

# FEDERAL REGISTER

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### Agencies in this issue—

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Atomic Energy Commission  
Civil Aeronautics Board  
Consumer and Marketing Service  
Customs Bureau  
Economic Opportunity Office  
Federal Aviation Administration  
Federal Communications Commission  
Federal Home Loan Bank Board  
Federal Housing Administration  
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Federal Maritime Commission  
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Interstate Commerce Commission  
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Public Health Service  
Renegotiation Board  
Securities and Exchange Commission  
Small Business Administration  
Veterans Administration  
Wage and Hour Division

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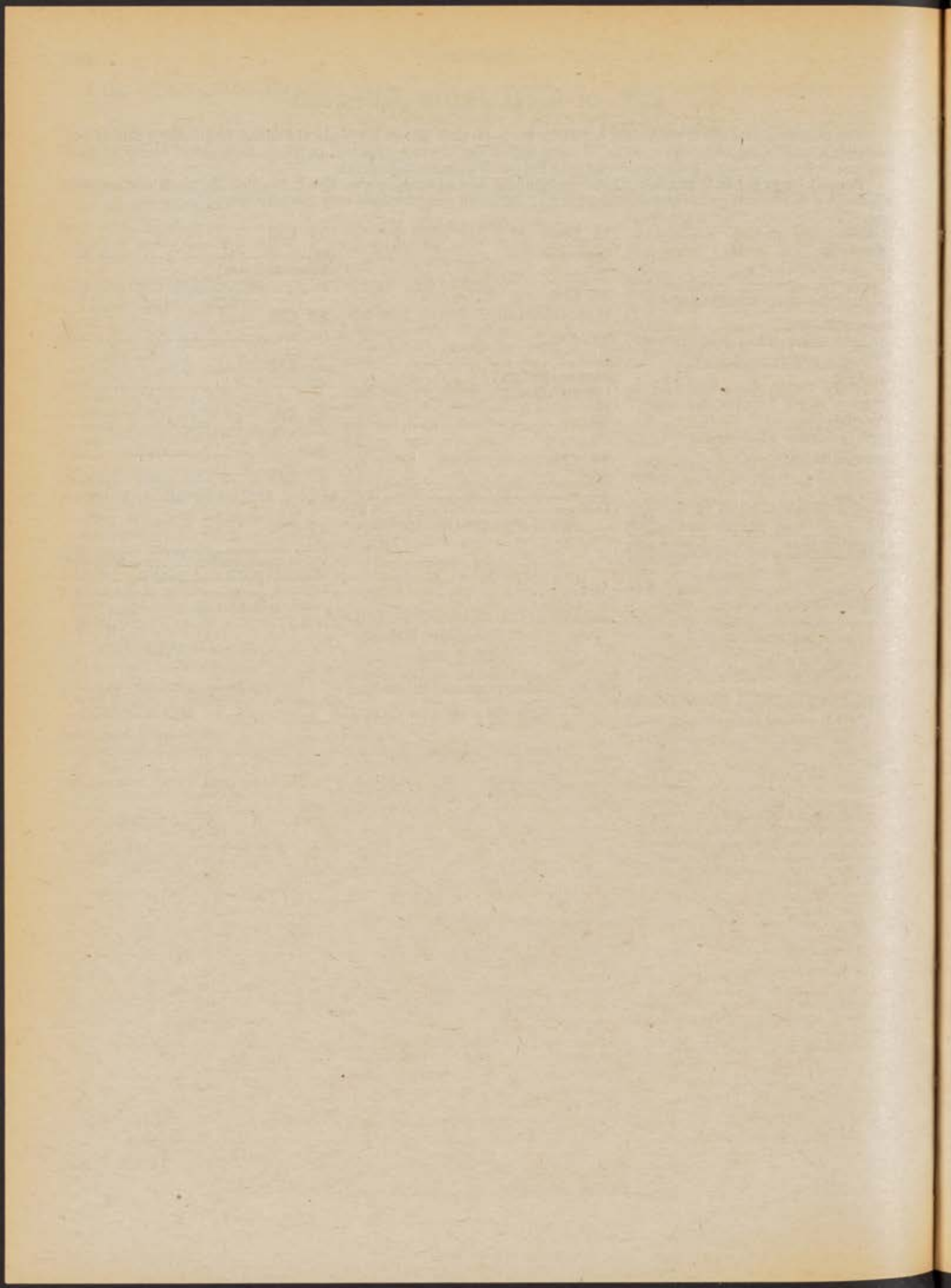
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## Title 7—AGRICULTURE

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

#### PART 28—COTTON CLASSING, TESTING AND STANDARDS

##### Subpart A—Regulations Under the U.S. Cotton Standards Act

##### Subpart C—Standards

##### Subpart D—Cotton Classification and Market News Services for Organized Groups of Producers

##### AMERICAN PIMA COTTON

On April 24, 1969 a notice of proposed rule making was published in the *FEDERAL REGISTER* (34 F.R. 6852) regarding proposed revisions in the Official Cotton Standards of the United States for the Grade of American Egyptian Cotton (7 CFR 28.501-28.510) and proposing to substitute the term American Pima for the term American Egyptian in 7 CFR 28.2 (o) and (p), 28.123, 28.303(b), 28.501 through 28.510, 28.525(b), and 28.908(b).

*Statement of Considerations.* The proposed revised standards were displayed and explained at public meetings in six cities across the cotton belt. The proposed revised standards were favorably received at the public meetings. Only one objection to the proposed standards was received which concerned the amount of trash in the standards. In view of the general acceptance of the proposed standards it was decided they should be adopted. No objections were received concerning the proposal to substitute the term American Pima for the term American Egyptian.

Subparts A and B (7 CFR Part 28) are amended pursuant to authority contained in the U.S. Cotton Standards Act, as amended (sec. 10, 42 Stat. 1519, 7 U.S.C. 61). Subpart D (7 CFR Part 28) is amended pursuant to authority contained in the Cotton Statistics and Estimates Act, as amended (sec. 3c, 50 Stat. 62; 7 U.S.C. 473c).

The amendments are as follows:

As to Subpart A:

#### §§ 28.2, 28.123 [Amended]

In paragraphs (o) and (p) of § 28.2 and in § 28.123 the word "Egyptian" wherever it appears is changed to read "Pima".

(Sec. 10, 42 Stat. 1519, 7 U.S.C. 61)

As to Subpart C:

#### § 28.303 [Amended]

1. In paragraph (b) of § 28.303 the word "Egyptian" in the paragraph heading is changed to read "Pima".

2. The center heading preceding § 28.501, and §§ 28.501 through 28.510 are revised to read as follows:

#### OFFICIAL COTTON STANDARDS OF THE UNITED STATES FOR THE GRADE OF AMERICAN PIMA COTTON

##### § 28.501 Grade No. 1.

Grade No. 1 shall be American Pima cotton which in grade is within the range represented by a set of samples in the custody of the U.S. Department of Agriculture in the District of Columbia in a container marked "Original Official Cotton Standards of the United States, American Pima, Grade No. 1, effective July 1, 1970."

##### § 28.502 Grade No. 2.

Grade No. 2 shall be American Pima cotton which in grade is within the range represented by a set of samples in the custody of the U.S. Department of Agriculture in the District of Columbia in a container marked "Original Official Cotton Standards of the United States, American Pima, Grade No. 2, effective July 1, 1970."

##### § 28.503 Grade No. 3.

Grade No. 3 shall be American Pima cotton which in grade is within the range represented by a set of samples in the custody of the U.S. Department of Agriculture in the District of Columbia in a container marked "Original Official Cotton Standards of the United States, American Pima, Grade No. 3, effective July 1, 1970."

##### § 28.504 Grade No. 4.

Grade No. 4 shall be American Pima cotton which in grade is within the range represented by a set of samples in the custody of the U.S. Department of Agriculture in the District of Columbia in a container marked "Original Official Cotton Standards of the United States, American Pima, Grade No. 4, effective July 1, 1970."

##### § 28.505 Grade No. 5.

Grade No. 5 shall be American Pima cotton which in grade is within the range represented by a set of samples in the custody of the U.S. Department of Agriculture in the District of Columbia in a container marked "Original Official Cotton Standards of the United States, American Pima, Grade No. 5, effective July 1, 1970."

##### § 28.506 Grade No. 6.

Grade No. 6 shall be American Pima cotton which in grade is within the range represented by a set of samples in the custody of the U.S. Department of Agriculture in the District of Columbia in a container marked "Original Official Cotton Standards of the United States,

American Pima, Grade No. 6, effective July 1, 1970."

##### § 28.507 Grade No. 7.

Grade No. 7 shall be American Pima cotton which in grade is within the range represented by a set of samples in the custody of the U.S. Department of Agriculture in the District of Columbia in a container marked "Original Official Cotton Standards of the United States, American Pima, Grade No. 7, effective July 1, 1970."

##### § 28.508 Grade No. 8.

Grade No. 8 shall be American Pima cotton which in grade is within the range represented by a set of samples in the custody of the U.S. Department of Agriculture in the District of Columbia in a container marked "Original Official Cotton Standards of the United States, American Pima, Grade No. 8, effective July 1, 1970."

##### § 28.509 Grade No. 9.

Grade No. 9 shall be American Pima cotton which in grade is within the range represented by a set of samples in the custody of the U.S. Department of Agriculture in the District of Columbia in a container marked "Original Official Cotton Standards of the United States, American Pima, Grade No. 9, effective July 1, 1970."

##### § 28.510 Grade No. 10.

American Pima cotton which in grade is inferior to Grade No. 9 shall be designated as "Grade No. 10."

(Sec. 10, 42 Stat. 1519; 7 U.S.C. 61. Interpret or apply sec. 6, 42 Stat. 1518, as amended; 7 U.S.C. 56)

3. Paragraph (b) of § 28.525 is revised to read as follows:

#### § 28.525 Symbols and code numbers.

(b) *Symbols and Code Numbers for Grades of American Pima Cotton.*

Full grade name	Symbol	Code No.
Grade No. 1.....	AP 1	10
Grade No. 2.....	AP 2	20
Grade No. 3.....	AP 3	30
Grade No. 4.....	AP 4	40
Grade No. 5.....	AP 5	50
Grade No. 6.....	AP 6	60
Grade No. 7.....	AP 7	70
Grade No. 8.....	AP 8	80
Grade No. 9.....	AP 9	90
Grade No. 10.....	AP 10	00

(Sec. 10, 42 Stat. 1519; 7 U.S.C. 61)

As to Subpart D:

#### § 28.908 [Amended]

In paragraph (b) of § 28.908 the word "Egyptian" is changed to read "Pima".

(Sec. 3c, 50 Stat. 62; 7 U.S.C. 473c)



*Effective date.* These amendments are effective July 1, 1970.

Dated: June 23, 1969.

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

[F.R. Doc. 69-7558; Filed, June 25, 1969;  
8:50 a.m.]

## PART 51—FRESH FRUITS, VEGETABLES AND OTHER PRODUCTS (INSPECTION, CERTIFICATION AND STANDARDS)

### Subpart—U.S. Standards for Grades of Pecans in the Shell<sup>1</sup>

#### PECAN KERNEL COLOR STANDARDS

The U.S. Department of Agriculture hereby amends the U.S. Standards for Grades of Pecans in the Shell (7 CFR, §§ 51.1400–51.1418). These grade standards are issued under authority of the Agricultural Marketing Act of 1946 (60 Stat. 1087, as amended; 7 U.S.C. 1621–1627), which provides for the issuance of official U.S. grades to designate different levels of quality for the voluntary use of producers, buyers and consumers. Official grading services are also provided under this act upon request of any financially interested party and upon payment of a fee to cover the cost of such services.

*Statement of considerations leading to the amendment of the grade standards.* In §§ 51.1413, 51.1414, 51.1415, and 51.1416 of these grade standards reference is made to the terms "golden," "light brown," "medium brown," and "dark brown" in defining the kernel color classifications "light," "light amber," "amber," and "dark amber".

Pecan kernel color standards, consisting of plastic models of pecan kernels, have been developed by NASCO, with the collaboration of and approval by the U.S. Department of Agriculture. These color standards illustrate the terms "golden," "light brown," "medium brown," and "dark brown," referenced in the U.S. Standards for Grades of Pecans in the Shell.

The Administrator has designated U.S. Department of Agriculture Pecan Kernel Color Standards Pec-MC-1 as an official color standard and has authorized its manufacture and sale by NASCO.

As amended, § 51.1404 in the U.S. Standards for Grades of Pecans in the Shell is changed to read as follows:

#### § 51.1404 Kernel color classification.

(a) The skin color of pecan kernels may be described in terms of the color classifications provided in this section. When the color of kernels in a lot generally conforms to the "light" or "light amber" classification, that color classification may be used to describe the lot in connection with the grade.

(1) "Light" means that the outer surface of the kernel is mostly golden color

<sup>1</sup>Packing of the product in conformity with the requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act or with applicable State laws and regulations.

or lighter, with not more than 25 percent of the outer surface darker than golden, none of which is darker than light brown.

(2) "Light amber" means that more than 25 percent of the outer surface of the kernel is light brown, with not more than 25 percent of the outer surface darker than light brown, none of which is darker than medium brown.

(3) "Amber" means that more than 25 percent of the outer surface of the kernel is medium brown, with not more than 25 percent of the outer surface darker than medium brown, none of which is darker than dark brown (very dark-brown or blackish-brown discoloration).

(4) "Dark amber" means that more than 25 percent of the outer surface of the kernel is dark brown, with not more than 25 percent of the outer surface darker than dark brown (very dark-brown or blackish-brown discoloration).

(b) U.S. Department of Agriculture kernel color standards, Pec-MC-1, consisting of plastic models of pecan kernels, illustrate the color intensities implied by the terms "golden," "light brown," "medium brown," and "dark brown" referred to in paragraph (a) of this section. These color standards may be examined in the Fruit and Vegetable Division, C&MS, U.S. Department of Agriculture, South Building, Washington, D.C. 20250; in any field office of the Fresh Fruit and Vegetable Inspection Service; or upon request of any authorized inspector of such Service. Duplicates of the color standards may be purchased from NASCO, Fort Atkinson, Wis. 53538.

#### §§ 51.1413–51.1416 [Deleted]

Secs. 51.1413, 51.1414, 51.1415, and 51.1416 are deleted.

Notice of proposed rule making, public procedure thereon is impractical, unnecessary, and contrary to the public interest in that this amendment is necessary to reference in these grade standards newly developed kernel color standards illustrating color terms referenced in definitions of the various color classifications.

This amendment shall become effective August 1, 1969.

(Secs. 203, 205, 60 Stat. 1087, as amended, 1090 as amended; 7 U.S.C. 1622, 1624)

Dated: June 23, 1969.

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

[F.R. Doc. 69-7559; Filed, June 25, 1969;  
8:50 a.m.]

## PART 58—GRADING AND INSPECTION, GENERAL SPECIFICATIONS FOR APPROVED DAIRY PLANTS AND STANDARDS FOR GRADES OF DAIRY PRODUCTS

### Subpart A—Regulations Governing the Inspection and Grading Services of Manufactured or Processed Dairy Products

#### INCREASE IN FEE

Pursuant to the authority of the Agricultural Marketing Act of 1946, as

amended (7 U.S.C. 1621–1627) the provisions of 7 CFR 58.39 (b) and (c) are hereby amended by changing the phrase "\$7.20 per hour" to "\$8.00 per hour."

The Agricultural Marketing Act of 1946 (7 U.S.C. 1622(h)) provides for collection of such fees as will be reasonable and which, as nearly as may be, cover the cost of the service rendered under its provisions.

As a result of the third and final stage of the Federal Salary Act of 1967, salaries of Federal employees who perform dairy product inspection and grading services will increase approximately 10 percent effective with the first pay period beginning on or after July 1, 1969. It has been determined that in order to cover these increased costs and to bring that portion of the service covered by the hourly fee onto a self-sustaining basis the fee needs to be raised from \$7.20 per hour to \$8 per hour.

The need for the increase and the amount thereof are dependent upon the facts within the knowledge of the Consumer and Marketing Service. Therefore, pursuant to the Administrative Procedure Act (5 U.S.C. 553) it is found that notices and other public procedure with respect to this amendment are impracticable and unnecessary and good cause is found for making the amendment effective less than 30 days after its publication in the FEDERAL REGISTER.

This amendment shall become effective July 1, 1969, with respect to inspection and grading service rendered on and after that date.

Done at Washington, D.C., this 23d day of June 1969.

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

[F.R. Doc. 69-7560; Filed, June 25, 1969;  
8:50 a.m.]

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

[Valencia Orange Reg. 282]

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

### Limitation of Handling

#### § 908.582 Valencia Orange Regulation 282.

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



oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on June 24, 1969.

(b) Order. (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period June 27, 1969, through July 3, 1969, are hereby fixed as follows:

- (i) District 1: 198,000 cartons;
- (ii) District 2: 294,000 cartons;
- (iii) District 3: 108,000 cartons.

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

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

Dated: June 25, 1969.

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

[P.R. Doc. 69-7629; Filed, June 25, 1969;  
11:17 a.m.]

[Lime Reg. 27, Amdt. 2]

## PART 911—LIMES GROWN IN FLORIDA

### Quality and Size Regulation

*Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 911, as amended (7 CFR Part 911), regulating the handling of limes grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations of the Florida Lime Administrative Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of limes, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) The recommendation of the Lime Administrative Committee reflects its appraisal of current crop and market conditions. More restrictive regulation requirements should be made effective from June 30, through July 6, 1969, because, historically, during this holiday period the market demand is weak with prices declining severely. Hence, a higher minimum grade and larger minimum size regulation for limes for fresh shipment is needed to increase returns to producers through a reduction in the marketable supply while providing consumers with more desirable limes of a larger size and better quality.

(3) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 553) in that the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than June 30, 1969. Shipments of Florida limes are currently regulated pursuant to Lime Regulation 27 (34 F.R. 6438, 7867) and unless sooner terminated, will continue to be so regulated through April 30, 1970; determinations as to the need for, and extent of, continued regulation of Florida lime shipments must await the development of the crop and the availability of information on the demand for such fruit; the recommendations and supporting information for regulation of lime shipments subsequent to June 30, 1969, and in the manner herein provided, were promptly submitted to the Department after an open meeting of the Florida Lime Administrative Committee on June 11, 1969, held to consider recommendations for regulations; other necessary supplemental information was sub-

mitted to the Department on June 19, 1969; the provisions of this amendment are identical with the aforesaid recommendations of the committee, and information concerning such provisions has been disseminated among handlers of Florida limes; it is necessary, in order to effectuate the declared policy of the act, to make this amendment effective as hereinafter set forth; and compliance with this amendment will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof.

Order. In § 911.329 (Lime Reg. 27; 34 F.R. 6438, 7867), subdivisions (ii) and (iii) of paragraph (a) (2) are amended to read as follows:

### § 911.329 Lime Regulation 27.

(a) \* \* \*

(2) \* \* \*

(i) Any limes of the group known as large fruited or Persian limes (including Tahiti, Bearss, and similar varieties) which do not grade at least U.S. Combination, Mixed Color, with not less than 75 percent, by count, of the limes in any container thereof grading at least U.S. No. 1, Mixed Color: *Provided*, That during the period June 30 through July 6, 1969, no limes of the group known as large fruited or Persian limes (including Tahiti, Bearss, and similar varieties) may be handled which grade lower than U.S. No. 1; or

(iii) Any limes of the group known as large fruited or Persian limes (including Tahiti, Bearss, and similar varieties) which are of a size smaller than 1 7/8 inches in diameter: *Provided*, That during the period June 30 through July 6, 1969, no limes of the group known as large fruited or Persian limes (including Tahiti, Bearss, and similar varieties) may be handled which are of a size smaller than 2 inches in diameter.

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

Dated June 23, 1969, to become effective June 30, 1969.

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

[P.R. Doc. 69-7561; Filed, June 25, 1969;  
8:50 a.m.]

## Title 10—ATOMIC ENERGY

### Chapter I—Atomic Energy Commission

### PART 9—PUBLIC RECORDS

#### Miscellaneous Amendments

On September 27, 1968, the Atomic Energy Commission published in the



FEDERAL REGISTER (33 F.R. 14531) amendments of 10 CFR Part 9, Public Records, to become effective on October 27, 1968.

Because these amendments related solely to agency organization and practice and procedure, the Commission found that notice of proposed rule making and public procedure thereon were unnecessary. Subsequent to the publication of these amendments, comments were received regarding the amendments. After careful consideration of these comments and other factors involved, the Commission has adopted the amendments to 10 CFR Part 9 set forth below.

Subparagraph (6) of § 9.5(a) has been amended to delete the statement as to the meaning of "clearly unwarranted invasion of personal privacy", and to reinsert two sentences, one relating to the availability of records identified in subparagraph (6) to the person involved or his authorized representative and the other introducing examples of such records, which were inadvertently deleted in a previous amendment of this subparagraph. Comments received on the definition of "clearly unwarranted invasion of personal privacy" indicated that the definition was insufficiently clear to serve any useful purpose.

Subparagraph (7) of § 9.5(a), which exempts from public disclosure certain investigatory files compiled for law enforcement purposes, has been amended to provide two examples of the types of records included in this exempt category.

Paragraphs (a) and (c) of § 9.8 have been amended to clarify the procedure by which members of the public may request copies of AEC records and the procedures which the AEC will follow in responding to such requests. The significant change effected by this amendment is to provide that written requests for AEC records may be addressed to the managers of any of the Commission's major operating field offices in addition to the Secretary of the Commission.

The present § 9.9(f) (1) provides that no charges for locating copies of AEC records will be made for requested records on file in the AEC Public Document Room or in a comparable facility at a major field office of the AEC. The amendment clarifies this provision by providing that no charges for such service will be made for AEC records on file not only in the AEC Public Document Room but also those readily available at AEC Headquarters and at major operating field offices of the AEC.

Subparagraph (2) of § 9.9(f) has been amended to substitute the words "either's designee" in place of "authorized representatives" in order to conform with other provisions of Part 9.

The provisions of §§ 9.10(b) (1) and (3) and 9.10(c) have been amended to provide that designees of the General Manager, the Director of Regulation and the General Counsel may also take certain of the actions provided for in these provisions. Under this amendment the only action which is reserved exclusively for the General Manager or the Director of Regulation is notifying a requester

of an exempt record that the record cannot be disclosed. The purpose of these amendments is to expedite the disposition of requests for copies of records exempt from disclosure under § 9.5(a).

The present § 9.10(d) has been amended to clarify that a decision of the General Manager or the Director of Regulation denying a request for the disclosure of an exempt record constitutes the final action of the AEC on the matter.

In addition, a number of editorial changes of a clarifying nature have been made.

Because these amendments relate solely to agency organization and practice and procedure, the Commission has found that notice of proposed rule making and public procedure thereon are unnecessary.

Pursuant to the Atomic Energy Act of 1954, as amended, and sections 552 and 553 of title 5 of the United States Code, the following amendments of 10 CFR Part 9 are published as a document subject to codification to be effective 30 days after publication in the FEDERAL REGISTER.

1. In § 9.5(a), the prefatory language of subparagraph (6) and subparagraph (7) is amended to read as follows:

#### § 9.5 Exemptions.

(a) \* \* \*

(6) Personnel and medical files and similar files, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. Information in such files which is not exempt from disclosure pursuant to other provisions of this section will not be withheld from the individual concerned or from his designated legal representative, and it may be disclosed to others with his written consent. To the extent that they involve a clearly unwarranted invasion of personal privacy, examples of files exempt from disclosure include, but are not limited to:

(7) Except to the extent available by law to a private party, investigatory files compiled for law enforcement purposes, including without limitation the enforcement of statutes, regulations, terms of licenses, and orders. To the extent not so available by law, examples include, but are not limited to:

(i) Personnel security files;

(ii) Correspondence received by the AEC relating to an alleged or possible violation of any statute, regulation, order, license or permit.

2. Paragraphs (a) and (c) of § 9.8 are amended to read as follows:

#### § 9.8 Copies of records.

(a) Copies of records may be requested in person at the AEC Public Document Room or at any one of the major operating field offices of the AEC identified in § 1.6(b) of this chapter. Written requests for copies of records shall be addressed to the Secretary, U.S. Atomic Energy Commission, Washington, D.C. 20545, or to the Manager of any one of the major operating field offices of the AEC identified in § 1.6(b) of this chapter.

(c) If the record for which a request is made has been adequately described pursuant to paragraph (b) of this section and is subject to disclosure pursuant to this part, the person making the request will be informed by the Secretary, or his designee, or the Manager of the major operating field office involved, or his designee: (1) Where the record will be made available, (2) when it is anticipated that the record will be available, and (3) the estimated cost, if any, of conducting the search for the record and furnishing copies. If the record for which a request is made has not been adequately described pursuant to paragraph (b) of this section, the requester shall be so informed by the Secretary, or his designee, or the Manager of the major operating field office involved, or his designee. If the record for which a request is made is not subject to disclosure pursuant to this part, the requester shall be so informed pursuant to § 9.10(c).

3. Paragraph (f) of § 9.9 is amended to read as follows:

#### § 9.9 Charges for locating and reproducing copies of records.

(f) No charge will be made for:

(1) Locating requested records which are on file in the AEC Public Document Room or are readily available at AEC Headquarters or at any one of the major operating field offices of the AEC identified in § 1.6(b) of this chapter.

(2) A record search for a requested record or for furnishing copies of records if the General Manager, the Director of Regulation, or either's designee determines it to be appropriate in the interest of the AEC program.

4. In § 9.10, paragraphs (b) (1) and (3) and paragraphs (c) and (d) are amended to read as follows:

#### § 9.10 Production or disclosure of exempt records.

(b) \* \* \*

(1) If an exempt record is sought from a major operating field office, the request or the subpoena shall promptly be forwarded to the Manager of the field office involved, who in turn, after consultation with his Chief Counsel, shall forward copies of the request or subpoena to the General Manager, or his designee, and to the General Counsel, or his designee, with an appropriate recommendation for disposition.

(3) If an exempt record is sought at any other place, the request or subpoena shall promptly be forwarded to the General Manager or to the Director of Regulation, as appropriate, or to either's designee, with a copy to the General Counsel, or his designee.

(c) If, after consultation with the General Counsel, or his designee, the General Manager or the Director of Regulation, or either's designee, finds that the record sought is not exempt from production or disclosure, or, if the record



is exempt, that its production or disclosure is not contrary to the public interest and will not adversely affect the rights of any person, the General Manager or the Director of Regulation, or either's designee, will authorize the production or disclosure of the record to the person who sought it. If, after such consultation, it is found that the record sought is exempt from production or disclosure pursuant to § 9.5(a) and its production or disclosure is contrary to the public interest or will adversely affect the rights of any person, the General Manager or the Director of Regulation shall so inform the person who sought the record. If the request for a record exempt from disclosure pursuant to § 9.5(a) is received from any State or political subdivision thereof, the General Manager, or the Director of Regulation, or either's designee, after consultation with the General Counsel, or his designee, will, upon a finding that the disclosure of the record is not contrary to the public interest, authorize the production or disclosure of the record. Authority of the Director of Regulation to authorize production or disclosure of a record shall extend to records in the custody of divisions which report to him pursuant to Part 1 of this chapter, and the authority of the General Manager to authorize production or disclosure of a record shall extend to all other divisions, offices, and activities of the AEC.

(d) Decisions of the General Manager or the Director of Regulation that a record sought is exempt from production or disclosure pursuant to § 9.5(a) and its production or disclosure is contrary to the public interest or will adversely affect the rights of any person shall be in writing and shall constitute the final action of the AEC.

(Sec. 161, 68 Stat. 948; 42 U.S.C. 2201)

Dated at Washington, D.C., this 19th day of June 1969.

For the Atomic Energy Commission.

W. B. McCool,  
Secretary.

[F.R. Doc. 69-7592; Filed, June 25, 1969; 8:51 a.m.]

## Title 12—BANKS AND BANKING

### Chapter V—Federal Home Loan Bank Board

#### SUBCHAPTER C—FEDERAL SAVINGS AND LOAN SYSTEM

[No. 22,983]

### PART 545—OPERATIONS

#### Acceptance of Share Accounts by Deposit Associations

JUNE 19, 1969.

Resolved, that the Federal Home Loan Bank Board, upon the basis of consideration by it of amending paragraph (b) of § 545.1-2 of the rules and regulations for the Federal Savings and Loan System (12 CFR 545.1-2(b)), hereby amends said paragraph (b) by adding after subparagraph (4) a new subparagraph (5), to read as follows, effective upon publication in the FEDERAL REGISTER:

#### § 545.1-2 Savings deposits.

(b) \* \* \*

(5) *Acceptance of share accounts by deposit associations.* Any Federal association which has adopted the charter amendment set forth in § 545.1-3(a) of this part may raise capital in the form of such share accounts as would have been authorized for such association if such charter amendment had not been adopted: *Provided*, That a resolution to that effect is adopted by its board of directors: *And, provided further*, That such association may not accept deposits while said resolution is in effect: *And, provided further*, That the Federal Home Loan Bank Board shall approve the resolution of the association's board of directors.

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR 1943-1948 Comp. p. 1071)

Resolved further that, since affording notice and public procedure would delay the amendment from becoming effective for a period of time and since it is in the public interest for the additional authority granted in the amendment to become effective without delay, the Board hereby finds that notice and public procedure on said amendment are contrary to the public interest under the provisions of § 508.11 of the general regulations of the Federal Home Loan Bank Board (12 CFR 508.11) and 5 U.S.C. 553(b); and publication of said amendment for the period specified in § 508.14 of the general regulations of the Federal Home Loan Bank Board (12 CFR 508.14) and 5 U.S.C. 553(d) prior to the effective date of said amendment would, in the opinion of the Board likewise be contrary to the public interest for the same reason, and the Board hereby so finds; and the Board hereby provides that said amendment shall become effective as hereinbefore set forth.

By the Federal Home Loan Bank Board.

[SEAL]

JACK CARTER,  
Secretary.

[F.R. Doc. 69-7566; Filed, June 25, 1969; 8:51 a.m.]

## Title 14—AERONAUTICS AND SPACE

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

[Docket No. 9669, Amdt. 37-18]

### PART 37—TECHNICAL STANDARD ORDER AUTHORIZATIONS

#### Incorporation by Reference of Technical Publications

The purpose of this amendment of Part 37 of the Federal Aviation Regulations is the addition of new § 37.23 which provides for incorporation by reference of technical publications.

The Technical Standard Orders (TSOs) issued in Part 37 of the Federal Aviation Regulations often contain references to technical publications prepared by various nationally recognized organizations such as the Society of Automotive Engineers, Radio Technical Commission for Aeronautics, and the National Standards Association. These publications are almost always prepared in cooperation with government and industry organizations, are widely distributed, and are generally accepted by the aviation industry. Because these publications are of a highly technical nature, frequently contain complex diagrams, and are usually lengthy, their publication in the Federal Register either as appendices or parts of TSOs would be impractical and expensive. The recently adopted provision for incorporation by reference in 5 U.S.C. 552(a)(1), which is set out in greater detail in 1 CFR Part 20, makes their publication in their entirety unnecessary.

This amendment provides for incorporation by reference of these technical publications and makes them a part of specific TSOs in Subpart B of Part 37. All incorporated publications will be available for examination at the Federal Aviation Administration, 800 Independence Avenue SW., Washington, D.C. 20590. Additional availability, including availability by purchase from the issuing organization, will be stated in the TSO in which reference is made to a particular publication. Each incorporated publication will be identified in the TSO by title, name of the issuing organization, and date. Revisions of the publication will not be incorporated and made part of the TSO unless this is done by an amendment of the TSO.

Since this amendment is procedural in nature, and does not impose a burden on the public, I find that notice and public procedure thereon are not necessary, and that it may become effective on less than 30 days notice.

In consideration of the foregoing, Part 37 of the Federal Aviation Regulations is amended, effective June 26, 1969, by the addition of new section 37.23 to read as follows:

#### § 37.23 Incorporation by reference.

In accordance with 5 U.S.C. 552(a)(1), the technical publications to which reference is made in TSOs in Subpart B, and which have been prepared by organizations other than the FAA, are incorporated and made a part of such TSOs. The incorporated technical publications are available for inspection at Federal Aviation Administration, 800 Independence Avenue SW., Washington, D.C. 20590. Additional availability will be indicated as appropriate in particular TSOs. (Secs. 313(a), 601, Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421; sec. 6(c), Department of Transportation Act; 49 U.S.C. 1655(c); 5 U.S.C. 552(a)(1))

Issued in Washington, D.C., on June 19, 1969.

J. H. SHAFFER,  
Administrator.

[F.R. Doc. 69-7515; Filed, June 25, 1969; 8:57 a.m.]



[Docket No. 69-EA-72; Amdt. 39-787]

**PART 39—AIRWORTHINESS DIRECTIVES****Piper Aircraft**

The Federal Aviation Administration is amending § 39.13 of Part 39 of the Federal Aviation Regulations so as to issue an airworthiness directive which would require alteration of the landing gear warning system of the Piper PA-31 and PA-31-300 type airplanes.

The original design of the landing gear warning system failed to establish a system which would give an aural warning when one or both throttles were closed and the gear not down and locked as required by § 23.729(e) of the Federal Aviation Regulations (formerly CAR 3.359). As this is a deficiency in airplanes of the same type design, an airworthiness directive is being issued to require alteration of the system to comply with § 23.729(e).

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

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator, 14 CFR 11.85 (31 F.R. 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

**PIPER AIRCRAFT CORP.** Applies to PA-31 and PA-31-300 airplanes.

Compliance required as indicated:

Modify the landing gear warning system to comply with FAR 23.729(e) (formerly CAR 3.359) as follows:

(a) Within the next 100 hours' time in service after the effective date of this AD, unless already accomplished, modify the aircraft in accordance with instructions contained in Piper Kit 760-250 dated October 23, 1968, or an alternative method approved by the Chief, Engineering and Manufacturing Branch, FAA Eastern Region.

This amendment is effective July 3, 1969.

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

Issued in Jamaica, N.Y., on June 17, 1969.

**WAYNE HENDERSHOT,**

*Acting Director, Eastern Region.*

[F.R. Doc. 69-7514; Filed, June 25, 1969; 8:46 a.m.]

[Airspace Docket No. 69-SW-25]

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

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the 700-foot transition area at Oklahoma City, Okla.

On May 21, 1969, a notice of proposed rule making was published in the Fed-

ERAL REGISTER (34 F.R. 7975) stating the Federal Aviation Administration proposed to alter the 700-foot transition area at Oklahoma City, Okla.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. Due consideration was given to all relevant matter presented.

The Air Transport Association of America (ATA) recommended that a Westheimer (Max Westheimer Field, Norman, Okla.), approach procedure be developed which will not directly interfere with traffic serving Will Rogers (Will Rogers World Airport, Oklahoma City, Okla.). ATA commented that their reply to the previous non-rule-making circular pointed out that the proposed approach procedure for Westheimer was not compatible with Will Rogers and recommended development of another procedure.

Although radar will be used to monitor approaches at Westheimer Field, it is not feasible at this time to establish a surveillance approach procedure to Westheimer Field. Neither is it possible to develop a nonradar procedure which would be entirely compatible with all IFR operations to and from Will Rogers World Airport and Tinker Air Force Base. The proposed procedure, however, is the most practical and the one which would have the least impact on air traffic flow in the Oklahoma City terminal area. It is expected that aircraft executing the procedure to Westheimer Field will normally be radar vectored to the final approach course without a procedure turn. Aircraft conducting IFR operations to and from Westheimer Field will be under the control jurisdiction of the same approach control facility as aircraft conducting IFR operations to and from Will Rogers World Airport and other airports in the Oklahoma City terminal area.

At the present time, IFR aircraft destined for Norman execute an approach to Will Rogers and then proceed VFR to Westheimer Field. This, too, delays traffic and is otherwise undesirable. An approach procedure to serve Westheimer Field would improve this situation by eliminating possible conflicts between IFR and marginal VFR aircraft thereby increasing the level of safety in the terminal area. In view of the foregoing, the agency cannot foresee any added adverse effect on IFR operations at Will Rogers World Airport by the addition of the proposed instrument approach procedure to serve Westheimer Field.

Subsequent to development of the proposed alteration, the criteria for designation of terminal controlled airspace was changed. Accordingly, an additional area is required to provide the controlled airspace protection which was intended. This area is small and there are no airports of record therein. Action is being taken herein to encompass the additional airspace.

Since this change in the proposal is minor in nature and is required in the interest of safety, notice and public procedures hereon are not practical and

the change may be made without further delay.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., August 21, 1969, as hereinafter set forth.

In section 71.181 (34 F.R. 4738), the Oklahoma City, Okla., transition area 700-foot portion is amended in part by deleting " \* \* \* lat. 35°08'00" N., long. 97°42'00" W.; to lat. 35°08'00" N., long. 97°28'00" W.; to lat. 35°15'30" N., long. 97°28'00" W.; \* \* \* and substituting " \* \* \* lat. 35°08'00" N., long. 97°42'00" W., to lat. 35°03'45" N., long. 97°31'15" W., to lat. 35°07'00" N., long. 97°30'00" W.; to point of beginning; \* \* \* therefor.

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

Issued in Fort Worth, Tex., on June 18, 1969.

**A. L. COULTER,**

*Acting Director, Southwest Region.*

[F.R. Doc. 69-7556; Filed, June 25, 1969; 8:50 a.m.]

[Airspace Docket No. 69-SO-39]

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

On May 8, 1969, a notice of proposed rule making was published in the FEDERAL REGISTER (34 F.R. 7455), stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would designate the Walterboro, S.C., transition area.

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

Subsequent to publication of the notice, the geographic coordinate (lat. 32°55'15" N., long. 80°38'30" W.) for Walterboro Municipal Airport was obtained from Coast and Geodetic Survey. It is necessary to alter the transition area description by appropriately inserting the geographic coordinate for the airport.

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

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., August 21, 1969, as hereinafter set forth.

In § 71.181 (34 F.R. 4637), the following transition area is added:

**WALTERBORO, S.C.**

That airspace extending upward from 700 feet above the surface within an 8-mile radius of Walterboro Municipal Airport (lat. 32°55'15" N., long. 80°38'30" W.).

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



Issued in East Point, Ga., on June 18, 1969.

JAMES G. ROGERS,  
Director, Southern Region.

[F.R. Doc. 69-7537; Filed, June 25, 1969;  
8:50 a.m.]

[Airspace Docket No. 69-CE-42]

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

**Alteration of Transition Area**

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the Zionsville, Ind., transition area.

On May 29, 1969 the name of Terry Memorial Airport will be changed to Indianapolis Terry Airport. Therefore, it is necessary to alter the Zionsville, Ind., transition area to reflect the new name of the airport. Action is taken herein to effect this change.

Since the change is minor in nature and imposes no additional burden on any person, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended effective 0901 G.m.t., May 29, 1969 as hereinafter set forth:

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

**ZIONSVILLE, IND.**

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Indianapolis Terry Airport (latitude 40°02'05" N., longitude 86°15'00" W.).

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

Issued in Kansas City, Mo., on June 2, 1969.

BROWNING ADAMS,  
Acting Director, Central Region.

[F.R. Doc. 69-7516; Filed, June 25, 1969;  
8:47 a.m.]

[Airspace Docket No. 69-SW-40]

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

**Alteration of Transition Area**

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the Guthrie, Tex., transition area.

The 700-foot portion of this transition area provides controlled airspace for aircraft executing an instrument approach procedure to the 6666 Ranch Airport at Guthrie, Tex. This procedure, as amended effective August 21, 1969, will no longer require a 700-foot transition area extension north of the Guthrie VOR. Therefore, action is being taken herein to revoke that portion of controlled airspace no longer required.

Since this amendment lessens the burden on the public, notice and public

procedures hereon are unnecessary and the amendment may be made to coincide with the next charting date.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., August 21, 1969, as herein set forth.

In § 71.181 (34 F.R. 4696) the 700-foot portion of the Guthrie, Tex., transition area is amended to read:

**GUTHRIE, TEX.**

That airspace extending upward from 700 feet above the surface within a 6-mile radius of lat. 33°38'25" N., long. 100°20'50" W., and within 2 miles each side of the Guthrie VOR 182° radial extending from the 6-mile radius area to the VOR.

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

Issued in Fort Worth, Tex., on June 17, 1969.

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

[F.R. Doc. 69-7517; Filed, June 25, 1969;  
8:47 a.m.]

[Airspace Docket No. 69-EA-33]

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

**Designation of Transition Area**

On page 7288 of the FEDERAL REGISTER for May 5, 1969, the Federal Aviation Administration published proposed regulations which would designate a part time 700-foot transition area over Errol Airport, Errol, N.H.

Interested parties were given 30 days after publication in which to submit written data or views. No objections to the proposed regulations have been received. In view of the foregoing, the proposed regulations are hereby adopted effective 0901 G.m.t., August 21, 1969.

(Sec. 307(a), Federal Aviation Act of 1958; 72 Stat. 749; 49 U.S.C. 1348; Sec. 6(c), Department of Transportation Act; 49 U.S.C. 1655(c))

Issued in Jamaica, N.Y., on June 12, 1969.

WAYNE HENDERSHOT,  
Acting Director, Eastern Region.

Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a part-time Errol, N.H., transition area described as follows:

**ERROL, N.H.**

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the center (44°47'25" N., 71°09'30" W.) of Errol Airport, Errol, N.H., and within 2 miles each side of the Berlin, N.H., VOR (44°38'05" N., 71°11'12" W.) 006° radial extending from the 5-mile radius area to the VOR, excluding the portion that coincides with the Berlin, N.H., 700-foot transition area. This transition area is effective from sunrise to sunset, daily.

[F.R. Doc. 69-7518; Filed, June 25, 1969;  
8:47 a.m.]

[Airspace Docket No. 69-SW-24]

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

**Designation of Transition Area**

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to designate the Seymour, Tex., transition area.

On May 10, 1969, a notice of proposed rule making was published in the FEDERAL REGISTER (34 F.R. 7579) stating the Federal Aviation Administration proposed to designate a 700-foot transition area at Seymour, Tex.

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

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., August 21, 1969, as herein set forth.

In § 71.181 (34 F.R. 4637), the following transition area is added:

**SEYMOUR, TEX.**

That airspace extending upward from 700 feet above the surface bounded by a line beginning at lat. 33°39'00" N., long. 99°20'00" W., thence to lat. 33°45'00" N., long. 99°23'00" W., to lat. 33°52'00" N., long. 99°07'00" W., to lat. 33°42'00" N., long. 99°03'00" W., to point of beginning.

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

Issued in Fort Worth, Tex., on June 17, 1969.

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

[F.R. Doc. 69-7519; Filed, June 25, 1969;  
8:47 a.m.]

[Airspace Docket No. 69-EA-38]

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

**Designation and Alteration of Transition Area**

On page 7288 of the FEDERAL REGISTER for May 3, 1969, the Federal Aviation Administration published proposed regulations which would alter the White Sulphur Springs, W. Va., transition area (34 F.R. 4784), and designate a 700-foot transition area over Greenbrier Valley Airport, Lewisburg, W. Va.

Interested parties were given 30 days after publication in which to submit written data or views. No objections to the proposed regulations have been received. In view of the foregoing, the proposed regulations are hereby adopted effective 0901 G.m.t., August 21, 1969.

(Sec. 307(a), Federal Aviation Act of 1958; 72 Stat. 749; 49 U.S.C. 1348; sec. 6(c), Department of Transportation Act; 49 U.S.C. 1655(c))



Issued in Jamaica, N.Y., on June 16, 1969.

WAYNE HENDERSHOT,  
Acting Director, Eastern Region.

1. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a Lewisburg, W. Va., transition area described as follows:

LEWISBURG, W. VA.

That airspace extending upward from 700 feet above the surface within a 7-mile radius of the center 37°51'35" N., 80°23'55" W. of Greenbrier Valley Airport, Lewisburg, W. Va.; within 2 miles each side of the Runway 22 centerline, extended from the 7-mile radius area to 8 miles southwest of the end of the runway; within 2 miles each side of the Runway 4 centerline, extended from the 7-mile radius area to 15.5 miles northeast of the end of the runway; within 2 miles each side of the White Sulphur Springs, W. Va. VOR 321° radial, extending from the 7-mile radius area to the VOR; and within 2 miles each side of a 208° bearing from the Lewisburg, W. Va., RBN (37°51'39" N., 80°24'02" W.), extending from the 7-mile radius area to 8 miles southwest of the RBN.

2. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the White Sulphur Springs, W. Va., transition area by deleting the description of the area and inserting in lieu thereof:

That airspace extending upward from 700 feet above the surface within a 7-mile radius of the center 37°47'00" N., 80°20'00" W. of Greenbrier Airport, White Sulphur Springs, W. Va., and within 2 miles each side of the White Sulphur Springs, W. Va., VOR 115° radial extending from the 7-mile radius area to 8 miles southeast of the VOR, excluding the portion that coincides with the Lewisburg, W. Va., transition area. This transition area shall be effective from sunrise to sunset daily.

[F.R. Doc. 69-7520; Filed, June 25, 1969; 8:47 a.m.]

[Airspace Docket No. 69-AL-6]

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

### Revocation of Control Zone

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to revoke the Summit, Alaska, control zone.

The Summit control zone, a 5-mile radius of the airport, is continuously designated. Designation of a control zone requires that official weather observations and radio communications be available. The U.S. Weather Bureau has advised that effective June 15, 1969, weather observations will no longer be available on a 24-hour basis.

A review of aeronautical activity at the Summit Airport discloses there were no instrument approaches conducted in calendar year 1968.

Since this amendment is necessary due to the reduction in weather observations effective June 15, 1969, and imposes no additional burden on any person, notice and public procedure hereon are unnecessary, and the amendment may be made effective in less than 30 days.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations

is amended, effective June 15, 1969, as hereinafter set forth.

In § 71.171 (34 F.R. 4627), the Summit, Alaska, control zone is revoked.

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

Issued in Anchorage, Alaska, on June 13, 1969.

H. H. STANLEY,  
Acting Director, Alaskan Region.

[F.R. Doc. 69-7521; Filed, June 25, 1969; 8:47 a.m.]

[Airspace Docket No. 69-WA-21]

## PART 73—SPECIAL USE AIRSPACE

### Designation of Prohibited Area and Alteration of Restricted Area

The purpose of these amendments to Part 73 of the Federal Aviation Regulations is to designate a prohibited area at San Mateo Point, Calif., and alter the Oceanside Restricted Area R-2533.

The FAA has been requested to prohibit the flight of aircraft in the vicinity of President Nixon's California residence for the security of the President. Public interest in the President may attract numerous aircraft over the Presidential residence for sightseeing and photographic purposes. In order to provide adequate safeguards for the protection of the President and persons or property on ground, it is necessary to designate certain airspace above the Presidential residence near San Mateo Point, Calif., as a prohibited area.

Since there is a requirement for the immediate adoption of this regulation, further notice and the public procedure are impracticable and good cause exists for making this regulation effective in less than 30 days.

In consideration of the foregoing, Part 73 of the Federal Aviation Regulations is amended as hereinafter set forth.

1. Section 73.89 is added as follows:

P-25 SAN MATEO POINT, CALIF.

Boundaries. That airspace within a 1-nautical-mile radius of the San Mateo Point Loran Station, lat. 33°23'32" N., long. 117°35'37" W.

Designated altitudes. Surface to 4,000 feet MSL.

Time of designation. Continuous.

Using agency. Administrator, Federal Aviation Administration, Washington, D.C.

