FEDERAL REGISTER

VOLUME 34 • NUMBER 127

Thursday, July 3, 1969 • Washington, D.C.

Pages 11177–11254

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Agencies in this issue—

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THE NATIONAL ARCHIVES OF THE UNITED STATES * 1934 *

FEDERAL REGISTER

Area Code 202 Phone 962-8626

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., Ch. 15), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

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List of CFR Parts Affected

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

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

Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

Entire Executive Civil Service

Section 213.3102 of Schedule A is amended to show that youths hired for temporary employment during the summer on the basis of their economic or educational needs are designated Summer Aids and are appointed under standards prescribed by the Commission. Effective on publication in the FEDERAL REGISTER, paragraph (v) of § 213.3102 is amended as set out below.

§ 213.3102 Entire executive civil service.

* * * * *

(v) Temporary Summer Aid positions whose duties involve work of a routine nature not regularly covered under the General Schedule and requiring no specific knowledges or skills, when filled by youths appointed for summer employment under such economic or educational needs standards as the Commission may prescribe. A person may not be appointed unless he has reached his 16th but not his 22d birthday, or employed for more than 700 hours under this paragraph.

* * * * *

This paragraph shall apply only to positions whose pay is fixed at the equivalent of the minimum wage rate established by the Fair Labor Standards Amendments of 1966 (currently $1.60 an hour), at the equivalent of an applicable State or municipal minimum wage rate if that is higher, or by prior agreement with the Commission, at some other rate, when an agency is precluded by law from fixing pay at one of the foregoing rates.

(5 U.S.C. 3301, 3302, E.O. 10577; 3 CFR 1954–58 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 69–7864; Filed, July 2, 1969; 8:48 a.m.]

PART 213—EXCEPTED SERVICE

Department of Labor

Section 213.3215 is amended to show that a Schedule B authority for 35 positions of Manpower Development Specialist GS–9 through GS–15 in the Manpower Administration replaces two Schedule B authorities, scheduled to expire on June 30, 1969, one for 25 positions of Manpower Development Specialist GS–9 through GS–15 in the Bureau of Work Training Programs and the other for 10 positions of Manpower Development Specialist, GS–13 through GS–15, and Manpower Development Officer, GS–15, in the Concentrated Employment Program of the Manpower Administration. The new authority may not be used after June 30, 1970. Effective on publication, paragraphs (a) and (b) are revoked, and paragraph (c) added to § 213.3215 as set out below.

§ 213.3215 Department of Labor.

(a) [Revoked]
(b) [Revoked]
(c) Not to exceed 35 positions of Manpower Development Specialist at grades GS–9 through GS–15 in the Manpower Administration. This authority may not be used after June 30, 1970.

(5 U.S.C. 3301, 3302, E.O. 10577; 3 CFR 1954–58 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 69–7866; Filed, July 2, 1969; 8:48 a.m.]

PART 213—EXCEPTED SERVICE

Department of Defense

Section 213.3306(a)(41) is amended to show that the position of Deputy Assistant Secretary (Near East, South Asia Affairs, and MAP Policy Review), Office of the Assistant Secretary of Defense for International Security Affairs is removed from Schedule C.

(5 U.S.C. 3301, 3302, E.O. 10577; 3 CFR 1954–58 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 69–7863; Filed, July 2, 1969; 8:48 a.m.]

PART 213—EXCEPTED SERVICE

Export-Import Bank of the United States

Section 213.3342 is amended to show that one additional position of Special Assistant to the President and Chairman is excepted under Schedule C, and that the headnote is revised to reflect the Bank's current title. Effective on publication in the FEDERAL REGISTER, § 213.3342 is amended as set out below.

§ 213.3342 Export-Import Bank of the United States.

* * * * *

(d) Two Special Assistants to the President and Chairman.

(5 U.S.C. 3301, 3302, E.O. 10577; 3 CFR 1954–58 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 69–7865; Filed, July 2, 1969; 8:48 a.m.]

Title 7—AGRICULTURE

Chapter II—Consumer and Marketing Service (Consumer Food Programs), Department of Agriculture

SUBCHAPTER B—GENERAL REGULATIONS AND POLICIES—COMMODITY DISTRIBUTION

[Amdt. 1]

PART 251—FINANCIAL ASSISTANCE FOR DISTRIBUTION OF FEDERALLY DONATED COMMODITIES

Payments and Records and Audits

The regulations for the operation of the Commodity Distribution Program (32 F.R. 15948) are hereby amended as follows:

1. In § 251.8, paragraph (b) is revised to read as follows:

§ 251.8 Payments.

* * * * *

(b) *To State agencies.* C&MS shall, on a monthly basis, advance funds to each State agency for its use and for payment to participating units in an amount equal to the sum of the approved monthly expenses to be incurred by the State agency and units, as set forth in the respective approved budgets. If the amount advanced to the State agency by C&MS for use in any month exceeds the expenses actually incurred in connection with approved budgeted items for such month, the amount to be advanced by C&MS to the State Agency for a subsequent month shall be reduced by the amount of such excess.

* * * * *

2. In § 251.9, the last sentence is revised to read as follows:

§ 251.9 Records and audits.

* * * Each State agency shall submit to C&MS, each month, on a form approved by C&MS, a certified record of all disbursements made under the Program for the preceding month and of the balance of funds on hand, and unobligated, at the end of such preceding month.

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

NOTE: The reporting and/or record-keeping requirements contained herein have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Dated: June 27, 1969.

J. PHIL CAMPBELL,
Acting Secretary.

[F.R. Doc. 69-7857; Filed, July 2, 1969; 8:47 a.m.]

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

[Valencia Orange Reg. 283]

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

Limitation of Handling

§ 908.583 Valencia Orange Regulation 283.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908), 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 July 1, 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 July 4, 1969, through July 10, 1969, are hereby fixed as follows:

(i) District 1: 140,000 cartons;

(ii) District 2: 212,000 cartons;

(iii) District 3: 48,000 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: July 2, 1969.

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

[F.R. Doc. 69-7932; Filed, July 2, 1969; 11:34 a.m.]

Title 29—LABOR

Chapter XIII—Bureau of Labor Standards, Department of Labor

PART 1504—SAFETY AND HEALTH REGULATIONS FOR LONGSHORING

Correction

In F.R. Doc. 69-3617, appearing at page 6150, in the issue for Friday, April 4, 1969, delete the 8th line in § 1504.102(a)(1) and insert instead "the particular hazard, equipment shall".

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

SUBCHAPTER E—AIRSPACE

[Airspace Docket No. 69-WA-23]

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

Alteration of Control Zone, Transition Area, and Additional Control Areas

The purpose of these amendments to Part 71 of the Federal Aviation Regulations is to increase the effective hours of controlled airspace near Point Barrow, Alaska.

The Point Barrow Flight Service Station (FSS) has been operating on a part-time basis (0600-2200 Monday-Friday and 0600-1800 Saturday-Sunday) and since the FSS provides the necessary communication link for air traffic control service, the effective hours of the associated controlled airspace has coincided with the operational hours of the FSS. Beginning July 24, 1969, the Point Barrow FSS will operate continuously and air traffic control service will be available on a continuous basis. Therefore, for the safety of aircraft conducting instrument flight rule operations, it is necessary to increase the effective hours of controlled airspace in the Point Barrow area.

Air Traffic in the North Slope area of Alaska continues to increase rapidly as a result of oil discoveries in the Prudhoe Bay area. The hours of operation of the Point Barrow FSS were recently increased from 70 to 104 hours per week. Prior to the increase, the average number of aircraft handled by the FSS was 717 per week. Since the increase in hours of operation, the average has been 1717 per week. A corresponding increase is expected when the flight service station commences 24 hour operation.

Since this action involves, in part, the use of navigable airspace outside the United States, the Administrator has consulted with the Secretary of State and Secretary of Defense in accordance with the provisions of Executive Order 10854.

Since these amendments are in the interest of safety, the Administrator has determined that notice and public procedure hereon are impracticable.

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

1. Section 71.163 (34 F.R. 5449) is amended as follows:

a. In Bettles, Alaska, "This additional control area is effective during the specific dates and times established in advance by a Notice to Airmen and continuously published in the Alaska Airman's Guide and Chart Supplement." is deleted.

b. In Umiat/Point Barrow, Alaska, all after "Point Barrow, Alaska, RBN." is deleted.

c. In Point Barrow/Barter Island, Alaska, all after "Barter Island, Alaska, RBN." is deleted.

2. In § 71.171 (34 F.R. 4557) Point Barrow, Alaska, is amended by deleting all after "8 miles west of the RBN."

3. In § 71.181 (34 F.R. 4637) Point Barrow, Alaska, is amended by deleting all after "longitude 156° 43'00" W."

(Secs. 307(a), 1110, Federal Aviation Act of 1958; 49 U.S.C. 1348, 1510; Executive Order 10854, 24 F.R. 9565; sec. 6(c), Department of Transportation Act; 49 U.S.C. 1655(c))

Issued in Washington, D.C., on June 27, 1969.

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

[F.R. Doc. 69-7862; Filed, July 2, 1969; 8:48 a.m.]

SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Reg. Docket No. 9664; Amdt. 656]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Amendments

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

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

In view of the foregoing and pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 97 (14 CFR Part 97) is amended as follows:

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

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE NDB (ADF)

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

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

Transition				Ceiling and visibility minimums			
					2-engine or less		More than 2-engine, more than 65 knots
From—	To—	Course and distance	Minimum altitude (feet)	Condition	65 knots or less	More than 65 knots	
Grand Beach Int	MGC RBn (final)	Direct	1250	T-dn	300-1	300-1	200-½
North Liberty Int	MGC RBn	Direct	2300	C-dn	600-1	600-1	600-1½
Westville Int	MGC RBn	Direct	2300	S-dn-20	600-1	600-1	600-1
				A-dn	NA	NA	NA

Procedure turn E side of crs, 010° Outbnd, 190° Inbnd, 2300′ within 10 miles.
Minimum altitude over facility on final approach crs, 1250′.
Facility on airport.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of MGC RBn, climb to 2300′ on crs 190° and return to RBn.
NOTES: (1) Use South Bend altimeter setting. (2) Procedure not authorized between 0200-1300.
CAUTION: 730′ MSL (80′ AGL) light pole 450′ W of Runway 20 centerline and 400′ past threshold.
MSA within 25 miles of facility: 000°–090°—2100′; 090°–180°—2900′; 180°–360°—2100′.

City, Michigan City; State, Ind.; Airport name, Michigan City; Elev., 650′; Fac. Class., MHW; Ident., MGC; Procedure No. NDB (ADF) Runway 20, Amdt. 2; Eff. date, 24 July 69; Sup. Amdt. No. 1; Dated, 25 Nov. 67

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

Atlanta, Ga.—Fulton County, NDB (ADF)-1, Amdt. 3, 3 June 1967 (established under Subpart C).
Rome, Ga.—Russell Field, ADF 1, Amdt. 2, 2 Apr. 1966 (established under Subpart C).
Atlanta, Ga.—Fulton County, VOR-1, Amdt. 9, 3 June 1967 (established under Subpart C).
Cedartown, Ga.—Cornelius-Moore Field, VOR-1, Orig., 4 Jan. 1968 (established under Subpart C).
Grand Island, Nebr.—Municipal, VOR Runway 13, Amdt. 6, 13 Feb. 1969 (established under Subpart C).
Grand Island, Nebr.—Municipal, VOR Runway 17, Amdt. 10, 13 Feb. 1969 (established under Subpart C).
Lakeland, Fla.—Lakeland Municipal, VOR Runway 4, Orig., 28 Jan. 1967 (established under Subpart C).
Rome, Ga.—Russell Field, VOR 1, Amdt. 3, 2 Apr. 1966 (established under Subpart C).
Vero Beach, Fla.—Vero Beach Municipal, VOR 1, Amdt. 6, 3 Apr. 1965 (established under Subpart C).

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

Agana, Guam—NAS Agana, ADF 2, Amdt. 3, 6 June 1964, canceled, effective 24 July 1969.
Agana, Guam—NAS Agana, VOR 1, Amdt. 1, 30 Mar. 1963, canceled, effective 24 July 1969.

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

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR/DME

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

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

Transition				Ceiling and visibility minimums			
					2-engine or less		More than 2-engine, more than 65 knots
From—	To—	Course and distance	Minimum altitude (feet)	Condition	65 knots or less	More than 65 knots	
LTA VOR	10-mile DME Fix, R 115°	Direct	11,000	T-n%	2500-4	2500-4	2500-4
10-mile DME Fix, R 115°	12-mile DME Fix, R 115°	Direct	10,400	T-d%	1000-3	1000-3	1000-3
Marklee Int	Richardson Int	Direct	13,000	C-dn*	2500-4	2500-4	2500-4
Richardson Int	12-mile DME Fix, R 115°	Direct	11,000	S-dn	NA	NA	NA
12-mile DME Fix, R 115°	18-mile DME Fix, R 115° (final)	Direct	8800	A-dn	NA	NA	NA

Procedure turn N side of R 115°, 295° Outbnd, 115° Inbnd, 11,000′ within 10 miles of 12-mile DME Fix R 115°.

Minimum altitude over 10-mile DME Fix, R 115°, 11,000′; 12-mile DME Fix, R 115°, 10,400′; 18-mile DME Fix, R 115°, 8800′ on final approach crs.

Crs and distance, 18-mile DME Fix, R 115° to airport, 165°—4.2 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished at 18-mile DME Fix, R 115°, turn left and climb northwestbound on R 115° to 11,000′; hold SE of 10-mile DME Fix, R 115° (295° Inbnd), right turns, 1-minute pattern.

NOTES: (1) Approach not authorized for 4-engine turbojets over 60,000 pounds. (2) Air carrier will not reduce landing or takeoff visibility due to local conditions.

CAUTION: High terrain all quadrants. Lee side turbulence and down drafts may be encountered on final approach when winds aloft exceed 20 knots. Heavy icing and severe turbulence should be expected during storm conditions.

%After takeoff, climb in VFR conditions to cross 18-mile DME Fix, R 115° of LTA VOR at or above 8500′ and climb northwestbound on R 115°. Upon reaching 10,400′, aircraft cleared north- or south-bound via V28/113, reverse crs to the right to cross Richardson Int at or above 11,000′.

*Use Lake Tahoe altimeter setting. Approach not authorized when Lake Tahoe Tower not in operation.

MSA within 25 miles of facility: 000°-090°—13,000′; 090°-180°—12,900′; 180°-270°—11,000′; 270°-360°—11,100′.

City, South Lake Tahoe; State, Calif.; Airport name, Lake Tahoe; Elev., 6262′; Fac. Class., L-B VORTAC; Ident., LTA; Procedure No. VOR/DME-1, Amdt. 2; Eff. date, 24 July 69; Sup. Amdt. No. 1; Dated, 25 Mar. 67

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

Cordele, Ga.—Cordele, VOR/DME No. 1, Orig., 28 Apr. 1966 (established under Subpart C).

Eastman, Ga.—Eastman-Dodge Co., VOR/DME-1, Orig., 26 Aug. 1967 (established under Subpart C).

Grand Island, Nebr.—Municipal, VOR/DME Runway 35, Amdt. 3, 13 Feb. 1969 (established under Subpart C).

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

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE ILS

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

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

Transition				Ceiling and visibility minimums			
					2-engine or less		More than 2-engine, more than 65 knots
From—	To—	Course and distance	Minimum altitude (feet)	Condition	65 knots or less	More than 65 knots	
FOT VOR	SE crs ILS (final)	FOT R 034° 13.6 miles.	3500	T-dn$	300-1	300-1	200-½
SE crs ILS	OM (final)	SE crs ILS	1800	C-dn**	500-1	500-1	500-2
14-mile DME FOT, R 136°	Kneeland Int	14-mile CCW arc	5500	S-dn-31 #	200-½	200-½	200-½
Yager Int	Kneeland Int	SE crs ILS	5500	A-dn	800-2	800-2	800-2
Kneeland Int	OM (final)	SE crs ILS	1800				

Procedure turn not authorized.

Minimum altitude at glide slope intereception Inbnd from FOT VOR 3500′; from Kneeland Int 5500′.

Altitude of glide slope and distance to approach end of runway at OM 1800′—4.7 miles; at MM 460′—0.6 mile.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished make a left-climbing turn, climb to 2000′ on crs of 295° from the LMM to Trinidad Int.

NOTES: (1) Procedure not authorized with any component of the ILS or airborne receiver inoperative except the approach lights. 300-½ required if approach lights are inoperative. (2) Back crs unusable. (3) Runway marking nonstandard. Solid bar at 1000′ and triangular arrowhead at 2000′ from threshold.

**CAUTION: All maneuvering W of airport. High terrain E.

#RVR 2400′. Descent below 417′ not authorized unless ALS visible.

$RVR 2400′ authorized Runway 31.

City, Arcata-Eureka; State, Calif.; Airport name, Arcata; Elev., 217′; Fac. Class., ILS; Ident., I-ACV; Procedure No. ILS Runway 31, Amdt. 12; Eff. date, 24 July 69; Sup. Amdt. No. ILS-31, Amdt. 11; Dated, 22 Oct. 66

7. By amending § 97.19 of Subpart B to delete radar procedures as follows:

Atlanta, Ga.—Fulton County, Radar 1, Amdt. 4, 18 Feb. 1967 (established under Subpart C).

8. By amending § 97.19 of Subpart B to cancel radar procedures as follows:

Agana, Guam—NAS Agana, Radar 1, Amdt. 3, 26 Feb. 1966, canceled, effective 24 July 1969.

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

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR

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

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

Terminal routes			Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 5 miles after passing Warren Int.
HBR VOR	Warren Int	HBR, R 223°	3000	Climb to 3000′ on HBR R 223° within 20 miles.

Procedure turn not authorized.
FAF, Warren Int. Final approach crs, 223°. Distance FAF to MAP, 5 miles.
Minimum altitude over Warren Int., 3000′.
NOTES: (1) Radar vectoring. (2) Use Altus AFB altimeter setting.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C	D
	MDA	VIS	HAA	MDA	VIS	HAA	VIS	VIS
C	1820	1	394	1880	1	454	NA	NA
A	Not authorized.		T 2-eng. or less—Standard.				T over 2-eng.—Standard.	

City, Altus; State, Okla.; Airport name, Altus Municipal Field; Elev., 1426′; Facility, HBR; Procedure No. VOR-1, Amdt. Orig.; Eff. date, 24 July 69

Terminal routes			Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: FTY VOR.
Radar vector to final approach crs.			Climbing left turn to 3000′ proceed to Wade Int via FTY VOR R 275° and hold, or as directed by ATC. Supplementary charting information: Hold W, 1 minute, left turns, 095° Inbd. REIL, Runway 8.

Procedure turn not authorized. Approach crs (profile) starts at Wade Int.
Final approach crs, 095°.
Minimum altitude over Wade Int, 3000′; over Margaret Int, 2600′; over Terry FM, 1520′.
MSA: 000°-180°—3100′; 180°-270°—2700′; 270°-360°—2900′.
NOTES: (1) Radar required. (2) ASR.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	VIS
C	1520	1	680	1520	1	680	1520	1¼	680	NA
	Dual VOR/FM/ADF:									
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	
C	1380	1	540	1380	1	540	1480	1¼	640	NA
A	Standard.		T 2-eng. or less—Standard.				T over 2-eng.—Standard.			

City, Atlanta; State, Ga.; Airport name, Fulton County; Elev., 840′; Facility, FTY; Procedure No. VOR-1, Amdt. 10; Eff. date, 24 July 69; Sup. Amdt. No. 9; Dated, 3 June 67

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 8.5 miles after passing RMG VOR.
RMG NDB	RMG VOR	Direct	3300	Climbing right turn to 3000' proceed to RMG VOR via R 180° and hold.
Dalton Int	RMG VOR	Direct	3500	Supplementary charting information:
Kennesaw Int	RMG VOR	Direct	3000	Hold S, 1 minute, right turns, 349° Inbnd. Final approach crs to center of landing area.

Procedure turn E side of crs, 009° Outbnd, 189° Inbnd, 3000' within 10 miles of RMG VOR.
FAF, RMG VOR. Final approach crs, 189°. Distance FAF to MAP, 8.5 miles.
Minimum altitude over RMG VOR, 2000'.
MSA: 000°-090°—3000'; 090°-180°—3300'; 180°-270°—3700'; 270°-360°—3500'.
NOTES: (1) Use Rome, Ga., altimeter setting. (2) No weather reporting.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C	D
	MDA	VIS	HAA	MDA	VIS	HAA	VIS	VIS
C	1700	1	727	1700	1	727	NA	NA
A	Not authorized.		T 2-eng. or less—Standard.				T over 2-eng.—Not authorized.	

City, Cedartown; State, Ga.; Airport name, Cornelius-Moore Field; Elev., 973'; Facility, RMG; Procedure No. VOR-1, Amdt. 1; Eff. date, 24 July 69; Sup. Amdt. No. Orig.; Dated, 4 Jan. 68

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: GHM VOR.
				Climbing right turn to 2600' to GHM VOR and hold.
				Supplementary charting information:
				Hold S, 1 minute, right turns, 354° Inbnd.
				935' antenna ½ mile NW.

Procedure turn E side of crs, 174° Outbnd, 354° Inbnd, 2600' within 10 miles of GHM VOR.
Final approach crs, 354°.
MSA: 000°-090°—2200'; 090°-180°—1900'; 180°-270°—2000'; 270°-360°—2200'.
NOTES: (1) Night and circling minimums not authorized. (2) Use Nashville FSS altimeter setting. (3) Approach clearance from MEM ARTCC.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C	D
	MDA	VIS	HAT	MDA	VIS	HAT	VIS	VIS
S-2	1480	1	712	1480	1	712	NA	NA
A	Not authorized.		T 2-eng. or less—Standard.				T over 2-eng.—Not authorized.	

City, Centerville; State, Tenn.; Airport name, Municipal; Elev., 768'; Facility, GHM; Procedure No. VOR Runway 2, Amdt. Orig.; Eff. date, 24 July 69

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: GRI VORTAC.
OBH VORTAC	GRI VORTAC	Direct	3700	Climbing left turn to 3200' on GRI R 35 within 10 miles, return to GRI VORTAC.
R 231°, GRI VORTAC CW	R 293°, GRI VORTAC	10-mile DME Arc	3500	
R 074°, GRI VORTAC CCW	R 293°, GRI VORTAC	10-mile DME Arc	3500	
10-mile DME Arc	3-mile DME Fix/Evers Int (NOPT)	R 293°	2700	Supplementary charting information: Final approach crs intercepts runway centerline extended 5000' from threshold. Runway 13 TDZ elevation, 1840'.

Procedure turn S side of crs, 293° Outbnd, 113° Inbnd, 3200' within 10 miles of GRI VORTAC.
Final approach crs, 113°.
Minimum altitude over 3-mile DME Fix/Evers Int, *2460' (*2700' from 10-mile DME Arc).
MSA: 000°–090°—3100'; 090°–180°—4100'; 180°–270°—3800'; 270°–360°—3300'.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-13	2460	1	620	2460	1	620	2460	1	620	2460	1	620
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	2460	1	614	2460	1	614	2460	1¼	614	2460	2	614
	Dual VOR or VOR/DME Minimums:											
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-13	2200	1	360	2200	1	360	2200	1	360	2200	1	360
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	2260	1	414	2300	1	454	2300	1¼	454	2400	2	554
A	Standard.		T 2-eng. or less—Standard.				T over 2-eng.—Standard.					

City, Grand Island; State, Nebr.; Airport name, Municipal; Elev., 1846'; Facility, GRI; Procedure No. VOR Runway 13, Amdt. 7; Eff. date, 24 July 69; Sup. Amdt. No. 6; Dated, 13 Feb. 69

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: GRI VORTAC.
OBH VORTAC	GRI VORTAC	Direct	3700	Climbing left turn to 3200' on GRI R 350 within 10 miles, return to GRI VORTAC.
OBH VORTAC	10-mile DME Fix, R 350° GRI VORTAC.	OBH, R 160° and GRI, R 350°	3500	
R 263°, GRI VORTAC CW	R 350°, GRI VORTAC	10-mile DME Arc	3500	Supplementary charting information: Runway 17 TDZ elevation, 1843'.
R 074°, GRI VORTAC CCW	R 350°, GRI VORTAC	10-mile DME Arc	3500	
10-mile DME Fix	3-mile DME Fix (NOPT)	R 350°	2500	

Procedure turn W side of crs, 350° Outbnd, 170° Inbnd, 3200' within 10 miles of GRI VORTAC.
Final approach crs, 170°.
Minimum altitude over 3-mile DME Fix, *2260' (*2500' from 10-mile DME Fix).
MSA: 045°–135°—4100'; 135°–225°—4100'; 225°–315°—3300'; 315°–045°—3300'.
NOTES: (1) Inoperative table does not apply to HIRL Runway 17. (2) Sliding scale not authorized.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-17	2260	1	417	2260	1	417	2260	1	417	2260	1	417
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	2260	1	414	2300	1	454	2300	1¼	454	2400	2	554
	VOR/DME Minimums:											
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-17	2200	1	357	2200	1	357	2200	1	357	2200	1	357
A	Standard.		T 2-eng. or less—Standard.				T over 2-eng.—Standard.					

City, Grand Island; State, Nebr.; Airport name, Municipal; Elev., 1846'; Facility, GRI; Procedure No. VOR Runway 17, Amdt. 11; Eff. date, 24 July 69; Sup. Amdt. No. 10; Dated, 13 Feb. 69

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: LAL VORTAC.
R 153°, LAL VORTAC CW	R 232°	8-mile Arc	1700	Turn right, climb to 2500' direct to LAL VORTAC and hold.
R 350°, LAL VORTAC CCW	R 232°	8-mile Arc	1700	
8-mile Arc	LAL VORTAC (NOPT)	R 232°	720	Supplementary charting information: Final approach crs intercepts runway centerline 3550' from threshold. Hold SW, 1 minute, right turns, 052° Inbnd. LARCO 122.1 R. Chart two 1549' towers in procedure turn area and water tank 288', 27°38'25", 82°00'40". Runway 4, TDZ elevation, 136'.

Procedure turn S side of crs, 232° Outbnd, 052° Inbnd, 2500' within 10 miles of LAL VORTAC.
Final approach crs, 052°.
MSA: 000°-180°—1700'; 180°-270°—2600'; 270°-360°—1600'.
NOTES: (1) Radar vectoring. (2) Use Tampa, Fla., altimeter setting.
*Night operations Runways 13-31 not authorized.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-4*	720	1	584	720	1	584	720	1	584	720	1¼	584
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C*	720	1	576	720	1	576	720	1¼	576	720	2	576
A	Not authorized.		T 2-eng. or less—Standard.				T over 2-eng.—Standard.					

City, Lakeland; State, Fla.; Airport name, Lakeland Municipal; Elev., 144'; Facility LAL; Procedure No. VOR Runway 4, Amdt. 1; Eff. date, 24 July 69; Sup. Amdt. No. Orig.; Dated, 28 Jan. 67

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 5 miles after passing Donaldson Int.
OXI VOR	Donaldson Int (NOPT)	Direct	2400	Climb straight ahead to 2400' within 10 miles, return to Donaldson Int. Supplementary charting information: Tower 1050', 2.6 miles S of airport.

Procedure turn S side of crs, 259° Outbnd, 079° Inbnd, 2400' within 10 miles of Donaldson Int.
FAF, Donaldson Int. Final approach crs, 079°. Distance FAF to MAP, 5 miles.
Minimum altitude over Donaldson Int, 2400'.
MSA: 000°-090°—3000'; 090°-180°—2300'; 180°-360°—2200'.
NOTES: (1) Use South Bend altimeter setting. (2) Dual VOR receivers required.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C	D
	MDA	VIS	HAT	MDA	VIS	HAT	VIS	VIS
S-10	1240	1	444	1240	1	444	NA	NA
	MDA	VIS	HAA	MDA	VIS	HAA		
C	1280	1	484	1280	1	484	NA	NA
A	Not authorized.		T 2-eng. or less—Standard.				T over 2-eng.—Standard.	

City, Plymouth; State, Ind.; Airport name, Plymouth Municipal; Elev., 796'; Facility, OXI; Procedure No. VOR Runway 10, Amdt. Orig.; Eff. date, 24 July 69

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 3 miles after passing Shannon Int.
RMG NDB	RMG VOR	Direct	3300	Climbing right turn to 3000' proceed to RMG VOR via R 349° and hold.
Dalton Int	RMG VOR	Direct	3500	
Kennesaw Int	RMG VOR	Direct	3000	

Supplementary charting information:
Hold S, 1 minute, right turns, 349° Inbnd.
Final approach crs to runway threshold.
LRCO 122.2, 123.6.
Runway 36, TDZ elevation, 635'.

Procedure turn W side of crs, 169° Outbnd, 349° Inbnd, 3000' within 10 miles of RMG VOR.
FAF, Shannon Int. Final approach crs, 349°. Distance FAF to MAP, 3 miles.
Minimum altitude over RMG VOR, 3000'; over Shannon Int, 1700'.
MSA: 000°–090°—3900'; 090°–180°—3300'; 180°–270°—3700'; 270°–360°—3500'.
NOTE: VOR and ADF receiver required for this approach.
#Alternate minimums authorized only for operators with approved weather reporting service.
*Night minimums not authorized for Runways 7-25, 13-31.
CAUTION: Unlighted trees and terrain 1182', 1½ mile WNW of airport.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT		VIS	
S-36*	1000	1	425	1060	1	425	1060	1	425		NA	
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA			
C*	1360	1	716	1360	1	716	1500	1¼	856		NA	
A	Standard.*		T 2-eng. or less—Standard.				T over 2-eng.—Standard.					

City, Rome; State, Ga.; Airport name, Russell Field; Elev., 644'; Facility, RMG; Procedure No. VOR Runway 36, Amdt. 4; Eff. date, 24 July 69; Sup. Amdt. No. VOR 1, Amdt. 3; Dated, 2 Apr. 66

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 3.6 miles after passing VRB VORTAC.
R 143°, VRB VORTAC CW	R 291°	7-mile Arc	1500	Turn left, climb to 2000' direct to VRB VORTAC and hold.
R 341°, VRB VORTAC CCW	R 291°	7-mile Arc	1500	
7-mile Arc	VRB VORTAC (NOPT)	R 291°	1000	

Supplementary charting information:
Hold W, 1 minute, right turns, 111° inbnd.
Chart W-497, 7.6 miles E of airport.
Runway 11, TDZ elevation, 23'.

Procedure turn S side of crs, 291° Outbnd, 111° Inbnd, 1500' within 10 miles of VRB VORTAC.
FAF, VRB VORTAC. Final approach crs, 111°. Distance FAF to MAP, 3.6 miles.
Minimum altitude over VRB VORTAC, 1000'.
MSA: 000°–090°—1300'; 090°–180°—1600'; 180°–270°—1400'; 270°–360°—1500'.
*Night operations Runways 18-36 not authorized.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-11*	420	1	397	420	1	397	420	1	397	420	1	397
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C*	480	1	456	480	1	456	520	1¼	496	580	2	556
A	Standard.		T 2-eng. or less—Standard.				T over 2-eng.—Standard.					

City, Vero Beach; State, Fla.; Airport name, Vero Beach Municipal; Elev., 24'; Facility, VRB; Procedure No. VOR Runway 11, Amdt. 7; Eff. date, 24 July 69; Sup. Amdt. No. VOR 1, Amdt. 6; Dated, 3 Apr. 66

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR/DME

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

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

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 19.4-mile DME Fix, R 156°.
BMG VORTAC	14-mile DME Fix (NOPT)	BMG, R 156°	2500	Climb to 2500', left turn, and return to 14-mile DME Fix, R 156° and hold.*
R 260°, BMG VORTAC CCW	R 156°, BMG VORTAC	14-mile DME Arc	2500	Supplementary charting information:
R 100°, BMG VORTAC CW	R 156°, BMG VORTAC	14-mile DME Arc	2500	*Hold N 2 miles, left turn, 156° Inbnd.
				Runway 13, TDZ elevation, 728'.

Procedure turn E side of crs, 336° Outbnd, 156° Inbnd, 2500' within 10 miles of 14-mile DME Fix BMG, R 156°.
Final approach crs, 156°.
Minimum altitude over 14-mile DME Fix BMG, R 156°, 2500'.
MSA: 000°-090°—3100'; 090°-180°—2500'; 180°-360°—2300'.
NOTE: Use Bloomington altimeter setting; if unable, use Indianapolis altimeter setting and increase MDA 180'.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	VIS
S-13	1260	1	532	1260	1	532	1260	1	532	NA
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	
C	1300	1	572	1300	1	572	1300	1½	572	NA
A	Not authorized.		T 2-eng. or less—Standard.				T over 2-eng.—Standard.			

City, Bedford; State, Ind.; Airport name, Virgil I. Grissom Municipal Elev., 728'; Facility, BMG; Procedure No. VOR/DME Runway 13, Amdt. Orig.; Eff. date, 24 July 69

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 19-mile DME Fix.
DBN VOR	VNA VORTAC (NOPT)	Direct	3000	Climb to 2000', right turn, proceed to VNA VORTAC via R 225° and hold.
Oconee Int	VNA VORTAC (NOPT)	Direct	3000	Supplementary charting information:
Dodge Int	VNA VORTAC (NOPT)	Direct	3000	Hold NE, 1 minute, right turns, 225° Inbnd.
Fort Valley Int	VNA VORTAC (NOPT)	Direct	2000	Final approach crs to runway threshold.
Bonaire Int	VNA VORTAC (NOPT)	Direct	2000	
Cary Int	VNA VORTAC (NOPT)	Direct	3000	

Procedure turn N side of crs, 045° Outbnd, 225° Inbnd, 2000' within 10 miles of VNA VORTAC.
Final approach crs, 225°.
Minimum altitude over VNA VORTAC, 2000'; over 14-mile DME Fix, 2000'.
MSA: 000°-090°—2600'; 090°-180°—1900'; 180°-270°—1700'; 270°-360°—1800'.
NOTES: (1) Radar vectoring. (2) Use Albany, Ga., NAS altimeter setting. (3) No weather reporting. (4) Night operation not authorized on Runways 4-22/13-31.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	VIS
S-22	880	1	572	880	1	572	880	1¼	572	NA
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	
C	1080	1	772	1080	1	772	1080	1½	772	NA
A	Not authorized.		T 2-eng. or less—Standard.				T over 2-eng.—Standard.			

City, Cordele; State, Ga.; Airport name, Cordele; Elev., 308'; Facility, VNA; Procedure No. VOR/DME Runway 22, Amdt. 1; Eff. date, 24 July 69; Sup. Amdt. No. VOR/DME No. 1, Orig.; Dated, 28 Apr. 66

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR/DME—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 18.8-mile DME Fix.
VNA VORTAC	7-mile DME Fix	VNA, R 089°	2000	Climb to 2000', left turn, proceed to VNA VORTAC via R 089° and hold.
VNA VORTAC, R 360° CW	VNA VORTAC, R 089°	7-mile DME Arc	2000	Supplementary charting information:
VNA VORTAC, R 180° CCW	VNA VORTAC, R 089°	7-mile DME Arc	2000	Hold W, 1 minute, right turns, 089° Inbnd.
7-mile DME Fix	15-mile DME Fix	VNA, R 089°	2000	Final approach crs to center of landing area.

Procedure turn not authorized. Approach crs (profile) starts at the 7-mile DME Fix.
Final approach crs, 089°.
Minimum altitude over VNA VORTAC, 2000'; over 7-mile DME Fix, 2600'; over 15-mile DME Fix, 2000'.
MSA: 000°-090°—2600'; 090°-180°—1900'; 180°-270°—1700'; 270°-360°—1800'.
NOTES: (1) Use Macon, Ga., APC altimeter setting. (2) No weather reporting.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	860	1	554	860	1	554	860	1¼	554		NA	
A	Not authorized.		T 2-eng. or less—Standard.				T over 2-eng.—Standard.					

City, Eastman; State, Ga.; Airport name, Eastman-Dodge County; Elev., 300'; Facility, VNA; Procedure No. VOR/DME-1, Amdt. 1; Eff. date, 24 July 69; Sup. Amdt. No. Orig.; Dated, 26 Aug. 67

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 1.6-mile DME Fix.
OBH VORTAC	GRI VORTAC	Direct	3700	Climb to 3700' on GRI R 350° within 10 miles, return to GRI VORTAC.
GRI VORTAC	7-mile DME Fix, R 170° GRI VORTAC.	Direct	3700	Supplementary charting information:
		12-mile DME Arc	3700	Runway 35, TDZ elevation, 1846'.
R 074°, GRI VORTAC CW	R 170°, GRI VORTAC	12-mile DME Arc	3700	
R 263°, GRI VORTAC CCW	R 170°, GRI VORTAC	Direct	3700	
HSI VOR	12-mile DME Fix, R 170° GRI VORTAC.	R 170°	3500	
12-mile DME Arc	7-mile DME Fix (NOPT)			

Procedure turn E side of crs, 170° Outbnd, 350° Inbnd, 3700' within 10 miles of 7-mile DME Fix, R 170° GRI VORTAC.
Final approach crs, 350°.
Minimum altitude over 7-mile DME Fix, 3500'.
MSA: 045°-135°—4100'; 135°-225°—4100'; 225°-315°—3300'; 315°-045°—3300'.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-35	2340	½	494	2340	½	494	2340	½	494	2340	1	494
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	2340	1	494	2340	1	494	2340	1¼	494	2400	2	554
A	Standard.		T 2-eng. or less—Standard.				T over 2-eng.—Standard.					

City, Grand Island; State, Nebr.; Airport name, Municipal; Elev., 1846'; Facility, GRI; Procedure No. VOR/DME Runway 35, Amdt. 4; Eff. date, 24 July 69; Sup. Amdt. No. 3; Dated, 13 Feb. 69

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

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR

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

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

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 6.8 miles after passing JAX VORTAC.
JAX NDB	JAX VORTAC	Direct	2000	Turn left, climb to 2000' direct to JAX VORTAC and hold.
JAX, R 274°, CW	JAX, R 334° (NOPT)	8-mile DME Arc	2000	
JAX, R 028°, CCW	JAX, R 334° (NOPT)	8-mile DME Arc	2000	
8-mile DME Arc	JAX VORTAC	R 334°	2000	Supplementary charting information: Final approach crs intercepts runway threshold.
				Hold E, 1 minute, right turns, 270° Inbnd

Procedure turn E side of crs, 334° Outbnd, 154° Inbnd, 2000' within 10 miles of JAX VORTAC.
FAF, JAX VORTAC. Final approach crs, 160°. Distance FAF to MAP, 6.8 miles.
Minimum altitude over Atlantic Int, 640' (5.5-miles DME).
MSA: 000°–090°—1400'; 090°–270°—2100'; 270°–360°—1400'.
NOTES: (1) Radar vectoring. (2) Use Jacksonville FSS altimeter setting.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	640	1	599	640	1	599	640	1½	599	640	2	599
Dual VOR and VOR/DME Minimums:												
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	460	1	419	500	1	459	500	1½	459	600	2	559
A	Not authorized.		T 2-eng. or less—Standard.				T over 2-eng.—Standard.					

City, Jacksonville; State, Fla.; Airport name, Craig Municipal; Elev., 41'; Facility, JAX; Procedure No. VOR Runway 13, Amdt. 4; Eff. date, 24 July 69; Sup. Amdt. No. VOR-1, Amdt. 3; Dated, 28 Nov. 68

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 3.3 miles after passing ISO VORTAC.
R 302°, ISO VORTAC (CW)	R 052°, ISO VORTAC	10-mile DME Arc	2200	Climbing right turn to 2000' direct to ISO VORTAC and hold.
R 130°, ISO VORTAC (CCW)	R 052°, ISO VORTAC	10-mile DME Arc	2500	
10-mile DME Arc	ISO VORTAC (NOPT)	ISO, R 052°	1100	Supplementary charting information: Hold NE, 1 minute, right turns, 205° Inbnd. TDZ elevation, 94'.

Procedure turn N side of crs, 052° Outbnd, 232° Inbnd, 2000' within 10 miles of ISO VORTAC.
FAF, ISO VORTAC. Final approach crs, 232°. Distance FAF to MAP, 3.3 miles.
Minimum altitude over ISO VORTAC, 1100'.
MSA: 000°–180°—2500'; 180°–270°—1500'; 270°–360°—2200'.
NOTE: Use GSB AFB altimeter setting when control zone not effective.
#Alternate minimum not authorized and circling and straight-in MDA increased 60' when control zone not effective.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	VIS
S-22#	480	1	386	480	1	386	480	1	386	NA
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	
C#	520	1	426	560	1	466	560	1½	466	NA
A	Standard.#		T 2-eng. or less—Standard.				T over 2-eng.—Standard.			

City, Kinston; State, N.C.; Airport name, Stallings Field; Elev., 94'; Facility, ISO; Procedure No. VOR Runway 22, Amdt. 5; Eff. date, 24 July 69; Sup. Amdt. No. 4; Dated 16 Jan. 69

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR/DME—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 9.6 miles after passing APE VORTAC.
				Make climbing left turn to 3000' direct to APE VORTAC and hold. Supplementary charting information: Hold NW, 1 minute, right turn, 142° Inbnd.

Procedure turn E side of crs, 322° Outbnd, 142° Inbnd, 3000' within 10 miles of APE VORTAC.
FAF, APE VORTAC. Final approach crs, 142°. Distance FAF to MAP, 9.6 miles.
Minimum altitude over APE VORTAC, 2100'; over 6-mile DME Fix, 1820'.
MSA: 000°-360°—2600'.
NOTES: (1) Radar vectoring. (2) Use CMH altimeter setting.

DAY AND NIGHT MINIMUMS

Cond.	A			B	C	D
	MDA	VIS	HAA	VIS	VIS	VIS
C	1820	1	940	NA	NA	NA
	DME minimums:					
	MDA	VIS	HAA			
C	1520	1	640	NA	NA	NA
A	Not authorized.		T 2-eng. or less—Standard.		T over 2-eng.—Standard.	

City, Newark; State, Ohio; Airport name, Licking County; Elev., 880'; Facility, APE; Procedure No. VOR-1, Amdt. 2; Eff. date, 24 July 69; Sup. Amdt. No. 1; Dated, 16 Jan. 6

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

Bedford, Ind.—Virgil I. Grissom Municipal, VOR Runway 13, Orig., 20 June 1968, canceled, effective 24 July 1969.

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

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE NDB (ADF)

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL, except HAT, HAA, and RA. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles or hundreds of feet RVR.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approach minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: FTY NDB.
Radar vectors to final approach crs.				Climbing left turn to 3600', proceed to Wade Int via bearing 275° from FTY NDB and hold, or as directed by ATC. Supplementary charting information: Hold W, 1 minute, left turns, 095° Inbnd. Final approach crs to runway threshold REIL Runway 8.

Procedure turn not authorized. Approach crs (profile) starts at Wade Int.
Final approach crs, 095°.
Minimum altitude over Wade Int, 3000'; over Margaret Int, 2600'; over Terry FM, 1580'.
MSA: 000°-180°—3100'; 180°-270°—2700'; 270°-360°—2600'.
NOTES: (1) Radar required. (2) ASR.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	VIS
C	1580	1	740	1580	1	740	1580	1½	740	NA
	ADF/FM:									
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	
C	1380	1	540	1380	1	540	1480	1½	640	NA
A	Standard.		T 2-eng. or less—Standard.				T over 2-eng.—Standard.			

City, Atlanta; State, Ga.; Airport name, Fulton County; Elev., 840'; Facility, FTY; Procedure No. NDB (ADF)-1, Amdt. 4; Eff. date, 24 July 69; Sup. Amdt. No. 3; Dated, 3 June 67

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

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: BLF NDB.
BLF Temp. VHF Int	BLF NDB	Direct	5200	Climb straight ahead to 5200', turn right, and return to BLF NDB and hold.
BRW VOR	BLF NDB	Direct	6000	
PSK VORTAC	BLF NDB	Direct	6000	Supplementary charting information: Hold NE, 1 minute, right turns, 230° Inbnd.

Procedure turn N side of crs, 050° Outbnd, 230° Inbnd, 5200' within 10 miles of BLF NDB.
Final approach crs, 230°.
MSA: 000°-090°—5100'; 090°-180°—5100'; 180°-270°—5800'; 270°-360°—4900'.
*Circling not authorized S of airport defined by runway centerline extended.
#Night minimum visibility 2 miles.
% IFR departure procedures: Climb NW on 270° from BLF NDB to 4800' before proceeding as cleared.
CAUTION: Precipitous terrain underlying this procedure. Turbulence of varying intensities may be encountered.
CAUTION: 3200' mountain ridge ½ mile S of airport boundary and 3837' tower and mountains 2½ miles SSE.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C	D
	MDA	VIS	HAA	MDA	VIS	HAA	VIS	VIS
C*#	3800	1¼	943	3800	1½	943	NA	NA
A	1000-2.		T 2-eng. or less—Standard.%				T over 2-eng.—Standard.%	

City, Bluefield; State, W. Va.; Airport name, Mercer County; Elev., 2857'; Facility, BLF; Procedure No. NDB (ADF) Runway 22, Amdt. Orig.; Eff. date, 24 July 69

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 3.1 miles after passing BAK NDB.
Hope Int	BAK NDB	Direct	2300	Climbing right turn to 2300' direct to BAK NDB. Supplementary charting information: Secondary area of procedure turn penetrates R-3401. Depict penetrated area on chart. Depict BXR NDB 204 KC 0.5 mile from runway at 39° 16'30"/85°52'45".

Procedure turn N side of crs, 043° Outbnd, 223° Inbnd, 2300' within 10 miles of BAK NDB.
FAF, BAK NDB. Final approach crs, 223°. Distance FAF to MAP, 3.1 miles.
Minimum altitude over BAK NDB, 1500'.
MSA: 000°-270°—2300' 270°-360°—3100'.
NOTES: (1) Radar vectoring. (2) Use Indianapolis (Weir Cook) altimeter setting when control zone not effective; circling and straight-in MDA becomes 1260'.
#Alternate minimums not authorized when control zone not effective.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	VIS
S-22	1120	1	464	1120	1	464	1120	1	464	NA
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	
C	1120	1	464	1120	1	464	1120	1½	464	NA
A	Standard.#		T 2-eng. or less—Standard.				T over 2-eng.—Standard.			

City, Columbus; State, Ind.; Airport name, Bakalar AFB/Bakalar Municipal; Elev., 565'; Facility, BAK; Procedure No. NDB (ADF) Runway 22, Amdt. Orig.; Eff. date, 24 July 69

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

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 3 Miles after passing RMG NDB.
Dalton Int	RMG NDB	Direct	3500	Climbing right turn to 3000' direct to RMG NDB and hold.
Kennesaw Int	RMG NDB	Direct	3500	
RMG VOR	RMG NDB (NOPT)	Direct	1700	Supplementary charting information: Hold S, 1 Minute, right turns, 344° Inbnd. Final approach crs to center of landing area. LRCO 122.2, 123.6.

Procedure turn W side of crs, 164° Outbnd, 344° Inbnd, 3000' within 10 miles of RMG NDB.
FAF, RMG NDB. Final approach crs, 004°. Distance FAF to MAP, 3 miles.
Minimum altitude over RMG NDB, 1700'.
MSA: 000°-180°—3900'; 180°-270°—3600'; 270°-360°—4000'.
#Alternate minimums authorized only for operators with approved weather reporting service.
*Night minimums not authorized on Runways 7-25, 13-31.
CAUTION: Unlighted trees and terrain 1182', 1½ miles WNW of airport.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	VIS
C*	1360	1	716	1360	1	716	1500	1½	856	NA
A	Standard.#		T 2-eng. or less—Standard.				T over 2-eng.—Standard.			

City, Rome; State, Ga.; Airport name, Russell Field; Elev., 644'; Facility, RMG; Procedure No. NDB (ADF)-1, Amdt. 3; Eff. date, 24 July 69; Sup. Amdt. No. ADF 1, Amdt. 2; Dated, 2 Apr. 66

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

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE NDB (ADF)

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL, except HAT, HAA, and RA. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles or hundreds of feet RVR.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approach minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 4.4 miles after passing DA LOM.
DAB VORTAC	DA LOM	Direct	1500	Climbing right turn to 1500', direct to DA LOM and hold.
Barberville Int	DA LOM	Direct	1600	
Lake Helen Int	DA LOM	Direct	1600	Supplementary charting information:
Smyrna Int	DA LOM	Direct	1600	Hold SW, 1 minute, left turns, 065° Inbnd.
Woodruff Int	DA LOM	Direct	2100	HIRL Runways 6L/24R. TDZ elevation, 30'.

Procedure turn N side of crs, 245° Outbnd, 065° Inbnd, 1400' within 10 miles of DA LOM.
FAF, DA LOM. Final approach crs, 065°. Distance FAF to MAP, 4.4 miles.
Minimum altitude over DA LOM, 1400'.
MSA: 000°-090°—1400'; 090°-180°—1500'; 180°-270°—2000'; 270°-360°—1300'.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-6L	480	1	450	480	1	450	480	1	450	480	1	450
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	480	1	446	500	1	466	500	1½	466	600	2	566
A	Standard.		T 2-eng. or less—Standard.				T over 2-eng.—Standard.					

