedure turn N side of crs, 098° Outbnd, 278° Inbnd, 1800' within 10 miles of IA LOM.
FAF, IA LOM. Final approach crs, 278°. Distance FAF to MAP, 4.1 miles.
Minimum glide slope interception altitude, 1800'. Glide slope altitude at OM, 1755'; at MM, 805'.
MSA: 060°-150°-2600'; 150°-240°-3700'; 240°-330°-2600'; 330°-060°-1800'.
NOTES: (1) Radar vectoring. (2) Back crs unusable.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT
8-28R	789	RVR 24	200	789	RVR 24	200	789	RVR 24	200	789	RVR 24	200
LOC:	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
8-28R	960	RVR 24	371	960	RVR 24	371	960	RVR 24	371	960	RVR 40	371
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	1080	1	490	1080	1	490	1080	1½	490	1140	2	550
A	Standard.			T 2-eng. or less—RVR 24', Runway 28R, 1 mile required; Runways 10R-28L, Standard all others.			T over 2-eng.—RVR 24', Runway 28R, 1 mile required; Runways 10R-28L, Standard all others.					

City, Niagara Falls; State, N.Y.; Airport name, Niagara Falls International; Elev., 590'; Facility, I-IAG; Procedure No. ILS Runway 28R, Amdt. 14; Eff. date, 19 June 69; Sup. Amdt. No. 13; Dated, 28 Nov. 68

10. By amending § 97.31 of Subpart C to amend precision approach radar (PAR) and airport surveillance radar (ASR) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE RADAR

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL, except HAT, HAA, and RA. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles or hundreds of feet RVR.

If a radar instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument procedure, unless an approach is conducted in accordance with a different procedure authorized for such airport by the Administrator. Initial approach minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below. Positive identification must be established with the radar controller. From initial contact with radar to final authorized landing minimums, the instructions of the radar controller are mandatory except when (A) visual contact is established on final approach at or before descent to the authorized landing minimums, or (B) at Pilot's discretion if it appears desirable to discontinue the approach. Except when the radar controller may direct otherwise prior to final approach, a missed approach shall be executed as provided below when (A) communication on final approach is lost for more than 5 seconds during a precision approach, or for more than 30 seconds during a surveillance approach; (B) directed by radar controller; (C) visual contact is not established upon descent to authorized landing minimums; or (D) if landing is not accomplished.

Radar terminal area maneuvering sectors and altitudes (sectors and distances measured from radar antenna)										Notes
From—	To—	Distance	Altitude	Distance	Altitude	Distance	Altitude	Distance	Altitude	
As established by Detroit ASR minimum vectoring charts.										1. Descend aircraft after passing FAF. 2. Runway 33, FAF 6 miles from threshold. 3. Runway 15, FAF 6 miles from threshold.

Missed approach: Runway 33—Climb to 2800' direct to DE LOM. Runway 15—Climb to 2000' direct to QG VOR.

DAY AND NIGHT MINIMUM

Cond.	A			B			C			D	
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	VIS	
C.....	1200	1	575	1200	1	575	1200	1½	575	NA	
A.....	Standard.			T 2-eng. or less—300-1 required all runways.			T over 2-eng.—300-1 required all runways.				

City, Detroit; State, Mich.; Airport name, Detroit City; Elev., 625'; Facility, Detroit Metro Radar; Procedure No. Radar-1, Amdt. 2; Eff. date, 19 June 69; Sup. Amdt. No. 1; Dated, 5 Sept. 68

Radar terminal area maneuvering sectors and altitudes (sectors and distances measured from radar antenna)										Notes
From—	To—	Distance	Altitude	Distance	Altitude	Distance	Altitude	Distance	Altitude	
As established by Los Angeles ASR minimum altitude vectoring charts.										1. Descend aircraft after passing FAF. 2. Runway 24—FAF 6.3 miles from threshold. Minimum altitude over 2-mile Radar Fix, 760'. TDZ elevation, 120'. 3. Runway 25L—FAF 5.4 miles from threshold. Minimum altitude over 1.9-mile Radar Fix 620'. TDZ elevation, 100'. 4. Runway 7R—FAF 6 miles from threshold. TDZ elevation, 124'. 5. Runway 6—FAF 6 miles from threshold. TDZ elevation, 110'. *IFR departure procedures: Northbound (280° CW through 090°) unless otherwise directed by ATC, published SID's must be used. *PAR unusable W of ILS MM (DH 324') for aircraft below 12,500 pounds gross weight.

Missed approach:

Runway 24—Climb on heading 250° to intercept LAX R 270° to 2000' within 15 miles.

Runway 25L—Climb to 2000' direct to LAX VOR then via R 248° within 15 miles.

Runway 7R—Climb to 2000' direct to Downey NDB. Alternate missed approach: Climb to 2000' via LAX R 068° to Firestone Int.

Runway 6—Climb to 2000' direct to Downey NDB. Alternate missed approach: Climb to 2000' via LAX R 068° to Firestone Int.

NOTE: Components inoperative table does not apply to HIRL's and SAL's Runway 24.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT
PAR:*	300	RVR 24	200	300	RVR 24	200	300	RVR 24	200	300	RVR 24	200
S-25L.....	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-25L.....	520	RVR 40	420	520	RVR 40	420	520	RVR 40	420	520	RVR 40	420
S-24.....	560	RVR 50	440	560	RVR 50	440	560	RVR 50	440	560	RVR 50	440
S-7R.....	600	RVR 40	476	600	RVR 40	476	600	RVR 40	476	600	RVR 40	476
S-6.....	560	RVR 50	450	560	RVR 50	450	560	RVR 50	450	560	RVR 50	450
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C.....	640	1	514	640	1	514	640	1½	514	680	2	554
A.....	Standard.			T 2-eng. or less—Runways 16/34, and 6 Standard; Runway 7L/R, RVR 50'; Runway 24, RVR 40'; Runway 25L/R, RVR 24'. %			T over 2-eng.—Runways 16/34, and 6 Standard; Runway 7L/R, RVR 50'; Runway 24 RVR 40'; Runway 25L/R, RVR 24'. %					

City, Los Angeles; State, Calif.; Airport name, Los Angeles International; Elev., 126'; Facility, LAX Radar; Procedure No. Radar-1, Amdt. 23; Eff. date, 19 June 69; Sup. Amdt. No. 22; Dated, 6 Feb. 69

These procedures shall become effective on the dates specified therein.

(Sec. 307(c), 313(a), 601, Federal Aviation Act of 1958 (49 U.S.C. 1348(c), 1354(a), 1421; 72 Stat. 749, 752, 775))

Issued in Washington, D.C., on May 13, 1969.

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

[F.R. Doc. 69-6030; Filed, May 28, 1969; 8:45 a.m.]

[Reg. Docket No. 9576; Amdt. 649]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Amendments

Correction

In F.R. Doc. 69-5492 appearing at page 7763 in the issue of Friday, May 16, 1969, the following correction should be made. In the "Day and Night Minimums" table for Charleston, S.C., appearing on page 7779, the figure in the second column now reading "410" should read "440".

Title 43—PUBLIC LANDS: INTERIOR

Chapter II—Bureau of Land Man- agement, Department of the Interior

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 4598]

[Oregon 3209]

OREGON

Reservation for Constructed Forest Service Road

Correction

In F.R. Doc. 69-4492, appearing at page 6584, in the issue for Thursday, April 17, 1969, make the following changes:

1. In paragraph 1, line 8, insert the word "leasing" preceding the word "laws".

2. In paragraph 2:

a. The word "of" in line 3 should read "or".

b. The word "or" in line 4 should read "of".

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. C-1528]

PART 13—PROHIBITED TRADE PRACTICES

Brand & Puritz et al.

Subpart—Advertising falsely or misleadingly: § 13.30 *Composition of goods*: 13.30-75 Textile Fiber Products Identification Act; § 13.73 *Formal regulatory and statutory requirements*: 13.73-90 Textile Fiber Products Identification Act. Subpart—Invoicing products falsely: § 13.1108 *Invoicing products falsely*: 13.1108-80 Textile Fiber Products Identification Act. Subpart—Misbranding or mislabeling: § 13.1185 *Composition*: 13.1185-30 Fur Products Labeling Act; 13.1185-80 Textile Fiber Products Identification Act; 13.1185-90 Wool Products Labeling Act; § 13.1212 *Formal regulatory and statutory requirements*:

13.1212-30 Fur Products Labeling Act; 13.1212-80 Textile Fiber Products Identification Act; 13.1212-90 Wool Products Labeling Act. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1845 *Composition*: 13.-1845-80 Wool Products Labeling Act; § 13.1852 *Formal regulatory and statutory requirements*: 13.1852-35 Fur Products Labeling Act; 13.1852-70 Textile Fiber Products Identification Act; 13.1852-80 Wool Products Labeling Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, 72 Stat. 1717, 719, as amended, 72 Stat. 1717, sec. 8, 65 Stat. 179, secs. 2-5, 54 Stat. 1128-1130; 15 U.S.C. 45, 70, 69f, 68) [Cease and desist order, Brand & Puritz et al., Kansas City, Mo., Docket C-1528, May 5, 1969]

In the Matter of Brand & Puritz, a Partnership, and Hyman Brand, David Levitch, Frances B. Levitch, Arthur A. Brand, and Carl Puritz, Individually and as Copartners Trading as Brand & Puritz

Consent order requiring a Kansas City, Mo., manufacturer of women's, misses', and children's apparel to cease misbranding its fur, wool and textile fiber products, falsely advertising its textile fiber products, and failing to keep required records.

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

It is ordered, That respondents Brand & Puritz, a partnership, and Hyman Brand, David Levitch, Frances B. Levitch, Arthur A. Brand, and Carl Puritz, individually and as copartners trading as Brand & Puritz, or under any other name or names, and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with the introduction, delivery for introduction, manufacture for introduction, sale, advertising, or offering for sale, in commerce, or the transportation or causing to be transported, in commerce, or the importation into the United States of any textile fiber product; or in connection with the sale, offering for sale, advertising, delivery, transportation or causing to be transported of any textile fiber product which has been advertised or offered for sale in commerce; or in connection with the sale, offering for sale, advertising, delivery, transportation, or causing to be transported, after shipment in commerce, of any textile fiber product, whether in its original state or contained in other textile fiber products, as the terms "commerce" and "textile fiber product" are defined in the Textile Fiber Products Identification Act, do forthwith cease and desist from:

A. Misbranding textile fiber products by:

1. Falsely or deceptively stamping, tagging, labeling, invoicing, advertising, or otherwise identifying any textile fiber products as to the name or amount of constituent fibers contained therein.

2. Failing to affix a stamp, tag, label, or other means of identification to each such product showing in a clear, legible and conspicuous manner each element of information required to be disclosed by section 4(b) of the Textile Fiber Products Identification Act.

3. Failing to label samples, swatches, or specimens of textile fiber products subject to the Act, which are used to promote or effect sales of such textile fiber products, in such a manner as to show their respective fiber contents and other required information.

B. Falsely and deceptively advertising textile fiber products by:

1. Making any representations, directly or by implication, as to the fiber content of any textile fiber product in any written advertisement which is used to aid, promote, or assist, directly or indirectly, in the sale or offering for sale of such textile fiber product, unless the same information required to be shown on the stamp, tag, label or other means of identification under section 4(b) (1) and (2) of the Textile Fiber Products Identification Act is contained in the said advertisement, in the manner and form required, except that the percentages of the fibers present in the textile fiber product need not be stated.

2. Using a fiber trademark in advertisements without a full disclosure of the required content information in at least one instance in the said advertisement.

3. Using a fiber trademark in advertising textile fiber products containing more than one fiber without such fiber trademark appearing in the required fiber content information in immediate proximity and conjunction with the generic name of the fiber in plainly legible type or lettering of equal size and conspicuousness.

C. Failing to maintain and preserve for at least 3 years proper records showing the fiber content of textile fiber products manufactured by them, as required by section 6(a) of the Textile Fiber Products Identification Act and Rule 39 of the rules and regulations promulgated thereunder.

It is further ordered, That respondents Brand & Puritz, a partnership, and Hyman Brand, David Levitch, Frances B. Levitch, Arthur A. Brand, and Carl Puritz, individually and as copartners trading as Brand & Puritz, or under any other name or names, and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with the introduction or manufacture for introduction, into commerce, or in connection with the sale, transportation, distribution, delivery for shipment, shipment, or offering for sale in commerce, of wool products, as "commerce" and "wool product" are defined in the Wool Products Labeling Act of 1939, do forthwith cease and desist from misbranding such products by:

A. Failing to securely affix to or place on each such product a stamp, tag, label,

or other means of identification correctly showing in a clear and conspicuous manner each element of information required to be disclosed by section 4(a)(2) of the Wool Products Labeling Act of 1939.

B. Failing to set forth the generic names of manufactured fibers established in Rule 7 of the regulation promulgated under the Textile Fiber Products Identification Act, in naming such fibers in required information on stamps, tags, labels or other means of identification attached to wool products.

C. Failing to affix labels to samples, swatches, or specimens of wool products used to promote or effect the sale of wool products, showing in words and figures plainly legible all of the information required to be disclosed by each of the subsections of section 4(a)(2) of the Wool Products Labeling Act of 1939.

It is further ordered, That respondents Brand & Puritz, a partnership, and Hyman Brand, David Levitch, Frances B. Levitch, Arthur A. Brand, and Carl Puritz, individually and as copartners trading as Brand & Puritz, or under any other name or names, and respondents' representatives, agents, and employees, directly or through any corporate or other device in connection with the introduction, manufacture for introduction, into commerce, or the sale, advertising, or offering for sale in commerce, or the transportation or distribution in commerce of any fur product; or in connection with the manufacture for sale, sale, advertising, offering for sale, transportation or distribution of any fur product which is made in whole or in part of fur which has been shipped and received in commerce, as the terms "commerce," "fur," and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from misbranding fur products by:

1. Failing to affix labels to fur products showing in words and in figures plainly legible all the information required to be disclosed by each of the subsections of section 4(2) of the Fur Products Labeling Act.

2. Setting forth on a label attached to any such fur product the name or names of any animal or animals other than the name of the animal producing the fur contained in such fur product as specified in the Fur Products Name Guide and as prescribed by the rules and regulations.

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

Issued: May 5, 1969.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[P.R. Doc. 69-6352; Filed, May 28, 1969;
8:45 a.m.]

[Docket No. C-1529]

PART 13—PROHIBITED TRADE PRACTICES

Goldline Fashions, Inc., et al.

Subpart—Furnishing false guaranties: § 13.1053 *Furnishing false guaranties: 13.1053-35 Fur Products Labeling Act.* Subpart—Invoicing products falsely: § 13.1108 *Invoicing products falsely: 13.1108-45 Fur Products Labeling Act.* Subpart—Misbranding or mislabeling: § 13.1185 *Composition: 13.1185-30 Fur Products Labeling Act; § 13.1212 Formal regulatory and statutory requirements: 13.1212-30 Fur Products Labeling Act.* Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1845 *Composition: 13.1845-30 Fur Products Labeling Act; § 13.1852 Formal regulatory and statutory requirements: 13.1852-35 Fur Products Labeling Act.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, sec. 8, 65 Stat. 179; 15 U.S.C. 45, 69f) [Cease and desist order, Goldline Fashions, Inc., et al., New York, N.Y., Docket C-1529, May 5, 1969]

In the Matter of Goldline Fashions, Inc., a Corporation, and Briarlee Modes, Inc., a Corporation, and Louis Goldstein and William Wertlieb, Individually and as Officers of Said Corporations

Consent order requiring two affiliated New York City manufacturers of women's and misses' apparel to cease misbranding, falsely invoicing and deceptively guaranteeing its fur products.

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

It is ordered, That Goldline Fashions, Inc., a corporation, and its officers, and Briarlee Modes, Inc., a corporation, and its officers, and Louis Goldstein and William Wertlieb, individually and as officers of said corporations, and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with the introduction, or manufacture for introduction, into commerce, or the sale, advertising, or offering for sale in commerce, or the transportation or distribution in commerce, of any fur product; or in connection with the manufacture

for sale, sale, advertising, offering for sale, transportation or distribution, of any fur product which is made in whole or in part of fur which has been shipped and received in commerce, as the terms "commerce," "fur," and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

A. Misbranding any fur product by:

1. Representing directly or by implication on a label that the fur contained in such fur product is natural when such fur is pointed, bleached, dyed, tip-dyed, or otherwise artificially colored.

2. Failing to affix a label to such fur product showing in words and in figures plainly legible all of the information required to be disclosed by each of the subsections of section 4(2) of the Fur Products Labeling Act.

B. Falsely or deceptively invoicing any fur product by:

1. Failing to furnish an invoice, as the term "invoice" is defined in the Fur Products Labeling Act, showing in words and figures plainly legible all the information required to be disclosed by each of the subsections of section 5(b)(1) of the Fur Products Labeling Act.

2. Representing, directly or by implication, on invoices that the fur contained in such fur product is natural when such fur is pointed, bleached, dyed, tip-dyed, or otherwise artificially colored.

It is further ordered, That respondents Goldline Fashions, Inc., a corporation, and its officers, and Briarlee Modes, Inc., a corporation, and its officers, and Louis Goldstein and William Wertlieb, individually and as officers of said corporations, and respondents' representatives, agents, and employees, directly or through any corporate or other device, do forthwith cease and desist from furnishing a false guaranty that any fur product is not misbranded, falsely invoiced or falsely advertised when the respondents have reason to believe that such fur product may be introduced, sold, transported, or distributed in commerce.

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

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

Issued: May 5, 1969.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[P.R. Doc. 69-6353; Filed, May 28, 1969;
8:45 a.m.]

PART 240—GUIDES FOR ADVERTISING ALLOWANCES AND OTHER MERCHANDISING PAYMENTS AND SERVICES

The following Guides were adopted by the Federal Trade Commission and become effective June 1, 1969.

Introduction. These Guides are designed to highlight legal problems that may be encountered by businessmen who want to utilize promotional or advertising allowances and similar merchandising payments or services to stimulate the sale of their products. The Guides are not intended to serve as a comprehensive statement of the law or as a legal treatise, but are instead intended to serve as a practical manual—in the form of basic rules of thumb, specific examples, and carefully considered suggestions—for the honest businessman who wants to conform his conduct to the requirements of the law without giving up the benefits that can be derived from this form of promotional activity. The Guides are designed to furnish guidance and assistance for the businessman seeking to comply with the law and to avoid even inadvertent violations.

Simply stated, what the law requires, in essence, is that those who grant promotional and advertising allowances treat their customers fairly and without discrimination, and not use such allowances to disguise discriminatory price discounts. In interpreting and enforcing the law, the Commission will recognize the practicalities of business while preventing the kind of discriminatory practices at which the law was aimed. Realistic and reasonable enforcement of the law will enable the Commission to enlist the aid of businessmen in eliminating undesirable practices and abuses without interfering with legitimate promotional and merchandising activities.

What the Guides are meant to do. These Guides can be of great value to businessmen who want to avoid violating the laws against giving or receiving improper promotional allowances, including advertising or special services, for promoting products. The Guides will make possible a better understanding of the obligations of sellers and their customers in joint promotional activities.

The Commission's responsibility is to obtain compliance with these laws. It has a duty to move against violators.¹ However, as an administrative agency, the Commission believes the more knowledge

businessmen have with respect to the laws enforced by the Commission, the greater the likelihood that voluntary compliance with the laws will be obtained.

For the Commission to perform its responsibilities properly, and for business to avoid violation of the law, it is necessary that every effort be made to furnish individual businessmen a better understanding of these laws. It will help businessmen—and the Commission's law enforcement efforts—if they have a good general knowledge of what they can and cannot do in the field of promotional allowances and services.

What the Guides are not meant to do. It should be made clear too that the Guides are not meant to do several things:

(1) They are not meant to cover every situation. Decided cases dealing with unusual situations are not covered.

(2) They are not a substitute for sound legal advice.

(3) They are not intended to be a legal treatise. They should be read as a nontechnical explanation of what the law means.

(4) They do not make it mandatory (nor does the law itself) that sellers provide promotional allowances, services, or facilities to any customer. They only come into play when the seller determines to employ such promotional practices.

(5) The omission in these final guides of any portion which appeared in a previous version should not be construed as necessarily reflecting any change in policy by the Commission.

What the law covers generally. The Robinson-Patman Act is an amendment to the Clayton Act. It is directed at preventing competitive inequalities that come from certain types of discrimination by sellers in interstate commerce. Sections 2 (d) and (e) of the Act deal with discriminations in the field of promotional payments and services made available to customers who buy for resale. Where the seller pays the buyer to perform the service, section 2(d) applies. Where the seller furnishes the service itself to the buyer, section 2(e) applies. Both sections require a seller to treat competing customers on proportionally equal terms in connection with the resale of the seller's products of like grade and quality.

Other law involved. In several places, the Guides are concerned with laws other than section 2 (d) and (e):

(1) A seller who pays a customer for services that are not rendered, or who overpays for services which have been rendered, may thereby violate section 2(a) of the Clayton Act, as amended. (See § 240.11.)

(2) A customer who receives discriminatory or other improper payments, services, or facilities may thereby violate section 2(f) of the Clayton Act, as amended by the Robinson-Patman Act,

or section 5 of the Federal Trade Commission Act. (See §§ 240.11 and 240.14.)

(3) A third party who helps a customer claim reimbursement greater than that to which he is entitled under a seller's program (by furnishing the customer with a false invoice or other statement, for instance), may thereby violate section 5 of the Federal Trade Commission Act. (See § 240.15.)

(4) A third party who devises and/or administers a promotional assistance program on behalf of one or more sellers may violate section 5 of the Federal Trade Commission Act if the use, administration, or operation of the program results in violation of law. (See § 240.13.)

(5) The examples are not intended to be all-inclusive. The Guides do not purport to set forth all the legal rules governing a seller's promotional practices or other vertical arrangements, but are directed primarily to the seller's obligation in making promotional offers to notify, and offer proportionally equal terms to, his competing customers. Related practices, not directly involving notification or proportionalization, are not necessarily covered by these Guides.

Sec.	
240.1	When does the law apply?
240.2	Who is a seller?
240.3	Who is a customer?
240.4	What is interstate commerce?
240.5	What are services or facilities?
240.6	Need for a plan.
240.7	Proportionally equal terms.
240.8	Seller's duty to inform.
240.9	Availability to all competing customers.
240.10	Need to understand terms.
240.11	Checking customer's use of payments.
240.12	Competing customers.
240.13	Wholesaler or third party performance of seller's obligations.
240.14	Customer's liability.
240.15	Third party liability for double billing.
240.16	Meeting competition.
240.17	Cost justification.

AUTHORITY: The provisions of this Part 240 issued under secs. 5, 6, 38 Stat. 719, as amended, 721; 15 U.S.C. 45, 46; 49 Stat. 1526; 15 U.S.C. 13, as amended.

§ 240.1 When does the law apply?

Sections 2 (d) and (e) apply to a seller of products in interstate commerce, if he either directly or through an intermediary (a) pays for services or facilities furnished by a customer in connection with the distribution of his products [section 2(d)], or (b) furnishes such services or facilities to a customer [section 2(e)] who competes with any other customer in the resale of the seller's products of like grade and quality.

[Guide 1]

§ 240.2 Who is a seller?

"Seller" includes anyone (manufacturer, wholesaler, distributor, etc.) who sells products for resale, with or without further processing. Selling candy to a

¹The Commission has issued many orders to cease and desist which include proscriptions under section 2(d) and/or 2(e) of the amended Clayton Act that antedate the Supreme Court's decision in the matter of Federal Trade Commission v. Fred Meyer, Inc., et al., 390 U.S. 341 (1968). In this regard, it should be noted that future obligations of those companies and individuals under those orders shall be measured against said decision, as supplemented by these Guides.

retailer is a sale for resale without processing. Selling corn syrup to a candy manufacturer is an example of a sale for resale with processing.

[Guide 2]

§ 240.3 Who is a customer?

(a) A "customer" is someone who buys for resale directly from the seller, the seller's agent or broker; and, in addition, a "customer" is any buyer of the seller's product for resale who purchases from or through a wholesaler or other intermediate reseller. In this part, the word "customer" which is used in section 2(d) of the Act includes "purchaser" which is used in section 2(e).

NOTE: In determining whether a seller has fulfilled his obligations toward his customers, the Commission will recognize that there may be some exceptions to this general definition of "customer." For example, the purchaser of distress merchandise would not be considered a "customer" simply on the basis of such purchase. Similarly, a retailer who purchases solely from other retailers, or one who makes only sporadic purchases, or one who does not regularly sell the seller's product or who is a type of retail outlet not usually selling such products (e.g., a hardware store stocking a few isolated food items) will not be considered a "customer" of the seller unless the seller has been put on notice that such retailer is selling his product.

(b) "Competing customers" are all businesses that compete in the resale of the seller's products of like grade and quality at the same functional level of distribution regardless of whether they purchase direct from the supplier or through some intermediary.

Example 1: A manufacturer sells to some retailers directly and to others through wholesalers. Retailer "X" purchases the manufacturer's product from a wholesaler and resells some of it to retailer "Y." Retailer "X" is a customer of the manufacturer. Retailer "Y" is not a customer unless the fact that he purchases the manufacturer's product is known to the manufacturer.

Example 2: A manufacturer sells directly to some independent retailers, sells to the headquarters of chains and of retailer-owned cooperatives, and also sells to wholesalers. The direct-buying independent retailers, the headquarters of chains and of retailer-owned cooperatives, and the wholesalers' independent retailer customers are customers of the manufacturer. Individual retail outlets which are part of the chains or members of the retailer-owned cooperatives are not customers of the manufacturer.

[Guide 3]

§ 240.4 What is interstate commerce?

This term has not been precisely defined in the statute. In general, if there is any part of a business which is not wholly within one State (for example, sales or deliveries of products, their subsequent distribution or purchase, or delivery of supplies or raw materials), the business may be subject to the Robinson-Patman Act. Sales in the District of Columbia are also covered by the Act.

[Guide 4]

§ 240.5 What are services or facilities?

These terms have not been exactly defined by the statute or in decisions. The following are merely examples—the Act covers many other services and facilities.

(a) The following are some of the services or facilities covered by the Act where the seller pays the buyer for furnishing them:

Any kind of advertising, including cooperative advertising;
Handbills;
Window and floor displays;
Special sales or promotional efforts for which "push money" is paid to clerks, salesmen, and other employees of the customers;
Demonstrators and demonstrations.

(b) Here are some examples of services or facilities covered by the Act when the seller furnishes them to a customer:

Any kind of advertising;
Catalogs;
Demonstrators;
Display and storage cabinets;
Display materials;
Special packaging, or package sizes;
Accepting returns for credit;
Prizes or merchandise for conducting promotional contests.

NOTE: In this part, the term "services" is used to encompass both "services and facilities."

[Guide 5]

§ 240.6 Need for a plan.

If a seller makes payments or furnishes services that come under section 2(d) or (e) of the Clayton Act, as amended, he should do it under a plan that meets several requirements. In addition, if there are many competing customers to be considered, or if the plan is at all complex, the seller would be well advised to put his plan in writing. Briefly, the requirements are:

(a) The payments or services under the plan should be available on proportionally equal terms to all competing customers. (See § 240.7.)

(b) The seller should take action designed to inform all of his competing customers of the existence of and essential features of the promotion plan in ample time for them to take full advantage of it. (See § 240.8.)

(c) If the basic plan is not functionally available to (i.e., suitable for and usable by) some customers competing in the resale of the seller's products of like grade and quality with those being furnished payments or services, alternatives that are functionally available should be offered to such customers. (See § 240.9.)

(d) In informing customers of the details of a plan, the seller should provide them sufficient information to give a clear understanding of the exact terms of the offer, including all alternatives, and the conditions upon which payment will be made or services furnished. (See § 240.10.)

(e) The seller should take reasonable precautions to see that the services are actually performed and that he is not overpaying for them. (See § 240.11.)

[Guide 6]

§ 240.7 Proportionally equal terms.

The payment or services under the plan should be made available to all competing customers on proportionally equal terms. This means that payments or services should be proportionalized on some basis that is fair to all customers

who compete in the resale of the seller's products. No single way to proportionally equalize is prescribed by law. Any method that treats competing customers on proportionally equal terms may be used. Generally, this can best be done by basing the payments made or the services furnished on the dollar volume or on the quantity of goods purchased during a specified period. Other methods which are fair to all competing customers are also acceptable.

Example 1: A seller may properly offer to pay a specified part (say 50 percent) of the cost of local advertising up to an amount equal to a set percentage (such as 5 percent) of the dollar volume of purchases during a specified time.

Example 2: A seller may properly place in reserve for each customer a specified amount of money for each unit purchased, and use it to reimburse those customers for the actual cost of their advertising of the seller's product.

Example 3: A seller should not select one or a few customers to receive special allowances (e.g., 5 percent of purchases) to promote his product, while making allowances available on some lesser basis (e.g., 2 percent of purchases) to customers who compete with them.

Example 4: A seller's plan should not provide an allowance on a basis that has rates graduated with the amount of goods purchased, as, for instance, 1 percent of the first \$1,000 purchases per month, 2 percent of second \$1,000 per month, and 3 percent of all over that.

Example 5: A seller should not identify or feature one or a few customers in his own advertising without making the same service available on proportionally equal terms to customers competing with the identified customer or customers.

Example 6: A seller who makes his employees available or arranges with a third party to furnish personnel for purposes of performing work for a customer should make the same offer available on proportionally equal terms to all other competing customers. In addition the seller should offer usable and suitable alternatives of equivalent measurable cost to those competing customers to whom such services are not usable and suitable.

[Guide 7]

§ 240.8 Seller's duty to inform.

(a) The seller should take reasonable action, in good faith, to inform all his competing customers of the availability of his promotional program. Such notification should include all the relevant details of the offer in time to enable customers to make an informed judgment whether to participate. In the alternative, such notification should include a summary of the essential features and a specific source to contact for further details on a specific promotion. Where such one-step notification is impracticable, the seller may, in lieu thereof, maintain a continuing program of first notifying all competing customers of the types of promotions offered by the seller and a specific source for the customer to contact in order to receive full and timely notice of all relevant details of the supplier's promotions. Such notice should also inform all competing customers that the seller offers advertising allowances and/or other promotional assistance that are

usable in a practical business sense by all retailers regardless of size. When a customer indicates his desire to be put on the notification list, the seller should keep that customer advised of all promotions available in his area as long as the customer so desires. The seller can make the required notification by any means he chooses, but if he wants to be able to show later that he gave notice to a certain customer, he is in a better position to do so if it was given in writing.

(b) If more direct methods of notification are impracticable, a seller may employ one or more of the following methods, the sufficiency of which will depend upon the nature of the industry and the complexity of his own distribution system. Different sellers may find that different notification methods are most effective for them.

(1) The seller may enter into contracts with his wholesalers, distributors, or other third parties which conform to the requirements of § 240.13.

(2) The seller may place appropriate announcements on product containers or inside thereof with conspicuous notice of such enclosure on the outside. Where this notification procedure is utilized, however, the seller should take whatever steps are necessary to help insure that the notice will come to the attention of the customer's managerial personnel.

(3) The seller may publish notice of the availability and essential features of a promotional plan in a publication of general distribution in the trade.

Note: Whatever procedure is used to give notice to the customer it should prove to be effective in practice. In many instances where customers of wholesalers or other intermediaries are involved and it is necessary to coordinate buying for a promotion such as a one-time buy promotion, a minimum lead time for notification may be 60 days or more.

Example 1: A seller has a plan for the retail promotion of his products in Philadelphia. Some of his retailing customers purchase directly, and he offers the plan to them. Some other Philadelphia retailers purchase his products through wholesalers. The seller may use the wholesalers to reach the retailing customers who buy through them, either by having the wholesalers notify those retailers in accordance with § 240.13, or by using the wholesalers' customer lists for direct notification by the seller.

Example 2: A seller has a plan for the retail promotion of his products in Kansas City. Some of his retailing customers purchase directly and he offers the plan to them. Others purchase his products through wholesalers. The seller may satisfy his notification obligations to them by undertaking, in good faith, one or more of the following measures:

A. Placing on a shipping container or a product package that can reasonably be expected to come to the attention of the managerial personnel of all retailing customers handling the promoted product in time to enable them to participate in the program a conspicuous notice of the availability and essential features of his proposal, identifying a specific source for further particulars and details. In lieu of identifying a source for further particulars, brochures describing the details of the offer may be included in the shipping containers. If it is impractical to include the essential features of the proposal

on or in the shipping container, the seller may substitute in the notice, as stated above, a summary of the types of promotions offered (e.g., allowances for advertising in newspapers, hand bills, or envelope stuffers; allowances for radio or television advertising; short term display allowances, etc.) and a statement that such promotions are usable in a practical business sense by all retailers regardless of size. In order to insure that such notices will come to the attention of the appropriate personnel it may well be necessary for the seller to supplement notices on shipping containers, especially during the initial stages of such a procedure, with additional notices, such as trade journal publications, invoice notices, envelope stuffers for use by wholesalers, etc.

B. If a promotional plan simply consists of providing retailers with display materials, including the materials within the product container.

C. Advising customers from accurate and reasonably complete mailing lists. If the product may be sold lawfully only under Government license (alcoholic beverages, etc.), informing all license holders would be sufficient.

D. Placing an announcement of the availability and essential features of promotional programs, and identifying a specific source for further particulars and details, at reasonable intervals in publications which have general and widespread distribution in the trade, and which are recognized in the trade as means by which sellers announce the availability of such programs.

Example 3: The seller has a wholesaler-oriented plan whereby he pays wholesalers to advertise the seller's product in the wholesalers' order books, or in the wholesalers' price lists directed to retailers purchasing from the wholesalers. He should notify all competing wholesalers of the availability of this plan, but the seller is not required to notify retailing customers.

Example 4: A seller who sells on a direct basis to some retailers in an area, and to other retailers in the area through wholesalers, has a plan for the promotion of his products at the retail level. If the seller directly notifies not only all competing direct purchasing retailers, but also all competing retailers purchasing through the wholesalers, as to the availability, terms and conditions of the plan, the seller is not required to notify his wholesalers.

Example 5: A seller regularly promotes his products at the retail level, and during the year he has various special promotional offers. His competing customers include large direct-purchasing retailing customers and smaller customers who purchase through wholesalers. Many of the promotions he offers can best be used by his smaller customers if the funds to which the smaller customers are entitled are pooled and used by the wholesalers in their behalf (newspapers advertisements, for example). The seller may encourage, but not coerce, the retailer purchasing through a wholesaler to designate a wholesaler as his agent for receiving notice of, collecting, and using promotional allowances for him. If a wholesaler or other intermediary by written agreement with a retailer is actually authorized to collect promotional payments from suppliers, the seller may assume that notice of, and payment under, a promotional plan to such a wholesaler or intermediary constitutes notice and payment to the retailer.

(c) A seller who follows any procedure reasonably designed to inform all his competing customers of his promotional program, including any of the procedures illustrated under Example 2 above, will be considered by the Commis-

sion to have fulfilled his "good faith" obligation under this section if he accompanies such procedure with the following supplementary measures: At regular intervals (of at least every 90 days) during the year, a seller who conducts promotional programs takes affirmative steps to verify the effectiveness of his notification procedure by making spot checks designed to reach a representative cross section of his indirect-buying customers. Whenever such spot checks indicate that the notification procedure is deficient, in that some customers who purchase through wholesalers or other intermediaries are not receiving actual notice of the promotion, the seller takes immediate steps to expand or to supplement his notification procedure in a manner reasonably designed to eliminate the repetition or continuation of any such deficiency in the future.

[Guide 8]

§ 240.9 Availability to all competing customers.

(a) The plan should be such that all types of competing customers may participate. It should not be tailored to favor or discriminate against a particular customer or class of customers, but should in its terms be usable in a practical business sense by all competing customers. This may require offering all such customers more than one way to participate in the plan or offering alternative terms and conditions to customers for whom the basic plan is not usable and suitable. The seller should not either expressly, or by the way the plan operates, eliminate some competing customers, although he may offer alternative plans designed for different customer classes. If he offers alternative plans, all of the plans offered should provide the same proportionate equality and the seller should inform competing customers of the various alternative plans.

(b) With respect to promotional plans offered to retailers, the seller should insure that his plans or alternatives do not bar any competing retailer customers from participation whether they purchase directly from him or through a wholesaler or other intermediary.

(c) When a seller, in good faith, offers a basic plan, including alternatives, which is reasonably fair and nondiscriminatory, and refrains from taking any steps which would prevent any customer, or class of customers, from participating in his program, he shall be deemed to have satisfied his obligation to make his plan "functionally available" to all customers, and the failure of any customer or customers to participate in the program shall not be deemed to place the seller in violation of the Act.

Example 1: A manufacturer offers a plan of short term store displays of varying sizes, including some which are suitable for each of his competing customers and at the same time are small enough so that each customer is reasonably able to satisfy the requirements. The plan also calls for certification of performance by the retailer. Because

they are reluctant to process any paperwork, many small retailers do not participate. This fact is not deemed to place the manufacturer in violation of § 240.9 and he is under no obligation to provide additional alternatives.

Example 2: A manufacturer offers a plan for cooperative advertising on radio, television, or in newspapers of general circulation. The purchases by some of his customers are too small to permit effective use of this offer in promoting the manufacturer's product. The manufacturer may offer them a "functionally available" alternative on proportionally equal terms, such as envelope stuffers, handbills, or other usable services furnished by the manufacturer.

Example 3: The seller's plan provides for furnishing demonstrators to large department store customers. He should provide usable and suitable alternatives on proportionally equal terms to those competing customers who cannot use demonstrators. The alternatives may be usable and suitable services furnished by the seller, or payments by the seller to customers for their advertising or promotion of the seller's product.

[Guide 9]

§ 240.10 Need to understand terms.

In informing customers of the details of a plan, the seller should provide them sufficient information to give a clear understanding of the exact terms of the offer, including all alternatives, and the conditions upon which payment will be made or services furnished.

[Guide 10]

§ 240.11 Checking customer's use of payments.

(a) The seller should take reasonable precautions to see that services he is paying for are furnished and also that he is not overpaying for them. Moreover, the customer should expend the allowance solely for the purpose for which it was given. If the seller knows or should know that what he pays or furnishes is not being properly used by some customers, the improper payments or services should be discontinued.

(b) A seller who, in good faith, takes reasonable and prudent measures to verify the performance of his competing customers will be deemed to have satisfied his obligations under the Act. Also, a seller who, in good faith, concludes a promotional agreement with wholesalers or other intermediaries and who otherwise conforms to the standards of § 240.13 shall be deemed to have satisfied this obligation. If a seller has taken such steps, the fact that a particular customer has retained an allowance in excess of the cost or value of services performed by him shall not alone be deemed to place a seller in violation of the Act.

Example: A manufacturer gives "functionally available" promotional allowances for cooperative advertising which require placing advertisements in whatever medium the customer normally utilizes—e.g., radio, newspapers, magazines, handbills, etc. The manufacturer requires that each customer's request for payment be signed and attest that the required performance was rendered. Further, whenever evidence of the advertising—such as a tear sheet or a copy of the invoice from the radio station—is readily available to the customer, the manufacturer requires that such evidence accompany the request for payment. In cases in which such verification is not readily available, the manufacturer spot checks in a manner de-

signed to reach a representative cross section of participating retailer customers to ascertain proof of performance. The manufacturer has satisfied his obligations of verification under the Act.

[Guide 11]

§ 240.12 Competing customers.

The seller is required to provide in his plan only for those customers who compete with each other in the resale of the seller's products of like grade and quality. Therefore, a seller should make available to all competing wholesalers any plan providing promotional payments or services to wholesalers, and similarly, should make available to all competing retailers any plan providing promotional payments or services to retailers. With these requirements met, a seller can limit the area of his promotion. However, this section is not intended to deal with the question of a seller's liability for use of an area promotion where the effect may be to injure the seller's competition.

Example 1: Manufacturer A, located in Wisconsin and distributes shoes nationally, sells shoes to three retailers who compete with each other and sell only in the Roanoke, Va., area. He has no other customers selling in Roanoke or its vicinity. If he offers his promotion to one Roanoke customer, he should include all three, but he can limit it to them. The trade area selected should be a natural one and not drawn arbitrarily so as to exclude competing retailers.

Example 2: A national seller has direct-buying retailing customers reselling exclusively within the Baltimore City trade area, and other customers within that area purchasing through wholesalers. The seller may lawfully engage in a promotional campaign confined to the Baltimore area, provided he affords all of his retailing customers within the area the opportunity to participate, including those who purchase through wholesalers.

Example 3: A seller manufactures and sells men's suits and sport jackets (of one quality level) to retail stores nationally. He may restrict allowances to Philadelphia area retailers for their promotion of sport jackets during a particular season. He should not restrict allowances in the Philadelphia area for the promotion of certain styles of sport jackets unless all retailers of his sport jackets in the area are offered the opportunity to purchase the promoted styles and participate in the promotion.

NOTE: The seller should be careful here not to discriminate against customers located on the fringes but outside the area selected for the special promotion, since they may be actually competing with those participating.

[Guide 12]

§ 240.13 Wholesaler or third party performance of seller's obligations.

(a) A seller may, in good faith, enter into written agreements with intermediaries, such as wholesalers, distributors or other third parties, including promoters of tripartite promotional plans, which provide that such intermediaries will perform all or part of the seller's obligations under this part. However, the interposition of intermediaries between the seller and his customers does not relieve the seller of his ultimate responsibility of compliance with the law. The seller, in order to demonstrate his

good faith effort to discharge his obligations under this part, should include in any such agreement provisions that the intermediary will:

(1) Give notice to the seller's customers in conformity with the standards set forth in § 240.8;

(2) Check customer performance in conformity with the standards set forth in § 240.11;

(3) Implement the plan in a manner which will insure its functional availability to the seller's customers in conformity with the standards set forth in § 240.9. (This must be done whether the plan is one devised by the seller himself or by the intermediary for use by the seller's customers);

(4) Provide certification in writing and at reasonable intervals that the seller's customers have been and are being treated in conformity with the agreement.

(b) A seller who negotiates such agreements with his wholesalers, distributors or third party promoters will be considered by the Commission to have justified his "good faith" obligations under this section if he accompanies such agreements with the following supplementary measures: At regular intervals (of at least every 90 days) during the year, the seller takes affirmative steps to verify that his customers are receiving the proportionally equal treatment to which they are entitled by making spot checks designed to reach a representative cross section of his customers. Whenever such spot checks indicate that the agreements are not being implemented in such a way that his customers are receiving such proportionally equal treatment, the seller takes immediate steps to expand or to supplement such agreements in a manner reasonably designed to eliminate the repetition or continuation of any such discriminations in the future.

Example 1: A seller should not buy advertising time from a radio station and have the station furnish free radio time only to certain favored customers of the seller.

Example 2: A seller should not participate in a tripartite promotional plan providing for in-store promotion of his products unless all his competing customers are given an opportunity to participate in the intermediary's basic plan and, in the event some cannot use the basic plan, a suitable and usable alternative is made available on proportionally equal terms. A seller may demonstrate his good faith effort to discharge his obligations, in the event the intermediary operates a nondiscriminatory program in a discriminatory manner, by establishing that he has an agreement with the intermediary as described above and has fulfilled his duty to conduct periodic checks of the intermediary's performance.

Example 3: A seller should not participate in a tripartite plan involving many sellers if the customers to whom the plan is offered is required to purchase the products of other participating sellers before they are eligible to receive the benefits of the promotional program. The customer of any one seller should not be required to purchase or promote other sellers' products as a condition to receiving promotional payments or services from the seller, even though a tripartite program is involved.

(c) Intermediaries administering promotional assistance programs on behalf of a seller may violate section 5 of the

Federal Trade Commission Act if they have agreed to perform the seller's obligations under the law with respect to a program which they have represented to be usable and suitable for all the seller's competing customers if it should later develop that the program was not offered to all or, if offered, was not usable or suitable, or was otherwise administered in a discriminatory manner.

Example: Promoter A devises a program for in-store advertising of grocery products on shopping carts. No alternative means of participation are provided. Seller B enters into a contract with A for participation in the program. In fact, some of Seller B's competing customers do not have shopping carts. Assuming that Seller B is in violation of section 2(d) of the Clayton Act, as amended, Promoter A may be in violation of section 5 of the Federal Trade Commission Act for his participation in the program which resulted in B's violation.

[Guide 13]

§ 240.14 Customer's liability.

Section 2 (d) and (e) apply only to sellers and not to customers. However, a customer who knows, or should know, that he is receiving payments or services which are not available on proportionally equal terms to his competitors engaged in the resale of the same seller's products, may be proceeded against by the Commission under section 5 of the Federal Trade Commission Act, which prohibits unfair methods of competition.

Example 1: A customer should not induce or receive advertising allowances for special promotion of the seller's products in connection with the customer's anniversary sale or new store opening, unless he has taken such affirmative steps as would satisfy a reasonable and prudent businessman that such allowances are affirmatively offered and otherwise made available by such seller on proportionally equal terms to all of its other customers competing with the customer in the distribution of the seller's products and that usable and suitable alternatives are offered them if the basic offer is not suitable for and usable by them.

Example 2: A customer should not induce or receive seller contributions to the cost of his institutional advertising, unless he has taken such affirmative steps as would satisfy a reasonable and prudent businessman that such allowances are affirmatively offered and otherwise made available by such seller on proportionally equal terms to all of its other customers competing with the customer in the distribution of the seller's products and that usable and suitable alternatives are offered them if the basic offer is not suitable for and usable by them.

Example 3: A customer, an experienced buyer, is offered an allowance of 25 percent of his purchase volume by a seller for cooperative advertising to be paid for 100 percent by the seller. The customer knows, or should know, that most cooperative advertising programs in the industry allow payments of from 3 to 7 percent of purchases, and require 50-50 sharing by the seller and the customer. He would be on notice to inquire of the seller and to take such other affirmative steps as would satisfy a reasonable and prudent businessman that such allowances are affirmatively offered and otherwise made available by such seller on proportionally equal terms to all of its other customers competing with the customer in the distribution of the seller's products.

Example 4: A customer should not receive from a seller or intermediary services such as those performed in connection with

a store opening, remodeling or special sales promotion, etc., unless he has taken such affirmative steps as would satisfy a reasonable and prudent businessman that such services are affirmatively offered and otherwise made available by such seller on proportionally equal terms to all of its other customers competing with the customer in the distribution of the seller's products and that usable and suitable alternatives are offered them if the basic offer is not suitable for and usable by them.

Example 5: Frequently the employees of sellers or third parties such as brokers perform in-store services for their grocery retailer customers such as stocking of shelves, building of displays and checking or rotating inventory, etc. A customer operating a retail grocery business should not induce or receive such services when the customer knows or should know that such services are not available on proportionally equal terms to all of the other customers of the seller competing with him in the distribution of the seller's products.

Example 6: Where a customer has entered into a contract, understanding, or arrangement for the purchase of advertising with a newspaper or other advertising media which provides for a deferred rebate or other reduction in the price thereof, he should advise any seller from whom he claims reimbursement for such advertising that the claimed rate of reimbursement is subject to a deferred rebate or other reduction in price. In the event that any rebate or adjustment in the price is received, the customer should refund to the seller the amount of any excess payment or allowance.

[Guide 14]

§ 240.15 Third party liability for double billing.

An advertising medium (newspaper, broadcast station, printer of catalogs, etc.) which (a) publishes a rate schedule containing fictitious rates or rates which are not reasonably expected to be applicable to a representative number of advertisers, or (b) furnishes a customer or his representative with an invoice that does not reflect the customer's actual net advertising cost, or that does not clearly state the discounts, rebates, earned rebates, etc., to which the invoice amount may be subject, or to which the invoiced party may be entitled, may violate section 5 of the Federal Trade Commission Act if the customer uses such deceptive schedule or invoice for a claim for an advertising allowance, payment or credit greater than that to which he is entitled under the terms of the supplier's promotional program.

Example 1: Newspaper A has a "national" rate of \$1.50 per inch and a "local" rate of \$1 per inch. Retailer B places an advertisement with Newspaper A for a product sold to him by Supplier C, from whom he is later to seek reimbursement under Supplier C's cooperative advertising plan. Newspaper A should not furnish two bills to Retailer B, one at the "national" rate of \$1.50 per inch, the other at the "local" rate of \$1 per inch actually charged Retailer B.

Example 2: Newspaper A has various published rates. Retailer B is a large advertiser who in the past has earned the lowest rate. Newspaper A should not submit monthly invoices to Retailer B at a high rate agreed to by the parties unless the invoice discloses that Retailer B may receive a rebate.

Example 3: Radio Station A has a flat rate of \$10 for 30-second spot announcements, subject to volume discounts ranging up to 50 percent. Retailer B buys enough spots to

qualify for the 50-percent discount. Radio Station A should not furnish Retailer B with an invoice that does not show either the \$5 net cost to Retailer B or the 50-percent discount to which the \$10 amount is subject.

Example 4: Advertising Agent A purchases a large volume of newspaper advertising space at a low, unpublished negotiated rate. Agent A subsequently sells such space to various retailers at a rate lower than each could purchase the space from the newspaper. Agent A should not furnish the retailers invoices showing a rate charge higher than that actually paid him by the retailers.

[Guide 15]

§ 240.16 Meeting competition.

A seller charged with discrimination in violation of section 2(d) or section 2(e) may defend his actions by showing that the payments were made or the services were furnished in good faith to meet equally high payments made by a competing seller to the particular customer, or to meet equivalent services furnished by a competing seller to the particular customer. This defense, however, is subject to important limitations. For instance, it is insufficient to defend a charge of violating either section 2(d) or 2(e) solely on the basis that competition in a particular industry is very keen, requiring that special allowances be given to some customers if a seller is "to be competitive."

[Guide 16]

§ 240.17 Cost justification.

It is no defense to a charge of unlawful discrimination in the payment of an allowance or the furnishing of a service for a seller to show that such payment, service, or facility could be justified through savings in the cost of manufacture, sale or delivery.

[Guide 17]

Promulgated by the Federal Trade Commission May 29, 1969.

[SEAL]

JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 69-8378; Filed, May 28, 1969;
8:47 a.m.]

Title 7—AGRICULTURE

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

SUBCHAPTER F—DETERMINATION OF NORMAL YIELDS AND ELIGIBILITY FOR ABANDONMENT AND CROP DEFICIENCY PAYMENTS

[S.D. 845.2, Supp. 8]

PART 845—MAINLAND CANE SUGAR AREA

Approved Local Areas for 1968 Crop

§ 845.10 Approved local areas for the 1968 crop.

For purposes of considering eligibility of farms for abandonment and crop deficiency payments on 1968 crop sugarcane pursuant to paragraph (c) of § 845.2, as amended (23 F.R. 9255), the local parish ASC committees in Louisiana and the Glades County ASC Committee in Florida have determined that

the extent of crop damage as specified and provided in subparagraph (1) (iii) of paragraph (c) of § 845.2 has occurred in the following local producing areas:

LOUISIANA

Parishes approved in their entirety:

Pointe Coupee.
St. Charles.
Terrebonne.
West Baton Rouge.

Individual local producing areas approved:

Iberville: Area 3.
Lafayette: Area 2; Area 4.
St. Mary: Area 1; Area 4.

FLORIDA

All of Florida.

Statement of bases and considerations. This supplement provides public notice of the local producing areas in Louisiana and Florida where due to drought, flood, storm, freeze, disease, or insects, the 1968 sugarcane crop has been damaged to the extent that farms located in whole or in part therein will be considered (as to location) for abandonment and deficiency payments. Producers on these farms who have not filed application for Sugar Act payments with respect to acreage abandonment or crop deficiencies for which they may otherwise be eligible should apply for such payments before December 31, 1970, as provided in 7 CFR 892.7 (32 F.R. 8413).

(Secs. 301, 302, 403, 61 Stat. 929, 930, as amended, 932; 7 U.S.C. 1131, 1132, 1153)

Effective date: Date of publication.

Signed at Washington, D.C., on May 23, 1969.

CHAS. M. COX,
Acting Deputy Administrator,
State and County Operations.

[F.R. Doc. 69-6374; Filed, May 28, 1969;
8:47 a.m.]

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

[Valencia Orange Reg. 278]

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

Limitation of Handling

§ 908.578 Valencia Orange Regulation 278.

(a) **Findings.** (1) Pursuant to the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908, 33 F.R. 19829), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Valencia Orange Administrative Committee, established under the said amended marketing

agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on May 27, 1969.

(b) **Order.** (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period May 30, 1969, through June 5, 1969, are hereby fixed as follows:

- (i) District 1: 280,000 cartons;
- (ii) District 2: 368,000 cartons;
- (iii) District 3: 152,000 cartons.

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

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

Dated: May 28, 1969.

FLOYD F. HEDLUND,
Director, Fruit and Vegetable
Division, Consumer and Marketing Service.

[F.R. Doc. 69-6480; Filed, May 28, 1969;
11:30 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[CCC Grain Price Support Regs., 1969 Crop Rye Supp.]

PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

Subpart—1969 Crop Rye Loan and Purchase Program

The General Regulations Governing Price Support for the 1964 and Subsequent Crops (Revision 1) (31 F.R. 5941), and any amendments thereto, and the 1966 and Subsequent Crops Rye, Loan and Purchase Program regulations (31 F.R. 6406), and any amendments thereto, which contain regulations of a general nature with respect to price support operations, are further supplemented for the 1969 crop of rye as follows:

Sec.	Purpose.
1421.2851	Availability.
1421.2852	Maturity of loans.
1421.2853	Warehouse charges.
1421.2854	Support rates.

AUTHORITY: The provisions of this subpart issued under sec. 4, 62 Stat. 1070 as amended; 15 U.S.C. 714b, Interpret or apply sec. 5, 62 Stat. 1072, sec. 105, 401, 63 Stat. 1051 as amended; 15 U.S.C. 714c, 7 U.S.C. 1421, 1441.

§ 1421.2851 Purpose.

This supplement contains program provisions which, together with the provisions of the General Regulations Governing Price Support for the 1964 and Subsequent Crops (Revision 1) and the 1966 and Subsequent Crops Rye, Loan and Purchase Program regulations, and any amendments thereto, apply to price support loans and purchases with respect to the 1969 crop of rye.

§ 1421.2852 Availability.

A producer desiring a price support loan must request a loan on his eligible rye on or before March 31, 1970. To obtain price support through sales, a producer must execute and deliver to the appropriate ASCS county office, on or before April 30, 1970, a Purchase Agreement (Form CCC-614), indicating the approximate quantity of 1969 crop rye he will sell to CCC.

§ 1421.2853 Maturity of loans.

Unless demand is made earlier, all loans on rye will mature on April 30, 1970.

§ 1421.2854 Warehouse charges.

Subject to the provision of § 1421.2847, the schedules of deductions set forth in this section shall apply to rye stored in an approved warehouse operating under the Uniform Grain Storage Agreement and an approved warehouse operated by an Eastern common carrier.

(a) **Warehouses approved under the Uniform Grain Storage Agreement.**

SCHEDULE OF DEDUCTIONS FOR STORAGE CHARGES

Maturity date Apr. 30, 1970

Deduction (cents per bushel)	
(1)	
Prior to May 16, 1969	13
May 16-June 12	12
June 13-July 10	11
July 11-Aug. 7	10
Aug. 8-Sept. 4	9
Sept. 5-Oct. 2	8
Oct. 3-Oct. 30	7
Oct. 31-Nov. 27	6
Nov. 28-Dec. 25	5
Dec. 26, 1969-Jan. 22, 1970	4
Jan. 23-Feb. 19	3
Feb. 20-Mar. 19	2
Mar. 20-Apr. 30, 1970	1

¹ Dates storage charges start, all dates inclusive.

(b) Warehouse operated by an Eastern common carrier. (1) Eligible rye stored in the following approved Eastern common carrier warehouse may be placed under loan or offered for sale to CCC:

Pennsylvania Railroad Co., Canton Elevator, Warehouse Code 9-2151, Baltimore, Md.

(2) Schedule of deductions for storage charges:

Deduction (cents per bushel)	
Maturity date Apr. 30, 1970	
(1)	
Prior to June 25, 1969	18
June 25-July 14	15
July 15-Aug. 3	14
Aug. 4-Aug. 23	13
Aug. 24-Sept. 12	12
Sept. 13-Oct. 2	11
Oct. 3-Oct. 22	10
Oct. 23-Nov. 11	9
Nov. 12-Dec. 1	8
Dec. 2-Dec. 21	7
Dec. 22, 1969-Jan. 10, 1970	6
Jan. 11-Jan. 30	5
Jan. 31-Feb. 19	4
Feb. 20-Mar. 11	3
Mar. 12-Mar. 31	2
Apr. 1-Apr. 30, 1970	1

¹ Charges shall be reduced by 2 cents per bushel if producer presents evidence that elevation charges were prepaid.

² Storage commence date, all dates inclusive.

§ 1421.2855 Support rates.

(a) Basic terminal rates. The following rates for rye grading No. 2 or better, or No. 3 on the factor of test weight only, for loans and settlement purposes are to be applied in accordance with § 1421.2849 to rye stored in approved terminal warehouses at the following terminal markets:

Terminal market	Rate per bushel
Omaha, Nebr.	\$1.18
Sioux City, Iowa	1.18
Duluth, Minn.	1.22
Minneapolis, Minn.	1.22
Saint Paul, Minn.	1.22
Superior, Wis.	1.22

Terminal market	Rate per bushel
Atchison, Kans.	\$1.21
Kansas City, Mo.	1.21
St. Joseph, Mo.	1.21
Chicago, Ill.	1.31
Milwaukee, Wis.	1.31
Memphis, Tenn.	1.32
St. Louis, Mo.	1.32
Galveston, Tex.	1.31
Houston, Tex.	1.31
Port Arthur, Tex.	1.31
Beaumont, Tex.	1.31
Long Beach, Calif.	1.34
Los Angeles, Calif.	1.34
Oakland, Calif.	1.34
San Francisco, Calif.	1.34
Stockton, Calif.	1.34
Wilmington, Calif.	1.34
Astoria, Oreg.	1.32
Kalama, Wash.	1.32
Longview, Wash.	1.32
Portland, Oreg.	1.32
Seattle, Wash.	1.32
Tacoma, Wash.	1.32
Vancouver, Wash.	1.32
Albany, N.Y.	1.45
Baltimore, Md.	1.45
New York, N.Y.	1.45
Norfolk, Va.	1.45
Philadelphia, Pa.	1.45

(b) County support rates. The following basic county support rates per bushel for loan and settlement purposes for farm stored and country warehouse stored rye, are established for rye grading No. 2 or better, or No. 3 on factor of test weight only.

1969 RYE PRICE SUPPORT PROGRAM—BASIC COUNTY PRICE SUPPORT RATES			
ALABAMA			
County	Rate per bushel	County	Rate per bushel
All counties	\$1.15		
ARIZONA			
All counties	\$1.05		
ARKANSAS			
All counties	\$1.03		
CALIFORNIA			
County	Rate per bushel	County	Rate per bushel
Colusa	\$1.19	Riverside	\$1.16
Contra Costa	1.20	San Joaquin	1.22
Glenn	1.18	Shasta	1.07
Kern	1.17	Sierra	1.01
Lassen	1.02	Siskiyou	1.07
Marin	1.20	Sonoma	1.19
Merced	1.21	Stanislaus	1.21
Modoc	1.07	Yuba	1.19
Plumas	1.09		

COLORADO			
County	Rate per bushel	County	Rate per bushel
Adams	\$0.88	Las Animas	\$0.88
Arapahoe	.88	Lincoln	.88
Baca	.90	Logan	.88
Bent	.89	Morgan	.88
Boulder	.88	Otero	.88
Cheyenne	.91	Phillips	.91
Crowley	.88	Prowers	.90
Denver	.88	Pueblo	.88
Douglas	.88	Sedgwick	.91
Elbert	.88	Washington	.88
El Paso	.88	Weld	.88
Jefferson	.88	Yuma	.90
Kiowa	.90	All other counties	.89
Kit Carson	.90		
Larimer	.88		

CONNECTICUT			
County	Rate per bushel	County	Rate per bushel
All counties	\$1.14		
DELAWARE			
All counties	\$1.14		
FLORIDA			
All counties	\$1.20		
GEORGIA			
All counties	\$1.20		
IDAHO			
County	Rate per bushel	County	Rate per bushel
Ada	\$1.04	Gem	\$1.04
Adams	1.04	Gooding	1.01
Bannock	.95	Idaho	1.10
Bear Lake	.92	Jefferson	.92
Benewah	1.12	Jerome	1.00
Bingham	.93	Kootenai	1.11
Blaine	.97	Latah	1.12
Boise	1.03	Lemhi	.92
Bonner	1.07	Lewis	1.10
Bonneville	.92	Lincoln	.99
Boundary	1.05	Madison	.91
Butte	.93	Minidoka	.99
Camas	.97	Nez Perce	1.12
Canyon	1.04	Oneida	.95
Caribou	.94	Owyhee	1.04
Cassia	.98	Payette	1.04
Clark	.91	Power	.95
Clearwater	1.10	Shoshone	.97
Custer	.93	Teton	.90
Elmore	1.03	Twin Falls	.98
Franklin	.95	Valley	1.03
Fremont	.90	Washington	1.04

ILLINOIS			
County	Rate per bushel	County	Rate per bushel
Adams	\$1.12	Lake	\$1.17
Alexander	1.10	La Salle	1.17
Bond	1.13	Lawrence	1.08
Boone	1.17	Lee	1.17
Brown	1.12	Livingston	1.15
Bureau	1.16	Logan	1.12
Calhoun	1.11	McDonough	1.10
Carroll	1.15	McHenry	1.17
Cass	1.10	McLean	1.13
Champaign	1.13	Macon	1.11
Christian	1.10	Macoupin	1.13
Clark	1.09	Madison	1.14
Clay	1.10	Marion	1.13
Clinton	1.15	Marshall	1.15
Coles	1.11	Mason	1.11
Cook	1.18	Massac	1.09
Crawford	1.10	Menard	1.11
Cumberland	1.11	Mercer	1.14
De Kalb	1.17	Monroe	1.12
De Witt	1.12	Montgomery	1.12
Douglas	1.12	Morgan	1.12
Du Page	1.18	Moultrie	1.12
Edgar	1.10	Ogle	1.16
Edwards	1.11	Peoria	1.14
Effingham	1.10	Perry	1.10
Fayette	1.10	Piatt	1.12
Ford	1.15	Pike	1.12
Franklin	1.10	Pope	1.08
Fulton	1.13	Pulaski	1.10
Gallatin	1.05	Putnam	1.14
Greene	1.13	Randolph	1.10
Grundy	1.18	Richland	1.09
Hamilton	1.09	Rock Island	1.14
Hancock	1.10	St. Clair	1.13
Hardin	1.04	Saline	1.05
Henderson	1.13	Sangamon	1.11
Henry	1.14	Schuyler	1.12
Iroquois	1.15	Scott	1.12
Jackson	1.10	Shelby	1.11
Jasper	1.11	Stark	1.14
Jefferson	1.17	Stephenson	1.16
Jersey	1.13	Tazewell	1.12
Jo Daviess	1.14	Union	1.10
Johnson	1.06	Vermilion	1.14
Kane	1.18	Wabash	1.11
Kankakee	1.17	Warren	1.14
Kendall	1.17	Washington	1.10
Knox	1.14	Wayne	1.13

RULES AND REGULATIONS

ILLINOIS—continued

County	Rate per bushel	County	Rate per bushel
White	\$1.05	Williamson	\$1.11
Whiteside	1.16	Winnebago	1.17
Will	1.17	Woodford	1.14

INDIANA

Adams	\$1.04	Lawrence	\$1.05
Allen	1.04	Madison	1.05
Bartholomew	1.02	Marion	1.03
Benton	1.11	Marshall	1.07
Blackford	1.06	Martin	1.04
Boone	1.04	Miami	1.07
Brown	1.01	Monroe	1.08
Carroll	1.08	Montgomery	1.06
Cass	1.08	Morgan	1.02
Clark	1.00	Newton	1.13
Clay	1.08	Noble	1.04
Clinton	1.07	Ohio	1.03
Crawford	1.11	Orange	1.09
Davies	1.01	Owen	1.02
Dearborn	1.03	Parke	1.05
Decatur	1.01	Perry	1.11
De Kalb	1.04	Pike	1.08
Delaware	1.04	Porter	1.11
Dubois	1.12	Posey	1.09
Elkhart	1.07	Pulaski	1.09
Fayette	1.03	Putnam	1.03
Floyd	1.10	Randolph	1.05
Fountain	1.04	Ripley	1.01
Franklin	1.04	Rush	1.03
Fulton	1.08	St. Joseph	1.07
Gibson	1.10	Scott	1.00
Grant	1.06	Shelby	1.02
Greene	1.02	Spencer	1.11
Hamilton	1.04	Starke	1.00
Hancock	1.03	Stueben	1.04
Harrison	1.10	Sullivan	1.09
Hendricks	1.04	Switzerland	1.01
Henry	1.04	Tippecanoe	1.07
Howard	1.07	Tipton	1.05
Huntington	1.04	Union	1.03
Jackson	1.01	Vanderburgh	1.14
Jasper	1.11	Vermillion	1.14
Jay	1.04	Vigo	1.15
Jefferson	1.00	Wabash	1.07
Jennings	1.01	Warren	1.10
Johnson	1.02	Warrick	1.13
Knox	1.06	Washington	.99
Kosciusko	1.07	Wayne	1.04
Lagrange	1.05	Wells	1.04
Lake	1.14	White	1.10
La Porte	1.09	Whitley	1.06

IOWA

Adair	\$0.99	Fayette	\$1.04
Adams	1.00	Floyd	.98
Allamakee	1.03	Franklin	1.01
Appanoose	1.05	Fremont	1.00
Audubon	.99	Greene	.98
Benton	1.04	Grundy	1.02
Black Hawk	1.03	Guthrie	.98
Boone	.99	Hamilton	1.01
Bremer	1.02	Hancock	.98
Buchanan	1.03	Hardin	1.01
Buena Vista	.97	Harrison	1.00
Butler	1.02	Henry	1.06
Calhoun	.98	Howard	1.02
Carroll	.98	Humboldt	.98
Cass	.98	Ida	.97
Cedar	1.06	Iowa	1.04
Cerro Gordo	.98	Jackson	1.09
Cherokee	1.00	Jasper	1.02
Chickasaw	1.02	Jefferson	1.05
Clarke	1.02	Johnson	1.06
Clay	.97	Jones	1.06
Clayton	1.04	Keokuk	1.03
Clinton	1.07	Kossuth	.98
Crawford	1.00	Lee	1.08
Dallas	1.00	Linn	1.05
Davis	1.06	Louisa	1.06
Decatur	1.02	Lucas	1.02
Delaware	1.04	Lyon	.96
Des Moines	1.07	Madison	1.01
Dickinson	.97	Mahaska	1.03
Dubuque	1.05	Marion	1.03
Emmet	.99	Marshall	1.02

IOWA—continued

County	Rate per bushel	County	Rate per bushel
Mills	\$1.00	Scott	\$1.08
Mitchell	.99	Shelby	1.00
Monoma	.99	Sioux	.98
Monroe	1.05	Story	1.01
Montgomery	1.00	Tama	1.03
Muscataine	1.08	Taylor	1.01
O'Brien	.96	Union	1.02
Osceola	.97	Van Buren	1.06
Page	1.01	Wapello	1.04
Palo Alto	.97	Warren	1.02
Plymouth	.99	Washington	1.04
Pocahontas	.97	Wayne	1.04
Polk	1.01	Webster	.99
Pottawat-		Winnebago	.99
tamie	1.00	Winneeshiek	1.03
Poweshiek	1.03	Woodbury	.98
Ringgold	1.00	Worth	.99
Sac	.99	Wright	.98

KANSAS

Allen	\$1.03	Linn	\$1.03
Anderson	1.03	Logan	.94
Atchison	1.03	Lyon	1.03
Barber	.98	McPherson	1.00
Barton	.98	Marion	1.00
Bourbon	1.03	Marshall	1.03
Brown	1.03	Meade	.94
Butler	1.00	Miami	1.03
Chase	1.02	Mitchell	1.00
Chautauqua	1.02	Montgomery	1.03
Cherokee	1.03	Morris	1.02
Cheyenne	.93	Morton	.90
Clark	.94	Nemaha	1.03
Clay	1.01	Necaho	1.03
Cloud	1.01	Ness	.97
Coffey	1.03	Norton	.98
Comanche	.96	Osage	1.03
Cowley	1.00	Osborne	.99
Crawford	1.03	Ottawa	1.00
Decatur	.96	Pawnee	.98
Dickinson	1.00	Phillips	.98
Doniphan	1.03	Pott-	
Douglas	1.03	awatomie	1.03
Edwards	.98	Pratt	.98
Elk	1.02	Rawlins	.94
Ellis	.98	Reno	.99
Ellsworth	.99	Republic	1.01
Finney	.94	Rice	.99
Ford	.96	Riley	1.03
Franklin	1.03	Rooks	.98
Geary	1.02	Rush	.98
Gove	.98	Russell	.98
Graham	.97	Saline	1.00
Grant	.93	Scott	.95
Gray	.95	Sedgwick	1.00
Greeley	.93	Seward	.92
Greenwood	1.03	Shawnee	1.03
Hamilton	.93	Sheridan	.96
Harper	.99	Sherman	.93
Harvey	1.00	Smith	.99
Haskell	.94	Stafford	.98
Hodgeman	.97	Stanton	.92
Jackson	1.03	Stevens	.92
Jefferson	1.03	Sumner	1.00
Jewell	1.00	Thomas	.95
Johnson	1.03	Trego	.97
Kearny	.93	Wabaunsee	1.03
Kingman	1.00	Wallace	.93
Kiowa	.98	Washington	1.02
Labette	1.03	Wichita	.94
Lane	.98	Wilson	1.03
Leavenworth	1.03	Woodson	1.03
Lincoln	.99	Wyandotte	1.03

KENTUCKY

County	Rate per bushel
All counties	\$1.14

LOUISIANA

All parishes	\$1.05
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MAINE

All counties	\$1.14
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MARYLAND

County	Rate per bushel
All counties	\$1.14

MASSACHUSETTS

All counties	\$1.14
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MICHIGAN

County	Rate per bushel	County	Rate per bushel
Alcona	\$0.96	Leelanau	\$0.94
Alger	.97	Lenawee	1.07
Allegan	1.05	Livingston	1.05
Arenac	1.00	Luce	.93
Barry	1.05	Mackinac	.93
Bay	1.02	Macomb	1.06
Benzie	.96	Manistee	.98
Berrien	1.07	Marquette	.97
Branch	1.06	Mason	.99
Calhoun	1.06	Mecosta	1.00
Cass	1.07	Menominee	1.01
Charlevoix	.91	Midland	1.00
Cheboygan	.91	Missaukee	.98
Chippewa	.93	Monroe	1.07
Clare	1.00	Montcalm	1.02
Clinton	1.03	Montmorency	.94
Crawford	.96	Muskegon	1.02
Delta	.99	Newaygo	1.00
Dickinson	1.00	Oakland	1.05
Eaton	1.05	Oceana	1.00
Emmet	.91	Ogemaw	.98
Genesee	1.03	Ontonagon	.96
Gladwin	1.00	Osceola	1.00
Gogebic	.97	Oscoda	.96
Grand		Ottawa	1.03
Traverse	.96	Presque Isle	.91
Gratiot	1.02	Roscommon	.98
Hillsdale	1.07	Saginaw	1.02
Huron	1.03	St. Clair	1.06
Ingham	1.05	St. Joseph	1.06
Ionia	1.03	Sanilac	1.03
Iosco	.98	Schoolcraft	.98
Iron	.97	Shiawassee	1.03
Isabella	1.00	Tuscola	1.03
Jackson	1.06	Van Buren	1.06
Kalamazoo	1.06	Washtenaw	1.05
Kalkaska	.96	Wayne	1.05
Kent	1.03	Wexford	.98
Lake	1.00	All other	
Lapeer	1.03	counties	.94

MINNESOTA

Attkin	\$1.10	Koochiching	\$1.02
Anoka	1.09	Lac Qui Parle	1.06
Becker	1.03	Lake of the	
Beltrami	1.05	Woods	1.00
Benton	1.09	Le Sueur	1.09
Big Stone	1.05	Lincoln	1.04
Blue Earth	1.09	Lyon	1.06
Brown	1.08	McLeod	1.09
Carlton	1.10	Mahnomen	1.01
Carver	1.09	Marshall	.99
Cass	1.07	Martin	1.07
Chippewa	1.07	Meeker	1.09
Chisago	1.09	Mille Lacs	1.09
Clay	1.01	Morrison	1.07
Clearwater	1.04	Mower	1.09
Cottonwood	1.06	Murray	1.05
Crow Wing	1.08	Nicollet	1.09
Dakota	1.09	Nobles	1.02
Dodge	1.09	Norman	1.00
Douglas	1.06	Olmsted	1.09
Faribault	1.08	Otter Tail	1.05
Fillmore	1.06	Pennington	1.00
Freeborn	1.08	Pine	1.09
Goodhue	1.09	Pipestone	1.02
Grant	1.05	Polk	1.01
Hennepin	1.09	Pope	1.07
Houston	1.04	Ramsey	1.09
Hubbard	1.04	Red Lake	1.01
Isanti	1.09	Redwood	1.08
Itasca	1.09	Renville	1.09
Jackson	1.06	Rice	1.09
Kanabec	1.09	Rock	1.00
Kandiyohi	1.09	Roseau	.97
Kittson	.96	St. Louis	1.03

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MINNESOTA—continued

County	Rate per bushel	County	Rate per bushel
Scott	\$1.09	Wadena	\$1.06
Sherburne	1.09	Waseca	1.09
Sibley	1.09	Washington	1.09
Stearns	1.09	Watsonwan	1.08
Steele	1.09	Wilkin	1.03
Stevens	1.06	Winona	1.09
Swift	1.07	Wright	1.09
Todd	1.07	Yellow	
Traverse	1.04	Medicine	1.07
Wabasha	1.09		

MISSISSIPPI

County	Rate per bushel
All counties	\$1.14

MISSOURI

County	Rate per bushel	County	Rate per bushel
Adair	\$1.07	Linn	\$1.06
Andrew	1.02	Livingston	1.03
Atchison	1.02	McDonald	1.02
Audrain	1.09	Macon	1.07
Barry	1.05	Madison	1.15
Barton	1.03	Maries	1.10
Bates	1.04	Marion	1.09
Benton	1.05	Mercer	1.02
Bollinger	1.14	Miller	1.07
Boone	1.09	Mississippi	1.11
Buchanan	1.05	Moniteau	1.07
Butler	1.12	Monroe	1.09
Caldwell	1.02	Montgomery	1.11
Callaway	1.09	Morgan	1.06
Camden	1.11	New Madrid	1.11
Cape		Newton	1.03
Girardeau	1.14	Nodaway	1.02
Carroll	1.05	Oregon	1.03
Carter	1.03	Osage	1.09
Cass	1.04	Ozark	1.04
Cedar	1.04	Pemiscot	1.10
Chariton	1.07	Perry	1.16
Christian	1.04	Pettis	1.05
Clark	1.06	Phelps	1.15
Clay	1.03	Pike	1.10
Clinton	1.02	Platte	1.04
Cole	1.08	Polk	1.06
Cooper	1.07	Pulaski	1.12
Crawford	1.16	Putnam	1.00
Dade	1.05	Ralls	1.10
Dallas	1.08	Randolph	1.09
Davless	1.05	Ray	1.05
De Kalb	1.04	Reynolds	1.11
Dent	1.13	Ripley	1.11
Douglas	1.05	St. Charles	1.17
Dunklin	1.10	St. Clair	1.06
Franklin	1.14	St. Francois	1.17
Gasconade	1.11	St. Genevieve	1.17
Gentry	1.02	St. Louis	1.18
Greene	1.08	Saline	1.06
Grundy	1.00	Schuyler	1.06
Harrison	1.02	Scotland	1.08
Henry	1.06	Scott	1.12
Hickory	1.06	Shannon	1.03
Holt	1.03	Shelby	1.08
Howard	1.08	Stoddard	1.12
Howell	1.03	Stone	1.03
Iron	1.16	Sullivan	1.01
Jackson	1.03	Taney	1.03
Jasper	1.03	Texas	1.03
Jefferson	1.18	Vernon	1.03
Johnson	1.05	Warren	1.14
Knox	1.07	Washington	1.17
Laclede	1.11	Wayne	1.13
Lafayette	1.05	Webster	1.09
Lawrence	1.05	Worth	1.01
Lewis	1.09	Wright	1.05
Lincoln	1.14		

MONTANA

Beaverhead	\$0.90	Cascade	\$0.89
Big Horn	.77	Chouteau	.87
Blaine	.79	Custer	.78
Broadwater	.93	Daniels	.73
Carbon	.87	Dawson	.79
Carter	.81	Deer Lodge	.95

MONTANA—continued

County	Rate per bushel	County	Rate per bushel
Fallon	\$0.81	Petroleum	\$0.82
Fergus	.86	Phillips	.73
Flathead	.99	Pondera	.87
Gallatin	.95	Powder River	.76
Garfield	.76	Powell	.95
Glacier	.88	Prairie	.79
Golden Valley	.87	Ravalli	.94
Granite	.94	Richland	.78
Hill	.83	Roosevelt	.76
Jefferson	.93	Rosebud	.81
Judith Basin	.86	Sanders	.97
Lake	.94	Sheridan	.75
Lewis and Clark	.87	Silver Bow	.95
Liberty	.85	Stillwater	.87
Lincoln	.99	Sweet Grass	.90
McCone	.77	Teton	.87
Madison	.95	Toole	.87
Meagher	.90	Treasure	.82
Mineral	.97	Valley	.72
Missoula	.97	Wheatland	.88
Musselshell	.85	Wibaux	.82
Park	.93	Yellowstone	.87

NEBRASKA

Adams	\$1.00	Jefferson	\$1.02
Antelope	1.00	Johnson	1.03
Arthur	.92	Kearney	.98
Banner	.86	Keith	.92
Blaine	.95	Keyapaha	.96
Boone	1.00	Kimball	.88
Box Butte	.89	Knox	1.00
Boyd	1.00	Lancaster	1.03
Brown	.96	Lincoln	.94
Buffalo	.99	Logan	.95
Burt	1.00	Loup	.97
Butler	1.00	McPherson	.94
Cass	1.03	Madison	1.00
Cedar	1.00	Merrick	1.00
Chase	.91	Morrill	.88
Cherry	.93	Nance	1.00
Cheyenne	.88	Nemaha	1.03
Clay	1.00	Nuckolls	1.00
Colfax	1.00	Otoe	1.03
Cuming	1.00	Pawnee	1.03
Custer	.97	Perkins	.90
Dakota	1.00	Phelps	.98
Dawes	.88	Pierce	1.00
Dawson	.97	Platte	1.00
Deuel	.91	Polk	1.00
Dixon	1.00	Red Willow	.95
Dodge	1.00	Richardson	1.03
Douglas	1.01	Rock	.96
Dundy	.91	Saline	1.03
Fillmore	1.02	Sarpy	1.01
Franklin	.98	Saunders	1.02
Frontier	.95	Scotts Bluff	.86
Furnas	.97	Seward	1.01
Gage	1.03	Sheridan	.90
Garden	.89	Sherman	.99
Garfield	.98	Sioux	.87
Gosper	.97	Stanton	1.00
Grant	.90	Thayer	1.02
Greeley	1.00	Thomas	.94
Hall	1.00	Thurston	1.00
Hamilton	1.00	Valley	.98
Harlan	.98	Washington	1.00
Hayes	.92	Wayne	1.00
Hitchcock	.93	Webster	.99
Holt	.99	Wheeler	1.00
Hooker	.92	York	1.00
Howard	1.00		

NEVADA

County	Rate per bushel
All counties	\$0.95

NEW HAMPSHIRE

All counties	\$1.14
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NEW JERSEY

All counties	\$1.14
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NEW MEXICO

County	Rate per bushel
All counties	\$0.90

NEW YORK

All counties	\$1.15
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NORTH CAROLINA

All counties	\$1.18
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NORTH DAKOTA

County	Rate per bushel	County	Rate per bushel
Adams	\$0.87	McLean	\$0.85
Barnes	.96	Mercer	.86
Benson	.89	Morton	.89
Billings	.85	Mountrail	.82
Botineau	.83	Nelson	.94
Bowman	.86	Oliver	.87
Burke	.82	Pembina	.95
Burlingame	.90	Pierce	.87
Cass	.98	Ramsey	.91
Cavalier	.90	Ransom	.98
Dickey	.97	Renville	.82
Divide	.81	Richland	1.01
Dunn	.85	Rolette	.86
Eddy	.92	Sargent	1.00
Emmons	.91	Sheridan	.88
Foster	.93	Sioux	.89
Golden Valley	.82	Slope	.87
Grand Forks	.97	Stark	.87
Grant	.88	Steele	.96
Griggs	.95	Stutsman	.94
Hettinger	.87	Towner	.87
Kidder	.91	Trail	.97
La Moure	.95	Walsh	.96
Logan	.92	Ward	.83
McHenry	.86	Wells	.97
McIntosh	.93	Williams	.81
McKenzie	.79		

OHIO

Adams	\$1.05	Licking	\$1.07
Allen	1.06	Logan	1.06
Ashland	1.08	Lorain	1.08
Ashtabula	1.11	Lucas	1.07
Athens	1.07	Madison	1.06
Auglaize	1.05	Mahoning	1.11
Belmont	1.08	Marion	1.07
Brown	1.05	Medina	1.08
Butler	1.05	Meigs	1.05
Carroll	1.08	Mercer	1.05
Champaign	1.05	Miami	1.05
Clark	1.05	Monroe	1.08
Clermont	1.05	Montgomery	1.05
Clinton	1.05	Morgan	1.08
Columbiana	1.09	Morrow	1.07
Coshocton	1.08	Muskingum	1.08
Crawford	1.07	Noble	1.08
Cuyahoga	1.08	Ottawa	1.07
Darke	1.06	Paulding	1.05
Defiance	1.05	Perry	1.07
Delaware	1.07	Pickaway	1.06
Erie	1.07	Pike	1.05
Fairfield	1.07	Portage	1.08
Fayette	1.05	Preble	1.05
Franklin	1.07	Putnam	1.06
Fulton	1.05	Richland	1.08
Gallia	1.05	Ross	1.06
Geauga	1.11	Sandusky	1.07
Greene	1.05	Scioto	1.05
Guernsey	1.08	Seneca	1.07
Hamilton	1.05	Shelby	1.05
Hancock	1.07	Stark	1.08
Hardin	1.07	Summit	1.08
Harrison	1.08	Trumbull	1.11
Henry	1.06	Tuscarawas	1.08
Highland	1.05	Union	1.07
Hocking	1.07	Van Wert	1.05
Holmes	1.08	Vinton	1.07
Huron	1.07	Warren	1.06
Jackson	1.05	Washington	1.08
Jefferson	1.10	Wayne	1.08
Knox	1.08	Williams	1.05
Lake	1.10	Wood	1.07
Lawrence	1.05	Wyandot	1.07

RULES AND REGULATIONS

OKLAHOMA				SOUTH DAKOTA—continued				WASHINGTON			
County	Rate per bushel	County	Rate per bushel	County	Rate per bushel	County	Rate per bushel	County	Rate per bushel	County	Rate per bushel
Adair	\$0.98	Le Flore	\$0.94	Haakon	\$0.93	Miner	\$0.99	Adams	\$1.15	Lewis	\$1.12
Alfalfa	.98	Lincoln	.98	Hamlin	1.02	Minnehaha	.99	Asotin	1.12	Lincoln	1.14
Atoka	.98	Logan	.98	Hand	.98	Moody	1.02	Benton	1.17	Mason	1.11
Beaver	.97	Love	1.00	Hanson	.97	Pennington	.90	Chelan	1.15	Okanogan	1.13
Beckham	.98	McClain	.98	Harding	.86	Perkins	.88	Clallam	1.04	Pacific	1.11
Blaine	.98	McCurtain	.94	Hughes	.97	Potter	.97	Clark	1.19	Pend Oreille	1.07
Bryan	.97	McIntosh	.98	Hutchinson	.98	Roberts	1.02	Columbia	1.15	Pierce	1.17
Caddo	.98	Major	.97	Jackson	.92	Sanborn	.97	Cowlitz	1.16	San Juan	1.14
Canadian	.98	Marshall	.98	Jerauld	.97	Shannon	.90	Douglas	1.14	Skagit	1.14
Carter	.98	Mayes	1.02	Jones	.95	Spink	1.00	Ferry	1.10	Skamania	1.20
Cherokee	.99	Murray	.98	Kingsbury	1.01	Sully	.97	Franklin	1.15	Snohomish	1.15
Choctaw	.94	Muskogee	.98	Lake	1.00	Todd	.96	Garfield	1.15	Spokane	1.12
Cimmarron	.97	Noble	.98	Lawrence	.87	Tripp	.97	Grant	1.15	Stevens	1.08
Cleveland	.98	Nowata	1.03	Lincoln	.99	Turner	.98	Grays Harbor	1.11	Thurston	1.12
Coal	.98	Okfuskee	.98	Lyman	.96	Union	1.00	Island	1.15	Wahkiakum	1.16
Commanche	.98	Oklahoma	.98	McCook	.97	Walworth	.95	Jefferson	1.05	Walla Walla	1.15
Cotton	.98	Okmulgee	.98	McPherson	.96	Washabaugh	.92	King	1.18	Whatcom	1.13
Craig	1.03	Osage	1.00	Marshall	1.00	Yankton	.98	Kitsap	1.09	Whitman	1.13
Creek	.99	Ottawa	1.03	Meade	.87	Ziebach	.89	Kittitas	1.19	Yakima	1.18
Custer	.98	Pawnee	.98	Mellette	.96			Klickitat	1.19		
Delaware	1.02	Payne	.98								
Dewey	.97	Pittsburg	.98								
Ellis	.97	Pontotoc	.98								
Garfield	.98	Pottawatomie	.98								
Garvin	.98	Pushmataha	.94								
Grady	.98	Roger Mills	.94								
Grant	.98	Rogers	1.02								
Greer	.98	Seminole	.98								
Harmon	.98	Sequoyah	.98								
Harper	.96	Stephens	.98								
Haskell	.96	Texas	.97								
Hughes	.98	Tillman	.98								
Jackson	.98	Tulsa	1.01								
Jefferson	.98	Wagoner	1.00								
Johnston	.98	Washington	1.03								
Key	.99	Washita	.98								
Kingfisher	.98	Woods	.97								
Kiowa	.98	Woodward	.97								
Latimer	.94										
OREGON				TENNESSEE				WEST VIRGINIA			
Baker	\$1.12	Lake	\$1.06	All counties			\$1.15	All counties			\$1.14
Benton	1.16	Lane	1.11								
Clackamas	1.17	Lincoln	1.06								
Clatsop	1.11	Linn	1.16								
Columbia	1.14	Malheur	1.04								
Coos	1.01	Marion	1.19								
Crook	1.15	Marrow	1.17								
Curry	1.04	Multnomah	1.19								
Deschutes	1.15	Polk	1.18								
Douglas	1.05	Sherman	1.19								
Gilliam	1.17	Tillamook	1.20								
Grant	1.16	Umatilla	1.15								
Harney	1.00	Union	1.13								
Hood River	1.20	Wallowa	1.11								
Jackson	1.05	Wasco	1.20								
Jefferson	1.17	Washington	1.20								
Josephine	1.05	Wheeler	1.17								
Klamath	1.07	Yamhill	1.19								
PENNSYLVANIA				TEXAS				WISCONSIN			
County		Rate per bushel		Archer	\$0.99	Hunt	\$1.04	Adams	\$1.11	Marathon	\$1.06
All counties		\$1.14		Armstrong	.98	Jack	1.02	Ashland	1.07	Marquette	1.07
RHODE ISLAND				Bailey	.98	Johnson	1.07	Barron	1.05	Marquette	1.11
All counties		\$1.14		Baylor	.98	Jones	.99	Bayfield	1.01	Menominee	1.09
SOUTH CAROLINA				Bosque	1.09	Karnes	1.11	Brown	1.11	Milwaukee	1.17
All counties		\$1.20		Bowie	1.03	King	.98	Buffalo	1.02	Monroe	1.08
SOUTH DAKOTA				Briscoe	.98	Knox	.98	Burnett	1.09	Oconto	1.09
Aurora	\$0.96	Codington	\$1.02	Brown	1.05	Lamb	.98	Calumet	1.12	Oneida	1.04
Beadle	.99	Corson	.90	Callahan	1.01	Lampasas	1.09	Chippewa	1.05	Outagamie	1.11
Bennett	.91	Custer	.88	Carson	.98	Limestone	1.13	Clark	1.05	Ozaukee	1.15
Bon Homme	.99	Davison	.97	Cass	1.04	Lipscomb	.97	Columbia	1.13	Pepin	1.02
Brookings	1.02	Day	1.01	Castro	.98	Lubbock	.98	Crawford	1.06	Pierce	1.04
Brown	.99	Deuel	1.04	Childress	.98	Lynn	.98	Dane	1.14	Polk	1.08
Brule	.97	Dewey	.90	Clay	1.01	McCulloch	1.05	Dodge	1.14	Portage	1.08
Buffalo	.97	Douglas	.97	Cochran	.98	McLennan	1.11	Door	1.05	Price	1.04
Butte	.87	Edmunds	.97	Collin	1.06	Mason	1.05	Douglas	1.10	Racine	1.17
Campbell	.94	Fall River	.86	Collingsworth	.98	Mitchell	.98	Dunn	1.05	Richland	1.11
Charles Mix	.97	Faulk	.98	Comanche	1.05	Montague	1.02	Eau Claire	1.05	Rock	1.16
Clark	1.01	Grant	1.04	Concho	1.05	Moore	.97	Florence	1.00	Rusk	1.06
Clay	1.00	Gregory	.98	Coryell	1.10	Motley	.98	Fond Du Lac	1.13	St. Croix	1.05
UTAH				Cottle	.98	Newton	1.14	Forest	1.05	Sauk	1.13
County		Rate per bushel		Dallam	.97	Nolan	.98	Grant	1.09	Sawyer	1.03
All counties		\$0.90		Dawson	.98	Ochiltree	.97	Greene	1.15	Shawano	1.09
VERMONT				Deaf Smith	.98	Oldham	.98	Green Lake	1.12	Sheboygan	1.14
All counties		1.14		Denton	1.05	Palo Pinto	1.03	Iowa	1.12	Taylor	1.04
VIRGINIA				Dickens	.98	Parker	1.06	Iron	1.03	Trempealeau	1.05
All counties		1.14		Donley	.98	Parmer	.98	Jackson	1.06	Vernon	1.07
WASHINGTON				Eastland	1.03	Potter	.98	Jefferson	1.15	Vilas	1.04
County		Rate per bushel		Fannin	1.04	Randall	.98	Juneau	1.10	Walworth	1.16
All counties		1.14		Fisher	.98	Reeves	.89	Kenosha	1.18	Washington	1.03
WEST VIRGINIA				Floyd	.98	Roberts	.97	Kewaunee	1.08	Washington	1.15
County		Rate per bushel		Foard	.98	Runnels	1.01	La Crosse	1.07	Waukesha	1.16
All counties		\$0.90		Gaines	.98	San Saba	1.05	Lafayette	1.12	Waupaca	1.10
WISCONSIN				Gillespie	1.06	Scurry	.98	Langlade	1.07	Waushara	1.11
County		Rate per bushel		Gray	.98	Sherman	.97	Lincoln	1.05	Winnebago	1.12
All counties		\$0.90		Grayson	1.04	Smith	1.09	Manitowoc	1.12	Wood	1.07
WYOMING				Hale	.98	Stonewall	.98				
All counties		\$0.90		Hall	.98	Swisher	.98				
YOUTH CAROLINA				Hansford	.97	Tarrant	1.07				
All counties		\$1.20		Hardeman	.98	Taylor	1.00				
YOUTH DAKOTA				Hartley	.97	Terry	.98				
Aurora	\$0.96	Codington	\$1.02	Haskell	.98	Wheeler	.98				
Beadle	.99	Corson	.90	Hemphill	.97	Wichita	1.00				
Bennett	.91	Custer	.88	Hidalgo	1.02	Wilbarger	.98				
Bon Homme	.99	Davison	.97	Hockley	.98	Wise	1.05				
Brookings	1.02	Day	1.01	Hood	1.05	Yoakum	.98				
Brown	.99	Deuel	1.04	Howard	.98	Young	1.02				
Brule	.97	Dewey	.90								
Buffalo	.97	Douglas	.97								
Butte	.87	Edmunds	.97								
Campbell	.94	Fall River	.86								
Charles Mix	.97	Faulk	.98								
Clark	1.01	Grant	1.04								
Clay	1.00	Gregory	.98								

Rye grading No. 3 on account of being "thin":

"Thin" rye (percent):	Discount (cents per bushel)
15.1-17.0	1
17.1-19.0	2
19.1-21.0	3
21.1-23.0	4
23.1-25.0	5

Rye grading No. 4 on account of being "thin":

The discounts shall be 5 cents per bushel plus 1 cent for each 2 percent of "thin" rye or fraction thereof, in excess of 25 percent.

Discount (cents per bushel)

Weed control discount (where required by § 1421.17) 10

Other Factors: Amounts determined by CCC to represent market discounts for quality factors not specified above which affect the value or rye, such as (but not limited to) moisture, weevily, ergoty, stones, musty, sour, and heating. Such discounts will be established approximately 1 month prior to the loan maturity date for rye and will thereafter be adjusted from time to time as CCC determines appropriate to reflect changes in market conditions. Producers may obtain schedules of such factors and discounts and adjustments thereof at ASCS county offices approximately 1 month prior to the loan maturity date or as soon thereafter as practicable.

Effective date: Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on May 21, 1969.

KENNETH E. FRICK,
Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 62-6290; Filed, May 28, 1969; 8:45 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 18051, RM-1220; FCC 69-570]

PART 73—RADIO BROADCAST SERVICES

Table of Assignments; Rockford, Mendota, and Peru, Ill.

Second report and order. In the matter of amendment of § 73.202 Table of assignments, FM Broadcast Stations. (Hollister, Calif., Dexter, Mo., Liberty, Ky., Rockford, Mendota, and Peru, Ill., Livingston, Tex., La Crosse, Wis., Wichita, Great Bend, El Dorado, and Hutchinson, Kans., Marion, Ill., and Vero Beach, Fla.), Dockets Nos. 18051, RM-1235, RM-1239, RM-1248, RM-1220, RM-1238, RM-1244, RM-1245.

1. In a first report and order in this proceeding issued on May 3, 1968 (FCC 68-486), the Commission disposed of all the matters before it except for RM-1220, pertaining to assignment of a Class A channel to Rockford, Ill., as discussed below. The present document deals with that remaining matter. The determination made herein includes consideration of all the comments, data, and reply comments submitted in response to the notice. All population figures referred to herein are from the 1960 U.S. Census.

2. Our proposal in the notice of proposed rule making herein was based on a petition for rule making filed by Greater Rockford Sound, Inc., then an applicant for a new FM station at Rockford, Ill., requesting the addition of a third FM assignment to Rockford by making two other necessary changes in the table, as follows:

City (all in Illinois)	Channel No.	
	Present	Proposed
Rockford	248, 285A	248, 265A, 285A
Mendota	265A	261A
Peru	261A	265A

Rockford has a population of 126,706 and its Standard Metropolitan Statistical Area (Winnebago County) has a population of 209,765. One FM station operates on Class B Channel 248 in Rockford; the city also has three AM stations, one unlimited-time and two daytime-only. The Peru channel is unoccupied. The second FM channel, 285A, listed in the Table for Rockford, has been authorized for a new station at Belvidere, Ill. (Docket 17593, File No. BPH-5755), under the former "25-mile" provision of § 73.203(b).¹ Belvidere is some 12 miles east of Rockford, in a different county and not in either the Rockford SMSA or the urbanized area as shown in the 1960 U.S. Census. There are two other Class A FM stations in the Rockford SMSA, at Loves Park and Winnebago.

3. Petitioner states that the facts elicited, in a previous rule making proceeding to assign the second FM channel to Rockford (Docket No. 16762, First Report and Order issued on Oct. 7, 1966, 5 FCC 2d 188) establish the need and merit for a third FM assignment to the city. The criterion used for a city of this size in setting up the table, four to six assignments, is cited as evidence of this. Petitioner also submits that this assignment would not preclude assignments on any of the six adjacent channels due to existing stations in the general area. Channel 265A itself, if not assigned to Rockford, could be used in one of a few other places in the area; of these, Freeport (pop. 26,628) and Loves Park (pop. 9,086) have FM assignments (Class B and Class A, respectively) and the others are all of less than 2,000 persons (one of these, Winnebago, has an FM station). Since the proposal would require the existing station at Mendota to shift channels, if it also requested that the licensee of WGLC-FM be ordered to show cause why its license should not be modified to specify Channel 261A instead of 265A.

4. Jel-Co Radio, Inc., licensee of Station WGLC-FM, Channel 265A, Mendota, Ill., opposes the substitution of Channel 261A for 265A at Mendota on several grounds. First, it urges that there has been no compelling showing of need for the additional assignment in Rockford to warrant the change in assignment for WGLC-FM. Second, it asserts

¹ The Belvidere authorization was granted by a decision released Sept. 30, 1968 (FCC 68R-399), subsequent to the filing of petition, comments and reply comments in this proceeding.

that there would be a direct monetary cost to WGLC-FM and other costs involved in the disruption to its operations. Third, it contends that Rockford, with its two assigned FM channels and a third FM station in operation at Loves Park (adjacent to Rockford and within its SMSA and urbanized area), has no need for an additional assignment. And finally, it submits that proponent has not shown that there is no preferable means of accomplishing the proposed result with lesser cost to the public interest. Jel-Co also urges the Commission to await the establishment of the Rockford FM station on the newly assigned channel, 285A, in order to determine whether there is a need for another FM facility in that city. It is also asserted that at present WGLC-FM has a distinct advantage in the compatibility of the frequencies for the AM and FM stations, 1090 kc/s for WGLC and 100.9 for WGLC-FM. With respect to the preclusion showing made by petitioner, Jel-Co states that it is admitted that Channel 265A would be precluded from assignment to other communities which have no FM assignments or other larger ones which have a single FM channel. Jel-Co provides an itemized estimate that it will cost \$9,740 to shift WGLC-FM to a new frequency.

5. In response to the question raised in the Notice on the need of an additional Rockford assignment, Greater Rockford Sound submits exhibits on the growth pattern of the Rockford SMSA, asserting that it is due to Rockford's mushrooming population, and urges thereby that Rockford should not be deprived of its fair share of FM assignments. Letters supporting the assignment are also included from the mayor of Rockford and the assistant to the director, Illinois Department of Mental Health. Regarding the invitation in the notice for comments on the willingness of petitioner to "defray the reasonable costs of the channel change for WGLC-FM", petitioner states that it would be willing to defray the "minimum cost" for such change in the event Channel 265A is assigned to Rockford and subsequently granted to Greater Rockford Sound.

6. In reply comments, Jel-Co claims that the proponent's limited response to the Commission's specific invitation for comments on (1) the need for the additional assignment and (2) its willingness to meet reasonable costs for WGLC-FM's channel change, fail to provide and adequate supportive showing on which to base a decision adopting petitioner's proposal.

7. During the pendency of this rule making proceeding, the second FM assignment at Rockford, Channel 285A, was granted to an applicant for construction of a new station at Belvidere (see paragraph 2 above and footnote 1). As mentioned earlier, Belvidere (the county seat of Boone County) is not located within the Rockford SMSA or county, or urbanized area, and under the present more restrictive "10 mile" rule (§ 73.203(b)) adopted in 1968 a station to be assigned to that city would not be entitled to use a Rockford channel. This substantially limits the extent to which Rockford can be regarded as

having two channels assigned now, or three if the proposal herein is adopted.²

8. We have carefully considered the proposal outlined above, and the opposition thereto, and conclude that the additional FM assignment by the changes required would serve the public interest and should be adopted. It would provide, in effect, a second local FM broadcast service for a large and growing city (the second largest in Illinois). Since cities of the size of Rockford were assigned, where possible, four to six channels in the Table of Assignments adopted in 1963, the provision of this channel as a second assignment is obviously in line with overall allocation principles. While there are three other channels and stations in the general area, we cannot regard them for this purpose as the same as Rockford assignments, and, even if they were so regarded, the total would be less than the maximum number of channels set forth in the criterion mentioned. With respect to the preclusion effect on other assignments, no comments were filed proposing use of the channel at any other community. This is a factor only on the one channel involved (265A), and the only other possible use of this channel warranting mention is possible assignment as a second channel at Freeport (population 26,628). We conclude that provision for a second Rockford FM station far outweighs possible use at the much smaller city of Freeport. The proposed channel is the only one which could be used at Rockford without involving either deletion of other stations or one or more short separations with other stations for which it does not appear that substitute channels could be provided.

9. The action taken here will necessitate a change in the operating frequency for WGLC-FM. Jel-Co submitted an estimate that the costs for the change would total \$9,740. Although Greater Rockford Sound stated that it would defray "minimum costs" of the change (if it were the successful applicant for the channel), it does not state what it considers a reasonable amount, nor does it reply to the Jel-Co estimate. We do not here pass on what should be considered reasonable; we have, however, on other occasions stipulated which items of expense are appropriate for reimbursement and which are not. See, for example, second report and order in Docket 16662, released May 12, 1967, FCC 67-578, 8 F.C.C. 2d 159. However, we do believe that Jel-Co should be reimbursed for reasonable costs incurred by it in changing the WGLC-FM operation from Channel 265A to 261A. We have further repeatedly held in similar cases that reimbursement should come from the party which becomes the permittee on

the new channel (see 3 F.C.C. 2d 605). We expect that parties eventually involved will attempt in good faith to reach agreement on what constitutes a reasonable settlement.

10. Since the change in the WGLC-FM channel is in the public interest, the licensee of WGLC-FM shall file its December 1, 1970, renewal application specifying operation on Channel 261A rather than 265A. Transcontinent Television Corp. v. FCC, 113 U.S. App. D.C. 284, 308 F. 2d 339, 23 R.R. 2064 (1962). The station may continue to operate on Channel 265A until December 1, 1970, or until such earlier time as, upon its request, the Commission authorizes interim operation under special operating authority on Channel 261A, following which it shall submit, within 30 days, the measurement data normally required of an applicant for an FM broadcast station license. On and after the date on which such interim operation is authorized to commence, the Commission will view the request of WGLC-FM as a relinquishment of Channel 265A and a waiver of any rights it may possess with regard to that channel. Channel 265A is being assigned to Rockford as of December 1, 1970, or such earlier date as the Commission may authorize interim operation on Channel 261A to WGLC-FM as mentioned above.

11. An application filed by George W. Yazell, File No. BPH-6576, is pending for Channel 261A at Peru, Ill. Since action being taken here changes the Peru assignment to Channel 265A, the Peru application may be amended to specify Channel 265A, after which time the application will be processed in the usual manner. In the event an application is granted for Channel 265A at Peru, commencement of operation of the station will be subject to the provisions of the footnote to the table for the assignments indicated in paragraph 13 below.

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

13. In view of the foregoing: *It is ordered*, That effective June 30, 1969, the FM Table of Assignments, §73.202 of the rules and regulations of the Commission, is amended, insofar as the communities named are concerned, to read as follows:

City	Channel No.
Illinois:	
Mendota ----	261A ¹
Peru ----	265A ¹
Rockford ---	248, 265A, ¹ 285A

¹ Effective 3 a.m. central standard time, December 1, 1970 (concurrently with expiration of the outstanding license for Station WGLC-FM on Channel 265A at Mendota, Ill.), or such earlier date as Station WGLC-FM may, upon its request, cease operation on Channel 265A at Mendota, Ill.

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: May 21, 1969.

Released: May 26, 1969.

FEDERAL COMMUNICATIONS
COMMISSION,²

[SEAL] BEN F. WAPLE,
Secretary.

[P.R. Doc. 69-6383, Filed, May 28, 1969;
8:48 a.m.]

[Docket No. 18125; FCC 69-571]

PART 73—RADIO BROADCAST SERVICES

Table of Assignments; Glasgow, Ky., and Columbia, S.C.

Second report and order. In the matter of amendment of §73.202 Table of assignments, FM Broadcast Stations. (Camden, S.C., Brinkley, Ark., Concord, N.H., Pontiac, Ill., Du Quoin, Ill., Glasgow, Ky., Norman and Duncan, Okla., Glendive, Mont., Brandon and Sarasota, Fla., Columbia, S.C., Lynchburg, Va., Upper Sandusky and Gallon, Ohio, and Altavista, Va.), Docket No. 18125, RM-1254, RM-1257, RM-1261, RM-1263, RM-1266, RM-1255, RM-1282, RM-1258, RM-1262, RM-1249, RM-1264, RM-1269, RM-1268.

1. The Commission has before it for consideration its notice of proposed rule making, issued in this proceeding on April 12, 1968, FCC 68-382, and published in the FEDERAL REGISTER on April 17, 1968 (33 F.R. 5888), proposing a number of changes in the FM Table of Assignments advanced by various interested parties. In a previously issued first report and order (68-737), all petitions except for RM-1261, Concord, N.H.; RM-1255, Glasgow, Ky.; and RM-1264, Columbia, S.C., were disposed of. The subject decision concerns two of the remaining three petitions. All population figures, unless otherwise stated, are those shown in the 1960 U.S. Census. All duly filed comments and data were considered in making the following determinations.

