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PART 213—EXCEPTED SERVICE

Department of Transportation

Section 213.3394 is amended to show that a second position of Special Assistant to the Under Secretary of Transportation and the position of Special Assistant to the Deputy Under Secretary of Transportation and one position of State Liaison Officer in the Office of the Assistant Secretary for Public Affairs are excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, subparagraph (13) of paragraph (a) is amended and subparagraphs (17) and (18) are added to paragraph (a) as set out below.

§ 213.3394 **Department of Transportation.**

(a) *Office of the Secretary.* * * *

(13) Two Special Assistants to the Under Secretary of Transportation.

* * * * *

(17) One Special Assistant to the Deputy Under Secretary of Transportation.

(18) One State Liaison Officer, Office of the Assistant Secretary for Public Affairs.

* * * * *

(5 U.S.C. 3301, 3302, E.O. 10577; 3 CFR 1954–1958 Comp., p. 218)

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

[F.R. Doc. 69-8533; Filed, July 18, 1969; 8:46 a.m.]

Title 46—SHIPPING

Chapter II—Maritime Administration, Department of Commerce

SUBCHAPTER A—POLICY, PRACTICE AND PROCEDURE

CHARGES

[General Order 85, Amdt. 1]

PART 206—MISCELLANEOUS FEES

Subpart A—Charges for Statistical or Economic Data

Effective upon publication in the FEDERAL REGISTER, § 206.4 of Subpart A of this part is hereby revised to read as follows:

§ 206.4 **Charges.**

To recover the cost to the Federal Government of statistical or economic data furnished within the purview of § 206.3, including the direct and indirect costs thereof, the Maritime Administration will make a charge of: $8.60 per hour for regular time, and $12.90 per hour for overtime, for each employee's time required to produce the information.

Dated: July 14, 1969.

JAMES S. DAWSON, Jr.,
Secretary.

[F.R. Doc. 69-8514; Filed, July 18, 1969; 8:45 a.m.]

Title 7—AGRICULTURE

Chapter VII—Agricultural Stabilization and Conservation Service (Agricultural Adjustment), Department of Agriculture

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

[Amdt. 2]

PART 724—BURLEY, FIRE-CURED, DARK AIR-CURED, VIRGINIA SUN-CURED, CIGAR-BINDER (TYPES 51 AND 52), CIGAR-FILLER AND BINDER (TYPES 42, 43, 44, 53, 54, AND 55), AND MARYLAND TOBACCO

Subpart—Tobacco Allotment and Marketing Quota Regulations, 1968–69 and Subsequent Marketing Years

NATURAL DISASTER TRANSFERS OF ALLOTMENTS

Basis and purpose. (a) This amendment is issued pursuant to the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1281 et seq.). The purpose of the amendment is to grant relief to the owners and operators of farms having tobacco acreage allotments whose land is determined to be unsuitable for the production of tobacco during:

(1) The 1969 crop year because of excessive rain or flash floods, and

(2) Any subsequent year because of any natural disaster.

(b) Since with respect to the 1969 crop, tobacco farmers are now finishing transplanting tobacco in the fields and since the time in which such transplanting can be completed is early July, it is essential that the amendment be made effective at the earliest possible date. Accordingly, it is found and determined that compliance with the notice, public procedure and 30-day effective date requirements of 5 U.S.C. 553 is impracticable and contrary to the public interest and the amendment contained herein shall become effective upon the date of filing with the Director, Office of the Federal Register.

The regulations in the above-designated subpart (33 F.R. 15521, 34 F.R. 1225) are amended by adding a new section after § 724.70 to read as follows:

§ 724.71 **Transfer of tobacco farm acreage allotment for farms affected by a natural disaster.**

(a) *Transfers for 1969 crop.* The county committee may, upon written application of the farm operator and with the concurrence of the State committee, approve the transfer to another farm or farms in the same or adjoining counties within the State, of any or all of the tobacco acreage allotment of the 1969 crop for any farm which the county committee determines cannot be planted to such crop on such farm because excessive rain or flash floods prevented the timely planting or replanting of tobacco.

(b) *Transfers for 1970 and subsequent crops—(1) Designation of counties affected by a natural disaster.* The Deputy Administrator shall determine for any year beginning with the 1970 crop, those counties affected by a natural disaster (including but not limited to hurricane, rain, flash flood, hail, drought, and any other severe weather) which prevents the timely planting or replanting of any or all of the tobacco acreage allotments for any farm in the county. The county committee shall post in the county office a notice of any such determination affecting the county and, to the extent practicable, shall give general publicity in the county to such determination.

(2) *Application for transfer.* The owner or operator of a farm in a county designated for any year under subparagraph (1) of this paragraph may file a written application for transfer of tobacco acreage within the farm tobacco allotment for such year to another farm or farms in the same county or in an adjoining county in the same or another State if such acreage cannot be timely planted or replanted because of the natural disaster determined for such year. The application shall be filed with the county committee for the county in which the farm affected by such disaster is located. If the application involves a transfer to an adjoining county, the county committee for the adjoining county shall be consulted before action is taken by the county committee receiving the application.

(3) *Amount of transfer.* The acreage to be transferred shall not exceed the smaller of (i) the farm allotment established under this part less such acreage planted to tobacco and not destroyed by the natural disaster, or (ii) the acreage requested to be transferred.

(4) *County committee approval.* The county committee shall approve the transfer if it finds that the following conditions have been met:

(i) All or part of the farm allotment for the farm from which the acreage is to be transferred could not be timely planted or replanted because of the natural disaster and planting was not prohibited by the lease in the case of lands owned by the Federal Government.

(ii) One or more of producers of tobacco on the farm from which the acreage is to be transferred will be a bona fide producer engaged in the production of tobacco on the farm to which the acreage is to be transferred and will share in the crop or in the proceeds of the tobacco.

(5) *Cancellation of transfers.* If a transfer is approved under this section and it is later determined that the conditions in subparagraph (4) of this paragraph have not been met, the county committee, State committee, or the Deputy Administrator may cancel such transfer. Action by the county committee to cancel a transfer shall be subject to the approval of the State committee or its representative.

(6) *Acreage history credits and eligibility as an old tobacco farm.* Any acreage transferred under this paragraph shall be considered for the purpose of determining future allotments to have been planted to tobacco on the farm from which such allotment is transferred.

(7) *Closing dates.* The closing date for filing applications for transfers with the county committee shall be July 15 of the current year. Notwithstanding such closing date requirement, the county committee may accept applications filed after the closing date upon a determination by the county committee that the failure to timely file an application was the result of conditions beyond the control of the applicant and a representative of the State committee approves such determination.

(Secs. 313, 375, 52 Stat. 47, as amended, 66, as amended; 7 U.S.C. 1313, 1375)

Effective date: Date of filing with the Director, Office of the Federal Register.

Signed at Washington, D.C., on July 14, 1969.

CARROLL G. BRUNTHAVER,
Acting Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 69-8553; Filed, July 18, 1969; 8:48 a.m.]

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

[Lemon Reg. 383]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

§ 910.683 Lemon Regulation 383.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, 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 Lemon 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 lemons, as hereinafter provided, will tend to effectuate the declared policy of the act by tending to establish and maintain such orderly marketing conditions for such lemons as will provide, in the interest of producers and consumers, an orderly flow of the supply thereof to market throughout the normal marketing season to avoid unreasonable fluctuations in supplies and prices, and is not for the purpose of maintaining prices to farmers above the level which it is declared to be the policy of Congress to establish under 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 lemons 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 lemons; 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 15, 1969.

(b) *Order.* (1) The respective quantities of lemons grown in California and Arizona which may be handled during the period July 20, 1969, through July 26, 1969, are hereby fixed as follows:

(i) District 1: Unlimited movement;

(ii) District 2: 311,550 cartons;

(iii) District 3: Unlimited movement.

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

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

Dated: July 17, 1969.

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

[F.R. Doc. 69-8608; Filed, July 18, 1969; 8:48 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[CCC Grain Price Support Regs., 1969 Crop Peanut Farm-Stored Loan and Purchase Supp.]

PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

Subpart—1969 Crop Farm-Stored Peanut Loan and Purchase Program

The General Regulations Governing Price Support for the 1964 and Subsequent Crops of Grain and Similarly Handled Commodities (Revision 1) (31 F.R. 5941) and any amendments thereto (hereinafter referred to as "the general regulations") and the 1967 and Subsequent Crops Peanut Farm-Stored Loan and Purchase Supplement (32 F.R. 12744) and any amendments thereto (hereinafter referred to as "the continuing supplement"), which contain regulations of a general nature with respect to price support operations, are further supplemented by revising §§ 1421.3626–1421.3629 to read as follows, effective as to the 1969 crop of peanuts. The material previously appearing in these sections remains in full force and effect as to the crops to which it was applicable.

Sec.
1421.3626 Purpose.
1421.3627 Availability.
1421.3628 Maturity of loans.
1421.3629 Price support rates.

AUTHORITY: The provisions of this subpart issued under secs. 4 and 5, 62 Stat. 1070, as amended; secs. 101, 401, 403, 405, 63 Stat. 1051, as amended; 15 U.S.C. 714 b and c; 7 U.S.C. 1441, 1421, 1423, 1425.

§ 1421.3626 Purpose.

This supplement, together with the applicable provisions of the general regulations and the provisions of the continuing supplement, apply to farm-stored loans and purchases for the 1969 crop of peanuts.

§ 1421.3627 Availability.

(a) *Farm-stored loans.* Producers must request a loan on 1969 crop eligible peanuts on or before April 30, 1970.

(b) *Purchases.* Producers desiring to offer eligible peanuts not under loan for purchase must notify the ASCS county office on or before May 31, 1970, of their intent to sell.

§ 1421.3628 Maturity of loans.

Unless demand is made earlier, farm-stored loans on farmers' stock peanuts will mature on May 31, 1970.

§ 1421.3629 Price support rates.

(a) *Loan rate.* Subject to the discounts specified in paragraph (b) of this section, the loan rates for farmers' stock peanuts placed under farm-stored loan shall be the following rates by types per ton:

Type	Dollars per ton
Virginia [1]	$257
Runner	238
Southeast Spanish	249
Southwest Spanish	245
Valencia (suitable for cleaning and roasting)	257

[1] Bradford Big Boy (50 percent of price for Virginia Type, $128).

(b) *Location adjustments to support prices.* The loan rates specified in paragraph (a) of this section shall be subject to the following discounts for farmers' stock peanuts placed under a farm-stored loan in the States specified where peanuts are not customarily shelled or crushed:

State	Dollars per ton
Arizona	$25
Arkansas	10
California	33
Louisiana	7
Mississippi	20
Missouri	10
Tennessee	25

(c) *Settlement values.* The support prices, premiums, and discounts for use in computing the settlement value, under § 1421.3622(b) of the continuing supplement, of peanuts acquired by CCC under loan or purchase shall be those specified in § 1446.44 the 1969 crop peanut warehouse storage loan and sheller purchase supplement, 34 F.R. _____, including the location adjustments specified therein for peanuts delivered to CCC in States where peanuts are not customarily shelled or crushed.

Effective date: Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on July 15, 1969.

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

[F.R. Doc. 69-8517; Filed, July 18, 1969; 8:45 a.m.]

PART 1464—TOBACCO

Statement with respect to the tobacco price support loan program formulated by Commodity Credit Corporation and Agricultural Stabilization and Conservation Service (hereinafter referred to respectively as "CCC" and "ASCS"). Due to certain operational changes in the tobacco loan program, and the renumbering of the sections of the Puerto Rican Tobacco Purchase Program, this part is hereby revised and reissued.

Subpart A—Tobacco Loan Program

Sec.

Subpart B—Puerto Rican Tobacco Purchase Program

AUTHORITY: The provisions of this Part 1464 issued under sec. 4, 62 Stat. 1070, as amended, sec. 5, 62 Stat. 1072, secs. 101, 106, 401, 403, 63 Stat. 1051 as amended, 1054, sec. 125, 70 Stat. 198, 74 Stat. 6; 7 U.S.C. 1441, 1445, 1421, 1423, 7 U.S.C. 1813, 15 U.S.C. 714b, 714c.

Subpart A—Tobacco Loan Program

§ 1464.1 Administration.

(a) This program will be administered by the Tobacco Division, ASCS, under the general direction and supervision of of the Executive Vice President, CCC. The program will be carried out in the field by producer associations (hereinafter referred to as "associations") acting for groups of producers. To obtain a loan, an association must enter into a loan agreement with CCC, which agreement will set forth terms and conditions prescribed by CCC. To the extent provided in the loan agreement, an association shall meet the eligibility requirements for price support prescribed in Cooperative Marketing Associations Eligibility Requirements for Price Support (7 CFR Part 1425), as amended. CCC reserves the right to restrict the number of associations with which it will contract, and in so doing will select such associations as it deems necessary or desirable to effectuate the purposes of this program with a maximum of efficiency and economy of operation. The names of such associations may be obtained from the Tobacco Division, ASCS, U.S. Department of Agriculture, Washington, D.C. 20250.

(b) Each year CCC will make loans to associations upon the security of eligible tobacco, and the associations in turn will make price support advances to eligible producers either directly or through auction warehouses. Loans made to associations will include not only the initial loan value of the tobacco, but also amounts to cover costs of receiving, processing, storing, and selling tobacco pledged as security for the loan, including that part of overhead costs not borne by the association pursuant to § 1464.4. Associations will be authorized to enter into contracts for these services through the usual trade channels.

§ 1464.2 Availability of price support.

(a) Subject to the provisions of paragraph (c) of this section, price support will be available for any crop of each of the following kinds of tobacco, if producers have not disapproved marketing quotas for such crop:

Flue-cured tobacco, types 11, 12, 13, and 14.
Kentucky-Tennessee Fire-cured tobacco, types 22 and 23.
Virginia Fire-cured tobacco, type 21.
Virginia Sun-cured tobacco, type 37.
Dark Air-cured tobacco, types 35 and 36.
Burley tobacco, type 31.
Maryland tobacco, type 32.
Cigar filler tobacco, type 41.
Cigar filler and binder tobacco, types 42, 43, 44, 53, 54, and 55.
Puerto Rican tobacco, type 46.
Cigar binder tobacco, types 51 and 52.

(b) No price support will be available with respect to any kind of tobacco for any year for which marketing quotas have been disapproved by growers.

(c) No price support will be available on Flue-cured tobacco which exceeds 110 percent of the farm marketing quota for the year in which marketed.

(d) Price support to eligible producers will be made available on eligible tobacco in the following manner:

(1) *Through auction warehouses.* (i) Price support will be available for tobacco offered for auction sale at auction warehouses which have contracted with an association, on a form of agreement approved by CCC, to make price support advances to producers on behalf of the association. Producers will deliver their tobacco to auction warehouses to be displayed and offered for sale at auction. The association's contracts with auction warehouses will require the auction warehouses to see that producers are informed that price support advances are available on each basket of tobacco in the auction when the final bid is less than one bid above the advance rate, and to make price support advances available to eligible producers on eligible tobacco. For Flue-cured tobacco the association's contracts with auction warehouses will also require the auction warehouse to mark any tobacco sale bill "No Price Support" if the marketing of the pounds of tobacco covered by that bill will result in the producer marketing in excess of 110 percent of his farm marketing quota. Producers will generally receive the price support advances from the warehouseman for any tobacco to be consigned to the association at the time the warehouseman settles with the producer for the entire quantity of the producer's tobacco that has been displayed for inspection and offered for sale on any one day's auction market. The warehouseman will, in turn, be reimbursed by the association with funds borrowed from CCC.

(ii) Price support will be available only at warehouses where tobacco inspection service is provided by the Consumer and Marketing Service, USDA. Inspection and price support services may be extended to new markets or to additional

sales on established markets in accordance with this part and subpart A of 7 CFR Part 29. Those regulations provide that such additional services may be extended only after a formal public hearing establishes the need for the services and the adequacy of the buying power that will participate.

(iii) CCC reserves the right to direct the association to withhold a contract under the price support program from any auction warehouse for 1 or more years if, based on previous performance of similar contracts, or other evidence, there is substantial reason to expect that such warehouse will not fulfill the contract obligations.

(2) *Upon direct delivery to the Association.* Eligible producers in nonauction market areas may deliver eligible tobacco to central receiving points designated by the appropriate association. Flue-cured producers who, after the close of all Flue-cured auction markets, including cleanup sales, have Flue-cured tobacco which is security for a farm storage loan obtained pursuant to Part 1421 of this chapter, may deliver such tobacco to the central receiving points designation by the appropriate association. After the tobacco has been graded by USDA inspectors, the producer will receive the price support advance directly from the association for any tobacco to be pledged as security for loans.

(3) *Period of price support.* Price support will be available to eligible producers on eligible tobacco only during each year's normal marketing season for each kind of tobacco for which support is provided. For the purpose of this subpart, the normal marketing season for Flue-cured tobacco delivered directly to the association will include the date on which the producer is directed, pursuant to Part 1421 of this chapter, to so deliver the tobacco. Such date will be soon after the close of all Flue-cured markets, including cleanup sales.

§ 1464.3 Level of price support.

The level of price support to eligible producers shall be as required by statute. For each crop of any kind of tobacco the level of price support shall be determined by multiplying the support level of the 1959 crop or, if marketing quotas were disapproved for the 1959 crop, the level at which the 1959 crop would have been supported if marketing quotas had been in effect, by the ratio of (a) the average index of prices paid by farmers, as defined in section 301(a)(1)(C) of the Agricultural Adjustment Act of 1938, for the 3 calendar years immediately preceding the calendar year in which the marketing year begins for the crop for which the support level is being determined to (b) the average index of such prices paid by farmers for the 1959 calendar year. Generally, the price support level for each kind of tobacco will be announced soon after the beginning of each calendar year. Schedules of loan rates, by types and grades for each kind of tobacco will be announced as supplements to this statement before the opening of the markets. Flue-cured tobacco of varieties Coker 139, Coker 140, Coker 316, Reams 64, and Dixie Bright 244, or a mixture or strain of such seed varieties or any breeding line of Flue-cured tobacco seed varieties, including, but not limited to, 187 Golden Wilt (also designated by such names as No-Name, XYZ, Mortgage Lifter, Super XYZ), having the quality and chemical characteristics of the seed varieties designated as Coker 139, Coker 140, Coker 316, Reams 64, or Dixie Bright 244 will be supported at one-half the support rate, plus 12½ cents, for comparable grades of acceptable varieties.

§ 1464.4 Deductions from advances.

(a) The associations will be required to bear a portion of the overhead costs in connection with the loan operation. For this purpose, the associations in the auction marketing areas may charge the producer a fee of 25 cents per hundred pounds and may make such other charges as may be authorized or approved by CCC. In the nonauction market areas, the fee will be established at a rate commensurate with the services performed by the associations. Such fees and charges may be collected by a deduction from the advance made to the producer on his tobacco or by arrangements with auction warehousemen under which they will collect such charges and remit to the associations.

