Contents

ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

Notices
Title, selection, and training of hearing examiners, career development of government attorneys, and creation of Federal attorney center for continuing legal education of government lawyers and private lawyers engaged in administrative law practice; extension of opportunities for written comments.... 8980

AGRICULTURE DEPARTMENT
See also Consumer and Marketing Service.

Rules and Regulations
Financing of commercial sales of agricultural commodities; miscellaneous amendments... 8963

ATOMIC ENERGY COMMISSION
Notices
Niagara Mohawk Power Corp.; proposed issuance of provisional operating license... 8977
State of North Dakota; proposed agreement for assumption of certain AEC regulatory authority... 8974

CIVIL AERONAUTICS BOARD
Notices
Hearings, etc.: International Air Transport Association (2 documents)... 8980
Phoenix-Seattle/Portland non-stop case... 8981

COAST GUARD
Rules and Regulations
Drawbridge operation: Hackensack River, N.J... 8967
Indian Creek, Fla... 8967
Miscellaneous amendments to chapter... 9010

Notices
Husky Oil Company of Delaware; qualification as U.S. citizen... 8979

CONSUMER AND MARKETING SERVICE
Rules and Regulations
Avocados grown in south Florida; shipment limitation... 8964
Inspection and certification of certain agricultural commodities; regulations and standards; postponement of effective dates... 8963
Oranges, Valencia, grown in Arizona and California; handling limitation... 8994

Proposed Rule Making
Milk in Black Hills marketing area; hearing... 8973
Peaches grown in Mesa County, Colo.; recommended decision... 8969

FEDERAL AVIATION ADMINISTRATION
Rules and Regulations
Federal airways; alterations (2 documents)... 8963
VOR Federal airways and reporting points; alteration and designation... 8966

FEDERAL COMMUNICATIONS COMMISSION
Rules and Regulations
Safety and special radio services; licensing of corporation to render communication service to subsidiary... 8983

Proposed Rule Making
Food additives; sulfamethazine; withdrawal... 8973

Notices
Food additive and pesticide petitions: Amdal Co.; withdrawal... 8978
Fort Dodge Laboratories... 8979
Merek Sharp & Dohme Research Laboratories... 8979
Stauffer Chemical Co.; withdrawal... 8979

FEDERAL HOME LOAN BANK BOARD
Proposed Rule Making
Federal Savings and Loan System; applications for branch offices... 8973

FEDERAL MARITIME COMMISSION
Notices
Sea-Land Service, Inc.; general increases in rates in U.S. Atlantic/Puerto Rico trade... 8982

FEDERAL POWER COMMISSION
Notices
Hearings, etc.: Gulf States Utilities Co... 8983
Iowa Electric Light and Power Co., and MichiganWisconsin Pipe Line Co... 8983
Maine Electric Power Co., Inc... 8983
Michigan Wisconsin Pipe Line Co... 8983
United Fuel Gas Co... 8984
United Gas Pipe Line Co... 8984
United Gas Pipe Line Co. and Southern Natural Gas Co... 8985

FEDERAL RESERVE SYSTEM
Notices
Midwest Bancorporation, Inc.; approval of action to become bank holding company... 8985

FOOD AND DRUG ADMINISTRATION
Rules and Regulations
Pesticide chemicals tolerances: 2-tert-buty lamino-4-ethylamino-6-methylthio-s-triazine... 8967

Proposed Rule Making
Food additives; sulfamethazine; withdrawal... 8973

Notices
Food additive and pesticide petitions: Amdal Co.; withdrawal... 8978
Fort Dodge Laboratories... 8979
Merek Sharp & Dohme Research Laboratories... 8979
Stauffer Chemical Co.; withdrawal... 8979

HEALTH, EDUCATION, AND WELFARE DEPARTMENT
See Food and Drug Administration.

HOUSING AND URBAN DEVELOPMENT DEPARTMENT
Notices
Acting Assistant Regional Administrator for Model Cities, Region II (Philadelphia); designation... 8979

INTERSTATE COMMERCE COMMISSION
Notices
Fourth section applications for relief... 9006
General transportation importance rule; interpretation of three-page limitation... 9006
Motor carrier, broker, water carrier, and freight forwarder applications... 8997
Motor carrier transfer proceedings... 9006

LABOR DEPARTMENT
Proposed Rule Making
Immigrant labor certifications; validity... 8972

(Continued on next page) 8981
List of CFR Parts Affected

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

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

7 CFR
17 8963
68 8963
908 8964
915 8964
Proposed Rules: 8969
1075 8972

12 CFR
Proposed Rules:
545 8973
556 8973

14 CFR
129 (3 documents) 8966

21 CFR
Proposed Rules:
120 8967
121 8973

29 CFR
Proposed Rules:
60 8972

33 CFR
117 (2 documents) 8967

46 CFR
2 9010
42 9011
43 9018
45 9019
46 9019

47 CFR
81 8968
91 8968
93 8968
Rules and Regulations

Title 7—Agriculture

Subtitle A—Office of the Secretary of Agriculture

PART 17—Sale of Agricultural Commodities Made Available Under Title I of the Agricultural Trade Development and Assistance Act of 1954, as Amended

Subpart A—Regulations Governing the Financing of Commercial Sales of Agricultural Commodities

Miscellaneous Amendments

The Regulations Governing the Financing of Commercial Sales of Agricultural Commodities pursuant to Title I of the Agricultural Trade Development and Assistance Act of 1954 (31 U.S.C. 1618, as amended 33 F.R. 3137, 10005, and 16381) are further amended, as follows:

1. The following terms are defined wherever they appear in the regulations, in Appendix A and Appendix B, and in all forms issued thereunder to read as follows:

The term "Administrator" is changed to read "General Sales Manager"; the term "Foreign Agricultural Service" and "FAS" are changed to read "Export Marketing Service" and "EMS," respectively; and the term "Office of the General Sales Manager" is changed to read "Export Marketing Service."

2. Section 17.2 is amended by changing paragraphs (a) (6) and (9) and (c) (1) and by adding a new paragraph (c) (21) to read as follows:

§ 17.2 Definition of terms.

(a) "General Sales Manager" and "GSM" mean the General Sales Manager, Export Marketing Service, or his designee.

(c) "Affiliate" and "associated company" mean any legal entity which owns or controls, or is owned or controlled by, another legal entity. For a corporation, ownership of the voting stock shall be the controlling criterion. The term "owns or controls" shall have the meaning as provided in § 17.6 (2). A legal entity shall include, but be limited to, an individual (except that an individual and his or her spouse and their minor children shall be considered as one legal entity), partnership, association, company, corporation, and trust.

3. Section 17.6 is amended by adding a new paragraph (i) to read as follows:

§ 17.6 Contracts between suppliers and importers.

(i) Prohibition against sales, trade, or commerce with North Vietnam. (c) CCC shall not finance the sale and export of agricultural commodities under this section for any supplier of commodities:

(i) Which is engaging in, or in the 6 months immediately preceding the application for such financing has engaged in, any sales, trade, or commerce with North Vietnam, or with any resident thereof, or

(ii) Which owns or controls any other legal entity which is engaging in, or in such 6-month period has engaged in, any such sales, trade, or commerce, or

(iii) Which is owned by or controlled by any other legal entity which is engaging in, or in such 6-month period has engaged in, any such sales, trade, or commerce, either directly or through any branch, subsidiary, affiliate, or associated company.

(2) A legal entity shall be deemed to own or control a second legal entity if:

(i) The legal entity owns an interest of 50 percent or more in the second legal entity,

(ii) The legal entity and one or more other legal entities, in which it owns an interest of 50 percent or more, together own an interest of 50 percent or more in the second legal entity, or

(iii) The legal entity owns an interest of 50 percent or more in another legal entity which in turn owns an interest of 50 percent or more in the second legal entity.

(3) In addition to the other requirements of the regulations covering contract approval, sales submitted by suppliers will not be approved unless the supplier has submitted a statement, maintained on a current basis in which are listed by name, address, and chief executive officers all legal entities which own or control the supplier and for all legal entities which own or control the supplier for all legal entities which own or control the supplier. The statement shall be submitted to the Director, Program Operations Division, EMS, U.S. Department of Agriculture, Washington, D.C. 20250, and for upland and extra long staple cotton sales to the Director, New Orleans Commodity Office, at the address provided in § 17.16. A statement filed by a subsidiary will be considered complete as to the legal entities which it owns or controls, and any other legal entities owned or controlled by the parent (including the chief executive officers for all such companies) if it certified thereon that such information has been furnished to USDA in a separate statement filed by the parent. A statement shall be considered to be maintained on a current basis if all changes are reported promptly after they have occurred and if changes in chief executive officers are reported at intervals of not less than 3 months on a calendar quarter basis. The term "chief executive officer" shall include:

(i) The president, or if no president, the Chairman of the Board of Directors, and

(ii) The vice president, or in cases of multiple vice presidents only the principal vice president, and then only if one is designated, and

(iii) Any other person who is designated as or who acts in the capacity of a chief executive officer.

Note: The reporting requirements contained herein have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Sec. 102, 66 Stat. 454, as amended; 7 U.S.C. 1703

Effective date. This amendment shall become effective with respect to purchase authorizations issued on or after the date of publication of the amendment in the Federal Register.

Issued at Washington, D.C., this 29th day of May 1969.

CLIFFORD M. HARDEN, Secretary of Agriculture.

[F.R. Doc. 69-8634; Filed, June 4, 1969; 8:49 a.m.]

Chapter I—Consumer and Marketing Service (Standards, Inspections, Marketing Practices), Department of Agriculture

PART 68—Regulations and Standards for Inspection and Certification of Certain Agricultural Commodities and Products Thereof

Postponement of Effective Dates

On March 27, 1969, a revision of the regulations (7 CFR Part 68, under the Agricultural Marketing Act of 1946, as amended (7 U.S.C. 1621 et seq.), was published in the Federal Register (34 F.R. 7579) to become effective 30 days after publication, except that the provisions deleting references to the inspection of U.S. grain in Canada and testing of wheat for protein content and sedimentation value were to become effective 180 days after publication.
At the request of members of the rice industry, notice appeared in the Federal Register (34 F.R. 5063) of April 26, 1969, postponing the effective date of the revision until June 1, 1969, except that the provisions deleting references to the inspection of U.S. grain in Canada and the testing of wheats for protein content and sedimentation value would become effective 180 days after the date of publication of this notice in the Federal Register.

In order to give adequate consideration to comments and views submitted by the rice industry, further postponement of the effective dates is deemed appropriate.

Notice of further rulemaking will be published in the Federal Register at an early date to give interested persons an opportunity to comment on certain changes to be proposed in the revision. Under authority contained in sections 203 and 205 of the Act (7 U.S.C. 1622 and 1624), the effective dates of the revision are hereby postponed until further notice.

This document shall become effective upon the date of publication in the Federal Register.

Since the purpose of the document is to delay at the request of the affected industry the effective dates of certain amendments which would otherwise take effect on June 1, 1969, it is found upon good cause, under the administrative procedure provisions in 5 U.S.C. 553, that notice and other public procedure with respect to this document are impracticable and good cause is found for making this document effective less than 30 days after its publication in the Federal Register.

Done at Washington, D.C., this 29th day of May 1969.

G. R. CHANCE,
Deputy Administrator,
Marketing Services.

[F.R. Doc. 69-6825; Filed, June 4, 1969; 8:48 a.m.]

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

[California Orange Reg. 279]

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

Limitation of Handling

§ 908.279. Valencia Orange Regulation 279.

(a) Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908, 33 F.R. 19282), 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 respective 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 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 thereof in the Federal Register 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; a reasonable time is permitted, and a reasonable time is necessary, and a reasonable time is required, for consideration of the recommendation and supporting information submitted to the Department after such meeting was held; shipments of Valencia oranges grown in Arizona and designated part of California which may be handled during the period June 6, 1969, through June 12, 1969, are hereby fixed as follows:

(i) District 1: 217,500 cartons;
(ii) District 2: 428,000 cartons;
(iii) District 3: 112,500 cartons.

(b) Order. (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period June 6, 1969, through June 12, 1969, are hereby fixed as follows:

(i) District 1: 217,500 cartons;
(ii) District 2: 428,000 cartons;
(iii) District 3: 112,500 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.

Dated: June 4, 1969.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Marketing Agreement and Order Service.

[F.R. Doc. 69-8790; Filed, June 4, 1969; 11:15 a.m.]
grade and maturity requirements designed to prevent the shipment of avocados which are immature or otherwise of poor quality; it is necessary that such requirements be made effective at the time and for the periods specified herein in order to effectuate the declared policy of the act; it should be applicable to all shipments in order to effectuate the declared policy of the act; the provisions of this regulation are identical with the aforesaid recommendation of the committee; information concerning such provisions and effective time has been disseminated among handlers of such avocados; and compliance with the provisions of this regulation will not require of handlers any preparation therefor which cannot be completed by the effective time hereof.

### Section 915.311 Avocado Regulation II

**(a)** Order:

1. **(1)** During the period June 9, 1969, through April 30, 1970, no handler shall handle any avocados unless such avocados grade at least U.S. No. 3 grade;

2. **(2)** After the effective time of this section, except as otherwise provided in subparagraphs (a) and (b) of this paragraph, no avocados of the varieties listed in Column 1 of the following Table shall be handled prior to the date listed for the respective variety in Column 2 of such table, except that avocados of the Arue variety which weigh at least 17 ounces may be handled prior to the date so listed and thereafter each such variety shall be handled only in conformance with subparagraphs (3), (4), (5), and (6) of this paragraph.

#### Table: Avocado Regulation II

<table>
<thead>
<tr>
<th>Variety</th>
<th>Date</th>
<th>Minimum weight or diameter</th>
<th>Date</th>
<th>Minimum weight or diameter</th>
<th>Date</th>
<th>Minimum weight or diameter</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arela</td>
<td>6-9</td>
<td>12 oz.</td>
<td>8-16</td>
<td>12 oz.</td>
<td>10-2</td>
<td>12 oz.</td>
<td>11-2</td>
</tr>
<tr>
<td>Aruda</td>
<td>7-7</td>
<td>12 oz.</td>
<td>7-22</td>
<td>12 oz.</td>
<td>8-1</td>
<td>12 oz.</td>
<td>8-15</td>
</tr>
<tr>
<td>Bourbon</td>
<td>7-7</td>
<td>12 oz.</td>
<td>7-22</td>
<td>12 oz.</td>
<td>8-1</td>
<td>12 oz.</td>
<td>8-15</td>
</tr>
<tr>
<td>Cabot</td>
<td>7-7</td>
<td>12 oz.</td>
<td>7-22</td>
<td>12 oz.</td>
<td>8-1</td>
<td>12 oz.</td>
<td>8-15</td>
</tr>
<tr>
<td>Common</td>
<td>7-7</td>
<td>12 oz.</td>
<td>7-22</td>
<td>12 oz.</td>
<td>8-1</td>
<td>12 oz.</td>
<td>8-15</td>
</tr>
<tr>
<td>Collinson</td>
<td>8-29</td>
<td>12 oz.</td>
<td>10-27</td>
<td>12 oz.</td>
<td>11-2</td>
<td>12 oz.</td>
<td>11-2</td>
</tr>
<tr>
<td>Chico</td>
<td>8-29</td>
<td>12 oz.</td>
<td>10-27</td>
<td>12 oz.</td>
<td>11-2</td>
<td>12 oz.</td>
<td>11-2</td>
</tr>
<tr>
<td>Edisto</td>
<td>8-29</td>
<td>12 oz.</td>
<td>10-27</td>
<td>12 oz.</td>
<td>11-2</td>
<td>12 oz.</td>
<td>11-2</td>
</tr>
</tbody>
</table>

**(b)** Minimum weight for the respective variety in Column 2 of Table I to the date listed for the respective variety in Column 3 of such table, no handler shall handle any avocados of such variety unless the individual fruit weights at least the ounces specified for the respective variety in Column 2 of such table; or if of at least the diameter specified for such variety in said Column 3:

**(c)** From the date listed for the respective variety in Column 3 of Table I to the date listed for the respective variety in Column 4 of such table, no handler shall handle any avocados of such variety unless the individual fruit weights at least the ounces specified for the respective variety in Column 3 of such table; or if of at least the diameter specified for such variety in said Column 3:

**(d)** From the date listed for the respective variety in Column 4 of Table I to the date listed for the respective variety in Column 5 of such table, no handler shall handle any avocados of such variety unless the individual fruit weights at least the ounces specified for the respective variety in Column 4 of such table; or if of at least the diameter specified for such variety in said Column 4:

**(e)** From the date listed for the respective variety in Column 5 of Table I to the date listed for the respective variety in Column 6 of such table, no handler shall handle any avocados of such variety unless the individual fruit weights at least the ounces specified for the respective variety in Column 5 of such table; or if of at least the diameter specified for such variety in said Column 5:

**(f)** From the date listed for the respective variety in Column 6 of Table I to the date listed for the respective variety in Column 7 of such table, no handler shall handle any avocados of such variety unless the individual fruit weights at least the ounces specified for the respective variety in Column 6 of such table; or if of at least the diameter specified for such variety in said Column 6:

**(g)** From the date listed for the respective variety in Column 7 of Table I to the date listed for the respective variety in Column 8 of such table, no handler shall handle any avocados of such variety unless the individual fruit weights at least the ounces specified for the respective variety in Column 7 of such table; or if of at least the diameter specified for such variety in said Column 7:

**(h)** From the date listed for the respective variety in Column 8 of Table I to the date listed for the respective variety in Column 9 of such table, no handler shall handle any avocados of such variety unless the individual fruit weights at least the ounces specified for the respective variety in Column 8 of such table; or if of at least the diameter specified for such variety in said Column 8:

**(i)** From the date listed for the respective variety in Column 9 of Table I to the date listed for the respective variety in Column 10 of such table, no handler shall handle any avocados of such variety unless the individual fruit weights at least the ounces specified for the respective variety in Column 9 of such table; or if of at least the diameter specified for such variety in said Column 9:

**(j)** From the date listed for the respective variety in Column 10 of Table I to the date listed for the respective variety in Column 11 of such table, no handler shall handle any avocados of such variety unless the individual fruit weights at least the ounces specified for the respective variety in Column 10 of such table; or if of at least the diameter specified for such variety in said Column 10:

**(k)** From the date listed for the respective variety in Column 11 of Table I to the date listed for the respective variety in Column 12 of such table, no handler shall handle any avocados of such variety unless the individual fruit weights at least the ounces specified for the respective variety in Column 11 of such table; or if of at least the diameter specified for such variety in said Column 11:

**(l)** From the date listed for the respective variety in Column 12 of Table I to the date listed for the respective variety in Column 13 of such table, no handler shall handle any avocados of such variety unless the individual fruit weights at least the ounces specified for the respective variety in Column 12 of such table; or if of at least the diameter specified for such variety in said Column 12:

**(m)** From the date listed for the respective variety in Column 13 of Table I to the date listed for the respective variety in Column 14 of such table, no handler shall handle any avocados of such variety unless the individual fruit weights at least the ounces specified for the respective variety in Column 13 of such table; or if of at least the diameter specified for such variety in said Column 13:

**(n)** From the date listed for the respective variety in Column 14 of Table I to the date listed for the respective variety in Column 15 of such table, no handler shall handle any avocados of such variety unless the individual fruit weights at least the ounces specified for the respective variety in Column 14 of such table; or if of at least the diameter specified for such variety in said Column 14:

**(o)** From the date listed for the respective variety in Column 15 of Table I to the date listed for the respective variety in Column 16 of such table, no handler shall handle any avocados of such variety unless the individual fruit weights at least the ounces specified for the respective variety in Column 15 of such table; or if of at least the diameter specified for such variety in said Column 15:

**(p)** From the date listed for the respective variety in Column 16 of Table I to the date listed for the respective variety in Column 17 of such table, no handler shall handle any avocados of such variety unless the individual fruit weights at least the ounces specified for the respective variety in Column 16 of such table; or if of at least the diameter specified for such variety in said Column 16:

**(q)** From the date listed for the respective variety in Column 17 of Table I to the date listed for the respective variety in Column 18 of such table, no handler shall handle any avocados of such variety unless the individual fruit weights at least the ounces specified for the respective variety in Column 17 of such table; or if of at least the diameter specified for such variety in said Column 17:
shall handle any avocados of such variety unless the individual fruit weighs at least the ounces specified for the respective paragraphs of Column 7 of such table or is at least the diameter specified for such variety in said Column 7.

(6) From October 27, 1969, through November 9, 1969, no handler shall handle any avocados of the Booth 8 variety unless the individual fruit in each lot of such avocados weighs at least 8 ounces or is at least 2 inches in diameter.

(7) Except as otherwise provided in subparagraphs (9) and (10) of this paragraph, varieties of the West Indian type of avocados not listed in Table I shall not be handled except in accordance with the following terms and conditions:

(i) Such avocados shall not be handled prior to July 7, 1969.

(ii) From July 7, 1969, through July 13, 1969, the individual fruit in each lot of such avocados shall weigh at least 12 ounces.

(iii) From July 14, 1969, through August 3, 1969, the individual fruit in each lot of such avocados shall weigh at least 14 ounces.

(iv) From August 4, 1969, through August 31, 1969, the individual fruit in each lot of such avocados shall weigh at least 14 ounces.

(v) From September 1, 1969, through September 30, 1969, the individual fruit in each lot of such avocados shall weigh at least 12 ounces.

(vi) Except as otherwise provided in subparagraphs (9) and (10) of this paragraph, varieties of avocados not covered by subparagraphs (2) through (7) of this paragraph shall not be handled except in accordance with the following terms and conditions:

(i) Such avocados shall not be handled prior to September 22, 1969.

(ii) From September 22, 1969, through October 19, 1969, the individual fruit in each lot of such avocados shall weigh at least 15 ounces.

(iii) From October 20, 1969, through December 1, 1969, the individual fruit in each lot of such avocados shall weigh at least 13 ounces.

(9) Notwithstanding the provisions of subparagraphs (2) through (8) of this paragraph regarding the minimum weight and diameter for individual fruit, up to 10 percent, by count, of the individual fruit contained in each lot may weigh less than the minimum specified weight and be less than the minimum specified diameter; provided, That such avocados weigh not more than 2 ounces less than the applicable specified weight for the particular variety as prescribed in Columns 3, 5, or 7 of Table I or in subparagraphs (2), (7), and (8) of this paragraph. Such tolerances shall be on a lot basis, but not to exceed double such tolerances shall be permitted for an individual container in a lot.

(10) The provisions of subparagraphs (2) through (9) of this paragraph shall not apply to any variety, except the Lind variety, of avocados which, when mature, normally change color to any shade of red or purple and any portion of the skin of the individual fruit has changed to the color for that fruit when mature.

(b) Terms used in the amended marketing agreement and order, when used herein, have the same meaning as is given to the respective term in said marketing agreement and order; the term "diameter" shall mean the greatest dimension measured at right angles to a line from the stem to the blossom end of the fruit.

(c) The provisions of this section shall become effective June 9, 1969.

Title 14—Aeronautics and Space

Chapter I—Federal Aviation Administration, Department of Transportation

[Federal Register, Vol. 34, No. 107—Thursday, June 5, 1969]

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

Alteration of Federal Airways

On February 8, 1969, F.R. Doc. 69-1590 was published in the Federal Register (34 F.R. 1891) and in part deleted V-22 "Hilo, Hawaii, 322° radials; 12 AGL Hilo; effective April 3, 1969. The document should have cited the Hilo 321° radial in lieu of the 322° radial. Corrective action is taken herein.

Since this amendment is minor in nature and will impose no undue burden on any person, notice and public procedure hereon are unnecessary. However, since it is necessary to allow sufficient time to make the appropriate changes to aeronautical charts, this amendment will become effective more than 30 days after publication.

In consideration of the foregoing, F.R. Doc. 69-1590 (34 F.R. 1891) is amended, effective 0901 G.m.t., June 26, 1969, as hereinafter set forth.

Item 1.g., is amended as follows:

In V-22 "Hilo, Hawaii, 322° radials;" is deleted and "Hilo, Hawaii, 321° radials;" is substituted therefor.

(34 F.R. 5111)
The purpose of this document is to correct the requirements in 33 CFR 117.446(d) incorrectly published in the Federal Register, Volume 32, No. 239, on Tuesday, December 12, 1967, Part II, concerning dates of the closed periods for the drawbridge across Indian Creek at 63d Street, Miami Beach, Fla.

Accordingly, 33 CFR 117.446(d) is revised to read as follows:

§ 117.446 Indian Creek, Fla.; bridge at 63d Street, Miami Beach.

(a) The owners of or agencies controlling this drawbridge from December 1 to April 15 need not open the draw for the passage of vessels from 11 a.m. to 6 p.m. except that, on the hour the draw shall be opened for any vessels waiting to pass. At all other times the draw shall be opened on signal.


P. E. TRIMBLE,
Vice Admiral, U.S. Coast Guard,
Acting Commandant.

[FR Doc. 69-6616; Filed, June 4, 1969; 8:48 a.m.]

PART 117—DRAWBRIDGE OPERATION REGULATIONS

Indian Creek, Fla.

1. The purpose of this document is to correct the requirements in 33 CFR 117.446(d) incorrectly published in the Federal Register, Volume 32, No. 239, on Tuesday, December 12, 1967, Part II, concerning dates of the closed periods for the drawbridge across Indian Creek at 63d Street, Miami Beach, Fla.

2. Accordingly, 33 CFR 117.446(d) is revised to read as follows:

§ 117.446 Indian Creek, Fla.; bridge at 63d Street, Miami Beach.

(a) The owners of or agencies controlling this drawbridge from December 1 to April 15 need not open the draw for the passage of vessels from 11 a.m. to 6 p.m. except that, on the hour the draw shall be opened for any vessels waiting to pass. At all other times the draw shall be opened on signal.


P. E. TRIMBLE,
Vice Admiral, U.S. Coast Guard,
Acting Commandant.

[FR Doc. 69-6616; Filed, June 4, 1969; 8:48 a.m.]
In the matter of amendment of Parts 81, 91, and 93 of the Commission's rules governing certain of the Safety and Special Radio Services to provide for the licensing of a corporation for the purpose of furnishing communication service to its subsidiary, although there seems to be a need for this type of licensing arrangement as well. Such arrangement, we believe, would be consistent with the purpose and the objective of the existing rules and should be authorized.

2. In § 93.3(c) of the rules, we have eliminated reference to this licensing arrangement in order to make the provisions in Part 93 with respect thereto the same as those in the other pertinent parts governing the Safety and Special Radio Services.

3. The amendments adopted herein are minor in nature in that they are consistent with the purpose of the existing rules and would not change the basic eligibility criteria for the use of radio frequencies in the particular radio services. Accordingly, we find that the prior notice and procedure requirements of section 4 of the Administrative Procedure Act, 5 U.S.C. 553, are not applicable.

4. Accordingly, it is ordered, Pursuant to section 4(i) and 303 of the Communications Act of 1934, as amended, that effective June 10, 1969, Parts 81, 91, and 93 are amended as set forth below.

<table>
<thead>
<tr>
<th>§§ 81.203, 81.351, 81.451, 91.251, 91.301, 91.451, 91.501, 91.551, 91.601, 91.727, 91.751, 93.251, 93.351 [Amended]</th>
</tr>
</thead>
</table>
|1. Sections 81.203(a)(2), 81.351(a)(4), 81.451(a)(3), 91.251(d), 91.301(b), 91.501(c), 91.551(e), 91.601(c), 91.727(b), 91.751(b), 93.251(a)(5), and 93.351(a)(2), are amended to read as follows:

A corporation proposing to furnish a nonprofit radio communication service to its parent corporation, to another subsidiary of the same parent, or to its own subsidiary where the party to be served is regularly engaged in any of the eligible activities set forth in this section.

2. In § 93.3, the introductory text of paragraph (c) is amended to read:

§ 93.3 Cooperative use of radio stations in the mobile radio service.