2. In § 73.25 (34 F.R. 4814) R-2533 Oceanside, Calif., "thence to the point of beginning," is deleted and "thence to the point of beginning, excluding that airspace within the San Mateo Point Prohibited Area P-25," is substituted therefor.

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

These amendments become effective on June 23, 1969.

Issued in Washington, D.C., on June 23, 1969.

FERRIS J. HOWLAND,  
Acting Director,  
Air Traffic Service.

[F.R. Doc. 69-7590; Filed, June 25, 1969; 8:51 a.m.]

## Chapter II—Civil Aeronautics Board

### SUBCHAPTER A—ECONOMIC REGULATIONS

[Reg. ER-582, Amdt. 6]

## PART 233—TRANSPORTATION OF MAIL; FREE TRAVEL FOR POSTAL EMPLOYEES

### Position Titles of Postal Employees To Be Carried Free

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 23d day of June 1969.

The Post Office Department (in Docket 21064) has requested amendment of paragraphs (c) through (f) of § 233.1 to reflect the changes in position titles of those Postal employees who may obtain free transportation without having to present a "Request for Access to Aircraft for Free Transportation" on U.S. Government Standard Form 160. The Department states that the amendment is necessary to reflect reorganization actions in the Department and the establishment of a new Bureau of Planning and Marketing. In view of the probability of further organizational changes, the Department suggests that the functional designation be omitted from the position of the six Assistant Postmasters General. Finally, the Department requests that the amendment be made effective immediately since there will be no increase in the total number of credentials authorized and since current credentials will expire June 30, 1969.

We find that public rule making proceedings are not required on the requested amendment since it relates essentially to Post Office management changes and the rule shall be effective immediately.

Accordingly, the Board hereby amends paragraphs (c) through (f) of § 233.1 (14 CFR 233.1), effective June 23, 1969, to read as follows:

§ 233.1 Postal employees to be carried free.

(c) The two Executive Assistants to the Postmaster General; the three Special Assistants to the Postmaster General; the two Executive Assistants to the Deputy Postmaster General; and one Deputy Executive Assistant to the Postmaster General.

(d) The six Assistant Postmasters General and the General Counsel; the deputies of the Assistant Postmasters General and of the General Counsel; the Director of Operations, Bureau of Research and Engineering; and the Assistant Deputy Assistant Postmaster General, Regional Administration, Bureau of Operations.

(e) The Chief Postal Inspector; and the Deputy Chief Postal Inspector.

(f) The Director, Distribution and Routing Division; the Director, Air Transportation Branch; the Director, International Service Division, Bureau of Operations; the Assistant General Counsel, Transportation; the Regional Director in each of the 15 Postal Regions; the Postal Inspector-in-Charge



in each of the 15 Postal Regions; and the Field Officers in Alaska.

(Secs. 204(a) and 405(j) of the Federal Aviation Act of 1958, as amended, 72 Stat. 743, 760; 49 U.S.C. 1324, 1375)

By the Civil Aeronautics Board.

[SEAL] MABEL McCART,  
Acting Secretary.

[F.R. Doc. 69-7541; Filed, June 25, 1969;  
8:49 a.m.]

[Reg. ER-581, Amdt. 23]

# PART 241—UNIFORM SYSTEM OF ACCOUNTS AND REPORTS FOR CERTIFICATED AIR CARRIERS

## Reclassification of Local Service Carriers as Group III Route Air Carriers

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 23d day of June 1969.

By circulation of EDR-162 (Docket 20988), dated May 12, 1969, and published at 34 F.R. 7706, the Board gave notice that it proposed to amend Part 241 to reclassify local service carriers as Group III route air carriers for reporting purposes, effective July 1, 1969.

Comments supporting the proposal were filed by Continental Air Lines, Inc., and Pan American World Airways, Inc. In addition, Pan American suggested that the rule be expanded to reclassify Airlift International, Inc., Aloha Airlines, Inc., Trans Caribbean Airways, Inc., and Caribbean-Atlantic Airlines, Inc., as Group III route carriers or, in the alternative, that a revised notice propose such reclassifications. Airlift, Aloha, and Trans Caribbean are presently Group II route carriers, and Caribair is a Group I route carrier.

In support of its proposal, Pan American asserts that Airlift, Trans Caribbean, and Caribair have greatly expanded their routes; their expenses are comparable to those of the larger local service carriers; and these carriers compete with Group III carriers in major markets. Pan American argues that comparable cost data should therefore be available in route and rate cases involving these carriers and markets. With respect to Aloha, Pan American reasons that since Aloha participates with Hawaiian Airlines, which is a Group III route carrier, in mainland-Hawaii common fare arrangements, the participating Hawaiian carriers should report on the same basis, namely, as Group III route carriers.

Although Pan American's proposed reclassifications have some merit, we must reject them as beyond the scope of this proceeding. Moreover, we are currently engaged in an overall study of carrier groupings and we believe it would be premature to propose further reclassifica-

tions solely on the basis of criteria used to establish present classifications. We shall therefore deny the alternative request for a revised rule making proceeding.

We have decided to adopt the rule as proposed, and the tentative findings set out in EDR-162 are hereby made final. Inasmuch as the notice proposed an effective date of July 1, 1969 and no local service carrier objected, the Board finds that the final rule may be made effective less than 30 days after publication in the FEDERAL REGISTER.

Accordingly, the Board hereby amends section 04 of Part 241 of the economic regulations (14 CFR 241.04), effective July 1, 1969, to read as follows:

## Section 04—Air Carrier Groupings and Standard Name Abbreviations

### GROUP I ROUTE AIR CARRIERS

Name	Abbreviation
Aspen Airways, Inc.	Aspen.
Caribbean-Atlantic Airlines, Inc.	Caribair.
Chicago Helicopter Airways, Inc.	Chicago Helicopter.
Kodiak Airways, Inc.	Kodiak.
Los Angeles Airways, Inc.	LA Airways.
New York Airways, Inc.	NY Airways.
Reeve Aleutian Airways, Inc.	Reeve.
San Francisco & Oakland Helicopter Airlines, Inc.	SFO Helicopter.
Western Alaska Airlines, Inc.	Western Alaska.
Wien Consolidated Airlines, Inc.	Wien.

### GROUP II ROUTE AIR CARRIERS

Airlift International, Inc.	Airlift.
Aloha Airlines, Inc.	Aloha.
Trans Caribbean Airways, Inc.	Trans Car.

### GROUP III ROUTE AIR CARRIERS

Air West, Inc.	Air West.
Alaska Airlines, Inc.	Alaska.
Allegheny Airlines, Inc.	Allegheny.
American Airlines, Inc.	American.
Braniff Airways, Inc.	Braniff.
Continental Air Lines, Inc.	Continental.
Delta Air Lines, Inc.	Delta.
Eastern Air Lines, Inc.	Eastern.
The Flying Tiger Line Inc.	Flying Tiger.
Frontier Airlines, Inc.	Frontier.
Hawaiian Airlines, Inc.	Hawaiian.
Mohawk Airlines, Inc.	Mohawk.
National Airlines, Inc.	National.
North Central Airlines, Inc.	North Central.
Northeast Airlines, Inc.	Northeast.
Northwest Airlines, Inc.	Northwest.
Ozark Air Lines, Inc.	Ozark.
Pan American World Airways, Inc.	Pan American.
Piedmont Aviation, Inc.	Piedmont.
Seaboard World Airlines, Inc.	Seaboard.
Southern Airways, Inc.	Southern.
Texas International Airlines, Inc.	Texas.
Trans World Airlines, Inc.	Trans World.
United Air Lines, Inc.	United.
Western Air Lines, Inc.	Western.

### GROUP I SUPPLEMENTAL AIR CARRIERS

Name	Abbreviation
Interstate Airmotive, Inc.	Interstate.
Johnson Flying Service, Inc.	Johnson.
Purdue Airlines, Inc.	Purdue.
Standard Airways, Inc.	Standard.
Vance International Airways, Inc.	Vance.

### GROUP II SUPPLEMENTAL AIR CARRIERS

American Flyers Airline Corp.	American Flyers.
Capitol International Airways, Inc.	Capitol.
Modern Air Transport, Inc.	Modern.
Overseas National Airways, Inc.	Overseas National.
Saturn Airways, Inc.	Saturn.
Southern Air Transport, Inc.	Southern Air Transp.
Trans International Airlines, Inc.	Trans International.
Universal Airlines, Inc.	Universal.
World Airways, Inc.	World.

(Secs. 204(a) and 407 of the Federal Aviation Act of 1958, as amended, 72 Stat. 743, 766; 49 U.S.C. 1324, 1377)

By the Civil Aeronautics Board.

[SEAL] MABEL McCART,  
Acting Secretary.

[F.R. Doc. 69-7542; Filed, June 25, 1969;  
8:49 a.m.]

# Title 16—COMMERCIAL PRACTICES

## Chapter I—Federal Trade Commission

[Docket No. C-1536]

## PART 13—PROHIBITED TRADE PRACTICES

### Albert Bell's Midwest Appliance Co. et al.

Subpart—Advertising falsely or misleadingly: § 13.155 Prices: 13.155-70 Percentage savings; 13.155-78 Repossession balances. Subpart—Misrepresenting oneself and goods—Prices: § 13.1778 Additional costs unmentioned. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1832 Prices: § 13.1905 Terms and conditions.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Albert Bell's Midwest Appliance Co. et al., Kansas City, Mo., Docket C-1536, May 22, 1969]

In the Matter of Albert Bell's Midwest Appliance Co., a Corporation, and Albert Bell and Harold A. Bell, Individually and as Officers of Said Corporation

Consent order requiring a Kansas City, Mo., retailer of home appliances to cease using deceptive pricing and savings claims and failing to disclose the



total purchase price and other interest and service charges.

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

*It is ordered*, That respondents Albert Bell's Midwest Appliance Co., a corporation, and its officers, and Albert Bell and Harold A. Bell, individually and as officers of said corporation, and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with the advertising, offering for sale, sale or distribution of household furniture, television, stereo sets, or other home appliances or products, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing, directly or by implication, that any savings, or stated amount or percentage of savings, are afforded to purchasers of respondents' merchandise unless the price at which such merchandise is offered constitutes a significant reduction, and a reduction equal to any amount or percentage, stated or otherwise, from an established selling price at which such merchandise has been sold in substantial quantities by respondents in the recent regular course of their business.

2. Falsely representing, in any manner, that savings are available to purchasers or prospective purchasers of respondents' merchandise; or misrepresenting, in any manner, the amount of savings available to purchasers or prospective purchasers of respondents' merchandise.

3. Representing, directly or by implication, that merchandise is offered for sale for the unpaid balance of the purchase price or for taking over the payments or on any other terms or conditions as unclaimed or lay-away merchandise or for any other reason unless such merchandise is of the represented kind and status and its purchase affords the purchaser all of the reductions in price and advantages claimed for it.

4. Failing to disclose the exact amount of the total purchase price of merchandise and all interest, credit, insurance, service or other charges in writing at the time the contract for the sale of such merchandise is executed by the purchaser or purchasers.

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

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

Issued: May 22, 1969.

By the Commission.

[SEAL]

JOSEPH W. SHEA,  
Secretary.

[F.R. Doc. 69-7498; Filed, June 25, 1969;  
8:45 a.m.]

[Docket No. 8657 o.]

### PART 13—PROHIBITED TRADE PRACTICES

#### Mississippi River Fuel Corp.

Subpart—Acquiring corporate stock or assets: § 13.5 *Acquiring corporate stock or assets.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 7, 38 Stat. 731, as amended; 15 U.S.C. 18) [Cease and desist order, Mississippi River Fuel Corp., St. Louis, Mo., Docket 8657, May 20, 1969]

Order requiring a St. Louis, Mo., firm primarily engaged in oil and gas explorations and drilling, to divest itself of two acquired producers of ready-mixed concrete, and refrain from acquiring any such company for a period of 10 years without prior Commission approval.

The order of divestiture, including further order requiring report of compliance therewith, is as follows:

*It is ordered*, That respondent, Mississippi River Corp., a corporation, and its officers, directors, agents, representatives, employees, subsidiaries, affiliates, successors and assigns, within one (1) year from the date this order becomes final, divest, absolutely and in good faith, subject to the approval of the Federal Trade Commission, as going concerns, all stock, assets, properties, rights and privileges, tangible and intangible, including, but not limited to, all plants, equipment, machinery, inventory, customer lists, trade names, trademarks, and goodwill, acquired by respondent, as a result of the acquisitions of the stock and/or assets of Stewart Sand and Material Co., John A. Denie's Sons Co., Richter Concrete Corp., and Richter Transfer Co., together with all additions and improvements thereto of whatever description, and replacements thereof.

*It is further ordered*, That pending divestiture, respondent shall not make or permit any deterioration or changes in any of the plants, machinery, equipment, buildings, or other property or assets to be divested which would impair their present capacity or market value, unless such capacity is restored prior to divestiture.

*It is further ordered*, That none of the stock, assets, properties, rights or privileges to be divested be sold or transferred, directly or indirectly, to any person who is at the time of the divestiture an officer, director, employee or agent of, or under the control or direction of,

Mississippi River Corp. or any of its subsidiaries or affiliates, or who owns or controls, directly or indirectly, more than one (1) percent of the outstanding shares of voting stock of Mississippi River Corp., or any of its subsidiaries or affiliates.

*It is further ordered*, That for a period of ten (10) years respondent shall cease and desist from acquiring, directly or indirectly, without the prior approval of the Federal Trade Commission, the whole or any part of the share capital or other assets of any corporation engaged in the sale of ready-mixed concrete or concrete products within respondent's present or future marketing area for portland cement or which purchased in excess of 10,000 barrels of portland cement in any of the five (5) years preceding the merger.

*It is further ordered*, That respondent shall, within sixty (60) days from the date of service of this order and every sixty (60) days thereafter until divestiture is fully effected, submit to the Commission a detailed written report of its actions, plans, and progress in complying with the divestiture provisions of this order, and fulfilling its objectives. All reports shall include, among other things that will be from time to time required, a summary of all contacts and negotiations with potential purchasers of the stock, assets, properties, rights or privileges to be divested under this order, the identity of all such potential purchasers, and copies of all written communications to and from such potential purchasers.

By the Commission, Commissioner MacIntyre not participating.

Issued: May 20, 1969.

[SEAL]

JOSEPH W. SHEA,  
Secretary.

[F.R. Doc. 69-7499; Filed, June 25, 1969;  
8:45 a.m.]

## Title 29—LABOR

### Chapter V—Wage and Hour Division, Department of Labor

#### PART 611—SWEATER AND KNIT SWIMWEAR INDUSTRY IN PUERTO RICO

##### Wage Order

Pursuant to sections 5, 6, and 8 of the Fair Labor Standards Act of 1938 (52 Stat. 1062, 1064, as amended; 29 U.S.C. 205, 206, 208) and Reorganization Plan No. 6 of 1950 (3 CFR 1949-53 Comp., p. 1004), and by means of Administrative Order No. 606 (34 F.R. 5434), the Secretary of Labor appointed and convened Industry Committee No. 82-A for the sweater and knit swimwear industry in Puerto Rico, referred to the Committee



the question of the minimum wage rate or rates to be paid under section 6(c) of the Act to employees in the industry, and gave notice of a hearing to be held by the Committee.

Subsequent to an investigation and a hearing conducted pursuant to the notice, the Committee has filed with the Administrator of the Wage and Hour and Public Contracts Divisions of the Department of Labor a report containing its findings of fact and recommendations with respect to the matters referred to it.

Accordingly, as authorized and required by section 8 of the Fair Labor Standards Act of 1938, Reorganization Plan No. 6 of 1950, and 29 CFR 511.18, the recommendations of Industry Committee No. 82-A are hereby published, to be effective July 12, 1969, in this order amending § 611.2 of Title 29, Code of Federal Regulations, by revising paragraph (a) (1). As amended, § 611.2 reads as follows:

**§ 611.2 Wage rates.**

(a) *Previously covered classification.*  
(1) The minimum wage for this classification is \$1.55 per hour.

(Secs. 5, 6, 8, 52 Stat. 1062, 1064, as amended; 29 U.S.C. 205, 206, 208)

Signed at Washington, D.C., this 20th day of June 1969.

FRANCIS J. COSTELLO,  
Acting Administrator, Wage and  
Hour and Public Contracts  
Divisions, U.S. Department of  
Labor.

[F.R. Doc. 69-7536; Filed, June 25, 1969;  
8:48 a.m.]

## Title 24—HOUSING AND HOUSING CREDIT

### Chapter II—Federal Housing Administration, Department of Housing and Urban Development

#### SUBCHAPTER C—MUTUAL MORTGAGE INSURANCE AND INSURED HOME IMPROVEMENT LOANS

#### PART 203—MUTUAL MORTGAGE INSURANCE AND INSURED HOME IMPROVEMENT LOANS

##### Subpart A—Eligibility Requirements

#### SUBCHAPTER F—URBAN RENEWAL HOUSING INSURANCE AND INSURED IMPROVEMENT LOANS

#### PART 220—URBAN RENEWAL MORTGAGE INSURANCE AND INSURED IMPROVEMENT LOANS

##### Subpart A—Eligibility Requirements—Homes

#### MISCELLANEOUS AMENDMENTS

Section 203.12(a)(1) is amended by adding a new subdivision (v) to read as follows:

#### § 203.12 Application and commitment extension fees.

(a) *Application fee*—(1) *Amount of fee.* \* \* \*

(v) \$15 for an application filed on or after July 1, 1969, which involves property, which respect to which the Veterans Administration has issued a Certificate of Reasonable Value, if the mortgagee submits with the application evidence, satisfactory to the Commissioner, that such Certificate is outstanding and has not expired.

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interprets or applies sec. 203, 52 Stat. 10, as amended; 12 U.S.C. 1709)

In Part 220, Subpart A, in the Table of Contents a new § 220.2 is added as follows:

#### Sec. 220.2 Application and commitment extension fees.

Section 220.1 is amended by adding § 203.12 to the listed exceptions as follows:

#### § 220.1 Incorporation by reference.

(a) \* \* \*

#### Sec. 203.12 Application and commitment extension fees.

In Part 220, Subpart A, a new § 220.2 is added to read as follows:

#### § 220.2 Application and commitment extension fees.

All of the provisions of § 203.12 concerning application and commitment extension fees apply to mortgages insured under this part, except the provision in § 203.12(a)(1)(v) for an application fee of \$15 where the mortgagee establishes that the Veterans Administration has issued a Certificate of Reasonable Value which has not expired.

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interprets or applies sec. 220, 68 Stat. 596, as amended; 12 U.S.C. 1715k)

Issued at Washington, D.C., June 23, 1969.

WILLIAM B. ROSS,  
Acting Federal  
Housing Commissioner.

[F.R. Doc. 69-7540; Filed, June 25, 1969;  
8:48 a.m.]

## Chapter VII—Federal Insurance Administration, Department of Housing and Urban Development

### SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM

#### PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

##### List of Designated Areas

Section 1914.3 is added to read as follows:

#### § 1914.3 List of designated areas.

The sale of flood insurance is authorized for each of the following areas as designated on the applicable Federal Insurance Administration Official Flood Insurance Map. In accordance with § 1914.2, the maps on which such areas are designated are available for public inspection at the State and local repositories set forth below.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of authorization of sale of flood insurance for area
Alaska.....	Fairbanks North Star Borough.	Fairbanks and Vicinity.	I 02 039 0770 01.	Alaska Department of Natural Resources, Juneau, Alaska 99801.  Director of Insurance State of Alaska, Pouch D, Juneau, Alaska 99801.	Fairbanks North Star Borough Planning Division, Post Office Box 1267, Fairbanks, Alaska 99701.  City of Fairbanks Engineering Department, Post Office Box 790, Fairbanks, Alaska 99701.	June 25, 1969.
Louisiana..	Jefferson (Parish).	Metairie.....	I 22 051 1545 01.	Louisiana Department of Public Works, Baton Rouge, La. 70804.  Commissioner of Insurance, State of Louisiana, Box 44214, Capitol Station, Baton Rouge, La. 70804.	Jefferson Parish Department of Sanitation, 648 Helois St., Metairie, La. 70005 (on East Bank).  West Bank Drainage District, 1972 Ames Blvd., Post Office Box 335, Marrero, La. 70072.	June 25, 1969.

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968, 42 U.S.C. 4001-4127), effective Jan. 28, 1969 (33 F.R. 17804, Nov. 28, 1968); Secretary's delegation of authority to Federal Insurance Administrator, 34 F.R. 2680, Feb. 27, 1969; and Secretary's designation of Acting Federal Insurance Administrator, 33 F.R. 11794, Aug. 20, 1968)



**Effective date.** This § 1914.3 shall be effective at the time this document is filed for public inspection at the Office of the Federal Register.

WILLIAM B. ROSS,  
Acting Federal  
Insurance Administrator.

[F.R. Doc. 69-7565; Filed, June 25, 1969; 8:51 a.m.]

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

### Chapter I—Veterans Administration

#### CONTINUANCE IN EFFECT OF ALL CURRENT REGULATIONS AND OTHER FORMAL ISSUES AND CON- FIRMATION OF ISSUES PROMUL- GATED BY OR PURSUANT TO THE AUTHORITY OF W. J. DRIVER TO BECOME EFFECTIVE AFTER TERMI- NATION OF HIS APPOINTMENT

All current Veterans Administration regulations, manuals, instructions, bulletins, circulars, Administrator's decisions, delegations of authority and other issues applicable to the Veterans Administration shall remain in full force and effect.

In addition all Veterans Administration issues applicable to the Veterans Administration which were approved by or pursuant to the authority of W. J. Driver to become effective on a date subsequent to the termination of his appointment as Administrator of Veterans' Affairs are hereby confirmed and approved as though the same had been approved by me.

All the above issues shall remain in full force and effect until such time as they may be specifically amended or revoked. This issue is effective June 23, 1969.

[SEAL] DONALD E. JOHNSON,  
Administrator of Veterans' Affairs.

[F.R. Doc. 69-7582; Filed, June 25, 1969;  
8:51 a.m.]

## Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

### Chapter 101—Federal Property Management Regulations

#### SUBCHAPTER H—UTILIZATION AND DISPOSAL

#### PART 101-47—UTILIZATION AND DISPOSAL OF REAL PROPERTY

#### Notification to Public Agencies of Sur- plus Property for Zoning and Acqui- sition Purposes

The Intergovernmental Cooperation Act of 1968, 82 Stat. 1098, among other things, amended the Federal Property and Administrative Services Act of 1949, as amended, to add a new title VIII thereto entitled "Urban Land Utilization." Section 803 thereof, requires that the unit of general local government having jurisdiction over zoning and land use regulations be notified prior to offer-

ing for sale real property situated in an urban area to afford that local governmental unit the opportunity of such zoning for the use of the land in accordance with local comprehensive planning. It also provides that prospective purchasers be furnished with such zoning information and advice as availability of streets, sidewalks, water, street lights, and other service facilities. This amendment to Part 101-47 implements section 803 of the Federal Property Act, and makes other incidental revisions in the regulations. The requirement to give the local governmental unit the opportunity to zone in accordance with local comprehensive planning prior to offering for sale supersedes the previous practice of soliciting comprehensive and coordinated plans from the local public agencies for the use and procurement of surplus real property.

The table of contents for Part 101-47 is amended by adding three entries, as follows:

Sec.	
101-47.303-2a	Notice for zoning purposes.
101-47.4906a	Attachment to notice sent to zoning authority.
101-47.4906b	Paragraph to be added to letter sent to zoning authority.

#### Subpart 101-47.3—Surplus Real Property Disposal

1. Section 101-47.303-2 is amended as follows:

#### § 101-47.303-2 Disposals to public agencies.

Citations of the statutes authorizing the disposal of property to public agencies, the type of property the public agencies may procure under each statute, and the public agencies eligible to procure such property are given in § 101-47.4905.

(f) If the disposal agency is not informed within the 20-calendar-day period provided in the notice of the desire of a public agency to acquire the property under the provisions of the statutes listed in § 101-47.4905, or is not notified by the Department of Health, Education, and Welfare of a potential educational or public health requirement, it shall be assumed that no public agency or non-profit institution desires to procure the property.

(g) The disposal agency shall promptly review each response of a public agency to the notice given pursuant to § 101-47.303-2(b). The disposal agency shall determine what constitutes a reasonable period of time to allow the public agency to develop and submit a formal application for the property. When making such determination, the disposal agency shall give consideration to the potential suitability of the property for

the use proposed, the length of time the public agency has stated it will require to develop and submit a formal application, the protection and maintenance costs to the Government during such length of time, and any other relevant facts and circumstances. The disposal agency shall coordinate such review and determination with the proper regional office of any interested Federal agencies listed below:

- (1) Bureau of Outdoor Recreation, Department of the Interior;
- (2) Department of Health, Education, and Welfare;
- (3) Federal Aviation Administration, Department of Transportation;
- (4) Fish and Wildlife Service, Department of the Interior; and
- (5) Federal Highway Administration, Department of Transportation.

(h) When the disposal agency has made a determination as to what constitutes a reasonable period of time to develop and submit a formal application, the public agency shall be so notified. The public agency shall be advised of the information required in connection with an application to procure the property.

(i) Upon receipt of the formal application for the property, the disposal agency shall consider and act upon it in accordance with the provisions of the statute and applicable regulations.

2. New § 101-47.303-2a is added as follows:

#### § 101-47.303-2a Notice for zoning pur- poses.

(a) Where the surplus land is located in an urban area as defined in section 806 of the Act, that copy of the notice to public agencies required under § 101-47.303-2(b) which is sent to the head of the local governmental unit having jurisdiction over zoning and land use regulation in the area shall be accompanied by a copy of section 803 of the Act (see § 101-47.4906a) and the transmittal letter in such instances shall include an additional paragraph requesting information concerning zoning as set forth in § 101-47.4906b.

(b) Information which is furnished by the unit of general local government pursuant to the action taken in paragraph (a) of this section shall be included in Invitations for Bid in advertised sales. In negotiated sales, this information shall be presented to prospective purchasers during the course of the negotiations and shall be included in the sales agreements. In either instance, this information shall be followed by a written statement, substantially as follows:

The above information was obtained from \_\_\_\_\_ and is furnished pursuant to section 803 of the Federal Property and Administrative Services Act of 1949, as amended. The Government does not guarantee that the information is necessarily accurate or will remain unchanged. Any inaccuracies or changes in the above information shall not be cause for adjustment or rescission of any contract resulting from this Invitation for Bid or Sales Agreement.

(c) If no response to a request for such zoning information is received, the property may be offered for sale without



furnishing such information to prospective purchasers. If the unit of general local government notifies the disposal agency of its desire to zone the property, it shall be afforded a 30-calendar-day period (in addition to the 20 calendar days afforded in the notice of surplus determination) to issue such zoning regulations. If the zoning cannot be accomplished within this time frame, the sale may proceed but the prospective purchasers shall be advised of the pending zoning of the property.

# Subpart 101-47.49—Illustrations

1. Section 101-47.4906 is revised as follows:

## § 101-47.4906 Sample notice to public agencies of surplus determination.

### NOTICE OF SURPLUS DETERMINATION—GOVERNMENT PROPERTY

(Date)  
(Name of property)  
(Location)

Statute	Type of disposal
50 U.S.C. App. 1622(h)-----	Public park, recreational area, or historic monument.
40 U.S.C. 484(k) (1) (A)-----	School, classroom, or other educational purposes.
40 U.S.C. 484(k) (1) (B)-----	Protection of public health, including research.
50 U.S.C. App. 1622(g)-----	Public airport.
23 U.S.C. 107 and 317-----	Federal aid and certain other highways.
40 U.S.C. 484(e) (3) (H)-----	Negotiated sales to public bodies for use for public purposes generally. <sup>2</sup>

If any public agency desires to acquire the property under cited statutes, notice thereof in writing must be filed with -----

(Name of disposal agency) (Address)  
Standard  
(Hour and zone)  
Time, -----<sup>3</sup> Such notice  
(Day) (Date)  
shall:

1. Disclose the contemplated use of the property;
  2. Contain a citation of the applicable statute or statutes under which the public agency desires to procure the property;
  3. Disclose the nature of the interest if an interest less than fee title to the property is contemplated;
  4. State the length of time required to develop and submit a formal application for the property (where a payment to the Government is required under the statute, include a statement as to whether funds are available and, if not, the period required to obtain funds); and
  5. Give the reason for the time required to develop and submit a formal application.
- Any planning for an educational or a public health use of property sought to be acquired subject to a public benefit allowance must be coordinated with the Department of Health, Education, and Welfare ----- An  
(Address of proper regional office)

<sup>1</sup>List only the statutes (showing type of disposal) applicable to disposal to public bodies of the property determined to be surplus.

<sup>2</sup>List only for properties having an estimated fair market value of \$10,000 or more.

<sup>3</sup>This date shall be 20 calendar days after the date of the notice.

Notice is hereby given that the -----

(Name of property)

(Location)

has been determined to be surplus Government property. The property consists of 1,333.65 acres of fee land and a 5,968-acre drainage ditch easement, together with installed landing strips, taxiways, walks, roads, parking area, electrical system, and fencing.

This property is surplus property available for disposal pursuant to the provisions of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.) and applicable regulations. The applicable regulations provide that public agencies (non-Federal) shall be allowed a reasonable period of time to submit a formal application for surplus real property in which they may be interested. Disposal of this property, or portions thereof, may be made to public agencies for the public uses stated below whenever the Government has determined that the property is available for such uses and that disposal thereof is authorized by the statutes cited and applicable regulations.<sup>1</sup>

application form to acquire property for an educational or public health requirement, and instructions for the preparation and submission of an application, may be obtained from that office. Application forms or instructions to acquire property for all other public use requirements may be obtained from -----

(Name of disposal agency) (Address)  
Upon receipt of such written notice, the public agency shall be promptly informed concerning the period of time that will be allowed for submission of a formal application.

In the absence of such written notice, or in the event a public use proposal is not approved, the regulations issued pursuant to authority contained in the Federal Property and Administrative Services Act of 1949, provide for offering the property for sale for its highest and best use.

2. New §§ 101-47.4906a and 101-47.4906b are added as follows:

§ 101-47.4906a Attachment to notice sent to zoning authority.

FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949, AS AMENDED

#### TITLE VIII—URBAN LAND UTILIZATION

##### DISPOSAL OF URBAN LANDS

#### SEC. 803

(a) Whenever the Administrator contemplates the disposal for or on behalf of any Federal agency of any real property situated within an urban area, he shall, prior to offering such land for sale, give reasonable notice to the head of the governing body of the unit of general local government having

<sup>1</sup>Delete this paragraph whenever property is not available for transfer for an educational or public health use.

jurisdiction over zoning and land-use regulation in the geographical area within which the land or lands are located in order to afford the government the opportunity of zoning for the use of such land in accordance with local comprehensive planning.

(b) The Administrator, to the greatest practicable extent, shall furnish to all prospective purchasers of such real property, full and complete information concerning:

(1) Current zoning regulations and prospective zoning requirements and objectives for such property when it is unzoned; and

(2) Current availability to such property of streets, sidewalks, sewers, water, street lights, and other service facilities and prospective availability of such services if such property is included in comprehensive planning.

§ 101-47.4906b Paragraph to be added to letter sent to zoning authority.

As the head of the governing body of the unit of general local government having jurisdiction over zoning and land-use regulations in the geographical area within which this surplus property is located, you also may be interested in section 803 of the Federal Property and Administrative Services Act of 1949, as amended, 82 Stat. 1105, a copy of which is attached for ready reference. It is requested that the information contemplated by section 803(b) be forwarded this office within the same 20-calendar-day period prescribed in the attached notice of surplus determination for the advising of a desire to acquire the property. If the property is unzoned and you desire the opportunity to accomplish such zoning in accordance with local comprehensive planning pursuant to section 803(a), please so advise us in writing within the same time frame and let us know the time you will require for the promulgation of such zoning regulations. We will not delay sale of the property pending such zoning for more than 50 days from the date of this notice. However, if you will not be able to accomplish the desired zoning before the property is placed on sale, we will advise prospective purchasers of the pending zoning in process.

3. Section 101-47.4906-1 is revised as follows:

§ 101-47.4906-1 Sample letter for transmission of notice of surplus determination.

(Date)  
CERTIFIED MAIL—RETURN RECEIPT REQUESTED  
(Addressee)

Dear -----:  
The former -----  
(Name of property)  
----- has been determined to be surplus Government property and available for disposal.

Included in the attached notice are a description of the property and procedural instructions to be followed if any public agency desires to submit an application for the property. Please note particularly the name and address given for filing written



notice if any public agency desires to submit such an application, the time limitation within which written notice must be filed, and the required content of such notice.

In order to ensure that all interested parties are informed of the availability of this property, please post the additional copies of the attached notice in appropriate conspicuous places.<sup>4</sup>

A notice of surplus determination also is being mailed to -----

(Other addressees)

Sincerely,

Attachment

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

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

Dated: June 20, 1969.

JOHN W. CHAPMAN, Jr.,  
Acting Administrator  
of General Services.

[P.R. Doc. 69-7539; Filed, June 25, 1969;  
8:48 a.m.]

## Title 43—PUBLIC LANDS: INTERIOR

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

#### APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 4670]

[Colorado 4254]

#### COLORADO

#### Withdrawal for Proposed Reclamation Project

By virtue of the authority contained in section 3 of the act of June 17, 1902 (32 Stat. 388; 43 U.S.C. 416), as amended and supplemented, it is ordered as follows:

1. Subject to valid existing rights, the following described lands in the Grand Mesa National Forest are hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws (30 U.S.C., Ch. 2), but not from leasing under the mineral leasing laws, and reserved for the proposed Battlement Mesa Project:

#### SIXTH PRINCIPAL MERIDIAN

T. 10 S., R. 92 W.,

Sec. 1, W $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;

Sec. 2, SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ .

The areas described aggregate 42.5 acres in Mesa County.

2. The use and administration of the lands affected by this order will become subject to the provisions of the reclamation laws (act of June 17, 1902, supra, as amended and supplemented), including the use of the lands under lease, license, or permit, at such time as the Battlement Mesa Project is authorized by the Congress.

<sup>4</sup> Attach as many copies of the notice as may be anticipated will be required for adequate posting.

3. Pending authorization of the project, this withdrawal does not alter the applicability of the public land laws governing the use of the national forest lands under lease, license, or permit, or the disposal of their mineral or vegetative resources other than under the mining laws, subject to the condition that such use or disposition will not be inconsistent with the reclamation laws and the purpose for which the lands are withdrawn.

HARRISON LOESCH,  
Assistant Secretary of the Interior.

JUNE 20, 1969.

[P.R. Doc. 69-7505; Filed, June 25, 1969;  
8:46 a.m.]

## Title 47—TELECOMMUNICATION

### Chapter I—Federal Communications Commission

[Docket No. 18477; FCC 69-653]

#### PART 31—UNIFORM SYSTEM OF ACCOUNTS FOR CLASS A AND B TELEPHONE COMPANIES

#### All-Inclusive Income Statement and Revision of the Accounting for Taxes

1. On March 5, 1969, the Commission adopted a notice of proposed rule making in the above matter. This notice was published in the FEDERAL REGISTER on March 12, 1969 (34 F.R. 5114), in accordance with section 4(a) of the Administrative Procedure Act. The notice presented for comment on or before April 15, 1969, and for reply comment on or before April 25, 1969, a proposal to amend Part 31, Uniform System of Accounts for Class A and Class B Telephone Companies, to accomplish the following: (a) To transfer from the earned surplus accounts to the income accounts delayed, extraordinary and all other items now includible as entries to earned surplus except those pertaining to capital stock, the transfer of net income to earned surplus and appropriations of earned surplus; (b) to change all references to "earned surplus" and "capital surplus" to read "retained earnings" and "other capital," respectively; (c) to provide for intra-period allocation of income taxes by charging separate tax accounts for such taxes pertaining to operating income, "below-the-line" income, extraordinary and delayed income, and retained earnings entries; (d) to delete the accounts for reservations of income and to provide in lieu of the two surplus reservation accounts currently prescribed, a single account for all reservations of retained earnings; and (e) to make other changes occasioned by the foregoing such as number and title references.

2. Comments were received from the American Telephone and Telegraph Co. (AT&T), the GT&E Service Corporation (GT&E) and the Public Service Commission of Wyoming (Wyoming). No comments in reply to the original comments were received. Wyoming's only comment was that it had no objection

to the proposed amendments. AT&T indicated that it believes the proposed accounting will result in improved financial reporting, as well as serving to reduce the differences in accounting practices between industries. However, some of the principal comments of AT&T and GT&E were with respect to the accounting for delayed and extraordinary items in which our proposed accounting differs in certain respects from the generally accepted accounting principles adopted by the Accounting Principles Board (APB) of the American Institute of Certified Public Accountants (AICPA). In line with its comments, each company suggests that certain sections of Part 31 be further amended or amended in a manner somewhat different from that proposed in the notice of proposed rule making.

3. In December 1966 the APB issued its Opinion No. 9, "Reporting the Results of Operations." This Opinion was the result of a general review of reporting practices in which it was concluded that, beginning in 1967, net income should reflect all items of profit and loss recognized during the accounting period with the exception of material prior period adjustments, with large extraordinary items to be shown separately as an element of net income of the period. Under that Opinion material prior period adjustments are handled as adjustments of the opening balance of retained earnings and, therefore, are excluded from the determination of net income for the current period.

4. In the rules as finalized herein the term "delayed items" is defined to include all items relating to a prior accounting period, including interim and final adjustments of estimated amounts included in the accounts in prior years. However, under this accounting for delayed items, only those delayed items considered to be large enough to distort the current accounts, which were previously includible in surplus, will be included in the new accounts for delayed items, except that there may be included in account 402, "Miscellaneous credits to retained earnings," or account 413, "Miscellaneous debits to retained earnings," as appropriate, in addition to certain specified items, any other amounts which the Commission may approve or direct to be included therein. All other delayed items will be includible in the accounts in which they would have been included had the items not been delayed.

5. No criteria, other than judgment of the company, is now included in Part 31 for the measurement of what size of delayed item would result in distortion of the accounts and none is included in these amendments. However, it is to be noted that Annual Report Form M for telephone companies, starting with the report form for 1968, contains a new schedule 44, Delayed Items, in which are to be reported all delayed items included in the regular accounts that amount to \$100,000, or to 1 percent or more of total operating revenues, whichever is smaller. It is believed that the accounting finalized herein for delayed items, together



with the data which are to be reported annually in schedule 44, will provide adequate information for regulatory purposes with respect to all significant delayed items.

6. Most of the nonrecurring items which are currently includible in the surplus accounts are to be included in new extraordinary and delayed income accounts. Those items that pertain to capital stock transactions will continue to be included in the retained earnings accounts and a few items of a recurring nature, now includible in the surplus accounts, are listed for inclusion in "below-the-line" income accounts. As previously mentioned, APB Opinion No. 9 provides that only extraordinary items of material size should be excluded from ordinary income and shown separately. It seems appropriate, however, for regulatory purposes that the nature of the items rather than their size should determine whether they are extraordinary. The alternate accounting for the smaller extraordinary items specified in the APB Opinion, therefore, is, in our opinion, not acceptable for regulatory purposes. These items, which we propose to classify as extraordinary, include, among others, such items as profits and losses on sales of plant, provision for past unprovided for depreciation, and adjustments in connection with the reacquisition of company bonds and other evidences of debt. Furthermore, it seems to us that the showing of all extraordinary items in a separate account should not work a hardship on any company. In any event, the accounting is simplified since the items will always be chargeable to the same accounts based on the nature of the item without regard to size.

7. The new accounts prescribed in the attached Appendix for inclusion in Part 31 for delayed and extraordinary items are as follows: Account 360, "Extraordinary income credits," account 365, "Delayed income credits," account 370, "Extraordinary income charges," account 375, "Delayed income charges," and account 380, "Income tax effect of extraordinary and delayed items—Net." It is believed that the differences between the accounting set forth in the attached Appendix for these accounts and that to be performed under Opinion No. 9 are desirable from a regulatory viewpoint.

8. AT&T and GT&E urge that Part 31 be amended to provide for interperiod income tax allocation consistent with APB Opinion No. 11. We would point out that the matter of the interperiod allocation of Federal income taxes for rate purposes is a subject at issue in Docket No. 16258, In the Matter of Charges for Interstate and Foreign Communication Services by the American Telephone and Telegraph Co. and the Associated Bell System Cos. We, therefore, conclude that any consideration of amendment of Part 31 should be deferred until we have ruled on this matter for rate purposes.

9. AT&T and GT&E also suggest that certain expenses incurred in connection with proposed construction projects that are abandoned should be treated as oper-

ating expenses rather than as charges to the miscellaneous income charges account. This suggestion has not been adopted since we are of the opinion that this subject warrants more intensive study and consideration than it has received in this docket before we make any changes in our accounting rules along the lines suggested by AT&T and GT&E.

10. GT&E also takes exception to the proposed Note B to account 307, "Other operating taxes." This note permits telephone companies to spread Social Security taxes evenly over the year to the accounts benefited. GT&E objects on the grounds that such spreading of Social Security taxes would result in different treatment than that used in handling unemployment taxes. Also, that such method disregards the theory of recording an expense in the period in which the expense is incurred. The reference to Social Security taxes is used in the broad sense to cover all types of taxes applicable to wages. We have, therefore, changed the proposed language to "Social Security and certain other taxes" in the amendments adopted herein. The note is permissive only and is intended for the purpose of specifically providing for the use by all subject companies of procedures that have been used by the Bell System companies for the past several years with our approval. We feel that the use of the optional method results in a better allocation of taxes both to the proper months of the year and to the proper accounts and projects. Without the use of the optional method, construction projects performed during the latter months of the year would be charged with little or no taxes on wages since, for example, in the case of Social Security taxes, the taxable earnings maximum would have been reached earlier in the year.

11. Certain modifications suggested by AT&T are being made in the proposed amendments as follows:

(a) Section 31.304 is being deleted from the cross-references listed at the end of section 31.130;

(b) Sections 31.179, 31.402, and 31.413 have been added to the list of cross-references in section 31.166;

(c) In the note to section 31.166 and in the texts of §§ 31.129, 31.130, and 31.131 the words "of the period in which they are chargeable to income" have been added after the words "paid in advance";

(d) Section 31.402 has been amended to eliminate therefrom the proposed inclusion therein of the income tax effects of preferred stock dividends charged to account 416 since such amounts are to be included in account 306;

(e) The item in the item list of § 31.323 reading "Cost of abandoned projects" has been amended to read "Cost of abandoned construction projects";

(f) In §§ 31.365 and 31.375 the term "ordinary income" has been substituted for the term "normal income";

(g) In lieu of the suggestion that the seventh item in the item list of § 31.370 be amended to read "Lump sum dispositions (other than those chargeable to

account 614) of debit balances in account 100:4, 'Telephone plant acquisition adjustment,' and in account 201 'Organization,' reference to § 31.100:4(c)(3) has been added to this item; and

(h) The note to § 31.705 has been revised to provide that engineering costs included in account 705 that are applicable to abandoned construction projects shall be charged to account 323 and such costs applicable to contemplated purchases or sales shall be charged to account 370.

Certain other changes in the amendments as proposed were suggested by AT&T which changes, although carefully considered, have not been adopted in the rules as finalized herein.

12. Other minor amendments have also been included in the attached appendix. They consist principally of additional cross-reference revisions and changing references to "surplus" to read "retained earnings."

13. Necessary changes in Annual Report Form M and Monthly Report Form 901 that are occasioned by amendments to Part 31 made in this proceeding will be made the subject of a separate rule making proceeding at an early date.

14. Accordingly, it is ordered, That, under authority contained in sections 4 (i), 5(d)(1), and 220 of the Communications Act of 1934, as amended, Part 31, Uniform System of Accounts for Class A and Class B Telephone Companies, of the Commission's rules and regulations is amended as set forth below effective January 1, 1970.

15. It is further ordered, That this proceeding is hereby terminated.

(Secs. 4, 5, 220, 48 Stat., as amended, 1066, 1068, 1078; 47 U.S.C. 154, 155, 220)

Adopted: June 18, 1969.

Released: June 24, 1969.

FEDERAL COMMUNICATIONS  
COMMISSION,  
BEN F. WAPLE,  
Secretary.

Part 31—Uniform System of Accounts for Class A and Class B Telephone Companies is amended as follows:

1. Section 31.01-4 is amended to read as follows:

#### § 31.01-4 Unaudited items.

When the amount of any known item affecting these accounts cannot be accurately determined in time for inclusion in the accounts of the calendar year in which the transaction occurs, the amount of the item shall be estimated and included in the proper accounts. When the item is audited, the necessary adjustments shall be handled as a delayed item as provided in § 31.01-5(b). If during the interval between the date of inclusion of the item in the accounts and the date on which it is audited, a substantial difference from the initial estimate is determined, appropriate adjustments shall be made in the current accounts to cover such difference. The company is not required to anticipate minor items which would not appreciably affect these accounts.



2. Section 31.01-5 is amended to read as follows:

**§ 31.01-5 Delayed items.**

(a) The term "delayed items" means items which are accounted for in the current accounts with respect to transactions which occurred before the current calendar year. It includes adjustments of errors and additional entries with respect to items in the operating revenue, operating expense and other income accounts of prior years.

(b) Unless the inclusion of a delayed item in the current accounts would seriously distort those accounts, it shall be included in the same account in the current year that would have been credited or charged if the item had not been delayed. If the delayed item would seriously distort the current accounts, it shall be credited to account 365, "Delayed income credits," or charged to account 375, "Delayed income charges," as appropriate.

(c) The company shall keep such records as are necessary in order to show the full particulars with respect to all delayed items included in accounts 365 and 375 and also with respect to such other delayed items included in the ordinary accounts as are required to be reported in its annual report to the Commission.

3. In § 31.01-7, paragraph (a) is amended to read as follows:

**§ 31.01-7 Profits and losses from foreign exchange.**

(a) Profits and losses from premiums and discounts on foreign exchange shall be included, so far as practicable, in the accounts appropriate for the transactions in connection with which such items arise. For example, profits realized and losses suffered due to the difference in rates of exchange between the date that money is borrowed or loaned and the date of payment or collection shall be included in account 360, "Extraordinary income credits," or account 370, "Extraordinary income charges," as may be appropriate.

4. Section 31.1-10 is amended to read as follows:

**§ 31.1-10 Purpose of balance sheet accounts.**

The balance sheet accounts (100:1 to 181, inclusive) are designed to show the assets, liabilities, capital stock and retained earnings or deficit of the company.

5. In § 31.11, paragraph (b) is amended to read as follows:

**§ 31.1-11 Current assets.**

(b) The amount of any current asset written off shall be included in account 323, "Miscellaneous income charges," account 530, "Uncollectible operating revenues—Dr.," or other appropriate account.

6. In § 31.1-12, paragraph (b) is amended to read as follows:

**§ 31.1-12 Book cost of securities owned.**

(b) The company is allowed the option of writing down such book cost in recognition of the decline in value of the securities. It shall write down to a nominal amount or write off the book cost if there is no reasonable prospect of future substantial value. The amount of such adjustment shall be charged to account 370, "Extraordinary income charges."

7. In § 31.1-13, paragraphs (b), (c), (d), (e), (f), and (g) are amended to read as follows:

**§ 31.1-13 Company securities owned.**

(b) The necessary adjustments for the difference between (1) the face amount of bonds and other evidences of debt that have been reacquired and (2) the amounts actually paid therefor plus the expenses incurred in connection with their reacquisition shall be included, when a credit, in account 360, "Extraordinary income credits," and when a debit in account 370, "Extraordinary income charges." (See also § 31.1-15(f).) In the case of refinancing, amounts that ordinarily would thus be credited to account 360 or charged to account 370 may be made subject to amortization upon specific approval by the Commission in each instance.