City, Daytona Beach; State, Fla.; Airport name, Daytona Beach Municipal; Elev., 34'; Facility, DA; Procedure No. NDB (ADF) Runway 6L, Amdt. 10; Eff. date, 24 July 69; Sup. Amdt. No. 9; Dated, 5 June 69

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

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: BA LMM.
GVO VOR	Canyon Int	Direct	5000	Climbing right turn to 4000' via heading
Canyon Int	Halibut Int	Direct LMM 264° lead bearing.	3500	240° to intercept and proceed via the BA
Goleta Int	Lobster Int	Via heading 250° and FIM R 250°, 10.5 nautical miles.	3500	LMM 184° bearing or SBA R 195° to Goleta Int. If not at 4000' at Goleta Int,
Lobster Int	Halibut Int	Direct LMM 242° lead bearing.	3500	climb to 4000' in the holding pattern SE
SBA VOR	Goleta Int	Direct	5000	on the GVO, R 127°, right turns, 1
Channel Int	Goleta Int	Direct	3500	minute.
Channel Int	BA LMM	Direct	4200	Supplementary charting information:
SBA VOR	BA LMM	Direct	5000	Chart holding pattern at Goleta Int.
BA LMM	Halibut Int	Direct	4200	Chart holding pattern at Halibut Int.
Halibut Int	Naples FM/Int (NOPT)	Direct	2100	Chart nonstandard ALS Runway 7.

Procedure turn not authorized.* Approach crs (profile) starts at Halibut Int.
Final approach crs, 073°.
Minimum altitude over Halibut Int, 3500'; over Naples FM/Int, 2100'.
MSA: 000°–090°—8000'; 090°–180°—3700'; 180°–270°—5300'; 270°–360°—7600'.
NOTE: VOR and ADF receivers required for execution of this procedure.
%IFR departure procedures: Northbound (260° through 080°) must comply with published Santa Barbara SID's.
#Air carrier will not reduce takeoff visibility due to local conditions Runway 15.
*Approach from the holding pattern at Halibut Int authorized.
CAUTION: High terrain N of crs.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
NDB/VOR Minimums:												
C	760	1	750	760	1	750	760	1½	750	900	2	890
A	1000-2.		T 2-eng. or less—Runway 33, 1000-3; Runway 7, RVR 24; Runway 25, Standard; Runway 15, 200-1.%#				T over 2-eng.—Runway 33, 1000-3; Runway 7, RVR 24; Runway 25, Standard; Runway 15, 200-1.%#					

City, Santa Barbara; State, Calif.; Airport name, Municipal; Elev., 10'; Facility, BA; Procedure No. NDB (ADF) Runway 7, Amdt. 4; Eff. date, 24 July 69; Sup. Amdt. No. 3 Dated, 12 Sept. 68

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

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE ILS

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL, except HAT, HAA, and RA. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles or hundreds of feet RVR.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approach minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: ILS DH 280'; LOC 4.4 miles after passing DA LOM.
DAB VORTAC	DA LOM	Direct	1500	Climb to 1500' on NE LOC crs, left turn,
Lake Helen Int	DA LOM	Direct	1600	direct to DAB VORTAC via R 140° or,
Smyrna Int	DA LOM	Direct	1600	when directed by ATC, climbing right
Barberville Int	DA LOM	Direct	1600	turn to 2000' to Smyrna Int via DAB
Barberville Int CCW	LOC crs (NOPT)	16-mile Arc DAB, R 224° lead radial.	1600	R 161°.
				Supplementary charting information:
16-mile Arc	DA LOM (NOPT)	LOC crs	1400	TDZ elevation, 30'.
Woodruff Int	DA LOM	Direct	2100	HIRL 6L–24R.

Procedure turn N side of crs, 245° Outbnd, 065° Inbnd, 1400' within 10 miles of DA LOM.
FAF, DA LOM. Final approach crs, 065°. Distance FAF to MAP, 4.4 miles.
Minimum glide slope intercept altitude, 1400'. Glide slope altitude at OM, 1378'.
Distance to runway threshold at OM, 4.4 miles.
MSA: 000°–090°—1400'; 090°–180°—1500'; 180°–270°—2000'; 270°–360°—1300'.
NOTE: Inoperative table does not apply to HIRL Runway 6L.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT
S–6L	280	1	250	280	1	250	280	1	250	280	1	250
LOC:	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S–6L	380	1	350	380	1	350	380	1	350	380	1	350
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	480	1	446	500	1	466	500	1½	466	600	2	566
A	Standard.		T 2-eng. or less—Standard.				T over 2-eng.—Standard.					

City, Daytona Beach; State, Fla.; Airport name, Daytona Beach Municipal; Elev., 34'; Facility, I-DAB; Procedure No. ILS Runway 6L, Amdt. 11; Eff. date, 24 July 69; Sup. Amdt. No. 10; Dated, 5 June 69

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE ILS—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: ILS DH 260'. LOC 5.3 miles after passing Naples FM/(OM).
GVO VOR	Canyon Int	Direct	5000	Climb to 650' on runway heading, climbing right turn to 4000' via heading 240° to intercept and proceed via the SBA R 195° to Goleta Int. If not at 4000' at Goleta Int climb to 4000' in the holding pattern SE on the GVO R 127° right turns, 1 minute.
Canyon Int	Halibut Int	Direct	3500	
SBA VOR	Goleta Int	Direct	5000	
Goleta Int	Lobster Int	Via bearing 205° and FIM, R 250°, 10.5 nautical miles.	3500	
Lobster Int	Halibut Int	Direct	3500	
Halibut Int	Naples FM/(OM) (NOPT)	Direct	1800	
Channel Int	Goleta Int	Direct	3500	Supplementary charting information:
Channel Int	BA LMM	Direct	4200	Chart holding pattern at Halibut Int.
SBA VOR	BA LMM	Direct	5000	Chart holding pattern at Goleta Int.
BA LMM	Halibut Int	Direct	4200	Chart nonstandard ALS Runway 7. Runway 7, TDZ elevation, 10'.

Procedure turn not authorized.* Approach ers (profile) starts at Halibut Int.
Minimum altitude over Halibut Int, 3500'; over Naples FM/(OM), 1780'.
FAF, Naples FM/(OM). Final approach crs, 073°. Distance FAF to MAP, 5.3 miles.
Minimum glide slope interception altitude, 1800'. Glide slope altitude at OM, 1763'; at MM, 182'.
Distance to runway threshold at OM, 5.3 miles; at MM, 0.4 mile.
MSA: 000°–090°—8000'; 090°–180°—3700'; 180°–270°—5300'; 270°–360°—7600'.
NOTE: Inoperative components table does not apply to MM.
%IFR departure procedures: Northbound (260° through 080°) must comply with published Santa Barbara SID's.
#Air carrier will not reduce takeoff visibility due to local conditions runway 15.
*Approach from the holding pattern at Halibut Int authorized.
CAUTION: High terrain N of localizer ers.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT
S-7	260	RVR 24	250	260	RVR 24	250	260	RVR 24	250	260	RVR 40	250
	LOC Minimums:											
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-7	420	RVR 24	410	420	RVR 24	410	420	RVR 24	410	420	RVR 50	410
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	720	1	710	720	1	710	720	1¼	710	900	2	890
A	900–2.		T 2-eng. or less—Runway 33, 1000-3; Runway 7, RVR 24; Runway 15, 200-1; Runway 25 Standard.%#				T over 2-eng—Runway 33, 1000-3; Runway 7, RVR 24; Runway 15, 200-1; Runway 25 Standard.%#					

City, Santa Barbara; State, Calif.; Airport name, Municipal; Elev., 10'; Facility, I-SBA; Procedure No. ILS Runway 7, Amdt. 14; Eff. date, 24 July 69; Sup. Amdt. No. 13; Dated, 12 Sept. 68

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

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE RADAR

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

Radar terminal area maneuvering sectors and altitudes (sectors and distances measured from radar antenna)										Notes
From—	To—	Distance	Altitude	Distance	Altitude	Distance	Altitude	Distance	Altitude	Distance	Altitude	
As established by Atlanta, Ga., ASR minimum altitude vectoring charts.												Descent aircraft after passing FAF. FAF 6 miles from center of airport. REIL Runway 8.

All bearings and distances are from radar site on Atlanta Municipal Airport with sector azimuths progressing clockwise.
Missed approach: Climb to 3000' direct to Wade Int via FTY VOR, R 275° or 275° bearing from FTY NDB and hold. Hold W, 1 minute, left turns, 095° Inbnd.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	VIS
C	1680	1	840	1680	1¼	840	1680	1½	840	NA
A	900–2.		T 2-eng. or less—Standard.				T over 2-eng.—Standard.			

City, Atlanta; State, Ga.; Airport name, Fulton County; Elev., 840'; Facility, ATL Radar; Procedure No. Radar 1, Amdt. 5; Eff. date, 24 July 69; Sup. Amdt. No. 4; Dated, 18 Feb. 67

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

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE RADAR

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

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

Radar terminal area maneuvering sectors and altitudes (sectors and distances measured from radar antenna)

From—	To—	Distance	Altitude	Distance	Altitude	Distance	Altitude	Distance	Altitude	Distance	Altitude

Notes

As established by Ontario ASR minimum altitude vectoring chart.

ASR Runway 25, FAF 6 miles from runway.
ASR Runway 7, FAF 6 miles from runway.
$Minimum altitude over 3-mile Radar Fix on final approach, 1700'.
¢Minimum altitude over 2-mile Radar Fix on final approach, 1700'.
§Maneuvering not authorized NW of airport between extended centerlines of Runways 3/21 and 7/25.
%IFR departure procedures: North- and east-bound (278° through 105° CW) published SID's must be used.
*Increase visibility ¼ mile for Categories A, B, and C for inoperative ALS Runway 25.
Inoperative table does not apply to HIRL Runway 7.
Night minimums Runways 3/21 not authorized.

Missed approach:
Runway 25—Climbing left turn to 4200' direct to ONT VORTAC and hold.
Runway 07—Climbing right turn to 4200' direct to ONT VORTAC and hold.
Runway 25—TDZ elevation, 929'; Runway 7—TDZ elevation, 942'.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-25*$	1420	RVR 40	491	1420	RVR 40	491	1420	RVR 40	491	1420	RVR 50	491
S-7¢	1420	1	478	1420	1	478	1420	1	478	1420	1	478
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C#	1420	1	468	1480	1	528	1480	1½	528	1520	2	568
A	Standard.			T 2-eng. or less—Runway 25, RVR 24'; Standard all other runways.%#			T over 2-eng.—Runway 25, RVR 24'; Standard all other runways.%#					

City, Ontario; State, Calif.; Airport name, Ontario International; Elev., 932'; Facility, ONT ASR; Procedure No. Radar-1, Amdt. 2; Eff. date, 24 July 69; Sup. Amdt. No. 1, Dated, 5 June 69

These procedures shall become effective on the dates specified therein.

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

Issued in Washington, D.C., on June 17, 1969.

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

[F.R. Doc. 69-7396; Filed, July 2, 1969; 8:45 a.m.]

Chapter II—Civil Aeronautics Board

SUBCHAPTER A—ECONOMIC REGULATIONS

[Reg. ER-585, Amdt. 6]

PART 225—TARIFFS OF CERTAIN CERTIFICATED CARRIERS; TRADE AGREEMENTS

Increased Authorization for Larger Intra-Alaskan Carriers

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 30th day of June 1969.

By circulation of EDR-158 (Docket 20725), dated April 10, 1969, and publication at 34 F.R. 6489, the Board gave notice that it had under consideration amendment to Part 225 to increase the trade agreement authorization to $50,000 for the two larger subsidized certificated carriers with intra-Alaskan routes. Comments were submitted by Wien Consolidated Airlines, an Alaskan air carrier, and Roy H. Smith, an Alaskan air taxi operator.

Although Wien Consolidated had sought at least $60,000 as a minimum authorization, it supports the $50,000 maximum and urges that the rule be made effective as soon as possible because trade agreements must become effective on or before January 1, 1970. The air taxi operator opposes any increase on the grounds that trade agreements will result in unfair competition with air taxi operators and will not benefit the taxpayer. These objections apparently arise from a misconception of the nature and purpose of the Board's permitting subsidized certificated carriers to exchange transportation for advertising. Part 225 exempts certain certificated carriers from the provisions of section 403(b) of the Act against bartering transportation within monetary limits, and is primarily designed to help subsidized carriers in a poor cash position to increase traffic through advertising and thereby reduce subsidy needs. Part 298, on the other hand, exempts air taxi operators from section 403 (except for tariffs for through rates filed jointly with certificated air carriers), and therefore air taxi operators are free to exchange air transportation for advertising in any amount.

After consideration of the comments received, we have determined to adopt the rule as proposed. The tentative findings set forth in EDR-158 are incorporated herein by reference and made final.

Accordingly, the Board hereby amends § 225.6 of Part 225 of the Economic Regulations (14 CFR 225.6), effective August 4, 1969, by revising paragraph (b) to read as follows:

§ 225.6 Limitation on total value of trade agreements.

* * * * *

(b) $20,000 in the aggregate each year for airlines having gross transport operating revenues less than $2 million in the prior year and $50,000 in the aggregate each year for airlines having gross transport operating revenues of $2 million or more in the prior year, for the airlines identified under § 225.1(a)(4).

* * * * *

(Secs. 204(a), 403, 404, 416, Federal Aviation Act of 1958, as amended, 72 Stat. 743, 758, 760, 771; 49 U.S.C. 1324, 1373, 1374, 1386)

By the Civil Aeronautics Board.[1]

[SEAL] MABEL MCCART, *Acting Secretary.*

[F.R. Doc. 69-7881; Filed, July 2, 1969; 8:49 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

SUBCHAPTER A—PROCEDURES AND RULES OF PRACTICE

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Use of Symbols and Names Having Fur-Bearing Animal Connotations in Labeling Textile Fiber Products

§ 15.351 Use of symbols and names having fur-bearing animal connotations in labeling textile fiber products.

(a) The Commission was requested to render an opinion with respect to the labeling of textile fiber products manufactured so as to simulate a fur or fur product.

(b) The requesting party proposed to use a word closely resembling the name of a fur-bearing animal, the fur from which is commonly used in the manufacture of garments, in association with a fabric simulating that fur.

(c) In the Commission's view, the use of the proposed term to describe such a fabric would probably violate the Textile Fiber Products Identification Act and/or that part of section 5 of the Federal Trade Commission Act which makes deceptive acts or practices in commerce unlawful.

(38 Stat. 717, as amended; 15 U.S.C. 41-58; 72 Stat. 1717; 15 U.S.C. 70)

Issued: July 2, 1969.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 69-7809; Filed, July 2, 1969; 8:45 a.m.]

[1] Vice Chairman Murphy dissented.

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Stereo Tape Cartridge Club; Consumer Credit Regulations Will Apply

§ 15.352 Stereo tape cartridge club; consumer credit regulations will apply.

(a) The Commission issued an advisory opinion in response to an application from a businessman who proposed to organize a stereo tape cartridge club.

(b) The Commission wrote the applicant:

(1) "You state that the idea of the club is to allow club members to exchange ten tape cartridges per month. A membership will cost $480, to be paid in 30 monthly installments of $16 each. That meets the definition of consumer credit which is credit offered or extended to a person primarily for personal, family, household, or agricultural purposes and for which a finance charge is imposed or which is repayable in more than four installments.

(2) "Enclosed for your guidance is a copy of the Federal Reserve press release of February 7, 1969, containing Regulation Z issued under the Truth In Lending Act. With some exceptions, the Federal Trade Commission has the principal enforcement duties. The Commission points out that all relevant provisions must be complied with by anyone extending or arranging for consumer credit. A potential club member in your program is entitled to full disclosure of all financial arrangements, including the fact that a third party may hold the promissory note for collection.

(3) "In addition to your straight retail memberships, you contemplate a 'cooperative' membership to be offered in return for certain promotional cooperation. The Commission invites your attention to the enclosed copy of the Commission's Guides Against Deceptive Pricing, effective since January 8, 1964. You will note that it might be an actionable deceptive practice prohibited by law to identify a commodity as having a certain retail value unless that is a price at which identical commodities have in fact been sold in substantial quantities. No conclusion of legality or illegality is possible in the instant matter on the basis of the brief information you have submitted.

(4) "Further, you are advised that it might also be an actionable deceptive practice prohibited by law to fail to fully inform a potential club member not only about all financial arrangements and the accurate retail value of the cartridge player but also about the nature and function of the player; e.g., is the player a self-contained playing machine or does it need an amplifier and speakers to render performance?

(5) "For postal regulations, you should consult your local postmaster."

(38 Stat. 717, as amended; 15 U.S.C. 41-58)

Issued: July 2, 1969.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 69-7808; Filed, July 2, 1969; 8:45 a.m.]

SUBCHAPTER E—RULES, REGULATIONS, STATEMENTS OF GENERAL POLICY OR INTERPRETATION, AND EXEMPTIONS UNDER THE FAIR PACKAGING AND LABELING ACT

PART 503—STATEMENTS OF GENERAL POLICY OR INTERPRETATION

Manufacturer of Consumer Commodities

The Federal Trade Commission promulgated an interpretation relevant to § 500.5 of the Fair Packaging and Labeling Act regulations on March 7, 1969. This interpretation appeared as § 503.3 of the regulations, in the FEDERAL REGISTER, Volume 34, No. 45. Subsequent to publication, a new question was submitted on behalf of an industrial firm, which requires further interpretation of § 500.5.

Basically, the question is whether, in the case of a parent corporation which wholly owns a subsidiary corporation, each of which has separate corporate identity, the requirement of § 500.5 of the regulations is met when the consumer commodities manufactured by the subsidiary are labeled to reflect the parent corporation as the manufacturer.

Since this question may have significance to industry in general, the Commission feels it appropriate to promulgate its interpretation of § 500.5 as it relates to the status of a parent corporation which wholly owns a manufacturing subsidiary retaining its own corporate identity.

Accordingly, pursuant to the provisions of the Fair Packaging and Labeling Act (sections 4, 6, 10, 80 Stat. 1297, 1299, 1300, 1301; 15 U.S.C. 1453, 1455, 1456) Subchapter E, Part 503 is amended by adding to § 503.3 a new paragraph (d) as follows:

§ 503.3 Name and place of business of manufacturer, packer, or distributor.

* * * * *

(d) A corporation which wholly owns a manufacturing subsidiary which retains its separate corporate identity, is not the manufacturer of the consumer commodities manufactured by the wholly owned subsidiary, but must qualify its name if it elects to use its name on the label. Such qualification may be "Manufactured for _____", "Distributed by _____", or "Manufactured by _____ (XYZ, Inc., City, State, Zip Code, a subsidiary of ABC, Inc.)".

Issued: June 30, 1969.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 69-7896; Filed, July 2, 1969; 8:51 a.m.]

Title 18—CONSERVATION OF POWER AND WATER RESOURCES

Chapter I—Federal Power Commission

[Docket No. R-362]

PART 2—GENERAL POLICY AND INTERPRETATIONS

Reliability and Adequacy of Electric Service

JUNE 25, 1969.

The Federal Power Commission is charged under section 202(a) of the Federal Power Act with the promotion and encouragement of the voluntary interconnection and coordination of the power systems of this nation in the interests of "assuring an abundant supply of electric energy throughout the United States with the greatest possible economy and with regard to the proper utilization and conservation of natural resources". Achievement of these goals requires coordinated efforts on an industrywide basis, at both the regional and national levels, to enhance reliability and adequacy of service.

Utilities in five regions of the country[1] have joined together to establish regional coordinating groups or councils, and these regional bodies have, in turn, recently joined with seven other individual utility systems, pools and planning groups to form a National Electric Reliability Council. These developments are encouraging.

This Statement of Policy defines two areas in which these voluntary efforts can be improved. First, we believe that actual participation on a nonvoting basis by the staff of the Commission and the State regulatory agencies in the regional council deliberations, and the deliberations of committees or working groups is needed to promote the cooperative efforts of the electric utility industry to coordinate its activities regionally in the interests of reliability and adequacy of electric service. Second, a major impediment to regional and and national planning for and evaluation of industry planning efforts to assure reliability and short- and long-range adequacy of electric power service lies in the unavailability of much of the basic data upon which such efforts necessarily depend. We are therefore establishing a system for reporting to the Commission and the State regulatory agencies, long and intermediate range system data on an annual basis by all segments of the electric power industry coordinated by and reported through the regional reliability organizations (where they exist) and the National Electric Reliability Council.

[1] Northeast Power Coordinating Council, East Central Area Reliability Coordination Agreement, Texas Interconnected System, Western Systems Coordinating Council, and Mid-Atlantic Area Coordination Agreement. The makeup, structure, staffing and authority of these groups differ.

The Commission finds:

(1) The notice and effective date provisions of section 4 of the Administrative Procedure Act, 5 U.S.C. 553, do not apply with respect to the amendment here adopted.

(2) It is appropriate and in the public interest in administering Part II of the Federal Power Act to promulgate Commission policy on participation of regulatory personnel in the deliberations of voluntary regional councils, and for the collection of data relating to reliability and adequacy of electric service.

The Commission orders:

A. Part 2, General Policy and Interpretations, Subchapter A, Chapter I of Title 18 of the Code of Federal Regulations is amended by adding a new § 2.11, entitled "Reliability and Adequacy of Electric Service," as follows:

§ 2.11 Reliability and adequacy of electric service.

(a) *Participation of Federal personnel in regional reliability councils.* The Federal Power Commission's responsibilities under section 202(a) of the Federal Power Act, to promote and encourage voluntary efforts by the various segments of the electric utility industry to coordinate their activities, can best be carried out if the regional reliability councils or organizations of the utilities in various parts of the country permit participation by staff personnel of the Federal Power Commission. Participation on a nonvoting basis will not inhibit appropriate discussion, planning or review by the members of the regional councils. Accordingly, the regional reliability or coordination councils and any other systems or groups engaging in similar activities are requested promptly to permit nonvoting participation by FPC staff personnel.

(b) *Participation of State personnel in regional reliability councils.* It is the policy of the Commission that staff personnel of the State regulatory agencies of the particular region be permitted to participate in the regional reliability or coordination councils on the same basis as Commission personnel.

(c) *Informational reporting.* (1) Comprehensive data from all segments of the industry, including those operated by the Federal or State governments or political subdivisions, agencies or instrumentalities thereof, and cooperatively owned associations, will assist in accurate forecasting of the demand for power, and in planning generation and transmission facilities necessary to meet such demands.

(2) To this end we establish a system for the reporting on an annual basis of long- and intermediate-range system data by all components of the electric power industry reported through and coordinated by the regional reliability organizations and the National Electric Reliability Council. We ask that the data requested be furnished to the FPC and to the appropriate State regulatory agencies.

(3) In view of the need for flexibility in the development and operation of any such program, we believe it inadvisable to incorporate the specific information to be reported into a policy statement which, as part of the Commission's rules and regulations, can only be modified by formal procedures. Instead, we delegate authority to the Commission's Chief, Bureau of Power, subject to the general supervision of the Commission, to prepare, after appropriate consultation with interested parties, including the existing national and regional reliability organizations, the individual State commissions and their national association, the National Association of Regulatory Utility Commissioners, a list of requested data, together with the reporting specifications. The list and specifications will be maintained on a current basis as an appendix to the rules in this section, and will be supplied to each electric company, pool, or regional organization, the State regulatory commissions, and other interested parties.

(4) Upon receipt and evaluation of the requested data, the Chief of the Commission's Bureau of Power may, as conditions warrant, convene technical meetings of utilities or groups of utilities to explore in greater depth any problems raised by the reports, or call upon regional councils, or the National Electric Reliability Council, to conduct further studies on particular matters.

B. The specific information, which is proposed for inclusion in the initial information request, is set forth in Appendix A to this order. Interested parties having comments or proposals for modification thereof should make them in writing (if possible in triplicate) to the Commission's Chief, Bureau of Power, within 30 days from the issuance of this notice, since it is contemplated that the initial list of requested information and reporting specifications will be made final and released by September 1, 1969. It is also contemplated that initial reporting will be for the period 1970–79, inclusive, and that reporting will be made to the Commission and the State regulatory agencies not later than April 1 of the base year of the data reporting period.

C. The amendments prescribed herein will be effective upon the issuance of this order.

By the Commission.

[SEAL] GORDON M. GRANT, *Secretary.*

APPENDIX A

INFORMATION TO BE REPORTED ON COORDINATED REGIONAL BULK POWER SUPPLY PROGRAMS

Information to be reported annually should include:

1. Estimates of monthly peak loads and energy requirements for the first 5 years of the projection; and estimates of summer and winter peak loads for the remaining 5 years of the projection.

2. Estimates of reserve requirements, including a statement of criteria and techniques used to determine reserve.

3. For the first 7 years of the projection: itemization of all resources to meet the projected energy and capacity requirements of (1) and (2), including generating units, plants, and plant locations, types of generation, facility ownership, scheduled in-service

dates of new units, and scheduled or estimated purchases from or deliveries to others. For the remaining 3 years: itemization of power supply resources planned, including the general location, type, and scheduled in-service date for each new facility and an estimate of purchases and deliveries of power coincident with summer and winter peak load demands.

4. For each steam generating unit having a capacity of 300 mw. or more, and for which construction is scheduled to begin within 2 years from the date of reporting, furnish information on the type of cooling system, basis of assurances that thermal discharge will fall within the limits of State and Federal standards or a description and status of studies designed to provide this assurance, the type of fuel to be used, and if fossil in nature, assurances that stack discharges will fall within limits acceptable under local or regional air pollution criteria, or description and status of studies designed to demonstrate compatibility with such criteria.

5. A plan of the transmission network of the region depicting all facilities of 110 kv. or higher which are in service at the time of reporting those projected for service within 7 years and those projected for service within 10 years. For facilities to be installed within 7 years, include a tabular summary of segments of the transmission network, including substations and interconnections between systems to be operated at a voltage of 110 kv. or higher, the tabulation to include ownership, voltage, number of circuits, number and size of conductors and dates of starting and completing construction.

6. Results of load flow studies on the network as it exists substantially at the time of reporting and as projected between 4 and 6 years in the future which would demonstrate the capability of the network to transmit peak loads and withstand the contingency considerations evaluated in accordance with an accompanying statement of system security criteria. These criteria should discuss consideration given to loss of, or delay in availability of, generation and transmission elements of the system and their internal effect upon the subject system, together with their external effect upon surrounding systems.

7. The results of regional and interregional network stability studies, including a description of the general criteria being followed and the particular contingencies assumed in each study; include also a description, preliminary results and schedules for completion of stability studies in progress. Where unusual stability problems are encountered, outline possible solutions being considered and actions being taken for resolution.

8. A functional plan and description of regional communication and control facilities, including satellite facilities for monitoring, display, and warning of important network operating conditions and characteristics; facilities for economic loading; and facilities for rapid analysis of the effect of losing selected system elements on network loading.

9. For each transmission facility designed to operate at a voltage of 200 kv. or higher and for which construction is scheduled to begin within 2 years from date of filing, include information on line routing, alternatives considered, consultations with local and State planning authorities and commissions, configuration of structures, location and type of principal substations and information depicting the relation of principal structures to their environments.

10. In format to be furnished by the Commission, provide information on the following:

a. Coordinated regional load shedding programs, including estimated steps of load reduction at various steps in frequency decline.

b. Emergency power and shutdown facilities to prevent damage to equipment if station loses system power.

c. Power facilities available for unit start-up in the event of total loss of system power.

d. Availability of continuous power independent of system sources for communication and control facilities.

e. Provisions for sustaining the operation of generating units on local loads.

f. Programs for training operating personnel concerned with system security.

g. Summary statement of step-by-step emergency procedures in force for restoration of system power and interconnected system power.

h. Maintenance practices relating to bulk power equipment and controls.

[F.R. Doc. 69-7822; Filed, July 2, 1969; 8:45 a.m.]

Title 20—EMPLOYEES' BENEFITS

Chapter III—Social Security Administration, Department of Health, Education, and Welfare

[Regs. No. 5, further amended]

PART 405—FEDERAL HEALTH INSURANCE FOR THE AGED (1965——)

Subpart A—Hospital Insurance Benefits

On November 15, 1968, there was published in the FEDERAL REGISTER (33 F.R. 16657) a notice of proposed rule making with proposed amendments to the Hospital Insurance Benefits regulations designed to implement the pertinent sections of the Social Security Amendments of 1967 (Public Law 90-248), to provide guidelines for determining the accessibility requirement in emergency hospital cases, and to make editorial and technical modifications of a clarifying or conforming nature. Interested persons were given the opportunity to submit data, views, or arguments with regard to the proposed regulations. After consideration of all such relevant matter as was presented by interested persons, the amendments as so proposed are hereby adopted without substantive change and are set forth below.

Effective date. These amendments shall be effective upon publication in the FEDERAL REGISTER.

Dated: May 27, 1969.

ROBERT M. BALL,
Commissioner of Social Security.

Approved: June 18, 1969.

JOHN G. VENEMAN,
Acting Secretary of Health, Education, and Welfare.

Subpart A of Part 405 of Chapter III of Title 20 of the Code of Federal Regulations is amended as indicated in paragraphs 1 through 24 below.

(Secs. 1102, 1801-1817, 1871, 49 Stat. 647, as amended, 79 Stat. 291-301, 81 Stat. 846-848, 81 Stat. 852-854, 81 Stat. 857-859; 79 Stat. 331; 42 U.S.C. 1302, 1395 et seq.)

1. The table of sections for Subpart A, appearing at page 31 F.R. 10116, July 27, 1966, is modified as follows:

Sec.
405.111 Inpatient hospital services; benefit limitation during first spell of illness—inpatient of participating tuberculosis or psychiatric hospital.
405.112 Inpatient hospital services; services considered for purposes of benefit limitations.
405.152 Payment for services furnished; nonparticipating hospital furnishing emergency services.
405.156 Payment to entitled individual for services furnished by a nonparticipating hospital; inpatient admission before January 1, 1968.
405.157 Payment to entitled individual for emergency services furnished after 1967.
405.158 Payment to entitled individual; determination of amount payable for services furnished by a nonparticipating hospital.
405.160 Payment to participating hospital for inpatient hospital services; conditions for payment.
405.161 Payment for inpatient hospital services; furnished after 90- or 150-day limit or after 190-day limit.
405.175 Payment to participating hospital for outpatient hospital diagnostic services; conditions.
405.191 Emergency services; finding that an emergency existed and/or has ceased.
405.192 Emergency services; finding of accessibility.

2. Sections 405.101—405.102 are revised to read as follows:

§ 405.101 Hospital insurance benefits; general.

(a) An individual who meets the conditions for entitlement to hospital insurance benefits provided under Part A of title XVIII of the Act is eligible to have payment made on his behalf, or to him (for certain hospital services) subject to the conditions and limitations set out in this Part 405 and in the Act, for:

(1) Inpatient hospital services, posthospital extended care services, and posthospital home health services furnished to him during any month for which he meets such conditions for entitlement to hospital insurance benefits; and

(2) Outpatient hospital diagnostic services furnished to him during any month before April 1968, for which he meets such conditions for entitlement to hospital insurance benefits. Effective with services furnished on or after April 1, 1968, coverage of outpatient hospital diagnostic services is transferred from this Subpart A to the supplementary medical insurance benefits plan described in Subpart B of this Part 405.

(b) Except where payment may be made to the individual for certain hospital services (see §§ 405.156 and 405.157), payment for the services covered under the hospital insurance benefits program is made to the institution or agency eligible to receive payment rather than to the individual to whom the services are furnished.

§ 405.102 Conditions for entitlement to hospital insurance benefits.

An individual is entitled to hospital insurance benefits under the provisions described in this Subpart A if such individual has attained age 65 and:

(a) Is entitled to monthly insurance benefits under section 202 of the Act as described in Subpart D of Part 404 of this chapter, or

(b) Is a qualified railroad retirement beneficiary as defined in § 404.368 of Part 404 of this chapter, or

(c) Is deemed entitled to monthly insurance benefits under section 202 of the Act, solely for purposes of entitlement to hospital insurance benefits, as described in § 404.370 of Part 404 of this chapter.

3. In § 405.103, paragraph (a) is revised to read as follows:

§ 405.103 Duration of entitlement to hospital insurance benefits.

(a) An individual is entitled to hospital insurance benefits beginning with the first day of the first month after June 1966, for which he meets the conditions described in § 405.102; except that no payment may be made under this Subpart A for:

(1) Posthospital extended care services furnished before January 1, 1967;

(2) Posthospital extended care services or posthospital home health services unless the discharge from the hospital required to qualify such services for payment under this Subpart A occurred after June 30, 1966, or, on or after the first day of the month in which he attains age 65, whichever is later; and

(3) Outpatient hospital diagnostic services furnished on or after April 1, 1968. (With respect to outpatient hospital diagnostic services furnished on or after such date—see Subpart B of this part.)

* * * * *

4. Sections 405.110–405.113 are revised to read as follows:

§ 405.110 Inpatient hospital services; scope of benefits.

(a) *Benefits.* An individual who meets the requirements set forth in § 405.102 is eligible to have payment made on his behalf to a participating hospital (see Subpart J of this Part 405 and § 405.150), subject to the conditions and limitations contained in this Part 405 and title XVIII of the Act, for:

(1) Inpatient hospital services (see § 405.115) furnished to him for up to 90 days during a spell of illness; plus (with respect to inpatient hospital services furnished after December 31, 1967, during such spell of illness):

(2) An additional 60 days—less one day for each day of inpatient hospital services in excess of 90 days received during any preceding spell of illness. The individual has the option of electing by a signed statement not to have payment made for such additional days of inpatient hospital services furnished him after he has received benefits for 90 days of such services in a spell of illness. Payment may be made for such additional days unless the provider furnishing such services has on record the individual's signed election not to have payment made for such services.

(b) *Deductible and coinsurance amounts.* Payments for inpatient hospital services furnished during any spell of illness is reduced by the amount of the applicable deductibles (see §§ 405.113 and 405.114) and, in addition, by any applicable coinsurance amount (see § 405.115).

(c) *Benefit limitation for spell of illness.* (1) No payment under this section for inpatient hospital services furnished an individual during a spell of illness which ends on or before December 31, 1967, may be made for any such services furnished to him after the 90th day such services have been furnished to him during such spell of illness (see § 405.161 for exception); and

(2) No payment under this section for inpatient hospital services furnished an individual during a spell of illness which begins, or is continuing after December 31, 1967, may be made for any such services furnished to him after the 150th day (less 1 day for each day of inpatient hospital services in excess of 90 days received during any preceding spell of illness) that such services have been furnished to him during such spell of illness (see § 405.161 for exception).

(d) *Lifetime maximum on inpatient psychiatric hospital services.* Notwithstanding the preceding provisions of this section, no payment for inpatient psychiatric hospital services (see Subpart J of this part) may be made for any such services furnished an individual after the 190th day such services have been furnished to him during his lifetime (see § 405.161 for exception).

§ 405.111 Inpatient hospital services; benefit limitation during first spell of illness—inpatient of participating tuberculosis or psychiatric hospital.

Subject to the provision that the benefit limitation described in this section shall not apply with respect to inpatient tuberculosis hospital services furnished to an individual after December 31, 1967:

(a) *Date of entitlement on or after January 1, 1968; inpatient of psychiatric hospital on first day of entitlement.* If an individual is an inpatient of a participating psychiatric hospital on the first day for which he is entitled to hospital insurance benefits (see § 405.103) and becomes entitled to such benefits on or after January 1, 1968, the days (not necessarily consecutive) on which he was an inpatient of a psychiatric hospital in the 150-day period immediately before such first day are deducted from the 150 days of inpatient hospital services for which he is otherwise entitled to have payment made during his first spell of illness, where such services are furnished to him in a psychiatric hospital or in a hospital (other than a tuberculosis hospital) in which the individual was an inpatient primarily for the diagnosis or treatment of mental illness. Thus, the benefit limitation described in this paragraph will not apply to inpatient hospital services furnished in a tuberculosis hospital or to such services furnished in a hospital (other than a psychiatric hospital) that are not primarily for the diagnosis or treatment of mental illness.

(b)(1) *Date of entitlement prior to 1968; inpatient of psychiatric or tuberculosis hospital on first day of entitlement.* Subject to the provisions of the succeeding subparagraphs of this paragraph, if an individual was an inpatient of a participating tuberculosis or psychiatric hospital on the first day for which he is entitled to hospital insurance benefits and was entitled to such benefits before January 1, 1968, the days (not necessarily consecutive) on which he was an inpatient of a psychiatric or tuberculosis hospital in the 90-day period immediately before such first day are deducted from the 90 days of inpatient hospital services for which he is otherwise entitled to have payment made during his first spell of illness.

(2) *First spell of illness is continuing after December 31, 1967; inpatient of participating tuberculosis hospital upon entitlement.* An individual who after December 31, 1967, is still in his first spell of illness and was subject to a reduction in benefit days prior to 1968 under subparagraph (1) of this paragraph because he was in a participating tuberculosis hospital at the time of entitlement to hospital insurance benefits will have those days restored for any inpatient hospital services furnished to him after December 31, 1967. The benefit limitation will not apply to services furnished after 1967, to an individual who at the time of entitlement was an inpatient of a participating tuberculosis hospital. Thus, such an individual is eligible on January 1, 1968, for up to 150 days of any inpatient hospital services in his first spell of illness.

(3) *First spell of illness is continuing after December 31, 1967; inpatient of a psychiatric hospital upon entitlement.* An individual who after December 31, 1967, is still in his first spell of illness and was subject to a reduction in benefit days prior to 1968 under subparagraph (1) of this paragraph because he was in a participating psychiatric hospital at the time of entitlement to hospital insurance benefits may be entitled to additional benefit days for inpatient hospital services furnished on or after January 1, 1968:

(i) On January 1, 1968, such individual becomes eligible for 60 additional days of inpatient hospital services (see § 405.110). Before these days can be used to pay for inpatient hospital services furnished to such individual by a psychiatric hospital, or for such services furnished by a hospital (other than a psychiatric or tuberculosis hospital) which are primarily for the diagnosis or treatment of mental illness, those days on which he was an inpatient of a psychiatric hospital from the 91st to the 150th day of the 150-day period preceding the first day for which he became entitled to hospital insurance benefits will be subtracted from the 60 additional

days available for use in such first spell of illness. For inpatient hospital services furnished prior to 1968, the number of benefit days available to such individual during his first spell of illness was determined on the basis of the 90-day period immediately preceding the first day of entitlement to hospital insurance benefits in accordance with subparagraph (1) of this paragraph. Payment for inpatient hospital services furnished to the individual on or after January 1, 1968, by a hospital (other than a tuberculosis hospital) for such services which are primarily for the treatment or diagnosis of mental illness, or for such services furnished by a psychiatric hospital, will be made for any days still payable under such prior determination and then for any of the 60 additional days available as determined in accordance with the provisions of this paragraph. (However, a new determination for the 90-day preentitlement period will be required if tuberculosis hospital days were included in the prior determination. See subdivision (iii) of this subparagraph);

(ii) Payment for inpatient hospital services furnished on or after January 1, 1968, to such individual by a hospital (other than a psychiatric hospital) for such services which are primarily for the diagnosis or treatment of a condition other than mental illness, or for such services furnished by a tuberculosis hospital in his first spell of illness, may be made for any unused benefit days: Plus, the number of days for which the beneficiary's eligibility was previously reduced; plus, the 60 additional days available under § 405.110; and

(iii) Days spent by such individual in a tuberculosis hospital in the preentitlement period do not count as reduction days for inpatient hospital services received after 1967, and such days are restored. This applies not only for an individual who was in a tuberculosis hospital when he became entitled but also for an individual who was in a psychiatric hospital at the time of entitlement after having spent some of his preentitlement days in a tuberculosis hospital.

(c) *Charging deduction days.* In reducing the number of days for which an individual is entitled to have payment made for inpatient hospital services, days subject to deduction (as determined in accordance with the provisions of paragraphs (a) and (b) of this section) are charged in the following order:

(1) Those days after the 90th and before the 150th days for which such individual is entitled to have payment made during such spell of illness;

(2) Those days after the 60th day and before the 91st day for which such individual is entitled to have payment made for such services during such spell of illness; and

(3) Those days before the 61st day for which such individual is entitled to have payment made for such services during such spell of illness.

(d) *Limitation on application of deduction.* Notwithstanding the preceding provisions of this section, days preceding the first day for which an individual is entitled to hospital insurance benefits (see § 405.103), are not counted in determining the 190-day lifetime limit on inpatient psychiatric hospital services (see § 405.110(d)), and are not counted in determining the first day for which the coinsurance amount is deducted from payment for inpatient hospital services (see § 405.115).

EXAMPLE 1: B is an inpatient of a participating psychiatric hospital on July 1, 1966, the first day for which he is entitled to hospital insurance benefits, and has been an inpatient of such hospital for the 2 years immediately preceding July 1, 1966. If B's first spell of illness ends on or before December 31, 1967, no payment will be made for inpatient hospital services furnished to B during that spell of illness. However, if B's first spell of illness is continuing after December 31, 1967, he will be eligible, with respect to services furnished after such date, to have payment made for up to 150 days of inpatient hospital services during such spell of illness if the services are furnished to him by a tuberculosis hospital (see § 405.111(b)) or, if furnished to him by a hospital other than a psychiatric or tuberculosis hospital, are not primarily for the diagnosis or treatment of a mental illness.

EXAMPLE 2: C entered a participating tuberculosis hospital on August 12, 1966, and is still an inpatient of such hospital 50 days later on October 1, 1966, the first day for which he is entitled to hospital insurance benefits. Payment may be made for up to 40 days of inpatient hospital services since C had been an inpatient of the tuberculosis hospital for 50 days preceding the first day for which he was entitled to hospital insurance benefits. However, the 50 days preceding October 1, 1966, is not counted in determining the 60 days of coverage and, therefore, the coinsurance amount (see § 405.115) is not applicable with respect to any payment for the 40 days of services for which C is entitled to have payment made on his behalf with respect to services furnished before 1968. If C's first spell of illness is continuing after December 31, 1967, the 50 days subject to deduction will be restored to him and he will be eligible, with respect to services furnished after such date, to have payment made for up to 110 additional days of inpatient hospital services during such spell of illness (i.e., the restored 50 days plus the 60 additional days of entitlement—see § 405.110(a)). The coinsurance amounts discussed in § 405.115 would, of course, be applicable with respect to such services furnished after the 60th day in this spell of illness (see § 405.111(b).

EXAMPLE 3: D is a patient of an institution that is not a qualified psychiatric hospital on August 1, 1966, the first day for which he is entitled to hospital insurance benefits, and has been a patient of the nonqualifying hospital for the 1 year preceding August 1, 1966. Several days later D is transferred to a participating psychiatric hospital. Payment may be made (with respect to services furnished before 1968) for up to 90 days of inpatient hospital services after such transfer since inpatient hospital services received in a nonqualifying hospital in the period preceding entitlement are not considered for the purposes of determining the spell of illness limitation. If D's first spell of illness is continuing after December 31, 1967, he will be eligible, with respect to services furnished after such date, to have payment made for an additional 60 days of inpatient hospital services (including inpatient psychiatric hospital services) during such spell of illness (see § 405.110).

§ 405.112 Inpatient hospital services: services considered for purposes of benefit limitations.

(a) For purposes of determining the 90-day or 150-day benefit limitation described in § 405.110(c), or § 405.111, or the 190-day benefit limitation described in § 405.110(d), inpatient hospital services are taken into account only if one or more of the following conditions apply to such services:

(1) Payment is made with respect to such services;

(2) Payment would be made for such services except for failure to comply with the request and certification requirements described in § 405.152 or § 405.160; or

(3) Payment cannot be made for such services because of the deductible or coinsurance requirements described in §§ 405.113 and 405.115.

(b) Notwithstanding the provisions of paragraph (a) of this section, days after the 90th day on which an individual is furnished inpatient hospital services during a spell of illness are not taken into account in determining the benefit limitation discussed in this section, if the individual has elected not to have payment made for such days (see § 405.110(a)(2)) or the daily charge for such days is equal to or less than the applicable coinsurance amount (see § 405.115(a)(2)).

§ 405.113 Inpatient hospital services; deductible.

(a) *Spell of illness beginning prior to 1969.* The amount payable for inpatient hospital services (see §§ 405.150, 405.151, and 405.158) furnished to an individual during any spell of illness beginning prior to 1969 is reduced (but not below zero) by an amount equal to the lesser of:

(1) $40; or

(2) The charges imposed with respect to such services or the customary charges for such services, whichever is greater.

(b) *Spell of illness beginning after 1968.* Between July 1 and October 1 of 1968, and of each year thereafter, the Secretary shall determine the amount of the inpatient hospital deductible which shall be applicable in the case of any spell of illness beginning during the succeeding calendar year.

5. Section 405.115 is revised to read as follows:

§ 405.115 Inpatient hospital services; coinsurance amount.

(a) In any case in which an individual is furnished inpatient hospital services for more than 60 days during a spell of illness beginning before 1969, the amount payable (see §§ 405.150, 405.151, and 405.158), for the inpatient hospital services furnished after such 60th day during such spell of illness, is reduced by a coinsurance amount equal to:

(1) $10 for each day (or the actual charge when charges are less than $10 a day), after the 60th day and before the 91st day, on which he is furnished such services; plus (with respect to such services furnished after December 1967, during such spell of illness):

(2) $20 for each day after the 90th day and before the 151st day on which he is furnished such services.

(b) Since the inpatient hospital services coinsurance amount is set by law at one-fourth (for days after the 60th day and before the 91st day) and one-half (for entitlement days after the 90th day) of the inpatient hospital services deductible, the coinsurance amount applicable for spells of illness beginning after 1968 will reflect any adjustment made in the deductible (see § 405.113(b)).

6. In § 405.116, paragraphs (b), (d), and (e) are revised to read as follows:

§ 405.116 Inpatient hospital services; defined.

* * * * *

(b) *Bed and board.* The reasonable costs are payable in full for hospital room and board furnished an individual in accommodations containing from two to four beds, or in hospitals in which all accommodations are on a ward basis and charges are not related to the number of beds in a room. The reasonable cost of private accommodations is covered in full only where their use is medically indicated, ordinarily only when a patient's condition requires him to be isolated or when an individual (in need of immediate inpatient hospital care but not requiring isolation) is admitted to a hospital which has no semiprivate or ward accommodations, or at a time when such accommodations are occupied. The reasonable cost of private accommodations will be paid in such cases until the individual's condition does not require him to be isolated or, in the case of the individual not requiring isolation, semiprivate accommodations are available. Where private accommodations are furnished for a patient's comfort, the amount payable under this Subpart A may not exceed the reasonable cost of accommodations containing from two to four beds. Where accommodations less expensive than available accommodations containing from two to four beds are furnished a patient and the use of these accommodations was neither at the request of the patient nor for a reason consistent with the purposes of the Act, the amount payable for bed and board is whichever is less, the reasonable cost of such accommodations, or the reasonable cost of two to four bed accommodations minus the difference between the customary charges for such accommodations and the customary charges for the accommodations furnished.

* * * * *

(d)(1) *Drugs and biologicals.* Drugs and biologicals are included as inpatient hospital services only if they:

(i) Represent a cost to the hospital in rendering such services;

(ii) Are furnished to an inpatient for use in the hospital or, with respect to a limited supply required until the patient can obtain a continuing supply, are deemed medically necessary to permit or facilitate the patient's departure from the hospital; and

(iii) Are ordinarily furnished by such hospital for the care and treatment of inpatients.

(2) *Supplies, appliances, and equipment.* Supplies, appliances, and equipment are included as inpatient hospital services only:

(i) If ordinarily furnished by such hospital for the care and treatment of inpatients, and;

(ii) If furnished to an inpatient for use in the hospital, except in the case of a temporary or disposable item provided to an inpatient for use beyond his hospital stay which is medically necessary to permit or facilitate the patient's departure from the hospital and which is required until such time as the patient can obtain a continuing supply, or in cases where it would be unreasonable or impossible from a medical standpoint to discontinue the patient's use of the item at the time of termination of his stay as an inpatient. (For example, tracheostomy or draining tubes, or cardiac valves and cardiac pacemakers.)

(e) *Diagnostic or therapeutic items or services.* Diagnostic or therapeutic items or services other than those provided for in paragraphs (c), (d), and (f) of this section, are considered as inpatient hospital services if furnished by the hospital, or by others under arrangements made by the hospital under which the billing for such services is made through such hospital and if such services are of a kind ordinarily furnished to inpatients either by such hospital or by others under such arrangements.

* * * * *

7. In § 405.120, paragraphs (a), (b)(2), and (d) are revised to read as follows:

§ 405.120 Posthospital extended care services; scope of benefits.