(b) If any producer on a farm is indebted to the United States and such indebtedness is listed on the Claim Control Record, Form ASCS–604, the Government will effect collection of the amount of the indebtedness by set-off from the amount of price support advance due the producer in the following manner: Any marketing card covering tobacco eligible for price support issued for such farm in accordance with the applicable regulations issued by the Secretary of Agriculture with respect to marketing quotas (Parts 724 and 725 of this title) will bear a notation showing the indebtedness, the name of the debtor and the amount of the indebtedness. The acceptance and use of a marketing card bearing a notation of indebtedness to the United States by the producer named as debtor on such card will constitute an authorization by such producer to any tobacco warehouseman or association to pay to the United States the price support advance due the producer to the extent of his indebtedness set forth on such card but not to exceed that portion of the price support advance remaining after deduction of usual warehouse and authorized price support charges and amounts due prior lienholders. The acceptance and use of a marketing card bearing a notation and information of indebtedness to the United States will not constitute a waiver of any right of the producer to contest the validity of such indebtedness by appropriate administrative appeal or legal action.

(c) If any producer of 1969 and subsequent crops of Flue-cured tobacco is indebted to the United States for a farm storage loan obtained pursuant to Part 1421 of this chapter, the principal amount of such loan will be deducted from the price support advance paid the producer by the association and will be applied to repayment of the farm storage loan.

§ 1464.5 Interest rate and general provisions.

The loans made to the associations will bear interest at the rate announced by CCC for each crop and will be nonrecourse both as to principal and interest except in the case of misrepresentation, fraud or failure to carry out the loan agreement. In instances where the loan to the association is made on a quantity of tobacco on which a farm storage loan had been made, any unpaid interest applicable to the farm storage loan on such quantity of tobacco will not be collected from the producer who obtained the farm storage loan but will be added to the accrued interest of the loan made to the association. Tobacco loses its identity as to original ownership through commingling in the packing process, and individual producers may not redeem their tobacco once it has been pledged as security for the loan. Associations will sell the loan tobacco as provided in the loan agreements for each crop, and the net proceeds of sales of the loan collateral of each crop will be applied to the loan account for such crop until the loan is repaid in full. If the proceeds from the sale of the loan collateral of any crop exceeds (a) the amount of the loan plus all fees, handling charges, operating costs and interest; and (b) any amount due CCC under a barter transfer agreement entered into between CCC and the Association, such excess shall constitute "net gains" and shall be distributed in cash by the Association to the producers who placed the tobacco under loan unless other disposition is approved by CCC.

§ 1464.6 Maturity date.

Loans made under the program will mature on demand.

§ 1464.7 Eligible producer.

(a) All producers of Puerto Rican tobacco are eligible producers, since Puerto Rican tobacco is not under U.S. marketing quotas. Any producer of another kind of tobacco is an eligible producer if, under the applicable regulations of the Secretary of Agriculture with respect to tobacco marketing quotas for the applicable marketing year, a marketing card has been issued for his farm which, if for Flue-cured or Burley tobacco, does not bear the words "No Price Support," and if for other than Flue-cured or Burley tobacco, is designated a "Within Quota" marketing card. In general, the marketing quota regulations provide for the issuance of marketing cards designated "Within Quota" or not marked "No Price Support" where the tobacco acreage harvested for each kind of tobacco produced on the farm is not in excess of the applicable acreage allotment established under the marketing quota program for the farm. However, a "Within Quota" marketing card is not issued or a marketing card is marked "No Price Support" where the

farm operator fails to comply with provisions of Part 718 of this title with respect to disposition of excess acreage or certification of acreage or tobacco is produced on land owned by the Federal Government in violation of the provisions of a lease restricting the production of tobacco.

(b) Marketing quota cards issued pursuant to the Agricultural Adjustment Act of 1933, as amended, when utilized for the purpose of obtaining price support under this subpart, are submitted, and the data in support thereof is reported, under the Agricultural Act of 1949, as amended, and under the Commodity Credit Corporation Charter Act, as amended, and may be utilized as CCC deems necessary or desirable for the conduct of the price support program.

§ 1464.8 Eligible tobacco.

Eligible tobacco shall be United States and Puerto Rican Tobacco (as defined in the Agricultural Adjustment Act of 1938, as amended) which (a) is of a kind and crop for which price support is available; (b) if marketing quotas are in effect, has been properly identified in accordance with applicable tobacco Marketing Quota Regulations by (1) a Within Quota Marketing Card, if other than Flue-cured or Burley tobacco, or (2) a Marketing Card which does not bear the words "No Price Support," if Flue-cured or Burley tobacco; (c) if Flue-cured tobacco, (1) is offered for marketing on a tobacco sale bill which is not marked "No Price Suport," and is for a number of pounds which, when added to the pounds of Flue-cured tobacco previously marketed on that year's marketing card, does not exceed 110 percent of the applicable farm marketing quota; or (2) is delivered to the association and is a quantity which, when added to the previous marketings on such card, does not exceed 110 percent of the applicable farm marketing quota; (d) has been delivered to the association by the producer, either directly or through an auction warehouse, prior to sale to any other person; (e) has been delivered to the association by the producer, either directly or through an auction warehouse, in lots identified by not more than one marketing card for each lot; (f) is in sound and merchantable condition; (g) was not produced on land owned by the Federal Government in violation of the provisions of a lease restricting the production of tobacco; and (h) has been graded by USDA official tobacco inspectors in a grade for which price support is available.

§ 1464.9 Auction warehouse certification of Flue-cured tobacco.

Auction warehouses through which price support is made available to producers of Flu-cured tobacco shall identify, through the use of "certified" basket tickets, all tobacco (including resale and "excess" tobacco) offered for sale at auction which is determined to be of varieties eligible for full price support. A distinguishably different type of basket ticket shall be used for all other tobacco offered for sale at auction. In the case of producer tobacco, the warehouseman shall examine the marketing card prior to the time the tobacco is offered for sale, record the marketing card serial number on the tobacco sale bill, and shall use certified basket tickets on the tobacco only if the marketing card presented does not bear the words "Discount Variety." In the case of resale tobacco (tobacco which has previously been sold by the producer), the tobacco Marketing Quota Regulations provide that, when the State Executive Director, ASCS, determines there is a significant amount of discount variety tobacco available for marketing in any marketing year, he may require tobacco which is eligible for full price support to be covered by a Form MQ 79–1, Dealer's Certification-Resale Tobacco, unless its eligibility for full price support is determined by the State Executive Director or his representative. When notified by the State Executive Director that this requirement is in effect, the warehouseman shall not use a certified basket ticket for resale tobacco unless he has obtained Form MQ 79–1, properly executed by the seller, or unless the State Executive Director has determined that the tobacco is eligible to be so identified. The Form MQ 79–1 Dealer's Certification-Resale Tobacco contains a certification by the seller to the USDA and the warehouse that the tobacco offered for sale and all other resale tobacco in which the dealer has an interest was purchased directly from the producer and was identified by a marketing card not bearing the words "Discount Variety" or was purchased by him at auction sale through a warehouse having price support available to producers and was identified by a certified basket ticket. Properly executed Dealer's Certification-Resale Tobacco shall be furnished to the USDA representative stationed at the warehouse prior to the sale of the tobacco, with a copy to the warehouse. Where the State Executive Director notifies the warehouse that the certifications of any dealer are not acceptable for this purpose, the Dealer's Certification shall not be used by the warehouse as a basis for a "certified" basket ticket. Such notice will be given to all warehouses having price support available to producers if a dealer is found to have made a false certification, or if a dealer fails to file reports required by applicable marketing quota regulations. In the latter case, the notice will be rescinded when the dealer files the reports if they show that he has not made false certifications with respect to identification of full support variety tobacco. Dealers making false certifications, or producers using marketing cards other than the one issued for the farm on which the tobacco was produced, to obtain use of certified basket tickets for tobacco not entitled to such identification, shall be subject to applicable provisions of law relating to conspiracy, fraud, or other offenses, and to penalties imposed by applicable marketing quota regulations. A dealer, who has full support variety resale tobacco for which the Dealer's Certification cannot properly be executed because such tobacco or other tobacco in which he has an interest was acquired other than as the certification form provides, or a dealer whose certifications have been determined to be unacceptable, may have full support variety tobacco identified on a "certified" basket ticket through application to the State Executive Director. In such instances, if by examination of the marketing quota records and other evidence, the Director determines that the tobacco is of a full support variety, a special authorization will be given for the warehouses to identify the tobacco on a "certified" basket ticket.

Subpart B—Puerto Rican Tobacco Purchase Program

§ 1464.51 General statement.

This subpart sets forth the terms and conditions of a price support program under which Commodity Credit Corporation (referred to in this subpart as CCC) will purchase eligible Puerto Rican tobacco from eligible dealers.

§ 1464.52 Administration.

This program will be administered by the Tobacco Division, ASCS, under the general direction and supervision of the Executive Vice President, CCC.

§ 1464.53 Definitions.

(a) The term "Puerto Rican regulation" refers to the regulation issued by the Commonwealth of Puerto Rico Department of Agriculture entitled "Regulation To Govern Commercial Relations Between Tobacco Growers and Dealers".

(b) The term "loan program regulation" refers to the price support regulation issued by Commodity Credit Corporation, U.S. Department of Agriculture, entitled "Tobacco Loan Program" (Part 1464 of this chapter).

(c) The term "eligible tobacco" means type 46 tobacco, of the crop current at the time of the offer to sell, which is held by an eligible dealer for and on behalf of producers, pursuant to the Puerto Rican regulation, and of which not less than 85 percent is of grades for which price support is available under the loan program regulations.

(d) The term "eligible dealer" means a dealer who is licensed under, and who is in compliance with, the Puerto Rican regulation.

§ 1464.54 Offer to sell tobacco to Commodity Credit Corporation.

Each year, upon being informed by the Commonwealth of Puerto Rico Department of Agriculture of an eligible dealer who, after July 1, has eligible tobacco which he is unable to sell commercially at acceptable prices, CCC shall mail to such dealer Form No. PR–1 "Offer and Acceptance for Sale and Purchase of Puerto Rican Tobacco". If the dealer decides to offer tobacco to CCC, he shall arrange to have the tobacco graded and weighed by inspectors of the Tobacco Division, C&MS, U.S. Department of Agriculture. The dealer shall furnish all labor and equipment necessary to facilitate the grading and weighing, and the charges for inspectors will be paid by

CCC. The dealer shall then complete the offer portion of the form, including the weight of each grade offered, shall execute that portion of the form in triplicate and shall airmail the executed copies of the form to the Director, Tobacco Division, U.S. Department of Agriculture, Washington, D.C. 20250. A copy of the Grade and Weight Certificate, Form PR–2, signed by the inspector, shall accompany each offer. The dealer may submit more than one offer to sell, but no offer postmarked later than September 30 of the year in which executed will be accepted unless, for reasons beyond the control of the dealer, the grade and weight certificate could not be obtained by that date. The tobacco covered by each offer shall constitute a "lot".

§ 1464.55 Acceptance of offer—title and risk of loss.

CCC shall promptly accept each properly executed offer on Form No. PR–1 by filling out and executing the acceptance portion of the form, and shall promptly airmail a copy to the dealer. Upon the execution of the acceptance form by CCC, the offer and acceptance shall constitute a valid and binding contract and title and risk of loss or damage to the tobacco shall pass to CCC.

§ 1464.56 Delivery and temporary storage.

The dealer shall deliver all tobacco sold to CCC f.o.b. trucks at dealer's warehouse when and as directed by CCC. Pending delivery, the dealer shall furnish free storage for a period up to 45 days from the date of acceptance.

§ 1464.57 Purchase price for tobacco.

The purchase price for each lot of tobacco offered by the dealer shall be the sum of (a) the grade purchase rate designated in the Offer and Acceptance form for each grade multiplied by the number of pounds in each grade as shown on the acceptance form and on the applicable grade and weight certificate, totaled for all grades (hereinafter called the lot settlement value), and (b) a handling charge at the rate of $11 per hundredweight of tobacco purchased. The grade purchase rate designated in the Offer and Acceptance form for each grade shall be the grade loan rate for the then current crop as announced by CCC for Puerto Rican tobacco pursuant to the loan program regulation, less 1 cent per pound, converted to a sweated-weight basis by multiplying by the factor 1.19. For scrap and No Grade tobacco for which there is no grade loan rate under the loan program regulation, the grade purchase rate will be the grade loan rate for N grade, less 3 cents per pound, converted to a sweated-weight basis by multiplying by the factor 1.19.

§ 1464.58 Payment for tobacco.

CCC shall pay the dealer for tobacco purchased, promptly following acceptance of an offer.

§ 1464.59 Dealer settlement with producers.

Within 30 days from the date the dealer receives payment from CCC for any lot of tobacco, he shall pay or credit to the account of all producers from whom he received tobacco an amount which, except for any minor difference resulting from the computation of each producer's share, is equal to the lot settlement value of the tobacco sold to CCC. Each producer's share of such payment shall be determined on the basis of all tobacco delivered to the dealer by all producers, including both any tobacco sold commercially and the tobacco sold to CCC, in accordance with the following computation: The total loan value of all grades of tobacco received from all producers shall be determined on the basis of the announced CCC grade loan rates, or, in the case of Scrap and No Grade tobacco, for which there are no announced grade loan rates, on the basis of the grade loan rate for N grade, less 2 cents per pound. The lot settlement value of the tobacco sold to CCC shall be divided by the total loan value of all tobacco received. Each grade loan rate shall be multiplied by this factor to determine a grade settlement rate for each grade of tobacco received from producers. Each producer from whom the dealer received tobacco during the year shall be paid or credited for each pound of tobacco of each grade he delivered at the grade settlement rate for that grade. Within 35 days from the date of receiving payment from CCC, the dealer shall execute and transmit to CCC, Form PR 3, "Certification of Payments to Producers".

§ 1464.60 Records and books.

The dealer shall keep complete and accurate records with respect to all his transactions relating to the tobacco of any crop year during which tobacco is sold to CCC. Such records shall, at all times, show the name and address of each producer from whom tobacco was received, the number of pounds of each U.S. Government grade of tobacco received from each producer, the date and place received, the amounts advanced to each producer in money, material, or services, the date of such advances and description of services or materials charged as advances, quantities of tobacco sold, name and address of purchaser, grades and prices of tobacco sold and amount paid to each producer or credited to each producer's account in settlement for the tobacco delivered. The dealer shall keep such records for a period of 3 years after delivery of tobacco to CCC and shall make them available upon request to representatives of CCC or the General Accounting Office for examination and audit.

Effective date: Date of filing with Office of Federal Register.

Signed at Washington, D.C., on July 15, 1969.

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

[F.R. Doc. 69–8554; Filed, July 18, 1969; 8:48 a.m.]

Title 12—BANKS AND BANKING

Chapter II—Federal Reserve System

SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

[Reg. T]

PART 220—CREDIT BY BROKERS AND DEALERS

Notice of Request and Order for Suspension

Notice is hereby given that request has been made to the Board of Governors of the Federal Reserve System, by several life insurance companies who have registered or expect to register as broker-dealers with the Securities and Exchange Commission, that this Part 220 (Regulation T) be amended to enable such conventional lending activities as are unrelated to the companies' broker-dealer function to be subject only to Part 207 (Regulation G) and not to the provisions of this part.

The insurance companies are presently registered with the Board of Governors under Regulation G in connection with their conventional lending operations which include loans secured by margin securities, as defined by § 207.2(d) of that regulation. In addition, the companies have registered as broker-dealers under section 15 of the Securities Exchange Act of 1934 (15 U.S.C. 78o) in consequence of the issuance and sale by such companies of variable annuity contracts registered under the Securities Act of 1933 (15 U.S.C. 77a). As a result of the recent amendment to the Board's margin regulations (FEDERAL REGISTER of June 11, 1969 (34 F.R. 9191, 9196, and 9203)) effective July 8, 1969, the definition of "creditor" in § 220.2(b) of Regulation T was revised to cover all registered broker-dealers. Accordingly, all extensions of credit and related transactions of insurance companies who are also registered broker-dealers have become subject to the requirements of Regulation T.

Inasmuch as extensions of credit pursuant to certain normal lending activities of such insurance companies would be in violation of Regulation T, although such extensions of credit are presently permissible under Regulation G and are distinct from any broker-dealer activities of the companies, the Board deems it appropriate in the public interest to consider a request for a remedial amendment, which would allocate lending functions of such companies between Regulations G and T: *Provided*, That such amendment would not contribute to the evasion or circumvention of the Board's margin regulations.

In order to provide relief during a study leading to a more definitive resolution of the matter,

It is ordered, That pursuant to section 7(c) of the Securities Exchange Act of 1934 (15 U.S.C. 78g(c)), the provisions of Part 220 be and hereby are suspended, for a period of 90 days commencing the date of publication of this notice in the FEDERAL REGISTER, insofar as they apply

to any insurance company as defined by section 2(a)(17) of the Investment Company Act of 1940 (15 U.S.C. 80a-2(a)(17)) which is registered pursuant to section 15 of the Securities Exchange Act of 1934 (15 U.S.C. 78o) as a broker-dealer, in respect of credit unrelated to transactions involving variable annuity contracts registered under the Securities Act of 1933 (15 U.S.C. 77a) issued by such insurance company or by a company of which the insurance company or an affiliated person thereof as defined by section 2(a)(3) of the Investment Company Act of 1940 (15 U.S.C. 80a-2(a)(17)) is the principal underwriter or investment advisor; provided that such insurance company is subject to, and by appropriate registration and otherwise complies with, the provisions of Part 207 of this chapter.

Dated at Washington, D.C., this 14th day of July 1969.

By order of the Board of Governors.

[SEAL] ROBERT P. FORRESTAL,
Assistant Secretary.

[F.R. Doc. 69-8515; Filed, July 18, 1969; 8:45 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Airspace Docket No. 69-CE-54]

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

Alteration of Federal Airway Segment

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the segment of VOR Federal airway No. 2 between Lone Rock, Wis., and Milwaukee, Wis. The Federal Aviation Administration is taking action herein to realign V-2 between Lone Rock and Milwaukee via the Madison, Wis., VOR. This segment is presently designated via the intersection of the Lone Rock 140° T and the Milwaukee 272° T radials which overlies the Madison VOR. Realignment of V-2 via the Madison VOR will provide better course guidance and simplify charting.

Since this airway alteration is minor in nature and causes no additional burden, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended effective, 0901 G.m.t., September 18, 1969, as hereinafter set forth.

In § 71.123 (34 F.R. 4509) V-2 is amended by deleting "12 AGL INT Lone Rock 104° and Milwaukee, Wis., 272° radials; 12 AGL Milwaukee;" and substituting "Madison, Wis.; Milwaukee, Wis.;" therefor.

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

Issued in Washington, D.C., on July 16, 1969.

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

[F.R. Doc. 69-8521; Filed, July 18, 1969; 8:45 a.m.]

[Airspace Docket No. 69-WA-29]

PART 75—ESTABLISHMENT OF JET ROUTES

Designation of Jet Route

The purpose of this amendment to Part 75 of the Federal Aviation Regulations is to designate the U.S. portion of Jet Route No. 513 that would extend from Lakehead, Ontario, Canada, to Sudbury, Ontario, Canada.

The Canadian Department of Transport has advised that they have an immediate requirement for a high level airway to be designated from Lakehead direct to Sudbury. The U.S. segment of this jet route would involve a minimal amount of controlled airspace.

Since this action is minor in nature, the Administrator has determined that notice and public procedure thereon is unnecessary.

In consideration of the foregoing, Part 75 of the Federal Aviation Regulations is amended effective 0901 G.m.t., September 18, 1969, as hereinafter set forth.