(c) The necessary adjustments for the difference between (1) the face amount of bonds and other evidences of debt previously reacquired that are resold and (2) the amounts actually received therefor less the expense incurred in connection with their resale shall be included, when a credit, in account 360, "Extraordinary income credits," and when a debit, in account 370, "Extraordinary income charges."

(d) The necessary adjustments for the difference between (1) the book amount of capital stock that has been reacquired and (2) the amount actually paid for it plus the amount of expense incurred in connection with its reacquisition shall be included in account 179, "Other capital," except that the excess of a debit adjustment over the balance in account 179, applicable to capital stock of the same class, shall be charged to account 413, "Miscellaneous debits to retained earnings": *And, provided further*, That a credit adjustment shall be included in account 402, "Miscellaneous credits to retained earnings," to the extent that any previous charges to retained earnings on account of transactions in the same class of stock have not been offset by previous credits to retained earnings on account of such transactions.

(e) The necessary adjustments for the difference between (1) the book amount of capital stock that previously has been reacquired and is resold, and (2) the amount actually received for it less the amounts of expense incurred in connection with its resale shall be included in account 179, "Other capital," except that the excess of a debit adjustment over the balance in account 179 applicable to capital stock of the same class shall be charged to account 413, "Miscellaneous

debts to retained earnings": *And, provided further*, That a credit adjustment shall be credited to account 402, "Miscellaneous credits to retained earnings," to the extent that any previous charges to retained earnings on account of transactions in capital stock of the same class have not been offset by previous credits to retained earnings on account of such transactions.

(f) The company's records shall be so maintained that in reports to the Commission there may be shown the extent to which the retained earnings accounts have been charged and credited in connection with transactions in each class of capital stock.

(g) The book amount for nonpar stock reacquired shall be obtained by first ascertaining the amount in account 150, "Capital stock," for the particular class of stock before the reacquisition. In this amount shall be included the proceeds realized at the sale, the amount of any assessments against stockholders, the amounts transferred to account 150 from retained earnings less any amount which has been distributed from account 150 to the stockholders in liquidation. The amount thus ascertained shall be prorated to the shares reacquired on the basis of the proportion that the reacquired shares bear to the total number of shares actually outstanding immediately prior to their reacquisition. (Note also accounts 104, 105, 136, and 137.)

8. In § 31.1-14, paragraph (e) is amended to read as follows:

**§ 31.1-14 Discount and premium on capital stock.**

(e) When capital stock which has been actually issued or assumed by the company is reacquired the proportion (based upon the relation of the amount of stock reacquired to the total amount of that particular class or series of stock outstanding before its reacquisition) of the balance in the discount and premium account with respect to the stock reacquired shall be cleared to account 179, "Other capital," except that any excess of a debit amount over the balance in account 179 applicable to capital stock of the same class shall be charged to account 413, "Miscellaneous debits to retained earnings": *And, provided further*, That a credit amount shall be credited to account 402, "Miscellaneous credits to retained earnings," to the extent that any previous charges to account 413 on account of transactions in capital stock of the same class have not been offset by previous credits to account 402 on account of such transactions.

9. In § 31.1-15, paragraphs (c) and (f) are amended to read as follows:

**§ 31.1-15 Discount, premium, and expense on long-term debt.**

(c) The company may extinguish at any time through charges to account 370, "Extraordinary income charges," all or any part of the debit balance remaining



in any particular discount, premium, and debt expense account.

(f) Except as provided in paragraphs (c), (d), and (e) of this section, the balance in each of these accounts shall be carried until the reacquirement of the securities to which it relates at which time the proportion (based upon the relation of the amount of long-term debt reacquired to the total amount of that particular class or series of long-term debt outstanding before its reacquirement) of the balance in the discount, premium and debt expense account with respect to the long-term debt reacquired shall be cleared to account 360, "Extraordinary income credits," or account 370, "Extraordinary income charges," as appropriate. In the case of refinancing, amounts that ordinarily would thus be charged or credited to the extraordinary income accounts may be made subject to amortization upon specific approval of the Commission in each instance. (See also § 31.1-13(b).)

10. Section 31.1-18 is revoked.

§ 31.1-18 [Revoked]

11. In § 31.100:4, paragraph (c) (1) and Note A are amended to read as follows:

§ 31.100:4 Telephone plant acquisition adjustment.

(c) . . . .

(1) Debit amounts may be charged to account 370, "Extraordinary income charges," in whole or in part, or amortized over a reasonable period through charges to account 323, "Miscellaneous income charges," without further direction or approval by this Commission. Should a carrier desire the disposition of debit amounts in any manner other than as herein provided, it shall request that the Commission (i) approve recommended disposition or (ii) direct appropriate disposition according to the circumstances involved in each transaction.

NOTE A: Disposition as herein provided is for accounting purposes only and shall not be construed as determining or controlling the amount or disposition of the items in a rate or other proceedings, nor shall anything contained in paragraph (c) of this section be construed as precluding the Commission from subsequently requiring disposition of such amounts in a different manner or from altering a previously determined amortization period.

12. Section 31.129 is amended to read as follows:

§ 31.129 Prepaid rents.

This account shall include the amounts of rents paid in advance of the period in which they are chargeable to income, except amounts chargeable to telephone plant under construction and minor amounts which may be charged direct to the final accounts. As the term expires for which the rents are paid, this account shall be credited at monthly intervals and the appropriate account

charged. (Note also §§ 31.2-22(b) (9), 31.2-23(a), 31.303, 31.315, 31.671, 31.702, 31.704, 31.705, 31.706, and 31.707.)

13. Section 31.130 is amended to read as follows:

§ 31.130 Prepaid taxes.

This account shall include the amounts of taxes paid in advance of the period in which they are chargeable to income, except amounts chargeable to telephone plant under construction and minor amounts which may be charged direct to the final accounts. As the term expires for which the taxes are paid, this account shall be credited at monthly intervals and the appropriate account charged. (Note also §§ 31.2-22(b) (8), 31.306, 31.307, 31.326 and 31.327.)

14. Section 31.131 is amended to read as follows:

§ 31.131 Prepaid insurance.

This account shall include the amount of insurance premiums paid in advance of the period in which they are chargeable to income, except premiums chargeable to telephone plant under construction and minor amounts which may be charged direct to the final accounts. As the term expires for which the premiums are paid, this account shall be credited at monthly intervals and the appropriate account charged.

15. In § 31.134:2, paragraphs (b) and (c) are amended to read as follows:

§ 31.134:2 Capital stock expense.

(b) When any issue of capital stock, or a portion thereof, is reacquired, there shall be credited to this account and charged to account 179, "Other capital," the amount herein with respect to such stock, except that any excess of such amount over the balance in account 179 applicable to capital stock of the same class, shall be charged to account 413, "Miscellaneous debits to retained earnings."

(c) The company may amortize or write off the balance carried in this account by credits hereto and concurrent charges to account 179, "Other capital," or to account 413, "Miscellaneous debits to retained earnings," in case the amount exceeds the balance in account 179 applicable to the same class of stock.

16. Section 31.139 is amended to read as follows:

§ 31.139 Other deferred charges.

This account shall include all deferred charges not provided for elsewhere, such as unaudited amounts and other debit balances in suspense that cannot be cleared and disposed of until additional information is received; debit balances in clearing accounts; the amount, pending determination of loss, of funds on deposit with banks which have failed; assets of current character but of doubtful value (note also § 31.1-11); revenue, expense, and income items held in suspense (note also § 31.01-6); amounts paid for options pending final disposition; the cost of preliminary surveys, plans, investigations, etc., made for de-

termining the feasibility of construction projects under contemplation. If the contemplated projects are carried out, the preliminary costs shall be included in the cost of the plant constructed. If the contemplated projects are abandoned, the preliminary costs shall be charged to account 323, "Miscellaneous income charges." This account shall include also the cost of valuations, inventories, and appraisals taken in connection with the contemplated acquisition or sale of property. If the property is subsequently acquired, the preliminary costs shall be accounted for as a part of the cost of acquisition, or if it is sold, such costs shall be deducted from the sale price in accounting for the property sold. If contemplated purchases or sales are abandoned, the preliminary costs included herein (including options paid, if any) shall be charged to account 370, "Extraordinary income charges."

17. In § 31.159:2, paragraph (a) is amended to read as follows:

§ 31.159:2 Other accounts payable.

(a) This account shall include amounts currently due to nonaffiliated companies and individuals, and not provided for in other accounts, such as those for wages, traffic settlements, material and supplies, repairs to telephone plant, matured rents, and interest payable under monthly settlements on short-term loans, advances, and open accounts. It shall also include amounts of taxes payable that have been withheld from employees' salaries.

18. Section 31.166 is amended to read as follows:

§ 31.166 Taxes accrued.

This account shall include the amount of unpaid taxes accrued. (Note also §§ 31.2-22(b) (8), 31.159:2, 31.179, 31.304, 31.306, 31.307, 31.326, 31.327, 31.380, 31.402, and 31.413.)

NOTE: Taxes paid in advance of the period in which they are chargeable to income shall be included in account 130.

19. In § 31.169, paragraph (a) is amended to read as follows:

§ 31.169 Insurance reserve.

(a) This account shall be credited with appropriations of retained earnings specifically made to cover self-carried risks for losses through accident, fire, flood, or other causes.

20. In § 31.170, paragraph (a) is amended to read as follows:

§ 31.170 Provident reserve.

(a) This account shall include specific appropriations of retained earnings and the amounts contributed by employees or others (whether carried in special trust funds or in the general funds of the company) for pensions, accident and death benefits, savings, relief, hospital and other provident purposes, when administered by trustees or managers acting for the company.



21. In § 31.171 paragraph (a) is amended to read as follows:

§ 31.171 Depreciation reserve.

(a) This account shall be credited with amounts concurrently charged to account 608, "Depreciation," and to clearing accounts for currently accruing depreciation of telephone plant. (Note also §§ 31.02-80 to 31.02-82.) It shall also be credited with any amounts which the company may elect to charge to account 370, "Extraordinary income charges," and include in this account with respect to past accrued depreciation not provided for. (Note also §§ 31.174(b), 31.2-20(b), 31.2-21, and 31.315.)

22. In § 31.172, paragraphs (b) and (c) are amended to read as follows:

§ 31.172 Amortization reserve.

(b) This account shall be credited with any amounts concurrently charged to account 323, "Miscellaneous income charges," to provide a reserve for the retirement of amounts carried in account 201, "Organization." It shall also be credited with any amounts of amortization which this Commission may authorize under a plan to amortize the balance in account 100:4, "Telephone plant acquisition adjustment."

(c) When any leasehold carried in account 211, "Land," or any franchise or patent expires, is sold, is relinquished, or is otherwise retired from service, or when the amortization of an amount in account 201 is completed, this account shall be charged with the amount included herein with respect to the property going out of service. The original cost of the property so retired less the amount chargeable to this account and less any proceeds realized at retirement shall be included in account 360, "Extraordinary income credits," or in account 370, "Extraordinary income charges," as appropriate. (Note also § 31.2-25(f).)

23. In § 31.174, paragraph (b) is amended to read as follows:

§ 31.174 Other deferred credits.

(b) When miscellaneous physical property not previously used in telephone service is disposed of, this account shall be charged with the amount previously credited hereto with respect to such property and the book cost of the property so retired less the amount chargeable to this account and less the value of the salvage recovered or the proceeds from the sale of the property shall be included in account 360, "Extraordinary income credits," or in account 370, "Extraordinary income charges," as appropriate. In case the property had been used in telephone service previous to its inclusion in account 103, "Miscellaneous physical property," the amount accrued for depreciation thereon after its retirement from telephone service shall be charged to this account and credited to account 171, "Depreciation reserve," and the accounting for its retirement from

account 103 shall be in accordance with that applicable to telephone plant retired. (Note also § 31.2-25.)

24. Section 31.179 is amended to read as follows:

§ 31.179 Other capital.

(a) Among the amounts includible in this account are credits arising from the reacquisition and resale, from the retirement and cancellation, from a reduction of a stated value, and from the donation by stockholders of the company's capital stock; capital arising from the forgiveness of debt of the company; capital recorded upon the reorganization or recapitalization of the company; and amounts that become the property of the company as a result of a forfeiture by others of deposits on subscriptions to capital stock and of installments paid on capital stock.

(b) All items included in this account shall be entered herein net of income tax effect, if any.

NOTE: When the circumstances under which debt is forgiven indicate that its forgiveness is an adjustment of retained earnings it may be treated as such upon the approval by this Commission in the specific instance.

25. The undesignated center heading preceding § 31.180 reading "Earned Surplus" is amended to read "Retained Earnings".

26. Section 31.180, including the heading, is amended to read as follows:

§ 31.180 Retained earnings reserved.

(a) This account shall include the amount of retained earnings reserved or otherwise set aside for any purpose not provided for elsewhere. (Note § 31.3-31.)

(b) Separate subaccounts shall be maintained under such titles as will designate the purpose for which each reserve recorded hereunder was created.

27. Section 31.181, including the heading, is amended to read as follows:

§ 31.181 Unappropriated retained earnings.

(a) This account shall include the undistributed balance of retained earnings derived from the operations of the company and from all other transactions not includible in the other accounts appropriate for inclusion of stockholders equity.

(b) The retained earnings analysis accounts (400 to 416, inclusive), wherein are recorded all entries to retained earnings during the year, shall be closed into this account as at the end of the year.

28. In § 31.2-22, paragraph (b)(8) is amended to read as follows:

§ 31.2-22 Cost of construction.

(b) \* \* \*

(8) "Taxes" includes social security and similar taxes on wages applicable to plant construction and taxes on physical property during construction and before the facilities are completed ready for service which are assessed separately from taxes on operating property or under conditions which permit separate

identification or allocation of the amount chargeable to construction.

29. In § 31.2-25, paragraphs (c), (d), (f), and (g) are amended to read as follows:

§ 31.2-25 Telephone plant retired.

(c) Leaseholds: The accounting for leaseholds retired shall be as provided for in the text of account 172, "Amortization reserve."

(d) Land: The original cost of land retired shall be credited to account 211, "Land." If the land is sold, the difference between such original cost and the sale price (less commissions and other expenses of making the sale) of the land shall be credited to account 360, "Extraordinary income credits," or debited to account 370, "Extraordinary income charges," as appropriate. If the land is retained by the company and held for sale, its cost shall be charged to account 103, "Miscellaneous physical property."

(f) The accounting for the retirement of organization, franchises, patent rights, and other intangible property shall be as provided for in the texts of account 100:4, "Telephone plant acquisition adjustment," account 172, "Amortization reserve," and account 370, "Extraordinary income charges."

(g) When telephone plant is sold together with the telephone traffic associated therewith, the original cost of the property shall be credited to the appropriate plant accounts and the estimated amounts carried with respect thereto in the depreciation and amortization reserve accounts shall be charged to such reserve accounts. The difference, if any, between (1) the net amount of such debit and credit items and (2) the consideration received (less commissions and other expenses of making the sale) for the property shall be included, if a credit, in account 360, "Extraordinary income credits," and if a debit, in account 370, "Extraordinary income charges." The accounting for depreciable telephone plant sold without the traffic associated therewith shall be in accordance with the accounting provided in § 31.171(b).

30. In § 31.202, Note B is amended to read as follows:

§ 31.202 Franchises.

NOTE B: Franchise taxes payable annually or more frequently shall be charged to account 307, "Other operating taxes."

31. Section 31.3-30 is amended to read as follows:

§ 31.3-30 Purpose of income accounts.

The income accounts (300 to 380, inclusive) are designed to show as nearly as practicable for each calendar year the total operating revenues; the total operating expenses; the income and other operating taxes of the company; the income from securities owned; the net income from property not used in the company's communication operations;



amounts accrued for interest costs; credits from interest charged to construction; miscellaneous income, expenses, and taxes; rents from and for operating property; and extraordinary and delayed income credits and charges. The net balance in the income accounts shall be cleared to account 400, "Balance transferred from income accounts."

32. Section 31.3-31 is amended to read as follows:

**§ 31.3-31 Income from sinking and other funds.**

When interest and other income arising from funds carried in account 104, "Sinking funds," account 136, "Provident funds," or account 137, "Insurance and other funds" (note also account 314) are required by the mortgage or other provisions to be held in the funds, they shall be charged to those accounts. If such funds are represented by a reserve established through reservations of retained earnings, amounts so set aside shall be charged to account 415, "Reservations of retained earnings," and credited to account 169, "Insurance reserve," account 170, "Provident reserve," account 173, "Employment stabilization reserve," or account 180, "Retained earnings reserved," as may be appropriate.

33. Section 31.305 is revoked.

**§ 31.305 [Revoked]**

34. New § 31.306 is added as follows:

**§ 31.306 Federal income taxes—Operating.**

(a) This account shall include the amount of Federal income taxes relating to telephone operations for the accounting period including the income tax effect of all items included in accounts 300, 301, 302, 303, 307, 335, 336, 338, 339, and 340. It shall also include any income tax effects of sales of plant or items previously included in plant for which no book profit or loss is recorded, tax effects of casualties to plant and tax effects of dividends on preferred stock charged to account 416. Taxes accrued through this account prior to their payment shall be credited to account 166, "Taxes accrued." (See also §§ 31.304, 31.307, 31.326, 31.327, 31.380, 31.402, and 31.413.)

(b) Taxes should be accrued each month on an estimated basis and adjustments made as later data become available. Amounts so accrued shall be credited to account 166, "Taxes accrued."

NOTE A: No entries shall be made in this account to reflect interperiod allocation of taxes except as provided in Case 26.

NOTE B: Taxes not includible in this account shall be accounted for as provided in §§ 31.2-22(b)(8), 31.179, 31.304, 31.307, 31.326, 31.327, 31.380, 31.402, or 31.413, as appropriate.

35. New § 31.307 is added as follows:

**§ 31.307 Other operating taxes.**

(a) This account shall include all taxes, other than Federal income taxes, relating to telephone operations. Among the taxes includible in this account are property, gross receipts, franchise, capital stock, Social Security (see Note B), unemployment and the tax effect of State

and local income taxes on items included in accounts 300, 301, 302, 303, 306, 335, 336, 338, 339, 340, and from items included in this account.

(b) Taxes on telephone plant leased to others shall be included in this account by the owner. (See also Note H.)

NOTE A: Taxes which are not includible in this account shall be accounted for as provided in §§ 31.2-22(b)(8), 31.179(b), 31.304, 31.306, 31.326, 31.327, 31.380, 31.402, or 31.413, as appropriate.

NOTE B: Social Security and certain other taxes are higher in the earlier months than in the later months of the year as a result of taxes ceasing with respect to an employee once he has reached the established maximum of taxable wages. This frequently results in spreading such taxes in a manner inconsistent with the occurrence of labor charges during the year. In order to spread such taxes in a more equitable manner, the taxes applicable to the monthly payroll may be charged initially to a clearing account under account 139, "Other deferred charges," and credited to account 166, "Taxes accrued." The clearing account shall then be credited each month and this account, plant under construction and other appropriate accounts shall be charged with such amounts as will properly allocate the total estimated annual Social Security taxes on the basis of the relationship of the labor charges to operations, construction and other accounts during the month to the estimated total annual payroll.

NOTE C: Special assessments for street and other improvements and special benefit taxes, such as water taxes and the like, shall be included in the operating expense accounts or investment accounts, as may be appropriate.

NOTE D: Discounts allowed for prompt payments of taxes shall be credited to the account to which the taxes are chargeable.

NOTE E: Interest on tax assessments which are not paid when due shall be included in account 336, "Other interest deductions."

NOTE F: Taxes paid by the company under tax-free covenants on indebtedness shall be charged to account 340, "Other fixed charges."

NOTE G: Sales and use taxes shall be accounted for, so far as practicable, as a part of the cost of the items to which the taxes relate.

NOTE H: Taxes on rented telephone plant which are borne by the lessee shall be credited by the owner to account 524, "Rent revenues," or to account 302, "Rent from lease of operating property," as appropriate, and shall be charged by the lessee to account 671, "Operating rents," or to account 303, "Rent for lease of operating property," as appropriate.

36. In § 31.313, paragraph (d) is amended to read as follows:

**§ 31.313 Interest income.**

(d) There may be included in this account for each month the applicable amount requisite to extinguish, during the interval between the date of acquisition and date of maturity, the difference between the purchase price and the par value of securities owned, the income from which is includible in this account. Amounts thus credited or charged shall be concurrently included in the accounts in which the securities are carried. Any such difference remaining unextinguished at the sale or upon the maturity and satisfaction of such securities shall

be cleared to account 360, "Extraordinary income credits," or to account 370, "Extraordinary income charges," as appropriate.

37. In § 31.314, paragraph (b) is amended to read as follows:

**§ 31.314 Income from sinking and other funds.**

(b) There may be included in this account for each month the applicable amount requisite to extinguish, during the interval between the date of acquisition and the date of maturity, the difference between the purchase price and the par value of securities held in sinking or other funds. Amounts thus credited or charged shall be concurrently included in the accounts in which the securities are carried. Any such difference remaining unextinguished upon the maturity and satisfaction of such securities shall be cleared to account 360, "Extraordinary income credits," or to account 370, "Extraordinary income charges," as appropriate.

39. In § 31.315, Note B is amended to read as follows:

**§ 31.315 Income from miscellaneous physical property.**

NOTE B: Taxes on miscellaneous physical property shall be included in account 327.

39. Section 31.316 is amended to read as follows:

**§ 31.316 Miscellaneous income.**

This account shall include all items, not provided for elsewhere, properly creditable to income.

**ITEMS**

(Note § 31.01-8)

Fees collected in connection with the exchange of coupon bonds for registered bonds.  
Profits from the telephone operations of other companies realized by the company under contracts.  
Profits realized from custom work performed for others not incident to the company's telephone operations.  
Profits realized on sale of temporary cash investments.

40. Section 31.322 is revoked.

**§ 31.322 [Revoked]**

41. Section 31.323 is amended to read as follows:

**§ 31.323 Miscellaneous income charges.**

This account shall include all items not provided for elsewhere properly chargeable to income.

**ITEMS**

(Note § 31.01-8)

Amortization of amounts included in account 201, "Organization."  
Contributions for charitable, social or community welfare purposes.  
Cost of abandoned construction projects.  
Current expenses of trustees in maintaining and administering trusts incident to outstanding debt of the company.



Losses realized on sale of temporary cash investments.

Uncollectible amounts previously credited to accounts 312 to 316, inclusive. (See also § 31.1-11 and note to account 530.)

42. New § 31.326 is added as follows:

§ 31.326 Federal income taxes—Nonoperating.

This account shall include the amount of Federal income taxes and the reductions in such income taxes that are applicable to items included in accounts 312, 313, 314, 315, 316, 323, and 327.

43. New § 31.327 is added as follows:

§ 31.327 Other nonoperating taxes.

(a) This account shall include the amount of State and local income, gross receipts and similar taxes and reductions in such taxes that are applicable to items includible in accounts 312, 313, 314, 315, 316, 323, and 326. (See particularly Note B to § 31.307.)

(b) This account shall also include taxes on miscellaneous physical property, taxes on wages not applicable to operations or construction, and all other taxes not provided for elsewhere. (See §§ 31.2-22(b) (8), 31.179, 31.304, 31.306, 31.307, 31.326, 31.380, 31.402, and 31.413.)

NOTE A: Special assessments for street and other improvements and special benefit taxes, such as water taxes and the like, shall be included in the operating expense accounts or investment accounts, as may be appropriate.

NOTE B: Discounts allowed for prompt payment of taxes shall be credited to the account to which the taxes are chargeable.

NOTE C: Interest on tax assessments which are not paid when due shall be included in account 336, "Other interest deductions."

44. In § 31.335, paragraph (a) is amended to read as follows:

§ 31.335 Interest on funded debt.

(a) This account shall include the current accruals of interest on all classes of debt the principal of which is includible in account 154:1, "Funded debt," and account 155, "Receivers' certificates." (Note also § 31.2-22(b) (10).) It shall also include the interest on funded debt the maturity of which has been extended by specific agreement.

45. Sections 31.341, 31.342, and 31.343 are revoked and the undesignated center headings reading "Contingent Interest" and "Disposition of Net Income" which precede and follow revoked § 31.341 are deleted.

§§ 31.341, 31.342, and 31.343 [Revoked]

46. Insert a new undesignated center heading reading "Extraordinary and Delayed Items" following § 31.340.

47. New § 31.360 is added as follows:

§ 31.360 Extraordinary income credits.

This account shall include credits to income resulting from nonrecurring transactions that are not customary business activities of the company.

## ITEMS

(Note § 31.01-8)

Amounts to extinguish the credit balance in the discount, premium and debt-expense accounts relating to long-term debt reacquired. (Note § 31.1-15.)

Amounts received for abrogation of contracts by others.

Credits from adjustments in connection with the reacquisition of company bonds and other evidences of debt.

Forfeitures by others of deposits under options relating to the sale or lease of property.

Profits derived from the resale of interest-bearing company securities.

Profits derived from disposal of securities of others, except temporary cash investments. (See § 31.316.)

Profits derived from the sale of unexpired leases.

Profits derived from the sale of land used in telephone service and from telephone plant sold with traffic. (Note § 31.2-25 (d) and (g).)

Profits derived from the sale of land carried in account 103 and from the sale of depreciable property in account 103 that had not previously been used in telephone service. (Note § 31.174.)

48. New § 31.365 is added as follows:

§ 31.365 Delayed income credits.

This account shall include the amount of delayed credits relating to operating revenue, operating expense and other income accounts that are excluded from ordinary income for the current year by the provisions of § 31.01-5.

49. New § 31.370 is added as follows:

§ 31.370 Extraordinary income charges.

This account shall include charges to income resulting from nonrecurring transactions that are not customary business activities of the company.

## ITEMS

(Note § 31.01-8)

Debits from adjustments in connection with the reacquisition of company bonds and other evidences of debt. (Note §§ 31.1-13 (b) and 31.1-15.)

Losses of funds due to bank failures.

Losses resulting from the resale of interest-bearing company securities.

Losses resulting from the sale of land used in telephone service and from telephone plant sold with traffic. (Note § 31.2-25 (d) and (g).)

Losses resulting from sale of land carried in account 103 and from sale, destruction or retirement of depreciable property in account 103 that had not previously been used in telephone service. (Note § 31.174.)

Losses resulting from disposal of securities of others, except temporary cash investments. (See § 31.323.)

Lump sum disposition of debit balances in account 100:4, "Telephone plant acquisition adjustment," and in account 201, "Organization." (See also § 31.100.4(c) (3).)

Penalties for abrogation of contracts.

Penalties and fines paid on account of violations of statutes.

Provision for past unprovided for depreciation. (Note § 31.171.)

Write down or write off of securities owned in recognition of a decline in value. (Note §§ 31.1-11 and 31.1-12.)

50. New § 31.375 is added as follows:

§ 31.375 Delayed income charges.

This account shall include the amount of delayed charges applicable to operating revenue, operating expense and other income accounts that are excluded as deductions from ordinary income for the current year by the provisions of § 31.01-5.

51. New § 31.380 is added as follows:

§ 31.380 Income tax effect of extraordinary and delayed items—Net.

This account shall include all income tax effects of items included in accounts 360, "Extraordinary income credits," 365, "Delayed income credits," 370, "Extraordinary income charges," and 375, "Delayed income charges." This account shall also include the income tax effect, not provided for elsewhere, of profits and losses from nonrecurring transactions that are recognized for income tax purposes but for which no profit or loss is recorded in the accounts. The records supporting the entries in this account shall be maintained with sufficient particularity to identify each amount included herein with the extraordinary or delayed item to which it is attributable.

52. The undesignated center heading preceding § 31.4-40 reading "Instructions for Earned Surplus Accounts" is amended to read "Instructions for Retained Earnings Accounts".

53. Section 31.4-40, including the heading, is amended to read as follows:

§ 31.4-40 Purpose of retained earnings accounts.

The retained earnings accounts (400 to 416, inclusive) are designed to provide an analysis of all increases and decreases in the company's retained earnings or deficit during each calendar year resulting from (a) the operations and other transactions during the year reflected in net income transferred from income accounts, (b) appropriations or other reservations of retained earnings for specific purposes, (c) dividends declared and (d) entries relating to capital stock of the company which increase or decrease retained earnings. No entries shall be made directly to account 181, "Unappropriated retained earnings." The balance of accounts 400 to 416, inclusive shall be closed into account 181 at the end of each calendar year.

54. The undesignated center heading preceding § 31.400 reading "Earned Surplus Accounts" is amended to read as "Retained Earnings Accounts".

55. Section 31.400, including the heading, is amended to read as follows:

§ 31.400 Balance transferred from income accounts.

This account shall include the net income for the year after extraordinary and delayed income credits and charges that is transferred to retained earnings. As at the end of the year the balance of all income primary accounts (300 to 380, inclusive) shall be closed into this account.

56. Section 31.401 is revoked.



§ 31.401 [Revoked]

57. Section 31.402, including the headnote, is amended to read as follows:

§ 31.402 Miscellaneous credits to retained earnings.

This account shall include credits to retained earnings arising from the reacquisition and resale of the company's capital stock which are not includible in account 179 (note § 31.1-13 (d), (e) and (f)); the amount of unclaimed dividends; restorations to retained earnings of amounts previously appropriated therefrom; any income tax effect of items included in account 413; and any other amounts which the Commission may approve or direct to be included herein.

58. Section 31.410 is revoked.

§ 31.410 [Revoked]

59. Section 31.413, including the headnote, is amended to read as follows:

§ 31.413 Miscellaneous debits to retained earnings.

This account shall include amounts arising from the reacquisition and resale of the company's capital stock which are not chargeable to account 179 (note § 31.1-13 (d), (e) and (f)); the amounts of capital-stock expense written off which are not chargeable to account 179 (note § 31.134:2); appropriations to nonpar stock accounts; any income tax effect of items included in account 402; and any other amounts the Commission may approve or direct to be included herein.

60. Section 31.414 is revoked.

§ 31.414 [Revoked]

61. Section 31.415, including the headnote, is amended to read as follows:

§ 31.415 Reservations of retained earnings.

This account shall include all reservations of retained earnings required under the terms of mortgages, deeds of trust, orders of courts or regulatory authorities, contracts, or other agreements, and retained earnings reserved at the company's discretion.

NOTE: Amounts charged to this account shall be concurrently credited to the appropriate reserve accounts.

62. In § 31.416, the headnote and paragraph (a) are amended to read as follows:

§ 31.416 Dividends declared.

(a) This account shall include dividends declared on capital stock actually outstanding.

63. In § 31.524, Note A is amended to read as follows:

§ 31.524 Rent revenues.

NOTE A: The expense of maintaining and operating the rented property, including depreciation and insurance shall be included in the appropriate operating expense accounts. Taxes applicable to the rented property shall be included by the owner of the

rented property in account 307. "Other operating taxes."

64. In § 31.530, the note is amended to read as follows:

§ 31.530 Uncollectible operating revenues—Dr.

NOTE: Uncollectible amounts which have not been treated as operating revenues shall be charged to account 323, "Miscellaneous income charges," account 370, "Extraordinary income charges," or other appropriate account.

65. In § 31.673, Note B is amended to read as follows:

§ 31.673 Telephone franchise requirements.

NOTE B: Franchise taxes paid annually or more frequently shall be charged to account 307, "Other operating taxes."

66. In § 31.705, the Note is amended to read as follows:

§ 31.705 Engineering expense.

NOTE: Expenses included in this account incurred in connection with projects which are abandoned shall be cleared to account 323, "Miscellaneous income charges," if they pertain to construction projects and to account 370, "Extraordinary income charges," if they pertain to contemplated purchases or sales. (See also § 31.139.)

67. In Appendix A to Part 31, Cases 2 and 13 are deleted and Cases 10, 11, and 21 are amended as follows:

APPENDIX A

INTERPRETATIONS OF THE ACCOUNTING REQUIREMENTS CONTAINED IN THIS SYSTEM OF ACCOUNTS

- a. Case 2 of Appendix A is deleted.
- b. Case 10 of Appendix A is amended to read as follows:

Case 10-R-1 (Cancels Case 10)

JANUARY 1, 1970.

STATEMENT OF FACTS

Amounts included in account 100:4, "Telephone plant acquisition adjustment," subdivided as provided in the text of the account, may include the following:

- (a) Debit amounts with respect to one or more transactions which in the opinion of the carrier should be charged to account 370, "Extraordinary income charges."
- (b) Credit amounts with respect to transactions other than those reflected in the debit amounts mentioned in the preceding subparagraph, or of a different character, which have not been submitted to the Commission for its consideration.

Question: May all or any of such credit amounts be netted with all or any of such debit amounts and the resulting debit amount charged to account 370 or amortized, without further direction or approval, as provided in § 31.100:4(c)(1)?

Answer: No. Only amounts referred to in subparagraph (a), aforementioned, may be treated as provided in § 31.100:4(c)(1). Amounts of the character referred to in subparagraph (b) of the "statement of facts" shall be submitted to the Commission as required by § 31.100:4(c)(2).

c. Case 11 of Appendix A is redesignated as Case 11-R-1 and question and answer (a)

and question and answer (b) are amended to read as follows:

Case 11-R-1 (Cancels Case 11)

JANUARY 1, 1970.

Question (a): May the cost to the merging company (A), at the time of the merger, of the total net assets taken over be determined by adding to the amount which the A Company paid for the B and C Companies' common stocks the amounts of the now outstanding investment advances made by it to these subsidiaries, and deducting from this total the decrease in retained earnings suffered by Companies B and C since 1933?

Answer (a): Yes, for B Company, C Company's retained earnings should be adjusted to reflect its retained earnings at date of acquisition of C Company by B Company.

Question (b): Should the decrease in retained earnings of the two subsidiary companies since the respective dates of acquisition be charged directly against the retained earnings account of the A Company?

Answer (b): Yes.

d. Case 13 of Appendix A is deleted.

e. Case 21 of Appendix A is redesignated as Case 21-R-1 and the answer is amended to read as follows:

Case 21-R-1 (Cancels Case 21)

JANUARY 1, 1970.

Answer: Account 152, "Premium on capital stock," account 134:1, "Discount on capital stock," and the respective capital stock accounts are intended to include the amounts received from purchasers of capital stock, but not expenses of issuing and selling the stock. For each class and series of capital stock there should be recorded separately in the prescribed accounts the par or stated value of the stock, discount or premium, and the expenses incurred in connection with the issuance and sale of the stock.

[F.R. Doc. 69-7554; Filed, June 25, 1969; 8:50 a.m.]

## Title 21—FOOD AND DRUGS

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

#### SUBCHAPTER B—FOOD AND FOOD PRODUCTS

#### PART 31—NONALCOHOLIC BEVERAGES

Soda Water, Identity Standard; Order Listing Fructose, Gluconic Acid, and Gluconate Salts of Calcium, Magnesium, Potassium, or Sodium as Optional Ingredients

In the matter of amending the definition and standard of identity for soda water (21 CFR 31.1) to permit the use of fructose, gluconic acid, and gluconate salts of calcium, magnesium, potassium, or sodium as optional ingredients:

No comments were received in response to a notice of proposed rulemaking in the above-identified matter that was published in the FEDERAL REGISTER of March 20, 1969 (34 F.R. 5436), and set forth a proposal by Dawe's Laboratories, Inc., 4800 South Richmond Street, Chicago, Ill. 60632.



On the basis of the information submitted in the petition and other relevant material, the Commissioner of Food and Drugs concludes that it will promote honesty and fair dealing in the interest of consumers to adopt the proposal.

Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055, as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371) and under authority delegated to the Commissioner (21 CFR 2.120): It is ordered, That § 31.1(b) (1), (4), and (5) be revised to read as follows:

§ 31.1 Soda water; identity; label statement of optional ingredients.

(b) \* \* \*

(1) Nutritive sweeteners consisting of the dry or liquid form of sugar, invert sugar, dextrose, fructose, corn sirup, glucose sirup sorbitol, or any combination of two or more of these.

(4) One or more of the acidifying agents acetic acid, adipic acid, citric acid, fumaric acid, gluconic acid, lactic acid, malic acid, phosphoric acid, or tartaric acid.

(5) One or more of the buffering agents consisting of the acetate, bicarbonate, carbonate, chloride, citrate, gluconate, lactate, orthophosphate, or sulfate salts of calcium, magnesium, potassium, or sodium.

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

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

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

Dated: June 19, 1969.

J. K. KIRK,  
Associate Commissioner  
for Compliance.

[F.R. Doc. 69-7523; Filed, June 25, 1969;  
8:47 a.m.]

## Title 49—TRANSPORTATION

### Chapter I—Hazardous Materials Regulations Board, Department of Transportation

[Docket No. HM-16; Amdts. 172-3, 173-8]

#### PART 172—COMMODITY LIST OF EXPLOSIVES AND OTHER DANGEROUS ARTICLES CONTAINING THE SHIPPING NAME OR DESCRIPTION OF ALL ARTICLES SUBJECT TO PARTS 171-179 OF THIS CHAPTER

##### PART 173—SHIPPERS

#### Shipment of Benzene Phosphorus Dichloride and Benzene Phosphorus Thiodichloride

The purpose of these amendments to the Hazardous Materials Regulations is to prescribe specific packaging for shipping benzene phosphorus dichloride and benzene phosphorus thiodichloride.

On March 12, 1969, the Hazardous Materials Regulations Board published a notice of proposed rule making, Docket No. HM-16; Notice No. 69-4 (34 F.R. 5112) to authorize the shipment of certain corrosive liquids in tank motor vehicles and tank cars where the regulations do not currently authorize the use of such transport vehicles. Additionally, shipments in smaller packages were also provided for. Specific commodity descriptions were proposed for addition to § 172.5 and a new § 173.250a was pro-

posed for the packaging requirements. Interested persons were afforded an opportunity to participate in this rule making.

Two respondents submitted written comments on the notice. One suggested a reevaluation of the adequacy of the numerous types of packagings provided in § 173.245 on the premise that some of the packages may not be suitable for these commodities in air transportation. The additions to § 172.5 do not constitute initial authorization for movement by air since heretofore, these materials could be shipped as "Corrosive liquid, n.o.s.". As such, shipments were authorized for air transportation as provided for in 14 CFR §§ 103.7 and 103.9. The other commenter recommended that cargo tanks be lined as specified in § 178.343. To clarify the corrosion protection required for cargo tanks, reference to the provision for such protection in specification MC 312 has been included. Additionally, paragraph (a)(1) of § 173.250a has been modified by the Board to assure the use of packagings compatible with their contents.

In consideration of the foregoing, 49 CFR Parts 172 and 173 are amended effective September 3, 1969 as follows. However, compliance with the regulations as amended herein is authorized immediately.

I. Part 172 is amended as follows:

(A) In § 172.5 paragraph (a) Commodity List is amended as follows:

§ 172.5 List of explosives and other dangerous articles.

(a) \* \* \*

Article	Classed as—	Exemptions and packing (see sec.)	Label required if not exempt	Maximum quantity in 1 outside container by rail express
...	...	...	...	...
Add				
Benzene phosphorus dichloride	Cor. L.	173.244 173.250a	White	5 pints.
Benzene phosphorus thiodichloride	Cor. L.	173.244 173.250a	White	5 pints.
...	...	...	...	...

II. Part 173 is amended as follows:

(A) In Part 173 the Table of Contents is amended by adding § 173.250a to read as follows:

Sec.  
173.250a Benzene phosphorus dichloride and benzene phosphorus thiodichloride.

(B) Section 173.250a is added to read as follows:

§ 173.250a Benzene phosphorus dichloride and benzene phosphorus thiodichloride.

(a) Benzene phosphorus dichloride and benzene phosphorus thiodichloride must be packaged as follows:

(1) In packagings prescribed in § 173.245 which are made of or lined with materials compatible with the lading.

(2) Spec. MC 310, MC 311, or MC 312 (§ 178.343) cargo tanks. Corrosion pro-

tection must be provided in accordance with spec. MC 312.

(3) Spec. 103AW (§§ 179.200 and 179.201) tank cars. Tanks must be lined.

This amendment is made under the authority of sections 831-835 of title 18, United States Code, and section 9 of the Department of Transportation Act (49 U.S.C. 1657).

Issued in Washington, D.C., on June 19, 1969.

W. J. SMITH,  
Admiral, U.S. Coast Guard,  
Commandant.  
R. N. WHITMAN,  
Administrator,  
Federal Railroad Administration.  
F. C. TURNER,  
Administrator,  
Federal Highway Administration.

[F.R. Doc. 69-7529; Filed, June 25, 1969;  
8:48 a.m.]



[Docket No. HM-19; Amendment No. 173-10]

# PART 173—SHIPPERS

## Methyl Chloride in Specification 110A500W Tank Car Tanks

The purpose of this amendment to the Hazardous Materials Regulations of the Department of Transportation is to authorize rail and highway shipments of methyl chloride in Specification 110A500W tanks.

On April 9, 1969, the Hazardous Materials Regulations Board published a notice of proposed rule making, Docket No. HM-19; Notice No. 69-7 (34 F.R. 6290) which proposed to amend the

Hazardous Materials Regulations to permit the use of Specification 110A500W multiunit tank car tanks for shipments of methyl chloride.

Interested persons were afforded an opportunity to participate in this rule making. No comments were received on the substance of the proposal.

Accordingly, 49 CFR Part 173 is amended as follows:

In § 173.314(c) the table is amended as follows:

### § 173.314 Requirements for compressed gases in tank cars.

Kind of gas	Maximum permitted filling density, Note 1	Required tank car, see § 173.31(a) (2) and (3)
	Percent	
***	***	***
Change		
Methyl chloride	84	DOT-106A500X, 110A500W, Note 7.
	86	DOT-106A300W, Note 4.
***	***	***

This amendment is effective September 3, 1969. However, compliance with the regulations as amended herein is authorized immediately.

This amendment is made under the authority of sections 831-835 of title 18, United States Code, and section 9 of the Department of Transportation Act (49 U.S.C. 1657).

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

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

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

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

[P.R. Doc. 69-7527; Filed, June 25, 1969; 8:47 a.m.]

[Docket No. HM-15; Amdt. 173-7]

# PART 173—SHIPPERS

## Aerosol Flash Point Restriction

The purpose of this amendment to the Hazardous Materials Regulations (49 CFR 170-189) is to delete § 173.306(a) (3)(iv) and thereby remove the flash point restriction applicable to aerosol products packaged in compliance with the "exempt shipment" provisions otherwise specified.

On March 12, 1969, the Hazardous Materials Regulations Board published a notice of proposed rule making, Docket No. HM-15; Notice No. 69-3 (34 F.R. 5112) to eliminate § 173.306(a) (3)(iv). The deletion of the subparagraph would have the effect of allowing the "exempt shipment" of aerosol products which are flammable by § 173.300(b) criteria without regard to flash point. However, all the other restrictions specified such as use of metal containers only, 50 cubic inches capacity limitation, pressure limitation of contents in relation to con-

tainer strength, adequate head space, and a heat test of 130° F. of each complete container filled for shipment, would be retained. Interested persons were afforded an opportunity to participate in this rule making.

A number of comments were received in response to this notice. The large majority of comments concurred with the proposal. One commenter objected to removal of the 20° F. limitation for aerosol products shipped by air or water in the belief that, should leakage occur in a confined cargo space, a flash fire could result from a spark or other source of heat. Another commenter expressed the opinion that the flashpoint limitation should be retained, asserting that materials used to pressurize these containers could explode and splash burning materials over a wide range, thus propagating fire over a wider range. It is true that there is some possibility that these incidents could occur but the same is true for materials having flashpoints higher than 20° F. when they are expelled under pressure.

No adverse experience has been reported to the Department concerning the transportation of several million cans shipped under special permits issued by the Department wherein the flashpoint restriction had been removed. Further, the integrity of each can will be adequately preserved by compliance with the requirements retained in § 173.306(a) (3). In view of the previous experience under special permits and of the requirements retained, and considering the conditions normally incident to transportation, deletion of § 173.306(a) (3)(iv) is considered reasonable and justified.

In consideration of the foregoing, 49 CFR Part 173 is amended, effective September 3, 1969, by canceling § 173.306(a) (3)(iv). However, compliance with the regulations as amended herein is authorized immediately.

This amendment is made under the authority of sections 831-835 of title 18, United States Code, section 9 of the De-

partment of Transportation Act (49 U.S.C. 1657), and title VI and section 902(h) of the Federal Aviation Act of 1958 (49 U.S.C. 1421-1430 and 1472(h)).

Issued in Washington, D.C., on June 19, 1969.

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

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

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

SAM SCHNEIDER,  
Board Member for the  
Federal Aviation Administration.

[P.R. Doc. 69-7528; Filed, June 25, 1969; 8:47 a.m.]

[Docket No. HM-17; Amdt. 173-8]

# PART 173—SHIPPERS

## Shipment of Residual Motor Fuel Antiknock Compound

The purpose of this amendment to the Hazardous Materials Regulations is to authorize the shipment of residual motor fuel antiknock compound in steel storage tanks conforming to ASME specifications.

On March 12, 1969, the Hazardous Materials Regulations Board published a notice of proposed rule making, Docket No. HM-17; notice No. 69-5 (34 F.R. 5113) which proposed to amend the Hazardous Materials Regulations to permit the shipment of non-DOT specification storage tanks built to ASME specifications containing only solid or semisolid residual motor fuel antiknock compound. Interested persons were afforded an opportunity to participate in this rule making.

Two comments were received and each suggested some modification of § 173.354 (c) as proposed. One respondent suggested that the provision would be more explicit if the subject tanks were required to be designed, constructed, inspected and stamped to ASME specifications. The other respondent suggested paragraph (c) be modified to eliminate the requirement that the tanks be "built to ASME specifications" on the premise that there are certain vessels adequate for this service that do not come under the jurisdiction of the ASME Code. It was further suggested that the word "only" should be deleted from paragraph (c) so as not to preclude residual material containing iron rust and other contaminants in minute quantities.

In view of the comments made and in the belief that the type of tanks authorized should be the type of steel tanks previously permitted under special permit conditions, the Board has determined that only steel tanks conforming to ASME specifications, and so marked, be authorized at this time. Furthermore, the Board concurs in the suggestion that paragraph (c) be reworded to recognize that the residual poisonous material may



contain minute quantities of foreign contaminants.

In consideration of the foregoing, 49 CFR Part 173 is amended, effective September 3, 1969, by adding paragraph (c) in § 173.354 to read as set forth below. However, compliance with the regulations as amended herein is authorized immediately.

§ 173.354 Motor fuel antiknock compound or tetraethyl lead.

(c) Steel tanks conforming to ASME specifications (including marking) which contain solid or semisolid residual motor fuel antiknock compound (including rust, scale, or other contaminants) may be shipped by rail freight or highway. All openings must be closed with gasketed blank flanges or vapor tight threaded closures. Each tank must be secured and braced to prevent movement under conditions normally incident to transportation.

This amendment is made under the authority of sections 831-835 of title 18, United States Code, and section 9 of the Department of Transportation Act (49 U.S.C. 1657).

Issued in Washington, D.C., on June 19, 1969.

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

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

[F.R. Doc. 69-7530; Filed, June 25, 1969;  
8:48 a.m.]

## Chapter X—Interstate Commerce Commission

### SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[S.O. 1025; Amdt. 1]

## PART 1033—CAR SERVICE

### Regulations for Return of Covered Hopper Cars

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 18th day of June 1969.