(a) *Benefits and conditions for entitlement.* (1) An individual who meets the requirements described in § 405.102, is eligible to have payment made on his behalf to a participating extended care facility (see § 405.150) for up to 100 days of extended care services (§ 405.124) furnished to him in a spell of illness if he is admitted to such extended care facility within 14 days (as defined in paragraph (d) of this section) after his discharge from a hospital in which he was an inpatient for not less than 3 consecutive calendar days (as defined in paragraph (c) of this section) and such discharge occurred on or after the first day of the month in which the individual attained age 65, or after June 30, 1966, whichever is later.

(2) For purposes of this section the term "hospital," with respect to hospital discharges occurring on or before December 31, 1967, means a hospital (including a psychiatric or tuberculosis hospital) which meets the requirements of paragraphs (1), (2), (3), (4), (5), and (7) of section 1861(e) of the Act, whether or not it meets the requirements of paragraphs (6) and (8) thereof (see § 405.1001). A nonparticipating psychiatric or tuberculosis hospital need not meet the special requirements which apply to psychiatric and tuberculosis hospitals (see §§ 405.1036–405.1040). With respect to hospital discharges occurring on or after January 1, 1968, such term shall mean a hospital (including a psychiatric or tuberculosis hospital) which meets the requirements described in § 405.152(a)(1).

(b) *Services for which payment is not made.* * * *

(2) Where an individual who has been furnished posthospital extended care services is discharged from the extended care facility, no payment may be made for any subsequent extended care services furnished during such spell of illness unless he is again hospitalized for at least 3 consecutive days and the other conditions in paragraph (a) of this section are met; however, for purposes of this subparagraph, an individual is not deemed to have been discharged from an extended care facility in which he has been receiving posthospital extended care services, if, within 14 days (as defined in paragraph (d) of this section) after discharge therefrom, he is readmitted to the same, or any other, participating extended care facility.

* * * * *

(d) *Fourteen-day period; defined.* For the purposes of paragraphs (a) and (b) of this section, "within 14 days" means the period of 14 consecutive calendar days (including Saturdays, Sundays, legal holidays, and days, all or part of which are declared to be a nonworkday for Federal employees by statute or Executive order) beginning with the calendar day following the day of discharge from the hospital or extended care facility, as appropriate.

* * * * *

8. Section 405.122 is revised to read as follows:

§ 405.122 Posthospital extended care services; services considered for purposes of limitation on days of coverage.

For purposes of the limitation on days of coverage (see §§ 405.120(b) and 405.121), extended care services furnished an individual are taken into account only if one or more of the following conditions apply to such services:

(a) Payment is made with respect to such services;

(b) Payment would be made except for failure to comply with the request for payment and certification requirements described in § 405.165; or

(c) Payment cannot be made for such services because of coinsurance requirements described in § 405.124.

9. In § 405.124, paragraph (a) is revised to read as follows:

§ 405.124 Posthospital extended care services; coinsurance amount.

(a) *Spell of illness beginning before 1969.* In any case in which an individual is furnished posthospital extended care services for more than 20 days during a spell of illness beginning before 1969, the amount payable for posthospital extended care services furnished after such 20th day is reduced by a coinsurance

amount equal to $5 for each day (or the actual charge when charges are less than $5 a day) such services are furnished after the 20th day and before the 101st day on which he is furnished such services during such spell of illness.

* * * * *

10. In § 405.125, paragraphs (a)(6), (a)(7), (c), (d), (e), and (f) are revised to read as follows:

§ 405.125 Extended care services; defined.

(a) *Items and services included.* * * *

(6) Medical services provided by an intern or resident-in-training;

(7) Diagnostic or therapeutic services; and

* * * * *

(c) *Bed and board.* Posthospital extended care facility bed and board is covered in full in accommodations containing two to four beds and in extended care facilities in which all accommodations are on a ward basis and charges are not related to the number of beds in a room. Private accommodations are covered in full only where their use is medically indicated, ordinarily when the patient's condition requires him to be isolated. Where private accommodations are furnished for the patient's comfort and their use is not medically indicated, only the reasonable cost of accommodations containing two to four beds is payable under this Subpart A. Where accommodations less expensive than accommodations containing two to four beds are furnished a patient and the use of these accommodations was neither at the request of the patient nor for a reason consistent with the purposes of the Act, the amount payable for bed and board (not to exceed the reasonable cost of such accommodations) is the reasonable cost of two to four bed accommodations minus the difference between the customary charges for such accommodations and the customary charges for the accommodations furnished.

(d) *Physical, occupational or speech therapy.* Physical, occupational or speech therapy services are considered as extended care services if furnished by the extended care facility or if furnished by others under arrangements with them made by the facility under which the billing for such services is through such extended care facility.

(e)(1) *Drugs and biologicals.* Drugs and biologicals are included as extended care services only if they:

(i) Represent a cost to the extended care facility in rendering such services;

(ii) Are furnished to an inpatient for use in the extended care facility or, with respect to a limited supply required until the patient can obtain a continuing supply, are deemed medically necessary to permit or facilitate the patient's departure from the extended care facility; and

(iii) Are ordinarily furnished by such extended care facility for the care and treatment of inpatients.

(2) *Supplies, appliances, and equipment.* Supplies, appliances, and equipment are included as extended care services only;

(i) If ordinarily furnished by such extended care facility for the care and treatment of inpatients, and;

(ii) If furnished to an inpatient for use in the extended care facility except in the case of a temporary or disposable item provided to an inpatient for use beyond his stay which is medically necessary to permit or facilitate the patient's departure from the extended care facility and which is required until such time as the patient can obtain a continuing supply, or in cases where it would be unreasonable or impossible from a medical standpoint to discontinue the patient's use of the item at the time of termination of his stay as an inpatient. (For example, a brace temporarily attached to the patient's body while he is receiving treatment as an inpatient and which is needed to facilitate departure from the extended care facility.)

(f) *Medical services provided by an intern or resident-in-training.* Medical services provided by an intern or resident-in-training are included as extended care services if provided by an intern or resident-in-training of a hospital with which the extended care facility has in effect an agreement for the transfer of patients and exchange of medical records (see § 405.1133), and under a teaching program of such hospital approved in accordance with the provisions described in § 405.116(f).

* * * * *

11. In § 405.131, paragraphs (a), (c), and (d) are revised to read as follows:

§ 405.131 Posthospital home health services; benefits provided.

* * * * *

(a) To an individual who is under the care of a physician (other than a doctor of podiatry or surgical chiropody);

* * * * *

(c) Within the 1-year period after the individual's most recent discharge from a hospital (as defined in § 405.120 (a)(2)) in which he was an inpatient for at least 3 consecutive days (see § 405.120 (c)), or, if later, after his most recent discharge from an extended care facility in which he was an inpatient and entitled to have payment made for services furnished therein;

(d) Under a plan of treatment, established and periodically reviewed by a physician (other than a doctor of podiatry or surgical chiropody), which was established within 14 days after the date of the individual's discharge specified in paragraph (c) of this section; and

* * * * *

12. Sections 405.141—405.142 are revised to read as follows:

§ 405.141 Outpatient hospital diagnostic services; conditions.

(a) An individual who meets the requirements set forth in § 405.102, is eligible to have payment made on his behalf to a participating hospital (or under the conditions described in §§ 405.152, 405.153, or 405.157) for outpatient hospital diagnostic services (described in § 405.145) furnished to him on or before March 31, 1968, if such items and services:

(1) Are furnished during a diagnostic study (see § 405.144);

(2) Are furnished to him on an outpatient basis;

(3) Are furnished by the hospital or if furnished by others under arrangements made by the hospital, are furnished in the hospital or in other facilities operated by or under the supervision of the hospital or its organized medical staff; and

(4) Are of the type ordinarily furnished by the hospital (or by others under such arrangement described in subparagraph (3) of this paragraph) to the hospital's outpatients for the purposes of diagnostic study.

(b) Diagnostic tests and services furnished on or before March 31, 1968, may also be covered as "medical and other health services" under the supplementary medical insurance benefits plan (see Subpart B of this part if they could not be covered under this Subpart A.

§ 405.142 Outpatient hospital diagnostic services; deductibles.

Any payment under this Subpart A for outpatient hospital diagnostic services furnished during a diagnostic study (see § 405.144) beginning before April 1, 1968, is reduced by:

(a) $20; plus

(b) 20 percent of the reasonable cost for such services in excess of $20.

13. Sections 405.144–405.145 are revised to read as follows:

§ 405.144 Outpatient hospital diagnostic services; diagnostic study defined.

(a) Subject to the provisions of paragraph (b) of this section, a "diagnostic study" for purposes of §§ 405.141 and 405.142 consists of the outpatient hospital diagnostic services provided by (or under arrangements made by) the same hospital during the 20-day period beginning on the first day (not included in a previous diagnostic study) on which the individual meets the requirements described in § 405.102 and on which he is furnished outpatient hospital diagnostic services. The tests and procedures furnished for the purpose of a diagnostic study need not be related to a single illness or condition.

(b) All diagnostic study periods beginning on or after March 12, 1968, and before April 1, 1968, will end as of March 31, 1968, subject to the applicable deductible described in § 405.142.

§ 405.145 Outpatient hospital diagnostic services; defined.

(a) The term "outpatient hospital diagnostic services" includes diagnostic services if furnished under the conditions described in § 405.141. Services of a physician (except services of interns and residents under approved teaching programs—see § 405.522) are excluded. Also excluded are any items or services which would not be included as an "inpatient hospital service" as enumerated in § 405.116 if furnished to an inpatient of a hospital.

(b) Effective with services furnished on or after April 1, 1968, coverage of outpatient hospital diagnostic services is transferred from this Subpart A to the supplementary medical insurance benefits plan described in Subpart B of this part.

14. Sections 405.150–405.152 are revised to read as follows:

§ 405.150 Payment for services furnished; general.

Amounts payable under the provisions described in this Subpart A for inpatient hospital services, posthospital extended care services, posthospital home health services or outpatient hospital diagnostic services furnished to an individual are payable, except as provided in §§ 405.152, 405.153, 405.156, and 405.157, only to a participating provider of services, that is, a provider which has entered into an agreement with the Secretary under the conditions described in Subpart F of this Part 405.

§ 405.151 Payment for services furnished; determination of amount payable based on reasonable cost.

The amount payable to any provider (and under the provisions described in §§ 405.152 and 405.153) with respect to services for which payment may be made under this Subpart A is, subject to the provisions for reducing such payment (see §§ 405.113, 405.114, 405.115, 405.123, 405.124, and 405.142), based on the reasonable cost of such services. The method of determining "reasonable cost" is discussed in Subpart D of this Part 405.

§ 405.152 Payment for services furnished; nonparticipating hospital furnishing emergency services.

(a) Payment (in amounts as determined in accordance with § 405.151) may be made to a hospital even though the hospital is not a participating provider (i.e., it has not entered into an agreement with the Secretary, pursuant to section 1866 of the Act—see § 405.606) if:

(1) The hospital meets the requirements of section 1861(e) (5) and (7) of the Act (see § 405.1001(a)), and:

(i) Is primarily engaged in providing under the supervision of a doctor of medicine or osteopathy the services described in section 1861(e)(1); and

(ii) Is not primarily engaged in providing the services described in section 1861(j)(1)(A) (see § 405.1101(a));

(2) The services furnished are emergency services (see paragraph (b) of this section) furnished an individual who meets the requirements of § 405.102;

(3) The services are furnished by the hospital or by others under an arrangement made by the hospital;

(4) The hospital agrees to comply, with respect to the services furnished, with the provisions of Subpart F of this Part 405 regarding the charges for such services which may be imposed on the individual or any other person, and the return of any money incorrectly collected;

(5) The hospital has filed and the Administration has accepted (with respect to services furnished after December 31, 1967), the hospital's election to claim payment from the health insurance program for all emergency services furnished in a calendar year under title XVIII of the Act (see § 405.658);

(6) Written request for payment is filed by, or on behalf of the individual to whom such services were furnished;

(7) Payment for the services would have been made if an agreement under § 405.606 had been in effect with the hospital and the hospital otherwise met the conditions for payment;

(8) The hospital's claim for payment is filed with the Administration and is accompanied (attached thereto or as part thereof) by a physician's statement describing the nature of the emergency and stating that the emergency services rendered were necessary to prevent the death of the individual or the serious impairment of his health. The statement must be sufficiently comprehensive to support a finding (see § 405.191) that an emergency existed. Where the hospital files a second or subsequent claim with respect to such emergency situation, such second or subsequent claim must be accompanied by a physician's statement containing sufficient information to indicate clearly that the emergency situation still existed. When inpatient hospital services are involved, an initial or subsequent physician's statement (as appropriate) must include the date when, in the physician's judgment, the emergency ceased.

(b) For purposes of the hospital insurance benefits program, "emergency services" are those inpatient hospital services (see § 405.116) and outpatient hospital diagnostic services (furnished before April 1968—see § 405.145) which are necessary to prevent the death or serious impairment of the health of the individual, and which, because of the threat to the life or health of the individual, necessitate the use of the most accessible hospital (see § 405.192) available and equipped to furnish such services. (With respect to outpatient hospital services furnished on or after April 1, 1968—see § 405.249.)

15. In § 405.153, paragraph (c) is revised to read as follows:

§ 405.153 Payment for services; hospital outside the United States furnishing emergency services.

* * * * *

(c) The conditions set forth in § 405.152(a) (4) and (7) are met.

16. Sections 405.156–405.158 are added to read as follows:

§ 405.156 Payment to entitled individual for services furnished by a nonparticipating hospital; inpatient admission before January 1, 1968.

(a) Subject to the conditions and limitations in the succeeding paragraphs of this section an individual may, with respect to an inpatient hospital admission before January 1, 1968, receive payment (see § 405.158) on the basis of an itemized hospital bill for inpatient hospital services furnished by (or under arrangements made by) a hospital after June 1966, if at the time such services were furnished:

(1) The individual met the conditions for entitlement to hospital insurance benefits under the provisions described in this Subpart A (see § 405.102);

(2) The hospital did not have an agreement in effect pursuant to the provisions of § 405.606 (relating to provider agreements for participation in the health insurance program) but would have been eligible, subject to the conditions and limitations set out in this Part 405 and title XVIII of the Act, to receive payment with respect to such services if at the time such services were furnished the hospital had such an agreement in effect;

(3) The hospital met the requirements of section 1861(e) (5) and (7) of the Act (see § 405.1001(a)) and (i) was primarily engaged in providing under the supervision of a doctor of medicine or osteopathy the services described in section 1861(e)(1) and (ii) was not primarily engaged in providing the services described in section 1861(j)(1)(A) of the Act (see § 405.1101(a));

(4) The hospital did not meet the requirements that must be met to permit payment to be made to the hospital under the provisions of this Subpart A; and

(5) Written application for payment is filed with the Administration before January 1, 1969, by or on behalf of the individual to whom the services were furnished.

(b) Benefits may be paid to an individual pursuant to paragraph (a) of this section for:

(1) 20 days of inpatient hospital services furnished during a spell of illness, less 1 day for each day in excess of 70 days for which the individual is otherwise entitled to have payment made under this Subpart A during such spell of illness; or

(2) 90 days of inpatient hospital services furnished during a spell of illness, less 1 day for each day for which the individual is otherwise entitled to have payment made under this Subpart A during such spell of illness, but only if the hospital furnishing such services enters into an agreement pursuant to § 405.606 before January 1, 1969, and furnishes to the Administration (with respect to the individual's application for payment) a determination pursuant to the hospital's utilization review plan (see § 405.1035) regarding the need for more than 20 days of inpatient hospital services during such spell of illness.

(c) Benefits may not be paid to an individual pursuant to paragraph (a) of this section for expenses incurred for items or services that are paid for directly, or indirectly, by any governmental entity (e.g., services which have been paid for by a public welfare plan or program, or services furnished by a Federal hospital).

§ 405.157 Payment to entitled individual for emergency services furnished after 1967.

An individual entitled to hospital insurance benefits (see § 405.102) may receive payment on the basis of an itemized hospital bill (see § 405.158) for inpatient

hospital services furnished with respect to an admission to the hospital on or after January 1, 1968, and for outpatient hospital diagnostic services furnished on or after January 1, 1968, and before April 1, 1968, if:

(a) The services are furnished by a nonparticipating hospital and would otherwise constitute emergency services for which payment may be made under the provisions of § 405.152, if such hospital had filed, and the Administration had accepted, the hospital's election to claim payment for all such emergency services; and

(b) Written application for payment is filed with the Administration by, or on behalf of, the individual to whom the services were furnished.

§ 405.158 Payment to entitled individual; determination of amount payable for services furnished by a nonparticipating hospital.

(a) *Inpatient hospital services.* (1) The amount payable to any individual with respect to payment under this Subpart A for inpatient hospital services (including emergency inpatient services) furnished by a nonparticipating hospital (see §§ 405.156 and 405.157) is, subject to the provisions of §§ 405.113 through 405.115 for reducing such payment, equal to 60 percent of the hospital's reasonable charges for routine services furnished in accommodations occupied by the individual, or in accommodations containing from two to four, whichever is less; plus

(2) 80 percent of the reasonable charges for ancillary services. If the hospital does not make separate charges for such routine and ancillary services, payment (subject to the applicable deductions) will be equal to two-thirds of the hospital's reasonable charges for the inpatient services received, not to exceed charges based on accommodations containing from two to four beds.

(b) *Emergency outpatient hospital diagnostic services.* The amount payable to any individual with respect to payment under this Subpart A for emergency outpatient hospital diagnostic services furnished by a nonparticipating hospital on or after January 1, 1968, and before April 1, 1968 (see § 405.157) is, subject to the provisions of § 405.142 for reducing such payment, equal to 80 percent of the hospital's reasonable charge for such services.

(c) *Routine and ancillary services; defined.* For purposes of this section the term "routine services" means the regular room, dietary and nursing services, minor medical and surgical supplies, and the use of equipment and facilities for which a separate charge is not customarily made. Charges for two to four bed accommodations or the accommodations occupied, whichever is less, will be the basis for the routine charges allowed. The term "ancillary services" means those covered special services for which charges are customarily made over and above those for routine services.

17. In § 405.160, paragraphs (a), (1), (2), (b), (1), (2), (c), (1), and (2) are revised to read as follows:

§ 405.160 Payment to participating hospital for inpatient hospital services; conditions for payment.

(a) *Inpatient hospital services.* Payment may be made to a participating hospital for inpatient hospital services (other than inpatient psychiatric or tuberculosis hospital services) furnished an individual if:

(1) Written request for payment is filed by, or on behalf of the individual to whom the services were furnished;

(2) When required, a physician (other than a doctor of podiatry or surgical chiropody) certifies and recertifies (see Subpart P of this part) that such inpatient hospital services were required to be given on an inpatient basis for the individual's medical treatment, or that inpatient diagnostic study was medically required and the services were necessary for such purpose; and

* * * * *

(b) *Inpatient psychiatric hospital services.* Payment may be made to a participating hospital for inpatient psychiatric hospital services furnished an individual if:

(1) Written request for payment is filed by or on behalf of the individual to whom the services were furnished;

(2) When required, a physician (other than a doctor of podiatry or surgical chiropody) certifies and recertifies (see Subpart P of this part) that such inpatient psychiatric hospital services were required to be given on an inpatient basis, by or under the supervision of a physician, for the psychiatric treatment of the individual, and

* * * * *

(c) *Inpatient tuberculosis hospital services.* Payment may be made to a participating hospital for inpatient tuberculosis hospital services furnished an individual if:

(1) Written request for such payment is filed by or on behalf of the individual to whom the services were furnished;

(2) When required, a physician (other than a doctor of podiatry or surgical chiropody) certifies and recertifies (see Subpart P of this part), that such services were required to be given on an inpatient basis, by or under the supervision of a physician, for the treatment of tuberculosis and such treatment could reasonably be expected to improve the condition or render the condition noncommunicable;

* * * * *

18. In § 405.161, paragraphs (a) and (a)(2) are revised to read as follows:

§ 405.161 Payment for inpatient hospital services; furnished after 90- or 150-day limit or after 190-day limit.

(a) Even though an individual is not entitled to have payment made under this Subpart A for inpatient hospital services because of the 90-day or up to 150-day (as appropriate) benefit limitation for a spell of illness as described in § 405.110(c), or the 190-day lifetime benefit limitation on inpatient psychiatric hospital services see § 405.110(d), payment may be made for the inpatient hospital services furnished after such 90th or 150th day or after such 190th day in the case of inpatient psychiatric hospital services if:

* * * * *

(2) The individual has exhausted the additional 60 days of inpatient hospital services for which he is entitled to have payment made (see § 405.110(a)(2)) and payment is precluded only because of the limitations on days of services discussed in §§ 405.110–405.112 inclusive;

* * * * *

19. Sections 405.162–405.163 are revised to read as follows:

§ 405.162 Prohibition against payment for inpatient hospital services furnished after utilization review finding that further services are not medically necessary.

Where pursuant to a system of utilization review (see § 405.1035), a finding has been made that further inpatient hospital services are not medically necessary, payment may be made only for those inpatient hospital services furnished before the fourth day following the day on which the hospital received notice of such finding.

§ 405.163 Prohibition against payment for inpatient hospital services furnished after 20th consecutive day by a hospital which has failed to make timely utilization review.

Where the Secretary has determined that a hospital has substantially failed to make timely utilization review (see § 405.617) in long stay cases and has imposed the limitation on days of services provided in section 1866(d), no payment may be made under this Subpart A for inpatient hospital insurance services furnished by such hospital to any individual after the 20th consecutive day on which such services have been furnished to him if the individual is admitted after the effective date of such determination.

20. In § 405.165, paragraphs (a), (b), and (b)(1) are revised to read as follows:

§ 405.165 Payment for posthospital extended care services; conditions.

* * * * *

(a) Written request for such payment is filed by or on behalf of the individual to whom such services were furnished;

(b) When required, a physician (other than a doctor of podiatry or surgical chiropody) certifies and recertifies (see Subpart P of this part) that such services were required to be given on an inpatient basis because the individual needed skilled nursing care on a continuing basis:

(1) For any of the conditions with respect to which he was receiving inpatient hospital services (or services which would constitute inpatient hospital services if the institution had met the necessary requirements relating respectively to a utilization review plan (see § 405.1035) and such other requirements as the Secretary finds necessary in the interest of health and safety (see

§ 405.1001 et seq) for qualification as a "hospital") prior to transfer to the extended care facility; or

* * * * *

21. Sections 405.166–405.167 are revised to read as follows:

§ 405.166 Prohibition against payment for posthospital extended care services furnished after a utilization review finding that services are not medically necessary.

Where pursuant to a system of utilization review (see § 405.1137), a finding has been made that further posthospital extended care services are not medically necessary, payment may be made only for those posthospital extended care services furnished before the fourth day following the day on which the extended care facility received notice of such finding.

§ 405.167 Prohibition against payment for services furnished by a facility which fails to make timely utilization review.

Payment may not be made for posthospital extended care services furnished an individual on any day after the 20th consecutive day on which such services have been furnished the individual, if such individual is admitted to the extended care facility after the effective date of the Secretary's determination (which can be effective only after notice to the facility and the hospital or hospitals with which it has a transfer agreement, and to the public) that such facility has substantially failed to make timely utilization review (see § 405.617) of long stay cases, and that payment for posthospital extended care services is to be so limited. For prohibition against payment for inpatient hospital services furnished after failure to make timely utilization review, see § 405.163.

22. In § 405.170, paragraphs (a), (b), (b)(3), and (b)(4) are revised to read as follows:

§ 405.170 Payment for posthospital home health services; conditions.

* * * * *

(a) Written request for such payment is filed by or on behalf of the individual to whom such services are furnished;

(b) When required, a physician (other than a doctor of podiatry or surgical chiropody) certifies and recertifies (see Subpart P of this part) that:

* * * * *

(3) A plan for furnishing such services to such individual has been established and is periodically reviewed by a physician (other than a doctor of podiatry or surgical chiropody); and

(4) The services were furnished while the individual was under the care of a physician (other than a doctor of podiatry or surgical chiropody).

23. Section 405.175 is revised to read as follows:

§ 405.175 Payment to participating hospital for outpatient hospital diagnostic services; conditions.

Payment may be made to a participating hospital for outpatient hospital diagnostic services furnished before April 1968 (see §§ 405.141–405.145), only if:

(a) Written request for such payment is filed by or on behalf of the individual to whom such services were furnished; and (in the case of such services furnished before January 3, 1968);

(b) A physician (other than a doctor of podiatry or surgical chiropody) certifies (see Subpart P of this part) that such services were required for diagnostic study.

24. Sections 405.191 and 405.192 are added to read as follows:

§ 405.191 Emergency services; finding that an emergency existed and/or has ceased.

(a) *General.* Payment to a nonparticipating hospital for emergency services (as defined in § 405.152(b)) can be made only for the period during which the emergency exists.

(b) *Objective.* The objective of paragraph (a) of this section is to limit reimbursement for emergency inpatient hospital services only to periods during which the patient's state of injury or disease is such that a health or life-endangering emergency existed and continued to exist, requiring immediate care which could only be provided in a hospital.

(1) The finding that an emergency existed and/or has ceased will ordinarily be supported by medical evidence including the attending physician's supporting statement (see § 405.152(a)(8)) and, when appropriate, information furnished by the hospital. However, a statement by the physician or hospital that an emergency existed, in the absence of sufficient medical information to establish the actual emergency, will not constitute sufficient evidence of the existence of an emergency.

(2) An emergency no longer exists when it becomes safe from a medical standpoint to move the individual to a participating hospital or other institution, or to discharge him.

(3) Existence of medical necessity for emergency services is based on the physician's assessment of the patient prior to admission to the hospital. Therefore, conditions developing after a nonemergent admission are not considered emergency services for purposes of this subparagraph.

(4) Death of the patient during hospitalization will not necessarily establish the existence of an emergency, as some chronically ill patients, while requiring long terminal hospitalization, are not in need of immediate hospitalization, so that care in a participating hospital can be planned. Similarly, lack of adequate care at home does not necessarily establish need for emergency services.

(5) Lack of transportation to a participating hospital does not constitute a reason for emergency hospital admission, unless there is also an immediate threat to the life and health of the patient.

§ 405.192 Emergency services; finding of accessibility.

(a) *General.* Services, to be emergency services (as defined in § 405.152(b)), must be furnished by the most accessible hospital available and equipped to furnish such services.

(b) *Objectives.* The objective of the requirement in paragraph (a) of this section is to limit reimbursement for emergency inpatient hospital services provided by nonparticipating hospitals to situations where transport of the patient to a participating hospital would have been medically inadvisable, e.g., the participating hospital would have taken longer to reach and the patient's condition necessitated immediate admission for hospital services; and for so long as that condition precluded the patient's discharge or removal to a participating hospital.

(1) In emergency situations, time is a crucial factor and the patient must ordinarily receive hospital care as soon as possible. Under such circumstances, all factors must be considered which bear on whether or not the required care could be provided sooner in the nonparticipating hospital than in a participating hospital in the general area. The determination must take account of such matters as relative distances of the participating and nonparticipating hospitals, the transportation facilities available to these hospitals, the quality of the roads to each hospital, the availability of beds at each hospital, and any other relevant factors. All of these factors are pertinent to a determination of whether a hospital is "the nearest," or "further away," or "closer to" the place where the emergency occurred.

(2) The considerations referred to in subparagraph (1) of this paragraph are generally applicable to rural areas, where hospitals are likely to be spaced far apart. In urban and suburban areas, where both participating and nonparticipating hospitals are similarly available, it will be presumed that the services could have been provided in a participating hospital. This presumption can be overcome only by clear and convincing evidence showing the medical or practical necessity in each individual case for taking the patient to a nonparticipating hospital instead of a similarly available participating hospital.

(3) There are some situations requiring prompt removal of a patient to a hospital but in which there was no immediate need, of the kind described in subparagraph (1) of this paragraph, to rush the patient to a hospital, i.e., his condition, while requiring prompt attention in a hospital, indicated there was some time available to get him to one. In such cases the services provided in a nonparticipating hospital are not covered as emergency inpatient hospital services if there was a participating hospital in the same general area but further away from the place where the emergency occurred, provided that professional judgment confirms that the additional time required to take the patient to the participating hospital would not have been hazardous to the patient.

(4) The determination whether the nonparticipating hospital which claims reimbursement is the most "accessible"

hospital will be made on the basis of the considerations set forth in paragraphs (c) and (d) of this section; interpreted in accordance with the statement of objectives in this paragraph (b). The personal preference of a patient, or of his physician, or of members of his family, or others, in the selection of a hospital, will not be considered a factor in determining whether services were furnished by the most accessible hospital. Nor will the nonavailability of staff privileges to the attending physician in a participating hospital which is available and most accessible to the patient, or the location of previous medical records, be considered a factor in the determination of accessibility.

(c) *Conditions under which the accessibility requirement will be met.* Where an individual must be taken to a hospital immediately for required diagnosis or medical treatment, the accessibility requirement will be met, except as provided in paragraph (d) of this section, if it is established to the satisfaction of the Administration that:

(1) The nonparticipating hospital which furnished the emergency services is the nearest hospital to the point at which the emergency occurred (subject to the presumption contained in paragraph (b)(2) of this section); and, if there is a similarly available participating hospital, the evidence shows the medical or practical necessity for taking the patient to a nonparticipating hospital; or

(2) One or both of the following reasons apply:

(i) No closer participating hospital has a bed available or will accept the individual; or

(ii) The nonparticipating hospital is the nearest one equipped medically to deal with the type of emergency involved; or it is the nearest hospital which is equipped to handle the emergency which had a bed available when the emergency occurred.

(d) *Conditions under which the accessibility requirement will not be met.* The accessibility requirement will not be met if:

(1)(i) The diagnosis in the emergency claim or other evidence indicates there was some time for getting the individual to a hospital, and no immediate need to rush him to one; and

(ii) There is a participating hospital in the area which is further away from the point at which the emergency occurred than the nonparticipating hospital, but is equipped to handle such an emergency; and

(iii) The additional time it would have required to take the individual to the participating hospital would not have been hazardous to the patient; or

(2) There is a participating hospital, equipped to handle the emergency with a bed available, closer to where the emergency occurred than the nonparticipating hospital in which the beneficiary received emergency services; and neither of the reasons described in paragraph (c)(2) of this section apply.

[F.R. Doc. 69-7812; Filed, July 2, 1969; 8:45 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 Surplus Property for Zoning and Acquisition Purposes

NOTE: Due to inadvertent errors, this document which formerly appeared in the issue for Thursday, June 26, 1969, at page 9858, is being republished.

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 offering 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 nonprofit 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 purposes.

(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)

Notice is hereby given that the ----------, (Name of property) ----------, has been determined (Location) 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 stripe, 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: [1]

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.[3]

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), before ---------- Standard (Hour and zone) Time, ------, ----------[2] 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) 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 ----------, ----------[4] (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 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:

[1] List only the statutes (showing type of disposal) applicable to disposal to public bodies of the property determined to be surplus.

[2] This date shall be 20 calendar days after the date of the notice.

[3] List only for properties having an estimated fair market value of $10,000 or more.

[4] Delete this paragraph whenever property is not available for transfer for an educational or public health use.

§ 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.
(Location)

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.[1]

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.

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

[1] Attach as many copies of the notice as may be anticipated will be required for adequate posting.

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 95—CITIZENS RADIO SERVICE

Miscellaneous Amendments

Order. 1. The Commission has before it the desirability of making certain editorial changes in its Citizens Radio Service Rules to clarify the meaning of § 95.37 and to delete from § 95.41 a frequency availability footnote which is no longer pertinent.

2. Authority for the amendments is contained in sections 4(i), 5(d)(1), and 303 of the Communications Act of 1934, as amended. Because the amendments are editorial in nature, the prior notice and effective date provisions of section 4 of the Administrative Procedure Act, 5 U.S.C. 553, do not apply.

3. *It is ordered,* That Part 95 of the rules and regulations is amended as set forth below effective July 3, 1969.

(Secs. 4, 5, 303, 48 Stat. as amended, 1066, 1068, 1082; 47 U.S.C. 154, 155, 303)

Adopted: June 30, 1969.

Released: June 30, 1969.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

Part 95 of the Commission's rules is amended as follows:

1. In § 95.37, paragraph (a)(2) is amended to read as follows:

§ 95.37 **Limitations on antenna structures.**

(a) * * *

(2) The antenna structures proposed to be erected will exceed an overall height of 1 foot above the established airport (landing area) elevation for each 200 feet of distance or fraction thereof from the nearest boundary of such landing area except where the antenna does not exceed 20 feet above the ground or where the antenna is mounted on top of an existing manmade structure, other than an antenna structure, or natural formation and does not increase the overall height of such manmade structure or natural formation by more than 20 feet. Application for Commission approval, if required, shall be submitted on FCC Form 400.

* * * * *

§ 95.41 [Amended]

2. Section 95.41(a)(1) is amended by the deletion of footnote 1.

[F.R. Doc. 69–7870; Filed, July 2, 1969; 8:48 a.m.]

Title 49—TRANSPORTATION

Chapter X—Interstate Commerce Commission

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[Rev. S.O. 1029]

PART 1033—CAR SERVICE

Delaware and Hudson Railway Co. Authorized To Operate Over Tracks of Penn Central Co.

Revised Service Order No. 1029, supersedes Service Order No. 1029.

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 27th day of June 1969.

It appearing, that because abandonment of the Albany Union Passenger Station and removal of the passenger train interchange tracks between the Delaware and Hudson Railway Co. and the Penn Central Co. at Albany, N.Y., these railroads are unable to interchange passenger trains at Albany, N.Y.; that the Delaware and Hudson Railway Co., in Finance Docket No. 25677, has requested that the Commission authorize operation by the Delaware and Hudson Railway Co. over tracks of the Penn Central Co. between Penn Central Co. milepost 142.4 in the vicinity of Rensselaer, N.Y., and milepost 160.0 in the vicinity of Schenectady, N.Y., pending final disposition by the Commission of the application of the Delaware and Hudson Railway Co. in Finance Docket No. 25677:

It is ordered, That:

§ 1033.1029 **Service Order No. 1029.**

(a) *Delaware and Hudson Railway Co. authorized to operate over tracks of Penn Central Co.* The Delaware and Hudson Railway Co. be, and it is hereby, authorized to operate over tracks of the Penn Central Co. between Penn Central Co. milepost 142.4 in the vicinity of Rensselaer, N.Y., and milepost 160.0 in the vicinity of Schenectady, N.Y.

(b) *Application.* The provisions of this order shall apply to intrastate and foreign traffic as well as to interstate traffic.

(c) *Rules and regulations suspended.* The operation of all rules and regulations, insofar as they conflict with the provisions of this order, is hereby suspended.

(d) *Effective date.* This order shall become effective at 12:01 a.m., June 29, 1969.

(e) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., November 30, 1969, unless otherwise modified, changed, or suspended by order of this Commission.

(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 secs. 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 order 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. 69–7878; Filed, July 2, 1969; 8:49 a.m.]

[S.O. 1030]

PART 1033—CAR SERVICE

Chicago, Rock Island and Pacific Railroad Co. Authorized To Operate Over Tracks of Atchison, Topeka and Santa Fe Railway Co.

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 27th day of June 1969.

It appearing, that because of track damage from flooding, the Atchison,

Topeka and Santa Fe Railway Co. is unable to serve shippers located on its line in Alma, Kans.; that the Chicago, Rock Island and Pacific Railroad Co. has agreed to serve industries located on the Atchison, Topeka and Santa Fe Railway Co. at Alma, Kans.; that the Commission is of the opinion that operation by the Chicago, Rock Island and Pacific Railroad Co. over tracks of The Atchison, Topeka and Santa Fe Railway Co. is necessary in the interest of the public and the commerce of the people; that notice and public procedure herein are impractical and contrary to the public interest; and that good cause exists for making this order effective upon less than 30 days' notice:

It is ordered, That:

§ 1033.1030 Service Order No. 1030.

(a) *Chicago, Rock Island and Pacific Railroad Co. authorized to operate over tracks of the Atchison, Topeka and Santa Fe Railway Co.* The Chicago, Rock Island and Pacific Railroad Co. be, and it is hereby authorized, to operate over tracks of the Atchison, Topeka and Santa Fe Railway Co. at Alma, Kans.

(b) *Application.* The provisions of this order shall apply to intrastate and foreign traffic, as well as to interstate traffic.

(c) *Rates applicable.* Inasmuch as this operation by the Chicago, Rock Island and Pacific Railroad Co. over tracks of the Atchison, Topeka and Santa Fe Railway Co. is deemed to be due to carrier's disability, the rates applicable to traffic moved by the Chicago, Rock Island and Pacific Railroad Co. over these tracks of the Atchison, Topeka and Santa Fe Railway Co. shall be the rates which were applicable on the shipments at the time of shipment as originally routed.

(d) *Effective date.* This order shall become effective at 12:01 a.m., June 28, 1969.

(e) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., September 30, 1969, unless otherwise modified, changed, or suspended by order of this Commission.

(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 secs. 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 order 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. 69–7877; Filed, July 2, 1969; 8:49 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 967]

CELERY GROWN IN FLORIDA

Marketable Quantity for 1969–70 Season; Uniform Percentage; and Limitation on Handling

Notice is hereby given that the Secretary of Agriculture is considering the approval of a limitation of shipments regulation, hereinafter set forth, which was recommended by the Florida Celery Committee, established pursuant to Marketing Agreement No. 149 and Order No. 967, both as amended (7 CFR Part 967; 33 F.R. 17845), regulating the handling of celery grown in Florida. This program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

All persons who desire to submit written data, views or arguments in connection with this proposal should file the same, in four copies, with the Hearing Clerk, Room 112–A, U.S. Department of Agriculture, Washington, D.C. 20250, not later than the 15th day 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 annual production from the acreage planted recently in Florida and California has readily exceeded the demand capacity of the United States, Canada, and the export market without some type of weather difficulty.

The amount of Florida celery marketed during the last three seasons has been 7,702,000 crates, 7,248,000 crates, and 7,600,000 crates respectively. During these same 3 years approximately the following acres have been abandoned for economic reasons alone—1,400, 745, and 200.

It is estimated Florida celery producers will plant 13,000 acres in 1969–70, 9 percent above last season's acreage. With an average yield of 670 crates per acre there would be a potential supply of 8,710,000 crates. Under normal conditions Florida cannot reasonably expect to market such an amount economically.

For these and other reasons contained in the Committee's Marketing Policy Statement it is believed that these regulations are necessary to maintain orderly marketing.

The proposal is as follows:

§ 967.305 Marketable quantity for 1969–70 season; uniform percentage; and limitation on handling.

(a) The Marketable Quantity for the 1969–70 season is established, pursuant to § 967.36(a), as 7,887,375 crates.

(b) As provided in § 967.38(a), the Uniform Percentage for the 1969–70 season is determined as 84.312 percent.

(c) During the season August 1, 1969, through July 31, 1970, no handler may handle, as provided in § 967.36(b)(1), any harvested celery unless it is within the Marketable Allotment for the producer of such celery.

(d) No reserve for Base Quantities for the 1969–70 season is established.

(e) Terms used herein shall have the same meaning as when used in the said amended marketing agreement and order.

Dated: June 27, 1969.

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

[F.R. Doc. 69–7861; Filed, July 2, 1969; 8:48 a.m.]

[7 CFR Part 1013]

[Docket No. AO–286–A14]

MILK IN SOUTHEASTERN FLORIDA MARKETING AREA

Decision and Order To Terminate Proceeding on Proposed Amendments to Tentative Marketing Agreement and to Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held at Fort Lauderdale, Fla., on January 9–11, 1968, pursuant to notice thereof issued on December 29, 1967 (33 F.R. 78).

Upon the basis of the evidence introduced at the hearing and the record thereof, the Deputy Administrator, Regulatory Programs, on April 25, 1969 (34 F.R. 7173; F.R. Doc. 69–5190) filed with the Hearing Clerk, U.S. Department of Agriculture, his recommended decision containing notice of the opportunity to file written exceptions thereto.

The material issue, findings and conclusions and rulings of the recommended decision (34 F.R. 7173; F.R. Doc. 69–5190) are hereby approved and adopted and are set forth in full herein.

The material issue on the record of the hearing relates to the adoption of a Class I base plan.

Findings and conclusions. The following findings and conclusions on the material issue are based on evidence presented at the hearing and the record thereof:

The Southeastern Florida order should not be amended to provide for a Class I base plan.

The order now provides for the distribution of total returns from producer milk through the payment of a uniform price, which is the same for each producer for all his milk. Independent Dairy Farmers' Association (IDFA) proposes that such returns be distributed through a Class I base plan under which producers would receive approximately the Class I price for their "base" deliveries and approximately the Class III price for deliveries in excess of their base. Under their plan, a producer's base would reflect his proportionate share of the Class I sales in the market based on his deliveries relative to the total producer milk pooled during a representative period.

IDFA represents 74 of the 88 producers under the order and markets 75 to 80 percent of the total producer milk. As the marketing agent for its members, IDFA assumes the role of balancing milk supplies, both on a seasonal and day-to-day basis, with the fluid milk requirements of handlers. This entails importing milk into the market when local supplies are short and disposing of supplies that are in excess of handlers' needs.

Since 1961, IDFA has operated a type of Class I base plan outside the order to encourage members to adjust their production to the needs of the market. The institution of their plan followed the removal from the order of a seasonal base-excess plan, which was considered to have stimulated excessive production because of a "race for base" by producers. IDFA claims that its plan places members at an economic disadvantage compared to other producers on the market, since the plan applies only to its members.

It points out that the other producers, being outside the plan, receive for all their milk the order uniform price, which in 1968 averaged $6.96.[1] When these producers increase their production, they receive the uniform price on the additional milk also. Its members, IDFA indicates, do not. Although IDFA receives for its members the order uniform price for all their milk, these returns are redistributed to the members through their Class I base plan. Members receive approximately the Class I price for base milk and approximately the Class III price for milk exceeding their base, IDFA stated. Under the order, Class I and Class III prices averaged $7.31 and $4.32, respectively, in 1968. IDFA stresses that any additional production by a member already producing his base returns to him only the lower price. It is this difference—approximately $2.64 in 1968—in returns to members and to other producers for additional milk production,

[1] Official notice is taken of the Southeastern Florida order monthly statistical releases issued after the close of the hearing which provide market data for 1967 and 1968 that were not available at the time of the hearing.

IDFA argues, that results in the economic disadvantage to members.

IDFA states that if a Class I base plan is not incorporated in the order it may be forced to abandon its present base plan. It considers the use of a Class I base plan essential, however, to the orderly balancing of milk supplies with demand in this market and urges the adoption of such a plan under the order.

The 14 producers in the market who are not IDFA members oppose a Class I base plan. Of these 14 producers, 10 are members of Home Milk Producers Association (HMPA), a cooperative which bottles milk and manufactures cottage cheese and ice cream at its own plant. The four remaining Southeastern Florida producers are corporate farms owned and operated by the same person. He and an HMPA member testified concerning their operations.

Production in December 1964 through March 1965 of the HMPA member who testified was 4.4 million pounds. In 1967, he expanded his production facilities by an investment of $160,000 in additional land and cows. He estimated that due primarily to the expansion, his December 1967–March 1968 production would be about 5.7 million pounds, an increase of 30 percent over the comparable 1964–65 period. The increase in production by all Southeastern Florida producers during this period was 11 percent.

The owner of the four corporate farms relocated one farm operation in June 1967, involving an investment of more than $900,000 in land, new buildings and equipment, and 450 additional cows. With the new facility in operation, total production on the four farms in October 1967 was 5 million pounds, 35 percent more than their October 1965 production of 3.7 million pounds. Total production of all other Southeastern Florida producers increased 8 percent in the same 2-year period.

Production increases such as these have been of particular concern to IDFA which points out that although it represents 74 of the 88 producers on the market it has, nevertheless, no control over the production of the other 14 Southeastern Florida producers. It argues that the efforts of its members, in operating under a base plan to tailor production to the market's Class I requirements, can be substantially nullified by the increased production of the other producers.

Handlers oppose a Class I base plan for the order. They argue that the basic purpose of such plans is to reduce surpluses and that the Southeastern Florida market has no surplus. The handlers note that the market's Class I utilization of producer milk, which averaged 87 percent for the past 6 years, is among the highest in the country; and that another 5 to 8 percent of the producer milk is used in Class II products. Moreover, handlers argue, a reserve supply of milk—IDFA recommended an amount equal to 12 percent of the Class I sales in the market—is necessary to assure an adequate milk supply for handlers at all times.

Producer receipts under the order in 1968 were 571 million pounds, 13 percent more than the 507 million pounds in 1963. Producer milk used in Class I, which increased 12 percent during this 6-year period, totaled 496 million pounds in 1968, compared with 442 million pounds in 1963. The Class I utilization of producer milk during the past 6 years has approximated 87 percent annually, as shown in the following table.

Year	Producer receipts	Producer milk in Class I	Percentage of producer milk in Class I
	(*Million pounds*)	(*Million pounds*)	(*Percent*)
1963	507	442	87.3
1964	511	445	87.2
1965	530	462	87.2
1966	535	468	87.5
1967	568	491	86.4
1968	571	496	86.9

Although milk production for the Southeastern Florida market has increased, Class I sales have likewise increased. Despite relatively large production increases by some producers, there has been no significant change in the relationship between production for the market and Class I sales. In the past 6 years, the market reserve averaged only 13 percent of producer deliveries. Such a reserve, as the proponent cooperative indicates, is, in fact, needed to assure handlers of an adequate supply of milk for Class I use.

Historically, deliveries of Southeastern Florida producers have not always been adequate to meet the market's Class I needs and milk must be obtained from outside sources. In September through December 1968, handlers imported 6 million pounds of milk. Total imports in 1968 were 8.9 million pounds. In 1967, 1.6 million pounds were imported.

The Food and Agriculture Act of 1965 provided the authority to include Class I base plans in Federal orders. The proposal for a Class I base plan must be considered in relation to the basic purposes of the authorizing statute. The statement of purposes in the statute and the legislative history of the Class I base plan provisions in the statute make it abundantly clear that a principal purpose of the 1965 Act is to reduce surplus milk production. We conclude that there is no milk surplus in the Southeastern Florida market beyond the normal requirement of any market for a minimum reserve to meet daily and weekly fluctuations in sales. Accordingly, the inclusion of a Class I base plan in the Southeastern Florida order is denied at this time.

Rulings on proposed findings and conclusions. Briefs and proposed findings and conclusions were filed on behalf of certain interested parties. These briefs, proposed findings and conclusions and the evidence in the record were considered in making the findings and conclusions set forth above. To the extent that the suggested findings and conclusions filed by interested parties are inconsistent with the findings and conclusions set forth herein, the requests to make such findings or reach such conclusions are denied for the reasons previously stated in this decision.

In accordance with § 900.9(b) of the general regulations with respect to marketing agreements and orders (7 CFR Part 900), an interested party requested in his brief a reversal of the Presiding Officer's denial of a motion for a continuance of the hearing. The party contended that although the legal requirements for notice were met the notice of hearing provided insufficient time to prepare evidence for the hearing. A continuance of the hearing was asked so that certain statistical data could be prepared and presented for inclusion in the record.

The notice for this hearing, which convened on January 9, 1968, was published on January 4, 1968. This provided more than the minimum 3-day notice required by § 900.4(a) of the general regulations. Such notice is considered to be reasonable in the circumstances. The Presiding Officer's ruling on this motion is affirmed.

Rulings on exceptions. In arriving at the findings and conclusions of this decision, each of the exceptions received was carefully and fully considered in conjunction with the record evidence pertaining thereto. To the extent that the findings and conclusions of this decision are at variance with any of the exceptions, such exceptions are hereby overruled for the reasons previously stated in this decision.

Termination order. It is hereby found and determined, on the basis of the findings and conclusions and rulings with respect to the material issue of this proceeding, that the proceeding with respect to proposed amendments to the tentative marketing agreement and to the order is hereby terminated.

Signed at Washington, D.C., on June 30, 1969.

RICHARD E. LYNG,
Assistant Secretary.

[F.R. Doc. 69-7895; Filed, July 2, 1969; 8:51 a.m.]

FEDERAL RESERVE SYSTEM

[12 CFR Parts 204, 213]

[Regs. D, M]

RESERVES OF MEMBER BANKS; FOREIGN ACTIVITIES OF NATIONAL BANKS [1]

Reserves Against Certain Foreign Transactions

The Board of Governors is considering amending Parts 204 and 213 to impose reserve requirements against certain transactions usually involving so-called "Euro-dollars"—deposits of U.S. dollars with banks located outside the United States, including overseas branches of U.S. banks.

[1] Despite the title of Part 213, the conditions, limitations, and restrictions therein are applicable to foreign activities of State-chartered member banks as well as national banks (12 U.S.C. 321, 601).

The proposed amendments are designed to remove a special advantage to member banks of using Euro-dollars for adjustment to domestic credit restraint. The increasing magnitude of this practice has had a distorting influence on credit flows in the United States and abroad.

Specifically, the proposed amendments would:

(1) Establish a 10 percent reserve requirement against (a) borrowings by domestic offices of member banks from their foreign branches and (b) assets of foreign branches acquired from domestic offices of its parent member bank, to the extent that such borrowings and assets exceed the daily average amounts outstanding in the 4 weeks ending May 28, 1969.