Section 75.100 (34 F.R. 4856) is amended by adding the following:

Jet Route No. 513 (Lakehead, Ontario, Canada, to Sudbury, Ontario, Canada) (joins Canadian high level airway No. HL-513). From Lakehead, Ontario, Canada, direct to Sudbury, Ontario, Canada, excluding the portion within Canada.

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

Issued in Washington, D.C., on July 16, 1969.

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

[F.R. Doc. 69-8523; Filed, July 18, 1969; 8:45 a.m.]

[Airspace Docket No. 69-CE-28]

PART 75—ESTABLISHMENT OF JET ROUTES

Designation of Jet Advisory Area

On June 12, 1969, a notice of proposed rule making was published in the FEDERAL REGISTER (34 F.R. 9288) stating that the Federal Aviation Administration was considering an amendment to Part 75 of the Federal Aviation Regulations that would designate a nonradar jet advisory area along Jet Route No. 500 from the United States/Canadian border southeast of Lakehead, Ontario, Canada, to the positive control area boundary northwest of Sault Ste. Marie, Mich., from Flight Level 240 to Flight Level 280, inclusive.

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

In consideration of the foregoing, Part 75 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., August 21, 1969, as hereinafter set forth.

Section 75.200 (34 F.R. 4872) Jet Route No. 500 Jet Advisory Area is amended by adding the following:

Nonradar: From the United States/Canadian border southeast of Lakehead, Ontario, Canada, to the positive control area boundary northwest of Sault Ste. Marie, Mich., from FL-240 to FL-280, inclusive.

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

Issued in Washington, D.C., on July 16, 1969.

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

[F.R. Doc. 69-8522; Filed, July 18, 1969; 8:45 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

SUBCHAPTER C—REGULATIONS UNDER SPECIFIC ACTS OF CONGRESS

[File 206-9-1]

PART 303—RULES AND REGULATIONS UNDER THE TEXTILE FIBER PRODUCTS IDENTIFICATION ACT

Fiber Content of Special Types of Products

On March 27, 1969, the Commission issued a notice of amendment of § 303.10 (Rule 10) of Part 303, rules and regulations under the Textile Fiber Products Identification Act, "Fiber Content of Special Types of Products" so as to add a new paragraph thereto designated as paragraph (c), and to provide for the manner and form of disclosing the required fiber content information of textile fibers which contain components combined at or prior to the time of initial extrusion which if separately extruded would fall within existing definitions of textile fibers as set forth in § 303.7 (Rule 7) of the regulations under the aforesaid Act. Such notice was published in the FEDERAL REGISTER on March 28, 1969, at 34 F.R. 5836.

The notice of amendment provided that paragraph (c) of § 303.10 (Rule 10) would become effective 45 days after publication in the FEDERAL REGISTER. It was further provided that interested parties could submit written comments within 20 days of the publication of paragraph (c) of § 303.10 (Rule 10) in the FEDERAL REGISTER but that this should not affect the effective date unless the Commission should otherwise order.

Upon indication of certain interested parties of a desire for a further period for comments, by notice issued April 18, 1969, published in the FEDERAL REGISTER April 23, 1969, the time for submission of written views and comments in this matter was extended to May 15, 1969, and the effective date of paragraph (c) § 303.10 (Rule 10) of the rules and regulations under the Textile Fiber Products Identification Act was deferred until June 30, 1969. Pursuant to this notice, written comments were received from Northern Textile Association and Man-Made Fiber Producers Association.

After consideration of all views, arguments, and other data pursuant to the above-mentioned notice of April 18, 1969, and all pertinent information available to the Commission, the Commission has determined to revise paragraph (c) of § 303.10 (Rule 10) of Title 16, Part 303, rules and regulations under the Textile Fiber Products Identification Act to clarify the meaning thereof with respect to structure and composition of fibers coming under said paragraph.

Section 303.10 (Rule 10) of the rules and regulations under the Textile Fiber Products Identification Act, Fiber Content of Special Types of Products, is amended by revising paragraph (c) thereof to read as follows:

§ 303.10 Fiber content of special types of products.

* * * * *

(c) (1) Where a manufactured textile fiber is essentially a physical combination or mixture of two or more chemically distinct constituents or components combined at or prior to the time of extrusion, which components if separately extruded would each fall within different existing definitions of textile fibers as set forth in § 303.7 (Rule 7), the fiber content disclosure as to such fiber, shall for all purposes under the regulations in this part (i) disclose such fact in the required fiber content information by appropriate nondeceptive descriptive terminology, such as "biconstituent fiber" or "multiconstituent fiber," (ii) set out the components contained in the fiber by the appropriate generic name specified in § 303.7 (Rule 7) in the order of their predominance by weight, and (iii) set out the respective percentages of such components by weight.

(2) If the components of such fibers are of a matrix-fibril configuration, the term "matrix-fibril fiber" or "matrix fiber" may be used in setting forth the information required by this paragraph.

(3) Examples of proper fiber content designations under this paragraph are:

100% Biconstituent Fiber
(65% Nylon, 35% Polyester)

80% Matrix Fiber (60% Nylon, 40% Polyester)
15% Polyester
5% Rayon

(4) All of the provisions as to fiber content disclosures contained in the Act and regulations, including the provisions relative to fiber content tolerances and disclosures of fibers present in amounts of less than 5 percentum of the total fiber weight, shall also be applicable to the designations and disclosures prescribed by this paragraph.

STATEMENT OF BASIS AND PURPOSE

The comments contained in the statement of basis and purpose appearing in the March 27, 1969, notice of amendment previously referred to are incorporated herein by reference. The following additional comments are made with respect to the modifications made by this notice.

A major point raised by the comments made in response to the April 18, 1969, notice was that while our notice of March 27, 1969, was correct in a scientific sense in using the terms "bicomponent" and "biconstituent" as synonymous, this usage was at variance with usages that have grown up in the trade. "Bicomponent" in trade usage was said to connote a fiber with two discrete halves or portions of different chemical composition attached together in a side-by-side configuration while "biconstituent" was said to connote a fiber composed of one fiber former as a continuous phase with one or more other fiber formers dispersed therein in the form of particles or fibrils, constituting a discontinuous phase. A second major point raised by the comments was that our Rule 10(c) as originally written could be interpreted as applying to a multipolymer fiber where the polymers, though of different chemical composition, nevertheless fall within the same generic category in Rule 7. It was pointed out that there presently exists in commerce side-by-side fibers of two different kinds of nylon, two different kinds of acrylic, and perhaps others. Further, it was said that these side-by-side fibers with sides from the same generic class are the only types presently commercially developed and that other bicomponent fibers which may or may not be successfully developed in the future could include side-by-side and sheath-core types with the components falling in different generic classes.

It was not the intention of the Commission to disturb the meanings of useful trade terms which may have grown up within the industry. Therefore, we have concluded that making the terms "bicomponent" or "multicomponent" mandatory in disclosure of fiber content information with regard to multipolymer fibers is not the best way to proceed. Further, we have concluded that in the interest of leaving room for the free evolution of useful trade terms, it is the better course for us not to make mandatory the use of any particular term denoting fiber construction, but instead to require only nondeceptive, descriptive disclosure of such information. In this connection we have changed the rule to provide that the terms "biconstituent" or "multiconstituent," which were suggested as acceptable terms in the comments, may be used where appropriate. Also, in accordance with our original and unchanged intent, we have clarified the rule to make it unmistakably clear that it applies only where the polymers of a multipolymer fiber fall within different generic definitions in Rule 7.

Some parties questioned whether Rule 10(c) as written would cover a sheath-core or side-by-side bicomponent fiber with components falling in different generic categories (should such a fiber be commercially developed), and whether this was intended by the Commission. It was the Commission's intention that any fiber, including side-by-side and sheath-core bicomponent or multicomponent fibers, constructed from polymers combined before or during extrusion from different generic categories in Rule 7 be covered, regardless of the configuration formed by such polymers in the fiber, so long as they are essentially physically, rather than chemically, mixed.

The point was made that the term "mixture" in Rule 10(c) must have reference only to the type of fiber comprised of one fiber former in a continuous phase with particles or fibrils of one or more other fiber formers dispersed therein as a discontinuous phase. We do not interpret the limits of meaning of the word "mixture" so narrowly. Webster's Third New International Dictionary Unabridged gives as one definition of the word "the state of being mixed," while one of the definitions of "mixed" is "made up of or involving individuals or items of more than one kind." Also, one definition of the verb form "mix" is "to bring together (as different kinds of people or things) in close association." This meaning in consistent with, and within the scope of our notice of rulemaking in this proceeding wherein we proposed an amendment to specify "the manner and form of disclosing the required fiber content information of textile fiber products which contain two or more chemically distinct components which are combined at or prior to the time of fiber formation and which if separately extruded would fall within existing definitions of textile fibers as set forth in § 303.7 (Rule 7) of the rules and regulations under the Textile Fiber Products Identification Act." Notice of June 18, 1968, published in the FEDERAL REGISTER June 20, 1968. However, since some confusion appears to have arisen, we have concluded that the term "combination" should be inserted in the rule adjacent to the term "mixture" so as to make the Commission's intention more clear.

(Sec. 7, 72 Stat. 1717; 15 U.S.C. 70)

Effective date. Paragraph (c) of § 303.10 (Rule 10) as amended herein, shall become effective 30 days after publication in the FEDERAL REGISTER.

Issued: July 16, 1969.

By the Commission.

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

[F.R. Doc. 69-8518; Filed, July 18, 1969; 8:45 a.m.]

Title 42—PUBLIC HEALTH

Chapter I—Public Health Service, Department of Health, Education, and Welfare

SUBCHAPTER G—PREVENTION, CONTROL, AND ABATEMENT OF AIR POLLUTION

PART 81—AIR QUALITY CONTROL REGIONS, CRITERIA, AND CONTROL TECHNIQUES

Metropolitan Kansas City Interstate Air Quality Control Region

On March 26, 1969, notice of proposed rule making was published in the FEDERAL REGISTER (34 F.R. 5657) to amend Part 81 by designating the Metropolitan Kansas City Interstate Air Quality Control Region.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments, and a consultation with appropriate State and local authorities pursuant to section 107(a) of the Clean Air Act (42 U.S.C. 1857c-2(a)) was held on April 11, 1969. Due consideration has been given to all relevant material presented, with the result that one county, Douglas County, Kans., has been deleted from the proposed Region, and one county, Buchanan County, Mo., not in the original proposal, has been added to the Region.

In consideration of the foregoing and in accordance with the statement in the notice of proposed rule making, § 81.25, as set forth below, designating the Metropolitan Kansas City Interstate Air Quality Control Region, is adopted effective on publication.

§ 81.25 Metropolitan Kansas City Interstate Air Quality Control Region.

The Metropolitan Kansas City Interstate Air Quality Control Region (Missouri-Kansas) consists of the territorial area encompassed by the boundaries of the following jurisdictions or described area (including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f) geographically located within the outermost boundaries of the area so delimited):

In the State of Missouri:

Buchanan County.	Jackson County.
Cass County.	Platte County.
Clay County.	Ray County.

In the State of Kansas:

Johnson County.	Wyandotte County.
Leavenworth County.	

(Secs. 107(a), 301(a), 81 Stat. 490, 504; 42 U.S.C. 1857c-2(a), 1857g(a))

Dated: July 15, 1969.

ROBERT H. FINCH,
Secretary.

[F.R. Doc. 69-8539; Filed, July 18, 1969; 8:47 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

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

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 4673]

[Utah 6398]

UTAH

Interforest Transfers; Exclusion of Lands From Uinta and Ashley National Forests

By virtue of the authority vested in the President by the act of June 4, 1897 (30 Stat. 34, 36; 16 U.S.C. 473), and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), and upon the recommendation of the Assistant Secretary of Agriculture, it is ordered as follows:

1. The following described privately owned lands are hereby excluded from within the national forests indicated, and the boundaries of said forests are adjusted accordingly:

UINTA MERIDIAN

A. ASHLEY NATIONAL FOREST

T. 1 S., R. 8 W.,
Secs. 16 to 21, inclusive;
Secs. 28 to 33, inclusive.
T. 1 S., R. 9 W.,
Secs. 13 to 36, inclusive.
T. 1 S., R. 10 W.,
Sec. 9, SE¼SE¼ (that portion east of present ridgetop boundary);
Sec. 10, S½SW¼, and that portion of SE¼NE¼ and SE¼ southeast of present ridgetop boundary;
Sec. 11, S½, and that portion of S½NW¼ south of present ridgetop boundary;
Sec. 12, SW¼, S½SE¼ (that portion south of present ridgetop boundary);
Secs. 13 and 14;
Sec. 15, N½, SE¼ and that part of SW¼ east of present ridgetop boundary;
Sec. 16, E½NE¼, NE¼SE¼ (that portion east of present ridgetop boundary);
Sec. 22, E½ and that part of NW¼ east of present ridgetop boundary;
Secs. 23 and 24;
Sec. 25, N½, SE¼ and that part of SW¼ northeast of present ridgetop boundary;
Sec. 26, N½ and that part of N½SW¼, SE¼SW¼, and SE¼ northeast of present ridgetop boundary;
Sec. 27, N½NE¼, SE¼NE¼ (that portion east of present ridgetop boundary);
Sec. 36, NE¼, E½SE¼ (that portion east of present ridgetop boundary).

B. UINTA NATIONAL FOREST

T. 1 S., R. 10 W.,
Sec. 9, SE¼SE¼ (that portion west of present ridgetop boundary);
Sec. 10, SE¼NE¼, SE¼ (that portion northwest of present ridgetop boundary);
Sec. 11, S½NW¼ (that portion north of present ridgetop boundary);
Sec. 12, SW¼, S½SE¼ (that portion north of present ridgetop boundary);
Sec. 15, SW¼ (that portion west of present ridgetop boundary);
Sec. 16, E½NE¼, NE¼SE¼ (that portion west of present ridgetop boundary);
Sec. 22, NW¼ (that portion west of present ridgetop boundary);
Sec. 25, SW¼ (that portion southwest of present ridgetop boundary);
Sec. 26, N½SW¼, SE¼SW¼, SE¼ (that portion southwest of present ridgetop boundary);
Sec. 27, N½NE¼, SE¼NE¼ (that portion west of present ridgetop boundary);
Sec. 36, NE¼, E½SE¼ (that portion west of present ridgetop boundary).

The areas described aggregate approximately 29,282.11 acres of nonpublic land.

2. The following listed lands within the exterior boundaries of the Ashley National Forest transferred from the Uinta National Forest by Public Land Order No. 950 of March 30, 1954, are hereby transferred to the Uinta National Forest:

T. 1 S., R. 10 W.,
Sec. 9, NE¼SE¼, SW¼SE¼ (that portion east of present ridgetop boundary);
Sec. 10, N½NE¼, SW¼NE¼, S½NW¼, N½SW¼ (that portion east of present ridgetop boundary);
Sec. 11, S½NE¼, N½NW¼ (that portion east of present ridgetop boundary);
Sec. 12, SW¼NW¼, N½SE¼ (that portion east of present ridgetop boundary);
Sec. 16, W½NE¼ (that portion east of present ridgetop boundary);
Sec. 22, E½SW¼ (that portion east of present ridgetop boundary);
Sec. 26, SW¼SW¼ (that portion east of present ridgetop boundary);
Sec. 27, SW¼NE¼, NE¼NW¼, N½SE¼ (that portion east of present ridgetop boundary);
Sec. 35, N½N½ (that portion east of present ridgetop boundary);
Sec. 36, NW¼, W½SE¼ (that portion east of present ridgetop boundary).

The exterior boundaries of the forests involved are hereby adjusted in accordance with the transfers made by this order, and any transferred land now having a national forest status shall become a part of the forest to which it is transferred.

The order shall not be construed as giving a national forest status to any lands which do not now have such status, or as changing the status of any lands which now have a national forest status.

HARRISON LOESCH,
Assistant Secretary of the Interior.

JULY 14, 1969.

[F.R. Doc. 69-8559; Filed, July 18, 1969; 8:48 a.m.]

Title 29—LABOR

Chapter V—Wage and Hour Division, Department of Labor

PART 609—WOMEN'S AND CHILDREN'S UNDERWEAR AND WOMEN'S BLOUSE INDUSTRY IN PUERTO RICO

Wage Order

Pursuant to sections 5, 6, and 8 of the Fair Labor Standards Act of 1938 (52 Stat. 1062, 1064, as amended; 29 U.S.C. 205, 206, 208) and Reorganization Plan

No. 6 of 1950 (3 CFR 1949—1953 Comp., p. 1004), and by means of Administrative Order No. 606 (34 F.R. 5434), the Secretary of Labor appointed and convened Industry Committee No. 82–C for the women's and children's underwear and women's blouse industry in Puerto Rico, referred to the Committee the question of the minimum wage rate or rates to be paid under section 6(c) of the Act to employees in the industry, and gave notice of a hearing to be held by the Committee.

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

Accordingly, as authorized and required by section 8 of the Fair Labor Standards Act of 1938, Reorganization Plan No. 6 of 1950, and 29 CFR 511.18, the recommendations of Industry Committee No. 82–C are hereby published, to be effective August 4, 1969, in this order amending § 609.2 of Title 29, Code of Federal Regulations, by revising each subdivision (i) of subparagraphs (1) and (2) of paragraph (a) and subparagraph (1) of paragraph (b). As revised, § 609.2 reads as follows:

§ 609.2 Wage rates.

* * * * *

(a) *Employments covered prior to the 1961 amendments.* * * *

(1) *Hand-sewing classification.* (i) The minimum wage for this classification is $1.19 an hour.

* * * * *

(2) *Other operations classification.* (i) The minimum wage for this classification is $1.38 an hour.

* * * * *

(b) *1961 coverage classification.* (1) The minimum wage for this classification is $1.60 an hour.

* * * * *

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

Signed at Washington, D.C., this 14th day of July 1969.

ROBERT D. MARAN,
Administrator, Wage and Hour and Public Contracts Divisions, U.S. Department of Labor.

[F.R. Doc. 69–8519; Filed, July 18, 1969; 8:45 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 18473; FCC 69–759]

DOMESTIC PUBLIC POINT-TO-POINT MICROWAVE RADIO SERVICE; ANNUAL REPORTS BY LICENSEES

Report and order. In the matter of adoption of FCC Form P on which to file annual reports by licensees in the Domestic Public Point-to-Point Microwave Radio Service who are Miscellaneous Common Carriers, and related amendments to Part 1—Practice and Procedure; Part 21—Domestic Public Radio Services (Other Than Maritime Mobile); and Part 43—Reports of Communication Common Carriers and Certain Affiliates, of the Commission's rules, Docket No. 18473.

1. On February 28, 1969, the Commission issued its notice of proposed rule making in the above-entitled proceeding which was duly published in the FEDERAL REGISTER (34 F.R. 3852). In that notice it was proposed to adopt FCC Form P and to amend Part 1, § 1.785; Part 21, § 21.300; and Part 43, § 43.21, of the Commission's rules to require licensees in the Domestic Public Point-to-Point Microwave Radio Service who are miscellaneous common carriers to file on that form an annual report.

2. Comments were filed by Western Microwave, Inc., on behalf of itself and its subsidiary carriers (Western); 20 miscellaneous carriers (20 carriers);[1] Microwave Transmission Corp. (MTC); Frank K. Spain doing business as Microwave Service Co., and Alabama Microwave, Inc. (Spain); and Eastern Microwave, Inc. (Eastern).