Upon further consideration of Service

Order No. 1025 (34 F.R. 7451), and good cause appearing therefor:

It is ordered, That:

Section 1033.1025 *Service Order No. 1025*. (Regulations for return of covered hopper cars) be, and it is hereby amended by substituting the following paragraph (f) for paragraph (f) thereof:

(f) *Expiration date*. This order shall expire at 11:59 p.m., November 15, 1969, unless otherwise modified, changed, or suspended by order of this Commission.

*Effective date*. This amendment shall become effective at 11:59 p.m., June 30, 1969.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, and 17(2). Interprets or applies sec. 1(10-17), 15(4), and 17(2), 40 Stat. 101, as amended 54 Stat. 911; 49 U.S.C. 1(10-17), 15(4), and 17(2))

It is further ordered, That copies of this amendment shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order shall be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board.

[SEAL]

H. NEIL GARSON,  
Secretary.

[F.R. Doc. 69-7547; Filed, June 25, 1969;  
8:49 a.m.]

[Ex Parte No. MC-37 (Sub-No. 13)]

## PART 1048—COMMERCIAL ZONES COMMERCIAL ZONES AND TERMINAL AREAS

### Rio Grande Border Municipalities

At a general session of the Interstate Commerce Commission, held at its office in Washington, D.C., on the 7th day of May 1969.

It appearing, that the Commission, on January 29, 1968, issued a notice of proposed rulemaking in this proceeding, under authority of sections 4 and 12 of the Administrative Procedure Act (5 U.S.C. 553 and 559) and sections 204(a)

(1), 204(a) (6), 206, 207, 209, and 212(a) of the Interstate Commerce Act (49 U.S.C. 304(a) (1), 304(a) (6), 306, 307, 309, and 312(a)), for the purpose of inquiring into the applicability of the Commission's regulations pertaining to commercial zones and terminal areas (49 CFR Part 1048) to municipalities situated along the Rio Grande River between the United States and Mexico, and the desirability of modifying such regulations, as more fully set forth in the appended report;

It further appearing, that the said notice of proposed rulemaking invited the representations of all interested parties setting forth their views with respect to the proposed inquiry; and that notice to all interested parties was given through publication of said notice in the FEDERAL REGISTER of February 16, 1968 (33 F.R. 3082);

And it further appearing, that various parties submitted their views and suggestions as to the proposed inquiry and desirability of modification of existing regulations and, on the date hereof, has made and filed its report setting forth its conclusions and findings and its reasons therefor, which report is hereby referred to and made a part hereof:

It is ordered, That § 1048.101 of Chapter X of Title 49 of the Code of Federal Regulations be, and it is hereby, amended by deleting therefrom the words "within the United States" appearing in paragraphs (b) and (c), and the words "United States" appearing in paragraph (d) thereof.

(40 Stat. 43, as amended, 544, as amended, 546, as amended; 49 U.S.C. 302, 303, 304)

It is further ordered, That this order shall become effective on July 12, 1969, and shall continue in effect until further order of the Commission.

And it is further ordered, That notice of this order shall be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D.C., and by filing a copy thereof with the Director, Office of the Federal Register.

By the Commission.

[SEAL]

H. NEIL GARSON,  
Secretary.

[F.R. Doc. 69-7548; Filed, June 25, 1969;  
8:49 a.m.]



# Proposed Rule Making

## DEPARTMENT OF JUSTICE

### Bureau of Narcotics and Dangerous Drugs

[ 21 CFR Part 320 ]

### DEPRESSANT AND STIMULANT DRUGS

#### Petition Seeking an Exemption for Use of Peyote for Religious Purposes

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 201(v), 511, 701, 52 Stat. 1055, as amended, 79 Stat. 227 et seq.; 21 U.S.C. 321(v), 360a, 371) and under the authority vested in the Attorney General by Reorganization Plan No. 1 of 1968 (33 F.R. 5611), and redelegated to the Director, Bureau of Narcotics and Dangerous Drugs (28 CFR 0.200), notice is hereby given that on May 15, 1969, the Director of the Bureau of Narcotics and Dangerous Drugs received a petition from the Church of the Awakening, a New Mexico corporation, and John W. Aiken, Socorro, N. Mex., President of the Church, and 13 members of the Church, as copetitioners, to amend § 320.3(c) (3) of Title 21 of the Code of Federal Regulations to include said Church in the exemption for the nondrug use of peyote in bona fide religious ceremonies.

All interested persons are invited to submit their views in writing regarding this proposal. Views and comments should be submitted, in quintuplicate, to the Office of the Chief Counsel, Bureau of Narcotics and Dangerous Drugs, Department of Justice, 1405 I Street NW., Washington, D.C. 20537, within 30 days following the date of publication of this notice in the FEDERAL REGISTER and may be accompanied by a memorandum or brief in support thereof.

Dated: June 18, 1969.

JOHN E. INGERSOLL,  
Director, Bureau of  
Narcotics and Dangerous Drugs.

[F.R. Doc. 69-7506; Filed, June 25, 1969;  
8:46 a.m.]

## DEPARTMENT OF AGRICULTURE

### Consumer and Marketing Service

[ 7 CFR Part 945 ]

#### IRISH POTATOES GROWN IN CERTAIN DESIGNATED COUNTIES IN IDAHO AND MALHEUR COUNTY, OREG.

#### Proposed Limitation of Shipments Regulation

Consideration is being given to the issuance of the limitation of shipments

regulation hereinafter set forth, which was recommended by the Idaho-Eastern Oregon Potato Committee, established pursuant to Marketing Agreement No. 98 and Order No. 945, both as amended (7 CFR Part 945). This marketing order program regulates the handling of Irish potatoes grown in certain designated counties in Idaho and Malheur County, Oreg., and is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

The recommendations by the Idaho-Eastern Oregon Potato Committee reflect its appraisal of the crop and prospective market conditions. Shipments of potatoes from the production area are expected to begin on or about July 7, 1969. The proposed regulation provided herein is necessary to prevent immature potatoes and potatoes of lower grades and undesirable sizes from being distributed in the channels of commerce to improve the returns to producers for preferred grades and sizes. The specific requirements, hereinafter set forth, regulate the handling of potatoes by grade, size, cleanliness, and maturity so as to (1) promote orderly marketing, (2) standardize the quality of the potatoes shipped from the production area and (3) maximize returns to the producers pursuant to the declared policy of the Act.

All persons who desire to submit written data, views, or arguments in connection with this proposal should file the same in quadruplicate with the Hearing Clerk, Room 112, U.S. Department of Agriculture, Washington, D.C. 20250, not later than 5 days after publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

#### § 945.328 Limitation of shipments.

During the period July 7, 1969, through June 30, 1970, no person shall handle any lot of potatoes unless such potatoes meet the requirements of paragraphs (a) and (b) of this section, or unless such potatoes are handled in accordance with paragraphs (c), (d), and (e) of this section.

(a) *Minimum quality requirements.*—(1) *Grade.* All varieties. U.S. No. 2, or better grade.

(2) *Size.*—(i) *Round red varieties.* 1 3/4 inches minimum diameter.

(ii) All other varieties—2 inches minimum diameter, or 4 ounces minimum weight.

(iii) All varieties—Size B if U.S. No. 1, or better grade.

(iv) When containers of long varieties of potatoes are marked with a count or similar designation they must meet the

weight range for the count designation listed below:

Count designation	Weight range
Larger than 50 count.....	15 ounces or larger.
50 count.....	12-19 ounces.
60 count.....	10-16 ounces.
70 count.....	9-15 ounces.
80 count.....	8-13 ounces.
90 count.....	7-12 ounces.
100 count.....	6-10 ounces.
110 count.....	5-9 ounces.
120 count.....	4-8 ounces.
130 count.....	4-8 ounces.
140 count.....	4-8 ounces.
Smaller than	
140 count.....	4-8 ounces.

The following tolerances, by weight, are provided for potatoes in any lot which fail to meet the weight range for the designated count:

- (a) 5 percent for undersize; and,
- (b) 10 percent for oversize.

(3) *Cleanliness.*—(i) *Kennebec variety.* Not more than "slightly dirty."

(ii) *All other varieties.*—"Generally fairly clean."

(b) *Minimum maturity requirements.*—(1) *White Rose variety.* During the period July 7, 1969, through December 31, 1969, "moderately skinned" and thereafter they may be handled without regard to the maturity requirements. "Moderately skinned" means that not more than 10 percent of the potatoes in any lot may have more than one-half of the skin missing or "feathered."

(2) *All other varieties.* "Slightly skinned" which means that not more than 10 percent of the potatoes in any lot may have more than one-fourth of the skin missing or "feathered."

(3) *Exceptions.* (i) Subject to compliance with subdivision (iii) of this subparagraph, any lot of potatoes not exceeding a total of 50 hundredweight of each variety may be handled for any producer without regard to the foregoing maturity requirements.

(ii) If an officially inspected lot of potatoes meets the foregoing maturity requirements, but fails to meet the grade and size requirements, the lot may be regraded. If, after regrading, such lot then meets the grade and size requirements but fails to meet the maturity requirements, as indicated by the applicable Federal-State inspection certificate, such lot if not exceeding 100 hundredweight shall be exempt from the foregoing maturity requirements: *Provided*, That the handler complies with subdivision (iii) of this subparagraph.

(iii) Prior to each shipment of potatoes exempt from the foregoing maturity requirements, the handler thereof shall report to the committee the name and address of the producer of such potatoes, and each such shipment shall be handled as an identifiable entity.

(c) *Special purpose shipments.* (1) The minimum grade, size, cleanliness, and maturity requirements set forth in



paragraphs (a) and (b) of this section shall not be applicable to shipments of potatoes for any of the following purposes:

- (i) Certified seed;
- (ii) Charity;
- (iii) Starch;
- (iv) Canning or freezing;
- (v) Dehydration;
- (vi) Experimentation; and
- (vii) Seed pieces cut from stock eligible for certification as certified seed.

(2) The minimum grade, size, cleanliness, and maturity requirements set forth in paragraphs (a) and (b) of this section shall be applicable to shipments of potatoes for each of the following purposes:

- (i) Export: *Provided*, That potatoes of a size not smaller than 1½ inches in diameter may be shipped if the potatoes grade not less than U.S. No. 2; and
- (ii) Potato chipping or prepeeling: *Provided*, That potatoes of a size not smaller than 1½ inches in diameter may be shipped if the potatoes grade not less than Idaho Utility or Oregon Utility grade.

(d) *Safeguards*. Each handler making shipments of potatoes for starch, canning of freezing, dehydration, experimentation, seed pieces cut from stock eligible for certification, export, potato chipping, or for prepeeling pursuant to paragraph (c) of this section shall:

- (1) First, apply to the committee for and obtain a Certificate of Privilege to make each shipment;
- (2) Upon request by the committee, furnish reports of each shipment pursuant to the applicable Certificate of Privilege;
- (3) At the time of applying to the committee for a Certificate of Privilege, or promptly thereafter, furnish the committee with a receiver's or buyer's certification that the potatoes so handled are to be used only for the purpose stated in the application and that such receiver will complete and return to the committee such periodic receiver's reports that the committee may require;
- (4) Mail to the office of the committee a copy of the bill of lading for each Certificate of Privilege shipment promptly after the date of shipment;
- (5) Bill each shipment directly to the applicable processor or receiver.

(e) *Minimum quantity exception*. Each handler may ship up to, but not to exceed, 5 hundredweight of potatoes any day without regard to the inspection and assessment requirements of this part, but this exception shall not apply to any shipment that exceeds 5 hundredweight of potatoes.

(f) *Definitions*. The terms "U.S. No. 1," "U.S. No. 2," "Size B," "fairly clean," and "slightly dirty" shall have the same meaning as when used in the U.S. Standards for Potatoes (§§ 51.1540-51.1556 of this title), including the tolerances set forth therein. The term "generally fairly clean" means that at least 90 percent of the potatoes in a given lot are "fairly clean." The term "prepeeling" means potatoes which are clean, sound, fresh

tubers prepared commercially in a prepeeling plant by washing, removal of the outer skin or peel, trimming, and sorting preparatory to sale in one or more of the styles of peeled potatoes described in § 52.2422 (U.S. Standards for Grades of Peeled Potatoes §§ 52.2421-52.2433 of this title). The terms "Idaho Utility grade" and "Oregon Utility grade" shall have the same meanings as when used in the respective standards for potatoes for the respective States. Other terms used in this section shall have the same meaning as when used in Marketing Agreement No. 98 and Order No. 945, both as amended.

(g) *Applicability to imports*. Pursuant to § 608e-1 of the act and § 980.1 "Import regulations" (7 CFR 980.1), Irish potatoes of the long varieties imported during the effective period of this section shall meet the grade, size, quality and maturity requirements specified in paragraphs (a) and (b) of this section.

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

Dated: June 23, 1969.

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

[P.R. Doc. 69-7562; Filed, June 25, 1969;  
8:50 a.m.]

#### [ 7 CFR Part 948 ]

### IRISH POTATOES GROWN IN COLORADO, AREA 3

#### Proposed Limitation of Shipments

Consideration is being given to the issuance of the limitation of shipments regulation, hereinafter set forth, which was recommended by the Area Committee for Area No. 3, Colorado, established pursuant to Marketing Agreement No. 97 and Order No. 948, both as amended (7 CFR Part 948). This marketing order program regulates the handling of Irish potatoes grown in the State of Colorado and is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

The recommendations of the committee reflect its appraisal of the composition of the 1969 crop in Area No. 3 and of the marketing prospects for this season. Harvesting is expected to begin on or about July 7 so the regulation should become effective on that date.

The grade, size, quality and pack requirements provided herein are necessary to prevent immature potatoes, or those that are of undesirable sizes, or below grade, or in deceptive packs from being distributed in fresh market channels. They will also provide consumers with good quality potatoes consistent with the overall quality of the crop, and maximize returns to producers for the preferred quality and sizes.

The proposed regulations with respect to special purpose shipments for other than fresh market use are designed to

meet the different requirements for such outlets.

All persons who desire to submit written data, views, or arguments in connection with this proposal may file the same, in quadruplicate, with the Hearing Clerk, Room 112-A, U.S. Department of Agriculture, Washington, D.C. 20250, not later than 5 days after the publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)). The proposed regulation follows:

#### § 948.360 Limitation of shipments.

During the period July 7, 1969, through June 30, 1970, no person shall handle any lot of potatoes grown in Area No. 3 unless such potatoes meet the requirements of paragraphs (a), (b), and (c) of this section, or unless such potatoes are handled in accordance with paragraphs (d) through (h) of this section.

(a) *Grade and size requirements*.

(1) *Round varieties*. U.S. No. 1, or better grade, 2 inches minimum diameter; or U.S. No. 2, or better grade up to but not including U.S. No. 1 grade and not less than 1½ inches minimum diameter.

(2) *Long varieties*. U.S. No. 1, or better grade, 2 inches minimum diameter or 4 ounces minimum weight; or U.S. No. 2, or better grade up to but not including U.S. No. 1 grade and not less than 1½ inches minimum diameter or 4 ounces minimum weight.

(3) *All varieties*. Size B, if U.S. No. 1, or better grade.

(b) *Maturity (skinning) requirements*.—All varieties. For U.S. No. 2 grade, not more than "moderately skinned," and for all other grades, not more than "slightly skinned."

(c) *Container requirements*. Potatoes may be handled only in containers classified by weight as follows:

- (1) 5 pounds;
- (2) 10 pounds;
- (3) 20 pounds;
- (4) 25 pounds;
- (5) 50 pounds; or
- (6) 100 pounds and larger.

(d) *Special purpose shipments*—(1) *Chipping stock*. Potatoes may be handled for chipping if they meet the requirements of U.S. No. 2, or better grade, 1½ inches minimum diameter, if such potatoes are handled in accordance with paragraph (e) of this section.

(2) The quality, maturity and container requirements of paragraphs (a), (b), and (c) of this section and the inspection and assessment requirements of this part shall not be applicable to shipments of potatoes for:

- (i) Livestock feed; or
- (ii) Charity.

(3) The maturity requirements set forth in paragraph (b) of this section shall not be applicable to shipments of potatoes for:

- (i) Chipping; or
- (ii) Prepeeling.

(4) The quality, maturity and container requirements of paragraphs (a),



(b), and (c) of this section shall not be applicable to shipments of seed potatoes (§ 948.6) but such shipments shall be subject to assessments.

(e) *Safeguards.* Each handler making shipments of potatoes for chipping or prepeeling pursuant to paragraph (d) of this section shall.

(1) Prior to shipment, apply for and obtain a Certificate of Privilege from the committee.

(2) Furnish the committee such reports and documents as requested, including certification by the buyer or receiver on the use of such potatoes, and

(3) Bill each shipment directly to the applicable processor or receiver.

(f) *Shipment by motor vehicle.* No handler may transport or cause the transportation by motor vehicle of any shipment of potatoes for which an inspection certificate is required unless each shipment is accompanied by, and made available for examination at any time upon request, a copy of the inspection certificate applicable thereto or such other document as the committee may specify.

(g) *Minimum quantity.* For purposes of regulation under this part, each person may handle up to but not exceed 1,000 pounds of potatoes without regard to the requirements of paragraphs (a) and (b) of this section, but this exception shall not apply to any shipment of over 1,000 pounds of potatoes.

(h) *Definitions.* The terms "U.S. No. 1," "U.S. No. 2," "Size B," "moderately skinned" and "slightly skinned," shall have the same meaning as when used in the U.S. Standards for Potatoes (§§ 51.1540-51.1556 of this title), including the tolerances set forth therein. The term "prepeeling" means potatoes which are clean, sound, fresh tubers prepared commercially in a prepeeling plant by washing, removal of the outer skin or peel, trimming, and sorting preparatory to sale in one or more of the styles of peeled potatoes described in § 52.2422 (U.S. Standards for Grades of Peeled Potatoes, §§ 52.2421-52.2433 of this title). Other terms used in this section shall have the same meaning as when used in Marketing Agreement No. 97, as amended and this part.

(i) *Applicability to imports.* Pursuant to § 608e-1 of the act and § 980.1, "Import regulations" (7 CFR 980.1), round white varieties of Irish potatoes, except certified seed potatoes, imported into the United States during the period August 1, 1969, through June 4, 1970, shall meet the grade, size, quality, and maturity requirements specified in paragraphs (a) and (b) of this section.

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

Dated: June 23, 1969.

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

[P.R. Doc. 69-7563; Filed, June 25, 1969; 8:50 a.m.]

## DEPARTMENT OF COMMERCE

Office of Foreign Direct Investments

[15 CFR Part 1000]

### FOREIGN DIRECT INVESTMENT REGULATIONS

#### Exploration and Development Expenditures

On the basis of comments received and further analysis of past and projected exploration and development expenditures in the extractive industries, the Office of Foreign Direct Investments hereby withdraws proposed Subpart L—"Exploration and Development Expenditures"—which proposal was published in the FEDERAL REGISTER on May 9, 1969 (34 F.R. 7536-7544).

This withdrawal is effective upon the filing of this notice with the FEDERAL REGISTER.

RICHARD P. URFER,  
Director, Office of  
Foreign Direct Investments.

JUNE 24, 1969.

[P.R. Doc. 69-7594; Filed, June 25, 1969; 8:51 a.m.]

## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 1]

### CERTAIN FRUIT JUICE BEVERAGES

#### Enforcement Regulations for Fair Packaging and Labeling Act

Notice is given that the National Juice Products Association, 512 Florida Avenue, Tampa, Fla. 33601, and the Florida Canners Association, Post Office Box 780, Winter Haven, Fla. 33880, have jointly submitted a petition requesting that the regulations for the enforcement of the Fair Packaging and Labeling Act (21 CFR Part 1) be amended to exempt single strength and less than single strength fruit juice beverages from certain requirements of § 1.8b as proposed below.

Grounds given in support of the requested exemption are:

1. Single strength and less than single strength beverages are packaged in paper, plastic, and glass containers, customarily in 8-, 16-, 32-, and 64-fluid-ounce and 1-gallon sizes—containers of sizes readily recognizable by consumers. Dual declaration (not applicable on 64-fl. oz.) and lower 30 percent placement of the quantity of contents declaration is therefore unnecessary.

2. By permitting continuation of the practice of splitting labeling between the lid and the container itself, the same lid may be used for more than one size container, thus reducing costs and eliminating the possibility of production mixups.

3. Many single strength fruit juice beverages, particularly pasteurized orange juice and orange juice from concentrate, and some less than single strength fruit juice beverages are displayed and marketed in retail stores side by side with fluid milk and milk products. Orange juice and milk are customarily sold, frequently in identical containers, by neighborhood milk drivers. Such products should be treated alike under the Fair Packaging and Labeling Act.

4. Granting the requested exemption would have the fringe benefit of discouraging proliferation of package sizes.

The petitioners also request that the subject products be exempt from the requirement that the quantity of contents declaration be in a type size based upon the area of the principal display panel of the package; however, this request is not included in this proposal since reasonable grounds therefor were not given.

Accordingly, pursuant to the provisions of the Fair Packaging and Labeling Act (secs. 5(b), 6(a), 80 Stat. 1298, 1299; 15 U.S.C. 1453, 1455) and the Federal Food, Drug, and Cosmetic Act (sec. 701, 52 Stat. 1055, as amended; 21 U.S.C. 371), and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120), it is proposed that § 1.1c(a) be amended by adding thereto a new subparagraph, as follows:

§ 1.1c Exemptions from required label statements.

(a) Foods. . . .

(i) Single strength and less than single strength fruit juice beverages when packaged in containers of ½-pint, 1-pint, 1-quart, ½-gallon, and 1-gallon capacities are exempt from the placement of § 1.8b(f) that the declaration of net contents be located within the bottom 30 percent of the principal display panel, provided that other required label information is conspicuously displayed on the cap or outside closure and the required net quantity of contents declaration is conspicuously blown, formed, or molded into or permanently applied to that part of the glass or plastic container that is at or above the shoulder of the container.

(ii) Single strength and less than single strength fruit juice beverages when packaged in containers of 1-pint, 1-quart, and ½-gallon capacities are exempt from the dual net-contents declaration requirement of § 1.8b(j).

(iii) Single strength and less than single strength fruit juice beverages, when packaged in containers of 8- and 64-fluid-ounce capacity, are exempt from the requirements of § 1.8b(2) to the extent that net contents of 8 fluid ounces and 64 fluid ounces (or 2 quarts) may be expressed as ½ pint (or half pint) and ½ gallon (or half gallon), respectively.

Any interested person may, within 30 days from the date of publication of this



notice in the FEDERAL REGISTER, file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, written comments (preferably in quintuplicate) regarding this proposal. Comments may be accompanied by a memorandum or brief in support thereof.

Dated: June 19, 1969.

J. K. KIRK,  
Associate Commissioner  
for Compliance.

[P.R. Doc. 69-7500; Filed, June 25, 1969;  
8:45 a.m.]

#### [ 21 CFR Part 1 ]

### QUANTITY OF CONTENTS DECLARATIONS ON MULTIUNIT CONTAINERS

#### Enforcement Regulations for Fair Packaging and Labeling Act

Notice is given that the National Conference on Weights and Measures, Washington, D.C. 20234, has submitted a petition proposing that the regulations for the enforcement of the Fair Packaging and Labeling Act (21 CFR Part 1) be amended to require a declaration of quantity of contents on multiunit containers in terms of the number of individual units, the quantity of each individual unit, and the total quantity of the contents of the multiunit package.

Grounds given in support of the proposal are that:

1. The present Federal practice of permitting the labeling of multiunit packages in terms of the number of units and the quantity of each unit may present an unfair competitive advantage to those manufacturers putting up multiunit packages. Such multiunit packages compete directly with packages on which the total quantity is required to be declared.

2. The labeling of multiunit packages in accordance with existing Food and Drug Administration regulations forces a consumer to make additional calculations to determine the best value among competing products; therefore, it impedes rather than enhances a consumer's ability to make such value comparisons.

3. The current practice in the marketplace is nonuniform. Some multiunit packages are labeled in terms of the individual number of units—the quantity of each unit plus the total quantity of the package. Other multiunit packages are labeled simply with the number of individual units and the quantity of each unit.

Accordingly, pursuant to the provisions of the Fair Packaging and Labeling Act (secs. 5(b), 6(a), 80 Stat. 1298, 1299; 15 U.S.C. 1453, 1455) and the Federal Food, Drug, and Cosmetic Act (sec. 701, 52 Stat. 1055, as amended; 21 U.S.C. 371), and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120), it is proposed that § 1.8b be amended by adding thereto a new paragraph, as follows:

§ 1.8b Food labeling; declaration of net quantity of contents; when exempt.

( ) On a multiunit package (that is, a package containing more than one individually packaged unit of the same commodity), the quantity of contents declaration shall appear on the outside of the package and shall include the number of individual units, the quantity of each individual unit, and the total quantity of the contents of the multiunit package, provided that any such required declaration of total quantity shall not be required to include the parenthetical quantity statement of a dual quantity representation.

Any interested person may, within 30 days from the date of publication of this notice in the FEDERAL REGISTER, file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, written comments (preferably in quintuplicate) regarding this proposal. Comments may be accompanied by a memorandum or brief in support thereof.

Dated: June 19, 1969.

J. K. KIRK,  
Associate Commissioner  
for Compliance.

[P.R. Doc. 69-7524; Filed, June 25, 1969;  
8:47 a.m.]

#### [ 21 CFR Part 19 ]

### CHEESE AND CHEESE PRODUCTS

#### Low Sodium Cheddar Cheese and Low Sodium Colby Cheese; Identity Standards

Notice is given that a petition has been filed by the Chicago Dietetic Supply, Inc., 405 East Shawmut Avenue, La Grange, Ill. 60525, proposing the establishment of standards of identity for low sodium cheddar cheese and low sodium colby cheese. The petitioner proposes that in place of salt certain salt substitutes shall be used. A moisture level not to exceed 41 percent by weight of the foods is also proposed, rather than the maximum moisture levels specified by the cheddar and colby cheese standards (21 CFR 19.500 and 19.510) of 39 and 40 percent respectively.

Grounds given in support of the proposed standards are (1) that low sodium cheddar and colby cheeses would be useful in the diet of those who for medical reasons must restrict their intake of sodium and (2) that with the omission of salt it is necessary to increase the moisture content of the cheese slightly in order to maintain the same consistency and texture.

1. Accordingly, it is proposed by the petitioner that two new sections be added to Part 19 as follows:

§ 19. Low sodium cheddar cheese; identity; label statement of optional ingredients.

Low sodium cheddar cheese is the food prepared from the same ingredients and

in the same manner prescribed in § 19.500 for cheddar cheese and complies with all the provisions of § 19.500, including the requirements for label statement of optional ingredients, except that:

(a) Salt as prescribed by § 19.500(b) is not used, but is replaced by one of the following salt substitutes:

- (1) Potassium chloride.
- (2) Monoammonium glutamate.
- (3) Glutamic acid.

(4) A combination of potassium chloride, glutamic acid, ammonium chloride, potassium glutamate, and tricalcium phosphate, provided that potassium chloride shall constitute approximately 75 percent of the combination.

(5) A combination of potassium chloride, choline chloride, ammonium chloride, and tricalcium phosphate.

(b) It contains not more than 41 percent of moisture.

(c) It contains not more than 96 milligrams of sodium per pound of finished food.

(d) The name of the food is "low sodium cheddar cheese." The letters in the words "low sodium" shall be of the same size and style of type as the letters in the words "cheddar cheese," wherever such words appear on the label.

(e) The label shall bear the statement "\_\_\_\_\_ added as a salt substitute," the blank being filled in with the common name or names of the ingredient or ingredients used as a salt substitute.

(f) Low sodium cheddar cheese is subject to the regulations for foods for special dietary uses promulgated under the provisions of section 403(j) of the Federal Food, Drug, and Cosmetic Act.

§ 19. Low sodium colby cheese; identity; label statement of optional ingredients.

Low sodium colby cheese is the food prepared from the same ingredients and in the same manner prescribed in § 19.510 for colby cheese and complies with all the provisions of § 19.510, including the requirements for label statement of optional ingredients, except that:

(a) Salt as prescribed by § 19.510(b) is not used, but is replaced by one of the following salt substitutes:

- (1) Potassium chloride.
- (2) Monoammonium glutamate.
- (3) Glutamic acid.

(4) A combination of potassium chloride, glutamic acid, ammonium chloride, potassium glutamate, and tricalcium phosphate, provided that potassium chloride shall constitute approximately 75 percent of the combination.

(5) A combination of potassium chloride, choline chloride, ammonium chloride, and tricalcium phosphate.

(b) It contains not more than 41 percent of moisture.

(c) It contains not more than 96 milligrams of sodium per pound of finished food.

(d) The name of the food is "low sodium colby cheese." The letters in the words "low sodium" shall be of the same size and style of type as the letters in the words "colby cheese," wherever such words appear on the label.



(e) The label shall bear the statement "\_\_\_\_\_ added as a salt substitute," the blank being filled in with the common name or names of the ingredient or ingredients used as a salt substitute.

(f) Low sodium colby cheese is subject to the regulations for foods for special dietary uses promulgated under the provisions of section 403(j) of the Federal Food, Drug, and Cosmetic Act.

2. The Commissioner of Food and Drugs proposes on his own initiative that the moisture content of low sodium cheddar cheese shall not be more than 39 percent and the moisture content of low sodium colby cheese shall not be more than 40 percent, inasmuch as in his opinion the proposed increase in moisture is not necessary. The Commissioner also proposes that addition of salt substitutes be made optional rather than mandatory, and that any safe and suitable ingredient or combination of ingredients that contains no sodium, but simulates the flavor of salt, may be used. In addition, the Commissioner proposes that sodium sorbate, one of the optional mold-inhibiting ingredients specified by §§ 19.500(d) and 19.510(d), may not be used in the low sodium cheeses.

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055, as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371) and in accordance with the authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120), all interested persons are invited to submit their views in writing (preferably in quintuplicate) regarding this proposal within 60 days following the date of publication of this notice in the FEDERAL REGISTER. Such views and comments should be addressed to the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, and may be accompanied by a memorandum or brief in support thereof.

Dated: June 17, 1969.

J. K. KIRK,  
Associate Commission  
for Compliance.

[F.R. Doc. 69-7525; Filed, June 25, 1969;  
8:47 a.m.]

## [ 21 CFR Part 121 ]

### FOOD ADDITIVES

#### Bentonite in Buquinolate-Containing Feed

Based on available information, the Commissioner of Food and Drugs concludes that § 121.291 of the food additive regulations should be amended to provide that animal feeds containing buquinolate not contain bentonite. Information establishes that the presence of bentonite in feeds interferes with the methods of analysis and activity of buquinolate and thereby reduces the safety and effectiveness of buquinolate-containing feeds.

Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic

Act (sec. 409(d), 72 Stat. 1787; 21 U.S.C. 348(d)) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120), it is proposed that § 121.291 be amended by revising the introductory text of paragraph (a) to read as follows:

#### § 121.291 Buquinolate.

(a) It is used or intended for use in feeds that do not contain bentonite, as follows:

Any interested person may, within 30 days from the date of publication of this notice in the FEDERAL REGISTER, file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, written comments (preferably in quintuplicate) regarding this proposal. Comments may be accompanied by a memorandum or brief in support thereof.

Dated: June 19, 1969.

J. K. KIRK,  
Associate Commission  
for Compliance.

[F.R. Doc. 69-7501; Filed, June 25, 1969;  
8:45 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### [ 14 CFR Part 97 ]

[Docket No. 9668; Notice No. 69-28]

### STANDARD INSTRUMENT APPROACH PROCEDURES

#### Proposed Incorporation by Reference

The Federal Aviation Administration is considering amending Part 97 of the Federal Aviation Regulations to provide for incorporation by reference of Standard Instrument Approach Procedures (SIAPs) in accordance with 5 U.S.C. 552(a) (1) and 1 CFR Part 20. Approval for the proposed incorporation by reference has been granted by the Director of the Federal Register.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket or notice number and be submitted in duplicate to: Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket GC-24, 800 Independence Avenue SW., Washington, D.C. 20590. All communications received on or before August 25, 1969, will be considered by the Administrator before taking action on the proposed rule. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments,

in the Rules Docket for examination by interested persons.

At the present time, SIAPs are adopted as amendments to Part 97, and they are published in their entirety in the FEDERAL REGISTER on a weekly basis. Contemporaneously with publication in the FEDERAL REGISTER, the SIAPs are made available to the U.S. Coast and Geodetic Survey and other publishers of aeronautical charts where they are published as approach procedure charts or "approach plates." These charts are made available to the members of the aviation community, and are used by pilots to ascertain instrument approach requirements.

The large volume of amendments to the SIAPs, their complex technical nature, and the need for a special publication format, makes their publication in the FEDERAL REGISTER expensive and cumbersome. For this reason, and because most airmen use the charts printed by the U.S. Coast and Geodetic Survey and other publishers of aeronautical charts, the FAA proposes to take advantage of the recently adopted provision for incorporation by reference in 5 U.S.C. 552(a) (1), set out in greater detail in 1 CFR Part 20, which makes the publication of the SIAPs in the FEDERAL REGISTER in their entirety unnecessary.

Under the proposed procedure, Subparts B and C of Part 97 would be amended to provide for incorporation by reference of SIAPs into Part 97 by incorporating by reference for each SIAP FAA Form 8260-3, 8260-4, or 8260-5 on which the SIAP is described. In addition, the FAA would continue to promulgate, revise, and cancel SIAPs by adopting amendments to Part 97. The amendments or, in cases where safety in air commerce does not require immediate action, notices of proposed rule making revising Part 97 would continue to be published in the FEDERAL REGISTER on a weekly basis. The amendments or notices of proposed revisions would identify the SIAPs and incorporate them by reference by incorporating by reference FAA Forms 8260-3, 8260-4, or 8260-5.

All incorporated SIAPs would be available for examination at the Rules Docket and at the National Flight Data Center, Federal Aviation Administration, 800 Independence Avenue SW., 20590. The National Flight Data Center would also maintain a historical file of all SIAPs. Copies of SIAPs adopted in a particular FAA Region would also be available for examination at the headquarters of that Region. Moreover, copies of SIAPs originating in a particular Flight Inspection District Office would be available for examination at that Office. Finally, the incorporated SIAPs would continue to be portrayed on instrument approach procedure charts that can be obtained from the U.S. Coast and Geodetic Survey and other publishers of aeronautical charts.

In consideration of the foregoing, it is proposed to amend Subparts B and C of Part 97 of the Federal Aviation Regulations as follows:



1. By adding a new § 97.10 to Subpart B to read as follows:

**§ 97.10 General.**

Standard instrument approach procedures adopted by the FAA and described on FAA Forms 8260-3, 8260-4, or 8260-5 are incorporated into this part and made a part hereof as provided in 5 U.S.C. 552(a) (1) and pursuant to 1 CFR Part 20. The incorporated standard instrument approach procedures are available for examination at the Rules Docket and at the National Flight Data Center, Federal Aviation Administration, 800 Independence Avenue SW., Washington, D.C. 20590. Copies of SIAPs adopted in a particular FAA Region are also available for examination at the headquarters of that Region. Moreover, copies of SIAPs originating in a particular Flight Inspection District Office are available for examination at that Office. Based on the information contained on FAA Forms 8260-3, 8260-4, and 8260-5, standard instrument approach procedures are portrayed on charts prepared for the use of pilots by the U.S. Coast and Geodetic Survey and other publishers of aeronautical charts.

2. By amending § 97.20 to read as follows:

**§ 97.20 General.**

This subpart prescribes standard instrument approach procedures based on the criteria contained in the U.S. Standard for Terminal Instrument Approach Procedures (TERPs). The standard instrument approach procedures adopted by the FAA and described on FAA Forms 8260-3, 8260-4, or 8260-5 are incorporated into this Part and made a part hereof as provided in 5 U.S.C. 552(a) (1) and pursuant to 1 CFR Part 20. The incorporated standard instrument approach procedures are available for examination at the Rules Docket and at the National Flight Data Center, Federal Aviation Administration, 800 Independence Avenue SW., Washington, D.C. 20590. Copies of SIAPs adopted in a particular FAA Region are also available for examination at the headquarters of that Region. Moreover, copies of SIAPs originating in a particular Flight Inspection District Office are available for examination at that Office. Based on the information contained on FAA Forms 8260-3, 8260-4, and 8260-5, standard instrument approach procedures are portrayed on charts prepared for the use of pilots by the U.S. Coast and Geodetic Survey and other publishers of aeronautical charts.

(Secs. 307, 313, 601, 602, 603, 902, 1110, 1202, Federal Aviation Act of 1958; 49 U.S.C. 1439, 1354, 1421, 1422, 1423, 1472, 1510, 1522; sec. 6(c), Department of Transportation Act; 49 U.S.C. 1655(c), 5 U.S.C. 552(a) (1))

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

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

[F.R. Doc. 69-7522; Filed, June 25, 1969; 8:47 a.m.]

## DEPARTMENT OF LABOR

### Office of the Secretary

#### [ 29 CFR Part 60 ]

#### IMMIGRATION

#### Degrees in Medicine

Pursuant to section 212(a) (14) of the Immigration and Nationality Act of 1952 (8 U.S.C. 1182), I hereby propose to revise Group I of Schedule A of 29 CFR Part 60 as set forth below.

Any person interested in this proposal may file a written statement of date, 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.

#### SCHEDULE A

Group I: Persons who received an advance degree in a particular field of study from an institution of higher learning accredited in the country where the degree was obtained (comparable to a Ph. D. or master's degree given in American colleges or universities), other than graduates of medical schools outside of the United States and Canada.

Physicians and surgeons whose medical degree or qualification was conferred by a medical school outside the United States and Canada who (1) have passed the examination of the Educational Council on Foreign Medical Graduates, or (2) submit proof of eligibility for medical licensure or proof of eligibility to undergo the necessary training for medical licensure within the United States, or (3) have evidence of intent to engage in activities such as teaching, research, or laboratory work that will not involve any direct care of patients.

(79 Stat. 911; 8 U.S.C. 1182)

Signed at Washington, D.C., this 23d day of June 1969.

**GEORGE P. SHULTZ,**  
Secretary of Labor.

[F.R. Doc. 69-7538; Filed, June 25, 1969; 8:48 a.m.]

## FEDERAL HOME LOAN BANK BOARD

#### [ 12 CFR Part 563 ]

[No. 22,968]

#### FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION

#### Adjustment of Book Value of Over-Valued Assets; Withdrawal

JUNE 19, 1969.

Whereas, by Resolution No. 22,752, dated April 24, 1969, and duly published in the FEDERAL REGISTER on April 30, 1969 (34 F.R. 7089), this Board resolved to propose that § 563.17-2(d) of the Rules and Regulations for Insurance of Accounts (12 CFR 563.17-2(d)) be amended by an amendment the substance of which is set out in said publication; and

Whereas, careful consideration has been given to such proposed amendments;

It is hereby resolved, that this Board determines not to adopt the amendment proposed by said Resolution No. 22,752.

(Secs. 402, 403, 48 Stat. 1256, 1257, as amended; 12 U.S.C. 1725, 1726, Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1943-1948 Comp., p. 1071)

By the Federal Home Loan Bank Board.

[SEAL]

**JACK CARTER,**  
Secretary.

[F.R. Doc. 69-7534; Filed, June 25, 1969; 8:48 a.m.]

## INTERSTATE COMMERCE COMMISSION

#### [ 49 CFR Part 1249 ]

[No. 35129]

#### CLASS I AND CLASS II MOTOR CARRIERS OF PROPERTY

#### Proposed Annual Reports

JUNE 5, 1969.

Notice is hereby given pursuant to section 4(a) of the Administrative Procedure Act, 5 U.S.C. 553, that the Interstate Commerce Commission has under consideration revision of annual reports of Class I and Class II Motor Carriers of Property (49 U.S.C. 1249.1, 1249.2) so as to require the reporting of additional data relating to transactions between the carriers and their affiliates, effective with reports for the year ending December 31, 1969.

The Commission proposes to replace Schedule 9009, Contracts and Agreements—Affiliated Companies, and related instructions and requirements, motor carrier annual report Form A; and Schedule 909, Contracts and Agreements—Affiliated Companies, and related instructions and requirements, motor carrier annual report Form B, with revised schedules, instructions and requirements, as follows: Schedule 9009-A, Contracts and Agreements—Affiliated Companies and Schedule 9009-B, Contracts and Agreements—Affiliated Companies, motor carrier annual report Form A; and Schedule 909-A, Contracts and Agreements—Affiliated Companies and Schedule 909-B, Contracts and Agreements—Affiliated Companies, motor carrier annual report Form B. Copies of proposed Schedules 9009-A and 9009-B, and instructions are attached to and made a part of this notice. Schedules 909-A and 909-B, and instructions are identical, except for the schedule identification numbers.

The proposed schedules call for disclosure of information essential to proceedings involving motor carrier rates, charges and similar matters. The reporting is divided into two parts, designated as Schedule 9009-A and Schedule 9009-B, in the interest of more orderly and meaningful presentation of the information. In Schedule A the carrier is asked to list the name of each affiliate to which it paid or from which it received consideration during the year of \$5,000 or more plus other information including salaries, dividends, etc., received from



affiliates by carrier officials, stockholders, and their near relatives. The instructions also call for inclusion of a copy of each affiliate's balance sheet and income statement with which respondent carrier had transactions aggregating \$5,000 or more during the year. Schedule B calls for details on each contract or arrangement with the individual affiliates. Among other new facts, Schedule B requests advice as to the accounting performed by the carrier for the consideration paid to or received from its affiliates. Attention is referred to the fact that the consideration of \$2,500, applied as a standard since 1949 in determining the affiliates to be reported, has been lifted to \$5,000 in the proposed schedules.

Any party desiring to make representations in favor of or against the proposed change may do so through submission of written data, views, or comments for consideration. The orig-

inal and five copies of such representations must be filed with the Secretary of the Interstate Commerce Commission, Washington, D.C. 20423, on or before July 30, 1969.

Notice shall be given motor carriers hereby affected subject to the provisions of Part II of the Interstate Commerce Act, and the general public by depositing a copy of this Notice in the Office of the Secretary of the Commission at Washington, D.C., and by filing a copy with the Director, Office of the Federal Register.

(Secs. 204, 220, 49 Stat. 546, as amended, 563, as amended; 49 U.S.C. 304, 320)

By the Commission, Division 2.

[SEAL]

H. NEIL GARSON,  
*Secretary.*

[F.R. Doc. 69-7549; Filed, June 25, 1969;  
8:49 a.m.]



# Notices

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[Sacramento 080298]

#### CALIFORNIA

#### Order Opening Public Lands

JUNE 18, 1969.

1. Public Land Order No. 1633 of May 8, 1958, revoked in part, Executive Order No. 4203 of April 14, 1925, which withdrew lands in California and Nevada in aid of classification for national forest status under the Act of February 20, 1925 (43 Stat. 952).

2. Pursuant to the authority vested in the Secretary of the Interior, and pursuant to authority redelegated to me by Bureau Order No. 701 of July 23, 1964, as amended, the following described land which was not included in the restoration made by Public Land Order No. 1633, is hereby restored to the operation of the public land laws, including location under the mining laws (30 U.S.C., Ch. 2) for nonmetalliferous minerals, subject to any valid rights, the provisions of existing withdrawals, and the requirements of applicable law, rules and regulations, as of 10 a.m. on July 31, 1969:

MOUNT DIABLO MERIDIAN

T. 9 N., R. 13 E.,  
Sec. 32, lot 4.

The area described contains 5.7 acres, more or less, in El Dorado County.

3. The land has been open to applications and offers under the mineral leasing laws and to location for metalliferous minerals. It will be open to location for nonmetalliferous minerals under the U.S. mining laws beginning at 10 a.m. on July 31, 1969.

4. Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, E-2807 Federal Office Building, 2800 Cottage Way, Sacramento, Calif. 95825.

ELIZABETH H. MIDTBY,  
Chief, Lands Adjudication Section.

[F.R. Doc. 69-7531; Filed, June 25, 1969;  
8:48 a.m.]

[OR 5020 (Wash.)]

#### WASHINGTON

#### Notice of Proposed Withdrawal and Reservation of Land

JUNE 20, 1969.

The Department of Agriculture, on behalf of the Forest Service, has filed application, OR 5020 (Wash.), for the withdrawal of the national forest land

described below, from all forms of appropriation under the mining laws (30 U.S.C., Ch. 2), but not from leasing under the mineral leasing laws, subject to valid existing rights.

The applicant desires the land for use as the Louella Work Center Administrative Site. The site was withdrawn by Secretary of the Interior order dated June 12, 1908. The applicant wishes to revoke the 1908 withdrawal simultaneously with effecting the proposed withdrawal.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 729 Northeast Oregon Street (Post Office Box 2965), Portland, Oreg. 97208.

The authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the land and its resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the land for purposes other than the applicant's, to eliminate land needed for purposes more essential than the applicant's, and to reach agreement on the concurrent management of the land and its resources.

He will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the land will be withdrawn as requested by the applicant agency.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

If circumstances warrant it, a public hearing will be held at a convenient time and place which will be announced.

The land involved in the application is:

OLYMPIC NATIONAL FOREST

WILLAMETTE MERIDIAN

Louella Work Center Administrative Site

T. 29 N., R. 3 W.,  
Sec. 20, SE  $\frac{1}{4}$  NE  $\frac{1}{4}$ .

The area described contains approximately 40 acres.

VIRGIL O. SEISER,  
Chief, Branch of Lands.

[F.R. Doc. 69-7532; Filed, June 25, 1969;  
8:48 a.m.]

## DEPARTMENT OF AGRICULTURE

### Office of the Secretary

#### WYOMING

#### Designation of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the herein-after-named counties in the State of Wyoming, natural disasters have caused a need for agricultural credit not readily available from commercial banks, co-operative lending agencies, or other responsible sources.

WYOMING

Campbell.  
Crook.

Weston.

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after December 31, 1969, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 20th day of June 1969.

CLIFFORD M. HARDIN,  
Secretary of Agriculture.

[F.R. Doc. 69-7533; Filed, June 25, 1969;  
8:49 a.m.]

## DEPARTMENT OF COMMERCE

### Maritime Administration

#### UNITED CALIFORNIA BANK

#### Notice of Approval of Applicant as Trustee

Notice is hereby given that United California Bank, a corporation organized and existing under the laws of the State of California, with offices at 600 South Spring Street, Los Angeles, Calif., has been approved as a trustee pursuant to Public Law 89-346 and 46 CFR 221.21-221.30.

Dated: June 23, 1969.

M. I. GOODMAN,  
Chief, Office of Ship Operations.

[F.R. Doc. 69-7567; Filed, June 25, 1969;  
8:51 a.m.]



# INTERSTATE COMMERCE COMMISSION

[Notice 1307]

## MOTOR CARRIER, BROKER, WATER CARRIER, AND FREIGHT FOR- WARDER APPLICATIONS

JUNE 20, 1969.

The following applications are governed by Special Rule 1.247<sup>1</sup> of the Commission's general rules of practice (49 CFR, as amended), published in the FEDERAL REGISTER issue of April 20, 1966, effective May 20, 1966. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the FEDERAL REGISTER. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with § 1.247(d)(3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and describing in detail the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one copy of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such requests shall meet the requirements of § 1.247(d)(4) of the special rules, and shall include the certification required therein.

Section 1.247(f) of the Commission's rules of practice further provides that each applicant shall, if protests to its application have been filed, and within 60 days of the date of this publication, notify the Commission in writing (1) that it is ready to proceed and prosecute the application, or (2) that it wishes to withdraw the application, failure in which the application will be dismissed by the Commission.