(2) Establish a 10 percent reserve requirement against credit extended by a foreign branch of a member bank to U.S. residents, to the extent such credits exceed those in a base period defined as either (a) the amount outstanding on June 25, 1969, or (b) the daily average amount outstanding in the 4 weeks ending May 28, 1969.

(3) Establish a 10 percent reserve requirement on borrowings by member banks from banks abroad that are not denominated as deposits.

Each of the reserve requirements would be maintained by member bank head offices in a manner similar to that applicable to their deposit liabilities generally.

The first two of the proposed requirements would be accomplished by adding a new section to Part 213, as follows:

§ 213.7 Marginal reserve requirements.

(a) *Member bank transactions with foreign branches.* During each week of the 4-week period beginning [the seventh Thursday after the effective date of this paragraph] and each week of each successive 4-week ("maintenance") period, a member bank having one or more foreign branches shall, in addition to the requirements of Part 204 of this chapter (Regulation D), keep on deposit with the Reserve Bank of its district a daily average balance equal to 10 percent of the amount by which the daily average net total of (1) outstanding assets held by its foreign branches which were purchased from its domestic offices and (2) balances due from its domestic offices to its foreign branches, for the 4-week ("computation") period ending on the Wednesday 15 days before the beginning of each maintenance period, exceeds the greater of either (i) the corresponding daily average total for either the 4-week period ending May 28, 1969 or any computation period beginning on or after [the effective date of this paragraph], whichever is least, or (ii) 3 percent of the member bank's average total deposits subject to reserve requirements during the computation period.

(b) *Credit extended by foreign branches to U.S. residents.* During each week of the 4-week period beginning (the seventh Thursday after the effective date of this paragraph) and each week of each successive 4-week maintenance period, a member bank having one or more foreign branches shall, in addition to the requirements of Part 204 of this chapter (Regulation D) and of the preceding paragraph, keep on deposit with the Reserve Bank of its district a daily average balance equal to 10 percent of the amount by which daily average credit outstanding from its foreign branches to U.S. residents (other than assets purchased and balances due from its domestic offices) for the 4-week computation period ending on the Wednesday 15 days before the beginning of each maintenance period exceeds either the corresponding daily average total during the 4-week period ending May 28, 1969 or the total outstanding on June 25, 1969: *Provided*, That this paragraph does not apply with respect to any foreign branch which did not have credit outstanding to U.S. residents exceeding $5 million on any day during the relevant computation period.

The third of the proposed requirements would be accomplished:

§ 204.1 [Amended]

(1) By amending the exemption enumerated (1) in § 204.1(f) (relating to certain promissory notes as deposits) by changing "that is issued to another bank" to read "that is issued to a domestic office of another bank";

§ 204.5 [Amended]

(2) By amending § 204.5(a) by changing "subject to paragraph (b)" to read "subject to paragraphs (b) and (c)"; and

(3) By adding to § 204.5 the following new paragraph:

(c) *Reserve percentage against certain deposits of foreign banks.* Deposits represented by promissory notes, acknowledgments of advance, due bills, or similar obligations of the kind described in § 204.1(f) that are issued to, or undertaken with respect to, a foreign office of another bank shall not be subject to the requirements of paragraph (a) of this section, but a member bank shall maintain on deposit with the Reserve Bank of its district a balance equal to 10 percent of such deposits.

This notice is published pursuant to section 553(b) of title 5, United States Code, and § 262.2(a) of the rules of procedure of the Board of Governors.

To aid in the consideration of this matter by the Board, interested persons are invited to submit relevant data, views, or arguments. Any such material should be submitted in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than July 28, 1969.

Dated at Washington, D.C., this 26th day of June 1969.

By order of the Board of Governors.

[SEAL] ROBERT P. FORRESTAL,
Assistant Secretary.

[F.R. Doc. 69-7840; Filed, July 2, 1969; 8:46 a.m.]

Notices

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Serial No. N-2151]

NEVADA

Notice of Public Sale

JUNE 24, 1969.

Under the provisions of the Public Land Sale Act of September 19, 1964 (78 Stat. 988, 43 U.S.C. 1421–1427), 43 CFR Subpart 2243, a tract of land will be offered for sale to the highest bidder at a sale to be held at 1 p.m., local time, Tuesday, August 5, 1969, at the Nevada Land Office, Room 3104, Federal Building, 300 Booth Street, Reno, Nev. The land is described as follows:

MOUNT DIABLO MERIDIAN, NEVADA

T. 35 N., R. 23 E.,
Sec. 23, NE¼NE¼.

The area described contains 40 acres. The appraised value of the tract is $800 and the estimated publication costs to be assessed are $12.

The land will be sold subject to all valid existing rights and rights-of-way of record, and to a reservation to the United States of a right-of-way, not exceeding 30 feet in width, for roadway and public utility purposes, to be located along the east boundary of the tract. Reservations will be made to the United States for rights-of-way for ditches and canals in accordance with the Act of August 30, 1890 (26 Stat. 391; 43 U.S.C. 945). All minerals are to be reserved to the United States and withdrawn from appropriation under the public land laws, including the general mining laws.

Bids may be made by a principal or his agent, either at the sale, or by mail. An agent must be prepared to establish the eligibility of his principal. Eligible purchasers are: (1) Any individual (other than an employee, or the spouse of an employee, of the Department of the Interior) who is a citizen or otherwise a national of the United States, or who has declared his intention to become a citizen, aged 21 years or more; (2) any partnership or association, each of the members of which is an eligible purchaser, or (3) any corporation organized under the laws of the United States, or any State thereof, authorized to hold title to real property in Nevada.

Bids must be for all the land in the parcel. A bid for less than the appraised value of the land is unacceptable. Bids sent by mail will be considered only if received by the Nevada Land Office, Room 3008 Federal Building, 300 Booth Street, Reno, Nev. 89502, prior to 1 p.m., Tuesday, August 5, 1969. Bids made prior to the public auction must be in sealed envelopes, and accompanied by certified checks, postal money orders, bank drafts, or cashier's checks, payable to the Bureau of Land Management, for the full amount of the bid plus estimated publication costs, and by a certification of eligibility, defined in the preceding paragraph. The envelope must show the sale number and date of sale in the lower left-hand corner: "Public Sale Bid, Sale N-2151, August 5, 1969".

The authorized officer shall publicly declare the highest qualifying sealed bid received. Oral bids shall then be invited in specified increments. After oral bids, if any, are received, the authorized officer shall declare the high bid. A successful oral bidder must submit a guaranteed remittance, in full payment for the tract and cost of publication, before 3:30 p.m. of the day of the sale.

If no bids are received for the sale tract on Tuesday, August 5, 1969, the tract will be reoffered on the first Wednesday of subsequent months at 1:30 p.m., beginning September 3, 1969.

Any adverse claimants to the above described land should file their claims, or objections, with the undersigned before the time designated for sale.

The land described in this notice has been segregated from all forms of appropriation, including locations under the general mining laws, except for sale under this Act, from the date of notation of the proposed classification decision. Inquiries concerning this sale should be addressed to the Land Office Manager, Bureau of Land Management, Room 3008 Federal Building, 300 Booth Street, Reno, Nev. 89502, or to the District Manager, Bureau of Land Management, East Highway 40, Post Office Box 71, Winnemucca, Nev. 89445.

ROLLA E. CHANDLER,
Manager, Nevada Land Office.

[F.R. Doc. 69-7873; Filed, July 2, 1969; 8:49 a.m.]

[Oregon 017531, etc.]

OREGON

Order Providing for Opening of Public Lands

JUNE 20, 1969.

1. In exchanges of lands made under provisions of section 8 of the Act of June 28, 1934 (48 Stat. 1269; 43 U.S.C. 315g), as amended, the following described lands have been reconveyed to the United States:

WILLAMETTE MERIDIAN

Minerals in the following lands were reconveyed to the United States:

OREGON 017531

T. 40 S., R. 13 E.,
Sec. 8, SW¼NE¼, S½NW¼, N½SW¼, and NW¼SE¼.

OREGON 018288

T. 20 S., R. 42 E.,
Sec. 9, W½W½.

OREGON 230

T. 29 S., R. 45 E.,
Sec. 28, SE¼SW¼, W½SE¼, and SE¼SE¼;
Sec. 29, E½, E½NW¼, SW¼NW¼, and S½SW¼.
T. 30 S., R. 45 E.,
Sec. 3, lots 2, 3, and 4.

OREGON 340

T. 26 S., R. 46 E.,
Sec. 4, SE¼SW¼.

OREGON 699

T. 13 S., R. 42 E.,
Sec. 24, N½NE¼ and NE¼NW¼.
T. 13 S., R. 43 E.,
Sec. 18, lot 4, SE¼SW¼, and W½SE¼;
Sec. 19, lot 1.

OREGON 877

T. 20 S., R. 42 E.,
Sec. 17, E½W½W½.

OREGON 878

T. 19 S., R. 41 E.,
Sec. 3, NW¼SW¼ and E½SW¼;
Sec. 10, NE¼NW¼.

OREGON 2400

T. 8 S., R. 45 E.,
Sec. 35, SW¼NE¼, SE¼NW¼, NE¼SW¼, and NW¼SE¼.

OREGON 2676

T. 8 S., R. 45 E.,
Sec. 27, W½SW¼;
Sec. 28, SW¼NE¼ and SE¼.

OREGON 018492

T. 18 S., R. 21 E.,
Sec 32, SE¼NE¼, NE¼SW¼, and N½SE¼;
Sec. 33, S½NW¼ and N½SW¼.
T. 19 S., R. 21 E.,
Sec. 5, SW¼SW¼;
Sec. 7, NE¼NE¼, SW¼NE¼, SE¼NW¼, and NE¼SW¼;
Sec. 8, NW¼NW¼.

OREGON 2716

T. 38 S., R. 23 E.,
Sec. 31, lot 4 and NE¼SW¼.
T. 40 S., R. 24 E.,
Sec. 32, N½NE¼ and NE¼NW¼.

Minerals in the following lands were not reconveyed to the United States:

OREGON 018492

T. 19 S., R. 22 E.,
Sec. 17, SW¼NE¼ and NW¼SE¼.

OREGON 2716

T. 38 S., R. 22 E.,
Sec. 36, SE¼SE¼.

OREGON 2998

T. 35 S., R. 24 E.,
Sec. 2, lots 1 and 2 and S½NE¼;
Sec. 16;
Sec. 34, E½.

The areas described aggregate 4,280.33 acres.

2. The lands are in widely scattered parcels distributed throughout eastern Oregon. They are arid or semiarid in character and are not suitable for farming. The lands were acquired for Federal programs and will be managed for the

multiple resources. They are intermingled with lands previously classified for multiple-use management.

3. At 10 a.m. on July 26, 1969, the lands shall be open to the operation of the public land laws, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on July 26, 1969, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

4. The lands in which minerals were conveyed to the United States will be open to location under the United States mining laws at 10 a.m. on July 26, 1969. They have been open to applications and offers under the mineral leasing laws.

Inquiries concerning the lands should be addressed to the Chief, Division of Lands and Minerals Program Management and Land Office, Post Office Box 2965, Portland, Oreg. 97208.

VIRGIL O. SEISER,
Chief, Branch of Lands.

[F.R. Doc. 69-7844; Filed, July 2, 1969; 8:46 a.m.]

[Utah 8962]

UTAH

Order Providing for the Opening of Public Lands

JUNE 26, 1969.

1. Under the provisions of section 16 of the Federal Airport Act of May 13, 1946 (60 Stat. 179, 49 U.S.C. 1115), title to the following described lands reverted to the United States:

SALT LAKE MERIDIAN

T. 27 S., R. 22 E.,
Sec. 1, lots 2 and 3, SW¼NE¼, SE¼.
T. 27 S., R. 23 E.,
Sec. 6, lots 4 and 5.

The areas described aggregate 357.88 acres.

2. The lands are located in San Juan County, approximately 7½ miles southeast of Moab, Utah, and are part of an abandoned airport.

3. Subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable laws, the lands will at 10 a.m. on August 1, 1969, be opened to application, petition, location and selection, including location under the U.S. mining laws. They have been open to application and offers under the mineral leasing laws. All valid applications received at or prior to 10 a.m. on August 1, 1969 shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

All the lands have been classified for retention in public ownership for multiple-use management under the Act of September 19, 1964 (43 U.S.C. 1411), and are therefore not subject to petition-application for agricultural entries or public sales under section 2455 R.S.

Inquiries concerning these lands should be addressed to the Bureau of Land Management, Post Office Box 11505, Salt Lake City, Utah 84111.

EDWARD J. HOFFMANN,
Acting State Director.

[F.R. Doc. 69-7843; Filed, July 2, 1969; 8:46 a.m.]

Office of the Secretary

ADMINISTRATOR, SOUTHWESTERN POWER ADMINISTRATION, ET AL.

Adjustment of Salaries

Pursuant to the provisions of Executive Order 11474, the salaries of the Administrator, Southwestern Power Administration, the Governor of Guam and the Governor of the Virgin Islands were adjusted to $33,495 per annum.

GEORGE E. ROBINSON,
Deputy Assistant Secretary of the Interior.

JUNE 27, 1969.

[F.R. Doc. 69-7845; Filed, July 2, 1969; 8:46 a.m.]

ELMER S. HALL

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past 6 months:

(1) No change.
(2) No change.
(3) No change.
(4) No change.

This statement is made as of May 29, 1969.

Dated: May 29, 1969.

ELMER S. HALL.

[F.R. Doc. 69-7846; Filed, July 2, 1969; 8:46 a.m.]

HUGH C. VAN HORN

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past 6 months:

(1) No change.
(2) No change.
(3) No change.
(4) No change.

This statement is made as of June 23, 1969.

Dated: June 23, 1969.

HUGH C. VAN HORN.

[F.R. Doc. 69-7847; Filed, July 2, 1969; 8:46 a.m.]

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

SALES OF CERTAIN COMMODITIES

July Sales List

Notice to buyers. Pursuant to the policy of Commodity Credit Corporation issued October 12, 1954 (19 F.R. 6669), and subject to the conditions stated therein as well as herein, the commodities listed below are available for sale and, where noted, for redemption of payment-in-kind certificates on the price basis set forth.

1. The U.S. Department of Agriculture announced the price at which Commodity Credit Corporation (CCC) commodity holdings are available for sale, beginning at 3 p.m., e.d.t., on June 27, 1969, and, subject to amendment, continuing until superseded by the August Monthly Sales List.

The following commodities are available: Cotton (upland and extra long staple), wheat, corn, oats, barley, flaxseed, rye, rice, grain sorghum, peanuts, tung oil, cottonseed meal, butter, and nonfat dry milk.

With the 1969-crop marketing year beginning July 1 for wheat, barley, oats, rye, and flaxseed, the July list includes formula minimum pricing for these commodities based on 1969 price-support loan rates.

Export listings of grain sorghum, barley, oats, and rye at 115 percent of the loan rate have been deleted inasmuch as prices under the unrestricted use schedules apply.

Information on the availability of commodities stored in CCC bin sites may be obtained from Agricultural Stabilization and Conservation Service State offices shown at the end of the sales list; and for commodities stored at other locations, the information may be attained from ASCS commodity and grain offices also shown at the end of the list.

Corn, oats, barley, or grain sorghum, as determined by CCC, will be sold for unrestricted use for "Dealers' Certificates" issued under the emergency livestock feed program. Grain delivered against such certificates will be sold at the applicable current market price, determined by CCC.

2. In the following listing of Commodities and sales prices or method of sales, "unrestricted use" applies to sales which permit either domestic or export use and "export" applies to sales which require export only. CCC reserves the right to determine the class, grade, quality, and available quantity of commodities listed for sale.

The CCC Monthly Sales List, which varies from month to month as additional commodities become available or commodities formerly available are dropped, is designed to aid in moving CCC's inventories into domestic or export use through regular commercial channels.

If it becomes necessary during the month to amend this list in any material

way—such as by the removal or addition of a commodity in which there is general interest or by a significant change in price or method of sale—an announcement of the change will be sent to all persons currently receiving the list by mail from Washington. To be put on this mailing list, address: Director, Commodity Operations Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C. 20250.

3. Interest rates per annum under the CCC Export Credit Sales Program (Announcement GSM-4) for July 1969 are 6⅜ percent for U.S. bank obligations and 7⅜ percent for foreign bank obligations. Commodities now eligible for financing under the CCC Export Credit Sales Program include oats, wheat, wheat flour, barley, corn, cornmeal, grain sorghum, upland and extra long staple cotton, milled and brown rice, tobacco, cottonseed oil, raisins, soybean oil, dairy products, tallow, lard, breeding cattle, and rye. Commodities purchased from CCC may be financed for export as private stocks under Announcement GSM-4.

Information on the CCC Export Credit Sales Program and on commodities available under Title I, Public Law 480, private trade agreements, and current information on interest rates and other phases of these programs may be obtained from the Office of the General Sales Manager, Export Marketing Service, U.S. Department of Agriculture, Washington, D.C. 20250.

4. The following commodities are currently available for new and existing barter contracts: Upland cotton and tobacco. In addition, private stocks of corn, grain sorghum, barley (other than malting barley), oats, wheat, and wheat flour, and milled and brown rice, under Announcement PS-1, as amended; tobacco under Announcement PS-3; cottonseed oil and soybean oil under Announcement PS-2; and upland and extra long staple cotton under Announcement PS-4; and inedible tallow and grease under Announcement PS-5; are eligible for programing in connection with barter contracts covering procurement for Federal agencies that will reimburse CCC. (However, Hard Red Winter 13 percent protein or higher, Hard Red Spring 14 percent protein or higher, Durum wheats, and flour produced from these wheats may not be exported under barter through west coast ports.) Further information on private-stock commodities may be obtained from the Office of the Assistant Sales Manager, Barter, Export Marketing Service, USDA, Washington, D.C. 20250.

5. The CCC will entertain offers from responsible buyers for the purchase of any commodity on the current list. Offers accepted by CCC will be subject to the terms and conditions prescribed by the Corporation. These terms include payment by cash or irrevocable letter of credit before delivery of the commodity and the conditions require removal of the commodity from CCC stocks within a reasonable period of time. Where sales are for export, proof of exportation is also required, and the buyer is responsible for obtaining any required U.S. Government export permit or license. Purchase from CCC shall not constitute any assurance that any such permit or license will be granted by the issuing authority.

Applicable announcements containing all terms and conditions of sale will be furnished upon request. For easy reference a number of these announcements are identified by code number in following list. Interested persons are invited to communicate with the Agricultural Stabilization and Conservation Service, USDA, Washington, D.C. 20250, with respect to all commodities—for specified commodities—with the designated ASCS commodity office.

6. Commodity Credit Corporation reserves the right to amend from time to time, any of its announcements. Such amendments shall be applicable to and be made a part of the sale contracts thereafter entered into.

CCC reserves the right to reject any or all offers placed with it for the purchase of commodities pursuant to such announcements.

CCC reserves the right to refuse to consider an offer, if CCC does not have adequate information of financial responsibility of the offerer to meet contract obligations of the type contemplated in this announcement. If a prospective offerer is in doubt as to whether CCC has adequate information with respect to his financial responsibility, he should either submit a financial statement to the office named in the invitation prior to making an offer, or communicate with such office to determine whether such a statement is desired in his case. When satisfactory financial responsibility has not been established, CCC reserves the right to consider an offer only upon submission by offerer of a certified or cashier's check, a bid bond, or other security, acceptable to CCC, assuring that if the offer is accepted, the offerer will comply with any provisions of the contract with respect to payment for the commodity and the furnishing of performance bond or other security acceptable to CCC.

Disposals and other handling of inventory items often result in small quantities at given locations or in qualities not up to specifications. These lots are offered by the appropriate ASCS office promptly upon appearance and therefore, generally, they do not appear in the Monthly Sales List.

7. On sales for which the buyer is required to submit proof to CCC of exportation, the buyer shall be regularly engaged in the business of buying or selling commodities and for this purpose shall maintain a bona fide business office in the United States, its territories or possessions and have a person, principal, or resident agent upon whom service of judicial process may be had.

Prospective buyers for export should note that generally, sales to U.S. Government agencies, with only minor exceptions, will constitute domestic unrestricted use of the commodity.

Commodity Credit Corporation reserves the right, before making any sales, to define or limit export areas.

Exports to certain countries are regulated under the Export Control Act of 1949. These restrictions also apply to any commodities purchased from the Commodity Credit Corporation whether sold for restricted or unrestricted use. Countries and commodities are specifically listed in the U.S. Department of Commerce Comprehensive Export Schedule. Additional information is available from the Bureau of International Commerce or from the field offices of the Department of Commerce.

SALES PRICE OR METHOD OF SALE

WHEAT, BULK

Unrestricted use.

A. Storable. All classes of wheat in CCC inventory are available for sale at market price but not below 115 percent of the 1968 price-support loan rate for the class, grade, and protein of the wheat plus the markup shown in C below applicable to the type of carrier involved.

B. Nonstorable. At not less than market price, as determined by CCC.

C. Markups and examples (dollars per bushel in-store).[1]

Markup in-store received by—		Examples
Truck	Rail or barge	
$0.04	$0.01½	Minneapolis—No. 1 DNS ($1.57) 115 percent +$0.01½; $1.82½. Portland—No. 1 SW ($1.45) 115 percent +$0.01½; $1.68½. Kansas City—No. 1 HRW ($1.45) 115 percent +$0.01½; $1.68½. Chicago—No. 1 RW ($1.46) 115 percent +$0.01½; $1.69½.

Export.

A. CCC will sell limited quantities of Hard Red Winter and Hard Red Spring wheat at west coast ports at domestic market price levels for export under Announcement GR-345 (Revision IV, Oct. 30, 1967, as amended) as follows:

(1) Offers will be accepted subject to the purchasers' furnishing the Portland ASCS Branch Office with a Notice of Sale containing the same information (excluding the payment or certificate acceptance number) as required by exporters who wish to receive an export payment under GR-345. The Notice of Sale must be furnished to the Commodity Office within 5 calendar days after the date of purchase.

(2) Sales will be made only to fill dollar market sales abroad and exporter must show export from the west coast to a destination west of the 170th meridian, west longitude, and east of the 60th meridian, east longitude, and to ports on the west coast of Central and South America. Dollar sales shall mean sales for dollars and sales financed with CCC credit.

Available. Chicago, Kansas City, Minneapolis, and Portland ASCS offices.

CORN, BULK

Unrestricted use.

A. Redemption of domestic payment-in-kind certificates. Market price as determined by CCC, but not less than 115 percent of the applicable 1968 price-support loan rate[2] for the class, grade, and quality of the corn plus the markup shown in C of this unrestricted use section.

B. *General sales.*

1. *Storable.* Market price, as determined by CCC, but not less than the Agricultural Act of 1949 formula minimum price for such sales which is 105 percent of the applicable 1968 price-support rate [2] (published loan rate plus 19 cents per bushel) for the class, grade, and quality of the corn, plus the markup shown in C of this unrestricted use section.

2. *Nonstorable.* At not less than market price as determined by CCC.

C. *Markups and examples (dollars per bushel in-store [1] basis No. 2 yellow corn 14 percent M.T. 2 percent F.M.).*

Markup in-store	Examples
$0.17½	Feed grain program domestic PIK certificate minimums: McLean County, Ill. ($1.09+$0.02½) 115 percent +$0.17½; $1.46½. Agricultural Act of 1949; statutory minimums: McLean County, Ill. ($1.09+$0.02½ +$0.19); 105 percent +$0.17½; $1.54¾.

Available. Chicago, Kansas City, Minneapolis, and Portland ASCS grain offices.

GRAIN SORGHUM, BULK

Unrestricted use.

A. *Redemption of domestic payment-in-kind certificates.* Market price, as determined by CCC, but not less than 115 percent of the applicable 1968 price-support loan rate [3] for the class, grade, and quality of the grain sorghum, plus the markup shown in C of this unrestricted use section applicable to the type of carrier involved.

B. *General sales.*

1. *Storable.* Market price, as determined by CCC, but not less than the Agricultural Act of 1949 formula minimum price for such sales which is 105 percent of the applicable 1968 price-support rate [3] (published loan rate plus 34 cents per hundredweight) for the class, grade, and quality of the grain sorghum, plus the markup shown in C of this unrestricted use section applicable to the type of carrier involved.

2. *Nonstorable.* At not less than market price as determined by CCC.

C. *Markups and examples (dollars per hundredweight in-store [1] No. 2 or better).*

Markup in-store received by—		Examples
Truck	Rail or barge	
$0.29½	$0.25¼	Feed grain program domestic PIK certificate minimums: Hale County, Tex. ($1.63) 115 percent +$0.29½; $2.17¼. Kansas City, Mo. ($1.81) 115 percent +$0.25¼; $2.34¼. Agricultural Act of 1949; statutory minimums: Hale County, Tex. ($1.63+$0.34); 105 percent +$0.29½; $2.36¾. Kansas City, Mo. ($1.81+$0.34); 105 percent +$0.25¼; $2.51¼.

Available. Kansas City, Chicago, Minneapolis, and Portland ASCS grain offices.

BARLEY, BULK

Unrestricted use.

A. *Redemption of domestic payment-in-kind certificates.* Market price, as determined by CCC, but not less than 115 percent of the applicable 1969 price-support loan rate [3] for the class, grade, and quality of the barley plus the markup shown in C of this unrestricted use section.

B. *General sales.*

1. *Storable.* Market price, as determined by CCC, but not less than the Agricultural Act of 1949 formula minimum price for such sales which is 105 percent of the applicable 1969 price-support rate [4] (published loan rate plus 13 cents per bushel) for the class, grade, and quality of the barley, plus the markup shown in C of this unrestricted use section.

2. *Nonstorable.* At not less than market price as determined by CCC.

C. *Markups and examples (dollars per bushel in-store [1] No. 2 or better).*

Markup in-store received by—		Examples
Truck	Rail or barge	
$0.04	$0.01½	Feed grain program domestic PIK certificate minimums: Cass County, N. Dak. ($0.78) 115 percent +$0.04; $0.94. Minneapolis, Minn. ($1.04) 115 percent +$0.01½; $1.21½. Agricultural Act of 1949 statutory minimums: Cass County, N. Dak. ($0.78+$0.13); 105 percent +$0.04; $1.00. Minneapolis, Minn. ($1.04 + $0.13); 105 percent +$0.01½; $1.24½.

Available. Kansas City, Chicago, Minneapolis, and Portland ASCS grain offices.

OATS, BULK

Unrestricted use.

A. *Storable.* Market price, as determined by CCC, but not less than 115 percent of the applicable 1969 price-support rates [5] for the class, grade, and quality of the oats plus the markup shown in B below.

B. *Markup and example (dollars per bushel in-store [1] Basis No. 2 XHWO).*

Markup in-store	Example
$0.04	Redwood County, Minn. ($0.60+$0.03 quality differential); 115 percent +$0.04; $0.77.

C. *Nonstorable.* At not less than the market price as determined by CCC.

Available. Kansas City, Chicago, Minneapolis, and Portland ASCS grain offices.

RYE, BULK

Unrestricted use.

A. *Storable.* Market price, as determined by CCC, but not less than the Agricultural Act of 1949 formula price which is 115 percent [2] of the applicable 1969 price-support rate for the class, grade, and quality of the grain plus the markup shown in B below applicable to the type of carrier involved.

B. *Markups and examples (dollars per bushel in-store [1] No. 2 or better).*

Markup in-store received by—		Examples
Truck	Rail or barge	
$0.04	$0.01½	Agriculture Act of 1949; statutory minimums: Rollete County, N. Dak. ($0.86); 115 percent +$0.04; $1.03. Minneapolis, Minn. ($1.22); 115 percent +$0.01¾; $1.42½.

See footnotes at end of document.

C. *Nonstorable.* At not less than market price as determined by CCC.

Available. Chicago, Kansas City, Portland, and Minneapolis ASCS grain offices.

RICE, ROUGH

Unrestricted use.

Market price but not less than 1968 loan rate plus 5 percent, plus 44 cents per hundredweight, basis in-store.

Available. Prices, quantities, and varieties of rough rice available from Kansas City ASCS Commodity Office.

COTTON, UPLAND

Unrestricted use.

A. Competitive offers under the terms and conditions of Announcement NO–C–32 (Sale of Upland Cotton for Unrestricted Use). Under this announcement, upland cotton acquired under price-support programs will be sold at the highest price offered but in no event at less than the higher of (a) 110 percent of the 1968 loan rate for such cotton, or (b) the market price for such cotton, as determined by CCC.

B. Competitive offers under the terms and conditions of Announcement NO–C–31 (Disposition of Upland Cotton—In Redemption of Payment-In-Kind Certificates or Rights in Certificate Pools, In Redemption of Export Commodity Certificates, Against the "Shortfall," and Under Barter Transactions), as amended. Cotton may be acquired at its current market price, as determined by CCC, but not less than a minimum price determined by CCC, which will in no event be less than 120 points (1.2 cents) per pound above the 1968 loan rate for such cotton.

Export.

CCC disposals for barter. Competitive offers under the terms and conditions of Announcements CN–EX–28 (Acquisition of Upland Cotton for Export Under the Barter Program) and NO–C–31, as amended, at the prices described in the preceding paragraph B.

COTTON, EXTRA LONG STAPLE

Unrestricted use.

Competitive offers under the terms and conditions of Announcement NO–C–6 (Revision 2) and Announcement NO–C–10 (Revised). Under these announcements extra long staple cotton (domestically-grown) will be sold at the highest price offered but in no event at less than the higher of (a) 115 percent of the current loan rate for such cotton plus reasonable carrying charges, or (b) the market price as determined by CCC.

COTTON, UPLAND OR EXTRA LONG STAPLE

Unrestricted use.

Competitive offers under the terms and conditions of Announcement NO–C–20 (Sale of Special Condition Cotton). Any such cotton (Below Grade, Sample Loose, Damaged Pickings, etc.) owned by CCC will be offered for sale periodically on the basis of samples representing the cotton according to schedules issued from time to time by CCC.

Availability information.

Sale of cotton will be made by the New Orleans ASCS Commodity Office. Sales announcements, related forms and catalogs for upland cotton and extra long staple cotton showing quantities, qualities, and location may be obtained for a nominal fee from that office.

COTTONSEED MEAL, BULK

Unrestricted use.

Small quantities may be sold on competitive offers if necessary to avoid deterioration or if storage cannot be obtained on a basis satisfactory to CCC.

Export:

Competitive offers, but not less than $45 per ton f.o.b. origin location under the terms and conditions of Announcement NO–CS–7. Sales will be made only for export to Far East

countries having ports on the Pacific Ocean or on a sea tributary thereto (including Australia and New Zealand).

Available. New Orleans ASCS Commodity Office.

PEANUTS, SHELLED OR FARMERS STOCK

Restricted use sales.

When stocks are available in their area of responsibility, the quantity, type, and grade offered are announced in weekly lot lists or invitations to bid issued by the following:

GFA Peanut Association, Camilla, Ga.
Peanut Growers Cooperative Marketing Association, Franklin, Va.
Southwestern Peanut Growers' Association, Gorman, Tex.

Terms and conditions of sale are set forth in Announcement PR-1 of July 1, 1966, as amended, and the applicable lot list.

1. Shelled peanuts of less than U.S. No. 1 grade may be purchased for foreign or domestic crushing.

2. Farmers stock: Segregation 1 may be purchased and milled to produce U.S. No. 1 or better grade shelled peanuts which may be exported. The balance of the kernels including any graded peanuts not exported must be crushed domestically. Segregation 2 and 3 peanuts may be purchased for domestic crushing only.

Sales are made on the basis of competitive bids each Wednesday by the Producer Associations Division, Agricultural Stabilization and Conservation Service, Washington, D.C. 20250, to which all bids must be sent.

TUNG OIL

Unrestricted use.

Sales are made periodically on a competitive bid basis. Bids are submitted to the Producer Association Division, Agricultural Stabilization and Conservation Service, Washington, D.C. 20250.

The quantity offered and the date bids are to be received are announced to the trade in notices of Invitations to Bid, issued by the National Tung Oil Marketing Cooperative, Inc., Poplarville, Miss. 39470.

Terms and conditions of sale are as set forth in Announcement NTOM-PR-4 of April 6, 1967, as amended, and the applicable Invitation to Bid.

Bids will include, and be evaluated on the basis of, price offered per pound f.o.b. storage location. For certain destinations, CCC will as provided in the Announcement, as amended, refund to the buyer a "freight equalization" allowance.

Copies of the Announcement or the Invitation may be obtained from the Cooperative or Producer Associations Division, ASCS, Telephone Washington, D.C., area code 202, DU 8-3901.

FLAXSEED, BULK

Unrestricted use.

A. *Storable.* Market price, as determined by CCC, but not less than 105 percent of the applicable 1968 price-support rate[2] for the grade and quality of the flaxseed plus the applicable markup.

B. *Markups and example (dollars per bushel in-store No. 1, 9.1-9.5 percent moisture).*

Markup per bushel received by—		Example of minimum prices—terminal and price
Truck	Rail or barge	
$0.06	$0.01¾	Minneapolis, Minn. ($3.16); 105 percent + $0.01¾; $3.17¾.

C. *Nonstorable.* At not less than domestic market price as determined by CCC.

Available. Through the Minneapolis ASCS Branch Office.

DAIRY PRODUCTS

Sales are in carlots only in-store at storage location of products.

Submission of offers.

Submit offers to the Minneapolis ASCS Commodity Office.

NONFAT DRY MILK

Unrestricted use.

Announced prices, under MP-14: Spray process, U.S. Extra Grade, 25.40 cents per pound packed in 100-pound bags and 25.65 cents per pound packed in 50-pound bags.

Export.

Announced prices, under MP-23, pursuant to invitations issued by Minneapolis ASCS Commodity Office. Invitations will indicate the type of export sales authorized, the announced price and the period of time such price will be in effect.

BUTTER

Unrestricted use.

Announced prices, under MP-14: 75.25 cents per pound—New York, Pennsylvania, New Jersey, New England, and other States bordering the Atlantic Ocean and Gulf of Mexico. 74.5 cents per pound—Washington, Oregon, and California. All other States 74.25 cents per pound.

FOOTNOTES

[1] The formula price delivery basis for bin-site sales will be f.o.b.

[2] Round product up to the nearest cent.

USDA AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE OFFICES

GRAIN OFFICES

Kansas City ASCS Commodity Office, 8930 Ward Parkway (Post Office Box 205), Kansas City, Mo. 64141. Telephone: Area Code 816, Emerson 1-0860.

Alabama, Alaska, Arizona, Arkansas, Colorado, Florida, Georgia, Hawaii, Kansas, Louisiana, Mississippi, Missouri, Nebraska, Nevada, New Mexico, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, and Wyoming (domestic and export). California (domestic only), Connecticut, Delaware, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Virginia, Vermont, and West Virginia (export only).

Branch Office—Chicago ASCS Branch Office, 226 West Jackson Boulevard, Chicago, Ill. 60606. Telephone: Area Code 312, 353-6581.

Connecticut, Delaware, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Virginia, Vermont, and West Virginia (domestic only).

Branch Office—Minneapolis ASCS Branch Office, 310 Grain Exchange Building, Minneapolis, Minn. 55415. Telephone: Area Code 612, 725-2051.

Minnesota, Montana, North Dakota, South Dakota, and Wisconsin (domestic and export).

Branch Office—Portland ASCS Branch Office, 1218 Southwest Washington Street, Portland, Oreg. 97205. Telephone: Area Code 503, 226-3361.

Idaho, Oregon, Utah, and Washington (domestic and export sales). California (export sales only).

PROCESSED COMMODITIES OFFICE (ALL STATES)

Minneapolis ASCS Commodity Office, 6400 France Avenue South, Minneapolis, Minn. 55435. Telephone: Area Code 612, 725-3200.

COTTON OFFICE (ALL STATES)

New Orleans ASCS Commodity Office, Wirth Building, 120 Marais Street, New Orleans, La. 70112. Telephone: Area Code 504, 527-7766.

GENERAL SALES MANAGER OFFICES

Representative of General Sales Manager, New York Area: Joseph Reidinger, Federal Building, Room 1759, 26 Federal Plaza, New York, N.Y. 10007. Telephone: Area Code 212, 264-8439, 8440, 8441.

Representative of General Sales Manager, West Coast Area: Callan B. Duffy, Appraisers' Building, Room 802, 630 Sansome Street, San Francisco, Calif. 94111. Telephone: Area Code 415, 556-6185.

ASCS STATE OFFICES

Illinois, Room 232, U.S. Post Office and Courthouse, Springfield, Ill. 62701. Telephone: Area Code 217, 525-4180.

Indiana, Room 110, 311 West Washington Street, Indianapolis, Ind. 46204. Telephone: Area Code 317, 633-8521.

Iowa, Room 937, Federal Building, 210 Walnut Street, Des Moines, Iowa 50309. Telephone: Area Code 515, 284-4213.

Kansas, 2601 Anderson Avenue, Manhattan, Kans. 66502. Telephone: Area Code 913, JE 9-3531.

Michigan, 1405 South Harrison Road, East Lansing, Mich. 48823. Telephone: Area Code 517, 372-1910.

Missouri, I.O.O.F. Building, 10th and Walnut Streets, Columbia, Mo. 65201. Telephone: Area Code 314, 442-3111.

Minnesota, Room 230, Federal Building and U.S. Courthouse, 316 Robert Street, St. Paul, Minn. 55101. Telephone: Area Code 612, 725-7651.

Montana, Post Office Box 670, U.S.P.O. and Federal Office Building, Bozeman, Mont. 59715. Telephone: Area Code 406, 587-4511, Ext. 3271.

Nebraska, Post Office Box 793, 5801 O Street, Lincoln, Nebr. 68501. Telephone: Area Code 402, 475-3361.

North Dakota, Post Office Box 2017, 15 South 21st Street, Fargo, N. Dak. 58103. Telephone: Area Code 701, 237-5205.

Ohio, Room 116, Old Federal Building, Columbus, Ohio 43215. Telephone: Area Code 614, 469-6814.

South Dakota, Post Office Box 843, 239 Wisconsin Street SW., Huron, S. Dak. 57350. Telephone: Area Code 605, 352-8651, Ext. 321 or 310.

Wisconsin, Post Office Box 4248, 4601 Hammersley Road, Madison, Wis. 53711. Telephone: Area Code 608, 254-4441, Ext. 7535.

(Sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 407, 63 Stat. 1066; sec. 105, 63 Stat. 1051, as amended by 76 Stat. 612; secs. 303, 306, 307, 76 Stat. 614-617; 7 U.S.C. 1441 (note))

Signed at Washington, D.C., on June 27, 1969.

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

[F.R. Doc. 69-7856; Filed, July 2, 1969; 8:47 a.m.]

Office of the Secretary

MEAT IMPORT LIMITATIONS

Quarterly Estimates

Public Law 88-482, approved August 22, 1964 (hereinafter referred to as the Act), provides for limiting the quantity of fresh, chilled, or frozen cattle meat

(TSUS 106.10) and fresh, chilled, or frozen meat of goats and sheep, except lamb (TSUS 106.20), which may be imported into the United States in any calendar year. Such limitations are to be imposed when it is estimated by the Secretary of Agriculture that imports of such articles, in the absence of limitations during such calendar year, would equal or exceed 110 percent of the estimated quantity of such articles prescribed by section 2(a) of the Act.

In accordance with the requirements of the Act the following third quarterly estimates are published:

1. The estimated aggregate quantity of such articles which would, in the absence of limitations under the Act be imported during calendar year 1969 is 1,035 million pounds.

2. The estimated quantity of such articles prescribed by section 2(a) of the Act during the calendar year 1969 is 988 million pounds.

Since the estimated quantity of imports does not equal or exceed 110 percent of the estimated quantity prescribed by section 2(a) of the Act, limitations for the calendar year 1969 on the importation of fresh, chilled, or frozen cattle meat (TSUS 106.10) and fresh, chilled, or frozen meat of goats and sheep (TSUS 106.20), are not authorized to be imposed pursuant to Public Law 88-482 at this time.

Done at Washington, D.C., this 27th day of June 1969.

CLIFFORD M. HARDIN,
Secretary of Agriculture.

[F.R. Doc. 69-7858; Filed, July 2, 1969; 8:47 a.m.]

DEPARTMENT OF COMMERCE

Business and Defense Services Administration

TRUSTEES OF UNIVERSITY OF PENNSYLVANIA

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 69-00356-33-40500. Applicant: The Trustees of University of Pennsylvania, 3400 Walnut Street, Philadelphia, Pa. 19104. Article: Rapid scanning ultramicrointerferometer, Model IMI 600. Manufacturer: Incentive Research and Development AB, Sweden. Intended use of article: The article will be used for dry mass (weight) determinations of spermatozoa being analyzed in projects concerning quantitative cytochemical research. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, is being manufactured in the United States. Reasons: For the purposes for which the foreign article is intended to be used the applicant requires an instrument that can measure the dry mass of a cell. The dry mass per unit surface of a biological object can be determined by measuring the optical path difference of the area with an interference microscope. However, the cell to be investigated by the applicant is not homogeneous enough to permit a simple and rapid determination of its dry mass with the interference microscope alone. The foreign article combines the capabilities of the interference microscope with a system that is capable of scanning an object and electronically integrating the data obtained to yield the dry mass of the entire object as a digital readout. We are advised by the Department of Health, Education, and Welfare in a memorandum dated April 8, 1969, it knows of no instrument or apparatus being manufactured in the United States, which provides these capabilities.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 69-7821; Filed, July 2, 1969; 8:45 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-73]

GENERAL ELECTRIC CO.

Notice of Proposed Issuance of Amendment to Facility License

The Atomic Energy Commission is considering the issuance of an amendment to Facility License No. R-33 which authorizes the General Electric Co. to operate the Nuclear Testing Reactor (NTR) located at its Vallecitos Nuclear Center in Alameda County, Calif. The proposed amendment, as set forth below, would revise the license in its entirety and authorize General Electric to operate the NTR at steady-state power levels up to a maximum of 100 kilowatts (thermal) in accordance with revised Technical Specifications, and extend the expiration date of the license in accordance with the application dated November 21, 1968, and supplement dated March 31, 1969.

Within fifteen (15) days from the date of publication of this notice in the FEDERAL REGISTER, the applicant may file a request for a hearing, and any person whose interest may be affected by this proceeding may file a petition for leave to intervene. Requests for a hearing and petitions to intervene shall be filed in accordance with the Commission's rules of practice, 10 CFR Part 2. If a request for a hearing or a petition for leave to intervene is filed within the time prescribed in this notice, the Commission will issue a notice of hearing or an appropriate order.

For further details with respect to this proposed amendment, see (1) the application dated November 21, 1968, and supplement thereto dated March 31, 1969, (2) a related Safety Evaluation prepared by the Division of Reactor Licensing, and (3) the proposed Technical Specifications, all of which are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. Copies of item (2) above may be obtained at the Commission's Public Document Room, or upon request addressed to the Atomic Energy Commission, Washington, D.C. 20545, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Md., this 30th day of June 1969.

For the Atomic Energy Commission.

DONALD J. SKOVHOLT,
Assistant Director for Reactor Operations, Division of Reactor Licensing.

PROPOSED AMENDMENT TO FACILITY LICENSE

[License R-33; Amdt. 9]

1. The Atomic Energy Commission has found that:

A. The application for license amendment dated November 21, 1968, as supplemented March 31, 1969, complies with the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's rules and regulations set forth in Title 10, Chapter I, CFR;

B. There is reasonable assurance that (a) the activities authorized by the license, as amended, can be conducted at the designated location without endangering the health and safety of the public, and (b) such activities will be conducted in compliance with the Atomic Energy Act of 1954, as amended, and the rules and regulations of the Commission;

C. General Electric Co. is technically and financially qualified to engage in the activities authorized by this license, as amended, in accordance with the rules and regulations of the Commission;

D. The General Electric Co. has filed with the Commission proof of financial protection which satisfies the requirements of 10 CFR Part 140 and has executed an indemnity agreement pursuant to 10 CFR Part 140; and

E. The issuance of this license, as amended, will not be inimical to the common defense and security or to the health and safety of the public.

2. Facility License No. R-33, as amended, is further amended in its entirety to read as follows:

A. This license applies to the nuclear reactor designated by General Electric Co. as the "Nuclear Test Reactor" (hereinafter "the reactor") which is owned by the General Electric Co. and located at its Vallecitos Nuclear Center in Alameda County, Calif., and described in the application for license amendment dated November 21, 1968, and supplement thereto dated March 31, 1969 (hereinafter "the application").

B. Subject to the conditions and requirements incorporated herein, the Commission hereby licenses the General Electric Co. (GE):

(4) Pursuant to section 104c of the Atomic Energy Act of 1954, as amended (hereinafter "the Act"), and Title 10, CFR, Chapter I, Part 50, "Licensing of Production and Utilization Facilities," to possess, use, and operate the reactor as a utilization facility at the designated location in Alameda County, Calif., in accordance with the procedures and limitations described in the application and in this license, as amended;

(2) Pursuant to the Act and Title 10, CFR, Chapter I, Part 70, "Special Nuclear Material," to receive, possess, and use in connection with the operation of the reactor:

a. 4 kilograms of contained uranium-235;

b. 200 grams of plutonium as encapsulated plutonium-beryllium neutron sources;

c. 5 milligrams of plutonium as alpha instrument check sources;

d. 10 grams of plutonium as encapsulated fission foils;

e. 10 grams of uranium-235 as ionization chambers;

f. 1 kilogram of uranium-235 in experimental devices or test objects;

g. 10 kilograms of uranium-235 in one or more fission plates;

h. 100 grams of plutonium in experimental devices;

i. 100 grams of uranium-233 in experimental devices; and

j. all the materials authorized by Special Nuclear Material License No. SNM-960, as amended, Docket No. 70-754, to be used in the reactor cell, south cell and control room but not in the experimental facilities of the NTR.

(3) Pursuant to the Act and Title 10, Chapter I, Part 30, "Rules of General Applicability to Licensing of Byproduct Material," (1) to receive, possess and use 100 curies of activated solids as contained in items such as encapsulating materials, structural materials and components irradiated elsewhere; (2) 10 curies of tritium for pulsed neutron sources; and (3) to possess, but not to separate, such byproduct material as may be produced by the operation of the reactor.

(4) Pursuant to the Act and Title 10, CFR, Chapter I, Part 40, "Licensing of Source Material," to receive, possess, and use 20 pounds of uranium and thorium as source material for experimental devices.

C. This license shall be deemed to contain and be subject to the conditions specified in Part 20, § 30.34 of Part 30, § 40.41 of Part 40, §§ 50.54 and 50.59 of Part 50, § 70.32 of Part 70 of the Commission's regulations; is subject to all applicable provisions of the Act and rules, regulations, and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified or incorporated below:

(1) *Maximum power level.* The licensee may operate the reactor at steady-state power levels up to a maximum of 100 kilowatts (thermal).

(2) *Technical specifications.* The Technical Specifications contained in Appendix A to this license (hereinafter "the Technical Specifications") [1] are hereby incorporated in this license. The licensee shall operate the reactor in accordance with these Technical Specifications. No changes shall be made in the Technical Specifications unless authorized by the Commission as provided in § 50.59 of 10 CFR Part 50.

D. This license, as amended, is effective as of the date of issuance and shall expire at midnight, July ---, 1979, unless terminated sooner.

Date of issuance: ----------

For the Atomic Energy Commission.

DONALD J. SKOVHOLT,
Assistant Director for Reactor Operations, Division of Reactor Licensing.

[F.R. Doc. 69-7937; Filed, June 2, 1969; 10:43 a.m.]

[1] This item was not filed with the Office of the Federal Register but is available for inspection in the Public Document Room of the Atomic Energy Commission.

CIVIL AERONAUTICS BOARD

[Docket No. 20373 etc.; Order 69-6-164]

AIR WEST, INC., ET AL.

Joint Applications for Approval of Route Transfer and for Amendment of Certificates, and for Approval of Wet-Lease Agreements

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 27th day of June 1969.

Joint applications of Air West, Inc., and United Air Lines, Inc., for approval of route transfer and for amendment of certificates, and for approval of wet-lease agreement, docket Nos. 20373 and 20686; Reno-Portland/Seattle Nonstop Service Investigation, Docket No. 21136.