3. MTC concurred with the Commission that the information requested by this form was needed by the Commission to properly perform its regulatory functions and that the filing of this form would not be an undue burden or hardship on the miscellaneous common carriers. The 20 carriers were opposed to the form, stating that the Commission is acting beyond its authority in this matter and that completing this form is an undue burden. Western, Eastern, and Spain supported adoption of the proposed report form, but raised certain specific objections to some parts of the form, chief among which were:

(a) That section I, question B of the proposed form should be modified to require only a report of written service complaints received during the year;

(b) That section II should be modified so as not to disclose the basic monthly charge and the revenue for the year from each and every customer listed individually because, if this information were disclosed to competitors, it would put the filer at a distinct competitive disadvantage;

(c) That the condensed income statement should be expanded to more accurately reflect the cost of doing business;

(d) That the filing date should be extended 1 full year to give the carriers time to adjust their recordkeeping system;

(e) That certain portions of the report including parts II and IV should be kept confidential and not be available to the public; and

(f) That the form should be modified to allow carriers who operate on a fiscal year period to file subsequent to the close of the fiscal year rather than at the close of the calendar year.

We comment on these objections in the same order.

4. We do not believe that the burden of completing this form would be onerous, nor that the Commission has exceeded the authority conferred by section 4(i) of the Communications Act of 1934, as amended, which empowers the Commission to make only those rules "as may be necessary in the execution of its functions." As was clearly stated in the notice of proposed rule making herein, virtually all of the miscellaneous carriers who would be required to file this proposed form are engaged in interstate communications, do not at this time file any annual report form, and are providing services which the Commission is obliged to regulate pursuant to title II of the Communications Act. Therefore, it is clearly within the Commission's power to implement its regulatory responsibilities by eliciting the information required by this form.

5. It has been suggested that section I, in question B, be modified to only require a report of written service complaints received during the year. It is indicated that field personnel of the communication common carriers may receive numerous and often duplicative verbal complaints, the vast majority of which are resolved by routine adjustments of microwave equipment. It is considered that it would be unduly burdensome for the Commission to require the compilation and reporting of such verbal complaints. Since it was our intention to only give attention to service complaints that might be of such a nature as to merit a written complaint, section I, question B, will be modified to only require a report of the written service complaints received during the reporting year.

6. The principal objection of the carriers in reference to section II is that if they were forced to list each of their customers, the service they receive, and the monthly and annual charge, this information would be plainly brought to the attention of their competitors, possibly to their competitive disadvantage. Although the carriers do not dispute that the Commission may need such information to perform its regulatory obligations, they feel that vis-a-vis their competitors this is privileged information. The purpose of columns A, B, and C of section II is to provide the Commission with information on an annual basis of the services being provided by each carrier on each system since these services may be changed in some circumstances without prior notice or authorization. Upon reconsideration, we conclude that the information proposed

[1] The 20 carriers are Andrews Tower Rentals, Inc., Columbia Television Co., Inc., Dal-Worth Microwave, Inc., Dorate, Inc., East Texas Transmission Co., Electronics, Inc., Hi-Desert Microwave, Inc., KHC Microwave Corp., Laredo Microwave, Inc., Midwest Microwave, Inc., Minnesota Microwave, Inc., New England Microwave Corp., Pilot Butte Transmission Co., Southwest Texas Transmission Co., Teleplex Microwave Systems, Inc., Teleprompter Transmission of Kansas, Inc., Teleprompter Transmission of New Mexico, Inc., Teleprompter Transmission of Oregon, Inc., United Video, Inc., and Wentronics, Inc.

to be required by column D and E should be available from the carrier's tariff filing and that the "total" is reflected in the carrier's income statement. Since the information proposed to be required by column D and E should be computable from tariff filings presently available at this Commission (unless an intrastate service is being provided), and the purpose for which these columns were proposed could thus be satisfied by deleting column E and changing column D to read "Identify the tariff under which this service is being provided," we will modify section II of the proposed form in this accord.

7. It has been suggested that the income statement be expanded to allow the carriers to more accurately reflect their particular costs of doing business. Although the income information required to be reported under section IV is brief and additional information might be required in the future, we will not expand this section at this time in order to minimize the effort involved with completing the form. We, however, will keep this suggestion active, and if it is found that additional information is required in the future, we may seek to modify this section.[2] As the services provided by these carriers expand and with the experience gained in evaluating these forms, we will be in a better position to determine how this part or other parts of the form might be expanded or modified.

* * * * *

8. Other than the flat statement that recordkeeping functions will have to be adjusted, there is no justification offered for delaying the initial filing date for the form. Although the proposed rules would require the carriers to keep records for the filing of this form separate and apart from other business records, we do not feel, nor was it alleged, that we are requiring any information that the carriers would not now be keeping in the ordinary course of business. In view of the foregoing, we are not disposed to further extend the time after which this report will be required to be filed.

9. We see little merit to the argument that the financial report in section IV should be kept confidential. Although the financial reports submitted by licensees of broadcast stations on FCC Form 324 are not routinely available to the public, 47 CFR 0.457(d)(1)(i), the extensive financial information submitted by other carriers on forms M, O, and R are publicly available, the distinction of course being that the latter are common carriers subject to utility type regulation. In view of the foregoing, we see no justifiable reason not to make these brief financial statements of the miscellaneous common carriers available to the public.

10. It has been suggested in paragraph 3(f) herein, that we modify the proposed form to allow carriers who operate on a fiscal year basis to file Form P 90 days subsequent to the close of its fiscal year. However, as was recognized in the pleadings, under § 43.21(a) of the Commission's rules, carriers other than miscellaneous must also submit annual reports on a calendar year basis. Regardless of whether a carrier operates on a calendar or fiscal year, the same records must be kept and the only additional burden on a carrier operating on a fiscal year would be that it would have to close its accounting records more than once each year. It would appear that most modern accounting systems would require that financial computations be made on at least a semiannual or quarterly basis. Since the information supplied would be less valuable to the Commission if not filed in a uniform manner, we have not accepted this suggested modification.

11. In summary, we conclude that the filing of Form P will not be burdensome, and that the date for the first filing of the form should not be extended. Further, the proposed form will be modified in accordance with the discussion herein.

12. The rule changes in Parts 1, 21, and 43 necessary to implement Form P are set forth below, Parts A, B, and C. Information to be requested in the annual report is included in the appendix as an attachment.[3]

13. *Accordingly, it is ordered,* Pursuant to authority contained in section 4(i) and 303 of the Communications Act of 1934, as amended, that, effective August 18, 1969, (a) FCC Form P is adopted as modified herein[3]; (b) Part 1, § 1.785; Part 21, section 21.300, and Part 43, § 43.21; of the Commission's rules are amended as shown below; and (c) that all suggestions, to the extent they have not been accepted herein, are hereby denied.

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

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

Adopted: July 9, 1969.

Released: July 16, 1969.

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

Part 1—Practice and Procedure, Part 21—Domestic Public Radio Services (Other Than Maritime Mobile), and Part 43—Reports of Communication Common Carriers and Certain Affiliates, of the Commission's rules are amended as set forth in Paragraphs A, B, and C:

PART 1—PRACTICE AND PROCEDURE

A. Paragraph (a) of § 1.785 of Part 1 is amended by adding the following subparagraph (6):

§ 1.785 Annual financial reports.

(a) * * *

(6) Form P (licensees in domestic public point-to-point microwave radio service who are miscellaneous common carriers as defined in § 21.1 of this chapter).

* * * * *

PART 21—DOMESTIC PUBLIC RADIO SERVICES (OTHER THAN MARITIME MOBILE)

B. Section 21.300 is amended to read as follows:

§ 21.300 Business records.

Each licensee of radio facilities authorized under the rules of this part and required to file either FCC Form L or FCC Form P (see § 1.785 of this chapter) shall keep complete records of all phases of operations covered by such reports distinctly separate and apart from any other business or activity conducted by the licensee.

PART 43—REPORTS OF COMMUNICATION COMMON CARRIERS AND CERTAIN AFFILIATES

C. In § 43.21 of Part 43, the first sentence in paragraph (a) is amended to read as follows:

§ 43.21 Annual reports of carriers and certain affiliates.

(a) Communication common carriers having annual operating revenues in excess of $1 million, licensees in the Domestic Public Land Mobile Radio Service, Licensees in the Domestic Public Point-to-Point Microwave Radio Service who are miscellaneous common carriers as defined by § 21.1 of this chapter, communication common carriers operating to overseas points or in the Maritime radio services and having annual operating revenues in excess of $50,000, and certain companies (as indicated in paragraph (c) of this section) directly or indirectly controlling such carriers shall file with the Commission annual reports as provided in this section. * * *

* * * * *

[F.R. Doc. 69-8548; Filed, July 18, 1969; 8:47 a.m.]

PART 2—FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS: GENERAL RULES AND REGULATIONS

Use of Hertzian Waves by Experimental Stations Engaged in Research Other Than of Radio Nature

Order. In the matter of amendment of Part 2 to make provision in § 2.102(b)(4) for the use of hertzian waves by experimental stations engaged in research other than of a radio nature.

1. The Commission has before it the desirability of making certain editorial changes in Part 2 of its rules and regulations.

2. Sections 5.201 and 5.202(d) make provision for licensing of stations in the Experimental Radio Service to provide communications essential to research projects when existing communications

[2] Of course, a filer may comment under "Remarks" or attach as an exhibit any information that is deemed would be appropriate to more accurately reflect its financial position or cost of doing business.

[3] Filed as part of the original document.

facilities are inadequate. The research is not necessarily related to hertzian waves.

3. In order to conform Part 2 to the above cited provisions of Part 5, § 2.102 (b) is amended by adding a new subparagraph (4) and existing subparagraphs (4), (5), (6), and (7) are renumbered (5), (6), (7), and (8), respectively.

4. Authority for the amendments is contained in sections 4(j), 5(d)(1), and 303(r) of the Communications Act of 1934, as amended, and § 0.261(a) of the rules and regulations. Because these 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.

5. *It is ordered*, effective July 22, 1969, That Part 2 of the rules and regulations is amended as set forth below.

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

Adopted: July 14, 1969.

Released: July 15, 1969.

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

Part 2, Frequency Allocations and Radio Treaty Matters; General Rules and Regulations is amended as follows:

In § 2.102(b), a new subparagraph (4) is added and the present subparagraphs (4), (5), (6), and (7) are renumbered (5), (6), (7), and (8), respectively, to read as follows:

§ 2.102 Assignment of frequencies.

* * * * *

(b) * * *

(4) Experimental stations engaged in communications essential to research projects when existing communication facilities are inadequate may be authorized the use of any frequency which is in a band allocated to the fixed, land mobile or broadcasting services or to one of those services shared with another service.

* * * * *

[F.R. Doc. 69-8547; Filed, July 18, 1969; 8:47 a.m.]

Title 49—TRANSPORTATION

Chapter III—Federal Highway Administration, Department of Transportation

SUBCHAPTER A—MOTOR VEHICLE SAFETY REGULATIONS

[Docket No. 69-16; Notice No. 1]

PART 371—FEDERAL MOTOR VEHICLE SAFETY STANDARDS [1]

Motor Vehicle Safety Standards No. 109, New Pneumatic Tires—Passenger Cars, and No. 110, Tire Selection and Rims—Passenger Cars

On October 5, 1968, the Federal Highway Administration published guidelines in the FEDERAL REGISTER (33 F.R. 14964) by which routine additions could be added to Appendix A of Standard No. 109 and the Appendix A of Standard No. 110. These guidelines provided an abbreviated rule making procedure for adding tire sizes to Standard No. 109 and alternative rim sizes to Standard No. 110, whereby the addition becomes effective 30 days from date of publication in the FEDERAL REGISTER if no objections to the proposed additions are received. If comments objecting to the amendment warrant, rule making pursuant to the rule making procedures for motor vehicle safety standards (49 CFR Part 353) [2] will be followed.

The Rubber Manufacturers Association has petitioned for (1) the addition of E60-15 and G60-15 tire size designations to Table I-K of Appendix A of Standard No. 109; (2) the addition of 6JJ and 7JJ as alternative rims for the E60-15 tire size designation and 7JJ as an alternative rim for the G60-15 tire size designation in Table I of Appendix A of Standard No. 110; and (3) the addition of a new "78 Series" radial ply tire designation to Table I of Appendix A of Standard No. 109 with the addition of appropriate alternative rims to Table I of Appendix A of Standard No. 110.

On the basis of the data submitted by the Rubber Manufacturers Association indicating compliance with the requirements of Federal Motor Vehicle Safety Standard No. 109 and No. 110 and other information submitted in accordance with the procedural guidelines set forth (33 F.R. 14964), Appendix A of Federal Motor Vehicle Safety Standard No. 109 and Table I of Appendix A of Standard No. 110 is amended effective 30 days from date of publication of this notice provided no objections to the proposed changes are received.

In consideration of the foregoing, § 371.21 of Part 371 Federal Motor Vehicle Safety Standards, Appendix A of Standard No. 109 (33 F.R. 14964) and Appendix A of Standard No. 110 (34 F.R. 16102) are amended as set forth below effective 30 days from date of publication in the FEDERAL REGISTER.

These amendments are issued under the delegation of authority of October 5, 1968 (33 F.R. 14964), and sections 103 and 119 of the National Traffic and Motor Vehicle Safety Act of 1966 (15 U.S.C. 1392, 1407) and the delegation from the Secretary of Transportation, Part I of the regulations of the Office of the Secretary (49 CFR 1.4(c)).

Issued on July 16, 1969.

H. M. JACKLIN, Jr.,
Acting Director, Motor Vehicle Safety Performance Service.

MOTOR VEHICLE SAFETY STANDARD NO. 109
NEW PNEUMATIC TIRES—PASSENGER CARS

1. Delete Table I-K and insert the following new Table I-K of Appendix A.

APPENDIX A—FEDERAL MOTOR VEHICLE SAFETY STANDARD NO. 109

TABLE I-K

TIRE LOAD RATINGS, TEST RIMS, MINIMUM SIZE FACTORS AND SECTION WIDTHS FOR "60 SERIES" BIAS PLY TIRES

Tire size [1] designation	Maximum tire loads (pounds) at various cold inflation pressures (p.s.i.)											Test rim width (inches)	Minimum size factor (inches)	Section [2] width (inches)
	20	22	24	26	28	30	32	34	36	38	40			
E60-15	1,070	1,130	1,190	1,240	1,300	1,350	1,400	1,440	1,490	1,540	1,580	6	33.83	8.70
F60-15	1,160	1,220	1,280	1,340	1,400	1,450	1,500	1,550	1,610	1,650	1,700	7	34.94	9.40
G60-15	1,250	1,310	1,380	1,440	1,500	1,560	1,620	1,680	1,730	1,780	1,830	7	35.73	9.70

[1] The letter "H", "S" or "V" may be included in any specified tire size designation adjacent to or in place of the "dash".

[2] Actual section width and overall width shall not exceed the specified section width by more than 7 percent.

[1] Formerly contained in 23 CFR Part 255.
[2] Formerly contained in 23 CFR Part 216.

2. The following new Table I–M is added to Appendix A listing a new category of tire size designation.

APPENDIX A—FEDERAL MOTOR VEHICLE SAFETY STANDARD NO. 109

TABLE I–M

TIRE LOAD RATINGS, TEST RIMS, MINIMUM SIZE FACTORS AND SECTION WIDTHS FOR "78 SERIES" RADIAL PLY TIRES

Tire size designation [1]	Maximum tire loads (pounds) at various cold inflation pressures (p.s.i.)											Test rim width (inches)	Minimum size factor (inches)	Section [2] width (inches)
	20	22	24	26	28	30	32	34	36	38	40			
BR78-13	890	930	980	1,030	1,070	1,110	1,150	1,190	1,230	1,270	1,300	4½	30.31	6.75
CR78-14	950	1,000	1,050	1,100	1,140	1,190	1,230	1,270	1,320	1,360	1,400	5	31.67	7.00
DR78-14	1,010	1,070	1,120	1,170	1,220	1,270	1,320	1,360	1,410	1,450	1,490	5	32.26	7.29
FR78-14	1,160	1,220	1,280	1,340	1,400	1,450	1,500	1,550	1,610	1,650	1,700	5½	33.78	7.85
GR78-14	1,250	1,310	1,380	1,440	1,500	1,560	1,620	1,680	1,730	1,780	1,830	6	34.78	8.30
HR78-14	1,360	1,440	1,510	1,580	1,650	1,710	1,770	1,830	1,890	1,950	2,010	6	35.77	8.60
JR78-14	1,430	1,500	1,580	1,650	1,720	1,790	1,860	1,920	1,980	2,040	2,100	6½	36.47	8.95
FR78-15	1,160	1,220	1,280	1,340	1,400	1,450	1,500	1,550	1,610	1,650	1,700	5½	34.28	7.70
GR78-15	1,250	1,310	1,380	1,440	1,500	1,560	1,620	1,680	1,730	1,780	1,830	6	35.30	8.15
HR78-15	1,360	1,440	1,510	1,580	1,650	1,710	1,770	1,830	1,890	1,950	2,010	6	36.23	8.45
JR78-15	1,430	1,500	1,580	1,650	1,720	1,790	1,860	1,920	1,980	2,040	2,100	6½	36.98	8.80
LR78-15	1,520	1,600	1,680	1,750	1,830	1,900	1,970	2,040	2,100	2,170	2,230	6½	37.66	9.00

[1] The letter "H", "S", or "V" may be included in any specified tire size designation adjacent to or in place of the "dash."

[2] Actual section width and overall width shall not exceed the specified section width by more than 7 percent.

MOTOR VEHICLE SAFETY STANDARD NO. 110 TIRE SELECTION AND RIMS—PASSENGER CARS

Delete Table I of Appendix A and insert the following new Table I of Appendix A.