Further processing steps (whether modified procedure, oral hearing, or other procedures) will be determined generally in accordance with the Commission's General Policy Statement Concerning Motor Carrier Licensing Procedures,

published in the FEDERAL REGISTER issue of May 3, 1966. This assignment will be by Commission order which will be served on each party of record.

The publications hereinafter set forth reflect the scope of the applications as filed by applicants, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

No. MC 1977 (Sub-No. 13), filed June 2, 1969. Applicant: GOLDSTEIN TRANSPORTATION AND STORAGE, INC., 5231 Monroe Street, Denver, Colo. 80216. Applicant's representative: Alvin J. Meiklejohn, Jr., 420 Denver Club Building, Denver, Colo. 80202. 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 commodities requiring special equipment); between Denver, Colo., and the plantsite, warehouses, and other facilities of Eastman Kodak Co. at or near Windsor, Colo.: (1) From Denver, Colo., over Interstate Highway 25 to junction U.S. Highway 34, thence east over U.S. Highway 34 to junction Colorado Highway 257, thence over Colorado Highway 257 and unnumbered roads to plantsite, warehouses and other facilities of Eastman Kodak Co., and return over the same route, serving no intermediate points, (2) from Denver, Colo., over U.S. Highway 85 to its junction with U.S. Highway 34, thence west on U.S. Highway 34 to its junction with Colorado Highway 257, thence over Colorado Highway 257 and unnumbered roads to the plantsite, warehouses and other facilities of Eastman Kodak Co., and return over the same route, serving no intermediate points, (3) from Denver, Colo., over Interstate Highway 25 to its junction with Colorado Highway 392, thence east on Colorado Highway 392 to Windsor and to intersection with Colorado Highway 257, thence over Colorado Highway 257 and unnumbered roads to the plantsite, warehouses, and other facilities of Eastman Kodak Co., and return over the same route, serving no intermediate points, and (4) from Denver, Colo., over U.S. Highway 85 to its junction with Colorado Highway 392, thence west on Colorado Highway 392 to Windsor, thence over Colorado Highway 257 and unnumbered roads to the plantsite, warehouses, and other facilities of Eastman Kodak Co., and return over the same route, serving no intermediate points. Note: Common control may be involved. Applicant states it holds a certificate of registration which would authorize the services here proposed, but only on irregular routes and not on schedule, and also the certificate of registration contains restrictions which parallel the Colorado intrastate certi-

cate. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 2202 (Sub-No. 370) (Clarification), filed May 8, 1969, published in the FEDERAL REGISTER issue of May 29, 1969, and republished as clarified, this issue. Applicant: ROADWAY EXPRESS, INC., 1077 Gorge Boulevard, Post Office Box 471, Akron, Ohio 44309. Applicant's representatives: Douglas Paris, Post Office Box 471, Akron, Ohio 44309, and William O. Turney, 2001 Massachusetts Avenue NW., Washington, D.C. 20036. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), (1) between Amity Hall, Pa., and Buffalo, N.Y., from Amity Hall over U.S. Highway 15 to Wayland, N.Y., thence over New York Highway 63 to junction U.S. Highway 20 near Bethany, N.Y., thence over U.S. Highway 20 to Buffalo, and return over the same route as an alternate route in connection with applicant's regular route authority, serving no intermediate points and serving Amity Hall for joinder purposes only, and (2) between Amity Hall, Pa., and Rochester, N.Y., over U.S. Highway 15 (also over New York Highway 15A), as an alternate route in connection with applicant's authorized regular-route operations, serving no intermediate points and serving Amity Hall for joinder purposes only. Note: The purpose of this republication is to reflect also over New York Highway 15A in lieu of U.S. Highway 15A in (2) above. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 4405 (Sub-No. 473), filed May 23, 1969. Applicant: DEALERS TRANSIT, INC., 7701 South Lawndale Avenue, Chicago, Ill. 60652. Applicant's representative: James W. Wrape, 2111 Sterick Building, Memphis, Tenn. 38103. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Trailers, semitrailers, and trailer chassis, other than those designed to be drawn by passenger automobiles* in initial truckway and driveway service, from Atlanta, Ga., to points in the United States, excluding Hawaii and (2) *tractors*, in secondary movements in driveway service only when drawing trailers, semitrailers, and trailer chassis in initial movements, from Atlanta, Ga., to points in Alaska, Arizona, Nevada, Oregon, 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 Atlanta, Ga.

No. MC 6031 (Sub-No. 42), filed June 3, 1969. Applicant: BARRY TRANSFER & STORAGE COMPANY, a corporation, 120 East National Avenue, Milwaukee, Wis. 53204. Applicant's representative: William C. Dineen, 710 North Plankinton Avenue, Milwaukee,

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



Wis. 53203. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Industrial, plumbing and heating materials, and supplies*, from Appleton, Wis., to points in the Upper Peninsula of Michigan; and (2) *scrap metals* from Munising, Mich., to Appleton, Wis.; under contract with I. Bahcall, Inc., Appleton, Wis. **NOTE:** Applicant holds common carrier authority under MC 123765 and subs, therefore, dual operations may be involved. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Milwaukee, Wis.

No. MC 10761 (Sub-No. 240), filed June 5, 1969. Applicant: TRANSAMERICAN FREIGHT LINES, INC., 1700 North Waterman Avenue, Detroit, Mich. 48209. Applicant's representative: L. G. Naidow (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packing-houses* as described in sections A and C of appendix I to the report in *Descriptions in Motor Carriers Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from the plantsite and storage facilities used by National Beef Packing Co. at or near Liberal, Kans., to points in Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont, restricted to traffic originating at the plantsite and warehouse facilities of National Beef Packing Co. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 25798 (Sub-No. 191), filed June 5, 1969. Applicant: CLAY HYDER TRUCKING LINES, INC., 502 East Bridgers Avenue, Post Office Box 1187, Auburndale, Fla. 33823. Applicant's representative: Tony G. Russell (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Frozen foods*, (a) from points in Illinois to points in Georgia, Kentucky, Tennessee, Virginia, and West Virginia, (b) from Port Wentworth, Ga., to points in Illinois, Indiana, Kentucky, Michigan, Minnesota, Missouri, Ohio, West Virginia, and Wisconsin, (c) from Port Wentworth, Ga., to points in Connecticut, Delaware, Georgia, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island, South Carolina, Tennessee, and the District of Columbia, and (d) from Charleston, S.C., to points in Connecticut, Delaware, Georgia, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island, South Carolina, Tennessee, and the District of Columbia, (2) *frozen citrus products*, from points in Florida, to points in Georgia and South Carolina and (3) *canned goods*,

from Hopeton, Va., to points in Delaware and points in Worcester, Wicomico, Somerset, Dorchester, Carolina, Talbot, and Queen Annes Counties, Md., to points in Georgia, Florida, North Carolina, and South Carolina. **NOTE:** Applicant states that the purpose of the instant application is to remove a gateway point in North Carolina in (1) and (2) above and remove a gateway point in Virginia in (3) above. Applicant also 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 Tampa or Orlando, Fla.

No. MC 30237 (Sub-No. 17), filed June 10, 1969. Applicant: YEATTS TRANSFER COMPANY, a corporation, Post Office Box 666, Altavista, Va. 24517. Applicant's representative: Eston H. Alt, Post Office Box 81, Winchester, Va. 22601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Luggage, children's toys, and plastic charts, and graph boards with accessories*, from Altavista, Va., to points in Alabama, Connecticut, Delaware, Florida, Georgia, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, and the District of Columbia. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 30938 (Sub-No. 11), filed June 5, 1969. Applicant: EASTERN TRANSPORTATION CO., a corporation, 87 Central Street, Mansfield, Mass. Applicant's representative: Kenneth B. Williams, 111 State Street, Boston, Mass. 02109. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, between Mansfield, Mass., on the one hand, and, on the other, points in Massachusetts, Maine, New Hampshire, Vermont, Rhode Island and Connecticut. **NOTE:** Applicant states that tacking could take place in the Boston Mass., area. If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

No. MC 31389 (Sub-No. 109) (Amendment), filed May 8, 1969, published in *FEDERAL REGISTER* issue of June 12, 1969, amended June 10, 1969, and republished as amended this issue. Applicant: McLEAN TRUCKING COMPANY, a corporation, 617 Woughtown Street, Post Office Box 213, Winston-Salem, N.C. 27102. Applicant's representative: Francis W. McInerney, 1000 16th Street NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment)

serving Daviess, Henderson, Hopkins, McLean, Muhlenburg, Ohio, Union, and Webster Counties, Ky., as off-route territory, in connection with applicant's existing regular-route operations in Kentucky. **NOTE:** The purpose of this republication is to include Union, Daviess, Henderson, Hopkins, McLean, and Webster Counties, as additional off-route points. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 35628 (Sub-No. 298), filed June 4, 1969. Applicant: INTERSTATE MOTOR FREIGHT SYSTEM, 134 Grandville SW., Grand Rapids, Mich. 49502. Applicant's representative: Leonard D. Verdier, Jr., 900 Old Kent Building, Grand Rapids, Mich. 49502. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment) serving Cohoctah, Mich., as off-route point, in connection with regular route operations authorized by certificate MC 35628 Sub 2. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Eansing or Detroit, Mich.

No. MC 36832 (Sub-No. 25), filed May 28, 1969. Applicant: AMERICAN TRANSIT LINES, INCORPORATED, 221 North La Salle Street, Chicago, Ill. 60601. Applicant's representative: Herman Wendorf (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, liquid commodities in bulk, and those requiring special equipment), between points in Illinois, Indiana, Lower Peninsula of Michigan, Ohio, Louisville, Ky., and Pittsburgh, Pa., on the one hand, and, on the other, the plantsite of Wilco Manufacturing, Inc., at or near Yankton, S. Dak. **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 41635 (Sub-No. 47), filed June 5, 1969. Applicant: DEALERS TRANSPORT COMPANY, a corporation, 1368 Riverside Boulevard, Memphis, Tenn. 38102. Applicant's representative: Charles H. Hudson, Jr., 833 Stahlman Building, Nashville, Tenn. 37201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New motor vehicles*, in secondary movements, in drive-away and truckaway service, from points in Louisiana to points in 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 New Orleans, La.



No. MC 42487 (Sub-No. 721), filed June 2, 1969. Applicant: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Drive, Menlo Park, Calif. 94025. Applicant's representative: Robert M. Bowden, Post Office Box 3062, Portland, Oreg. 97208. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, between points in California on the one hand, and, on the other, points in Oregon. NOTE: Applicant intends to tack the proposed authority at points in Oregon with existing authority held by applicant on the same commodities to perform through services between California points, on the one hand, and, on the other, points in Idaho and Washington. NOTE: If a hearing is deemed necessary, applicant requests it be held at Los Angeles or San Francisco, Calif.

No. MC 50069 (Sub-No. 424), filed June 4, 1969. Applicant: REFINERS TRANSPORT & TERMINAL CORPORATION, 445 Earlwood Avenue, Oregon, Ohio 43616. Applicant's representative: J. A. Kundtz, 1050 Union Commerce Building, Cleveland, Ohio 44115. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Acetone and phenol* in bulk, in tank vehicles, from the plantsite of United States Steel Corp., at or near Haverhill (Scioto County), Ohio, to points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Virginia, West Virginia, and Wisconsin. Common control and dual operations may be involved. NOTE: Applicant states it does not intend to tack, and apparently is willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 50069 (Sub-No. 425), filed June 4, 1969. Applicant: REFINERS TRANSPORT & TERMINAL CORPORATION, 445 Earlwood Avenue, Oregon, Ohio 43616. Applicant's representative: J. A. Kundtz, 1050 Union Commerce Building, Cleveland, Ohio 44115. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer*, in bulk, in tank vehicles, (1) from Kentland, Ind., to points in Illinois, and (2) from Yoder, Ind., to points in Ohio and Michigan (Lower Peninsula). NOTE: Common control and dual operations may be involved. Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 59583 (Sub-No. 124), filed June 6, 1969. Applicant: THE MASON AND DIXON LINES, INCORPORATED, Eastman Road, Kingsport, Tenn. 37660.

Applicant's representative: Clifford E. Sanders, 311 East Center Street, Kingsport, Tenn. 37660. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, serving the plantsite of U.S. Plywood-Champion Papers, Inc., located approximately 3 miles north of Alternate U.S. Highway 72 near Courtland, Ala., as an off-route point in connection with applicant's presently authorized regular-route authority between Decatur, and Florence, Ala., over Alabama Highway 20 (Alternate U.S. Highway 72) and U.S. Highway 43. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Nashville, Tenn.

No. MC 59609 (Sub-No. 8) (Amendment), filed October 9, 1968, published FEDERAL REGISTER issue of November 7, 1968, amended and republished this issue. Applicant: HARRY CROW & SON, INC., 1808 52d Street, Kenosha, Wis. 53140. Applicant's representative: Gordon Crow (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Ferro metal ores*, in bulk, in dump vehicles, (1) between points in Milwaukee and Waukesha Counties, Wis., on the one hand, and, on the other, points in Cook and Lake Counties, Ill.; and (2) between points in Milwaukee County, Wis., and points in Waukesha County, Wis. NOTE: The purpose of this republication is to broaden the scope of authority sought. 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 Kenosha, Milwaukee, or Madison, Wis., or Chicago, Ill.

No. MC 64994 (Sub-No. 107), filed June 4, 1969. Applicant: HENNIS FREIGHT LINES, INC., Post Office Box 612, Winston-Salem, N.C. 27102. Applicant's representative: B. M. Shirley, Jr. (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from DuShore, Pa., to points in Florida, Georgia, North Carolina, South Carolina, and Virginia. 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 Richmond, Va., or Washington, D.C.

No. MC 67200 (Sub-No. 34), filed June 2, 1969. Applicant: THE FURNITURE TRANSPORT COMPANY, INC., Furniture Row, Milford, Conn. 06460. Applicant's representative: Arthur J. Piken, 160-16 Jamaica Avenue, Jamaica, N.Y. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *New furniture*, from North Dartmouth and New

Bedford, Mass., to points in the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, and the District of Columbia; and returned, refused, and rejected shipments of merchandise of the same description and return. 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 Boston, Mass.

No. MC 69512 (Sub-No. 6), filed May 28, 1969. Applicant: THUNDERBIRD FREIGHT LINES, INC., 1515 South 22d Avenue, Phoenix, Ariz. 85009. Applicant's representative: Donald E. Fernaays, 4114A North 20th Street, Phoenix, Ariz. 85016. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), (1) between Phoenix and Tucson, Ariz., (a) from Phoenix over U.S. Highways 60 and 70 to junction of Arizona Highway 87, thence south on Arizona Highway 87 to junction Arizona Highways 84 and 93 to Tucson, and (b) from Phoenix over U.S. Highways 60 and 70 to junction Arizona Highway 87, thence south on Arizona Highway 87 to junction Arizona Highway 93, thence south on Arizona Highway 93 to junction Arizona Highway 84, thence southeast on Arizona Highways 84 and 93 to Tucson, and return over the same route, serving all intermediate points, and the off-route points in the Industrial area south of Davis Monahan Air Base, Tucson, Ariz., and north of the Tucson Benson Highway (Interstate Highway 10), and (2) between Phoenix and Tucson, Ariz., over Interstate Highway 10, serving no intermediate points. NOTE: If a hearing is deemed necessary, applicant requests that it commence at Phoenix, Ariz., then Los Angeles, Calif., and terminate at Tucson, Ariz.

No. MC 70176 (Sub-No. 3), filed May 22, 1969. Applicant: ERNEST L. SECCOMB AND ERNEST M. KINGSBURG, a partnership, doing business as KITTO'S TRUCKING & STORAGE, 700 East Front Street, Butte, Mont. 59701. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Household goods*, between points in Montana, restricted to the transportation of traffic having a prior or subsequent movement, in containers, beyond the points authorized and further restricted to the performance of pickup and delivery service in connection with packing, crating, and containerization or unpacking, uncrating, and decontainerization of such traffic. 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 Butte, Mont.



No. MC 73165 (Sub-No. 266), filed June 2, 1969. Applicant: EAGLE MOTOR LINES, INC., 830 North 33d Street, Post Office Box 1348, Birmingham, Ala. 35201. Applicant's representative: Robert M. Pearce, Post Office Box E, Bowling Green, Ky. 42101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Composition building board*, from the plantsite and warehouses of Johns-Manville Products Corp. at or near Natchez, Miss., to points in Alabama, Florida, Georgia, Kentucky, Louisiana, North Carolina, South Carolina, Tennessee, and Virginia. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn.

No. MC 85012 (Sub-No. 7), filed June 2, 1969. Applicant: CAPITOL TRANSPORTER & STORAGE COMPANY, a corporation, 1545 Hansford Street, Charleston, W. Va. 25311. Applicant's representative: Alan F. Wohlsetter, 1 Farragut Square South, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, between points in West Virginia, restricted to the transportation of traffic having a prior or subsequent movement, in containers, and further restricted to the performance of pickup and delivery service in connection with packing, crating, and containerization or unpacking, uncrating, and decontainerization of such traffic. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Charleston, W. Va., or Washington, D.C.

No. MC 88141 (Sub-No. 6), filed June 4, 1969. Applicant: SPENCER TRANSPORTER, INC., 830 Bollingbrook Street, Petersburg, Va. 23831. Applicant's representative: Jno. C. Goddin, 200 West Grace Street, Richmond, Va. 23220. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Transit oil*, in bulk, in tank vehicles, between points in Virginia and points in Grant, Greenbrier, Mercer, McDowell, Monroe, Pocahontas, Raleigh, Summers, and Wyoming Counties, W. Va., and points in Beaufort, Bertie, Camden, Chowan, Craven, Currituck, Dare, Edgecombe, Gates, Granville, Greene, Halifax, Hertford, Hyde, Martin, Nash, Northampton, Pamlico, Pasquotank, Perquimans, Pitt, Tyrrell, Vance, Warren, and Washington Counties, N.C., under a continuing contract with Virginia Electric & Power Co. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Richmond, Va.

No. MC 94201 (Sub-No. 71), filed June 5, 1969. Applicant: BOWMAN TRANSPORTATION, INC., 1010 Stroud Avenue, East Gadsden, Ala. 35903. Applicant's representative: Maurice F. Bishop, 327 Frank Nelson Building, Birmingham, Ala. 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Gen-*

*eral commodities*, except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment serving the plantsite of U.S. Plywood-Champion Papers, Inc., located approximately 2.5 miles north of Courtland, Ala., and approximately 18 miles northwest of Decatur, Ala. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Birmingham, Ala.

No. MC 94265 (Sub-No. 218), filed June 4, 1969. Applicant: BONNEY MOTOR EXPRESS, INC., Post Office Box 12388, Thomas Corner Station, Norfolk, Va. Applicant's representative: E. Stephen Heasley, 705 McLachlen Bank Building, 666 11th Street NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and 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, in tank vehicles and except hides), from points in the Omaha, Nebr.-Council Bluffs, Iowa, commercial zone, to points in Connecticut, Delaware, Maryland, Massachusetts, New York, New Jersey, Pennsylvania, and Rhode Island. **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 95084 (Sub-No. 74), filed June 4, 1969. Applicant: HOVE TRUCK LINE, a corporation, Stanhope, Iowa 50246. Applicant's representative: Kenneth F. Dudley, 901 South Madison Avenue, Post Office Box 279, Ottumwa, Iowa 52501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Iron and steel articles*, from the plantsites, shipping points, and warehouses of Continental Steel Corp., located in Howard County, Ind., to points in the continental United States on and east of U.S. Highway 85 and (2) *materials, equipment, and supplies used in the manufacture and processing of iron and steel articles*, from the above-named destinations to the plantsites, shipping points and warehouses of Continental Steel Corp., located in Howard County, Ind. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind., or Chicago, Ill.

No. MC 95540 (Sub-No. 747), filed June 2, 1969. Applicant: WATKINS MOTOR LINES, INC., 1120 West Griffin Road, Lakeland, Fla. 33801. Applicant's representative: Paul E. Weaver, (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat by-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 Hillsdale, Mich., to points in Alabama, Florida, Georgia, Kentucky, Louisiana, North Carolina, South Carolina, Tennessee, and Mississippi, restricted to traffic originating at the plantsite or storage facilities utilized by Great Northwestern Packing Co., at or near Hillsdale, Mich. **NOTE:** Common control may be involved. Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich., or Washington, D.C.

No. MC 95540 (Sub-No. 748), filed June 3, 1969. Applicant: WATKINS MOTOR LINES, INC., 1120 West Griffin Road, Lakeland, Fla. 33801. Applicant's representative: Paul E. Weaver (same address as above). 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 packinghouses, from the plantsite and storage facilities used by National Beef Packing Co. at/or near Liberal, Kans., to points in Alabama, Connecticut, Delaware, Florida, Georgia, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, South Carolina, North Carolina, Tennessee (except Memphis), Vermont, Virginia, West Virginia, the District of Columbia, Maryland, Massachusetts, and Maine, restricted to traffic originating at the plantsite and warehouse facilities of National Beef Packing Co.* **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 100666 (Sub-No. 141), filed June 2, 1969. Applicant: MELTON TRUCK LINES, INC., Post Office Box 7666, Shreveport, La. 71107. Applicant's representatives: Wilburn L. Williamson, 600 Leininger Building, Oklahoma City, Okla. 73112, and Paul Caplinger (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Buildings, roofing, and insulating materials, and gypsum and gypsum products (except in bulk) from Fort Dodge, Iowa, to points in Arkansas, Kentucky, Oklahoma, and Tennessee.* **NOTE:** Applicant states it would tack with its Sub 67 at Duke, Okla., for service to Texas and New Mexico. If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark., or Oklahoma City, Okla.

No. MC 103993 (Sub-No. 415), filed June 6, 1969. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind. 46514. Applicant's representatives: Paul P. Borghesani and Ralph H. Miller (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers designed to be drawn by passenger automobiles, in initial movements, from points in Barnwell County,*



S.C., 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 Columbia, S.C.

No. MC 103993 (Sub-No. 416), filed June 6, 1969. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind. 46514. Applicant's representatives: Paul D. Borghesani and Ralph H. Miller (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Conduits and pipe drainage, sewer and other underground work, and connections and fittings* thereof, bituminized fiber and indurated, from Sherman, Tex., to points in New Mexico, Arizona, California, Nevada, Utah, Colorado, Wyoming, Montana, Idaho, Washington, and Oregon. Note: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 103993 (Sub-No. 417), filed June 6, 1969. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind. 46514. Applicant's representatives: Paul D. Borghesani and Ralph H. Miller (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Buildings*, in sections mounted on wheeled undercarriages, from points in Mecklenburg County, Va., to points in the United States, including Alaska (but excluding 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 Richmond, Va.

No. MC 103993 (Sub-No. 418), filed June 9, 1969. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind. Applicant's representatives: Paul D. Borghesani (same address as above) and Ralph H. Miller (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobile, in initial movement, from points in Union County, Ill., to points in the United States (except Alaska and Hawaii). Note: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Springfield, Ill.

No. MC 103993 (Sub-No. 419), filed June 9, 1969. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind. 46514. Applicant's representatives: Paul D. Borghesani, also Ralph H. Miller (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transport-

ing: *Trailers*, designed to be drawn by passenger automobiles, in initial movements, from points in Lincoln County, Ky., 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 Lexington, Ky.

No. MC 103993 (Sub-No. 420), filed June 9, 1969. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind. 46514. Applicant's representative: Paul D. Borghesani (same address as above) and Ralph H. Miller (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Truck campers and camp coaches*, from points in Humphreys County, Miss., 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 Jackson, Miss.

No. MC 103993 (Sub-No. 421), filed June 9, 1969. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind. 46514. Applicant's representative: Paul D. Borghesani (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles in initial movements, from points in Monroe County, Miss., 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 Jackson, Miss.

No. MC 104123 (Sub-No. 73), filed June 4, 1969. Applicant: JOHN SCHUTT, JR., INC., 4361 River Road, town of Tonawanda, N.Y. 14150. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Aluminum chloride*, in bulk, from ports of entry on the international boundary line between the United States and Canada located on the Niagara River, Elberta, and Lockport, N.Y., to points in Connecticut, Delaware, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, Wisconsin, Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, and Tennessee. Note: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Buffalo, N.Y.

No. MC 104951 (Sub-No. 18), filed June 2, 1969. Applicant: W. R. HALL TRANSPORTATION AND STORAGE COMPANY, a corporation, 2158 U.S.

Highway 6-50, Grand Junction, Colo. 81501. Applicant's representative: Alan F. Wohlstetter, 1 Farragut Square South, Washington, D.C. 20006. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Used household goods* between points in Colorado; Rio Arriba, McKinley, Sandoval, and San Juan Counties, N. Mex.; Uintah, Carbon, Daggett, Grand, Emery, Wayne, Garfield, and San Juan Counties, Utah; and Carbon, Fremont, Lincoln, Natrona, Sublette, Sweetwater, and Uinta Counties, Wyo., restricted to the transportation of traffic having a prior or subsequent movement, in containers, and further restricted to the performance of pickup and delivery service in connection with packing, crating, and containerization or unpacking, uncrating, and decontainerization of such traffic. Note: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo., or Washington, D.C.

No. MC 105566 (Sub-No. 8), filed June 4, 1969. Applicant: SAM TANKSLEY TRUCKING, INC., Post Office Box 68, East Prairie, Mo. 63845. Applicant's representative: Thomas P. Kilroy, 2111 Jefferson Davis Highway, Arlington, Va. 22202. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Processed and canned foodstuffs*, from Avoyelles and West Feliciana Parishes, La., to points in Arizona and California. Note: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant does not specify a location.

No. MC 106760 (Sub-No. 108), filed June 11, 1969. Applicant: WHITEHOUSE TRUCKING, INC., 5020 Angola Road, Toledo, Ohio 43615. Applicant's representatives: Irvin Tull and Fred Rahal, Jr. (same address as applicant) and Leonard E. Jaskiewicz, Suite 501, 1730 M Street NW., Washington, D.C. 20036. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Glass, flat; glass glazing units; glass doors*, with and without fittings, from Toledo, Ohio, to points in the United States (except Washington, Oregon, California, Nevada, Idaho, Utah, Arizona, Alaska, and Hawaii). Note: Common control and dual operations may be involved. Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 107012 (Sub-No. 96), filed June 9, 1969. Applicant: NORTH AMERICAN VAN LINES, INC., Lincoln Highway East and Meyer Road, Post Office Box 988, Fort Wayne, Ind. 46801. Applicant's representative: Martin A. Weisert (same address as applicant). 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, crated and uncrated, from Corinth and Holly Springs, Miss., to points in the United States (except Alaska and Hawaii), and returned shipments of the same commodities from points in the United States (except Alaska and Hawaii) to Corinth and Holly Springs, Mo.* NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. Applicant further states no duplicating authority is sought or intended. Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Chicago, Ill.

No. MC 107295 (Sub-No. 200), filed May 23, 1969. Applicant: PRE-FAB TRANSIT CO., a corporation, 100 South Main Street, Farmer City, Ill. 61842. Applicant's representative: Dale L. Cox, Post Office Box 146, Farmer City, Ill. 61842. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Roof deck, from Oregon, Ohio, to points in the United States (except Alaska, Arkansas, Illinois, Indiana, Iowa, Kentucky, Michigan, Missouri, Ohio, Tennessee, Wisconsin and Hawaii).* NOTE: Applicant states it intends to tack with its authority, where feasible. If a hearing is deemed necessary, applicant requests it be held at Cleveland, Ohio.

No. MC 107403 (Sub-No. 774), filed June 3, 1969. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Polypropylene, dry in bulk, from West Deptford Township, N.J., to points in 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 Philadelphia, Pa., or Washington, D.C.

No. MC 108053 (Sub-No. 86), filed May 29, 1969. Applicant: LITTLE AUDREY'S TRANSPORTATION COMPANY, INC., Post Office Box 129, Fremont, Nebr. 68025. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and 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, in tank vehicles, and except hides, from Council Bluffs, Iowa, to points in Arizona, California, Oregon, Utah, and Washington.* NOTE: Common control may be involved. Applicant states it does not intend to tack, and apparently is willing to accept a restriction against tacking, if warranted. If a

hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 108119 (Sub-No. 22), filed May 28, 1969. Applicant: E. L. MURPHY TRUCKING CO., 3033 Sibley Memorial Highway, St. Paul, Minn. 55101. Applicant's representative: Donald A. Morcken, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Commodities which require the use of special equipment or special handling by reason of size or weight, and commodities not requiring the use of special handling or special equipment when moving incidental to or in connection with commodities requiring the use of special equipment or special handling, and (2) ammunition and explosives, (a) between military installations and Department of Defense establishments located at points in the United States (except Hawaii), and (b) between points in (a) above, on the one hand, and, on the other, points in the United States (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 Washington, D.C.

No. MC 108228 (Sub-No. 40), filed May 12, 1969. Applicant: MILES TRUCKING CO., INC., Post Office Box 578, Plant City, Fla. 33566. Applicant's representative: Carl H. Fondren (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Candy and confectionery and confectionery products, including advertising matter, display racks, and premiums when moving at the same time, (1) from points in Marion and Washington County, Ill., to points in Alabama, Georgia, Florida, North Carolina, and South Carolina and (2) from Sulphur Spring, Tex., to points in Florida, Georgia, North Carolina, and South Carolina.* NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Washington, D.C.

No. MC 109397 (Sub-No. 171), filed June 4, 1969. Applicant: TRI-STATE MOTOR TRANSIT CO., a corporation, Post Office Box 113, Interstate Business Route I-44, Joplin, Mo. 64802. Applicant's representative: Max G. Morgan, 600 Leininger Building, Oklahoma City, Okla. 73112. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Source, special nuclear, byproduct radioactive materials, component parts and containers thereof, between the Kerr-McGee Cimarron Facilities at or near Crescent, Okla., on the one hand, and, on the other, Argonne National Laboratory near Lemont, Ill.* NOTE: Applicant holds contract authority under MC 128814 Sub 4, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at

Oklahoma City, Okla., Salt Lake City, Utah, or Denver, Colo.

No. MC 109397 (Sub-No. 172), filed June 4, 1969. Applicant: TRI-STATE MOTOR TRANSIT CO., a corporation, Post Office Box 113, Interstate Business Route I-44, Joplin, Mo. 64802. Applicant's representative: Max G. Morgan, 600 Leininger Building, Oklahoma City, Okla. 73112. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Source, special nuclear, byproduct radioactive materials, component parts and containers thereof, between Hanford Works near Richland, Wash., and the Kerr-McGee Cimarron Facilities near Crescent, Okla.* NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. Applicant holds contract authority under MC 128814 Sub 4, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla., Salt Lake City, Utah, or Denver, Colo.

No. MC 110012 (Sub-No. 18), filed May 25, 1969. Applicant: G. B. C., INC., 707 North Liberty Hill Road, Post Office Box 68, Morristown, Tenn. 37814. Applicant's representative: James W. Wrape, 2111 Sterick Building, Memphis, Tenn. 38103. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *New furniture, upholstered or not upholstered, crated or uncrated, from Wichita, Kans., to Chicago, Ill., and Morristown, Tenn., (2) lumber, including plywood, but excluding dimension stock lumber, loose or bundled, from points in Mississippi, Florida, Georgia, New Jersey, Arkansas, Maryland, Virginia, Alabama, and South Carolina, to points in Hamblen County, Tenn., (3) plastic cover, in rolls, from Port Clinton, Ohio, Mishawaka, and Elkhart, Ind., and Newberg, N.Y., to Morristown, Tenn., (4) molded plastic chair arms, palletized or bundled, from Crawfordsville, Ind., to Morristown, Tenn., (5) wood frame parts and chair frames, loose, from Tupelo, Miss., to Morristown, Tenn., (6) wood bands, loose or in bundles, from Dearborn, Mich., to Morristown, Tenn., (7) dimension stock lumber, loose or in bundles, from Canton and West Point, Miss., Bedford, Pa., and Delphos, Ohio, to Morristown, Tenn., (8) glue, in containers from Columbus, Ohio, and Lansdale, Pa., to Morristown, Tenn., (9) rubbing lubricants and wax, in containers, from Racine, Wis., to Morristown, Tenn., (10) furniture hardware, in cartons, from Grand Rapids, Mich., Jamestown, N.Y., and Rockford, Ill., to Morristown, Tenn., (11) foam rubber, loose or in cartons, from Fall River, Mass., to Morristown, Tenn., (12) kapok, in bundles, from Savannah, Ga., and Baltimore, Md., to Morristown, Tenn., (13) staples, in containers, from Brooklyn, N.Y., to Morristown, Tenn., (14) wood seats, banded, from Cleveland, Tex., to Morristown, Tenn., and (15) tufflex, (fibers used in padding chairs, similar to felt), in bundles, from Atlanta, Ga., to Morristown, Tenn.* NOTE: Applicant



states that no duplicating authority is being sought. Applicant further states that it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Knoxville, Tenn.

No. MC 111545 (Sub-No. 120), filed June 2, 1969. Applicant: HOME TRANSPORTATION COMPANY, INC., Post Office Box 6426, Station A, Marietta, Ga. 30060. Applicant's representative: Robert E. Born, 1425 Franklin Road SE., Marietta, Ga. 30060. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, and *buildings*, complete or in sections, mounted on wheeled undercarriages, from points in Hempstead County, Ark., to points in the United States (except Alaska and Hawaii). Note: Applicant states no duplicating authority is sought. Applicant further states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark., or Memphis, Tenn.

No. MC 111545 (Sub-No. 121), filed June 2, 1969. Applicant: HOME TRANSPORTATION COMPANY, INC., Post Office Box 6426, Station A, Marietta, Ga. 30060. Applicant's representative: Robert E. Born, 1425 Franklin Road SE., Marietta, Ga. 30060. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers* designed to be drawn by passenger automobiles and *buildings* complete or in sections, mounted on wheeled undercarriages, from points in Mecklenburg County, Va., 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. No duplicating authority sought. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 112304 (Sub-No. 31), filed May 23, 1969. Applicant: ACE DORAN HAULING & RIGGING CO., a corporation, 1601 Blue Rock Street, Cincinnati, Ohio 45223. Applicant's representative: A. Charles Tell, 100 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gun mounts and related equipment* requiring special equipment or special handling, between Louisville, Ky., and Crane, Ind., on the one hand, and, on the other, Long Beach, San Diego, and San Francisco, Calif.; Bremerton, Wash.; Boston, Mass.; Charleston, S.C.; Norfolk, Va.; and Jacksonville, Fla. Note: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 112520 (Sub-No. 203), filed June 2, 1969. Applicant: McKENZIE

TANK LINES, INC., Post Office Box 1200, Tallahassee, Fla. 32302. Applicant's representative: W. Guy McKenzie, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry commodities*, in bulk (except cement), from points in Florida north of State Highway 40 to points in Georgia and Alabama. Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 112617 (Sub-No. 260), filed June 5, 1969. Applicant: LIQUID TRANSPORTERS, INC., Post Office Box 21395, Louisville, Ky. 40221. Applicant's representative: L. A. Jaskiewicz, 1730 M Street NW., Suite 501, Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acetone and phenol*, in bulk, in tank vehicles, from the plantsite of United States Steel Corp. at or near Haverhill (Scioto County), Ohio, to points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Virginia, West Virginia, and Wisconsin. Note: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 112696 (Sub-No. 40), filed June 3, 1969. Applicant: HARTMANS, INCORPORATED, Post Office Box 898, Harrisonburg, Va. 22801. Applicant's representative: James E. Wilson, 1735 K Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, dairy products, candy, frozen foods, and equipment and supplies used in the preparation and serving of foods in restaurants and commissaries, and equipment and supplies used in the manufacture of frozen foods*, between New York, N.Y., on the one hand, and, on the other, Washington, D.C., restricted to traffic originating at or destined to plants or storage facilities of Frank G. Shattuck Co. of New York. Note: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 114019 (Sub-No. 196), filed June 3, 1969. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 South Pulaski Road, Chicago, Ill. 60629. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vegetable oils, and products thereof*, in bulk, in tank vehicles, (1) from the plantsite of Central Soya Co., Inc., at or near Decatur, Ind., to points in Illinois,

Ohio, Pennsylvania, Michigan, Wisconsin, Kentucky, Missouri, New Jersey, New York, Arkansas, Louisiana, Mississippi, Alabama, Georgia, Florida, Tennessee, South Carolina, North Carolina, Virginia, West Virginia, Maryland, Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, Maine (except Arrows-took County), Minnesota, Iowa, Delaware, Texas, Oklahoma, Kansas, and Nebraska; and (2) from Bellevue, Delphos, and Marion, Ohio; Gibson City and Chicago, Ill.; Chattanooga, Tenn.; and Belmond, Iowa, to the plantsite of Central Soya Co., Inc., at or near Decatur, Ind. Note: Common control may be involved. Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 114211 (Sub-No. 124), filed May 28, 1969. Applicant: WARREN TRANSPORT, INC., 324 Manhard, Post Office Box 420, Waterloo, Iowa 50704. Applicant's representative: Charles W. Singer, 33 North Dearborn, Suite 1625, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Tractors* (except those with vehicle beds, bed frames, and fifth wheels), (2) *equipment* designed for use in conjunction with tractors, (3) *agricultural, industrial and construction machinery, and equipment*, (4) *trailers* designed for the transportation of the above-described commodities (except those trailers designed to be drawn by passenger automobiles), (5) *attachments* for the above-described commodities, (6) *internal combustion engines*, and (7) *parts* of the above-described commodities when moving in mixed loads with such commodities, from the plant and warehouse sites and experimental farms of Deere & Co. in Black Hawk and Dubuque Counties, Iowa, to points in Indiana, Ohio, Michigan, Kentucky, Tennessee, and Mississippi. Restriction: The above is restricted to traffic originating at the plant and warehouse sites, and experimental farms, named above. 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 114211 (Sub-No. 125), filed June 9, 1969. Applicant: WARREN TRANSPORT, INC., 324 Manhard Street, Post Office Box 420, Waterloo, Iowa 50704. Applicant's representative: Charles W. Singer, 33 North Dearborn Street, Suite 1625, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural implements, agricultural machinery, and parts* for agricultural implements and agricultural machinery, from the plantsite and warehouse facilities of Oliver Corp. located at or near South Bend, Ind., to ports of entry on the international boundary line between the



United States and Canada located at Port Huron, and Detroit, Mich. Note: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. Applicant further states it does not seek any duplicating authority for the purpose of sale or otherwise. If a hearing is deemed necessary, applicant does not specify a location.

No. MC 114365 (Sub-No. 5), filed June 2, 1969. Applicant: RAY ACKERMAN, 283 Roosevelt Street, Kingsford, Mich. 49801. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Carbonated beverages, namely pop, seltzer, and soft drinks*, in full straight and mixed loads, from Milwaukee, Wis., to Kingsford (Dickinson County), Mich., and empty containers, on return, under contract with Rice Juice Co., Kingsford (Dickinson County), Mich. Note: If a hearing is deemed necessary, applicant requests it be held at Milwaukee, Wis.

No. MC 114608 (Sub-No. 24), filed May 28, 1969. Applicant: CAPITAL EXPRESS, INC., 1239 Randolph Avenue SW., Grand Rapids, Mich. 49507. Applicant's representative: Wilhelmina Borsma, 1600 First Federal Building, Detroit, Mich. 48236. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (A) *Aircleaners, coolers*, other than water evaporative type, dehumidifiers, heaters other than portable, *humidifiers or washers*, with blowers or fans, from Grand Rapids, Mich., to points in Illinois, Indiana, and Ohio, under contract with Gibson Products Corp. and Kelvinator, Inc., and (B) *materials, equipment, and supplies* used in the manufacture of the foregoing articles (except those which because of size or weight or inherent nature require the use of special equipment or special handling), from points in Illinois, Indiana, and Ohio, to Grand Rapids, Mich., under contract with Gibson Products Corp. and Kelvinator, Inc. Note: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Detroit or Lansing, Mich.

No. MC 114608 (Sub-No. 25), filed May 28, 1969. Applicant: CAPITAL EXPRESS, INC., 1239 Randolph Avenue SW., Grand Rapids, Mich. 49507. Applicant's representative: Wilhelmina Borsma, 1600 First Federal Building, Detroit, Mich. 48236. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Machinery, parts, materials, and supplies* used in the manufacture of household appliances (except those which because of size or weight or inherent nature require the use of special equipment or handling), from Grand Rapids, Mich., to Cleveland, Ohio; and (b) *refrigeration machinery and/or compressors*, from Grand Rapids, Mich., to points in Illinois, Indiana, and Ohio. Restriction: The above service to be performed under a continuing contract or contracts with Kelvinator, Inc. Note: Common control and dual operations may be involved. If a hearing is deemed

necessary, applicant requests it be held at Detroit or Lansing, Mich.

No. MC 115162 (Sub-No. 173), filed May 23, 1969. Applicant: POOLE TRUCK LINE, INC., Post Office Box 310, Evergreen, Ala. 36401. Applicant's representative: Robert E. Tate (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gypsum building materials* (except in bulk) and *materials* used in the installation thereof, from Port Clinton, Ohio, to points in Kentucky, Tennessee, Georgia, and Alabama. 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 Birmingham, Ala., or Washington, D.C.

No. MC 115162 (Sub-No. 175), filed June 6, 1969. Applicant: POOLE TRUCK LINE, INC., Post Office Box 310, Evergreen, Ala. 36401. Applicant's representative: Robert E. Tate (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clay products*, from East Canton, Ohio, to points in Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, and Tennessee. Note: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Montgomery or Mobile, Ala.

No. MC 115838 (Sub-No. 6), filed May 28, 1969. Applicant: COMMODITY HAULAGE CORPORATION, 146-92 New York Boulevard, Jamaica, N.Y. 11434. Applicant's representative: Herbert Burstein, 160 Broadway, New York, N.Y. 10038. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, commodities in bulk and commodities requiring special equipment), between La Guardia Airport and John F. Kennedy International Airport, N.Y., on the one hand, and, on the other, points in Suffolk County, N.Y., east of New York Highway 111, except Calverton, N.Y., between Newark Municipal Airport, Newark, N.J., on the one hand, and, on the other, points in Nassau and Suffolk Counties, N.Y., between Westchester County Airport, N.Y., on the one hand, and, on the other, points in Nassau and Suffolk Counties, N.Y. (restricted to shipments having an immediately prior or subsequent movement by air, over irregular routes). Note: Applicant states it does not intend to tack, and is apparently 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 115841 (Sub-No. 340) (Amendment), filed January 10, 1969, published in FEDERAL REGISTER issue of January 30, 1969, amended May 28, 1969 and republished as amended this issue. Applicant:

COLONIAL REFRIGERATED TRANSPORTATION, INC., 1215 West Bankhead Highway, Birmingham, Ala. 35201. Applicant's representative: C. E. Wesley (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except in bulk), in vehicles equipped with mechanical refrigeration, from points in Columbia, Dutchess, and Ulster Counties, N.Y., to points in Virginia, North Carolina, South Carolina, Florida, Georgia, Alabama, Tennessee, Kentucky, Mississippi, Louisiana, Arkansas, Texas, and Oklahoma. Restriction: Restricted to traffic originating at the named originating Counties. The purpose of this republication is to show Columbia County in lieu of Hudson as previously published. Note: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., Washington, D.C., or Birmingham, Ala.

No. MC 116763 (Sub-No. 150), filed June 2, 1969. Applicant: CARL SUBLER TRUCKING, INC., North West Street, Versailles, Ohio 45380. Applicant's representative: Carl Subler (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Potato products, and frozen vegetables*, from Easton, Portland, Presque Isle, and Washburn, Maine, to points in Alabama, Arkansas, Delaware, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, New Jersey, New York, North Carolina, Pennsylvania east of U.S. Highway 15, South Carolina, Tennessee, Virginia, and the District of Columbia. Note: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant does not specify a location.

No. MC 116859 (Sub-No. 8), filed June 5, 1969. Applicant: CLARK TRANSFER, INC., 829 North 29th Street, Philadelphia, Pa. 19130. Applicant's representative: V. Baker Smith and James W. Patterson, 2107 The Fidelity Building, Philadelphia, Pa. 19109. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pretzels*, from Easton, Pa., to points in Connecticut, Delaware, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Vermont, West Virginia, and the District of Columbia. Note: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 116859 (Sub-No. 9), filed June 4, 1969. Applicant: CLARK TRANSFER, INC., 829 North 29th Street, Philadelphia, Pa. 19130. Applicant's representative: V. Baker Smith, 2107 The Fidelity Building, Philadelphia, Pa. 19109. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Magazines*, from Philadelphia, Pa., to Danville, Lynchburg, and Roanoke, Va., Bluefield, W. Va., and Durham and Winston-Salem,



**N.C. NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 117119 (Sub-No. 415), filed June 2, 1969. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. 72728. Applicant's representative: Bobby G. Shaw, Post Office Box 188, Elm Springs, Ark. 72728. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen cooked diced eggs*, from Monroe City, Mo., to points in Massachusetts, New York, Pennsylvania, Maryland, Ohio, Indiana, Kentucky, Michigan, Illinois, Wisconsin, Minnesota, Iowa, Oklahoma, Texas, Louisiana, Colorado, Arizona, California, Oregon, Washington, and the District of Columbia. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., or Little Rock, Ark.

No. MC 117613 (Sub-No. 2), filed May 29, 1969. Applicant: DONALD M. BOWMAN, JR., 5 North Clifton Drive, Williamsport, Md. 21795. Applicant's representative: Donald E. Freeman, 172 East Green Street, Post Office Box 806, Westminster, Md. 21157. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Brick* (except refractory brick) and *tile*, from Winchester, Va., to points in Delaware, Maryland, New Jersey, New York, Ohio, Pennsylvania, Virginia, West Virginia, and the District of Columbia, under contract with Shenandoah Brick & Tile Corp. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 117823 (Sub-No. 37), filed May 26, 1969. Applicant: DUNKLEY REFRIGERATED TRANSPORT, INC., 240 West California Avenue, Salt Lake City, Utah 84120. Applicant's representative: Lon Rodney Kump, 720 Newhouse Building, Salt Lake City, Utah 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from points in California to Elko, Ely, Sparks, and Winnemucca, Nev., and Jordan, Ore. **NOTE:** Applicant states that it is presently authorized and it is presently serving all points of origin and all destination through the tacking of existing authority and the purpose of this instant application is to eliminate gateways. Applicant further states that it would tack with its presently held authority. If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah.

No. MC 117823 (Sub-No. 38), filed June 2, 1969. Applicant: DUNKLEY REFRIGERATED TRANSPORT, INC., 240 California Avenue, Salt Lake City, Utah 84114. Applicant's representative: Lon Rodney Kump, 720 Newhouse Building, Salt Lake City, Utah 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over

irregular routes, transporting: (1) *Dairy products*, as described in section B of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, from Thayne, Wyo., to Victor, Idaho, and Salt Lake City, Utah, and (2) *pickles and pickle products*, when shipped with dairy products, from Salt Lake City, Utah, to points in California, Idaho, and Nevada. **NOTE:** Applicant states it intends to tack at Victor, Idaho, and Salt Lake City, Utah, with its authority in MC 117823 Sub 10, wherein it is authorized to conduct operations in the States of Nevada, Utah, California, and Idaho. If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah.