On October 16, 1968, in Docket 20373, Air West, Inc. (Air West), and United Air Lines, Inc. (United), filed a joint application seeking approval of an agreement by which United would transfer its authority to serve Elko and Ely, Nev., to Air West, and requesting amendments to the certificates of each carrier to accomplish the transfer and to make certain other changes in the certificates of each carrier upon which the proposed route transfer is to be contingent.[1]

On October 17, 1968, Air West filed a motion for expedited hearing of its joint application in Docket 20373, alleging, inter alia, that the proposed route transfer would permit it to achieve a substantial reduction in subsidy need and would afford it needed strengthening without serious diversion from other carriers. Air West noted that its agreement with United might be terminated by either party after March 31, 1969, unless Board approval were granted prior to that time.[2]

Numerous answers supporting or opposing, or supporting in part, the joint application and Air West's motion for expedition have been submitted.[3] In addition, the Air Line Pilots Association (ALPA) filed a request for an evidentiary hearing on the joint application and a petition for leave to intervene.[4] The city of Klamath Falls, Oreg., filed a motion to consolidate its own application for improved service to Portland and Reno in Docket 20497, and Air West has filed an answer in opposition to Klamath Falls' request.[5]

On January 29, 1969, in Docket 20686, Air West and United filed a separate joint application for approval of a wet-lease agreement and grant of exemption authority pursuant to which Air West would provide one daily round trip over United's route between Salt Lake City and San Francisco, via the intermediate points Ely, Elko, Reno, and Oakland, for which it would receive payment from United of $90,488 per month. The wet-lease agreement is designed to permit interim operation of the proposed service pending final Board action with respect to the route transfer application in Docket 20373.[6]

Upon consideration of the foregoing pleadings and other relevant facts, we have decided to deny Air West's motion for expeditious hearing of its joint application, with United, in Docket 20373. On the basis of our conclusions with respect to the joint route transfer application, we also find that approval of the proposed interim wet-lease agreement in Docket 20686 is not in the public interest, and, accordingly, should be denied. However, we have further decided to institute an investigation into the need for new nonstop service in two of the markets included in the joint application, Reno-Portland and Reno-Seattle.

The heart of the joint application by Air West and United in Docket 20373 is

[1] In addition to the deletion of these two points from United's certificate for route 1 and the addition of the two points to Air West's certificate for route 76 as intermediate points on a new segment between the terminal points Reno, Nev., and Salt Lake City, Utah, the applicants have requested the following certificate amendments: (1) Amendment of Air West's certificate to permit nonstop authority between Reno, on the one hand, and San Francisco/Oakland, Salt Lake City, Portland, and Seattle, on the other; (2) deletion of Air West's condition (7) which requires a stop at Portland on certain flights over segment 4 (now segment 1) and the substitution of a new restriction requiring only one intermediate stop on flights between Seattle and San Francisco, Oakland, or Sacramento; (3) modification of Air West's condition 4(a) to designate Reno as the only intermediate point to be served on flights between Salt Lake City and Portland or Seattle; and (4) amendment of United's certificate to make operations in the Salt Lake City-Reno market subject to a long-haul restriction.

[2] We have not been advised that either party has sought to terminate the subject agreement to date.

[3] Answers in support were filed by the Seattle Traffic Association (in part), the Greater Reno Chamber of Commerce, the Las Vegas parties, the Elko parties, and the city of Sparks, Nev. Answers in opposition have been filed by Western Air Lines (in part), the city of Ely, Nev., White Pine County, Nev., and the Utah Agencies.

[4] ALPA has subsequently submitted a series of filings related to its request, the net effect of which is to withdraw from further participation in this proceeding.

[5] In view of the action taken herein with respect to Air West's motion for expeditious consideration, we find it unnecessary to rule upon the Klamath Falls motion for consolidation at this time.

[6] ALPA also filed a request for hearing with respect to the wet-lease application, but has subsequently requested permission to withdraw from participation.

the portion by which United seeks relief from its certificate obligation to serve Ely and Elko through transfer of this authority to Air West. This east-west portion of the proposal includes nonstop authoirty for Air West in the Salt Lake City-Reno and Reno-San Francisco markets.[7]

With respect to the east-west portion of their application, the applicants have failed to demonstrate that an expedited hearing is warranted. United has not shown that its service to Ely and Elko[8] constitutes an economic burden upon it, nor has it alleged that such service creates insurmountable operational difficulties.[9] More importantly, neither applicant has convincingly demonstrated that transfer of the points in question will afford significant benefits to Elko and Ely, or to Air West itself. Indeed, our analysis indicates that Air West's proposed east-west service to Ely and Elko (including Reno-Salt Lake City-San Francisco) would produce an operating loss and a subsidy need. Moreover, both the Ely and White Pine County parties have objected to the proposed east-west route transfer.

In these circumstances we are unable to conclude that grant of Air West's motion for expedited hearing of the route transfer application is in the public interest.[10] In light of our conclusions with respect to the route transfer application, we see no basis for approval of the proposed interim wet-lease operation, inasmuch as the latter request is clearly aimed at permitting temporary operations pending an early resolution of the route transfer application.

Upon consideration of matters raised in connection with the joint application of Air West and United in Docket 20373, we believe that institution of an investigation into the need for competitive nonstop service in the Reno-Portland/Seattle markets is warranted at this time.[11] Air West has forecast that the Reno-Portland and Reno-Seattle markets will reach 62,835 and 81,135 passengers, respectively, in 1969, and we believe that traffic flows of this magnitude, even without allowance for incremental growth to the forecast year 1970 or 1971, are sufficiently high to warrant consideration of the need for additional nonstop service in the markets.

Accordingly, we have determined to institute an investigation into the need for additional unrestricted nonstop service between Reno, on the one hand, and Portland and Seattle, on the other hand, subject to a pretrial restriction prohibiting turn-around service between Portland and Seattle. Interested applicants are invited to file applications consistent with scope of this investigation, as well as motions pertaining to the scope of the investigation, within the time limits established hereinafter.

Accordingly, it is ordered:

1. That the motion of Air West, Inc., for expedited consideration of its joint application with United Air Lines, Inc., in Docket 20373, seeking the transfer of certain route authority and other relief, be and it hereby is denied;

2. That the joint application filed by Air West and United Air Lines for approval of a wet-lease agreement and exemption authority in Docket 20686 be and it hereby is denied;

3. That an investigation into the need for additional unrestricted nonstop authority in the Reno-Portland and Reno-Seattle markets be and it hereby is instituted in Docket 21136 pursuant to sections 204(a) and 401(g) of the Federal Aviation Act of 1958, as amended, and that such investigation be designated as the Reno-Portland/Seattle Nonstop Service Investigation;

4. That said investigation shall be subject to the following conditions:

(a) Any authority awarded in this proceeding to a carrier not now holding on-segment authority shall be in the form of a separate segment or segments, and shall be granted without eligibility for subsidy; and

(b) Any services operated pursuant to an award in this proceeding shall be subject to a restriction prohibiting turnaround flights between Seattle and Portland.

5. That motions to consolidate applications, and motions or petitions seeking modification or reconsideration, shall be filed not later than twenty (20) days after the date of service of this order and that answers to such pleadings shall be filed not later than ten (10) days thereafter;

6. That the investigation hereby instituted be set down for hearing before an Examiner of the Board at a time and place hereafter designated; and

7. That a copy of this order shall be served upon Air West, Inc., United Air Lines, Inc., Western Air Lines, Inc., Braniff Airways, Inc., Continental Air Lines, Inc., Northwest Airlines, Inc., Eastern Air Lines, Inc., Air Line Pilots Association, International, Seattle Traffic Association, Attorney General, State of Utah; Greater Reno Chamber of Commerce; Chairman, Board of Commissioners, White Pine County (Nev.); the cities of Elko, Ely, Salt Lake City, Reno, Portland, Seattle, San Francisco, Las Vegas, Klamath Falls, Sparks, Governors of Nevada, Oregon, Washington, California, and Utah.

This order shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] MABEL MCCART,
Acting Secretary.

[F.R. Doc. 69-7882; Filed, July 2, 1969; 8:49 a.m.]

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[7] The remainder of the proposal involves north-south authority between Portland/Seattle, on the one hand, and Reno/Las Vegas, on the other.

[8] As of May 1, 1969, United served both Elko and Ely with one DC-6 round trip daily to Reno and Salt Lake City, OAG, QRE, May 1, 1969.

[9] United has urged that deletion of these points will permit it to retire the propeller aircraft with which it now provides service, but has not shown that retention of the non-jet aircraft will constitute a hardship to it.

[10] The Board has previously considered United's desire to delete the identical Reno-Elko-Ely-Salt Lake City segment in the Pacific Northwest Local Service Case, 29 CAB 660, 680-84 (1959), and determined at that time that transfer of the route to a subsidized local service carrier would be contrary to the public interest on the basis, inter alia, of the increased subsidy cost which such transfer would involve. We believe that the evidence adduced by Air West and United herein demonstrates no substantial improvement in the economic prospects for service to Elko and Ely by a local service carrier during the 10-year interval since United's request was last denied.

[11] Only United now holds nonstop authority in these markets, and presently provides three daily nonstop round trips to Portland, and three daily one-stop round trips to Seattle. OAG, QRE, May 1, 1969.

[Docket No. 18650; Order 69-6-150]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Regarding Carriage of Live Animals

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 26th day of June 1969.

Agreement adopted by the Traffic Conferences of the International Air Transport Association relating to the carriage of live animals.

By Order 69-5-60, dated May 14, 1969, action was deferred, with a view toward approval, on an agreement adopted by the International Air Transport Association (IATA) establishing a recommended practice relating to acceptance and handling of live animals. The recommended practice was set forth in a publication entitled "IATA Manual for the Carriage of Live Animals by Air." The order allowed 10 days for interested persons to file petitions in support of or in opposition to the proposed action.

The United Pet Dealers Association, Inc., and Allied-American Bird Co. filed timely petitions requesting that certain conditions be attached to the Board's approval of the agreement. Both petitions requested the Board to condition the agreement so that (1) procedures would be established and set forth in the manual whereby new packaging methods could be submitted to the IATA Study Group on Live Animals for evaluation; (2) upon evaluation and approval of new packaging standards, publication of such would be made to interested shippers and airlines, and (3) "* * * there be incorporated into the manual specific wordage outlining its specific legal value in areas such as shipment acceptance, claim liability and its legal status as to deviation from the packaging specification contained therein."

The first two contentions may have some merit, but we cannot find that conditioning the agreement and requiring revisions to the manual, as requested, is required in the public interest. The manual, which is comprised of recommended practices, is not a binding IATA agreement. We understand that the manual was developed through the joint efforts of the carriers, shippers, and interested persons, and there is no reason to believe that the carriers will not continue to solicit and welcome comments. In this regard, the carriers in due course might well want to consider procedures

for the evaluation of animal containers similar to the IATA procedures which have been established for the evaluation of unit load devices under Resolution 520 (Containers Board).

The third request of the petitioners that the manual include language as to its legal implications does not seem warranted. As indicated, material in the manual consists of recommended practices and procedures which the carriers need not adhere to. The Board will, however, condition the agreement so as to provide that approval of the agreement in no way constitutes a waiver of the economic regulations governing the filing and publication of tariffs. In this respect, some of the material contained in the manual, if followed by the carriers, would appear to constitute tariff material.

Finally, the petition of the United Pet Dealers Association, Inc., makes note that the manual does not mention that the contents are recommended practices and not binding upon the carriers or shippers. The manual does not purport to be mandatory in its application, and we do not find that the public interest requires revision to the published manual. However, it would be well if the manual specifically noted that its application is not required, and we will expect this fact to be mentioned in the manual's next publication.

Accordingly, pursuant to the Federal Aviation Act of 1958, particularly sections 102, 204(a), and 412 thereof:

It is ordered, That:

1. Agreement CAB 20886 be and hereby is approved, provided that approval of the agreement shall not constitute a waiver of the Board's economic regulations governing the publication and filing of tariffs; and

2. The petitions of United Pet Dealers Association, Inc., and Allied-American Bird Co. be and hereby are dismissed.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] MABEL MCCART,
Acting Secretary.

[F.R. Doc. 69-7883; Filed, July 2, 1969; 8:49 a.m.]

[Dockets Nos. 20486, 20670; Order 69-6-152]

MOHAWK AIRLINES, INC., AND UNITED AIR LINES, INC.

Order Setting Application for Hearing

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 26th day of June 1969.

Application of Mohawk Airlines, Inc. for amendment of its certificate of public convenience and necessity, docket No. 20486; application of United Air Lines, Inc. for amendment of its certificate of public convenience and necessity, docket No. 20670.

By Order 68-12-132, dated December 24, 1968, the Board set for further proceedings, pursuant to Rules 1306-1310 of the Board's procedural regulations, the application of Mohawk Airlines, Inc. (Mohawk), for amendment of its certificate of public convenience and necessity for Route 94 so as to permit it to provide, without subsidy eligibility, nonstop service between Rochester, N.Y., and Pittsburgh, Pa.

United Air Lines, Inc. (United), filed an answer in opposition to the application. Allegheny Airlines, Inc. (Allegheny), filed an answer stating that it does not oppose Mohawk's application provided that a restriction is imposed preventing one-stop Pittsburgh-Toronto operations by Mohawk. The Rochester Chamber of Commerce filed an answer in support of the application. Mohawk filed a reply to the answers of Allegheny and United.

United filed a motion to consolidate its application in docket No. 20670 for Rochester-Pittsburgh nonstop authority on a separate segment of Route 51. Mohawk filed an answer to United's motion to consolidate and United filed a reply to that answer.

Upon consideration of the pleadings and all the relevant facts, the Board has determined that there is a sufficient basis for setting Mohawk's application, Docket 20486, for hearing. We shall also consolidate United's application, Docket 20670.[1]

Accordingly, it is ordered, That:

1. This application of Mohawk Airlines, Inc., Docket 20486, be and it hereby is set for hearing before an examiner of the Board at a time and place to be hereafter designated; and

2. The application of United Air Lines, Inc., Docket 20670, be and it is hereby consolidated for hearing with Docket 20486.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] MABEL MCCART,
Acting Secretary.

[F.R. Doc. 69-7884; Filed, July 2, 1969; 8:50 a.m.]

[1] There is no need for the restriction proposed by Allegheny. By reason of condition (5) in its certificate of public convenience and necessity for route 94F, Mohawk is prohibited from offering single-plane service between Toronto and any point west of Buffalo on route 94, and Pittsburgh is west of Buffalo.

[Docket No. 21137; Order 69-6-172]

NATIONAL AIRLINES, INC.

Order of Investigation and Suspension

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 30th day of June 1969.

Applicability of night coach fares to a Miami-New York flight departing at 8 p.m., proposed by National Airlines, Inc., docket 21137.

By tariff revisions marked to become effective July 3, 1969,[1] National Airlines, Inc. (National), proposes that its jet night coach fares apply on a northbound flight departing Miami at 8 p.m. during the period of July 31, through September 30, 1969. Presently night coach fares in the Miami-Northeast markets apply between the hours of 10 p.m. and 3:59 a.m. The proposal is marked to expire with September 30, 1969.

In support of its filing, the carrier states that the proposal stems from the special circumstances surrounding a particular flight (Flight 608), which presently departs Miami at 10 p.m. and arrives La Guardia at 12:20 a.m.; it departs La Guardia at 12:45 a.m. and terminates in Providence at 1:26 a.m. National has been advised that, effective August 1, 1969, La Guardia Airport will be closed for a minimum of 60 days, 6 days a week, between the hours of 12:01 a.m. and 7 a.m. for the purpose of repaving runways. Accordingly, the carrier believes it is necessary that this flight depart Miami 2 hours earlier in order to insure a La Guardia departure prior to 12:01 a.m., considering the possibility of airport delays.

Eastern Air Lines, Inc. (Eastern), and Northeast Airlines, Inc. (Northeast), have filed complaints requesting suspension of National's proposed 8 p.m. departure time. Eastern asserts that advancing this flight departure by 2 hours would result in an unfair competitive advantage for National in relation to the other two carriers operating in the market. Eastern believes the proposal would cause considerable diversion from other northbound departures during the prime evening hours. Northeast, on the other hand, contends that National's justification does not meet the criteria traditionally employed by the Board when testing the lawfulness of night coach and off-peak fares. Both carriers contend that it is not necessary for National to roll back the departure time of its Flight 608 to 8 p.m. at Miami in order to depart La Guardia prior to the 12 p.m. curfew.[2] Finally, Eastern and Northeast submit that, should National feel that a departure time at 9 p.m. or after entails a certain degree of risk, the carrier is always free to operate its night coach flights through Kennedy or Newark Airport.[3]

Upon consideration of all relevant matters, the Board finds that National's proposal may be unjust, unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and should be suspended pending investigation.

Except for the indication that La Guardia Airport will be closed for repairs from midnight to 7 a.m. during the months of August and September, National has not demonstrated the need to advance the departure time of its Flight 608 by a full 2 hours. As pointed out by the complainants, there are presently a

[1] Revisions to Airline Tariff Publishers, Inc., Agent, Tariff CAB No. 101, filed June 3, 1969.

[2] Northeast points out that National could depart Miami as late as 9:15 p.m. and still transit La Guardia before 12 midnight.

[3] Eastern and Northeast are both transferring their night coach operations to Kennedy Airport during the period of construction activity at La Guardia.

number of late afternoon and early evening regular-fare flights departing Miami for New York, as well as several nonstop or one-stop night coach flights departing at 10 p.m. or shortly thereafter. It appears, therefore, that National's proposal would cause significant diversion of traffic from other night coach flights, and dilute the normal-fare revenues of all three carriers operating in the market. However, the Board would consider a departure time of 9 p.m. for National's Flight 608.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a) and 1002 thereof:

It is ordered, That:

1. An investigation be instituted to determine whether the provisions of paragraph (1)(b) of "Application:" on 10th Revised Page 223 of Airline Tariff Publishers, Inc., Agent's CAB No. 101, and rules, regulations, and practices affecting such provisions, are or will be unjust or unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and if found to be unlawful, to determine and prescribe the lawful provisions, and rules, regulations, or practices affecting such provisions;

2. Pending hearing and decision by the Board, the provisions of paragraph (1)(b) of "application:" on 10th Revised Page 223 of Airline Tariff Publishers, Inc., Agent's CAB No. 101 are suspended and their use deferred to and including September 30, 1969, unless otherwise ordered by the Board, and that no changes be made therein during the period of suspension except by order or special permission of the Board;

3. Except to the extent granted herein, the complaints of Eastern Air Lines, Inc., in Docket 21091, and Northeast Airlines, Inc., in Docket 21089, are hereby dismissed;

4. This investigation be assigned for hearing before an examiner of the Board at a time and place hereafter to be designated; and

5. A copy of this order be filed with the aforesaid tariff and be served on Eastern Air Lines, Inc., National Airlines, Inc., and Northeast Airlines, Inc., which are made parties to this proceeding.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] MABEL MCCART, *Acting Secretary.*

[F.R. Doc. 69-7885; Filed, July 2, 1969; 8:50 a.m.]

NORTH CENTRAL AIRLINES, INC.

Notice of Application for Amendment of Certificate of Public Convenience and Necessity

JUNE 26, 1969.

Notice is hereby given that the Civil Aeronautics Board on June 26, 1969, received an application, Docket 21132, from North Central Airlines, Inc., for amendment of its certificate of public convenience and necessity for route 86 to authorize it to engage in nonstop service between Kansas City, Mo., and Minneapolis/St. Paul, Minn. The applicant requests that its application be processed under the expedited procedures set forth in Subpart M of Part 302 (14 CFR Part 302).

[SEAL] MABEL MCCART, *Acting Secretary.*

[F.R. Doc. 69-7886; Filed, July 2, 1969; 8:50 a.m.]

SOUTHERN AIRWAYS, INC.

Notice of Application for Amendment of Certificate of Public Convenience and Necessity

JUNE 26, 1969.

Notice is hereby given that the Civil Aeronautics Board on June 25, 1969, received an application, Docket 21122, from Southern Airways, Inc., for amendment of its certificate of public convenience and necessity for route 98 to authorize it to engage in nonstop service between Gulfport-Biloxi, Miss., and Washington/New York/Newark. The applicant requests that its application be processed under the expedited procedures set forth in Subpart M of Part 302 (14 CFR Part 302).

[SEAL] MABEL MCCART, *Acting Secretary.*

[F.R. Doc. 69-7887; Filed, July 2, 1969; 8:50 a.m.]

[Docket No. 20066 etc.]

TEXAS INTERNATIONAL AIRLINES, INC.

Notice of Reassignment of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that public hearing in the above-entitled matter now assigned to be held on July 8, 1969, will be held on July 21, 1969, at 10 a.m., e.d.s.t., in Room 1027, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before the undersigned examiner.

Dated at Washington, D.C., June 26, 1969.

[SEAL] HYMAN GOLDBERG, *Hearing Examiner.*

[F.R. Doc. 69-7888; Filed, July 2, 1969; 8:50 a.m.]

[Docket No. 20593; Order 69-6-153]

UNITED AIR LINES, INC.

Order To Show Cause for Amendment of Certificate of Public Convenience and Necessity

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 26th day of June 1969.

Application of United Airlines, Inc., for amendment of its certificate of public convenience and necessity, Docket No. 20593.

On December 24, 1968, United Airlines, Inc. (United), filed an application in Docket 20593 to add Rochester, N.Y., as a coterminal point with Buffalo on segment 4 of Route 51.[1]

On February 17, 1969, the city of Rochester, the county of Monroe, and the Rochester Chamber of Commerce (Rochester parties) filed a petition for immediate hearing on United's application. On May 15, 1969, United filed a motion for immediate hearing on its application. On June 2, 1969, Mohawk Airlines, Inc. (Mohawk), filed an answer to United's motion insofar as it seeks improved Rochester-Pittsburgh authority, together with a motion to file an otherwise unauthorized document.[2]

Upon consideration of the pleadings and other relevant facts, we have decided to issue an order to show cause proposing to award the authority requested by United. We tentatively find and conclude that the public convenience and necessity require the amendment of United's certificate for Route 51 so as to add Rochester as a coterminal point with Buffalo on segment 4, subject to conditions requiring an intermediate stop between Rochester and Pittsburgh and prohibiting single-plane service between Rochester and Cleveland.

In support of our ultimate finding, we tentatively find and conclude as follows: That the grant of United's application, subject to the conditions mentioned above, will give United nonstop authority between Rochester and 14 cities on segment 4;[3] that United is the only carrier certificated to provide service between Rochester and the Route 51 points in question, and is the dominant carrier in these 14 markets;[4] that the proposed award of nonstop authority will make possible improved service to the public and increased operational flexibility for United; and that grant of the requested

[1] Segment 4, which incorporates by reference part of segment 1, is as follows:

Between the terminal point Buffalo, N.Y., the intermediate points Cleveland, Akron-Canton, and Youngstown, Ohio, Pittsburgh, Pa., Charleston, W. Va., Bristol, Tenn.-Va. and (a) beyond Bristol, the intermediate points Asheville, N.C., Atlanta, Ga., and (i) beyond Atlanta, Ga., the intermediate points Birmingham and Mobile, Ala., and the terminal point New Orleans, La., and (ii) beyond Atlanta, Ga., the intermediate points Jacksonville, Tampa-St. Petersburg-Clearwater, and West Palm Beach, Fla., and the coterminal points Fort Lauderdale and Miami, Fla., and (b) beyond Bristol, the intermediate points Knoxville and Chattanooga, Tenn., Birmingham and Mobile, Ala., and the terminal point New Orleans, La.

[2] We will grant Mohawk's motion.

[3] The largest of these markets, Rochester-Miami, had 31,680 O&D and connecting passengers in 1967. United proposes initially to provide one Rochester-Miami nonstop round trip.

[4] United's participation in these markets ranges from 54 percent in the Rochester-New Orleans market to over 90 percent in the Rochester-Akron-Canton/Atlanta/Birmingham / Charleston / Miami / Mobile / Tampa/West Palm Beach/Youngstown markets. 1967 O&D and connecting traffic.

authority will have no significant competitive impact on any other carrier.[5]

We tentatively find that United should be precluded from providing nonstop Rochester-Pittsburgh service and from providing single-plane service between Rochester and Cleveland. Rochester-Pittsburgh authority is at issue in Docket 20486, Mohawk's Subpart M application for nonstop Rochester-Pittsburgh authority, which was set for hearing in Order 69-6-152. United's application for Rochester-Pittsburgh nonstop authority in Docket 20670 was consolidated in that proceeding and United will therefore have the opportunity to litigate such authority in that case.

In the Rochester-Cleveland market American Airlines has nonstop authority. A restriction on United's authority in that market should avoid complication of this proceeding by introduction of issues of competitive authority. Moreover, United has not proposed service between Rochester and Cleveland or shown any need for competitive service.

Interested persons will be given twenty (20) days following service of this order to show cause why the tentative findings and conclusions set forth herein should not be made final. We expect such persons to direct their objections, if any, to specific markets and to support such objections with detailed answers, specifically setting forth the tentative findings and conclusions to which objection is taken. Such objections should be accompanied by arguments of fact or law and should be supported by legal precedent or detailed economic analysis. If an evidentiary hearing is requested, the objector should state in detail why such a hearing is considered necessary and what relevant and material facts he would expect to establish through such a hearing. General, vague, or unsupported objections will not be entertained.

Accordingly, It is ordered, That:

1. All interested persons are directed to show cause why the Board should not issue an order amending the certificate of public convenience and necessity of United Air Lines, Inc., for Route 51 so as to add Rochester, N.Y., as a coterminal point with Buffalo on segment 4, subject to conditions requiring an intermediate stop between Rochester and Pittsburgh and prohibiting single-plane service between Rochester and Cleveland;

2. Any interested persons having objections to the issuance of an order making final the proposed findings, conclusions, and certificate amendments set forth herein shall, within twenty (20) days after service of a copy of this order, file with the Board and serve upon all persons made parties to this proceeding a statement of objections, together with a summary of testimony, statistical data, and other evidence expected to be relied on to support the stated objections;[6]

3. If timely and properly supported objections are filed, full consideration will be accorded the matters or issues raised by the objections before further action is taken by the Board;

4. In the event no objections are filed, all further procedural steps will be deemed to have been waived, and the case will be submitted to the Board for final action;

5. The petition of the city of Rochester, the county of Monroe, and the Rochester Chamber of Commerce for an immediate hearing and the motion of United Air Lines, Inc., for an immediate hearing be and they are hereby dismissed;

6. The motion of Mohawk Airlines, Inc., for leave to file an otherwise unauthorized document be and it is hereby granted; and

7. A copy of this order shall be served upon Airlift International, Inc., Allegheny Airlines, Inc., American Airlines, Inc., Delta Air Lines, Inc., Eastern Air Lines, Inc., Mohawk Airlines, Inc., National Airlines, Inc., Northeast Airlines, Inc., Northwest Airlines, Inc., Pan American World Airways, Inc., Piedmont Aviation, Inc., Southern Airways, Inc., Trans World Airlines, Inc., United Air Lines, Inc., and the cities and Chambers of Commerce of Akron, Canton, Cleveland, and Youngstown, Ohio, Asheville, N.C., Atlanta, Ga., Birmingham and Mobile, Ala., Bristol, Chattanooga, and Knoxville, Tenn., Charleston, W. Va., Clearwater, Fort Lauderdale, Jacksonville, Miami, St. Petersburg, and West Palm Beach, Fla., New Orleans, La., Pittsburgh, Pa., and Rochester, N.Y.

This order shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] MABEL MCCART,
Acting Secretary.

[F.R. Doc. 69-7889; Filed, July 2, 1969; 8:50 a.m.]

[Docket No. 19074, etc.; Order 69-6-151]

VARIOUS POST OFFICE NOTICES

Order To Show Cause Regarding Use of Air Taxi Mail Service

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 26th day of June 1969.

In the matter of Various Post Office Notices giving notice pursuant to § 298.24 of the Board's regulations of intent to use air taxi mail service, dockets Nos. 19074, 19075, 19790, 19783, 19787, 19880, 19793, 20101, 20274, 20275, 20276, 20380, 20199, 20377, 20379, 20800.

On October 11, 1967, the Board adopted ER-514 (32 F.R. 14320, Oct. 17, 1967) which authorized individual exemptions for air taxi mail service in certain competitive markets and extended the term of the air taxis' authority to carry mail to June 30, 1969.

Since the rule authorizing air taxi mail service in competitive markets was issued, approximately 160 notices of intent under § 298.24 have been filed with the Board by the Post Office Department (POD).[1] Eighteen of these notices of intent have been protested. In the decided protested cases, the Board has found that the proposed air taxi services were required by postal needs in that, in typical situations, the certificated carriers were unable to meet the early morning and late night round trip scheduling essential to Post Office operations.

The protested notices of intent approved by the Board all carry an expiration date of June 30, 1969, due to the fact that at the time the notices were approved, June 30, 1969, was the termination date of all mail authorizations granted to air taxis pursuant to Part 298 of the Board's regulations. By notice of proposed rule making, dated April 25, 1969, EDR-160, Docket 20945, the Board proposed to amend Part 298 to extend the exemption granted air taxi operators to engage in the transportation of mail until June 30, 1974. On June 12, 1969, the Board adopted the proposed amended rule effective July 1, 1969 (Regulation ER-580).

Therefore, as matters presently stand, the basic mail authority of air taxi operators has been extended to June 30, 1974. However, there are currently outstanding various orders authorizing the provision of air taxi mail service between pairs of points in which an air carrier or carriers holds a certificate of public convenience and necessity. Unless extended these authorizations will expire by their terms on June 30, 1969. In this connection, the Post Office Department has submitted to the Board a request that the mail authority of those air taxi operators currently carrying mail and whose authority was granted by the Board pursuant to a protested notice of intent be extended for a period coextensive with the basic Part 298 mail authority.

In the light of the foregoing, the Board tentatively finds and concludes that the public interest requires the extension until June 30, 1974, of the mail

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[5] In view of the fact that United is the only incumbent carrier and carries the vast bulk of traffic in the markets involved, we do not intend to consolidate for hearing any other applications even if objections are forthcoming. See Order 68-11-29, dated Nov. 5, 1968.

[6] All motions and/or petitions for reconsideration shall be filed within the period allowed for filing objections and no further such motions, requests, or petitions for reconsideration of this order will be entertained.

[1] Section 298.21 of the Board's economic regulations prohibits an air taxi operator from carrying mail between any pair of points when an air carrier holds a certificate of public convenience and necessity between such pair of points: *Provided*, That an air taxi operator is not precluded from carrying mail between any pair of points regarding which there is in effect a notice of intent to use air taxi mail service as provided in § 298.24. Section 298.24 provides that an air taxi operator may carry mail between a pair of points named in a notice of intent to use air taxi mail service which is effective pursuant to this section. Only the Post Office Department may file such a notice. But where a protest to the notice has been filed by an interested certificated carrier, the notice shall not be effective unless and until the Board so orders.

authority in the designated markets of those air taxi operators listed in the appendix below. Pending our resolution of the show cause proceeding at hand, we will extend the authorizations set forth in the appendix below.

We note that in petitioning the Board to institute rule-making proceedings to extend the basic air taxi mail authority until June 30, 1974, the Postmaster General represented that he has a continuing need for air taxi mail service in both certificated and noncertificated markets and that the Post Office Department is compelled to continue to seek the services of air taxi operators in those markets in which certificated schedules fulfilling postal requirements cannot be obtained. Each of the authorizations which we tentatively propose to extend until June 30, 1974, represents a situation in which the Board has found that the needs of the postal service require grant of the authorizations in question. The fact that the protested notices of intent were approved for a temporary period was directly related to the fact that the underlying air taxi mail authority contained in Part 298 also expired on June 30, 1969. In the light of the fact that the basic Part 298 air taxi authority has now been extended to June 30, 1974, and that the Post Office Department has indicated a continuing need for the postal services described in the appendix below, we tentatively find and conclude that the authorizations contained in the appendix should be extended for the same period terminating on June 30, 1974.

In granting interested persons the opportunity to show why our tentative findings and conclusions should not be adopted, we expect such persons to direct their objections, if any, to specific markets and to support such objections with detailed answers, specifically setting forth the tentative findings and conclusions to which objection is taken. Such objection should be accompanied by arguments of fact or law and should be supported by legal precedent or detailed economic analysis. General, vague, and unsupported objections will not be entertained.

Accordingly, it is ordered, That:

1. All interested persons are directed to show cause why the Board should not issue an order making final the tentative findings and conclusions stated herein and extending the authorizations described in the attached appendix for a period to terminate on June 30, 1974;

2. The authorizations set forth in the appendix below be and they hereby are continued in effect until final decision on the matters set forth in ordering paragraph 1 herein;

3. Any interested persons having objections to the issuance of an order making final the proposed findings and conclusions set forth herein shall, within 20 days after service of a copy of this order, file with the Board and serve upon all persons made parties to this proceeding a statement of objections together with a summary of testimony, statistical data, and other evidence expected to be relied upon to support the stated objections;

4. If timely and properly supported objections are filed, full consideration will be accorded the matters or issues raised by the objections before further action is taken by the Board; [2] and

[2] All motions and/or petitions for reconsideration shall be filed within the period allowed for filing objections and no further such motions, requests, or petitions for reconsideration of this order will be entertained.

5. In the event no objections are filed, all further procedural steps will be deemed to have been waived, and the case will be submitted to the Board for final action.

This order shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] MABEL MCCART, *Acting Secretary.*

APPENDIX

Carrier	Docket	Present authorization	Markets involved
Sedalia, Marshall, Boonville Stage Line, Inc.	19074	E-26162	Chicago, Ill.-Louisville, Ky.
Do.	19075	12/21/67	Cleveland, Ohio-Indianapolis, Ind.
Do.	19790	E-26893 6/7/68	Texarkana-Dallas, Tex.
Do.	19783	E-26891 6/7/68	Muskogee-Tulsa-Oklahoma City, Okla.
Hood Airlines	19787	E-26893 6/7/68	Temple-Waco-Dallas, Tex.
Upper Valley Aviation, Inc.	19880	68-7-64 7/12/68	McAllen-Corpus Christi-San Antonio, Tex.
Ross Aviation, Inc.	19793	E-26893 6/7/68	Midland-Abilene-Dallas, Tex.
Do.	20101	68-11-132 11/27/68	Florence-Columbia, S.C.-Atlanta, Ga.
Do.	20274	68-12-108	Reno-Lovelock-Winnemucca, Nev.
	20275	12/19/68	Reno-Las Vegas, Nev.
	20276		Ely-Elko-Reno, Nev.
Do.	20280	68-12-61 12/12/68	Medford-Klamath Falls-Bend-Portland, Oreg.
Orion Airways, Inc.	20199	68-10-182 10/31/68	St. Louis, Mo.-Memphis, Tenn.
Combs Airways, Inc.	20377	68-12-64	Billings-Helena, Mont.
	20379	12/12/68	Kalispell-Helena-Billings, Mont.
Midwest Airways, Inc.	20800	69-5-135 5/20/69	AMF Twin Cities-Minneapolis, Minn.-La Crosse, Madison, and Milwaukee, Wis.

[F.R. Doc. 69-7890; Filed, July 2, 1969; 8:50 a.m.]

FEDERAL MARITIME COMMISSION

BOSTON DOCKS SERVICES ASSOCIATION

Notice of Agreement Filed for Approval

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

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

Notice of agreement filed for approval by:

Mr. Leo F. Glynn, Glynn & Dempsey, Attorneys at Law, 50 State Street, Boston, Mass. 02109.

Agreement No. T-2315 between Terminal Services, Inc., Nacirema Operating Co., Inc., and John T. Clark Terminal Services, Inc., provides for the formation of an association to be known as the Boston Docks Services Association. The purpose of the Association is to permit the parties to the agreement to consult with each other concerning services, facilities, rates, and charges incidental to truck loading and equipment rental related thereto in waterfront operations in and for the Port of Boston, Mass. The parties agree to make no changes in their tariffs without prior notice to members of the Association and to make no change effective until after 30 days notice to the public unless good cause exists for a change on shorter notice. Each member reserves to himself the right of independent action.

By order of the Federal Maritime Commission.

Dated: June 30, 1969.

[F.R. Doc. 69-7891; Filed, July 2, 1969; 8:50 a.m.]

EUROPA-CANADA LINIE G.m.b.H.

Order of Revocation

Europa-Canada Linie, G.m.b.H., Bremen 1 Breitenweg, Bremen, West Germany.

Certificate of Financial Responsibility for Indemnification of Passengers for Nonperformance of Transportation No. P-15 and Certificate of Financial Responsibility to meet liability incurred for death or injury to passengers or other persons on Voyages No. C-1,015.

Whereas, Europa-Canada Linie, G.m.b.H., Bremen, has ceased to operate passenger vessels subject to sections 2 and 3 of Public Law 89-777; and

Whereas, Europa-Canada Linie, G.m.b.H., Bremen, has returned Certificate (Performance) No. P-15 and Certificate (Casualty) No. C-1,015 to the Commission for revocation:

It is ordered, That Certificate (Performance) No. P-15 and Certificate (Casualty) No. C-1,015 be and are hereby revoked effective June 27, 1969.

It is further ordered, That a copy of this order be published in the FEDERAL REGISTER and served on Europa-Canada Linie G.m.b.H., Bremen.

By the Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 69-7892; Filed, July 2, 1969; 8:50 a.m.]

TRANS-OCEAN STEAMSHIP CO.

Order of Revocation

Certificate of Financial Responsibility for Indemnification of Passengers for Nonperformance of Transportation No. P-63 and Certificate of Financial Responsibility To Meet Liability Incurred for Death or Injury to Passengers or Other Persons on Voyages No. C-1,058.

N.V. Scheepvaart Maatschappij "Trans-Ocean" (Trans-Ocean Steamship Co.) Hoenderlaan, 6, 'S-Gravenhage, The Netherlands.

Whereas, Trans-Ocean Steamship Co. has ceased to operate passenger vessels subject to sections 2 and 3 of Public Law 89-777; and

Whereas, Trans-Ocean Steamship Co. has returned Certificate (Performance) No. P-63 and Certificate (Casualty) No. C-1,058 to the Commission for revocation:

It is ordered, That Certificate (Performance) No. P-63 and Certificate (Casualty) No. C-1,058 be and are hereby revoked effective June 27, 1969.

It is further ordered, That a copy of this order be published in the FEDERAL REGISTER and served on Trans-Ocean Steamship Co.

By the Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 69-7893; Filed, July 2, 1969; 8:50 a.m.]

[Independent Ocean Freight Forwarder License No. 1061]

GATEWAY EXPORT CO.

Order of Revocation

Mr. Jack Rubin has advised the Federal Maritime Commission that he wishes to relinquish voluntarily his Independent Ocean Freight Forwarder License No. 1061, and will return said license to the Commission for cancellation.

By virtue of authority vested in me by the Federal Maritime Commission as set forth in Manual of Orders, Commission Order 201.1, section 6.03:

It is ordered, That the Independent Ocean Freight Forwarder License No. 1061 of Jack Rubin doing business as Gateway Export Co., Washington, D.C. 20005, be and is hereby revoked effective June 12, 1969.

It is further ordered, That a copy of this order be published in the FEDERAL REGISTER and served upon the licensee.

LEROY F. FULLER,
Director,
Bureau of Domestic Regulation.

[F.R. Doc. 69-7894; Filed, July 2, 1969; 8:50 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Report No. 446]

COMMON CARRIER SERVICES INFORMATION [1]

Domestic Public Radio Services Applications Accepted for Filing [2]

JUNE 30, 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 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.

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

[2] The above alternative cutoff rules apply to those applications listed in the appendix as having been accepted in Domestic Public Land Mobile Radio, Rural Radio, Point-to-Point Microwave Radio, and Local Television Transmission Services (Part 21 of the rules).

APPENDIX

APPLICATIONS ACCEPTED FOR FILING: JUNE 30, 1969

DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE

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

7729-C2-TC-69—Valley Mobile Communications Inc. (KMD690), Consent to transfer of control from Clarence Gary, Transferor, to: Bruce Gary, Transferee.

7730-C2-P-69—Mobile Radio System of Ventura, Inc. (KMA835), C.P. for an additional base channel to operate on frequency 152.12 MHz at station located at 7000 feet north of Foothill and Day Road, Willis Canyon Peak, Ventura, Calif.

7731-C2-P-(3)-69—Caprock Radio Dispatch (KKJ449), C.P. to delete base frequency 152.06 MHz at location No. 1: 200 West First Street, Roswell, N. Mex., and location No. 2: Capitan Mountain, 48 miles northwest of Roswell, N. Mex. Also delete 75.98 MHz (Repeater) at location No. 2. Add 152.12 MHz (Base) and 459.10 MHz (Repeater) at a new site identified as location No. 4: 3.5 miles southwest of Caprock, N. Mex. Also at existing location No. 3: 310 West Wildy, Roswell, N. Mex., replace 72.58 MHz control facilities with frequency 454.10 MHz.

7732-C2-P-69—Mobile Radio Systems Ltd. (KSJ824), C.P. for additional base channel to be located at a new site described as location No. 2: 1704 East Jackson Street, Springfield, Ill., to operate on frequency 152.18 MHz.

7733-C2-AL-69—Worcester Communications Co., Inc. (KCA721), Consent to assignment of license from: Worcester Communications Co., Inc. Assignor to: Communications Electronics Service, Inc. d.b.a. Worcester Communications Co., Assignee.

7734-C2-TC-69—Philadelphia Mobile Telephone Co. (KGI775), Consent to transfer of control from: Robert L. Starer, John B. Huffaker, and Physitech Corp., Transferors, to: The Mobile Telephone Co., Transferee.

7757-C2-P-(3)-69—Texas Mobile Telephone Co. (New), C.P. for a new 2-way station to be located at Preston Towers, Preston Road and Northwest Highway, Dallas, Tex., to operate on frequencies 454.025, 454.125, 454.225 MHz.

7759-C2-P-69—Otis L. Hale d.b.a. Mobilfone Communications (New), C.P. for a new 1-way station to be located at 30th and Maple Streets, Little Rock, Ark., to operate on frequency 152.24 MHz.

7760-C2-P-69—Pioneer Telephone Cooperative, Inc. (KLB669), C.P. to change antenna system and relocate facilities to: One mile east of Kingfisher, Okla., operating on base frequency 152.69 MHz. Also add base station to operate on frequency 454.525 MHz.

7758-C2-P-(3)-69—Michigan Mobile Telephone Co. (New), C.P. for a new 2-way station to be located at Pemobscott Building, Griswald and Fort Street, Detroit, Mich., to operate on frequencies 454.250, 454.300, 454.350 MHz.

DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE—continued

7877-C2-P-69—W. Donald Molitor and Donald N. Molitor, d.b.a. Canaveral Communications (New), C.P. for a new 1-way station to be located at 310 Palmetto Avenue, Melbourne, Fla., to operate on base frequency 158.70 MHz.

7878-C2-P-69—C. L. McHolland d.b.a. Dome Communications (KLF516), C.P. to replace transmitter operating on base frequency 152.15 MHz at location No. 1: Little Goose Peak, Wyo.

7879-C2-P-69—Ralph C. Parker d.b.a. Ratel Communications Co. (KKO341), C.P. for additional base channel to operate on frequency 152.21 MHz at station located at KFDX-TV Tower, State Route No. 30 and Old Seymour Road, Wichita Falls, Tex.

7880-C2-P-(2)-69—Kalama Telephone Co. (KOP330), C.P. for additional base channel to operate on frequency 152.72 MHz at station located at end of China Gardens Road, 4½ miles east of Kalama, Wash.

7894-C2-P-(4)-69—The Chesapeake & Potomac Telephone Co. (KGA586), C.P. to change antenna system for base frequencies 152.51, 152.63, 152.72, 152.81 MHz at Location No. 2: 1420 Columbia Road NW., Washington, D.C.

7895-C2-P-(2)-69—The Chesapeake & Potomac Telephone Co. (KGC405), C.P. (Developmental) to change antenna system for frequencies 454.95, 454.675, MHz at station located at 1420 Columbia Road NW., Washington, D.C.

731-C2-R-69—Day-Nite Radio Message Service Corp. (KGA593), Renewal filed for license expiring Apr. 1, 1969.

7923-C2-P-(2)-69—Arlington Telephone Co. (New), C.P. for new (Developmental—Air-Ground) station to be located at 615 West Dodge Street, Arlington, Nebr., to operate on frequencies 454.825, 454.675 MHz.

Informative

7768-C2-P/L-69—Atlas Van-Lines, Inc., Applicant has filed an application for 500 individual mobile units using facilities of Wireline Common Carriers throughout the continental United States.

Major Amendment

46-C2-P-69—Jack Loperena (New), Amend to read: C.P. for a new 1-way signaling station. Frequency: 158.70 MHz. All other particulars to remain the same as reported on public notice dated Aug. 28, 1968, Report No. 402-1.

Corrections

5075-C2-P-69—Central Mobile Radio Phone Service (KQK595), Correct to read: C.P. to replace base transmitter operating on frequency 152.12 MHz. All other particulars remain the same as reported under Major Amendments on public notice dated Apr. 21, 1969, Report No. 436.

7372-C2-MP-69—New York Telephone Co. (KEA763), Correct to read: Modification of C.P. to relocate and increase antenna height for base frequencies 454.375, 454.450, 454.525, 454.550, 454.625, 454.650 MHz at location No. 3: 237 East 37th Street, New York, N.Y., and to add auxiliary test facilities to operate on frequencies 459.375, 459.450, 459.525, 459.550, 459.625, 459.650 MHz located at 228 East 56th Street, New York, N.Y.

7482-C2-P-69—Communications Engineering Co. (KMA742), Correct to read: C.P. to change antenna systems for base frequencies 152.18 MHz and 152.21 MHz; replace transmitter for frequency 152.21 MHz.

RURAL RADIO SERVICE

7881-C1-P/L-69—The Mountain States Telephone & Telegraph Co. (New), C.P. and license for a new fixed station to be located at 22 miles west of Missoula, Mont., to operate on frequency 157.89 MHz.

7882-C1-P-69—Western California Telephone Co. (New), C.P. for a new fixed station to be located at Los Huecos Ranch 6.21 miles northeast Morgan Hill, Calif., to operate on frequency 157.86 MHz.

7919-C1-P/L-69—South Georgia Telephone Co. (New), C.P. and license for a new fixed station at temporary locations within territory of grantee to operate on frequency 157.80 MHz. (Communicate with station KIY751 at Folkston, Ga.)

POINT-TO-POINT MICROWAVE RADIO SERVICE

7723-C1-P-69—Illinois Bell Telephone Co. (KSN61), C.P. to add 6241.7, 10,915 MHz directed toward Lorenzo, Ill., at its station 2.8 miles east-southeast of Norway, Ill.

7724-C1-P-69—Illinois Bell Telephone Co. (KYC83), C.P. to add 6019.3, 11,365 MHz directed toward Norway, Ill., at its station 3.5 miles northwest of Lorenzo, Ill.

7725-C1-P-69—Western Union Telegraph Co. (The) (KNG49), C.P. to change antenna location to adjacent to building No. 1, Sunnyvale, Calif., operating on 3770 and 4010 MHz.

7726-C1-P-69—Illinois Bell Telephone Co. (KSN55), C.P. to add 10,975, 11,135 MHz directed toward Winnebago, Ill., at its station 211 North Church Street, Rockford, Ill.

7727-C1-P-69—Illinois Bell Telephone Co. (KCG70), C.P. to add 11,385, 11,545 MHz directed toward Rockford, Ill., and add 6301.0, 11,345 MHz toward Freeport, Ill., at its station 2.5 miles east-southeast of Winnebago, Ill.

7728-C1-P-69—Illinois Bell Telephone Co. (New), C.P. for a new station. Frequencies: 6078.6, 10,935 MHz. Location: 2.1 miles north of Freeport, Ill.

7738-C1-P/ML-69—The Pacific Telephone & Telegraph Co. (KMJ95), C.P. and modification of of license to add 5945.2 MHz directed toward 2490 Garden Highway, Sacramento, Calif. (KVIE), at its station 1407 J Street, Sacramento, Calif.

7883-C1-P/L-69—South Central Bell Telephone Co. (New), C.P. and license for a new station. Frequency: 6093 MHz. Location: Corner North Roan and Commerce Streets, Johnson City, Tenn.

7884-C1-P-69—General Telephone Co. of Kentucky (KYC59), C.P. to add 5952.6, 6071.2 MHz toward Mount Vernon and add 10,875, 11,115 MHz toward Somerset, Ky., at its station Hale Knob, 0.9 mile southwest of West Somerset, Ky.

7885-C1-P-69—General Telephone Co. of Kentucky (New), C.P. for a new station. Frequencies: 11,325 and 11,565 MHz. Location: 305 North Main Street, Somerset, Ky.

7886-C1-P-69—Indiana Bell Telephone Co. (KSV85), C.P. to change antenna systems at its station 1100 feet west of South 23d and Raible Streets, Anderson, Ind.

7887-C1-P/ML-69—The Ohio Bell Telephone Co. (KQL27), C.P. and modification of license to add two antennas and 6175, 6225 MHz directed toward Parma, Ohio (WUAB), at its station 750 Huron Road, Cleveland, Ohio.

7888-C1-P-69—Southern Bell Telephone & Telegraph Co. (KIY62), C.P. to power split frequencies 6226.9 and 6345.5 MHz toward Spartanburg, S.C., at its station 6 miles north of Greenville, S.C.

7889-C1-P-69—The Mountain States Telephone & Telegraph Co. (KPR44), C.P. to add 11,075 MHz directed toward Billings Junction, Mont., at its station 3001 Second Avenue North, Billings, Mont.

7890-C1-P-69—The Mountain States Telephone & Telegraph Co. (KPR45), C.P. to add 11,245 MHz toward Indian Arrow and add 11,525 MHz toward Billings, Mont., at its station 6.5 miles southeast of Billings, Mont.