FMVSS NO. 110

APPENDIX A—TABLE I

Alternative Rims

Tire size	*Rim* [1]
4.80–10	*3.50D.*
6.40–15	*4–JJ, 4½–JJ, 4½–K, 4.50E,* 5.00E, 5–JJ, 5–K, 5½–JJ.
7.00–15	*5.00F,* 5–K.
8.25–15	5½–JJ, *6–JJ, 6–K, 6–L.*
8.55–15	5½–JJ, *6–JJ, 6–K, 6–L.*
8.90–15	6–JJ, *6½L,* 7–L.
9.15–15	5½–JJ.
E50C–16	3½.
P50C–16	3½.
H50C–17	3½.
E60–15	*6JJ,* 7JJ.
F60–15	6½–JJ, *7–JJ.*
G60–15	*7JJ.*
D70–13	5½–JJ, *5½–K.*
E70–14	7–JJ.
F70–14	7–JJ.
C70–15	*5½–JJ.*
E70–15	7–JJ.
F70–15	8–JJ.
G70–15	7–JJ.
5.0–15	3.50B, 3.50D, 3½–JJ, *4–JJ, 4.00C.*
5.5–15	3.50D, 3½–JJ, *4–JJ,* 4½–JJ.
145–10	3.50B.
145–13	3½–JJ, 4½–JJ.
165–13	*4½–JJ.*
185–15	4½–JJ.
5.20–13	4½–JJ.
5.60–13	3½–JJ, 4–JJ.
6.00–13	*4–JJ.*
5.60–15	5–K.
155R13	5–JJ.
155–13/6.15–13	5–JJ.
B78–14	*4½–JJ, 4½–K,* 5–JJ, 5–K.
C78–14	4½–JJ, *5–JJ, 5–K,* 5½–JJ, 6–JJ.
D78–14	*5–JJ, 5–K.*
E78–14	4½–JJ, 5–JJ, 5–K, 5½–JJ, 5½–K, 6–JJ, 6½–JJ.
F78–14	5–JJ, 5–K, 5½–JJ, 5½–K, 6–JJ, 6–K, 6½–JJ.
G78–14	5–JJ, 5½–JJ, 5½–K, *6–JJ, 6–K,* 7–JJ.
H78–14	5½–JJ, *6–JJ, 6–K,* 6½–JJ, 6½–K.
J78–14	*6–JJ, 6–K,* 6½–JJ.
C78–15	4½–JJ, 4½–K, *5–JJ, 5–K.*
D78–15	*5–JJ, 5–K.*
E78–15	4½–K, *5–JJ, 5–K,* 5½–JJ, 5½–K, 6–JJ.
F78–15	4½–K, 5–JJ, 5–K, 5½–JJ, 5½–K, 6–JJ.
G78–15	5–JJ, 5–K, 5½–JJ, 5½–K, 6–JJ, 6–K, 6–L.
H78–15	5½–JJ, 5½–K, *6–JJ, 6–K, 6–L,* 6½–K.
J78–15	*6–JJ, 6–K, 6–L,* 6½–JJ.
L78–15	*6–JJ, 6–K, 6–L,* 6½–JJ.
BR78–13	*4½JJ.*
CR78–14	*5JJ.*
DR78–14	*5JJ.*
FR78–14	*5½JJ.*
GR78–14	*6JJ.*
HR78–14	*6JJ.*
JR78–14	*6½JJ.*
FR78–15	*5½JJ.*
GR78–15	*6JJ.*
HR78–15	*6JJ.*
JR78–15	*6½JJ.*
LR78–15	*6½JJ.*

[1] Italicized designations denote Test Rims.

NOTE: Where JJ rims are specified in the above Table, J and JK rim contours are permissible.

[F.R. Doc. 69–8535; Filed, July 18, 1969; 8:45 a.m.]

Proposed Rule Making

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 74]

[Docket No. 18397]

COMMUNITY ANTENNA TELEVISION SYSTEMS

Order Extending Time for Filing Reply Comments

In the matter of amendment of Part 74, Subpart K, of the Commission's rules and regulations relative to community antenna television systems; and inquiry into the development of communications technology and services to formulate regulatory policy and rulemaking and/or legislative proposals, Docket No. 18397.

1. On June 4, 1969, the Industrial Electronics Division of Electronic Industries Association (EIA) requested the Commission to extend the time for filing comments on Part V of Docket No. 18397 through November 3, 1969. As grounds for this request, EIA stated that it proposed to undertake substantial studies relating to the issues in Part V, which could not be completed within the time then allowed.

2. Since the questions in Part V are pertinent to the issues in Parts III and IV of Docket No. 18397 (see Notice of Proposed Rule Making and Notice of Inquiry, 15 FCC 2d 417, 443), the Commission is desirous of receiving initial comment on Part V at an early date and will adhere to the present August 1, 1969, deadline for comments on Part V. However, in order to obtain the assistance of the proposed EIA studies, it appears that the public interest will be served by extending the time for filing reply comments on Part V through November 3, 1969.

3. *Accordingly, it is ordered*, Pursuant to § 0.289(c)(4) of the Commission's rules and regulations, That the time for filing reply comments on Part V of Docket No. 18397 is extended through November 3, 1969.

Adopted: July 14, 1969.

Released: July 15, 1969.

[SEAL] SOL SCHILDHAUSE,
Chief, CATV Task Force.

[F.R. Doc. 69-8549; Filed, July 18, 1969; 8:47 a.m.]

DEPARTMENT OF THE INTERIOR

National Park Service

[36 CFR Part 7]

GRAND TETON NATIONAL PARK, WYO.

Oversnow Vehicles, Mountain Climbing and Winter Touring

Notice is hereby given that pursuant to the authority contained in section 3 of the act of August 25, 1916 (39 Stat. 535, as amended; 16 U.S.C. 3), the act of September 14, 1950 (64 Stat. 849; 16 U.S.C. 406d-1), 245 DM1 (27 F.R. 6395), as amended, National Park Service Order No. 34 (31 F.R. 4255), as amended, National Park Service Order No. 4 (31 F.R. 5769), as amended, it is proposed to amend § 7.22 of Title 36 of the Code of Federal Regulations as set forth below.

The following proposed amendment supersedes the proposed amendment of 36 CFR 7.22, as set forth in the FEDERAL REGISTER, volume 33 at page 10942. The amendment provides a registration system and sets forth requirements for operation of oversnow vehicles, prohibits solo climbing and provides a registration system for climbing and hiking and winter touring to ensure that visitors pursuing these activities will be cognizant of the hazards they will encounter.

It is the policy of the Department of the Interior to afford the public an opportunity to participate in the rulemaking process. Accordingly, interested persons may submit comments, suggestions, or objections to the Superintendent, Grand Teton National Park, Moose, Wyo. 83012 within 30 days of the publication of this notice in the FEDERAL REGISTER.

Section 7.22 is amended to read as follows:

§ 7.22 **Grand Teton National Park.**

* * * * *

(f) *Oversnow vehicles.* (1) The term "oversnow vehicle" shall include all devices propelled by a motor that are designed for oversnow travel.

(2) Registration of each oversnow vehicle with the Superintendent is required prior to operation in the Park.

(3) An adequate lighting system is required if the vehicle is traveling during darkness.

(4) An adequate propeller guard is required if the vehicle is a snowplane.

(5) Oversnow vehicle use is permitted only in areas designated by the Superintendent, and is not permitted on plowed roads. A map of the designated areas is located in the Superintendent's office.

(6) No person under the age of 16 shall operate an oversnow vehicle without direct supervision of an adult.

(7) Racing, other competitive uses, and operation of an oversnow vehicle in an unsafe manner is prohibited.

(8) Oversnow vehicles used to carry passengers for hire will be deemed commercial, and will be subject to § 3.4 of this chapter.

* * * * *

(h) *Mountain climbing and off-trail hiking.* (1) Solo climbing is prohibited. Registration with the Superintendent is required prior to any climbing or hiking off designated trails west of the Snake River above the 7,000-foot level. The registrant is required to sign in immediately upon return from the climb or hike. All established trails are designated on a map located in the Superintendent's office.

(i) *Winter touring.* (1) The Superintendent may, by posting or official notice, establish on the basis of weather and snow conditions, a winter touring season.

(2) Registration with the Superintendent is required prior to any winter travel using skiis, snowshoes, or other nonmechanical means, away from plowed roads. The registrant is required to sign in immediately upon return from a trip.

(3) Solo winter touring is prohibited.

HOWARD H. CHAPMAN,
Superintendent,
Grand Teton National Park.

[F.R. Doc. 69-8560; Filed, July 18, 1969; 8:48 a.m.]

Notices

DEPARTMENT OF STATE

Agency for International Development

BUREAU FOR EAST ASIA; DIRECTOR, PROCUREMENT MANAGEMENT, AND CHIEF, SERVICES CONTRACTS DIVISION

Redelegation of Authority Regarding Contracting Functions

Pursuant to the authority delegated to me by Delegation of Authority No. 17 from the Administrator, dated June 14, 1962, as amended, I hereby redelegate, for countries or areas within the responsibility of the Assistant Administrator for East Asia, authority to the Director, Office of Procurement Management and the Chief, Services Contracts Division, to sign or approve the following:

(1) Contracts and amendments to contracts, financed in whole or in part by A.I.D., other than contracts exclusively for the supply of commodities, and grants, other than to a foreign government, or agencies of a foreign government;

(2) Letters of Commitment and Notices of Approval for Financing of Cooperating Country Contracts for contracts described in paragraph (1) above;

(3) Amendment or modification (pursuant to Executive Order 11223) involving less than $25,000 of A.I.D.-financed contracts entered into with nonprofit institutions under which no fee is charged or paid, where the amendment or modification is requested by the contractor and does not involve a consideration for the United States: *Provided*, That all such amendments or modifications are requested prior to final payment under the contract.

The authorities herein redelegated may be exercised by a person who is performing the functions of the Director, Office of Procurement Management or the Chief, Services Contracts Division, in an "Acting" capacity. The authorities are to be exercised in accordance with regulations, procedures and policies now or hereafter established or modified and promulgated within A.I.D.

The authorities redelegated herein may not be further redelegated.

The Redelegation of Authority from the Assistant Administrator for East Asia to the Director, Office of Procurement Management and the Chief, Services Contracts Division dated July 16, 1968, is hereby superseded.

This redelegation of authority is effective immediately.

ROBERT H. NOOTER,
Acting Assistant Administrator,
East Asia.

JUNE 26, 1969.

[F.R. Doc. 69-8561; Filed, July 18, 1969; 8:48 a.m.]

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

[Amdt. 1]

GRAINS AND SIMILARLY HANDLED COMMODITIES

Notice of Final Date for Redemption of Warehouse-Storage Loans Made Under 1968 Price Support Programs

The Notice of Final Date for Redemption of Warehouse-Storage Loans Made Under 1968 Price Support Programs, published on April 30, 1969, 34 F.R. 7091, and May 22, 1969, 34 F.R. 8052, is amended to remove the footnote mark from the notice applicable to the extension of the maturity date for 1968 crop corn to delete the word "corn" from footnote 1, so the notice applicable to corn and the footnote now read as follows:

CORN

	Maturity date	Final date for repayment
In all States	July 31, 1969	July 31, 1969

* * * * *

[1] This notice does not apply to loans on barley, grain sorghum, oats, soybeans, and wheat with respect to which producers, prior to the above maturity dates, have given written notice to the ASCS county office through which they obtained such loans that they wish to have such maturity dates extended.

(Secs. 4 and 5, 62 Stat. 1070, as amended; secs. 101, 105, 107, 301, 401, 405, 63 Stat. 1051, as amended; 15 U.S.C. 714 b and c; 7 U.S.C. 1441, 1447, 1421, 1425)

Effective date: Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on July 15, 1969.

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

[F.R. Doc. 69-8555; Filed, July 18, 1969; 8:48 a.m.]

Packers and Stockyards Administration

[P. & S. Docket No. 1246]

ST. LOUIS NATIONAL STOCKYARDS CO.

Notice of Petition for Modification of Rate Order

Pursuant to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), an order was issued on June 26, 1969, continuing in effect to and including June 30, 1971, an order issued on November 16, 1965 (24 A.D. 1482), authorizing the respondent, St. Louis National Stockyards Co., to assess the current temporary schedule of rates and charges.

By a petition filed on June 25, 1969, the respondent requested authority to modify, as soon as possible, the current temporary schedule of rates and charges as indicated below, and requested that the current schedule, as so modified, be continued in effect to and including June 30, 1971.

YARDAGE CHARGES

	Rate per head	
	Present	Proposed
A. Livestock sold or resold in the Commission Division:		
Cattle (except bulls weighing 800 lbs. or over)	$1.30	$1.50
Calves (400 lbs. or under)	.72	.83
Hogs (except boars)	.45	.55
Sheep and goats	.33	.38
Bulls weighing 800 lbs. or over	2.15	2.50
Boars	1.35	1.55
B. Livestock received directly by packers through the yards:		
Cattle (except bulls weighing 800 lbs. or over)	.65	.75
Calves (400 lbs. or under)	.36	.42
Hogs (except boars)	.23	.28
Sheep and goats	.17	.19
Bulls weighing 800 lbs. or over	1.08	1.25
Boars	.68	.78
C. Livestock resold at the yards for local delivery, other than livestock resold in the Commission Division:		
Cattle (except bulls weighing 800 lbs. or over)	.33	.38
Calves	.20	.23
Hogs (except boars)	.11	.15
Sheep and goats	.08	.10
Bulls weighing 800 lbs. or over	.50	.58
Boars	.16	.21
D. Livestock resold at the yards for shipment off the market, other than livestock resold in the Commission Division:		
Cattle (except bulls weighing 800 lbs. or over)	.15	.18
Calves	.10	.12
Hogs (except boars)	.06	.08
Sheep and goats	.05	.06
Bulls weighing 800 lbs. or over	.25	.29
Boars	.08	.10

DELIVERY CHARGES

A. Delivery of hogs from truck unloading chutes to Market Agency Pens. This charge will be assessed against the Market Agency receiving the livestock	$0.05	$0.07

The modifications, if authorized, will produce additional revenue for the respondent and increase the cost of marketing livestock. Accordingly, it appears that this public notice of the filing of the petition and its contents should be given in order that all interested persons may have an opportunity to indicate a desire to be heard in the matter.

All interested persons who desire to be heard in the matter shall notify the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C. 20250, within 10 days after the publication of this notice in the FEDERAL REGISTER.

Done at Washington, D.C., this 16th day of July 1969.

GLENN G. BIERMAN,
Acting Administrator, Packers and Stockyards Administration.

[F.R. Doc. 69-8557; Filed, July 18, 1969; 8:48 a.m.]

DEPARTMENT OF THE TREASURY

Internal Revenue Service

RALPH FRANK WILLIAMS

Notice of Granting of Relief

Notice is hereby given that Ralph Frank Williams, Route No. 8, Box 276B, Charlotte, N.C., has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incured by reason of his conviction on April 5, 1939, in the U.S. District Court for the Middle District of North Carolina, of an offense punishable by imprisonment for a term exceeding 1 year, as defined in 18 U.S.C. 921(a)(20). Unless relief is granted, it will be unlawful for Ralph Frank Williams, because of such conviction, to ship, transport, or receive in interstate or foreign commerce any firearm or ammunition, and he would be prevented under chapter 44, title 18, United States Code, from obtaining a license under that chapter as a firearms or ammunition importer, manufacturer, dealer, or collector. In addition, under title VII of the Omnibus Crime Control and Safe Streets Act of 1968 (82 Stat. 236; 18 U.S.C. Appendix) it would be unlawful for Mr. Williams to receive, possess, or transport in commerce or affecting commerce, a firearm. Notice is hereby further given that I have considered Ralph Frank Williams' application and have found:

(1) The conviction was made upon a charge which did not involve the use of a firearm or other weapon or a violation of chapter 44, title 18, United States Code, or of the National Firearms Act; and

(2) It has been established to my satisfaction that the circumstances regarding the conviction, and the applicant's record and reputation, are such that the applicant will not be likely to act in a manner dangerous to public safety, and that the granting of the requested relief to Ralph Frank Williams from disabilities incurred by reason of his conviction would not be contrary to the public interest.

It is ordered, Pursuant to the authority vested in the Secretary of the Treasury by section 925(c), title 18, United States Code, and delegated to me by the regulations in Title 26, Part 178, Code of Federal Regulations, that Ralph Frank Williams be, and he hereby is, granted relief from any and all disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of the conviction hereinabove described. Signed at Washington, D.C., this 14th day of July, 1969.

[SEAL] RANDOLPH W. THROWER,
Commissioner of Internal Revenue.

[F.R. Doc. 69-8541; Filed, July 18, 1969; 8:47 a.m.]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

ASSISTANT REGIONAL ADMINISTRATOR FOR MODEL CITIES, REGION V (FORT WORTH)

Redelegation of Authority With Respect to Model Cities Program

The Assistant Regional Administrator for Model Cities, Region V (Fort Worth), is hereby authorized to exercise the power and authority of the Secretary of Housing and Urban Development to the extent redelegated to the Regional Administrator and to the Deputy Regional Adminstrator in section A of the redelegations of authority by the Assistant Secretary for Model Cities and Governmental Relations effective November 27, 1967 (32 F.R. 17496, Dec. 6, 1967), as amended effective April 29, 1968 (33 F.R. 14733, Oct. 2, 1968), with respect to the Model Cities Program under title I of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3301–3313), including the authority to authorize waiver of Part II, Article III, section 303(B) of the planning grant contract in respect to payment of the ten (10) percent withheld from the Federal grant amount for satisfactory completion of the planning phase, excepting, however, the authority to authorize waivers of other contract provisions.

This redelegation supersedes the redelegation effective August 28, 1968 (33 F.R. 12149, Aug. 28, 1968).

(Redelegations of Authority by Assistant Secretary for Model Cities and Governmental Relations effective Nov. 27, 1967 (32 F.R. 17496, Dec. 6, 1967), as amended effective Apr. 29, 1968 (33 F.R. 14733, Oct. 2, 1968))

Effective date. This redelegation of authority shall be effective as of July 19, 1969.

W. W. COLLINS,
Regional Administrator, Region V.

[F.R. Doc. 69-8536; Filed, July 18, 1969; 8:46 a.m.]

ACTING REGIONAL ADMINISTRATOR ET AL., REGION V (FORT WORTH)

Designations

The designations of officers authorized to serve as Acting Assistant Regional Administrators in Region V (33 F.R. 18305, Dec. 10, 1968, as amended at 34 F.R. 6708, Apr. 19, 1969) are hereby amended under section B by the addition of paragraph 8, to read as follows:

8. Acting Assistant Regional Administrator for Equal Opportunity:

a. Deputy Assistant Regional Administrator for Equal Opportunity.

b. Director, Equal Employment Opportunity Division, Equal Opportunity Office.

c. Director, Program Services and Review Division, Equal Opportunity Office.

d. Chief, Reports and Control Branch, Equal Opportunity Office.

(Delegation effective May 4, 1962, 27 F.R. 4319; Dept. Interim Order II, 31 F.R. 815, Jan. 21, 1966)

Effective date. This amendment of designations is effective as of May 8, 1969.

W. W. COLLINS,
Regional Administrator, Region V (Fort Worth).

[F.R. Doc. 69-8537; Filed, July 18, 1969; 8:46 a.m.]

ACTING REGIONAL ADMINISTRATOR, REGION I (NEW YORK)

Designation

The officers appointed to the following listed positions in Region I (New York) are hereby designated to serve as Acting Regional Administrator, Region I (New York), during the absence of the Regional Administrator, with all the powers, functions, and duties redelegated or assigned to the Regional Administrator: *Provided*, That no officer is authorized to serve as Acting Regional Administrator unless all other officers whose titles precede his in this designation are unable to serve by reason of absence:

1. Deputy Regional Administrator.
2. Assistant Regional Administrator for Renewal Assistance.
3. Assistant Regional Administrator for Housing Assistance.
4. Assistant Regional Administrator for Metropolitan Development.

This designation supersedes the designation effective August 4, 1967 (32 F.R. 11359, Aug. 4, 1967).

(Delegation May 4, 1962, 27 F.R. 4319; Dept. Interim Order II, 31 F.R. 815, Jan. 21, 1966)

Effective as of July 2, 1969.

ANNE M. ROBERTS,
Acting Regional Administrator, Region I.

[F.R. Doc. 69-8538; Filed, July 18, 1969; 8:46 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-344]

PORTLAND GENERAL ELECTRIC CO.

Notice of Receipt of Application for Construction Permit and Facility License

Portland General Electric Co., 621 Southwest Alder Street, Portland, Oreg., pursuant to section 104(b) of the Atomic Energy Act of 1954, as amended, has filed an application, dated June 25, 1969, for authorization to construct and operate a pressurized water nuclear reactor at the applicant's Trojan Nuclear Plantsite.