2. RM-1255, Glasgow, Ky. In a petition for rule making filed on February 13, 1968, John M. Barrick, licensee of daytime-only Station WCDS(AM), Glasgow, Ky., requested the assignment of a second FM channel to Glasgow, as follows:

City	Channel No.	
	Present	Proposed
Glasgow, Ky.....	236	236, 288A

Glasgow has a population of 10,069 and Barren County, of which it is the seat and largest community, has a population of 28,303.¹ In addition to an FM station operating on Channel 236, it has two AM stations, a Class IV and a daytime-only. Barrick submits that Glasgow is in the heart of an agricultural area in south-central Kentucky, that there are 300 retail trade establishments in it, that the total retail sales in 1960 were \$22 million, and that its trading area population is

² Commissioner Cox abstaining from voting; Commissioner Wadsworth absent.

¹ Petitioner states that, according to information by the Glasgow Chamber of Commerce, the Glasgow population in 1967 was in excess of 14,000 persons.

² The site authorized for Belvidere is about 7 miles west thereof in order to meet the spacing requirements of the rules. This places it about 5.5 miles from Rockford, from which location the predicted 3.16 mv/m contour includes most, if not all, of the city of Rockford. If the assignment of Channel 265A is made at Rockford as proposed herein, it can be used only for a station assigned to that city, since §73.203(b) as amended in 1968 limits the number of assignments available elsewhere under the "10-mile" rule to one.

about 100,000.² It is urged that the proposal would provide a much needed additional FM station without requiring any other changes in the table.

3. Petitioner submits an engineering statement showing that there would be no areas precluded from assignment by virtue of the addition of Channel 288A to Glasgow, on any of the six adjacent channels due to existing stations and assignments in the general area. With respect to Channel 288A itself, there would be a "preclusion" area of about 40 square miles which contains no community with a population of 1,000 or more persons.³ Petitioner concludes that the assignment of the channel would not have an adverse effect on future needed assignments in other communities. Finally, noting that a site about 6 miles south of Glasgow would be required so as to meet the spacing requirements of the rules, petitioner indicates that sites are available from which all the requirements of the rules can be met.

4. Glasgow Broadcasting Co., licensee of Stations WKAY (unlimited-time AM) and WGGC-FM in Glasgow, opposes the proposed assignment on the grounds that there is no showing of need for an additional Glasgow outlet; that no assignment should be made until the rule making in Docket 18110 relating to common ownership of multiple outlets in the same community is resolved; and that operation of a station at the distance from Glasgow required to meet the spacing requirements would result in a marginal operation at best, both technically and financially. It is noted in an engineering statement submitted with the opposition comments that a hypothetical maximum Class A station (3 kw, E.R.P. 300 feet a.a.t.) located within the limited area meeting the minimum spacing requirements would barely provide a theoretical city grade signal over the far city limits of Glasgow. It is further illustrated by a terrain profile graph that intervening terrain between the site and city would prevent line-of-sight transmission from an assumed antenna height of 321 feet⁴ over portions of the city. The opposition questions, therefore, whether the requirements of § 73.315(b) of the rules would be met and whether, as a practical matter, a principal-city signal would be obtainable from such a site, the conclusion being drawn therefrom that such a

restrictive assignment would represent an inferior allocation.

5. In support of its contention as to lack of need, the opponent calls attention to the two AM and one FM stations already in Glasgow, a daily and weekly newspaper there, service from radio and TV stations elsewhere and a Glasgow CATV system, and circulation in the area of other newspapers. It is asserted that TV Station WLTV, Bowling Green, Ky. (a city some 30 miles away) provides local coverage of Glasgow news and events. It is asserted that these media adequately serve any needs which may exist, and that petitioner's showing certainly falls far short of the "convincing showing of need" required by our May 1967 Public Notice concerning additional FM channel assignments, particularly where the proposal is for a second channel in a rather small community (see FCC 67-577, 9 R.R. 2d 1245). It is urged that there is adequate economic support for existing media but would not be for an additional one, at least without material financial injury to other media and resulting curtailment of service to the public. It is said that the possibility of adequate economic support is particularly dubious in view of the technical requirements the proposed operation would have to meet—a tall antenna tower needed to provide coverage of Glasgow, from the distance the station would have to be located south of the city, and impossibility of using the WCDS(AM) site. With respect to the pending Docket 18110 rule making proceeding, it is recognized that the Commission's outstanding proposal does not contemplate preventing daytime AM and FM combinations; but it is asserted that such a prohibition might ultimately be adopted, and that independent FM operation—the only alternative use of the channel—is out of the question in view of the size of the market and number of stations.

6. In reply to the opponent's contentions, petitioner submits that since the present two nighttime Glasgow stations are operated by the opposition, adoption of its proposal would permit establishment of a "first competitive nighttime broadcast service" to the community. Various statistics provided by the opposition pertaining to Glasgow, together with the fact that other smaller Kentucky communities have been assigned two FM assignments⁵ are cited to support petitioner's contention that Glasgow is sufficiently important to warrant assignment of a second FM channel. Petitioner asserts that the opposition's allegations of economic injury lack supportive evidence. Finally, petitioner urges that, in view of the limited area from which the proposed channel may be assigned, if the proposed assignment is not made it will lie fallow in an underserved area of Kentucky.⁶

²Corbin (population 7,119) and Prestonsburg (3,133), and also Madisonville, Ky. (13,110), only slightly larger than Glasgow.

³A supplemental engineering statement by petitioner pertaining to its reply comments was filed Sept. 16, 1968, some 3 months after the last date specified for such comments. Since the statement was not accompanied by a showing of good cause for acceptance of the late filing, it is not being considered in this proceeding.

7. After careful review of the comments and data submitted in this case, we come to the conclusion that the proposal to assign Channel 288A to Glasgow would serve the public interest and should be adopted. Such action would provide a means of implementing a second local FM service and a second source of nighttime programming to a community of over 10,000 people and its surrounding rural area. We recognize that the location required to satisfy all spacing requirements (5 to 6 miles south of Glasgow city limits) necessitates selection of a site less than ideal with respect to the primary objective of serving Glasgow. However, there has been no evidence submitted in this proceeding to indicate that terrain obstacles could not be adequately overcome by a reasonable antenna height over that assumed by the opposition in its comments (with a corresponding reduction in E.R.P.), or that, in fact, the minimum required signal would not be provided to the community, even with the antenna height assumed. Line of sight over the entire city, while it is highly desirable, is not an absolute prerequisite to authorization of an FM station.

8. While the showing as to "need" may be less than that in other cases, we are persuaded that under the circumstances here provision for a second local nighttime service establishes it sufficiently, particularly where, as noted above, there is no other use of the channel which would otherwise be possible. We agree with petitioner that the arguments as to possible economic injury to existing media are much too speculative to warrant restrictive action here. We would also note that our review of the financial reports for the Glasgow stations does not provide a basis for rejecting the new assignment. As to the argument that we should not make the assignment as long as Docket 18110 is pending, this warrants little discussion here, especially since the petitioner (and potential applicant) would not be precluded under the rule as proposed. Even if we were to assume that there are no other potential applicants, it cannot be assumed that operation by petitioner, a daytime-only AM licensee, would be contrary to the public interest.

9. We also believe that the assignment of a Class A channel as a second assignment at Glasgow is warranted even though it will mean a mixture of Class A and Class C assignments in the same community, something which, as a general principle, we have tried to avoid. It does not appear that any Class C assignment is available. Accordingly, we are assigning Channel 288A to Glasgow, Ky. Its use must, of course, comply with applicable technical rules.

10. RM-1264, Columbia, S.C. In a petition filed on March 1, 1968, Cosmos Broadcasting Corp., licensee of fulltime Station WIS (AM), Columbia, S.C., requests the addition of Class A Channel 228 to Columbia to the two Class C assignments there, as follows:

City	Channel No.	
	Present	Proposed
Columbia, S.C.	250, 284	228A, 250, 284

²The opponent of the proposal asserts that, as Chamber of Commerce figures, these are of limited reliability, and calls attention to 1963 U.S. Census Bureau (Business Census) figures. These show Glasgow with 238 retail establishments with sales of \$26,642,000; 108 service establishments with receipts of \$2,516,000; and 43 wholesale businesses with sales of \$32,601,000.

³The "preclusion area" on Channel 288A was substantially reduced during the pendency of this proceeding, by assignment of Channel 288A to Liberty, Ky. (RM-1248, Docket 18051, FCC 68-488).

⁴This represents the maximum height above ground permitted to provide 300 feet above average terrain at the assumed site, which is the maximum antenna height a.a.t. permitted with the maximum effective radiated power (3 kw.). With lesser power a greater height could be used. See §§ 73.211(b) and 73.333 (fig. 3) of the rules.

Columbia, the capital of South Carolina, has a population of 97,433 and its SMSA has a population of 300,102. The two Class C FM assignments are in operation as are five AM stations, two unlimited time, two Class IV, and one daytime-only.

11. Cosmos states that the growth of Columbia and its county have been significant and estimates the 1967 population of the city as 107,300 and that of the county as 236,700 persons. It submits that the total retail sales for 1966 were \$255,949,000 and \$380,044,000 for the city and county, respectively. It urges that the additional FM assignment falls within the general city population criteria used in making up the table. An engineering showing is submitted showing that no assignments will be precluded on the six pertinent adjacent channels. On Channel 228A itself, a very small area would be precluded in the event it is assigned to Columbia, the only community of any significant size contained therein (outside the Columbia area) being Camden.⁷ Thus, Cosmos concludes that the assignment of a third FM channel to the large and growing community of Columbia would have no adverse effects on future needed assignments elsewhere.

12. Palmetto Radio Corp., licensee of Stations WNOK-AM-FM-TV, Columbia, opposes the proposed assignment primarily on the grounds that it would result in mixture of Class A and C channels in the same community contrary to the Commission's stated position in this respect; that a Class A assignment to the Columbia Metropolitan Area would be inappropriate in view of the primary purpose intended for Class A channels, i.e., to serve smaller communities some distance from metropolitan centers; and that the assignment would severely restrict site selection in using Channel 229 at Charleston, S.C. Finally, Palmetto contends that adoption of the proposal would be premature at this time, since Cosmos is a licensee of fulltime AM and TV stations in Columbia and action on an application by Cosmos for the channel could not, therefore, be taken under the interim policy adopted by the Commission in Docket 18110.⁸

13. Cosmos acknowledges that the pending rule making proceeding (and the interim procedure adopted therein) in Docket 18110 would present impediments to its filing an application for Channel 228A if its proposed assignment were adopted. Cosmos therefore notes that it filed a "Petition for Declaratory Ruling" on May 10, 1968, seeking removal of similar impediments to its acquisition of the authorization of Class C FM Station WFIG, Channel 287C, Sumter, S.C., so as to enable Cosmos to bring a Class C

service to the area.⁹ Cosmos further submits that, even though Channel 228A would not have the priority of a Class C channel, it is shown to be technically feasible in the area and urges its assignment in addition to any other Class C service available to the city.

14. A proposal is outstanding in another notice of proposed rule making released March 6, 1969 (RM-1376, Docket 18476, FCC 69-207), to assign Channel 244A to Cayce, S.C., an adjacent Columbia urbanized community of 8,517 population. In comments filed in the latter proceeding by the Cayce petitioner, Lexington County Broadcasters, Inc. (WCAY-AM), it is proposed to assign Channel 228A to Cayce in lieu of its original proposal for 244A in order to avoid a potential harmonic interference relationship with Television Station WIS-TV, Channel 10, Columbia. Supporting comments for the change in the Cayce assignment were also filed by Cosmos, the Columbia petitioner and licensee of Station WIS-TV. It is to be noted that until such time as a channel may be assigned to Cayce, if Channel 228A is assigned to Columbia it will be available for applications at Cayce under the "10-mile" rule (73.203(b)). Furthermore, it appears that still another Channel, 261A, would meet the separation requirements at Cayce; thus, even assuming the concern for the interference potential of Channel 244A has merit, assigning Channel 228A to Columbia would not foreclose availability of a channel for applications at Cayce.¹⁰

15. After careful consideration of petitioner's proposal outlined above, and the opposition thereto, we are of the view its adoption would serve the best interests of the public and should be adopted. A third FM assignment at Columbia would conform to the general criteria used in making the table and appears to be warranted by the city's size and importance. In view of the size of Columbia and its metropolitan area, a Class C channel is to be preferred to a Class A assignment; however, in this case a Class C channel does not appear available without making deletions or changes in existing operating stations. Under these circumstances, departure from our usual policy of avoiding mixture of classes of stations in the same community, or making a Class A assignment to the principal city of a metropolitan area, appears warranted. We take special notice here of the fact that no community having a need will be precluded from a channel if the proposal is adopted. Aside from Camden, S.C., where an FM assignment has already been provided in this proceeding, the only communities of significant size where an assignment could otherwise be

made are close to Columbia itself (including Cayce, mentioned above) and the new assignment will be available to potential applicants under the "10-mile" rule (§ 73.203(b)). The fact that petitioner may be barred from a grant of an application for the channel under the interim policy (Docket 18110) does not detract from the merit of assigning the channel, since any qualified applicant may apply for the channel when added to the table. As to the alleged restriction that the assignment would have on siting of an antenna for a Channel 229 station at Charleston, S.C., the assignment as adopted meets the minimum spacing requirements of the rules, and we do not have evidence that it would be unduly restrictive. Indeed, because of the very limited area to which Channel 228A may be used around Columbia and meet the minimum spacing requirements of the rules, its assignment there will add to the overall efficiency of the FM assignment plan.

16. In view of the foregoing, we are assigning Channel 228A to Columbia, S.C.

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

18. In accordance with the foregoing determinations: *It is ordered*, That effective June 30, 1969, § 73.202 of the Commission's rules, the FM Table of Assignments, is amended to read, insofar as the communities named are concerned, as follows:

City	Channel No.
Kentucky:	
Glasgow ----	236, 288A
South Carolina:	
Columbia ---	288A, 250, 284

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

Adopted: May 21, 1969.

Released: May 26, 1969.

FEDERAL COMMUNICATIONS
COMMISSION,¹¹

[SEAL] BEN F. WAPLE,
Secretary.

[P.R. Doc. 69-6384; Filed, May 28, 1969;
8:48 a.m.]

Title 50—WILDLIFE AND FISHERIES

Chapter II—Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior

SUBCHAPTER D—WHALING

PART 230—WHALING PROVISIONS Fin and Sei Whale Quotas for North Pacific

On March 29, 1969, a notice of proposed rule making (34 F.R. 5950), was published to amend Part 230, Title 50, Code of Federal Regulations, the U.S. Whaling Regulations. It was proposed to add a new § 230.25 to the regulations which

¹¹ Commissioner Cox abstaining from voting; Commissioner Wadsworth absent.

⁷ Camden was assigned Channel 232A in this proceeding, RM-1254, First Report and Order, Docket 18125, FCC 68-737.

⁸ Rule making in Docket 18110 (FCC 68-332, March 1968) would, inter alia, preclude grant of an FM license to a party licensed an unlimited-time AM station in the same market. The interim policy simultaneously adopted in the notice makes the proposed rules applicable pending finalization of the proceeding.

⁹ Cosmos' "Petition for Declaratory Ruling" was dismissed on May 24, 1968, on the grounds that it constituted a request for reconsideration of the interim policy adopted in Docket 18110 and was, therefore, not timely filed.

¹⁰ A petition, RM-1452, received May 14, 1969, from Midland Valley Investment Co., Inc., contains a plan for assigning Channel 261A to Burnetown, S.C., which, if adopted, would preclude assignment of Channel 261A to Cayce, S.C. Accordingly, the Burnetown petition will be considered with any proposal to assign Channel 261A to Cayce.

would establish a catch quota for fin and sei whales for the North Pacific. The proposal was published pursuant to the Whaling Convention Act of 1949 which authorizes the Secretary of the Interior to adopt such regulations as may be necessary to carry out the purposes and objectives of the International Whaling Convention.

Interested persons were given the opportunity to submit written comments to the Director, Bureau of Commercial Fisheries, Department of the Interior. Written comments were accepted through April 29, 1969.

Several comments were received. The need to regulate this fishery through the establishment of international catch quotas, overrides the objections raised to the quota imposed on the U.S. whaling company involved. Under the terms of an international agreement, if this quota system is not adopted by the United States for 1969, there will be no limitation on the number of fin and sei whales taken in the North Pacific by any nation during the coming season. This could result in a disastrous reduction of

the total population of these two species.

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

The new section will be added following the existing § 230.22, and the new section reads as follows:

CATCH QUOTAS

§ 230.25 Fin and sei whale quotas for the North Pacific.

Beginning with the 1969 season for taking baleen whales, it is forbidden for U.S. citizens to take more than 44 fin whales, plus or minus 10 percent, and 60 sei whales from the waters of the North Pacific Ocean.

Issued at Washington, D.C., pursuant to authority delegated to me by the Secretary of the Interior on August 26, 1966 (31 F.R. 11685) and dated May 23, 1969.

H. E. CROWTHER,
Director,

Bureau of Commercial Fisheries.

[F.R. Doc. 69-6375; Filed, May 28, 1969;
8:47 a.m.]

SUBCHAPTER H—EASTERN PACIFIC TUNA
FISHERIES

PART 280—YELLOWFIN TUNA

Restrictions Applicable to Fishing
Vessels

The document revising Part 280, Title 50, of the Code of Federal Regulations, published in the FEDERAL REGISTER on May 17, 1969, at 34 F.R. 7856, is corrected by inserting in § 280.6(c) (3) the word "capacity" between the words "vessel's carrying" and "in."

Issued at Washington, D.C., pursuant to authority delegated to me by the Secretary of the Interior on August 26, 1966 (34 F.R. 11685) and dated May 23, 1969.

H. E. CROWTHER,
Director,

Bureau of Commercial Fisheries.

[F.R. Doc. 69-6358; Filed, May 28, 1969;
8:46 a.m.]

Proposed Rule Making

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 69-SO-32]

FEDERAL AIRWAY SEGMENTS

Proposed Alteration

The Federal Aviation Administration is considering amendments to Part 71 of the Federal Aviation Regulations that would realign segments of VOR Federal airway Nos. 51, 159, 267, and 492.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Southern Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Post Office Box 20636, Atlanta, Ga. 30320. All communications received within 30 days after publication of this notice in the *FEDERAL REGISTER* will be considered before action is taken on the proposed amendments. The proposals contained in this notice may be changed in the light of comments received.

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

The Federal Aviation Administration is considering the following airspace actions:

1. Realign V-51 and V-267 segments from Miami, Fla., with a 1,200-foot AGL floor via the intersection of Miami 343° T (343° M) and Pahokee, Fla., 169° T (169° M) radials; to Pahokee.

2. Realign V-159 segment from Miami with a 1,200-foot AGL floor via the intersection of Miami 343° T (343° M) and Palm Beach, Fla., 222° T (222° M) radials; to Palm Beach.

3. Realign V-492 south alternate segment from La Belle, Fla., with a 1,200-foot AGL floor via the intersection of La Belle 113° T (112° M) and Palm Beach 252° T (252° M) radials; to Palm Beach.

These proposed airway realignments would facilitate the transition of high altitude arrival and departure traffic in the Miami terminal area.

These amendments are proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348) and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Washington, D.C., on May 20, 1969.

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

[F.R. Doc. 69-6372; Filed, May 28, 1969;
8:47 a.m.]

Hazardous Materials Regulations Board

[49 CFR Parts 173, 178]

[Docket No. HM-23; Notice No. 69-16]

NEW SPECIFICATION 8BW CYLINDER FOR ACETYLENE

Notice of Extension of Time To File Comments

On April 23, 1969 the Hazardous Materials Regulations Board published a

notice of proposed rule making (34 F.R. 6797) proposing to add a new cylinder specification 8BW (49 CFR 178.62) for shipping acetylene, to the Hazardous Materials Regulations of the Department of Transportation. That notice stated that all comments received before May 29, 1969, would be considered by the Board before taking final action on the notice.

The Pressed Steel Tank Co., Inc., by letter dated May 2, 1969, has requested the Board to extend the period for filing comments to June 30, 1969. The petitioner occupies a major role in the fabrication of acetylene cylinders and desires additional time to facilitate its technical review of the proposed cylinder specification.

The Board believes that the petitioner has shown a substantive interest in the matter and that the request made is justified. Therefore, the time within which comments on Docket No. HM-23; Notice No. 69-11 will be received is extended to June 30, 1969.

Issued in Washington, D.C., on May 26, 1969.

J. B. McCARTY, Jr.,
*Captain, U.S. Coast Guard, by
direction of Commandant,
U.S. Coast Guard.*

R. N. WHITMAN,
*Administrator,
Federal Railroad Administration.*

F. C. TURNER,
*Administrator,
Federal Highway Administration.*

MERRITT D. BOYLE,
*For Board Member, for the
Federal Aviation Administration.*

[F.R. Doc. 69-6382; Filed, May 28, 1969;
8:48 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control CHINESE TYPE FOODSTUFFS

Importation Directly From Taiwan (Formosa); Available Certifications

Notice is hereby given that certificates of origin issued by the Ministry of Economic Affairs of the Government of the Republic of China under procedures agreed upon between that government and the Office of Foreign Assets Control in connection with the Foreign Assets Control Regulations are now available with respect to the importation into the United States directly, or on a through bill of lading, from Taiwan (Formosa) of the following commodities:

Broad beans, flavored, fried.
Allium bakeri, seasoned.

[SEAL] MARGARET W. SCHWARTZ,
Director,
Office of Foreign Assets Control.

[F.R. Doc. 69-6394; Filed, May 28, 1969;
8:49 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management CALIFORNIA

Notice of Partial Termination of Proposed Withdrawal and Reservation of Lands

MAY 22, 1969.

Notice of a Bureau of Reclamation, U.S. Department of the Interior, application, Sacramento 079877, for withdrawal and reservation of lands for the planned facilities of the Auburn-Folsom South Unit of the Central Valley Project, was published as F.R. Doc. 65-11539 on pages 13747 and 13748 of the issue for October 28, 1965. The applicant agency has canceled its application insofar as it affects the following described lands:

MOUNT DIABLO MERIDIAN

T. 15 N., R. 10 E.,
Sec. 28, lot 5.

Therefore, pursuant to the regulations contained in 43 CFR Part 2311, such lands at 10 a.m. on June 26, 1969, will be relieved of the segregative effect of the above-mentioned application.

ELIZABETH H. MIDTBY,
Chief, Lands Adjudication Section.

[F.R. Doc. 69-6359; Filed, May 28, 1969;
8:46 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and Conservation Service

MAINLAND CANE SUGAR AREA 1970 Crop Proportionate Shares

Notice is hereby given that the Secretary of Agriculture, acting pursuant to the Sugar Act of 1948, as amended, is preparing to conduct a public hearing to receive views and recommendations from all interested persons on the need for establishing proportionate shares for the 1970 sugarcane crop in the Mainland Cane Sugar Area (Louisiana and Florida).

In accordance with the provisions of paragraph (1), subsection (b) of section 302 of the Sugar Act of 1948, as amended, the Secretary must determine for each crop year whether the production of sugar from any crop of sugarcane in the area will, in the absence of proportionate shares, be greater than the quantity needed to enable the area to meet its quota and provide a normal carryover inventory, as estimated by the Secretary for such area for the calendar year during which the larger part of the sugar from such crop normally would be marketed. Such determinations may be made only after due notice and opportunity for an informal public hearing.

The hearing on this matter will be conducted at the Americana Hotel, Miami Beach, Fla., beginning at 10 a.m., e.d.t., on June 6, 1969.

Views and recommendations are desired on all phases of the proportionate share program. They may be submitted in writing, in triplicate, at the hearing, or may be mailed to the Director, Sugar Policy Staff, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C. 20250 so as to be received not later than June 30, 1969. Interested persons will be given the opportunity at the hearing to appear and submit orally data, views, and arguments in regard to the establishment of proportionate shares.

The farm proportionate shares in effect for the 1969 crop of sugarcane limit sugarcane acreage on farms in the Mainland Cane Sugar Area in total to 15 percent less than the proportionate share acreage established for the 1968 crop.

All written submissions made pursuant to this notice will be made available for public inspection at such times and places and in a manner convenient to the public business (7 CFR 1.27(b)).

Signed at Washington, D.C., on
May 23, 1969.

KENNETH E. FRICK,
*Administrator, Agricultural Sta-
bilization and Conservation
Service.*

[F.R. Doc. 69-6387; Filed, May 28, 1969;
8:48 a.m.]

Rural Electrification Administration ORGANIZATION AND FUNCTIONS

The organization and functions of the Rural Electrification Administration are as follows:

Central Organization. The principal office of the Rural Electrification Administration is at Washington, D.C. The function of the agency is the carrying out of a program of rural electrification and rural telephony, as provided for by the Rural Electrification Act of 1936, as amended (7 U.S.C. 901-15, 921-924).

The Administrator. The Administrator is appointed by the President, with the advice and consent of the Senate, for a term of 10 years. He functions as the chief administrative official of the agency under the general supervision and direction of the Assistant Secretary, Rural Development and Conservation. He is aided directly by a Deputy Administrator and Assistant Administrators for the Electric Program, for the Telephone Program and for Administration. The work is carried on through the offices and divisions described in succeeding paragraphs.

JOINT ELECTRIC AND TELEPHONE PROGRAM ACTIVITIES

Office of Legislative and Regulatory Consultant. This office counsels and advises the Administrator as to policy, program, and procedural implications of Federal and State legislative and regulatory matters relating to the REA program. Maintains liaison with agencies of the Department of Agriculture and other Government agencies concerning such matters. The director of this office reports to the Deputy Administrator.

Joint Program Operations Staff. The Joint Program Operations Staff administers activities carried on by the program specialists working in both the rural electric and telephone programs. The staff activities included are: Labor relations, architectural engineering, borrowers' safety and training, equal employment and civil rights, member services, community development, loan review and borrowers' insurance. The director of this staff reports to the Deputy Administrator.

Borrowers' Financial Management Division. This division administers REA

activities concerned with electric and telephone borrowers' accounting and with the auditing of borrowers' records. The director of this division reports to the Deputy Administrator.

ADMINISTRATIVE ACTIVITIES

The administrative activities of the agency, as follows, are directed by the Assistant Administrator for Administration.

Office of Budget. This office administers the administrative and loan budget program of the agency and participates in program planning and evaluation. Maintains liaison on budgetary matters with Congressional Committees, the staff of the Department of Agriculture, the Bureau of the Budget, and other Government agencies.

Office of Program Analysis. This office analyzes and evaluates economic and statistical data concerning agency programs. Provides advice and assistance to the Office of the Administrator and to divisions and area offices to facilitate sound and effective program planning and appraisal. Conducts special program studies and analyses.

Information Services Division. The division administers the information services program of the agency to provide borrowers and the public with information concerning the operations, status, progress, and accomplishments of the rural electrification and rural telephone programs.

Personnel Management Division. The division administers the personnel program of the agency involving classification and wage administration; conduct of organization studies and surveys; development of recommendations for organization changes required to administer agency problems; preparation of organization charts; employment and placement functions; employee relations; training; safety; and health activities.

Accounting and Administrative Services Division. The division administers agency activities concerned with: administrative and loan accounting and centralized statistical and data processing activities of the Agency; management analysis, cost reduction and operations improvement; and the general administrative service functions of the Agency pertaining to procurement, space, records management, and communications.

ELECTRIC PROGRAM ACTIVITIES

The electric program activities of REA are administered under the direction of the Assistant Administrator—Electric.

Electric Area Offices. The line activities of REA in the electric program are carried out primarily through five area offices with headquarters in Washington. Field employees have their homes as headquarters and operate under supervision of the area office in Washington. Within its assigned geographic area, each area office is responsible for: the appraisal of loan applications and the preparation of loan recommendations to the Administrator; the advance of loan funds to borrowers; the analysis of engineering and construction plans, de-

signs, specifications and contracts; the review and approval of completed construction; appraisal of the financial and operating performance of borrowers' systems; and advice and assistance to borrowers concerning design, construction, management, operation, and maintenance of electric systems. The Power Supply Division supplements the work of the area offices by carrying out line and staff activities of REA related to construction of the facilities of Power Supply Borrowers.

The designation of the five area offices and the assigned geographic areas are as follows: Northeast Area Office administering the program in the States of Maine, New Hampshire, Vermont, New York, Pennsylvania, Ohio, Michigan, Indiana, West Virginia, Maryland, Delaware, New Jersey, Virginia, and North Carolina; Southeast Area Office administering the program in the States of Kentucky, Tennessee, Mississippi, Alabama, Georgia, South Carolina, and Florida; North Central Area Office administering the program in the States of North Dakota, South Dakota, Minnesota, Wisconsin, Iowa, and Illinois; Southwest Area Office administering the program in the States of Missouri, Arkansas, Oklahoma, Louisiana, Texas, New Mexico, and Arizona, and Western Area Office administering the program in the States of Kansas, Nebraska, Colorado, Wyoming, Montana, Utah, Idaho, Washington, Oregon, Nevada, California, and Alaska.

Power Supply Division. This division provides technical staff assistance to the area offices, and to borrowers as requested, with respect to borrowers' electric generation and transmission systems. It also has the responsibility for both the line and staff activities of REA concerned with construction of the facilities of Power Supply Borrowers included in approved loans. The division maintains liaison with other organizations concerning the subject matter areas for which it is responsible.

Electric Operations and Standards Division. This division administers electric program staff activities for the processing by REA of electric loan applications and the development of proposed policies, standards, and procedures concerning the design, construction, management, technical operation, and retail rates of the electric distribution systems of REA borrowers. The division provides advice and assistance on the above subject matter to the electric area offices, and to borrowers as requested, and maintains liaison for REA with other organizations on matters within its functional responsibility.

TELEPHONE PROGRAM ACTIVITIES

The telephone program activities of REA are administered under the direction of the Assistant Administrator—Telephone.

Telephone Area Offices. The line activities of REA in the telephone program are carried out through five area offices with headquarters in Washington. The area offices employ field specialists, supervised from Washington, who have their homes as headquarters centrally

located in areas they serve. Each area office, within its assigned geographic area: Appraises loan applications and prepares loan recommendations; reviews the financial and operating performance of borrowers; analyzes engineering plans, specifications, and construction contracts; reviews and approves completed construction; administers advance of funds to borrowers; and provides advice and assistance to borrowers concerning loans and the design, construction, management, operation, and maintenance of systems.

The designation of the five area offices and the assigned geographic areas are as follows: Northeast Area Office administering the program in the States of Maine, New Hampshire, Vermont, New York, Pennsylvania, Ohio, Michigan, Indiana, West Virginia, Maryland, Delaware, New Jersey, Virginia, and North Carolina; Southeast Area Office administering the program in the States of Kentucky, Tennessee, Mississippi, Alabama, Georgia, South Carolina, and Florida; North Central Area Office administering the program in the States of North Dakota, South Dakota, Minnesota, Wisconsin, Iowa, and Illinois; Southwest Area Office administering the program in the States of Missouri, Arkansas, Oklahoma, Louisiana, Texas, New Mexico, and Arizona, and Western Area Office administering the program in the States of Kansas, Nebraska, Colorado, Wyoming, Montana, Utah, Idaho, Washington, Oregon, Nevada, California, and Alaska.

Telephone Operations and Standards Division. The division administers the staff activities of REA pertaining directly to the telephone program. It is responsible for developing proposed policies, standards, and procedures concerning loans and the engineering, construction, management and operation of the rural telephone systems of borrowers. This includes studies and analyses regarding rates, toll traffic agreements, valuation and acquisition of facilities; and systems designs and costs. The division is responsible for the development of standards, specifications and other technical data relating to rural telephone systems. The division staff provides advice and assistance within their subject matter responsibility to agency officials and to borrowers as requested. The division maintains liaison with other organizations on matters concerned with its functions.

Submittals, requests and information: Submittals, requests, and informational inquiries may be made to the Administrator or to any affected officer or organizational unit set forth above. The person or organizational unit should be addressed at the Rural Electrification Administration, U.S. Department of Agriculture, Washington, D.C. 20250.

This notice supersedes the notice on REA Organization published in 32 F.R. 10817-10818.

Issued this 23d day of May 1969.

E. C. WEITZELL,
Acting Administrator.

[F.R. Doc. 69-6389; Filed, May 28, 1969;
8:48 a.m.]

DEPARTMENT OF COMMERCE

Office of the Secretary

[Dept. Order 184-B]

OFFICE OF FOREIGN DIRECT INVESTMENTS

Organization and Functions

The following order was issued by the Secretary of Commerce on May 19, 1969. This material supersedes the material appearing at 33 F.R. 4222 of March 6, 1968.

SECTION 1. Purpose. The purpose of this order is to prescribe the organization and assignment of functions within the Office of Foreign Direct Investments (the "Office").

SEC. 2. Organization structure. The organization structure and line of authority within the Office shall be as depicted in the attached organization chart. (A copy of the organization chart is on file with the original of this document with the FEDERAL REGISTER.)

SEC. 3. Office of the Director. 01 The Director, as head of the Office, directs and is responsible for all operations of the Office.

02 The Deputy Director for Operations assists the Director in the management of the Office, is responsible for the coordination of the activities of the Authorizations Division and the Compliance Division and assumes the functions of the Director during the latter's absence.

03 The Deputy Director for Planning assists the Director in the management of the office and is responsible for coordination of the activities of the Reports Analysis and Policy Division and, consistent with Department Order 104, of the Legal Division.

04 The Assistant Director shall assist the Director by representing the Office in contacts with representatives of foreign governments and commercial and banking communities and maintaining liaison with U.S. banking, business and trade associations and with agencies of the U.S. Government, as directed.

05 The Special Assistant to the Director shall perform such duties as the Director will assign.

SEC. 4. Staff offices. 01 The Administrative Officer shall arrange for and facilitate the provision of administrative services from the Office of the Secretary, develop and maintain the internal administrative management system of the Office, and perform other specific administrative assignments as directed by the Director.

02 The Information Officer shall provide public information services for the Office.

SEC. 5. Reports Analysis and Policy Division. The Reports Analysis and Policy Division shall:

a. Measure the effect of the Foreign Direct Investments Program on the U.S. balance of payments and on relevant national indices;

b. Formulate recommendations concerning policy issues;

c. Conduct studies on foreign borrowing trends and problems associated with

financing direct investment abroad, on particular industries with distinct direct investment problems, and on the relation of the Foreign Direct Investment Program to other U.S. Government Balance of Payments Programs, utilizing the advice and assistance of the Office of Business Economics, as appropriate;

d. Plan and coordinate internal information flows, computer and data requirements, and prepare special periodic internal analytical reports and special studies requested by the Director; and prepare data on the program for publication;

e. Provide policy input in the specific authorization and exemption process; and

f. Plan, coordinate and prepare reporting forms and respective instructions; answer inquiries about reporting forms or instructions; review direct investors' reports for completeness, accuracy, validity, and timely filing; contact reporters regarding problems encountered on their report or delinquent reporting; and assure orderly processing of reports and timely provision of data.

SEC. 6. Legal Division. The Legal Division shall:

a. Provide legal advice on applications for specific authorization or exemption and prepare necessary correspondence for transmitting recommendations and decisions;

b. Participate in the determination of need for amendments to the Foreign Direct Investment Regulations (the "Regulations") and prepare such amendments;

c. Prepare and issue general bulletins to the public containing detailed interpretations of the Regulations and policy statements of the Office;

d. Prepare and issue to applicants interpretative opinions concerning the Regulations;

e. Provide legal review and advice on internal documents and on documents for public release; and provide legal advice and assistance, as may be required, to officials of the Office, the Foreign Direct Investments Appeals Board, and the Department; and

f. Participate in the determination of need for reporting forms and changes in reporting forms and in the preparation of such forms.

SEC. 7. Authorizations Division. The Authorizations Division shall:

a. Review and recommend action on applications from direct investors for specific authorization or exemption;

b. Review quarterly reports from direct investors for consistency with specific authorizations or exemptions previously granted and to determine if significant errors, which have an impact on the validity of office data, or potential compliance problems are involved;

c. Provide assistance and advice to current or potential investors regarding any problems they may have under the Regulations and to help them proceed with their investment plans within the context of the goals of the Foreign Direct Investment Program;

d. Maintain central files of specific authorization and exemption cases, of

direct investor reports regarding conditions attached to authorizations and exemptions, and of certificates regarding foreign borrowing filed by direct investors; and

e. Develop statistical and special reports with respect to specific authorizations or exemptions and foreign borrowings certified to the Office.

SEC. 8. Compliance Division. The Compliance Division shall:

a. Conduct routine and special audits and investigations to determine whether direct investors are complying with the requirements of the Foreign Direct Investment Program and take appropriate action;

b. Develop and present evidence in any administrative proceeding instituted for the enforcement of the Foreign Direct Investment Program;

c. Examine investigation reports and information from other sources for possible violations of the Regulations or other agency actions and prepare materials for use in connection with proceedings in the Federal Courts; and

d. Advise and assist in the preparation of forms required to be filed by direct investors and advise other divisions on general accounting matters.

SEC. 9. Support Services. The Office of the Assistant Secretary for Administration shall provide personnel, budget, finance, and administrative services to the Office.

Effective date: May 19, 1969.

LARRY A. JOBE,
Assistant Secretary
for Administration.

[F.R. Doc. 69-6377; Filed, May 28, 1969; 8:47 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration NOVOBIOCIN FOR USE IN CHICKEN AND TURKEY FEED

Drugs for Veterinary Use; Drug Efficacy Study Implementation

The Food and Drug Administration has evaluated a report received from the National Academy of Sciences—National Research Council, Drug Efficacy Study Group, on the following preparation: Albamix; each pound contains 25 grams of novobiocin; by Tuco Products Co., Division of The Upjohn Co., Kalamazoo, Mich. 49001.

The Academy concludes that (1) this product is probably effective for use in chicken and turkey feed for the treatment of synovitis, generalized infections, and breast blisters associated with staphylococci infections; (2) each disease claim should be properly qualified as "appropriate for use in (name of disease) caused by pathogens sensitive to novobiocin" and, if the disease cannot be so qualified, the claim must be dropped; (3) the label should warn that

treated animals must actually be consuming enough medicated feed to provide a therapeutic dosage under the conditions that prevail; and (4) as a precaution the label should indicate the desired oral dose per unit of animal weight per day for each species as a guide to effective usage of the preparation in feed.

The Food and Drug Administration concurs with the above conclusions of the Academy.

This evaluation is concerned only with the drug's effectiveness and safety to the animal to which administered. It does not take into account the safety for food use of food derived from drug-treated animals. Nothing in this announcement will constitute a bar to further proceedings with respect to questions of safety of the drug or its metabolites as residues in food products derived from treated animals.

This announcement is published (1) to inform the holders of new-drug applications of the findings of the Academy and of the Food and Drug Administration and (2) to inform all interested persons that such articles to be marketed must be the subject of approved new-drug applications and comply with all other requirements of the Federal Food, Drug, and Cosmetic Act.

Holders of the new-drug applications are provided 6 months from the publication of this announcement in the FEDERAL REGISTER to submit adequate documentation in support of the labeling used.

Written comments regarding this announcement, including requests for an informal conference, may be addressed to the Bureau of Veterinary Medicine, Food and Drug Administration, 200 C Street SW., Washington, D.C. 20204.

The holder of the new-drug application for the subject drug has been mailed a copy of the NAS-NRC report. Any manufacturer, packer, or distributor of a drug of similar composition and labeling to it or any other interested person may also obtain a copy by writing to the Food and Drug Administration, Press Relations Office, 200 C Street SW., Washington, D.C. 20204.

This notice is issued pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 505, 52 Stat. 1050-53, as amended; 21 U.S.C. 352, 355) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120).

Dated: May 21, 1969.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 69-6355; Filed, May 28, 1969;
8:46 a.m.]

MERCAPTOCAINE CREME

Drugs for Veterinary Use; Drug Efficacy Study Implementation

The Food and Drug Administration has evaluated a report received from the National Academy of Sciences—National

Research Council, Drug Efficacy Study Group, on the following preparations: Mercaptocaine Creme; contains 2 percent 2-mercaptobenzothiazole, 5 percent benzocaine, and 0.2 percent 2-chloro-4-phenylphenol (all by weight); marketed by Pitman-Moore, Division of The Dow Chemical Co., Research Center, Post Office Box 10, Zionsville, Ind. 46077.

The Academy concludes that: (1) This product is probably effective as an antiseptic and a topical anesthetic for animals; (2) there is incomplete documentation for its use on animals, especially as a fungicide, and this term should be made more specific; and (3) warnings should be included about the possible sensitizing effect of benzocaine. The Food and Drug Administration concurs with the Academy's conclusions.

This announcement is published (1) to inform the holders of new-drug applications of the findings of the Academy and of the Food and Drug Administration and (2) to inform all interested persons that such articles to be marketed must be the subject of approved new-drug applications and comply with all other requirements of the Federal Food, Drug, and Cosmetic Act.

Holders of the new-drug applications are provided 6 months from the publication hereof in the FEDERAL REGISTER to submit adequate documentation in support of the labeling used.

Written comments regarding this announcement, including requests for an informal conference, may be addressed to the Bureau of Veterinary Medicine, Food and Drug Administration, 200 C Street SW., Washington, D.C. 20204.

The holder of the new-drug application for the subject drug has been mailed a copy of the NAS-NRC report. Any manufacturer, packer, or distributor of a drug of similar composition and labeling to it or any other interested person may also obtain a copy by writing to the Food and Drug Administration, Press Relations Office, 200 C Street SW., Washington, D.C. 20204.

This notice is issued pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 505, 52 Stat. 1050-53, as amended; 21 U.S.C. 352, 355) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120).

Dated: May 21, 1969.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 69-6356; Filed, May 28, 1969;
8:46 a.m.]

STERWIN LABORATORIES, INC.

Notice of Filing of Petition for Food Additive Nalidixate

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (41-835V) has been filed by Sterwin Laboratories, Inc., Subsidiary of Sterling Drug, Inc., 90 Park Avenue, New York,

N.Y. 10016, proposing the issuance of a food additive regulation (21 CFR Part 121) to provide for the safe use of nalidixate (sodium 1-ethyl-1,4-dihydro-7-methyl-4-oxo-1,8-naphthyridine-3-carboxylate monohydrate) in the drinking water of chickens as an aid in the control of gram-negative bacterial infections in chronic respiratory disease (air-sac infection).

Dated: May 21, 1969.

R. E. DUGGAN,
Acting Associate Commissioner
for Compliance.

[F.R. Doc. 69-6357; Filed, May 28, 1969;
8:46 a.m.]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

DIRECTOR, URBAN RENEWAL DEMONSTRATION PROGRAM

Redelegation of Authority With Respect to Urban Renewal Demonstration Program; Revocation

SECTION A. Redelegation of authority. The Director, Urban Renewal Demonstration Program, is hereby authorized to exercise the following authority of the Secretary of Housing and Urban Development with respect to the urban renewal demonstration program under section 314 of the Housing Act of 1954, as amended (42 U.S.C. 1452a):

1. To execute grant contracts and amendments thereto within the amounts and conditions of allocation orders approved by the Assistant Secretary for Research and Technology.

2. To approve requisitions for funds, third-party contracts, and budget amendments.

Sec. B. Revocation. The redelegation of authority by the Director, Office of Urban Technology and Research, to the Director, Urban Renewal Demonstration Program, published at 32 F.R. 9325, June 30, 1967, is hereby revoked.

(Secretary's delegation to Assistant Secretary for Research and Technology effective May 14, 1969 (34 F.R. 7873, May 17, 1969))

Effective date. This redelegation of authority shall be effective as of May 26, 1969.

HAROLD B. FINGER,
Assistant Secretary for
Research and Technology.

[F.R. Doc. 69-6395; Filed, May 28, 1969;
8:49 a.m.]

DIRECTOR, LOW-INCOME HOUSING DEMONSTRATION PROGRAM

Redelegation of Authority With Respect to Low-Income Housing Demonstration Program; Revocation

SECTION A. Redelegation of authority. The Director, Low-Income Housing Demonstration Program, is hereby authorized to exercise the following authority of the

Secretary of Housing and Urban Development with respect to the low-income housing demonstration program under section 207 of the Housing Act of 1961, as amended (42 U.S.C. 1436):

1. To execute grant contracts and amendments thereto within the amounts and conditions of allocation orders approved by the Assistant Secretary for Research and Technology.

2. To approve requisitions for funds, third-party contracts, and budget amendments.

Sec. B. Revocation. The redelegation of authority by the Director, Office of Urban Technology and Research, to the Director, Low-Income Housing Demonstration Program, published at 32 F.R. 9326, June 30, 1967, is hereby revoked.

(Secretary's delegation to Assistant Secretary for Research and Technology effective May 14, 1969 (34 F.R. 7873, May 17, 1969))

Effective date. This redelegation of authority shall be effective as of May 26, 1969.

HAROLD B. FINGER,
Assistant Secretary for
Research and Technology.

[F.R. Doc. 69-6396; Filed, May 28, 1969;
8:49 a.m.]

DIRECTOR, URBAN PLANNING RESEARCH AND DEMONSTRATION PROGRAM

Redelegation of Authority With Respect to Urban Planning Research and Demonstration Program; Revocation.

Section A. Redelegation of authority. The Director, Urban Planning Research and Demonstration Program, is hereby authorized to exercise the following authority of the Secretary of Housing and Urban Development with respect to studies, research, and demonstration projects on comprehensive urban planning, and grants for research on State statutes affecting local governments under section 701(b) of the Housing Act of 1954, as amended (40 U.S.C. 461(b)):

1. To execute grant contracts and amendments thereto within the amounts and conditions of allocation orders approved by the Assistant Secretary for Research and Technology.

2. To approve requisitions for funds, third-party contracts, and budget amendments.

Sec. B. Revocation. The redelegation of authority by the Director, Office of Urban Technology and Research, to the Director, Urban Planning Research and Demonstration Program, published at 32 F.R. 9326, June 30, 1967, is hereby revoked.

(Secretary's delegation to Assistant Secretary for Research and Technology effective May 14, 1969 (34 F.R. 7873, May 17, 1969))

Effective date. This redelegation of authority shall be effective as of May 26, 1969.

HAROLD B. FINGER,
Assistant Secretary for
Research and Technology.

[F.R. Doc. 69-6398; Filed, May 28, 1969;
8:49 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Dockets Nos. 18439, 18440; FCC 69R-239]

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

Memorandum Opinion and Order Enlarging Issues

In re applications of Christian Broadcasting Association, Inc., Huntington, W. Va., Docket No. 18439, File No. BPH-6437; Edgar Kitchen and Hal Murphy, doing business as K & M Broadcasting Co., Catlettsburg, Ky., Docket No. 18440, File No. BPH-6466; for construction permits.

1. This proceeding involves the above captioned mutually exclusive applications for construction permits to establish new FM broadcast stations on Channel No. 300 in Huntington, W. Va., and Catlettsburg, Ky. By order, 16 FCC 2d 594, released February 17, 1969, the Commission designated the applications for hearing on various issues, including a section 307(b) issue and a contingent comparative issue. Presently before the Review Board is a petition to enlarge issues, filed March 7, 1969, by Christian Broadcasting Association, Inc. (Christian), which seeks the addition of a suburban community issue and of a Suburban issue to this proceeding in regard to the proposal of K & M Broadcasting Co. (K & M).¹

Suburban community issue. 2. In support of its request for a suburban community issue, Christian notes that: (1) K & M proposes to establish an FM facility at Catlettsburg, Ky., a community of 3,674 persons, utilizing a Class B FM channel assigned to Huntington, W. Va., with an effective radiated power of 50 kilowatts; (2) K & M's 1 mv/m contour, as disclosed in its engineering report, will include no less than 189,990 persons, and its 3.16 mv/m city-grade contour covers all of Huntington, W. Va. (83,627 population) and Ashland, Ky. (31,283 population); (3) Catlettsburg is in the heart of the Huntington-Ashland Urbanized Area; (4) K & M's proposed transmitter site is not located in Catlettsburg or in the community's home county

(Boyd County) but in Cabell County, W. Va., where it is closer to Huntington than a site located in Catlettsburg; (5) both of K & M's partners reside in Ashland, Ky.; and (6) Catlettsburg is now without any FM, AM or TV broadcast station while Huntington has several broadcast facilities. On this factual basis, the petitioner argues that K & M's proposal to use a Class B FM channel, which is intended by the Commission to serve metropolitan centers and wide areas, in the small community of Catlettsburg is, in reality, an attempt to serve the two larger communities of Huntington and Ashland and the Huntington-Ashland Urbanized Area. Christian contends that the addition of a suburban community issue here is necessary in order to prevent the grant of an FM facility in a contested proceeding to an applicant claiming a section 307 (b) preference as a first local station in a small community when, in fact, the applicant's proposal is tailored to serve an entire urbanized area with a population many times that of the designated station location. Finally, petitioner notes that, although the Commission's Policy Statement on section 307(b) Considerations for Standard Broadcast Facilities Involving Suburban Communities, 2 FCC 2d 190, 6 RR 2d 1901 (1965), refers to AM applications, the same policy has been extended to FM proposals, citing Berwick Broadcasting Corp., 12 FCC 2d 8, 12 RR 2d 665 (1968).

3. In opposition, K & M contends that, entirely aside from the fact that the Commission's Policy Statement does not apply to FM applications, Christian's petition must be denied since its supporting assumptions are untrue. In this regard, K & M points out that the only assigned FM channel in the area which could be used at Catlettsburg is a Class B channel and that the proposed transmitter site was selected to meet station separation requirements imposed by the Commission's rules and not because the applicant did not wish to serve the community of Catlettsburg.² K & M points to an alleged basic inconsistency in Christian's petition, i.e., on the one hand, Christian asserts that K & M's failure to make a sufficient number of program contacts outside of Catlettsburg supports the requested Suburban issue while, on the other hand, Christian argues that K & M's proposal is tailored to serve an entire urbanized area. K & M also states that, subsequent to the filing of the Christian petition, its consulting engineer studied the feasibility of eliminating the conflict between the Christian and K & M applications through the allocation of an FM channel to Catlettsburg; that, as a result of the study, K & M

¹ Also before the Review Board are: (a) Opposition of K & M, filed Mar. 18, 1969; (b) comments of the Broadcast Bureau, filed Mar. 20, 1969; and (c) reply of Christian, filed Mar. 25, 1969.

² K & M contends that the Berwick precedent, cited by the petitioner in support of its request, is inapposite here since that proceeding involved an application by an AM licensee, located in the central community, for an FM facility in a suburban community.

is, simultaneously filing a petition for rule making to allocate Channel 224A to the community of Catlettsburg; and that, if the channel is assigned to the community, it will file an application therefor. K & M contends that its action in this regard completely belies the speculative allegations contained in the petition to enlarge issues.

4. The Broadcast Bureau, in its comments on this facet of Christian's petition, also opposes the addition of a suburban community issue to this proceeding. While it agrees that the considerations underlying the Commission's Policy Statement are applicable in FM proceedings, citing Berwick Broadcasting Corp., supra, and Christian Voice of Central Ohio, 15 FCC 2d 308, 14 RR 2d 791 (1968), it contends that the petitioner has failed to support its request with an adequate showing. According to the Bureau, a substantially stronger showing is required to support the addition of a suburban community issue to an FM proceeding than that which is required in an AM proceeding where a presumption of service to a larger community may arise on the basis of only station location and engineering factors such as signal strength. In an FM proceeding, the Bureau asserts, it must be specifically demonstrated that the objectives of section 307(b) would be frustrated by the award of a preference to an applicant for providing a local broadcast outlet to a community which the applicant will not realistically serve. The Bureau also notes that § 73.203 of the rules provides for the utilization of FM channels outside of listed communities and that the Commission did not intend to impose stringent curbs on the use of FM channels outside of listed communities. According to the Bureau, the Commission insured that assignments would be utilized for the benefit of the area immediately surrounding the listed community by providing for specified minimum powers coupled with shorter distances between the listed and unlisted communities. The Bureau contends that no particular significance should attach to the location of K & M's transmitter site since the selection factors of an FM site differ from those for an AM site due primarily to propagation characteristics and since mileage separation requirements were considered by K & M in selecting a site southeast of Catlettsburg.³ In regard to applicable precedent, it is the Bureau's position that Berwick does not support petitioner's request since, in that proceeding, there were other considerations which indicated a proposal to serve the listed community and which are not

present here⁴ and that Christian Voice is distinguishable since there the applicant conceded that its proposal was intended to serve the listed community and surrounding area. In summary, the Bureau asserts that, since Christian has shown no more than site location and engineering details of K & M's proposal, which while ordinarily sufficient to raise a presumption in an AM context do not meet the tests set forth in Berwick and Christian Voice, and since this proceeding is essentially similar to Almaron Incorporated of Florida, 16 FCC 2d 395, 15 RR 2d 500 (1969), where the Board denied a request to add a suburban community issue, Christian's request should be denied.