No. MC 117963 (Sub-No. 2), filed June 3, 1969. Applicant: JAMES VISCONTI AND PETER VISCONTI, a partnership, doing business as VISCONTI BROS., Morton Avenue, Rosenhayn, N.J. 08352. Applicant's representative: Matthew Aaron, 204 Feinstein Building, Bridgeton, N.J. 08302. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Bananas* (1) from Wilmington, Del., to Philadelphia and Harrisburg, Pa., Rosenhayn, N.J., Baltimore, Md., New York, N.Y., and Boston, Mass., (2) from Philadelphia, Pa., to Baltimore and Landover, Md., and (3) from Port Newark, N.J., to Philadelphia, Pa., under contract with West Indies Fruit Co., New York, N.Y. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa., or Washington, D.C.

No. MC 118127 (Sub-No. 12), filed May 28, 1969. Applicant: HALE DISTRIBUTING COMPANY, INC., 1315 East Seventh Street, Los Angeles, Calif. Applicant's representative: William J. Augello, Jr., 36 West 44th Street, New York, N.Y. 10036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Blue Anchor and Garfield, N.J., Boston and Southboro, Mass., and Philadelphia, Pa., to points in Los Angeles County, Calif. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 118288 (Sub-No. 33), filed June 2, 1969. Applicant: STEPHEN F. FROST, Post Office Box 28, Billings, Mont. 59103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, the transportation of which is partially exempt, pursuant to the provisions of section 203(b) (6) of the Interstate Commerce Act, when moving in the same vehicle and at the same time with the commodities in (2) and (3); (2) *meats, meat products, meat byproducts*, and articles distributed by meat packinghouses and *commodities* used by meat packers, as described in sections A, C, and D of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766; (3) *such merchandise as*

is dealt in by wholesale, retail, and chain grocery, and food business houses and *equipment, materials and supplies* used in the conduct of such business between points in Montana. **NOTE:** Applicant states it intends to tack with its other authority where possible and to interline with other carriers. If a hearing is deemed necessary, applicant requests it be held at Billings, Mont.

No. MC 118959 (Sub-No. 44), filed June 3, 1969. Applicant: JERRY LIPPS, INC., 130 South Frederick Street, Cape Girardeau, Mo. 63701. Applicant's representative: James E. Lesh, 3737 North Meridian Street, Indianapolis, Ind. 46208. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building, paving, and roofing materials*, except in bulk, from Chicago, Ill., to points in Kentucky 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 Chicago, Ill., or Tampa, Fla.

No. MC 118989 (Sub-No. 29), filed June 6, 1969. Applicant: CONTAINER TRANSIT, INC., 5223 South Ninth Street, Milwaukee, Wis. 53211. Applicant's representative: Robert H. Levy, 29 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Containers and related parts*, from Valparaiso, Ind., to points in Iowa, Michigan, Wisconsin, and 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 Chicago, Ill.

No. MC 119765 (Sub-No. 17), filed June 2, 1969. Applicant: HENRY G. NELSEN, INC., 1548 Locust Street, Avoca, Iowa. Applicant's representative: Joseph M. Scanlan, 111 West Washington Street, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts*, and *articles distributed by meat packinghouses*, as defined in sections A and C of appendix 1, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles and except hides) from points in the Omaha, Nebr., Council Bluffs, Iowa, commercial zone to points in Illinois, Indiana, Michigan, and 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 Omaha, Nebr., or Chicago, Ill.

No. MC 119777 (Sub-No. 153), filed May 29, 1969. Applicant: LIGON SPECIALIZED HAULER, INC., Post Office Drawer L, Madisonville, Ky. 42431. Applicant's representative: Louis J. Amato, Post Office Box E, Bowling Green, Ky. 42101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Carbon and graphite products*, between Hickman, Ky., on the one hand, and, on



the other, points in Alabama, Florida, Illinois, Indiana, Michigan, New York, New Jersey, North Carolina, Ohio, Pennsylvania, Texas, West Virginia, Wisconsin and, (2) *equipment, materials, and supplies* (except commodities in bulk) used in the manufacture of carbon and graphite products from the above named States to Hickman, Ky. Note: Applicant also holds contract carrier authority under MC 126970 and subs thereunder, therefore dual operations may be involved. Applicant states it does not intend to tack, and apparently is willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 120398 (Sub-No. 7), filed June 2, 1969. Applicant: VALLEY EXPRESS, INC., Post Office Box 158, Schofield, Wis. 54476. Applicant's representative: Earle H. Haupt (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular and regular routes: Regular routes: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), (1) between Plover and Wausau, Wis., over U.S. Highway 51, serving the intermediate points of Whiting, Stevens Point, Rothschild, and Schofield, Wis.; (2) between Stevens Point, Wis., and Junction Wisconsin Highway 66 and Wisconsin Highway 49 east of Rosholt, over Wisconsin Highway 66, serving all intermediate points; (3) between Northland, Wis., and Junction Wisconsin Highway 39 and Wisconsin Highway 29 east of Wittenberg, serving all intermediate points; (4) between Wittenberg and Wausau, Wis., over Wisconsin Highway 29, serving all intermediate points, and (5) between Elderon, Wis., and Junction U.S. Highway 51 and Wisconsin Highway 153 east of Mosinee, over Wisconsin Highway 153, serving all intermediate points. Irregular routes: (a) *Paper and paper articles, dried lignin pitch, dried yeast, cellulose or plastic film, articles manufactured from cellulose or plastic film*, and (b) *materials, supplies, and equipment* used or useful in the manufacture, sale, or distribution of the commodities described in (a), between Rhinelander, Wis., on the one hand, and, on the other, Green Bay, Madison, Milwaukee, and Wausau, Wis., and points in the Chicago, Ill., commercial zone, as described by the Commission. Note: Applicant now conducts regular route operations transporting general commodities, with exceptions, set forth above, under the pertinent provisions of section 206(a)(7) of the Interstate Commerce Act, as amended, under a certificate of registration issued on August 6, 1965, in Docket No. MC-120398 (Sub-No. 1). Applicant here seeks a certificate in lieu of its existing certificate of registration because of the irregular route operations proposed above, involving operations not solely within a single State. Applicant states it intends to tack with its Sub 4 and 5 at either Wausau or Wittenberg, Wis. If a hear-

ing is deemed necessary, applicant requests it be held at Wausau, Wis.

No. MC 121427 (Sub-No. 6), filed June 2, 1969. Applicant: MISSISSIPPI FREIGHT LINES, INC., 210 Beatty Street, Box 8802, Jackson, Miss. 39202. Applicant's representative: Shelby F. Bryant (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading); (1) between Meridian, and Laurel, Miss., from Meridian over U.S. Highway 11 and/or Interstate Highway 59 to Laurel, and return over the same route, serving all intermediate points, and the off-route point of Stonewall, Miss.; (2) between Laurel and Waynesboro, Miss., from Laurel to Waynesboro over Mississippi Highway 84 and return over the same route, serving all intermediate points; and (3) between Meridian, and Waynesboro, Miss., from Meridian over U.S. Highway 45 to Waynesboro and return over the same route, serving all intermediate points. Note: Applicant states it proposes to join the above authority with present authority at Meridian, Miss., for service or interchange at all points on its authorized routes. If a hearing is deemed necessary, applicant requests it be held at Meridian, or Jackson, Miss.

No. MC 121489 (Sub-No. 5), filed June 2, 1969. Applicant: NEBRASKA IOWA XPRESS, INC., 525 Jones Street, Omaha, Nebr. Applicant's representative: William S. Rosen, 630 Osborn Building, St. Paul, Minn. 55102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Corrugated containers and parts thereof*, from Omaha, Nebr., to points in Colorado, Iowa, Kansas, South Dakota, and Wyoming and to points in that part of Missouri on and west of U.S. Highway 63. Note: Applicant states that it holds authority between all points in Nebraska and Omaha, Nebr., and if the instant application is granted, it could originate corrugated containers at any point in Nebraska, tack at Omaha and deliver to points for which authority is requested herein. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Sioux City, Iowa.

No. MC 123392 (Sub-No. 16), filed June 2, 1969. Applicant: JACK B. KELLY, doing business as JACK B. KELLY CO., 3801 Virginia, Amarillo, Tex. 79109. Applicant's representative: Grady L. Fox, 222 Amarillo Building, Amarillo, Tex. 79109. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Carbon monoxide* in bulk, from Newark, Calif., Joliet, Ill., East Rutherford, N.J., and Houston, Tex., including their commercial zones, to points in the continental United States. 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 Amarillo, Tex., or Oklahoma City, Okla.

No. MC 124069 (Sub-No. 8), filed June 2, 1969. Applicant: CONCRETE DELIVERY CO., INC., 7 North Steelawanna Avenue, Lackawanna, N.Y. 14218. Applicant's representative: William J. Hirsch, 43 Niagara Street, Buffalo, N.Y. 14202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, between Buffalo, N.Y., on the one hand, and, on the other, points in New York, and those in Cameron, Crawford, Elk, Erie, Forest, McKean, Mercer, Potter, Tioga, Venango, and Warren Counties, Pa. 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 Buffalo, N.Y.

No. MC 124341 (Sub-No. 2), filed June 2, 1969. Applicant: LAWRENCE LAWYER, 757 North Indiana Street, Mooresville, Ind. 46158. Applicant's representatives: Robert C. Smith, 620 Illinois Building, Indianapolis, Ind. 46204, and Alki E. Scopelitis, 816 Merchants Bank Building, Indianapolis, Ind. 46204. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Brick, cinder blocks, tile, clay and clay products, shale and shale products, concrete and concrete products*; (1) between the plantsite of General Shale Products of Indiana, Inc., at or near Mooresville, Ind., on the one hand, and, on the other, points in Kentucky, Illinois, Michigan, and Ohio; (2) between the plantsite of General Shale Products Corp. at or near Coral Ridge, Ky., on the one hand, and, on the other, points in Indiana; restricted to a continuing contract, or contracts, with General Shale Products of Indiana, Inc., and General Shale Products Corp. Note: If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 125479 (Sub-No. 11), filed May 28, 1969. Applicant: JOSEPH A. KORNACKER, doing business as KORNACKER TRUCKING CO., 3050 West 10th Street, Waukegan, Ill. Applicant's representative: Robert H. Levy, 29 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages and related advertising materials*, (1) from the plantsite and/or facilities of Anheuser-Busch, Inc., at Columbus, Ohio, to Montgomery, Addison, Arlington Heights, Waukegan, and Chicago, Ill., and (2) from the plantsite and/or facilities of Anheuser-Busch, Inc., at St. Louis, Mo., to Chicago, Ill., and *empty bottles* on return, from Montgomery, Addison, Arlington Heights, Waukegan, and Chicago, Ill., to the plantsites of Anheuser-Busch, Inc., at St. Louis, Mo., and Columbus, Ohio, under contract with Marg-Ann, Inc. Note: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 125628 (Sub-No. 1), filed June 4, 1969. Applicant: S. S. BAIRD & SONS,



LIMITED, 437 Aberdeen Street, Fredericton, New Brunswick, Canada. Applicant's representative: Francis E. Barrett, Jr., Investors Building, 536 Granite Street, Braintree, Mass. 02184. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Precast concrete beams, joints and tees, lumber, steel, structural steel and steel articles, and materials and supplies used in the installation of the described commodities, from the ports of entry on the international boundary line between the United States and Canada, located at or near Calais, Houlton, and Vanceboro, Maine, to points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, and New Jersey.* NOTE: If a hearing is deemed necessary, applicant requests it be held at Portland, Maine, or Boston, Mass.

No. MC 125708 (Sub-No. 115), filed May 28, 1969. Applicant: HUGH MAJOR, 150 Sinclair Avenue, South Roxana, Ill. 62087. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles, between Mount Clare, Ill., and 5 miles thereof and points in the United States (except Alaska and Hawaii).* NOTE: Applicant states it would join the sought authority with any authority held wherever the possibility existed to serve the public. Applicant further states it seeks no duplicate authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 125788 (Sub-No. 3) filed June 2, 1969. Applicant: RAYMOND A. HARSCH, INC., 53 Evans Avenue, Elmont, N.Y. 11003. Applicant's representatives: Morton E. Kiel, 140 Cedar Street, New York, N.Y. 10006, and Douglas Miller, 14 Front Street Hempstead, N.Y. 11550. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *New furniture and furniture parts, from Oden-ton and Savage, Md., to points in Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, District of Columbia, and Virginia, and returned shipments in the opposite direction, under contract with National Industries, Inc.* NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 126154 (Sub-No. 5), filed June 6, 1969. Applicant: DOMENIC MARCHI, 508 North Stephenson Avenue, Iron Mountain, Mich. 49801. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Malt beverages, namely beer and ale; and carbonated beverages, namely soda water, pop, and soft drinks, from Minneapolis, and St. Paul, Minn., to points in Marquette County, Mich.* 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 Milwaukee, Wis.

No. MC 126322 (Sub-No. 2), filed May 19, 1969. Applicant: CLEARFIELD TRUCKING CO., INC., Meadow Street,

Post Office Box 120, Curwensville, Pa. 16833. Applicant's representative: Tom B. Kretsinger, 450 Professional Building, Kansas City, Mo. 64106. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (1) *Cheese, processed cheese, cheese ingredients, additives, materials and supplies; dry acids and dry chemicals, cleaning compounds and salt; corn meal mush, oleo, margarine, dried milk, plastic cream, salad dressings, vinegar, dried cheese, fish bait, butter, advertising materials and supplies, and commodities exempt under section 203(b)(6) of the Interstate Commerce Act when moving in the same vehicle;* (2) *containers, packaging, shipping materials, liners and pallets;* (3) *machinery, equipment, materials and supplies used in or in connection with the processing, manufacture, research, development, operation, maintenance, and distribution of cheese and cheese products, between Los Angeles and San Francisco, Calif.; Denver, Colo.; New Haven, Conn.; Atlanta, Ga.; Somerville, Mass.; Clinton, Mo.; Portland, Oreg.; Curwensville and Philadelphia, Pa.; Murfreesboro, Franklin, Tulahoma, and Woodbury, Tenn.; San Antonio, Tex.; Wellsville, Utah; Seattle, Wash.; and Marathon and Green Bay, Wis.; on the one hand, and, on the other, points in the United States (except Alaska and Hawaii), and (4) *cheese, cheese products, and cheese food compounds, between points in the United States (except Alaska and Hawaii), under contract with Clearfield Cheese Co. of Curwensville, Pa., and its various affiliated corporations.* NOTE: Applicant states that Clearfield Cheese Co. operates plants and distribution facilities at several points in the United States, and in most cases, these plants are separately incorporated. It is proposed that all of the corporations will enter into mutual contract with the contract carrier. Applicant further states that the supporting shipper and its affiliated company are presently engaged in private carriage and that the purpose of this instant application is to convert the operations into regulated carriage so that the same contract carrier entity will be to serve Clearfield Cheese Co. and its affiliated corporations in for-hire rather than private carriage. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., or Washington, D.C.*

No. MC 126715 (Sub-No. 1), filed May 26, 1969. Applicant: TRANSPORT SERVICE, 6395 Southeast Alberta, Post Office Box 06179, Portland, Oreg. 97206. Applicant's representative: John G. McLaughlin, 624 Pacific Building, Portland, Oreg. 97204. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Asphalt and road oil, from points in Jackson County, Oreg., to points in Modoc, Siskiyou, Del Norte, Humboldt, Trinity, and Shasta Counties, Calif., and Curry County, Oreg.* 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 re-

quests it be held at Portland, Oreg., or San Francisco, Calif.

No. MC 127042 (Sub-No. 37), filed June 6, 1969. Applicant: HAGEN, INC., 4120 Floyd Boulevard, Post Office Box 6, Leeds Station, Sioux City, Iowa 51108. Applicant's representative: Joseph W. Harvey (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Milk, cream, and vegetable oil compounds, dessert toppings, and coffee whitener (a nondairy product), from Kansas City, Mo., to points in Arizona, California, Colorado, Idaho, Illinois, Iowa, Indiana, Kansas, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, North Dakota, Oregon, South Dakota, Utah, Washington, Wisconsin, and Wyoming.* NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., Omaha, Nebr., or Sioux City, Iowa.

No. MC 127042 (Sub-No. 38), filed June 6, 1969. Applicant: HAGEN, INC., 4120 Floyd Boulevard, Post Office Box 6, Leeds Station, Sioux City, Iowa 51108. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meat, meat products and meat byproducts and articles distributed by meat packinghouses, as described in sections A and C of appendix I to the report in Descriptions to Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from Clay Center and Wichita, Kans., to points in Arizona, California, Colorado, Idaho, Illinois, Iowa, Indiana, Kansas, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, North Dakota, Oregon, South Dakota, Utah, Washington, Wisconsin, and Wyoming.* NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Wichita, Kans., or Kansas City, Mo.

No. MC 127042 (Sub-No. 39), filed June 6, 1969. Applicant: HAGEN, INC., 4120 Floyd Boulevard, Post Office Box 6, Leeds Station, Sioux City, Iowa 51108. Applicant's representative: Joseph W. Harvey (same address and applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meat, meat products, and meat byproducts and articles distributed by meat packinghouses as described in sections A and C of appendix I to the report in Description in Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), (1) from Hartley and Spencer, Iowa, to points in Kansas and Missouri; and (2) from the plantsite and storage facilities utilized by Greenlee Packing Co., at or near Sioux Falls, S. Dak., to points in Illinois, Indiana, Iowa, Kansas, Minnesota, Missouri, Michigan, Nebraska, 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 Omaha, Nebr., Sioux City, Iowa, or Minneapolis, Minn.

No. MC 127047 (Sub-No. 8), filed June 5, 1969. Applicant: ED RACETTE & SON, INC., 5409 North Broadway, Wichita, Kans. 67214. Applicant's representative: John E. Jandera, 641 Harrison, Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Axles, wheels, axle parts, hub and drum assemblies, wheel rims, and related parts and accessories*, from Newton, Kans., to points in Colorado, Nebraska, South Dakota, Minnesota, Missouri, Arkansas, Louisiana, Texas, Oklahoma, Georgia, and Mississippi. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 127057 (Sub-No. 1), filed May 23, 1969. Applicant: MOTOR RAIL TRANSPORT INC., Post Office Box 1031, Syracuse, N.Y. 13201. Applicant's representative: Milton E. Diehl, 3610 Arlington Boulevard, Arlington, Va. 22204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, except classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities of unusual value, and those requiring special equipment, between Buffalo, Rochester, Syracuse, Utica, Elmira, and Binghamton, N.Y., on the one hand, and, on the other, points in New York (except New York, N.Y., and those in Nassau, Suffolk, Rockland, Westchester, Orange, Putnam, Sullivan, Ulster, Dutchess, St. Lawrence, Franklin, Clinton, and Essex Counties, N.Y.), restricted to shipments having an immediately prior or subsequent movement by air. **NOTE:** Applicant holds authority under No. MC 127057 restricted to prior or subsequent movement by rail. 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 127812 (Sub-No. 4) (Amendment), filed April 6, 1969. Applicant: TYSON TRUCK LINES, INC., 185 Fifth Avenue SW., New Brighton, Minn. 55112. Applicant's representative: Michael E. Miller, 502 First National Bank Building, Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts; dairy products and articles distributed by meat packinghouses* (except hides and commodities in bulk), from St. Paul, Minn., to Superior, Wis. **NOTE:** Applicant states it does not intend to tack, and apparently is willing to accept a restriction against tacking, if warranted. The purpose of this republication is to broaden the scope of the

authority sought. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 128486 (Sub-No. 2), filed June 5, 1969. Applicant: LILY TRANSPORT LINES, INC., 25 Denby Road, Boston (Allston), Mass. 02134. Applicant's representative: Frank J. Weiner, Investors Building, 536 Granite Street, Braintree, Mass. 02184. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Glass bottles*, (a) from Danielson, Conn.; Bridgeton, Freehold, Jersey City, North Bergen, and Salem, N.J.; Elmira, N.Y.; Knox and Marienville, Pa.; Coventry, R.I., and Lawrence, Mass., to Buckfield, Maine, and (b) from North Bergen, N.J., to Lawrence, Mass.; (2) *fruit juices and fruit drinks* (except in bulk), from Buckfield, Maine, to points in Connecticut, Massachusetts, New Hampshire, and Rhode Island. **Restriction:** The operations authorized herein are limited to a transportation service to be performed, under a continuing contract, or contracts, with Lincoln Foods, Inc., of Lawrence, Mass. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

No. MC 129218 (Sub-No. 1), filed May 29, 1969. Applicant: COMMERCIAL TELEVISION, INC., 3501 Sheridan Road, Youngstown, Ohio 44502. Applicant's representative: James R. Stiver, 50 West Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household appliances and equipment, household furniture and cabinets, sporting goods equipment, and musical instruments*, in retail delivery service, from the plants and warehouse facilities of the Western Auto Supply, Inc., at or near Butler, Pa., to points in Mahoning and Trumbull Counties, 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 129475 (Sub-No. 5), filed June 2, 1969. Applicant: E. D. CARRELL, doing business as CARRELL TRUCKING CO., Post Office Box 186, Monroe, Ga. 30655. Applicant's representative: William Addams, Suite 527, 1776 Peachtree Street NW., Atlanta, Ga. 30309. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in by retail department stores*, between the warehouses of Sears, Roebuck and Co., Atlanta, Ga., and Murphy, Franklin, and Sylva, N.C., under contract with Sears, Roebuck and Co. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 129990 (Sub-No. 3), filed June 6, 1969. Applicant: AL GAZZOLLE & SONS, INC., Pier 26 North River, New York, N.Y. 10013. Applicant's representative: Blanton P. Bergen, 137 East 36th Street, New York, N.Y. 10016. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Ingredients and raw mate-*

*rials used to manufacture cosmetics, soaps, and bath powders*, shipped in overseas containers and having prior movement to United States by water, between steamship piers in New York, N.Y., commercial zone and Ramsey, N.J., limited to shipments moving under continuing contract with Vita Bath, Inc. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 133373 (Sub-No. 1), filed May 28, 1969. Applicant: A. G. BRIGGS, doing business as BRIGGS TRUCK LINE, Sidney, Iowa 51652. Applicant's representative: Robert E. Leonard, Sidney, Iowa 51652. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Crude oil in bulk*, in tank vehicles, from Falls City, Nebr., and from oil well storage tanks located in Richardson County, Nebr., and points in Brown and Nemaha Counties, Kans., to points in Missouri, Nebraska, Kansas, South Dakota, and Iowa under contract with Carter-Waters Corp., Kansas City, Mo. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Kansas City, Mo.

No. MC 133655 (Sub-No. 2), filed May 29, 1969. Applicant: TRANS-NATIONAL TRUCK, INC., 813 Oakwood Drive, Euless, Tex. 76039. Applicant's representative: Charles W. Singer, 33 North Dearborn Street, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts and articles distributed by meat packinghouses*, as defined by the Commission from points in Farmer County, Tex., to points in California, Nevada, Arizona, Utah, Oregon, Washington, and Kansas. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 133655 (Sub-No. 3), filed May 29, 1969. Applicant: TRANS-NATIONAL TRUCK, INC., 813 Oakwood Drive, Euless, Tex. 76039. Applicant's representative: Charles W. Singer, 33 North Dearborn Street, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses*, as defined by the Commission, from points in Farmer County, Tex., to points in Massachusetts, Pennsylvania, New Jersey, New York, Florida, Georgia, North Carolina, and South Carolina. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 133655 (Sub-No. 4), filed May 29, 1969. Applicant: TRANS-NATIONAL TRUCK, INC., 813 Oakwood Drive, Euless, Tex. 76039. Applicant's representative: Charles W. Singer, 33 North Dearborn Street, Chicago, Ill. 60602. Authority sought to operate as a *common*



carrier, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts and articles* distributed by meat packinghouses, as defined by the Commission, from points in Hale County, Tex., to points in North Carolina, South Carolina, Georgia, Florida, Pennsylvania, New Jersey, New York, and Massachusetts. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 133655 (Sub-No. 5), filed May 29, 1969. Applicant: TRANS-NATIONAL TRUCK, INC., 813 Oakwood Drive, Euless, Tex. 76039. Applicant's representative: Charles W. Singer, 33 North Dearborn Street, Chicago, Ill. 60602. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts and articles* distributed by meat packinghouses, as defined by the Commission, from points in Hale County, Tex., to points in Washington, Oregon, California, Nevada, Utah, Arizona, Colorado, Kansas, and Missouri. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 133670, filed April 21, 1969. Applicant: DELBERT L. ARMSTRONG, doing business as A & H DELIVERY SERVICE, 2039 San Jose Avenue, Louisville, Ky. 40216. Applicant's representative: Warren C. Moberly, 1212 Fletcher Trust Building, Indianapolis, Ind. 46204. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Retail merchandise* in retail deliveries only, from points in Jefferson County, Ky., to points in Floyd, Harrison, Clark, Scott, and Washington Counties, Ind. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 133679, filed June 4, 1969. Applicant: B R TRUCKING COMPANY, INC., 467 Greenwich Street, New York, N.Y. 10013. Applicant's representative: William D. Traub, 10 East 40th Street, New York, N.Y. 10016. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Textiles*, from the New York, N.Y., commercial zone as defined by the Commission, to points in Essex, Bergen, and Passaic Counties, N.J. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 133685 (Sub-No. 2), filed May 26, 1969. Applicant: CARROLL TRUCKING, INC., 8001 Douglas Avenue, Gaithersburg, Md. 20760. Applicant's representative: Martin Sterenbuch, 1120 Connecticut Avenue, Washington, D.C. 20036. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Lumber, plumbing supplies and fixtures, and electrical supplies*, from Frederick Junction,

Md., to points in Maryland, the District of Columbia, points in Adams, Cumberland, Franklin, and York Counties, Pa., points in Arlington, Clarke, Fairfax, Fauquier, Frederick, Loudoun, Prince William and Warren Counties, Va., and points in Berkeley, Grant, and Jefferson Counties, W. Va., and returned shipments of the above specified commodities, from the above described destination points to Frederick Junction, Md. Restriction: The operations herein are limited to a transportation service to be performed, under a continuing contract, or contracts, with the Wickes Lumber and Building Supplies Division of the Wickes Corp., Frederick Junction, Md. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 133761 (Sub-No. 1), filed May 28, 1969. Applicant: GEORGE A. LABAGH, 713 North Street, Middletown, N.Y. 10940. Applicant's representative: Arthur J. Piken, 100-16 Jamaica Avenue, Jamaica, N.Y. 11432. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (1) *Trailers, containers, and chassis*, from Middletown, N.Y., to Fairless Hills and Philadelphia, Pa.; Norfolk, Va.; Baltimore, Md.; Port Jervis, N.Y., and points in the New York, N.Y., commercial zone, as defined by the Interstate Commerce Commission in 53 M.C.C. 451, within which local operations may be conducted under the exemption provision provided by section 203(b)(8); and (2) *trailers and trailer parts*, from Fairless Hills, Pa., to Middletown, N.Y., all under contract with Strick Corp. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Philadelphia, Pa.

No. MC 133776, filed May 21, 1969. Applicant: ASSOCIATED TRANSFER & STORAGE, INC., 815 East University, Urbana, Ill. 61801. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Household goods*, (1) between points in Iroquois, Vermilion, Edgar, Coles, Douglas, Champaign, Ford, McLean, De Witt, Piatt, Macon, and Moultrie Counties, Ill., and (2) between points in Iroquois, Vermilion, Edgar, Coles, Douglas, Champaign, Ford, McLean, De Witt, Piatt, Macon, and Moultrie Counties, Ill., on the one hand, and, on the other, points in Illinois, restricted to shipments having a prior or subsequent movement beyond said points in containers, and further restricted to pickup and delivery service incidental to and in connection with packing, crating, and containerization or unpacking, uncrating, and decontainerization of such shipments. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 133785, filed May 28, 1969. Applicant: CONWAY TRUCKING CORPORATION, a corporation, 37 Second Street, Lynbrook, N.Y. 11563. Applicant's representative: George A. Olsen, 69 Tonelle Avenue, Jersey City, N.J. 07306. Authority sought to operate as a contract

carrier, by motor vehicle, over irregular routes, transporting: *Sporting goods and equipment and supplies*, from John F. Kennedy Airport, N.Y., to Elmsford, N.Y., restricted to shipments having prior movement by air, under contract with Beconta Inc. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 133786, filed May 26, 1969. Applicant: GENERAL CARTAGE, INC., Rural Route No. 10, Bloomington, Ind. 47401. Applicant's representative: Donald W. Smith, 900 Circle Tower, Indianapolis, Ind. 46204. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *General commodities* (except commodities in bulk) between Bloomington, Ind., on the one hand, and, on the other, points in Owens, Morgan, Brown, Jackson, Monroe, Lawrence, Greene, and Martin Counties, Ind., restricted to traffic having an immediately prior or subsequent movement by rail. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 133790, filed June 2, 1969. Applicant: C AND C SHRIMPERS INC., 2364 Toussaint Avenue, Savannah, Ga. 31404. Applicant's representative: Virgil H. Smith, 431 Title Building, Atlanta, Ga. 30303. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Frozen foods* and (2) *commodities*, the transportation of which is partially exempt under the provisions of section 203(b)(6) of the Interstate Commerce Act if transported in vehicles not used in carrying any other property, when moving in the same vehicle at the same time with frozen foods, between points in Glynn and Chatham Counties, Ga., and 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 Atlanta or Brunswick, Ga., or Jacksonville, Fla.

No. MC 133791, filed June 2, 1969. Applicant: MIDWESTERN EXPRESS, INC., Box 189, Fort Scott, Kans. 66701. Applicant's representative: Harry Ross, 848 Warner Building, Washington, D.C. 20004. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Such commodities as are manufactured, processed and/or dealt in by rubber manufacturers, steel manufacturers, plastics and manufacturers, chemical manufacturers, and equipment, materials and supplies used in the conduct of such business, between plantsites and storage facilities used by Firestone Rubber Co. and/or its subsidiaries located in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina,*



Tennessee, Texas, Vermont, Virginia, West Virginia, Wisconsin, and New Hampshire, on the one hand, and, on the other, points in Alabama, Arkansas, Connecticut, Delaware, District of Columbia, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Columbia, Florida, Georgia, Illinois, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia, West Virginia, Wisconsin, and New Hampshire. **NOTE:** Applicant is authorized to operate as a common carrier under MC 128273 and subs, therefore, dual operations may be involved. Applicant further states that authority sought herein would duplicate minute portions of authority now held or sought in MC 128273 Subs 2, 6, 8, 9, 11, 12, 14, 16, 17, 18, 21, 22, 25, 32, 35, 39, 40, 41, 42, 43, and 44. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 133797, filed June 3, 1969. Applicant: GEORGE A. STULL, 1785 Old Forge, Niles, Ohio 44446. Applicant's representative: Lewis S. Witherspoon, 85 East Gay Street, Columbus, Ohio 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *New empty steel and plastic containers, transformer tanks, container and transformer tank ends, parts and accessories, steel coils and sheets, paint and related materials, cartons and waste board, and materials involved in the manufacture of shipping containers, between Warren, Ohio, on the one hand, and, on the other, points in Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Maryland, Michigan, New Jersey, New York, North Carolina, Pennsylvania, South Carolina, Tennessee, Virginia, West Virginia, and Massachusetts; under contract with The Ohio Corrugating Co.* **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Cleveland or Columbus, Ohio.

No. MC 133801, filed June 6, 1969. Applicant: FEDERATION TRUCKING CORP., 457 Water Street, New York, N.Y. Applicant's representative: Abel Just, 11 Park Place, New York, N.Y. 10007. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Ski boots, ski poles, ski clothes, skis and track and field equipment, and related accessories, between shipper's site at Elmsford, N.Y., on the one hand, and, on the other, points in New York, N.Y., commercial zone as defined by the Commission in 5th supplemental report 53 M.C.C. 451; under contract with Beconta, Inc., and Sports Beconta, Inc.* **NOTE:** If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 133802, filed June 4, 1969. Applicant: EMPAK TRANSPORTATION COMPANY, a corporation, 20th and William Streets, Omaha, Nebr. Applicant's representative: Earl H. Scudder, Jr., Post Office Box 2028, 605 South 14th Street, Lincoln, Nebr. 68501. Authority

sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Petroleum, petroleum products, and antifreeze*, (2) *dispenser and containers for the commodities described in (1) above*, (3) *such commodities as are processed, packaged or dealt in by processors or packagers of the commodities described in (1) above*, (4) *such materials and supplies as are processed, packaged, utilized by or dealt in by processors or packagers of commodities described in (1) above or manufacturers or fabricators of the commodities described in (2) above*, between Spencer, Iowa, and Omaha, Nebr., on the one hand, and, on the other, points in the United States (except Hawaii and Alaska), under contract with Empak Industries, Inc. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Omaha or Lincoln, Nebr.

No. MC 133803, filed June 6, 1969. Applicant: B & W DISTRIBUTING CORPORATION, 11 Franklin Avenue, Rye, N.Y. 10580. Applicant's representative: Arthur J. Piken, 160-16 Jamaica Avenue, Jamaica, N.Y. 11432. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Newspapers, magazines, periodicals, newspaper supplements, circulars, leaflets, catalogues, advertising matter, printed forms and calendars, from John F. Kennedy International Airport, La Guardia Airport, and New York, N.Y., and Jersey City, N.J., to points in New York, New Jersey, and Connecticut; under contract with Mark Associates, Inc., Triangle Publications, and New Yorker Magazine.* **NOTE:** If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

#### MOTOR CARRIER OF PASSENGERS

No. MC 133784, filed May 26, 1969. Applicant: T. C. AIRPORT LIMOUSINE COMPANY, INCORPORATED, 2870 South M-139 and Somerlayton Road, Benton Harbor, Mich. 49022. Applicant's representative: Donald L. Bleich, 814 Port Street, St. Joseph, Mich. 49085. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their excess baggage and newspapers for purposes other than emergency continuation of air transportation, from Benton Harbor/St. Joseph, Mich., area to Chicago, Ill., and South Bend, Ind.* **NOTE:** If a hearing is deemed necessary, applicant did not specify location.

No. MC 133792, filed June 2, 1969. Applicant: MID-ISLAND TRANSIT SYSTEM, INC., 299 Main Street, Westbury, N.Y. 11590. Applicant's representative: Arthur J. Piken, 160-16 Jamaica Avenue, Jamaica, N.Y. 11432. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage, in charter operations, from points in Nassau and Suffolk Counties, N.Y., to points in the United States (except Hawaii) and return.* **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 Mineola, N.Y.

#### APPLICATION OF WATER CARRIERS

No. W-379 (Sub-No. 4), BAY CITIES TRANSPORTATION COMPANY—Extension—Towage (2). Applicant: BAY CITIES TRANSPORTATION COMPANY, a corporation, Pier 32, San Francisco, Calif. 94105. Applicant's representative: John G. Lyons, Mills Tower, San Francisco, Calif. 94104. Application of Bay Cities Transportation Co., filed June 9, 1969, subject of Part III of the Interstate Commerce Act, is seeking a revised certificate authorizing extension of its operations to include operations as a *common carrier* by non-self-propelled vessels with the use of separate towing vessels, in interstate or foreign commerce, in the transportation of *property generally, including the towing of vessels which applicant does not own, rent or charter, between ports and points on San Francisco Bay and its tributary waterways but not including Sacramento and Stockton, Calif., nor point on the Sacramento and San Joaquin Rivers above those ports.* **NOTE:** Applicant states that should the Commission find that applicant already holds the authority to tow vessels which it does not own, rent or charter, applicant will request that this application be dismissed.

#### APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN REQUESTED

No. MC 123490 (Sub-No. 12), filed June 2, 1969. Applicant: CHIP CARRIERS, INC., 927 32d Avenue, Council Bluffs, Iowa 51501. Applicant's representative: Einar Viren, 904 City National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Chips, twists, or puffs; fried porkskins; potato chips and bakery goods, (1) between plants and warehouses of Frito-Lay, Inc., in Oklahoma and Texas on the one hand, and, on the other, plant and warehouses of Frito-Lay, Inc., in Kansas, Missouri, Iowa, Nebraska, and Colorado, (2) between plant and warehouses of Frito-Lay, Inc., in Texas, and plant and warehouses of Frito-Lay, Inc., in Oklahoma, under contract with Frito-Lay, Inc., of Dallas, Tex.*

No. MC 129384 (Sub-No. 1), filed June 2, 1969. Applicant: BETHANY EXPRESS, INC., 616 South 22d Street, Bethany, Mo. 64424. Applicant's representative: Tom B. Kretsinger, 450 Professional Building, 1103 Grand Avenue, Kansas City, Mo. 64106. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment) (1) between the junction of U.S. Highway 69 and Missouri Highway 6 and Bethany, Mo., from the junction of U.S. Highway 69 and Missouri Highway 6 over Missouri Highway 6 to junction Missouri*



Highway 13, thence over Missouri Highway 13 to junction U.S. Highway 136, thence over U.S. Highway 136 to Bethany, and return over the same route, serving all intermediate points and the junction of U.S. Highway 69 and Missouri Highway 6 as a point for joinder purposes only; (2) between Bethany, Mo., and Yorktown, Iowa, from Bethany over U.S. Highway 136 to Princeton, Mo., thence over U.S. Highway 65 to junction Iowa Highway 2, thence over Iowa Highway 2 to junction with unnumbered highway, thence over unnumbered highway to Yorktown, and return over the same route, serving all intermediate points, and the off-route points of Corydon, Iowa; and Cainsville and Saline, Mo.; (3) between Eagleville, Mo., and Leon, Iowa, over U.S. Highway 69, serving all intermediate and the off-route points of Saline and Cainsville, Mo., serving Leon, Iowa, as a point for joinder purposes only; (4) between the junction of U.S. Highways 136 and 169 and Mount Ayr, Iowa, over U.S. Highway 169, serving all intermediate points and the off-route points of Worth and Denver, Mo., and serving the junction of U.S. Highways 136 and 169 and Mount Ayr, Iowa, for joinder purposes only; (5) between Stanberry, Mo., and the junction of Missouri Highways 246 and 46, from Stanberry over U.S. Highway 136 to junction Missouri Highway 46, thence over Missouri Highway 46 to its junction with Missouri Highway 246, and return over the same route, serving all intermediate points and the off-route points of Conception and Conception Junction, Mo., for joinder purposes only; (6) between the junction of U.S. Highway 71 and Missouri Highway 27, and Bedford, Iowa, from junction U.S. Highway 71 and Missouri Highway 27 over Missouri Highway 27 to the Iowa State line, thence over Iowa Highway 148 to Bedford, and return over the same route, serving all intermediate points, and the junction of U.S. Highway 71 and Missouri Highway 27, and Bedford, Iowa, for purposes of joinder only; (7) between Hopkins, Mo., and the junction of Missouri Highway 46 and U.S. Highway 69, from Hopkins over Missouri Highway 27 to junction Missouri Highway 246, thence easterly over Missouri Highway 246 to Grant City, Mo., thence over Missouri Highway 46 to junction U.S. Highway 69, and return over the same route, serving all intermediate points and the off-route points of Worth and Denver, Mo., and Athelston and Blockton, Iowa, and serving (a) Hopkins, Mo., (b) the junction of Missouri Highways 46 and 246; (c) Grant City, Mo., and (d) the junction of Missouri Highway 46 and U.S. Highway 69 for joinder purposes only; and (8) between points in the Kansas City, Mo.-Kans., commercial zone and Clarinda, Iowa, from points in Kansas City, Mo., over Interstate Highway 29, to St. Joseph, Mo., thence over U.S. Highway 71 to Clarinda, and return over the same route, serving the intermediate point of St. Joseph, Mo. (restricted against service between the Kansas City, Mo.-Kans., commercial zone and St. Joseph, Mo.),

and also serving Clarinda, Iowa, as a point for joinder purposes only.

No. MC 133778, filed May 22, 1969. Applicant: ROBERT W. LAUSCH, doing business as R. W. LAUSCH, Rural Route No. 1, Post Office Box 25, Chanute, Kans. 66720. Applicant's representative: John L. Richeson, First National Bank Building, Ottawa, Kans. 66067. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Greyhound dogs* for racing and breeding purposes and *Greyhound dog racing equipment*, between points in Kansas, Oklahoma, Texas, Colorado, Missouri, Nebraska, Arkansas, South Dakota, Massachusetts, Florida, and Arizona.

By the Commission.

[SEAL] H. NEIL GARSON,  
Secretary.

[P.R. Doc. 69-7473; Filed, June 25, 1969;  
8:45 a.m.]

[No. 35120]

### MISSISSIPPI INTRASTATE RAIL FREIGHT RATES AND CHARGES, 1969

JUNE 9, 1969.

Notice is hereby given that the common carriers by railroads shown below have, through their attorneys, filed a petition with the Interstate Commerce Commission, pursuant to section 13 and section 15a(2) of the Interstate Commerce Act, to institute an investigation to determine whether intrastate rates, fares, and charges within the State of Mississippi are unreasonably low to the extent that they do not reflect the general increase authorized in Ex Parte No. 256, Increased Freight Rates, 1967, 332 I.C.C. 280 (1968), 329 I.C.C. 854 (1967). The petitioners are: The Alabama Great Southern Railroad Co.; Bonhomie and Hattiesburg Southern Railroad Co.; Columbus and Greenville Railway Co.; The Corinth and Counce Railroad Co.; Fernwood, Columbia & Gulf Railroad Co.; Gulf, Mobile and Ohio Railroad Co.; Illinois Central Railroad Co.; Louisville and Nashville Railroad Co.; Meridian & Bigbee Railroad Co.; Mississippi & Skuna Valley Railroad Co.; Mississippi Export Railroad Co.; Mississippian Railway; Missouri Pacific Railroad Co.; Pearl River Valley Railroad Co.; St. Louis-San Francisco Railway Co.; and Southern Railway Co.

Any persons interested in any of the matters in the petition may, on or before 30 days from the publication of this notice in the FEDERAL REGISTER, file replies to the petition supporting or opposing the determination sought. An original and 15 copies of such replies must be filed with the Commission and must show service of two copies each upon the attorneys for the petitioners, viz.: John H. Doeringer, 135 East 11th Place, Chicago, Ill. 60605; James L. Howe III, Post Office Box 1808, Washington, D.C. 20013; W. A. Kimbrough, Jr., 104 St. Francis Street, Mobile, Ala. 36602; W. B. Kopper, 906 Olive Street, St. Louis, Mo. 63101; and John F. Smith, 908 West Broadway, Louisville, Ky. 40201. There-

after a determination will be made as to whether an investigation is warranted in this matter.

Notice of the filing of this petition will be given by publication in the FEDERAL REGISTER.

[SEAL] H. NEIL GARSON,  
Secretary.

[P.R. Doc. 69-7550; Filed, June 25, 1969;  
8:49 a.m.]

[Notice 855]

### MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JUNE 23, 1969.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67 (49 CFR Part 340), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

#### MOTOR CARRIERS OF PROPERTY

No. MC 30837 (Sub-No. 373 TA), filed June 18, 1969. Applicant: KENOSHA AUTO TRANSPORT CORPORATION, 4200 39th Avenue, Kenosha, Wis. 53140. Applicant's representative: Albert P. Barber (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Motor vehicles*, in initial driveway service, from Scotia, N.Y., to New Cumberland Army Depot, Pa., for 150 days. Supporting shipper: Leonard Hynes, Military Traffic Management Terminal Service, Washington, D.C. Send protests to: District Supervisor Lyle D. Helfer, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street, Room 807, Milwaukee, Wis. 53203.

No. MC 51146 (Sub-No. 138 TA), filed June 18, 1969. Applicant: SCHNEIDER TRANSPORT & STORAGE, INC., 817 McDonald Street, Green Bay, Wis. 54306. Applicant's representative: D. F. Martin (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Paper and paper products*, from Nichols, Wis., to Green Bay, Wis., for 180 days. NOTE: Applicant intends to tack MC 51146 Sub No. 8 and



Sub No. 14 at Green Bay, Wis., and interline at Green Bay, Wis., with motor carriers serving the west coast. Send protests to: District Supervisor Lyle D. Helfer, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street, Room 807, Milwaukee, Wis. 53203.

No. MC 103993 (Sub-No. 424 TA), filed June 18, 1969. Applicant: MORGAN DRIVE AWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind. 46514. Applicant's representative: Ralph H. Miller (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Undercarriages and frames for trailers designed to be drawn by passenger automobiles, from points in Marion County, Ala., to points in Alabama, Louisiana, and Mississippi, for 180 days.* Supporting shipper: B & L of Alabama, Inc., Marion County, Ala. Send protests to: District Supervisor J. H. Gray, Interstate Commerce Commission, Room 204, 345 West Wayne Street, Fort Wayne, Ind. 46802.

No. MC 114408 (Sub-No. 9 TA), filed June 18, 1969. Applicant: W. E. BEST, INC., State Route 20, Pioneer, Ohio 43554. Applicant's representative: A. Charles Tell, 100 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Sand, stone, gravel, dirt, and bituminous concrete, in bulk, in dump vehicles, from points in Williams County, Ohio, to points in Hillsdale County, Mich., for 180 days.* Supporting shipper: Northwest Materials, Inc., Bryan, Ohio. Send protests to: Keith D. Warner, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 5234 Federal Office Building, 234 Summit Street, Toledo, Ohio 43604.

No. MC 124813 (Sub-No. 69 TA), filed June 18, 1969. Applicant: UMTOWN TRUCKING CO., 910 South Jackson Street, Eagle Grove, Iowa 50533. Applicant's representative: William L. Fairbank, 610 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Coffee grounds, in bulk, from Knoxville, Tenn., to Eagle Grove, Iowa, for 150 days.* Supporting shipper: M & M Livestock Products Co., Eagle Grove, Iowa 50533. Send protests to: Ellis L. Annett, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 677 Federal Building, Des Moines, Iowa 50309.

No. MC 133734 (Sub-No. 1 TA), filed June 13, 1969. Applicant: R & S TRUCKING, INC., 114 Arbor Street, Bradford, Ill. 61421. Applicant's representative: William A. Rouse (same address as above). Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (a) *Gravity flow farm boxes, including related parts and running gears; (1) from the plantsite of Bradford Industries, Inc., at or near Bradford, Ill., to points in Alabama, Arkansas, Georgia, Indiana, Iowa, Kansas, Kentucky, Michigan, Min-*

*nesota, Mississippi, Missouri, Nebraska, North Dakota, Ohio, South Dakota, Tennessee, and Wisconsin; and (2) from the plantsite of Smith & Co. at or near Manlius, Ill., to points in Alabama, Arkansas, Georgia, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New York, North Dakota, Ohio, Pennsylvania, South Dakota, Tennessee, Texas, and Wisconsin; (b) gravity flow farm boxes, including related parts and running gears and grinder mixers, from the plantsite of Helix Corp., at or near Crown Point, Ind., to points in Alabama, Arkansas, Georgia, Illinois, Iowa, Kansas, Kentucky, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Dakota, Ohio, South Dakota, Tennessee, and Wisconsin, for 180 days.* Supporting shippers: Bradford Industries, Inc., Bradford, Ill. 61421; Helix Corp., Post Office Box 289, Crown Point, Ind. 46307; Smith & Co., Manlius, Ill. 61338. Send protests to: Raymond E. Mauk, District Supervisor, Interstate Commerce Commission, Bureau of Operations, U.S. Courthouse, Federal Office Building, Room 1086, 219 South Dearborn Street, Chicago, Ill. 60604.

No. MC 133816 TA, filed June 18, 1969. Applicant: KENNETH L. PARKS & KEITH O. PARKS, doing business as K & K WHOLESALE CO., Post Office Box 222, Lowell, Ore. 97452. Applicant's representative: Earle V. White, 2400 Southwest Fourth Avenue, Portland, Ore. 97201. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Lime, in bags or packages, from points in Clark County, Nev., to points in Oregon, for 180 days.* Supporting shipper: The Flintkote Co., 1120 21st Street, Milwaukie, Ore. 97222. Send protests to: A. E. Odoms, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 450 Multnomah Building, Portland, Ore. 97204.