The 623-acre site is located on the west bank of the Columbia River in Columbia County, Oreg. The site is approximately 31 miles north of Portland, Oreg., 4 miles south-southeast of Ranier, Oreg., and 3 miles northwest of Kalama, Wash.

The proposed reactor, designated as the Trojan Nuclear Plant, is designed for initial operation at approximately 3,423 thermal megawatts with a net electrical output of approximately 1,106 megawatts.

A copy of the application is available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C.

Dated at Bethesda, Md., this 14th day of July 1969.

For the Atomic Energy Commission.

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

[F.R. Doc. 69-8524; Filed, July 18, 1969; 8:45 a.m.]

[Docket No. 50-72]

UNIVERSITY OF UTAH

Notice of Issuance of Amendment to Facility License

No request for a hearing or petition for leave to intervene having been filed following publication of the notice of proposed action in the FEDERAL REGISTER on June 28, 1969 (34 F.R. 10010), the Atomic Energy Commission has issued, in the form set forth in that notice, Amendment No. 7 to Facility License No. R-25 to the University of Utah at Salt Lake City, Utah.

The amendment, which is effective as of the date of issuance, authorizes the university to operate its Model AGN-201, Serial No. 107, nuclear reactor, located on the university's campus in Salt Lake City, at increased power levels up to a maximum of 5 watts and redesignates the reactor as a Model AGN-201M.

Dated at Bethesda, Md., this 15th day of July 1969.

For the Atomic Energy Commission.

DUDLEY THOMPSON,
Acting Assistant Director for Reactor Operations, Division of Reactor Licensing.

[F.R. Doc. 69-8525; Filed, July 18, 1969; 8:45 a.m.]

FEDERAL HOME LOAN BANK BOARD

[H.C. No. 28]

H. F. AHMANSON & CO.

Notice of Receipt of Application for Permission To Acquire Control of Guarantee Savings and Loan Association of Livermore Valley

JULY 16, 1969.

Notice is hereby given that the Federal Savings and Loan Insurance Corporation has received an application from the H. F. Ahmanson & Co., Los Angeles, Calif., a registered savings and loan holding company for approval of the latter corporation's acquisition of control of the Guarantee Savings and Loan Association of Livermore Valley, Livermore, Calif., an insured institution, under the provisions of section 408(e) of the National Housing Act, as amended (12 U.S.C. 1730(a)), and § 584.4 of the rules and regulations for Savings and Loan Holding Companies, said acquisition to be effected by the purchase of stock of Guarantee Savings and Loan Association of Livermore Valley by Home Savings and Loan Association, a subsidiary of H. F. Ahmanson & Co., from Savings Financial, which owns 98.9 percent of the stock of Guarantee Savings and Loan Association of Livermore Valley, followed by the transfer of substantially all of the assets of said Guarantee Savings and Loan Association of Livermore Valley to said Home Savings and Loan Association. Comments on the proposed acquisition should be submitted to the Director, Office of Examinations and Supervision, Federal Home Loan Bank Board, Washington, D.C. 20552, within 30 days of the date this notice appears in the FEDERAL REGISTER.

[SEAL] JACK CARTER,
Secretary,
Federal Home Loan Bank Board.

[F.R. Doc. 69-8526; Filed, July 18, 1969; 8:46 a.m.]

SECURITIES AND EXCHANGE COMMISSION

INTERCONTINENTAL INDUSTRIES, INC.

Order Suspending Trading

JULY 15, 1969.

The common stock, $1 par value, of Intercontinental Industries, Inc. (a Nevada corporation, being listed and registered on the American Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of Intercontinental Industries, Inc., being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to sections 15 15(c)(5) and 19(a)(4) of the Securities Exchange Act of 1934, that trading in such securities on the American Stock Exchange and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period July 16, 1969, through July 25, 1969, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 69-8527; Filed, July 18, 1969; 8:46 a.m.]

[Files Nos. 7-3154—3156]

OCCIDENTAL PETROLEUM CORP.

Notice of Applications for Unlisted Trading Privileges and of Opportunity for Hearing

JULY 15, 1969.

In the matter of applications of the Philadelphia - Baltimore - Washington Stock Exchange for unlisted trading privileges in certain securities.

The above-named national securities exchange has filed applications with Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the preferred stocks of the following companies, which securities are listed and registered on one or more other national securities exchanges:

	File No.
Occidental Petroleum Corp., $2.16 convertible preferred stock, $1 par value	7-3154
Occidental Petroleum Corp., $3.60 convertible preferred stock, $1 par value	7-3155
Occidental Petroleum Corp., $4 convertible preferred stock, $1 par value	7-3156

Upon receipt of a request, on or before July 30, 1969, from any interested person, the Commission will determine whether the application with respect to any of the companies named shall be set down for hearing. Any such request should state briefly the title of the security in which he is interested, the nature of the interest of the person making the request, and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on any of the said applications by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington 25, D.C., not later than the date specified. If no one requests a hearing with respect to any particular application, such application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 69-8528; Filed, July 18, 1969; 8:46 a.m.]

RAJAC INDUSTRIES, INC.

Order Suspending Trading

JULY 15, 1969.

It appearing to the Securities and Exchange Commission that the summary suspension of trading otherwise than on a national securities exchange in the common stock and all other securities of Rajac Industries, Inc., a New York corporation, is required in the public

interest and for the protection of investors;

It is ordered, Pursuant to section 15 (c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period July 16, 1969, through July 25, 1969, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 69-8529; Filed, July 18, 1969; 8:46 a.m.]

[Files Nos. 7-3157, 7-3158]

SEEMAN BROS., INC., AND WILSHIRE OIL CO. OF TEXAS

Notice of Applications for Unlisted Trading Privileges and of Opportunity for Hearing

JULY 15, 1969.

In the matter of applications of the Philadelphia - Baltimore - Washington Stock Exchange for unlisted trading privileges in certain securities.

The above-named national securities exchange has filed applications with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the common stocks of the following companies, which securities are listed and registered on one or more other national securities exchanges:

	File No.
Seeman Bros., Inc.	7-3157
Wilshire Oil Co. of Texas	7-3158

Upon receipt of a request, on or before July 30, 1969, from any interested person, the Commisison will determine whether the application with respect to any of the companies named shall be set down for hearing. Any such request should state briefly the title of the security in which he is interested, the nature of the interest of the person making the request, and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on any of the said applications by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington 25, D.C., not later than the date specified. If no one requests a hearing with respect to any particular application, such application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 69-8530; Filed, July 18, 1969; 8:46 a.m.]

[812-2327]

TL MANAGEMENT, INC.

Notice of Filing of Application

JULY 15, 1969.

Notice is hereby given that TL Management, Inc. ("applicant"), One Chase Manhattan Plaza, Suite 5810, New York, N.Y. 10005, a Delaware corporation, has filed an application pursuant to section 3(b)(2) of the Investment Company Act of 1940 ("Act") for an order of the Commission finding and declaring that applicant is primarily engaged, through a controlled company, in a business other than that of investing, reinvesting, owning, holding, or trading in securities and for an order pursuant to section 6(c) of the Act exempting applicant, until entry by the Commission of an order disposing of said application, from the provisions of section 7 of the Act, subject to certain conditions set forth below. 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.

Applicant owns 600,000 shares (29 percent) of the outstanding capital stock of Travelodge Corp. ("Travelodge"), a California corporation. Such shares represent substantially all of applicant's total assets and are investment securities, as defined in section 3 of the Act. Section 3(a)(3) of the Act defines as an investment company any issuer which is engaged, or proposes to engage, in the business of investing, reinvesting, owning, holding, or trading in securities, and owns or proposes to acquire investment securities having a value exceeding 40 percent of the value of such issuer's total assets (exclusive of Government securities and cash items) on an unconsolidated basis. Section 3(b)(2) provides that any issuer which the Commission finds and by order declares to be primarily engaged in a business or businesses other than that of investing, reinvesting, owning, holding, or trading in securities either directly or (A) through majority-owned subsidiaries or (B) through controlled companies conducting similar types of businesses, is not an investment company.

Section 6(c) of the Act, as here pertinent, provides that the Commission may, by order upon application, conditionally or unconditionally exempt any person from any provision or provisions of the Act if 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.

Applicant is a close corporation under section 342 of the Delaware Corporation Law. As such, all of its issued stock must be held by not more than 30 persons and it may make no public offering of its stock. Applicant was organized at the instance of Travelodge Australia Ltd. ("Limited") and Trust Houses Group Ltd. ("Trust Houses"). Limited and Trust Houses have acquired an aggregate of approximately 51 percent of the capital stock of applicant. An additional 12.6 percent of such stock is owned by Western International Hotels Co. ("Western"), a Washington corporation. The balance of applicant's capital stock is held by six stockholders. Limited (formerly named Motels of Australia, Ltd.) operates more than 60 motels or hotels in Australia. Trust Houses operates more than 100 in the United Kingdom and a subsidiary controls its operations in Spain, Portugal, and the Caribbean area; in the Pacific area it operates jointly with Limited. Western operates over 50 hotels and motels, including 20 in the United States and others in Canada, Guatemala, Hong Kong, Japan, Mexico, and Venezuela. Western has over 1,000 shareholders, most of whom are in the United States. Less than 1 percent of the outstanding securities of each of Limited or Trust Houses is known to be owned in the United States.

Travelodge is engaged as a joint venturer in the ownership and operation of over 350 motels located throughout the United States. Applicant acquired its 29 percent interest in Travelodge from the former chairman of the board of directors of Travelodge, who was the founder of the company, and from his wife. Applicant is the largest stockholder of Travelodge; no other stockholder will hold as much as 7 percent of its outstanding stock. The board of directors of Travelodge consists of nine persons, of which five are nominees of applicant. The president of applicant, who is chairman of the board of Limited, is also chairman of the board of Travelodge. He and two vice presidents of applicant will be active in the management of Travelodge.

The objective of the formation of applicant and the acquisition of its interest in Travelodge is the creation of a medium to provide on a worldwide basis uniform accommodations under the name "Travelodge." The plan brings together the operations of Limited, Trust Houses, Western, and Travelodge. It is intended that others will be invited to joint the system, under which Applicant will license independent operators to use the name of the group and its booking facilities and will provide specialized management services to the international and national accommodation industry. Applicant may also engage in operations on its own account. Applicant has no intention of acquiring any securities other than shares of Travelodge. It expects to acquire additional shares of Travelodge as they become available and financing arrangements are made.

Section 3(b)(2) of the Act exempted applicant from the provisions of the Act, applicable to an investment company as such, for a period of 60 days from the filing of the application. In requesting an exemption from the prohibitions of section 7 of the Act from the end of such 60-day period until the entry of an order of the Commission with respect to its application, applicant agrees that the granting of such exemption may be made subject to the condition that applicant,

and other persons in their transactions and relations with applicant, shall, pursuant to section 6(e) of the Act, be subject to all other provisions of the Act, and the rules and regulations of the Commission thereunder, as though applicant were a registered investment company, with the exception of the following: Sections 8; 10(a); 17 (f), (g), and (h); 20(a); 30; and 31.

Notice is further given that any interested person may, not later than July 29, 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 applicant at the address set forth 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 under the Act, an order disposing of the application may be issued upon the basis of the information stated in said application, unless an order for hearing 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. 69-8531; Filed, July 18, 1969; 8:46 a.m.]

DEPARTMENT OF LABOR

Wage and Hour Division

CERTIFICATES AUTHORIZING EMPLOYMENT OF LEARNERS AT SPECIAL MINIMUM WAGES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 29 U.S.C. 201 et seq.) and Administrative Order No. 595 (31 F.R. 12981) the firms listed in this notice have been issued special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates otherwise applicable under section 6 of the act. For each certificate, the effective and expiration dates, number or proportion of learners and the principal product manufactured by the establishment are as indicated. Conditions on occupations, wage rates, and learning periods which are provided in certificates issued under the supplemental industry regulations cited in the captions below are as established in those regulations; such conditions in certificates not issued under the supplemental industry regulations are as listed.

Apparel Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended and 29 CFR 522.20 to 522.25, as amended).

The following normal labor turnover certificates authorize 10 percent of the total number of factory production workers except as otherwise indicated.

Aalfs Manufacturing Co., Spencer, Iowa; 5-18-69 to 5-17-70; 10 learners (men's jeans).

Aalfs Manufacturing Co., Storm Lake, Iowa; 6-5-69 to 6-4-70; 10 learners (boys' jeans).

Altamont Shirt Corp., Altamont, Tenn.; 6-18-69 to 6-17-70 (men's and boys' sport and dress shirts and women's and girls' blouses).

Angelica Uniform Co., Winfield, Mo.; 6-25-69 to 6-24-70; 10 learners (men's washable service coats).

Barad & Co., Salem, Mo.; 6-3-69 to 6-2-70 (women's sleepwear).

Barco of Utah, Kanab, Utah; 6-18-69 to 6-17-70; 10 learners (nurses uniforms and doctors' jackets).

Bee & Gee Pants Manufacturing Co., Inc., Dickson City, Pa.; 5-15-69 to 5-14-70 (men's and boys' trousers).

Michael Berkowitz Co., Inc., Confluence, Pa.; 5-29-69 to 5-28-70; 10 learners (ladies' pajamas).

Blue Bell, Inc., Seminole, Okla.; 5-17-69 to 5-16-70 (men's denim pants).

Brunswick Manufacturing Co., Brunswick, Ga.; 5-20-69 to 5-19-70 (children's and ladies' car coats and zipper jackets).

Cal-Crest Outerwear, Inc., Murphysboro, Ill.; 6-9-69 to 6-8-70 (men's and boys' jackets).

Carolina Girls Wear, Inc., St. George, S.C.; 6-18-69 to 6-17-70 (children's dresses).

Carwood Manufacturing Co., Cornelia, Ga.; 5-26-69 to 5-25-70 (men's combat tropical coats).

Central Apparel Corp., Danville, Va.; 7-2-69 to 7-1-70 (children's pants).

Crane Manufacturing Co., Crane, Mo.; 6-5-69 to 6-4-70 (men's and boys' jeans and Army combat trousers).

Crane Manufacturing Co., Republic, Mo.; 6-5-69 to 6-4-70; 10 learners (men's and boys' trousers).

Decaturville Sportswear Co., Inc., Decaturville, Tenn.; 5-30-69 to 5-29-70 (ladies' sportswear).

E. & B. Dress Manufacturing Co., Inc., Simpson, Pa.; 6-9-69 to 6-8-70; 2 learners (women's dresses).

Eagle Pass Manufacturing Co., Eagle Pass, Tex.; 6-4-69 to 6-3-70 (jeans).

Freeland Manufacturing Co., Freeland, Pa.; 6-19-69 to 6-18-70 (men's and boys' sport jackets and men's work clothing).

Freeland Sportswear Co., Inc., Freeland, Pa.; 5-27-69 to 5-26-70 (men's outerwear jackets).

Garan Inc., Adamsville, Tenn.; 5-21-69 to 5-20-70 (men's and boys' sport shirts).

Hamburg Short Corp., Hamburg, Ark.; 5-26-69 to 5-25-70 (boys' shirts).

Hy-Grade Pants Co., Inc., Taylor, Pa.; 6-12-69 to 6-11-70 (men's and boys' pants).

Imperial Reading Corp., La Follette, Tenn.; 5-17-69 to 5-16-70 (men's dress shirts).

Jo-Jac Shirt Co., Inc., Pulaski, Tenn.; 7-3-69 to 7-2-70 (boys' sport shirts).

Karalee, Inc., Sharpsburg, N.C.; 5-26-69 to 5-25-70; 10 learners (ladies' shifts and cotton blouses).

Lad 'N Dad Slacks, Inc., No. 2, Ashburn, Ga.; 6-10-69 to 6-9-70 (boys' and men's dress trousers).

Lavonia Industries, Inc., Lavonia, Ga.; 5-18-69 to 5-17-70 (women's dresses).

Leco Manufacturing Corp., Mountain City, Tenn.; 6-4-69 to 6-3-70 (ladies' and children's nightgowns and pajamas).

Louisburg Sportswear Co., Louisburg, N.C.; 6-13-69 to 6-12-70 (men's and boys' knitted shirts).

Louisiana Industrial Garment Manufacturing Co., Gonzales, La.; 6-12-69 to 6-11-70 (men's dress and work pants).

Lynn Manufacturing Co., Johnston, S.C.; 6-16-69 to 6-15-70 (women's dresses).

Lyons Manufacturing Co., Inc., Lyons, Ga.; 5-18-69 to 5-17-70 (men's and boys' shirts and ladies' blouses).

Martin Manufacturing Co., Inc., Martin, Tenn.; 6-2-69 to 6-1-70 (men's shirts).

Martin Manufacturing Co., Inc., Ramer, Tenn.; 5-19-69 to 5-18-70 (men's and boys' outerwear).

McCreary Manufacturing Co., Inc., Stearns, Ky.; 6-26-69 to 6-25-70 (men's dress shirts).

Meadow Sportswear, Inc., Okolona, Miss.; 5-23-69 to 5-22-70 (men's dress slacks).

Mode O'Day Co., Salt Lake City, Utah; 6-3-69 to 6-2-70 (women's and children's dresses).

Monroe Manufacturing Co., Newark, N.J.; 6-10-69 to 6-9-70; 4 learners (men's and boys' outerwear jackets).

The Newton Co., Newton, Miss.; 5-17-69 to 5-16-70 (men's and ladies' slacks).

Norris Manufacturing Co., Taylors, S.C.; 5-19-69 to 5-18-70 (men's and boys' sport and dress shirts and ladies' blouses).

Opp Textiles, Inc., Opp, Ala.; 5-18-69 to 5-17-70 (hunting clothing).

Paducah Shirt Co., Inc., Paducah, Ky.; 6-21-69 to 6-20-70 (boys' knit shirts).

Paramount Sportswear Corp., Fall River, Mass.; 5-25-69 to 5-24-70; 10 learners (children's clothing).

Pelham Industrial Garment Manufacturing Co., Pelham, Ga.; 5-26-69 to 5-25-70; 10 learners (men's shop coats).

Piedmont Shirt Co., Greenville, S.C.; 5-25-69 to 5-24-70 (men's and boys' sport and dress shirts).

Putnam Manufacturing Co., Cookeville, Tenn.; 5-16-69 to 5-15-70 (men's work pants).

Raritan Sportswear Co., Perth Amboy, N.J.; 5-17-69 to 5-16-70; 5 learners (men's and boys' outerwear sports jackets).

Reed Manufacturing Co., Tupelo, Miss.; 5-22-69 to 5-21-70 (men's work pants, slacks, shirts, and boys' dungarees).

Renmar Manufacturing Corp., Parkersburg, W. Va.; 6-10-69 to 6-9-70 (infants', juniors', and preteen clothing playwear).

Roman's Inc., Scranton, Pa.; 6-9-69 to 6-8-70; 10 learners (men's ladies', and boys' casual jackets).

Fred Ronald Manufacturing Co., Parsons, Kans.; 5-20-69 to 5-19-70 (boys' slacks).

Scranton Pants Manufacturing Co., Scranton, Pa.; 5-23-69 to 5-22-70 (men's dress pants).

Henry I. Siegel Co., Inc., Johnson City, Tenn.; 6-13-69 to 6-12-70 (men's and boys' single pants).

Spencer California, Tehachapi, Calif.; 6-20-69 to 6-19-70; 6 learners (children's jumpers and shifts, pajamas, and nightgowns).