5. In reply, Christian points out that K & M has not chosen to discuss its reasons for proposing such great coverage with a 50-kilowatt station in order to serve a community of only 3,874 persons. The petitioner asserts, in this regard, that the non-availability of other channels did not compel K & M to propose power far in excess of that required to serve Catlettsburg and that the defect in K & M's application is its proposal to serve some 189,990 persons while limiting its programming survey to the needs and interests of Catlettsburg. In regard to K & M's rule making petition, Christian notes that the requested FM channel was available when K & M filed its application and that, therefore, an issue is required to determine whether K & M's failure to make a frequency search prior to the filing of Christian's instant petition constitutes an abuse of process, especially since K & M continues to prosecute its application here while promising to file for the new channel upon its allocation to Catlettsburg.

6. The Board agrees with the Broadcast Bureau that Christian's showing is insufficient to warrant the addition of a suburban community issue against the K & M proposal. The factors noted by the petitioner in support of its request, i.e., the location of K & M's transmitter site and its proximity to Huntington; Catlettsburg's location within the Huntington-Ashland Urbanized Area; the Ashland residence of K & M's partners; the placement of a city-grade signal over Huntington and Ashland; and the power requested, standing alone, do not raise the question of whether K & M will provide a realistic local transmission service to Catlettsburg in the context of this FM proceeding. See Almaron Incorporated

of Florida, supra. More specifically, the Board finds that the residence of K & M's partners and the location of Catlettsburg within the Huntington-Ashland Urbanized Area are of little significance in terms of whether K & M will serve its specified community. It appears that the applicant's transmitter site was selected primarily to meet the separation requirements of the Commission's rules rather than to serve the listed community of Huntington and Ashland. The strength of the signal to be provided to Huntington and Ashland is also unpersuasive since such coverage is contemplated by the Commission in the utilization of FM channels by unlisted communities. See Report and Order in Docket No. 17969, 12 FCC 2d 660, 12 RR 2d 1612 (1968). In contrast to the petitioner's allegations, the filing of K & M's rule making petition and its pending application for an AM station in Catlettsburg seem to negate any claimed intent of K & M to serve the listed community of Huntington.⁵ As the Bureau points out, the Berwick precedent is inapposite here since there is no AM ownership in the listed community by the FM applicant and since the transmitter site location was apparently dictated primarily by mileage separation requirements imposed by the Commission's rules. In addition, there were other factors inherent in the Berwick proceeding, as indicated in footnote 4, supra, which reflected an intent to serve the listed community and which are not present here. Similarly, Christian Voice is distinguishable from the instant case since there the applicant conceded its intention to serve the listed community. Finally, while we note that the deficiencies in K & M's ascertainment of community program needs will be made the subject of a Suburban inquiry herein and may be relevant to our consideration of the suburban community request, they do not serve as an adequate basis for the addition of a suburban community issue since the deficiencies relate to efforts outside of Catlettsburg. Almaron Incorporated of Florida, supra. Since the petitioner's allegations are not sufficient to raise a substantial question of whether K & M will provide a realistic local transmission service to Catlettsburg, the request for a suburban community issue will be denied.

Suburban issue. 7. In support of its request of a Suburban issue against K & M, Christian contends that K & M's decision to specify such wide coverage carries with it the responsibility to ascertain the needs and interests of the entire service area and to make a reasonable effort to meet such needs and interests through proposed programming.

³ The Bureau notes that K & M's application, as originally filed, was returned because of a separation shortage with Station WDAO, Dayton, Ohio, which lies northwest of Catlettsburg. The application was refilled specifying the present site presumably to avoid the separation problem and not primarily to increase the applicant's coverage of the listed community.

⁴ The Bureau points to the following factors which were noted by the Board in the Berwick proceeding: The common ownership of an AM station in the listed community; some duplication of programming; the joint use of staff personnel; and the location of the transmitter in order to obtain maximum coverage of the listed community. The Bureau dismisses, as irrelevant, the fact that K & M also has an application (BP-18042) pending for an AM station in Catlettsburg with a transmitter site near the community since it relates to a pending application and to a station in the community as opposed to the Berwick situation.

⁵ Christian's related request, contained in its reply pleading, for an issue which would inquire into whether K & M's delay in making its frequency search is an abuse of the Commission's process will not be entertained. Such a request should be made in an original pleading. See Lorenzo W. Milam and Jeremy D. Lansman, FCC 64R-561, 4 RR 2d 463 (1964).

citing Long Island Video, Inc., 12 FCC 2d 905, 13 RR 2d 88 (1968), and Minshall Broadcasting Company, 11 FCC 2d 796, 12 RR 2d 502 (1968). It is petitioner's position that the K & M application discloses no effort by the applicant to ascertain the needs and interests of those communities outside of the immediate Catlettsburg area and that such failure to survey communities within the applicant's proposed primary service area other than the community of station location is cause for denial of the application. Christian also notes that K & M cannot claim an identity of interest throughout its proposed service area since significant portions thereof lie outside of Kentucky and since several large communities are included therein. The Broadcast Bureau supports Christian's request for a Suburban issue.

8. The Review Board is of the opinion that a sufficient showing has been made to warrant the addition of a Suburban issue against the K & M proposal. The petitioner and the Broadcast Bureau correctly note that K & M, in ascertaining the needs and interests of the area proposed to be served by the Catlettsburg station, apparently limited its survey to Catlettsburg residents. In its application, K & M submits the results of interviews with 21 community leaders of Catlettsburg. However, we must note that the applicant's proposed coverage area includes not only the community of Catlettsburg but also the cities of Huntington, W. Va., and Ashland, Ky., as well as the rural areas contiguous to the Huntington-Ashland Urbanized Area. In fact, both cities lie well within the applicant's proposed 1 mv/m contour and both apparently are encompassed by K & M's 3.16 mv/m contour. As a result, it does not appear that K & M's survey included all of the area to be served by the Catlettsburg station even though an applicant is expected to ascertain the programing needs and interests of its entire proposed service area. See Minshall Broadcasting Company, supra; Long Island Video, Inc., supra; Public Notice on Broadcast Applicant's Ascertainment of Community Needs, FCC 68-847, 13 RR 2d 1903 (1968). Since we cannot assume that an identity of interest exists within the entire proposed service area insofar as needs and interests are concerned and since the facts available to us on the basis of the pleadings and K & M's application seem to indicate the absence of a community of interest, a Suburban issue is required and will be specified herein.*

9. Accordingly, it is ordered. That the petition to enlarge issues, filed March 9, 1969, by Christian Broadcasting Association, Inc., is granted to the extent indicated below and is denied in all other respects; and

10. It is further ordered. That the issues in this proceeding are enlarged by the addition of the following issue: To determine the efforts made by K & M

* The Board notes that K & M, in its opposition to the petitioner's requests, did not contest the allegations of need for a Suburban inquiry.

Broadcasting Co. to ascertain the community needs and interests of the area to be served and the means by which the applicant proposes to meet such needs and interests.

11. It is further ordered. That the burden of proceeding with the introduction of evidence and burden of proof under the issue added herein will be on K & M Broadcasting Co.; and

12. It is further ordered. That the request for enlargement of issues contained in the reply pleading, filed March 25, 1969, by Christian Broadcasting Association, Inc., is dismissed.

Adopted: May 22, 1969.

Released: May 26, 1969.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 69-6385; Filed, May 28, 1969;
8:48 a.m.]

[Docket No. 17605, etc.; FCC 69R-238]

VIRGINIA BROADCASTERS ET AL.

Memorandum Opinion and Order Enlarging Issues

In re applications of Kenneth S. Bradby and Gilbert L. Granger doing business as Virginia Broadcasters, Williamsburg, Va., Docket No. 17605, File No. BP-16829; Rosa Mae Springer, trading as Suffolk Broadcasters, Suffolk, Va., Docket No. 17606, File No. BP-17274; James River Broadcasting Corp., Norfolk, Va., Docket No. 18375, File No. BP-17268; for construction permits.

1. This proceeding involves three mutually exclusive applications for construction permits to establish new standard broadcast stations, operating on 1110 kHz during daytime hours only. By Memorandum Opinion and Order, FCC 68-1098, released November 15, 1968, the Commission consolidated into this proceeding for hearing on various issues the application of James River Broadcasting Corp. (James River) with the two previously designated applications. Presently before the Review Board are a petition to intervene and a petition to enlarge issues, filed December 12, 1968, by KFAB Broadcasting Co., licensee of Station KFAB, Omaha, Nebr., and a petition to enlarge issues, filed by the Broadcast Bureau, January 9, 1969, all with reference to the James River application.¹ By Order, FCC 69M-177, released Febru-

¹ Review Board Member Nelson absent; Board Member Berkemeyer dissenting to failure to add 307(b) policy statement issue.

² Also before the Review Board are: (a) Opposition to petition to intervene, filed Jan. 9, 1969, by James River; (b) Broadcast Bureau's comments on petition to intervene, filed Jan. 9, 1969; (c) reply to oppositions to petition to intervene, filed Jan. 21, 1969, by KFAB; (d) opposition to KFAB's petition to enlarge issues, filed Jan. 9, 1969, by James River; (e) Broadcast Bureau's opposition to KFAB's petition to enlarge issues, filed Jan. 9, 1969; (f) opposition to Bureau's petition to enlarge, filed Jan. 22, 1969; and (g) Bureau's reply to James River's opposition, filed Feb. 3, 1969.

ary 12, 1969, the Hearing Examiner certified to the Review Board the KFAB petition to intervene for such action as it deems proper in its ruling on the KFAB petition to enlarge issues. Since all of the petitions relate to the same allegations, they will all be considered in this document.

2. KFAB, licensee of a Class I-B station, contends that the James River proposed operation would cause objectionable interference to KFAB and whether the conditional clause specified in the memorandum opinion and order designating the James River application for hearing will fully protect KFAB during critical hours. Based on its engineering studies, KFAB contends that because of the design characteristics of James River's proposed directional antenna system, it will be impossible for James River to maintain the pattern with sufficient precision to afford KFAB the degree of protection to which it is entitled by the rules even with the use of the most sensitive monitoring equipment and the most accurate control devices. Moreover, KFAB notes that James River has not proposed such equipment in its application nor does it appear from the application that sufficient funds have been allocated to purchase such equipment. KFAB further argues that even if the very best monitoring equipment presently available were used, it would not be capable of detecting repeatedly the variations within the narrow limits between the specified MEOV's (maximum expected operating values) and the theoretical design values required to maintain the operation of the proposed directional antenna system. In support of these contentions, KFAB notes that the Nems-Clarke PPM 101A phase monitor or equivalent equipment is capable of measuring relative phase and relative field variations as small as plus or minus 0.1° in relative phase and plus or minus 0.1 percent in relative field. However, KFAB argues that there is no guarantee that at the time of initial adjustment the meter would be at the midpoint of permissible drift. Thus, it is possible that the degree of variation may be as great as plus or minus 0.2° in relative phase and plus or minus 0.2 percent in relative field.² KFAB notes further that Commis-

³ Petitioner notes that the same permissible drift problem exists with respect to the Nems-Clarke 112 phase monitor (which is less expensive than the PPM 101A and is likely to be used by James River in view of its budget), except that the accuracy of this monitor is considerably less, permitting variations of plus or minus 1.0° in relative phase and plus or minus 2.0 percent in relative field. Thus, if the meter were at one extremity or the other of the permissible variation at the time of initial calibration, variation of as much as 2.0° in relative phase and 4.0 percent in relative field would be possible.

slon rules permit the field ratios of directional antenna system to exceed the values specified in the license by as much as 5 percent.² It contends that given this potential for deviation and assuming the Nems-Clarke 112 meter were used, James River would exceed an arc of 10° exceed its allowable field intensity in the direction of KFAB. Additionally, James River would exceed its MEOV's over an arc that includes most of the null areas of its directional antenna. Furthermore, KFAB argues that even proceeding on the assumption that the Nems-Clarke PPM 101A meter is used, the MEOV's still would be exceeded over the null areas of the pattern and the permissible radiation toward KFAB during critical hours of operation would be exceeded. KFAB also argues that the directional antenna design proposed by James River is inherently unstable and that a number of characteristics of the proposed site (proximity to bridges and power lines, effect of changing tides, bodies of water, and variable conductivity of surrounding soil, etc.) will make the installation difficult to prove and maintain. In view of these allegations, KFAB contends that it should be permitted to intervene and the issues enlarged to permit full exploration of potential interference to KFAB and James River's ability to comply with the conditions limiting radiation toward KFAB to 477.9 mv/m at 291.5° true.

3. In opposition to the petition, James River contends that its directional antenna design is very similar to a directional antenna design developed by KFAB's engineer for another applicant and that KFAB's engineer has testified that, by using a precision phase monitor, he can maintain that array within $\pm 0.5^\circ$ and 0.5 percent tolerance. James River argues that, since the ratio of maximum to minimum for its proposed directional antenna is less than that in the array designed by KFAB's engineer, its proposed array must be regarded as more stable. James River concedes that, in the worst possible combination of circumstances, it is possible that during critical hours its radiation toward KFAB will exceed the maximum prescribed in the designation order. It argues, however, that this should not be decisive since the odds against this combination of circumstances occurring are 730 to 1 and that the area in which the interference would occur is already subjected to interference of a greater magnitude from two existing stations. Moreover, James River argues, it will make every effort to avoid interference to KFAB by retaining highly skilled technical personnel and obtaining the best monitoring and control equipment capable of maintaining phase and current ratios within a tolerance of $\pm 1^\circ$ and ± 1 percent.³ Insofar as the characteristics of its site are con-

cerned, James River contends that its engineer personally selected the site and does not believe that there are any conditions present which will preclude successful adjustment of the directional antenna.

4. The Bureau also opposes the petition to intervene and petition to enlarge on the grounds that KFAB has conceded that if sufficient funds are expended for equipment, proof of the array, and continuing maintenance, harmful interference to KFAB during critical hours may be avoided. The Bureau contends that in view of the long standing practice of imposing on each construction permit for a directional antenna conditions requiring a properly designed phase monitor, a complete nondirectional proof of performance, a complete directional proof of performance, the availability of field strength measuring equipment at all times and that field strength measurements be made at each of several specified monitoring points every 7 days, KFAB will be adequately safeguarded. However, the Bureau noted that KFAB's observations concerning MEOV's raised questions which should be explored in hearing and that it was simultaneously filing a petition to enlarge issues.

5. In its petition to enlarge issues, the Bureau noted that it had carefully examined KFAB's allegations concerning the MEOV's in a sector of the pattern from 220° to 265° and was in agreement that even with the best available monitoring equipment it would be impossible to maintain the radiation within the specified MEOV's. Accordingly, it requests an issue to determine whether James River Broadcasting Corp. would be able to adjust and maintain the proposed directional antenna system within the specified MEOV's. James River opposes on the ground that "the method of analysis utilized by the Bureau is specious and fundamentally fallacious * * * that the Commission's rules contain no provisions requiring a directional antenna system to be subjected to any such analysis and any such requirement constitutes an attempt, in effect, to write new rules not warranted by either empirical or theoretical considerations." In support of this contention, James River observes that it is only recently that computer technology has made such an analysis possible and that to use this procedure with respect to its application imposes an undue burden upon it as opposed to thousands of applications which have been granted without such analysis. Moreover, it argues that even should the analysis be accepted, the odds that the combination of circumstances which would result in exceeding the MEOV's are only 1 to 730 and even should this occur, no interference would result to WBT, the station most likely to be affected.

6. From the foregoing, we conclude that there are substantial questions concerning James River's ability to construct and maintain its proposed directional antenna within the radiation values proposed, and thus provide the necessary protection to KFAB. Moreover, there is a clear question concerning James River's ability to maintain the radiation from its proposed station within the MEOV's which it proposes. These questions can best be resolved on the basis of a hearing record. However, KFAB's contentions concerning possible adverse effects due to applicant's proposed site are not sufficiently substantiated to warrant inquiry into this matter. Since the issues here added concern interference to KFAB, its petition to intervene will be granted.

7. Accordingly, it is ordered, That the petition to intervene, filed December 12, 1968, by KFAB Broadcasting Co., is granted; that the petition to enlarge issues, filed December 12, 1968, by KFAB Broadcasting Co., is granted; that the petition to enlarge issues, filed by the Broadcast Bureau January 9, 1969, is granted; and that the issues in this proceeding are enlarged as follows:

To determine whether James River Broadcasting Corp. would be able to adjust and maintain its proposed directional antenna system within the maximum expected operating values of radiation which it specifies.

To determine whether during critical hours radiation from the James River Broadcasting proposal toward the 0.1 mv/m contour of Station KFAB would exceed that permitted by the provisions of § 73.187 of the Commission's rules.

To determine whether the condition proposed in the Commission's memorandum opinion and order of November 15, 1968, that the inverse distance field at 1 mile from the James River Broadcasting proposal toward the service area of Station KFAB at a bearing of 291.5° true shall not exceed 477.9 millivolts per meter, will fully protect KFAB during critical hours, and, if not, what value and other conditions would be required in order to protect KFAB during critical hours.

and:

8. It is further ordered, That the burdens of proceeding with the introduction of evidence and of proof under the issues added herein are on James River Broadcasting Corp.

Adopted: May 22, 1969.

Released: May 23, 1969.

FEDERAL COMMUNICATIONS
COMMISSION,⁴

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 69-8386; Filed, May 28, 1969;
8:48 a.m.]

* Review Board Member Nelson absent.

² Section 73.57(b) of the Commission's rules (47 CFR 73.57(b)).

³ James River suggests such a condition on its grant.

ATOMIC ENERGY COMMISSION

STATE OF NORTH DAKOTA

Proposed Agreement for Assumption of Certain AEC Regulatory Authority

Notice is hereby given that the U.S. Atomic Energy Commission is publishing for public comment, prior to action thereon, a proposed agreement received from the Governor of the State of North Dakota for the assumption of certain of the Commission's regulatory authority pursuant to section 274 of the Atomic Energy Act of 1954, as amended.

A resume, prepared by the State of North Dakota and summarizing the State's proposed program for control over sources of radiation, is set forth below as an appendix to this notice. The appendix referenced in the resume is included in the complete text of the program. A copy of the program, including proposed North Dakota regulations, is available for public inspection in the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., or may be obtained by writing to the Director, Division of State and Licensee Relations, U.S. Atomic Energy Commission, Washington, D.C. 20545. All interested persons desiring to submit comments and suggestions for the consideration of the Commission in connection with the proposed agreement should send them, in triplicate, to the Secretary, U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Chief, Public Proceedings Branch, within 30 days after initial publication of this notice in the FEDERAL REGISTER.

Exemptions from the Commission's regulatory authority which would implement this proposed agreement, as well as other agreements which may be entered into under section 274 of the Atomic Energy Act, as amended, were published as part 150 of the Commission's regulations in FEDERAL REGISTER issuances of February 14, 1962, 27 F.R. 1351; April 3, 1965, 30 F.R. 4352; September 22, 1965, 30 F.R. 12069; March 19, 1966, 31 F.R. 4668; March 30, 1966, 31 F.R. 5120; December 2, 1966, 31 F.R. 15145; July 15, 1967, 32 F.R. 10432; June 27, 1968, 33 F.R. 9388; and April 16, 1969, 34 F.R. 6517. In reviewing this proposed agreement, interested persons should also consider the afore-mentioned exemptions.

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

For the Atomic Energy Commission.

W. B. McCool,
Secretary.

PROPOSED AGREEMENT BETWEEN THE UNITED STATES ATOMIC ENERGY COMMISSION AND THE STATE OF NORTH DAKOTA FOR DISCONTINUANCE OF CERTAIN COMMISSION REGULATORY AUTHORITY AND RESPONSIBILITY WITHIN THE STATE PURSUANT TO SECTION 274 OF THE ATOMIC ENERGY ACT OF 1954, AS AMENDED

Whereas, the U.S. Atomic Energy Commission (hereinafter referred to as the Commission) is authorized under section 274 of the Atomic Energy Act of 1954, as amended (hereinafter referred to as the act) to enter into agreements with the Governor of any State providing for discontinuance of the regulatory authority of the Commission within the State under chapters 6, 7, and 8, and section 161 of the act with respect to byproduct materials, source materials, and special nuclear materials in quantities not sufficient to form a critical mass; and

Whereas, the Governor of the State of North Dakota is authorized under section 23-20.1-05 of chapter 23-20.1 of the North Dakota Century Code to enter into this Agreement with the Commission; and

Whereas, the Governor of the State of North Dakota certified on April 15, 1969, that the State of North Dakota (hereinafter referred to as the State) has a program for the control of radiation hazards adequate to protect the public health and safety with respect to the materials within the State covered by this Agreement, and that the State desires to assume regulatory responsibility for such materials; and

Whereas, the Commission found on -----, that the program of the State for the regulation of the materials covered by this Agreement is compatible with the Commission's program for the regulation of such materials and is adequate to protect the public health and safety; and

Whereas, the State and the Commission recognize the desirability and importance of cooperation between the Commission and the State in the formulation of standards for protection against hazards of radiation and in assuring that State and Commission programs for protection against hazards of radiation will be coordinated and compatible; and

Whereas, the Commission and the State recognize the desirability of reciprocal recognition of licenses and exemptions from licensing of those materials subject to this Agreement; and

Whereas, this Agreement is entered into pursuant to the provisions of the Atomic Energy Act of 1954, as amended;

Now, therefore, it is hereby agreed between the Commission and the Governor of the State, acting in behalf of the State, as follows:

ARTICLE I. Subject to the exceptions provided in articles II, III, and IV, the Commission shall discontinue, as of the effective date of this Agreement, the regulatory authority of the Commission in the State under chapters 6, 7, and 8, and section 161 of the act with respect to the following materials:

- A. Byproduct materials;
- B. Source materials; and
- C. Special nuclear materials in quantities not sufficient to form a critical mass.

ART. II. This Agreement does not provide for discontinuance of any authority and the

Commission shall retain authority and responsibility with respect to regulation of:

A. The construction and operation of any production or utilization facility;

B. The export from or import into the United States of byproduct, source, or special nuclear material, or of any production or utilization facility;

C. The disposal into the ocean or sea of byproduct, source, or special nuclear waste materials as defined in regulations or orders of the Commission;

D. The disposal of such other byproduct, source, or special nuclear material as the Commission from time to time determines by regulation or order should, because of the hazards or potential hazards thereof, not be so disposed of without a license from the Commission.

ART. III. Notwithstanding this Agreement, the Commission may from time to time by rule, regulation, or order, 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 or an exemption from licensing issued by the Commission.

ART. IV. This Agreement shall not affect the authority of the Commission under subsection 161 b. or l. of the Act to issue rules, regulations, or orders to protect the common defense and security, to protect restricted data or to guard against the loss or diversion of special nuclear material.

ART. V. The Commission will use its best efforts to cooperate with the State and other agreement States in the formulation of standards and regulatory programs of the State and the Commission for protection against hazards of radiation and to assure that State and Commission programs for protection against hazards of radiation will be coordinated and compatible. The State will use its best efforts to cooperate with the Commission and other agreement States in the formulation of standards and regulatory programs of the State and the Commission for protection against hazards of radiation and to assure that the State's program will continue to be compatible with the program of the Commission for the regulation of like materials. The State and the Commission will use their best efforts to keep each other informed of proposed changes in their respective rules and regulations and licensing, inspection and enforcement policies and criteria, and to obtain the comments and the assistance of the other party thereon.

ART. VI. The Commission and the State agree that it is desirable to provide for reciprocal recognition of licenses for the materials listed in article I licensed by the other party or by any agreement State. Accordingly, the Commission and the State agree to use their best efforts to develop appropriate rules, regulations, and procedures by which such reciprocity will be accorded.

ART. VII. The Commission, upon its own initiative after reasonable notice and opportunity for hearing to the State, or upon request of the Governor of the State, may terminate or suspend this Agreement and reassert the licensing and regulatory authority vested in it under the act if the Commission finds that such termination or suspen-

sion is required to protect the public health and safety.

ART. VIII. This Agreement shall become effective on September 1, 1969, and shall remain in effect unless and until such time as it is terminated pursuant to article VII.

Done at _____ in triplicate, this _____ day of _____

For the United States Atomic Energy Commission.

For the State of North Dakota.

FOREWORD

This narrative presents a description of the history, practices, capabilities and proposed activities of the State of North Dakota in controlling ionizing radiation.

Section 274 of the 1954 Atomic Energy Act, as amended, authorizes the U.S. Atomic Energy Commission to enter into an agreement with the governor of a state to transfer to the state licensing and regulatory authority over byproduct, source, and certain quantities of special nuclear materials. To this end, the following narrative has been prepared:

1.0 PROGRESS CHRONOLOGY

1957 The Legislative Assembly of the State of North Dakota enacted a law providing for the registration of all sources of ionizing radiation. This law is contained within sections 23-20-02 through 23-20-06 of chapter 23-20 of the North Dakota Century Code.

1957 through 1959 Radiation protection activities were limited in scope due to a lack of funds specifically set aside for this program. Some of the major accomplishments of this period consisted of the registration of sources of ionizing radiation used within the State of North Dakota; review of plans and specifications for radiation protection in hospitals proposed for construction or remodeling; and removing shoe-fitting fluoroscopes from public accessibility.

1960 A physical survey of all registered dental X-ray units in the State was conducted by the Division of Dental Health of the State Department of Health.

1961 The State Department of Health began operating a radiation surveillance air-sampling station on an around-the-clock basis.

1962 With the support of categorical funds from the U.S. Public Health Service, the North Dakota State Department of Health assigned the responsibility of a program of Radiological Health to the Division of Institutional Sanitation of the Environmental Health and Engineering Services Section of the Department.

1963 A statewide pasteurized milk sampling network was initiated to assess the radionuclide concentration of North Dakota milk.

1964 The Radiological Health Program initiated the routine physical inspection of all non-dental X-ray units across the State. Prior to becoming a routine function, a few X-ray facilities had been surveyed at the request of the X-ray owner. The initial 1957 registration of sources of ionizing radiation was updated in early 1964 so that a systematic X-ray inspection system was readily adopted.

1965 The North Dakota State Department of Health was awarded a research contract by the U.S. Public Health Service (contract No. PH 86-66-6) to determine the effectiveness of farming modifications in the reduction of radionuclides in milk. The Legislative Assembly of the State of North Dakota enacted a law (sections 23-20.1-01 through 23-20.1-11 of chapter 23-20.1 of the North Dakota Century Code) which provides for a licensing and regulatory radiation

program. This law designated the North Dakota State Department of Health as the State radiation control agency responsible for the administration of the licensing and regulatory radiation program and it also authorized the Governor of the State of North Dakota to enter into an agreement with the U.S. Atomic Energy Commission.

1966 The name of the Division of Institutional Sanitation was changed to the Division of Environmental Engineering.

1968 On March 1, 1968, the Radiological Health Regulations of the North Dakota State Department of Health (regulation 83) became effective.

2.0 CURRENT ACTIVITIES

2.1 *Registration of sources of radiation.* The registration of sources of ionizing radiation has been conducted since 1957 in accordance with sections 23-20-02 through 23-20-06 of chapter 23-20 of the North Dakota Century Code. From 1957 to the adoption of regulation 83 of the State Department of Health, the registration process provided a location-inventory of X-ray units, radium users, and Atomic Energy Commission licensed radioactive materials.

With the adoption of regulation 83 of the North Dakota State Department of Health, the registration process was administratively changed to the extent that radioactive materials and certain minor radiation emitting devices were exempt from registration. The registration now consists of the location-inventory of sources of electrically produced radiation such as X-ray machines. Radioactive materials are under the licensing provisions of regulation 83.

The following table enumerates the X-ray units registered with the State Department of Health:

REGISTRATION SUMMARY¹

X-ray	X-ray machines	X-ray tubes
Human uses:		
Physicians (M.D.)	126	166
Dentists	205	205
Other practitioners	50	51
Hospitals	192	234
Veterinary	5	5
Others	7	7
Total	585	688

¹ Exclusive of Federal agencies.

2.2 *Radiation protection in X-ray facilities.* Each week approximately eight thousand people in the State of North Dakota are exposed to diagnostic X-ray. Comprehensive evaluations of X-ray facilities have been performed by the program staff. The comprehensive evaluation includes radiation measurements to determine the radiation exposure of the operator, patient, and people outside of the X-ray area; the acceptability of X-ray equipment, based upon current standards; evaluation of other portions of the X-ray facility necessary to its operation; and a discussion with the operating and administrative staff on problems which need attention and those which could measurably reduce unnecessary radiation exposure. In addition to the discussions with the operating and administrative staff in each facility, a formal report, outlining the results of the evaluation and recommendations of the Department of Health is sent to the administration of the facility.

All of the facilities employing diagnostic X-ray in the State of North Dakota have received an initial evaluation. Forty-eight percent of the diagnostic X-ray machines in the State of North Dakota were found to be deficient upon initial evaluation. The majority of the deficiencies were with respect to inadequate collimation and/or inadequate

filtration of the useful X-ray beam. Both of these deficiencies result in unnecessary radiation exposure of the general population of the State. Where the filtration was found to be inadequate, aluminum filters were furnished and installed as a result of the evaluation.

Currently, followup evaluations are being conducted to determine the degree of compliance with the comments and recommendations of the initial evaluation. The followup evaluations, performed thus far, indicate that appropriate steps have been taken by the facilities to correct their deficiencies and, hence, reduce unnecessary radiation exposure. It is estimated that 80 to 90 percent of the diagnostic X-ray facilities in North Dakota are now in compliance with regulation 83 and the recommendations of the National Committee on Radiation Protection and Measurements as published in the "National Bureau of Standards Handbook No. 76."

An important aspect of the evaluation of X-ray facilities is that of radiation protection education. This aspect deals with the people operating the X-ray machines. A vast majority of the facilities in North Dakota do not have registered technologists to perform their X-ray services. The people operating the X-ray units, while they may be knowledgeable as to the proper radiographic technique necessary to obtaining a good radiograph, do not have a full appreciation of radiation protection. In the survey work across the State, there have been numerous instances where the operator, because of the lack of knowledge, has not made full use of the radiation protection devices and equipment available within the facility. Informing the operator of the practical methods that can be applied to reduce the radiation exposure to their patients as well as to themselves and the consequences of not applying these methods adds to the evaluation time; however, it is felt that it is time well spent. Lectures to professional groups on X-ray and radiation protection in X-ray facilities have been performed. More program emphasis will be placed on the educational aspects of radiation protection in X-ray facilities in the future, with the offering of short courses to X-ray operators across the State.

2.3 *Environmental radiation surveillance.* Since September of 1961, the Department has actively and continuously participated in the U.S. Public Health Service Radiation Surveillance Network with the operation of an air and precipitation sampling station at Bismarck, N. Dak. In addition to the direct operation of this Bismarck station, the Department has also acted in a liaison capacity between the U.S. Public Health Service Pasteurized Milk Radiation Surveillance Network and a milk sampling station operated by the First District Health Unit in Minot, N. Dak.

In January of 1964, a six-station milk sampling network was established in the State of North Dakota due to rising radionuclide levels in milk and, in particular, the levels of Strontium-90. The six stations, chosen on the basis of geographical and population significance, submitted weekly samples to the State Department of Health for radiochemical analysis. In May and June of 1964, Strontium-90 concentrations of 77 and 76 picocuries per liter, respectively, were observed. Since 1964 there has been a steady decline in Strontium-90 with average monthly concentrations in 1964, 1965, and 1966 of 56.7, 25.4 and 12.9 picocuries per liter of milk, respectively. In January of 1968, the six stations were placed on a biweekly sampling schedule with a minimum of three stations sampling every week.

In addition to the radiochemical analysis of milk, the program has the capability for radiochemical analysis of air, precipitation, water and, in general, all portions of the environmental food chain.

As a result of the levels of Strontium-90 encountered in North Dakota milk in 1964, the U.S. Public Health Service awarded a research contract to the North Dakota State Department of Health (contract No. PH 86-66-6) for a study to determine the effectiveness of farming modifications in the reduction of the radionuclides in milk.

In the summer of 1967, the Department of Health conducted a study to determine the radon concentrations within the uranium mines of southwestern North Dakota. The uranium operations in North Dakota consist of the open-pit mining of uraniferous lignite coal and reducing the moisture content and bulk volume of the ore by either ashing the material at the mine site or in rotary kilns. The ash is then transported outside of this State for further processing. The mine's radon concentration was determined by the collection of radon daughter products on a membrane filter and alpha counting. Since the mines are fully open to the atmosphere, there is little opportunity for accumulation of radon and its daughter products. The results of the Department's radon study indicated that the radon concentrations were well within nonoccupational maximum permissible concentrations.

Evaluations of the radioactive materials found in the various aspects of the environment are performed according to the appropriate accepted standards, limitations, and guidelines as set forth in the North Dakota Radiological Health Regulations; the U.S. Public Health Service Drinking Water Standards; the Radiation Protection Guides and the Protective Action Guides of the Federal Radiation Council; and the appropriate recommendations of the National Council on Radiation Protection and Measurements.

2.4 Radioactive materials. Since 1961, present Radiological Health Program staff have accompanied Atomic Energy Commission compliance personnel on approximately 100 percent of the inspections performed in the State of North Dakota. The compliance inspections included evaluation of diagnostic and therapeutic medical applications, industrial radiography applications, educational and research applications, of byproduct materials; the uranium operations of southwestern North Dakota; and the small quantities of special nuclear materials employed at the universities in the State. Exclusive of Federal agencies, on January 1, 1969, 34 Atomic Energy Commission licenses were in effect in North Dakota. In addition to the Atomic Energy Commission licenses, there are 12 facilities possessing radium. Regulation 83, as adopted by the North Dakota State Department of Health, provides for the licensing of all radioactive materials including naturally occurring or accelerator produced as well as byproduct, source, and certain quantities of special nuclear material. The provisions of regulation 83 which refer to radioactive materials licensed by the U.S. Atomic Energy Commission become effective upon an agreement with the AEC for transfer of this authority to the State of North Dakota.

Radium-226, the most commonly used nuclide of radium in North Dakota, has not been under any regulatory control. The lack of control is apparent. Preliminary surveys of radium users in North Dakota have indicated that there are problems. Many of the facilities evaluated do not maintain accurate facility inventories; do not provide adequate shielded storage; the storage containers are not properly marked indicating the presence of a radioactive material; leak tests of sealed sources are not performed at regular intervals, if at all; and there is a lack of adequate facility instrumentation for making radiation measurements in and around the areas

where radium is used. Furthermore, there has been a lack of communication on the part of radium users with the Department in the event of source loss or incident. The control of radium and other radionuclides which have not been regulated in the past will provide an effective means of permitting

the beneficial applications of these radioactive materials without the disadvantages of unnecessary radiation exposure to the users or to the general public.

The following table numerically describes the utilization of radioactive materials in the State of North Dakota:

Category of usage	Atomic Energy Commission licenses			Facilities possessing radium	All radioactive materials
	Byproduct	Source	Special nuclear material		
Medical.....	16	0	0	7	23
Educational.....	5	1	2	2	10
Civil defense.....	3	0	0	0	3
Industrial.....	3	0	0	1	4
State agencies.....	2	0	0	2	4
Uraniferous lignite ashing.....	0	2	0	0	2
Total.....	29	3	2	12	46

3.0 PROCEDURES AND POLICIES FOR THE CONTROL OF RADIATION

3.1 Licensing and registration. The State program provides for the control of radioactive materials, those occurring naturally or artificially produced, and electrically produced radiation. Electrically produced radiation, such as that from X-ray units, is under the category of registration. Licensing procedures are provided for radioactive materials.

Licenses for radioactive materials shall be of two types, general and specific. A general license is effective by regulation 83 of the Department and without the filing of an application or the issuance of licensing documents to particular persons. A specific license, incorporating appropriate conditions, shall be issued to named persons, upon application and in accordance with the appropriate provisions of regulation 83. Requirements for the possession of byproduct, source and special nuclear materials will be compatible with those of the U.S. Atomic Energy Commission.

The licensing program will be essentially the same as that presently employed by the U.S. Atomic Energy Commission. Prelicensing inspections will be performed when determined to be necessary. With respect to license applications for the non-routine medical use of radioactive materials, the review of the Medical Advisory Committee of the U.S. Atomic Energy Commission will be sought.

The Director of the Division of Environmental Engineering will evaluate all license applications. Other division staff members will assist in this function as they acquire competence through training and experience.

3.2 Inspection. Staff personnel will conduct inspections of licensees and registrants to determine compliance with Regulation 83 of the Department and to evaluate the adequacy of the radiation protection program of the licensee or registrant. The inspection includes review of the radiation safety practices, equipment, radiation surveys and personnel exposures pertinent to the facilities. Inspections of facilities utilizing radioactive materials will be compatible with those currently performed by the Division of Compliance of the U.S. Atomic Energy Commission.

The inspections will be performed by staff qualified in radiological health. The inspection staff will be kept current on developments in the field of radiological health by continued training and appropriate courses conducted by the U.S. Atomic Energy Commission and the U.S. Public Health Service (Bureau of Radiological Health).

The following frequency for the inspection of licensees in the State of North Dakota is planned, but may be either increased or decreased depending upon individual circumstances and the experience of the Department:

1. Industrial radiographers—once each 6 months.

2. Operations involving waste disposal—once each 6 months.

3. Broad licenses—Industrial, medical, academic—once each 12 months.

4. Other specific licenses—Industrial, medical, academic—once each 24 months.

5. Others—based on hazards associated with the program.

Most inspections will be scheduled visits, but a significant number may be on an unannounced basis.

At the completion of each inspection, the inspector will confer with the licensee and management to discuss the results of his inspection, presenting oral recommendations or suggestions, if indicated. This also provides an opportunity for answering any questions which a licensee or management may have regarding the regulatory program.

The inspector will submit, in writing, a comprehensive report to the Director of the Division of Environmental Engineering relating the findings of his inspection. The report will enumerate items of noncompliance, if any, and present recommendations. Recommendations made by inspectors in the field are subject to critical review of the Director of the Division of Environmental Engineering.

Licensees and management will be informed of the results of all inspections, orally at the time of the inspection and by letter or notice from the Department.

3.3 Compliance. If it is determined by the inspection that only minor items of noncompliance are involved such as failure to label, improper signs, etc., and the licensee agrees, in writing, to correct these items at the time of inspection, no further action will be taken by the Department, except that these items will be reviewed during the next inspection.

If items of noncompliance of a more serious nature are found, the licensee will be required to correct such items within a specified period of time. The licensee will be required to inform the Department in writing within 30 days or less, depending upon the degree of hazard involved, of the corrective action taken and the date the corrective action was completed. The Department will conduct a follow-up inspection or the matter will be reviewed during the next regular inspection to assure that the corrective action has been accomplished.

Whenever, in the judgment of the Department, any person has engaged in or is about to engage in any acts or practices in violation of sections 23-20.1-01 through 23-20.1-11 of chapter 23-20.1 of the North Dakota Century Code or regulations issued under this law, the Department, in accordance with the laws of the State governing injunctions and other process may maintain an action in the name of this State enjoining such acts or practices or to direct compliance.

Should the Department determine that an emergency exists requiring immediate action to protect the public health and safety, the Department may, without notice or hearing, issue an order reciting the existence of such emergency and requiring that such immediate action be taken as is necessary to meet this emergency.

Opportunity for a hearing is afforded any person to whom an emergency order has been directed, upon the filing of an application with the Department. The person will be afforded a hearing before the State Health Council within 10 days. On the basis of such hearing, the emergency order shall be continued, modified, or revoked within 30 days after such hearing.

The modification, revocation, or termination of a radioactive materials license is provided for in section 3.614 of regulation 83. An opportunity for a hearing is afforded any licensee with respect to amendment or suspension of his license. Petition filing and hearing procedures are provided for in chapter 28-32 of the North Dakota Century Code.

Only in instances of willful negligence on the part of the licensee, continued noncompliance after notice or when a serious potential hazard exists, will full legal measures be employed. Section 23-20.1-10 of chapter 23-20.1 of the North Dakota Century Code provides for penalties for persons who violate any portions of the law or rules, regulations or orders in effect pursuant thereto of the Department.

3.4 Administrative procedures and judicial review. The issuance or modification of rules and regulations including emergency orders relating to the control of sources of ionizing radiation; granting, suspending, revoking or amending any license; or determining compliance with rules and regulations of the Department will be conducted in accordance with provisions of chapter 28-32 of the title "Administrative Agencies Practice Act" of the North Dakota Century Code. Among other things, this law states:

1. That there must be a legality review by the Attorney General's office of any rule or regulation before it is adopted by a State agency.

2. That rules and regulations, to have force and effect of law until amended or repealed by the agency or declared invalid by courts, must be filed in the Attorney General's office. Also a copy of each rule and regulation accompanied by the Attorney General's Opinion must be filed with the Clerk of District Court of each county and the Secretary of the State Bar Association.

3. That upon receipt of a petition from any person substantially interested in the effect of a rule or regulation, the agency may grant the petitioner a public hearing upon such terms and conditions as the agency may prescribe.

4. The rules of procedure for hearings.

5. That determinations of the agency may be appealed to the district courts.

6. The scope of and procedure on appeal from determination of the administrative agency.

7. That a review of and final judgment of district courts may be appealed to and reviewed by the State Supreme Court.

3.5 Radiological emergencies. The Department currently has the appropriate equipment, instrumentation and knowledgeable staff to evaluate radiological incidents involving a release or loss of radioactive materials. A formal radiological emergency guide has been developed to cope with radiological incidents which occur within the State of North Dakota. This guide sets forth the basic elements of immediate action, the responsibilities of State and local agencies, and establishes the lines of communication in order that the control of radioactive mate-

rials, lost through some accident or incident, can be restored as quickly as possible and with minimum danger to human health or damage to property.

The radiological emergency guide provides general guidance to individuals who may not be specifically trained in the handling of peacetime radiological emergencies. It also provides a more detailed approach to the handling of radiological incidents occurring within licensed facilities, even though the licensed facility should have emergency procedures specific to its own operations. Direct assistance and/or consultation, as may be needed to provide immediate relief of a radiological incident, is available to the licensee from the North Dakota State Department of Health.

Notification of the State Department of Health of a radiological incident by a licensee and/or registrant is provided for in section 4.530 of regulation 83. Notification of the State Department of Health of radiological incidents occurring beyond a licensee's premises is provided for in the Radiological Emergency Guide.

3.6 Instrumentation. The Department has a variety of portable radiation survey instruments which can detect and measure radiation exposures over a wide range of exposure levels. The portable instrumentation is available for support of inspections and for evaluation of radiological emergencies.

Laboratory instrumentation includes equipment which provides identification and precise measurement of the quantity of radioactive materials. Raw data output from the multichannel analyzer and low background alpha-beta counting systems is processed by means of electronic data processing systems. Laboratory equipment provides the function of radioanalysis of environmental samples for data with which to evaluate radionuclides released to the environment.

3.7 Effective date of license transfer and reciprocity. Subsection 2 of section 23-20.1-05 of chapter 23-20.1 of the North Dakota Century Code provides for the effective date of license transfer. Any person who, on the effective date of the agreement with the Atomic Energy Commission, possesses a license issued by the Federal Government shall be deemed to possess the same pursuant to a license issued under this chapter, which shall expire either 90 days after receipt from the Department of a notice of expiration of such license or on the date of expiration specified in the Federal license, whichever is earlier.

Provisions for license reciprocity are covered under section 3.700 of regulation 83 of the Department. This section provides for the recognition of licenses issued by the U.S. Atomic Energy Commission or agreement States other than the State of North Dakota.

4.0 ORGANIZATION AND PROGRAM STRUCTURE

The portion of the State Department of Health responsible for radiation protection is the Radiological Health Program of the Division of Environmental Engineering. Item 5.1 of the Appendix outlines the line of organizational structuring as it pertains to Radiological Health. Item 5.2 of the Appendix is the internal structuring of the Division of Environmental Engineering. Each of the five division units has a person with a specific responsibility and each contributes to the information exchange and manpower pool coordinated by the Director of the Division of Environmental Engineering. The three units directly pertaining to radiation protection, namely, the radioactive materials unit, the radiation surveillance unit, and the X-ray and electronic products unit are all staffed by people qualified by virtue of training and experience in radiation protection.

To assure that all units of the Division of Environmental Engineering are covered by

people knowledgeable in all aspects of division responsibility and to provide manpower backup in the event of staff vacancies, the concept of information exchange and manpower pool was developed. Information exchange is accomplished through the inter-unit communication of technical information related to specific units through seminars and by training in the field. This concept provides manpower depth to an otherwise small division with many responsibilities.

The Director of the Division of Environmental Engineering will review all applications for licenses, amendments and renewals. It will also be his responsibility to issue, modify, or deny the application.

The radioactive materials unit will maintain the necessary records by which the Atomic Energy Commission can periodically evaluate and determine the degree of compatibility of the North Dakota program to that of the Atomic Energy Commission and other agreement States.

Inspections will be performed by the Director of the Division and/or the other two members of the present division staff who are qualified by training and experience in radiation protection. A synopsis of the training and experience of the division staff with primary responsibility in the field of radiation protection is attached in the Appendix as item 5.3.

[P.R. Doc. 69-5782; Filed, May 14, 1969; 8:47 a.m.]

FEDERAL POWER COMMISSION

[Docket No. G-6931 etc.]

STAR GAS CO. ET AL.

Findings and Order

MAY 20, 1969.

Findings and order after statutory hearing issuing certificates of public convenience and necessity, amending orders issuing certificates, permitting and approving abandonment of service, terminating certificates, making successors co-respondents, redesignating proceedings, requiring filing of agreements and undertakings, accepting agreement and undertaking for filing, and accepting related rate schedules and supplements for filing.

Each of the Applicants listed herein has filed an application pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale and delivery of natural gas in interstate commerce or for permission and approval to abandon service or a petition to amend an order issuing a certificate, all as more fully set forth in the applications and petitions, as supplemented and amended.

Applicants have filed related FPC gas rate schedules or supplements thereto and propose to initiate, abandon, add to, or discontinue in part natural gas service in interstate commerce as indicated in the tabulation herein. All sales certificated herein are at rates either equal to or below the ceiling prices established by the Commission's statement of general policy No. 61-1, as amended, or involve sales for which permanent certificates have been previously issued; except that sales from areas for which

area rates have been determined are authorized to be made at or below the applicable area base rates, adjusted for quality of the gas, and under the conditions prescribed in the orders determining said rates.

Palm Resource Corp. (Operator) et al., Applicant in Docket No. CI62-585, proposes to continue sales of natural gas heretofore authorized in said docket to be made pursuant to Palm Petroleum Corp. (Operator), et al., FPC Gas Rate Schedule Nos. 2 and 5. Said rate schedules will be redesignated as those of Applicant. The presently effective rate under the predecessor's FPC Gas Rate Schedule No. 2 is in effect subject to refund in Docket No. RI66-364, and the presently effective rate under the predecessor's FPC Gas Rate Schedule No. 5 is in effect subject to refund in Docket No. RI66-365. Applicant has filed motions to be made co-respondent in said proceedings. Therefore, Applicant will be made co-respondent; the proceedings will be redesignated accordingly; and Applicant will be required to file agreements and undertakings to assure the refunds of any amounts collected by it in excess of the amounts determined to be just and reasonable in said proceedings.

H. H. Champlin, et al., Applicants in Docket No. CI68-63, proposes to continue the sale of natural gas heretofore authorized in said docket to be made pursuant to Joe N. Champlin, Trustee, FPC Gas Rate Schedule No. 3. Said rate schedule will be redesignated as that of Applicants. The presently effective rate under said rate schedule is in effect subject to refund in Docket No. RI66-228, and Applicants have submitted an agreement and undertaking to assure the refund of any amounts collected by them in excess of the amount determined to be just and reasonable in said proceeding. Therefore, Applicants will be made co-respondents in the proceeding pending in Docket No. RI66-228; said proceeding will be redesignated accordingly; and the agreement and undertaking will be accepted for filing.

The Estate of W. G. Rogers and Bee-Kay Co., both Applicants in Dockets Nos. CI69-531 and CI69-532, propose to continue in part sales of natural gas heretofore authorized in Dockets Nos. G-12600 and G-12578, respectively, to be made pursuant to Texaco Inc., FPC Gas Rate Schedule No. 148 and Marathon Oil Co. FPC Gas Rate Schedule No. 31, respectively. The contracts comprising said rate schedules will also be accepted for filing as rate schedules of Applicant. The presently effective rate under Texaco's rate schedule is in effect subject to refund in Docket No. RI67-44, and the presently effective rate under Marathon's rate schedule is in effect subject to refund in Docket No. RI67-466. Therefore,

* Applicants state in their certificate application that they will assume the total refund obligation; however, in their agreement and undertaking they limit their assumption of the refund obligation to sales made by them.

Applicants will be made co-respondents in said proceedings; the proceedings will be redesignated accordingly; and Applicants will be required to file agreements and undertakings to assure the refunds of any amounts collected by them in excess of the amounts determined to be just and reasonable in said proceedings.

The Commission's staff has reviewed each application and recommends each action ordered as consistent with all substantive Commission policies and required by the public convenience and necessity.

After due notice by publication in the FEDERAL REGISTER, no petitions to intervene, notices of intervention or protests to the granting of the applications have been filed.

At a hearing held on May 15, 1969, the Commission on its own motion received and made a part of the record in this proceeding all evidence, including the applications and petitions, as supplemented and amended, and exhibits thereto, submitted in support of the authorizations sought herein, and upon consideration of the record:

The Commission finds:

(1) Each Applicant herein is a "natural-gas company" within the meaning of the Natural Gas Act as heretofore found by the Commission or will be engaged in the sale of natural gas in interstate commerce for resale for ultimate public consumption, subject to the jurisdiction of the Commission, and will, therefore, be a "natural-gas company" within the meaning of the Natural Gas Act upon the commencement of service under the authorizations hereinafter granted.

(2) The sales of natural gas hereinbefore described, as more fully described in the applications in this proceeding, will be made in interstate commerce subject to the jurisdiction of the Commission; and such sales by Applicants, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are subject to the requirements of subsections (c) and (e) of section 7 of the Natural Gas Act.

(3) Applicants are able and willing properly to do the acts and to perform the service proposed and to conform to the provisions of the Natural Gas Act and the requirements, rules and regulations of the Commission thereunder.

(4) The sales of natural gas by Applicants, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are required by the public convenience and necessity and certificates therefor should be issued as hereinafter ordered and conditioned.

(5) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act and the public convenience and necessity require that the orders issuing certificates of public convenience and necessity in the following dockets should be amended as hereinafter ordered and conditioned:

G-3913	CI62-230	CI67-69
G-6931	CI62-585	CI67-90
G-9358	CI62-1251	CI67-717
G-9396	CI63-489	CI67-1039
G-12578	CI64-557	CI67-1224
G-12600	CI65-1145	CI67-1795
G-15912	CI66-377	CI68-63
G-19958	CI66-470	CI68-702
CI61-519	CI66-942	CI69-49
CI61-704	CI66-1077	

(6) The sales of natural gas proposed to be abandoned as hereinbefore described and as more fully described in the applications and in the tabulation herein are subject to the requirements of subsection (b) of section 7 of the Natural Gas Act.

(7) The abandonments proposed by Applicants herein are permitted by the public convenience and necessity and should be approved as hereinafter ordered.

(8) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the certificates heretofore issued to Applicants relating to the abandonments hereinafter permitted and approved should be terminated or that the orders issuing said certificates should be amended by deleting therefrom authorization to sell natural gas from the subject acreage.

(9) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Palm Resource Corp. (Operator) et al., should be made co-respondent in the proceedings pending in Dockets Nos. RI66-364 and RI66-365; that said proceedings should be redesignated accordingly; and that Palm Resource Corp. (Operator) et al. should be required to file agreements and undertakings.

(10) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that H. H. Champlin et al., should be made co-respondents in the proceeding pending in Docket No. RI66-228; that said proceeding should be redesignated accordingly; and that the agreement and undertaking submitted by them in said proceeding should be accepted for filing.

(11) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the Estate of W. G. Rogers and BeeKay Co., should be made co-respondents in the proceedings pending in both Dockets Nos. RI67-44 and RI67-466, that said proceedings should be redesignated accordingly, and that they should be required to file agreements and undertakings.

(12) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the FPC gas rate schedules and supplements related to the authorizations hereinafter granted should be accepted for filing.

The Commission orders:

(A) Certificates of public convenience and necessity are issued upon the terms and conditions of this order authorizing sales by Applicants of natural gas in interstate commerce for resale, together with the construction and operation of any facilities subject to the jurisdiction

of the Commission necessary therefor, all as hereinbefore described and as more fully described in the applications and in the tabulation herein.

(B) The certificates granted in paragraph (A) above are not transferable and shall be effective only so long as Applicants continue the acts or operations hereby authorized in accordance with the provisions of the Natural Gas Act and the applicable rules, regulations, and orders of the Commission.

(C) The grant of the certificates issued in paragraph (A) above shall not be construed as a waiver of the requirements of section 4 of the Natural Gas Act or of Part 154 or Part 157 of the Commission's regulations thereunder and is without prejudice to any findings or orders which have been or which may hereafter be made by the Commission in any proceedings now pending or hereafter instituted by or against Applicants. Further, our action in this proceeding shall not foreclose nor prejudice any future proceedings or objections relating to the operation of any price or related provisions in the gas purchase contracts herein involved. Nor shall the grant of the certificates aforesaid for service to the particular customers involved imply approval of all of the terms of the contracts, particularly as to the cessation of service upon termination of said contracts as provided by section 7(b) of the Natural Gas Act. The grant of the certificates aforesaid shall not be construed to preclude the imposition of any sanctions pursuant to the provisions of the Natural Gas Act for the unauthorized commencement of any sales of natural gas subject to said certificates.