7891-C1-P-69—The Mountain States Telephone & Telegraph Co. (KPR46), C.P. to add 10,795 MHz toward Billings Junction and add 11,075 MHz toward Pine Ridge, Mont., at its station 10.5 miles southwest of Corinth, Mont.

7892-C1-P-69—The Mountain States Telephone & Telegraph Co. (KPR47), C.P. to add 11,525 MHz toward Indian Arrow and add 11,245 MHz toward Hardin, Mont., at its station 5.5 miles southeast of Corinth (Pine Ridge), Mont.

7893-C1-P-69—The Mountain States Telephone & Telegraph Co. (KPR48), C.P. to add 10,795 MHz toward Pine Ridge, Mont., at its station 16 West Fourth Street, Hardin, Mont.

Major Amendments

5441-C1-P-69—Mountain States Telephone & Telegraph Co. (The) (KPI50), Correct geographic coordinates to lat. 48°10'10" N., long. 111°46'30" W. All other particulars same as reported in public notice dated Mar. 24, 1969, Report No. 432.

6270-C1-P-69—General Telephone Co. of the Northwest, Inc. (New), Change the azimuth of radio path between Troy, Mont., and the passive reflector at Preacher Mountain, Mont., from 224°17' to 201°19'. Station location: Second and Kootenai Streets, Troy, Mont.

6271-C1-P-69—General Telephone Co. of the Northwest, Inc. (New), Change the azimuth of radio path between Preacher Mountain passive reflector and Troy, Mont., from 44°17' to 21°18'. Station location: 114 East Fourth Street, Libby, Mont. All other particulars same as reported in public notice dated Apr. 28, 1969, Report No. 437.

POINT-TO-POINT MICROWAVE RADIO SERVICE—continued

6746-C1-P-69—The Mountain States Telephone & Telegraph Co. (KXQ99), Change geographic coordinates to lat. 44°37'17" N., long. 108°49'14" W. Station location: McCullough Peak, 11.7 miles east-northeast of Cody, Wyo.

6747-C1-P-69—The Mountain States Telephone & Telegraph Co. (New), Change geographic coordinates to lat. 44°45'20" N., long. 108°45'29" W. Station location: 277 North Absaroka Street, Powell, Wyo. All other particulars same as reported in public notice dated May 19, 1969, Report No. 440.

POINT-TO-POINT MICROWAVE RADIO SERVICE (NONTELEPHONE)

7769-C1-P-69—Mountain Microwave Corp. (New), C.P. for new station 5 miles northwest of De Smet, S. Dak. at lat. 44°26'29" N., long. 97°37'10" W. Frequency 11,055 MHz on azimuths 306°8' and 75°50'.

7770-C1-P-69—Mountain Microwave Corp. (New), C.P. for new station 3 miles northwest of Toronto, S. Dak. at lat. 44°36'22" N., long. 96°40'52" W. Frequency: 11,545 MHz on azimuth 309°18'.

7771-C1-P-69—Mountain Microwave Corp. (New), C.P. for new station 2 miles north-northwest of Redfield, S. Dak. at lat. 44°54'40" N., long. 98°32'05" W. Frequency: 11,545 MHz on azimuth 2°27'. (Informative: Applicant proposes to provide the television signal of station KORN-TV of Mitchell, S. Dak. to Aberdeen Cable TV Service, Inc., and to Mid-Continent Cable Systems in Aberdeen and Lake Kampeska, S. Dak., respectively.)

7772-C1-ML-69—West Texas Microwave Co. (KKU85), Modification of license to permit carriage of four audio channels consisting of KIXL-FM, KWXI-FM, WRR-FM, and KCWM-FM, to Odessa, Tex., for delivery to Community Cablevision of Odessa.

7773-C1-P-69—Micro-Relay, Inc. (KJL94), C.P. to add power split on frequencies 5980.0, 6019.3, and 6137.9 MHz. Azimuths 69°38', 126°06', and 298°10'. Station location: 0.8 miles southwest of Helena, Ga., at lat. 32°04'06" N., long, 82°55'51" W. (Informative: Applicant proposes to provide the television signals of WAGA-TV, WJRJ-TV, WQXI, and WSB-TV and six FM broadcast signals to Eastman, Hazlehurst, and Vidalia, Ga., for delivery to G.T. and E. Communications, Inc.)

7774-C1-P-69—Micro-Relay, Inc. (KJL95), C.P. to add power split at station located 3.2 miles southeast of Broxton, Ga., at lat. 31°35'24" N., long. 82°51'26" W. Frequencies 6241.7, 6301.0, and 6360.3 MHz on azimuth 292°36'. (Informative: Applicant proposes to provide the television signals of WAGA-TV, WJRJ-TV, WQXI, and WSB-TV and six FM broadcast signals to Fitzgerald, Ga., for delivery to G.T. and E. Communications, Inc.)

7775-C1-P-69—Northco Microwave, Inc. (KCK70), C.P. to power split frequency 5937.5 MHz at Mount Greylock, Mass., lat. 42°38'14" N., long. 73°09'56" W. Azimuth 61°46'. (Informative: Applicant proposes to provide the television signal of WPIX-TV of New York City to New England Microwave, Inc., at Florida Mountain, Mass., for delivery to their existing subscriber Mohawk Valley TV at Athol, Mass.)

7876-C1-ML-69—American Microwave & Communications, Inc. (KYO48), Modification of license to change designation of Mount Pleasant, Mich., receiving site to (Drop-Relay) in order to permit delivery of WKBD-TV signal to Thumb Video Co. and Boothe Communications Co. (Applicant formerly known as Upper Peninsula Microwave, Inc.)

7896-C1-P-69—American Television Relay, Inc. (KKT86), C.P. to power split frequencies 6078.6 and 6137.9 on azimuth 72°16'. Location: Boy Scout Mountain, 4.6 miles northwest of Arabela, N. Mex. at lat. 33°37'20" N., long. 105°14'24" W.

7897-C1-P-69—American Television Relay, Inc. (New), C.P. for new station 10 miles northwest of Kenna, N. Mex., at lat. 33°58'38" N., long. 103°52'21" W. Frequencies: 11,095 and 11,175 MHz on azimuth 51°16'. (Informative: Applicant proposes to provide the television signals of stations KTLA and KHJ-TV to Clovis, N. Mex. for delivery to Midwest Video Corp.)

7920-C1-P-69—Teleprompter Transmission of Kansas, Inc. (KPB82), C.P. to (a) add frequency 6382.6 MHz via power split, toward Mount Royal (KPB51), Mont., on azimuth 67°21'; (b) delete frequency 6264.0 MHz toward Cutbank and Shelby, Mont.; and (c) delete Highwoods Peak (KPH86), Mont., as point of communication. Transmitter location: Mount Baldy, 9 miles south-southeast of East Glacier, Mont.

7921-C1-P-69—Teleprompter Transmission of Kansas, Inc. (KPB51), C.P. to (a) add frequencies 6019.3, 6078.6, and 6108.3 MHz toward Highwoods Peak (KPH86), Mont., on azimuth of 166°08'; (b) change existing frequency 6359.5 MHz to 6137.9 MHz toward Highwoods Peak; (c) change frequencies toward Havre, Mont., to 6019.3, 6108.3, 6049.0, 6137.9, and 6167.6 MHz on azimuth 108°06'; (d) change frequencies toward Cutbank, Mont., to 6049.0, 6137.9, and 6167.6 MHz; (e) change frequencies toward Shelby, Mont., to 6049.0, 6137.9, 6167.6 MHz; and (f) replace two of five existing transmitters and increase output power. Transmitter location: Mount Royal, 28 miles north-northwest of Chester, Mont.

7922-C1-P-69—Teleprompter Transmission of Kansas, Inc. (KPH86), C.P. to (a) change frequencies toward Great Falls, Mont., to 5960.0, 5989.7, 6049.0, and 6167.6 MHz on azimuth of 227°22'; (b) change frequencies toward Little Rockies, Mont., to 5989.7 and 6049.0 MHz on azimuth of 69°58'; and (c) replace four of four existing transmitters and increase output power. Transmitter location: Highwoods Peak, 28 miles east-southeast of Great Falls, Mont. (Informative: Applicant proposes to modify its existing system for purpose of improving service to its subscribers. Presently authorized service is unchanged by these applications.)

[F.R. Doc. 69-7871; Filed, July 2, 1969; 8:48 a.m.]

[Dockets Nos. 18489-18491; FCC 69R-281]

SUMMIT BROADCASTING ET AL.

Memorandum Opinion and Order Enlarging Issues

In re applications of Richard S. Genetti, Edward F. Genetti, Salvadore Gaudiano, Jr., and James Manganell (a Partnership), doing business as Summit Broadcasting, Freeland, Pa., Docket No. 18489, File No. BP-16986; CBM, Inc., West Hazleton, Pa., Docket No. 18490, File No. BP-17497; Broadcasters 7, Inc., West Hazleton, Pa., Docket No. 18491, File No. BP-17498; for construction permits, 1300 kHz.

1. Involved here are mutually exclusive applications for a new standard broadcast facility; Summit Broadcasting ("Summit") proposes to locate its facility in Freeland, Pa., and CBM, Inc. ("CBM") and Broadcasters 7, Inc. ("Broadcasters") each proposes to locate in West Hazleton, Pa.[1] Now before the Review Board is a petition to enlarge issues, filed April 10, 1969, by Summit seeking a Suburban Community issue[2] against each of the other applicants.[3] Also, before the Board is a joint petition, filed May 15, 1969, by CBM and Broadcasters, seeking the identical issue against Summit.[4]

2. Stated generally, the requests for issues derive from the proximity of the communities specified by each applicant to the city of Hazelton, Pa.; the comparative size of the communities; the location of the respective transmitter sites; the extent of coverage of Hazelton proposed by each applicant; and the asserted inability of the respective specified communities to provide sufficient revenues to sustain the station. Specifically, in support of its petition, Summit points out that West Hazelton, the community specified by both CBM and Broadcasters is adjacent to Hazelton, and that, according to the 1960 Census, Hazelton had a population of 32,056 while West Hazelton's population was 6,278. Summit further observes that, although both CBM and Broadcasters have specified West Hazelton as their principal community, both will place a 5 mv/m signal

[1] The applications were designated for hearing by Commission Order (FCC 69-237, 16 FCC 2d 1002, released March 21, 1969) on issues including a 307(b) issue and a contingent comparative issue.

[2] Policy Statement on section 307(b) Considerations for Standard Broadcast Facilities Involving Suburban Communities, 2 FCC 2d 190, 6 RR 2d 1901 (1965).

[3] Additional pleadings relating to this petition before the Board are: opposition, filed May 7, 1969, by Broadcasters 7, Inc.; Broadcast Bureau comments, filed May 7, 1969; opposition, filed May 7, 1969, by CBM, Inc.; and reply, filed May 21, 1969, by Summit.

[4] Additional pleadings relating to this petition before the Board are: opposition, filed June 4, 1969, by Summit; and Broadcast Bureau comments, filed June 4, 1969. CBM and Broadcasters have not filed a reply and the time therefor has expired.

over the larger city and indeed, CBM will provide a 25 mv/m signal to most of Hazelton and Broadcasters will place that quality signal over the entire city. Summit notes that both applicants' transmitter sites are located extremely close to Hazelton; and that neither applicant could have specified Hazelton as its principal community due to the restrictions of Rule 73.37(a).[4] Summit argues that these facts alone warrant the imposition of the Suburban Community issue against CBM and Broadcasters (citing inter alia, Outer Banks Radio Co., FCC 69-37, 15 FCC 2d 994 (1969)) especially because both such applications were filed "on top" of its application for Freeland. Summit further maintains that West Hazelton is merely a satellite of Hazelton, and is within the SMSA of which Hazelton is the central city. Summit notes that the two communities have a common water and sewage authority; that the telephone book does not contain separate listings for Hazelton and West Hazelton, whereas other neighboring communities are separately listed; that West Hazelton and Hazelton have a common Chamber of Commerce and service clubs; and that the local newspapers do not treat West Hazelton news separately, but report such items together with news for Hazelton. Summit further asserts that a local urban redevelopment program (CAN-DO) encompasses both communities and is administered by representatives drawn from the "Greater Hazelton Area." Finally, Summit claims that neither CBM nor Broadcasters has shown that its advertising revenues will be drawn from its specified community, and, Summit contends, there is a serious question as to whether West Hazelton can generate sufficient revenues to support a station. Summit therefore insists that the circumstances warrant a Suburban Community issue, and an issue to determine whether CBM and Broadcasters, if treated as applicants for Hazelton, comply with Rule 73.37.

3. CBM and Broadcasters, in separate pleadings, oppose addition of Summit's requested issues. They assert that one of the objectives of the Suburban Community Policy Statement, supra, is to encourage placement of broadcast facilities in developing communities, and contend that West Hazleton is such a community. They point out that West Hazleton has an independent governmental system; that despite the recent reorganization of Pennsylvania schools and magistrate courts, West Hazleton still has its own school and court system. Further, assert CBM and Broadcasters, West Hazleton has its own police and fire departments as well as local civic organizations. Finally, CBM and Broadcasters maintain, relying in part upon Pennsylvania tax authorities' figures, that West Hazleton is a vigorous growing community which can readily support a broadcast facility. Each applicant also asserts that its transmitter location has been selected on the basis of financial considerations, and, that since power greatly in excess of that required to serve the principal community is not proposed, the incidental coverage of Hazleton does not warrant the issue. Since, it is claimed, the population disparity is not great, excessive power is not proposed, and the specified community has an independent existence and can support the facility, CBM and Broadcasters contend that Summit has failed to raise a substantial question.[6]

4. On the other hand, CBM and Broadcasters contend, in their joint petition, that a substantial question does exist as to whether Summit will realistically serve its specified community or some larger community. Petitioners acknowledge that their request is not timely filed. They argue, however, that good cause for the petition is present because, if Summit's petition is granted, the issue should be applied "with total equity to all applicants." Alternatively, the joint petitioners assert that the Board should, on its own motion, consider the merits of their petition under the Edgefield-Saluda doctrine.[7] On the merits, the joint petitioners point out that Summit's application specifies the town of Freeland, a community of 5,068 persons located but 4.2 miles from Hazleton; there is, argue the petitioners, a significant population disparity between the two towns. The joint petitioners concede that the 1 kw operation proposed by Summit is not excessive power, but assert that Summit's 5 mv/m contour will cover "nearly all" of Hazleton; that, indeed, under Summit's proposed directional array, the major radiation lobe is aimed toward Hazleton; and that Summit could not have specified Hazleton as its city of license due to the limitations of Rule 73.37. Petitioners argue that this directional pattern was established to provide the strongest possible signal to the larger city. Further, argue petitioners, Freeland does not have sufficient sources of advertising revenues to supply the $60,000 which Summit estimates will be required for its first year of operation. The petitioners note, in this respect, that Freeland has only two significant industrial establishments (employing 359 persons) and that the total number of business establishments has declined in recent years. Finally, citing Outer Banks Radio Co., supra, petitioners contend that it is not necessary to establish the existence of a city-suburb relationship between Hazleton and Freeland; nevertheless, it is asserted, the facts suggest the existence of such a relationship. Thus, argue the petitioners, although Freeland is a separate legal entity,[8] its residents are dependent upon Hazleton for shopping, entertainment and employment, it is treated as part of the Greater Hazleton Area by the Chamber of Commerce and Hazleton newspaper, and, under a plan said to have been adopted by the Pennsylvania school authorities, its high school will be closed and its students bussed to nearby schools. These circumstances, conclude the joint petitioners, warrant the imposition of a Suburban Community issue against Summit.

5. Summit responds that good cause for the late filing of the joint petition has not been shown and that Edgefield-Saluda, supra, is inapposite because the joint petition does not raise a substantial question. On the merits, Summit argues that the joint petition does not show that Summit purposefully proposes to cover Hazleton and fails to establish the existence of a city-suburb relationship between Hazleton and Freeland. As to the former, Summit asserts that its array is directionalized to avoid adjacent and co-channel interference; that the major lobes run on a northeast-southwest axis, and the northeast lobe—away from Hazleton—extends further with higher radiation than the lobe covering Hazleton; and that, as conceded by the petitioners, 1 kw is not excessive power. As to the latter, Summit asserts that, in a study made by Pennsylvania State University at the request of the Hazleton Chamber of Commerce, the definition of the "Greater Hazleton Area" does not include Freeland. Similarly, notes Summit, the U.S. Census does not include Freeland in the Hazleton SMSA. Further, argues Summit, the community has that congery of civic, economic and governmental organizations and services [9] which clearly indicates its existence independent of Hazleton. Indeed, Freeland is resisting the efforts to close its schools, asserts Summit. Finally, Summit insists that with retail sales in excess of $5 million, Freeland is well able to provide sufficient sources of advertising to support its facility and the joint petitioners' assertions to the contrary are wrong and unsubstantiated. For these reasons, concludes Summit, there is no basis for a Suburban Community issue against it, whereas the circumstances do warrant such an issue against the West Hazleton applicants.[10]

6. The Review Board is of the view that a Suburban Community issue is warranted against all three applicants in this proceeding.[11] It is well established

[4] Summit notes that CBM's original application was filed for 1170 kHz, Hazleton; this application was rejected by the Commission.

[6] In reply, Summit maintains that the factual assertions raised by CBM and Broadcasters do not suffice to resolve the substantial question raised by its petition.

[7] 5 FCC 2d 148, 8 RR 2d 611 (1966).

[8] Petitioners also concede that Freeland is not a part of the Hazleton SMSA.

[9] I.e., its own post office, Chamber of Commerce, Redevelopment Corporation, water and sewage authority and YMCA. Also, argues Summit, Freeland phone numbers are separately listed in the telephone directory and the Hazleton paper carries a separate news section covering Freeland.

[10] The Broadcast Bureau urges imposition of the issue against all three applicants, stressing particularly the similarity of the facts of the instant case with those present in Outer Banks, supra.

[11] The CBM-Broadcasters 7 petition is concededly untimely and the joint petitioners' claim of good cause is frivolous. Nevertheless, the petition does raise a public interest question of substantial magnitude and imposition of an issue will not unduly disrupt the proceeding. Consistent with our practice, we will, therefore consider the request on its merits, see WSTE-TV, Inc., 16 FCC 2d 625, 15 RR 2d 697 (1969); Edgefield-Saluda, supra.

that, upon a proper "threshold showing", a Suburban Community issue will be added even though, as here, the circumstances of the case do not fit precisely within the standards which raise the presumption formulated in the Policy Statement, supra. In the cases succeeding the Policy Statement, the Commission has articulated the type of "threshold showing" to be made, see, e.g., Babcom, Inc., 12 FCC 2d 306, 12 RR 2d 998 (1968); Outer Banks Radio Co., Inc., supra; VWB, Inc., supra; and Harry D. Stephenson and Robert E. Stephenson, FCC 68-1144, 15 FCC 2d 335; compare Durgin Associates, Inc., 10 FCC 2d 24, 11 RR 2d 205 (1967). Such a showing has been made against all the applicants here. Thus, while coverage of the larger city with a 5 mv/m signal is not, of itself dispositive, the engineering considerations are relevant to the threshold showing. VWB, Inc., supra. Here all three applicants will place a 5 mv/m signal over all, or nearly all of the larger community; CBM and Broadcasters 7 have positioned their transmitter sites and Summit has directionalized its contour, the pleadings indicate, in such a manner as to place a strong signal over Hazleton. These engineering considerations take on added weight, the Commission has indicated, when the applicant could not have specified the larger community because of prohibited overlap VWB, Inc., supra. Such is the case here as to all three applicants. But the Suburban Community issue will not be added on the basis of engineering considerations alone. The Commission has also concerned itself with the characteristics of the communities involved. Thus, the relative size of the specified community and the larger city is relevant; it is manifest that a significant population disparity exists in the instant case, both as to Hazleton vis-a-vis West Hazleton and Hazleton vis-a-vis Freeland. VWB, supra; Outer Banks, supra. In addition, although the distance of the specified community from the larger town is not itself dispositive, Babcom, Inc., supra, and it need not be established that a classic city-suburb relationship exists, substantial allegations that the specified community lacks an independent existence and depends upon the larger city for its civic, social and economic life are another factor to be considered. Outer Banks, supra. Such properly documented allegations have been made in the instant case. The dearth of industry in both West Hazleton and Freeland raises a substantial question not only as to whether those communities can support a radio station but also as to whether West Hazleton and Freeland are independent of Hazleton. The independence of the two communities is further called into question by the lack of essential civic services—e.g., schools in the case of Freeland—or sharing of such civic and social services, such as the joint sanitary service in the case of Hazleton-West Hazleton. In the last analysis, then, the threshold showing must raise a substantial question as to whether the applicant will realistically serve the community which it has specified. Outer Banks, supra. Such a burden is not light, VWB, supra, but, in our view, the question has been clearly raised in this case, and a Suburban Community issue will be added against all three applicants.[12]

7. *It is ordered*, That the petition to enlarge issues, filed April 10, 1969, by Summit Broadcasting; and the joint petition to enlarge issues, filed May 15, 1969, by CBM, Inc. and Broadcasters 7, Inc., are granted; and that the issues in this proceeding are enlarged by the addition of the following:

To determine, with respect to CBM, Inc., Broadcasters 7, Inc. and Summit Broadcasting:

(1) Whether each such applicant will realistically provide a local transmission facility for its specified station location or for another larger community, in light of all the relevant evidence, including but not limited to, evidence showing:

(a) The extent to which the specified station location has been ascertained by the applicant to have separate and distinct program needs;

(b) The extent to which needs of the specified station location are being met by existing standard broadcast facilities;

(c) The extent to which the applicant's program proposal will meet the specified unsatisfied needs of the specified station location; and

(d) The extent to which the projected sources of the applicant's advertising revenues within the specified station location are adequate to support its proposal.

(2) If it is concluded pursuant to the foregoing issue (1) that the proposal of the applicant will not realistically provide a local transmission service for its specified community, whether such proposal meets all of the technical provisions of the rules for standard broadcast station assigned to Hazleton, Pa.

8. *It is further ordered*, That the burdens of proceeding and proof under the issues added herein will be on the applicants for each of their respective proposals.

Adopted: June 25, 1969.

Released: June 27, 1969.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 69-7872; Filed, July 2, 1969; 8:49 a.m.]

[12] If any applicant fails to meet its burden under both of the issues added herein, its application will be denied. If, however, an applicant fails to meet its burden under Issue (1), but does meet the burdens under Issue (2), it will then be decided whether that applicant should be allowed to remain in hearing status. See Sundial Broadcasting Co., Inc., FCC 68-1082, 15 FCC 2d 58.

FEDERAL POWER COMMISSION

[Docket No. AR69-1]

AREA RATE PROCEEDING

Order Deleting Respondents and Redesignating Respondent

JUNE 26, 1969.

Area Rate Proceeding, Offshore Southern Louisiana, Federal Domain and Disputed Areas, Docket No. AR-69-1.

On April 30, 1969, Mississippi River Corp. filed a request to be deleted as a respondent to this proceeding. A similar request was filed May 26, 1969 on behalf of Consolidated Natural Gas. Co., Consolidated Natural Gas Service Co., and The Peoples Natural Gas Co.

Pursuant to the order instituting this proceeding, issued March 20, 1969, purchasers of offshore leases, natural gas companies having rate schedules on file for sales within the hearing area, and pipelines operating in the area were made respondents. The above companies were named as respondents in Appendix A to the instituting order.

A review of the information on file with the Commission bears out the contention of each of the above companies that it does not meet any of the criteria established by the Commission for determining respondents to this proceeding. Therefore it is appropriate that these companies be deleted as respondents.

The above request for deletion as a respondent of Mississippi River Corp. also served to advise the Commission that the name of Natural Gas ond Oil Corp. has been changed to River Corp. River Corp. is a wholly owned subsidiary of Mississippi River Corp., and was included as a respondent to this proceeding under the name Natural Gas and Oil Corp. The list of respondents should be amended to reflect this change in name.

The Commission orders:

(A) Mississippi River Corp., Consolidated Natural Gas Co., Consolidated Natural Gas Service Co., and The Peoples Natural Gas Co. are hereby deleted as respondents to the proceeding in Docket No. AR69-1.

(B) The respondent to this proceeding designated Natural Gas and Oil Corp. is hereby redesignated River Corp.

By the Commission.

[SEAL] GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-7823; Filed, July 2, 1969; 8:45 a.m.]

CALIFORNIA

Order Vacating Power Withdrawal of Land in Project No. 894

JUNE 25, 1969.

Application has been filed by the U.S. Forest Service for partial vacation of the power withdrawal under the Federal

Power Act pertaining to the following described land of the United States:

MOUNT DIABLO MERIDIAN, CALIFORNIA

T. 35 N., R. 7 E.,
Sec. 10, lots 3, 4;
Sec. 14, W½SW¼;
Sec. 15, NW¼NE¼, S½NE¼;
Sec. 22, NE¼NW¼, NW¼SE¼, SE¼SE¼;
Sec. 23, SE¼NW¼, NW¼SE¼;
Sec. 24, W½NE¼, SE¼NW¼, NW¼SE¼;
Sec. 26, NW¼NW¼, SE¼NW¼, NW¼SE¼.
T. 36 N., R. 7 E.,
Sec. 19, SE¼SW¼;
Sec. 29, lots 12, 13;
Sec. 30, W½NE¼, N½NW¼, N½SE¼, SE¼SE¼;
Sec. 31, NE¼NE¼;
Sec. 32, lots 4, 5, 6, 10, 11, 15, 16.

(Approximately 1,414 acres.)

The application was filed to effectuate a land exchange.

The land lies along or near Horse Creek, a tributary of the Pit River, near the community of Little Valley in Lassen County, Calif., and portions of the land are within the Lassen National Forest.

The land is withdrawn pursuant to the filing on May 8, 1928, as supplemented on March 13, 1929, of an application for preliminary permit for proposed Project No. 894, for which the Commission gave notices of land withdrawal to the General Land Office (now Bureau of Land Management) by letters dated May 11, 1928, February 16, 1929, and April 1, 1929, respectively. No application for license for the project was filed because inadequacy of water supply rendered any power development uneconomic. The permit was canceled by Commission order of June 20, 1930 at the permittee's request.

The Commission finds: The withdrawal of the subject land pursuant to the application for Project No. 894 serves no useful purpose and should be vacated.

The Commission orders: The withdrawal of the subject land pursuant to the application for Project No. 894 is hereby vacated in its entirety.

By the Commission.

[SEAL] GORDON M. GRANT, *Secretary.*

[F.R. Doc. 69-7824; Filed, July 2, 1969; 8:45 a.m.]

[Docket No. RI69-353, etc.]

DARCESA CORP. AND SKELLY OIL CO.

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

JUNE 20, 1969.

Darcesa Corp., Docket No. RI69-353, etc.; Skelly Oil Co., Docket No. RI69-362.

In the order providing for hearings on and suspension of proposed changes in rates, issued December 27, 1968, and published in the FEDERAL REGISTER January 7, 1969 (34 F.R. 224), in Appendix A, page 4, Docket No. RI69-362, Skelly Oil Co.; (Opposite Rate Schedule No. 90) under column headed "Supp. No." change "11" to read "12."

GORDON M. GRANT, *Secretary.*

[F.R. Doc. 69-7825; Filed, July 2, 1969; 8:45 a.m.]

[Docket No. CP66-110]

GREAT LAKES GAS TRANSMISSION CO.

Notice of Petition To Amend

JUNE 26, 1969.

Take notice that on June 20, 1969, Great Lakes Gas Transmission Co. (Applicant), 1 Woodward Avenue, Detroit, Mich. 48226, filed a petition to amend the certificate of public convenience and necessity, issued by the order of the Commission on June 20, 1967, to authorize certain changes in the compressor facilities to be installed by Applicant. Applicant proposes to redistribute the horsepower of compressors among the stations with the total compression to be installed to remain virtually the same as that presently authorized, and Applicant states that these proposals would result in operating economies at the capacity of authorized operations, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Any person desiring to be heard or to make any protest with reference to said application should on or before July 23, 1969, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules.

GORDON M. GRANT, *Secretary.*

[F.R. Doc. 69-7826; Filed, July 2, 1969; 8:45 a.m.]

[Docket No. G-3117 etc.]

HUMBLE OIL & REFINING CO. ET AL.

Findings and Order; Correction

JUNE 20, 1969.

Humble Oil & Refining Co. and other Applicants listed herein, Docket No. G-3117 etc.; Midhurst Oil Corp. (successor to Rycade Oil Corp.), Docket No. G-9579.

In the findings and order after statutory hearing issuing certificates of public convenience and necessity, canceling docket numbers, amending orders issuing certificates, permitting and approving abandonment of service, terminating certificates, terminating proceeding, substituting respondent, making successors co-respondents, redesignating proceedings, making rate change effective, accepting agreements and undertaking for filing, and accepting related rate schedules and supplements for filing, issued May 26, 1969, and published in the FEDERAL REGISTER June 4, 1969 (34 F.R. 8937), on page 5, paragraph (5) and page 10, paragraph (10): Change Docket No. "G-9575" to read Docket No. "G-9579."

GORDON M. GRANT, *Secretary.*

[F.R. Doc. 69-7827; Filed, July 2, 1969; 8:45 a.m.]

[Docket No. RP-69-36]

NATURAL GAS PIPELINE COMPANY OF AMERICA

Order Providing for Hearing, Rejecting Proposed Revised Tariff Sheets, and Accepting Proposed Alternative Revised Tariff Sheets

JUNE 26, 1969.

On May 29, 1969, Natural Gas Pipeline Company of America (Natural) tendered for filing proposed changes in its FPC Gas Tariff, Second Revised Volume No. 1, to become effective on July 1, 1969.[1] The proposed rate changes would increase charges for jurisdictional sales and services by $44,471,857 annually, based on sales for the 12-month period ending February 28, 1969, as adjusted. Rates would be increased under all sales rate schedules except Rate Schedules I-1 and I-2 (Rate Schedule I-1 would be subject to adjustment for changes in cost of purchased gas).

Natural's filing consists of two alternative sets of revised tariff sheets, one of which sets contains a proposed new paragraph, to be included in the General Terms and Conditions of the Tariff, providing that Natural would be permitted, or required, to revise its rates periodically to reflect increases or decreases in its cost of purchased gas.[2] Natural requests that, if the Commission finds that

[1] The proposed revised tariff sheets (described by Natural as "alternative" sheets) hereinafter accepted for filing and suspended are as follows: Eighth Revised Sheet No. 6, Ninth Revised Sheet No. 9, Second Revised Sheet No. 10-A, Eighth Revised Sheet No. 12, Ninth Revised Sheet No. 13, Second Revised Sheet No. 14-A, Eighth Revised Sheet No. 15, Fourth Revised Sheet No. 17, Eighth Revised Sheet No. 18, Ninth Revised Sheet No. 19-A, Second Revised Sheet No. 19-AA, Eighth Revised Sheet No. 19-B, Sixth Revised Sheet No. 19-C, Third Revised Sheet No. 19-D, First Revised Sheet No. 19-E, Original Sheet No. 19-F, First Revised Sheet No. 25-A, Fourth Revised Sheet No. 25-D, Fourth Revised Sheet No. 25-G, Second Revised Sheet No. 25-L, Third Revised Sheet No. 25-O, and First Revised Sheet No. 38-B.

[2] The revised tariff sheets setting forth Natural's proposed purchased gas adjustment provision are Original Sheets Nos. 38-G through 38-K.

the proposed purchased gas adjustment provision is prohibited by § 154.38(d)(3) of the Commission's regulations under the Natural Gas Act and does not waive the terms of that section for purposes of Natural's filing, the Commission accept for filing the alternative set of revised tariff sheets, which does not contain a purchased gas adjustment provision.

Natural states that the principal reason for the proposed rate increases is an increase in revenue requirements not limited to any category of expense or allowance, but reflecting a general increase in cost levels in the nation and in the natural gas industry. The proposed rates include a claimed 8.5 percent rate of return.

The reasonableness of including a purchased gas adjustment provision in Natural's tariff has not been tested in any evidentiary proceeding. If accepted at this time, this provision would become operative after suspension. The purchased gas adjustment provision raises a number of substantive issues which should be fully explored and resolved before the rates and charges to Natural's customers are subjected to changes by application of this proposed adjustment provision. Accordingly, we deem it inappropriate at this time to waive the provisions of § 154.38(d)(3) of the Commission's regulations under the Natural Gas Act to permit the filing of Natural's set of revised tariff sheets containing a purchased gas adjustment provision. During the pendency of this proceeding, and prior to the determination of this issue, however, Natural will not be precluded from requesting permission to track supplier rate increases which increase the purchased gas costs filed for by Natural in this proceeding.

Review of the rate filing indicates that certain other issues are raised which also require development in evidentiary proceedings. The proposed increased rates and charges have not been shown to be justified and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

We contemplate that some of the issues involved in this proceeding may be susceptible of hearing and decision within the 5 months suspension period or shortly thereafter. In order that the collection and refunding of any possible excess charges may be avoided or limited, we are authorizing the Presiding Examiner to determine which issues, if any, may be tried in an initial phase of the hearing.

Fourteen of Natural's customers have filed petitions for leave to intervene in this proceeding. Petitions to intervene have also been filed by the Administrator of General Services, the city of Chicago, Ill., and a group of municipalities purchasing gas from Natural for resale. Notices of intervention were filed by the Public Service Commission of Wisconsin, and the Iowa State Commerce Commission.

The Commission finds:

(1) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the rates and charges contained in Natural's FPC Gas Tariff, as proposed to be amended herein, and that the proposed tariff sheets listed in footnote (1) above be suspended, and the use thereof be deferred as herein provided.

(2) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the disposition of this proceeding be expedited in accordance with the procedures set forth below.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held commencing on July 8, 1969, at 10 a.m., e.d.s.t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C. 20426, concerning the lawfulness of the rates, charges, classifications, and services contained in Natural's FPC Gas Tariff, as proposed to be amended herein.

(B) Pending such hearing and decision thereon, Natural's revised tariff sheets listed in footnote (1) above are hereby suspended and the use thereof is deferred until December 1, 1969, and until such further time as they are made effective in the manner prescribed by the Natural Gas Act.

(C) Natural's revised tariff sheets proposing a purchased gas adjustment provision are hereby rejected for filing. These proposed tariff sheets may be made a part of the record herein, to be considered, along with any modifications thereof or alternative provisions submitted by the parties or the Commission Staff, as a proposed purchased gas adjustment provision to be included in Natural's tariff.

(D) At the hearing on July 8, 1969, Natural's prepared testimony (Statement P) filed and served on June 13, 1969, together with its entire rate filing as submitted and served on May 29, 1969, be admitted to the record as Natural's complete case-in-chief as provided by § 154.63(e)(1) of the Commission's regulations under the Natural Gas Act, and Order No. 254, 28 FPC 495, subject to appropriate motions, if any, by parties to the proceeding.

(E) Following admission of Natural's complete case-in-chief, the parties shall present their views and the Presiding Examiner, in the exercise of his discretion, shall determine which issues, if any, shall be heard in an initial phase hearing; fix dates for service of Staff's and Interveners' evidence on such issues and service of Natural's rebuttal testimony; fix dates for witnesses to appear for adoption of their testimony and to stand cross-examination thereon; and proceed with such hearing as expeditiously as feasible. The Examiner shall thereafter fix dates for service of testimony and cross-examination on all issues not being heard in the first phase hearing.

(F) Presiding Examiner Ernest O. Eisenberg, or any other designated by the Chief Examiner for that purpose (see Delegation of Authority, 18 CFR 3.5(d)), shall preside at the hearing in this proceeding; shall prescribe relevant procedural matters not herein provided, and shall control this proceeding in accordance with the policies expressed in § 2.59 of the Commission's rules of practice and procedure.

By the Commission.

[SEAL] GORDON M. GRANT, *Secretary.*

[F.R. Doc. 69-7828; Filed, July 2, 1969; 8:45 a.m.]

[Docket No. CP69-109]

OHIO FUEL GAS CO.

Notice of Petition To Amend

JUNE 26, 1969.

Take notice that on June 19, The Ohio Fuel Gas Co. (Applicant), 99 North Front Street, Columbus, Ohio 43215, filed in Docket No. CP69-109 a petition to amend the certificate of public convenience and necessity granted by the order of the Commission on March 17, 1969. Applicant requests authority to sell minor additional quantities of natural gas to three of its customers commencing November 1, 1969, as follows:

	Authorized by order of Mar. 17, 1969	Proposed
Cincinnati Gas & Electric Co.	*Mcf* 100,000	*Mcf* 105,000
Columbia Gas of Ohio, Inc.	2,122,200	2,123,700
Dayton Power & Light Co.	489,600	490,800

Applicant also petitions for an extension of the date by which certain facilities are to be constructed and placed in operation, all as more fully set forth in the application, which is on file with the Commission and open to public inspection.

Any person desiring to be heard or to make any protest with reference to said application should on or before July 23, 1969, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules.

GORDON M. GRANT, *Secretary.*

[F.R. Doc. 69-7829; Filed, July 2, 1969; 8:45 a.m.]

[Docket No. CP69-343]

OHIO FUEL GAS CO. AND UNITED FUEL GAS CO.

Notice of Application

JUNE 26, 1969.

Take notice that on June 19, 1969, the Ohio Fuel Gas Co. (Applicant), 99 North Front Street, Columbus, Ohio 43215 and United Fuel Gas Co. (Applicant), 1700 MacCorkle Avenue SE., Charleston, W. Va. 25301 filed in Docket No. CP69-343 a joint application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the operation of certain existing facilities to transfer deliveries of natural gas, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicants seek an order authorizing the transfer to the Ohio Fuel Gas Co., for the account of Gas Transport, Inc., United Fuel Gas Co.'s current deliveries of natural gas to Gas Transport, Inc. The proposed transfer will be effectuated through the utilization of existing facilities and no new construction will be necessary. Applicants state that this arrangement will permit them to fully utilize their available gas supplies.

Any person desiring to be heard or to make any protest with reference to said application should on or before July 23, 1969, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to 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. 69-7830; Filed, July 2, 1969; 8:45 a.m.]

[Docket No. RI69-374, etc.]

PAN AMERICAN PETROLEUM CORP. AND SKELLY OIL CO.

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

JUNE 20, 1969.

Pan American Petroleum Corp., Docket Nos. RI69-374, etc.; Skelly Oil Co., Docket No. RI69-389.

In the order providing for hearings on and suspension of proposed changes in rates, issued December 30, 1968, and published in the FEDERAL REGISTER January 9, 1969 (34 F.R. 329), in Appendix A, page 13, line 1, Docket No. RI69-389, Skelly Oil Co.: (Opposite Rate Schedule No. 131) under column headed "Supp. No." change "6" to read "8".

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-7832; Filed, July 2, 1969; 8:46 a.m.]

[Docket No. RI69-227 etc.]

PAN AMERICAN PETROLEUM CORP. ET AL.

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

JUNE 20, 1969.

Pan American Petroleum Corp., Docket No. RI69-227 etc.; Champlin Petroleum Co. (Operator) et al., Docket No. RI69-230.

In the order providing for hearings on and suspension of proposed changes in rates, issued November 21, 1968, and published in the FEDERAL REGISTER December 4, 1968 (33 F.R. 18053), in Appendix A, page 2, Docket No. RI69-230, Champlin Petroleum Co. (Operator) et al., under column headed "Purchaser and Producing Area" change "Lone Star Gas Company" to read "Cities Service Gas Company."

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-7831; Filed, July 2, 1969; 8:45 a.m.]

[Docket No. G-4820 etc.]

TEXACO, INC., ET AL.

Notice of Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates; Correction

JUNE 20, 1969.

Texaco, Inc., and other Applicants listed herein, Docket No. G-4820 etc.; Continental Oil Co., Docket No. CI69-1099.

In the notice of applications for certificates, abandonment of service and petitions to amend certificates, issued June 16, 1969, and published in the FEDERAL REGISTER June 24, 1969 (34 F.R. 9764), on page 8, Column 3, Docket No. CI69-1099: Change name of purchaser to read "Tennessee Gas Pipeline Company, a Division of Tenneco Inc." in lieu of "Natural Gas Pipeline Company of America."

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-7833; Filed, July 2, 1969; 8:46 a.m.]

FEDERAL RESERVE SYSTEM

FEDERAL OPEN MARKET COMMITTEE

Current Economic Policy Directive of April 1, 1969

In accordance with § 271.5 of its Rules Regarding Availability of Information, there is set forth below the Committee's Current Economic Policy Directive issued at its meeting held on April 1, 1969.[1]

The information reviewed at this meeting suggests that, while expansion in real economic activity has moderated somewhat further, current and prospective activity now appears stronger than earlier projections had indicated. Substantial upward pressures on prices and costs are persisting. Most long-term interest rates have risen further on balance in recent weeks, but movements in short-term rates have been mixed. In the first quarter of the year bank credit changed little on average, as investments contracted while loans expanded further. In March the outstanding volume of large-denomination CD's continued to decline sharply; inflows of other time and savings deposits were moderate; and growth in the money supply remained at a sharply reduced rate. It appears that a sizable deficit reemerged in the U.S. balance of payments on the liquidity basis in the first quarter but that the balance on the official settlements basis remained in surplus as a result of further large inflows of Eurodollars. In this situation, it is the policy of the Federal Open Market Committee to foster financial conditions conducive to the reduction of inflationary pressures, with a view to encouraging a more sustainable rate of economic growth and attaining reasonable equilibrium in the country's balance of payments.

To implement this policy, System open market operations until the next meeting of the Committee shall be conducted with a view to maintaining firm conditions in money and short-term credit markets, taking account of the effects of other possible monetary policy action; provided, however, that operations shall be modified if bank credit appears to be deviating significantly from current projections.

Dated at Washington, D.C., the 26th day of June 1969.

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[1] The Record of Policy Actions of the Committee for the meeting of April 1, 1969, is filed as part of the original document. Copies are available on request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551.

By order of the Federal Open Market Committee.

ARTHUR L. BROIDA,
Deputy Secretary.

[F.R. Doc. 69-7842; Filed, July 2, 1969; 8:46 a.m.]

FIRST AT ORLANDO CORP.

Notice of Application for Approval of Acquisition of Shares of Bank

Notice is hereby given that application has been made to the Board of Governors of the Federal Reserve System pursuant to section 3(a) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842 (a)), by First at Orlando Corp., which is a bank holding company located in Orlando, Fla., for the prior approval of the Board of the acquisition by Applicant of at least 80 percent of the voting shares of The Citizens State Bank, St. Cloud, Fla.

Section 3(c) of the Act provides that the Board shall not approve (1) any acquisition or merger or consolidation under this section which would result in a monopoly, of which would be in furtherance of any combination or conspiracy to monopolize or to attempt to monopolize the business of banking in any part of the United States, or (2) any other proposed acquisition or merger or consolidation under this section whose effect in any section of the country may be substantially to lessen competition, or to tend to create a monopoly, or which in any other manner would be in restraint of trade, unless it finds that the anticompetitive effects of the proposed transaction are clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served.

Section 3(c) further provides that, in every case, the Board shall take into consideration the financial and managerial resources and future prospects of the company or companies and the banks concerned, and the convenience and needs of the community to be served.

Not later than thirty (30) days after the publication of this notice in the FEDERAL REGISTER, comments and views regarding the proposed acquisition may be filed with the Board. Communications should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551. The application may be inspected at the office of the Board of Governors or the Federal Reserve Bank of Atlanta.

Dated at Washington, D.C., this 24th day of June 1969.

By order of the Board of Governors.

[SEAL] ROBERT P. FORRESTAL,
Assistant Secretary.

[F.R. Doc. 69-7841; Filed, July 2, 1969; 8:46 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 812-2532]

ADAMS EXPRESS CO.

Notice of Application for Order Exempting Acquisition of Securities of an Investment Company

JUNE 27, 1969.

Notice is hereby given that The Adams Express Co. ("Adams"), a closed-end, diversified investment company registered under the Investment Company Act of 1940 ("Act") has filed an application pursuant to section 6(c) of the Act for an order exempting from the provisions of section 12(d)(1) of the Act the proposed acquisition by Adams of shares of common stock of Petroleum Corporation of America ("Petroleum"), a registered, closed-end, nondiversified investment company, in connection with the proposed offering by Petroleum to its stockholders of rights to subscribe for additional shares of common stock which is referred to below.

The investment policy of Petroleum is stated to be the concentration of investments in common stocks and other securities of corporations engaged in the oil industry or related industries or in interests in undeveloped or producing oil properties. Adams presently owns 18.72 percent (528,234 shares) of the common stock of Petroleum. On May 5, 1969, Petroleum informed its stockholders that it proposes to offer them transferrable rights, represented by warrants, to subscribe for 564,404 additional shares of its common stock on the basis of one additional share for each five shares held. In addition, each holder of a warrant is entitled to the privilege of subscribing for additional shares of the Petroleum stock, subject to allotment, out of any shares not subscribed for pursuant to the exercise of the primary subscription rights. Such stock offering by Petroleum will not be underwritten and is expected to expire about 21 days after the commencement of its offering.

Adams desires and intends, subject to the granting of the instant application by the Commission, to exercise its rights as a stockholder to purchase shares of Petroleum and to exercise subscription rights under any additional subscription privileges which may be available.

If all stockholders of Petroleum, including Adams, exercise their full rights pursuant to such stock offering the percentage of total outstanding stock of Petroleum owned by applicant will remain the same (18.72 percent). If subscription rights of others are not exercised, however, the additional stock of Petroleum to be acquired by applicant, pursuant to its rights and additional subscription privileges which may be available, could result in the ownership by Adams of more than the 18.72 percent of the outstanding stock of Petroleum it presently holds.

Section 12(d)(1) of the Act, among other things, makes it unlawful for any registered investment company and any company controlled by it to purchase or otherwise acquire any security issued by any other investment company if such registered investment company and any company controlled by it own in the aggregate, or as a result of such purchase will own, more than 5 percent of the total outstanding stock of such other investment company if the policy of such other investment company is the concentration of investments in a particular industry or group of industries.

Adams has agreed that it will take immediate steps to divest itself of such of its shares of Petroleum as may be in excess of 18.72 percent of the total number of shares of capital stock of Petroleum issued and outstanding after completion of the offering of additional shares of Petroleum.

Section 6(c) of the Act provides, among other things, that the Commission, by order upon application, may conditionally or unconditionally exempt any person from any provision or provisions of the Act or of any rule or regulation thereunder, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than July 14, 1969, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the persons being served are located more than 500 miles from the point of mailing) upon the Adams at the address stated above. Proof of such service by affidavit (or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive notice of further developments in the matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 69-7848; Filed, July 2, 1969; 8:47 a.m.]

[70-4766]

AMERICAN ELECTRIC POWER CO., INC.

Notice of Filing Regarding Proposed Acquisition by Registered Holding Company of Common Stock of Public Utility Company and Issuance by Registered Holding Company of Shares of Its Common Stock To Be Used in Payment for Such Acquisition

JUNE 27, 1969.

Notice is hereby given that American Electric Power Co., Inc. ("AEP"), 2 Broadway, New York, N.Y. 10004, a registered holding company, has filed an application-declaration and amendments thereto with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act") designating sections 6, 7, 9, and 10 of the Act and Rule 100 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the application-declaration, which is summarized below, for a complete statement of the proposed transactions.

AEP proposes to acquire all of the outstanding securities of Sewell Valley Utilities Co. ("Sewell Valley"), an electric utility company incorporated under the laws of West Virginia and distributing electric energy wholly within that State, in exchange for 11,000 shares of AEP's common stock, par value $6.50 per share.

Sewell Valley is a subsidiary company of The Meadow River Lumber Co. ("Meadow River"), a West Virginia corporation, which owns all of the outstanding 500 shares of Sewell Valley common stock, no par value, and all of its outstanding shares of 6 percent cumulative preferred stock. The preferred stock will be redeemed by Sewell Valley on or about June 30, 1969, so that at the time of the proposed acquisition of the common stock by AEP it will constitute all of the outstanding stock of Sewell Valley.

Sewell Valley operates an electric distribution system in and around the town of East Rainelle, W. Va. At December 31, 1968, it served some 780 residential customers, 184 commercial and industrial customers and two public street and highway lighting accounts. The facilities owned by Sewell Valley include approximately 24 pole-miles of distribution line, some 115 transformers and various associated items of other property. The Sewell Valley electric system is an isolated distribution system, not interconnected with any other utility and wholly dependent for its supply of electric energy on the generators owned by its parent, Meadow River, which are operated in conjunction with that company's lumbering operations. However, its territory is entirely surrounded by the operating territory of Appalachian Power Co. ("Appalachian"), a subsidiary company of AEP. After consummation of the proposed transactions, Sewell Valley will purchase its power requirements from Appalachian at a substantial reduction in cost. To establish an interconnection, Appalachian will construct approximately 3 miles of 34.5 kv. transmission line and associated facilities at a cost of approximately $60,000.