(c) A licensee authorized under the provisions of the various subparts of this part which make eligible in certain of these services a nonprofit corporation or association organized for the purpose of furnishing a private radio communication service to persons engaged in the respective activities may render that communication service only upon specific advance approval by the Commission with respect to every person to whom such radio communication service is to be rendered and upon satisfaction of the following additional conditions:

1 Commissioner Bartley absent.
DEPARTMENT OF AGRICULTURE
Consumer and Marketing Service
(7 CFR Part 919)

Notice of Recommended Decision and Opportunity To File Written Exceptions With Respect to Proposed Further Amendment of Marketing Agreement and Order

Pursuant to the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 960), notice is hereby given of the filing with the Hearing Clerk of this recommended decision with respect to proposed amendment of the marketing agreement, as amended, and Order No. 919, as amended (7 CFR Part 919), hereinafter referred to collectively as the “order”, hereinafter referred to as the “act”.

Agreement Act of 1937, as amended (48 Stat. 900), notice is hereby given of the filing in quadruplicate. All such communications should be made pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 900, as amended; 7 U.S.C. 601-597), hereinafter referred to as the “act”.

Interested parties may file written exceptions to this recommended decision with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than the close of business of the 15th day after publication thereof in the Federal Register. Exceptions should be filed in quadruplicate. All such communications will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Preliminary statement. The public hearing, on the record of which the proposed amendment of the order is formulated, was initiated by the Consumer and Marketing Service as a result of complaints submitted by the Administrative Committee established under the order. It is possible to foresee all the circumstances that may arise that would result in administrative problems which may be alleviated by changing the fiscal period. However, for such changes would enable the committee and the Secretary to reconsider the fiscal period in light of existing conditions and to effect such change as appears necessary without incurring the expenses involved in an amendment.

March 1, 1969, and ending October 31, 1969, and the order should be amended as hereinafter set forth.

(1) The order should be amended, as hereinafter set forth, to change the beginning and ending dates of the 12-month period of the fiscal year from March 1 and the last day of February, respectively, to November 1 and October 31, respectively, to provide that such changes may be made effective pursuant to the recommendation of the committee, and to change the term “fiscal year” in § 919.10 to “fiscal period.”

Findings and conclusions. The following findings and conclusions on the material issues are based upon the evidence adduced at the hearing and the record thereof:

(1) The material issues are based upon the evidence adduced at the hearing and the record thereof:

(2) The initial change in the beginning date of the 12-month period would facilitate the committee’s preparation for the annual meeting at which time the nominees for the new committee are selected. It is customary for the annual meeting to be held during the winter months when weather conditions are less suitable for orchard work. Such change would enable the new committee to more adequately plan operations for the ensuing shipping season, and enable the committee to coordinate planning and other activities more effectively with operation of the Colorado State Peach Order which covers the same production area. Both programs are administered from the same office.

(3) Redistricting, (i.e., the reestablishment of areas reflecting approximately the same tonnage produced and number of growers, and each such district’s representation on the committee was fixed as one producer member and one alternate.

(4) Changing the method of nominating cooperative members and their alternates:

March 1, 1969, and ending October 31, 1969, and the order should be amended as hereinafter set forth.

(2) The order should be amended to redefine the districts into which the production area—the county of Mesa—is divided into five districts: Redlands, East Orchard Mesa, Vineyard, Palisade, and Clifton. The boundaries of the various districts are fixed and described in § 919.11 of the order. Each of the districts was established on the basis of affording equal representation on the committee. Each such district is a geographical area of an area reflecting approximately the same tonnage produced and number of growers, and each such district’s representation on the committee is fixed as one producer member and one alternate.

The devastating effects of the 1962-63 freeze was cited as evidence of the need for changing the boundaries of the districts to maintain the initially established equality of the representation among districts. All districts suffered losses, some worse than others, by the winter kill of trees. As an example, the Redlands District incurred severe losses and lost most of its trees. Thus it is obvious that due to the freeze, the various districts are no longer equal in relation to production.

(5) Authority for the establishment of an operating reserve fund; and

(6) Making the committee changes as are necessary to make the order conform with any amendments thereto.

The devastating effects of the 1962-63 freeze was cited as evidence of the need for changing the boundaries of the districts to maintain the initially established equality of the representation among districts. All districts suffered losses, some worse than others, by the winter kill of trees. As an example, the Redlands District incurred severe losses and lost most of its trees. Thus it is obvious that due to the freeze, the various districts are no longer equal in relation to production.

On the basis of a 1968 peach tree count and relating such peach tree count to volume, the production area should be divided into five districts as hereinafter set forth. Each of the five districts would have approximately the same number of peach trees.

The boundary lines as between districts makes use of the Colorado River and the Gunnison River and certain roads. The roads used as district boundary lines are well known throughout the production area. They are an integral part of the highway system; are shown on maps published by the Colorado Department of Labor and Employment which are widely used throughout the

FEDERAL REGISTER, VOL. 34, NO. 107—THURSDAY, JUNE 5, 1969

8969
area for laborers to find employment; and are also used throughout the area for fire control purposes. These roads, together with an extension thereof, when necessary, should provide a clear and definite boundary line between districts so that no grower would have difficulty in establishing in which district his orchard is located.

It is desirable to provide authority for the committee to redefine the districts into which the production area is divided and to reapportion the representation of any district on the committee. It is not known how long the proposed districts will provide equity because of the factor responsible for the present inequities. Record evidence indicates that probably tree counts are the most likely basis for redistricting. However, the committee should not be required to redistrict on that basis alone. Thus, the committee should have authority to factor in population, and it is considered appropriate in making a decision concerning redistricting or reapportioning and the order should provide this authority.

The present provisions of the order provide for a term of office for committee members of 1 year beginning March 1 of each year. The proposed amendment would change the term of office to one beginning January 1 of each year. Such new term would be for 1 year, except for the five producer members. Commencing with the term of office beginning January 1, 1970, the producer members would be permitted to reappoint for 2 years with the term of such members so staggered that every other year three members would be appointed and in alternate years two members.

A term of office beginning at an earlier date would enable the newly appointed committee to better analyze the problems of the previous season, to have more time to study and plan, and to coordinate planning and other activities, such as marketing research or development projects, more effectively with the marketing order of the State of Colorado. Thus, the staggered term it will be necessary for two of the producer members to be appointed, for the term of office beginning January 1, 1970, to serve for only a 1-year term and three of such members so staggered that every other year three members would be appointed and in alternate years two members.

In order to effect a transition to the staggered term it will be necessary for two of the producer members to be appointed, for the term of office beginning January 1, 1970, to serve for only a 1-year term and three of such members to serve for a 2-year term. The method used would be for the two producer members to be designated the five producer members by numbers (e.g., 1 through 5), to be placed in a container, from which three would be drawn, the numbers indicating the nominees for the initial 2-year term.

The committee, in conjunction with its counterpart under the State marketing order, must make estimates during the winter months for various expenses to be budgeted. Marketing research projects and State promotional and advertising programs were used as examples where costs and plans must be considered long before these committee would know their expected income. The assessment rate under the program is fixed generally in July, just prior to harvesting and is based on estimated volume of shipments.

It was asserted that it would be far less burdensome to handlers to contribute to the establishment of a reserve fund during years of normal production rather than to be required to pay a high rate of assessment because of the material reduction during a year when the crop is materially reduced. It would be reasonable and equitable to handlers and to contribute to the establishment of such a reserve fund of a portion of any excess assessments during years when expenses are less than assessment income. Growers and handlers in the area are the same with respect to the consequences to follow.

The present term it will be necessary for any year may be reduced by adverse weather conditions, diseases, low prices, lack of transportation or labor or some other factor. This necessitates that handlers pay an increasing rate of assessment per bushel of peaches handled in order to cover any deficit resulting from such reductions. It would constitute an unfair burden on handlers to increase the rate of assessment after any such disaster may have occurred. Thus, the committee's ability to adjust or alter expenses to the income which is based on such a short, hazardous marketing period is limited.

The hazards incident to the production and marketing of peaches, and the desirability of establishing a reserve fund for use during years when the crop is reduced, was emphasized at the hearing because of the serious freezes experienced during past seasons. It was asserted that it would be far less burdensome to handlers to contribute to the establishment of a reserve fund during years of normal production rather than to be required to pay a high rate of assessment because of the material reduction during a year when the crop is materially reduced. It would be reasonable and equitable to handlers and to contribute to the establishment of such a reserve fund of a portion of any excess assessments during years when expenses are less than assessment income. Growers and handlers in the area are the same with respect to the consequences to follow.

The reserve should be built up gradually over a period of years in the desirable amount. The attainment of a reasonable amount in the reserve should not be delayed too long, however, since an operational reserve not be accumulated, it can not be delayed too long, however, since an operational reserve not. be accumulated, it can not be delayed too long, however, since an operational reserve not. be accumulated, it can not be delayed too long, however, since an operational reserve not. be accumulated, it can not be delayed too long, however, since an operational reserve not. be accumulated, it can not be delayed too long, however, since an operational reserve not. be accumulated, it can not be delayed too long, however, since an operational reserve not. be accumulated, it can not be delayed too long, however, since an operational reserve not. be accumulated, it can not be delayed too long, however, since an operational reserve not. be accumulated, it can not be delayed too long, however, since an operational reserve not. be accumulated, it can not be delayed too long, however, since an operational reserve not. be accumulated, it can not be delayed too long, however, since an operational reserve not. be accumulated, it can not be delayed too long, however, since an operational reserve not. be accumulated, it can not be delayed too long, however, since an operational reserve not. be accumulated, it can not be delayed too long, however, since an operational reserve not. be accumulated, it can not be delayed too long, however, since an operational reserve not. be accumulated, it can not be delayed too long, however, since an operational reserve not. be accumulated, it can not be delayed too long, however, since an operational reserve not. be accumulated, it can not be delayed too long, however, since an operational reserve not. be accumulated, it can not be delayed too long, however, since an operational reserve not. be accumulated, it can not be delayed too long, however, since an operational reserve not. be accumulated, it can not be delayed too long, however, since an operational reserve not. be accumulated, it can not be delayed too long, however, since an operational reserve not. be accumulated, it can not be delayed too long, however, since an operational reserve not. be accumulated, it can not be delayed too long, however, since an operational reserve not. be accumulated, it can not be delayed too long, however, since an operational reserve not. be accumulated, it can not be delayed too long, however, since an operational reserve not. be acum
Upon termination of the order any funds in the reserve which are not used to defray the necessary expenses of liquidation should, to the extent practicable, be returned to the handlers from whom such funds were collected. However, should the order be terminated after many years of operation, and there have been several withdrawals and deductions from the reserve, the pecuniary interests of handlers may be difficult to ascertain and any requirement that there be a precise accounting of the remaining funds could involve such costs as to nearly equal the monies to be distributed. Therefore, it is desirable and necessary to permit the unexpended reserve funds to be disposed of in any manner that the Secretary may determine to be appropriate in such circumstances. It would be appropriate and in accordance with the evidence of record for the Secretary to look to the committee and their respective associations for recommendation for disposal of such money.

It is concluded, therefore, that the order should be amended, as hereinafter set forth, to permit excess assessments in the manner heretofore described.

Order should be amended, as hereinafter described, to permit excess assessments in the manner heretofore described.

(3) The marketing agreement, as amended and as hereby proposed to be amended, and the order, as amended and as hereby proposed to be amended, regulate the handling of peaches grown in the county of Mesa, in the State of Colorado, in the same manner as, and are limited in their application to the smallest regional production area that is practicable consistently with carrying out the declared policy of the act, and the issuance of several orders applicable in varying parts of the production area.

The marketing agreement and order. The following amendment of the marketing agreement and order is recommended as the detailed means by which the aforesaid conclusions may be carried out:

1. Section 919.10 "Fiscal year is revised to read as follows:

§ 919.10 Fiscal period.

"Fiscal period" is synonymous with "fiscal year," and means the 12-month period beginning on November 1 and ending on October 31 of the following year, or such other period that may be approved by the Secretary pursuant to recommendations by the committee: Provided, That the fiscal year which began on March 1, 1969, shall end on October 31, 1969.

2. Section 919.11 District is revised to read as follows:

§ 919.11 District.

"District," means the applicable one of any of the following described subdivisions of the county of Mesa in the State of Colorado:

(a) "District No. 1" shall include all that portion of Mesa County lying north of the Colorado River and east of 37.3 Road and an extension thereof to the Mesa County line.

(b) "District No. 2" shall include all that portion of Mesa County lying south of the Colorado River and east of 36% Road and an extension thereof to the Mesa County line.

(c) "District No. 3" shall include all that portion of Mesa County lying south of the Colorado River and east of 36% Road and an extension thereof to the Mesa County line, and bordered on the west by 35 Road, and an extension thereof to the Mesa County line.

(d) "District No. 4" shall be all that portion of Mesa County lying south of the Colorado River and bordered on the east by 35 Road, and an extension thereof to the Mesa County line.

3. Section 919.20 Establishment and membership is amended by revising the third sentence thereof to read as follows:

§ 919.20 Establishment and membership.

* * * The members of the committee and their respective alternates shall be nominated, in accordance with the provisions of §§ 919.21 through 919.24, at least 30 days prior to the beginning of the term of office for which nominations are being made.

§§ 919.21, 919.22 [Amended]

4. The parenthetical phrase "on or before February 1 of each year" is deleted from §§ 919.21(a) and 919.22(a).

5. Section 919.23 Nomination and selection of cooperative handler members is amended by deleting from paragraph (e) the words "beginning March 1, 1956" wherever they appear, and revising paragraph (b) to read as follows:

§ 919.23 Nomination and selection of cooperative handler members.

* * * * *

(b) Nomination of cooperative members and their respective alternates shall be made by such cooperative associations in such manner as the members of the respective associations may designate.

§ 919.25 [Amended]

6. Section 919.25 Failure to nominate is amended by deleting therefrom "on or before February 15 of any year" and substituting therefor "not later than 15 days prior to the beginning of the term of office."

7. Section 919.27 Term of office is revised to read as follows:

§ 919.27 Term of office.

(a) The term of office of producer members and their alternates shall be for two (2) years: Provided, That, for the term beginning January 1, 1970, the term of office of two producer members and their alternates shall be for 1 year.

(b) Nomination of cooperative members and their alternates shall serve for 1 year, or 2 years, shall be by lot. The term of office of the independent member and cooperative handler members, and of their alternates, shall be one (1) year. The term of office of each member and alternate member shall be for 1 year, beginning on January 1 of the year and ending on December 31 of the same year, or the following year in the case of producer members and their alternates, both dates inclusive, or such other period as the committee, with the approval of the Secretary, may prescribe: Provided, That the term of office which began
PROPOSED RULE MAKING

March 1, 1969, shall end December 31, 1969.

(b) Members and alternates shall serve during the term of office for which they have been selected and have qualified and until their successors are selected and have qualified.

8. Section 919.32 Duties is amended by adding a paragraph (1) to read as follows:

§ 919.32 Duties.

(1) With the approval of the Secretary, to redefine the districts into which the production area is divided and to apportion the representation of any district on the committee: Provided, That any such changes shall reflect, insofar as practicable, shifts in peach production within the districts and the production area.

9. Section 919.42 Handler accounts is revised to read as follows:

§ 919.42 Accounting.

If, at the end of a fiscal period, the assessments collected are in excess of expenses incurred, the committee, with the approval of the Secretary, may carry over such excess into subsequent fiscal periods as a reserve: Provided, that such funds already in the reserve do not exceed approximately two fiscal periods' expenses. Such reserve funds may be used (a) to cover any expenses authorized by this part; and (b) to cover necessary expenses of liquidation in the event of termination of this part. If any such excess is not retained in a reserve, it shall be refunded proportionately. If practicable, the funds shall be returned pro rata to the persons from whom such funds were collected.

Dated: June 2, 1969.

JOHN C. BLUM,
Deputy Administrator, Regulatory Programs.

PROPOSED RULE MAKING

County Courthouse, St. Joseph Street, Rapid City, S. Dak., beginning at 9:30 a.m. local time, on Tuesday, July 17, 1969, with respect to proposed amendment to the tentative marketing agreement and to the order, regulating the handling of milk in the Black Hills marketing area.

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

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

Proposed by Black Hills Cooperative Milk Producers Association:

Proposal No. 1. Amend paragraphs (a) and (b) of § 1075.31, Class prices, to read as follows:

§ 1075.31 Class prices.

(a) Class I milk price. The Class I milk price shall be the basic formula price for the preceding month plus $1.95.
(b) Class II milk price. The Class II milk price shall be the basic formula price less 13 cents.

Proposal No. 2. Amend paragraphs (a) and (b) of § 1075.52, Butterfat differentials to handlers, to read as follows:

§ 1075.52 Butterfat differentials to handlers.

(a) Class I price. Multiply the butter price for the preceding month by 0.120.
(b) Class II price. Multiply the butter price for the current month by 0.110.

Proposal No. 3. Amend § 1075.81, Butterfat differentials to producers, to read as follows:

§ 1075.81 Butterfat differentials to producers.

The uniform price for producer milk shall be increased or decreased for each one-tenth of 1 percent that the butterfat content of such milk is above or below 3.5 percent, respectively, by a butterfat differential equal to the average of the butterfat differentials determined pursuant to paragraphs (a) and (b) of § 1075.52, weighted by the pounds of butterfat in producer milk in each class, the result being rounded to the nearest tenth of a cent.

Proposal No. 4—Base and excess milk. Delete the following provisions dealing with base and excess milk: §§ 1075.20, 1075.21, 1075.22, 1075.23, 1075.26, 1075.27, and make the appropriate conforming changes in other sections.

Proposal No. 5. Amend paragraph (a) of § 1075.12, Pool plant, to read as follows:

§ 1075.12 Pool plant.

(a) A distributing plant from which a volume of Class I milk equal to not less than 50 percent of the Grade A milk received at such plant from dairy farmers and from other plants is disposed of during the month on routes, and not less than 20 percent of such receipts are so disposed of in the marketing area.

Proposed by Gillette Dairy:

Proposal No. 6. Amend § 1075.51(a) to read: "The basic Class I milk price plus $2."

Proposal No. 7. The Class II price in § 1075.51(b) should be the basic formula price.

Proposal No. 8. a. Compute the butterfat differential in § 1075.52(a) by multiplying the Chicago butter price times 0.12.

b. Compute the butterfat differential in § 1075.52(b) by multiplying the Chicago butter price times 0.11.

Proposal by the Dairy Division, Consumer and Marketing Service:

Proposal No. 9. Make such changes as may be necessary to make the entire marketing agreement and the order conform with any amendments thereto that may result from this hearing.

Copies of this notice of hearing and the order may be procured from the Market Administrator, 6901 Dodge Street, Room 106, Omaha, Neb. 68132, or from the Hearing Clerk, Room 112-A, Administration Building, U.S. Department of Agriculture, Washington, D.C. 20250 or may be there inspected.

Signed at Washington, D.C., on May 29, 1969.

JOHN C. BLUM,
Deputy Administrator, Regulatory Programs.

[FR Doc. 69-6626; Filed, June 4, 1969; 8:46 a.m.]

DEPARTMENT OF LABOR

Office of the Secretary

[29 CFR Part 60]

IMMIGRANT LABOR CERTIFICATIONS

Validity

Pursuant to section 212(a)(14) of the Immigration and Nationality Act of 1952 (8 U.S.C. 1182), and Secretary's Order No. 14-69 (34 F.R. 6502), I hereby propose to revise 29 CFR 60.5 to read as set forth herein.

Any person interested in this proposal may file a written statement of data, views, or argument regarding it with the Secretary of Labor, U.S. Department of Labor, Washington, D.C. 20210, within 15 days after this notice is published in the Federal Register.

As revised, 29 CFR 60.5 would read as follows:

§ 60.5 Validity.

(a) Certifications issued pursuant to this part shall be valid for 1 year after date of issuance, unless invalidated prior to the expiration date because the representations on which they are based are incorrect.

(b) When an employer or an alien has been advised by the Immigration and Naturalization Service or by a consular...
PROPOSED RULE MAKING

officer that a revalidation of a labor certification will be required, and the employer or alien wishes to renew the certification, he should resubmit the original Form 575, on which he obtained certification, for Department of Labor review, as instructed by the Immigration and Naturalization Service or consular officer. A sufficient period of availability and adverse effect will be applied to each such resubmitted case.

(c) A certification issued pursuant to this part is invalid if representations of the alien applicant on which it is based are incorrect.

(d) A certification issued pursuant to this part is invalid if representations of the alien applicant on which it is based are incorrect and the alien participated in or knew of the incorrect representations before admission to the United States pursuant to the certification, or (2) if the representations of an employer on which it is based are incorrect and the alien participated in or knew of the incorrect representations before admission to the United States.

Signed at Washington, D.C., this 27th day of May 1969.

ARNOLD R. WEBER, Assistant Secretary for Manpower.

FEDERAL HOME LOAN BANK BOARD

Applications for Branch Offices

MAY 29, 1969

Resolved that the Federal Home Loan Bank Board considers it advisable to amend §§ 545.14 and 556.5 of the rules and regulations for the Federal Savings and Loan System (12 CFR 545.14, 556.5) for the purpose of permitting the consideration and processing of applications for the establishment of branch offices, without regard to the eligibility requirements contained in §§ 545.14(b) (2) and (4), with respect to particular applications for branches to serve low income, inner-city areas which are inadequately served by existing savings and loan facilities. Accordingly, it is hereby proposed to amend §§ 545.14 and 556.5 as follows:

1. Amend paragraph (b) of § 545.14 by changing the period at the end of subparagraph (6) thereof to a semicolon and by adding immediately thereafter a new proviso to read as follows:

§ 545.14 Branch office.

(b) Eligibility.

Provided, however, That the Board may, with respect to a particular application, determine to consider and process that application without regard to the eligibility requirements contained in subparagraphs (2) and (4) of this paragraph.

2. Amend § 556.5 by adding a new paragraph (d) at the end thereof, to read as follows:

§ 556.5 Establishment of branch offices and loan facilities.

(d) 1. As a general policy under § 545.14(b) of this chapter, the Board will not consider or process any application by a Federal association for permission to establish a branch office unless the applicant association meets all of the eligibility requirements contained in subparagraphs (1) through (6) of § 545.14 (b) of this chapter. However, under the proviso to paragraph (b) of § 545.14 of this chapter, the Board, in its discretion, may, in particular branch applications, permit the consideration and processing of particular branch applications even if the applicant association fails to meet the eligibility requirements contained in subparagraphs (1) through (6) of § 545.14(b) of this chapter. It is the intention of the Board to permit this special treatment only in connection with applications for branches to serve low income, inner-city areas which are inadequately served by existing savings and loan facilities.

J. K. KIN, Associate Commissioner for Compliance.

FEDERAL SAVINGS AND LOAN SYSTEM

Applications for Branch Offices

May 29, 1969

Resolved further that interested persons are invited to submit written data, views, and arguments to the Office of the Secretary, Federal Home Loan Bank Board, 101 Indiana Avenue, NW, Washington, D.C. 20552, by June 25, 1969, as to whether this proposal should be adopted, rejected, or modified. Written material submitted will be available for public inspection at the above address under § 505.6 of the general regulations of the Federal Home Loan Bank Board (12 CFR 505.6).

By the Federal Home Loan Bank Board.

[SEAL]

JACK CARTER, Secretary.
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 proposal. A copy of the program, including the State's proposed program for control over sources of radiation, 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 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, 1966, 31 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.

FEDERAL REGISTER, VOL. 34, NO. 107—THURSDAY, JUNE 5, 1969
In March 1968, the Radiological Health Program 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 1967 in accordance with sections 23-20-02 through 23-20-06 of Chapter 23-20 of the North Dakota Century Code. From 1967 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 Century Code, the registration process was administratively changed to the extent that radioactive materials were no longer handled as if they were exempt from registration. The registration now consists of the following: 

1. Registration of sources of radiation that produces radiation such as X-ray machines.
2. Radioactive materials under the licensing authority of the state licensing and regulatory authority.
3. Registration of special nuclear materials such as radionuclides.

This law designated the North Dakota State Department of Health as the 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.

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

2.2 Environmental radiation surveillance. The sampling schedule with a minimum of three stations per week was established in the North Dakota State Department of Health. The six radiation stations were chosen on the basis of geographical and historical significance, with the offering of short courses to the personnel at these stations and the inhabitants of the town and the state.

In addition to the radiochemical analysis of air, precipitation, and water and, in general, all portions of the air, precipitation, and water, the sampling schedule with a minimum of three stations per week was established in the North Dakota State Department of Health. The six sampling stations were chosen on the basis of geographical and historical significance, with the offering of short courses to the personnel at these stations and the inhabitants of the town and the state.

2.3 Environmental radiation surveillance. The sampling schedule with a minimum of three stations per week was established in the North Dakota State Department of Health. The six sampling stations were chosen on the basis of geographical and historical significance, with the offering of short courses to the personnel at these stations and the inhabitants of the town and the state.

In addition to the radiochemical analysis of air, precipitation, and water and, in general, all portions of the air, precipitation, and water, the sampling schedule with a minimum of three stations per week was established in the North Dakota State Department of Health. The six sampling stations were chosen on the basis of geographical and historical significance, with the offering of short courses to the personnel at these stations and the inhabitants of the town and the state.

For the United States Atomic Energy Commission.

2.4 Environmental radiation surveillance. The sampling schedule with a minimum of three stations per week was established in the North Dakota State Department of Health. The six sampling stations were chosen on the basis of geographical and historical significance, with the offering of short courses to the personnel at these stations and the inhabitants of the town and the state.

In addition to the radiochemical analysis of air, precipitation, and water and, in general, all portions of the air, precipitation, and water, the sampling schedule with a minimum of three stations per week was established in the North Dakota State Department of Health. The six sampling stations were chosen on the basis of geographical and historical significance, with the offering of short courses to the personnel at these stations and the inhabitants of the town and the state.

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. This law is contained in sections 23-20.1-01 through 23-20.1-11 of Chapter 23-20 of the North Dakota Century Code. The State of North Dakota enacted a law (sections 23-20.1-01 through 23-20.1-11 of Chapter 23-20 of the North Dakota Century Code) to establish a radiation surveillance air filtration network in the State of North Dakota due to rising radioactive levels of Strontium-90. The six stations, chosen on the basis of geographical and historical significance, with the offering of short courses to the personnel at these stations and the inhabitants of the town and the state.

In addition to the radiochemical analysis of air, precipitation, and water and, in general, all portions of the air, precipitation, and water, the sampling schedule with a minimum of three stations per week was established in the North Dakota State Department of Health. The six sampling stations were chosen on the basis of geographical and historical significance, with the offering of short courses to the personnel at these stations and the inhabitants of the town and the state.

In addition to the radiochemical analysis of air, precipitation, and water and, in general, all portions of the air, precipitation, and water, the sampling schedule with a minimum of three stations per week was established in the North Dakota State Department of Health. The six sampling stations were chosen on the basis of geographical and historical significance, with the offering of short courses to the personnel at these stations and the inhabitants of the town and the state.

In addition to the radiochemical analysis of air, precipitation, and water and, in general, all portions of the air, precipitation, and water, the sampling schedule with a minimum of three stations per week was established in the North Dakota State Department of Health. The six sampling stations were chosen on the basis of geographical and historical significance, with the offering of short courses to the personnel at these stations and the inhabitants of the town and the state.

In addition to the radiochemical analysis of air, precipitation, and water and, in general, all portions of the air, precipitation, and water, the sampling schedule with a minimum of three stations per week was established in the North Dakota State Department of Health. The six sampling stations were chosen on the basis of geographical and historical significance, with the offering of short courses to the personnel at these stations and the inhabitants of the town and the state.

In addition to the radiochemical analysis of air, precipitation, and water and, in general, all portions of the air, precipitation, and water, the sampling schedule with a minimum of three stations per week was established in the North Dakota State Department of Health. The six sampling stations were chosen on the basis of geographical and historical significance, with the offering of short courses to the personnel at these stations and the inhabitants of the town and the state.

In addition to the radiochemical analysis of air, precipitation, and water and, in general, all portions of the air, precipitation, and water, the sampling schedule with a minimum of three stations per week was established in the North Dakota State Department of Health. The six sampling stations were chosen on the basis of geographical and historical significance, with the offering of short courses to the personnel at these stations and the inhabitants of the town and the state.
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 86–08) to determine the possibility of farming modifications in the reduction of the radionuclides in milk.

In the summer of 1967, the Department of Environmental Health conducted a study to determine the radium concentrations within the uranium mines of southwestern North Dakota. The underground operations in North Dakota consist of the open-pit mining of uranium, and reducing the moisture content by air blowing, of the ore and shale to prepare the ore for direct shipment to the ash and radon女儿 products on a membrane filter and alpha counting. The ash is then transported outside of this State for further processing. The radium concentrations were determined by the collection of radon daughter products on a membrane filter and alpha counting. Since the mines are fully 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.