(D) The grant of the certificates issued herein on certain applications filed after July 1, 1967, is upon the condition that no increase in rate which would exceed the ceiling prescribed for the given area by paragraph (d) (3) of the Commission's statement of general policy No. 61-1, as amended, shall be filed prior to the applicable date indicated in the tabulation herein.

(E) The certificates issued herein and the amended certificates are subject to the following conditions:

(a) Any increases in rate authorized in Dockets Nos. G-9358 and CI69-851 under the subject contract amendments in excess of the rates now in effect under the rate schedules involved herein shall not become effective until a notice of change in rate is filed with respect thereto as required under section 4 of the Natural Gas Act.

(b) The sale authorized in Docket No. CI61-704 shall be made at the initial rate of 15 cents per Mcf at 14.65 p.s.i.a. including tax reimbursement. Further, the certificate is conditioned by limiting the buyer's daily take-or-pay obligation to a 1 to 7,300 ratio of takes to reserves.

(c) The sale authorized in Docket No. CI69-683 shall be made at the initial rate of 15 cents per Mcf at 14.65 p.s.i.a.

(d) The initial rate for the sale authorized in Docket No. CI69-841 shall be 15 cents per Mcf at 14.65 p.s.i.a., including tax reimbursement, and subject to B.t.u. adjustment. In the event that the Commission amends its statement of general policy No. 61-1, by adjusting the boundary between the Oklahoma Panhandle area and the Oklahoma "Other" area so as to increase the initial wellhead price for new gas, Applicant thereupon may substitute the new rate reflecting the amount of such increase and thereafter collect the new rate prospectively in lieu of the initial rate herein authorized in said docket. Applicant shall file a revised billing statement reflecting the 15 cents rate as required by the regulations under the Natural Gas Act.

(e) Sales authorized in Docket No. CI66-470 shall be made at the initial rate of 15 cents per Mcf at 14.65 p.s.i.a., including tax reimbursement, from the newly dedicated acreage and from acreage acquired from the certificate holder in Docket No. CI65-1145; and 15.015 cents per Mcf at 14.65 p.s.i.a., including tax reimbursement, from acreage acquired from the certificate holder in Docket No. CI62-1251, subject to the same refunding obligations imposed on Joseph E. Seagram & Sons, Inc., doing business as Texas Pacific Oil Co. in Docket No. RI68-659.

(f) The initial rate for the sales authorized in Dockets Nos. CI66-942 and CI69-878 shall be 17 cents per Mcf at 14.65 p.s.i.a., including tax reimbursement, and subject to upward and downward B.t.u. adjustment.

(g) The initial rate for the sale authorized in Docket No. CI69-546 shall be 17 cents per Mcf at 14.65 p.s.i.a. subject to upward and downward B.t.u. adjustment. Further, the certificate is conditioned upon any determination which may be made in the proceeding pending in Docket No. R-338 with respect to the transportation of liquefiable hydrocarbons.

(F) The orders issuing certificates in Dockets Nos. G-6931, G-9396, G-15912, G-19958, CI61-516, CI61-704, CI62-230, CI63-489, CI66-470, CI66-942, CI66-1077, CI67-1795, and CI69-49 are amended by adding thereto or deleting therefrom authorization to sell natural gas as described in the tabulation herein.

(G) The order issuing a certificate in Docket No. G-9358 is amended to revise average daily contract quantity, extend the contract term and provide for price schedule to apply during extended term pursuant to the amendatory agreement dated October 3, 1968.

(H) The orders issuing certificates in Dockets Nos. G-3913, G-12578, G-12600, CI62-1251, CI65-1145, CI67-69, and CI67-90 are amended by deleting therefrom authorization to sell natural gas from acreage assigned to Applicants in

Dockets Nos. G-6931,² CI69-532, CI69-531, CI66-470, CI66-470, CI69-836, and CI69-49, respectively.

(I) The orders issuing certificates in Dockets Nos. CI62-585, CI64-557, CI66-377, CI67-717, CI67-1039, CI67-1224, CI68-63, and CI68-702 are amended by substituting the successors in interest as certificate holders.

(J) Applicant in Docket No. CI62-585 shall file a revised billing statement to reflect the 17 cents rate for all of the gas sold under its FPC Gas Rate Schedule No. 1 (28.266 percent of the Gilbert Unit) as required by the regulations under the Natural Gas Act.

(K) Permission for and approval of the abandonment of service by Applicants, as hereinbefore described, all as more fully described in the applications and in the tabulation herein are granted.

(L) Permission for and approval of the abandonment in Docket No. CI69-863 shall not be construed to relieve Applicant of any refund obligations which may be ordered in the related rate suspension proceeding pending in Docket No. RI65-475.

(M) Permission for and approval of the abandonment are granted in Docket No. CI69-709 and the certificate heretofore issued in Docket No. G-6125 is terminated only with respect to Commonwealth Gas Corp. FPC Gas Rate Schedule No. 5.

(N) The certificates heretofore issued in Dockets Nos. G-3970, G-11177, G-12594, G-13256, G-19570, CI62-362, CI62-838, and CI65-475 are terminated.

(O) Palm Resource Corp. (Operator) et al., is made co-respondent in the proceedings pending in Dockets Nos. RI66-364 and RI66-365 and said proceedings are redesignated accordingly.

(P) Within 30 days from the issuance of this order Palm Resource Corp. (Operator) et al., shall execute, in the form set out below, and shall file with the Secretary of the Commission acceptable agreements and undertakings in Dockets Nos. RI66-364 and RI66-365 to assure the refunds of any amounts collected by it, together with interest at the rate of 7 percent per annum, in excess of the amounts determined to be just and reasonable in said proceedings. Unless notified to the contrary by the Secretary of the Commission within 30 days from the date of submission, such agreements and undertakings shall be deemed to have been accepted for filing.

² Partial succession with respect to Ashland Oil & Refining Co.'s certificate in Docket No. G-3913 and complete succession with respect to Ashland's FPC Gas Rate Schedule No. 92 (formerly United Carbon Co. FPC Gas Rate Schedule No. 14).

(Q) Palm Resource Corp. (Operator) et al., shall comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, and the agreements and undertakings filed by it in Dockets Nos. RI66-364 and RI66-365 shall remain in full force and effect until discharged by the Commission.

(R) H. H. Champlin et al., are made co-respondents in the proceeding pending in Docket No. RI66-228; said proceeding is redesignated accordingly; and the agreement and undertaking submitted by them in said proceeding is accepted for filing.

(S) H. H. Champlin et al., shall comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, and the agreement and undertaking filed by them in Docket No. RI66-228 shall remain in full force and effect until discharged by the Commission.

(T) The Estate of W. G. Rogers and BeeKay Co., are made co-respondents in the proceedings pending in both Dockets Nos. RI67-44 and RI67-466, and said proceedings are redesignated accordingly.

(U) Within 30 days from the issuance of this order the Estate of W. G. Rogers and BeeKay Co. shall execute, in the form set out below, and shall file with the Secretary of the Commission acceptable agreements and undertakings in Dockets Nos. RI67-44 and RI67-466 to assure the refunds of any amounts collected by them, together with interest at the rate of 7 percent per annum, in excess of the amounts determined to be just and reasonable in said proceedings. Unless notified to the contrary by the Secretary of the Commission within 30 days from the date of submission, such agreements and undertakings shall be deemed to have been accepted for filing.

(V) The Estate of W. G. Rogers and BeeKay Co., shall comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, and the agreements and undertakings filed by them in Dockets Nos. RI67-44 and RI67-466 shall remain in full force and effect until discharged by the Commission.

(W) The rate schedules and rate schedule supplements related to the authorizations granted herein are accepted for filing or are redesignated, all as described in the tabulation herein.

By the Commission.

[SEAL] GORDON M. GRANT,
Secretary.

Docket No. and date filed	Applicant	Purchaser, field, and location	FPC rate schedule to be accepted		
			Description and date of document	No.	Supp.
G-6931 (G-3913) F 1-30-69 ¹ G-9358 ² 3-6-69 ⁴	Star Gas Co. (successor to United Carbon Co. 3).	United Fuel Gas Co., Poca District, Kanawha County, W. Va.	Assignment 6-30-55 ³ Effective date: 6-30-55.	16	6
	Monsanto Co., et al.	Natural Gas Pipeline Co. of America, Old Ocean Field (Larsen Reser- voir), Brazoria and Matagorda Counties, Tex.	Amendatory agreement 10-3-68 ¹ Letter agreement 11-8-68 ¹	65	9 10
G-6936 D 5-19-65	Skelly Oil Co.	El Paso Natural Gas Co., acreage in Rio Arriba County, N. Mex.	Letter agreement 3-17-65 ¹	90	11
G-15912 C 5-19-65	do.	do.	Letter agreement 3-17-65 ¹ Notice of change 4-3-69 ³ Effective date: 5-8-69	151	6 7
G-19058 D 1-31-69	Magna Oil Corp. (partial abandon- ment).	Southern Natural Gas Co., East Happytown Field, Iberville Parish, La.	Notice of partial cancella- tion 1-31-69 ¹	7	8
CI61-516 D 3-14-69	Pan American Petro- leum Corp. (Operator) et al. (partial abandonment).	Michigan Wisconsin Pipe Line Co., Putnam Field, Dewey County, Okla.	Notice of partial cancella- tion 3-12-69 ¹	330	37
CI61-704 C 2-17-69 ¹	Union Oil Co. of Cali- fornia (Operator).	Lone Star Gas Co., Caddo Plant, Springer Field, Carter County, Okla.	Amendatory agreement 11-15-68 ¹ Letter 2-12-69 ¹ Compliance 3-26-69 ¹	135	5 6 7
CI62-230 D 3-14-69	Mobil Oil Corp. (partial abandonment).	Arkansas Louisiana Gas Co., West Marlow Field, Stephens County, Okla.	Notice of partial cancella- tion 3-13-69 ¹	273	10
CI62-585 E 2-25-69	Palm Resource Corp. (Operator) et al. (suc- cessor to Palm Petro- leum Corp. (Operator) et al.).	Kansas-Nebraska Natural Gas Co., Inc., Camrick Field, Texas County, Okla. ¹	Palm Petroleum Corp. (Operator) et al., FPC GRS No. 2 Supplements Nos. 1-5 Notice of succession (un- dated)	1	1-5
			Assignment 1-28-69 ¹ Effective date: 1-1-69	1	6
CI62-585 E 2-25-69	Palm Resource Corp. (Operator) et al. (suc- cessor to Palm Petro- leum Corp. (Operator) et al.).	Panhandle Eastern Pipe Line Co., Camrick Field, Texas County, Okla. ¹	Palm Petroleum Corp. (Operator) et al., FPC GRS No. 5 Supplements Nos. 1-2 Notice of succession (un- dated)	2	1-2
			Assignment 1-28-69 ¹ Effective date: 1-1-69	2	3
CI63-489 C 3-17-69 ¹	Ashland Oil & Refining Co.	Michigan Wisconsin Pipe Line Co., West Chester Field, Woodward County, Okla.	Amendatory agreement 2-28-69 ¹	81	16
CI64-557 E 3-17-69	Midhurst Oil Corp. (successor to Camerina Petroleum Corp.).	Cities Service Gas Co., West Waynoka Field, Woodward and Woods Counties, Okla.	Camerina Petroleum Corp., FPC GRS No. 2 Supplement No. 1 Notice of succession 3-13-69	22	1
			Conveyance 6-19-68 ¹ Effective date: 6-19-68	22	2
CI66-377 E 3-19-69	Sierra Trading Corp. (Operator) et al. (suc- cessor to Wind River Drilling Co. (Operator) et al.).	Kansas-Nebraska Natural Gas Co., Inc., North Shawnee-Flat Top Field, Converse County, Wyo.	Wind River Drilling Co. (Operator) et al., FPC GRS No. 1 Supplement Nos. 1-5 Notice of succession 3-12-69	1	1-5
			Plan and agreement of reorganization 5-31-68 Effective date: 5-31-68	1	6
C CI66-479 (CI62-1251) (CI65-1145) F 12-19-68 ¹	Sun Oil Co. (IX Divi- sion) (Operator) et al.	Arkansas Louisiana Gas Co., Arkoma Area, Le Flore and Pittsburg Counties, Okla.	Letter agreement 9-23-68 ¹ Letter agreement 11-4-68 ¹ Compliance 3-7-69 ¹	259	9 10 11
CI66-942 C 3-12-69 ¹	Pan American Petro- leum Corp. (Operator) et al.	Northern Natural Gas Co., North Salon Field, Ellis County, Okla.	Amendatory agreement 2-7-69 ¹	259	16
CI66-1077 C 3-13-69 ¹	John C. Oxley et al.	Arkansas Louisiana Gas Co., South Pocola Field, Pittsburg and Latimer Counties, Okla.	Amendment 2-26-69	1	9
CI67-717 E 3-12-69	Midhurst Oil Corp. et al. (successor to Camerina Petroleum Corp. et al.).	Northern Natural Gas Co., North Gate Lake Field, Harper County, Okla.	Camerina Petroleum Corp. et al., FPC GRS No. 4 Notice of succession 3-11-69	23	
			Conveyance 6-19-68 ¹ Effective date: 6-19-68	23	1
CI67-1039 E 2-7-69	Estate of W. G. Rogers and BeeKay Co. (successor to W. G. Rogers et al.).	Panhandle Eastern Pipe Line Co., Mocane- Laverne Area, Beaver County, Okla.	W. G. Rogers et al., FPC GRS No. 1 Notice of succession 2-5-69	1	
CI67-1224 E 1-29-69	H. H. Champlin et al. (successor to Joe N. Champlin).	Michigan Wisconsin Pipe Line Co., Laverne Field, Harper County, Okla.	Joe N. Champlin, FPC GRS No. 3 Notice of succession (undated) ¹ Effective date: 2-5-68	2	

Filing code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.
F—Partial succession.

See footnotes at end of table.

Docket No. and date filed	Applicant	Purchaser, field, and location	FPC rate schedule to be accepted	Description and date of document	No.	Supp.
C105-1703 C 1-27-60 u	Southeast Oil Industries, Inc.	Northern Natural Gas Co., Fitchburg Field, Oklahoma County, Kans.	Supplemental agreement 10-7-59 u		5	3
C105-63 E 1-29-60	H. H. Champlin, et al. (successor to Joe N. Champlin, Trustee)	Oklahoma Natural Gas Gathering Corp., Ringwood Field, Major County, Okla.	Joe N. Champlin, Trustee, FPC GRS No. 3.		4	
		Supplemental Nos. 1-3 (undated), as	Notices of cancellation		4	1-4
C105-702 E 2-7-60	Estate of W. G. Rogers and Beekay Co. (successor to W. G. Rogers et al.)	Panhandle Eastern Pipe Line Co., Moore-Lavigne Area, Beaver County, Okla.	Effective date: 3-5-58; GRS No. 2.		2	
F C105-49 (G105-49) C 3-13-60	John C. Orley	Arkansas Louisiana Gas Co., Kinta Field, Pottawatomie County, Okla.	Effective date: 6-14-58; Assignment 12-22-67 u.		3	3
C105-531 F 11-25-58	Estate of W. G. Rogers and Beekay Co. (successor to Texas, Inc.)	Colorado Interstate Gas Co., a division of Colorado Interstate Corp., Moen-Lavigne Area, Beaver County, Okla.	Contract 3-16-59 u; Amendment 4-29-57 u.		3	1
C105-532 A 1-22-60 u	Estate of W. G. Rogers and Beekay Co. (successor to Texas, Inc.)	Transwestern Pipeline Co., storage in Hansford County, Tex.	Supplemental agreement 3-1-57		3	3
C105-533 A 1-22-60 u	Estate of W. G. Rogers and Beekay Co. (successor to Texas, Inc.)	Transwestern Pipeline Co., storage in Hansford County, Tex.	Assignment 11-6-67 u.		3	3
C105-534 (G105-534) B 3-5-60	Commonwealth Gas Corp.	United Fuel Gas Co., Poca District, Kanawha County, W. Va.	Contract 4-5-57 u; Supplemental agreement 5-16-67		4	1
C105-535 (G105-535) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Assignment 10-16-67 u; Letter agreement 3-5-60 u		4	2
C105-536 (G105-536) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Contract 10-25-58; Compliance 3-27-60 u		3	1
C105-537 (G105-537) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Contract 1-13-60; Letter agreement 3-17-60 u		24	1
C105-538 (G105-538) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Compliance 3-17-60 u		24	1
C105-539 (G105-539) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Compliance 3-17-60 u		24	1
C105-540 (G105-540) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Compliance 3-17-60 u		24	1
C105-541 (G105-541) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Compliance 3-17-60 u		24	1
C105-542 (G105-542) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Compliance 3-17-60 u		24	1
C105-543 (G105-543) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Compliance 3-17-60 u		24	1
C105-544 (G105-544) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Compliance 3-17-60 u		24	1
C105-545 (G105-545) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Compliance 3-17-60 u		24	1
C105-546 (G105-546) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Compliance 3-17-60 u		24	1
C105-547 (G105-547) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Compliance 3-17-60 u		24	1
C105-548 (G105-548) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Compliance 3-17-60 u		24	1
C105-549 (G105-549) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Compliance 3-17-60 u		24	1
C105-550 (G105-550) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Compliance 3-17-60 u		24	1
C105-551 (G105-551) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Compliance 3-17-60 u		24	1
C105-552 (G105-552) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Compliance 3-17-60 u		24	1
C105-553 (G105-553) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Compliance 3-17-60 u		24	1
C105-554 (G105-554) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Compliance 3-17-60 u		24	1
C105-555 (G105-555) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Compliance 3-17-60 u		24	1
C105-556 (G105-556) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Compliance 3-17-60 u		24	1
C105-557 (G105-557) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Compliance 3-17-60 u		24	1
C105-558 (G105-558) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Compliance 3-17-60 u		24	1
C105-559 (G105-559) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Compliance 3-17-60 u		24	1
C105-560 (G105-560) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Compliance 3-17-60 u		24	1
C105-561 (G105-561) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Compliance 3-17-60 u		24	1
C105-562 (G105-562) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Compliance 3-17-60 u		24	1
C105-563 (G105-563) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Compliance 3-17-60 u		24	1
C105-564 (G105-564) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Compliance 3-17-60 u		24	1
C105-565 (G105-565) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Compliance 3-17-60 u		24	1
C105-566 (G105-566) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Compliance 3-17-60 u		24	1
C105-567 (G105-567) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Compliance 3-17-60 u		24	1
C105-568 (G105-568) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Compliance 3-17-60 u		24	1
C105-569 (G105-569) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Compliance 3-17-60 u		24	1
C105-570 (G105-570) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Compliance 3-17-60 u		24	1
C105-571 (G105-571) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Compliance 3-17-60 u		24	1
C105-572 (G105-572) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Compliance 3-17-60 u		24	1
C105-573 (G105-573) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Compliance 3-17-60 u		24	1
C105-574 (G105-574) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Compliance 3-17-60 u		24	1
C105-575 (G105-575) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Compliance 3-17-60 u		24	1
C105-576 (G105-576) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Compliance 3-17-60 u		24	1
C105-577 (G105-577) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Compliance 3-17-60 u		24	1
C105-578 (G105-578) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Compliance 3-17-60 u		24	1
C105-579 (G105-579) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Compliance 3-17-60 u		24	1
C105-580 (G105-580) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Compliance 3-17-60 u		24	1
C105-581 (G105-581) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Compliance 3-17-60 u		24	1
C105-582 (G105-582) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Compliance 3-17-60 u		24	1
C105-583 (G105-583) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Compliance 3-17-60 u		24	1
C105-584 (G105-584) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Compliance 3-17-60 u		24	1
C105-585 (G105-585) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Compliance 3-17-60 u		24	1
C105-586 (G105-586) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Compliance 3-17-60 u		24	1
C105-587 (G105-587) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Compliance 3-17-60 u		24	1
C105-588 (G105-588) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Compliance 3-17-60 u		24	1
C105-589 (G105-589) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Compliance 3-17-60 u		24	1
C105-590 (G105-590) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Compliance 3-17-60 u		24	1
C105-591 (G105-591) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Compliance 3-17-60 u		24	1
C105-592 (G105-592) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Compliance 3-17-60 u		24	1
C105-593 (G105-593) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Compliance 3-17-60 u		24	1
C105-594 (G105-594) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Compliance 3-17-60 u		24	1
C105-595 (G105-595) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Compliance 3-17-60 u		24	1
C105-596 (G105-596) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Compliance 3-17-60 u		24	1
C105-597 (G105-597) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Compliance 3-17-60 u		24	1
C105-598 (G105-598) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Compliance 3-17-60 u		24	1
C105-599 (G105-599) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Compliance 3-17-60 u		24	1
C105-600 (G105-600) B 3-5-60	Elaine Hart et al.	Transwestern Pipeline Co., storage in Hansford County, Tex.	Compliance 3-17-60 u		24	1

See footnotes at end of table.

- ¹ Applicant states willingness to accept permanent authorization at 15 cents including tax reimbursement for the newly dedicated acreage.
- ² Contract rate is 15 cents plus 0.015-cent tax reimbursement; however, Applicant proposes a rate of 17 cents subject to upward and downward B.T.U. adjustment.
- ³ Court decree by which Applicants acquired their interests.
- ⁴ Assigns acreage from Amex Petroleum Corp. to Applicant.
- ⁵ Basic contract between buyer and Texaco, Inc.; on file as Texaco, Inc. FPC GRS No. 148.
- ⁶ From Texaco, Inc. to Applicant.
- ⁷ Basic contract between buyer and Marathon Oil Co.; on file as Marathon Oil Co. FPC GRS No. 31.
- ⁸ From Marathon Oil Co. to Applicant.
- ⁹ Eliminates indefinite pricing provisions.
- ¹⁰ Complies with temporary certificate issued Mar. 14, 1969; Applicant states willingness to accept a permanent certificate conditioned to the ultimate disposition of the proceeding in Docket No. R-338.
- ¹¹ Deletes acreage previously dedicated to Sinclair Oil Corp. contract dated Mar. 15, 1962; on file as Sinclair's FPC GRS No. 251.
- ¹² Complies with temporary certificate issued Mar. 14, 1969; Applicant states willingness to accept a permanent certificate at 15 cents.
- ¹³ Other sales covered under the certificate in Docket No. G-6125; therefore, said certificate will be terminated only insofar as it pertains to Commonwealth Gas Corp. FPC GRS No. 5.
- ¹⁴ Basic contract between James H. Helland and buyer; currently on file as James H. Helland FPC GRS No. 3.
- ¹⁵ Transfers acreage from James Helland to James W. Staples to a depth of 4,900 feet.
- ¹⁶ By letter dated Mar. 21, 1969, Applicant expressed willingness to accept a permanent certificate conditioned to the area ceiling rate of 15 cents plus B.T.U. adjustment in lieu of the initial contract rate of 16 cents plus B.T.U. adjustment.
- ¹⁷ Provides for 100 percent take-or-pay of seller's part of daily contract quantity with 5-year makeup period and a 75-125 percent swing in daily takes; daily contract quantity is 45,000 Mcf during 1969, 1970, and 1971; 30,000 Mcf during 1972-74; 15,000 Mcf during 1975-78 and 10,000 Mcf during 1979-88.
- ¹⁸ Contract provides for an initial base rate of 19.5 cents plus tax reimbursement; however, Applicant has expressed willingness to accept a permanent certificate at an initial rate of 17 cents including tax reimbursement which is equal to the initial service ceiling for the Oklahoma Panhandle Area.

Suggested agreement and undertaking:

BEFORE THE FEDERAL POWER COMMISSION
(Name of Respondent) Docket No.
AGREEMENT AND UNDERTAKING OF (NAME OF
RESPONDENT) TO COMPLY WITH REFUNDING
AND REPORTING PROVISIONS OF SECTION
154.102 OF THE COMMISSION'S REGULATIONS
UNDER THE NATURAL GAS ACT

(Name of Respondent) hereby agrees and undertakes to comply with the refunding and reporting provisions of section 154.102 of the Commission's regulations under the Natural Gas Act insofar as they are applicable to the proceeding in Docket No. _____, and has caused this agreement and undertaking to be executed and sealed in its name by a duly authorized officer this _____ day of _____ 196____.

(Name of Respondent)

By _____

Attest:

[F.R. Doc. 69-6236; Filed, May 28, 1969;
8:45 a.m.]

[Docket No. E-7484]

BLACK HILLS POWER AND LIGHT CO.

Notice of Application

MAY 21, 1969.

Take notice that on May 19, 1969, an Application was filed with the Federal Power Commission pursuant to section 204 of the Federal Power Act by Black Hills Power and Light Co. (Applicant), a corporation organized under the laws of the State of South Dakota and doing business in the States of South Dakota, Wyoming, and Montana, with its principal business office at Rapid City, S. Dak., seeking an order authorizing the issuance of \$5 million principal amount of First Mortgage Bonds, Series O. Applicant proposes to issue and sell the aforesaid Series O First Mortgage Bonds, to be dated June 1, 1969, and to mature June 1, 1999, at a negotiated price of 100 percent of principal amount, and an interest rate of 7.80 percent. The aforesaid Series O First Mortgage Bonds will be sold by Applicant through its agent, Eastman Dillon, Union Securities & Co., to eight institutions. The fee to be paid by Applicant to Eastman Dillon, Union Securities & Co. for its services

and expenses in securing purchasers for the proposed Bonds, negotiating the sale thereof, and the rates and provisions pertaining thereto is the sum of \$20,000. Such bonds will be secured by and issued under Applicant's indenture of mortgage and deed of trust to The Hanover Bank, as trustee (presently Manufacturers Hanover Trust Co. through merger with Manufacturers Trust), dated as of September 1, 1941, as supplemented and amended by various supplemental indentures to and including the supplemental indenture dated as of May 1, 1963 and by a proposed supplemental indenture to be dated as of June 1, 1969. The new bonds cannot be refunded out of proceeds from the issuance of securities at an interest rate lower than interest rate of the bonds for a period of 5 years.

Applicant states that it proposes to use the proceeds from the sale of the First Mortgage Bonds, Series O, for payment of additions and improvements to its properties, including the repayment of interim bank loans obtained for such purposes. Applicant's construction program for the year ending October 31, 1969, estimated at \$4,966,935, includes the completion of a 20,000 kw. steam turbine generator unit at its Wyodak plant and a 35-mile, 69 kv. transmission line from Colony, Wyo. to Alzada, Mont.

Any person desiring to be heard or to make any protest with reference to said application should on or before June 9, 1969, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-6344; Filed, May 28, 1969;
8:45 a.m.]

[Docket No. CP64-76]

EL PASO NATURAL GAS CO.

Notice of Petition To Amend

MAY 22, 1969.

Take notice that on May 14, 1969, El Paso Natural Gas Co. (Petitioner), Post Office Box 1492, El Paso, Tex. 79999, filed in Docket No. CP64-76 a petition to amend the order issued in said docket as part of the Commission's Opinion 500 issued July 26, 1966 (36 F.P.C. 176) by requesting that certain facilities that Petitioner has constructed and installed be authorized in lieu of the facilities authorized in the aforementioned order, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

By the aforementioned order of July 26, 1966, Petitioner was authorized to construct and operate various natural gas transmission facilities and appurtenances as part of a major pipeline expansion program. Petitioner states in the instant filing that certain changes were necessary when actual construction of the proposed facilities was carried out due to changes in locations of gas wells, inability to acquire certain materials, and incorrect estimates of the transmission system's needs.

Petitioner states that the revisions to the authorized facilities resulted in no appreciable increase in the total capacity of its Southern Mainline System.

Any person desiring to be heard or to make any protest with reference to said application should on or before June 19, 1969, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-6345; Filed, May 28, 1969;
8:45 a.m.]

[Docket No. E-7417]

IOWA POWER AND LIGHT CO.

Notice of Application

MAY 22, 1969.

Take notice that on May 19, 1969, Iowa Power and Light Co. (Applicant) of Des Moines Iowa, filed an application seeking authority pursuant to section 204 of the Federal Power Act to increase to \$34 million the amount of short-term promissory notes authorized to be issued, of which aggregate amount up to \$17 million may be in the form of commercial paper, and to extend to no later than

September 30, 1970, the final maturity date of notes authorized to be issued under the Commission's order of June 27, 1968, and the supplemental order issued August 13, 1968, in Docket No. E-7417. In that order and supplemental order the Commission authorized Applicant to issue up to \$25 million short-term promissory notes, of which aggregate amount up to \$10 million could be in the form of commercial paper, with final maturities no later than September 30, 1969.

Applicant is incorporated under the laws of the State of Iowa with its principal business office at Des Moines, Iowa, and is engaged in the electric and gas utility businesses within the State of Iowa.

The notes are to be issued from time to time to banking institutions and/or sold through commercial paper dealers.

Notes to banking institutions will be issued in accordance with various informal lines of credit agreements. The notes are to have maturities of not more than 180 days from their dates and in any event on or before September 30, 1970, and are to bear interest at the prime rate in effect at the time of issuance.

Commercial paper will be issued as unsecured promissory notes through established commercial paper dealers. Commercial paper notes are to have maturities of not more than 270 days from their dates and in any event on or before September 30, 1970, and the interest rate will be dependent upon the terms of the notes and money market conditions at the time of issuance.

The proceeds from the issuance of notes will be used as interim financing of the Applicant's construction program to September 30, 1970, which is estimated to total \$27,147,000. The increase in authorization to \$34 million and the extension of 1 year to September 30, 1970, will allow Applicant more freedom in selecting the most appropriate time to go into the market with new permanent financing.

Any person desiring to be heard or to make any protest with reference to said application should on or before June 13, 1969, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-6346; Filed, May 28, 1969; 8:45 a.m.]

[Docket No. CP69-44]

MICHIGAN WISCONSIN PIPE LINE CO.

Notice of Motion To Amend

MAY 22, 1969.

Take notice that on May 15, 1969, Michigan Wisconsin Pipe Line Co. (Michigan Wisconsin), 1 Woodward Avenue, Detroit, Mich. 48226, filed in Docket No. CP69-44 a motion to amend the Commission's order issued January 17, 1969, in said docket by authorizing the installation of different size compressor units in lieu of those heretofore authorized in this proceeding, all as more fully set forth in the motion to amend which is on file with the Commission and open to public inspection.

The order of January 17, 1969, among other things, authorized Michigan Wisconsin to construct and operate certain facilities in order to meet the increased peak day requirements of its customers commencing in the fall of 1969. Included in the facilities authorized were single 7,500 horsepower reciprocating compressor units at the Cottage Grove and Portland Compressor Stations. Michigan Wisconsin states that the most economical proposal for the unit at Cottage Grove was submitted by an engine manufacturer whose unit carries a nominal rating of 7,800 horsepower. Accordingly, Michigan Wisconsin requests authority to construct and operate one 7,800 horsepower unit at Cottage Grove in lieu of the 7,500 horsepower unit heretofore authorized. Michigan Wisconsin states further that the most economical proposal for the additional compression at the Portland Station was submitted by an engine manufacturer which does not manufacture a 7,500 horsepower class unit. In lieu of such a unit, it was proposed to install two 5,950 horsepower units. However, the motion indicates that in recognition of the fact that this proposal would result in the installation of more horsepower than Michigan Wisconsin requires at this time, the manufacturer agreed that Michigan Wisconsin would now pay for only the equivalent of a 7,500 horsepower unit, with the balance being deferred until such time as Michigan Wisconsin requires the additional horsepower which time is estimated to be in 1971. Accordingly, Michigan Wisconsin requests authorization to construct and operate two 5,950 horsepower compressor units at the Portland Station in lieu of the 7,500 horsepower unit heretofore authorized.

Any person desiring to be heard or to make any protest with reference to said application should on or before June 19, 1969, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be

taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-6347; Filed, May 28, 1969; 8:45 a.m.]

FEDERAL RESERVE SYSTEM

FIRST NATIONAL CHARTER CORP.

Notice of Application for Approval of Acquisition of Shares of Banks

Notice is hereby given that application has been made to the Board of Governors of the Federal Reserve System, pursuant to section 3(a) (1) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a) (1)), by First National Charter Corp., Kansas City, Mo., for prior approval of the Board of action whereby Applicant would become a bank holding company through the acquisition of 80 percent or more of the voting shares of The First National Bank of Kansas City, Kansas City, Mo., and of 51 percent or more of the voting shares of Leawood National Bank of Kansas City, Kansas City, Mo.

Section 3(c) of the Act, as amended: Provides, That the Board shall not approve (1) any acquisition or merger or consolidation under this section which would result in a monopoly, or which would be in furtherance of any combination or conspiracy to monopolize or to attempt to monopolize the business of banking in any part of the United States, or (2) any other proposed acquisition or merger or consolidation under this section whose effect in any section of the country may be substantially to lessen competition, or to tend to create a monopoly, or which in any other manner would be in restraint of trade, unless it finds that the anticompetitive effects of the proposed transaction are clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served.

Section 3(c) further provides that, in every case, the Board shall take into consideration the financial and managerial resources and future prospects of the company or companies and the banks concerned, and the convenience and needs of the community to be served.

Not later than thirty (30) days after the publication of this notice in the FEDERAL REGISTER, comments and views regarding the proposed acquisition may be filed with the Board. Communications should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551. The application may be inspected at the

office of the Board of Governors or the Federal Reserve Bank of Kansas City.

Dated at Washington, D.C., this 23d day of May 1969.

By order of the Board of Governors.

[SEAL] ELIZABETH L. CARMICHAEL,
Assistant Secretary.

[F.R. Doc. 69-6351; Filed, May 28, 1969;
8:45 a.m.]

INTERAGENCY TEXTILE ADMINISTRATIVE COMMITTEE

CERTAIN COTTON TEXTILES AND COTTON TEXTILE PRODUCTS PRO- DUCED OR MANUFACTURED IN MALAYSIA

Entry and Withdrawal From Warehouse for Consumption

MAY 23, 1969.

On May 22, 1969, the U.S. Government, in furtherance of the objectives of, and under the terms of, the Long-Term Arrangement Regarding International Trade in Cotton Textiles, done at Geneva on February 9, 1962, including Article 6(c) thereof relating to nonparticipants, informed the Government of Malaysia that it was renewing for an additional 12-month period beginning May 24, 1969, and extending through May 23, 1970, the restraint on imports into the United States of cotton textiles in Category 22, produced or manufactured in Malaysia. Pursuant to Annex B, paragraph 3, of the Long-Term Arrangement the level of restraint for this 12-month period is 5 percent greater than the level of restraint applicable to this category for the preceding 12-month period.

There is published below a letter of May 23, 1969, from the Chairman of the President's Cabinet Textile Advisory Committee to the Commissioner of Customs, directing that the amount of cotton textiles in Category 22, produced or manufactured in Malaysia, which may be entered or withdrawn from warehouse for consumption in the United States for the 12-month period beginning May 24, 1969, be limited to the designated level.

STANLEY NEHMER,
Chairman, Interagency Textile
Administrative Committee,
and Deputy Assistant Secre-
tary for Resources.

PRESIDENT'S CABINET TEXTILE ADVISORY
COMMITTEE

COMMISSIONER OF CUSTOMS,
Department of the Treasury,
Washington, D.C. 20226.

MAY 23, 1969.

DEAR MR. COMMISSIONER: Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, including Article 6(c) thereof relating to nonparticipants, and in accordance with the procedures outlined in Executive Order 11052 of September 28, 1962, as amended by Executive

Order 11214 of April 7, 1965, you are directed to prohibit, effective May 24, 1969, and for the 12-month period extending through May 23, 1970, entry into the United States for consumption and withdrawal from warehouse for consumption, of cotton textiles in Category 22, produced or manufactured in Malaysia, in excess of a level of restraint for the period of 242,550 square yards.

In carrying out this directive, entries of cotton textiles in Category 22, produced or manufactured in Malaysia, which have been exported to the United States from Malaysia prior to May 24, 1969, shall, to the extent of any unfilled balances, be charged against the level of restraint established for such goods during the period May 24, 1968, through May 23, 1969. In the event that the above level of restraint has been exhausted by previous entries, such goods shall be subject to the directives set forth in this letter.

A detailed description of Category 22 in terms of T.S.U.S.A. numbers was published in the FEDERAL REGISTER on January 17, 1968 (33 F.R. 582), and amendments thereto on March 15, 1968 (33 F.R. 4600).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of Malaysia and with respect to imports of cotton textiles and cotton textile products from Malaysia have been determined by the President's Cabinet Textile Advisory Committee to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the notice provisions of 5 U.S.C. 553 (Supp. II, 1965-66). This letter will be published in the FEDERAL REGISTER.

Sincerely,

MAURICE H. STANS,
Secretary of Commerce, Chairman,
President's Cabinet Textile Ad-
visory Committee.

[F.R. Doc. 69-6376; Filed, May 28, 1969;
8:47 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 1-3909]

BSF CO.

Order Suspending Trading

MAY 23, 1969.

The capital stock (66 $\frac{2}{3}$ cents par value) and the 5 $\frac{1}{4}$ 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 May 25, 1969, through June 3, 1969, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 69-6361; Filed, May 28, 1969;
8:46 a.m.]

CAPITOL HOLDING CORP. Order Suspending Trading

MAY 23, 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 May 25, 1969, through June 3, 1969, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 69-6362; Filed, May 28, 1969;
8:46 a.m.]

[812-2489]

EATON & HOWARD BALANCED FUND

Notice of Filing of Application for Exemption

MAY 23, 1969.

Notice is hereby given that Eaton & Howard Balanced Fund ("applicant"), 24 Federal Street, Boston, Mass. 02110, a common law trust existing under the laws of Massachusetts registered under the Investment Company Act of 1940 ("Act") as an open-end, diversified management investment company, has filed an application pursuant to section 6(c) of the Act requesting an order of the Commission exempting from the provisions of section 22(d) of the Act a transaction in which applicant's redeemable securities will be issued at a price other than the current public offering price described in the prospectus, in exchange for substantially all of the assets of the Mutual Bankers Corp. ("Mutual").

All interested persons are referred to the application on file with the Commission for a statement of applicant's representations which are summarized below.

Mutual, a Delaware corporation, is an investment company, all of the outstanding stock of which is owned by 19 stockholders, and is exempt from registration under the Act by reason of the provisions of section 3(c)(1) thereof. Pursuant to an agreement between applicant and Mutual, substantially all of the cash and securities owned by Mutual, with a value of approximately \$4,921,698 as of January 17, 1969, will be transferred to applicant in exchange for shares of its capital stock. The shares of applicant are to be sold at net asset value. The number of shares of applicant to be issued is to be determined by dividing the aggregate market value (with certain adjustments as set forth in detail in the application) of the assets of Mutual to be transferred to applicant by the net asset value per share of applicant both to be determined as of a valuation time, as defined in the agreement. If the valuation under the agreement had taken place on January 17, 1969, Mutual would have received 400,001 shares of applicant's stock.

When received by Mutual, the shares of applicant, which are registered under the Securities Act of 1933, are to be distributed to the Mutual stockholders on the liquidation of Mutual. Applicant has been advised by the management of Mutual that the stockholders of Mutual have no present intention of redeeming any of applicant's shares following the proposed transaction.

There is no affiliation between applicant and Mutual. Mutual is not an affiliated person of any affiliated person of applicant, and the agreement was negotiated at arm's length by the two companies. Applicant's Board of Trustees approved the agreement as being beneficial to its shareholders, because among other things, applicant will be able to acquire at one time substantial additions to its portfolio securities without affecting the market in those securities and without incurring brokerage commissions.

Section 22(d) of the Act provides that registered investment companies issuing redeemable securities may sell their shares only at the current public offering price as described in the prospectus. The current public offering price of the shares (redeemable) of applicant as described in applicant's prospectus is net asset value plus a sales charge. Thus, section 22(d) prohibits the proposed sale of applicant's shares at net asset value without a sales charge.

Section 6(c) permits the Commission, upon application, to exempt such a transaction if it finds that such an exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Applicant contends that the proposed offering of its stock will comply with the provisions of the Act other than section 22(d) and submits that the granting of the application is necessary and appropriate

in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than June 9, 1969 at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 69-6363; Filed, May 28, 1969;
8:46 a.m.]

TELSTAR, INC.

Order Suspending Trading

MAY 23, 1969.

It appearing to the Securities and Exchange Commission 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 May 25, 1969, through June 3, 1969, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 69-6364; Filed, May 28, 1969;
8:46 a.m.]

TOP NOTCH URANIUM AND MINING CORP.

Order Suspending Trading

MAY 22, 1969.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Top Notch Uranium and Mining Corp. (a Utah corporation) and all other securities of Top Notch Uranium and Mining Corp. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

It is ordered, Pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period May 23, 1969, through June 1, 1969, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 69-6365; Filed, May 28, 1969;
8:46 a.m.]

UNITED AUSTRALIAN OIL, INC.

Order Suspending Trading

MAY 23, 1969.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of United Australian Oil, Inc., Dallas, Tex., and all other securities of United Australian Oil, Inc., being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

It is ordered, Pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period May 26, 1969, through June 4, 1969, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 69-6366; Filed, May 28, 1969;
8:46 a.m.]

TARIFF COMMISSION

[337-23]

FREEZE DRIED COFFEE

Notice of Investigation and Date of Hearing

A complaint was filed with the Tariff Commission on December 19, 1968, by Struthers Scientific and International Corp. of New York, N.Y., alleging unfair methods of competition and unfair acts in the importation and sale of freeze dried coffee by General Foods Corp. of

White Plains, N.Y. and possibly others, which unfair methods or acts have the effect or tendency to substantially injure, or prevent the establishment of, an industry in the United States in violation of the provisions of section 337 of the Tariff Act of 1930 (19 U.S.C. 1337). Complainant alleges, inter alia, that General Foods Corp.:

(a) Has engaged in unfair acts and unfair methods of competition by the importation and sale in the United States of freeze dried coffee which is produced by a foreign manufacturer in accordance with the claims of U.S. Letters Patent No. 3,381,302 and/or No. 3,404,007 owned by the complainant;

(b) Has engaged in unfair acts and unfair methods of competition by the importation and sale in the United States of freeze dried coffee manufactured abroad in misuse of trade secrets that were obtained for use in only certain domestic production of the freeze dried coffee, and has engaged in other unfair acts in the importation of freeze dried coffee;

(c) Has caused complainant to suffer injury by virtue of repeated acts of such unfair competition in the importation and sale of freeze dried coffee.

Having conducted in accordance with § 203.3 of the Commission's rules of practice and procedure (19 CFR 203.3) a preliminary inquiry with respect to the matters alleged in the said complaint, the U.S. Tariff Commission, on the 14th of May, ordered:

(1) That, for the purposes of section 337 of the Tariff Act of 1930, an investigation is instituted with respect to the alleged violations in the importation and sale in the United States of freeze dried coffee.

(2) A public hearing in connection with the investigation to be held in the Hearing Room of the Tariff Commission Building, Eighth and E Streets NW., Washington, D.C., beginning at 10 a.m., e.d.s.t., on July 22, 1969, at which hearing all parties concerned will be afforded an opportunity to be present, to produce evidence, and to be heard concerning the subject matter of the investigation.

The Commission is not at this time recommending that a temporary exclusion order be issued.

Public notice of the receipt of the complaint was published in the FEDERAL REGISTER for January 23, 1969 (34 F.R. 1091), and the complaint was served on the party named in the complaint and others and has been available for inspection by interested persons continuously since issuance of the notice, at the office of the Secretary located in the Tariff Commission Building, and also in the New York City Office of the Commission located in Room 437 of the Customhouse.

Interested parties desiring to appear and give testimony at the hearing should notify the Secretary of the Commission in

writing at least 5 days in advance of the opening of the hearing.

By order of the Commission.

Issued: May 26, 1969.

[SEAL]

DONN N. BENT,
Secretary.

[F.R. Doc. 69-6380; Filed, May 28, 1969;
8:47 a.m.]

[337-22]

TRACTOR PARTS

Notice of Investigation and Date of Hearing

A complaint was filed with the Tariff Commission on November 1, 1968, by Albert Levine Associates of Jamaica, N.Y., alleging unfair methods of competition and unfair acts in the importation and sale of certain crawler tractor parts, which unfair methods or acts have the effect or tendency to restrain or monopolize trade and commerce in the United States in violation of the provisions of section 337 of the Tariff Act of 1930 (19 U.S.C. 1337). Complaint alleges, inter alia, that the partnerships, corporations, or associations hereinafter named through their respective officers and agents:

(a) Have all participated in and acted in unlawful combinations or conspiracies in restraint of the trade and commerce in certain imported tractor parts in the United States;

(b) Have all participated in a joint and collaborate action and agreement whereby the foreign manufacturer and the U.S. importer-distributors conspired to and did effect a complete boycott and cutting off of complainant and others from importing and selling certain tractor parts in the United States.

Those partnerships, corporations, and associations alleged to be engaged in the activities in violation of section 337 hereinafter described include:

Bertoni & Cotti S.p.A. Officine Meccaniche of Copparo, Ferrara, Italy.
Jackson Tractor Parts Co., Inc. of Jackson, Miss.

Tupes of Saginaw, Inc., of Saginaw, Mich.
Wilson Parts and Equipment Co. of Raleigh, N.C.

Shaul Equipment and Supply Co. of Le Moyne, Pa.

Burgman Supply Co. of Jacksonville, Fla.
Seaboard Equipment Co., Inc., of Westbury, N.Y.

International Steel Products, Inc., and/or Tru-Rol Co., Inc., of Baltimore, Md.

Having conducted in accordance with § 203.3 of the Commission's rules of practice and procedure (19 CFR 203.3), a preliminary inquiry with respect to the matters alleged in the said complaint, the U.S. Tariff Commission, on the 14th day of May 1969, ordered:

(1) That, for the purposes of section 337 of the Tariff Act of 1930, an investigation is instituted with respect to the alleged violations in the importation and sale in the United States of tractor parts produced by Bertoni & Cotti of Italy.

(2) A public hearing in connection with the investigation to be held in the Hearing Room of the Tariff Commission Building, Eighth and E Streets NW., Washington, D.C., beginning at 10 a.m., e.d.s.t., on July 15, 1969, at which hearing all parties concerned will be afforded an opportunity to be present, to produce evidence, and to be heard concerning the subject matter of the investigation.

The Commission is not at this time recommending that a temporary exclusion order be issued.

Public notice of the receipt of the complaint was published in the FEDERAL REGISTER for December 17, 1968 (33 F.R. 18638), and the complaint was served on the parties named in the complaint and has been available for inspection by interested persons continuously since issuance of the notice, at the office of the Secretary located in the Tariff Commission Building, and also in the New York City Office of the Commission located in Room 437 of the Customhouse.

Interested parties desiring to appear and give testimony at the hearing should notify the Secretary of the Commission in writing at least 5 days in advance of the opening of the hearing.

Issued: May 26, 1969.

By order of the Commission.

[SEAL]

DONN N. BENT,
Secretary.

[F.R. Doc. 69-6381; Filed, May 28, 1969;
8:48 a.m.]

DEPARTMENT OF LABOR

Wage and Hour Division

CERTIFICATES AUTHORIZING EMPLOYMENT OF FULL-TIME STUDENTS WORKING OUTSIDE SCHOOL HOURS AT SPECIAL MINIMUM WAGES IN RETAIL OR SERVICE ESTABLISHMENTS OR IN AGRICULTURE

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 20 U.S.C. 201 et seq.), the regulation on employment of full-time students (29 CFR Part 519), and Administrative Order No. 595 (31 F.R. 12981), the establishments listed in this notice have been issued special certificates authorizing the employment of full-time students working outside of school hours at hourly wage rates lower than the minimum wage rates otherwise applicable under section 6 of the act. The effective and expiration dates are as indicated below. The minimum certificate rates are not less than 85 percent of the applicable statutory minimum.

The following certificates provide for an allowance not to exceed the proportion of the total hours worked by full-time students at rates below \$1 an hour to the total number of hours worked by

all employees in the establishment during the base period in occupations of the same general classes in which the establishment employed full-time students at wages below \$1 an hour in the base period.

A & R Food Store, Inc., foodstores from 2-15-69 to 2-14-70; 930 Oxmoor Road, Birmingham, Ala.; 202 Seventh Street South, Clanton, Ala.

Ace Tailors, apparel store; 323 23d Street, Galveston, Tex.; 2-25-69 to 2-24-70.

Ackemann Brothers, Inc., department store; 168 East Highland Avenue, Elgin, Ill.; 2-16-69 to 2-15-70.

Aero Pharmacy, Inc., drugstore; 2100 Oremus Road, Middle River, Md.; 2-3-69 to 1-31-70.

Allen's Big Star, foodstore; Corner Second Avenue and Sixth Street North, Amory, Miss.; 2-3-69 to 2-2-70.

Alta Foodland, foodstore; Alta, Iowa; 2-26-69 to 2-25-70.

B & B Super Service, foodstore; 103 Victoria Street, Kenedy, Tex.; 2-27-69 to 2-26-70.
Regel Baker's IGA Food Store, foodstore; Highway 79, McKenzie, Tenn.; 2-20-69 to 2-19-70.

E. W. Banks Co., department store; 20-22 North Jackson, Forsyth, Ga.; 2-26-69 to 2-25-70.

Becker's Super Valu, foodstore; Morgan, Minn.; 2-12-69 to 2-11-70.

Ben Franklin Store, variety store; 200 East Main Street, Anamosa, Iowa; 2-5-69 to 2-4-70.

Bernhardt Hardware, Inc., hardware store; 113 North Main Street, Salisbury, N.C.; 2-3-69 to 1-31-70.

Best Food Store, foodstore; 4737 Marlboro Pike, Coral Hills, Md.; 2-10-69 to 2-9-70.

Big Bee Market, foodstore; Marysville, Pa.; 2-10-69 to 2-9-70.

Bob's Grocery, foodstore; 200 First Avenue NE, Cairo, Ga.; 2-7-69 to 1-31-70.

Brestwoode Inn, restaurant; 1410 East 23d, Fremont, Neb.; 2-13-69 to 2-12-70.

Browns Market, foodstore; 3117 East 13th, Wichita, Kans.; 2-13-69 to 2-12-70.

Burke Pharmacy, Inc., drugstore; 1812 North Cleburn, Grand Island, Neb.; 2-26-69 to 2-25-70.

Cambridge Nursing Home, Inc., nursing home; 548 West First Street, Cambridge, Minn.; 3-1-69 to 2-28-70.

Canfield Co., department store; George West, Tex.; 2-14-69 to 2-13-70.

Carmel Home, nursing home; 2501 Old Hartford Road, Owensboro, Ky.; 2-27-69 to 2-26-70.

Carney's variety store; 128 South Main Street, Marysville, Ohio; 2-25-69 to 2-24-70.

Carson Pirie Scott & Co., department store; 1520 Fifth Avenue, Moline, Ill.; 3-1-69 to 2-28-70.

Carter Brothers, agriculture; 709 North First Street, Rolling Fork, Miss.; 2-17-69 to 2-16-70.

Chambers Super Market, foodstore; Wink, Tex.; 2-27-69 to 2-26-70.

Cherokee Food Town, Inc., foodstore; 427 Cherokee Boulevard, Chattanooga, Tenn.; 2-24-69 to 2-23-70.

Colorado Drumstick, Inc., restaurants from 2-26-69 to 2-25-70; 6301 East Colfax Avenue, Denver, Colo.; 6501 West Colfax Avenue, Denver, Colo.; 1490 South Colorado Boulevard, Denver, Colo.; 4095 South Santa Fe Drive, Englewood, Colo.; 74 Federal Boulevard, Westminster, Colo.

Conoco Cafe, restaurant; Grand Island, Neb.; 2-21-69 to 2-20-70.

Cornerstone Farm & Gin Co., agriculture; Pine Bluff, Ark.; 3-1-69 to 2-28-70.

Cosentino Brothers Market, foodstore; 4300 Blue Ridge Boulevard, Kansas City, Mo.; 2-14-69 to 2-13-70.

Costa's Super Market, foodstore; 323 Water Street, Smethport, Pa.; 2-3-69 to 2-2-70.

Craft's Drug Store, drugstores from 3-1-69 to 2-28-70; No. 5, Gaffney, S.C.; Nos. 1, 2, 3, and 4, Spartanburg, S.C.

D & L Market, foodstore; 201 Main Street, Forreston, Ill.; 2-10-69 to 2-9-70.

Denny's Department Store, department store; 420-422 Gallatin Street, Vandalia, Ill.; 2-27-69 to 2-26-70.

The Diamonds, restaurant; Villa Ridge, Mo.; 2-13-69 to 2-12-70.

Dickson's, hardware store; 201 East Chambers Street, Cleburne, Tex.; 2-27-69 to 2-25-70.