Stone Manufacturing Co., Greenville, S.C.; 5-27-69 to 5-26-70 (ladies' and children's playwear, blouses, slips, and sleepwear).

Levi Strauss & Co., Valdosta, Ga; 6-24-69 to 6-23-70 (men's and boys' pants).

Sweet-Orr & Co., Inc., Dawsonville, Ga.; 5-28-69 to 5-27-70 (boys' uniform shirts).

Tucumcari Industries, Tucumcari, N. Mex.; 6-10-69 to 6-9-70; 10 learners (ladies', girls', men's and boys' outerwear jackets).

Van Heusen Co., Des Arc, Ark.; 6-7-69 to 6-6-70 (men's dress shirts).

Van Heusen Corp., Patton, Pa.; 6-10-69 to 6-9-70 (men's dress and sport shirts).

E. Weinshel & Bro. Co., Milwaukee, Wis.; 6-13-69 to 6-12-70; 10 learners (poplin jackets and suburban coats).

J. M. Wood Manufacturing Co., Inc., Waco, Tex.; 5-18-69 to 5-17-70 (men's work clothes and boys' jeans and casual pants).

The following plant expansion certificates were issued authorizing the number of learners indicated.

Barad & Co., Salem, Mo.; 6-18-69 to 12-17-69; 25 learners (ladies' sleepwear).

Michael Berkowitz Co., Inc., Confluence, Pa.; 5-29-69 to 11-28-69; 25 learners (ladies' pajamas).

Big River Manufacturing Co., Kittanning, Pa.; 6-16-69 to 12-15-69; 50 learners (boys' knit shirts and nylon jackets).

Cal-Ute Corp., Deseret, Utah; 5-26-69 to 11-25-69; 50 learners (men's outerwear jackets).

Collinwood Manufacturing Co., Collinwood, Tenn.; 5-22-69 to 11-21-69; 65 learners (women's and men's washable service apparel).

F. Jacobson & Sons, Inc., Middlesboro, Ky.; 5-26-69 to 11-25-69; 15 learners (men's shirts).

Lynn Manufacturing Co., Johnston, S.C.; 6-16-69 to 12-15-69; 100 learners (women's dresses).

ReView Apparel, Inc., Fillmore, Utah; 6-16-69 to 10-20-69; 40 additional learners (ladies' dresses and jackets) (supplemental certificate).

Rogin, Inc., Winder, Ga.; 6-6-69 to 12-5-69; 10 learners (men's dress pants).

Tri County Shirt Co., Salem, Ark.; 6-2-69 to 12-1-69; 50 learners (white dress shirts).

Tucumcari Industries, Tucumcari, N. Mex.; 6-10-69 to 12-9-69; 15 learners (ladies', girls', men's and boys' outerwear jackets).

Vernal Sportswear, Inc., Vernal, Utah; 6-20-69 to 12-19-69; 12 learners (children's and ladies' blouses, pants, and swimsuits).

Glove Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended and 29 CFR 522.60 to 522.65, as amended).

N. Churchill Manufacturing Co., Inc., Centralia, Wash.; 5-25-69 to 5-24-70; 10 learners for normal labor turnover purposes (men's work gloves).

Jasper Glove Co., Inc., Jasper, Ind.; 5-28-69 to 5-27-70; 10 learners for normal labor turnover purposes (work gloves).

Jasper Glove Co., Inc., Jasper, Ind.; 5-16-69 to 11-15-69; 20 learners for plant expansion purposes (work gloves).

Piedmont Glove Manufacturing Corp., Gaffney, S.C.; 6-14-69 to 6-13-70; 10 learners for normal labor turnover purposes (cotton and leather work gloves).

Wells Lamont Corp., Philadelphia, Miss.; 5-24-69 to 5-23-70; 10 percent of the total number of machine stitchers for normal labor turnover purposes (work gloves).

Hosiery Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended and 29 CFR 522.40 to 522.43, as amended).

Elizabeth City Hosiery Mills, Elizabeth City, N.C.; 5-26-69 to 11-25-69; 20 learners for plant expansion purposes (ladies' nylon hosiery).

Monroe Industries, Inc., Tellico Plains, Tenn.; 6-15-69 to 6-14-70; 5 percent of the total number of factory production workers for normal labor turnover purposes (women's and girls' panty hose).

Monroe Industries, Inc., Tellico Plains, Tenn.; 6-15-69 to 12-14-69; 50 learners for plant expansion purposes (women's and girls' panty hose).

W. Y. Shugart & Sons, Inc., Fort Payne, Ala.; 6-4-69 to 6-3-70; 5 percent of the total number of factory production workers for normal labor turnover purposes (infants' and children's seamless).

Knitted Wear Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended and 29 CFR 522.30 to 522.35, as amended).

Indiana Fabrics, Inc., Knox, Ind.; 5-26-69 to 5-25-70; 5 learners for normal labor turnover purposes (knitted terrycloth).

J. E. Morgan Knitting Mills, Inc., Tamaqua, Pa.; 6-11-69 to 6-10-70; 5 percent of the total number of factory production workers for normal labor turnover purposes (men's and boys' underwear and crib blankets and infants' garments).

Mullins Textile Mills, Mullins, S.C.; 6-17-69 to 6-16-70; 5 percent of the total number of factory production workers for normal labor turnover purposes (men's and boys' knitted underwear and sportswear).

Reidler Knitting Mills, Inc., Hazleton, Pa.; 5-29-69 to 5-28-70; 5 percent of the total number of factory production workers for normal labor turnover purposes (men's, women's and children's cotton knit underwear).

Sylvester Textile Corp., Sylvester, Ga.; 5-23-69 to 11-22-69; 30 learners for plant expansion purposes (ladies' lingerie and sleepwear).

Regulations Applicable to the Employment of Learners (29 CFR 522.1 to 522.9, as amended).

The following learner certificates were issued in Puerto Rico to the companies hereinafter named. The effective and expiration dates, learner rates, occupations, learning periods, and the number of learners authorized to be employed, are indicated.

Laric Manufacturing Corp., Luquillo, P.R.; 4-28-69 to 10-27-69; 10 learners for plant expansion purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of $1.21 an hour (ladies' lingerie).

Meyers & Son Manufacturing Co., of Puerto Rico, Inc., Cidra, P.R.; 6-9-69 to 6-8-70; 5 learners for normal labor turnover purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of $1.06 an hour (coveralls).

Randy Knitting Mills, Inc., Quebradillas, P.R.; 5-19-69 to 5-18-70; 5 learners for normal labor turnover purposes in the occupations of (1) Sweater knitting, for a learning period of 480 hours at the rates of $1.17 an hour for the first 240 hours and $1.24 an hour for the remaining 240 hours; and (2) Machine stitching-seaming and hand sewing for a learning period of 320 hours at the rates of $1.17 an hour for the first 160 hours and $1.34 an hour for the remaining 160 hours (full fashioned sweaters).

Randy Knitting Mills, Inc., Quebradillas, P.R.; 5-19-69 to 11-18-69; 10 learners for plant expansion purposes in the occupations of (1) Sweater knitting, for a learning period of 480 hours at the rates of $1.17 an hour for the first 240 hours and $1.34 an hour for the remaining 240 hours; and (2) Machine stitching-seaming and hand sewing for a learning period of 320 hours at the rates of $1.17 an hour for the first 160 hours and $1.34 an hour for the remaining 160 hours (full fashioned sweaters).

The following student-worker certificates were issued pursuant to the regulations applicable to the employment of student-workers (29 CFR 527.1 to 527.9). The effective and expiration dates, occupations, wage rates, number of student-workers, and learning periods for the certificates issued under Part 527 are as indicated below.

Garfield Business Institute, Beaver Falls, Pa.; 5-29-69 to 5-28-70; authorizing the employment of 10 student-workers in the clerical industry in the occupations of secretary, stenographer, and general clerk for a learning period of 1,000 hours at the rates of $1.20 an hour for the first 500 hours and $1.30 an hour for the remaining 500 hours.

New Castle Business College, New Castle, Pa.; 5-29-69 to 5-28-70; authorizing the employment of 30 student-workers in the clerical industry in the occupations of secretary, stenographer, and general clerk for a learning period of 1,000 hours at the rates of $1.20 an hour for the first 500 hours and $1.30 an hour for the remaining 500 hours.

The student-worker certificates were issued upon the applicant's representations and supporting materials fulfilling the statutory requirements for the issuance of such certificates, as interpreted and applied by Part 527.

Each learner certificate has been issued upon the representations of the employer which, among other things, were that employment of learners at special minimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within 15 days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of 29 CFR 522.9. The certificates may be annulled or withdrawn, as indicated therein, in the manner provided in 29 CFR Part 528.

Signed at Washington, D.C., this 14th day of July 1969.

ROBERT G. GRONEWALD,
Authorized Representative of the Administrator.

[F.R. Doc. 69-8520; Filed, July 18, 1969; 8:45 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

JULY 16, 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. 41692—*Crude petroleum to Harrison (Newark), N.J.* Filed by Southwestern Freight Bureau, agent (No. B-47), for interested rail carriers. Rates on crude petroleum, suitable only for mixing, blending, and/or refining, in tank

carloads, as described in the application, from specified points in southwestern and midcontinent territories, to Harrison (Newark), N.J.

Grounds for relief—Market competition.

Tariff—Supplement 167 to Southwestern Freight Bureau, agent, tariff I.C.C. 4530.

FSA No. 41693—*Petroleum cyclohexane from, to, and between points in southwestern and midcontinent territories.* Filed by Southwestern Freight Bureau, agent (No. B-49), for interested rail carriers. Rates on petroleum cyclohexane, not pure, in tank carloads, as described in the application, from, to, and between points in southwestern and midcontinent territories.

Grounds for relief—Carrier competition and rate relationship.

Tariffs—Supplement 51 to Southwestern Freight Bureau, agent, tariff ICC 4714, and six other schedules named in the application.

FSA No. 41694—*Bituminous coal to Michigan City, Ind.* Filed by Illinois Freight Association, agent (No. 345), for interested rail carriers. Rates on bituminous coal, in carloads, as described in the application, from mines in southern Illinois, to Michigan City, Ind.

Grounds for relief—Market competition with Indiana mines, and competition with gas as a fuel.

Tariff—Supplement 25 to Illinois Freight Association, agent, tariff ICC 1157.

By the Commission.

[SEAL] ANDREW ANTHONY, Jr.,
Acting Secretary.

[F.R. Doc. 69-8542; Filed, July 18, 1969; 8:47 a.m.]

[No. 35130]

ILLINOIS CENTRAL RAILROAD CO. ET AL.

Applicable Tariff Provisions Regarding Freight Charges on New Empty Tank Cars

JULY 7, 1969.

Notice is hereby given that petitioners, Illinois Central Railroad Co., Louisville & Nashville Railroad Co., Penn Central Co., and Southern Railway System, have filed a petition with the Interstate Commerce Commission praying that the Commission enter a declaratory order, as authorized by section 554(e) [1] of the Administrative Procedure Act, to determine the controversy discussed hereinbelow.

The question to be determined in this proceeding is whether a tank car is an article of freight, subject to freight charges, or an instrumentality of transportation to be credited with mileage for equalization purposes, under the following circumstances.

(a) A new tank car being moved on its own wheels from the point at which the construction of the car was started to the point at which construction will be completed by installation of rubber linings, or installation or addition of some other part that will become an integral part of the car, where both points are published in the Official Railway Equipment Register as "home points" of the car owner; and

(b) A new tank car being moved on its own wheels from the point at which construction of the car was completed (which is listed in the Official Railway Equipment Register as a "home point" of the car owner) to the point at which, it is anticipated, the car will be loaded for the first time.

The petitioners contend that, in both instances, freight charges apply.

Any persons interested in any of the matters in the petition may, on or before 30 days from the publication of this notice in the FEDERAL REGISTER, file replies to the petition, supporting or opposing the determination sought. An original and 15 copies of such replies must be filed with the Commission and must show service of two copies each upon the following attorneys representing petitioners herein, namely: Mr. John H. Doeringer, Illinois Central, 135 East 11th Place, Chicago, Ill. 60605; Mr. Roy L. Sherman, Louisville & Nashville, 908 West Broadway, Louisville, Ky. 40201; Mr. Paul R. Duke, Penn Central, 6 Penn Center Plaza, Philadelphia, Pa. 19104; and Mr. Duncan B. Phillips, Southern Railway, Post Office Box 1808, Washington, D.C. 20013. Thereafter the Commission will proceed to render its decision in this matter, including the observance of any additional requirements that appear warranted to assure due process of law.

Notice pursuant to statutory requirements of the filing of this petition will be given by publication hereof in the FEDERAL REGISTER.

[SEAL] ANDREW ANTHONY, Jr.,
Acting Secretary.

[F.R. Doc. 69-8543; Filed, July 18, 1969; 8:47 a.m.]

[S.O. 994; ICC Order 30]

CHICAGO, ROCK ISLAND AND PACIFIC RAILROAD CO.

Rerouting or Diversion of Traffic

In the opinion of N. Thomas Harris, agent, the Chicago, Rock Island and Pacific Railroad Co. is unable to transport traffic over its line into Pipestone, Minn., because of track damage.

It is ordered, That:

(a) The Chicago, Rock Island and Pacific Railroad Co., being unable to transport traffic over its line into Pipestone, Minn., because of track damage, that line and its connections are hereby authorized to reroute or divert such traffic over any available route to expedite the movement.

(b) Concurrence of receiving road to be obtained: The Chicago, Rock Island and Pacific Railroad Co. shall receive the concurrence of other railroads to which such traffic is to be diverted or rerouted before the rerouting or diversion is ordered.

(c) Notification to shippers: Each carrier rerouting cars in accordance with this order shall notify each shipper at the time each car is rerouted or diverted and shall furnish to such shipper the new routing provided under this order.

(d) Inasmuch as the diversion or rerouting of traffic by said agent is deemed to be due to carrier's disability, the rates applicable to traffic diverted or rerouted by said agent shall be the rates which were applicable at the time of shipment on the shipments as originally routed.

(e) In executing the directions of the Commission and of such agent provided for in this order, the common carriers involved shall proceed even though no contracts, agreements, or arrangements now exist between them with reference to the divisions of the rates of transportation applicable to said traffic; divisions shall be, during the time this order remains in force, those voluntarily agreed upon by and between said carriers; or upon failure of the carriers to so agree, said divisions shall be those hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act.

(f) Effective date: This order shall become effective at 11 a.m., July 15, 1969.

(g) Expiration date: This order shall expire at 11:59 p.m., August 31, 1969, unless otherwise modified, changed, or suspended.

It is further ordered, That this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., July 15, 1969.

INTERSTATE COMMERCE COMMISSION,
[SEAL] N. THOMAS HARRIS,
Agent.

[F.R. Doc. 69-8544; Filed, July 18, 1969; 8:47 a.m.]

[Notice 869]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JULY 16, 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 protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made.

[1] Formerly section 5(d) of the Administrative Procedure Act.

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 field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 35045 (Sub-No. 5 TA) (Correction), filed June 12, 1969, published FEDERAL REGISTER, issue of June 25, 1969, and republished as corrected this issue. Applicant: HORNE HEAVY HAULING, INC., 1124 De Kalb Avenue NE., Atlanta, Ga. 30307. Applicant's representative: Monty Schumacher, Suite 310, 2045 Peachtree Road NE., Atlanta, Ga. 30309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer*, in bags, containers, and packages: And, *mixed shipments of fertilizer and pine bark mulch*, in bags, containers, and packages, from the warehouse of Greenlife Products Co., at or near Covington, Ga., to points in Tennessee, Alabama, South Carolina, North Carolina, Florida, Mississippi, Ohio, Kentucky, Indiana, Michigan, and Illinois, for 150 days. NOTE: The purpose of this republication is to include Alabama, South Carolina, North Carolina, Florida, and Mississippi, omitted from previous publication. Supporting shipper: Greenlife Products Co., West Point, Va. 23181. 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 50307 (Sub-No. 48 TA), filed July 8, 1969. Applicant: INTERSTATE DRESS CARRIERS, INC., 247 West 35th Street, New York, N.Y. 10001. Applicant's representative: Herbert Burstein, 160 Broadway, New York, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wearing apparel and materials, supplies and equipment* used in the manufacture thereof, between points in the New York, N.Y., commercial zone, points in New Jersey and Pennsylvania on the one hand, and on the other, Woodsfield, Ohio, for 150 days. Supporting shipper: LGAM Manufacturing Co., Inc., Woodsfield, Ohio. Send protests to: Paul W. Assenza, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 67234 (Sub-No. 14 TA), filed July 8, 1969. Applicant: UNITED VAN LINES, INC., No. 1 United Drive, Fenton, Mo. 63026. Applicant's representative: G. M. Rebman, Suite 1230 Boatmen's Bank Building, St. Louis, Mo. 63102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission in 17 M.C.C. 467, from points in the United States to points in that part of Alaska, east of an imaginary line constituting a southward extension of the United States-Canada boundary line (Alaska-Yukon Territory), for 180 days. NOTE: Applicant intends to tack with authority in MC 67234 (Sub 1). Supporting shipper: United Van Lines, Inc., past operations. Send protests to: J. P. Werthmann, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 3248, 1520 Market Street, St. Louis, Mo. 63103.

No. MC 71459 (Sub-No. 16 TA), filed July 10, 1969. Applicant: HOPPER TRUCK LINES, 2800 West Bayshore Road, Palo Alto, Calif. 94303. Applicant's representative: David P. Roush (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities except (1) those of unusual value, (2) dangerous articles, (3) household goods, (4) commodities in bulk, (5) commodities requiring special equipment, (6) those injurious or contaminating to other lading as a common carrier by motor vehicle, from Phoenix, Ariz., to Silver City, N. Mex., over U.S. Highway 70 to a junction with New Mexico Highway 90 in or near Lordsburg, N. Mex., thence over New Mexico Highway 90 to Silver City, N. Mex., serving the intermediate point of Tyrone, N. Mex., and return over the same route as follows; from Silver City, N. Mex., over New Mexico Highway 90 to a junction with U.S. Highway 70 in or near Lordsburg, N. Mex., thence over U.S. Highway 70 to Phoenix, Ariz., serving the intermediate point of Tyrone, N. Mex., for 180 days. NOTE: Applicant intends to tack to the present authority held by applicant, Docket No. 71459 and subs, between Los Angeles, Calif., and Phoenix, Ariz. The applicant intends to interline with C–B Truck Lines, Inc., Docket MC–104789, at Silver City, N. Mex., and with all carriers operating to or from the City of Phoenix, Ariz. Supporting shippers: There are approximately 47 statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: District Supervisor Claud W. Reeves, Interstate Commerce Commission, Bureau of Operations, 450 Golden Gate Avenue, Box 36004, San Francisco, Calif. 94102.

No. MC 83539 (Sub-No. 258 TA), filed July 7, 1969. Applicant: C & H TRANSPORTATION CO., INC., 1935 West Commerce Street, Dallas, Tex. Applicant's representative: J. P. Welsh, Post Office Box 5976, Dallas, Tex. 75222. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plywood*, from Holden, La., to points in Alabama, Georgia, Mississippi, North Carolina, South Carolina, and Tennessee, for 180 days. NOTE: Carrier does not intend to tack authority. Supporting shipper: Klaus H. Permer, U.S. Plywood-Champion Papers Inc., Knightsbridge Drive, Hamilton, Ohio. Send protests to: E. K. Willis, Jr., District Supervisor, Interstate Commerce Commission, Bureau of Operations, 513 Thomas Building, 1314 Wood Street, Dallas, Tex. 75202.