The following radioactive materials found in the various aspects of the environment are performed according to the appropriate radioactive materials handling process and guidelines as set forth in the North Dakota Radiological Health Regulations; the U.S. Public Repository Radiation Protection Standards, the Radiation Protection Guides and the Protective Action Guides of the Federal Radiation Council; and the appropriate instructions and guidelines as set forth in the North Dakota State Radioactive Safety Program. Licensees for radioactive materials shall be of two types, general and specific. A general license is effective by regulation 83 of the U.S. Atomic Energy Commission and is effective by regulation 83 of the Atomic Energy Commission. The specific license is issued to named persons, upon application and in accordance with the appropriate provisions of regulation 83. Requirements for the possession of special nuclear materials shall be issued to named persons, upon application and in accordance with the appropriate regulations 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. Preliminary inspections will be performed when determined to be necessary. With respect to licenses for radioactive materials in the non-routine facilities, the inspection staff will be kept current on developments in and around the area 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.

### Table: Utilization of Radioactive Materials in North Dakota

<table>
<thead>
<tr>
<th>Category of usage</th>
<th>Byproduct</th>
<th>Source</th>
<th>Special nuclear materials</th>
<th>All radioactive materials</th>
</tr>
</thead>
<tbody>
<tr>
<td>Medical</td>
<td>16</td>
<td>6</td>
<td>23</td>
<td>46</td>
</tr>
<tr>
<td>Educational</td>
<td>5</td>
<td>1</td>
<td>9</td>
<td>10</td>
</tr>
<tr>
<td>Civil defense</td>
<td>3</td>
<td>0</td>
<td>1</td>
<td>4</td>
</tr>
<tr>
<td>Industrial</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>State agencies</td>
<td>2</td>
<td>0</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Uranium-235 mining</td>
<td>2</td>
<td>0</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Total</td>
<td>29</td>
<td>3</td>
<td>12</td>
<td>46</td>
</tr>
</tbody>
</table>

1. Industrial radiographers—once every 6 months.
2. Operations involving waste disposal—once every 6 months.
3. Broad licenses—industrial, medical, academic—once every 24 months.
4. Other specific licenses—industrial, medical, academic—once every 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 departmental staff to determine or determine 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 Office 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. A noncompliance, as defined by the U.S. Atomic Energy Commission, is one which involved such as failure 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 if the corrective action has been accomplished.

Whenever, in the judgment of the Department, any of the findings or actions engaged in or about to engage in any acts or practices in violation of sections 13–200.1–11 through 23–20–16 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 court or regulations issues under this law, the Department. In accordance with the laws of the State governing injunctions and other court or regulations issues under this law.
Should the Department determine that an emergency situation exists, which is capable of protecting the public health and safety, the Department may, without notice or hearing, issue, modify, or revoke a license, order that the control of radioactive materials, lost through some accident or incident, be reestablished, and order any material that can be reasonably considered as being a source of radiation with minimum danger to human health or damage to property.

The radioactive emergency guide provides general guidance to individuals who may not be specifically trained in the handling of radiological incidents. It also provides a more detailed approach to handling of radiological incidents occurring within licensed facilities, within the licensed facility should have emergency procedures specific to its own operations. Direct assistance and/or consultation, as may be necessary, will be available to the person who received the radiological incident, available to the licensee from the North Dakota State Department of Health.

Notification of the State Department of Health of radiological incidents occurring before licenses are provided for in the Radiological Emergency Guide. Notification of the Office of the North Dakota Century Code provides for in section 4.530 of regulation 83. Notification of the State Department of Health of radiological incidents occurring before licenses are issued for the Radiological Emergency Guide.

3.6 Instrumentation. The Department has a variety of radiological instrumentation which can detect and measure radiation exposures over a wide range of exposure levels. The proper instrumentation is available for support of inspections and for evaluation of radiological emergencies.

Laboratory equipment includes equipment which provides identification and precise measurement of the quantity of radioactive materials. Raw data output from the laboratory instrumentation system is processed by means of electronic data processing systems. Laboratory equipment provides the function of radiometric analysis of environmental samples for which it evaluates radiological conditions.

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 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 this section. The person shall be entitled to an application for a license by the Federal Government.

Provisions for license reciprocity are covered under section 23-28-32 of the North Dakota Century Code. This agreement provides for the recognition of licenses issued by the United States to 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. Each regional office of the Division and/or the other two regional offices will be responsible for conducting and coordinating radiological monitoring and for the performance of radiological surveys and radiation surveys. The radiological guide 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 and other agreements. The Director will also be responsible for issuing, modifying, or revoking a license. The Director will also be responsible for issuing, modifying, or revoking a license. The Director will also be responsible for issuing, modifying, or revoking a license.
NOTICES

f. The applicant has furnished proof of financial responsibility to satisfy the require­ments of 10 CFR Part 140;

g. The issuance of this license will not be inimical to the common defense and security or to the health and safety of the public;

Provisional Operating License No. DPRI— 1 is hereby issued to Niagara Mohawk Power Corp., Niagara Falls, N.Y., to operate a pressurized water reactor, as described in the Technical Specifications.

(1) This license is valid for the Nine Mile Point Nuclear Station, a single cycle, force cooled, pressurized water reactor of the ST-X design (Ref. No. 69-4631), including all units, systems, auxiliary components, and electrical generating equipment (the facility).

(2) The facility is located on the Nine Mile Point site, on the south side of Lake Ontario in Oswego County, N.Y., approximately 7 miles northeast of the city of Oswego and 36 miles northwest of Syracuse, and is described in more detail in the Technical Specifications.

(3) Niagara Mohawk shall report to the Director, DRL, in writing, within thirty (30) days of its observed occurrence any significant changes in transient or accident analysis as described in the safety analysis report.

(4) As soon as possible after the completion of 9 months of operation of the facility, the applicant and the Commission will issue a report in accordance with the requirements of the Technical Specifications.

(5) Niagara Mohawk shall keep facility operating records in accordance with the requirements of the Technical Specifications.

Pursuant to § 50.60, Title 10, C.F.R., the Commission has allocated to Niagara Mohawk for use in the operation of the facility 14,921 kilograms of uranium 235, contained in uranium in the isotopic ratios specified in the application. Estimated schedules of special nuclear material transfers and deposits in possession of the applicant are contained in Appendix B which is attached hereto. Transfers from the Commission to Niagara Mohawk in accordance with column 2 in Appendix B will be conditioned upon Niagara Mohawk's return to the Commission the appropriate Atomic Energy Commission Regional Compliance Office listed in Appendix D of 10 C.F.R. Part 30, and shall submit within ten (10) days a report in writing to the Director, Division of Reactor Licensing (Director, DRL), with a copy to the Division of Compliance.

For the Atomic Energy Commission.

PETER A. MURR, Director, Division of Reactor Licensing.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

AMDAL CO.

Notice of Withdrawal of Petition for Food Additives Erythromycin Thio­cyanate and Dimetridazole

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b), 72 Stat. 1786; 21 U.S.C., 348(b)), the following notice is issued:

FEDERAL REGISTER, VOL. 34, NO. 107—THURSDAY, JUNE 5, 1969
NOTICES

A petition was filed by Amdal Co., Division of Abbott Laboratories, North Chicago, Ill. 60064, notice of which was published in the Federal Register of March 29, 1969 (33 F.R. 4711), proposing that the food additive regulations be amended to provide for the safe use of diethradazole in combination with erythromycin thiocyanate in turkey feed for the prevention and control of blackhead, for improving growth and feed efficiency, as an aid in lowering the severity of and preventing the occurrence of chronic respiratory disease during periods of stress and as an aid in the prevention and reduction of lesions.

Subsequently, the Commissioner of Food and Drugs requested the petitioner to submit certain additional information within 180 days of the petition’s filing date. The requested information has not been received; therefore, in accordance with §121.51(j) of the procedural food additive regulations (21 CFR 121.51(j)), the subject petition is regarded as withdrawn without prejudice to a future filing.


J. K. KIRK, Associate Commissioner for Compliance.

FORT DODGE LABORATORIES

Notice of Filing of Petition for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(1), 72 Stat. 1122; 21 U.S.C. 344(a)(1)), notice is given that a petition (35-630V) has been filed by Fort Dodge Laboratories, Division of American Home Products Corp., Fort Dodge, Iowa 50502, proposing the issuance of a food additive regulation (21 CFR Part 121) to provide for the safe use of a combination drug containing trichloro(2,2-2)-trichloro-1-hydroxyethoxyphosphonate and atropine for the treatment of Sypahcia obvelata (pinworm) in laboratory mice.


J. K. KIRK, Associate Commissioner for Compliance.

[FR Doc. 69-5688; Filed, June 4, 1969; 8:46 a.m.]

MERCK SHARP & DOHME RESEARCH LABORATORIES

Notice of Filing of Petition for Food Additive Amprolium

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(1), 72 Stat. 1766; 21 U.S.C. 348(b)(5)), notice is given that a petition (12-350V) has been filed by Merck Sharp & Dohme Research Laboratories, Division of Merck & Co., Inc., Rahway, N.J. 07065, proposing that the food additive regulations (21 CFR Part 121) be amended to provide for the safe use of amprolium in the feed of laying hens for the prevention of coccidiosis.


J. K. KIRK, Associate Commissioner for Compliance.

[FR Doc. 69-6597; Filed, June 4, 1969; 8:46 a.m.]

STAUFA CHEMICAL CO.

Notice of Withdrawal of Petition Regarding Pesticides

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(1), 72 Stat. 1122; 21 U.S.C. 344(a)(1)), the following notice is issued:

An order was published in the Federal Register of April 3, 1969 (34 F.R. 6041), promulgating §120.261 (21 CFR 120.261) that establishes tolerances for residues of the insecticide N-mercaptomethyl phosphinilamide S-(O,O-dimethyl phosphorodithioate) and its oxygen analog in or on certain raw agricultural commodities, at specified levels, including in meat and fat of meat of cattle, goats, hogs, and sheep at 0.2 part per million from application to forage crops. The order acted on a petition (PP 8F0699) filed by Stauffer Chemical Co., 1200 South 47th Street, Richmond, Calif. 94804.

Another petition (PP 8F0769) was also submitted by the Stauffer Chemical Co. proposing tolerances for negligible residues of the same insecticide and its oxygen analog in or on potatoes at 0.1 part per million and in the meat and fat of meat of cattle, goats, hogs, and sheep at 0.2 part per million, from dermal applications, to the control of ectoparasites. The petitioner subsequently amended the petition by withdrawing the proposed tolerance regarding potatoes. Data in that petition show that the established tolerance level of 0.2 part per million is adequate to cover residues of the insecticide and its oxygen analog in the meat and fat of meat of cattle, goats, hogs, and sheep from both the feed use and the dermal use of the insecticide.

Therefore, in accordance with §120.8 Withdrawal of petitions without prejudice of the pesticide regulations (21 CFR 120.8), Stauffer Chemical Co. has withdrawn its petition described above (PP 8F0769), notice of which was published in the Federal Register of December 20, 1968 (33 F.R. 19044).


J. K. KIRK, Associate Commissioner for Compliance.

[FR Doc. 69-6700; Filed, June 4, 1969; 8:46 a.m.]
NOTICES

CIVIL AERONAUTICS BOARD

[Docket No. 20993; Order 69-5-141]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Regarding Cargo Matters

Issued under delegated authority May 20, 1969.

Agreements have been filed with the Board, pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's economic regulations, between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of the Traffic Conferences of the International Air Transport Association (IATA), These agreements, which were adopted for early effectiveness at the Worldwide Cargo Conference held in Athens April 14 through May 13, 1969, have been assigned the above-designated CAB agreement numbers.

The agreements, insofar as they apply in air transportation as defined by the Act, would technically amend existing IATA resolutions (1) governing carrier procedures for consignments supported by a U.S. Government bill of lading by specifying that the lading identification number shall be endorsed in the Special Accounting Information box of the air bill, and (2) listing those countries which compose the area defined as the “Middle East” so as to update the name of one country listed therein. The remainder of these early effectiveness resolutions involve the establishment of specific commodity rates which are not applicable to/from the United States or its possessions and, therefore, are of primary interest to other governments.

Pursuant to authority duly delegated by the Board in the Board's regulations, 14 CFR 385.16(a), (c)(1), (a)(1) and (d)(1), it is ordered:

1. It is found, on a tentative basis, that the following resolutions, which are incorporated in the agreement indicated, are adverse to the public interest or in violation of the Act:

<table>
<thead>
<tr>
<th>Agreement</th>
<th>IATA CAB No.</th>
<th>Title Application</th>
</tr>
</thead>
<tbody>
<tr>
<td>R-4........</td>
<td>8069..........</td>
<td>Definition of middle east amend (expedited).</td>
</tr>
<tr>
<td>R-3........</td>
<td>500........</td>
<td>Traffic Conference 2 Specific Commodity Rates (Expedited).</td>
</tr>
<tr>
<td>R-9........</td>
<td>805........</td>
<td>Traffic Conference 3 Specific Commodity Rates (Expedited).</td>
</tr>
</tbody>
</table>

2. It is not found that the following resolutions, incorporated in the agreements indicated, affect air transportation within the meaning of the Act:

<table>
<thead>
<tr>
<th>Agreement</th>
<th>IATA CAB No.</th>
<th>Title Application</th>
</tr>
</thead>
<tbody>
<tr>
<td>R-1........</td>
<td>800..........</td>
<td>Traffic Conference 2 Specific Commodity Rates (Expedited).</td>
</tr>
<tr>
<td>R-2........</td>
<td>802..........</td>
<td>Traffic Conference 2 Specific Commodity Rates (Expedited).</td>
</tr>
<tr>
<td>R-3........</td>
<td>500..........</td>
<td>Traffic Conference 2 Specific Commodity Rates (Expedited).</td>
</tr>
</tbody>
</table>

Accordingly, it is ordered, That:

1. Action on Agreement CAB 21024, R-1 and R-2, be and hereby is deferred, with a view toward eventual approval;

2. Jurisdiction is disclaimed with respect to Agreements CAB 21023, R-1 through R-3, and CAB 21025, pending receipt of petitions by the Board for review of this order, pursuant to the Board's regulations, 14 CFR 385.50, may, within 10 days after the date of service of this order, file such petitions in support of or in opposition to our proposed action herein.

This order will be published in the Federal Register.

[Seal] MABEL McCART, Acting Secretary.

[F.R. Doc. 69-6030; Filed, June 4, 1969; 8:49 a.m.]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Regarding Philadelphia/Washington/Baltimore Transatlantic Fares

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 29th day of May 1969.

By Order 69-4-138, the Board, among other things, conditioned its approval of CAB 20948, Intended to be Effective May 1, 1969, so as to require that fares between Philadelphia/Washington, Baltimore and European points and points beyond be not greater, on a fare per mile basis, than fares to/from New York. In response to a request from Pan American World Airways, Inc., the effectiveness of this condition was deferred until June 1, 1969, with respect to normal fares and until July 1, 1969, with respect to all other fares.

By a telegram received May 22, 1969, Trans World Airlines, Inc. (TWA), requested that application of the condition be deferred until July 1 for all fares, and stated that Pan American concurred in the request. TWA alleged, among other things, that the carriers have been attempting to resolve the complex problems involved in meeting the Board's objective, it will not be possible to meet the June 1 date with respect to normal fares. The city of Philadelphia and Greater Philadelphia Chamber of Commerce oppose the delay.

The Board recognizes that there are inherent technical difficulties in requiring the fares along the lines called for by the Board's condition, and that a large number of fares are involved. In these circumstances, we do not find it amiss for the public interest that TWA's request to defer application of the condition with respect to all fares until July 1, 1969.

Accordingly, acting pursuant to the Federal Aviation Act of 1958, as amended, particularly sections 21023(a)(2), 404(b)(4), 412(b), and 1002(b) thereof:

It is ordered, That:

Application of the condition imposed in ordering paragraph 1(b) of Order 69-
4-133, which requires that fares between Philadelphia, Washington/Baltimore and European points or beyond be, on a per mile basis, no greater than correspond­
ing fares per mile to/from New York for all respective fare categories, is deferred
until July 1, 1969.

This order will be published in the
Federal Register.

By the Civil Aeronautics Board.

[Seal] MABEL McCART, Acting Secretary.

[F.R. Doc. 69-6631; Filed, June 4, 1969; 8:49 a.m.]

[Dockets No. 19539, etc.]

PHOENIX-SEATTLE/PORTLAND NONSTOP CASE

Notice of Hearing

Notice hereby is given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a hearing in the above-entitled proceeding will be held on June 17, 1969, at 10 a.m., local time, in Room 7059, U.S. Department of Commerce, Federal Aviation Administration, 2285 Connecticut Avenue NW., Wash­
ington, D.C.

For information concerning the issues involved and other details in this pro­
cceeding, interested persons are referred to the prehearing conference report
served on April 16, 1969, and other docu­
ments which are in the docket of this proceeding on file in the Docket Section of the Civil Aeronautics Board.


[F.R. Doc. 69-6632; Filed, June 4, 1969; 8:49 a.m.]

FEDERAL COMMUNICATIONS

COMMISSION

[Report No. 442]

COMMON CARRIER SERVICES
INFORMATION 1

Domestic Public Radio Services Applications Accepted for Filing 2

Pursuant to § 1.227(b)(5) and 21.26
(b) of the Commission's rules, an appli­
cation, in order to be considered with any domestic public radio services ap­
plication appearing on the attached list,

1 All applications listed in the appendix are subject to further consideration and re­
view and may be returned and/or dismissed
if not found to be in accordance with the
Commission's rules, regulations and other
requirements.

2 The above alternative cutoff rules apply to those applications listed in the appendix as having been accepted in Domestic Public
Local Mobile Radio, Rural Radio, Point-to-
Point Microwave Radio, and Local Television

must be substantially complete and ten­
ered for filing by whichever date is
earlier: (a) The close of business 1 busi­
dness day preceding the date on which the
Commission takes action on the previ­
cuously filed application; or (b) within 60
days after the date of the public notice
listing the first prior filed application
with which requests for reconsideration are
in conflict) as having been accepted for fil­ing. An application which is subse­
quently amended by a major change will
be considered to be a newly filed appli­
cation. It is to be noted that the cutoff
dates are set forth in the alternative—
applications will be entitled to considera­tion with those listed in the appendix if
filed by the end of the 60-day period, only
if the Commission has not acted upon the
application by that time pursuant to the
first alternative earlier date. The mutual
exclusivity rights of a new application
are governed by the earliest action with
respect to any one of the earlier filed
conflicting applications.

The attention of any party in interest
desiring to file pleadings pursuant to sec­
tion 309 of the Communications Act of
1934, as amended, concerning any do­

corative public radio services application
accepted for filing, is directed to § 21.27
of the Commission's rules for provisions
governing the time for filing and other
requirements relating to such pleadings.

FEDERAL COMMUNICATIONS

COMMISSION

[Seal] BEN F. WAPLE,
Secretary.

APPENDIX

APPLICATIONS ACCEPTED FOR FILING

DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE

File number, applicant, call sign, and nature of application

7056—C2—P—69—Answering Nework of Georgia, Inc. (New), C.P. for a new (1-way) station
to be located at 2500 Tennessee Avenue, Savannah, Ga., to operate on base frequency
152.24 MHz.

7057—C2—P—(1)—69—Radio Phone Communications, Inc. (New), C.P. for a new (2-way) sta­tion
at 517 19th Road North, Arlington, Va., to operate on base frequencies
454.193, 454.263, 454.333 MHz.

7058—C2—P—69—Tel-Car Corp. (KIB287), C.P. for an additional base channel to operate on
frequency 454.075 MHz at location No. 1: 117 Northeast First Avenue, Miami, Fla.

7059—C2—P—69—Robert E. Franklin (KRE695), C.P. to replace the base transmitter operat­ing
on frequency 152.18 MHz at station located at 1910 Milan Street, Houston, Tex.

7060—C2—P—69—Waco Communications, Inc. (KLB489), C.P. to change frequency to 158.52 MHz;
replace base transmitter operating on same and relocate facilities to approximately
2 miles southwest of Belton, Tex.

7061—C2—P—69—Waco Communications, Inc. (New), C.P. for a new 2-way station to be
located off Highway No. 81, approximately 5 miles south of city limits of Waco, Tex.,
to operate on frequencies 454.00 and 454.10 MHz.

7062—C2—P—(2)—69—Jack Leporena (KMA281), C.P. for additional base channel at location
No. 2: 1.75 miles northwest of Squaw Valley, Calif., to operate on base frequency 152.03 MHz.

7063—C2—P—69—Mobilfone of Kansas (KAK244), C.P. for additional base channel on 152.06
MHz at station located at U.S. Highway No. 50, 1 mile west of Emporia, Kans.

7077—C2—AL—69—Iowa City Answering Service, Consent to assignment of license from
Iowa City Answering Service, Assignor, to: Iowa City Communications Corp., Assignee,
Station: KUJ609 Coralville, Iowa.

7079—C2—P—(2)—69—Ace Commercial Service, Inc. (New), C.P. for a new 2-way station to operate
on base frequency 153.630 MHz and repeater frequency 459.025 MHz at location No. 1: 70°30'N. and 80°25'W. 1 mile north of Columbus, Miss., and control frequency
454.265 MHz at location No. 2: 917 South Third Avenue, Columbus, Miss.

7080—C2—P—69—General Telephone Co. of the Southwest (New), C.P. for a new 2-way sta­tion
to be located on Chocow Street, between Main and Wagner, Lindsay, Okla., on frequency
69.86 MHz (Base) 16F3 (Central Office), 30 watts, area bounded by 70° N. and 70°30'N.
and 147.37 W. and 150° W. to

7083—C2—Al-69—Consolidated Telephone Co., Consent to assignment of license from Con­
solidated Telephone Co., Assignor, to: The Cincinnati & Suburban Bell Telephone Co.

INFORMATION

The Alaska Communications System; 500 Federal Office Building, Seattle, Wash.; has sub­
mitted a request for the following frequencies to provide a public toll telephone service
to the locations noted.

Applicant—United States Air Force:
73.25 MHz (Space) 109F (Central Office), 50 watts, area bounded by 70° N. and 70°30'N.
and 147.37 W. and 150° W. to
73.32 MHz (Mobiles) 16F3, 50 watts, area bounded by 70° N. and 70°30'N. and 147°30' W.

The above proposals have been received in the Frequency Registration and Notification
Branch of the Frequency Allocation and Treaty Division.

Point-to-Point Microwave Radio Service (Telephone Carrier)

7068—C1—P—69—Illinois Bell Telephone Co. (KRX654), C.P. to change frequency from 609.3
MHz to 609.9 MHz toward Waco, Ill. Station location: 1.5 miles north of Eda, Ill.

7069—C1—P—69—Mountain States Telephone & Telegraph (KRX700), Modification C.P. to
change antennas system and point of communication operating on frequencies 6226.9
and 6345.5 MHz to Pine Butte, Wyo., via passive reflector.

7071—C1—MP—69—Mountain States Telephone & Telegraph (KRT79), Modification C.P. to

FEDERAL REGISTER, VOL. 34, NO. 107—THURSDAY, JUNE 5, 1969
FEDERAL MARITIME COMMISSION

[DOCKET NO. 69-36]

SEA-LAND SERVICE, INC.

General Increases in Rates in U.S. Atlantic/Puerto Rico Trade

First Supplemental Order and Special Permission No. 5035.

By the original order in this proceeding served May 14, 1968, the Commission, placed under investigation a ten percent general rate increase of the subject carrier, and suspended to and including September 17, 1969, Supplement No. 51 to Tariff FMC-F No. 3 (Pan-Atlantic Steamship Corp. FMC-F Series) and Supplement No. 15 to Tariff FMC-F No. 2 (Pan-Atlantic Steamship Corp. FMC-F Series), among other tariff matters. The Commission's order prohibits changes in the terms of its rules relative to the construction and filing of tariff publications

By the Commission.

THOMAS LASS,
Secretary.

[FR. Doc. 69-6638; Filed, June 4, 1969; 8:45 a.m.]

FEDERAL POWER COMMISSION

[DOCKET NO. E-7490]

GULF STATES UTILITIES CO.

Notice of Application


Take notice that by order issued August 23, 1968, the Federal Power Commission, pursuant to section 204 of the Federal Power Act, authorized Gulf States Utilities Co. (Applicant), Beaumont, Tex., to issue short term promissory notes not to exceed an aggregate of $50 million principal amount outstanding at any one time. The notes were to have final maturity date not later than December 31, 1970.

On May 21, 1969, Applicant filed a supplemental application requesting that the Commission's order of August 23, 1968, be modified to the extent that Applicant be authorized to issue short term promissory notes in an aggregate principal amount outstanding at any one time of $70 million. All terms and conditions of the Commission's order are to remain the same.

The increase in the aggregate principal amount of short term borrowings to $70 million from $50 million was applied for to enable Applicant to meet its obligations and to provide greater flexibility in Applicant's financing program by making available additional working capital through the use of short term notes at a time of high interest costs in the bond market until such time as permanent financing can be completed.

Any person desiring to be heard or to make any protest with reference to said application should on or before June 18, 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 for intervention in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

GORDON M. GRANT,
Secretary.

[FR. Doc. 69-6605; Filed, June 4, 1969; 8:45 a.m.]

[DOCKET NO. CP-6-311]

IOWA ELECTRIC LIGHT AND POWER CO. AND MICHIGAN WISCONSIN PIPE LINE CO.

Notice of Application

MAY 28, 1969.

Take notice that on May 19, 1969, Iowa Electric Light and Power Co. (Applicant), Post Office Box 290, Cedar Rapids, Iowa 52406, filed in Docket No. CP-69-311 an application pursuant to sections 7(a) of the Natural Gas Act for an order of the Commission directing Michigan Wisconsin Pipe Line Co. (Respondent) to construct and operate certain facilities and to sell up to 684 Mcf of natural gas per day to Applicant for resale and distribution in the towns of Mokelumne Hill and Lockridge, Iowa, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to construct and operate the necessary distribution facilities in said communities and to serve a total estimated third year peak day and annual natural gas requirements for the two communities as 684 Mcf and 169,063 Mcf, respectively.

Applicant estimates the total cost of its projects to be $170,818, which cost will be financed from funds on hand.
NOTICES

The application indicates that respondent will deliver gas to Lateral Gas Line of Applicant and Lateral will transport gas for Applicant to deliver said gas to Applicant for use of Applicant and Lateral will transport gas for Applicant.

Any person desiring to be heard or to make any protest with reference to said application should on or before June 23, 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). 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 must file a petition to intervene in accordance with the Commission's rules.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-6586; Filed, June 4, 1969; 8:45 a.m.]

[DOCKET NO. E-7486]

MAINE ELECTRIC POWER CO., INC.

Notice of Application

MAY 28, 1969.

Take notice that on May 23, 1969, Maine Electric Power Co., Inc. (Applicant), a corporation organized and existing under the laws of the State of Maine, with its principal place of business at Augusta, Maine (correspondence to Mr. R. N. Haskell, 33 State Street, Bangor, Maine 04401), filed an application seeking authorization pursuant to Federal Power Act, Order No. 10465 to construct, operate, maintain, and connect facilities at the international boundary between the State of Maine and the Province of New Brunswick, Canada, at a point in or near the town of Orient in the State of Maine, for the purpose of importing electric energy from Canada into the United States and for other purposes.

Central Maine Power Co. and the New Brunswick Electric Power Commission of Fredericton, New Brunswick, Canada, have signed a letter of intent for the construction of a single circuit 345-kv. transmission line extending from the substation near the town of Fredericton, New Brunswick, to Central Maine's substation near Wiscasset, Maine, for the coordination of their respective electric systems and for the purchase of the line power by Central Maine from New Brunswick. Applicant has agreed to accept assignment from Central Maine of all applicable rights and obligations under said letter of intent.

Applicant will offer its capital stock on a pro rata basis to each electric utility operating on the mainland in the State of Maine according to their size. The initial power to be imported from Canada has been offered to all electric utilities on the mainland in the New England States and their support of the line was solicited. As of May 21, 1969, 13 electric utilities, serving areas in the States of Connecticut, Maine, Massachusetts, New Hampshire, New York, and Vermont accepted the offer. Twenty-eight other electric utilities in the New England States had indicated an interest in the offer and reserved the right to participate in it. The foregoing commitments having been received, the Applicant has undertaken, upon receipt of a Presidential permit from the Federal Power Commission and upon obtaining all necessary governmental approvals of its security issues, to construct the necessary facilities within the United States to effectuate the interconnection.