Dillon Companies, Inc., foodstores from 2-24-69 to 2-23-70; Nos. 2 and 12, Dodge City, Kans.; No. 15, Garden City, Kans.; Nos. 3 and 20, Great Bend, Kans.; No. 22, Greensburg, Kans.; No. 23, Lyons, Kans.; No. 17, McPherson, Kans.; No. 32, Mulvane, Kans.; No. 6 and 24, Newton, Kans.; No. 21, Pratt, Kans.; No. 11, St. John, Kans.; Nos. 5, 27, and 41, Salina, Kans.; No. 7, Sterling, Kans.; Nos. 4, 18, 19, 26, 28, 29, 30, 31, 33, 36, and 42, Wichita, Kans.

Dow-Rummel Village, nursing home; 1000 North Lake Avenue, Sioux Falls, S. Dak.; 2-27-69 to 2-26-70.

Drake-Mangrum Super Market, foodstore; Batesville, Miss.; 2-16-69 to 2-15-70.

Dutch's Shopping Mart, foodstore; No. 1, Ada, Okla.; 2-26-69 to 2-25-70.

Erdman Supermarkets, foodstore; Chatfield, Minn.; 2-21-69 to 2-20-70.

Eschbach Music House, music store; 302 Main Street, Ames, Iowa; 2-7-69 to 2-6-70.

Farmers Trading Post, foodstore; Salem, S. Dak.; 2-19-69 to 2-18-70.

Ferri Super Market, Inc., foodstore; Old William Penn Highway, Murrysville, Pa.; 2-9-69 to 2-8-70.

Fischer's Colonial Pharmacy, drugstore; Publix Shopping Center, Kendallville, Ind.; 2-6-69 to 2-5-70.

Food Fair Super Market, foodstore; 890 Second Street, Macon, Ga.; 2-21-69 to 2-20-70.

Foodland, foodstore; Lexington, Okla.; 2-12-69 to 2-11-70.

John Francis Restaurant, restaurant; 7148 West 80th Street, Overland Park, Kans.; 2-5-69 to 2-4-70.

Frank's Inc., foodstore; 113 West McCord Avenue, Albertville, Ala.; 2-5-69 to 2-4-70.

Giant Food Market, foodstores from 3-1-69 to 2-28-70; No. 6, Bristol, Tenn.; No. 7, Elizabethton, Tenn.; Nos. 2 and 4, Johnson City, Tenn.; No. 3, Kingsport, Tenn.

Gibson General Hospital, Inc., hospital; Trenton, Tenn.; 2-11-69 to 2-10-70.

Wm. Y. Gilmore & Sons, Inc., department store; 137 North Oak Park Avenue, Oak Park, Ill.; 2-14-69 to 2-13-70.

Goldblatt Brothers, Inc., department store; 3149 North Lincoln Avenue, Chicago, Ill.; 2-26-69 to 2-25-70.

Graham's Department Store, Inc., department store; 124-126 South Main Street, Red Springs, N.C.; 2-19-69 to 1-31-70.

Grand Pacific Hotel, hotel; 205 North Fourth Street, Bismarck, N. Dak.; 2-13-69 to 2-12-70.

W. T. Grant Co., variety store; No. 265, Kansas City, Mo.; 2-10-69 to 2-9-70.

John Gray and Son Big Star, foodstore; No. 8, Memphis, Tenn.; 2-15-69 to 2-14-70.

Handy Andy, Inc., foodstores from 2-14-69 to 2-13-70; Nos. 131 and 132, Austin, Tex.; Nos. 41, 42, and 43, Corpus Christi, Tex.; Nos. 1, 2, 4, 5, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22, and 23, San Antonio, Tex.

Harold W. Hardy Super Market, Inc., foodstore; Shepherdsville, Ky.; 2-13-69 to 2-12-70.

Harmon Food Center, foodstore; Lake Mills, Iowa; 2-13-69 to 2-12-70.

Harrods Thrift Market, foodstore; 320 North White Street, Athens, Tenn.; 2-25-69 to 2-24-70.

Hayden House, Inc., restaurant; Eppley Airfield, Omaha, Neb.; 2-28-69 to 2-27-70.
Henderson Rexall Drugs, drugstore; 270 Delta Avenue, Clarksdale, Miss.; 2-26-69 to 2-25-70.

Holcomb Pharmacy, drugstore; 1209 Second Street, Perry, Iowa; 2-28-69 to 2-27-70.

Hollywood Market, Inc., foodstore; 2458 Chelsea, Memphis, Tenn.; 2-7-69 to 2-6-70.

Holzapfel Brothers, department store; 162 Columbus Avenue, Sandusky, Ohio; 2-19-69 to 2-18-70.

Hooka Foods, Inc., foodstores; Grundy Center, Iowa, 2-23-69 to 2-22-70; Reinbeck, Iowa, 2-21-69 to 2-20-70.

Howland-Hughes Co., department store; 120-140 Bank Street, Waterbury, Conn.; 3-1-69 to 2-28-70.

Hudson's Big Country Store, Inc., department store; Coalgate, Okla.; 2-27-69 to 2-26-70.

Joe's Party Store, party supply store; 8320 West Davison, Detroit, Mich.; 2-20-69 to 2-19-70.

John's Market, foodstore; 838 North Fourth, Big Rapids, Mich.; 2-20-69 to 2-19-70.

Johnson Department Store, department store; Main Street, Jamestown, Tenn.; 2-13-69 to 2-12-70.

Johnson's Super Market, foodstore; Mountain Home, Ark.; 2-12-69 to 2-11-70.

Kay Baum, Inc., apparel store; 166 West Maple, Birmingham, Mich.; 2-19-69 to 2-18-70.

Kewanee Public Hospital, hospital; 719 Kewanee Street, Kewanee, Ill.; 3-1-69 to 2-28-70.

Kirssin's Department Store, Inc., department store; 32 East King Street, Shippensburg, Pa.; 2-24-69 to 2-23-70.

S. S. Kresge Co., variety-department store; 2-6-69 to 2-5-70 except as otherwise indicated; No. 717, Atlanta, Ga. (2-21-69 to 2-20-70); No. 2258, Indianapolis, Ind.; No. 117, Terre Haute, Ind.; No. 588, Youngstown, Ohio (2-15-69 to 2-14-70).

Landers Brothers Co., foodstore; Nowata, Okla.; 2-27-69 to 2-26-70.

Langhorne Pharmacy, Inc., drugstore; 220 West Main Street, Salem, Va.; 2-3-69 to 2-2-70.

Lesman's Market, Inc., foodstore; 119 East Paterson Street, Kalamazoo, Mich.; 2-6-69 to 2-5-70.

Liberty Cash, foodstore; No. 42, Winona, Miss.; 2-18-69 to 2-17-70.

Long's Market, Inc., foodstore; 43 Abbott Avenue, Roxboro, N.C.; 2-5-69 to 1-31-70.

Loolie's IGA, foodstore; 113 North Main, George, Iowa; 2-7-69 to 2-6-70.

Lumbard-Leschinski Studio, camera store; 109 East Third Street, Grand Island, Neb.; 2-5-69 to 2-4-70.

Manly Drug, drugstore; 621 G Avenue, Grundy Center, Iowa; 2-19-69 to 2-18-70.

Marsh's, Inc., drugstore; 30 Seventh Avenue, St. Cloud, Minn.; 2-16-69 to 2-15-70.

J. E. Mayes, agriculture; Mayesville, S.C.; 2-12-69 to 2-11-70.

McClains, foodstore; Shepherd, Tex.; 2-25-69 to 2-24-70.

McNeely IGA Store, foodstore; Geary, Okla.; 2-18-69 to 2-17-70.

S. P. McRae Co., Inc., department stores from 2-6-69 to 2-5-70; 200 West Capitol Street, Jackson, Miss.; 905 Ellis Avenue, Jackson, Miss.; 353 Meadowbrook Road, Jackson, Miss.

Mecca Convalescent Home of Mecca, Inc., nursing home; 190 Southwest U.S. No. 1, Vero Beach, Fla.; 2-20-69 to 2-19-70.

- Louis Menotti Food Store, foodstore; 1502 Moody, Galveston, Tex.; 2-3-69 to 2-2-70.

Messer Drug Co., drugstore; 2 East Peoria, Paola, Kans.; 2-28-69 to 2-27-70.

Micka's Market, Inc., foodstore; 199 Cole Road, Monroe, Mich.; 2-27-69 to 2-26-70.

Miller Drug Store, Inc., drugstore; 2309 Como Avenue, St. Paul, Minn.; 2-5-69 to 2-4-70.

Millers Fairway, foodstore; Maple Plain, Minn.; 2-10-69 to 2-9-70.

Miller's Supermarket, Inc., foodstore; 702 South Main, Moab, Utah; 2-13-69 to 2-12-70.

Minimax, foodstores from 3-1-69 to 2-26-70; 209 East Main Street, Edna, Tex.; No. 1, Liberty, Tex.; 1137 East Ninth Street, Mission, Tex.

Moore's Super Market, foodstore; 1326 Vultee Boulevard, Nashville, Tenn.; 3-1-69 to 2-28-70.

Morey's Clothes Shop, apparel store; 620 Fourth Street, Sioux City, Iowa; 2-2-69 to 2-1-70.

G. C. Murphy Co., variety-department stores from 2-13-69 to 2-12-70; No. 216, McConnellsburg, Pa.; No. 217, Mercersburg, Pa.

J. J. Newberry Co., variety-department stores; No. 157, Keyport, N.J.; 2-24-69 to 2-23-70; No. 27, Coatesville, Pa.; 3-1-69 to 2-28-70.

Newman Park Pharmacy, Inc., drugstore; 401 East 103d, Chicago, Ill.; 2-26-69 to 2-25-70.

Nicholas Drug Store, Inc., drugstore; 123 West Third Street, Grand Island, Nebr.; 2-28-69 to 2-27-70.

Bob Nolan's Super Market, Inc., foodstore; 1029 South Sixth Street, Paducah, Ky.; 2-16-69 to 2-15-70.

O'Brien's Drugs, drugstore; 11856 South Western Avenue, Chicago, Ill.; 2-26-69 to 2-25-70.

Osborn Market, foodstore; Miller, S. Dak.; 2-17-69 to 2-16-70.

Park 'N Shop Food Mart, Inc., foodstores; 301 Robeson Street, Fayetteville, N.C.; 3-1-69 to 2-28-70; East Broad Street, St. Pauls, N.C.; 2-24-69 to 2-23-70.

Parkway Super Market, Inc., foodstore; 111 Pfaff Street, St. Albans, W. Va.; 3-1-69 to 2-28-70.

Pence Food Center, Inc., foodstore; Highway 59 North, Garnett, Kans.; 2-5-69 to 2-4-70.

Piggly Wiggly, foodstores from 2-28-69 to 2-27-70 except as otherwise indicated: Dunlap Avenue, Guntersville, Ala. (2-24-69 to 2-23-70); Heflin, Ala. (2-3-69 to 2-2-70); 111 South Pearl Street, Carthage, Miss.; 300 Southeast Washington, Idabel, Okla.; 707 West Main Street, Clarksville, Tex.; 1322 North Main, Cleburne, Tex. (1-18-69 to 1-17-70); Washington and Bonham, Commerce, Tex.; 1310 11th Street, Huntsville, Tex.; New Boston, Tex. (2-27-69 to 2-26-70); Nos. 2, 3, 4, and 5, Waco, Tex.; Grundy, Va. (2-24-69 to 2-23-70).

Powell's Red and White, foodstore; St. Stephen, S.C.; 2-10-69 to 1-31-70.

Powers Market, foodstore; 301 Hillsboro Highway, Manchester, Tenn.; 2-15-69 to 2-14-70.

Pratho's, department store; Giddings, Tex.; 3-1-69 to 2-28-70.

Preston Poultry and Feed, agriculture; Reedsville, W. Va.; 3-1-69 to 2-28-70.

Fruett's Food Town, Inc., foodstores from 2-24-69 to 2-23-70; 2108 East Third Street, Chattanooga, Tenn.; Daisy, Tenn.

Raymond's Clothes Shop, apparel store; 614 Fourth Street, Sioux City, Iowa; 2-2-69 to 2-1-70.

Richardsons Super Food Market, foodstore; Estes Park, Colo.; 2-12-69 to 2-11-70.

Rickaby IGA Market, foodstore; Stephenson, Mich.; 2-18-69 to 2-17-70.

Rite-Way Foodliners, Inc., foodstore; 315 East Eufrata Street, Norman, Okla.; 3-1-69 to 2-28-70.

Rollings Jewelry Co., jewelry store; 623 Main Street, Hattiesburg, Miss.; 2-11-69 to 2-10-70.

S & M Super Market, foodstore; 935 Broad Street, Camden, S.C.; 2-27-69 to 2-26-70.

St. Joseph Hospital of the Plains, hospital; 602 West Sixth Street North, Cheyenne Wells, Colo.; 2-21-69 to 2-20-70.

St. Louis Hospital, hospital; 324 School Street, Berlin, N.H.; 3-1-69 to 2-28-70.

Samhat Brothers Food Mart, foodstore; 27222 Grand River, Detroit, Mich.; 2-18-69 to 2-17-70.

Scallah's Super Mart, foodstore; Marks-ville, La.; 2-3-69 to 2-2-70.

Schulenberg's Super Valu, Inc., foodstore; Wells, Minn.; 2-3-69 to 2-2-70.

Sekel's Department Store, department store; McCloud, Okla.; 2-12-69 to 2-11-70.

Shadid's Food Store, foodstore; 2918 North Pennsylvania, Oklahoma City, Okla.; 2-28-69 to 2-27-70.

Shaver's Food Mart, foodstores from 3-1-69 to 2-28-70; 7206 North 30th Street, Omaha, Nebr.; 2615 South 90th Street, Omaha, Nebr.; 4232 Redman Avenue, Omaha, Nebr.

Sherry Hardware, hardware store; 1716 West Fourth Street, Davenport, Iowa; 2-17-69 to 2-16-70.

Sholor Thrifty Foods, foodstore; First Avenue, Cairo, Ga.; 2-7-69 to 1-31-70.

Shop Rite, Inc., foodstores from 2-28-69 to 2-27-70; Lafayette Road, Fort Oglethorpe, Ga.; Ringgold, Ga.

Silvy's Food Market, foodstore; 1202 West Ponca, Ponca City, Okla.; 2-17-69 to 2-16-70.

Singmon-Valentine Market, Inc., foodstore; 511 East 135th, Kansas City, Mo.; 2-26-69 to 2-25-70.

Snyder's, department store; Winslow, Ind.; 2-10-69 to 2-9-70.

Spendthrift Farm, agriculture; Lexington, Ky.; 3-1-69 to 2-28-70.

Spurgeon's, department stores; East Side of Square, Canton, Ill.; 2-26-69 to 2-25-70; 413 Chestnut Street, Atlantic, Iowa; 2-17-69 to 2-16-70; 112-114 North Main Street, Charles City, Iowa; 2-5-69 to 1-23-70; 117 East Second Street, Muscatine, Iowa; 2-5-69 to 1-31-70.

Stephensons Big Star, foodstore; 4625 Poplar, Memphis, Tenn.; 3-1-69 to 2-28-70.

Sturm's Youth World, apparel store; 535 Main Street, Oak Ridge, Tenn.; 2-4-69 to 2-3-70.

The Sumter Dry Goods Co., Inc., department store; 1 South Main Street, Sumter, S.C.; 2-24-69 to 2-23-70.

Super Drive Ins., foodstores from 2-19-69 to 2-18-70; No. 3, Clarksville, Tenn.; No. 1, Nashville, Tenn.

Sutton Super Market, foodstore; Williamsburg, Ky.; 2-15-69 to 2-14-70.

T & E Tractor Co., farm implement store; Seguin, Tex.; 2-3-69 to 2-2-70.

T. G. & Y. Stores Co., variety-department stores; No. 223, Baton Rouge, La.; 2-28-69 to 2-27-70; No. 150, Kansas City, 3-1-69 to 2-28-70.

Taylor Drug Store, drugstore; G-5543 Richfield Road, Flint, Mich.; 2-28-69 to 2-27-70.

Tom Thumb Stores, Inc., foodstores from 2-24-69 to 2-23-70; No. 58, Cleburne, Tex.; Nos. 1, 2, 3, 4, 5, 7, 11, 12, 15, 17, 18, 21, and 22, Dallas, Tex.; No. 57, Gainesville, Tex.

E. W. Thomson Drug Co., Inc., drugstore; 119 West South First Street, Delhi, La.; 2-12-69 to 2-11-70.

Tomlinson Stores, Inc., department store; 155 North Dargan Street, Florence, S.C.; 2-27-69 to 2-26-70.

Tull Drug Co., drugstore; 6 West Ohio Street, Butler, Mo.; 2-19-69 to 2-18-70.

Union Grocery Co., Inc., foodstore; Gary, W. Va.; 2-13-69 to 2-12-70.

Variety Foods, foodstore; 44th and South Walker, Oklahoma City, Okla.; 2-27-69 to 2-26-70.

Victoria Pharmacy, drugstore; Victoria, Tex.; 2-14-69 to 2-13-70.

Warren's IGA Supermarket, foodstore; Medford, Okla.; 2-18-69 to 2-17-70.

Wehner's IGA, foodstore; Sharon Springs, Kans.; 2-6-69 to 2-5-70.

Welch's Red & White, foodstore; Charleston, S.C.; 2-11-69 to 1-31-70.

Weskota Manor, nursing home; Wessington Springs, S. Dak.; 2-24-69 to 2-23-70.

Westgate Pharmacy, drugstore; Norfolk, Nebr.; 2-19-69 to 2-18-70.

P. Wiest's Sons, department store; 14-20 West Market Street, York, Pa.; 2-10-69 to 2-9-70.

Wineland's IGA Foodliner, Inc., foodstore; 403 East Christiana Street, Martinsburg, Pa.; 2-25-69 to 2-24-70.

F. W. Woolworth Co., variety-department store; No. 43, Wilmington, Del.; 2-5-69 to 2-4-70.

Young's Food Market, foodstore; 614 North Mechanic, El Campo, Tex.; 2-27-69 to 2-26-70.

The following certificates were issued to establishments relying on the base-year employment experience of other establishments, either because they came into existence after the beginning of the applicable base year or because they did not have available base-year records. The certificates permit the employment of fulltime students at rates of not less than 85 percent of the statutory minimum in the classes of occupations listed, and provide for the indicated monthly limitations on the percentage of full-time student hours of employment at rates below the applicable statutory minimum to total hours of employment of all employees.

A & R Food Store, Inc., foodstores for the occupations of stock clerk, produce clerk, meat clerk, carryout, 19 to 25 percent, 2-15-69 to 2-14-70; Brent, Ala.; Calera, Ala.; Selma, Ala.

Ashcraft Market, foodstore; 202 East Cedar Street, Gladwin, Mich.; stock clerk, carryout; 15 to 27 percent; 2-7-69 to 2-6-70.

Boogaart Super Market, foodstore; 516 Fifth Street, Fairbury, Nebr.; carryout, clerk, maintenance; 17 to 38 percent; 2-14-69 to 2-13-70.

Carson Pirlie Scott & Co., department store; 3232 Lake Avenue, Wilmette, Ill.; salesclerk; stock clerk, wrapper; 2 to 6 percent; 3-1-69 to 2-28-70.

Craft's Drug Store, drugstores for the occupation of salesclerk, 8 percent, 3-1-69 to 2-28-70; No. 10, Greer, S.C.; Nos. 6 and 9, Spartanburg, S.C.

Crook's Food Mart, foodstore; Senola, Ga.; stock clerk, checker, bagger, produce clerk, janitorial; 26 to 31 percent; 2-14-69 to 2-13-70.

DeBroeck's Big Star Market, foodstore; 400 Dix Road, Jefferson City, Mo.; cashier, clerk, carryout, wrapper, maintenance, meat cutter; 11 to 32 percent; 3-1-69 to 2-28-70.

Dillon Cos., Inc., foodstores for the occupations of cashier, checker, carryout, clerk, wrapper, maintenance, 11 to 32 percent except as otherwise indicated, 2-24-69 to 2-23-70; No. 101, Fayetteville, Ark.; No. 103, Ozark, Ark.; No. 102, Paris, Ark.; No. 104, Prairie Grove, Ark.; No. 49, Lawrence, Kans. (8 to 28 percent); No. 76, Manhattan, Kans. (8 to 28 percent); No. 78, Topeka, Kans. (8 to 28 percent); No. 75, Valley Center, Kans.; Nos. 35 and 72, Wichita, Kans. (9 to 17 percent); No. 77, Wichita, Kans. (11 to 30 percent).

Dutch's Shopping Mart, foodstore; No. 2, Ada, Okla.; stock clerk, package clerk, clean-up; 11 to 22 percent; 2-26-69 to 2-25-70.

Erdman Supermarket, Inc., foodstores for the occupations of checker, stock clerk, carryout, clean-up, 10 percent except as otherwise

indicated, 2-21-69 to 2-20-70 except as otherwise indicated: 19 Second Avenue NW., Kasson, Minn. (5 to 8 percent); 404 Fourth Street SE., Rochester, Minn. (2-24-69 to 2-23-70); 1402 North Broadway, Rochester, Minn. (2-24-69 to 2-23-70); 1652 Highway 52 North, Rochester, Minn.

Giant Food Market, foodstores for the occupations of stock clerk, cashier, carryout, 20 to 22 percent, 3-1-69 to 2-28-70; No. 12, Greenville, Tenn.; No. 10, Johnson City, Tenn.; No. 9, Kingsport, Tenn.; No. 11, Morristown, Tenn.

W. T. Grant Co., variety stores for the occupation of salesclerk except as otherwise indicated, 3-1-69 to 2-28-70 except as otherwise indicated: No. 687, Decatur, Ill., 2 to 13 percent (salesclerk, stock clerk, cashier, 2-8-69 to 2-7-70); No. 1243, Houlton, Maine, 0 to 10 percent (2-10-69 to 2-9-70); No. 1018, Fargo, N. Dak., 3 to 16 percent (salesclerk, stock clerk, cleaner, checker, 2-19-69 to 11-7-69); Replacement, No. 63, Hazelton, Pa., 9 to 44 percent (salesclerk, cashier, office clerk, stock clerk); No. 90, Pottsville, Pa., 8 to 19 percent.

Handy Andy, Inc., foodstores for the occupations of stock clerk, product clerk, bottle sorter, bakery salesclerk, office cashier, checker, packager, porter, dairy stock clerk, 27 percent except as otherwise indicated, 2-14-69 to 2-13-70; Nos. 33 and 134, Austin, Tex.; No. 44, Corpus Christi, Tex.; Nos. 3, 24, 26, and 27, San Antonio, Tex.; No. 25, San Antonio, Tex. (31 percent).

Hunts Store, foodstores for the occupations of stock clerk, packager, 11 to 14 percent, 2-24-69 to 2-23-70; Nos. 408, 409, and 432, Dallas, Tex.

Huntsville Grocery Co., Inc., foodstore; 1310 Avenue L, Huntsville, Tex.; stock clerk, checker, sacker, clerk; 10 percent; 2-28-69 to 2-27-70.

Kay Baum, Inc., apparel stores for the occupation of stock clerk, 4 to 21 percent, 2-19-69 to 2-18-70; Liberty at Thompson, Ann Arbor, Mich.; 16822 Kercheval, Detroit, Mich.; 1550 Woodward Avenue, Detroit, Mich.

Kelloff's Food Market, Inc., foodstore; Antioch, Colo.; stock clerk, carryout; 4 to 28 percent; 2-20-69 to 2-19-70.

S. S. Kresge Co., variety-department stores for the occupations of salesclerk, stock clerk, checker-cashier, maintenance except as otherwise indicated: No. 4039, South Bend, Ind., 10 percent, 2-7-69 to 2-6-70 (salesclerk, stock clerk, checker-cashier, office clerk); No. 4020, Detroit, Mich., 10 percent, 2-27-69 to 2-26-70; No. 246, Grand Rapids, Mich., 3 to 11 percent, 2-28-69 to 2-27-70; No. 4038, Saginaw, Mich., 10 percent, 2-6-69 to 2-5-70; No. 4022, Grand Forks, N. Dak., 6 to 14 percent, 2-11-69 to 2-9-69 (salesclerk, stock clerk, checker-cashier, office clerk); No. 4153, Cincinnati, Ohio, 7 to 22 percent, 2-3-69 to 2-2-70 (salesclerk, stock clerk, checker-cashier, maintenance, office clerk); No. 4175, Canton, Ohio, 6 to 17 percent, 2-24-69 to 2-23-70; No. 721, Anderson, S.C., 11 to 22 percent, 2-2-69 to 2-1-70 (salesclerk); No. 4246, Chattanooga, Tenn., 2 to 17 percent, 2-20-69 to 2-19-70 (salesclerk, office clerk, checker-cashier, stock clerk, maintenance); No. 4161, Dallas, Tex., 7 to 27 percent, 2-4-69 to 2-3-70 (salesclerk); No. 553, Hampton, Va., 0 to 32 percent, 2-3-69 to 2-2-70 (salesclerk, stock clerk, office clerk, checker-cashier, maintenance); No. 4084, Lynchburg, Va., 3 to 10 percent, 2-10-69 to 2-9-70 (salesclerk).

Kuhn Brothers Co., Inc., variety-department store; No. 54, Kingsport, Tenn.; salesclerk, stock clerk, office clerk; 4 to 15 percent; 2-18-69 to 2-17-70.

Land of Oz Grocery, foodstore; 126 East Main Street, Yukon, Okla.; sacker, carryout, stock clerk, checker; 15 percent; 2-14-69 to 2-13-70.

LeCarl Market, foodstore; 2300 Hilton, Ferndale, Mich.; carryout, cleanup; 8 to 18 percent; 2-21-69 to 2-20-70.

Lineville IGA Food Store, foodstore; Lineville, Ala.; stock clerk, bagger, checker, wrapper, janitorial; 17 to 32 percent; 2-7-69 to 2-6-70.

Little Store, foodstore; West Sullivan Street, Kingsport, Tenn.; carryout, cashier, stock clerk; 20 to 22 percent; 3-1-69 to 2-28-70.

McCrary-McLellan-Green Stores, variety-department stores for the occupations of sales clerk, stock clerk, office clerk except as otherwise indicated: No. 338, Fort Lauderdale, Fla., 13 to 27 percent, 2-5-69 to 1-31-70; No. 258, St. Petersburg, Fla., 4 to 15 percent, 2-11-69 to 2-10-70 (salesclerk, office clerk, stock clerk, porter); No. 269, Munster, Ind., 7 to 16 percent, 3-1-69 to 2-28-70; No. 264, Augusta, Maine, 19 to 36 percent, 2-15-69 to 2-14-70; No. 398, Feasterville, Pa., 11 to 26 percent, 3-1-69 to 2-28-70; No. 284, Stephenville, Tex., 18 to 39 percent, 2-11-69 to 2-10-70 (salesclerk, stock clerk).

Minimax, foodstore; Highway 124, Winnie, Tex.; sacker, carryout, stock clerk; 11 to 16 percent; 3-1-69 to 2-28-70.

Minyard Food Stores, Inc., foodstores for the occupation of package clerk, 11 to 16 percent except as otherwise indicated, 2-20-69 to 2-19-70; Nos. 12 and 20, Arlington, Tex.; Nos. 1, 2, 4, 6, 8, 10, 11, 14, 15, 18, and 19, Dallas, Tex.; Nos. 22 and 23, Dallas, Tex. (11 to 19 percent); Nos. 3 and 17, Irving, Tex.; No. 9, Lancaster, Tex.; No. 16, Lewisville, Tex.; No. 7, Mesquite, Tex.

Moore's Super Market, foodstores for the occupations of stock clerk, sacker, 8 percent, 3-1-69 to 2-28-70; Hermitage Hill, Hermitage, Tenn.; 157 Lafayette Street, Nashville, Tenn.

Morgan & Lindsey, Inc., variety-department stores for the occupations of salesclerk, stock clerk, office clerk, 2-5-69 to 2-4-70; No. 3079, Abbeville, La., 4 to 22 percent; No. 3075, Silsbee, Tex., 10 to 27 percent.

Newman Pharmacy, Inc., drugstore; 14201 Chicago Road, Dolton, Ill.; stock clerk, clerk, cashier, delivery clerk, records clerk; 19 to 25 percent; 2-26-69 to 2-25-70.

Newman's, apparel store; 4027 Franklin Street, Michigan City, Ind.; office clerk, stock clerk, marker, fitting-room checker; 8 to 9 percent; 2-3-69 to 2-2-70.

Piggly Wiggly, foodstores for the occupations of checker, stock clerk, sacker, clerk except as otherwise indicated, 10 percent except as otherwise indicated, 2-28-69 to 2-27-70 except as otherwise indicated: No. 21, Texarkana, Ark.; Town and Country Shopping Center, Pikeville, Ky. (sacker, carryout, stock clerk, 20 to 32 percent, 2-24-69 to 2-23-70); No. 45, Hampton, S.C. (sacker, checker, market clerk, 2-11-69 to 8-11-69); Highway 6 and Rosemary, Bryan, Tex.; 407 South Main, Henderson, Tex.; 532 Commerce Street, Jacksonville, Tex.; No. 10, Rockdale, Tex.; No. 11, Temple, Tex.; No. 19, Texarkana, Tex.; Nos. 6, 8, and 9, Waco, Tex.; Williamson, W. Va. (sacker, carryout, stock clerk, 20 to 32 percent, 2-24-69 to 2-23-70).

Pikes Peak Drumstick, Inc., restaurant; 1104 South Circle Drive, Colorado Springs, Colo.; waiter (waitress), busboy (girl), counter helper, kitchen helper, host (hostess), takeout clerk; 38 to 63 percent; 2-25-69 to 2-24-70.

Pruett's Food Town, Inc., foodstores for the occupation of sacker, 10 percent, 2-24-69 to 2-23-70 except as otherwise indicated: No. 4, Dayton, Tenn.; 5738 Ringgold Road, East Ridge, Tenn.; 4852 Hixson Pike, Hixson, Tenn. (2-26-69 to 2-25-70).

Rayless Department Store, variety-department store; 3621 Dayton Boulevard, Chattanooga, Tenn.; cleanup, salesclerk, stock clerk, office clerk, marker; 13 to 34 percent; 2-12-69 to 2-11-70.

Rose's Stores, Inc., variety-department stores from 11 to 27 percent: No. 95, Forest City, N.C., salesclerk, 2-5-69 to 1-31-70; No. 117, Kinston, N.C., salesclerk, checker, 2-15-69 to 2-14-70.

Scott Foods Inc., foodstore; Onelda, Tenn.; bagger, meat clerk, produce clerk, stock clerk; 19 to 26 percent; 3-1-69 to 2-28-70.

Shaver's Food Mart, foodstores for the occupation of carryout, 10 to 27 percent, 3-1-69 to 2-28-70; 169 Bennett Avenue, Council Bluffs, Iowa; 133 West Broadway, Council Bluffs, Iowa; 3813 South 27th Street, Lincoln, Neb.; 101 South Poplar, Millard, Neb.; 139 South 40th Street, Omaha, Neb.; 1937 South 42d Street, Omaha, Neb.; 5739 North 60th Street, Omaha, Neb.; 1420 South 60th Street, Omaha, Neb.; 8005 Blondo Street, Omaha, Neb.; 7820 Dodge Street, Omaha, Neb.; 4110 Grover Street, Omaha, Neb.; 4001 Harrison Street, Omaha, Neb.; 7803 Military Avenue, Omaha, Neb.; 7591 Main Street, Ralston, Neb.

Shop Rite, Inc., foodstores for the occupations of stock clerk, bagger, 10 percent, 2-28-69 to 2-27-70 except as otherwise indicated: Chatsworth, Ga.; West Vallanow Street, La Fayette, Ga.; South Commerce Street, Summerville, Ga. (3-1-69 to 2-28-70).

Spurgeon's, department store; 816 Fifth Avenue, Antigo, Wis.; salesclerk, stock clerk, janitorial, marker, receiving clerk; 8 to 15 percent; 2-26-69 to 2-25-70.

Sterling Stores Co., Inc., variety store; Albert Pike Shopping Center, Hot Springs, Ark.; salesclerk, stock clerk, cleanup; 6 to 22 percent; 2-6-69 to 2-5-70.

Style Shop of Elkhart, Inc., apparel store; 420 South Main Street, Elkhart, Ind.; office clerk, stock clerk, marker, fitting-room checker; 8 to 9 percent; 2-3-69 to 2-2-70.

T. G. & Y. Stores Co., variety-department stores for the occupations of salesclerk, stock clerk, office clerk: No. 1601, Prichard, Ala., 15 to 30 percent, 2-28-69 to 2-27-70; No. 1200, Little Rock, Ark., 11 to 30 percent, 2-28-69 to 2-27-70; No. 1800, Denver, Colo., 19 to 30 percent, 2-15-69 to 2-14-70; No. 316, Baton Rouge, La., 6 to 22 percent, 2-28-69 to 2-27-70; No. 827, Clovis, N. Mex., 13 to 24 percent, 2-13-69 to 2-12-70; No. 10, Ada, Okla., 20 to 30 percent, 2-28-69 to 2-27-70; No. 1000, Miami, Okla., 20 to 30 percent, 2-15-69 to 2-14-70; No. 448, Tulsa, Okla., 24 to 30 percent, 2-5-69 to 2-4-70; Nos. 471, 472, and 473, Tulsa, Okla., 24 to 30 percent, 2-8-69 to 2-7-70; Nos. 813 and 821, Houston, Tex., 30 percent, 3-1-69 to 2-28-70; No. 739, Kilgore, Tex., 30 percent, 3-1-69 to 2-28-70; No. 762, Marshall, Tex., 30 percent, 3-1-69 to 2-28-70.

Tom Thumb Stores, Inc., foodstores for the occupation of package clerk, 9 to 13 percent, 2-24-69 to 2-23-70; Nos. 8, 10, 23, 27, 28, 30, 32, 33, 34, and 35, Dallas, Tex.; No. 9, Farmers Branch, Tex.; Nos. 25 and 29, Garland, Tex.; No. 24, Grand Prairie, Tex.; No. 26, Richardson, Tex.

Tomlinson Stores, Inc., department store; West Main Street, Dillon, S.C.; salesclerk, stock clerk, porter; 6 to 20 percent; 2-13-69 to 2-12-70.

Wood's 5 & 10¢ Stores, variety store; West Hudson Street, Fayetteville, N.C.; salesclerk, stock clerk; 9 to 20 percent; 2-3-69 to 2-2-70.

F. W. Woolworth Co., variety-department stores for the occupations of salesclerk, stock clerk, cleanup except as otherwise indicated, 5 to 15 percent except as otherwise indicated, 2-16-69 to 2-15-70 except as otherwise indicated: No. 2418, Aurora, Colo.; No. 2176, Denver, Colo.; No. 599, Virginia, Minn. (salesclerk, cleanup, stock clerk, checker, 3 to 12 percent, 2-19-69 to 2-18-70).

Each certificate has been issued upon the representations of the employer which, among other things, were that

employment of full-time students at special minimum rates is necessary to prevent curtailment of opportunities for employment, and the hiring of full-time students at special minimum rates will not create a substantial probability of reducing the full-time employment opportunities of persons other than those employed under a certificate. The certificates may be annulled or withdrawn, as indicated therein, in the manner provided in Part 528 of Title 29 of the Code of Federal Regulations. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within 30 days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of 29 CFR 519.9.

Signed at Washington, D.C., this 20th day of May 1969.

ROBERT G. GRONEWALD,
Authorized Representative
of the Administrator.

[F.R. Doc. 69-6360; Filed, May 28, 1969;
8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 1298]

MOTOR CARRIER, BROKER, WATER CARRIER, AND FREIGHT FOR- WARDER APPLICATIONS

MAY 23, 1969.

The following applications are governed by Special Rule 1.247¹ of the Commission's general rules of practice (49 CFR, as amended), published in the FEDERAL REGISTER issue of April 20, 1966, effective May 20, 1966. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the FEDERAL REGISTER. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with § 1.247(d)(3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and describing in detail the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and

one copy of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such requests shall meet the requirements of § 1.247(d)(4) of the special rules, and shall include the certification required therein.

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

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

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

No. MC 852 (Sub-No. 4), filed April 18, 1969. Applicant: NORTH SHORE FREIGHT LINES, INC., 202 South 26th Avenue West, Duluth, Minn. 55806. Applicant's representative: A. A. Uzzolo (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities, (1) between Duluth, Minn., and Grand Portage, Minn., over U.S. Highway 61, serving all intermediate points; and (2) between Grand Marais, Minn., and the end of the Gunflint Trail, at or near Sea Gull Lake, Minn., over the Gunflint Trail (County Highway 12), serving all intermediate points and off-route points within 10 miles of the Gunflint Trail, in seasonal operations extending from April through November of each year. Note: If a hearing is deemed necessary, applicant requests it be held at Duluth, Minn., or Grand Marais, Minn.

No. MC 1222 (Sub-No. 34), filed May 14, 1969. Applicant: THE REINHARDT TRANSFER COMPANY, a corporation, 1410 10th Street, Portsmouth, Ohio 45662. Applicant's representative: Robert H. Kinker, 711 McClure Building, Frankfort, Ky. 40601. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Ceramic foam, from Ironton, Portsmouth, and Hamilton Township, Lawrence County, Ohio, to points in Indiana,

Kentucky, West Virginia, that part of Michigan on and south of Michigan Highway 55, and that part of Pennsylvania on and west of U.S. Highway 219. Note: Applicant states that it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 2202 (Sub-No. 370), filed May 8, 1969. Applicant: ROADWAY EXPRESS, INC., 1077 Gorge Boulevard, Post Office Box 471, Akron, Ohio 44309. Applicant's representatives: Douglas Faris, Post Office Box 471, Akron, Ohio 44309, and William O. Turney, 2001 Massachusetts Avenue NW., Washington, D.C. 20036. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment); (1) between Amity Hall, Pa., and Buffalo, N.Y., from Amity Hall over U.S. Highway 15 to Wayland, N.Y., thence over New York Highway 63 to junction U.S. Highway 20 near Bethany, N.Y., thence over U.S. Highway 20 to Buffalo, and return over the same route as an alternate route in connection with applicant's regular route authority, serving no intermediate points and serving Amity Hall for joinder purposes only; and (2) between Amity Hall, Pa., and Rochester, N.Y., over U.S. Highway 15 (also U.S. Highway 15A), as an alternate route in connection with applicant's authorized regular-route operations, serving no intermediate points and serving Amity Hall for joinder purposes only. Note: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 2202 (Sub-No. 371), filed May 12, 1969. Applicant: ROADWAY EXPRESS, INC., 1077 Gorge Boulevard, Post Office Box 471, Akron, Ohio 44309. Applicant's representatives: William O. Turney, 2001 Massachusetts Avenue NW., Washington, D.C. 20036, and Douglas Faris (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Richmond, Va., and the junction Interstate Highway 81 and Virginia Highway 311 near Roanoke, Va.: From Richmond over U.S. Highway 60 to junction Virginia Highway 24, thence over Virginia Highway 24 to junction U.S. Highway 460, thence over U.S. Highway 460 to Lynchburg, Va., thence over Virginia Highway 297 to Bedford, Va., thence over U.S. Highway 460 to Roanoke, Va., thence over Virginia Highway 311 to Interstate Highway 81 and return over the same route as an alternate route serving no intermediate points and serving the junction of Virginia Highway 311 and Interstate Highway 81 for joinder purposes only. Note: If a hearing is

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

deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 2392 (Sub-No. 74), filed May 5, 1969. Applicant: WHEELER TRANSPORT SERVICE, INC., Post Office Box 14248, West Omaha Station, Omaha, Nebr. 68114. Applicant's representative: Donald L. Stern, 630 National Bank Building, Omaha, Nebr. 68101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Furfuryl alcohol*, from Omaha, Nebr., to points in Illinois. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 2607 (Sub-No. 12), filed May 1, 1969. Applicant: L. F. BERRY, doing business as BERRY VAN LINES, 312 North Aurora Street, Easton, Md. 21601. Applicant's representative: Harry C. Ames, Jr., McLachlen Bank Building, Suite 705, Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission; (1) between points in Delaware; (2) between Dover, Del., on the one hand, and, on the other, points in Accomack and Northampton Counties, Va.; (3) between points in Caroline, Cecil, Dorchester, Kent, Queen Annes, Somerset, Talbot, Wicomico, and Worcester Counties, Md. NOTE: Applicant states it does not intend to tack and apparently is willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 2860 (Sub-No. 55), filed May 9, 1969. Applicant: NATIONAL FREIGHT, INC., 57 West Park Avenue, Vineland, N.J. 08360. Applicant's representative: Alvin Altman, 1776 Broadway, New York, N.Y. 10019. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in by wholesale, retail, and chain grocery and food business houses, and, in connection therewith, equipment, materials, and supplies used in the manufacture, production, distribution, and sale of such commodities, restricted against the transportation of commodities in bulk, between Lawnside, Pennsville, and Vineland, N.J., on the one hand, and, on the other, points in Florida, Georgia, and South Carolina.* NOTE: Applicant states it would tack to and from points in the northeastern United States. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., Philadelphia, Pa., or Washington, D.C.

No. MC 2962 (Sub-No. 39), filed May 8, 1969. Applicant: A. & H. TRUCK LINE, INC., 1111 East Louisiana Street, Evansville, Ind. 47717. Applicant's representative: James T. Chandler (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explo-

sives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between junction Indiana Highways 64 and 162 and Jasper, Ind.: From junction Indiana Highways 64 and 162 over Indiana Highway 162 to Jasper, Ind., and return over the same route, serving the termini in connection with carrier's authorized regular-route operations, for the purposes of joinder only, as an alternate route for operating convenience only. NOTE: If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind., or Louisville, Ky.

No. MC 3252 (Sub-No. 58), filed May 1, 1969. Applicant: PAUL E. MERRILL, doing business as MERRILL TRANSPORT CO., 1037 Forest Avenue, Portland, Maine 04104. Applicant's representative: Francis E. Barrett, Jr., Investors Building, 536 Granite Street, Braintree, Mass. 02184. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products* in bulk, in tank vehicles, from Plattsburgh, N.Y., to points in Vermont. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Albany, N.Y., or Montpelier, Vt.

No. MC 7228 (Sub-No. 34), filed May 8, 1969. Applicant: HOME TRANSPORT & STORAGE CO., a corporation, 1960 Southeast 10th Avenue, Portland, Ore. 97214. Applicant's representative: Nick I. Goyak, 1408 Standard Plaza, Portland, Ore. 97204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from points in California to points in Oregon and Washington. NOTE: Applicant states that it presently has authority to transport frozen fruit, frozen berries, and frozen vegetables from points in Santa Clara and Santa Cruz Counties, Calif., to points in Washington under certificate MC 7228 Sub 23, and that if authority applied for herein is granted, it will submit its Sub 23 for reissue revoking duplicate portion of authority. Common control may be involved. Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Portland, Ore., or Seattle, Wash.

No. MC 8948 (Sub-No. 85), filed May 2, 1969. Applicant: WESTERN GILLETTE, INC., 2550 East 28th Street, Los Angeles, Calif. 90058. Applicant's representative: R. Y. Schureman, 1545 Wilshire Boulevard, Los Angeles, Calif. 90017. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, from Phoenix and Tucson, Ariz., to points in Imperial, Los Angeles, Orange, Riverside, San Bernardino, and San Diego Counties, Calif. NOTE: Applicant states it does not intend to tack,

and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif., or Phoenix, Ariz.

No. MC 10173 (Sub-No. 10), filed May 12, 1969. Applicant: MARVIN HAYES LINES, INC., Hayes Circle, Guthrie Highway, Post Office Box 468, Clarksville, Tenn. 37040. Applicant's representative: Charles H. Hudson, Jr., 833 Stahlman Building, Nashville, Tenn. 37201. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those which because of size or weight require the use of special equipment), between Clarksville, Tenn., and Louisville, Ky., from Clarksville over U.S. Highway 79 to Russellville, Ky., thence over U.S. Highway 68 to Bowling Green, Ky., thence over U.S. Highway 31W to Louisville, and return over the same route, serving no intermediate points. NOTE: Applicant will tack, at Clarksville, Tenn., with its presently held authority under MC 10173. Applicant also states that no duplicating authority is being sought. The purpose of this application is to remove the restriction contained in applicant's certificate in Docket No. MC 10173 Sub 6. If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn.

No. MC 11207 (Sub-No. 284), filed May 6, 1969. Applicant: DEATON, INC., 317 Avenue W, Post Office Box 1271, Birmingham, Ala. 35201. Applicant's representative: A. Alvis Layne, Pennsylvania Building, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement asbestos products, conduits and pipe and fittings and accessories necessary to the installation thereof; plastic pipe, fittings, and accessories necessary to the installation thereof; in straight or mixed shipments, from Van Buren, Ark., to points in Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee.* NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Dallas, Tex.

No. MC 11207 (Sub-No. 285), filed May 13, 1969. Applicant: DEATON, INC., 317 Avenue W, Post Office Box 1271, Birmingham, Ala. 35201. Applicant's representative: A. Alvis Layne, Pennsylvania Building, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products, from the plantsite of U.S. Plywood-Champion Paper, Inc., near Courtland, Ala., to points in Florida, Georgia, Kentucky, Louisiana, Mississippi, Tennessee, and Virginia.* NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction

against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga., or Washington, D.C.

No. MC 14552 (Sub-No. 30), filed April 17, 1969. Applicant: J. V. McNICHOLAS TRANSFER COMPANY, a corporation, 555 West Federal Street, Youngstown, Ohio 44501. Applicant's representative: James W. Muldoon, 88 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Frozen foodstuffs*, between Cleveland, Ohio, on the one hand, and, on the other, points in Pennsylvania on and west of U.S. Highway 15. Note: Applicant states it could tack at Cleveland, Ohio, with its presently held authority in MC 14552, and under a combination of regular and irregular route authority it could serve northeastern Ohio, and northwestern Pennsylvania. Applicant presently holds contract carrier authority under MC 123991 and subs thereunder, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 14552 (Sub-No. 34), filed April 23, 1969. Applicant: J. V. McNICHOLAS TRANSFER COMPANY, a corporation, 555 West Federal Street, Youngstown, Ohio 44501. Applicant's representative: James W. Muldoon, 88 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Frozen foodstuffs*, between Cleveland, Ohio, on the one hand, and, on the other, points in West Virginia on and north of a line beginning at the Ohio River, thence east on U.S. Highway 50 to junction U.S. Highway 50 and U.S. Highway 19, thence south on U.S. Highway 19 to junction U.S. Highway 33, thence east on U.S. Highway 33 to junction U.S. Highway 33 and U.S. Highway 219, thence northeast on U.S. Highway 219 to the Maryland-West Virginia State line. Note: Applicant states it intends to tack the sought authority at Cleveland, Ohio, to its presently held authority in MC 14552 (here pertinent), to serve points in Ohio and Pennsylvania. Applicant holds contract carrier authority under MC 123991 and Subs, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 21966 (Sub-No. 2), filed May 14, 1969. Applicant: GLENN W. STOWELL, Leverett Road, R.F.D. No. 3, Amherst, Mass. 01002. Applicant's representative: William L. Mobley, 1694 Main Street, Springfield, Mass. 01103. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer materials*, in bags and in bulk, from Albany, N.Y., to points in Connecticut, Massachusetts, New Hampshire, Rhode Island, and Vermont. Note: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, ap-

plicant requests it be held at Syracuse or Albany, N.Y.

No. MC 22195 (Sub-No. 137), filed May 5, 1969. Applicant: DAN DUGAN TRANSPORT COMPANY, a corporation, 41st and Grange Avenue, Post Office Box 946, Sioux Falls, S. Dak. 57101. Applicant's representative: J. P. Everist (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk; (1) from the storage facilities of Gulf Central Pipeline Co. located at or near Marshalltown, Iowa, to points in Illinois, Iowa, Missouri, Minnesota, and Wisconsin; and (2) from the storage facilities of Central Farmers Fertilizer Co. located at or near Spencer, Iowa, to points in Iowa, Minnesota, North Dakota, Nebraska, South Dakota, and Wisconsin. Note: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn., or Chicago, Ill.

No. MC 22214 (Sub-No. 18), filed May 13, 1969. Applicant: ACCELERATED TRANSPORT-PONY EXPRESS, INC., Fifth and Vine Streets, Sunbury, Pa. 17801. Applicant's representatives: John E. Fullerton, 407 North Front Street, Harrisburg, Pa. 17101, and Russell R. Sage, 421 King Street, Alexandria, Va. 22314. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between Hagerstown, Md., on the one hand, and, on the other, points in Maryland, New Jersey, New York, Pennsylvania, Virginia, West Virginia, and the District of Columbia. Note: The only purpose of this application is to provide an additional gateway at Hagerstown, Md., in connection with applicant's present general commodities authority at MC 22214, between points in Berkeley and Jefferson Counties, W. Va., on the one hand, and, on the other, points in the above-named States. No additional authority is being sought, and applicant will agree to a restriction against tacking the proposed authority with its present authority between Berkeley and Jefferson Counties, W. Va., and the named States to preclude issuance of duplicate authority. Applicant's terminal is located in the Hagerstown commercial area approximately 7 road miles from Berkeley County. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 23441 (Sub-No. 10), filed May 13, 1969. Applicant: LAY TRUCKING COMPANY, INC., 1312 Lake Street, La Porte, Ind. 46350. Applicant's representative: William A. Landau, 1415 East Grand Avenue, Des Moines, Iowa 50306. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Snowmobiles, snow blowers, lawnmowers, yard*

or garden tractors, and accessories, attachments, and parts for snowmobiles, snow blowers, lawnmowers, and yard or garden tractors, from the plantsite and warehouse facilities of Wheel Horse Products, Inc., at or near Des Moines, Iowa, to points in the United States (except Alaska and Hawaii). Note: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 25798 (Sub-No. 188), filed May 11, 1969. Applicant: CLAY HYDER TRUCKING LINES, INC., 502 East Bridgers Avenue, Post Office Box 1186, Auburndale, Fla. 33823. Applicant's representative: Tony G. Russell (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Paper and paper products*, from the plantsite of U.S. Plywood Champion Papers, Inc., near Courtland, Ala., to points in Florida and Missouri. Note: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Cincinnati or Columbus, Ohio.

No. MC 26739 (Sub-No. 63) (Correction), filed April 11, 1969, published in FEDERAL REGISTER issue of May 8, 1969, corrected May 12, 1969, and republished as corrected this issue. Applicant: CROUCH BROS., INC., U.S. Highway 36, Elwood, Kans. 66024. Applicant's representative: George W. Keefer, Post Office Box 1059, St. Joseph, Mo. 64502. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Shenandoah, Iowa, and Lincoln, Nebr., from Shenandoah over Iowa Highway 2 to the Iowa-Nebraska State Line and thence over Nebraska Highway 2 to Lincoln and return over the same route, serving the intermediate points of Sidney, Iowa, and Nebraska City, Nebr., and the off-route points of Farragut, Hamburg, and River-ton, Iowa. Note: The purpose of this republication is to show applicant's name as CROUCH BROS., INC. in lieu of GROUCH BROS., INC. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., or Lincoln, Nebr.

No. MC 29120 (Sub-No. 106), filed May 7, 1969. Applicant: ALL-AMERICAN TRANSPORT, INC., 1500 Industrial Avenue, Sioux Falls, S. Dak. 57101. Applicant's representatives: H. Lauren Lewis (same as above), and David Axelrod, 39 South La Salle, Chicago, Ill. 60603. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and hides and skins), between Sioux Falls, S. Dak., and St.

Louis, Mo.: (a) From Sioux Falls, S. Dak., over Interstate Highway 29 to junction with U.S. Highway 275, thence over U.S. Highway 275 to junction with U.S. Highway 59, thence over U.S. Highway 59 to junction with U.S. Highway 71, thence over U.S. Highway 71 to junction with Interstate Highway 70, thence over Interstate Highway 70 to St. Louis, Mo., and return over the same route, serving no intermediate points, and serving points in Madison and St. Clair Counties, Ill., and Clayton County, Mo., as off-route points; and (b) from Sioux Falls, S. Dak., over Interstate Highway 29 to junction with Interstate Highway 80, thence over Interstate Highway 80 to junction with Iowa Highway 163, thence over Iowa Highway 163 to junction with U.S. Highway 63, thence over U.S. Highway 63 to junction with Interstate Highway 70, thence over Interstate Highway 70 to St. Louis, Mo., and return over the same route, serving no intermediate points, and serving points in Madison and St. Clair Counties, Ill., and Clayton County, Mo., as off-route points. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Sioux Falls, S. Dak.