Sewell Valley for the year 1968 had operating revenues of $169,480.38, of which $168,683.88 were derived from sales of electric energy. Total operating income for the year 1968 was $2,927.86 and total net income for the same period was $4,623.09, the difference constituting interest and dividend income earned by the company on temporary cash investments. It is proposed that Sewell Valley will, on or before the closing date, pay a special dividend to its parent, Meadow River, in an amount equal to the excess cash and temporary cash investments remaining after the redemption of the company's preferred stock, such dividend not to exceed $110,000. As of December 31, 1968, Sewell Valley's balance sheet showed utility plant of $137,913.28, depreciation reserves of $64,061.87 and net utility plant of $73,851.41.

AEP proposes, upon consummation of the acquisition, to cause Sewell Valley to file with the West Virginia Public Service Commission rate schedules at a level and with terms and conditions similar to those presently applicable in the State of West Virginia to the customers of Appalachian. The new rates are expected to result in reductions of 6½ percent for residential customers and 5 percent for commercial and industrial customers. Economies of operation under the direction of AEP, particularly the new power purchasing contract with Appalachian, are expected to increase net income of Sewell Valley to approximately $25,000 per year. On this basis, and taking the market value of the AEP common stock as of June 20, 1969 ($33 per share), the consideration to be given ($363,000), for the Sewell Valley common stock is approximately 14.5 times such estimated earnings.

AEP proposes that the issuance of its common stock and its acquisition of the common stock of Sewell Valley will be reported on its books by recording the acquired shares of Sewell Valley at a cost equal to the average of the opening and closing price of AEP common stock on the New York Stock Exchange on the closing date and by recording the 11,000 shares of AEP common stock to be issued in exchange therefor, to the extent of $6.50 per share, as additional par value of common stock and the balance as capital surplus-premium on common stock.

It is stated that no finders, legal or other fees, commissions or expenses are expected to be paid or incurred by AEP or any associate company in connection with the proposed exchange by AEP of its common stock for the outstanding securities of Sewell Valley, except for miscellaneous expenses (local counsel fees, title searches, audits, and the like) estimated at not to exceed $5,000 to be incurred by AEP. It is further stated that no State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than July 21, 1969, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application-declaration, as amended, which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the applicant-declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application-declaration, as amended or as it may be further amended, may be granted and permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 69-7849; Filed, July 2, 1969; 8:47 a.m.]

[812-2495]

TRAVELERS INSURANCE CO. AND TRAVELERS FUND FOR VARIABLE ANNUITIES

Notice of Application for Exemption

JUNE 27, 1969.

Notice is hereby given that The Travelers Insurance Co. ("The Travelers"), and The Travelers Fund for Variable Annuities ("Fund"), 1 Tower Square, Hartford, Conn. (hereinafter collectively "Applicants"), have filed an application pursuant to section 6(c) of the Investment Company Act of 1940, 15 U.S.C. section 80a-1 et seq. ("Act"), for an order exempting Applicants from the provisions of section 22(d) of the Act. The Travelers established the Fund as the facility through which The Travelers will set aside and invest assets attributable to variable annuity contracts which qualify for federal tax benefits under section 401 or 403(b) of the Internal Revenue Code

of 1954, as amended ("Code"). The Fund is on open-end diversified management investment company registered under the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein which are summarized below.

Section 22(d) provides, in pertinent part, that no registered investment company shall sell any redeemable security issued by it to any person except at a current offering price described in the prospectus. This section has been construed as prohibiting variations in the sales load except on a uniform basis.

In connection with the sale of the variable annuity contracts, charges from payments thereunder will be made to cover sales and administrative expenses and minimum death benefits. The normal rate of such charges will be scaled from 8.75 percent to 1 percent, based upon the aggregate payments made under the contract.

Applicants propose to provide reduced charges in cases where a variable annuity contract is purchased by application of amounts payable by The Travelers as a lump sum cash distribution under an insurance contract issued by The Travelers (e.g., the death benefit under a life policy, the maturity value of an endowment type contract and lump sum cash options available to beneficiaries) which distribution the contract owner or beneficiary elects to apply to a stipulated payment under a variable annuity contract, subject to the limitations of the Code on the amounts which may be so applied. Such reduced charges are also proposed in cases where variable annuity contracts are purchased by the application of payments derived from the surrender or conversion of contracts with The Travelers held by the contract owner or beneficiary under a retirement program qualified under sections 401, 403(a), 403(b), or other provisions of the Code allowing similar tax treatment. The reduced charges will be scaled from 3 percent to 1 percent, based upon the aggregate payments made under the contract.

Applicants assert that from the point of view of equitable treatment of contract owners, no unfair discrimination would exist under the proposed reduced sales charges. In all cases a sales charge on the premiums under the Travelers insurance contracts will have been paid. The purpose of the reduced sales charge is to avoid cumulating sales charges. The reduced sales charges would allow Applicants to take into account the anticipated lower sales expenses in offering the variable annuity contracts to certain investors.

Applicants also assert that such reduced charges are in the interest of investors and the public; that no unfair discrimination between contract owners participating in the Fund would result therefrom; and that the reduction would be consistent with the policies of the Act.

Section 6(c) of the Act provides, among other things, that the Commission, by order upon application, may conditionally or unconditionally exempt any person from any provision or provisions of the Act or of any rule or regulation thereunder, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than July 17, 1969 at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicants at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0–5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L DUBOIS,
Secretary.

[F.R. Doc. 69–7850; Filed, July 2, 1969; 8:47 a.m.]

CIVIL SERVICE COMMISSION

DEPARTMENT OF DEFENSE

Notice of Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Defense to fill by noncareer executive assignment in the excepted service the position of Deputy Assistant Secretary of Defense (Near East and South Asian Affairs); Office of Assistant Secretary for International Security Affairs.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 69–7867; Filed, July 2, 1969; 8:48 a.m.]

DEPARTMENT OF JUSTICE

Notice of Title Change in Noncareer Executive Assignment

By notice of November 17, 1967, F.R. Doc. 67–13608, the Civil Service Commission authorized the departments and agencies to fill by noncareer executive assignment, certain positions removed from Schedule C of Civil Service Rule VI by 5 CFR 213.3301a on November 17, 1967. This is notice that the title of one such position so authorized to be filled by noncareer executive assignment has been changed from "First Assistant to the Assistant Attorney General" to "Deputy Assistant Attorney General, Land and Natural Resources Division".

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 69–7868; Filed, July 2, 1969; 8:48 a.m.]

ASSOCIATE DIRECTOR FOR PROGRAM DIRECTION, COMMUNITY RELATIONS SERVICE, DEPARTMENT OF JUSTICE

Manpower Shortage; Notice of Listing

Under provision of 5 U.S.C. 5723, the Civil Service Commission found on June 16, 1969, that there is a manpower shortage for the single position of Associate Director for Program Direction, Community Relations Service, Department of Justice, Washington, D.C.

Assuming other legal requirements are met the appointee to this position may be paid for the expenses of travel and transportation to first post of duty.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 69–7869; Filed, July 2, 1969; 8:48 a.m.]

SMALL BUSINESS ADMINISTRATION

BRITTANY CAPITAL CORP.

Notice of Application for a License as Small Business Investment Company

Notice is hereby given concerning the filing of an application with the Small Business Administration (SBA) pursuant to § 107.102 of the regulations Governing Small Business Investment Companies (13 CFR Part 107, 33 F.R. 326) under the name of Brittany Capital Corp., 1600 Republic Bank Building, Dallas, Tex. 75201, for a license to operate in the State of Texas as a small business investment company under the provisions of the Small Business Investment Act of 1958, as amended. (15 U.S.C. 661 et seq.)

The proposed Officers and Directors are as follows:

M. H. Earp, 10618 Creekmere Circle, Dallas, Tex. 75218. President and director.
Sam E. Rowland, 404 Tyler, Richardson, Tex. Executive vice president.
Claude T. Fuqua, Jr., 3525 Turtle Creek, Dallas, Tex. 75219. Secretary.
William H. Walton, 3031-D Mahanna, Dallas, Tex. 75235. Director.
William H. Larkin, 100 Floyd Street, Waxahachie, Tex. Director.
Thomas J. Waggoner III, 2019 Avondale, Wichita Falls, Tex. Shareholder in excess of 10 percent.

Matters involved in SBA's consideration of the application include the general business reputation and character of the management, and the probability of successful operations of the new company under their management, including adequate profitability and financial soundness, in accordance with the Act and regulations. Generally, the company will confine its activities to serving those communities nearest its base of operations but not to the exclusion of any other area in the State of Texas. The company will, however, entertain applications from any potential borrower.

Notice is further given that any interested person may not later than July 11, 1969, at 5 p.m., e.d.s.t., submit to SBA in writing, relevant comments on the proposed company. Any 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 in a newspaper of general circulation in Dallas, Tex.

For SBA (pursuant to delegated authority).

Dated: June 24, 1969.

JAMES T. PHELAN,
Acting Associate Administrator for Investment.

[F.R. Doc. 69-7851; Filed, July 2, 1969; 8:47 a.m.]

DELTA CAPITAL CORP.

Notice of Approval for Transfer of Control of Licensed Small Business Investment Company

On May 20, 1969, a notice of application for transfer of control and reorganization was published in the FEDERAL REGISTER (34 F.R. 8216) stating that an application had been filed with the Small Business Administration (SBA) pursuant to §§ 107.701 and 107.903 of the regulations governing Small Business Investment Companies (33 F.R. 326, 13 CFR Part 107) for the transfer of control and reorganization of Delta Capital Corp., 550 Pontchartrain Drive, Slidell, La. 70458, a Federal Licensee under the Small Business Investment Act of 1958, as amended (Act), License No. 10/10-0086. A.V.C. Corp. (A.V.C.), 1200 North Carolina National Bank Building, 200 South Tryon Street, Charlotte, N.C. 28202, will purchase the majority of Delta assets, including its name and license.

Interested persons were given 10 days to submit written comments to SBA. No unfavorable comments were received.

SBA, having considered the application and all other pertinent information with regard thereto, hereby approves the application for transfer of control and reorganization.

For SBA (pursuant to delegated authority).

Dated: June 24, 1969.

JAMES T. PHELAN,
Acting Associate Administrator for Investment.

[F.R. Doc. 69-7852; Filed, July 2, 1969; 8:47 a.m.]

[Declaration of Disaster Loan Area 716]

KANSAS

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 Saline County, Kans.;

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 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 and areas adjacent thereto, suffered damage or destruction resulting from tornado occurring on June 21, 1969.

OFFICE

Small Business Administration Regional Office, 120 South Market Street, Wichita, Kans. 67202.

2. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to December 31, 1969.

Dated: June 25, 1969.

HILARY SANDOVAL, Jr.,
Administrator.

[F.R. Doc. 69-7853; Filed, July 2, 1969; 8:47 a.m.]

[Declaration of Disaster Loan Area 715]

NEW YORK

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 Cortland County, N.Y.;

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 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 and areas adjacent thereto, suffered damage or destruction resulting from floods occurring on June 23, 1969.

OFFICE

Small Business Administration Regional Office, Fayette and Salina Streets, Syracuse, N.Y. 13202.

2. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to December 31, 1969.

Dated: June 25, 1969.

HILARY SANDOVAL, Jr.,
Administrator.

[F.R. Doc. 69-7854; Filed, July 2, 1969; 8:47 a.m.]

[Declaration of Disaster Loan Area 713]

TENNESSEE

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 Macon County, Tenn.;

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 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 and areas adjacent thereto, suffered damage or destruction resulting from floods occurring on June 23, 1969.

OFFICE

Small Business Administration Regional Office, 500 Union Street, Nashville, Tenn. 37219.

2. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to December 31, 1969.

Dated: June 25, 1969.

HILARY SANDOVAL, Jr.,
Administrator.

[F.R. Doc. 69-7855; Filed, July 2, 1969; 8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 1309]

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

JUNE 27, 1969.

The following applications are governed by Special Rule 1.247[1] 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 1375 (Sub-No. 17), filed June 6, 1969. Applicant: BELL LINES, INC., 6414 McCorke Avenue SE., Charleston, W. Va. 25304. Applicant's representative: Francis W. McInerny, 1000 16th Street NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value and except dangerous explosives, livestock, commodities in bulk, and those requiring special equipment), between Knoxville, Tenn., and Bluefield, Va.-W. Va.; (1) from Knoxville over U.S. Highway 11E to Bristol (also over U.S. Highway 11W to Bristol), thence over U.S. Highway 11 to its intersection with U.S. Highway 21; thence over U.S. Highway 21 to Bluefield, Va.-W.Va. (also over Interstate Highway 77 to Bluefield); and (2) from Knoxville over U.S. Highway 81 to its intersection with U.S. Highway 21; thence over U.S. Highway 21 to Bluefield (also from Knoxville over U.S. Highway 81 to its intersection with Interstate Highway 77, thence over Interstate Highway 77 to Bluefield), and return over the same route, serving Bristol, Va.-Tenn., as an intermediate point. NOTE: Applicant states that the purpose of this instant application is to eliminate the necessity for observing a point in Lee or Wise Counties, Va., in conducting operations between Knoxville, Tenn., on the one hand, and, on the other, Bluefield, Va.-W. Va., and points north thereof authorized to be served by applicant. Applicant further states that if the authority herein sought is granted, it will submit for cancellation its present pending authority issued in Sub 15, to conduct operations over irregular routes between Wise and Lee Counties, Va., on the one hand, and, on the other, Knoxville, Tenn. If a hearing is deemed necessary, applicant did not specify location.

No. MC 1824 (Sub-No. 46), filed June 13, 1969. Applicant: PRESTON TRUCKING COMPANY, INC., 151 Easton Boulevard, Preston, Md. 21655. Applicant's representative: Frank V. Klein (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Candy and confectionery and articles used in the manufacture, sale, and distribution thereof*, serving the plantsite of Russell Stover Candies, Inc., at Clarksville, Va., as an off-route point in connection with applicant's regular route operation between Baltimore, Md., and Norfolk, Va. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 2202 (Sub-No. 367) (Amendment), filed March 4, 1969, published FEDERAL REGISTER issue of March 27, 1969, amended June 17, 1969, and republished as amended this issue. Applicant: ROADWAY EXPRESS, INC., 1077 Gorge Boulevard, Post Office Box 471, Akron, Ohio 44309. Applicant's representatives: William O. Turney, 2001 Massachusetts Avenue NW., Washington, D.C. 20036, and Douglas Faris, Post Office Box 471, Akron, Ohio 44309. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), (1) between Cincinnati, Ohio, and Fort Wayne, Ind., over U.S. Highway 27 as an alternate route serving no intermediate points; (2) between Fort Wayne and La Grange, Ind., from Fort Wayne over Indiana Highway 3 to junction U.S. Highway 6 near Kendallville, Ind., thence over U.S. Highway 6 to junction Indiana Highway 9, thence over Indiana Highway 9 to junction U.S. Highway 20 at La Grange, and return over the same route as an alternate route for operating convenience only, serving no intermediate points; and (3) between La Grange, Indiana, and junction Indiana Highway 13 and U.S. Highway 131, from La Grange over U.S. Highway 20 to junction Indiana Highway 13, thence over Indiana Highway 13 to junction U.S. Highway 131, at or near the Indiana-Michigan State line, and return over the same route, as an alternate route for operating convenience only, serving no intermediate points, restricted against the transportation of traffic moving between points in Michigan, on the one hand, and, on the other, Cincinnati, Ohio, in connection with (1) through (3) above. NOTE: Applicant states it agrees to cancellation of its present route in MC 2202 (Sub-No. 214), provided the route sought in the present application is granted in its entirety. The purpose of this republication is to more clearly set forth the proposed operation. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Columbus, Ohio.

No. MC 2202 (Sub-No. 375), filed June 11, 1969. Applicant: ROADWAY EXPRESS, INC., 1077 Gorge Boulevard, Post Office 471, Akron, Ohio 44309. Applicant's representatives: William O. Turney, 2001 Massachusetts Avenue NW., Washington, D.C. 20036, and Douglas Faris (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), between Memphis, Tenn., and Lufkin, Tex.: From

[1] Copies of Special Rule 1.247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

Memphis over U.S. Highway 79 to junction U.S. Highway 167, thence over U.S. Highway 167 to junction Louisiana Highway 9, thence over Louisiana Highway 9 to junction U.S. Highway 79, thence over U.S. Highway 79 to Carthage, Tex., thence over Texas Highway 315 to Mount Enterprise, Tex., thence over U.S. Highway 259 to Nacogdoches, Tex., thence over U.S. Highway 59 to Lufkin, and return over the same route, serving no intermediate points, and serving Lufkin, Tex., for the purpose of joinder only as an alternate route for operating convenience only. Restriction: The service sought herein is to be restricted against the transportation of traffic originating at, destined to, or interchanged at Memphis, Tenn., points in Memphis, Tenn., commercial zone, as defined by the Commission, or points in Alabama or Mississippi. NOTE: Applicant states it has substantially the same route as that herein proposed, in MC 2202 (Sub-No. 320). The proposed route will utilize different highways between Shreveport, La., and Nacogdoches, Tex., thereby resulting in a route between Memphis, Tenn., and Houston, Tex., that is 1.6 miles longer than its present route provided in Sub 320. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Memphis, Tenn.

No. MC 2860 (Sub-No. 57), filed June 6, 1969. Applicant: NATIONAL FREIGHT, INC., 57 West Park Avenue, Vineland, N.J. 08360. Applicant's representative: Alvin Altman, 1776 Broadway, New York, N.Y. 10019. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts and products distributed by meat packinghouses*, except commodities in bulk, from Chicago, Ill., to points in Maryland, New York, New Jersey, Pennsylvania, and the District of Columbia. NOTE: Applicant states tacking is possible to an extent but is not presently contemplated. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., Philadelphia, Pa., or Washington, D.C.

No. MC 19157 (Sub-No. 15), filed June 9, 1969. Applicant: McCORMACK'S HIGHWAY TRANSPORTATION, INC., 151 Erie Boulevard, Schenectady, N.Y. 12305. Applicant's representative: Anthony C. Vance, Suite 301, Tavern Square, 421 King Street, Alexandria, Va. 22314. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Radioactive material*, new and spent, *radioactive source, special nuclear and byproduct materials, radioactive material shipping containers, nuclear reactor component parts, and related equipment* (except commodities which by reason of size or weight require the use of special equipment), between points in New York. NOTE: Applicant states it intends to tack with its Subs 11 and 13 certificates to provide a through service between its presently authorized 27 States and the District of Columbia, wherein applicant is authorized to serve points in New York, Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, New Hampshire, New Jersey, North Carolina, Tennessee, Virginia, Vermont, West Virginia, Ohio, Pennsylvania, Rhode Island, South Carolina, Wisconsin, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Schenectady, N.Y.

No. MC 23942 (Sub-No. 20), filed May 15, 1969. Applicant: THE SEACOAST TRANSPORTATION COMPANY, a corporation, 500 Water Street, Jacksonville, Fla. 32202. Applicant's representative: Richard D. Sanborn, Jr. (same address as above). In No. MC 23942 applicant holds extensive regular-route common carrier authority authorizing the transportation of general commodities, between designated points in Virginia, North Carolina, South Carolina, Georgia, Alabama, and Florida. This authority roughly parallels the lines of the Seaboard Coast Line Railroad Co., applicant's parent corporation. As part of the above authority, applicant holds authority between Jacksonville, Fla., and Waycross, Ga., as follows: "From Waycross, Ga., over U.S. Highway 1 to Jacksonville, Fla. * * *", subject to certain restrictions, among which is the following: No shipments shall be transported between any of the following points, or through, to, or from more than one of said points: * * * Savannah-Waycross - Patterson - Nahunta - Brunswick-Dupont-Albany-Thomasville, Ga. (considered as a single keypoint), * * * provided such shipments have an immediately prior or immediately subsequent movement by rail. By this application, applicant seeks to modify this restriction to permit the transportation of traffic in highway service beween Jacksonville, Fla., and Waycross, Ga., and other points included in the multiple keypoint in the Waycross, Ga., area. If this authority is granted the keypoint restrictions appearing above would be amended to read: Savannah-Waycross-Patterson - Nahunta - Brunswick - Dupont-Albany-Thomasville, Ga.-Jacksonville, Fla (considered as a single keypoint). No other restrictions above would be amended to read: Savannah-Waycross - Patterson - Nahunta - Brunswick-Dupont-Albany-Thomasville, Ga.-Jacksonville, Fla. (considered as a single keypoint). No other restrictions would be altered and the service would remain auxiliary to, and supplemental of, Seaboard Coast Line's rail service. NOTE: Applicant is controlled by Seaboard Coast Line Railroad Co. If a hearing is deemed necessary, applicant requests it be held at Waycross, Ga., or Jacksonville, Fla.

No. MC 25798 (Sub-No. 192), filed June 11, 1969. Applicant: CLAY HYDER TRUCKING LINES, INC., 502 East Bridgers Avenue, Post Office Box 1186, Auburndale, Fla. 33823. Applicant's representative: Tony G. Russell (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat by-products and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from points in Omaha, Nebr.-Council Bluffs, Iowa, commercial zone to points in Alabama, Florida, Georgia, 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. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 25869 (Sub-No. 90), filed June 13, 1969. Applicant: NOLTE BROS. TRUCK LINE, INC., 4734 South 27th Street, Omaha, Nebr. 68107. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts, and articles* distributed by meat packinghouses, as defined in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles, and hides), from points in the Omaha, Nebr.-Council Bluffs, Iowa, commercial zone, to points in Colorado, Illinois, Indiana, Michigan, Missouri, Nebraska, Ohio, and Wisconsin. 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., or Omaha, Nebr.

No. MC 41406 (Sub-No. 24) filed June 12, 1969. Applicant: ARTIM TRANSPORTATION SYSTEM, INC., 7105 Kennedy Avenue, Hammond, Ind. 46323. Applicant's representatives: Ferdinand Born and Walter F. Jones, Jr., 601 Chamber of Commerce Building, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles;* (1) from Ashland, Ky., to points in Illinois, Indiana, Iowa, Michigan, Missouri, Ohio, and Wisconsin; and (2) between Ashland, Ky., and Middletown, 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 Washington, D.C., Columbus, Ohio, and/or Chicago, Ill.

No. MC 46240 (Sub-No. 16), filed June 13, 1969. Applicant: DIRECT TRANSIT LINES, INC., 200 Colrain Street SW., Grand Rapids, Mich. 49508. Applicant's representative: Robert A. Sullivan, 1800 Buhl Building, Detroit, Mich. 48226. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Brass, bronze, copper, and aluminum articles, equipment, material and supplies* used in or incidental to the manufacture thereof, between Fulton, Miss.,

on the one hand, and, on the other, points in the United States (except Alaska and Hawaii); under contract with Mueller Brass Co. of Port Huron, Mich. NOTE: Applicant holds common carrier authority in MC 106603 and Subs thereunder, therefore, dual operations may be involved. Applicant states no duplicating authority sought. If a hearing is deemed necessary, applicant requests it be held at Detroit or Lansing, Mich.

No. MC 50069 (Sub-No. 426), filed June 12, 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: *Fertilizer and fertilizer materials*, in bulk, in tank vehicles, from storage facilities of Allied Chemical Corp. located at or near Channahon (Smithbridge), Ill., to points in Illinois, Indiana, Michigan, Ohio, and Wisconsin. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 69116 (Sub-No. 124), filed June 11, 1969. Applicant: SPECTOR FREIGHT SYSTEM, INC., 205 West Wacker Drive, Chicago, Ill. 60606. 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: *Lumber, veneer, and forest products, such as lumber, plywood, poles, posts, piling, ties, cross arms, crossing panels, and fabricated lumber products*, creosoted or otherwise preservatively treated and untreated, including *hardware* necessary for the installation thereof, from Carbondale, Ill., to points in Indiana, Iowa, Kentucky, Michigan (Upper and Lower Peninsula), Minnesota, Missouri, Ohio, Pennsylvania, Tennessee, and Wisconsin. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 72243 (Sub-No. 24) (Amendment), filed March 6, 1969, published FEDERAL REGISTER issue of April 10, 1969, amended June 11, 1969, and republished as amended this issue. Applicant: THE AETNA FREIGHT LINES, INC., 2507 Youngstown Road SE., Warren, Ohio 44482. Applicant's representative: Edward G. Villalon, 1735 K Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities* which require the use of special equipment or special handling by reason of size or weight; and (2) *general commodities* (except those of unusual value, household goods as defined by the Commission, and commodities in bulk); (a) between military installations or Defense Department establishments in the United States (except points in Washington, Idaho, Montana, North Dakota, South Dakota, Wyoming, Colorado, Utah, Nevada, Oregon, California, Arizona, New Mexico, Maine, New Hampshire, Vermont, Alaska, and Hawaii); (b) between points in (a) above on the one hand, and, on the other, points in the United States (except points in Washington, Idaho, Montana, North Dakota, South Dakota, Wyoming, Colorado, Utah, Nevada, Oregon, California, Arizona, New Mexico, Maine, New Hampshire, Vermont, Alaska, and Hawaii). NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. The purpose of this republication is to change the commodity description in (2) above. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 73165 (Sub-No. 267), 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: *Iron and steel articles, castings, and building materials and accessories*, moving therewith, from points in Delaware and Franklin Counties, Ohio, to points in Alabama, Arkansas, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Missouri, New Jersey, New York, North Carolina, North Dakota, Pennsylvania, South Carolina, Tennessee, Virginia, West Virginia, Wisconsin, and the District of Columbia. NOTE: Applicant states it does not intend to tack, and 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 76948 (Sub-No. 2), filed June 2, 1969. Applicant: LEON DUGAN, 427 East Monroe Street, Chrisman, Ill. 61924. Applicant's representative: W. L. Jordan, 205 Merchants Savings Building, Terre Haute, Ind. 47801. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (a) *Fertilizer and fertilizer ingredients*, in bulk in self-unloading vehicles, or in bags or containers, from plantsite of Agrico Chemical Co., near Danville, Ill., to points in Indiana, south of a line beginning at Vincennes, Ind., and extending eastward along Indiana Highway 67 to Indianapolis, and thence east along U.S. Highway 40 to Indiana-Ohio State line; and (b) *sand* (fertilizer ingredient), in bulk, in self-unloading vehicles, from Montezuma, Ind., to the plantsite of Agrico Chemical Co., near Danville, 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 Springfield, Ill., or Indianapolis, Ind.

No. MC 83217 (Sub-No. 42), filed May 22, 1969. Applicant: DAKOTA EXPRESS INC., 1217 West Cherokee Avenue, Sioux Falls, S. Dak. 57101. Applicant's representative: Henry J. Schuette, 1217 West Cherokee, Sioux Falls, S. Dak. 57101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Animal feed, meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in section A, B, and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from points in South Dakota, Nebraska, Kansas, Missouri, Minnesota, Iowa, Wisconsin, and Illinois, to ports of entry on the international boundary line between the United States and Canada at Minnesota and North Dakota, for export into Manitoba and Sasketchewan, Canada; and (2) *foodstuffs*, from ports of entry on the international boundary line between the United States and Canada at North Dakota and Minnesota, to points in South Dakota, Nebraska, Iowa, and Minnesota, restricted to traffic originating in Manitoba and Saskatchewan. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 85465 (Sub-No. 17) (Amendment), filed March 20, 1969, published FEDERAL REGISTER issue of May 1, 1969, amended June 12, 1969, and republished as amended this issue. Applicant: WEST NEBRASKA EXPRESS, INC., Post Office Drawer 350, Scottsbluff, Nebr. 69361. Applicant's representative: Truman A. Stockton, Jr., The 1650 Grant Street Building, Denver, Colo. 80203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, including classes A and B explosives, but excepting livestock, household goods, commodities which because of size or weight require the use of special equipment, articles of unusual value, and commodities in bulk; (a) between military installations or Defense Department establishments in the United States (except Alaska and Hawaii), and (b) between points in (a) above and points in Nebraska, on the one hand, and, on the other, 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. The purpose of this republication is to redescribe commodity description. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 87717 (Sub-No. 4) (Clarification), filed May 16, 1969, published FEDERAL REGISTER issue of June 12, 1969, and republished in part, as clarified, this issue. Applicant: FANELLI BROTHERS TRUCKING COMPANY, a corporation, Centre and Nichols Streets, Pottsville, Pa. 17901. Applicant's representative: Robert H. Griswold and S. Berne Smith, 100 Pine Street, Post Office Box 1166, Harrisburg, Pa. 17108. NOTE: The purpose of this partial republication is to clarify the destination point in item (2), to show

Millersport, Fairfield County, Ohio, in lieu of Millersport and Fairfield Counties, Ohio, which was erroneously shown in previous publication. The rest of the application remains the same.

No. MC 94265 (Sub-No. 219), filed June 6, 1969. Applicant: BONNEY MOTOR EXPRESS, INC., Post Office Box 12388, Thomas Corner Station, Norfolk, Va. Applicant's representative: E. Stephen Heisley, 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: *Meat, meat products, meat byproducts and articles distributed by meat packinghouses*, from the plantsites and warehouse facilities of National Beef Packing, Inc., at Liberal and Kansas City, Kans., to points in Tennessee, Virginia, North Carolina, Delaware, West Virginia, Maryland, Pennsylvania, New York, New Jersey, and the District of Columbia, restricted to traffic originating at the plantsites and warehouse facilities of National Beef Packing, Inc. 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 95540 (Sub-No. 749), filed June 6, 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: *Canned preserved foodstuffs*, not cold pack or frozen, from the plantsites and storage facilities of Comstock Greenwood Foods, Borden, Inc., at Waterloo, Egypt, Rushville, Penn Yan, Newark, Lyons, Syracuse, Fairport, and Red Creek, N.Y., and West Chester, Pa., to points in New Mexico, Arizona, Colorado, Utah, Nevada, California, Idaho, Montana, Oregon, Washington, 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 Rochester or Buffalo, N.Y., or Washington, D.C.

No. MC 102616 (Sub-No. 836), filed June 3, 1969. Applicant: COASTAL TANK LINES, INC., Post Office Box 7211, 215 East Waterloo Road, Akron, Ohio 44306. Applicant's representative: Harold G. Hernly, 711 14th Street NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Process clay*, in bulk, from Paulsboro, N.J., to points in Delaware, Michigan, Ohio, and Pennsylvania. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Philadelphia, Pa.

No. MC 102682 (Sub-No. 261), filed May 16, 1969. Applicant: HUGHES TRANSPORTATION, INC., Post Office Box 10207, Charleston, S.C. 29411. Applicant's representative: Frank B. Hand, Jr., 1111 E Street NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Classes A, B, and C explosives*, from Macon, Ga., to Dahlgren, Va., Dover Air Force Base, Del., and Edgewood Arsenal, Md. NOTE: Applicant has contract carrier authority in MC 89340 Sub 2, therefore dual operations may be involved. Applicant states it does not intend to tack, and is apparently willing to accept a restriction, against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 103435 (Sub-No. 210), filed June 6, 1969. Applicant: UNITED-BUCKINGHAM FREIGHT LINES, INC., 5773 South Prince Street, Littleton, Colo. 80120. Applicant's representative: George R. LaBissoniere, 1424 Washington Building, Seattle, Wash. 98101. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except commodities in bulk, household goods as defined by the Commission, articles of unusual value, commodities which, because of their size or weight, require the use of special equipment), serving the site of the Atlantic Richfield Co. near Ferndale, Wash., as off-route to carrier's presently authorized regular routes. NOTE: Applicant states joinder would be made at Bellingham, Wash., which is a regular route point authorized under MC 103435 Sub-No. 104. If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash.

No. MC 103993 (Sub-No. 422), 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 Itawamba 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 does not specify a location.

No. MC 106398 (Sub-No. 404), filed June 9, 1969. Applicant: NATIONAL TRAILER CONVOY, INC., 1925 National Plaza, Tulsa, Okla. 74151. Applicant's representatives: Irvin Tull and Fred Rahal, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers* designed to be drawn by passenger automobiles, in initial movements, from points in Washington County, Md., to points in the United States (except Alaska and Hawaii). NOTE: Applicant states it does intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. Applicant further states that no duplication authority is being sought. Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Baltimore, Md.

No. MC 106398 (Sub-No. 405), filed June 10, 1969. Applicant: NATIONAL TRAILER CONVOY, INC., 1925 National Plaza, Tulsa, Okla. 74151. Applicant's representatives: Irvin Tull and Fred Rahal, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers* designed to be drawn by passenger automobiles and *buildings* in sections mounted on wheeled undercarriages, from points in Clark County, Wis., to points in the United States (except 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 Minneapolis or St. Paul, Minn.

No. MC 106760 (Sub-No. 101), filed June 11, 1969. Applicant: WHITE-HOUSE TRUCKING, INC., 5020 Angela Road, Toledo, Ohio 43615. Applicant's representatives: Leonard A. Jaskiewicz, Suite 501, 1730 M Street NW., Washington, D.C. 20036, and Irvin Tull and Fred Rahal, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Structures, outdoor electric substations or sections thereof, iron or steel, bolts and nuts, and accessories used in the installation thereof*, from Newark, Ohio, to points in the United States (except Alaska and Hawaii). NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 106760 (Sub-No. 102), filed June 11, 1969. Applicant: WHITE-HOUSE TRUCKING, INC., 5020 Angola Road, Toledo, Ohio 43615. Applicant's representatives: Leonard A. Jaskiewicz, Suite 501, 1730 M Street NW., Washington, D.C. 20036, and Irvin Tull and Fred Rahal, Jr., 1925 National Plaza, Tulsa, Okla. 74151. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Steel columns, steel joists, steel beams, steel roofing decks, steel shapes, steel trusses, steel sidings, and accessories thereof*, from Canton, Ohio, to points in Boone, Cook, De Kalb, Du Page, Gruncy, Kane, Kendall, Lake, McHenry, Will, and Winnebago Counties, Ill., and to all other points in the United States except New York, Connecticut, Florida, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont, Alabama, Arkansas, Georgia (except on and south of U.S. Highway 80), Indiana, Iowa, Kentucky, Louisiana, Maryland, Michigan (except points in Lower Peninsula), Mississippi, Missouri, New Jersey, Pennsylvania,

Tennessee, West Virginia, District of Columbia, Alaska, and Hawaii. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 106760 (Sub-No. 103), filed June 11, 1969. Applicant: WHITEHOUSE TRUCKING, INC., 5020 Angola Road, Toledo, Ohio 43615. Applicant's representatives: Leonard A. Jaskiewicz, Suite 501, 1730 M Street NW., Washington, D.C. 20036, and Irvin Tull and Fred Rahal, Jr., 1925 National Plaza, Tulsa, Okla. 74151. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plywood*, from plantsite of General Plywood Corp., at or near New Albany, Ind., to all points in the United States except Washington, Oregon, California, Nevada, Idaho, Montana, Wyoming, Utah, Colorado, Arizona, New Mexico, and Alaska and Hawaii. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky., or Washington, D.C.

No. MC 106760 (Sub-No. 104), filed June 11, 1969. Applicant: WHITEHOUSE TRUCKING, INC., 5020 Angola Road, Toledo, Ohio 43615. Applicant's representatives: Leonard A. Jaskiewicz, Suite 501, 1730 M Street NW., Washington, D.C. 20036, and Irvin Tull and Fred Rahal, Jr., 1925 National Plaza, Tulsa, Okla. 74151. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Iron and steel articles*, from the plant or warehouse sites of Continental Steel Corp., located in Howard County, Ind., to points in the United States on and east of U.S. Highway 85; and (2) *materials, equipment, and supplies*, used in the manufacture and processing of iron and steel articles, from points in the United States on and east of U.S. Highway 85 to the plant or warehouse sites of Continental Steel Corp., located in Howard County, Ind., restricted to traffic originating at or destined to the named origins and destination in (1) and (2) above, and further restricted against the transportation of commodities in bulk. NOTE: Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 106760 (Sub-No. 105), filed June 11, 1969. Applicant: WHITEHOUSE TRUCKING, INC., 5020 Angola Road, Toledo, Ohio 43615. Applicant's representatives: Leonard A. Jaskiewicz, Suite 501, 1730 M Street NW., Washington, D.C. 20336, and Irvin Tull and Fred Rahal, Jr., 1925 National Plaza, Tulsa, Okla. 74151. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Composition building board*, from Jarratt, Va., to points in Illinois, Indiana, Ohio, Kentucky, Tennessee, Iowa, Michigan, Missouri, and Wisconsin. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 106760 (Sub-No. 106), 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 A. Jaskiewicz, Suite 501, 1730 M Street NW., Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass*, flat, from Shreveport, La., Charleston, W. Va., and Ottawa, Ill., to points in the United States (except Washington, Oregon, California, Nevada, Idaho, Utah and Arizona, and Alaska and Hawaii). NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 106760 (Sub-No. 107), filed June 11, 1969. Applicant: WHITEHOUSE TRUCKING, INC., 5020 Angola Road, Toledo, Ohio 43615. Applicant's representative: Irvin Tull and Fred Rahal, Jr. (same address as applicant), and Leonard A. 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: *Windows, window frames, doors, door frames and molding*, from Pemberton, N.J., to points in the United States (except Alaska and Hawaii). NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 106760 (Sub-No. 109), 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 glazing units*, from Mason City, Iowa, 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 107295 (Sub-No. 201), filed June 5, 1969. Applicant: PRE-FAB TRANSIT CO., a corporation, 100 South Main Street, Post Office Box 142, Farmer City, Ill. 61842. Applicant's representative: Dale L. Cox (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Glass glazing units*, from Mason City, Iowa, to points in the United States in and east of Montana, Wyoming, Colorado, and New Mexico; (2) *glass*, flat; from Shreveport, La., Charleston, W. Va., and Ottawa, Ill., to points in the United States in and east of Montana, Wyoming, Colorado, and New Mexico; and (3) *glass*, flat; *glass glazing units, and glass doors and fittings*, from Toledo, Ohio, to points in the United States in and east of Montana, Wyoming, Colorado, and New Mexico. NOTE: Applicant states it would tack with its present authority in MC 107295, where feasible. If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind., or Springfield, Ill.

No. MC 107515 (Sub-No. 662), filed June 12, 1969. Applicant: REFRIGERATED TRANSPORT CO., INC., Post Office Box 308, Forest Park, Ga. 30050. Applicant's representative: B. L. Gundlach (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salads and sandwich spreads*, (1) from Atlanta, Ga., and Knoxville, Tenn., to points in Michigan, Ohio, Indiana, Illinois, Kentucky, Wisconsin, New York, New Jersey, Pennsylvania, Delaware, Connecticut, Rhode Island, Massachusetts, Kansas, Oklahoma, Texas, Virginia, West Virginia, Maryland, Iowa, Nebraska, North Dakota, South Dakota, and the District of Columbia; and (2) from Knoxville, Tenn., to points in Missouri, Minnesota, Arkansas, Louisiana, Mississippi, Alabama, 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 Atlanta, Ga., or Knoxville, Tenn.

No. MC 108068 (Sub-No. 80), filed June 9, 1969. Applicant: U.S.A.C. TRANSPORT, INC., Post Office Box G, Joplin, Mo. 64801. Applicant's representatives: A. N. Jacobs (same address as applicant), and Wilburn L. Williamson, 600 Leininger Building, Oklamoa City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, including plywood, and cooling tower and fluid cooler parts and accessories*, from Stockton, Calif., to points in North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, Minnesota, Iowa, Missouri, Arkansas, Louisiana, Wisconsin, Illinois, Michigan, Indiana, Ohio, Kentucky, Tennessee, Mississippi, Alabama, Georgia, Florida, South Carolina, North Carolina, Virginia, West Virginia, Pennsylvania, New York, Maine, Vermont, New Hampshire, Delaware, Massachusetts, Connecticut, Rhode Island, New Jersey, Maryland, 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 San Francisco, Calif., or Washington, D.C.

No. MC 109689 (Sub-No. 206), filed June 3, 1969. Applicant: W. S. HATCH CO., a corporation, 643 South 800 West, Woods Cross, Utah 84087. Applicant's representative: Mark K. Boyle, 345 South State Street, Salt Lake City, Utah 84110. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals, liquid feed supplement, and mineral oil*, in bulk, from Fort Lupton, Colo., to points in Wyoming, Nebraska, Montana, Kansas, Utah, and New Mexico. 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 Denver, Colo., or Los Angeles, Calif.

No. MC 110157 (Sub-No. 30), filed May 29, 1969. Applicant: LANG TRANSIT COMPANY, a corporation, 38th Street and Quirt Avenue, Lubbock, Tex. 79408. Applicant's representative: W. D. Benson, Jr., Post Office Box 6723, 7012 Indiana Avenue, Lubbock, Tex. 79413. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Clovis and Albuquerque, N. Mex., from Clovis over U.S. Highway 60 to Encino, thence over U.S. Highway 285 to Clines Corner, thence over U.S. Highway 66 and Interstate Highway 40 to Albuquerque, and return over the same route, serving all intermediate points. NOTE: If a hearing is deemed necessary, applicant requests it be held at Albuquerque or Santa Fe, N. Mex.

No. MC 110525 (Sub-No. 912), filed June 9, 1969. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 Lancaster Avenue, Downingtown, Pa. 19335. Applicant's representatives: Edwin H. van Deusen (same address as above), and Leonard A. 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: *Alcoholic liquor*, in bulk, in tank vehicles, from Philadelphia, Pa., to Lakeland, 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 did not specify a location.

No. MC 112595 (Sub-No. 36), filed June 9, 1969. Applicant: FORD BROTHERS, INC., Post Office Box 727 (Coal Grove), Ironton, Ohio 45638. Applicant's representative: James R. Stiverson, 50 West Broad Street, Columbus, Ohio 43215. 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 114019 (Sub-No. 197), filed June 11, 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: *Bananas and agricultural commodities and commodities, the transportation of which is partially exempt pursuant to section 203(b)(6) of the Interstate Commerce Act*, when moving in mixed shipments with bananas, (a) from Charleston, S.C., Norfolk, Va., Wilmington, Del., and Boston and Fall River, Mass., to points in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, New York, Pennsylvania, Ohio, Michigan, Illinois, Indiana, Kentucky, West Virginia, Virginia, North Carolina, South Carolina, and the District of Columbia; and (b) from Baltimore, Md., New York, N.Y., and Philadelphia, Pa., to points in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, 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. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 114408 (Sub-No. 8), filed June 12, 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 *contract 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.; under contract with Northwest Materials, Inc. NOTE: Applicant states no duplicating authority presently held or sought. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 115092 (Sub-No. 9), filed June 9, 1969. Applicant: WEISS TRUCKING, INC., Post Office Box O, Vernal, Utah 84080. Applicant's representative: William S. Richards, 1605 Walker Bank Building, Salt Lake City, Utah 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Well servicing equipment and supplies and drilling parts and supplies*, between points in Uintah County, Utah, and points in Colorado, New Mexico, Arizona, Idaho, Wyoming, Nevada and California. NOTE: Applicant states it will tack with its lead certificate at points in Moffat, Rio Blanco, Mesa, and Garfield Counties, Colo. If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah, or Denver, Colo.

No. MC 115311 (Sub-No. 102), filed June 12, 1969. Applicant: J & M TRANSPORTATION CO., INC., Post Office Box 488, Milledgeville, Ga. 31061. Applicant's representative: Alan E. Serby, 1600 First Federal Building, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Composition boards and accessories used in the installation thereof*, from the plantsite of the Celotex Corp., Marrero, La., to points in Missouri, Illinois, Kentucky, Tennessee, Alabama, Georgia, South Carolina, North Carolina, Virginia, West Virginia, Ohio, Pennsylvania, Delaware, Indiana, Maryland, Mississippi, and Washington, D.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 New Orleans, La., or Atlanta, Ga.

No. MC 115331 (Sub-No. 270), filed June 4, 1969. Applicant: TRUCK TRANSPORT, INCORPORATED, 1931 North Geyer Road, St. Louis, Mo. 63131. Applicant's representative: J. R. Ferris (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime, limestone, and limestone products*, from Gibsonburg, Ohio, to points in Iowa, Missouri, Wisconsin, Arkansas, Kentucky, Tennessee, and points in Illinois on and south of U.S. Highway 136. 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 Chicago, Ill.

No. MC 115331 (Sub-No. 271), filed June 4, 1969. Applicant: TRUCK TRANSPORT, INCORPORATED, 1931 North Geyer Road, St. Louis, Mo. 63131. Applicant's representative: J. R. Ferris (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, from Memphis, Tenn., to points in Alabama, Arkansas, Georgia, Illinois, Kentucky, Louisiana, Mississippi, and Texas. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Chicago, Ill.

No. MC 115491 (Sub-No. 116), filed June 9, 1969. Applicant: COMMERCIAL CARRIER CORPORATION, 502 East Bridgers Avenue, Post Office Box 67, Auburndale, Fla. 33823. Applicant's representative: Tony G. Russell (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting:

Dry bulk commodities, between points in Florida on the one hand, and, on the other, points in Alabama and Georgia. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Orlando or Tampa, Fla.

No. MC 115981 (Sub-No. 1), filed June 2, 1969. Applicant: UNION TRANSPORTATION CO., INC., 1939 Auburn Boulevard, Sacramento, Calif. 95811. Applicant's representative: George M. Carr, 351 California Street, Suite 1215, San Francisco, Calif. 94104. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Asbestos fiber*, crude, shorts, or waste in bags, packages and containers, between the mine and processing site of Pacific Asbestos Corp., near Copperopolis, Calif., to Docks of Stockton, Sacramento, Alameda, Oakland, and San Francisco, Calif., and the rail sidings at Oakdale, Jamestown, and Chinese Camp, Calif., with movement of *empty containers*, on return, under contract with Pacific Asbestos Corp., Copperopolis, Calif. NOTE: Applicant holds common carrier authority under MC 128718, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

No. MC 117459 (Sub-No. 2), filed June 2, 1969. Applicant: CARLSON TRUCK SERVICE, INC., 2501 Henry Street, Muskegon, Mich. 49441. 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* from (1) Oswego, N.Y., to points in Pennsylvania, and returned shipment in the reverse direction; and (2) between points in Buffalo, N.Y., commercial zone, on the one hand, and, on the other, points in New York and Pennsylvania. 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., or Detroit, Mich.

No. MC 117698 (Sub-No. 8), filed June 13, 1969. Applicant: LEO H. SEARLES, doing business as, L. H. SEARLES, South Worcester, N.Y. Applicant's representative: Harold C. Vrooman, 140 Main Street, Oneonta, N.Y. 13820. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ice cream, ice confections, and ice mix* in refrigerated trailers, and not in bulk or tank vehicles, from Suffield, Conn., to Eatontown, Mount Holly, Ocean City, Middlesex, Paterson, Newark, and Woodbridge, N.J., and Farmingdale and Holtsville, Long Island, N.Y. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Albany, N.Y.

No. MC 118142 (Sub-No. 30) (Amendment), filed May 19, 1969, published in the FEDERAL REGISTER issue of June 12, 1969, amended and republished as amended, this issue. Applicant: M. BRUENGER & COMPANY, INC., 6330 North Broadway, Wichita, Kans. 67214. Applicant's representative: James F. Miller, 6415 Willow Lane, Shawnee Mission, Kans. 66208. 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 by the Commission, in sections A and C of appendix I in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 from the plantsite of Pork Packers, International, Inc., at Clay Center, Kans., to points in Arizona, New Mexico, California, Texas, Louisiana, Alabama, Mississippi, Georgia, Florida, Kansas, Missouri, Arkansas, Oklahoma, Tennessee, Washington, Oregon, and Nevada, with stops in transit at Wichita, Kans., to partially load and/or unload. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. The purpose of this republication is to broaden the territory description. If a hearing is deemed necessary, applicant requests it be held at Wichita, Kans.

No. MC 119641 (Sub-No. 81), filed June 11, 1969. Applicant: RINGLE EXPRESS, INC., 450 South Ninth Street, Fowler, Ind. 47944. Applicant's representative: 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 *common carrier*, by motor vehicle, over irregular routes, transporting: *Tractors* (except those with vehicle beds, bed frames, and fifth wheels), *equipment* designed for use in conjunction with tractors, *agricultural, industrial, and construction machinery, and equipment, trailers* designed for the transportation of the above-described commodities (except those trailers designed to be drawn by passenger automobiles), *attachments* for the above-described commodities, *internal combustion engines, and parts* of the above-described commodities when moving in mixed loads with such commodities, from the port of entry on the international boundary line between the United States and Canada located at or near Buffalo, N.Y., to points in Alabama, Connecticut, Delaware, Florida, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, 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 119710 (Sub-No. 17), filed June 10, 1969. Applicant: SHUPE BROS. CO., a corporation, Post Office Box 929, Greeley, Colo. 80631. Applicant's representative: Paul F. Sullivan, 701 Washington Building, Washington, D.C. 20005. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Animal and poultry feed*, from Guymon, Okla., to points in Kansas, Texas, Colorado, Nebraska, New Mexico, and Arizona, and (2) *feed ingredients*, from points in the States named in (1) above, to Guymon, Okla., under contract with W. R. Grace & Co., NOTE: Applicant states that no duplicating authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 119767 (Sub-No. 222), filed June 9, 1969. Applicant: BEAVER TRANSPORT CO., a corporation, 100 South Calumet Street, Burlington, Wis. 53105. Applicant's representative: A. Bryant Torhorst, Post Office Box 339, Burlington, Wis. 53105. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from points in Wisconsin, to points in Michigan. NOTE: Applicant states it can tack to serve points under its lead certificate; Subs 39, 50, 58, 145, and 184, whereas it conducts operations at points in Indiana, Illinois, Missouri, Iowa, Wisconsin, Ohio, and Minnesota. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Milwaukee or Madison, Wis.