Any person desiring to be heard or to make any protest with reference to said application should on or before June 16, 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). 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 must file a petition 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. 69-6587; Filed, June 4, 1969; 8:45 a.m.]

[DOCKET NO. CP69-309]

MICHIGAN WISCONSIN PIPE LINE CO.

Notice of Application

MAY 27, 1969.

Take notice that on May 19, 1969, Michigan Wisconsin Pipe Line Co. (Applicant), 1 Woodward Avenue, Detroit, Mich. 48226, filed in Docket No. CP69-308 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities for the transportation and sale of natural gas in interstate commerce for resale, all as more fully set forth in the application which is on file with the Commission and available for public inspection.

Applicant states that a number of its customers have revised their original nominations for the contract year commencing September 1, 1969, resulting in a net aggregate increase in required daily quantities of 60,771 Mcf of natural gas. Applicant proposes to meet these requirements by a 30,000 Mcf per day expansion of the main line capacity of its system extending to Louisiana and utilizing of unallocated firm gas supply resulting from the expansion of its system authorized by the Commission in its order issued January 17, 1969, in Docket No. CP69-44.

Specifically, Applicant seeks authorization to install additional main line compression at its existing Jenks, Sardis, and Madisonville Compressor Stations and to transfer compressor units from its Sardis and Madisonville Compressor Stations to its Crown Point and Germanstown Compressor Stations.

The total estimated cost of the proposed facilities is $6,650,000, which will be financed with borrowings from banks under lines of credit, together with retained earnings and other funds generated internally.

Any person desiring to be heard or to make any protest with reference to said application should on or before June 23, 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 any proceeding or to participate as a party in any hearing herein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 16 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own motion forms that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion determines that a formal hearing is required, further notice of such hearing will be given.

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

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-6588; Filed, June 4, 1969; 8:45 a.m.]

FEDERAL REGISTER, VOL. 34, NO. 107—THURSDAY, JUNE 5, 1969

No. 107—Pts. 1—4
NOTICES

UNITED FUEL GAS CO.
Notice of Application
May 28, 1969.

Take notice that on May 16, 1969, United Fuel Gas Co. (Applicant), 1700 MacCorkle Avenue SE, Charleston, W. Va. 25325, filed in Docket No. CP69-306 an application pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities and authorizing maximum daily deliveries of natural gas during the 1969-70 season to customers hereinafter specified and for permission and approval to abandon facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant proposes the following:

1. To construct and operate a 2,000 horsepower addition at the Clarksburg compressor station, Gilmer County, W. Va., in order to eliminate a presently existing capacity deficiency.

2. To install a main line tap and measuring and regulating facilities in Cabell County, W. Va., to deliver natural gas to Consumers Gas Utility Co. for resale and distribution in the community of Martinsburg. Deliveries to Consumers Gas will be out of the latter's presently authorized maximum daily supply.

3. To install measuring and regulating facilities in Pike County, Ky., and to sell a maximum daily quantity of 150 Mcf of natural gas to Belfry Gas Co., Inc., for resale and distribution in the community of Belfry, and

4. To abandon approximately 1.4 miles of 6-inch pipeline in Kanawha County, W. Va., which line is no longer needed to transport gas for injection into Applicant's underground storage facility.

The application indicates the total estimated cost of the proposed facilities to be $785,000, which cost will be financed through the use of short-term demand notes and funds on hand.

Any person desiring to be heard or to make any protest with reference to said application should or on before June 23, 1969, file with the Federal Power Commission, Washington, D.C. 20446, 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 1.15). 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 or to participate as a party in any hearing therein or to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without notice before the Commission on this application if no 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 1.15) is timely filed, or if the Commission finds that a grant of permission and approval to abandon facilities is in the public convenience and necessity.

Any person desiring to be heard or to make any protest with reference to said application should or on before June 23, 1969, file with the Federal Power Commission, Washington, D.C. 20446, 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 1.15) so that the application 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 a petition to intervene in accordance with the Commission's rules.

GORDON M. GRANT, Secretary.

[For Doc. 69-5898; Filed, June 4, 1969; 8:45 a.m.]

UNITED GAS PIPE LINE CO.
Notice of Application
May 27, 1969.

Take notice that on May 16, 1969, United Gas Pipe Line Co. (Applicant), Post Office Box 1407, Shreveport, La. 71102, filed in Docket No. CP69-304 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas transmission facilities for the transportation of natural gas in interstate commerce, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant seeks authorization to construct and operate two different projects. Project "A" consists of 21.8 miles of 38-inch pipeline, beginning at the Arnaudville Compressor Station, St. Landry Parish, La., and extending in a general southerly direction to a point in Lafayette Parish, La., to tie-over to the Lafayette 12-inch pipeline. Applicant will also install a regulator and meter station at a point near Erath, Vermillion Parish, La. Applicant will also install a regulator and meter station at a point near Erath, Vermillion Parish, La.

The estimated total cost of the proposed facilities is $12 million, which will be financed through the use of short-term demand notes and funds on hand.

Any person desiring to be heard or to make any protest with reference to said application should or on before June 23, 1969, file with the Federal Power Commission, Washington, D.C. 20446, 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 1.15). 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 a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without notice before the Commission on this application if no petition to intervene or a protest in accordance with the Commission's rules is timely filed, or if the Commission finds that a grant of permission and approval to abandon facilities is in the public convenience and necessity.

FEDERAL REGISTER, VOL. 34, NO. 107—THURSDAY, JUNE 5, 1969
this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be given.

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

Gordon M. Grant,
Secretary.

[F.R. Doc. 69-6596; Filed, June 4, 1969; 8:46 a.m.]

[DOCKET NO. CP69-309]

UNIVERSAL GAS PIPELINE CO. AND SOUTHERN NATURAL GAS CO.
Notice of Application

MAY 28, 1969.

Take notice that on May 16, 1969, Universal Gas Pipe Line Co. (Universal), Post Office Box 1407, Shreveport, La. 71102, and Southern Natural Gas Co. (Southern), Post Office Box 2883, Birmingham, Ala. 35202, filed in Docket No. CP69-309 a joint application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction of facilities for the exchange of natural gas in interstate commerce, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The application states that the Applicants have entered into an exchange agreement dated April 25, 1969, with Sea Robin Pipeline Co. (Sea Robin) whereby Sea Robin will deliver to United for Southern's account up to 750,000 Mcf of gas per day to be purchased by Southern from Sea Robin at Erath, Vermilion Parish, La., and that United will deliver to Sea Robin, therefore equivalent volumes of gas to Southern at Bayou Sale, Lafayette Parish, La. Applicants allege that the proposed exchange will make it unnecessary for Southern to build extensive facilities to connect its pipeline system with the facilities of Sea Robin at Erath and will achieve certain economies for United.

Specifically, in order to effectuate the proposed exchange, United seeks authorization to install and operate tie-in valves and appurtenant facilities to deliver natural gas to Southern at the Bayou Sale Compressor Station site in St. Mary Parish, La.

The total estimated cost of the proposed facilities is $383,960, which will be financed from funds on hand.

Any person desiring to be heard or to make any protest with reference to said application may file with the Commission on or before June 25, 1969, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.10 and 110) and the regulations under the Natural Gas Act (18 CFR 157). 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 protests parties to the proceeding. Any person desiring to become a party to the proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

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

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

Gordon M. Grant,
Secretary.

[F.R. Doc. 69-6591; Filed, June 4, 1969; 8:45 a.m.]

FEDERAL RESERVE SYSTEM

MIDWEST BANCORPORATION, INC.
Order Approving Action To Become Bank Holding Company

In the matter of the application of Midwest Bancorporation, Inc., Kansas City, Mo., for approval of action to become a bank holding company through the acquisition of more than 80 percent of the voting shares of Laurel Bank, Baytown, Mo., and Platte Woods Bank, Platte Woods, Mo.

There has come before the Board of Governors, pursuant to section 3(a)(1) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(1)), and § 222.3(a) of Federal Reserve Regulation Y (12 CFR 222.3(a)), an application by Midwest Bancorporation, Inc., Kansas City, Mo., for the Board's prior approval of action whereby Applicant would become a bank holding company through the acquisition of more than 80 percent of the voting shares of Laurel Bank, Baytown, Mo., and Platte Woods Bank, Platte Woods, Mo.

As required by section 3(b) of the Act, the Board notified the Commissioner of Finance of the State of Missouri of receipt of the application and requested his views and recommendation. The Commissioner recommended approval of the application.

Notice of receipt of the application was published in the Federal Register on January 10, 1969 (34 F.R. 1572), which provided an opportunity for interested persons to submit comments and views with respect to the proposed transaction. A copy of the application was forwarded to the U.S. Department of Justice for its consideration. The time for filing comments and views has expired and all those received have been considered by the Board.

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

Dated at Washington, D.C., this 28th day of May 1969.

By order of the Board of Governors.

Robert P. Forrestal, Assistant Secretary.

[F.R. Doc. 69-6600; Filed, June 4, 1969; 8:45 a.m.]

SEcurities AND Exchange COMMISSION

BARTEP INDUSTRIES, INC.
Order Suspending Trading

May 29, 1969.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock and all other securities of Bartep Industries, 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 30, 1969, through June 8, 1969, both dates inclusive.

By the Commission.

Nelly A. Thorsen, Assistant Secretary.

[F.R. Doc. 69-6606; Filed, June 4, 1969; 8:46 a.m.]

1 Filed as part of the original document.

Copies available upon request to the Board of Governors of the Federal Reserve System, 2500 Pennsylvania Avenue, N.W., Washington, D.C. 20001, or to the Federal Reserve Bank of Kansas City.

2 Voting for this Action: Chairman Martin and Governors Mitchell, Maisel, Brimmer, and Sherrill. Absent and not voting: Governors Robertson and Daane.
NOTICES

May 28, 1969.

The Division of Corporate Regulation has advised the Commission that it has made a preliminary examination of the application, and that upon the basis thereof the following matters are presented for consideration of the Commission:

Whether the exemption requested 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.

It is further ordered that at the aforesaid hearing attention be given to the foregoing matters.

By the Commission.

NELLYE A. THORSEN,
Assistant Secretary.

[PR. Doc. 60-6961; Filed June 4, 1969; 8:46 a.m.]

COMMERCIAL FINANCE CORPORATION OF NEW JERSEY

Order Suspending Trading

May 29, 1969.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock and all other securities of Commercial Finance Corporation of New Jersey (a New Jersey corporation) being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period May 31, 1969, through June 9, 1969, both dates inclusive.

By the Commission.

NELLYE A. THORSEN,
Assistant Secretary.

[PR. Doc. 60-6962; Filed June 4, 1969; 8:46 a.m.]

CONNECTICUT WESTERN MUTUAL FUND, INC.

Notice of and Order for Hearing on Application for Order of Exception

May 28, 1969.

Notice is hereby given that Connecticut Western Mutual Fund, Inc. ("Applicant"), 460 Summer Street, Stamford, Connecticut, which is next computed after the close of trading on the New York Stock Exchange, is required in the public interest and for the protection of investors:

Whether the exemption requested 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.

It is further ordered that at the aforesaid hearing attention be given to the foregoing matters.

By the Commission.

NELLYE A. THORSEN,
Assistant Secretary.

[PR. Doc. 60-6963; Filed June 4, 1969; 8:46 a.m.]

FEDERAL REGISTER, VOL. 34, NO. 107—THURSDAY, JUNE 5, 1969
Conn. 06902, an open-end, nondiversified management investment company registered under the Investment Company Act of 1940 (the "Act"), has applied for order pursuant to section 6(c) of the Act exempting Applicant from Rule 22c-1 of the rules and regulations under the Act to the extent that said rule requires that shares of Applicant be priced for sale on the day orders for the purchase of such shares are received. All interested persons are referred to the application on file with the Commission for a statement of the representations therein which are summarized below.

As of February 28, 1969, Applicant had 74 shareholders and net assets of $464,723. For the 6 months ended February 28, 1969, expenses were $2,103 including management fees of $863. During the fiscal year beginning September 1, 1968, Applicant has received nine requests for redemption and 15 orders for the sale of new shares. Applicant estimates that it costs $464,723. For the 6 months ended February 28, 1969, Applicant had 74 shareholders and net assets of $464,723. For the 6 months ended February 28, 1969, Applicant had 74 shareholders and net assets of $464,723.

Rule 22c-1 provides, in part, that relocated registered investment companies must be sold, redeemed, or repurchased at a price based on the current net asset value computed on a daily basis during which the New York Stock Exchange is open for trading not less frequently than once daily as of the close of the day of the close of trading on such exchange (which is next computed after regular business hours) for sales whenever an order is received would multiply the costs of managing Applicant and would be unduly burdensome in relation to the size of Applicant.

Applicant proposes to price orders for shares received before the close of business on the New York Stock Exchange ("Exchange") on Wednesday of each week, as of the close of business on the Exchange on Wednesday, and orders received after the close of business of the Exchange on the following Wednesday. An investor may withdraw his order at any time until the close of business of the Exchange on the Wednesday that shares would be priced for sale to him. Shares tendered for redemption will be priced as of the close of the Exchange on the day such tenders are received except that tenders received after the close of the Exchange will be priced as of the close of the Exchange on the next day it is open for business.

Applicant represents that the proposed method of pricing of shares for sale will be less costly than it would be to offer shares more frequently, and at the same time will not result in any dilution of the value of outstanding shares.

Section 6(c) of the Act provides, in part, that the Commission may conditionally or unconditionally exempt any person, security, or transaction, or any class of classes of persons, securities, or transactions from any provision of the Act or of any rule or regulation under the Act, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the purposes fairly intended by the policy and provisions of the Act.

Applicant requests exemption from Rule 22c-1 so that it can price shares for sales whenever an order is received until the net assets of Applicant exceed $5 million or the incidence of sales exceeds 100 orders in any one fiscal semiannual period. It appears to the Commission that it is appropriate in the public interest and in the interest of investors that a hearing be held with respect to the said application.

It is therefore ordered, Pursuant to section 40 (a) of the Act, that a hearing on the aforesaid application under the applicable provisions of the Act and the rules of the Commission thereunder be held at said hearing attention be given to the foregoing matters.

The Division of Corporate Regulation has made a preliminary examination of the application, and that upon the basis thereof the following matters are presented for consideration without prejudice to its specifying additional matters upon further examination. Whether the exemption requested 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.

It is further ordered, That at the aforesaid hearing attention be given to the foregoing matters.

It is further ordered, That the Secretary of the Commission shall give notice of the aforesaid hearing by mailing copies of this order by certified mail to the Applicant, and that notice to all persons shall be given by publication of this order in the Federal Register; and that a general release of the Commission in respect of this order be distributed to the press and mailed to the mailing list for releases.

By the Commission.

NELLY A. THORSEN, Assistant Secretary.

[File No. 1-3541]

CONTINENTAL VENDING MACHINE CORP.

Order Suspending Trading

MAY 29, 1969.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, 10 cents par value of Continental Vending Machine Corp., and the 6 percent convertible subordinated debentures due September 1, 1976, 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 June 1, 1969, through June 10, 1969, both dates inclusive.

By the Commission.

NELLY A. THORSEN, Assistant Secretary.

[File No. 1-3421]

FEDERAL REGISTER, VOL. 34, NO. 107—THURSDAY, JUNE 5, 1969
Craig-Hallum has acted as investment adviser to Fund continuously since May 3, 1951, and is currently acting pursuant to a written contract dated February 24, 1965, as amended December 27, 1967, and most recently approved by Fund shareholders at a shareholders' meeting on January 29, 1969. The agreement provides for its automatic termination in the event of its modification by Craig-Hallum.

All of the outstanding voting stock of Craig-Hallum is presently owned by 85 persons. Pursuant to a vote of the Board of Directors, Craig-Hallum proposes to adopt a Plan pursuant to which all of the outstanding stock of Craig-Hallum will be transferred to a new corporation to be named Craig-Hallum Corp. In exchange, stockholders will receive shares of the new corporation. The present 85 shareholders of Craig-Hallum will be the sole shareholders of the new corporation. Applicants propose to execute a new advisory agreement to become effective immediately upon the adoption of the Plan.

The present 85 shareholders of Craig-Hallum are presently effective pursuant to which all of the voting securities of the new corporation. Applicants propose to adopt a Plan pursuant to which all of the outstanding voting securities of Craig-Hallum which will be identical in all material respects with the present contract, the exemption requested is appropriate in the public interest, is consistent with 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 17, 1969, file a statement with the Commission containing the reasons for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicants at the address stated above. Proof of such service by affidavit or in case of an attorney, by a verified statement, 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 the matter, including the date of hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[Seal]

Ovral L. DeBois,
Secretary.

[F.R. Doc. 69-6605; Filed, June 4, 1969; 8:47 a.m.]

DELMARVA POWER AND LIGHT CO.

Notice of Proposed Underwritten Common Stock Offering to Stockholders and Offering of Unsubscribed Shares to Employees, and Issue and Sale of Preferred Stock at Competitive Bidding

May 29, 1969.

Notice is hereby given that Delmarva Power and Light Co. ("Delmarva"), 600 Market Street, Wilmington, Del. 19899, a registered holding company and also a public-utility company, has filed a declaration with the Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act") designating sections 6 and 7 of the Act and Rule 50 promulgated thereunder as applicable to the proposed transactions. All interested persons are invited to the declaration, which is summarized below, for a complete statement of the proposed transactions.

Delmarva proposes to issue and sell 597,909 shares of its authorized but unissued common stock, par value $3.375 per share, at an offering price which will not exceed, nor be less than 50 percent of the last reported sale price on the New York Stock Exchange prior to the determination of the offering price. The offering price will be determined by Delmarva's board of directors no later than 12 noon on July 8, 1969.

In accordance with the requirements of Delmarva's certificate of incorporation, its stockholders of record on July 16, 1969, will have the right (evidenced by transferable warrants) to subscribe to the new stock on the basis of one share of new stock for each 15 shares of common stock held on record on the date of assignment. Each such warrant will be exercisable only if tendered in a registration statement of underwritten stock, which will be submitted for approval by the Commission.

Subject to the rights of stockholders, the stock will also be sold at the offering price to employees of Delmarva and its subsidiary companies in an underwritten offering. An employee who exercises an assignment will not be entitled to receive any proceeds from the sale of the stock assigned to him.

Delmarva also proposes, for the purpose of stabilizing the price of its common stock, to purchase up to 29,895 shares of the presently outstanding preferred stock. Such stabilization, if commenced, will be terminated not later than the time fixed for the acceptance of a bid for the purchase of the unsubscribed stock. Shares and bids for 0 stocks as a result of such stabilization will be included as a part of the unsubscribed stock which will be sold to the underwriters.

Delmarva also proposes to issue and sell, subject to the competitive bidding requirements of Rule 50, 190,000 shares of its cumulative preferred stock, par value $100 per share. The dividend rate of the preferred stock (which will be sold for the underwriters, to be paid by the common and preferred stock. The proceeds received from the issue and sale of the common and preferred stock will be used by Delmarva and its subsidiary companies to finance, in part, the cost of their 1969 construction program, estimated at $65,534,000, and to pay all or a portion of unsecured short-term loans incurred prior to the sale of the preferred stock.

A statement of the fees and expenses to be incurred by Delmarva in connection with the proposed transactions will be filed by amendment. The fees of counsel for the underwriters, to be paid by successful bidders, will also be supplied by amendment.

It is stated that the Public Service Commission of Delaware has jurisdiction over the proposed issue of common stock. Delmarva and no other State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.
Notice is further given that any interested person may, not later than June 23, 1969, request in writing that a hearing be held in respect of such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said declaration which he desires to controvert; or he may request that he be notified of the order of the Commission granting or denying such application, and such request or order shall include any officer or director, any person directly or indirectly owning, controlling, or holding with power to vote, or possessing more than 5 percentum of the outstanding voting securities of another person and any person 5 percentum or more of whose outstanding voting securities are owned, controlled, or held with power to vote by another person. Therefore, Eastern and St. Regis may be deemed to be affiliated persons of each other, Mr. Ferguson may be deemed to be an affiliated person of Eastern, and the other persons named above may be affiliated persons of Eastern.

Section 17(a) of the Act, as here pertinent, prohibits an affiliated person of a registered investment company from selling to or purchasing from such registered company any securities or other property and thus would prohibit the proposed transaction unless the Commission upon application under section 17(b) of the Act grants an exemption from such prohibition. Section 17(b) of the Act provides in pertinent part that an application for the exemption shall be made to the Commission and if the Commission thereon shall consider whether the proposed transaction is consistent with the general purposes and policies of the Act and the extent to which such transaction and the conditions of such application and issue an order of exemption if evidence establishes that the terms of the proposed transaction, including the consideration to be paid therefor, do not involve overreaching on the part of any person concerned; if the proposed transaction is consistent with the policies of the Act; and if the proposed transaction is consistent with the general purposes of the Act, Section 17(d) of the Act and Rule 17d-1 thereunder provide, among other things, that it shall be unlawful for an affiliated person of a registered investment company or an affiliated person of such person, acting as principal, to effect any transaction in which such registered company or a company controlled by such registered company is a joint and several participant with such person unless an application regarding such transaction has been granted by the Commission. In passing upon such applications, the Commission will consider whether the proposed transaction is consistent with the provisions, policies and purposes of the Act and the extent to which such participation is on a basis different from or less advantageous than that of other participants.

Supporting statements. The application as it is here proposed to be made required the approval of the affirmative vote of two-thirds of the outstanding shares of Common Stock of Eastern and of St. Regis. This approval was obtained on April 22, 1969. The number of shares of Common Stock to be issued to Eastern will equal the number of shares of such stock held by Eastern less the number of shares of Common Stock of St. Regis, the other persons named above may be affiliated persons of Eastern.
outstanding) will receive identical treat­
ment, and the distribution and liquidation
stockholders of Eastern will be on a pro rata basis. The application for the con­
clusion, including the consideration, are reasonable
and fair and do not involve overreaching
on the part of any person concerned.

Eastern further represents that pur­
sers will be treated on the same basis; objecting shareholders
and fair and do not involve overreaching
on the part of any person concerned.

It is represented that investments
made by Applicant in the form of loans
will be limited to National and State
institutions having an aggre­
gate lending limit of at least $2,500,000.

Applicant represents that membership
will be limited to National and State
banks and insurance and surety com­
panies licensed to do business in Mis­
souri and engaged primarily in lending
or investing funds. Applicant further
that its primary motive is the in­
dustrial and commercial development
and expansion of Missouri. Applicant will
do business only in Missouri and only
with companies doing business in Missouri.

As an alternative to public distribution, the final decision will be made by Applicant in the form of loans
will be limited to National and State
institutions having an aggre­
gate lending limit of at least $2,500,000.

Applicant represents that membership
will be limited to National and State
banks and insurance and surety com­
panies licensed to do business in Mis­
souri and engaged primarily in lending
or investing funds. Applicant further
that its primary motive is the in­
dustrial and commercial development
and expansion of Missouri. Applicant will
do business only in Missouri and only
with companies doing business in Missouri.

As an alternative to public distribution, the final decision will be made by Applicant in the form of loans
will be limited to National and State
institutions having an aggre­
gate lending limit of at least $2,500,000.

Applicant represents that membership
will be limited to National and State
banks and insurance and surety com­
panies licensed to do business in Mis­
souri and engaged primarily in lending
or investing funds. Applicant further
that its primary motive is the in­
dustrial and commercial development
and expansion of Missouri. Applicant will
do business only in Missouri and only
with companies doing business in Missouri.

As an alternative to public distribution, the final decision will be made by Applicant in the form of loans
will be limited to National and State
institutions having an aggre­
gate lending limit of at least $2,500,000.

Applicant represents that membership
will be limited to National and State
banks and insurance and surety com­
panies licensed to do business in Mis­
souri and engaged primarily in lending
or investing funds. Applicant further
that its primary motive is the in­
dustrial and commercial development
and expansion of Missouri. Applicant will
do business only in Missouri and only
with companies doing business in Missouri.

As an alternative to public distribution, the final decision will be made by Applicant in the form of loans
will be limited to National and State
institutions having an aggre­
gate lending limit of at least $2,500,000.

Applicant represents that membership
will be limited to National and State
banks and insurance and surety com­
panies licensed to do business in Mis­
souri and engaged primarily in lending
or investing funds. Applicant further
that its primary motive is the in­
dustrial and commercial development
and expansion of Missouri. Applicant will
do business only in Missouri and only
with companies doing business in Missouri.

As an alternative to public distribution, the final decision will be made by Applicant in the form of loans
will be limited to National and State
institutions having an aggre­
gate lending limit of at least $2,500,000.

Applicant represents that membership
will be limited to National and State
banks and insurance and surety com­
panies licensed to do business in Mis­
souri and engaged primarily in lending
or investing funds. Applicant further
that its primary motive is the in­
dustrial and commercial development
and expansion of Missouri. Applicant will
do business only in Missouri and only
with companies doing business in Missouri.
Since Applicant will be engaged in the business of investing and since it proposes to acquire investment securities having a value exceeding 40 percent of its total assets, Applicant is an investment company within the definition of section 3(a) (3) of the Act and is required to register unless exempted pursuant to section 3(c) of the Act. In such event, the Act provides, among other things, that the Commission, by order upon application, may conditionally or unconditionally exempt any person from any provision of the Act or of any rule or regulation thereunder, if and to the extent that such exemption is necessary or appropriate in the public interest and in the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Applicant states that it was formed to accomplish the public purposes of the Missouri Development Finance Corporations Act which are to assist and encourage the development and advancement of the business and industries of the State, to cause and encourage the location of new industries in the State, and to provide for maximum opportunities for employment, and that these purposes are intended to promote, development, and conduct of expanded business activities in the State of Missouri. Applicant further states that neither it nor any of its predecessors or securities are or will be motivated primarily by the prospects of possible profits of Applicant but by the purposes set forth in the Missouri Development Finance Corporations Act. Applicant also states that it is subject to examination by the Commissioner of Finance, the Administrative Officer of Missouri charged with chartering, supervision, and examination of banks and other financial institutions of the State, and that the corporation is required to make reports of its condition to the Commissioner of Finance not less frequently than annually and is required to furnish such information as may from time to time be required by the Commissioner of Finance. Applicant states that in view of the foregoing factors registration is not necessary to accomplish the purpose of the Act and that Applicant should be granted an exemption pursuant to section 6(c) of the Act.

Notice is hereby given that any interested person may, not later than June 18, 1969, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accomplished by a statement or a request for the purpose 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 by the Commission should order a hearing thereon. Any such communication should be addressed to: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (in all cases to the person being served if the mailing is heisted more than 500 miles from the point of mailing) upon Applicant. Proof of service (by affidavit or in case of an attorney as law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 6-5 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 may receive a further development of the elements in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority):

[SEAL] NELLY A. THORSEN, Assistant Secretary.

[F.R. Doc. 69-6609; Filed, June 4, 1969; 8:45 a.m.]

[File No. 24D-2321]

GENERAL RESOURCES

Order Temporarily Suspending Exemption, Statement of Reasons Therefor and Notice of Opportunity for Hearing

MAY 26, 1969.

I. General Resources (issuer), 4092 South State Street, Salt Lake City, Utah, a Utah corporation with offices located at Salt Lake City, Utah, filed with this Commission on December 11, 1968, a notification on Form 1-A and an offering circular relating to a proposed offering of 5 million shares of common stock at 1 cent per share for an aggregate of $50,000 for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3(b) thereof, and Regulation A promulgated thereunder.