No. MC 29566 (Sub-No. 132), filed May 2, 1969. Applicant: SOUTHWEST FREIGHT LINES, INC., 1400 Kansas Avenue, Kansas City, Kans. 66105. Applicant's representative: Vernon M. Masters (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from Coffeyville, Kans., to points in Illinois, Iowa, Minnesota, Nebraska, Oklahoma, and Wisconsin. **NOTE:** Applicant controls Direct Transports, Inc., and states it could tack the authority sought herein at St. Joseph, Mo., with Direct Transports, Inc., to render a through service to points in Iowa and Nebraska. This route is circuitous in some instances. Applicant further states that it will accept any restriction deemed necessary by the Commission as a result of the duplicating routes. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., or Wichita, Kans.

No. MC 29910 (Sub-No. 80), filed May 7, 1969. Applicant: ARKANSAS-BEST FREIGHT SYSTEM, INC., 301 South 11th Street, Fort Smith, Ark. 72901. Applicant's representative: Thomas Harper, Post Office Box 43, Fort Smith, Ark. 72901. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Iron and steel articles*, from the plant or warehouse sites of Continental Steel Corp., located in Howard County, Ind., to points in Arkansas, Oklahoma, Texas, Louisiana, and Mississippi; and (2) *materials, equipment, and supplies* used in the manufacture and processing of iron and steel articles, from points in Arkansas,

Oklahoma, Texas, Louisiana, and Mississippi, to the plant and warehouse sites of Continental Steel Corp., located in Howard County, Ind., restricted to traffic originating at or destined to the named origins and destinations in (1) and (2) above, and further restricted against the transportation of commodities in bulk. If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind., or Washington, D.C.

No. MC 30470 (Sub-No. 6), filed April 30, 1969. Applicant: CONSOLIDATED MOTOR FREIGHT, INC., 1411 West Second Street, Post Office Box 947, Hastings, Nebr. Applicant's representative: J. Max Harding, 605 South 14th Street, Post Office Box 2028, Lincoln, Nebr. 68501. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment other than refrigeration, and those injurious or contaminating to other lading); (1) between Holdrege and Maywood, Nebr., over Nebraska Highway 23, serving all intermediate points; and (2) serving points in Nebraska, west of U.S. Highway 281 and south of the Platte and South Platte Rivers as off-route points in connection with applicant's regular routes. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Omaha or Lincoln, Nebr.

No. MC 31389 (Sub-No. 108), filed May 8, 1969. Applicant: McLEAN TRUCKING COMPANY, a corporation, Post Office Box 213, Winston-Salem, N.C. 27102. Applicant's representative: Francis W. McInerney, 1000 16th Street NW., Washington, D.C. 20036. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, household goods as defined by the Commission, classes A and B explosives, commodities in bulk, and those requiring special equipment), serving points in Hancock County, Ky., as off-route territory in connection with applicant's existing regular-route operations between Cincinnati, Ohio, and Fulton, Ky., including those conducted over U.S. Highway 60 between Louisville and Owensboro, Ky. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 31809 (Sub-No. 6), filed May 14, 1969. Applicant: CLAY'S TRANSFER CO., INC., Post Office Box 1131, Rocky Mount, N.C. 27801. Applicant's representative: Chester A. Zyblut, 1522 K Street NW., Washington, D.C. 20005. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Lumber, preengineered structural products*, laminated or not laminated, treated or not treated, including hardware necessary for erection; *roof decking*, laminated or not laminated, treated or not treated; *prefabricated or machined wooden products*, laminated or not laminated, treated or not treated; *boat docks*, (a) between

points in Nash and Edgecombe Counties, N.C., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii); and (b) between points in Wake County, N.C., on the one hand, and, on the other, points in Alabama, Delaware, District of Columbia, Florida, Georgia, Kentucky, Maryland, New Jersey, New York, Ohio, Pennsylvania, South Carolina, Tennessee, Virginia, West Virginia, Connecticut, Maine, Massachusetts, Rhode Island, Vermont, and New Hampshire. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Charlotte, N.C.

No. MC 35320 (Sub-No. 108), filed May 8, 1969. Applicant: TIME-DC, INC., 2598 74th Street, Post Office Box 2550, Lubbock, Tex. 79408. Applicant's representatives: W. D. Benson, Post Office Box 6723, Lubbock, Tex. 79413, and Frank M. Garrison, Post Office Box 2550, Lubbock, Tex. 79408. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, and except dangerous explosives, household goods as defined by the Commission, in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, and commodities requiring special equipment) serving the plantsite of Eastman Kodak Co. near Windsor, Colo., as an off-route point in connection with carrier's present authority to serve Denver, Colo. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 41404 (Sub-No. 83), filed May 5, 1969. Applicant: ARGO-COLLIER TRUCK LINES CORPORATION, Fulton Highway, Post Office Box 440, Martin, Tenn. 38237. Applicant's representative: Tom D. Copeland (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (a) *Meats, fresh and frozen, meat products, meat byproducts, and articles distributed by meat packinghouses* as described in sections A and C, appendix I, to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles); (b) *dairy products*, (c) *canned or packaged foods*, (d) *bread making compounds, flour, coffee, tea, and food ingredients*, (e) *confectioneries*, (f) *prepared foods, foodstuffs, and food preparations, fresh or frozen*, (g) *fish or seafoods*, (h) *articles described in section C of appendix I*, 61 M.C.C. 209 and 766, and (i) *groceries*, from Chicago, Ill., and points in its commercial zone as defined by the Commission, to points in Kentucky, North Carolina, and South Carolina. **NOTE:** Common control and dual operations may be involved. Applicant states it does not intend to tack and apparently is willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 42919 (Sub-No. 8), filed May 9, 1969. Applicant: COASTAL TRUCKWAYS, INC., Post Office Box 2915, Raleigh, N.C. 27602. Applicant's representative: Thomas F. Kilroy, 2111 Jefferson Davis Highway, Arlington, Va. 22202. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Tires, tubes, and batteries*, from Cumberland, Md., to Wilson, N.C. NOTE: Applicant states it does not intend to tack and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 47142 (Sub-No. 104), filed May 5, 1969. Applicant: C. I. WHITTEN TRANSFER COMPANY, a corporation, 4417 Earl Court, Huntington, W. Va. 25702. Applicant's representative: George Joline, Suite 117, 2500 North Van Dorn Street, Alexandria, Va. 22302. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Classes A, B, and C explosives and blasting supplies*, between points in Delaware, Maryland, Tennessee, Virginia, and the District of Columbia. NOTE: Applicant states it will tack with its MC 47142 at Bristol, Va., enabling service between present authority and Tennessee. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Philadelphia, Pa.

No. MC 51146 (Sub-No. 134), filed May 5, 1969. Applicant: SCHNEIDER TRANSPORT & STORAGE, INC., 817 McDonald Street, Green Bay, Wis. 54306. Applicant's representatives: D. P. Martin (same address as applicant), and Charles W. Singer, 33 North Dearborn Street, Chicago, Ill. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Metal containers, container ends and accessories, and materials, and supplies* used in connection with the manufacture and distribution of metal containers and container ends when moving with metal containers and container ends, from Birmingham, Ala.; Bartow and Orlando, Fla.; Atlanta, Ga.; Spartanburg, S.C.; and Forth Worth, Tex.; to points in Delaware, Illinois, Indiana, Iowa, Kentucky, Maryland, Michigan, Minnesota, Missouri, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Tennessee, Virginia, West Virginia, Wisconsin, and the District of Columbia. NOTE: Applicant states that the requested authority could be tacked with various subs under MC 51146 and pending subs. Applicant further states that it has various duplicative items of authority under various subs but does not seek duplicative authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 52869 (Sub-No. 91), filed May 12, 1969. Applicant: NORTHERN TANK LINE, a corporation, Post Office Box 970, Miles City, Mont. 59301. Applicant's representative: Alan Foss, 502 First National Bank Building, Fargo, N. Dak. 58102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Petro-*

leum and petroleum products, from points in Butte County, S. Dak., to points in Montana, North Dakota, Nebraska, South Dakota, Colorado, and Wyoming. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Rapid City, S. Dak., Denver, Colo., or Minneapolis, Minn.

No. MC 52657 (Sub-No. 663), filed May 5, 1969. Applicant: ARCO AUTO CARRIERS, INC., 2140 West 79th Street, Chicago, Ill. 60620. Applicant's representative: A. J. Bierberstein, 121 West Doty Street, Madison, Wis. 53703. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Motor vehicles* (except trailers and parts and accessories thereof), when moving with the vehicles being transported, in initial movements in truckaway and driveway service, from Boyertown, Pa., to points in the United States, including Alaska (but excluding Hawaii), restricted against the transportation of vehicles which require the use of special equipment for transporting such vehicles; (2) *motor vehicles* (except trailers and parts and accessories thereof), when moving with vehicles being transported, in secondary movements in truckaway service, between Boyertown, Pa., and points in the United States, including Alaska (but excluding Hawaii), restricted to the transportation of vehicles which have been manufactured or assembled at Boyertown, Pa., and further restricted against the transportation of vehicles which require the use of special equipment for transporting such vehicles. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Philadelphia, Pa.

No. MC 58902 (Sub-No. 13), filed May 9, 1969. Applicant: MANLEY TRANSFER COMPANY, INC., 1410 Intercity Trafficway, Kansas City, Mo. Applicant's representative: Frank W. Taylor, Jr., 1221 Baltimore Avenue, Kansas City, Mo. 64105. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Wallboard, wallboard molding, wallboard cement, aluminum and vinyl molding, and plywood* with not more than two coats of lacquer, from Pittsburg, Kans., to points in Missouri and Oklahoma. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 59856 (Sub-No. 33), filed April 30, 1969. Applicant: SALT CREEK FREIGHTWAYS, a corporation, 408 Industrial Avenue, Post Office Box 1411, Casper, Wyo. 82601. Applicant's representative: Ward A. White, Post Office Box 568, Cheyenne, Wyo. 82001. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commo-*

ties (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between Thermopolis and Cody, Wyo., from Thermopolis over Wyoming Highway 120 to junction U.S. Highways 14, 16, and 20, approximately 2 miles east of Cody, thence over U.S. Highways 14, 16, and 20 to Cody, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Cheyenne or Casper, Wyo.

No. MC 59967 (Sub-No. 5), filed May 5, 1969. Applicant: LASHAM CARTAGE CO., a corporation, 2601 South Archer Avenue, Chicago, Ill. 60608. Applicant's representative: Bernard C. Pestcoe, 708 City National Bank Building, 25 West Flagler Street, Miami, Fla. 33130. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *General commodities* in bulk, and commodities which, because of size or weight require special equipment, between Palm Beach, Port Everglades, Port Lauderdale, and Miami, Fla., on the one hand, and, on the other, points in Palm Beach, Broward, and Dade Counties, Fla. (restricted to the transportation of traffic having a prior or subsequent movement by water). NOTE: The applicant states it possesses general commodity authority between the points named in this application but with the general exceptions including the two named above which it is seeking in this proceeding. Common control may be involved. Applicant states it does not intend to tack, and apparently is willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Miami, Fla.

No. MC 61231 (Sub-No. 44), filed May 5, 1969. Applicant: ACE-ALKIRE FREIGHT LINES, INC., 4143 East 43d Street, Des Moines, Iowa 50317. Applicant's representative: William A. Landau, 1451 East Grand Avenue, Des Moines, Iowa 50306. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, as described in appendix V to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, from Chicago Heights and Bartonville, Ill., to points in Kansas, Missouri, and Nebraska. NOTE: Applicant states it does not intend to tack, and apparently is willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 61624 (Sub-No. 6), filed May 6, 1969. Applicant: KIRBY & KIRBY, INC., 1052 Spruce Street, Trenton, N.J. 08638. Applicant's representative: Bert Collins, 140 Cedar Street, New York, N.Y. 10006. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Household cleaning supplies*, from Bristol, Pa., to points in Nassau

and Suffolk Counties, and Mount Kisco, N.Y.; (2) *toys and dolls*, from Harrison, N.H., to points in Nassau and Suffolk Counties, N.Y.; and (3) *canned foods*, from Camden, N.J., to points in Nassau and Suffolk Counties, and Mount Kisco, N.Y. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 64932 (Sub-No. 473), filed April 21, 1969. Applicant: ROGERS CARTAGE CO., 1439 West 103d Street, Chicago, Ill. 60643. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer materials*, in bulk, in tank vehicles, from the storage facilities of Allied Chemical Corp. located at or near Channahon, Ill., to points in Illinois, Indiana, Michigan, Ohio, and Wisconsin. **NOTE:** Applicant states it does not intend to tack and apparently is willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 64932 (Sub-No. 476), filed May 9, 1969. Applicant: ROGERS CARTAGE CO., 1439 West 103d Street, Chicago, Ill. 60643. Applicant's representative: Jack Goodman, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from Dupu, Ill., to points in Illinois, Indiana, Iowa, Kansas, Kentucky, Missouri, and Tennessee. **NOTE:** Applicant states it does not intend to tack, and apparently is willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Springfield, Ill.

No. MC 65941 (Sub-No. 30), filed May 7, 1969. Applicant: TOWER LINES, INC., Post Office Box 907, Wheeling, W. Va. 26003. Applicant's representative: Paul M. Daniell, 1600 First Federal Building, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products*, from the plant site of U.S. Plywood-Champion Papers, Inc., near Courtland, Ala., to points in Ohio, Pennsylvania, and West Virginia. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant did not specify location.

No. MC 66886 (Sub-No. 12), filed May 12, 1969. Applicant: BELGER CARTAGE SERVICE, INC., 2100 Walnut Street, Kansas City, Mo. 64108. Applicant's representative: Frank W. Taylor, Jr., 1221 Baltimore Avenue, Kansas City, Mo. 64105. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Empty containers*, from points in the

Kansas City, Mo.-Kansas City, Kans., commercial zone, to points in the United States (except Alaska and Hawaii). **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 73688 (Sub-No. 32), filed May 9, 1969. Applicant: SOUTHERN TRUCKING CORPORATION, 1500 Orenda Avenue, Memphis, Tenn. Applicant's representative: Charles H. Hudson, Jr., 833 Stahlman Building, Nashville, Tenn. 37201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products*, from the plantsite of U.S. Plywood-Champion Papers, Inc., near Courtland, Ala., to points in Georgia, Kentucky, Louisiana, Mississippi, and Tennessee. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant did not specify location.

No. MC 75212 (Sub-No. 3), filed April 21, 1969. Applicant: SHANAHAN TRUCKING, INC., Main Road, Gill, Mass. 01376. Applicant's representative: Frank J. Weiner, 536 Granite Street, Investors Building, Braintree, Mass. 02184. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Gasoline, kerosene, fuel oil, lubricating oil, and distillates*, in bulk, in tank vehicles, from Rensselaer, N.Y., to points in Salem, Haverhill, Taunton, Hyannis, Attleboro, Fitchburg, Greenfield, and Boston, Mass., and Warwick, R.I., under contract with American Oil Co. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Boston, Mass., or Albany, N.Y.

No. MC 76032 (Sub-No. 242), filed May 7, 1969. Applicant: NAVAJO FREIGHT LINES, INC., 1205 South Platte River Drive, Denver, Colo. 80223. Applicant's representative: William E. Kenworthy (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except explosives, heavy machinery, livestock, fresh fish, coal, ore, sand, gravel, and commodities requiring special equipment), serving the plantsite, warehouses, and facilities of Eastman Kodak Co. near Windsor, Colo., as an off-route point in connection with carrier's existing regular-route operations. **NOTE:** If a hearing is deemed necessary, applicant does not specify a location.

No. MC 76032 (Sub-No. 243), filed May 12, 1969. Applicant: NAVAJO FREIGHT LINES, INC., 1205 South Platte River Drive, Denver, Colo. 80223. Applicant's representative: William E. Kenworthy (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and

those injurious or contaminating to other lading), serving Rio Rancho Estates near Albuquerque, N. Mex., as an off-route point in connection with carrier's present regular-route operations. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Albuquerque, N. Mex.

No. MC 76177 (Sub-No. 322), filed May 8, 1969. Applicant: BAGGETT TRANSPORTATION COMPANY, a corporation, 2 South 32d Street, Birmingham, Ala. 35223. Applicant's representative: Harold G. Hernly, 711 14th Street NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except classes A and B explosives and blasting supplies, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), serving the plantsite of U.S. Plywood-Champion Papers, Inc., near Courtland, Ala., as an off-route point in connection with carrier's regular-route operation between Decatur and Florence, Ala., over Alabama Highway 20. **NOTE:** If a hearing is deemed necessary, applicant does not specify a location.

No. MC 87909 (Sub-No. 11), filed May 5, 1969. Applicant: ARROW MOTOR FREIGHT LINE, INC., 2125 Commercial, Waterloo, Iowa 50704. Applicant's representative: Truman A. Stockton, Jr., The 1650 Grant Street Building, Denver, Colo. 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Heating and cooling devices including air circulators, parts, accessories, and materials* used in the manufacture and installation of heating and cooling devices and air circulators and advertising matter when shipped in mixed shipments with the above commodities, from the plantsite, warehouses, and facilities of Lennox Industries at Marshalltown, Iowa, to Twin Cities, Minn., restricted to shipments originating at Lennox Industries. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn., Des Moines, Iowa, or Washington, D.C.

No. MC 90373 (Sub-No. 29), filed April 21, 1969. Applicant: C. & R. TRUCKING CO., a corporation, Inman Avenue, Avenel, N.J. 07001. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Tires and tubes*, for the account of the Mobil Oil Corp., between North Brunswick, N.J., on the one hand, and, on the other, New York, N.Y.; points in Nassau, Suffolk, Westchester, Orange, and Rockland Counties, N.Y.; points in Fairfield County, Conn.; and points in that part of Pennsylvania east of a line beginning at the Maryland-Pennsylvania State line and extending along Interstate Highway 83 to junction U.S. Highway 11, thence along U.S. Highway 11 to the Pennsylvania-New York

State line. Restriction: The operations sought herein are limited to a transportation service to be performed under a continuing contract, or contracts, with Mobil Oil Corp. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 94265 (Sub-No. 217), filed April 11, 1969. Applicant: BONNEY MOTOR EXPRESS, INC., Post Office Box 12388, Thomas Corner Station, Norfolk, Va. 23502. Applicant's representative: Wilmer B. Hill, 666 11th Street NW., Suite 705, Washington, D.C. 20001. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Dairy products*, as described in section B of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, except commodities in bulk, in tank vehicles, from the plantsite and/or warehouse facilities of John Morrell & Co., located at or near Ottumwa, Iowa, to points in Pennsylvania, New York, Maryland, New Jersey, and the District of Columbia; and (2) *meats, meat products, meat byproducts, dairy products, and articles distributed by meat packinghouses*, as described in sections A, B, and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, except hides and commodities in bulk, in tank vehicles, from the plantsite and/or warehouse facilities of John Morrell & Co., located at or near Estherville, Iowa, to points in Maryland and the District of Columbia (restricted to traffic originating at the plantsite and/or warehouse facilities of John Morrell & Co., at or near the points named above and destined to the named territories). NOTE: If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa, or Washington, D.C.

No. MC 100463 (Sub-No. 25), filed April 21, 1969. Applicant: SMITH TRANSPORT (U.S.) LIMITED, a corporation, 20 Toronto Street, Toronto, Ontario, Canada. Applicant's representative: Harry J. Jordan, 1000 16th Street NW., Suite 502, Washington, D.C. 20036. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *Aluminum and aluminum products*, including, but not limited to, *coils, sheet, and scrap*, between the Alcan, Inc., plantsite located in or near Oswego, N.Y., and the junction of U.S. Highway 11 and Interstate Highway 81, near Pulaski, N.Y., from the Alcan, Inc., plantsite located in or near Oswego, N.Y., over Oswego County Highway 1 to junction County Highway 29, thence over County Highway 29 to junction U.S. Highway 104, thence over U.S. Highway 104 to junction U.S. Highway 104B, thence over U.S. Highway 104B to junction New York Highway 3, thence over New York Highway 3 to junction New York Highway 13, thence over New York Highway 13 to the village of Pulaski, N.Y., thence over city streets of the village of Pulaski, N.Y., to junction U.S. Highway 11 and Interstate Highway 81, and return over the same route, serving no intermediate points (restricted to ship-

ments moving in foreign commerce to points in Canada only). NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 102817 (Sub-No. 13), filed May 7, 1969. Applicant: PERKINS FURNITURE TRANSPORT, INC., 1202 North Pennsylvania Street, Indianapolis, Ind. 46202. Applicant's representative: John E. Lesow, 3737 North Meridian Street, Indianapolis, Ind. 46208. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *New furniture*, (1) from points in Florida, to points in Indiana, (2) from points in Georgia, to points in Indiana, and (3) from points in Mississippi, to points in Indiana. NOTE: Applicant states it intends to tack, the authority requested at points in Indiana with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 103993 (Sub-No. 402), filed May 13, 1969. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind. 46514. Applicant's representative: Paul D. Borghesani and Ralph H. Miller (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Camp coaches and truck campers*, from points in Creek County, Okla., to points in the United States (except Alaska and Hawaii) and (2) *trailers* designed to be drawn by passenger automobiles from points in Creek County, Okla., to points in the United States (except Hawaii, Alaska, Arizona, Arkansas, Colorado, Kansas, Louisiana, Missouri, New Mexico, and Texas). NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Tulsa, Okla.

No. MC 106398 (Sub-No. 399) (Amendment), filed April 28, 1969, published FEDERAL REGISTER issue of May 15, 1969, amended and republished as amended this issue. Applicant: NATIONAL TRAILER CONVOY, INC., 1925 National Plaza, Tulsa, Okla. 74151. Applicant's representative: Irvin Tull (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Buildings, building sections, building parts and materials*, from Phoenix (Maricopa County), Ariz., to points in the United States (except California, Nevada, Utah, New Mexico, Alaska, and Hawaii). NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. Common control and dual operations may be involved. The purpose of this republication is to change the commodity description. If a hearing is deemed necessary, applicant requests it be held at Phoenix, Ariz.

No. MC 106398 (Sub-No. 400), filed May 2, 1969. Applicant: NATIONAL TRAILER CONVOY, INC., 1925 National Plaza, Tulsa, Okla. 74151. Applicant's representative: Irvin Tull (same address as above). Authority sought to operate

as a common carrier, by motor vehicle, over irregular routes, transporting: *Trailers* designed to be drawn by passenger automobiles and *buildings* in sections, equipped with hitchball connector, in initial movements, from points in Hempstead County, Ark., to points in the United States (except Alaska and Hawaii). NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark.

No. MC 106398 (Sub-No. 401), filed May 8, 1969. Applicant: NATIONAL TRAILER CONVOY, INC., 1925 National Plaza, Tulsa, Okla. 74151. Applicant's representative: Irvin Tull (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Buildings*, in sections, mounted on wheeled undercarriages, in initial movements, from points in Yamhill County, Oreg., to points in California, Washington, Idaho, Montana, Nevada, Utah, and Wyoming. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg.

No. MC 107064 (Sub-No. 73), filed May 2, 1969. Applicant: STEERE TANK LINES, INC., Post Office Box 2998, 2808 Fairmount Street, Dallas, Tex. 75221. Applicant's representative: Hugh T. Matthews, 630 Fidelity Union Tower, Dallas, Tex. 75201. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Crude oil*, in bulk, between points in New Mexico. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Dallas or Fort Worth, Tex.

No. MC 107295 (Sub-No. 195), filed May 2, 1969. Applicant: PRE-FAB TRANSIT CO., a corporation, 100 South Main Street, Farmer City, Ill. 61842. Applicant's representative: Dale L. Cox, Post Office Box 146, Farmer City, Ill. 61842. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Heating and cooling systems, including accessories, parts, and fittings incidental to completion, erection, and installation thereof*, from Kansas City, Mo., to points in the United States (except Alaska, Hawaii, and Missouri). NOTE: Applicant states it will tack with its MC 107295 where feasible. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 108380 (Sub-No. 76), filed May 7, 1969. Applicant: JOHNSTON'S FUEL LINERS, INC., Post Office Box 100, 808 Birch Street, Newcastle, Wyo. 82701. Applicant's representative: Truman A. Stockton, Jr., The 1650 Grant Street Building, Denver, Colo. 80203. Authority

sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from points in Butte County, S. Dak., to points in Colorado, Montana, Nebraska, North Dakota, South Dakota, and Wyoming. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Rapid City, S. Dak., or Casper, Wyo.

No. MC 108676 (Sub-No. 28), filed May 7, 1969. Applicant: A. J. METLER HAULING AND RIGGING, INC., 117 Chicamauga Avenue NE., Knoxville, Tenn. 37917. Applicant's representative: Robert M. Pearce, Post Office Box E, Bowling Green, Ky. 42101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Steel containers*, and (2) *accessorial commodities* used in the installation and/or operation of steel containers, from the plantsite of Car-Rack Corp., Macedonia, Ohio, to points in the United States (except Alaska and Hawaii). **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn.

No. MC 108676 (Sub-No. 29), filed May 7, 1969. Applicant: A. J. METLER HAULING AND RIGGING, INC., 117 Chicamauga Avenue NE., Knoxville, Tenn. 37917. Applicant's representative: Robert M. Pearce, Post Office Box E, Bowling Green, Ky. 42101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Signs, sign poles, sign parts, and accessories therefor*, from the plantsite of Acme-Wiley Corp., Elk Grove Village, Ill., to points in the United States (except Alaska and Hawaii). **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn.

No. MC 108859 (Sub-No. 52), filed April 28, 1969. Applicant: CLAIRMONT TRANSFER CO., a corporation, 1803 Seventh Avenue North, Escanaba, Mich. 49829. Applicant's representative: John L. Bruemmer, 121 West Doty Street, Madison, Wis. 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Copper bars, billets, cakes, ingots, and slabs*; and (2) *materials, equipment, and supplies* used in the mining and manufacturing of the commodities in (1) above (except commodities in bulk), between points in Houghton and Ontonagon Counties, Mich., on the one hand, and, on the other, points in Illinois, Indiana, Kentucky, Michigan, Ohio, and Wisconsin, restricted against the transportation of commodities which because of size or weight require the use of special equipment. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. Applicant further

states no duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Chicago, Ill.

No. MC 110420 (Sub-No. 589), filed May 12, 1969. Applicant: QUALITY CARRIERS, INC., 100 South Calumet Street, Burlington, Wis. 53105. Applicant's representative: A. Bryant Thorhorst (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vegetable oils*, in bulk, from the plantsite of Archer Daniels Midland Co., at or near Lincoln, Nebr., to points in Arkansas, Arizona, California, Colorado, Idaho, Iowa, Kansas, Minnesota, Missouri, Montana, Nebraska, New Mexico, Oklahoma, Oregon, North Dakota, South Dakota, Texas, Utah, Washington, and Wyoming. **NOTE:** Applicant states it would tack at Lincoln, Nebr., to serve Amsterdam, N.Y.; Boston, Salem, and Peabody, Mass.; Chicago, Ill.; Conshohocken, Pa.; Cudahy, Wis.; Indianapolis, Ind.; Louisville, Ky.; Newark, N.J.; and Red Wing, Minn. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or St. Louis, Mo.

No. MC 110683 (Sub-No. 59), filed May 8, 1969. Applicant: SMITH'S TRANSFER CORPORATION OF STAUNTON, VA., Post Office Box 1000, Staunton, Va. 24401. Applicant's representative: James W. Lawson, 1000 16th Street NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between junction U.S. Highways 25 and 227 approximately 5 miles north of Richmond, Ky., and U.S. Highways 60 and 227, at or near Winchester, Ky., over U.S. Highway 227, serving the junctions for joiner only. **NOTE:** Applicant states the purpose of the application is to join with applicant's existing alternate routes between Lexington, Ky., and Mount Vernon, Ky., over U.S. Highways 25 and between Lexington and Ashland, Ky., over U.S. Highway 60, and thereby avoid Lexington city traffic and reduce the operating distance between applicant's terminals beyond, including its Huntington, W. Va., and Knoxville, Tenn., terminals by approximately 14 miles. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 112304 (Sub-No. 28), filed May 9, 1969. Applicant: ACE DORAN HAULING & RIGGING CO., a corporation, 1601 Blue Rock Street, Cincinnati, Ohio 45223. Applicant's representative: A. Charles Tell, 100 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities* which require the use of special equipment or special handling by reason of size or weight; and (2) *ordnance equipment, materials, and supplies, and quartermaster supplies* (except household goods and commodities in

bulk); (a) between military installations or defense establishments in the United States; and (b) between points in (a) above, on the one hand, and, on the other, points in the United States. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. Applicant also states no duplicating authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 112391 (Sub-No. 34), filed May 14, 1969. Applicant: HADLEY AUTO TRANSPORT, a corporation, 7428 Paramount Boulevard, Post Office Box 96, Pico Rivers, Calif. Applicant's representative: Phil Johnson, 510 West Sixth Street, Los Angeles, Calif. 90014. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Automobiles, trucks, buses, chassis, and farm type tractors*, in secondary movement, in truckway and driveway, from points in Orange County, Calif., to points in California, Nevada, and Arizona, under a continuing contract with Ford Motor Co. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif., or Washington, D.C.

No. MC 113362 (Sub-No. 162), filed May 14, 1969. Applicant: ELLSWORTH FREIGHT LINES, INC., 310 East Broadway, Eagle Grove, Iowa 50533. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Carpets, carpeting, mats, matting, or rugs, and equipment for installation thereof*, from Marietta, Pa., to Davenport and Des Moines, Iowa. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 113678 (Sub-No. 349), filed May 5, 1969. Applicant: CURTIS, INC., 770 East 51st Avenue, Denver, Colo. 80216. Applicant's representatives: Duane W. Acklie and Richard Peterson, Post Office Box 806, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from Terre Haute, Ind., to points in Michigan, Iowa, Nebraska, Colorado, Minnesota, Kentucky, Wisconsin, North Dakota, South Dakota, Missouri, Kansas, and Arizona. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 113678 (Sub-No. 350), filed May 7, 1969. Applicant: CURTIS, INC., 770 East 51st Avenue, Denver, Colo. 80216. Applicant's representatives: Duane W. Acklie and Richard Peterson, Post Office Box 806, Lincoln, Nebr. 68501.

Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses*, from Sterling, Colo., to points in Nebraska, Kansas, Iowa, Missouri, Wisconsin, Illinois, Indiana, Michigan, Ohio, Pennsylvania, Virginia, Maine, Delaware, Rhode Island, Maryland, Georgia, New Jersey, Kentucky, and the District of Columbia. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 114019 (Sub-No. 195), filed May 9, 1969. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 South Pulaski Road, Chicago, Ill. 60629. Applicant's representative: Edward G. Bazelon, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, between Holland, Mich., and Canajoharie, N.Y. **NOTE:** Common control may be involved. Applicant states it would tack at Canajoharie, N.Y., with MC 114019 Sub 38 and other subs, serving primarily the State of New York and portions of New Jersey and Pennsylvania. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 114194 (Sub-No. 151), filed May 2, 1969. Applicant: KREIDER TRUCK SERVICE, INC., 8003 Collinsville Road, East St. Louis, Ill. 62201. Applicant's representative: Donald D. Metzler (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Malt syrup*, in bulk, in tank vehicles, from Peoria, Ill., to points in Michigan, and (2) *syrup coloring* (burnt sugar caramel), in bulk, in tank vehicles, from the plantsite of Sethness Products Co. at Clinton, Iowa, to Chicago, Ill., and points in its commercial zone. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Milwaukee, Wis.

No. MC 114211 (Sub-No. 123) (Correction), filed April 7, 1969, published *FEDERAL REGISTER* issue of May 1, 1969, and republished in part, as corrected, this issue. Applicant: WARREN TRANSPORT, INC., 305 Whitney Road, Post Office Box 420, Waterloo, Iowa 50704. Applicant's representative: Charles Singer, 33 North Dearborn Street, Suite 1625, Chicago, Ill. 60602. * * * (1) from ports of entry on the international boundary line between the United States and Canada located at Detroit and Port Huron, Mich. * * * The purpose of this partial republication is to show Port Huron, Mich., in lieu of Fort Huron, Mich., as previously published. The rest of the application remains as previously published.

No. MC 114273 (Sub-No. 42), filed May 8, 1969. Applicant: CEDAR RAPIDS

STEEL TRANSPORTATION, INC., Post Office Box 68, Cedar Rapids, Iowa 52406. Applicant's representative: Gene R. Prokuski (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products and articles distributed by meat packinghouses*, as described in sections A, B, and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk in tank vehicles), (1) from the plantsite and/or warehouse facilities of John Morrell & Co., located at or near Ottumwa, Iowa, to points in Illinois, Indiana, and Missouri, and (2) from the plantsite and/or warehouse facilities of John Morrell & Co., located at or near Esterville, Iowa, to points in Illinois, Indiana, Michigan, Missouri, New York, Ohio, and Pennsylvania, restricted to traffic originating at the above-named origins and destined to the named territories. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 114273 (Sub-No. 43), filed May 12, 1969. Applicant: CEDAR RAPIDS STEEL TRANSPORTATION, INC., Post Office Box 68, Cedar Rapids, Iowa 52406. Applicant's representative: Gene R. Prokuski (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts, and articles distributed by meat packinghouses*, as defined in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, except commodities in bulk, in tank vehicles, and hides, from Omaha, Nebr., and Council Bluffs, Iowa, to points in Colorado, Connecticut, Delaware, District of Columbia, Indiana, Kansas, Maine, Maryland, Massachusetts, Michigan, Missouri, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and Wisconsin. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 114737 (Sub-No. 6), filed April 30, 1969. Applicant: O. A. WOODY, doing business as O and A FILM LINES, 14th and Avenue G, Lubbock, Tex. 79401. Applicant's representative: Warren A. Goff, 2111 Sterick Building, Memphis, Tenn. 38103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except classes A and B explosives, household goods as defined in 17 M.C.C. 467, commodities in bulk, and livestock), restricted so that no service shall be rendered in the transportation of any parcels, packages, or articles weighing in the aggregate more than 100 pounds from one consignor at any one location to one consignee at any one location on any one day. Between points located in an area bounded by a line beginning at the Texas-New Mexico State line near Farwell, Tex., extending

along U.S. Highway 84 to Sweetwater, Tex.; thence southerly along Texas Highway 70 to the junction of U.S. Highway 277; thence along U.S. Highway 277 to San Angelo, Tex., thence along U.S. Highway 67 to Barnhart, Tex., thence along Texas Highway 163 to Ozona, Tex., thence westerly along U.S. Highway 290 to junction U.S. Highway 80 (east of Kent, Tex.); thence along U.S. Highway 80 (through El Paso, Tex.) to the New Mexico-Texas State line (near Anthony, N. Mex.), thence along a line bounded by the counties of Curry, De Baca, Roosevelt, Lincoln, Chaves, Dona Ana, Eddy, and Lea, N. Mex.; and points on U.S. Highway 80 from Sweetwater, Tex., to Dallas and Fort Worth, Tex. **NOTE:** Applicant states that it desires the right to interline with other motor common carriers. Applicant further states that it would tack with its present authority at Dallas, Tex., to serve Oklahoma City, Okla. If a hearing is deemed necessary, applicant requests it be held at El Paso, Tex.

No. MC 115181 (Sub-No. 12) (Correction), filed April 28, 1969, published *FEDERAL REGISTER* issue of May 15, 1969, as MC 110193 Sub 168, and republished as corrected, this issue. Applicant: HAROLD M. FELTY, INC., Rural Delivery No. 1, Pine Grove, Pa. 17963. Applicant's representative: John W. Dry, 541 Penn Street, Reading, Pa. 19601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Concrete masonry units, including glazed concrete masonry units*, from points in the Borough of Media, Delaware County, Pa., to points in New York, Connecticut, New Jersey, Delaware, Maryland, Virginia, Massachusetts, Rhode Island, and the District of Columbia, and *damaged or refused shipments on return*. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. The purpose of this republication is to show the correct docket number. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 115311 (Sub-No. 99), filed May 8, 1969. Applicant: J & M TRANSPORTATION CO., INC., Post Office Box 488, Milledgeville, Ga. 31061. Applicant's representative: Paul M. Daniell, 1600 First Federal Building, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement, cement products and lime*, (1) from points in Muscogee County, Ga., to points in Alabama, Florida, and Georgia, (2) from Chattanooga, Tenn., to points in Muscogee County, Ga. **NOTE:** Applicant states it does not intend to tack, and apparently is willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 116325 (Sub-No. 62), filed May 9, 1969. Applicant: JENNINGS BOND, doing business as BOND ENTERPRISES, Box 8, Lutesville, Mo. 63762. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Steel highway*

guard rails, guard rail post and other related products, from Lima, Ohio, to points in Iowa, Missouri, Texas, Oklahoma, Arkansas, Colorado, Kansas, Nebraska, South Dakota, and New Mexico. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich., or Chicago, Ill.

No. MC 116763 (Sub-No. 149), filed May 15, 1969. Applicant: CARL SUBLER TRUCKING, INC., North West Street, Versailles, Ohio 45380. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Clay tile and related items*, from Lakeland, Fla., to points in Colorado, Connecticut, Delaware, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia, and the District of Columbia, and (2) *commodities* used in the manufacturing distribution, and/or installation of clay tile (except in bulk), on return. **NOTE:** Applicant states no duplicating authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Tampa or Orlando, Fla.

No. MC 117031 (Sub-No. 7), filed May 14, 1969. Applicant: BROWN YANCEY, New Bloomfield, Mo. 65063. Applicant's representative: Joseph R. Nacy, 117 West High Street, Post Office Box 352, Jefferson City, Mo. 65101. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Mill feed*, in bags and in bulk, between points in Cole, Callaway, Boone, and Osage Counties, Mo., on the one hand, and, on the other, points in Linn, Johnson, Jones, Cedar, Muscatine, and Scott Counties, Iowa. **NOTE:** Applicant states it could tack at points in Cole, Callaway, and Osage Counties, Mo., permitting the destination named above to be served from East St. Louis, Ill., Leavenworth, Kans., and Memphis, Tenn. If a hearing is deemed necessary, applicant requests it be held at Jefferson City, St. Louis, or Kansas City, Mo.

No. MC 117304 (Sub-No. 16), filed May 7, 1969. Applicant: DON PAFFILE, doing business as PAFFILE TRUCK LINES, 2906 29th Street North, Lewiston, Idaho 83501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Wood chips, sawdust and shavings*, in bulk, in special equipment, between points in Boundary, Bonner, Kootenai, Benewah, Shoshone, Latah, and Nez Perce Counties, Idaho. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Spokane, Wash.

No. MC 117883 (Sub-No. 124), filed April 30, 1969. Applicant: SUBLER TRANSFER, INC., 791 East Main Street, Versailles, Ohio 45380. Applicant's representative: Edward J. Subler, Post Office Box 62, Versailles, Ohio 45380. Authority sought to operate as a common carrier, by motor vehicle, over irregular

routes, transporting: *Meats, meat products, and meat byproducts, and articles* distributed by meat packinghouses, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from Madison, Wis., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia, restricted to traffic originating at Madison, Wis. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant does not specify a location.

No. MC 118527 (Sub-No. 6), filed May 12, 1969. Applicant: SOURDOUGH EXPRESS, INC., Post Office Box 288, Fairbanks, Alaska 99701. Applicant's representative: John M. Stern, Jr., Box 1672, Anchorage, Alaska 99501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, and household goods as defined by the Commission), between points in Alaska north of the south bank of the Yukon River. **NOTE:** Applicant states tacking or joinder is intended at all points on the Yukon River common with present and intended authority, and service between points in present authority including Fairbanks and points in intended authority would be provided. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Fairbanks or Anchorage, Alaska.

No. MC 118785 (Sub-No. 5), filed May 9, 1969. Applicant: AMERICAN CASKET EXPRESS CO., a corporation, 1010 Second National Building, Cincinnati, Ohio 45202. Applicant's representative: Theodore K. High, 2208 Central Trust Tower, Cincinnati, Ohio 45202. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Coffins and burial caskets*, from Connorsville, Ind., to points in the United States (except Indiana, Alaska, and Hawaii). **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Cincinnati, Ohio, or Indianapolis, Ind.

No. MC 119531 (Sub-No. 116), filed April 23, 1969. Applicant: DIECKBRADER EXPRESS, INC., 5391 Wooster Road, Cincinnati, Ohio 45226. Applicant's representative: Charles W. Singer, 33 North Dearborn Street, Suite 1625, Chicago, Ill. 60602. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Metal containers, metal container ends, and accessories; and materials, equipment, and supplies* used in the manufacture, sale, and distribution of metal containers and metal container ends; (1) from Chicago and Rockford, Ill.;

Detroit, Mich.; Minneapolis, Minn.; Cleveland, Hamilton, and Marion, Ohio; and Green Bay, Wis.; to points in Colorado, Connecticut, Delaware, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Jersey, New York, North Dakota, Ohio, Pennsylvania, Rhode Island, South Dakota, Texas, West Virginia, and Wisconsin; (2) from Danbury, Conn.; Baltimore and Cambridge, Md.; Edison, N.J.; Long Island City and Maspeth, N.Y.; and Fairless and Hanover, Pa.; to points in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Ohio, and Wisconsin. **NOTE:** Applicant states it does not intend to tack, and apparently is willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 119767 (Sub-No. 221), filed May 5, 1969. Applicant: BEAVER TRANSPORT CO., a corporation, 100 South Calumet Street, Burlington, Wis. 53105. Applicant's representative: A. Bryant Torhorst (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Lactose*, from Bongards and Winsted, Minn., and Mayville, Wis., to St. Louis, Mo., and points in Indiana, Michigan, and Ohio. **NOTE:** Applicant indicates joinder at the above origins to serve additional Minnesota and South Dakota origins. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn., or Madison, Wis.

No. MC 119777 (Sub-No. 148), filed April 30, 1969. Applicant: LIGON SPECIALIZED HAULER, INC., Post Office Drawer L, Madisonville, Ky. 42431. Applicant's representative: Wilburn L. Williamson, 600 Leininger Building, Oklahoma City, Okla. 73112. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Plywood and particleboard*, from the plantsite of Georgia Pacific Corp. at or near Taylorsville, Miss., to points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Carolina, Ohio, Oklahoma, South Carolina, Texas, Virginia, West Virginia, and Wisconsin; (2) *particleboard*, from the plantsite of Georgia Pacific Corp. at or near Taylorsville, Miss., to points in Kentucky, Tennessee, and Louisiana. **NOTE:** Applicant is authorized to operate as a contract carrier under MC 129670, therefore, dual operations may be involved. Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark., or Shreveport, La.

No. 119777 (Sub-No. 150), filed May 9, 1969. Applicant: LIGON SPECIALIZED HAULER, INC., Post Office Drawer L, Madisonville, Ky. 42431. Applicant's representative: Louis J. Amato, Post Office Box E, Bowling Green, Ky. 42101. Authority sought to operate as a common carrier, by motor vehicle, over irregular

routes, transporting: (1) *Wood fiberboard, wood fiberboard faced or finished with decorative or protective materials;* and (2) *accessories and supplies* used in the installation of the commodities in (1) above, from Elkhart, Ind., to points in North Dakota, South Dakota, Nebraska, Colorado, and New Mexico and points in all States east thereof. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. Applicant holds contract carrier authority under MC 126970 and Subs, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 123048 (Sub-No. 153), filed May 12, 1969. Applicant: DIAMOND TRANSPORTATION SYSTEM, INC., 1919 Hamilton Avenue, Racine, Wis. Applicant's representatives: Paul C. Gartzke, 121 West Doty Street, Madison, Wis. 53703, and Paul Martinson, Post Office Box A, Racine, Wis. 53401. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) (1) *Agricultural and food processing and handling machinery and implements*, (2) *metal boxes, street cleaners, beach cleaners and rock pickers*, and (3) *parts and attachments* for (1) and (2) above, from Gering, Nebr., to points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, and Wisconsin; and (B) *equipment, materials, and supplies* used in the manufacture and distribution of the commodities described in (A) above, from points in the destination States named in (A) above, to Gering, Nebr. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. Applicant further states no duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo., or, Cheyenne or Laramie, Wyo.

No. MC 123048 (Sub-No. 154), filed May 13, 1969. Applicant: DIAMOND TRANSPORTATION SYSTEM, INC., 1919 Hamilton Avenue, Post Office Box A, Racine, Wis. 53401. Applicant's representatives: Paul C. Gartzke, 121 West Doty Street, Madison, Wis. 53703, and Paul Martinson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Agricultural implements, farm machinery, and farm equipment*, from Hernando, Miss., to points in the United States (except Alaska); and (2) *parts of the commodities* described in (1) above, from Boise, Idaho, to Hernando, Miss. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if war-

ranted. If a hearing is deemed necessary, applicant requests it be held at Jackson, Miss., or Memphis, Tenn.

No. MC 123060 (Sub-No. 4), filed April 23, 1969. Applicant: AIR LINE EXPRESS, INC., 1110 Hempstead Turnpike, Uniondale, N.Y. 11553. Applicant's representative: Herbert Burstein, 160 Broadway, New York, N.Y. 10038. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, commodities in bulk, and commodities requiring special equipment), between John F. Kennedy International Airport and LaGuardia Airport, New York, N.Y., Westchester County Airport, White Plains, N.Y., McArthur Airport, Islip, N.Y., Newark Municipal Airport, Newark, N.J., and McGuire Air Force Base, Wrightstown, N.J., on the one hand, and, on the other, points in Winchester, Rockland, Dutchess, Orange, and Putnam Counties, N.Y., and all points in Connecticut; restricted to shipments having an immediately prior or subsequent movement by air, over irregular routes. **NOTE:** Applicant states it does not intend to tack, and apparently is willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 123282 (Sub-No. 7), filed April 21, 1969. Applicant: McKINLAY TRANSPORT LIMITED, 1185 Dundas Highway East, Cooksville Post Office, Dixie, Ontario, Canada. Applicant's representative: Thomas J. Runfola, 631 Niagara Street, Buffalo, N.Y. 14201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, and commodities requiring special equipment), between ports of entry on the United States-Canada boundary line on the Niagara River, on the one hand, and, on the other, Niagara Falls and Buffalo, N.Y., and restricted to the transportation of shipments moving to or from points in Canada. **NOTE:** Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Buffalo, N.Y.

No. MC 123393 (Sub-No. 200), filed May 5, 1969. Applicant: BILYEU REFRIGERATED TRANSPORT CORPORATION, 2105 East Dale, Springfield, Mo. 65803. Applicant's representative: Bill Bilyeu, Post Office Box 948, Commercial Station, Springfield, Mo. 65803. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Candy and confectionery*, from Centralia and Ashley, Ill., to points in Arizona, California, Nevada, New Mexico, and Oregon. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Springfield, Ill.

No. MC 123405 (Sub-No. 25), filed May 8, 1969. Applicant: FOOD TRANSPORT, INC., Post Office Box 1041, York, Pa. 17405. Applicant's representative: Christian V. Graf, 407 North Front Street, Harrisburg, Pa. 17101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods*, from McAllen, Tex., to New Freedom, Pa. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Harrisburg, Pa., or Washington, D.C.

No. MC 123993 (Sub-No. 8), filed May 2, 1969. Applicant: FOGLEMAN TRUCK LINE, INC., Post Office Box 1504, Crowley, La. 70526. Applicant's representative: Austin L. Hatchell, 1102 Perry Brooks Building, Austin, Tex. 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, dry fertilizer, dry fertilizer ingredients, and dry fertilizer materials, fertilizer, fertilizer solutions and materials, herbicides, fungicides, pesticides, industrial urea, in bags, dried fruits and nuts, in containers, and foodstuffs, in cans or bottles), between the plant or warehouse facilities of the Procter & Gamble Co. and its subsidiaries in Alexandria, La., or its commercial zone, on the one hand, and, on the other, points in Mississippi, those in Florida west of the Apalachicola River in Escambia, Santa Rosa, Oakaloosa, Walton, Holmes, Jackson, Washington, Bay, Gulf, and Calhoun Counties, those in Baldwin, Barbour, Bullock, Butler, Choctaw, Clarke, Coffee, Conecuh, Covington, Crenshaw, Dale, Escambia, Geneva, Henry, Houston, Marengo, Mobile, Monroe, Pike, Washington, and Wilcox Counties, Ala. **NOTE:** Applicant holds contract carrier authority under Docket No. MC 41116 and Subs, therefore, dual operations may be involved. Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 124211 (Sub-No. 128), filed May 6, 1969. Applicant: HILT TRUCK LINE, INC., 1415 South 35th Street, Post Office Box H, Council Bluffs, Iowa 51501. Applicant's representative: Thomas L. Hilt (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat byproducts, dairy products, and articles distributed by meat packinghouses*, as defined in sections A, B, and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles, and except hides), and *foodstuffs*, from Council Bluffs, Iowa, Omaha, Nebr., and points in their respective commercial zones, to points in Connecticut, Delaware, District of Columbia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland,

Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Dakota, Ohio, Pennsylvania, Rhode Island, South Dakota, Tennessee, Vermont, Wisconsin, and Wyoming; Restrictions: The authority sought herein is restricted (1) against tacking or joining with carriers present authority for purposes of performing a through service; and (2) to the extent that it duplicates any authority heretofore granted to or now held by carrier, shall not be construed as conferring more than one operating right, severable by sale or otherwise. Note: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 124813 (Sub-No. 67), (Amendment), filed April 25, 1969, published in FEDERAL REGISTER issue of May 15, 1969, amended April 24, 1969, and republished as amended this issue. Applicant: UMTOWN TRUCKING CO., a corporation, 910 South Jackson, Eagle Grove, Iowa 50533. Applicant's representative: William A. Landau, 1451 East Grand Avenue, Des Moines, Iowa 50306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Feed, insecticides, animal and poultry tonics, livestock and poultry feeders, and related advertising matter and premium merchandise*, from the plant of Moorman Manufacturing Co., at Alpha and Quincy, Ill., to points in Wright County, Iowa. Note: Applicant states it does not intend to tack, and apparently is willing to accept a restriction against tacking, if warranted. Applicant holds contract authority under MC 118468 Sub 16, therefore dual operations may be involved. The purpose of this republication is to add Alpha, Ill., as an origin point. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 125375 (Sub-No. 4) (Correction), filed April 28, 1969, published FEDERAL REGISTER, issue of May 15, 1969, as No. MC 133678, and republished as corrected this issue. 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*, in vehicles equipped with mechanical refrigeration, 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.), under contract with Borden, Inc. Note: The purpose of this republication is to show that applicant seeks to operate as a *contract carrier*, rather than as a *common carrier* as shown in previous publication; and also to show the new docket number assigned thereto. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 125473 (Sub-No. 8), filed May 8, 1969. Applicant: YAZOO TRUCKING CO., INC., 1633 Highway 49 E, Post Office Box 625, Yazoo City, Miss. 39194. Applicant's representative: Donald B.

Morrison, 717 Deposit Guaranty National Bank Building, Post Office Box 22628, Jackson, Miss. 39205. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Manufactured fertilizer and urea*, in bulk, from Canton, Hattiesburg, Meridian, New Albany, Pascagoula, and Yazoo City, Miss., to points in Alabama, Arkansas, Florida, Georgia, Louisiana, Missouri, Tennessee, and Texas, under contract with Mississippi Chemical Corp. and Coastal Chemical Corp. If a hearing is deemed necessary, applicant requests it be held at Jackson, Miss.

No. MC 125708 (Sub-No. 113) (Correction), filed April 8, 1969, published in FEDERAL REGISTER issue of May 8, 1969, and republished, as corrected, this issue. Applicant: HUGH MAJOR, 150 Sinclair Avenue, South Roxana, Ill. 62087. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pallets and lumber*; (1) from points in Madison County, Ill., and Belle Plaine, Iowa, to points in Illinois, Indiana, Iowa, Michigan, Minnesota, Mississippi, Ohio, and Wisconsin; (2) from Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Ohio, and Wisconsin to points in Madison County, Ill., and Belle Plaine, Iowa; (3) from points in Adams, Bond, Brown, Calhoun, Cass, Champaign, Christian, Clark, Coles, Crawford, Cumberland, De Witt, Douglas, Edgar, Effingham, Fayette, Ford, Fulton, Greene, Iroquois, Jasper, Jersey, Livingston, Logan, Macon, Macoupin, Madison, Mason, McLean, Menard, Montgomery, Morgan, Moultrie, Peoria, Piatt, Pike, Sangamon, Schuyler, Scott, Shelby, Tazewell, Vermilion, Woodford Counties, Ill., to points in Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Ohio, Oklahoma, Tennessee, Texas, and Wisconsin; and (4) from Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Ohio, Oklahoma, Tennessee, Texas, Wisconsin, to Illinois counties listed in part (3) above. Note: Applicant states Arkansas could be served by tacking if this application is granted in addition to the States sought in the instant application. The purpose of this republication is to include the State of Kansas in the destination territory in (3) above which was inadvertently omitted in the previous publication. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Washington, D.C.

No. MC 126142 (Sub-No. 4), filed May 8, 1969. Applicant: GLEASON TRANSPORTATION CO., INC., Rockingham Road, Rockingham, Vt. 05101. Applicant's representative: Frederick T. O'Sullivan, 372 Granite Avenue, Milton, Mass. 02186. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salted butter*, from Ogdensburg and Champlain, N.Y., to Burlington and Rutland, Vt. Note: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. Common control may be involved. If a hearing is deemed necessary,

applicant requests it be held at Washington, D.C.