No. MC 133822 TA, filed June 19, 1969. Applicant: CLARENCE C. HATCHER AND RICHARD L. HATCHER, doing business as C. C. AND R. L. HATCHER, Box 59, Alsey, Ill. 62610. Applicant's representative: Robert T. Lawley, 308 Reisch Building, Springfield, Ill. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Fire clay, in bulk and bags, from Goss, High Hill, Olney, New Florence, Paris, and Wentzville, Mo., to Alsey, Ill., for 180 days.* Supporting shipper: Alsey Refractories Co., Alsey, Ill. Send protests to: Harold C. Joliff, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 476, West Adams Street, Springfield, Ill. 62704.

By the Commission.

[SEAL]

H. NEIL GARSON,  
Secretary.

[P.R. Doc. 69-7557; Filed, June 25, 1969; 8:49 a.m.]

## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

### Food and Drug Administration FORT DODGE LABORATORIES

#### Notice of Withdrawal of Petition for Food Additives

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:

A petition (33-428V) was filed by Fort Dodge Laboratories, Division of American Home Products Corp., Fort Dodge, Iowa 50502, notice of which was published in the FEDERAL REGISTER of March 8, 1968 (33 F.R. 4343), proposing the issuance of a food additive regulation to provide for the safe use of a combination drug containing trichlorfon (dimethyl (2,2,2-trichloro-1-hydroxyethyl)-phosphonate) and atropine in dimethyl sulfoxide containing 0.5 percent chlorobutanol as a preservative, as an injectable anthelmintic for swine up to 60 days old. The drug was not to be used within 21 days of slaughter.

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 § 121.51(j) of the procedural food additive regulations (21 CFR 121.51(j)), the subject petition is considered withdrawn without prejudice to a future ruling.

Dated: June 19, 1969.

J. K. KIRK,  
Associate Commissioner  
for Compliance.

[P.R. Doc. 69-7502; Filed, June 25, 1969; 8:45 a.m.]

### GOODYEAR TIRE & RUBBER CO.

#### Notice of Filing of Petition for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 9B2419) has been filed by the Goodyear Tire & Rubber Co., Akron, Ohio 44316, proposing that § 121.2522 *Polyurethane resins* (21 CFR 121.2522) be amended to provide for the safe use of 4,4'-methylenebis(cyclohexylisocyanate) as a reactant and 4,4'-methylenedianiline as a curing agent in the preparation of polyurethane resins for use in contact with dry bulk food.

Dated: June 19, 1969.

J. K. KIRK,  
Associate Commissioner  
for Compliance.

[P.R. Doc. 69-7503; Filed, June 25, 1969; 8:45 a.m.]



[Docket No. FDO-D-111; NDA No. 14-241]

# UNIMED, INC.

## Serc Tablets (Betahistine Hydrochloride): Notice of Scheduling of Second Prehearing Conference and Postponement of Date of Hearing

Pursuant to notice published in the *FEDERAL REGISTER* of June 10, 1969 (34 F.R. 9140), and § 130.18 of the new-drug regulations (21 CFR 130.18), a prehearing conference was held in this matter on June 18, 1969. During this conference there came on for argument a motion by Unimed, Inc., to postpone the hearing in this matter presently scheduled to commence on June 25, 1969 (34 F.R. 9140), for a period of at least 75 days based upon the arguments advanced by respondent's counsel and over the objection of counsel for the Food and Drug Administration. It is concluded that reasonable grounds, as set forth in the transcript of the prehearing conference proceedings, have been shown which warrant the postponement of the beginning date of the hearing in this matter to July 29, 1969. In addition, it has been concluded with the agreement of counsel representing both the respondent and the Government that an additional prehearing conference is necessary to expedite the conduct of the hearing in this matter.

Therefore, it is hereby ordered that a second prehearing conference will be held beginning at 10 a.m., July 17, 1969, in Room 5169, North Building, Department of Health, Education, and Welfare, 330 Independence Avenue SW., Washington, D.C. 20201, and it is further ordered that the hearing in the matter of the proposal of the Commissioner of Food and Drugs to withdraw the approval of New-Drug Application No. 14-241 for marketing the drug Serc Tablets will begin at 10 a.m., July 29, 1969, in Room 5169, North Building, Department of Health, Education, and Welfare, 330 Independence Avenue SW., Washington, D.C. 20201.

Dated: June 20, 1969.

WILLIAM E. BRENNAN,  
Hearing Examiner.

[F.R. Doc. 69-7504; Filed, June 25, 1969; 8:46 a.m.]

# OLD VIRGINIA, INC.

## Fruit Jelly and Jams Deviating From Identity Standards; Notice of Amendment of Temporary Permit for Market Testing

Pursuant to § 10.5 (21 CFR 10.5) concerning temporary permits to facilitate market testing of foods deviating from the requirements of standards of identity promulgated pursuant to section 401 (21 U.S.C. 341) of the Federal Food, Drug, and Cosmetic Act, notice is given that the temporary permit (notice of which was published in the *FEDERAL REGISTER* of April 26, 1969; 34 F.R. 6985) held by Old Virginia, Inc., Front Royal, Va. 22630, to cover interstate marketing tests of black raspberry jelly, apple-raspberry jelly, and black raspberry jam made from

dried black raspberries, and ingredient not provided for by the standard of identity for fruit jellies (21 CFR 29.2) or preserves and jams (21 CFR 29.3), is amended to change the beginning and ending dates of the permit. The term of the original permit (granted Apr. 18, 1969, to expire Aug. 1, 1969) is hereby amended to permit market testing for the period from November 1, 1969, to November 1, 1970. The label states "Made from dried black raspberries."

Dated: June 19, 1969.

J. K. KIRK,  
Associate Commissioner  
for Compliance.

[F.R. Doc. 69-7526; Filed, June 25, 1969; 8:47 a.m.]

# Public Health Service

## CONSUMER PROTECTION AND ENVIRONMENTAL HEALTH SERVICE

### Statement of Organization, Functions, and Delegations of Authority

Transfer of the Milk, Food, and Interstate Travel Programs from the Environmental Control Administration to the Food and Drug Administration.

Part 3 (Consumer Protection and Environmental Health Service) of the Statement of Organization, Functions, and Delegations of Authority of the Department of Health, Education, and Welfare (33 F.R. 19044-54 dated Dec. 20, 1968) is amended to transfer the milk, food, and interstate travel sanitation program and the Environmental Control Administration to the Food and Drug Administration.

Section 3-B is amended as follows:  
Sec. 3-B Organization.

### (2) Food and Drug Administration.

(j) *Bureau of Compliance.* Develops compliance and surveillance programs covering regulated industries and areas of related economic activity. Fosters development of good manufacturing practices and improved food sanitation. Develops or coordinates the development of regulations, model codes, and other standards covering industry practices and for the control of health hazards associated with food, including shellfish and milk and with interstate travel. Develops and carries out programs designed to encourage compliance by industry on a voluntary basis. Provides technical assistance to public and public service institutions and agencies for the control of hazards to health associated with interstate shipment of food, including shellfish and milk and with interstate travel. Provides support and guidance upon request to the district offices in the handling of legal actions and provides headquarters case development, coordination, and contested case assistance. Develops and coordinates studies to measure degree of compliance by regulated industries with statutes and regulations enforced by the Administration.

(j-1) *Office of Operations and Industry Services.* Develops compliance and surveillance programs covering the food and drug industries and other regulated industries or areas of economic trade activity. Fosters development of good manufacturing practices and improved food sanitation. Develops or coordinates the development of regulations, model codes, and other standards covering industry practices and for the control of health hazards associated with food, including shellfish and milk and with interstate travel. Develops and carries out programs designed to encourage compliance by industry on a voluntary basis including the conduct of national seminars and conferences, industry workshops, and the implementation of industry self-inspection and quality assurance programs. Develops and coordinates studies to measure degree of compliance by regulated industries with statutes and regulations enforced by the Administration.

(i) *Division of Operational Services.* Develops or coordinates the development of compliance and surveillance programs covering the food and drug industries and other regulated industries or areas of economic trade activity. Fosters development of good manufacturing practices and improved food sanitation. Develops or coordinates the development of regulations, model codes, and other standards and guides covering industry practices and for the control of health hazards associated with food, including shellfish and milk and with interstate travel. Analyzes data and other information concerning the degree of industry compliance.

(j-2) *Office of Control and Guidance.* Administers sanitary control programs in milk and food sanitation, shellfish sanitation and interstate travel sanitation, including the cooperative State-Federal certification programs. Provides support and guidance in handling legal actions and provides liaison between FDA, and the General Counsel and other Government agencies in the conduct of various enforcement actions.

(i) *Division of Sanitation Control.* Provides advice and assistance in milk and food sanitation programs and administers the cooperative Interstate Milk Shippers Program designed to maintain a high quality of milk shipped in interstate commerce. Administers the National Shellfish Certification Program for the maintenance and improvement of the sanitary quality of commercial shellfish. Administers the Interstate Travel Sanitation Program designed to protect the health of travelers and of crews on commercial transportation conveyances. Encourages the adoption of adequate sanitation standards by States and municipalities and provides technical assistance to State and local agencies and to industries on sanitation problems and new developments which have public health significance. Standardizes Regional Milk and Food Consultants who in turn standardize and certify State Milk and Food Service Sanitation Survey Officers. Participates



with industry health organizations and others in the development of sanitary standards for the design and construction of dairy and food equipment.

(1) *Bureau of Science*. Plans, develops and administers a program of scientific support for FDA activities. Develops scientific standards and conducts research relating to the composition, quality, and safety effects of foods, drugs, cosmetics, and pesticides. Conducts research designed to improve the detection, prevention, and control of contamination that may be responsible for illness conveyed by foods including milk and dairy products. Reviews industry petitions and recommends the promulgation of regulations for food standards and to permit safe use of color additives, food additives, and pesticides. Conducts laboratory activities in connection with antibiotics, insulin, and color certification program. Provides expert advice and scientific services to other organizational components with respect to research, technological developments and the interpretation of scientific information. Designs and participates in collaborative studies to establish the reliability of new analytical methods. Initiates or participates in the formulation of regulatory programs. Performs analyses of regulatory samples as may be necessary to support FDA's compliance programs. Cooperates with Association of Official Analytical Chemists (AOAC) and similar scientific societies.

(1-3) *Division of Microbiology*. Originates, plans, and conducts research to determine nature, extent, and significance of microbial and other microscopic contaminants in foods and drugs; studies causes and develops methods for detection and prevention of food poisoning. Devises microanalytical and biological methods for the analysis of foods, drugs, and cosmetics. Develops procedures for protecting foods including milk and other dairy products against contamination; evaluates and improves concepts and methods used in food protection. Conducts research into the technological and engineering aspects of food processing procedures designed to eliminate contamination that may be responsible for food borne illness. Conducts reviews for standardization and certification, of State and local milk and food laboratories and officials are required. Operates the National Center for Microbiological Analysis.

(3) *Environmental Control Administration*.

(g) *Bureau of Community Environmental Management*. Formulates and establishes criteria and recommends standards for sustaining man's health and well-being in the living environment of the community. Conducts and participates in studies and demonstrates to

establish data for formulating criteria and standards. Conducts or participates in research, investigations and demonstrations to control environmental hazards to health. Collects epidemiological information and maintains an information resource of statistical data on environmental hazards to health. Plans, conducts, and supports a program to control injuries caused by environmental situations, human behavior and community environments. Assists in the development of manpower and training needs for community environmental management.

(g-4) (The Division of Food, Milk, and Interstate Travel Sanitation is abolished and its functions transferred).

Effective date: This amendment is effective on the date of its publication in the FEDERAL REGISTER.

Dated: June 19, 1969.

JOHN D. R. COLE,  
Deputy Assistant Secretary  
for Personnel and Training.

[F.R. Doc. 69-7513; Filed, June 25, 1969;  
8:46 a.m.]

## CIVIL AERONAUTICS BOARD

[Docket No. 21010]

LAKER AIRWAYS LTD.

### Notice of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a public hearing in the above-entitled proceeding is assigned to be held on July 17, 1969, at 10 a.m., e.d.t., in Room 805, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before the undersigned examiner.

For information concerning the issues involved and other details of this proceeding, interested persons are referred to the various documents which are in the docket of this case on file in the Docket Section of the Civil Aeronautics Board.

Dated at Washington, D.C., June 20, 1969.

[SEAL] ARTHUR S. PRESENT,  
Hearing Examiner.

[F.R. Doc. 69-7543; Filed, June 25, 1969;  
8:49 a.m.]

[Docket No. 18650; Order 69-6-110]

## INTERNATIONAL AIR TRANSPORT ASSOCIATION

### Order Regarding Specific Commodity Rates

Issued under delegated authority June 20, 1969.

By Order 69-6-38, dated June 9, 1969, action was deferred, with a view toward eventual approval, on certain resolutions adopted by the International Air Trans-

port Association (IATA), relating to specific commodity rates. The Board, in deferring action on the agreement, granted 10 days in which interested persons may file petitions in support of or in opposition to the Board's proposed action.

No petitions have been received within the filing period, and the tentative conclusions in Order 69-3-38 will herein be made final.

Accordingly, it is ordered, That:

Agreement CAB 20806, R-26 through R-30, be, and it hereby is, approved, provided that approval shall not constitute approval of the specific commodity descriptions contained therein for purposes of tariff publication.

This order will be published in the FEDERAL REGISTER.

[SEAL] MABEL McCART,  
Acting Secretary.

[F.R. Doc. 69-7544; Filed, June 25, 1969;  
8:49 a.m.]

[Docket No. 18650; Order 69-6-111]

## INTERNATIONAL AIR TRANSPORT ASSOCIATION

### Order Regarding Specific Commodity Rates

Issued under delegated authority June 20, 1969.

By Order 69-6-39, dated June 9, 1969, action was deferred, with a view toward eventual approval, on certain resolutions adopted by the International Air Transport Association (IATA), relating to specific commodity rates. In deferring action on the agreement, 10 days were granted in which interested persons might file petitions in support of or in opposition to the proposed action.

No petitions have been received within the filing period, and the tentative conclusions in Order 69-6-39 will herein be made final.

Accordingly, it is ordered, That:

Agreement CAB 20745, R-78 and R-79, be, and it hereby is, approved: *Provided*, That approval shall not constitute approval of the specific commodity descriptions contained therein for purposes of tariff publication.

This order will be published in the FEDERAL REGISTER.

[SEAL] MABEL McCART,  
Acting Secretary.

[F.R. Doc. 69-7545; Filed, June 25, 1969;  
8:49 a.m.]

[Docket No. 20462]

## SEAGREEN AIR TRANSPORT, LTD.

### Notice of Prehearing Conference

A prehearing conference in the above-entitled proceeding was held on December 18, 1968, and the Examiner issued a prehearing conference report on December 27, 1968. Because of a defect in the application of Seagreen, it was necessary



for the applicant to file an amended application. This matter was processed through diplomatic channels and Amendment No. 1 to Docket 20462 was filed on April 21, 1969. Therefore, a second prehearing conference will be held on July 2, 1969, at 10 a.m., e.d.s.t., in Room 911, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before the undersigned Examiner.

Appendix A of the Examiner's Prehearing Conference Report which was served on December 27, 1968, sets forth the Bureau's request for information and evidence. If there is any additional information the Bureau now seeks, this request should be submitted to the Examiner and all parties on or before June 27, 1969.

Dated at Washington, D.C., June 23, 1969.

[SEAL]

ROSS I. NEWMANN,  
Hearing Examiner.

[F.R. Doc. 69-7546; Filed, June 25, 1969;  
8:40 a.m.]

## FEDERAL COMMUNICATIONS COMMISSION

[Report No. 445]

### COMMON CARRIER SERVICES INFORMATION<sup>1</sup>

#### Domestic Public Radio Services Appli- cations Accepted for Filing<sup>2</sup>

JUNE 23, 1969.

Pursuant to §§ 1.227(b)(3) and 21.26 (b) of the Commission's rules, an application, in order to be considered with any domestic public radio services application appearing on the attached list, must be substantially complete and tendered for filing by whichever date is earlier:

(a) The close of business 1 business day preceding the day on which the Commission takes action on the previously filed application; or (b) within 60 days after the date of the public notice listing the first prior filed application (with which subsequent applications are in conflict) as having been accepted for filing. An application which is subsequently amended by a major change will be considered to be a newly filed application. It is to be noted that the cutoff dates are set forth in the alternative—applications will be entitled to consideration with those listed in the appendix if filed by the end of the 60-day period, only if the Commission has not acted

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

<sup>2</sup> The above alternative cutoff rules apply to those applications listed in the appendix as having been accepted in Domestic Public Land Mobile Radio, Rural Radio, Point-to-Point Microwave Radio, and Local Television Transmission Services (Part 21 of the rules).

upon the application by that time pursuant to the first alternative earlier date. The mutual exclusivity rights of a new application are governed by the earliest action with respect to any one of the earlier filed conflicting applications.

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

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

FEDERAL COMMUNICATIONS  
COMMISSION,  
[SEAL] BEN F. WAPLE,  
Secretary.

#### APPENDIX

##### APPLICATIONS ACCEPTED FOR FILING

##### DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE

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

- 7559-C2-P-(3)-69—James D. and Lawrence D. Garvey doing business as Radiofone (New), C.P. for a new 2-way station to be located at corner O'Keefe and Howard Streets, New Orleans, La., to operate on base frequencies 454.125, 454.175, 454.200 MHz.
- 7560-C2-MP-69—New Jersey Bell Telephone Co. (KEA761), Modification of C.P. to add auxiliary test station at 95 William Street, Newark, N.J., to operate on frequencies 459.425, 459.475, 459.575 MHz.
- 7561-C1/C2-TC-(2)-69—Nocona Telephone Co. (KLB696), Consent to transfer of control from: D. G. Gardner, Jr., Sue Gardner Parsons, N. R. Parsons, and Mabel H. Gardner, Transferors, to: Allied Telephone Co., Transferee. (2-way station, Nocona, Tex.)
- 7564-C2-P-69—Cincinnati Radio Telephone Systems, Inc. (KQK710), C.P. to relocate base station operating on frequency 152.03 MHz from: Location No. 2—2324 Madison Road, Cincinnati, Ohio, to: Location No. 1—Elighth Street and Matsen Avenue, Cincinnati, Ohio.
- 7565-C2-P-69—Liberty Communications, Inc. (KCC485), C.P. to change antenna location for base station 454.05 MHz from existing location No. 2, to a new site described as location No. 3: Booth Hill Road, Trumbull, Conn.
- 7566-C2-P-(3)-69—The Pacific Telephone & Telegraph Co. (KMA745), C.P. to add base frequency 454.55 MHz at location No. 2: 99 Moultrie Street, San Francisco, Calif., and at location No. 3: Daly City Reservoir No. 5, near Palsades Drive and Westmoor Drive, Daly City, Calif. Also add auxiliary test station at 1587 Franklin Street, Oakland, Calif., to operate on test frequency 459.55 MHz.
- 7584-C2-P-(3)-69—Texas Mobile Telephone Co. (New), C.P. for a new 2-way station to be located on hill west of trail Modrones Road, about 7,000 feet west of Austin City, Austin, Tex. to operate on base frequencies 454.200, 454.250, 454.300 MHz.
- 7613-C2-P-69—Mobile Telephone Co. of Alabama (New), C.P. for a new 2-way station to be located at 1.5 miles west of Sumiton, Dora, Ala., to operate on frequency 152.21 MHz.
- 7676-C2-P-69—The Mountain States Telephone & Telegraph Co. (New), C.P. for new 2-way station to be located at 11.5 miles east of Bozeman, Mont., to operate on frequency 152.66 MHz.
- 7678-C2-P-69—Mobile Radio System of Ventura, Inc. (KMA835), C.P. to replace transmitter operating on base frequency 152.21 MHz at 7,000 feet north of Foothill and Day Road, Willis Canyon Peak, Ventura, Calif.
- 7979-C2-MP-(2)-69—The Pacific Telephone & Telegraph Co. (KMA744), Modification of C.P. to change antenna system for the base frequency 454.40 MHz at location No. 2: 1587 Franklin Street, Oakland, Calif., and location No. 3: Daly City Reservoir No. 5, near Palsades Drive and Westmoor Drive, Daly City, Calif.
- 7699-C2-P-69—General Telephone Co. of the Southwest (New), C.P. for a new 2-way station to be located at 205 North Jackson Street, McCrory, Ark., to operate on frequency 152.78 MHz.
- 7700-C2-P-(3)-69—Rhode Island Mobile Radio Service, Inc. (New), C.P. for new 2-way station to be located at WJAR-TV standby tower east of Pine Street, Providence, R.I., to operate on frequencies 454.100, 454.250, and 454.300 MHz.
- 7701-C2-P-(3)-69—Texas Mobile Telephone Co. (New), C.P. for new 2-way station to be located at  $\frac{3}{4}$  mile north of Ingram Road and  $\frac{3}{4}$  mile west of Loop 410, San Antonio, Tex., to operate on base frequencies 454.250, 454.150, and 454.200 MHz.
- 7702-C2-TC-69—Lett Electronics, Inc. (KEK275), Consent to Transfer of Control from: Clinton J. Lett, Jr., Donald F. Lett, and Royce Garand Lett, Transferors, to: Clinton J. Lett, Sr., Transferee.
- 7720-C2-P-(3)-69—Caprock Radio Dispatch (KKO353), C.P. to add base and repeater stations at a new location identified as location No. 6: 3.5 miles southwest of Caprock, N. Mex. Base frequency 152.18 MHz. Repeater 459.15 MHz and add control facilities 454.15 MHz at a new site location No. 7: 601 North Grimes Street, Hobbs, N. Mex.
- 7721-C2-P-(3)-69—Radio Mobile Phones, Inc. (KEG412), C.P. to add base station at a new location identified as location No. 4: Preston Tower Building, 6211 West Northwest Highway, Dallas, Tex., to operate on frequencies 454.125, 454.225, and 454.275 MHz.

##### Major Amendment

- 5066-C2-P-69—Credit Bureau of Decatur, Inc. (New), Amend to read: C.P. to operate on frequency 152.24 MHz. All other particulars remain the same as reported on public notice dated Mar. 10, 1969, Report No. 430.



## POINT-TO-POINT MICROWAVE RADIO SERVICE (NONTTELEPHONE)—Continued

7719-C1-P-69—Mountain Microwave Corp. (New), C.P. for a new transmitting station at 1.2 miles north-northeast of Garden City, S. Dak. (lat. 44°58'30" N., long. 97°34'28" W.), to operate on frequencies 11,245, 11,325, and 11,405 MHz toward Lake Kampeska, S. Dak. (lat. 44°53'49" N., long. 97°11'05" W.), on azimuth of 105°45'. (Information: Applicant proposes to provide the TV signals of stations KWGN-TV, KOA-TV, and KBT of Denver, Colo., to Midcontinent Broadcasting Co. in Lake Kampeska, S. Dak.)

## Major Amendment

1833-C1-P-69—Mountain Microwave Corp. (New), Application amended to delete Lake Hendricks, S. Dak., as point of communication, and add Toronto, S. Dak. (lat. 44°38'22" N., long. 96°40'32" W.) as a new point of communication on frequency 11,135 MHz and azimuth of 244°10'. Transmitter location: 0.5 mile southeast of Montevideo, Minn.

1834-C1-P-69—Mountain Microwave Corp. (New), Amended to change site location from Lake Hendricks to Toronto, S. Dak., as described above, and add frequency 11,625 MHz, via power split, toward three new points of communication at (a) De Smet, S. Dak. (lat. 44°26'29" N., long. 97°37'10" W.), on azimuth of 256°18'; (b) Brookings, S. Dak. (lat. 44°18'50" N., long. 96°49'55" W.), on azimuth of 190°40'; and (c) Lake Kampeska (Watertown), S. Dak. (lat. 44°53'49" N., long. 97°11'05" W.), on azimuth of 303°45'. Transmitter location: 3 miles northwest of Toronto, S. Dak.

1835-C1-P-69—Mountain Microwave Corp. (New), Amended to change site location from Lake Henry to De Smet, S. Dak., as described above, and add frequency 11,135 MHz, via power split, toward points of communication at (a) Huron, S. Dak. (lat. 44°20'05" N., long. 98°14'00" W.), on azimuth of 256°50'; and (b) Redfield, S. Dak. (lat. 44°54'40" N., long. 98°32'05" W.), azimuth of 306°30'. Transmitter location: 5 miles south of De Smet, S. Dak. (Information: Applicant proposes to modify its original proposal to include the delivery of the TV signal station WTCN-TV, Minneapolis, Minn., to a CATV system to be operated by Oliver H. Riedel in Watertown, S. Dak., and KOFA Cable Co. in Brookings, S. Dak. Note: Other particulars same as reported in public notice dated Sept. 30, 1968. See also public notice dated Dec. 16, 1968, page 11 for notice of apparent mutual exclusivity with Minnesota Microwave, Inc., file numbers 3481/3482-C1-P-69.)

[P.R. Doc. 69-7555; Filed, June 25, 1969; 8:50 a.m.]

## FEDERAL HOME LOAN BANK BOARD

[No. 22,981]

## UNITED FINANCIAL CORPORATION OF CALIFORNIA

## Notice of Intention To Acquire La Mirada Savings and Loan Association

JUNE 19, 1969.

Resolved that the Secretary to the Federal Savings and Loan Insurance Corporation is hereby directed to file the following notice for publication in the Federal Register and with the Savings and Loan Commissioner, State of California:

## UNITED FINANCIAL CORPORATION OF CALIFORNIA

## NOTICE OF INTENTION TO ACQUIRE

LA MIRADA SAVINGS AND LOAN ASSOCIATION

Notice is hereby given that the Federal Savings and Loan Insurance Corporation

has received an application from the United Financial Corporation of California, Los Angeles, Calif., for approval of the latter corporation's acquisition of the La Mirada Savings and Loan Association, La Mirada, Calif., an insured institution, under the provisions of section 408(e) of the National Housing Act, as amended (12 U.S.C. 1739(a)), and section 584.4 of the Regulations for Savings and Loan Holding Companies (12 CFR sec. 584.4). The proposed acquisition would be effected by the exchange of stock of the United Financial Corporation of California for the assets of La Mirada Savings and Loan Association, which assets will be transferred to United Savings and Loan Association of California, a subsidiary of United Financial Corporation of California. Comments on the proposed acquisition should be submitted to the Director, Office of Examinations and Supervision, Federal Home Loan Bank Board, Washington, D.C. 20552, within 10 days of the date this notice appears in the Federal Register.

122—THURSDAY, JUNE 26, 1969

## RURAL RADIO SERVICE

7501-C1-P-69—Nocoma Telephone Co. (KKA95), Consent to transfer of control from: D. G. Gardner, Jr., Sue Gardner Parsons, N. R. Parsons, and Mabel H. Gardner. Transfers to: Allied Telephone Co., Transferee.

7502-C1-P-69—Pacific Northwest Bell Telephone Co. (KOU52), C.P. to replace transmitter operating on 157.83 MHz at Big Lake 16.8 miles west-northwest of Sisters, Oreg.

## POINT-TO-POINT MICROWAVE RADIO SERVICE (TELEPHONE CARRIER)

7503-C1-P-69—Southwestern Bell Telephone Co. (KAD26), C.P. and modification of license to add frequency 6062.5 MHz toward (KTWU-TV) Topeka, Kans. Station location: Third and Oakley Streets, Topeka, Kans.

7507-C1-P-69—Illinois Bell Telephone Co. (New), C.P. for a new fixed station to be located at 1.1 miles west-northwest of Woodstock, Ill., to operate on frequencies 5939.7 and 11,605 MHz toward Silver Lake, Ill.

7508-C1-P-69—Illinois Bell Telephone Co. (KVU52), C.P. to add frequencies 6039.5 and 10,915.0 MHz toward Collinsville, Ill. Station location: 213 East Third Street, Alton, Ill.

7509-C1-P-69—Illinois Bell Telephone Co. (KVU31), C.P. to add frequencies 6345.5 and 11,365.0 MHz toward Alton, Ill. Station location: 203 Goethe Avenue, Collinsville, Ill.

7585-C1-P-69—Illinois Bell Telephone Co. (New), C.P. for a new fixed station to be located at 3.3 miles north-northeast of Plano, Ill., to operate on frequencies 6078.5 and 11,565.0 MHz toward Wasco, Ill., and frequencies 6019.3 and 11,365.0 MHz toward Norway, Ill.

7586-C1-P-69—Illinois Bell Telephone Co. (KSN59), C.P. to add frequencies 6301.0 and 11,115 MHz toward Plano, Ill. Station location: Town Hall Road, 2.5 miles southwest of Wasco, Ill.

7680-C1-P-69—The Chesapeake and Potomac Telephone Co. of Virginia (KJG53), C.P. and modification of license to add 6115.5 MHz toward (WHRO-TV Studio) Norfolk, Va. Station location: 120 West Bute Street, Norfolk, Va.

7681-C1-P-69—The Chesapeake and Potomac Telephone Co. of Virginia (KIR29), C.P. and modification of license to add frequency 6390 MHz toward (ETV Station WCVE) Richmond, Va. Station location: 703 East Grace Street, Richmond, Va.

7682-C1-P-69—Puerto Rico Telephone Co. (VWZ32), Modification of C.P. to change the location of passive repeater from Cerro Maguilles to Cerro Lazo, P.R., on frequency 2124.0 MHz. All other terms to remain same as existing C.P.

7683-C1-P-69—Puerto Rico Telephone Co. (WWZ29), Modification of C.P. to change azimuth to (Cerro Lazo) passive reflector to read: 81°53'. All other terms to remain same as existing C.P.

## Major Amendment

7027-C1-P-69—Carolina Telephone & Telegraph Co. (KJ45), Change frequency 6115.7 MHz toward Fountain Crossroads, N.C., to 6145.3 MHz. All other particulars same as reported in public notice dated May 26, 1969, Report No. 441.

## POINT-TO-POINT MICROWAVE RADIO SERVICE (NONTTELEPHONE)

7675-C1-P-69—Western Microwave, Inc. (KPB29), C.P. to power split frequencies 6060 and 6360 MHz toward Hardin, Mont., on azimuth 260°35'. Location: 3.5 miles northeast of Sapp, Mont., at lat. 45°50'37" N., long. 106°54'39" W. (Information: Applicant proposes to provide the television signals of stations KSL-TV and KUED of Salt Lake City, Utah, to Hardin, Mont., for delivery to TV Cable Associates, Inc.)

7705-C1-P-69—Mountain Microwave Corp. (New), C.P. for a new transmitting station at 2 miles north-northeast of Redfield, S. Dak. (lat. 44°54'40" N., long. 98°32'05" W.), to operate on frequency 11,625 MHz toward Aberdeen, S. Dak. (lat. 45°28'50" N., long. 95°30'00" W.), on azimuth of 62°28'. (Information: Applicant proposes to provide the TV signal of station WTCN-TV of Minneapolis, Minn., to Midcontinent Broadcasting Co. in Aberdeen, S. Dak. Note: See file Nos. 1633 through 1635-C1-P-69, page 9 of this public notice.)

7718-C1-P-69—Mountain Microwave Corp. (New), C.P. for a new transmitting station at 2 miles north-northeast of Redfield, S. Dak. (lat. 44°54'40" N., long. 98°32'05" W.), to operate on frequencies 10,715, 10,795, and 10,875 MHz toward Garden City, S. Dak. (lat. 44°53'30" N., long. 97°34'28" W.), on azimuth of 84°38'.

FEDERAL REGISTER, VOL. 34, NO.



For the Federal Savings and Loan Insurance Corporation.

By the Federal Home Loan Bank Board.

[SEAL]

JACK CARTER,  
Secretary.

[F.R. Doc. 69-7535; Filed, June 25, 1969;  
8:48 a.m.]

## ATOMIC ENERGY COMMISSION

[Dockets Nos. 50-342, 50-343]

### CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

#### Notice of Receipt of Application for Construction Permits and Facility Licenses

The Consolidated Edison Company of New York, Inc., 4 Irving Place, New York, N.Y. 10003, pursuant to section 104(b) of the Atomic Energy Act of 1954, as amended, has filed an application, dated June 3, 1969, for authorization to construct and operate a two-unit nuclear power station at its 130-acre site on the east side of the Hudson River in the town of Cortlandt, Westchester County, N.Y. The site is contiguous to the company's Indian Point site at Buchanan.

The proposed nuclear power station will consist of two identical boiling water nuclear reactors, designated by the applicant as Nuclear Units 4 and 5, each of which will have a net electrical output of approximately 1,115 megawatts derived from a thermal capacity of approximately 3,293 megawatts.

A copy of the application is available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C.

Dated at Bethesda, Md., this 19th day of June 1969.

For the Atomic Energy Commission.

PETER A. MORRIS,  
Director,

Division of Reactor Licensing.

[F.R. Doc. 69-7492; Filed, June 25, 1969;  
8:45 a.m.]

## FEDERAL MARITIME COMMISSION

### HAMBURG-AMERICAN LINE AND NORTH GERMAN LLOYD

#### Notice of Agreement Filed for Approval

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

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I-Street NW., Room 1202; or may inspect agreement at the offices of the District Managers, New York, N.Y., New Orleans, La., and San

Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 10 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. F. J. Barry, General Traffic Department,  
United States Navigation Co., Inc., 17 Battery Place, New York, N.Y. 10004.

Agreement No. 9802, between Hamburg-American Line and North German Lloyd, provides for the establishment of a joint service designated as the "Hapag/Lloyd Magellan Service", to operate in the trade from U.S. Atlantic ports to ports in Chile under terms and conditions set forth therein. In the case of any trades or traffic within the scope of this agreement where the rates, charges and practices are not prescribed by any conference to which the joint service is a party, the joint service shall establish and maintain its own rates, charges and practices.

Dated: June 23, 1969.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,  
Assistant Secretary.

[F.R. Doc. 69-7564; Filed, June 25, 1969;  
8:50 a.m.]

## FEDERAL RESERVE SYSTEM

### BANKERS TRUST NEW YORK CORP.

#### Order Approving Acquisition of Bank Stock by Bank Holding Company

In the matter of the application of Bankers Trust New York Corp., New York, N.Y., for approval of acquisition of all of the voting shares of Bank of Jamestown, Jamestown, N.Y.

There has come before the Board of Governors, pursuant to section 3(a)(3) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(3)), and § 222.3(a) of Federal Reserve Regulation Y (12 CFR 222.3(a)), an application by Bankers Trust New York Corp., New York, N.Y., a registered bank holding company, for the Board's prior approval of the acquisition of all of the voting shares of Bank of Jamestown, Jamestown, N.Y.

As required by section 3(b) of the Act, the Board notified the Superintendent of Banks of the State of New York of the application and requested his views and recommendation. The New York State Banking Board advised the Board of its action, consistent with a recommendation made to it by the Superintendent, approving an application filed pursuant to the New York Banking Law with respect to the same transaction.

Notice of receipt of the application was published in the FEDERAL REGISTER on April 5, 1969 (34 F.R. 6214), providing an opportunity for interested persons to submit comments and views with respect to the proposed transaction. A copy of the application was forwarded to the U.S. Department of Justice for its consideration. Time for filing comments and views has expired and all those received have been considered by the Board.

It is hereby ordered, For the reasons set forth in the Board's Statement<sup>1</sup> of this date, that said application be and hereby is approved: *Provided*, That the acquisition so approved shall not be consummated (a) before the 30th calendar day following the date of this order, or (b) later than 3 months after the date of this order, unless such period is extended for good cause by the Board or by the Federal Reserve Bank of New York pursuant to delegated authority.

Dated at Washington, D.C., this 18th day of June 1969.

By order of the Board of Governors.<sup>2</sup>

[SEAL]

ROBERT P. FORRESTAL,  
Assistant Secretary.

[F.R. Doc. 69-7497; Filed, June 25, 1969;  
8:45 a.m.]

## FEDERAL POWER COMMISSION

[Docket No. RI69-802, etc.]

PERRY R. BASS ET AL.

#### Order Providing for Hearings on and Suspension of Proposed Changes in Rates<sup>1</sup>

JUNE 17, 1969.

The Respondents named herein have filed proposed increased rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

<sup>1</sup> Filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551, or to the Federal Reserve Bank of New York.

<sup>2</sup> Voting for this action: Chairman Martin and Governors Robertson, Mitchell, Daane, Malsel, Brimmer, and Sherrill.

<sup>3</sup> Does not consolidate for hearing or dispose of the several matters herein.



(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act.

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the

Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before August 5, 1969.

By the Commission.

[SEAL] GORDON M. GRANT,  
Secretary.

## APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until	Cents per Mcf		Rate in effect subject to refund in dockets Nos.
									Rate in effect	Proposed increased rate	
RI69-802	Perry R. Bass (Operator) et al., 1300 Fort Worth National Bank Bldg., Fort Worth, Tex. 76102.	6	15	Transwestern Pipeline Co. (Keystone Plant Area, Winkler, Crane, Ward, and Reeves Counties, Tex.) (R.R. District No. 8 and Bell Lake Field Area, Lea County, N. Mex.) (Permian Basin Area).	\$970,937	5-19-69	* 6-19-69	11-19-69	* 16.25 * 14.26 * 14.67 * 13.85	* * 20.5 * * 20.5 * * 20.5 * * 18.5	
	.....do.....	17	6	Transwestern Pipeline Co. (Hamon Field, Reeves County, Halley Field, Winkler County, Tex.) (R.R. District No. 8) (Permian Basin Area).	\$ 134,844	5-22-69	* 6-22-69	11-22-69	* 14.35 * 13.48 * 16.49 * 14.48	* * 18.5 * * 17.5 * * 20.5 * * 20.5	
RI69-803	Hunting Oil Co., Inc., 14701 Detroit Ave., Lakewood, Ohio 44107.	1	* 3	The Ohio Fuel Gas Co. (Lebanon Township, Meigs County, Ohio).	3,600	5-21-69	* 6-21-69	11-21-69	25.0	* * 27.0	
RI69-804	Husky Oil Co. of Delaware, Post Office Box 380, Cody, Wyo. 82414.	14	7	El Paso Natural Gas Co. (West Kutz Pictured Cliffs Pool, San Juan County, N. Mex.) (San Juan Basin Area).	1,501	5-23-69	* 6-25-69	11-25-69	* 12.0454	* * 13.0454	
	.....do.....	15	7	.....do.....	1,013	5-23-69	* 6-25-69	11-25-69	* 12.0454	* * 13.0454	
	.....do.....	19	5	El Paso Natural Gas Co. (Basin Dakota Pool, San Juan County, N. Mex.) (San Juan Basin Area).	842	5-22-69	* 6-22-69	11-22-69	* 12.0454	* * 13.0454	
	.....do.....	21	5	El Paso Natural Gas Co. (Angels Peak Gallup Pool, San Juan County, N. Mex.) (San Juan Basin Area).	537	5-22-69	* 6-22-69	11-22-69	* 12.0454	* * 13.0454	
RI69-805	Husky Oil Co. of Delaware (Operator) et al.	20	4	El Paso Natural Gas Co. (Basin Dakota Pool, San Juan County, N. Mex.) (San Juan Basin Area).	8,211	5-23-69	* 6-25-69	11-25-69	* 13.0495	* * 14.0495	RI64-320.
RI69-806	Acoma Oil Corp. (Operator) et al., Hamm Bldg., St. Paul, Minn. 55102.	5	9	El Paso Natural Gas Co. (Drinkard Field, Lea County, N. Mex.) (Permian Basin Area).	1,650	5-23-69	* 8-1-69	1-1-70	14.99	* * 15.99	
RI69-807	.....do.....	10	10	.....do.....	(26)	5-26-69	* 8-1-69	1-1-70	14.99	* * 15.99	
RI69-808	Ashland Oil & Refining Co. (Operator) et al., Post Office Box 18695, Oklahoma City, Okla. 73118.	122	6	Northern Natural Gas Co. (Guymon-Hugoton Field, Texas, County, Okla.) (Panhandle Area).	1,160	5-21-69	* 7-1-69	12-1-69	* 12.0	* * 13.01	RI68-117.
RI69-809	Atlantic Richfield Co. (Operator) et al., Post Office Box 521, Tulsa, Okla. 74102.	414	50	Michigan Wisconsin Pipe Line Co. (Laverne et al., Fields, Harper, and Beaver Counties, Okla.) (Panhandle Area).	273,255	5-22-69	* 6-22-69	11-22-69	* 20.5	* * 23.015	RI66-305.
	.....do.....	443	* 45	Michigan Wisconsin Pipe Line Co. (Woodward Area, Dewey and Major Counties, Okla.) (Oklahoma "Other" Area) and Woodward County, Okla.) (Panhandle Area).	480,358 19,180	5-22-69	* 6-22-69	11-22-69	* 18.9 * 20.5	* * 24.1325 * * 24.1325	(23) RI68-70.
	.....do.....	472	12	Lone Star Gas Co. (East Doyle Field, Stephens County, Okla.) (Oklahoma "Other" Area).	19,299 857	5-22-69	* 6-22-69	11-22-69	* 15.0 17.9	* * 19.015 * * 19.015	RI68-624.
RI69-810	Atlantic Richfield Co.	431	29	El Paso Natural Gas Co. (Various Fields, Beaver and Ellis Counties, Okla. (Panhandle Area) and Lipscomb and Ochiltree Counties, Tex.) (R.R. District No. 10).	112,911	5-22-69	* 6-22-69	11-22-69	* 19.0 * 19.0	* * 23.015 * * 23.0	RI66-162. RI66-162.
	.....do.....	537	5	Lone Star Gas Co. (East Durant Field, Bryan County, Okla.) (Oklahoma "Other" Area).	15	5-22-69	* 6-22-69	11-22-69	17.9	* * 19.015	RI69-716.

\* The stated effective date is the first day after expiration of the statutory notice.

\* Increase from applicable area ceiling rates to contract rates.

\* Pressure base is 14.65 p.s.i.a.

\* Keystone Field Area, Texas, new gas-well gas.

\* Keystone Field Area, Texas, old gas-well gas and casinghead gas.

\* Cawar Field, Tex.

\* Bell Lake Field, N. Mex., Devonian Formation.

\* Bell Lake Field, N. Mex., Pennsylvanian Formation.

\* Filing does not include breakdown on volumes for types of gas.

\* Hamon Field, new gas-well gas.

\* Halley Field, new gas-well gas.

\* Halley Field, casinghead gas.

\* Includes letter from the buyer providing for the increase.

\* Renegotiated rate increase.

\* Pressure base is 15.325 p.s.i.a.

\* For volumes delivered in excess of 1,000 Mcf per month. Rate reduces to 25 cents for volumes delivered between 500 and 1,000 Mcf per month and 22 cents for less than 500 Mcf per month.

\* The stated effective date is the effective date requested by Respondent.

\* Periodic rate increase.

\* Pressure base is 15.025 p.s.i.a.

\* Includes 0.0495 cent per Mcf tax reimbursement.

\* Periodic increase from rate inclusive of 1 cent per Mcf minimum guarantee for liquids to rate exclusive of 1 cent per Mcf minimum guarantee for liquids.

\* Includes 0.0495 cent per Mcf tax reimbursement.

\* "Fractured" rate increase. Respondent contractually due 17.5 cents per Mcf on Aug. 1, 1969.

\* Well shut in by Conservation Commission—no volume given.

\* Subject to a downward B.t.u. adjustment.

\* Includes 1-cent upward B.t.u. adjustment (1,100 B.t.u. gas). Base rate subject to 1/100-cent upward B.t.u. adjustment for each B.t.u. in excess of 1,000 B.t.u. and proportionate downward B.t.u. adjustment from 1,000 B.t.u.'s.

\* Includes 0.01-cent tax reimbursement.

\* Includes 0.015-cent tax reimbursement.

\* Not applicable to acreage added by Supplement No. 42 to Atlantic's Rate Schedule No. 443 (Ore C. Johnson Unit).

\* Oklahoma "Other" area production.

\* Includes 1.135-cent tax reimbursement.

\* Effective subject to refund in Dockets Nos. RI67-316, RI68-636, and RI69-295 for various acreage under contract.

\* Oklahoma Panhandle area production.

\* Applicable to acreage added by Supplements Nos. 9 and 10 to Atlantic's Rate Schedule No. 472.

\* Texas production.



Perry R. Bass (Operator) et al. (Bass) requests waiver of the statutory notice to permit his proposed rate increases to become effective on May 19, 1969 (Supplement No. 15 to Bass' FPC Gas Rate Schedule No. 6) and May 22, 1969 (Supplement No. 6 to Bass' FPC Gas Rate Schedule No. 17). Atlantic Richfield Co. (Operator) et al., and Atlantic Richfield Co. (both referred to herein as Atlantic) also request waiver of the statutory notice to permit an effective date of May 22, 1969, for their proposed rate increases. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit earlier effective dates for Bass and Atlantic's rate filings and such requests are denied.

The basic contract related to the proposed rate increase of Husky Oil Company of Delaware (Operator) et al. (Husky) contains a 1 cent per Mcf minimum guarantee for liquids provision but this 1 cent has been excluded from the proposed rate. Husky is advised that a notice of change in rate will be required if he intends to collect the 1 cent per Mcf minimum guarantee for liquids in the future. See the Commission's order issued December 7, 1967, in Docket Nos. R164-491 et al., Union Texas Petroleum, a Division of Allied Chemical Corp. (Operator) et al.

Hunting Oil Co., Inc. (Hunting) proposes an increase to 27 cents per Mcf at 13.325 p.s.i.a. for a sale of gas in Eastern Ohio where no formal rate ceiling has been announced. The gas is being produced from an area contiguous with West Virginia where the increased rate ceiling is 25 cents per Mcf. The Commission has heretofore considered the West Virginia ceilings to be applicable to this area. We conclude that Hunting's proposed rate increase should be suspended for 5 months from June 21, 1969, the expiration date of the statutory notice.

All of the producers' proposed increased rates and charges exceed the applicable area price levels for increased rates as set forth in the Commission's statement of general policy No. 61-1, as amended (18 CFR 2.56), with the exception of the rate increase filed by Hunting, mentioned above, for which no formal ceiling rates have been established for the area involved but exceeds the area increased rate ceiling for adjacent West Virginia which has been used for similar cases in the past, and the rate increases filed by the producers in the Permian Basin Area which exceed the just and reasonable rates established by the Commission in Opinion No. 468, as amended.

[P.R. Doc. 69-7429; Filed, June 25, 1969; 8:45 a.m.]

[Docket No. CP69-332]

## EL PASO NATURAL GAS CO. AND EL PASO GAS TRANSPORTATION CORP.

### Notice of Application

JUNE 17, 1969.

Take notice that on June 11, 1969, El Paso Natural Gas Co. (Applicant El Paso) and El Paso Gas Transportation Corp. (Applicant Transportation), both having addresses of Post Office Box 1492, El Paso, Tex. 79999, jointly filed in Docket No. CP69-332 an application for (1) a certificate of public convenience and necessity pursuant to section 7(c) of the Natural Gas Act authorizing Applicant El Paso to acquire certain mainline and branchline facilities owned by Applicant Transportation and (2) per-

mission and approval to abandon under section 7(b) of the Natural Gas Act permitting Applicant Transportation to abandon its pipeline facilities in favor of the acquisition thereof by Applicant El Paso, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant Transportation, a wholly owned subsidiary of Applicant El Paso, is seeking permission to abandon approximately 11.3 miles of 16-inch O.D. pipeline, 1.6 miles of 2 $\frac{3}{8}$ -inch to 10 $\frac{3}{4}$ -inch pipeline, and various tap and measuring and regulating facilities. Applicant El Paso states that it is no longer necessary or advantageous to continue the separate operations of its subsidiary and proposes to acquire and operate all of the natural gas facilities of Applicant Transportation by purchase thereof in the amount of \$240,864.03. Such cost represents the original book cost of such facilities less the sum of accumulated depreciation and accrued reserve for deferred Federal income taxes, and will be financed by current working funds.