II. The Commission has reasonable cause to believe from information reported to it by the staff that:

A. The terms and conditions of Regulation A were not complied with. In that:

1. The Form 1-A filed on behalf of the issuer fails to disclose Curtis Minerals as an affiliate and predecessor of the issuer;

2. The Form 1-A fails to disclose sales of unregistered securities by the issuer's affiliates within one year prior to the filing of the Form 1-A and present and proposed offerings of securities by affiliates;

3. The offering circular filed on behalf of the issuer fails to disclose that net cash proceeds of the offering were to be used, in significant part, to repay a loan incurred in the acquisition of shares of stock of an affiliate of the issuer;

4. The offering circular fails to disclose all material transactions within the past five years between the issuer and persons affiliated with and controlling the issuer;

5. The offering circular fails to include accurate and adequate financial statements of the issuer.

B. The offering circular as filed contains untrue statements of material facts and omits to state material facts necessary to make the statements made, in the light of the circumstances under which they were made, not misleading, particularly with respect to:

1. The failure to disclose the names of certain promoters and affiliates of the issuer;

2. The failure to disclose accurately the assets and liabilities of the issuer;

3. The failure to disclose certain material transactions of the issuer and its promoters and affiliates;

4. The failure to set forth accurately the use to which proceeds of the offering would be applied. C. The offering would have been made in violation of section 17(a) of the Securities Act of 1933, as amended, by reason of the activities described above.

Accordingly, it is ordered, That the Regulation A exemption of General Resources be and it hereby is, temporarily suspended.

It is further ordered, Pursuant to Rule 7 of the Commission's rules of practice, that the issuer file an answer to the allegations contained in this order within 30 days of the entry thereof.

Notice is hereby given that any person having any interest in the matter may file with the Secretary of the Commission a written request for hearing within 30 days after the entry of this order, that within 20 days after receipt of such request the Commission will, or at any time upon its own motion may, set the matter down for hearing at a place to be designated by the Commission for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; and that notice of the time and place for said hearing will be promptly given by the Commission. If no hearing is requested and none is ordered by the Commission, the order shall become permanent on the 30th day after its entry and shall remain in effect unless it is modified or vacated by the Commission.

By the Commission.

[SEAL] ORVAL L. DUBois, Secretary.

[F.R. Doc. 69-6610; Filed, June 4, 1969; 8:45 a.m.]

[File No. 24D-2321]

MONTE CRISTO CORP.

Order Temporarily Suspending Exemption, Statement of Reasons Therefor, and Notice of Opportunity for Hearing

MAY 14, 1969.

I. Monte Cristo Corp. (issuer), a Nevada corporation, with offices located at 1102 Continental Bank Building, Salt Lake City, Utah, filed with this Commission on October 23, 1968, a notification and offering circular relating to a proposed offering of 300,000
shares of its $0.10 par value common stock at $1 per share, for an aggregate of $300,000 for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933 as amended, pursuant to the provisions of section 3(b) thereof, and Regulation A promulgated thereunder.

II. The Commission, on reasonable cause shown, has decided to temporarily suspend in the public interest and for the protection of investors that the exemption of the issuer under Regulation A be, and it hereby is, temporarily suspended.

It is ordered, Pursuant to Rule 301(a) of the general rules and regulations under the Securities Act of 1933, as amended, that the exemption of the issuer under Regulation A be, and it hereby is, temporarily suspended.

It is further ordered, Pursuant to Rule 7 of the Commission's rules of practice, that the issuer file an answer to the allegations contained in this order within 20 days of the entry thereof.

Notice is hereby given that any person having any interest in the matter may file with the Secretary of the Commission a written request for a hearing within 30 days after the entry of this order; that within 20 days after receipt of such request, the Commission will, or at any time upon its own motion may, set the matter down for hearing as a preliminary matter to be designated by the Commission for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; and that notice of the time and place for said hearing will be promptly given by the Commission. If no hearing is requested and none is ordered by the Commission, the order shall become permanent on the thirtieth day after its entry and shall remain in effect unless it is modified or vacated by the Commission.

By the Commission.

[SEAL]

Orval L. Dubois, Secretary.

[F.R. Doc. 69-6611; Filed, June 4, 1969; 8:47 a.m.]

(812-2488)

NARRAGANSETT CAPITAL CORP.

Notice of Filing of Application for Exemption

MAY 29, 1969.

Notice is hereby given that Narragansett Capital Corp. ("Narragansett"), 19 Dorrance Street, Providence, R.I. 02903, a Rhode Island corporation, registered as a closed-end, nondiversified, management investment company under the Investment Company Act of 1940 ("Act"), and licensed as a small business investment company under the Small Business Investment Act of 1958, has filed an application pursuant to Section 6(b) of the Act for an acquiescence certificate to acquire substantial parts of Casper Corp. ("Casper"), by Bevis Industries Inc. ("Bevis"), and the merger of George Comtois Associates, Inc. ("Comtois"), with and into Bevis, and for an order under Rule 17d-1 approving such acquiescence and merger on the terms and conditions hereinafter described. The application also seeks an order under Rule 1f-1 of the Act approving the purchase by certain affiliated persons of Narragansett stock of Bevis.

All interested persons are referred to the application on file with the Commission for the further information and representations made therein which are summarized below.

Background. Narragansett owns approximately 79 percent of the outstanding common stock of Bevis and 50 percent of the outstanding common stock of Casper. Casper owns 80 percent and Narragansett owns 20 percent of the outstanding common stock of Comtois.

On January 16, 1969, the board of directors of Bevis unanimously approved an Agreement and Plan of Reorganization between Bevis and Casper ("Reorganization Agreement") providing for the acquisition by Bevis of substantially all of the assets of Casper. At the time the Agreement and Plan of Merger was approved between Comtois and Bevis under the terms of which Comtois

Under the Reorganization Agreement, Bevis will issue 500,000 shares of its common stock, plus an additional number of such shares, not to exceed 712,500, to be determined on the basis of earnings of Casper as a division of Bevis for the years 1968 through 1972, in exchange for the assets of Casper. The assets of Casper include 80 percent of the outstanding common stock of Comtois and stockholders' agreement for the merger of Comtois into Bevis subsequent to the purchase of the assets of Casper, with Bevis being the surviving corporation. The outstanding shares of Comtois include approximately 79 percent of the outstanding voting securities of Comtois, and the shares owned by Narragansett will be exchanged for 37,500 shares of Bevis common stock, plus an additional number of such shares, not to exceed 37,500 depending upon the future earnings of a new division consisting of Casper and Comtois.

A special meeting of Bevis stockholders is scheduled to be held in June 1969 to consider the acquisition of Comtois, and other matters. The proxy material states that a majority of the outstanding voting securities, other than those owned by Narragansett, will approve the proposals. The application states that a majority of the outstanding common shares of Casper must approve the Reorganization Agreement. Negotiations may take place between Bevis and Narragansett, and the other stockholders have informed Bevis that they intend to vote in favor of approval of such agreement. Shareholders of Bevis will also be asked to approve a 1-for-1 reverse split of the outstanding common stock. The reverse split will be effective only if Bevis' stockholders approve the Reorganization Agreement. If the reverse split is approved and the Reorganization Agreement (as discussed above) are based upon the assumed consummation of such "reverse split."

The board of directors of Bevis, on January 16, 1969, voted unanimously to offer the holders of its outstanding common stock, rights to subscribe for additional shares of its common stock from which it expects to raise $3,750,000. Narragansett intends to distribute to its stockholders such rights issuable to it pursuant to the offering. Stockholders of Bevis and Narragansett will have the right to subscribe for additional shares of Bevis common stock, and the offering. Narragansett issued 20 percent of the outstanding common stock of Comtois, with 90 days to lapse from the date of the directors of Bevis unanimously approved an Agreement and Plan of Reorganization.

FEDERAL REGISTER, VOL. 34, NO. 107—THURSDAY, JUNE 5, 1969
merger of Comtois into Bevis, both involve transactions subject to the prohibitions of section 17(a) of the Act, unless exempted therefrom pursuant to section 17(d) thereof.

The Commission, upon application pursuant to section 17(d), may grant an exemption from the provisions of section 17(a) after finding that the terms of transactions involved are reasonable and fair and do not involve overreaching on the part of any persons concerned and that the proposed transactions are consistent with the policy of the registered investment company and the general purposes of the Act.

Since officers and directors of Narragansett are stockholders of Narragansett, the proposed offering and acquisition of the Bevis stock by persons of Narragansett are prohibited by section 17(d) of the Act and Rule 17(d)-1 thereunder. Taken together they provide, as here pertinent, that it shall be unlawful for an affiliated person of a company to acquire or participate in the acquisition of a registered company or controlled company in an arrangement in which such registrant or registered company, or a company controlled by such registrant, is a participant unless an application regarding such arrangement is filed with the Commission.

In passing upon such application, the Commission must consider whether the participation of such registrant or company in such arrangement is consistent with the policy of the Act and the extent to which such participation is on a basis different from or less advantageous than that of other participants. Narragansett seeks an exemption to the extent necessary to permit affiliated persons to exercise the rights to purchase the Bevis stock in an arrangement such as that proposed and described below. Any affiliated person of such person, acting as principal, to participate in, or to effect any transaction in connection with an arrangement in which such person participates, is an participant unless an application respecting such arrangement is filed with the Commission.

Purchase of Bevis Stock

The application states that from Narragansett is a director of Narragansett, Bevis, and Casper. A director of Narragansett is an employee of Walker. As indicated above, Narragansett owns 50 percent of the outstanding stock of Casper and 79 percent of the outstanding shares of Bevis. Almost $5 million was paid to participating shareholders of Bevis in connection with the merger of Comtois into Bevis, both in November 1968 and also through provision of broader capital, organization strengths and experience to the resulting company. Without the acquisition of the Comtois assets by Bevis, such resulting company would not have been a success. Blair estimated Bevis' earnings before interest, taxes, and extraordinary items to be $2,000,000 in 1969 and in a range of $430,000 to $380,000 after interest payments. Walker considered Bevis' prospective "normal" earning power before interest and taxes to be in a range of $430,000 to $380,000 after interest payments. The reports placed the earning power of Casper at $1 million to $1,500,000 before taxes and extraordinary items. They placed substantial emphasis on the value of Casper's tax loss carryforward, amounting to approximately $5 million at December 31, 1967, which can be utilized during the next 4 years by the resulting company. Without the acquisition of the Casper assets, Blair estimated that Bevis' operations and earning power would enable Bevis to utilize only about $1,500,000 of this carryforward in the 4 years remaining until final expiration in 1972.

The application states that from Narragansett's point of view, the acquisition will result in a pooling of the personnel, capital, organization strengths and experiences of the merging companies, which should result in greater earning capacity through operating economies and also through provision of broader resources with which to support continued expansion and diversification for the resulting company. The acquisition and the public offering of the Bevis stock will reduce Narragansett's interest in the resulting company to approximately 49 percent, a reduction which, according to the application, the Small Business Administration has been recommending for some time in accordance with its general guidelines on the control of companies by small business investment companies. Narragansett represents that the proposed acquisition of Casper by Bevis and the merger of Comtois into Bevis are consistent with its investment policy and that the transactions are consistent with the general purposes of the Act. It also represents that the proposed transactions are an acquisition and a merger in which the stockholders of each acquired company will share on a pro rata basis and that, therefore, no stockholder or group of stockholders is being given special treatment.

With respect to the offering of the Bevis stock, the application states that affiliated persons of Narragansett should have the opportunity to subscribe for stock of Bevis on the same basis as other shareholders of Narragansett. To deny such right to affiliated persons merely because they are officers and directors.

Notice is further given that any interested person may, no later than June 17, 1969, at 5:30 p.m. by registered mail, address the Secretary of the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communications shall be referred to the Division of Investment Assistance, 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 resides more than 500 miles from the point of mailing) upon Narragansett 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, the person making the application may discontinue the application, file a petition for re openings of the application, request a hearing upon said application, or request that his name be dropped from the list of interested persons.

It is ordered, That the Secretary of the Commission shall send a copy of this notice by certified mail to the Director, Bureau of Investments, Small Business Administration, Washington, D.C. 20416:

For the Commission (pursuant to delegated authority).

[SEAL]

NELLYE A. THORSEN, Assistant Secretary. [F.R. Doc. 69-6212; Filed, June 4, 1969; 8:47 a.m.]

PHOTO MARK COMPUTER CORP.

Order Suspending Trading

May 29, 1969.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Photo Mark Computer Corp., New York, N.Y., and all other securities of Photo Mark Computer Corp., being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

FEDERAL REGISTER, VOL. 34, NO. 107—THURSDAY, JUNE 5, 1969
NOTICES

Considerations received pursuant to the systematic investment plan contracts to be issued by IPA, and the variable annuity contracts to be issued by APA and APA-2 will be invested in shares of the Fund. The securities issued by IPA, APA, and APA-2, and APA-2 may be deemed to be periodic payment plan certificates issued pursuant to the terms of a trust document regarding such contracts.

The sales load upon a payment of $5,000, or more, will be 3 percent, and it is treated in the same manner as APA for tax purposes. Likewise, APA-2 is not regarded as a separate account for tax purposes because APA-2 may be deemed to be periodic payment plan certificates issued pursuant to the terms of a trust document regarding such contracts.

The sales load upon a payment of $5,000, or more, will be 3 percent, and it is treated in the same manner as APA for tax purposes. Likewise, APA-2 is not regarded as a separate account for tax purposes because APA-2 may be deemed to be periodic payment plan certificates issued pursuant to the terms of a trust document regarding such contracts.

The sales load upon a payment of $5,000, or more, will be 3 percent, and it is treated in the same manner as APA for tax purposes. Likewise, APA-2 is not regarded as a separate account for tax purposes because APA-2 may be deemed to be periodic payment plan certificates issued pursuant to the terms of a trust document regarding such contracts.

The sales load upon a payment of $5,000, or more, will be 3 percent, and it is treated in the same manner as APA for tax purposes. Likewise, APA-2 is not regarded as a separate account for tax purposes because APA-2 may be deemed to be periodic payment plan certificates issued pursuant to the terms of a trust document regarding such contracts.

The sales load upon a payment of $5,000, or more, will be 3 percent, and it is treated in the same manner as APA for tax purposes. Likewise, APA-2 is not regarded as a separate account for tax purposes because APA-2 may be deemed to be periodic payment plan certificates issued pursuant to the terms of a trust document regarding such contracts.

The sales load upon a payment of $5,000, or more, will be 3 percent, and it is treated in the same manner as APA for tax purposes. Likewise, APA-2 is not regarded as a separate account for tax purposes because APA-2 may be deemed to be periodic payment plan certificates issued pursuant to the terms of a trust document regarding such contracts.

The sales load upon a payment of $5,000, or more, will be 3 percent, and it is treated in the same manner as APA for tax purposes. Likewise, APA-2 is not regarded as a separate account for tax purposes because APA-2 may be deemed to be periodic payment plan certificates issued pursuant to the terms of a trust document regarding such contracts.

The sales load upon a payment of $5,000, or more, will be 3 percent, and it is treated in the same manner as APA for tax purposes. Likewise, APA-2 is not regarded as a separate account for tax purposes because APA-2 may be deemed to be periodic payment plan certificates issued pursuant to the terms of a trust document regarding such contracts.
investment company to be voting stock. Currently, 10 shares of Class A Voting Common Stock and 499,000 shares of Class B Nonvoting Common Stock of the Fund have been issued and are outstanding. All of such stock is held by Prudential, New Jersey. The law authorizes a life insurance company to hold either more than 80 percent or less than 8 percent of the voting stock of another corporation of which the life insurance company alone has the power to vote; however, a life insurance company is prohibited from holding any percentage between 8 and 60 percent. Prior to the commencement of a public offering of the contracts under the Program, the Fund will be a wholly owned subsidiary of Prudential.

Once the marketing of the contracts begins, Prudential's holdings of the voting stock will be reduced from 100 percent to less than 8 percent in a single or several related transactions.

Prudential proposes to hold the nonvoting shares until they can be redeemed. In Prudential's opinion, such partial redemptions will not have a material effect upon the operation of the Fund. Prudential undertakes not to redeem any of these shares until the assets of the Fund exceed $100 million dollars and to effect such redemption over a period of several months.

Applicants request exemption from section 22(e)(1) to permit no more than 499,999 shares of Class B Nonvoting Common Stock of the Fund to remain outstanding and to be held, either directly by Prudential, or indirectly through one or more of the separate accounts in the Program, for such time as the assets of the Fund shall exceed 100 million dollars and for such further period of time, not to exceed 6 months, as may be needed to redeem said shares without disrupting or impairing the operations of the Fund.

Section 22(d) provides in relevant part that no registered investment company or separately managed account issued by a life insurance company may sell any redeemable security to the public except at a public offering price described in the prospectus. Prudential is principal underwriter for IPA, APA, and APA-2 contracts.

The contracts issued through IPA and APA provide that the sales charge made in connection with purchase payments arising from the application of interests under policies or contracts issued by Prudential will be 2 percent lower than the sales charge made in connection with other purchase payments. The sales load will thus be reduced from 8.5 percent to 6.5 percent on the first $5,000 of purchase payments under IPA and from 6 percent to 4 percent on the first $5,000 of purchase payments under APA, with a corresponding reduction of the lower sales charges made upon larger payments. This reduction is designed to take into account the fact that sales expenses arising from purchases made with funds arising from interests in Prudential policies or contracts can be feasibly maintained at a lower level than sales expenses in connection with other purchase payments. Applicants request exemption from section 22(d) to permit them to make this reduction in sales load as set forth in the IPA and APA contracts.

Applicants request exemption from the provisions of section 22(d) in order that persons owning other "qualified Prudential contracts," as defined in the contracts issued by APA-2 may continue to receive their interest in said contracts at no sales-load for interests in APA-2. The prospectus describing the contracts issued by APA-2 will include an offer to transfer to APA-2, at no sales load, the ownership of the interest of any persons under all of such qualified contracts without sales load, and to credit such person with the appropriate number of accumulation or annuity shares. Applicants state that it is feasible to effectuate transfers of interests under such other contracts to APA-2 without incurring any appreciable sales expenses, and that sales commissions will be paid on such transfers.

An exemption is also requested in order that beneficiaries of Planholders in APA-2 contracts who may live to collect accumulation or accumulation plus interest may effect a variable annuity without a sales load. Applicants state that it would be unfair to charge beneficiaries a sales load to effect a variable annuity when the annuitant has been made the Prudential planholder and effected the annuity himself.

APA and APA-2 seek an exemption from section 22(e) to permit an investor purchasing a variable annuity contract issued by APA, or APA-2 without participation in an accumulation period, may elect to make an investment in the applicable separate account over a 36 month period. Applicants assert that such exemption will afford investors an opportunity to "dollar-cost-average" their investment in annuity units over such period. No additional charge will be made in connection with such gradual conversion. Applicants state that an additional sales charge upon each monthly purchase would subject some buyers to a higher sales charge than others making the same gross purchase payment although sales expenses in connection with such purchases will be the same.

Applicants propose further to combine all purchase payments under APA-2 contracts made through the same administrative account with Prudential for purposes of calculating the applicable sales charge. Ordinarily each contractholder will make purchases through an individual administrative account. However, in some cases the same account may be used for several contractholders. For example, the accountholder may be an employer under an HIR-10 plan permitting voluntary contributions. Applicants request exemption under the plan would all be made through the same account. Applicants request exemption from section 22(d) to permit such grouping as is provided for in the APA-2 contract. Applicants also request exemption from section 22(d) to the extent necessary, to permit the lower sales charges (see discussion of section 11(a) and 11(c), supra) to be made upon purchases under APA contracts with the proceeds of redemptions under IPA contracts. This exemption will be necessary if the Comptroller of the Currency does not offer to exchange IPA for APA interests.

Another exemption from section 22(d) is requested to permit Applicants to calculate the sales charge made upon purchase payments under APA contracts, and under APA-2 contracts with no accumulation period, as a percentage of aggregate payments made under such contracts and sold as annuity contracts, offered as part of the Program. Applicants represent that the declining scale of sales charges will be applied based on the percentage of aggregated payments made under the fixed-dollar and variable annuity contracts.

Applicants further request exemption from the provisions of section 22(d) to permit the contracts issued by APA and APA-2 to participate in the distribution of divisible surplus by Prudential. The combined sales, administrative and mortality expense for the contracts issued by such accounts will be determined annually. If the actual expenses exceed the amount previously deducted for such expenses, no additional deduction or charge will be made. Applicants state that no registered investment company may suspend the right of redemption or postpone the date of payment of any redeemable security in accordance with its terms for more than 7 days after the date of the request for redemption. Section 22(c)(1), as here pertinent, provides that it shall be unlawful for any registered investment company to issue any periodic payment plan certificate unless such certificate is a redeemable security. The securities issued by APA and APA-2 are periodic payment plan certificates.

The contracts issued by APA provide for annuity payments to begin upon a date selected by the contractholder and that a contract may not be canceled unless a request for cancellation in proper form is received at least 1 month prior to the initial payment date. Contracts issued by APA-2 provide for variable annuity payments to be effected upon an initial payment date selected by the contractholder and for the initial payment to be made on the first day of the earliest calendar month that is at least 1 month after the day on which the request is received. A contract issued by APA-2 may not be canceled after the contractholder has given Prudential the instructions to commence annuity payments. The contracts issued by APA and APA-2 provide only for annuity payments and do not provide for the payment of periodic payments having reference to the lifetime of an annuitant.
Applicants state that no annuity which is payable for a period that is determined by reference to the lifetime of an annuitant can be redeemable after payment of the annuitant have begun. Prudential can assume the risk of making periodic payments until the annuitant’s death only if it is assured that it may utilize part of the savings of annuitants who die sooner to make payments to annuitants who survive longer. For this reason, Applicants request exemption from section 27(c)(1) to permit the contracts issued by APA and APA-2 to be cancelled once cancellation of the contracts is no longer possible in accordance with their terms.

Section 26(a) and Section 27(c)(2), as here pertinent, provide that a unit investment trust or a depositary or underwriter for such an investment company is prohibited from selling periodic payment plan certificates unless the proceeds of such payments are deposited with a qualified bank as trustee or custodian and held under an agreement of custodianship. The agreement of custodianship must provide: (i) That the custodian bank shall have possession of all property of the unit investment trust and shall segregate and hold the same in trust; (ii) That the custodian bank shall not resign until either the unit investment trust has been liquidated or a successor appointed; (iii) That the custodian may collect from income and, if necessary, from the corpus of any unit investment trust, fees for services performed and reimbursement of expenses incurred; and (iv) That no payment to the custodian shall be made if the custodian shall be at least equal to the reserve liability required by applicable law for all payments that Prudential is contractually obligated to make to participants in the respective separate accounts. All permissible charges are stated in the contracts issued by APA and APA-2 and may not be changed with respect to outstanding participating interests in such accounts.

The resolutions establishing IPA include the provisions required by sections 26(a) and 27(c)(2). Applicants represent that said resolutions constitute the instrument pursuant to which the securities of IPA are issued and in compliance with the Act. The resolutions include the provisions required by sections 26(a) and 27(c)(2). Applicants request an exemption from section 27(a)(3) so as to permit requests to make the sales charges upon the contracts mentioned above on the aggregate basis of charges thereby here and more fully in the application.

Applicants state that they are willing to have the Commission’s order approving the offer of exchange pursuant to section 27(c)(2), and subject to the conditions that the requested exemptions remain effective only as long as there is no increase in the charges made in connection with IPA, APA, and the Fund, including the investigation advisory fee paid by the Fund to Prudential, all as set forth in the respective registration statements for IPA, APA, and the Fund.

Section 6(c) authorizes the Commission to exempt any person, security or transaction, or any class or classes of persons, securities, or transactions from the provisions of the Act and Rules promulgated thereunder if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protections 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 18, 1969, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by such evidence in support of the request as the Commission shall require.

Any such communication should be addressed to: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicants at the addresses set forth above. Rules of practice (by affirmative vote of the 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 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 such matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL]

NELLY A. THOSSON,
Assistant Secretary.

[FEDERAL REGISTER, VOL. 34, NO. 107—THURSDAY, JUNE 5, 1969]

TOP NOTCH URANIUM AND MINING CORP.

Order Suspending Trading

MAY 26, 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 June 2, 1969, through June 11, 1969, both dates inclusive.

By the Commission.

NELLY A. THOSSON,
Assistant Secretary.

INTERSTATE COMMERCE COMMISSION

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

MAY 29, 1969.

The following applications are governed by Special Rule 1.247 of the Commission's general rules of practice (49 CFR, as amended), published in the Federal Register, and are effective May 29, 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 to file a protest will be construed as a waiver of opposition and participation in the proceeding.

NOTICES
8997
NOTICES

Louisiana, Wisconsin, Michigan, Illinois, Indiana, Ohio, Kentucky, Tennessee, Mississippi, Alabama, Georgia, Florida, South Carolina, North Carolina, Virginia, Maryland, Delaware, Maryland, Pennsylvania, New York, Connecticut, Rhode Island, West Virginia, Massachusetts, and the District of Columbia to points in Michigan and; (2) reconditioned wooden pallets, reconditioned wooden crates, and other reconditioned wooden shipping containers from points in Michigan to points in Minnesota, Iowa, Missouri, Arkansas, Louisiana, Wisconsin, Michigan, Illinois, Michigan, Indiana, Ohio, Kentucky, Tennessee, Mississippi, Alabama, Georgia, Florida, South Carolina, North Carolina, Virginia, West Virginia, Maryland, Delaware, New Jersey, Pennsylvania, New York, Connecticut, Rhode Island, Massachusetts, and the District of Columbia. Restriction: The operator specified to above shall be limited to a transportation service to be performed under a continuing contract or contracts with Auto Pallets-Boxes, Inc., of Detroit, Mich. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes transporting: Foodstuffs, meat, meat products and meat byproducts and 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, 766 (except such commodities in bulk), from Morgantown, W. Va., to points in Monongalia, Hancock, Barbour, Lewis, Brooke, Ohio, Marshall, Wetzel, Tyler, Dodridge, Pleasants, Ritchie, Wood, Upshur, Wirt, Clay, Kanawha, Braxton, Webster, and Tucker Counties, W. Va.; Washington, Monroe, Belmont, Jefferson, Columbus, and Stoystown Counties, Ohio; Henrico County, Va.; and Fayette and Greene Counties, W. Va., Beaver, Allegheny, Lawrence, Armstrong, Clarion, Somerset, and Butler Counties, Pa. Note: Applicant states it intends to tack at the Morgantown Terminal with its present authority, wherein it is authorized to conduct operations in the State of West Virginia. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C. If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich., or Lansing, Mich.

No. MC 18416 (Sub-No. 16), filed April 28, 1969. Applicant: CLAWGES TRANSCARRIER, Inc., Post Office Box 300, Council Bluffs, Iowa 51503. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes transporting: Household goods as defined by the Commission, except commodities in bulk, in tank vehicles, and those requiring special equipment, between Memphis, Tenn., and Nashville, Tenn., and Council Bluffs, Iowa, to St. Joseph, Mo. and thence their own route to all points in the States named in this application, except the southern half of Kansas, Missouri, and Oklahoma. Common control may be involved. Applicant states he could tack Direct Transportation, Inc., from Chicago, Ill., to points in St. Louis, Mo., and thence their own route to all points in the States named in this application, except the southern half of Kansas, Missouri, and Oklahoma. Common control may be involved.

No. MC 28332 (Sub-No. 13), filed May 9, 1969. Applicant: LES JOHNSON CARTAGE, a corporation, Post Office Box 108, Cambridge, Ohio 43725. Applicant's representative: Nancy J. Johnson, 111 South Fairchild Street, Madison, Wis. 53703. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes transporting: Cement, and household and electrical appliances, from Omaha, Nebr.-Council Bluffs, Iowa, to St. Joseph, Mo., and thence their own route to all points in the States named in this application, except the southern half of Kansas, Missouri, and Oklahoma. Common control may be involved. Applicant states he could tack Direct Transportation, Inc., from Miami, Fla., to points in Hallandale, Fla., and thence their own route to all points in the States named in this application, except the southern half of Kansas, Missouri, and Oklahoma. Common control may be involved.

No. MC 29585 (Sub-No. 81), correction, filed April 28, 1969, published in Federal Register issue of May 8, 1969, and republished as corrected this issue. Applicant: LAMBERT'S EXPRESS, INC., 1900 South Street, Newark, N. J. 07102. Applicant's representative: Charles J. Williams, 47 Lincoln Park, Newark, N. J. 07102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes transporting: Cement, and household and electrical appliances, from Newark, N. J., to New Jersey, and returned shipments on return. Note: Applicant states it proposes to join the common carrier facilities of Packing Material Co., Inc., and further restricted to shipments originating at or destined to plants of Packing Material Co., Inc., located in New York, in lieu of New Hampshire. If a hearing is deemed necessary, applicant requests it be held at Newark, N. J., or New York, N. Y.