No. MC 126276 (Sub-No. 15) (Amendment), filed March 6, 1969, published in the FEDERAL REGISTER issue of April 10, 1969, and republished as amended this issue. Applicant: FAST MOTOR SERVICE, INC., 12855 Ponderosa Drive, Paolos Heights, Ill. Applicant's representative: Robert H. Levy, 29 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Metal containers, container components and ends; and steel, tin, and aluminum tops and closures*, from the plantsite and/or facilities of Crown Cork & Seal Co., Inc., at Kankakee and Bradley, Ill., to points in Indiana, Michigan, Kentucky, Missouri, Iowa, Wisconsin, and Minnesota, under contract with Crown Cork & Seal Co., Inc. Note: The purpose of this republication is to include Minnesota as a destination State. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 126597 (Sub-No. 1), filed April 30, 1969. Applicant: ARTHUR HARVEY, doing business as A. HARVEY TRUCKING, 2571 Fischer, Detroit, Mich. 48214. Applicant's representative: Arthur P. Boynton, 1600 First Federal Building, Detroit, Mich. 48226. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Fire brick and fire clay*, from the plantsite of Robinson Clay Products Co., at or near Parral, Ohio, to points in the Lower Peninsula of Michigan; (2) *flue lining and drain tile*, from the plantsite of Malvern Flue Lining, Inc., at or near Malvern, Ohio, and the plantsite of Kopp Clay Co., at or near Mineral City, Ohio, to points in the Lower Peninsula of Michigan, under a continuing contract with L. T. Elsey & Son, Grosse Pointe Woods, Mich., in Nos. (1) and (2) above; (3) *brick*, from points in Scioto, Lawrence, Gallia, Jefferson, Jackson, Stark, Tuscarawas, Mahoning, Carroll, and Columbiana Counties, Ohio, and Clay, Morgan, and Greene Counties, Ind., to points in Livingston, Macomb, Monroe, Oakland, St. Clair, Washtenaw, and Wayne Counties, Mich.; (4) *brick*, from points in Ohio, Indiana, and Illinois, to points in Genesee, Bay, Midland, and Saginaw Counties, Mich., under continuing contracts with Cadillac Brick Co., and Metropolitan Clay Products Co., Detroit, Mich., in Nos. (3) and (4) above. Note: If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich.

No. MC 126956 (Sub-No. 1), filed May 14, 1969. Applicant: NORTHLAND TRANSPORT, INC., 1803 42d Avenue East, Superior, Wis. 54884. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Frozen fruits and frozen berries*, from points in the Lower Peninsula of Michigan and points in Door, Kewaunee, and Brown Counties, Wis., to Duluth, Minn.; and (2) *new and used empty containers*, from Duluth, Minn., to points in the Lower Peninsula of Michigan and points

in Door, Kewaunee, and Brown Counties, Wis.; under contract with Jen's Inc. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Duluth, Minn.

No. MC 127215 (Sub-No. 46), filed April 17, 1969. Applicant: KENDRICK CARTAGE CO., a corporation, Post Office Box 63, Salem, Ill. 62881. Applicant's representative: W. C. Kendrick (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal tar and coal tar products*, in bulk, from Granite City, Ill., to points in the United States (except Alaska and Hawaii). **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 128083 (Sub-No. 1), filed May 13, 1969. Applicant: R. P. CARRIERS, INC., 7551 West 111th Street, Worth, Ill. 60482. Applicant's representative: James R. Madler, 189 West Madison Street, Chicago, Ill. 60602. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Cabinets*, from Shelbyville, Ind., to Harvard, Dixon, and Chicago, Ill.; and (2) *fiberboard, corrugated containers and interior packing forms*, from Chicago, Ill., to Shelbyville, Ind. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 128404 (Sub-No. 1), filed May 8, 1969. Applicant: BLACKWOOD CRANE & TRUCK SERVICE, INC., 104 Busbee Road, Knoxville, Tenn. 37920. Applicant's representative: James N. Clay III, 2700 Sterick Building, Memphis, Tenn. 38103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Precast and prestressed concrete products with accessories*, from Knoxville, Tenn., to points in Tennessee, Alabama, Mississippi, Arkansas, Louisiana, Texas, Missouri, Georgia, Florida, North Carolina, South Carolina, Virginia, West Virginia, Kentucky, and Ohio. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Knoxville or Nashville, Tenn.

No. MC 129198 (Sub-No. 4), filed April 23, 1969. Applicant: GLASGOW TRANSPORT, INC., 123 West Park Place, Newark, Del. 19711. Applicant's representative: Phillip F. Hudock, 2400 Wilson Boulevard, Suite 300, Arlington, Va. 22201. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Asphalt, prepared roofing materials and accessories*, from Philadelphia, Pa., to points in Virginia (except points in the Washington, D.C., commercial zone), and *supplies, materials, and equipment* used in the manufacture of asphalt and prepared roofing materials, on return; and (2) *wood chips* used in the manufacture of asphalt and prepared roofing

materials, from Salisbury, Md., to Philadelphia, Pa., under contract with Celotex Corp., of Tampa, Fla. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa., or Washington, D.C.

No. MC 129387 (Sub-No. 7), filed April 28, 1969. Applicant: BILL PAYNE, doing business as BILL PAYNE TRUCKING COMPANY, Highway 14 East, Huron, S. Dak. 57350. Applicant's representative: Mead Bailey, 809 National Bank of South Dakota Building, Sioux Falls, S. Dak. 57102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by-products* as described in appendix I section A and articles distributed by meat packinghouses as described in appendix I section C of Ex Parte MC-45 *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from meat packinghouse plantsites or warehouse facilities at or near Huron, S. Dak., to points in Illinois, Iowa, Minnesota, Nebraska, North Dakota, and Wisconsin. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Huron or Sioux Falls, S. Dak., or Minneapolis, Minn.

No. MC 129387 (Sub-No. 8), filed May 5, 1969. Applicant: BILL PAYNE, doing business as BILL PAYNE TRUCKING COMPANY, Highway 14 East, Huron, S. Dak. 57350. Applicant's representative: Mead Bailey, 809 National Bank of South Dakota Building, Sioux Falls, S. Dak. 57102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat byproducts*, as described in appendix I section A and articles distributed by meat packinghouses as described in appendix I section C of Ex Parte MC-45 *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from meat packinghouse plantsites or warehouse facilities at or near Huron, S. Dak., to points in California. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Huron or Sioux Falls, S. Dak.

No. MC 129574 (Sub-No. 1), filed May 8, 1969. Applicant: FRANK R. CHULINO, doing business as MIDWEST TRANSPORTATION COMPANY, 2802 Avenue B, Council Bluffs, Iowa 51501. Applicant's representative: Einar Viren, 904 City National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Alcoholic beverages* (except malt beverages), in containers from points in Massachusetts, New Jersey, Maryland, Connecticut, and Missouri, to Omaha, Nebr., under contract with Sterling Distributing Co., Omaha, Nebr., and United Distillers Products Co., Omaha, Nebr. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 129809 (Sub-No. 4), filed May 8, 1969. Applicant: A & H, INC., Footville, Wis. 53537. Applicant's representative: David J. MacDougall, 1 East Milwaukee Street, Suite 305, Janesville, Wis. 53545. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Cheese, butter, and yeast*, from points in Wisconsin to points in Massachusetts, New York, Pennsylvania, Connecticut, New Jersey, and Rhode Island, for the account of Universal Foods Corp. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Milwaukee or Madison, Wis.

No. MC 133176 (Sub-No. 1), filed May 2, 1969. Applicant: E. P. I. TRANSPORT CO., a corporation, 1844 Ardmore Boulevard, Pittsburgh, Pa. 15221. Applicant's representative: Arthur J. Diskin, 806 Frick Building, Pittsburgh, Pa. 15219. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Formed metal building products, metals, and materials* used in the manufacture thereof (except commodities in bulk), from the plantsite of Epic Metals Corp. at Braddock, Pa., to points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Maryland, Virginia, District of Columbia, North Carolina, West Virginia, Kentucky, Tennessee, Ohio, Michigan, Indiana, Illinois, Wisconsin, Minnesota, Iowa, Missouri, and Arkansas; and (2) *materials* used in the manufacture of formed metal building products (except commodities in bulk), from points in the destination States named above, to the said plantsite of Epic Metals Corp. at Braddock, Pa., under continuing contract with Epic Metals Corp. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Pittsburgh, Pa.

No. MC 133224 (Correction), filed April 25, 1969, published in FEDERAL REGISTER, issue of May 15, 1969, and republished as corrected this issue. Applicant: FOLLMER TRANSPORT, INC., Post Office Box 55, West Milton, Pa. 17886. Applicant's representative: William P. Sullivan, 1819 H Street NW., Washington, D.C. 20006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Pulpboard*, from the plantsite of National Gypsum Co. near Columbia, Pa., to points in Ohio, West Virginia, Virginia, Maryland, New York, New Jersey, Delaware, Connecticut, Massachusetts, and the District of Columbia, and Portsmouth, N.H., and (2) *scrap paper and materials and supplies* used in the manufacture and distribution of pulpboard from points in Ohio, West Virginia, Virginia, Maryland, New York, New Jersey, Delaware, Connecticut, Massachusetts, and the District of Columbia to the plantsite of National Gypsum Co. near New Columbia, Pa., under a continuing contract or contracts with National Gypsum Company of Buffalo, N.Y. **NOTE:** The purpose of this republication is to show Portsmouth, N.H., as a destination point in (1) above and to include paragraph (2) above inadvertently omitted. If a hearing is deemed

necessary, applicant requests it be held at Washington, D.C.

No. MC 133412 (Sub-No. 1), filed May 12, 1969. Applicant: DON FRIDAY, doing business as CLINTON TRUCKING COMPANY, 258 21st Place, Clinton, Iowa 52732. Applicant's representative: George W. Pillers, Jr., 200 Joyce Building, Clinton, Iowa 52732. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dead farm animals and mixed scraps, bones and parts thereof*, not fit for human consumption and nonedible, between points in Illinois and Iowa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Clinton or Davenport, Iowa.

No. MC 133450 (Sub-No. 1), filed May 8, 1969. Applicant: CLARK COUNTY WHOLESALE MERCANTILE COMPANY, a corporation, 512 South Main Street, Las Vegas, Nev. 89101. Applicant's representative: Ernest D. Salm, 3846 Evans Street, Los Angeles, Calif. 90027. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime, limestone, gypsum plaster, gypsum lath, and gypsum wallboard*, from points in Clark County, Nev., to points in Los Angeles, Orange, Riverside, and San Bernardino Counties, Calif. NOTE: If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif., or Las Vegas, Nev.

No. MC 133490 (Sub-No. 1), filed May 9, 1969. Applicant: LEE'S TRUCKING, INC., 1 19th Avenue South, Minneapolis, Minn. 55404. Applicant's representative: Samuel Rubenstein, 301 North Fifth Street, Minneapolis, Minn. 55403. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Precut homes, knocked down, and finishing materials therefor*, from Minneapolis, Minn., to points in Wisconsin, Illinois, Upper Peninsula of Michigan, Iowa, Missouri, Nebraska, North Dakota, South Dakota, and Montana; under contract with President Homes Division, Harvey Builders, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 133515 (Sub-No. 1) (Amendment), filed April 7, 1969, published FEDERAL REGISTER, issues of May 1, 1969, and May 22, 1969, amended and republished as amended this issue. Applicant: ART WILSON ENTERPRISES, INC., 3936 55th Street, Des Moines, Iowa 50317. Applicant's representative: William L. Fairbank, 610 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Yogurt, snack dips, ice cream, ice milk, fruit flavored drinks, dairy products, and vegetable fat products*, (a) from Kansas City, Mo., and Pekin, Ill., to points in Iowa, Nebraska, South Dakota, and Rock Island, Ill., (b) between Des Moines, Iowa, and Rock Island, Ill., and (2) *ice cream and ice milk products*, from Chicago, Ill., and Milwaukee, Wis., to points in Iowa, under contract with Borden, Inc. NOTE: The purpose of this republication is to broaden the territory sought

in (1) (a) above. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 133533 (Sub-No. 2), filed April 30, 1969. Applicant: B G A TRANSPORT, INC., 13544 Settlement Acres Drive, Brookpark, Ohio 44142. Applicant's representative: Bernard S. Goldfarb, 1625 Illuminating Building, 55 Public Square, Cleveland, Ohio 44113. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Tin cans with or without tops; plastic pipe and fittings; plastic articles, such as pails, dishes and fabricated plastic articles; injection molding machines; infra red gas heaters*, from the warehouses and plantsites of The Van Dorn Co., at Cleveland and Conneaut, Ohio; Leetsdale, Pa.; Elizabeth, N.J., and Tampa, Fla., on the one hand, and on the other, points in Connecticut, Florida, Illinois, Indiana, Kentucky, Maryland, Massachusetts, Michigan, Missouri, New Jersey, New York, Pennsylvania, Rhode Island, Virginia, and West Virginia and materials, supplies and equipment used in the manufacture of the above commodities, on return, under contract with Van Dorn Co., Cleveland, Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at Cleveland, Ohio, or Washington, D.C.

No. MC 133542 (Sub-No. 1), filed May 8, 1969. Applicant: FLOYD WILD, Post Office Box 91, Marshall, Minn. 56258. Applicant's representative: Samuel Rubenstein, 301 North Fifth Street, Minneapolis, Minn. 55403. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Fruit juice drinks, imitation maple flavored syrup, pancake mixes, and frozen foods*, from Marshall, Minn., to points in Illinois, Indiana, Iowa, Michigan, Nebraska, North Dakota, Ohio, South Dakota, and Wisconsin, under contract with Vita-Sun Distributing Co., and Schwan's Sales Enterprises, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn., or Sioux Falls, S. Dak.

No. MC 133581 (Correction), filed March 20, 1969, published in FEDERAL REGISTER issues of April 24, 1969, and May 8, 1969, and republished as corrected, this issue. Applicant: HOLDT POTATO COMPANY, INC., Rural Route 2, Red Cloud, Nebr. 68970. Applicant's representative: Frederick J. Coffman, 521 South 14th Street, Post Office Box 806, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Dairy products*, from Red Cloud, Nebr., to points in Arizona, California, and Missouri; and (2) *materials and supplies used in the manufacture and production of dairy products* on return, under contract with Don Pauly Cheese, Inc. NOTE: The purpose of this republication is to show authority sought as a *contract carrier*, in lieu of *common carrier*. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 133666 (Sub-No. 1), filed May 12, 1969. Applicant: JACOBSON

TRANSPORT, INC., Wheaton, Minn. 56296. Applicant's representative: Samuel Rubenstein, 301 North Fifth Street, Minneapolis, Minn. 55403. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, in tank vehicles, from the storage facilities of Central Farmers Fertilizer Co. located at or near Spencer, Iowa, to points in Iowa, Minnesota, North Dakota, Nebraska, South Dakota, and Wisconsin. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 133684, filed April 28, 1969. Applicant: GORDON FAST FREIGHT, INC., 605 41st Avenue NE., Puyallup, Wash. 98372. Applicant's representative: Joseph O. Earp, 607 Third Avenue, Seattle, Wash. 98104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt liquors*, in containers, from Vancouver, Wash., to Tacoma and Seattle, Wash., restricted to the transportation of shipments having an immediately subsequent movement by water. NOTE: Applicant states that this instant application for common carrier authority duplicates the contract carrier permit authority now held by applicant which is restricted to service for the account of General Brewing Corp. Applicant further states that if the Commission grants the common carrier authority herein sought, it will surrender his contract carrier permit No. MC 128418 for cancellation. The purpose of this instant application is that applicant is filing concurrently, an application to transfer the certificate now held by Tacoma Hauling Co., Inc., No. MC 64798 (Sub-No. 6). Since this involves common carrier authority to haul malt liquors, it is necessary for applicant to "convert" its contract carrier authority to common carrier authority to avoid being involved in dual operations. If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash.

No. MC 133700, filed May 2, 1969. Applicant: DUCKETT TRANSFER COMPANY, INC., 74 Meadow Road, Asheville, N.C. 28803. Applicant's representative: Phillip G. Carson, Suite 705, First Union National Bank Building, 82 Patton Avenue, Asheville, N.C. 28802. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities as are dealt in by Stanley Home Products consisting of assorted beauty and household cleaning supplies and goods*, from Charlotte and Asheville, N.C., to points in Avery, Buncombe, Cherokee, Clay, Burke, Graham, Haywood, Henderson, Jackson, Macon, Madison, McDowell, Mitchell, Polk, Rutherford, Swain, Transylvania, Yancey Counties, N.C.; and Spartanburg and Cherokee Counties, S.C.; under contract with Stanley Home Products. NOTE: If a hearing is deemed necessary, applicant requests it be held at Asheville or Charlotte, N.C.

No. MC 133701, filed May 5, 1969. Applicant: TAN LINE, INC., a corporation, 2 Johnsfeld Court, Huntington Station, N.Y. 11745. 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: *Baggage and such personal property* usually carried by airline passengers, between La Guardia, John F. Kennedy International, Westchester, MacArthur Airports, N.Y., Newark, Teterboro Airports, N.J., on the one hand, and, on the other, points in Connecticut, Massachusetts, New Jersey, New York, Pennsylvania, Delaware, Maryland, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 133702, filed May 5, 1969. Applicant: NORTHEASTERN LEASING CO., a corporation, Post Office Box 605, Emerson, N.J. 07630. Applicant's representative: William D. Traub, 10 East 40th Street, New York, N.Y. 10016. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *General commodities* in containers or trailers having a prior or subsequent movement by water in interstate or foreign commerce, between points in the New York, N.Y., commercial zone, as defined by the Interstate Commerce Commission. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 133728, filed May 7, 1969. Applicant: THE TORVIK DISTRIBUTING COMPANY, a corporation, 401 West Dakota Avenue, Pierre, S. Dak. 57501. Applicant's representative: Ober L. Torvik, 341 North Evans Street, Post Office Box 207, Pierre, S. Dak. 57501. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Malt beverages in containers and supplies, signs, and materials* used in the sale and distribution thereof from Minneapolis and St. Paul, Minn., Milwaukee, Wis., Omaha, Nebr., and St. Louis, Mo., to Winner, S. Dak. Restriction: The operations requested will be limited to a transportation service to be performed under a continuing contract or contracts with Ober L. Torvik, doing business as The Torvik Distributing Co. of Winner, S. Dak. NOTE: If a hearing is deemed necessary, applicant requests it be held at Pierre, S. Dak.

No. MC 133730, filed May 12, 1969. Applicant: FREDERICKSEN TANK LINES, INC., Post Office Box 717, West Sacramento, Calif. 95691. Applicant's representative: Marshall G. Berol, 100 Bush Street, 21st Floor, San Francisco, Calif. 94104. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, (1) from points in Contra Costa, Solano, Sacramento, and Yolo Counties, Calif., to points in Washoe, Humboldt, Pershing, Lander, Churchill, Storey, Lyon, Douglas, Mineral, and Ormsby Counties, Nev., and (2) from Sparks, Nev., to points in Lassen, Plumas, Sierra,

Nevada, Placer, El Dorado, Amador, Alpine, Mono, and Solano Counties, Calif., under contract with Humble Oil and Refining Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

No. MC 133732, filed May 12, 1969. Applicant: D. E. WADE, doing business as V. F. CARTER DELIVERY SERVICE, 750 Gardenia Lane, Jacksonville, Fla. 32208. Applicant's representative: Sol H. Proctor, 1729 Gulf Life Tower, Jacksonville, Fla. 32207. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Appliances*, from Jacksonville, Fla., to points in Ware and Loundes Counties, Ga.; under contract with General Electric Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Jacksonville, Fla.

MOTOR CARRIERS OF PASSENGERS

No. MC 88080 (Sub-No. 11), filed May 9, 1969. Applicant: ANZAC TRANSPORTATION CO., a corporation, 1001 Boardman Drive, Gallup, N. Mex. 87301. Applicant's representative: Edwin E. Piper, Jr., 715 Simms Building, Albuquerque, N. Mex. 87101. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers, in charter or special operations, between points in McKinley, San Juan, and Valencia Counties, N. Mex., and points on the Navajo and Hopi Indian Reservations, Ariz., on the one hand, and, on the other, points in Arizona, California, Colorado, Idaho, Illinois, Iowa, Kansas, Minnesota, New Mexico, Oregon, Texas, and Utah. NOTE: If a hearing is deemed necessary, applicant requests it be held at Albuquerque, N. Mex.

No. MC 124568 (Sub-No. 3), filed May 1, 1969. Applicant: BRITISH COLUMBIA HYDRO AND POWER AUTHORITY, a corporation, doing business as PACIFIC STAGE LINES AND ROYAL BLUE LINE MOTOR TOURS, 150 Dunsmuir Street, Vancouver 3, British Columbia, Canada. Applicant's representative: W. W. McAulay (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage* in one way and round trip charter operations, beginning and ending at ports of entry in Washington, on the international boundary line between the United States and Canada and at ports of entry in Washington which are the termini of ferry services operating between the United States and Canada, and extending to points in Idaho and Nevada. NOTE: Applicant states it intends to tack at the boundaries of California, Oregon, and Washington, to serve Idaho and Nevada. If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash.

APPLICATION OF FREIGHT FORWARDERS

No. FF-370, DE WITT FREIGHT FORWARDING, Freight Forwarder Application, filed May 9, 1969. Applicant: DE WITT FREIGHT FORWARDING, 6060 North Figueroa Street, Los Angeles,

Calif. 90042. Applicant's representative: Alan F. Wohlsetter, 1 Farragut Square South, Washington, D.C. 20006. Authority sought under section 410, Part IV of the Interstate Commerce Act for a permit authorizing applicant to continue operations as a freight forwarder in interstate or foreign commerce, in the forwarding of (a) *used household goods*, (b) *used automobiles*, and (c) *unaccompanied baggage*, between points in the United States, including Alaska and Hawaii.

No. FF-371, HIGA FAST PAC, INC., Freight Forwarder Application, filed May 14, 1969. Applicant: HIGA FAST PAC, INC., 465 California Street, San Francisco, Calif. 94104. Applicant's representative: Alan F. Wohlsetter, 1 Farragut Square South, Washington, D.C. 20006. Authority sought under section 410, Part IV of the Interstate Commerce Act for a permit authorizing applicant to continue operations as a freight forwarder in interstate or foreign commerce, in the forwarding of (a) *used household goods*, (b) *used automobiles*, and (c) *unaccompanied baggage*, between points in the United States, including Alaska and Hawaii.

No. FF-372, SUDDATH ENTERPRISES, INC., freight forwarder application, filed May 19, 1969. Applicant: SUDDATH ENTERPRISES, INC., Post Office Box 6699, Jacksonville, Fla. 32205. Applicant's representative: Herbert Burstein, 160 Broadway, New York, N.Y. 10038. Authority sought to operate under section 410, Part IV of the Interstate Commerce Act for a permit authorizing applicant to institute operation as a freight forwarder in interstate or foreign commerce, in the forwarding of (a) *household goods*, (b) *unaccompanied baggage*, and (c) *used automobiles*, between points in the United States, including Alaska and Hawaii.

APPLICATION OF WATER CARRIERS

No. W-318 (Sub-No. 3), EDWIN A. BEERS AND WILLIAM G. MINNIS, doing business as, BEERS & MINNIS EXTENSION—TOWAGE (2) filed May 8, 1969. Applicant: EDWIN A. BEERS AND WILLIAM G. MINNIS, a partnership, doing business as BEERS & MINNIS, 142 World Trade Center, San Francisco, Calif. 94111. Applicant's representative: J. Thomas Rosch, 601 California Street, San Francisco, Calif. 94108. Application of Beers & Minnis filed May 8, 1969, subject to Part III of the Interstate Commerce Act, for a revised certificate authorizing extension of its operations to include operation as a common carrier, in interstate or foreign commerce, by towing vessels in the towage of *non-self-propelled vessels*, loaded and empty, between ports and points on San Francisco, San Pablo, and Suisan Bays, the Sacramento River, and on the San Joaquin River below and including Stockton, Calif., and their tributaries.

APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN REQUESTED

No. MC 2633 (Sub-No. 54), filed May 7, 1969. Applicant: CROSSETT, INC., Post Office Box 946, Warren, Pa.

16365. Applicant's representative: Kenneth T. Johnson, Bank of Jamestown Building, Jamestown, N.Y. 14701. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products* as described in Appendix XIII to the report in *Descriptions in Motor Carriers Certificates*, 61 M.C.C. 209, in bulk, in tank vehicles, from points in McKean County, Pa., to points in Ohio and Michigan.

No. MC 124211 (Sub-No. 127), filed May 4, 1969. Applicant: HILT TRUCK LINE, INC., 1415 South 35th Street, Post Office Box H, Council Bluffs, Iowa 51501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Flour, food products, and grain products*, between Lincoln, Nebr., on the one hand, and, on the other, points in Missouri. Note: Applicant states no duplicating authority is being sought. Applicant states tacking would be done only as an incidental or secondary purpose and the primary purpose of this application is to provide the proposed services to the supporting shippers.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 69-6327; Filed, May 28, 1969;
8:45 a.m.]

[Notice 839]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

MAY 26, 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 30837 (Sub-No. 369 TA), filed May 15, 1969. Applicant: KENOSHA AUTO TRANSPORT CORPORATION, 4200 39th Avenue, Kenosha, Wis. 53140. Applicant's representative: Albert P. Barber (same address as above). Au-

thority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Electrical equipment* (such as electric outdoor signs, either internally or externally illuminated, and parts thereof including poles and brackets; also, digital readout signs, including but not limited to athletic scoreboards, time and temperature units), requiring the use of special equipment between Pardeeville, Wis., to points in the United States (except Alaska and Hawaii), for 180 days. Supporting shipper: General Indicator Corp., Pardeeville, Wis. 53954 (G. M. Helbing, Traffic Manager). Send protests to: District Supervisor Lyle D. Helfer, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street, Room 807, Milwaukee, Wis. 53203.

No. MC 40757 (Sub-No. 10 TA), filed May 19, 1969. Applicant: CREECH BROTHERS TRUCK LINES, INC., 312 West Cherry Street, Troy, Mo. 63379. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Aluminum structural forms and aluminum airplane wing skins*, from Tullahoma, Tenn., to St. Louis, Mo., for 180 days. Supporting shipper: McDonnell Douglas Corp., St. Louis, Mo. 63166, Attention: John R. Johnson, Traffic Supervisor. Send protests to: J. P. Werthmann, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 3248, 1520 Market Street, St. Louis, Mo. 63103.

No. MC 103993 (Sub-No. 405 TA), filed May 19, 1969. Applicant: MORGAN DRIVE AWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind. 46514. Applicant's representative: Ralph H. Miller (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Undercarriages, frames, and roofs*, from Decatur, Ala., to Anna, Ill., for 180 days. Supporting shipper: Riblet Products, Inc., Elkhart, Ind. Send protests to: District Supervisor J. H. Gray, Interstate Commerce Commission, Bureau of Operations, Room 204, 345 West Wayne Street, Fort Wayne, Ind. 46802.

No. MC 107496 (Sub-No. 733 TA), filed May 16, 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: *Dry fertilizer and dry fertilizer ingredients*, in bulk, from Memphis, Tenn., to points in Arkansas, Mississippi, and Charleston, Hunterville, Essex, Kennett, East Prairie, and Portageville, Mo., for 120 days. Supporting shippers: Monsanto Co., 800 North Lindbergh Boulevard, St. Louis, Mo. 63166; USS Agri-Chemicals, Inc., Post Office Box 1685, Atlanta, Ga. 30301; Mobil Chemical Co., 401 East Main Street, Richmond, Va. 23208. Send protests to: Ellis L. Annett, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 677 Federal Building, Des Moines, Iowa 50309.

No. MC 107515 (Sub-No. 660 TA), filed May 14, 1969. Applicant: REFRIGERATED TRANSPORT COMPANY, INC., Post Office Box 308, Forest Park, Ga. 30050. Applicant's representative: B. L. Gundlach (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Salads and sandwich spreads*, from (1) Knoxville, Tenn., to points in Michigan, Ohio, Indiana, Illinois, Missouri, Kentucky, Wisconsin, Minnesota, New York, New Jersey, Pennsylvania, Delaware, Connecticut, Rhode Island, Massachusetts, Kansas, Oklahoma, Arkansas, Texas, Louisiana, Mississippi, Alabama, Florida, Georgia, North Carolina, South Carolina, Virginia, West Virginia, Maryland, District of Columbia, Iowa, Nebraska, North Dakota, and South Dakota; (2) Atlanta, Ga., to points in Michigan, Ohio, Indiana, Illinois, Kentucky, Wisconsin, New York, New Jersey, Pennsylvania, Delaware, Connecticut, Rhode Island, Massachusetts, Kansas, Oklahoma, Texas, Virginia, West Virginia, Maryland, District of Columbia, Iowa, Nebraska, North Dakota, and South Dakota, for 180 days. Supporting shipper: Kinser's Foods, Suite 260, 3376 Peachtree Road NE, Atlanta, Ga. 30326. Send protests to: William L. Scroggs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 309, 1252 West Peachtree Street NW, Atlanta, Ga. 30309.

No. MC 118263 (Sub-No. 12 TA), filed May 16, 1969. Applicant: COLDWAY CARRIERS, INC., Post Office Box 38, Clarksville, Ind. 47131. Applicant's representative: Paul M. Daniell, Suite 1600, First Federal Building, Atlanta, Ga. 30303. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat byproducts*, from Union City, Tenn.; to Reading, Pa., and New York, N.Y., and points within its commercial zone, for 180 days. Supporting shipper: Reelfoot Packing Co., Union City, Tenn. 38261. 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 119443 (Sub-No. 22 TA), filed May 19, 1969. Applicant: P. E. KRAMME, Main Street, Monroeville, N.J. 08343. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Chocolate coating, chocolate, confectionery coating, chocolate compounds, candy coating* other than chocolate and cocoa butter, in bulk, in tank vehicles, from Lititz, Pa., to points in Minnesota, for 180 days. Supporting shipper: Wilbur Chocolate Co., Inc., Lititz, Pa. 17543. Send protests to: Raymond T. Jone, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 410 Post Office Building, Trenton, N.J. 08608.

No. MC 124221 (Sub-No. 25 TA), filed May 19, 1969. Applicant: HOWARD BAER, 821 East Dunne Street, Morton, Ill. 61550. Applicant's representative: Robert W. Loser, 409 Chamber of Commerce Building, Indianapolis, Ind. 46204.

Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from Gulfport, Miss., to Peoria, Ill., for 180 days. Supporting shipper: Super Valu Stores, Inc., 8201 North University Avenue, Box 3257, Peoria, Ill. 61614. Send protests to: Raymond E. Mauk, District Supervisor, Interstate Commerce Commission, Bureau of Operations, U.S. Courthouse, Federal Office Building, Room 1086, 219 South Dearborn Street, Chicago, Ill. 60604.

No. MC 125035 (Sub-No. 18 TA), filed May 19, 1969. Applicant: RAY E. BROWN TRUCKING, INC., 1132 55th Street NE., North Canton, Ohio 44721. Applicant's representative: Fred H. Zollinger, 800 Cleve-Tusc. Building, Canton, Ohio 44702. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Ice cream, ice cream confections, ice confections and ice water confections*, from Wheeling W. Va., to Detroit, Mich., for 180 days. Supporting shipper: Sealtest Foods, Division of National Dairy Products Corp., 20545 Center Ridge Road, Cleveland, Ohio 44116. Send protests to: A. M. Culver, Jr., District Supervisor, Interstate Commerce Commission, Bureau of Operations, 255 Federal Building and U.S. Courthouse, 85 Marconi Boulevard, Columbus, Ohio 43215.

No. MC 125760 (Sub-No. 4 TA), filed May 19, 1969. Applicant: GLENN W. MEANS, 1597 Pittsburgh Road, Franklin, Pa. 16323. Applicant's representative: John E. McFate, 229 Elm Street, Oil City, Pa. 16301. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products*, from Youngstown, Ohio, to Quaker Markets in Venango, Clarion, Jefferson, and Clearfield Counties, Pa., for 180 days. Supporting shipper: Quaker Markets, Inc., Post Office Box 438, Punxsutawney, Pa. 15767. Send protests to: John J. England, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 2109 Federal Building, 1000 Liberty Avenue, Pittsburgh, Pa. 15222.

No. MC 128772 (Sub-No. 1 TA), filed May 22, 1969. Applicant: STAR BULK TRANSPORT, INC., 827 North Front Street, New Ulm, Minn. 56073. Applicant's representative: Charles E. Nieman, 1160 Northwestern Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products*, from Clarkfield, Minn., to Chicago, Ill., and, on return, *dairy equipment, dairy supplies, and dairy materials*, from Chicago, Ill., to Clarkfield, Minn., for 150 days. Supporting shipper: Five Star Dairyland Cooperative, New Ulm, Minn. 56073. Send protests to: A. N. Spath, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 448 Federal Building and U.S. Courthouse, Minneapolis, Minn. 55401.

No. MC 133736 TA, filed May 16, 1969. Applicant: FLOYD MATHESON, doing business as MATHESON WHOLESALE MEAT AND PROCESSING CO., 200 West 500 North Street, Cedar City, Utah

84720. Applicant's representative: Harry D. Pugsley, 400 El Paso Gas Building, Salt Lake City, Utah 84111. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meat and meat products*, from Cedar City, Utah, to points in Iron, Washington, Beaver, and Millard Counties, Utah, for 180 days. NOTE: Applicant states that fresh and frozen meat and meat products will be delivered for interline at applicant's storage plant in Cedar City, Utah, from Sioux Falls, N. Dak., and transported to destinations in the four counties by applicant. Supporting shipper: John Morrell & Co., Sioux Falls, S. Dak. (Claude Stewart). Send protests to: John T. Vaughan, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 6201 Federal Building, Salt Lake City, Utah 84111.

No. MC 133737 TA, filed May 16, 1969. Applicant: ROBERT CRAWFORD, doing business as CRAWFORD TRUCKING COMPANY, 5563 Northwest Drive, Omaha, Nebr. 68104. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Feed and feed ingredients*, from Omaha, Nebr., to Harland, Denison, and Atlantic, Iowa, for 180 days. Supporting shipper: Nixon & Co., 2619 N Street, Omaha, Nebr. 68107. Charles D. Dickhute. Send protests to: Keith P. Kohrs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 705 Federal Office Building, Omaha, Nebr. 68102.

No. MC 133745 TA, filed May 22, 1969. Applicant: TIMOTHY DAVID PERSON, doing business as ALLSTATES AMERICAN VAN LINES, 5740 Easton Avenue, St. Louis, Mo. 63136. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods and household goods in containers, new furniture, store fixtures, institutional equipment, electronic equipment and computers, aerospace equipment, food servicing equipment, displays and exhibits, art objects, and shows on tours, industrial and manufacturing equipment, skidded but uncrated, coin operated equipment, musical equipment and instruments*, all or any part of load uncrated, between points in the United States, including Alaska, Hawaii, and Washington, D.C., for 180 days. Supported by: There are approximately 15 statements of support attached to the application, which statements may be examined here at the Interstate Commerce Commission, in Washington, D.C., or copies thereof may be examined at the field office named below. Send protests to: J. P. Werthmann, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 3248, 1520 Market Street, St. Louis, Mo. 63103.

MOTOR CARRIER OF PASSENGERS

No. MC 133729 TA, filed May 14, 1969. Applicant: WILLIAM E. KERSHAW, JR., doing business as WILDERNESS TRAVEL CAMP, 259 East Evergreen Avenue, Philadelphia, Pa. 19118. Authority sought to operate as a *common carrier*, by

motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in all-expense camping and sightseeing tours, from June 21 to September 1, 1969, limited to those under age 18, (1) from Philadelphia, Pa., to Los Angeles, Calif., and return, with stopovers in the following cities and National Parks, Detroit, Mich., Rocky Mountain National Park, Colo., Mesa Verde National Park, Colo., Grand Canyon National Park, Ariz., Las Vegas, Nev., San Francisco, Calif., Yosemite National Park, Calif., Salt Lake City, Utah, Grand Teton National Park, Wyo., Yellowstone National Park, Wyo., Ely, Minn., and Chicago, Ill.; and (2) from Philadelphia, Pa., to port of entry on the international boundary line between the United States and Canada at Derby Line, Vt., and return from Rouses Point, N.Y. (port of entry) to Philadelphia, with stopovers at Mashamouet State Park, near Putnam, Conn., Intervale, N.H., Bolton Landing, and Thacher State Park, N.Y., for 90 days. Supported by: There are approximately 26 statements from parents of potential passengers supporting the application, which are attached to the application, which statements may be examined here at the Interstate Commerce Commission in Washington, D.C., or at the field office named below. Send protests to: F. W. Doyle, District Supervisor, Interstate Commerce Commission, 900 U.S. Courthouse, Philadelphia, Pa. 19106.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 69-6390; Filed, May 28, 1969; 8:48 a.m.]

[Notice 353]

MOTOR CARRIER TRANSFER PROCEEDINGS

MAY 26, 1969.

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

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-71312. By order of May 20, 1969, the Motor Carrier Board approved the transfer to City Express, Inc., Streator, Ill., of certificates Nos. MC-79080, MC-79080 (Sub-No. 5), and No. MC-79080 (Sub-No. 7), issued July 7, 1960, December 20, 1968, and March 19, 1969, to Austgen Express & Storage Co., a corporation, Aurora, Ill., authorizing the transportation of specified commodities to, from, and between specified points in

Illinois, Wisconsin, Indiana, Michigan, Missouri, and Ohio. Robert H. Levy, 29 South La Salle Street, Chicago, Ill. 60603, attorney for applicants.

No. MC-FC-71367. By order of May 21, 1969, the Motor Carrier Board approved the transfer to Mervin Mewes, Inc., Highmore, S. Dak., of the certificate No. MC-107614 issued January 27, 1966, to Mervin B. Mewes, doing business as Mewes Trucking, Highmore, S. Dak., authorizing the transportation of livestock, emigrant movables, and various farm commodities between specified points in South Dakota, Iowa, Minnesota, and Nebraska. Ruben R. Widmayer, 108 West Second Street, Miller, S. Dak. 57362, attorney for applicants.

No. MC-FC-71374. By order of May 16, 1969, the Motor Carrier Board approved the transfer to Pool Freight Line, Inc., Greenville, S.C., of certificate of registration No. MC-93138 (Sub-No. 1) issued May 20, 1965, to Edward Pool, doing business as Pool Freight Line, Greenville, S.C., authorizing the transportation of commodities in general, with specified exceptions and specified commodities between specified points in South Carolina. Frank A. Graham, Jr., 707 Security Federal Building, Columbia, S.C. 29201, attorney for applicants.

No. MC-FC-71380. By order of May 20, 1969, the Motor Carrier Board approved the transfer to Jack Armas and Jean Armas, a partnership, doing business as Mariposa Express, Merced, Calif., of cer-

tificate of registration No. MC-96793 (Sub-No. 1), issued October 8, 1964, to Glenn Scholl and Orlina C. Ryan, a partnership, doing business as Mariposa Express, Merced, Calif., authorizing the transportation in interstate and foreign commerce, pursuant to Certificate of Public Convenience and Necessity No. 55326, issued by the Public Utilities Commission of the State of California. Eugene A. Mash, 630 West 19th Street, Merced, Calif. 95340, attorney for applicants.

[SEAL]

H. NEIL GARSON,
Secretary.[P.R. Doc. 69-6391; Filed, May 28, 1969;
8:48 a.m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

MAY 26, 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. 41639—Sulphur from southwestern producing points. Filed by Southwestern Freight Bureau, agent (No. B-34), for interested rail carriers. Rates on sulphur (brimstone), crude, un-

ground and unrefined, in carloads, as described in the application, from southwestern producing points, to Clifton, N.J. Grounds for relief—Market competition.

Tariff—Supplement 24 to Southwestern Freight Bureau, agent, tariff ICC 4795.

FSA No. 41640—Sand to Lebanon, Pa. Filed by Southwestern Freight Bureau, agent (No. B-39), for interested rail carriers. Rates on sand, in carloads, as described in the application, from specified points in Arkansas, Missouri, Oklahoma, and Texas, to Lebanon, Pa.

Grounds for relief—Modified short-line distance formula.

Tariff—Supplement 37 to Southwestern Freight Bureau, agent, tariff ICC 4797.

FSA No. 41641—Ethylene glycol to Fiberton and Earl, N.C. Filed by Southwestern Freight Bureau, agent (No. B-37), for interested rail carriers. Rates on ethylene glycol, in tank carloads, from Taft, La., to Fiberton and Earl, N.C.

Grounds for relief—Market competition.

Tariff—Supplement 76 to Southwestern Freight Bureau, agent, tariff ICC 4722.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.[P.R. Doc. 69-6392; Filed, May 28, 1969;
8:48 a.m.]

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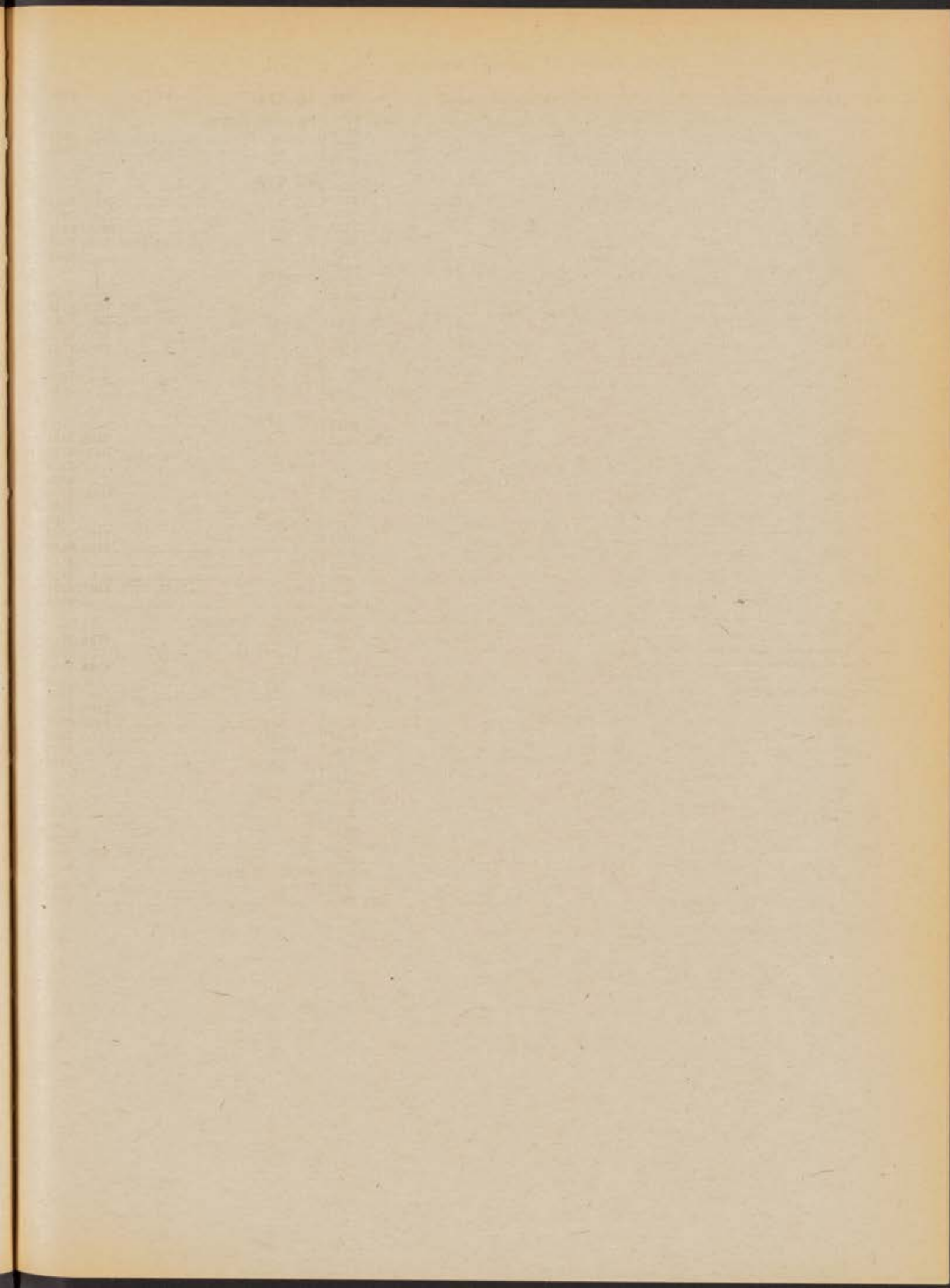
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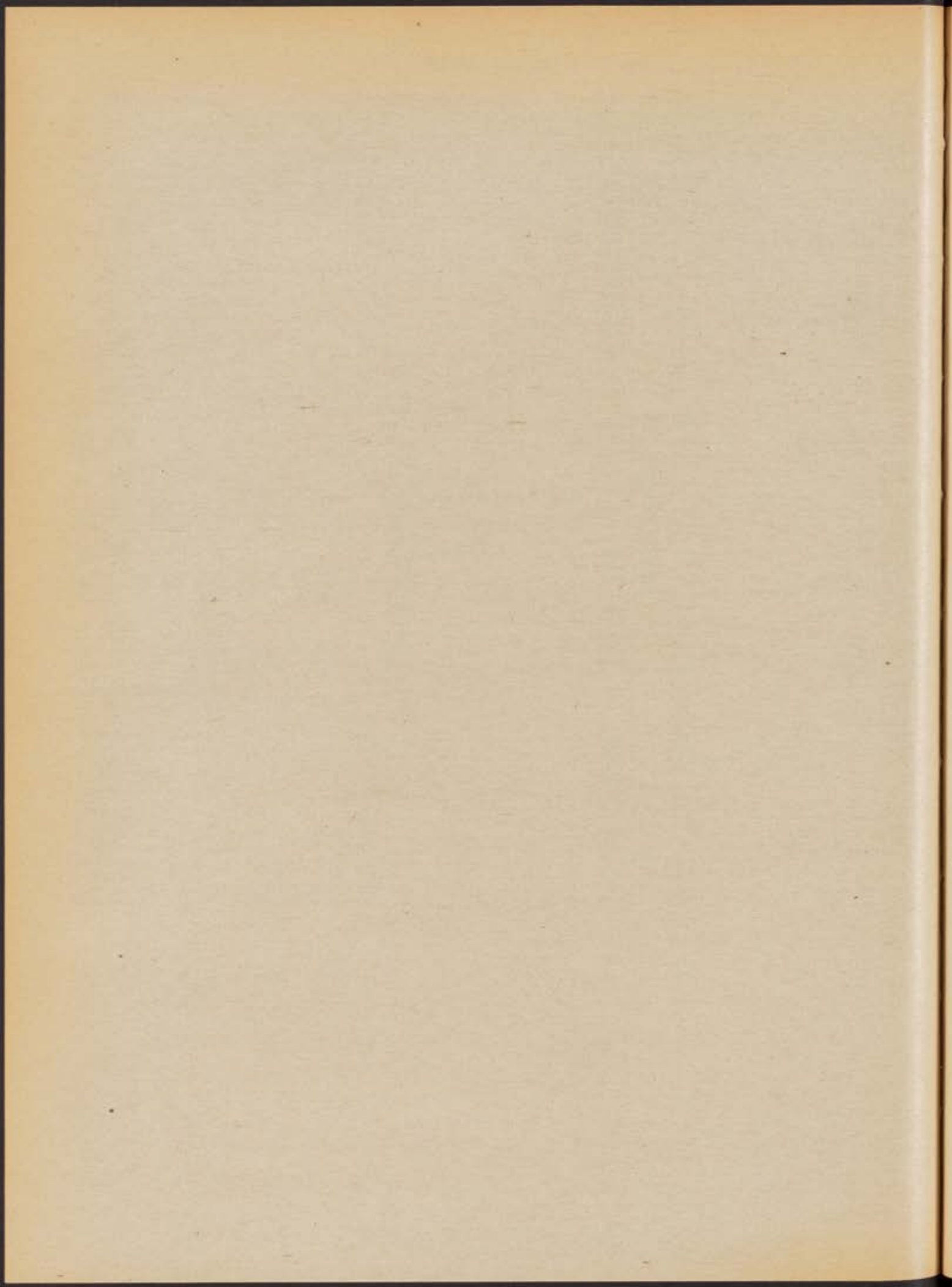
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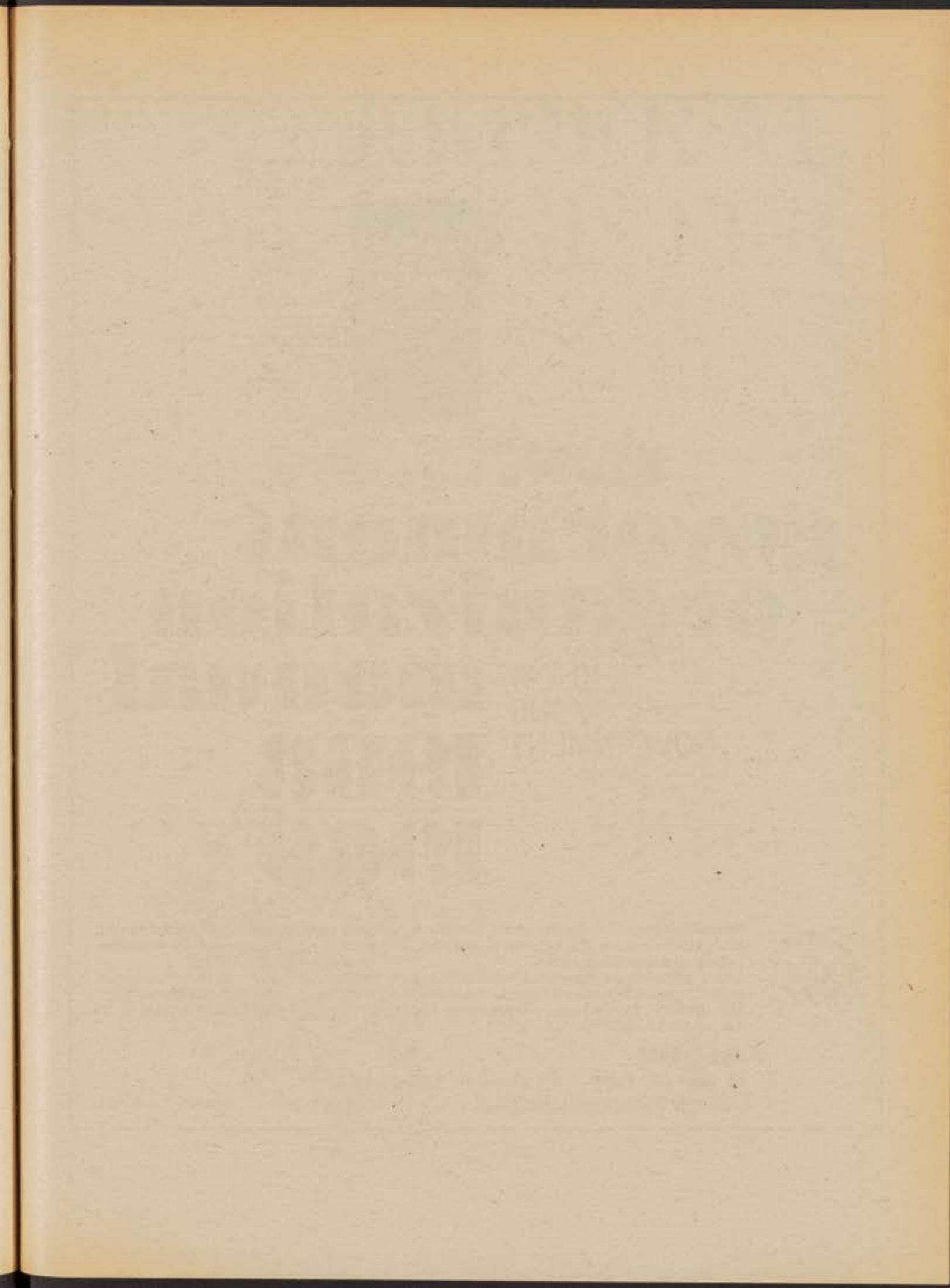
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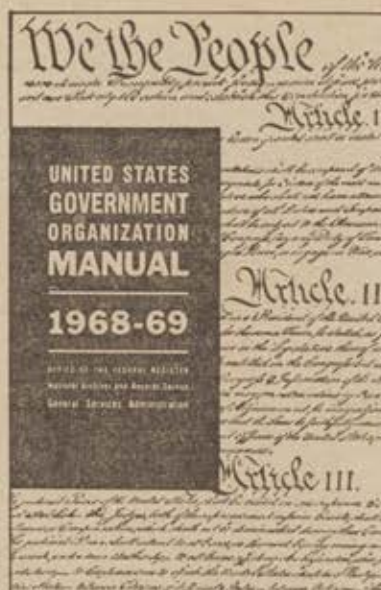
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