No. MC 119774 (Sub-No. 17), filed June 9, 1969. Applicant: MARY ELLEN STIDHAM, N. M. STIDHAM, A. E. MANKINS (INEZ MANKINS, EXECUTRIX), AND JAMES E. MANKINS, SR., a partnership, doing business as EAGLE TRUCKING COMPANY, Post Office Box 471, Kilgore, Tex. 75662. Applicant's representative: Joe G. Fender, 802 Houston First Savings Building, Houston, Tex. 75662. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities* which require the use of special equipment or special handling by reason of size or weight; and (2) *classes A and B explosives*, (a) between military installations or Defense department establishments in Florida, Georgia, Alabama, Mississippi, Louisiana, Kansas, Texas, Oklahoma, Arkansas, New Mexico, Arizona, Colorado, Utah, Nevada, Idaho, Wyoming, Montana, Nebraska, South Dakota, and North Dakota; and (b) between points in (a) above on the one hand, and, on the other, points in Florida, Georgia, Alabama, Mississippi, Louisiana, Kansas, Texas, Oklahoma, Arkansas, New Mexico, Arizona, Colorado, Utah, Nevada, Idaho, Wyoming, Montana, Nebraska, South Dakota, and North Dakota. 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 holds no authority which would duplicate that sought herein. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 119934 (Sub-No. 157), filed June 9, 1969. Applicant: ECOFF TRUCKING, INC., 625 East Broadway, Fortville, Ind. 46040. Applicant's representative: Robert C. Smith, 620 Illinois Building, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Spent phosphoric acid*, in

bulk, in tank vehicles; (1) from Cleveland, Miss., to points in Louisiana, and Missouri; and (2) from Bryan, Cleveland, and Wapakoneta, Ohio, to points in Indiana, Illinois, and Kentucky. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. Applicant holds contract carrier authority under MC 128161, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 123054 (Sub-No. 9), filed June 11, 1969. Applicant: R & H CORPORATION, 295 Grand Avenue, Clarion, Pa. 16214. 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: *Glass and plastic containers, closures, and fiberboard and pulpboard boxes, materials, and supplies* used in the manufacture of glass and plastic containers, except in bulk in tank vehicles, between Brockport, N.Y.; the Lower Peninsula of Michigan and Kentucky. 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 123091 (Sub-No. 7), filed June 13, 1969. Applicant: NICK STRIMBU, INC., 3500 Parkway Road, Brookfield, Ohio 44403. Applicant's representative: Richard H. Brandon, 79 East State Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Plastic articles*, from West Middlesex, Pa., and points in Hickory Township, Mercer County, Pa., to points in Illinois, Indiana, Delaware, Georgia, Maryland, Michigan, Missouri, Kansas, California, New Jersey, New York, Massachusetts, Ohio, Texas, and Wisconsin; and (2) *materials and supplies* used in the manufacture of plastic articles (except in bulk), from points in the above-described States to West Middlesex, Pa., and points in Hickory Township, Mercer County, Pa. NOTE: Applicant states that it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 123383 (Sub-No. 41), filed June 11, 1969. Applicant: BOYLE BROTHERS, INC., 276 River Road, Edgewater, N.J. 07020. Applicant's representative: Morton E. Kiel, 140 Cedar Street, New York, N.Y. 10006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gypsum and gypsum products, and materials and accessories*, used in the installation thereof (except in bulk), from Port Clinton, Ohio, to points in Alabama, Georgia, 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 Tampa, Fla., or Atlanta, Ga.

No. MC 123383 (Sub-No. 42), filed June 11, 1969. Applicant: BOYLE BROTHERS, INC., 276 River Road, Edgewater, N.J. 07020. Applicant's representative: Morton E. Kiel, 140 Cedar Street, New York, N.Y. 10006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Such commodities as are dealt in by a distributor of charcoal and charcoal briquets*, from Roseland and Edgewater, N.J., to points in New Jersey, New York, Pennsylvania, and Connecticut; and (2) *fireplace logs*, from Orange, Va., and Roseland and Edgewater, N.J., to points in Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, 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 New York, N.Y.

No. MC 123639 (Sub-No. 113), filed June 9, 1969. Applicant: J. B. MONTGOMERY, INC., 5150 Brighton Boulevard, Denver, Colo. 80216. Applicant's representative: David Senseney, 3395 South Bannock, Suite 126, Englewood, Colo. 80110. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts, and articles distributed by meat packinghouses*, as defined in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, except commodities in bulk in tank vehicles and except hides, from points in the Omaha, Nebr.-Council Bluffs, Iowa, commercial zone, to points in Arizona, California, Connecticut, Illinois, Indiana, Massachusetts, Michigan, Nevada, New York, New Hampshire, Ohio, Utah (except the Chicago, Ill. commercial zone), 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 Omaha, Nebr.

No. MC 123819 (Sub-No. 26), filed June 9, 1969. Applicant: ACE FREIGHT LINE, INC., 261 East Webster, Memphis, Tenn. 38102. Applicant's representative: Bill R. Davis, 1600 First Federal Building, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid animal feed, liquid animal feed supplements and molasses*, from McComb, Miss., to points in Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, Tennessee, and Texas. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn.

No. MC 124078 (Sub-No. 386), filed June 6, 1969. Applicant: SCHWERMAN TRUCKING CO., a corporation, 611 South 28th Street, Milwaukee, Wis. 53246. Applicant's representative: James R. Ziperski (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquors, malt, ale, beer, beer tonic, porter, stout, and related matter*, from Pabst, Houston County, Ga., to points in Tennessee, on and east of Interstate Highway 65. 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., or Chicago, Ill.

No. MC 124154 (Sub-No. 29), filed June 6, 1969. Applicant: WINGATE TRUCKING COMPANY, INC., Post Office Box 645, Albany, Ga. 31702. Applicant's representative: Monty Schumacher, 2045 Peachtree Road NE., Suite 310, Atlanta, Ga. 30309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Portable, set-up field and construction-site type toilets*, from Albany, Ga., to points in Alabama, Florida, North Carolina, South Carolina, and Tennessee, and return of rejected and damaged shipments. NOTE: Applicant presently holds contract carrier authority in MC 117504 Sub 1, 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 Atlanta, Ga., or Washington, D.C.

No. MC 125358 (Sub-No. 2), filed June 12, 1969. Applicant: MID-WEST TRUCK LINES, LTD., 1216 Fife Street, Winnipeg, Manitoba, Canada. Applicant's representative: William S. Rosen, 630 Osborn Building, Saint Paul, Minn. 55102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Parts, equipment, and materials*, used in the manufacture and assembly of automotive buses, from Chicago and Mattoon, Ill.; Marion and Michigan City, Ind.; Cadillac, Pontiac, Warren, and Wayne, Mich.; Minneapolis, Minn.; Syracuse, N.Y.; Akron, Columbus, Elyria, and Kenton, Ohio; Erie, Pa.; and Mineral Point, Wis., to Pembina, N. Dak.; under contract with Motor Coach Industries, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn., or Chicago, Ill.

No. MC 125433 (Sub-No. 12), filed June 8, 1969. Applicant: F-B TRUCK LINE COMPANY, a corporation, 1891 West 2100 South Street, Salt Lake City, Utah 84119. Applicant's representatives: David J. Lister (same address as above), also Duane W. Acklie, 521 South 14th Street, Post Office Box 806, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *General commodities* (except those of unusual value, livestock, household goods as defined by the Commission, and commodities in bulk), service shall be restricted to traffic moving on Government bills of

lading or on commercial bills of lading containing endorsements approved in Interpretation of Government Rate Tariff, between points in the United States (except Hawaii and Alaska); (2) *ordnance equipment, materials and supplies, and quartermaster supplies*, between points in the United States (except Hawaii and Alaska); and (3) *general commodities* (except those of unusual value, livestock, household goods as defined by the Commission, and commodities in bulk), between military establishments in the United States (except Hawaii and Alaska). NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. Applicant has pending contract carrier authority in MC 133128 Sub 2, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Salt Lake City, Utah.

No. MC 125951 (Sub-No. 11), filed June 2, 1969. Applicant: SILVEY & COMPANY, a corporation, South Omaha Bridge Road, Council Bluffs, Iowa 51501. Applicant's representative: Donald L. Stern, Suite 630, City National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts, and articles* distributed by meat packinghouses, as defined in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles, and except hides), from points in Omaha, Nebr.-Council Bluffs, Iowa, commercial zone, to Boston, Mass., Philadelphia, Pa., and New York City, N.Y., and points in New Jersey within 5 miles of New York City, N.Y. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 126473 (Sub-No. 10), filed June 9, 1969. Applicant: HAROLD DICKEY TRANSPORT, INC., Packwood, Iowa 52580. 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: *Anhydrous ammonia*, in bulk, (1) from the storage facilities of Central Farmers Fertilizer Co., located at or near Spencer, Iowa, to points in Iowa, Minnesota, Nebraska, North Dakota, South Dakota, and Wisconsin; and (2) from the storage facilities of Gulf Central Pipeline Co., located at or near Marshalltown, Iowa, to points in Illinois, Iowa, Minnesota, Missouri, and Wisconsin. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa, or Chicago, Ill.

No. MC 126835 (Sub-No. 22), filed June 11, 1969. Applicant: EDGAR BISCHOFF, doing business as CASKET DISTRIBUTORS, Rural Route 2, West Harrison, Ind., Post Office Harrison, Ohio 45030. Applicant's representative: Jack B. Josselson, 700 Atlas Bank Building, Cincinnati, Ohio. 45202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Uncrated caskets, casket displays, funeral supplies, and crated caskets*, when moving with uncrated caskets, (1) from Leesville, S.C., under contract with Imperial Casket Co., Inc.; (2) from Modoc, Ind., under contract with Elder Corp.; (3) from Connersville, Ind., under contract with Connersville Casket Co.; and (4) from Brookville, Ind., under contract with Franklin Manufacturing Co., to points in the United States (except Alaska and Hawaii), in connection with (1) through (4) above, and *returned shipments* of the above commodities from the above-designated destinations to the above-designated origin points. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 127122 (Sub-No. 2), filed June 2, 1969. Applicant: JOE MOSS, doing business as SIMPSONVILLE GARAGE WRECKER SERVICE, Box 66, Simpsonville, Ky. 40067. 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) *Wrecked, disabled, and repossessed motor vehicles;* (2) *wrecked or disabled trailers* designed to be drawn by passenger automobiles; and (3) *replacement vehicles and parts thereof*, by use of wrecker equipment only, between points in Kentucky on and west of U.S. Highway 23 and points in Colorado, Illinois, Iowa, Kansas, Minnesota, Missouri, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, Wisconsin, and Wyoming. NOTE: Applicant states it will tack with its existing authority under MC 127122 to enable services to Kentucky, Indiana, and points in the United States (except Hawaii). If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 127539 (Sub-No. 11), filed June 16, 1969. Applicant: PARKER REFRIGERATED SERVICE, INC., 3533 East 11th Street, Tacoma, Wash. 98421. Applicant's representative: George R. LaBissoniere, 1424 Washington Building, Seattle, Wash. 98101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods, and food products* requiring mechanical refrigeration and *exempt commodities*, when moving therewith; (1) from points in California and Oregon to points in Washington; and (2) from points in California to points in Oregon. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. Applicant has contract carrier authority in MC 124593, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif., or Seattle, Wash.

No. MC 127705 (Sub-No. 26), filed June 11, 1969. Applicant: KREVDA BROS. EXPRESS, INC., Post Office Box 88, Gas City, Ind. 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: *Glass and plastic containers, closures, and fiberboard and pulpboard boxes, materials, and supplies* used in the manufacture of glass and plastic containers (except in bulk in tank vehicles); (1) between Brockport, N.Y., points in the Lower Peninsula of Michigan, and points in Kentucky; and (2) between Clarion, Pa., and points in the Lower Peninsula of Michigan. 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 127774 (Sub-No. 3), filed June 9, 1969. Applicant: HAINES TRANSPORT, INC., Post Office Box 207, Greenfield, Iowa 50849. 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: *Anhydrous ammonia*, in bulk, from the plantsite and storage facilities of Farmland Industries, Inc., located at or near Fort Dodge, Iowa, to points in Minnesota, Nebraska, and South Dakota. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa, or Kansas City, Mo.

No. MC 127834 (Sub-No. 32) (Amendment), filed April 13, 1969, published FEDERAL REGISTER issue of May 8, 1969, amended June 12, 1969, and republished as amended this issue. Applicant: CHEROKEE HAULING & RIGGING, INC., 540-42 Merritt Avenue, Nashville, Tenn. 37203. Applicant's representative: Robert M. Pearce, Post Office Box E, Bowling Green, Ky. 42101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities which* because of size or weight require the use of special equipment or handling; and (2) *commodities* which do not require the use of special equipment or special handling when moving in the same vehicle with commodities the transportation of which because of size or weight require the use of special equipment or handling; (a) between military installations or Defense Department establishments in the United States (except Hawaii); and (b) between points in (a) above on the one hand, and, on the other, points in the United States (except Hawaii). NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. The purpose of this republication is to redescribe commodity

description in (2) above. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 127903 (Sub-No. 2), filed June 9, 1969. Applicant: H & M TRANSPORT CO., INC., Rudd, Iowa 50471. 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: *Anhydrous ammonia*, in bulk, from the terminals located on the ammonia pipeline of MAPCO., Inc., located at or near Whiting, Early, and Garner, Iowa to points in Illinois, Iowa, Minnesota, Nebraska, North Dakota, South Dakota, and Wisconsin. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 128412 (Sub-No. 1), filed June 9, 1969. Applicant: LO-TEMP EXPRESS, INC., 1810 Tenth Avenue, Altoona, Pa. 16603. Applicant's representative: Arthur J. Diskin, 806 Frick Building, Pittsburgh, Pa. 15219. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Confectioneries and confectionery products*, from Altoona, Pa., to points in West Virginia; under continuing contract with Boyer Bros., Inc., of Altoona, Pa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Pittsburgh, Pa.

No. MC 129529 (Sub-No. 2), filed June 6, 1969. Applicant: ADOLPH L. MARCHFELD, doing business as THRUWAY MESSENGER SERVICE, Post Office Box 11, Pearl River, N.Y. 10965. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Machines, materials, equipment, and supplies*, used by or useful in the manufacture or sale of copying machines (except commodities in bulk), in specialized delivery service, between the plantsite of Xerox Corp., Blauvelt, N.Y., on the one hand, and, on the other, points in Nassau and Suffolk Counties, N.Y.; and New York, N.Y. and points in New Jersey. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 129645 (Sub-No. 8), filed June 9, 1969. Applicant: BASIL J. SMEESTER AND JOSEPH G. SMEESTER, a partnership, doing business as SMEESTER BROTHERS TRUCKING, 1330 South Jackson Street, Iron Mountain, Mich. 49801. 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) *Building, roofing and insulation board*, and (2) *materials and accessories* used in the installation thereof, from Florence, Ky., to points in Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, and Wisconsin. NOTE: Applicant holds contract carrier authority under Docket No. MC 127093 and subs, therefore, dual operations may be involved. Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 129645 (Sub-No. 9), filed June 10, 1969. Applicant: BASIL J. SMEESTER AND JOSEPH G. SMEESTER, a partnership, doing business as SMEESTER BROTHERS TRUCKING, 1330 South Jackson Street, Iron Mountain, Mich. 49801. Applicant's represenative: 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: *Gypsum products*, from Fort Dodge, Iowa, to points in Arkansas, Kentucky, and Michigan. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. Applicant holds contract carrier authority under MC 127093 and Subs thereunder, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn.

No. MC 133182, filed June 10, 1969. Applicant: LEON OLSEN, ALBERT OLSEN, AND WILLIAM OLSEN, a partnership, doing business as LEON OLSEN TRUCKING COMPANY, 900 Wisconsin Street, Pine Bluff, Ark. 71601. Applicant's representative: Donald R. Partney, 35 Glenmere Drive, Little Rock, Ark. 72204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bauxite ore* in bulk, in dump vehicles, from barge line port or ports on the Arkansas River at or near Little Rock, Ark., to Reynolds Metals Co. plant at or near Bauxite, Ark. 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 Little Rock, Ark.

No. MC 133239 (Sub-No. 1), filed June 6, 1969. Applicant: SANDNER BROTHERS TRANSPORT LTD., Post Office Box 40, Cascade, British Columbia, Canada. Applicant's representative: Hugh A. Dressel, 702 Old National Bank Building, Spokane, Wash. 99201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, rough and finished, and *stone*, from points in Pend Oreille, Stevens, Ferry, Okanogan, and Spokane Counties, Wash., to ports of entry on the international boundary line between the United States and Canada located in Washington. 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 Seattle or Spokane, Wash.

No. MC 133681 (Clarification), filed April 21, 1969, published in FEDERAL REGISTER issue of May 15, 1969, and republished as clarified this issue. Applicant: BIG CHET & SONS TRUCKING, INC., 203 Diamond Street, Brooklyn, N.Y. 11232. 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: (1) *Toilet preparations, soaps, lotions, perfumes, creams, powders, materials, and supplies* used in the preparation of the aforesaid commodities, between New York, N.Y., commercial zone, on the one hand, and, on the other, points in Hudson and Monmouth Counties, N.J.; and (2) *returned and rejected shipments*, on return, under contract with Sacoma Cosmetiques, LCR Sales Services, B. H. Kruger, Inc., and Vitabath Inc. NOTE: The purpose of this republication is to show under contract with B. H. Kruger, Inc., in lieu of B. H. Kaufear, Inc., as previously published. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 133685 (Sub-No. 2) (Correction), filed May 26, 1969, published in the FEDERAL REGISTER issue of June 26, 1969, corrected, and republished as corrected, this issue. 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 Alexandria, 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 & Building Supplies Division of the Wickes Corp., Frederick Junction, Md. NOTE: The purpose of this republication is to include Alexandria, Va., as a destination point, which was inadvertently omitted from previous publication. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 133780 (Sub-No. 1), filed June 4, 1969. Applicant: WILLIAM A. SPARGER, 16501 South Crawford Avenue, Markham (Tinley Park), Ill. 60477. Applicant's representative: Robert W. Loser, 409 Chamber of Commerce Building, Indianapolis, Ind. 46204. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Dairy products*, as described in appendix I, to the report

in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, and, including, *chocolate drinks, chocolate milk, cottage cheese, fruit juices*, fresh and frozen, *sour cream, dip-n-dressing, and yogurt, and puddings*, from the plantsite and warehouse facilities of Sealtest Foods Division of Draftco, Milwaukee, Wis., to the plant and warehouse facilities of Sealtest Foods Division of Kraftco, South Bend, Ind., under a continuing contract, or contracts with Sealtest Foods Division of Kraftco, New York, N.Y.; and (2) *empty containers, outdated merchandise, spoiled merchandise*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Indianapolis, Ind.

No. MC 133800, filed June 5, 1969. Applicant: RAYMOND SANDLIN, JR. AND JANICE SANDLIN, a partnership, doing business as SANDLIN TRUCKING, Route 1, Greensburg, Ind. 47240. Applicant's representative: Donald W. Smith, 900 Circle Tower, Indianapolis, Ind. 46204. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Malt beverages*, from Milwaukee, Wis., Peoria, Ill., and St. Paul, Minn., to Greensburg, Ind., and *used, empty malt beverage containers*, on return, under a continuing contract with Tree City Beverage, Inc.; and (2) *malt beverages*, from Peoria, Ill., and Cincinnati, Ohio, to North Vernon, Ind., and *used, empty malt beverage containers*, on return, under a continuing contract with Jennings Beverage Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 133811, filed June 10, 1969. Applicant: H. E. McCONNELL AND H. E. McCONNELL, JR., a partnership, doing business as H. E. McCONNELL & SON, 5117½ Broadway, North Little Rock, Ark. 72117. Applicant's representative: Donald R. Partney, 35 Glenmere Drive, Little Rock, Ark. 72204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bauxite ore*, in bulk, in dump vehicles, from barge line port or ports on the Arkansas River at or near Little Rock, Ark., to the plantsite of Reynolds Metals Co., located at or near Bauxite, Ark. NOTE: If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark.

MOTOR CARRIER OF PASSENGERS

No. MC 3647 (Sub-No. 414), filed June 2, 1969. Applicant: PUBLIC SERVICE COORDINATED TRANSPORT, a corporation, 180 Boyden Avenue, Maplewood, N.J. 07040. Applicant's representative: Richard Fryling (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, and express, and newspapers*, in the same vehicle with passengers; (1) between West Deptford and Pennsville Townships, N.J.: From junction Interstate Highway 295 and U.S. Highway 130, West Deptford Township, N.J., over Interstate Highway 295 to junction U.S. Highway 130 and access roads to the Delaware Memorial Bridge, Pennsville Township, N.J. (formerly Lower Penns Neck Township, N.J.), and return over the same route, serving all intermediate points; (2) between Swedesboro and Logan Township, N.J.: From Swedesboro, N.J., over unnumbered highways to junction Interstate Highway 295, Logan Township, N.J., thence from junction Interstate Highway 295 and unnumbered highway, over unnumbered highways (via Center Square, N.J.) to junction U.S. Highway 130, Logan Township, N.J., and return over the same route, serving all intermediate points; (3) between points in Oldmans Township, N.J.: From junction Interstate Highway 295 and unnumbered highway, over unnumbered highways (via Pedricktown, N.J.) to junction U.S. Highway 130, and return over the same route, serving all intermediate points; (4) between Upper Penns Neck Township and Penns Grove, N.J.: From junction Interstate Highway 295 and New Jersey Highway 48, Upper Penns Neck Township, N.J., over New Jersey Highway 48 to Penns Grove, N.J., and return over the same route, serving all intermediate points; and (5) between points in Upper Penns Neck Township, N.J.: (a) From junction Interstate Highway 295 and unnumbered highway, over unnumbered highway to junction U.S. Highway 130, and return over the same route, serving all intermediate points; and (b) from junction New Jersey Turnpike Interchange No. 1 and unnumbered highway, over unnumbered highways to junction U.S. Highway 130, and return over the same route, serving all intermediate points. NOTE: Applicant states it proposes to tack proposed routes with existing routes. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa., or Wilmington, Del.

No. MC 110373 (Sub-No. 13), filed June 9, 1969. Applicant: NORTHEAST COACH LINES, Joseph Thieberg, Receiver, 730 Madison Avenue, Paterson, N.J. Applicant's representative: Edward F. Bowes, 744 Broad Street, Newark, N.J. 07102. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage and express mail and newspapers in the same vehicles with passengers*, between Pequannock and Wayne Township, N.J., from the junction of Newark-Pompton Turnpike and Lincoln Park Road in Pequannock to the municipal boundary line of Lincoln Park and Pequannock, at which point Lincoln Park Road becomes Ryerson Road, thence over Ryerson Road to junction Ryerson Road and Comly Road, thence over Comly Road to junction U.S. Highway 202, also called New Jersey Highway 32, thence over U.S. Highway 202 (New Jersey Highway 32) to junction New Jersey Highway 23 in Wayne and those places in Lincoln Park and Pequannock Township, more than 1,500 feet north of the intersection of Comly Road and U.S. Highway 202 in Lincoln Park. NOTE: Applicant states that it proposes to join the authority sought with its present authority, between Pequannock, N.Y., and New York, N.Y., and between Wayne, N.J., and New York, N.Y., and proposes to use such new route in serving all points on its existing routes in New Jersey. If a hearing is deemed necessary, applicant requests it be held at Newark, N.J., or New York, N.Y.

No. MC 129841 (Sub-No. 1), filed June 5, 1969. Applicant: WHITFIELD BUS LINES, INC, Post Office Drawer 9897, El Paso, Tex. 79980. Applicant's representative: W. D. Benson, Jr., Post Office Box 6723, Lubbock, Tex. 79413. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Passenger* (aliens), *armed guards, and their baggage* in special operations, between El Paso, Tex., and points in New Mexico, Texas, Arizona, California, Utah, and Colorado, under contract with U.S. Department of Justice, Immigration and Naturalization Service. NOTE: Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at El Paso, Tex.

APPLICATION FOR BROKERAGE LICENSE

No. MC 12729 (Sub-No. 1) (Clarification), filed May 4, 1969, published FEDERAL REGISTER, issue of June 5, 1969, and republished as clarified this issue. Applicant: NEWBURGH TERMINAL CORPORATION, 351 Broadway, Newburgh, N.Y. 12550. Applicant's representative: Samuel B. Zinder, Station Plaza East, Great Neck, N.Y. 11021. For a license (BMC-5) to engage in operations as a *broker* at Newburgh, N.Y., in arranging for the transportation in interstate or foreign commerce of *passengers and their baggage*, between points in the United States (except Hawaii). NOTE: The purpose of this republication is to delete any reference to charter and special operations, and both as individuals and groups, since applicant proposes to provide service for any, and all types of passengers, including regular-route service.

APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN REQUESTED

No. MC 120575 (Sub-No. 3), filed May 15, 1969. Applicant: AZTEC TRANSPORTATION CO., INC., 1211 South 32d Street, San Diego, Calif. 92113. Applicant's representative: Donald Murchison, Suite 211, Beverly Hills, Calif. 90212. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: (1) Over irregular routes: *General commodities* (except commodities of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment) between points in that part of California on and within a boundary line beginning at a point where the boundary line between San Diego and Orange Counties intersects the shoreline of the Pacific Ocean, thence in a general easterly direction along said county boundary line to its intersection with California Highway 79, thence southerly along said State Highway to its junction with U.S. Highway 80, thence along an imaginary line due south

to the international boundary line between the United States and Mexico, thence westerly along said international boundary line to the shoreline of the Pacific Ocean, thence northerly along said shoreline to the point of beginning; and, (2) over regular routes, transporting *general commodities* between San Diego, Calif., on the one hand, and, on the other, Borrego Springs and Borrego Valley, Calif.: From Borrego Springs and Borrego Valley over San Diego County Road S3 to junction with California Highway 78, thence over California Highway 78 to Ramona, thence over California Highway 67 to intersection with San Diego County Road S4, thence over San Diego County Road S4 to junction with U.S. Highway 395, thence over U.S. Highway 395 to San Diego, and return over the same route, serving all intermediate points. (3) As an alternate route in connection with regular route authority, and for operating convenience only serving the junction of San Diego County Road S3 and California Highway 78 at Julian for joinder purposes only, and San Diego via U.S. Highway 80, California Highway 79 and U.S. Highway 80, with no authority to serve any point thereon. NOTE: Applicant proposes to tack authorities, and interchange equipment and interline traffic with existing carrier service. Applicant states the sole purpose of its application is to convert its California Certificate of Registration MC 120575 Sub 1 and Sub 2 into a certificate of public convenience and necessity. No new territory, commodity authorization, or operation is sought, and that necessity for conversion of authority rests in its present and future operations into the Republic of Mexico.

No. MC 133381 (Sub-No. 1), filed June 11, 1969. Applicant: SIDNEY R. DREXLER, Route 2, Box 249, St. Charles, Ill. 60174. Applicant's representative: Robert T. Lawley, 306–308 Reisch Building, Springfield, Ill. 62701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Horses*, other than ordinary, between points in Illinois, on the one hand, and, on the other, 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. MC 133813, filed June 11, 1969. Applicant: FORD VAN LINES, INCORPORATED, 5600 Cornhusker Hiway, Lincoln, Nebr. 68507. Applicant's representative: Charles E. Wright, 700 First National Bank Building, Lincoln, Nebr. 68508. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, between Lincoln and Omaha, Nebr., and points in Richardson, Nemaha, Pawnee, Johnson, Gage, Jefferson, Thayer, Saline, Fillmore, York, Polk, Platte, Burt, Cuming, Colfax, Dodge, Washington, Douglas, Saunders, Butler, Lancaster, Seward, Cass, Otoe, and Sarpy Counties, Nebr., 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.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 69-7807; Filed, July 2, 1969; 8:45 a.m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

JUNE 30, 1969.

Protests to the granting of an application must be prepared in accordance with Rule 1100.40 of the general rules of practice (49 CFR 1100.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 41676—*Chlorine from Louisiana points to Florida points.* Filed by O. W. South, Jr., agent (No. A6110), for interested rail carriers. Rates on chlorine, in tank carloads, as described in the application, from Geismar, Baton Rouge, and North Baton Rouge, La., to Pensacola and Cantonment, Fla.

Grounds for relief—Barge-truck competition.

Tariff—Supplement 100 to Southern Freight Association, agent, tariff ICC S–699.

FSA No. 41677—*Caustic soda from points in Louisiana.* Filed by O. W. South, Jr., agent (No. A6111), for interested rail carriers. Rates on sofium (soda), caustic (sodium hydroxide), in tank carloads, as described in the application, from Geismar, Baton Rouge, North Baton Rouge, and Gramercy, La., to Cantonment and Pensacola, Fla.

Grounds for relief—Barge and market competition.

Tariff—Supplement 100 to Southern Freight Association, agent, tariff ICC S–699.

FSA No. 41678—*Clay, kaolin or pyrophyllite to points in official territory.* Filed by O. W. South, Jr., agent (No. A6108), for interested rail carriers. Rates on clay, kaolin, or pyrophyllite, in carloads, as described in the application, from Letohatchie and Montgomery, Ala., to points in official territory.

Grounds for relief—Rate relationship.

Tariff—Supplement 51 to Southern Freight Association, agent, tariff ICC S–751.

FSA No. 41679—*Clay, kaolin or pyrophyllite to points in Illinois Freight Association territory.* Filed by O. W. South, Jr., agent (No. A6109), for interested rail carriers. Rates on clay, kaolin or pyrophyllite, in carloads, as described in the application, from Aberdeen, Miss., and points taking same rates, to points in Illinois Freight Association territory.

Grounds for relief—Rate relationship.

Tariff—Supplement 52 to Southern Freight Association, agent, tariff ICC S–751.

FSA No. 41680—*Flourspar to Middletown, Ohio.* Filed by Traffic Executive Association—Eastern Railroads, agent (E. R. No. 2951), for interested rail carriers. Rates on flourspar, in packages or in bulk, in carloads, as described in the application, from Rosiclare, Junction, and Shawneetown, Ill., also Marion and Mexico, Ky., to Middletown, Ohio.

Grounds for relief—Truck-barge-truck and market competition.

Tariffs—Supplement 20 to The Baltimore and Ohio Railroad Co. tariff ICC 24857, and supplement 95 to Illinois Central Railroad Co. tariff ICC A–11788.

FSA No. 41681—*Barley from specified points in Montana.* Filed by the North Pacific Coast Freight Bureau, agent (No. 69–5), for interested rail carriers. Rates on barley, feed grade, in carloads, from specified points in Montana, to Quincy and Wenatchee, Wash.

Grounds for relief—Truck competition.

Tariff—Supplement 45 to North Pacific Coast Freight Bureau, agent, tariff ICC 1117.

FSA No. 41683—*Carbon dioxide to St. Louis, Mo.* Filed by O. W. South, Jr., agent (No. A6112), for interested rail carriers. Rates on carbon dioxide, liquefied, in tank carloads, as described in the application, from New Orleans, La., to St. Louis, Mo.

Grounds for relief—Market competition.

Tariff—Supplement 29 to Southern Freight Association, agent, tariff ICC S–800.

AGGREGATE-OF-INTERMEDIATES

FSA No. 41682—*Barley from specified points in Montana.* Filed by the North Pacific Coast Freight Bureau, agent (No. 69–4), for interested rail carriers. Rates on barley, feed grade, in carloads, from specified points in Montana, to Quincy and Wenatchee, Wash.

Grounds for relief—Maintenance of depressed rates published to meet private truck competition without use of such rates as factors in constructing combination rates.

Tariff—Supplement 45 to North Pacific Coast Freight Bureau, agent, tariff ICC 1117.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 69-7876; Filed, July 2, 1969; 8:49 a.m.]

[Notice 860]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JUNE 30, 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 23196 (Sub-No. 8 TA), filed June 23, 1969. Applicant: WEISS TRANSPORTATION CO., Richmond and Cambria Streets, Philadelphia, Pa. 19134. Applicant's representative: M. Mark Mendel, 1901 P.S.F.S. Building, Philadelphia, Pa. 19107. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Appliances, household and commercial, as well as merchandise sold by Silo, Inc.*, from Philadelphia, Pa., stores and warehouses of Silo, Inc., to points in Delaware and New Jersey, N.J., limited to points in that portion of New Jersey south of Highway 33, for 150 days. Supporting shipper: Silo, Inc., 6900 Lindbergh Boulevard, Philadelphia, Pa. Send protests to: R. A. Davis, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Second and Chestnut Streets, 900 U.S. Customhouse, Philadelphia, Pa. 19106.

No. MC 60012 (Sub-No. 78 TA) (Correction), filed March 28, 1969, published FEDERAL REGISTER, issue of April 8, 1969, and republished as corrected this issue. Applicant: RIO GRANDE MOTOR WAY, INC., 1400 West 52d Avenue, Denver, Colo. 80221. Applicant's representative: Warren D. Braucher, 1531 Stout Street, 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, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving Pueblo Army Depot, at or near Avondale, Colo., as an off-route point in connection with carrier's regular-route operations, for 180 days. NOTE: Applicant intends to interline with other carriers at Denver, Pueblo, and Grand Junction, Colo., Salt Lake City, Utah; and Farmington, N. Mex.; and to tack with present authority in MC-60012 and Subs 29, 30, 32, and 58. The purpose of this republication is to show Farmington, N. Mex., as interlining point. Supporting shipper: Military Traffic Management and Terminal Service, Washington, D.C. Send protests to: District Supervisor Charles W. Buckner, Interstate Commerce Commission, Bureau of Operations, 2022 Federal Building, Denver, Colo. 80202.

No. MC 95540 (Sub-No. 752 TA), filed June 23, 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: *Bananas, plantains, pineapples, and coconuts*, from Wilmington, Del., to points in Maryland, Virginia, West Virginia, North Carolina, South Carolina, Georgia, Florida, Tennessee, Alabama, Kentucky, Arkansas, Missouri, Illinois, Indiana, Ohio, Pennsylvania, New York, New Jersey, Connecticut, Massachusetts, Vermont, New Hampshire, Maine, Rhode Island, Iowa, Minnesota, North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, Colorado, Michigan, and Wisconsin, for 180 days. Supporting shipper: West Indies Fruit Co., Post Office Box 1940, Miami, Fla. 33101. Send protests to: District Supervisor Joseph B. Teichert, Interstate Commerce Commission, Bureau of Operations, Room 1226, 51 Southwest First Avenue, Miami, Fla. 33130.

No. MC 112822 (Sub 120 TA) filed June 23, 1969. Applicant: BRAY LINES INCORPORATED, Post Office Box 1191, 1401 North Little, Cushing, Okla. 74023. Applicant's representative: Joe W. Ballard (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pipe, plastic tubing, plastic conduit, plastic mouldings, valves, fittings, compounds, joint sealer, bonding cement, thinner, vinyl building products and accessories* used in the installation of such products, from McPherson, Kans., to points in Arizona, Colorado, Idaho, Montana, Nevada, New Mexico, Utah, and Wyoming, for 150 days. Supporting shipper: J. J. Knotts, Jr., Traffic Manager, Plastics Division, Certain-Teed Products Corp., Box 887, McPherson, Kans. 67460. Send protests to: C. L. Phillips, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 240, Old Post Office Building, 215 Northwest Third, Oklahoma City, Okla. 73102.

No. MC 114533 (Sub-No. 192 TA), filed June 23, 1969. Applicant: BANKERS DISPATCH CORPORATION, 4970 South Archer Avenue, Chicago, Ill. 60632. Applicant's representative: Stanley Komosa (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Small parts, components, and supplies used in the repair, maintenance, and operation of photocopying equipment*, limited to 600 pounds, per shipment, between Blauvelt, N.Y., on the one hand, and, on the other, points in Connecticut, Delaware, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont; points on and east of U.S. Highway 15 in the State of Pennsylvania; points in the counties of Mercer, Monmouth, Ocean, Burlington, Atlantic, Camden, Gloucester, Salem, Cumberland, Cape May, Hunterdon, and Warren Counties, N.J., and points in Cecil County, Md., for 180 days. Supporting shipper: Xerox Corp., Route 303, Blauvelt, N.Y. 10913. Send protests to: District Supervisor Roger L. Buchanan, Interstate Commerce Commission, Bureau of Operations, 219 S. Dearborn Street, Chicago, Ill. 60604.

No. MC 116947 (Sub-No. 9 TA), filed June 24, 1969. Applicant: HUGH H. SCOTT, doing business as SCOTT TRANSFER CO., 920 Ashby Street SW., Atlanta, Ga. 30310. 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: *Cut tin plate, lacquer in drums, metal containers, metal container ends, pallets, paper shrouds, chipboard, and bottle caps* (1) between the plantsites of Crown Cork & Seal Co., Inc., at Atlanta, Ga., Spartanburg, S.C.; Birmingham, Ala.; and Orlando and Bartow, Fla.; (2) between the plantsites set out in (1) above and points in Georgia, South Carolina, Alabama, and Florida, for 150 days. Supporting shipper: Crown Cork & Seal Co., Inc., 9300 Ashton Road, Post Office Box 6208, Philadelphia, Pa. 19136. Send protests to: William L. Scroggs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 309, 1252 West Peachtree Street NW., Atlanta Ga. 30309.

No. MC 121489 (Sub-No. 4 TA) (Correction), filed April 1, 1969, published FEDERAL REGISTER, issue of April 9, 1969, and republished as corrected this issue. Applicant: NEBRASKA-IOWA EXPRESS, INC., 525 Jones Street, Omaha, Nebr. 68100. Applicant's representative: William S. Rosen, 630 Osborn Building, St. Paul, Minn. 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, for 150 days. NOTE: Applicant intends to tack the authority and or interline with other carriers. The purpose of this republication is to include tacking and interlining information, inadvertently omitted in previous publication. Supporting shipper: Weyerhaeuser Co., 100 South Wacker Drive, Chicago, Ill. 60606. Send protests to: K. P. Kohrs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 705 Federal Office Building, Omaha, Nebr. 68102.

No. MC 125871 (Sub-No. 6 TA), filed June 23, 1969. Applicant: CHESTER FRY AND MARIE E. FRY, a partnership, doing business as FRY TRUCKING, Wilton Junction, Iowa 52778. Applicant's representative: Kenneth F. Dudley, 901 South Madkson Avenue, Ottumwa, Iowa 52501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Feed, feed ingredients, feed specialties, and livestock minerals and supplements*, from Madison, Wis., to

points in Illinois, Indiana, Iowa, Michigan, Minnesota, and Wisconsin; (2) *iron oxide, ground ore, ground ferroalloys, mineral feed ingredients and mixes, and mineral fertilizer ingredients and mixes*, between Quincy, Ill., and Bowmanstown, Pa., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii), for 180 days. Supporting shippers: Vita Plus Corp., Madison, Wis.; The Prince Manufacturing Co., Quincy, Ill. Send protests to: Charles C. Biggers, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 332 Federal Building, Davenport, Iowa 52801.

No. MC 133453 (Sub-No. 2 TA), filed June 23, 1969. Applicant: M. MILESTONE, Delaware Avenue and Jackson Street, Philadelphia, Pa. 19148. Applicant's representative: John H. Derby, 2122 Cross Road, Glenside, Pa. 19038. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Beverages, phosphated* (other than alcoholic), in cans or bottles, between Philadelphia, Pa., and Carlstadt and Elizabeth, N.J.; Farmingdale, Jamacia, Long Island; Middletown, Mount Kisco, Newburgh, and Rochester, N.Y.; Norfolk and Richmond, Va.; and Norton and Worcester, Mass., for 180 days. Supporting shipper: Boulevard Beverage Co., 2000 Bennett Road, Philadelphia, Pa. 19116. Send protests to: Peter R. Guman, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Second and Chestnut Streets, Philadelphia, Pa. 19106.

No. MC 133681 (Sub-No. 1 TA), filed June 20, 1969. Applicant: BIG CHET & SONS TRUCKING, INC., 203 Diamond Street, Brooklyn, N.Y. 11232. Applicant's representative: Arthur J. Piken, 160–16 Jamaica, N.Y. 11432. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Toilet preparations, soaps, lotions, perfumes, creams, powders, materials and supplies* used in the preparation of the aforesaid commodities, *returned and rejected shipments of the aforesaid commodities*, from points in the New York, N.Y., commercial zone to points in Bergen, Essex, Hudson, and Monmouth Counties, N.J., and from points in Bergen, Essex, Hudson, and Monmouth Counties, N.J., to points in the New York, N.Y., commercial zone, for 180 days. Supporting shippers: Sacoma Cosmetiques, 253 West 28th Street, New York, N.Y. 10001; Vitabath, Inc., 565 East Crescent Avenue, Ramsey, N.J. 07446; LCR Manufacturing Division, Post Office Box 638, Red Bank, N.J. 07701; B. H. Krueger, Inc., Office and Factory, 50 Noble Street, Brooklyn, N.Y. 11222. Send protests to: Robert E. Johnston, District Supervisor, Interstate Commerce Commission, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 133719 (Sub-No. 1 TA), filed June 24, 1969. Applicant: GLENN H. WILSON, Rural Route 2, Russell, Iowa 50238. Applicant's representative: Kenneth F. Dudley, Post Office Box 279, Ottumwa, Iowa 52501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prefabricated homes*, knocked down, in packages, from Weston, Wis., to points in Appanoose, Clarke, Decatur, Lucas, Marion, Monroe, Warren, and Wayne Counties, Iowa, for 180 days. Supporting shipper: Floyd Dixon, Contractor, Russell, Iowa 50238. Send protests to: Ellis L. Annett, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 677 Federal Building, Des Moines, Iowa 50309.

No. MC 133749 (Sub-No. 1 TA), filed June 20, 1969. Applicant: WILLARD L. WYCKOFF, doing business as W. W. TRUCKING CO., Post Office Box 1047, Fontana, Calif. 92335. Applicant's representative: Ernest D. Salm, 3846 Evans Street, Los Angeles, Calif. 90027. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Petroleum products*, restricted against the transportation of shipments in bulk in tank vehicles, from points in Los Angeles County, Calif., to Pahrump, Nev., as follows: From points in Los Angeles County over irregular routes to junctions with Interstate Highway 15, thence over Interstate Highway 15, to Baker, Calif., thence over California Highway 127 to Shoshone, Calif., thence over unnumbered California Highway to junction with Nevada Highway 52, thence over Nevada Highway 52 to Pahrump; alternate route for operating convenience only; from points in Los Angeles County to Baker as described above, thence over Interstate Highway 15 to junction with unnumbered Nevada Highway near Arden, Nev., thence over such unnumbered highway to junction with Nevada Highway 16, thence over Nevada Highway 16 to Pahrump; return over the above-described routes to Los Angeles County with no transportation for compensation except as otherwise authorized; service is not authorized to intermediate or off-route points, for 180 days. Supporting shipper: Mankins' Corner, Post Office Box 156, Pahrump, Nev. Send protests to: District Supervisor John E. Nance, Interstate Commerce Commission, Bureau of Operations, Room 7708, Federal Building, 300 North Los Angeles Street, Los Angeles, Calif. 90012.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 69–7879; Filed, July 2, 1969; 8:49 a.m.]

[Notice 371]

MOTOR CARRIER TRANSFER PROCEEDINGS

JUNE 30, 1969.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC–FC–71255. By order of June 17, 1969, the Motor Carrier Board approved the transfer to Beverage Truck Line, Inc., Goodland, Ind., of the certificate in No. MC–129143, issued April 5, 1968, to Rex Montgomery, doing business as Rex Freight Line, Brook, Ind., authorizing the transportation of malt beverages from St. Louis, Mo., Milwaukee and La Crosse, Wis., Peoria, Ill., Louisville, Ky., and Cincinnati, Ohio, to various named points in Indiana. James L. Beattey, 130 East Washington Street, No. 1021, Indianapolis, Ind. 46204, attorney for applicants.

No. MC–FC–71409. By order of June 23, 1969, the Motor Carrier Board approved the transfer to Transport Service, Inc., Meridian, Miss., of the certificate of registration in No. MC–121096 (Sub-No. 1) issued October 21, 1963 to W. F. Huber, doing business as Transport Service Co., Meridian, Miss., authorizing the transportation of lumber, building materials except cement, and brick between all points in the State of Mississippi. Rubel L. Phillips, Post Office Box 22628, Jackson, Miss. 39025, attorney for applicants.

No. MC–FC–71420. By order of June 17, 1969, the Motor Carrier Board approved the transfer to Dan Barclay, Inc., Pompton Plains, N.J., of the portion of certificate No. MC–82667 (Sub-No. 5) issued April 12, 1967, to Lottie E. Greggs, doing business as Greggs Motor Lines, Scranton, Pa., authorizing the transportation of: Household goods as defined by the Commission, and machinery, between Scranton, Pa., on the one hand, and, on the other, points in New York and New Jersey. Kenneth R. Davis, 1106 Dartmouth Street, Scranton, Pa. 18504, practitioner for applicants.

No. MC–FC–71426. By order of June 17, 1969, the Motor Carrier Board approved the transfer to E & L Trucking Co., a corporation, Pawtucket, R.I., of the operating rights in Certificate No. MC–43609 issued November 23, 1964, to William E. Kelleher, doing business as W. E. Kelleher Transport, Brockton, Mass., authorizing the transportation of general commodities, with usual exceptions, between Cambridge, Mass., and West Bridgewater, Mass., serving all intermediate points and the off-route points of Everett and Somerville, Mass., over a regular route as follows: From Cambridge over Massachusetts Highway 28 to West Bridgewater, and return over the same route. Frederick T. O'Sullivan, 372 Granite Avenue, Milton, Mass. 02186, attorney for applicants.

No. MC–FC–71435. By order of June 23, 1969, the Motor Carrier Board approved the transfer to Applegate Trucking, a corporation, Cranbury, N.J., of certificates Nos. MC–71530, MC–71530 (Sub-No. 1), MC–71530 (Sub-No. 2), MC–71530 (Sub-No. 3), MC–71530 (Sub-No. 8), MC–71530 (Sub-No. 12), and

MC–71530 (Sub-No. 14), issued January 16, 1941, August 1, 1942, October 16, 1942, January 5, 1943, December 1, 1949, March 14, 1960, and January 4, 1965, respectively, to W. Earl Applegate, Cranbury, N.J., authorizing the transportation of: Fertilizer, fertilizer materials, fertilizer ingredients, agricultural commodities, animal and poultry feeds and feeding materials, potatoes, machinery used in the manufacture of fertilizer, building stone, farm machinery, canned goods, manure, paper bags, burlap bags, shrubbery, evergreens, lime, lumber, insecticides, fungicides, herbicides, hay, straw, feed, coal, soy beans, grain, binder twine, salt hay, sprayers, applicators or distributors, or parts thereof, advertising paraphernalia or displays, and empty fertilizer containers or bags, from or between specified points in New Jersey, New York, Pennsylvania, Delaware, Connecticut, Maryland, Virginia, Massachusetts, Rhode Island, and the District of Columbia. Robert B. Pepper, 297 Academy Street, Jersey City, N.J. 07306, practitioner for applicants.

No. MC–FC–71438. By order of June 23, 1969, the Motor Carrier Board approved the transfer to Ross Trucking, Inc., New York, N.Y., of certificates Nos. MC–117727, MC–117727 (Sub-No. 1), and MC–117727 (Sub-No. 3), issued July 22, 1960, October 22, 1962, and February 28, 1963, respectively, to Frank Aquilino, doing business as Ross Trucking, New York, N.Y., authorizing the transportation of: Bananas, from the port facilities in New Jersey and New York located in the New York, N.Y., commercial zone, as defined by the Commission, to New York, N.Y., and points in Westchester, Nassau, and Suffolk Counties, N.Y., and Bergen, Essex, Hudson, Middlesex, Monmouth, Morris, Passaic, and Union Counties, N.J. John G. Lipsett, 330 Madison Avenue, New York, N.Y. 10017, attorney for applicants.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 69–7880; Filed, July 2, 1969; 8:49 a.m.]

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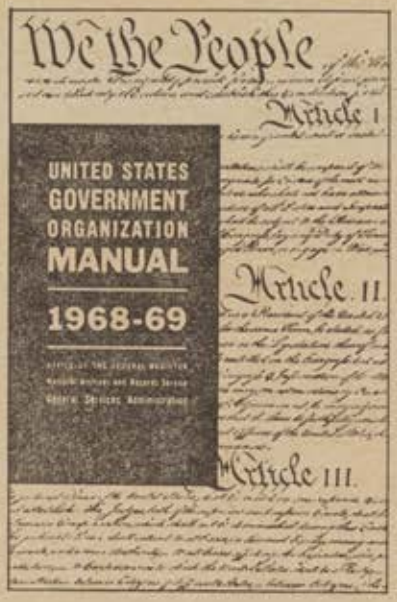

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