Applicants state that no interruption or impairment of service to customers will result, and the current rate schedules will be continued. Applicants also state no additional deliveries are involved in the proposal, and therefore, no change in Applicant El Paso's gas supply will result from the transaction.

Any person desiring to be heard or to make any protest with reference to said application should on or before July 14, 1969, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file 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 duly given.

Under the procedure herein provided for, unless otherwise advised, it will be

unnecessary for Applicant to appear or be represented at the hearing.

GORDON M. GRANT,  
Secretary.

[P.R. Doc. 69-7493; Filed, June 25, 1969; 8:45 a.m.]

[Dockets Nos. E-7482, E-7481]

## NORTHERN STATES POWER CO. ET AL.

### Notice of Application; Correction

JUNE 19, 1969.

Northern States Power Co., Otter Tail Power Co., and Minnkota Power Cooperative, Inc.

In the notice of application issued May 23, 1969, and published in the FEDERAL REGISTER, May 30, 1969 F.R. 34(8382), in paragraph 2, line 5, change "Minneapolis" to "Fergus Falls."

GORDON M. GRANT,  
Secretary.

[P.R. Doc. 69-7494; Filed, June 25, 1969; 8:45 a.m.]

[Docket No. CP69-336]

## TRANSCONTINENTAL GAS PIPE LINE CORP.

### Notice of Application

JUNE 19, 1969.

Take notice that on June 13, 1969, Transcontinental Gas Pipe Line Corp. (Applicant), Post Office Box 1396, Houston, Tex. 77001, filed in Docket No. CP69-336 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 facilities and the exchange of natural gas which will enable Applicant to connect additional reserves to its existing marine system, offshore Louisiana, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that it proposes to purchase gas produced in the Block 215 Field, Vermilion Area, offshore Louisiana, pursuant to an executed gas purchase contract with Mobil Oil Corp. (Mobil). In connection with this purpose, Mobil has reserved the right to require Applicant to deliver certain volumes to Mobil at a mutually agreeable point on Applicant's existing system in the vicinity of Mobil's Beaumont Refinery in Jefferson County, Tex., in exchange for like quantities of gas delivered by Mobil to Applicant in the Block 215 Field.

Specifically, Applicant proposes to construct and operate approximately 28 miles of 20-inch pipeline extending from its existing facility in Block 49A, South Marsh Island Area to a platform constructed in the Block 215 Field by the above-named producer, together with a meter and regulator station to be located on such platform.



Estimated total cost is \$7,568,000, which will be financed initially from funds on hand and by bank loans. Permanent financing will be through the issuance of long term securities.

Any person desiring to be heard or to make any protest with reference to said application should on or before July 17, 1969, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file 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 duly given.

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

GORDON M. GRANT,  
Secretary.

[F.R. Doc. 69-7495; Filed, June 25, 1969;  
8:45 a.m.]

[Docket No. CP69-337]

## TRANSCONTINENTAL GAS PIPE LINE CORP.

### Notice of Application

JUNE 19, 1969.

Take notice that on June 16, 1969, Transcontinental Gas Pipe Line Corp. (Applicant), Post Office Box 1396, Houston, Tex. 77001, filed in Docket No. CP69-337 an application pursuant to section 7(b) of the Natural Gas Act for permission and approval to abandon certain pipeline facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant seeks permission to abandon:

(1) Approximately 1.76 miles of 10-inch transmission purchase pipeline and one (1) metering and regulator station known as the Pan Am-Placid Thibodaux purchase facilities, Lafourche Parish, La.

(2) Approximately 1.90 miles of 10-inch transmission purchase pipeline constituting a portion of the St. Charles lateral, Refugio County, Tex.

Applicant states that reserves available at the first of these facilities have declined to the point where production has terminated. The second facility constitutes part of a line previously abandoned.

The transmission purchase lines will be abandoned in place if they cannot be sold whereas the metering and regulator station facilities will be salvaged for future company use.

Any person desiring to be heard or to make any protest with reference to said application should on or before July 18, 1969, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file 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 permission and approval for the proposed abandonment is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

GORDON M. GRANT,  
Secretary.

[F.R. Doc. 69-7496; Filed, June 25, 1969;  
8:45 a.m.]

## DEPARTMENT OF THE TREASURY

### Bureau of Customs

### WHOLE DRIED EGGS FROM HOLLAND

#### Antidumping Proceeding Notice

JUNE 18, 1969.

On February 10, 1969, information was received in proper form pursuant to §§ 53.26 and 53.27, Customs Regulations (19 CFR 53.26, 53.27), indicating a possibility that whole dried eggs from Holland, are being, or likely to be, sold at

less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a), et seq.).

The information was submitted by Milton G. Waldbaum Co., Wakefield, Nebr.

There is evidence on record concerning injury to or likelihood of injury to or prevention of establishment of an industry in the United States.

Having conducted a summary investigation as required by § 53.29 of the Customs Regulations (19 CFR 53.29) and having determined as a result thereof that there are grounds for so doing, the Bureau of Customs is instituting an inquiry to verify the information submitted and to obtain the facts necessary to enable the Secretary of the Treasury to reach a determination as to the fact or likelihood of sales at less than fair value.

A summary of information received from all sources is as follows:

The information before the Bureau indicates the possibility that the prices for export to the United States of whole dried eggs from Holland are substantially below the prices at which the merchandise is being sold in the home market.

This notice is published pursuant to § 53.30 of the Customs Regulations (19 CFR 53.30).

[SEAL]

LESTER D. JOHNSON,  
Commissioner of Customs.

[F.R. Doc. 69-7553; Filed, June 25, 1969;  
8:50 a.m.]

## OFFICE OF ECONOMIC OPPORTUNITY

### COMMUNITY ACTION PROGRAMS

#### Requirement of Affirmative Action Civil Rights Program

The following notice is applicable to all grantees and delegate agencies receiving financial assistance under Titles I-B, I-D, II, and III-B of the Economic Opportunity Act, if the assistance is administered by the Office of Economic Opportunity. This notice will be incorporated into OEO Instruction 6710-1, "Applying for a CAP Grant", when that instruction is revised and reissued in the near future.

Requirement for affirmative action civil rights program. The purpose of CAP Form 11 is to obtain assurance from each applicant for a grant and each delegate that he will comply with the requirements of title VI of the Civil Rights Act of 1964. CAP Form 11, as revised, now states that the grantee "hereby gives assurance that it will immediately, in all phases and levels of programs and activities, install an affirmative action program to achieve equal opportunities for participation, with provisions for effective periodic self-evaluation."

The requirements for affirmative action under title VI of the Civil Rights Act of 1964 apply to all the benefits of Federal expenditures except employment. The latter is covered only when



a primary purpose of the particular Federal expenditure is to create employment. Therefore, affirmative action under title VI requires that the members of all ethnic groups be informed of and be drawn into participation in all the benefits of the program for which they are eligible. This includes an active information and outreach program so that all the eligible people in the community are aware of these benefits and are informed as to how to obtain them. It also involves the inclusion of members of all ethnic groups on governing boards and on policy advisory committees set up to provide for participation of citizens in planning programs and in setting priorities for action.

Other elements of affirmative action include locating the sites of community centers, service facilities, education and training programs so as to achieve integration and to provide full and equal access to these programs for the members of all ethnic groups. Another element in affirmative action is to provide staff members who can communicate with all ethnic groups in the community in terms of their own language and culture.

Instruments for evaluating the success of these affirmative efforts will include:

(1) Copies of posters, news releases, letters to key individuals and organizations, and a description of other efforts to inform the members of all ethnic groups in the community of the benefits and opportunities available to them under the program.

(2) Descriptions of on-going outreach programs designed to reach and serve all ethnic groups. This should be reflected in the work program of each application for funds.

(3) An ethnic breakdown of the enrollees in each program which should bear a reasonable relation to the ethnic composition of the people in the target area. This should be reflected in the work program and CAP Form 84 of each funding request.

(4) An ethnic breakdown of the members of the governing board of each project. The members of all ethnic groups should be adequately represented, both as delegates from community agencies and as individuals chosen to represent the people of the target area. This should be reflected in CAP Form 3 submitted by each applicant as part of his funding cycle.

(5) An ethnic breakdown of the members of the policy advisory committee which should bear a reasonable relationship to the ethnic composition of the target area. This should be reflected in CAP Form 3 submitted by each applicant as part of his funding cycle.

(6) Maps of the community showing the areas of concentration of the members of different ethnic groups in relation to the sites selected for the activities under the program. This site selection should seek to balance the goals of integration in every program and convenience to the individuals to be served. This information should be reflected in each

applicant's regular submission of CAP Form 5.

(7) An analysis of the cultural background and the language skills of the members of the staff to make sure that they can communicate effectively with the clients to be served.

**Effective date.** This notice becomes effective 30 days after publication in the **FEDERAL REGISTER**.

THEODORE M. BERRY,  
*Director,*  
*Community Action Program.*  
WALTER L. ROBBINS,  
*Acting Assistant Director*  
*for Civil Rights.*

[F.R. Doc. 69-7552; Filed, June 25, 1969;  
8:49 a.m.]

## RENEGOTIATION BOARD

### GENERAL COUNSEL

#### Compensation

Pursuant to the provisions of section 309 of Public Law 88-426, and of section 211(b) of Public Law 90-206, the General Counsel of the Renegotiation Board shall receive compensation at the rate of \$33,495 per annum, effective July 13, 1969.

Dated: June 20, 1969.

LAWRENCE E. HARTWIG,  
*Chairman.*

[F.R. Doc. 69-7507; Filed, June 25, 1969;  
8:46 a.m.]

## SECURITIES AND EXCHANGE COMMISSION

### COMPETITIVE CAPITAL FUND ET AL.

#### Notice of Filing of Application Exemption

JUNE 20, 1969.

In the matter of Competitive Capital Fund, Competitive Capital Corp., 44 Montgomery Street, Suite 3800, San Francisco, Calif.; Studley, Shupert and Co., Inc., of Boston, 155 Berkeley Street, Boston, Mass.; 812-2463.

Notice is hereby given that Competitive Capital Fund (the "Fund"), a Delaware corporation registered under the Investment Company Act of 1940 (the "Act") as an open-end diversified management investment company, Competitive Capital Corp. ("Fund Manager"), a California corporation, and Studley, Shupert and Co., Inc., of Boston ("Studley Shupert"), a Delaware corporation, have filed an application pursuant to section 6(c) of the Act for an order of exemption from section 15(a) of the Act to the extent necessary to permit Studley Shupert to act as portfolio manager of Fund pursuant to a Portfolio Manager Agreement between Fund, Fund Manager, and Studley Shupert, without shareholder approval, for the period beginning February 24, 1969, the date of

commencement of service by Studley Shupert, and ending April 8, 1969, the date of the annual meeting of shareholders of Fund. All interested persons are referred to the application filed with the Commission for a statement of the representations contained therein, which are summarized below.

Under the terms of the Fund Manager Agreement between Fund and Fund Manager, Fund Manager manages the business of the Fund and administers the allocation of Fund's assets among five portfolio managers which Fund Manager is authorized to retain, subject to approval by Fund, to manage a portion of Fund's assets and to render investment advisory and other related services. Fund Manager terminated its Portfolio Manager Agreement with one of its portfolio managers pursuant to the terms of the agreement and section 15(a) of the Act. The terminated manager indicated to Fund and Fund Manager its willingness to forego any compensation to which it might be entitled under its Portfolio Manager Agreement and has transferred the assets of Fund formerly under its advisement to Studley Shupert. At the annual meeting held on April 8, 1969, the Fund shareholders approved a Portfolio Manager Agreement with Studley Shupert in substantially the same provisions as the Portfolio Manager Agreement in effect with Fund's four other portfolio managers. Fund proposes to compensate Studley Shupert for its services from February 24, 1969, to April 8, 1969, at the lesser of actual cost or the compensation provided in the form of Portfolio Manager Agreement of Fund.

Fund and Fund Manager state that it was in the best interests of Fund and its shareholders for Studley Shupert to assume management of the subject assets immediately and Fund represents that it would have been unduly expensive and burdensome to call a special meeting of shareholders for the purpose of approving the new Portfolio Manager Agreement with Studley Shupert especially in view of the imminence of the regular annual meeting.

Section 15(a) of the Act provides in pertinent part that it shall be unlawful for any person to act as an investment adviser of a registered investment company expect pursuant to a written contract which has been approved by a vote of a majority of the outstanding voting securities of such registered company.

Section 6(c) of the Act provides that the Commission, by order upon application, may conditionally or unconditionally exempt any person or transaction 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 consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than June 30, 1969 at 5 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a



statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the applicants at the addresses stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date as provided by Rule 0-5 of the rule and regulations promulgated under the Act, an order disposing of the matter herein may be issued by the Commission upon the basis of the information stated in this application, unless an order for hearing upon said proposal 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] ORVAL L. DuBOIS,  
Secretary.

[P.R. Doc. 69-7508; Filed, June 25, 1969;  
8:46 a.m.]

[File No. 1-3421]

## CONTINENTAL VENDING MACHINE CORP.

### Order Suspending Trading

JUNE 20, 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 21, 1969, through June 30, 1969, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[P.R. Doc. 69-7509; Filed, June 25, 1969;  
8:46 a.m.]

## SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Loan Area 712]

### NEW MEXICO

#### Declaration of Disaster Loan Area

Whereas, it has been reported that during the month of June 1969, because of the effects of certain disasters, damage resulted to residences and business property located in the county of Valencia, N. Mex.;

Whereas, the Small Business Administration has investigated and has received other reports of investigations of conditions in the area affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such area constitute a catastrophe within the purview of the Small Business Act, as amended.

Now, therefore, as Acting Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b) (1) of the Small Business Act, as amended, may be received and considered by the office below indicated from persons or firms whose property, situated in the aforesaid county, suffered damage or destruction resulting from floods occurring on June 15, 1969.

#### OFFICE

Small Business Administration Regional Office, 500 Gold Avenue SW., Albuquerque, N. Mex. 87101.

2. Applications for disaster loans under the authority of this declaration will not be accepted subsequent to December 31, 1969.

Dated: June 17, 1969.

R. B. BLANKENSHIP,  
Acting Administrator.

[P.R. Doc. 69-7510; Filed, June 25, 1969;  
8:46 a.m.]

[License No. 10/10-0135]

### ALLIANCE CAPITAL CORP.

#### Notice of Surrender of License

Notice is hereby given that Alliance Capital Corp., Fort Worth, Tex., has pursuant to section 107.105 of the Regulations Governing Small Business Investment Companies (13 CFR Part 107, 33 F.R. 326), surrendered its license to operate as a small business investment company. It was incorporated on August 16, 1963, under the laws of the State of Texas, and licensed by the Small Business Administration (SBA) on March 3, 1964, to operate solely under the Small Business Investment Act of 1958, as amended (15 U.S.C., 661 et seq.).

On June 10, 1969, Alliance Capital Corp. repaid its total indebtedness to the Small Business Administration.

Therefore, under the authority vested by the Small Business Investment Act of 1958, as amended, and the Regulations promulgated thereunder, the surrender of the license of Alliance Capital Corp. is hereby accepted, and Alliance Capital Corp., accordingly is no longer licensed to operate as a small business investment company.

Dated: June 17, 1969.

A. H. SINGER,  
Associate Administrator  
for Investment.

[P.R. Doc. 69-7511; Filed, June 25, 1969;  
8:46 a.m.]

### FIRST TEXAS INVESTMENT CO.

#### Notice of Filing of Application for Transfer of Control of Licensed Small Business Investment Com- pany

Notice is hereby given that an application has been filed with the Small Business Administration (SBA) pursuant to section 107.701 of the Regulations governing Small Business Investment Companies (33 F.R. 326, 13 CFR Part 107) for the transfer of control of First Texas Investment Co. (First Texas), 120 Jefferson Street, Sulphur Springs, Tex. 75482, a Federal Licensee under the Small Business Investment Act of 1958, as amended (Act), License no. 10/10-0013.

First Texas was licensed on December 11, 1959, and as of March 1, 1969, had paid-in capital and paid-in surplus from private sources amounting to \$180,000. It has 17,534 shares of issued and outstanding common stock. George Leavesley, James C. Leavesley, and Joim E. Leavesley propose to purchase the entire 17,534 shares of issued and outstanding common stock. Each of these individuals will individually purchase one-third of the currently outstanding stock. The proposed transaction is subject to and contingent upon approval of SBA.

The proposed new officers and directors are as follows:

President, Director—George Leavesley.  
Vice President, Director—James C. Leavesley.  
Secretary, Treasurer and Director—John E. Leavesley.

The above persons are also officers and directors of Leavesley Industries, Inc. The Licensee's principal office will be located at 506 Nebraska Street, South Houston, Tex. 77587. This is also the main office of Leavesley Industries. A branch office will be maintained at 120 Jefferson Street, Sulphur Springs, Tex. 75482. When loan demand indicates the need, additional capital will be invested by the Leavesleys or unissued stock will be sold to other individuals.

Matters involved in SBA's consideration of the application include the general business reputation and character of the proposed new owners and the probability of successful operations of



the company under their control and management (including adequate profitability and financial soundness) in accordance with the Act and Regulations.

Notice is further given that any interested person may, within 10 days from the date of publication of this notice, submit to SBA, in writing, relevant comments on the proposed transfer of control. Any such communication should be addressed to: Associate Administrator for Investment, Small Business Administration, 1441 L Street NW., Washington, D.C. 20416.

A copy of this notice shall be published by the proposed transferee in a newspaper of general circulation in South Houston and Sulphur Springs, Tex.

For SBA (pursuant to delegated authority).

A. H. SINGER,  
Associate Administrator  
for Investment.

[F.R. Doc. 69-7512; Filed, June 25, 1969;  
8:46 a.m.]

## DEPARTMENT OF LABOR

### Wage and Hour Division

#### CERTIFICATES AUTHORIZING THE EMPLOYMENT OF FULL-TIME STUDENTS WORKING OUTSIDE OF SCHOOL HOURS AT SPECIAL MINIMUM WAGES IN RETAIL OR SERVICE ESTABLISHMENTS OR IN AGRICULTURE

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 20 U.S.C. 201 et seq.), the regulation on employment of full-time students (29 CFR Part 519), and Administrative Order No. 595 (31 F.R. 12981), the establishments listed in this notice have been issued special certificates authorizing the employment of full-time students working outside of school hours at hourly wage rates lower than the minimum wage rates otherwise applicable under section 6 of the act. The effective and expiration dates are as indicated below. The minimum certificate rates are not less than 85 percent of the applicable statutory minimum.

The following certificates provide for an allowance not to exceed the proportion of the total hours worked by full-time students at rates below \$1 an hour to the total number of hours worked by all employees in the establishment during the base period in occupations of the same general classes in which the establishment employed full-time students at wages below \$1 an hour in the base period.

Ben Franklin, variety store; No. 7544, Joplin, Mo.; 4-23-69 to 4-22-70.  
Billups Plantation, Inc., agriculture; Indianola, Miss.; 4-25-69 to 4-24-70.  
Vern Brower, agriculture; 14950 Lake Michigan Drive, West Olive, Mich.; 4-22-69 to 4-21-70.  
Buehler Market, foodstores from 4-27-69 to 4-26-70; 90 Broad Street, Southwest, Atlanta, Ga.; 104 Georgia Avenue, Southeast, Atlanta, Ga.

Buehler Markets, foodstore; 429 Market Street, Chattanooga, Tenn.; 4-27-69 to 4-26-70.

Byrd's Supermarkets, Inc., foodstore; Mount Olive, Miss.; 4-28-69 to 4-27-70.

Carson Pirie Scott & Co., department store; 111-113 North Tremont, Kewanee, Ill.; 4-28-69 to 4-27-70.

Charming Shoppes, Inc., apparel store; 8 East Main Street, Norristown, Pa.; 4-28-69 to 4-27-70.

City Market, Inc., foodstores from 4-28-69 to 2-28-70; 117 Chestnut Street, Cortez, Colo.; 625 Meeker Street, Delta, Colo.; 1316 Main Avenue, Durango, Colo.; Nos. 1 and 2, Grand Junction, Colo.; 1410 South Grand Avenue, Glenwood Springs, Colo.; 128 South Townsend, Montrose, Colo.; No. 7, Rifle, Colo.

City Meat Market, foodstore; Humphrey, Nebr.; 4-28-69 to 4-27-70.

Community Hospital, hospital, Newman Grove, Nebr.; 4-24-69 to 4-23-70.

Dillon Companies, Inc., foodstores from 4-28-69 to 2-23-70; No. 16, Hays, Kans.; No. 9, Larned, Kans.

Donenfeld's, Inc., department store; 35 North Main Street, Dayton, Ohio; 4-22-69 to 4-21-70.

Eventide Manor Nursing Home, nursing home; 2700 East 12th Street, Cheyenne, Wyo.; 5-1-69 to 4-30-70.

W. T. Grant Co., variety-department store; No. 400, Rumford, Maine; 5-1-69 to 4-30-70.

Hack's Distributing, Inc., furniture-appliance stores from 4-21-69 to 4-20-70; 7833 West Capitol Drive, Milwaukee, Wis.; 3390 North Green Bay Avenue, Milwaukee, Wis.; 1308 West Mitchell Street, Milwaukee, Wis.; 333 North Plankinton Avenue, Milwaukee, Wis.; 7713 West Greenfield Avenue, West Allis, Wis.

Hub Clothing Co., apparel store; 41-49 South Main Street, Wilkes-Barre, Pa.; 5-1-69 to 4-30-70.

Kittson War Veterans Memorial Hospital Association, Inc., hospital; Cedar and 10th Streets South, Hallock, Minn.; 4-28-69 to 4-27-70.

Knopf Poultry Farm, agriculture; Pinson, Ala.; 4-25-69 to 4-24-70.

S. S. Kresge Co., variety-department store; No. 713, Atlanta, Ga.; 4-28-69 to 4-27-70.

S. H. Kress and Co., variety-department stores from 4-26-69 to 4-25-70 except as otherwise indicated; 1106 Noble Street, Anniston, Ala. (4-24-69 to 4-23-70); 101 West Main Street, Dothan, Ala. (4-24-69 to 4-23-70); 39 Dexter Avenue, Montgomery, Ala. (4-23-69 to 4-22-70); 30 North Wilson Avenue, Prichard, Ala. (4-24-69 to 4-23-70); 121 Broad Street, Selma, Ala. (4-24-69 to 4-23-70); 2223 Broad Street, Tuscaloosa, Ala. (4-24-69 to 4-23-70); 326 Main Street, Pine Bluff, Ark. (4-24-69 to 4-23-70); 500 Duval Street, Key West, Fla.; 475 Central Avenue, St. Petersburg, Fla.; 400 Clematis Street, West Palm Beach, Fla.; 121 Washington Street, Albany, Ga.; 118 Jackson Street, Americus, Ga.; 153 East Clayton Street, Athens, Ga. (4-28-69 to 4-27-70); 50 Broad Street, SW., Atlanta, Ga.; 1505 Newcastle Street, Brunswick, Ga.; 1117 Broad Street, Columbus, Ga.; 137 Main Street, La Grange, Ga.; 620 Cherry Street, Macon, Ga.; 120 Broughton Street, West Savannah, Ga.; 105 North Patterson Street, Valdosta, Ga.; 308 Mary Street, Waycross, Ga.; 1102 Third Street, Alexandria, La. (4-24-69 to 4-23-70); 439 Third Street, Baton Rouge, La. (4-24-69 to 4-23-70); 316 Texas Street, Shreveport, La. (4-24-69 to 4-23-70); 500 Main Street, Hattiesburg, Miss. (4-24-69 to 4-23-70); 402 Central Avenue, Laurel, Miss. (4-24-69 to 4-23-70); 19 Patton Avenue, Asheville, N.C.; 101 West Main Street, Durham, N.C.; 208 South Elm Street, Greensboro, N.C.; 141 South Main Street, High Point, N.C.; 307 Middle Street, New Bern, N.C.; 162 South Main Street, Rocky Mount, N.C.; 11 North Front

Street, Wilmington, N.C.; No. 225, Winston-Salem, N.C.; 300 South Main Street, Anderson, S.C.; 281 King Street, Charleston, S.C.; 1508 Main Street, Columbia, S.C.; 117 West Evans Street, Florence, S.C.; 27 South Main Street, Greenville, S.C.; 311 Main Street, Greenwood, S.C.; 301 Russell Street, NE., Orangeburg, S.C.; 115 East Main Street, Spartanburg, S.C.; 49 South Main Street, Sumter, S.C.; 591 Pearl Street, Beaumont, Tex. (5-1-69 to 4-30-70); 230 Main Street, Eagle Pass, Tex. (5-1-69 to 4-30-70); 6407 Harrisburg Boulevard, Houston, Tex. (5-1-69 to 4-30-70).

Karl J. Krueger, agriculture; Stuart, Fla.; 4-22-69 to 4-21-70.

Liberty Super Market, foodstore; No. 99, Granada, Miss.; 4-28-69 to 4-27-70.

Clifton L. Meador, agriculture; Dumas, Ark.; 4-27-69 to 4-26-70.

G. C. Murphy Co., variety-department stores from 4-28-69 to 4-27-70 except as otherwise indicated; No. 261, Huntville, Ala. (4-25-69 to 4-24-70); No. 263, Tuscaloosa, Ala. (4-25-69 to 4-24-70); No. 255, Daytona Beach, Fla. (4-26-69 to 4-25-70); No. 276, Haleah, Fla. (4-26-69 to 4-25-70); No. 279, Holly Hill, Fla. (4-26-69 to 4-25-70); No. 262, Jacksonville, Fla. (4-26-69 to 4-25-70); No. 264, Miami, Fla. (4-26-69 to 4-25-70); No. 253, Pensacola, Fla. (4-26-69 to 4-25-70); No. 272, St. Petersburg, Fla. (4-26-69 to 4-25-70); No. 274, West Palm Beach, Fla. (4-26-69 to 4-25-70); No. 243, Moultrie, Ga. (4-26-69 to 4-25-70); No. 251, Berwyn, Ill. (4-25-69 to 4-24-70); No. 439, Effingham, Ill. (4-25-69 to 4-24-70); No. 457, Flora, Ill. (4-26-69 to 4-25-70); No. 112, Pontiac, Ill. (4-26-69 to 4-24-70); No. 113, Streator, Ill. (4-27-69 to 4-26-70); No. 449, Vandalia, Ill. (4-25-69 to 4-24-70); No. 461, Aurora, Ind.; No. 401, Bluffton, Ind.; No. 101, Brazil, Ind.; No. 99, Clinton, Ind.; No. 81, Columbus, Ind.; No. 423, Crawfordsville, Ind. (4-27-69 to 4-26-70); No. 407, Decatur, Ind.; No. 404, Elwood, Ind.; No. 103, Fort Wayne, Ind. (4-27-69 to 4-26-70); No. 412, Franklin, Ind. (4-27-69 to 4-26-70); No. 223, Greensburg, Ind. (4-26-69 to 4-25-70); No. 408, Hartford City, Ind.; No. 425, Huntingburg, Ind.; Nos. 123 and 224, Indianapolis, Ind. (4-27-69 to 4-26-70); Nos. 235 and 260, Indianapolis, Ind.; No. 445, Kendallville, Ind. (4-27-69 to 4-26-70); No. 300, Kokomo, Ind.; No. 203, Linton, Ind.; No. 405, Portland, Ind.; No. 420, Princeton, Ind.; No. 100, Rockville, Ind.; No. 72, Seymour, Ind.; No. 105, Shelbyville, Ind.; No. 114, Washington, Ind.; No. 270, St. Paul, Minn. (4-25-69 to 4-24-70); No. 249, Hickory, N.C. (4-26-69 to 4-25-70); No. 275, Milwaukee, Wis.

Neisner Brothers, Inc., variety-department store; No. 76, Chicago, Ill.; 4-25-69 to 4-24-70.

Oakley's Department Store, department store; South Hill, Va.; 4-28-69 to 4-27-70.

Pleezing Food Store of West Florida, Inc., foodstore; 980 North T Street, Pensacola, Fla.; 4-27-69 to 4-26-70.

The Poor Sisters of Nazareth, Inc., nursing home; 814 Jackson Street, Stoughton, Wis.; 4-28-69 to 4-27-70.

J. C. Robinson Seed Co., agriculture; Waterloo, Nebr.; 4-28-69 to 4-27-70.

St. Luke's Home & Center, nursing home; Kearney, Nebr.; 4-24-69 to 4-23-70.

Schensul's Cafeteria, Inc., restaurant; 333 South Burdick Street, Kalamazoo, Mich.; 4-25-69 to 4-24-70.

Seeley, Inc., apparel store; 617 St. Joseph Street, Rapid City, S. Dak.; 4-21-69 to 4-20-70.

Skag-Way Dept. Stores, Inc., department store; 620 West State Street, Grand Island, Nebr.; 4-22-69 to 4-21-70.

Stafford's Shopping Center, Inc., foodstore; 1509 Chatsworth Road, Ga.; 4-22-69 to 4-21-70.

Summit Mercantile Co., foodstore; Blackduck, Minn.; 4-21-69 to 4-20-70.



Vlastic Food Products Co., agriculture; 7451 Carlock Road, Carson City, Mich.; 5-1-69 to 4-30-70.

Wright's Food Service, Inc., foodstore; 731 East Elm Street, Union City, Ind.; 4-25-69 to 4-24-70.

The following certificates were issued to establishments relying on the base-year employment experience of other establishments, either because they came into existence after the beginning of the applicable base year or because they did not have available base-year records. The certificates permit the employment of full-time students at rates of not less than 85 percent of the statutory minimum in the classes of occupations listed, and provide for the indicated monthly limitations on the percentage of full-time student hours of employment at rates below the applicable statutory minimum to total hours of employment of all employees.

Barrett Community Home, Inc., nursing home; Barrett, Minn.; nurse's aide, dining room worker, kitchen helper; 4 to 16 percent; 4-30-69 to 4-29-70.

J. Berends & Sons, agriculture; Byron Center, Mich.; vegetable weeder, vegetable harvester; 0 to 70 percent; 4-21-69 to 4-20-70.

Big Bear Supermarket, foodstores for the occupation of courtesy clerk, 13 to 18 percent except as otherwise indicated, 4-23-69 to 4-21-70; No. 19, Greensboro, N.C. (11 to 14 percent); No. 2, High Point, N.C. (18 to 20 percent); No. 24, Stanleyville, N.C.; Nos. 18, 20, 22, and 23, Winston-Salem, N.C.

Big Star Food Center, foodstores for the occupations of sacker, stock clerk, 10 percent, 4-25-69 to 4-24-70; No. 78, Carmi, Ill.; No. 118, Effingham, Ill.

Buehler Market, foodstores for the occupations of stock clerk, checker, carryout, 8 to 11 percent, 4-27-69 to 4-26-70; 1979 Boulevard Drive SE, Atlanta, Ga.; 1553 Gordon Street SW, Atlanta, Ga.

City Market, Inc., foodstores for the occupation of caddy clerk, 10 percent, 4-28-69 to 2-28-70 except as otherwise indicated; No. 1, Basalt, Colo.; No. 9, Grand Junction, Colo.; No. 10, Moab, Utah; No. 12, Rawlins, Wyo. (4-21-69 to 4-20-70).

Dillon Cos., Inc., foodstore; No. 40, El Dorado, Kans.; checker, cashier, carryout, clerk, maintenance, wrapper; 9 to 17 percent; 4-24-69 to 4-23-70.

Duckwall Stores Co., variety-department store; No. 101, Colorado Springs, Colo.; salesclerk, stock clerk; 13 to 32 percent; 4-28-69 to 4-27-70.

Fashion Bug, Inc., apparel store; Plymouth Meeting, Pa.; salesclerk, cashier, stock clerk; 2 to 13 percent; 4-25-69 to 4-24-70.

W. T. Grant Co., variety-department store; No. 1042, Rockford, Ill.; salesclerk; 6 to 15 percent; 4-22-69 to 4-21-70.

S. S. Kresge Co., variety-department store; for the occupations of salesclerk, stock clerk, office clerk, checker-cashier except as other-

wise indicated, 5 to 10 percent except as otherwise indicated, 5-1-69 to 4-30-70 except as otherwise indicated; No. 4292, Hialeah, Fla. (checker-cashier, salesclerk, stock clerk, office clerk, maintenance, 7 to 10 percent, 4-29-69 to 4-28-70); No. 4293, Decatur, Ill.; No. 4297, Moline, Ill.; No. 4294, Marion, Ind. (salesclerk, checker-cashier, stock clerk, maintenance, 4 to 10 percent, 4-24-69 to 4-23-70); No. 4077, Lexington, Ky. (6 to 23 percent, 4-23-69 to 4-22-70); Nos. 4216 and 4270, St. Louis, Mo.

S. H. Kress and Co., variety-department stores for the occupations of salesclerk, stock clerk, 4-26-69 to 4-25-70; 3300 Robinhood Road, Winston-Salem, N.C., 3 to 22 percent; Guilford Drive, Sumter, S.C., 3 to 19 percent.

Lerner Shops, apparel stores for the occupations of salesclerk, cashier, credit clerk, 4-25-69 to 4-24-70 except as otherwise indicated; No. 198, St. Petersburg, Fla., 4 to 18 percent (4-24-69 to 4-23-70); No. 149, Alexandria, La., 2 to 19 percent; No. 313, Bethesda, Md., 10 percent (4-24-69 to 4-23-70); No. 227, Minneapolis, Minn., 17 to 42 percent; No. 251, Levittown, Pa., 3 to 9 percent; No. 79, Wilkes-Barre, Pa., 5 percent; No. 211, Knoxville, Tenn., 1 to 16 percent; No. 113, Memphis, Tenn., 3 to 19 percent (4-27-69 to 4-26-70).

McCrory-McLellan-Green Stores, variety-department stores for the occupations of salesclerk, stock clerk, office clerk except as otherwise indicated, 4-24-69 to 4-23-70 except as otherwise indicated; No. 385, Albertville, Ala., 10 to 17 percent; No. 211, Zephyr Hills, Fla., 10 to 30 percent (salesclerk, office clerk, stock clerk, porter, 4-23-69 to 1-31-70); Replacement; No. 383, Jacksonville, Ill., 10 to 27 percent; No. 222, Crawfordsville, Ind., 7 to 16 percent (5-1-69 to 4-30-70); No. 294, Albuquerque, N. Mex., 4 to 27 percent (salesclerk, stock clerk, office clerk, porter, 4-25-69 to 4-24-70).

Morgan & Lindsey, Inc., variety-department store; No. 3002, Oakdale, La.; salesclerk, stock clerk, office clerk, 8 to 27 percent; 4-25-69 to 4-24-70.

G. C. Murphy Co., variety-department stores for the occupations of salesclerk, stock clerk, office clerk, janitorial, 4-26-69 to 4-25-70 except as otherwise indicated; No. 289, Gainesville, Fla., 9 to 27 percent; No. 284, Orlando, Fla., 3 to 24 percent; No. 287, Panama City, Fla., 12 to 25 percent; No. 292, Pensacola, Fla., 12 to 25 percent; No. 290, West Hollywood, Fla., 10 to 17 percent; No. 277, Mount Prospect, Ill., 14 to 32 percent (4-25-69 to 4-24-70); No. 161, Minneapolis, Minn., 13 to 22 percent (4-25-69 to 4-24-70); No. 174, Monroeville, Pa., 9 to 25 percent (4-29-69 to 4-28-70).

Neisner Brothers, Inc., variety-department stores; No. 44, Miramar, Fla., salesclerk, stock clerk, office clerk, 24 to 48 percent, 4-24-69 to 4-23-70; No. 203, Tampa, Fla., salesclerk, stock clerk, office clerk, maintenance, 10 to 29 percent, 4-23-69 to 4-22-70.

North Mississippi Medical Center, hospital; Tupelo, Miss.; housekeeper, dietary aide, laundry aide; 0.7 to 4 percent; 5-1-69 to 4-30-70.

Piggly Wiggly, foodstore; No. 3, Columbus, Ga.; sacker, bottle clerk, janitorial; 10 to 13 percent; 4-1-69 to 3-31-70.

Robinson's Hardware, hardware store; 221 Morley Avenue, Nogales, Ariz.; salesclerk, cashier, stock clerk; 9 to 30 percent; 4-23-69 to 4-22-70.

Rose's Stores, Inc., variety-department stores for the occupation of salesclerk, 13 to 24 percent, 4-22-69 to 4-21-70; Nos. 6001 and 6002, Norfolk, Va.

Spurgeon's, department store; 113-115 Central Avenue NW., Le Mars, Iowa; salesclerk, stock clerk, janitorial, receiving clerk, marker; 12 to 16 percent; 4-25-69 to 4-24-70.

Sterling Stores Co., Inc., variety store; 225 Yazoo Avenue, Clarksdale, Miss.; salesclerk, stock clerk, janitorial; 11 to 38 percent; 4-28-69 to 4-27-70.

T.G. & Y. Stores Co., variety-department stores for the occupations of salesclerk, stock clerk, office clerk; No. 627, San Jose, Calif., 20 to 30 percent, 4-28-69 to 4-27-70; No. 316, Baton Rouge, La., 3 to 30 percent, 4-24-69 to 2-27-70, Replacement; No. 327, New Roads, La., 8 to 30 percent, 4-23-69 to 4-21-70; Nos. 283 and 285, Albuquerque, N. Mex., 13 to 24 percent, 4-30-69 to 4-29-70; No. 817, Deer Park, Tex., 30 percent, 5-1-69 to 4-30-70; No. 772, Galveston, Tex., 30 percent, 4-28-69 to 4-27-70; No. 232, Orange, Tex., 7 to 20 percent, 4-29-69 to 4-28-70.

Vonada Store, foodstore; Aaronburg, Pa.; stock clerk, carryout; 7 percent; 4-24-69 to 4-23-70.

Wiest's, Inc., apparel store; North Mall Shopping Center, York, Pa.; salesclerk, stock clerk; 2 to 13 percent; 4-29-69 to 4-28-70.

Winks Super Valu, foodstore; Quincy, Ill.; carryout; 8 to 18 percent; 4-22-69 to 4-21-70.

Each certificate has been issued upon the representations of the employer which, among other things, were that employment of full-time students at special minimum rates is necessary to prevent curtailment of opportunities for employment, and the hiring of full-time students at special minimum rates will not create a substantial probability of reducing the full-time employment opportunities of persons other than those employed under a certificate. The certificates may be annulled or withdrawn, as indicated therein, in the manner provided in Part 528 of Title 29 of the Code of Federal Regulations. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within 30 days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of 29 CFR 519.9.

Signed at Washington, D.C., this 18th day of June 1969.

ROBERT G. GRONEWALD,  
Authorized Representative  
of the Administrator.

[P.R. Doc. 69-7537; Filed, June 25, 1969; 8:48 a.m.]



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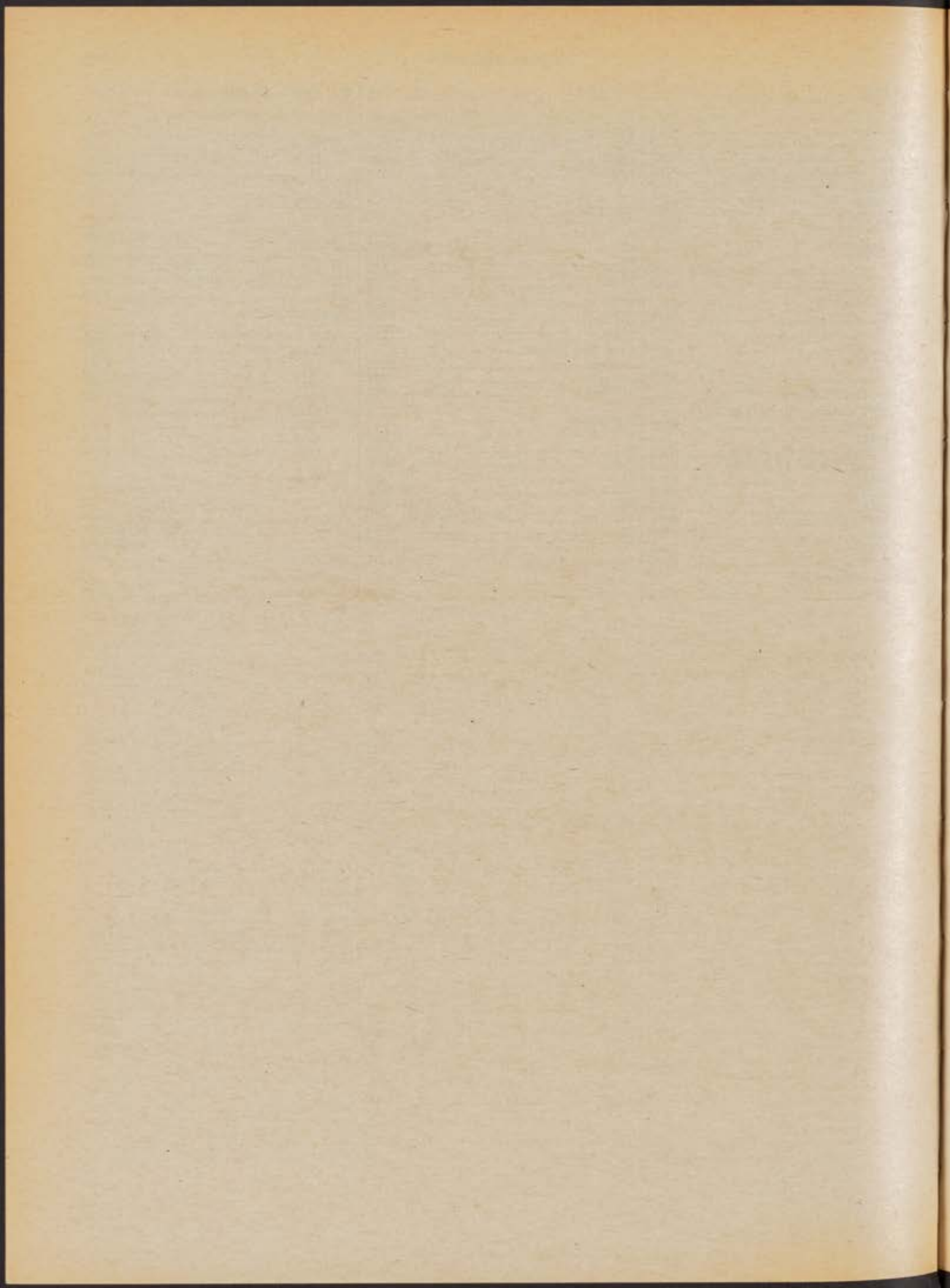
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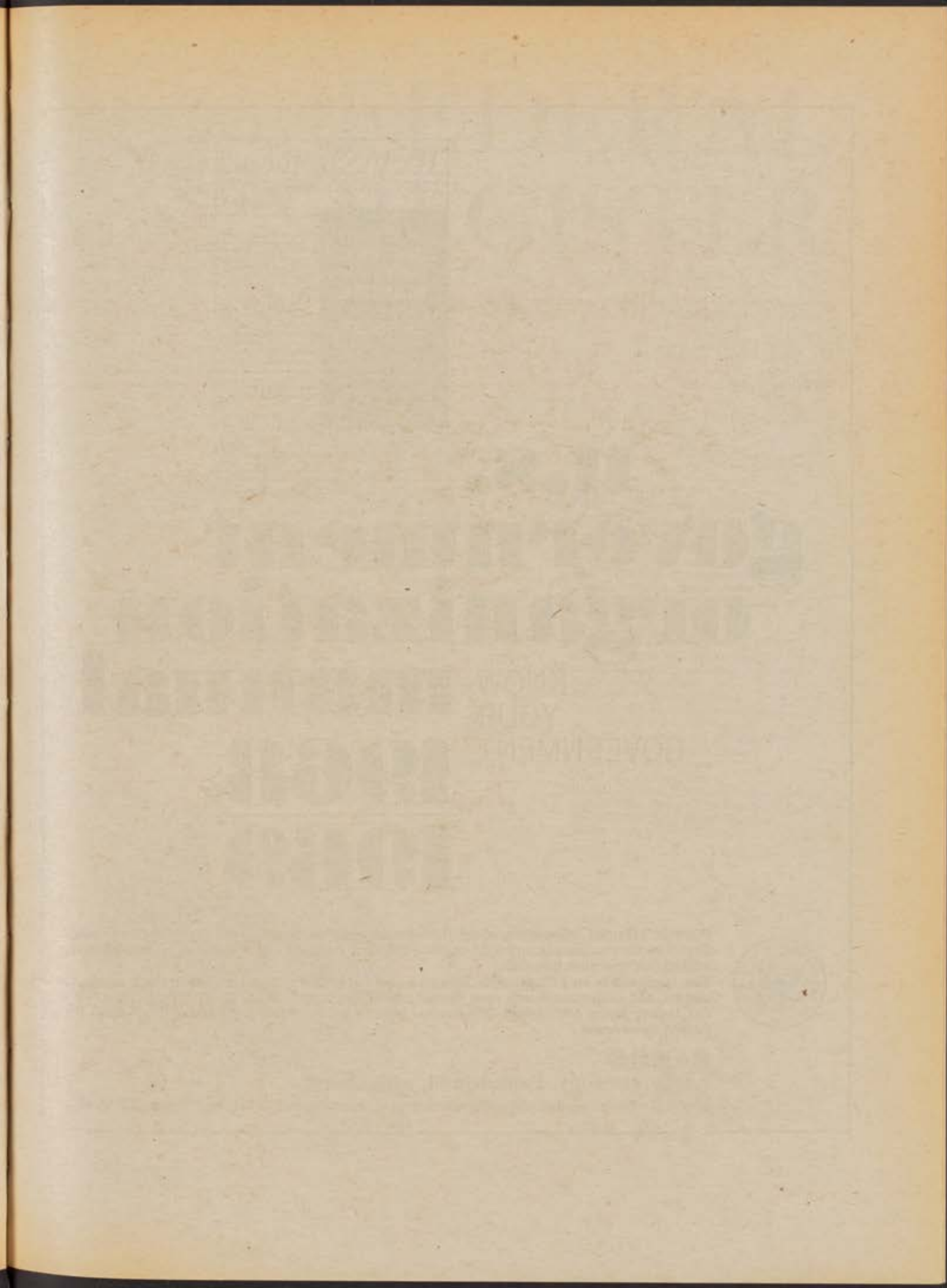
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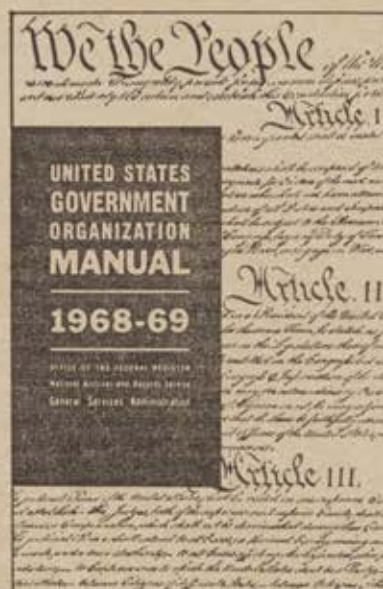












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