No. MC 29587 (Sub-No. 88), filed May 14, 1969. Applicant: SOUTHWEST FREIGHT LINES, INC., 1400 Kansas Avenue, Kansas City, Kans. 66105. Applicant's representative: Vernon M. Masters (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes transporting: Meat, meat products, meat byproducts and articles distributed by meat packinghouses, as described in sections A and C of appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 309 and 766, except commodities in bulk, in tank vehicles, and those requiring special equipment, between Memphis, Tenn., and Atlanta, Ga., under its certificate of convenience and necessity issued in MC 22239 Sub-No. 51 authorizing service between Nashville, Tenn., and Memphis, Tenn., and Sub No. 46 authorizing service between Nashville, Tenn., and Atlanta, Ga. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga., or Memphis, Tenn.
Missouri. If a hearing is deemed necessary, applicant requests it be held at Omaha, Neb., or Kansas City, Mo.

No. MC 52831 (Sub-No. 48), filed May 12, 1969. Applicant: MITCHELL TRUCKING COMPANY, 2104 Ellington Road, Portland, Ore. 97227. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities (in bulk), and injurious or contaminating to health, goods as defined by the Commission, except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and retail grocery houses (except those of unusual value), between points in Missouri, Kansas, and Ohio.

No. MC 59833 (Sub-No. 36), filed May 9, 1969. Applicant: B. E. Kiel, 140 Cedar Street, New York, N.Y. 10002. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities (in bulk), and injurious or contaminating to health, goods as defined by the Commission, except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and retail grocery houses (except those of unusual value), between points in Connecticut, New York, and Pennsylvania under the name of Morgan Transport, Inc., and service in the City of New York.

No. MC 59834 (Sub-No. 37), filed May 5, 1969. Applicant: ASSOCIATED TRUCKING LINES, INC., 1935 West Commercial Street, Chicago, Ill. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: General commodities, over irregular routes, transporting: General commodities, paper and paper products, from the plant and warehouse of the U.S. Plywood-Champion Paper and Wood Company, Inc., near Courtland, Ala., to points in Illinois, Indiana, Iowa, Michigan, Missouri, 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 59835 (Sub-No. 38), filed May 5, 1969. Applicant: E & K WCN TRANSPORTATION COMPANY, a corporation, 132 Legion Street, Johnson City, Tenn. 37601. 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, in tank vehicles, and perishable) and those injurious or contaminating to health, from the plant of U.S. Plywood-Champion Papers, Inc., near Courtland, Ala., to Courtland, Ala., thence over U.S. Highway Alternate 72 to junction U.S. Highway 72 (near Florence, Ala.), thence over U.S. Highway 72 to Florence, Ala., and return thence to the intermediate point of Courtland, Ala.

No. MC 61405 (Sub-No. 14), filed May 12, 1969. Applicant: MANLEY TRANSFER COMPANY, INC., 1410 International Tractor Company, 1101 North High Street, Columbus, Ohio. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Lumber and wood products, from Courtland, Ala., to Courtland, Ala., and return, thence to the intermediate point of Courtland, Ala.

No. MC 59837 (Sub-No. 16), filed May 12, 1969. Applicant: SORENSEN TRANSPORTATION COMPANY, INC., Old Amity Road, Bethany, Conn. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Magazines, newspapers, magazines inserts, and and paper products, from Courtland, Ala., to Courtland, Ala., and return, thence to the intermediate point of Courtland, Ala.

No. MC 59841 (Sub-No. 39), filed May 5, 1969. Applicant: SPEEDY TRUCKING CO., INC., 9999 1st Avenue South, Seattle, Wash. 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 injurious or contaminating to health, goods as defined by the Commission, except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and retail grocery houses (except those of unusual value), between points in Missouri, Kansas, and Ohio.

No. MC 59847 (Sub-No. 10), filed May 12, 1969. Applicant: SCHNEIDER TRANSPORT & STORAGE, INC., 817 McDonald Street, Green Bay, Wis. 54306. Applicant's representatives: D. F. Martin (same address as above), and Charles W. Singer, 1420 North 12th Street, Chicago, Ill. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: General commodities, paper and paper products, from the plant and warehouse of the U.S. Plywood-Champion Papers, Inc., near Courtland, Ala., to points in Illinois, Indiana, Iowa, Michigan, Missouri, 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 Hartford, Conn., or New York, N.Y.

No. MC 60261 (Sub-No. 97), filed May 14, 1969. Applicant: C & H TRANS-PORTATION CO., INC., 1935 West Commercial Street, Dallas, Texas. Applicant's representatives: J. P. Welsh, Post Office Box 5786, Dallas, Texas 75222, and W. T. Brunson, 410 Northwest Sixth Street, Dallas, Texas 75204.
notices

Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Fresh fruits, (a) from points in Indiana, Ohio, and Minnesota (except Austin), to Scottsbluff, Neb., restricted to traffic originating at points in named States and destined to Scottsbluff; (b) from Scottsbluff, Neb., to Delphos, Ohio, restricted to traffic originating at Scottsbluff, and destined to Delphos, Ohio. Note: Applicant states that no duplicating authority is being sought.

Common, MC 83539 (Sub-No. 250), filed May 16, 1969. Applicant: C & H TRANSPORTATION CO., INC., 1935 West Commerce Street, Dallas, Tex. 75222. Applicant's representatives: J. F. Welsh, Post Office Box 5976, Dallas, Tex. 75222, and W. T. Brunson, 419 Northwest Sixth Street, Oklahoma City, Okla. 73102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Cement asbestos products, conduit and pipe 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 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., or Washington, D.C.

No. MC 95540 (Sub-No. 744), filed May 19, 1969. Applicant: WATKINS MOTOR LINES, INC., 1120 West Griffin Road, Lakeland, Fla. 33801. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Frozen foods, from Detroit, Mich., to points in Minnesota, Kansas, Minnesota, Nebraska, Oklahoma, and Texas. 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 104149 (Sub-No. 184), filed May 15, 1969. Applicant: O'GORNE STRUCK LINE, INC., 520 North 31st Street, Birmingham, Ala. 35201. Applicant's representative: Charles F. Weaver (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Cement asbestos products, conduit, and pipe, and fittings and accessories necessary to the installation thereof, to points in Indiana, Ohio, or Chicago, Ill. 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 Tulsa, Okla.

Applicant's representative: Dale L. Cox, TRANSIT CO., a corporation, 100 South Calumet Street, Burlingame, Ill. 60010. Applicant's representative: Truman A. Stockton, Jr., The 1650 Grant Office Box 988, Fort Wayne, Ind. 46801. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Vegetable oils, and products thereof, in bulk, from the plantsite of Central Soya Co., Inc., at or near Decatur, Ind. to points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Mississippi, Nebraska, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, South Dakota, Oregon, Oklahoma, Texas, Oregon, Virginia, Vermont, West Virginia, Wisconsin, and Maine (except Aroostook County); and Ohio, supplies used or useful in the manufacture and preparation of vegetable oils and products thereof, in bulk, from the plantsites of Central Soya Co., Inc. at or near Bellevue, Delphos, and Marion, Ohio; Chicago and Gibson City, Ill.; Chetnawoo, Tenn.; and Beimond, Iowa; to Decatur, Ind. Note: The purpose of this republication is to broaden the scope of authority sought. Applicant states it can tack at Chicago, Ill., and Cudahy, Wis., to serve additional destination States. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind., or Chicago, Ill.

No. MC 107012 (Sub-No. 95), filed May 12, 1969. Applicant: NORTH AMERICAN VAN LINES, INC., 1935 West Commerce Street, Dallas, Tex. 75222. Applicant's representative: Terry C. Fewell, Post Office Box 988, Fort Wayne, Ind. 46801. Applicant's representative: George Meyers, Post Office Box 988, Fort Wayne, Ind. 46801. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Pianos and organs, and, piano and organ benches and accessories, from De Queen, Conway, and Fayetteville, Ark., and Greenwood, Miss., to points in the United States (except Alaska and Hawaii); and returned shipments of the above commodities, on return. 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 duplicate authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Chicago, III., or Denver, Colo.

No. MC 107299 (Sub-No. 171), filed May 15, 1969. Applicant: PRE-FAB TRANSIT CO., a corporation, 100 South Main Street, Farmer City, Ill. 61842. Applicant's representative: Truman A. Stockton, Jr., The 1650 Grant Office Box 145, Farmer City, Ill. 61842. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Sewer pipe, and sewer pipe fittings, bituminized fiber; conduit and conduit connections, bituminized fiber, and meter boxes, bituminized fiber, from Louisiana, Mo., to points in the United States in and east of North Dakota, South Dakota, Colorado, Oklahoma, and Texas, except Missouri. Note: Applicant states it intends to tack with its MC No. 110430 (Sub-No. 593) (Amendment), filed March 30, 1969, published in the Federal Register, April 24, 1969, amended, and republished this issue. Applicant: QUALITY CARTING INC., 100 South Calumet Street, Burlington, Wis. 53105. Applicant's representative: Bryan V. Thompson (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Vegetable oils and products thereof, in bulk, from the plantsite of Central Soya Co., Inc. at or near Decatur, Ind. to points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Mississippi, Nebraska, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, South Dakota, Oregon, Oklahoma, Texas, Oregon, Virginia, Vermont, West Virginia, Wisconsin, and Maine (except Aroostook County); and Ohio, supplies used or useful in the manufacture and preparation of vegetable oils and products thereof, in bulk, from the plantsites of Central Soya Co., Inc., at or near Bellevue, Delphos, and Marion, Ohio; Chicago and Gibson City, Ill.; Chetnawoo, Tenn.; and Beimond, Iowa; to Decatur, Ind. Note: The purpose of this republication is to broaden the scope of authority sought. Applicant states it can tack at Chicago, Ill., and Cudahy, Wis., to serve additional destination States. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind., or Chicago, Ill.
routes, transporting: General commodities (except those of unusual value, classes A and B explosives, household goods as defined by VA, valuable commodities in bulk, and those requiring special equipment), serving points in Boone, Fayette, Kanawha, Logan, McDowell, Mercer, Putnam, Raleigh, Wyoming, and Marion Counties, W. Va., as off-route points in connection with certain of applicant's existing regular routes in West Virginia. The regular-route authority to which the off-route authority herein sought would be pertinent is as follows: Between Huntington, W. Va., and Beckley, W. Va., serving all intermediate points and the off-route points over Cheyels, Cabin Creek, Pratt, Handley, Feelsdale, Decota, Carbon, Powellton, Kimberly, MacDunn, Ward, Drybranch, Acme, Kagford, Garvin, Burnwell, Mahan, Milburn, East Bank, Marmet, Ingrand Branch, Reed, Montgomery, Lochgelly, Summerare, Carlisle, Red Star, Concho, Minden, Blue Jay, Mabscott, Killarney, Bolt, Kilsyth, McDonald, Whipple, McComas, Long Branch, Tunnel, Harvey, Stanaford, Ameagle, Coleod, Dorothy, Comfort, Crab Orchard, Pemberton, Sophia, Ury, Tans, Lillybrook, Logansport, Torglos, Cortt, Mullen, White Glove, Goodfellow, Wheelmore, Glen E. Ford, Amiro, Lanark, Stotesbury, Windsg Gulf, Glen Morgan, Coal City, Slab Fork, and Lester, W. Va., from Burnsville, N. C., over U. S. 60 to Charleston, W. Va., via Charleston, W. Va., to junction U. S. Highway 19 thence over U. S. Highway 19 to Beckley (also from Charleston, W. Va., over U. S. Highway 119 to Racine, W. Va., via Racine and Torglos, Corlitt, Mullen, Windsg Gulf, Glen Morgan, Coal City, Slab Fork, and Lester, W. Va.; from Burnsville, N. C., over U. S. Highway 52, South and then over U. S. Highway 3 to Beckley), and return over the same route. Applicant states that the principal effects of approval of the Indiana application will be (1) to substitute certain of applicant's existing regular-route authority with its presently authorized dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg. If a hearing is deemed necessary, applicant requests it be held at Washington, D. C.

No. MC 111231 (Sub-No. 156), filed May 12, 1969. Applicant: AMERICAN COURIER CORPORATION, 2 Nevada Drive, Lake Success, N. Y. 11040. Applicant's representative: Russell S. Bernhard, 1620 K Street, NW., Washington, D. C.

No. MC 111331 (Sub-No. 294) filed May 25, 1969. Applicant: I. O. T/V, over regular routes, transporting: (1) Petroleum and petroleum products, in packages and containers, from Kansas City, KS., to points in California, North Dakota, and Minnesota (except Rapid City). Billings, Mont., and points within 50 miles therefrom,Seattle, Yakima, and Tacoma, Wash., and points in Nebraska east of U. S. Highway 183; (2) (a) petroleum and petroleum products, in packages and containers, from Kansas City, KS., to points in California, Nevada, Oregon, and Washington; and (3) petroleum and petroleum products, in packages and containers, to Wichita, Kans., to points in Georgia, North Carolina, Centra Texas, and Nova Scotia.

No. MC 112209 (Sub-No. 14), filed May 19, 1969. Applicant: JONES TRUCK SERVICE, INC., Post Office Box 668, Coos Bay, Oreg. 97420. Applicant's representative: Norman E. Sutherland, 1200 Jackson Tower, Portland, Oreg., is authorized to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Soda ash, blood extenders, and glue ingredients, in bulk, and steel strapping, in rolls, from points in the named counties.


No. MC 113855 (Sub-No. 191), filed May 16, 1969. Applicant: INTERNA- TIONAL TRUCKING, INC., South Highway 52, Rochester, Minn. 55901. Applicant's representative: Alan Foss, 502 First National Bank Building, Fargo, N. Dak. 58102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Special purpose vehicles and special purpose trailers (except automobiles, trucks, and trailers equipped with fifth wheel couplers) and parts thereof, and for such vehicles and trailers, from points in Fresno County, Calif., to points in the United States (except 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 Portland, Oreg.
NOTICES

Federal Register issue of January 3, 1969, amended and republished as amended this issue. Applicant: CEDAR STEEL TRANSPORTATION, INC., Post Office Box 68, Cedar Rapids, Iowa, 52406. Applicant's representative: RAPIDS STEEL TRANSPORTATION, 1440 East Gilmore Road, Post Office Box 66, Cedar Rapids, Iowa 52406. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Chemical products, (2) Meat, meat products, and meat by-products, dairy products and articles distributed by meat packers, as described in section A, 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 Ottumwa, Iowa, to points in Michigan, Ohio, and Pennsylvania, restricted to traffic originating in the above named origin. Note: The purpose of this republication is to broaden the commodity description, by adding "dairy products," and reference to section C to the commodity description. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 114301 (Sub-No. 58), filed May 19, 1969. Applicant: DELAWARE EXPRESS TRANSPORTATION, INC., Post Office Box 97, Elkton, Md. 21921. 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: Liquid animal feed, in bulk, from Manheim, Pa., and Albany, N.Y., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, 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, applicant requests it be held at Syracuse, N.Y., or Washington, D.C.

No. MC 114438 (Sub-No. 46), filed May 12, 1969. Applicant: WHARTON TRANSPORT CORPORATION, 1440 Channel Avenue, Memphis, Tenn. 38106. 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: Grain and grain products, from West Memphis, Ark., to points in Mississippi, Tennessee, Alabama, Kentucky, and Georgia. 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 Memphis, Tenn., or Kansas City, Mo.

No. MC 114485 (Sub-No. 15), filed May 18, 1969. Applicant: TANK TRUCK TRANSPORT LTD., 61 Dixon Road, Rexdale, Ontario, Canada. Applicant's representative: Frank J. Kerwin, Jr., 900 Guardian Building, Detroit, Mich. 48226. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Anhydrous ammonia, in bulk, in tank vehicles, between ports of entry on the international boundary line between the United States and Canada located on the St. Clair River, and points in Michigan, Ontario, and Quebec, Canada. 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 Buffalo, N.Y., Washington, D.C., or Detroit, Mich.

No. MC 114912 (Sub-No. 21), filed May 14, 1969. Applicant: CHARLES J. KOTWICA, doing business as ROMI FREIGHT LINES, INC., 801 Ward Ave, Rome, N.Y. 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: Laundry machinery, and supplies, from Syracuse, N.Y., to points in Alabama, Arkansas, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maine, Michigan, Mississippi, Missouri, North Carolina, New Hampshire, Ohio, South Carolina, Tennessee, Vermont, and West Virginia, under contract with G. A. Bush, formerly doing business as ROME express Co., doing business as PICK'S PACK HAULER, 1714 West Fifth Street, Han­tol, Nebraska. 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 Syracuse, N.Y., or Washington, D.C.

No. MC 117696 (Sub-No. 98), filed May 16, 1969. Applicant: HIRSCHBACH FREIGHT LINES, INC., 1000 N. O'Hare Ave, U.S. Highway 75 North, Post Office Box 417, Sioux City, Iowa 51102. Applicant's representative: George L. Hirschbach (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Meat, meat products, meat by-products, and articles distributed by meat packers, as described in section A and C of appendix I to the Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766, except hides, and commodities in bulk, from the plantsite and storage facilities used by National Beef Co. at, or near Liberal, Kansas, to points in Louisiana, Alabama, Mississippi, Arkansas, Tennessee, Minnesota, and Georgia. 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 117859 (Sub-No. 43), filed May 19, 1969. Applicant: JERRY LIPPS, INC., 130 South Frederick Street, Cape Girardeau, Mo. 63701. Applicant's representative: John E. Lesew, 3757 North Michigan Street, Chicago, Ill. 60613. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Soybean products, and articles distributed by meat packers, as described in sections A and C of appendix I to the Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766, except hides and commodities in bulk, from points in the Omaha, Neb., Council Bluffs, Iowa, contract market area of Nebraska, in Illinois, Indiana, Iowa, Michigan, Minnesota, Wisconsin, Illinois, Ohio, 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 Omaha, Nebr.

No. MC 119441 (Sub-No. 17), filed May 19, 1969. Applicant: HAHN TRUCK LINES, INC., 790 Guardian Building, Detroit, Mich. 48226. Applicant's representative: Richard H. Brandon, 79 East State Street, Columbus, Ohio 43215. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Clay products (except earthenware, stoneware, pottery and
NOTICES

FEDERAL REGISTER, VOL. 34, NO. 107—THURSDAY, JUNE 5, 1969

9003

Applicant's representative; Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. 68102. Authority sought to operate a common carrier, by motor vehicle, over irregular routes, transporting: Meats, meat products, meat by-products, 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) used in the manufacture of clay products, from the destination State described in (1) above to points in Ferry County, Ohio, and to the plants of the Belden Co. near Washington, Ohio. 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 Columbus, Ohio. No. MC 110531 (Sub-No. 115) (Correction), filed April 16, 1969, published in FEDERAL REGISTER, Vol. 34, No. 123, June 8, 1969, corrects a typographical error, published as corrected, this issue. Applicant: DIECKBRADER EXPRESS, INC., 6391 Wooster Road, Cincinnati, Ohio 45226. Applicant's representative: Charles W. Singer, 33 North Dearborn Street, Suite 1623, Chicago, Ill. 60611. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Paper and paper products, between Eaton, Ind., on the one hand, and, on the other, points in Indiana, Kentucky, Michigan, Ohio, and Wisconsin. Note: Applicant states that tacking would take place in conjunction with its Sub No. 7, at Cleveland, Ohio, to serve points in New York and Pennsylvania. The purpose of this reques is to show the correct spelling of origin point as Eaton Ind., instead of Easton which was erroneously published. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill. or Washington, D.C. No. MC 119657 (Sub-No. 6), filed May 16, 1969. Applicant: GEORGE TRANSIT LINE, INC., 760-764 Northeast 47th Place, Des Moines, Iowa 50313. Applicant's representative: Richard A. Miller, 212 Equitable Building, Des Moines, Iowa. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Dry fertilizer and fertilizer materials, from Des Moines, Iowa, to points in Illinois, Kansas, Minnesota, Missouri, North Dakota, 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 Des Moines, Iowa. No. MC 119741 (Sub-No. 30), filed May 9, 1969. Applicant: GREEN FIELD FIELD TRANSPORT COMPANY, INC., Post Office Box 1259, Fort Dodge, Iowa 50501. Applicant's representative: Donald L. 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 Los Angeles, Calif. No. MC 123760 (Sub-No. 5), filed May 12, 1969. Applicant: GLENN W. MEANS, 1587 Putnam Avenue, Pa., 16323. Applicant's representative: John E. McFate, 293 Elm Street, Oil City, Pa. 16301. Authority sought to operate a common carrier, by motor vehicle, over irregular routes, transporting: Dairy products, such as chocolate milk, Kool-Aid, cottage cheese, cottage cheese products, cream cheese products, fruit syrups, oil cream, cream and other products normally sold on wholesale and retail dairy routes when moving in mixed shipment with the aforementioned dairy products, from Cleveland, Ohio, to points in Erie County, Pa., under a contract with The Great Atlantic & Pacific Tea Co., Inc. Note: If a hearing is deemed necessary, applicant requests it be held at Pittsburgh or Erie, Pa. No. MC 126603 (Sub-No. 4), filed May 8, 1969. Applicant: R. MENARD TRANSPORT LTD., a corporation, St. Philippe, County of La Prairie, Quebec, Canada. Applicant's representative: Peter J. Brady, Jr., 78 State Street, Albany, N.Y. 12207. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Dressed lumber and rough lumber, sheets, and paper products, from entry located on the United States-Canada boundary line, at or near Champlain, N.Y., to points in Virginia, West Virginia, North Carolina, South Carolina, 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 Albany, N.Y. No. MC 123902 (Sub-No. 1), filed May 16, 1969. Applicant: M. G. M. TRUCKING CORP., 40 West 225th Street, Bronx, N.Y. Applicant's representative: John E. McFate, 160-16 Jamaica Avenue, Jamaica, N.Y. 11432. Authority sought to operate a contract carrier, by motor vehicle, over irregular routes, transporting: (1) Steel office furniture and equipment, from points in the Borough of the Bronx, N.Y., to points in West Virginia, Ohio, Indiana, Illinois, and Missouri; and (2) such commodities as are used in the manufacture of steel office furniture and equipment, from points in West Virginia, Ohio, Indiana, Illinois, and Missouri, to the premises of Art Steel Co., Inc., in the Borough of the Bronx, N.Y. 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 123907 (Sub-No. 1), filed May 12, 1969. Applicant: McKEE LINES, INC., 664 54th Avenue, Mattawan, Mich. 49071. Applicant's representative: William C. Harris (same address as applicant), and Jack H. Blanshan, 29 South
NOTICES

La Salle Street, Chicago, Ill. 60673. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Meat, meat products and articles distributed by meat packinghouses, as described in appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766, from the District of Columbia, restricted to traffic originating at the plantsite and/or warehouse facilities used by Great Markwestern Packing Co. at Hillsdale, Mich. Note: Applicant requests contract carrier authority under Docket No. MC 119394, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich.

No. MC 133265 (Sub-No. 10) filed May 14, 1969. Applicant: DLITS TRUCKING, INC., Route 1, Crescent, Iowa 51526. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Fertilizer materials, from Des Moines, Iowa, to points in Missouri, Kansas, North Dakota, Minnesota, Wisconsin, and Illinois. Note: Applicant seeks contract carrier authority, if a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa, or Omaha, Neb.

No. MC 133144 (Sub-No. 2) filed May 9, 1969. Applicant: UNITED TOWING SERVICE, 8965 Atlantic Avenue, South Gate, Calif. 90280. Applicant's representative: Eileen D. Johnson, 149 Montgomery Street, San Francisco, Calif. 94111. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Wrecked or disabled motor vehicles (except passenger automobiles or trailers designed to be drawn by passenger vehicles), and replacement vehicles for wrecked or disabled motor vehicles, between points in Los Angeles and Orange Counties, Calif., on the one hand, and, on the other, points in Arizona, Nevada, New Mexico, Utah, Colorado, 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 Los Angeles, Calif.

No. MC 133251 (Sub-No. 1) filed May 19, 1969. Applicant: DONALD NICOLAI, doing business as NICOLAI VAN & STORAGE, 229 Couch Street, Vallejo, Calif. Applicant's representative: Robert J. Gallagher, 111 State Street, Boston, Mass. 02109. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Used household goods, between points in Solano, Yolo, Napa, Marin, Lake, Alameda, Contra Costa Counties, Calif., and San Francisco, Calif. Note: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 133236 (Sub-No. 1), filed May 15, 1969. Applicant: DIVERSIFIED AUTO TRUCKING, INC., 3045 South 3045, Lake Charles, La. 70601. Applicant's representative: G. M. Rebman, 1230 Boatman's Bank Building, St. Louis, Mo. 63102. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Automobiles (Volkswagens), from Lake Charles, La., to points in Arkansas, Iowa, Kansas, Missouri, and Nebraska. Note: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 133688, file April 16, 1969. Applicant: HAUPERT REFRIGERATED LINES, INC., 6044 South Steele Street, Littleton, Colo. 80120. Applicant's representative: Herbert M. Boyle, 946 Metropolitan Building, Denver, Colo. 80216. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Frozen foods, from Carrollton, Marshall, Macon, and Tifton, Ga., to Milford, Minn., and Indiana, Michigan, and Ohio. Note: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 133658, filed April 10, 1969. Applicant: DIVERSIFIED AUTO TRUCKING, INC., 6044 South Steele Street, Littleton, Colo. 80120. Applicant's representative: Wendell E. Thomas, 63102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Meats, meat products, meat byproducts, and truck length equipment. Note: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

AGAWAM, West Springfield, Longmeadow, and Springfield, Mass., on the one hand, and, on the other, Masiacicut Beach, R.I. NOTE: Applicant has filed simultaneously herewith a petition for an interpretation of a portion of its certificate in MC 11052 Sub 13, which petition was published in yesterday's issue of the Federal Register. If a hearing is deemed necessary, a hearing will be held at Hartford, Conn., or Springfield, Mass.

No. MC 133744, filed May 12, 1969. Applicant: COPECKY CORPORATION, 763 15th Street, N.W., Washington, D.C. 20036. Applicant's representative: Morris Honig, 150 4th Street, Hempstead, N.Y. 11550. 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 operations, from San Diego County, Calif., to points in Arizona, Colorado, New Mexico, Oregon, Utah, Washington, and Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at San Diego, Calif.

Agawam, West Springfield, Longmeadow, and Springfield, Mass., on the one hand, and, on the other, Masiacicut Beach, R.I. NOTE: Applicant has filed simultaneously herewith a petition for an interpretation of a portion of its certificate in MC 11052 Sub 13, which petition was published in yesterday's issue of the Federal Register. If a hearing is deemed necessary, a hearing will be held at Hartford, Conn., or Springfield, Mass.

No. MC 133744, filed May 12, 1969. Applicant: COPECKY CORPORATION, 763 15th Street, N.W., Washington, D.C. 20036. Applicant's representative: Morris Honig, 150 4th Street, Hempstead, N.Y. 11550. 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 operations, from San Diego County, Calif., to points in Arizona, Colorado, New Mexico, Oregon, Utah, Washington, and Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at San Diego, Calif.

No. MC 12729 (Sub-No. 1), filed May 4, 1969. Applicant: NEWBURGH TERMINAL CORPORATION, 1077 Gorge Boulevard, Post Office Box 471, Akron, Ohio 44309. 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 operations, from San Diego County, Calif., to points in Arizona, Colorado, New Mexico, Oregon, Utah, Washington, and Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at San Diego, Calif.

No. MC 12729 (Sub-No. 2) (Clarification), filed April 7, 1969, published in Federal Register issue of May 1, 1969. Applicant: NEWBURGH TERMINAL CORPORATION, 1077 Gorge Boulevard, Post Office Box 471, Akron, Ohio 44309. 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 operations, from San Diego County, Calif., to points in Arizona, Colorado, New Mexico, Oregon, Utah, Washington, and Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at San Diego, Calif.

No. MC 12729 (Sub-No. 2) (Clarification), filed April 7, 1969, published in Federal Register issue of May 1, 1969. Applicant: NEWBURGH TERMINAL CORPORATION, 1077 Gorge Boulevard, Post Office Box 471, Akron, Ohio 44309. 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 operations, from San Diego County, Calif., to points in Arizona, Colorado, New Mexico, Oregon, Utah, Washington, and Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at San Diego, Calif.

No. MC 110552 (Sub-No. 1) (Amendment), filed April 1, 1969, published in the Federal Register issue of April 21, 1969, amended and republished this issue. Applicant: ERADBURY SPRAGUE, doing business as SPRAGUE, Ladd Hill, Meredith, N.H. 03253. Applicant's representative: John E. Ramsey, Meredith, N.H. 03253. 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 operations, from points in the area bounded by the following New Hampshire highways, including points on these highways: From Franklin, N.H., over New Hampshire 2A to West Plymouth; thence over New Hampshire Highway 25 to Plymouth; thence over U.S. Highway 23 to New Hampshire Highway 175 to Holderness; thence over New Hampshire Highway 175 to New Hampshire Highway 113 to Sandwich; thence over New Hampshire 109 to New Hampshire 28; thence over New Hampshire 28 to junction of New Hampshire Highway 107 at Pittsfield; thence over New Hampshire Highway 107 to New Hampshire Highway 146; thence over New Hampshire 40 to U.S. Highway 3; thence over U.S. Highway 3 to Franklin, N.H., to points in Maine, Vermont, Massachusetts, Rhode Island, and New York, and return. NOTE: The purpose of this application is to broaden the scope of territorial authority; and, in a hearing, if a hearing is deemed necessary, applicant requests it be held at Concord, N.H.
GENERAL TRANSPORTATION IMPORTANCE RULE

Interpretation of Three-Page Limitation

JUNE 2, 1969.

Rule 101(a) (4) of the Commission's general rules of practice contains the provisions relating to petitions seeking a finding that an issue of general transportation importance is involved in a matter before the Commission (§ 1100.101(a) (4)).

The rule provides in part that such petitions, "shall not exceed three pages." Questions of interpretation of the three-page limitation have arisen due principally to the practice of attaching a title page and a certificate of service page to pleadings filed with the Commission. Parties filing such pleadings could not be certain that these additional "pages" would not be included within the three-page limitation of Rule 101(a) (4). In view of this, it has been determined that the three-page limitation on General Transportation importance petitions in Rule 101(a) (4) shall be construed as meaning three pages of substantive pleading exclusive of a title page or a certificate of service page.

H. NEIL GARSON, Secretary.

[F.R. Doc. 69-6635; Filed, June 4, 1969; 9:49 a.m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

JUNE 2, 1969.

Protests to the granting of an application for relief should be prepared in compliance 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.


Grounds for relief—Rate relationship.


FSA No. 41643—Acid to Geismar, La. Filed by O. W. South, Jr., agent (No. A6100), for and on behalf of Illinois Central Railroad Co. Rates on acid, acetic, glacial or liquid, in tank carloads, as described in the application, from St. Louis, Mo., to Geismar, La.

Grounds for relief—Market competition.

Tariff—Supplement 236 to Southern Freight Association, agent, tariff ICC S-484.

FSA No. 41644—Groundwood paper cores and printing paper cores returned to points in southern territory, Filed by O. W. South, Jr., agent (No. A6101), for interested rail carriers. Rates on groundwood paper cores and printing paper cores, in carloads, as described in the application, returned from and to points in southern territory, as specified in the application.

Grounds for relief—Carrier competition.

Tariff—Supplement 111 to Southern Freight Association, agent, tariff ICC S-819.

By the Commission.

H. NEIL GARSON, Secretary.

[F.R. Doc. 69-6636; Filed, June 4, 1969; 8:49 a.m.]

[Notice 356]

MOTOR CARRIER TRANSFER PROCEEDINGS

JUNE 2, 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 notice 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-70386. By order of May 26, 1969, the Motor Carrier Board approved the transfer to Helen Colletti, doing business as King Van of Phoenix, Phoenix, Ariz., evidencing a right to engage in transportation in interstate or foreign commerce pursuant to certificates of convenience and necessity No. 3968, dated July 26, 1963, and as reissued January 31, 1961 by the Arizona Corporation Commission. By order of February 14, 1966, to City Transfer Co., a corporation, Casa Grande, Ariz., evidencing a right to engage in transportation in interstate or foreign commerce soley within the State of Arizona, corresponding in scope to the household goods authority in item 4 of certificate No. 3966, dated November 13, 1969, issued by the Arizona Corporation Commission. A. Michael Bernstein, 1327 United Bank Building, Phoenix, Ariz. 85012, attorney for applicants.

H. NEIL GARSON, Secretary.

[F.R. Doc. 69-6637; Filed, June 4, 1969; 8:49 a.m.]
### CUMULATIVE LIST OF PARTS AFFECTED—JUNE

The following numerical guide is a list of parts of each title of the Code of Federal Regulations affected by documents published to date during June.

<table>
<thead>
<tr>
<th>CFR</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>3 CFR</strong></td>
<td></td>
</tr>
<tr>
<td>Proclamations: 3914</td>
<td>8689</td>
</tr>
<tr>
<td>3915</td>
<td>8691</td>
</tr>
<tr>
<td>Executive Orders: 11278 (revoked by EO 11472)</td>
<td>8693</td>
</tr>
<tr>
<td>1129A (revoked by EO 11472)</td>
<td>8693</td>
</tr>
<tr>
<td>11422 (revoked by EO 11472)</td>
<td>8693</td>
</tr>
<tr>
<td><strong>5 CFR</strong></td>
<td></td>
</tr>
<tr>
<td>213</td>
<td>8697</td>
</tr>
<tr>
<td><strong>7 CFR</strong></td>
<td></td>
</tr>
<tr>
<td>17</td>
<td>8683</td>
</tr>
<tr>
<td>68</td>
<td>8683</td>
</tr>
<tr>
<td>908</td>
<td>8684</td>
</tr>
<tr>
<td>909</td>
<td>8684</td>
</tr>
<tr>
<td>915</td>
<td>8684</td>
</tr>
<tr>
<td>944</td>
<td>8685</td>
</tr>
<tr>
<td>1421</td>
<td>8687</td>
</tr>
<tr>
<td>Proposed Rules: Ch. IX</td>
<td>8705</td>
</tr>
<tr>
<td>301</td>
<td>8687</td>
</tr>
<tr>
<td>319</td>
<td>8689</td>
</tr>
<tr>
<td>1001</td>
<td>8700</td>
</tr>
<tr>
<td>1002</td>
<td>8700</td>
</tr>
<tr>
<td>1005</td>
<td>8700</td>
</tr>
<tr>
<td>1006</td>
<td>8700</td>
</tr>
<tr>
<td>1007</td>
<td>8700</td>
</tr>
<tr>
<td>1015</td>
<td>8700</td>
</tr>
<tr>
<td>1421</td>
<td>8687</td>
</tr>
<tr>
<td>1075</td>
<td>8972</td>
</tr>
<tr>
<td><strong>9 CFR</strong></td>
<td></td>
</tr>
<tr>
<td>97</td>
<td>8972</td>
</tr>
<tr>
<td><strong>10 CFR</strong></td>
<td></td>
</tr>
<tr>
<td>Proposed Rules: 50</td>
<td>8712</td>
</tr>
<tr>
<td><strong>12 CFR</strong></td>
<td></td>
</tr>
<tr>
<td>226</td>
<td>8698</td>
</tr>
<tr>
<td>545</td>
<td>8903, 8904</td>
</tr>
<tr>
<td>905</td>
<td>8905</td>
</tr>
<tr>
<td>Proposed Rules: 545</td>
<td>8973</td>
</tr>
<tr>
<td>556</td>
<td>8973</td>
</tr>
<tr>
<td><strong>13 CFR</strong></td>
<td></td>
</tr>
<tr>
<td>101</td>
<td>8699</td>
</tr>
<tr>
<td>103</td>
<td>8699</td>
</tr>
<tr>
<td>104</td>
<td>8699</td>
</tr>
<tr>
<td>105</td>
<td>8700</td>
</tr>
<tr>
<td>107</td>
<td>8700</td>
</tr>
<tr>
<td><strong>13 CFR—Continued</strong></td>
<td></td>
</tr>
<tr>
<td>108</td>
<td>8700</td>
</tr>
<tr>
<td>109</td>
<td>8700</td>
</tr>
<tr>
<td>110</td>
<td>8700</td>
</tr>
<tr>
<td>113</td>
<td>8700</td>
</tr>
<tr>
<td>120</td>
<td>8700</td>
</tr>
<tr>
<td>121</td>
<td>8700</td>
</tr>
<tr>
<td>122</td>
<td>8700</td>
</tr>
<tr>
<td>123</td>
<td>8700</td>
</tr>
<tr>
<td>124</td>
<td>8700</td>
</tr>
<tr>
<td>125</td>
<td>8700</td>
</tr>
<tr>
<td>126</td>
<td>8700</td>
</tr>
<tr>
<td>127</td>
<td>8700</td>
</tr>
<tr>
<td>128</td>
<td>8700</td>
</tr>
<tr>
<td><strong>14 CFR</strong></td>
<td></td>
</tr>
<tr>
<td>Proposed Rules: 70</td>
<td>8700</td>
</tr>
<tr>
<td>71</td>
<td>8700</td>
</tr>
<tr>
<td>8701, 8702, 8907, 8966</td>
<td></td>
</tr>
<tr>
<td><strong>15 CFR</strong></td>
<td></td>
</tr>
<tr>
<td>Proposed Rules: 71</td>
<td>8710, 8711, 8925</td>
</tr>
<tr>
<td>306</td>
<td>8802</td>
</tr>
<tr>
<td>308</td>
<td>8805</td>
</tr>
<tr>
<td>309</td>
<td>8805</td>
</tr>
<tr>
<td>310</td>
<td>8806</td>
</tr>
<tr>
<td>311</td>
<td>8811</td>
</tr>
<tr>
<td>312</td>
<td>8818</td>
</tr>
<tr>
<td>313</td>
<td>8822</td>
</tr>
<tr>
<td>314</td>
<td>8823</td>
</tr>
<tr>
<td>315</td>
<td>8828</td>
</tr>
<tr>
<td>316</td>
<td>8829</td>
</tr>
<tr>
<td>317</td>
<td>8827</td>
</tr>
<tr>
<td>318</td>
<td>8832</td>
</tr>
<tr>
<td>319</td>
<td>8852</td>
</tr>
<tr>
<td>320</td>
<td>8857</td>
</tr>
<tr>
<td>321</td>
<td>8861</td>
</tr>
<tr>
<td>322</td>
<td>8862</td>
</tr>
<tr>
<td>323</td>
<td>8865</td>
</tr>
<tr>
<td>324</td>
<td>8867</td>
</tr>
<tr>
<td>325</td>
<td>8869</td>
</tr>
<tr>
<td>326</td>
<td>8879</td>
</tr>
<tr>
<td>327</td>
<td>8883</td>
</tr>
<tr>
<td>328</td>
<td>8888</td>
</tr>
<tr>
<td>329</td>
<td>8886</td>
</tr>
<tr>
<td>330</td>
<td>8887</td>
</tr>
<tr>
<td>331</td>
<td>8889</td>
</tr>
<tr>
<td><strong>16 CFR</strong></td>
<td></td>
</tr>
<tr>
<td>Proposed Rules: 501</td>
<td>8925, 8926</td>
</tr>
<tr>
<td><strong>21 CFR</strong></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>8704</td>
</tr>
<tr>
<td>19</td>
<td>8908</td>
</tr>
<tr>
<td>120</td>
<td>8909, 8967</td>
</tr>
<tr>
<td>121</td>
<td>8910, 8911</td>
</tr>
<tr>
<td>Proposed Rules: 19</td>
<td>8925</td>
</tr>
<tr>
<td>121</td>
<td>8973</td>
</tr>
<tr>
<td><strong>26 CFR</strong></td>
<td></td>
</tr>
<tr>
<td>194</td>
<td>8911</td>
</tr>
<tr>
<td><strong>29 CFR</strong></td>
<td></td>
</tr>
<tr>
<td>Proposed Rules: 60</td>
<td>8972</td>
</tr>
<tr>
<td><strong>33 CFR</strong></td>
<td></td>
</tr>
<tr>
<td>117</td>
<td>8967</td>
</tr>
<tr>
<td><strong>38 CFR</strong></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>8703</td>
</tr>
<tr>
<td>19</td>
<td>8703</td>
</tr>
<tr>
<td><strong>42 CFR</strong></td>
<td></td>
</tr>
<tr>
<td>73</td>
<td>8914</td>
</tr>
<tr>
<td>76</td>
<td>8962</td>
</tr>
<tr>
<td>Proposed Rules: 78</td>
<td>8953</td>
</tr>
<tr>
<td><strong>43 CFR</strong></td>
<td></td>
</tr>
<tr>
<td>1720</td>
<td>8915</td>
</tr>
<tr>
<td><strong>45 CFR</strong></td>
<td></td>
</tr>
<tr>
<td>Proposed Rules: 401</td>
<td>8925</td>
</tr>
<tr>
<td><strong>46 CFR</strong></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>9010</td>
</tr>
<tr>
<td>42</td>
<td>9011</td>
</tr>
<tr>
<td>43</td>
<td>9016</td>
</tr>
<tr>
<td>45</td>
<td>9019</td>
</tr>
<tr>
<td>46</td>
<td>9019</td>
</tr>
<tr>
<td>Proposed Rules: 401</td>
<td>8923</td>
</tr>
<tr>
<td><strong>47 CFR</strong></td>
<td></td>
</tr>
<tr>
<td>73</td>
<td>8918</td>
</tr>
<tr>
<td>81</td>
<td>8966</td>
</tr>
<tr>
<td>87</td>
<td>8903</td>
</tr>
<tr>
<td>91</td>
<td>8968</td>
</tr>
<tr>
<td>99</td>
<td>8965</td>
</tr>
<tr>
<td><strong>49 CFR</strong></td>
<td></td>
</tr>
<tr>
<td>1033</td>
<td>8920, 8921</td>
</tr>
<tr>
<td>Proposed Rules: 371</td>
<td>8711</td>
</tr>
<tr>
<td>1002</td>
<td>8927</td>
</tr>
</tbody>
</table>
PART II

DEPARTMENT OF TRANSPORTATION
Coast Guard

Miscellaneous Amendments to Chapter
RULES AND REGULATIONS

§2.01-15 Vessel repairs.
(a) No repairs or alterations affecting the safety of a vessel or her machinery shall be made unless applicable requirements in this chapter are met. The procedure for certifying the Coast Guard about vessel repairs vary according to the type of vessel and service in which engaged. The requirements are set forth in the subchapter governing a particular class of vessels or in a subchapter governing a particular subject, as follows:

1. For passenger vessels that are 100 gross tons or more, see §176.20-1 of Subchapter H (Passenger Vessels) of this chapter.

2. For small passenger vessels under 100 gross tons, see §176.20-1 of Subchapter T (Small Passenger Vessels) of this chapter.

3. For cargo and miscellaneous vessels, see §§91.45-1 and 91.50-1 of Subchapter I (Cargo and Miscellaneous Vessels) of this chapter.

4. For tank vessels, see §§189.45-1 and 189.50-1 of Subchapter D (Tank Vessels) of this chapter.

5. For public nautical schools, see §167.30-1 and 167.30-10 of Subchapter N (Nautical Schools) of this chapter.

6. For oceanographic vessels, see §§167.30-1 and 167.30-10 of Subchapter U (Oceanographic Vessels) of this chapter.

(b) If repairs to a vessel are necessary, such a vessel may be permitted to proceed to another port for repairs, if in the opinion of the master of the vessel it can be done with safety. The permit is granted by the Officer in Charge, Marine Inspection, upon request in writing by the master or owner of the vessel and is issued on Coast Guard Form CG-845, Permit to Proceed to Another Port for Repairs. The requirements for such permits are set forth in the subchapter governing a particular class of vessels as follows:

1. For passenger vessels that are 100 gross tons or more, see §176.20-1 of Subchapter H (Passenger Vessels) of this chapter.

2. For small passenger vessels under 100 gross tons, see §176.20-1 of Subchapter T (Small Passenger Vessels) of this chapter.

3. For cargo and miscellaneous vessels, see §91.45-1 of Subchapter I (Cargo and Miscellaneous Vessels) of this chapter.

4. For tank vessels, see §31.10-5(e), 111.05-10(c), and 111.90-5 of Subchapter J (Electrical Engineering) of this chapter.
Subchapter E—Load Lines

PART 42—DOMESTIC AND FOREIGN VOYAGES BY SEA

Subpart 42.01—Authority and Purpose

§ 42.01-1 [Amended]
1. Paragraph (a) of § 42.01-1 Authority for regulations is amended by inserting the word "amidship" between the words "maximum" and "draft" in lines 4 and 5.

§ 42.01-10 [Amended]
2. Paragraph (b) of § 42.01-10 Purpose of regulations is amended by deleting the words "and inspections" in line 9 and inserting the word "and" between the words "lines," and "surveys" in line 8.

Subpart 42.03—Application

3. Section 42.03-5 is amended by revising paragraphs (a), (b), and (c) to read as follows:

§ 42.03-5 U.S.-flag vessels subject to the requirements of this subchapter.

(a) * * *
(3) All U.S.-flag vessels authorized to engage in foreign or international voyages may also engage in domestic voyages by sea and, as permitted by § 45.01-75 of this subchapter, in Great Lakes voyages without additional load line marks and/or certificates. Where additional load line marks and certificates are provided to specifically cover "Great Lakes" or "Special Service, Coastwise" operation, such vessels are subject to the applicable provisions of Parts 44 and 45 of this subchapter.

(b) * * *
(2) In order for existing vessels to take advantage of any reduction in freeboards from those previously assigned, paragraph (2) of this section applies.

(c) Vessels engaged solely in Great Lakes voyages and/or special service coastwise voyages. All U.S.-flag vessels, as specified in paragraph (b) of this section and with exceptions as indicated, which engage solely in Great Lakes voyages and/or special service coastwise voyages shall be subject to the applicable provisions of Parts 44 and 45 of this subchapter.

(d) * * *

§ 42.03-30 Exemptions for vessels.

(a) For an individual vessel or category of vessels, upon the specific recommendation of the assigning authority, the Comptroller may authorize an exemption from one or more load line requirements. Such recommendation and authorization will depend upon provision of any additional features as deemed necessary by the authorities to ensure the vessels' safety in the services and under the conditions specified in paragraph (c) of this section.

(b) Exemptions from specific load line requirements for vessels meeting requirements of paragraph (a) of this section are subject to certain conditions, including type of voyage engaged and as follows:

(1) For vessels engaged on international voyages between the United States and near neighboring ports of its possession or of foreign countries. The exemptions may only be permitted because the requirements are deemed to be unreasonable or impracticable due to the sheltered nature of the waters on which the voyages occur or other conditions. These exemptions shall be valid only so long as such a vessel shall remain engaged on specific designated voyages. If the voyage involves a foreign country or countries, the United States will require an exemption agreement with such country or countries prior to the issuance of the appropriate load line certificate.

(2) For vessels engaged on international voyages which embody features of a novel kind, and where nonexemption may seriously impede research, development, and incorporation of novel features into vessels. If the voyage or voyages involve international foreign countries or countries, then the United States will require an exemption agreement with such country or countries prior to the issuance of a Load Line Exemption Certificate.

(3) For a vessel not normally engaged on international voyages but which is required to undertake a single international voyage under exceptional circumstances.

(c) A vessel given one or more exemptions from load line requirements under the provisions of paragraph (b) of this section will be issued the appropriate load line certificate, using Form A1, A2, or A3. In each case the exemptions shall be specified on the load line certificate together with the Convention authority which authorizes such exemptions.

(d) A vessel given one or more exemptions under the provisions of paragraphs (b) (2) or (3) of this section will be issued a Load Line Exemption Certificate, using Form E1. This certificate shall be in lieu of a regular load line certificate, and the vessel shall be considered as in compliance with applicable load line requirements.

(e) Vessels engaged on domestic voyages by sea or solely on Great Lakes voyages are not granted exemptions from load line requirements. Such vessels which embody features of a novel kind as described in paragraph (b) of this section are given special consideration under the provisions of § 42.03-20. The novel features and any additional safety measures required shall be briefly described on the face of the appropriate certificate issued.

(f) Vessels not normally engaged on domestic voyages by sea or solely on Great Lakes voyages, are required to undertake a single voyage on such waters shall be subject to the Coastwise Load Line Act, as amended, and the applicable regulations of this subchapter. No authority exists to exempt such a vessel from the applicable load line requirements.

4. Section 42.03-35 U.S.-flag vessels and Canadian vessels navigating solely on sheltered waters of Puget Sound and contiguous west coast waters of United States and Canada is amended as follows: The heading to § 42.03-35 is by deleting the words "solely" paragraph (a) is amended by deleting the word "sheltered" in line 5 by changing the word "engaged" to read "engage" in lines 9 and 10, and by deleting the word "sheltered" in line 15; paragraph (b) is amended by deleting the words "solely on the sheltered waters" in line 2 and substituting therefor the words "on the treaty waters on a voyage as", by inserting the word "outside their boundary on any voyage" after the word "waters" line 9, and by deleting the words "as a part of an international or other type of voyage" lines 9 and 10; paragraph (c) is amended by deleting the words "solely" and "sheltered" in line 5, by deleting the word "may" in line 12 and substituting therefor the word "is authorized to", and by deleting the word "single" in line 18; and by substituting therefor the words "her service assignment, and marking".

Subpart 42.05—Definition of Terms Used in This Subchapter

6. A new § 42.05-63 is added to Subpart 42.05 following § 42.05-60, reading as follows:

§ 42.05-63 Ship(s) and vessel(s).

The terms "ship(s)" and "vessel(s)" are interchangeable or synonymous words, including every description of watercraft, other than a seaplane on the water, used or capable of being used as a means of transportation on water.

Subpart 42.07—Control, Enforcement, and Rights of Appeal

5. Paragraphs (a), (b), (d), and (e) of § 42.07-1 are amended to read as follows:

§ 42.07-1 Load lines required.

(a) The vessels listed in §§ 42.03-5 and 42.03-10 as subject to the applicable requirements in this subchapter shall have load line, accurately marked amidships, and on the port and starboard, as provided in this Part 42 or the 1966 Convention, unless otherwise stated. Those vessels issued load line exemption certificates may not be required to have load line marks (see § 42.03-30).

(b) For vessels marked with international load lines and navigating the Great Lakes, such vessels are also subject to requirements in Part 45 of this subchapter while on the Great Lakes. See § 45.01-75(b) of this subchapter for load line marks used by such vessels.

(c) For coastwise steam colliers, barges, and self-propelled barges in special services, the requirements for the applicable load line marks are in Part...
RULES AND REGULATIONS

§ 42.07-60 [Amended]
12. Section 42.07-60 Control is amended as follows: Paragraph (a) is amended by deleting the word "Collector" in the first line and substituting therefor the word "subchapter"; paragraph (b) is amended by deleting the word "Collector" in lines 1, 5, and 10 and substituting therefor the words "District Director"; and by deleting the word "part" at the end of the paragraph and substituting therefor the word "subchapter". Paragraph (c) is amended by deleting the words "or Great Lakes" between the words "International" and "Load" in line 3; paragraph (d) is amended by deleting the word "however" in line 5 and substituting therefor the words "In lieu thereof.

§ 42.09—Load Line Assignments and Surveys—General Requirements

§ 42.09-1 [Amended]
13. Section 42.09-1 Assignment of load lines is amended as follows: Paragraph (a) is amended by deleting the words "the effective protection" in line 6 and substituting therefor the word "that"; and by inserting the words "reference to Commandant approved" between the words "including" and "operating" in the next to last line; and paragraph (a) (2) is amended by changing the words "conditional load line assignments" in line 11 to read "a conditional load line assignment".

§ 42.09-10 [Amended]
14. Section 42.09-10 Stability, subdivision, and strength is amended as follows: Paragraph (a) is amended by deleting the second sentence and substituting therefor the following sentence, "This material shall be furnished to the assigning authority for approval review at the earliest practicable date except where specifically required by Part 46 of this subchapter for passenger vessels to be submitted to the Commandant for approval.", and paragraph (b) is amended by deleting the words "may be" in line 7 and substituting therefor the words "is subject to determination" by deleting the words "part or part 46 of this" in lines 5 and 6, and by deleting the word "parts" in line 9 and substituting therefor the words "Parts 42 and 46".

§ 42.09-15 [Amended]
15. Section 42.09-15 Surveys by the American Bureau of Shipping or assigning authority is amended as follows: Paragraph (a) is amended by inserting the words "assigning authority or the
between the words “the” and “Command-

mand” in the last line of the para-

graph; paragraph (b) is amended by de-

leting the word “inspection” in lines 5

and 6 and substituting therefor the word

“examination”; paragraph (c) (1) is

amended by deleting all material fol-

lowing the word “shown” in line 17 to the

end of the paragraph and substitut-

ing therefor the following: “on the forms

in Subpart 42.50. However, if there have

been alterations which affect the ves-

sel’s freeboards, such extension shall not

be granted. This prohibition is the same

as in Article 19(2) of the 1966 Conven-

tion.”; paragraph (c) (2) is amended by

changing the word “renewal” in line 2 to “re-

issue” and paragraph (d) is amended by

deleting the words “such as will en-

sure that the vessel complies with all re-

quirements for this type of survey, and”

and substituting therefor “as defined in

§ 42.06-40 and such as to ensure.”

§ 42.09—20 [Amended]

16. Section 42.09—20 Surveys of for-

eign vessels is amended as follows: Para-

graph (a) is amended by deleting the word

“its” in line 10 and substituting therefor

the words “other U.S.”, by deleting the

words “the American Bureau of

Shipping or a recognized load line

assigning and issuing authority as ap-

proved by the Commandant”, substitut-

ing therefor “a load line assigning and

issuing authority as authorized under

42.07-35 or § 42.07-40”; paragraph (b) is

amended by deleting the words “the lines

of the renewal” in lines 5 and 6 and sub-

stituting therefor the words “issue or reissue”; and paragraph (c) is

amended by changing the word “vali-

dated” in line 11 to read “revalidated”.

§ 42.09—25 [Amended]

17. The heading of § 42.09—25 is

changed from “Survey requirements for

all vessels” to read “Initial or periodic

survey requirements for all vessels”.

§ 42.09—45 [Amended]

18. Section 42.09-45 Correction of de-

ficiencies is amended as follows: Para-

graph (a) is amended by changing the word

“seaworthy” to read “satisfactory” in

line 6, and paragraph (b) is amended by

changing the word “renewed” in line 2 to

read “reissued” and by deleting the

words “and the surveyor finds the vessel

be in a seaworthy condition” in lines

5, 6, and 7 and substituting therefor “as

required by paragraph (a) of this section”.

§ 42.09—50 [Amended]

19. Paragraph (c) of § 42.09—50 Re-

pair or alterations to vessel after it has

been surveyed is amended by changing the

word “certified” in line 2 to read “cer-

tiﬁed”.

Subpart 42.11—Applications for Load

Line Assignments, Surveys, and

Certificates

20. Section 42.11—1 (a) and (b) is

amended to read as follows:

§ 42.11—1 General.

(a) As described in this subchapter

under §§ 42.07—35, 42.07—40, 42.09—15, and

42.09—20, the American Bureau of Ship-

ping or other recognized classiﬁcation

societies approved as load line assign-

ing and issuing authorities perform the du-

ties connected with making load line as-

signments to vessels.

(b) The Commandant is responsible

for the administration of the load line

acts, the 1930 and 1966 Conventions,

other treaties connected with making load

line assignments to vessels.

Subpart 42.13—General Rules for

Determining Load Lines

24. Section 42.13—5(a) is amended to

read as follows:

§ 42.13—5 Strength of vessel.

(a) The assigning and issuing au-

thority shall satisfy itself that the gen-

eral structural strength of the vessel

is sufﬁcient for the draft corresponding to

the freeboard assigned, and when re-

quested shall furnish pertinent strength

information to the Commandant.

§ 42.13—10 [Amended]

25. Section 42.13—10 Freeboard as-

signed vessels is amended as follows:

Paraph (a) is amended by changing

“42.30—75” in line 6 to read “42.30—75”;

paragraph (b) is amended by changing

the word “freeboard” in line 3 to read

“its”; and paragraph (c) is amended by changing

“42.25—50” in line 6 to read “42.25—50”;

paragraph (c) is amended by deleting

the period following “Commandant” in line

8 and inserting the following words, “The procedure of paragraph (f)

of this section.”; and a new paragraph

(f) is added reading as follows:

(f) Each by paragraph (c) to (e) inclusive of this section, the assigning

authority shall report to the Commandant the speciﬁc matters in

which the vessel is deﬁcient or requires special freeboard considera-

tion due to design, arrangement, construction ma-

terials, propulsive method, or relaxation of

requirements in this part. The report shall also furnish background data and

recommendations of the assigning au-

thority (including freeboard additions), as will enable the Commandant to re-

achieve a decision.

§ 42.13—15 [Amended]

26. Section 42.13—15 Deﬁnitions of
terms is amended as follows: Paragraph

(a) is amended by changing the word

“moulded” in line 4 to read “molded”, by

inserting the words “top of” between

the word “freeboard” and “keel” in line 4,

by deleting therefor “as deﬁned in para-

graph (e) (1) of this section” from lines 5

and 6; paragraph (d) is amended by chang-

ing the word “noncurrent” in line 10 to

read “nonconcurrent”; paragraph (e) (2) is amended by chang-

ing the word “Moulded” in the heading to read “Molded”;

paragraph (e) (1) is amended by changing the word

“moulded” in line 1 to read “molded”; and paragraph (f) (1) is amended by changing the word

“moulded” to read “molded” in lines 4 and 10 (twice); paragraph (e)

(3) is amended by changing the word

“moulded” in line 1 to read “molded”;

paragraph (g) is amended by changing the word

“moulded” to read “molded” in line 3;

and paragraph (i) (1) is amended by chang-

ing the word “Commandant” to read

“assigning authority” in line 15.

FEDERAL REGISTER, VOL. 34, NO. 107—THURSDAY, JUNE 5, 1969
§ 42.13-20 [Amended]
27. Section 42.13-20 Deck line is amended by deleting the period (".") following "1966" in the last line and inserting the following, and, as applicable, on all other load line certificates issued pursuant to this Part 42."

§ 42.13-30 [Amended]
28. Paragraph (e) of § 42.13-30 Lines to be used with the load line mark is amended by deleting the words "these regulations" in lines 2 and 3 and substituting therefor the words "the regulations in this part."

§ 42.13-35 [Amended]
29. Paragraph (a) of § 42.13-35 Details of marking is amended by deleting the word "Commandant" in line 6 and substituting therefor the words "assigning authority."

§ 42.13-40 [Amended]
30. Paragraph (a) of § 42.13-40 Verification of marks is amended by deleting all of the text following the word "until" in line 2 and substituting therefor: "1947-5 has been fully complied with under the authority and provisions of Subparts 42.07 and 42.09 of this part."

Subpart 42.15—Conditions of Assignment of Freeboard

§ 42.15-1 [Amended]
31. Section 42.15-1 Information to be supplied to the master is amended as follows: Paragraph (a) is amended by deleting the words "by the assigning and issuing authority with sufficient information, in an approved form," in lines 2 to 4, inclusive, and substituting therefor: "with sufficient information, in a form approved by the assigning and issuing authority."

§ 42.15-2 [Amended]
32. Paragraph (a) of § 42.15-2 Superstructure and bulkheads is amended by changing the word "Commandant" in the last line to read "assigning authority."

§ 42.15-3 [Amended]
33. Paragraph (a) of § 42.15-3 Position of hatchways, doorways and ventilators is amended by changing the word "deck" in line 2 to read "decks."

§ 42.15-40 [Amended]
36. Paragraph 42.15-30 Hatchways closed by weathertight covers of steel or other equivalent material fitted with gaskets and clamping devices is amended as follows: Paragraph (a) is amended by changing the word "Commandant" in line 10 to read "assigning authority;" paragraph (b) (2) is amended by changing the word "Commandant" in line 5 to read "assigning authority;" paragraph (c) (1) is amended by changing the word "Commandant" in the last line to read "assigning authority;" and paragraph (c) (2) is amended by changing the word "inspections" in lines 6 and 7 to read "surveys."

§ 42.15-45 [Amended]
37. Paragraph (a) § 42.15-45 Miscellaneous openings in freeboard and superstructure decks is amended by inserting the word "or" between the number "2" and the number "4" in line 2.

§ 42.15-50 [Amended]
38. Paragraph (a) of § 42.15-50 Air pipes is amended by changing the word "Commandant" in line 12 to read "assigning authority."

§ 42.15-55 [Amended]
39. Paragraph (a) of § 42.15-55 Cargo ports and other similar openings is amended by changing the words "surrounding shell plating," from lines 6 and 7 and substituting therefor "surrounding shell plating, to the satisfaction of the assigning authority."

§ 42.15-60 [Amended]
40. Paragraph (a) of § 42.15-60 Scuppers, inlets, and discharges is amended as follows: Paragraph (a) is amended by changing the word "Commandant" in lines 24 and 25 to read "assigning authority;" paragraph (c) is amended by inserting the words "in Part 50" between the words "specified" and "in" in line 4; paragraph (d) is amended by changing the word "Commandant" in line 6 to read "assigning authority;" and paragraph (e) is amended by changing "ordinary" in line 4 to read "ordinary" and by changing the word "Commandant" in the last line to read "assigning authority."

§ 42.15-70 [Amended]
42. Section 42.15-70 Freezing ports is amended by changing the word "Commandant" in the last line of paragraph (d) to read "assigning authority."

§ 42.15-75 [Amended]
43. Section 42.15-75 Protection of the crew is amended as follows: Paragraph (a) is amended by changing the word "Commandant" in line 4 to read "assigning authority;" and paragraph (b) is amended by deleting the word "in" in the next to last line and substituting therefor the words "and the assigning authority are."

§ 42.15-80 [Amended]
44. Section 42.15-80 Special conditions of assignment for type "A" vessels is amended by changing the word "Commandant" in line 13 of paragraph (b) (1) to read "assigning authority."

Subpart 42.20—Freeboards

§ 42.20-1 [Amended]
45. Part 42 is amended by adding a new § 42.20-1 to read as follows:

§ 42.20-3 [Amended]
46. Section 42.20-3 Required flooding and stability assumptions applicable to Type A and Type B vessels.

(a) The Assembly of the Intergovernmental Maritime Consultative Organization, at its meeting on November 28, 1968, made certain recommendations for uniform application and interpretation of Regulation 27 of the International Convention on Load Lines, 1966. The United States participated in and accepted these recommendations which are, in effect, directly transcribed below in this section and their applicability is presumed.

(b) The term "in the intact condition is assumed to have no trim."
(c) In applying §§ 42.20-5 (b), 42.20-10 (c), (d), and (f) when calculating subdivision, account shall be taken of the following assumptions:

(1) The vertical extent of damage in all cases is assumed to be equal to the depth of the ship at the flooded compartment under consideration. The buoyancy of any superstructure or deckhouse directly above the flooded compartment is to be disregarded.

(2) The transverse extent of damage is equal to 1/3 of the measured breadth of the ship perpendicularly to the center line at the level of the summer load waterline. If damage of a lesser extent results in a more severe condition such lesser extent shall be assumed.

(3) Transverse bulkheads; damage and flooding assumptions:

(i) No main transverse bulkhead is assumed damaged except where in § 42.20-10 (f) the flooding of any two adjacent fore and aft compartments is envisaged; in addition the damage may be local to transverse bulkheads bounding side tanks;

(ii) If in a transverse bulkhead there are steps or recesses of not more than 16 feet in length located within the extent of transverse penetration of damage as defined in subparagraph (2) of this paragraph, such transverse bulkheads may be considered intact and the extent of transverse penetration of damage shall be reduced as if the steps or recesses were not present.
in a transverse bulkhead, the two compartments adjacent to this bulkhead should be considered as flooded.

(1) If a double bottom or side tank is divided by a transverse bulkhead located more than 10 feet from a main transverse bulkhead, the adjacent double bottom or side tank should be considered as flooded. If this side tank has openings into the holds, such holds should also be considered as flooded. This provision is applicable even where such openings are filled with free surface.

(4) Calculations: bulkhead spacing applicable to § 42.20-10(f):

(a) In applying § 42.20-10(f), the calculations for free surface, under § 42.15-65 should be based on the assumptions specified in paragraphs (c) and (d) of this section. To be considered effective main transverse watertight bulkheads should be spaced at least 10 feet, 400.31, or 35 feet whichever is the lesser.

(2) Where transverse bulkheads are spaced a lesser distance, one or more of these bulkheads should be assumed as non-compartments, the minimum spacing between bulkheads should be based on the assumptions specified in paragraph (c) of this section. To be considered effective main transverse watertight bulkheads should be spaced at least 10 feet, 400.31, or 35 feet whichever is the lesser.

(2) If pipes, ducts, or tunnels are situated within the assumed extent of penetration of damage as defined in paragraphs (c) and (d) of this section, arrangements should be made so that flooding cannot thereby extend beyond the limits assumed for the calculations of the damaged conditions.

(3) In applying § 42.20-5(b), the angle of heel due to unsymmetrical flooding should not exceed 15°. Since § 42.20-5(b) states that the maximum angle of heel is limited to the order of 15°, if any part of the deck is immersed, an angle of heel of up to 17° may be accepted.

(4) When any part of the deck beyond the limits of flooding is immersed or in doubt, the margin of stability in the flooded condition should be considered doubtless, the dynamic stability should be investigated. The dynamic stability may be regarded as sufficient if the righting lever curve has a minimum range of 20° beyond the position of equilibrium in association with a floating lever of at least 0.33 foot.

(5) After flooding, the metacentric height as calculated by the constant displacement method should be at least 2 inches in the upright condition.

(6) Center of gravity, free surface, and loading assumptions:

(1) The height of the center of gravity above the base line is assessed allowing for homogeneous loading of all spaces designed to contain cargo and 50 percent of the individual total capacity of all tanks and spaces filled to contain consumable fluids and ship's stores.

(2) In calculating the height of the center of gravity account should be taken of corrections for free surfaces of consumable liquids. In calculating these corrections it should be assumed that, for each type of liquid, at least one transverse pair or a single center line tank has a free surface and the tank or combination of tanks to be taken into account should be those where the effect of free surfaces is the greatest.

(3) The remaining consumable liquid tanks should be assumed either completely empty or completely filled, and the distribution of the liquids between these tanks should be effected so as to obtain the greatest possible height above the keel for the center of gravity.

(4) The effect of free surface in compartments containing fluid cargoes which may exist in the normal full load condition should be taken into account.

(5) Weights should be calculated on the basis of the following values:

| Salt water | 33.00 cubic feet per long ton |
| Fresh water | 33.88 cubic feet per long ton |
| Oil fuel | 37.77 cubic feet per long ton |
| Diesel oil | 39.86 cubic feet per long ton |
| Lubricating oil | 39.86 cubic feet per long ton |

The paragraph (b) of § 42.20-55 Trunks is amended as follows: Paragraph (a) (3) is amended by inserting the words "detached trunks connected to superstructures by efficient" between the words "by" and "permanent" in § 42.20-55 (b); and paragraph (b) (4) is amended by deleting all of the second sentence following the words "fore and aft extent of the" in § 42.20-55 (b) and substituting therefor the words "or by other equivalent means.

Note: Table 42.20-60(b) (2)—Per centage of Deduction for Type "B" Vessels.

<table>
<thead>
<tr>
<th>Line</th>
<th>0</th>
<th>0.1</th>
<th>0.2</th>
<th>0.3</th>
<th>0.4</th>
<th>0.5</th>
<th>0.6</th>
<th>0.7</th>
<th>0.8</th>
<th>0.9</th>
<th>1.0</th>
</tr>
</thead>
<tbody>
<tr>
<td>Percentage of deduction</td>
<td>100</td>
<td>100</td>
<td>100</td>
<td>100</td>
<td>100</td>
<td>100</td>
<td>100</td>
<td>100</td>
<td>100</td>
<td>100</td>
<td>100</td>
</tr>
</tbody>
</table>

1 Percentages at intermediate lengths of superstructures and trunks shall be obtained by linear interpolation.

§ 42.20-10 [Amended]

46. Section 42.20-10 Type "B" vessels is amended by changing the word "Commandant" in the next to last line of paragraph (c) to read "assigning authority", by changing the word "this" in line 9 of paragraph (c) to read "that", by changing the word "these" to read "these regulations", and by substituting therefor the words "the applicable regulations in this Part 43".

§ 42.20-15 [Amended]

47. Section 42.20-15 Freeboard tables is amended by inserting the footnote "1" the right of the word "Freeboard (inches)" of the middle column of Table 42.20-15(b) (1).
§ 42.20—60 [Amended]

52. Section 42.20—65. Sheer is amended as follows: Paragraph (a) (2) is amended by changing the word “ships” in line 1 to read “vessels”; paragraph (a) (3) is amended by changing the word “ships” (twice) in line 2 to read “vessels”; paragraph (a) (4) is amended by changing the word “ships” in line 1 to read “vessels”; paragraph (a) (5) is amended by changing the word “ships” in line 1 to read “vessels”; paragraph (a) (7) is amended by deleting the words “if subsequent paragraph (6) of this paragraph has not been used”; paragraph (e) (2) is amended to read:

(2) Where the after half of the sheer profile is greater than the standard and the forward half is less than the standard, no credit shall be allowed for the part in excess and deficiency only shall be measured.

Paragraph (c) (3) is revised to read:

(3) Where the forward half of the sheer profile exceeds the standard, and the after portion of the sheer profile is not less than 75 percent of the standard, credit shall be allowed for the part in excess; where the after part is less than 50 percent of the standard, no credit shall be given for the excess sheer forward. Where the after sheer is between 50 percent and 75 percent of the standard, intermediate allowances may be granted for excess sheer forward.

Paragraph (c) (4) is amended by deleting that portion of the paragraph preceding the formula and substituting therefor “Where sheer credit is given for a pop or forecastle, the following formula shall be used:”; by deleting the words “of sheer” in the seventh line below the formula and substituting therefor “the word “ordinate”, and by inserting the word “deck” before the word “sheer” in the fourth line of paragraph (c) (4), (1) is amended by inserting the words “top of the” between the words “maximum” and “of” in the ninth line below the formula; paragraph (c) (4) (i) is amended by changing the word “ship’s” to read “vessel’s” in line 9.

§ 42.20—75 [Amended]

54. Section 42.20—75 Minimum freeboards is amended as follows: Paragraph (a) (2) is amended by changing the word “ships” to read “vessels” in line 6; paragraph (b) (1) (i) is amended by inserting the word “vessels” (twice) in line 1 to read “vessels”; paragraph (b) (2) is amended by changing the word “ships” to read “vessels” in line 6, and by deleting the words “as defined in § 42.13—15(e) (1)” in lines 6 and 7; paragraph (b) (2) is amended by changing the word “ships” to read “vessels” in line 6, and by deleting “(a) (1)” in line 3 and substituting therefor “(b) (1)” in line 4; paragraph (c) (1) is amended by deleting the fraction “(1/4)” from line 5; paragraph (d) (1) is amended by changing the word “ships” (twice) to read “vessels” in lines 1 and 6; paragraph (e) (3) is amended by inserting the words “top of the” between the words “the” and “keel” in line 5, and by deleting the words “as defined in § 42.13—15(e) (1)” in line 5.

Subpart 42.25—Special Requirements for Vessels Assigned Timber Freeboards

§ 42.25—5 [Amended]

55. Paragraph (b) of § 42.25—5 Definitions of terms used in this subpart is amended by changing the word “ship” to read “vessel” in line 2, by changing the word “ship” (twice) in line 3 to read “vessel”; and by changing the word “ships” to read “vessels” in line 9.

§ 42.25—10 [Amended]

56. Section 42.25—10 is amended as follows: The heading of the section is changed to read “Construction of vessels”; paragraph (a) is amended by changing the word “ship” in line 1 to read “vessels”, and the word “ship” in line 4 is changed to read “vessel”; paragraph (b) is amended by changing the word “ship” in line 3 to read “vessel”;

and paragraph (c) is amended by changing the word “ship” in line 1 to read “vessel”.

§ 42.25—15 [Amended]

57. Section 42.25—15 Stowage is amended as follows: Paragraph (a) (2) is amended by deleting the period at the end following the word “superstructures” and adding the following: “other than a raised quarter deck.”; paragraph (a) (3) is amended by changing the word “ship” (twice) in lines 1 and 5 to read “vessel”; paragraph (a) (4) is amended by changing the word “ship” to read “vessel” in the last line; and paragraph (b) (1) is amended by changing the word “ship” to read “vessel” in line 4.

§ 42.25—20 [Amended]

58. Section 42.25—20 Computation for freeboard is amended by changing the semicolon to a comma between “§ 42.20—25” and “42.20—30” in line 4, and by inserting “42.20—35” between “42.20—30” and 42.20—69.” in lines 4 and 5 of paragraph (a).

Subpart 42.30—Zones, Areas, and Seasonal Periods

§ 42.30—1 [Amended]

59. Paragraph (c) of § 42.30—1 Basis is amended by deleting the last two lines, reading “to illustrate the zones and areas defined in this Convention and in this subpart”, and substituting therefor the following: “which illustrates the zones and areas defined in this Convention and in this subpart”.

§ 42.30—5 [Amended]

60. Section 42.20—66 Northern winter seasonal zones and area is amended as follows: Paragraph (b) (1) (i) is amended by changing the word “ship” to read “vessels”; paragraph (b) (1) (b) is amended by changing the word “ships” in the first line to read “vessels”; and paragraph (c) is amended by changing the word “Cape” in line 8 to read “Cape”.

§ 42.30—20 [Amended]

61. Section 42.30—20 Seasonal tropical areas is amended by deleting the Tropical Seasonal period in line 2 of paragraph (c) (1) from “September 1 to May 31” to read “December 1 to April 30”.

§ 42.30—25 [Amended]

62. Section 42.30—25 Summer zones is amended by changing the word “ships” in line 1 of paragraph (a) (1) to read “vessels”.

§ 42.30—30 [Amended]

63. Section 42.30—30 Enclosed seas is amended as follows: Paragraph (a) (1) is amended by changing the word “ship” to read “vessels”; paragraph (b) (1) is amended by changing the word “ships” in line 1 to read “vessels”; paragraph (c) is amended by inserting the word “Summer” between the words “the” and “Zones” in line 2; paragraph (e) (1) is amended by changing the word “ships” to read “vessels” in line 1; and paragraph (d) (1) is amended by changing the word “ships” to read “vessels” in line 1 to read “vessels”.

64. The heading of Subpart 42.35 is revised to read as follows:

Subpart 42.35—Load Line Assignment and Surveys; Fees and Other Expenses

§ 42.35—1 [Amended]

65. Section 42.35—1 (c) is amended to read as follows:

§ 42.35—1 Scale of fees.

(c) The provisions of this section including additional fees, as applicable, may be applied to either classed or unclassified vessels in the following cases:

(1) Where due to alterations or changes in service, a new freeboard may be required; or

(2) Where freeboard assignment is based upon additional work associated with damage stability or flooding data preparation or review by the assigning authority.
§ 42.35-8 Fees for reissue of load line certificates.

66. Section 42.35-5 is amended by changing the headnote to read as follows:

§ 42.35-5 Fees for reissue of load line certificates.

66a. Paragraph (a) of § 42.35-5 is amended by changing in line 2 the word "renewal" to read "reissue".

67. Section 42.35-10 is amended by changing the headnote to read as follows:

§ 42.35-10 Fees for annual load line survey.

67a. Section 42.33-10 is amended by changing in paragraph (a) the word "inspection" in lines 1 and 2 to read "survey".

Subpart 42.50—Load Line Certificates—Model Forms

68. Section 42.50-1 is amended to read as follows:

§ 42.50-1 General.

(a) The provisions of this subpart set forth the requirements for the text of the various load line certificates issued to vessels complying with the applicable requirements in this part. See §§ 42.07-35 and 42.07-40 for requirements regarding load line assigning and issuing authorities. See § 42.07-45 for requirements regarding load line certificates, their text and arrangement.

(b) The 1966 international load line certificate and exemption certificate shall be the same as set forth in this subpart in the model Forms A1, A2, A3, and E1, except for the following authorized variations which shall also apply to model Forms B, C1, C2, and C3:

(1) As indicated in § 42.13-30, the freeboards and load lines and marks which are not applicable to a specific vessel need not be entered on the certificate.

(2) The provisions of Note 3 on the front of the certificate forms (other than Model E1) may be changed to correctly describe the situation applicable to the vessel concerning information and instructions furnished the master about loading and ballasting the vessel to provide a guide as to stability under various conditions and as to avoid unacceptable stresses in the vessel's structure.

(c) In the load line certificate the assigning and issuing authority shall set forth its full official designation; i.e., its legal name, address of home office, and reference to the authorization from the Commandant where an assigning and issuing authority other than the American Bureau of Shipping is designated.

§ 42.50-3 [Amended]

69. Section 42.50-5 International load line certificates are amended by changing various portions thereof as follows:

a. Paragraph (a) is amended by deleting the colon at the end of line 10 and the remainder of the paragraph (subparagraphs (1) through (4) and substituting therefor the following: "A1, A2, A3, and E1, except for the application of these forms as specified in § 42.07-46 (e), (f), and (h)."

b. Paragraph (b) is amended by making the following changes: The front of the International Load Line Certificate (1966) (Form A1) is changed as follows: The column containing the heading "Distinctive number or letters" is changed to read "Official number or distinctive letters"; the period following the word "above" in the third line of the second full paragraph of the form is deleted and the following words are added: "and that this ship has been surveyed accordingly;" the words "periodical inspections" in the third and fourth lines above the line designated "signature of official issuing the certificate" are changed to read "annual surveys"; and footnote 2 is revised to read: "At the expiration of this certificate, applicable reissuance should be obtained in accordance with the Load Line Regulations, if permitted.

The reverse side of Form E1 is revised as follows: The heading "Annual Inspections" is changed to read "Annual Surveys"; and the second heading "Renewal of Load Line Certificate" is changed to read "Expiration of Load Line Exemption Certificate".

70. Section 42.50-10 is revised to read as follows:

§ 42.50-10 Load line certificate for non-adherent foreign flag vessels.

(a) The form of load line certificate certifying to the correctness of the load lines marks assigned under the regulations in this subchapter to nonadherent foreign flag vessels as specified in § 42.07-45 (e), (2) is:

(1) Form B for general use. The period of validity shall be as expressed in § 42.09-20 (c).

(b) The text and arrangement of the printed portion of Form B shall be identical with the information on the face and reverse sides of Form A1 certificate in § 42.50-5 (b) except for title of certificate, model form, the first paragraph, and the wording of the certificate for issuance and revalidation, which shall be as follows:

LOAD LINE CERTIFICATE

(Official seal of issuing authority)

(Certificate No. ............

Issued, under the authority of the Commandant, U.S. Coast Guard, United States of America, under the provisions of the Load Line Act of March 2, 1929, as amended (46 U.S.C. 85-85g), and the Load Line Regulations in 46 CFR Part 42:

By

[Seal of issuing authority]

This is to certify that this ship has been surveyed and the freeboards have been assigned and load lines shown above have been marked upon the vessel in manner and location as required by the Load Line Regulations of the Commandant, U.S. Coast Guard, in 46 CFR Part 42.

This certificate remains in force until subject to annual revalidation in accordance with the Load Line Regulations, and endorsement thereof on the reverse side of this certificate is issued at

(Place of issue of certificate) (Date of issue)

(Signature of official issuing the certificate)

(Federal Register, Vol. 34, No. 107—Thursday, June 5, 1969)
§ 42.50–15 [Amended]

71. Section 42.50–15 Coastwise load line certificate for U.S.-flag vessels is amended as follows: Paragraph (a) is amended by deleting the words “or Part 43 of this subchapter are”; and substituting therefor the words “and Chapter 43. Subpart 43 of this part is deleted; application of these forms is as specified in § 42.07–45(e)”; delete paragraph (a) (1), (2), and (3). Paragraph (c) is amended as follows: With the exception of the Load Line Certificate (Form C1) is changed as follows: The column containing the heading “Distinctive number or letters” is changed to read “Official number or distinctive letters”, the period at the end of the second paragraph above the line designated “(Place of issue of certificate)” is deleted and the words “applicable” substituted therefor, the words “periodical inspections” in the first line in the paragraph above the line designated “(Place of issue of certificate)” are deleted and the words “annual surveys” are substituted therefor, the words “Annual Surveys” are deleted; the dashed line immediately above it, including the word, “By” are deleted; the word, “By” is added to the left of the dashed line designated “(Signature of official issuing the certificate)”, and foot-note 2 is revised to read: “At the expiration of this certificate, applicable renewal should be obtained in accordance with the Load Line Regulations.”

On the reverse side, the Coastwise Load Line Certificate is amended as follows: The heading “Annual Inspections” is changed to read “Annual Surveys”, the first sentence under the new heading “Annual Surveys” is revised to read “This is to certify that this ship has been surveyed on the dates indicated to determine in each case whether this certificate should remain in force for an additional year and the survey has been completed to my satisfaction;” the numeral “(1)” is inserted in front of the dashed line following the amended first sentence under the new heading “Annual Surveys”; on the fourth line below this change, the numeral “(3)” is inserted in front of the dashed line, and on the twelfth line below, the numeral “(4)” is inserted in front of the dashed line; the three full sentences between the preceding lines which read “I have surveyed this ship for the purpose of seeing whether this certificate should remain in force and the survey has been completed to my satisfaction” are each deleted: the heading “Renewal of Coastwise Load Line Certificate” is changed to read “Extension of Load Line Certificate”

“(4)” is inserted in front of the dashed line; the three full sentences between the preceding lines which read “I have surveyed this ship for the purpose of seeing whether this certificate should remain in force and the survey has been completed to my satisfaction” are each deleted: the heading “Regeneration of Coastwise Load Line Certificate” is changed to read “Renewal of Coastwise Load Line Certificate” and the heading “Extension of Load Line Certificate” is revised to read “The provisions of the Coastwise Load Line Regulations of the Commandant, U.S. Coast Guard, being fully complied with by this ship, this certificate is extended under the authority of 46 CFR 42.07–45 and 42.09–15 until ______________”, Note 4 is changed by deleting all the number following “46 CFR” in line 2 and substituting therefor the word “surreneds”. (Subpart 42.30, as published in the Federal Register, Vol. 34, No. 107—Thursday, June 5, 1969)
amended (46 U.S.C. 85-88i), provide that every vessel required to be marked shall be surveyed. The assigning authority at least once in each 5 years shall survey such a vessel to determine that the load lines are then correctly placed as required by this part. If the load line mark be found correct for the vessel in the condition she is then in, the certificate shall be reissued for such time as the condition of the vessel then warrants, but in no case for a period longer than 5 years. The facts associated with annual revalidation and extension of certificate shall be attested to by endorsement upon the back of the certificate.

6. Section 43.01-95 is revised in entirety to read as follows:

§ 43.01—95 Logbook entries.
The requirements of § 42.07-20 of this subchapter shall apply to all vessels subject to this part.

7. Section 43.01-97 is revised in entirety to read as follows:

§ 43.01—97 Control.
The requirements of § 42.07-60 of this subchapter apply.

8. Section 43.01-100 is revised in entirety to read as follows:

§ 43.01—100 Approval of the Commandant.
The requirements of § 42.07-25 of this subchapter apply.

Subpart 43.40—Zones and Seasonal Areas and Miscellaneous Requirements

9. Section 43.40-5 is revised to read as follows:

§ 43.40—5 Fees, travel expenses.
(a) For the purpose of the regulations in this part, fees and traveling expenses payable by owners to the assigning and issuing authority for load line services rendered shall be as specified in Subpart 42.35 of this subchapter.

§ 42.07-40(d)” in the last line of paragraph (d) to read “§§ 42.09-15 and 42.09-20”, by changing “§ 43.09-1(c) (1) in the next to last line of paragraph (c) to read “§ 42.09-1(c)”.

2. Section 42.10-60 is revised to read as follows:

§ 46.10-60 Control.
(a) The District Director of Customs or the Coast Guard District Commander may detain a passenger vessel if there is reason to believe that such a vessel is proceeding on her journey in excess of the draft allowed by the regulations in this part as indicated by the vessel’s load lines certified on the safety certificate, load line certificate, or otherwise. The Coast Guard District Commander may detain a passenger vessel if it is so loaded as to be manifestly unsafe to proceed to sea. Except as otherwise required by this section, § 42.07-60 of this subchapter applies to all passenger vessels assigned load lines under the load line acts and the regulations of this subchapter.