No. MC 83539 (Sub-No. 260 TA), filed July 9, 1969. Applicant: C & H TRANSPORTATION CO., INC., 1935 West Commerce Street, Post Office Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lift trucks and tow tractors*, from West Memphis, Ark., to points in the United States (except Arkansas and Hawaii), for 180 days. NOTE: Applicant does not intend to tack authority. Supporting shipper: Baker-York, Inc., 981 South Eighth Street, West Memphis, Ark. 72301. Send protests to: E. K. Willis, Jr., District Supervisor, Interstate Commerce Commission, Bureau of Operations, 513 Thomas Building, 1314 Wood Street, Dallas, Tex. 75202.

No. MC 99905 (Sub-No. 2 TA), filed July 8, 1969. Applicant: CLAYTON MILLER, doing business as DEL REYE VAN & STORAGE, 4941 West Rosecrans Avenue, Hawthorne, Calif. 90250. Applicant's representative: Ernest D. Salm, 3846 Evans Street, Los Angeles, Calif. 90027. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods* as defined by the Commission, between points in Kern, Los Angeles, Orange, Riverside, San Diego, San Luis Obispo, Santa Barbara, and Ventura Counties, Calif., for 180 days. Supporting shippers: Higa Fast Pac, Inc., 465 California Street, Suite 530, San Francisco, Calif. 94104; Trans-American World Transit, Inc., 7540 South Western Avenue, Chicago, Ill. 60620; Department of the Air Force, 414th Combat Support Squadron (ADC), Oxnard Air Force Base, Calif. 93030. 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.

No. MC 100300 (Sub-No. 5 TA), filed July 8, 1969. Applicant: H. B. NELSON AND SONS, INC., 1017 Broadway, Alexandria, Minn. 56308. Applicant's representative: A. R. Fowler, 2288 University Avenue, St. Paul, Minn. 55114. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Antifreeze, petroleum and petroleum products*, in containers, *machinery, materials, tools, and equipment, and spare parts*, used in and for the dispensing and application of petroleum products, *hydraulic system components, parts, and accessories, agricultural crop spray oils, cleaning agents and solvents, advertising and display materials, racks, and stands*, from Minneapolis and St. Paul, Minn., to points in Minnesota, North Dakota, South Dakota, and points in Iowa located on and north of U.S. Highway 20, for 180 days. Supporting shipper: The Farm-Oyl Co., 2333 Hampden Avenue, St. Paul, Minn. 55114. Send protests to: District

Supervisor A. N. Spath, Interstate Commerce Commission, Bureau of Operations, 448 Federal Building, and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn. 55401.

No. MC 111170 (Sub-No. 129 TA), filed July 9, 1969. Applicant: WHEELING PIPE LINE, INC., Post Office Box 1718, El Dorado, Ark. 71730. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chlorinated camphene*, in bulk, from West Helena, Ark., to points in Louisiana; Mississippi; Hayti, Mo.; and Humboldt, Johnson, and Memphis, Tenn., for 180 days. Supporting shipper: Hercules, Inc., Wilmington, Del. 19889. Send protests to: District Supervisor William H. Land, Jr., Interstate Commerce Commission, Bureau of Operations, 2519 Federal Office Building, Little Rock, Ark. 72201.

No. MC 113388 (Sub-No. 91 TA), filed July 7, 1969. Applicant: LESTER C. NEWTON TRUCKING CO., Post Office Box 265, Bridgeville, Del. Applicant's representative: Thomas E. Garn (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Frozen foods, and potato products* (not frozen), in vehicles equipped with mechanical refrigeration, from Mount Morris, N.Y., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, Michigan (Lower Peninsula), New Jersey, New Hampshire, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia; and (2) *frozen poultry and poultry products*, from Moorefield, W. Va.; to points in Florida, Georgia, North Carolina, South Carolina, Virginia, and points in Tennessee on and east of U.S. Highway 127, for 180 days. Supporting shippers: Lamb-Weston, Inc., 2017 Lloyd Center, Post Office Box 12145, Portland, Oreg. 97212; D. J. Osbjornson, General Traffic Manager; Pierce-Pre-Cooked Foods, Inc., Moorefield, W. Va. 26836; W. A. Wood, Traffic and Supply Coordinator. Send protests to: Paul J. Lowry, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 206 Old Post Office Building, 129 East Main Street, Salisbury, Md. 21801.

No. MC 114829 (Sub-No. 6 TA), filed July 9, 1969. Applicant: GENERAL CARTAGE COMPANY, INC., Post Office Box 417, Sterling, Ill. 61081. Applicant's representative: Charles W. Singer, 33 North Dearborn Street, Chicago, Ill. 60602. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products*, from Rock Island, Ill., to Arlington, Markeson, and Plover, Wis., and Sleepy Eye and Wells, Minn., for 120 days. Supporting shipper: Container Corporation of America, 500 East North Avenue, Carol Stream, Ill. 60187. Send protests to: Andrew J. Montgomery, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 1086, U.S. Courthouse and Federal Office Building, 219 South Dearborn Street, Chicago, Ill. 60604.

No. MC 115181 (Sub-No. 13 TA), filed July 11, 1969. Applicant: HAROLD M. FELTY, INC., Rural Delivery No. 1, Pine Grove, Pa. 17963. Applicant's representative: Joseph E. Tolson, 1212 Liggett Avenue, Post Office Box 206, Reading, Pa. 19607. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Brick*, from Wyomissing, Berks County, Pa., to points in Connecticut, Delaware, Massachusetts, New Jersey, and New York, and return of *damaged and/or refused shipments* to points of origin, for 150 days. Supporting shipper: Glen-Gery Corp., 1212 Liggett Avenue, Post Office Box 206, Reading, Pa. 19607. Send protests to: Paul J. Kenworthy, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 309 U.S. Post Office Building, Scranton, Pa. 18503.

No. MC 116538 (Sub-No. 6 TA) (Amendment), filed July 1, 1969, published FEDERAL REGISTER, issue of July 12, 1969, and republished as amended this issue. Applicant: DEFOREST L. REED, 102 Champion Street, Carthage, N.Y. 13619. Applicant's representative: Raymond A. Richards, 23 West Main Street, Webster, N.Y. 14580. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Rough sawn hardwood lumber*, (a) from Cortland, Lafayette, Richland, and Syracuse, N.Y., to Dover, Englewood, Hoboken, Jersey City, Kenilworth, Newark, and Paterson, N.J.; (b) from Lowville, N.Y., to New York, N.Y.; (c) from Bernhards Bay to New York, N.Y.; (d) from Smyrna, Waterloo, Hannibal, Deer River, Lowville, Wolcott, Heuvelton, Croghan, Apalachin, Boonville, Bernhards Bay, Bleeker, North Creek, Little Falls, Central Square, Cato, Cassadaga, Delhi, East Branch, Ellington, Herkimer, Hartwick, Lyons, Locke, Marion, Margaretville, Medina, Poland, Stratford, Stamford, Wellsville, West Leyden, Warrensburg, Cohecton, Pine Plains, and Kingston, N.Y., to Gardner, Templeton, Boston, and Lawrence, Mass.; Branford, Ivoryton, and Stanford, Conn.; Hellam, Herndon, Kreamer, Lancaster, Union City, Lewisburg, Montrose, Philadelphia, Scranton, Simpson, Wilkes-Barre, Endeavor, Troy, Youngsville, Mifflinburg, and Port Allegany, Pa.; Hagerstown, Md., ports of entry at Canadian border; Washington, Old Bridge, Bayonne, Newark, Paterson, and Jersey City, N.J., for 180 days. NOTE: The purpose of this republication is to redescribe the scope of the authority sought. Supporting shippers: Baillie Lumber Co., Inc., 12 Main Street, Post Office Box 6, Hamburg, N.Y. 14075; Sabbeth Mathews Hardwood Corp., One Hanson Place, Brooklyn 17, N.Y.; McGregor Lumber Inc., Smyrna, N.Y. 13464; American Machine & Foundry Co., IPG, Trinity Avenue, Lowville, N.Y. 13367. Send protests to: District Supervisor Morris H. Gross, Interstate Commerce Commission, Bureau of Operations, Room 104, O'Donnell Building, 301 Erie Boulevard West, Syracuse, N.Y. 13202.

No. MC 125391 (Sub-No. 1 TA), filed July 10, 1969. Applicant: JOHN KAWALEK, SHIRLEY KAWALEK, AND DAVID KAWALEK, a partnership, doing business as KAWALEK TRUCKING, Mora, Minn. 55051. Applicant's representative: Val M. Higgins, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Alfalfa meal and alfalfa pellets*, in bulk, and in bags, from Grasston, Minn., to points in Wisconsin on and north of U.S. Highways 10 and on and west of U.S. Highway 51, and also Wausau, Wis., for 180 days. Supporting shipper: East Central Alfalfa Co., Grasston, Minn. Send protests to: A. E. Rathert, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 448 Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn. 55401.

No. MC 128909 (Sub-No. 12 TA), filed July 8, 1969. Applicant: COMMODORE CONTRACT CARRIERS, INC., 8712 West Dodge Road, Suite 4000, Omaha, Nebr. 68114. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *House trailers* designed to be drawn by passenger automobiles, *buildings* in sections mounted on wheeled undercarriages with hitchball connectors, *pickup and tent campers, and motor homes;* (2) *Unrelated parts, appliances, furniture, and accessories* when moving in the commodities described in (1) above, (a) between Compton and Bellflower, Calif.; Elkhart, Ind.; Lebanon, Oreg.; and Bellefonte, Pa.; (b) between the points listed in part (a) above, on the one hand, and, on the other, Falls City and North Bend, Nebr.; Roseburg, Oreg.; Red Bay, Haleyville, Hamilton, and Carbon Hill, Ala.; Arlington, Tenn.; Danville, Va.; Thomasville, Ga.; and Corsicana and Fort Worth, Tex.; (c) between Elkhart, Ind., on the one hand, and, on the other, points in Alabama, Arkansas, Colorado, Connecticut, Delaware, Florida, Georgia, Illinois, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia; (d) between Bellflower and Compton, Calif., on the one hand, and, on the other, points in Arizona, Arkansas, Colorado, Idaho, Iowa, Kansas, Louisiana, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, and Wyoming; (e) between Bellefonte, Pa., on the one hand, and, on the other, points in Connecticut, Delaware, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Rhode Island, Tennessee, Vermont Virginia, West Virginia, Wisconsin, and the District of Columbia; and (f) between Lebanon, Oreg., on the one hand, and, on the other, points in Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Utah, Washington, and Wyoming; and (3)

Wheels, axles and hitches, from points in the United States (except Alaska and Hawaii), to Compton and Bellflower, Calif.; Elkhart, Ind.; Bellefonte, Pa.; and Lebanon, Oreg. Restriction: (1) All service hereunder shall be limited to traffic originating or terminating at the plantsites of The Commodore Corp., its subsidiaries or divisions. (2) All service shall be performed under continuing contracts with The Commodore Corp., its subsidiaries or divisions, for 150 days. Supporting shipper: The Commodore Corp., 8712 West Dodge Road, Suite 4000, Omaha, Nebr. 68114. Send protests to: K. P. Kohrs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 15th and Dodge Street, Omaha, Nebr. 68102.

No. MC 129574 (Sub-No. 2 TA), filed July 9, 1969. Applicant: FRANK R. CHULLINO, doing business as MIDWEST TRANSPORTATION COMPANY, 2802 Avenue B, Council Bluffs, Iowa 51501. Applicant's representative: Inar Viren, 904 City National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Alcoholic beverages* (except malt beverages), in containers, from points in New York, Indiana, Pennsylvania, Illinois, Ohio, Michigan, Kentucky, Massachusetts, New Jersey, Maryland, Connecticut, and Missouri to Omaha, Nebr., for 180 days. Supporting shipper: United Distillers Products Co., 110 North 12th Street, Omaha, Nebr. 68102. Send protest to: K. P. Kohrs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 705 Federal Office Building, 15th and Dodge Streets, Omaha, Nebr. 68102.

No. MC 133233 (Sub-No. 6 TA), filed July 9, 1969. Applicant: CLARENCE L. WERNER, doing business as WERNER ENTERPRISES, 805 32d Avenue, Council Bluffs, Iowa 51501. Applicant's representative: Inar Viren, 904 City National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Feed and feed ingredients*, from points in Nebraska to points in Idaho and Utah, for 180 days. Supporting shippers: (1) Evans Trading Co., Inc., Post Office Box 1544, Odgen, Utah; (2) Rangen, Ind., Post Office Box 706, Buhl, Idaho; (3) Farrell Grain Co., Post Office Box 385, Odgen, Utah. Send protests to: K. P. Kohrs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 705 Federal Office Building, Omaha, Nebr. 68102.

No. MC 133312 (Sub-No. 2 TA), filed July 9, 1969. Applicant: HARRY E. HALLECK, 4670 West Cedar Avenue, Denver, Colo. 80215. Applicant's representative: Warren D. Braucher, 500 Columbine Building, Denver, Colo. 80203. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Helium* in cylinders and *helium cylinders*, between Denver, Colo., and the plantsite of Gardner Cryogenics, approximately 22 miles northwest of Elkhart, Kans., for 180 days. Supporting shipper: Ellswood, 1354 Larimer, Denver, Colo. 80204. Send protests to: District Supervisor C. W. Buckner, Interstate Commerce Commission, Bureau of Operations, 2022 Federal Building, Denver, Colo. 80202.

No. MC 133779 TA (Correction), filed June 5, 1969, published FEDERAL REGISTER, issued of June 12, 1969 and July 9, 1969, and republished as corrected this issue. Applicant: FUNDIS COMPANY, a corporation, Broadway at Cornell Street, Lovelock, Nev. 89419. Applicant's representative: Pete Fundis (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Earth*, infusorial or diatomaceous (diatomite); also *earth, diatomaceous, physically combined with, not to exceed 10 percent alkyl napthalene sodium sulfonate;* also *wood pulp, sulphite*, from Colado Junction (6 miles east of Lovelock, Nev.), and from Clark (22 miles east of Reno, Nev.), Nev., to the following named California counties; San Luis Obispo, Kings, Fresno, Tulare, Inyo, Mono, Kern, San Bernardino, Riverside, Imperial, San Diego and Orange, for 180 days. NOTE: The purpose of this republication is to include the origin points of Clark, Nev., inadvertently omitted in previous publication. Supporting shipper: Eagle Picher Industries, Inc., Post Office Box 1869, Reno, Nev. 89505. Send protests to: District Supervisor Daniel Augustine, Room 24, 222 East Washington Street, Carson City, Nev. 89701.

No. MC 133803 (Sub-No. 1 TA), filed July 8, 1969. Applicant: B & W DISTRIBUTORS CORPORATION, 11 Franklin Avenue, Rye, N.Y. 10580. Applicant's representative: Arthur J. Piken, 160–16 Jamaica Avenue, Jamaica, N.Y. 11432. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Newspapes and magazines*, from John F. Kennedy International Airport, La Guardia Airport, and New York, N.Y., and Jersey City, N.J., to points in New York, New Jersey, and Connecticut, for 150 days. Supporting shippers: Triangle Circulation Co., Traffic Department, 431 North 15th Street, Philadelphia, Pa. 19130; Mark Associates, Inc., 260 West Broadway, New York, N.Y. 10013; The New Yorker, 25 West 43d Street, New York, N.Y. 10036. Send protests to: Stephen P. Tomany, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 133831 (Sub-No. 1 TA), filed July 9, 1969. Applicant: DON SWAIN WILLIAMSON, Aurora, N.C. 27806. Applicant's representative: David L. Ward, Jr., Drawer 867, New Bern, N.C. 28560. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Supplies and materials*, used in shipping and packing of seafood and seafood products, from Baltimore, Md., to Aurora, Hobucken, South Creek, Lowlands, Whortonsville, and Oriental, N.C., for 180 days. Supporting shippers: Aurora Packing Co., Aurora, N.C., and Daniels Seafood Co., Oriental, N.C. Send protests to: Archie W. Andrews, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Post Office Box 10885, Cameron Village Station, Raleigh, N.C. 27605.

No. MC 133875 TA, filed July 9, 1969. Applicant: JORGENSEN & SONS TRUCKING, INC., 4000 Northwest Yeon Avenue, Portland, Oreg. 97210. Applicant's representative: Norman E. Sutherland, 1200 Jackson Tower, Portland, Oreg. 97205. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Electrical, mechanical and electronic parts, and components* for repair and replacement on appliances, radios and phonograph, and television sets, between warehouses of General Electric Co. and Westinghouse Appliance Sales and Service Co. in Portland, Oreg., and Beaverton, Oreg., on the one hand, and, on the other, points in Clark County, Wash., for 180 days. Supporting shippers: General Electric Co., 14305 Southwest Millikan Way, Beaverton, Oreg., and Westinghouse Electric Corp., 815 Northwest 12th Avenue, Portland, Oreg. 97209. Send protests to: W. J. Huetig, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 450 Multnomah Building, 120 Southwest Fourth Avenue, Portland, Oreg. 97204.

By the Commission.

[SEAL] ANDREW ANTHONY, Jr.,
Acting Secretary.

[F.R. Doc. 69-8545; Filed, July 18, 1969; 8:47 a.m.]

FEDERAL POWER COMMISSION

BURNETT CORP.

Order Conditionally Accepting Notice of Change in Rate

JULY 10, 1969.

On June 10, 1969, Burnett Corp. (Burnett) filed a notice of change in rate from 11 cents to 12 cents per Mcf of natural gas at 14.65 p.s.i.a. for a sale to Cities Service Gas Co. in the West Panhandle Field, Carson County, Tex. (Texas Railroad Commission District No. 10) under Burnett's FPC Gas Rate Schedule No. 3. Additionally, Burnett filed an amendment to its gas sales contract providing for the proposed 12-cent rate to be effective for a 5-year period beginning January 7, 1969. The notice of change in rate and the contract amendment have been designated as Supplement No. 15 to Burnett's FPC Gas Rate Schedule No. 3. The notice of change in rate and the contract amendment purport to be filed in accordance with the provisons of § 2.56(c)(1) of the Commission's General Policy and Interpretations, Rules of Practice and Procedure (Seventh Amendment to the Commission's Statement of General Policy No. 61–1). However, because Burnett has not provided for the proposed increased rate to be effective for the remaining life of the contract and has not eliminated all rate escalation provisions therefrom, except for the tax reimbursement provision, its filings are inconsistent with the provisions of said section.

Accordingly, we shall accept Burnett's filings on the condition that it amend the subject gas sales contract to provide

for the proposed 12-cent-per-Mcf rate for the remaining life of the contract, and to eliminate from said contract all rate escalation provisions, except for the tax reimbursement provision. However, the tax reimbursement provision henceforth shall apply only to future tax increases.

Burnett has requested that its notice of change be accepted effective as of January 7, 1969, the effective date of the proposed 12-cent rate under the contract. No reasons are given in support of such request. We find no cause to permit the proposed increase in rate to be effective prior to the expiration of the statutory period on July 11, 1969.

The Commission orders:

(A) The notice of change in rate and contractual amendment filed by Burnett on June 10, 1969, designated as Supplement No. 15 to its FPC Gas Rate Schedule No. 3, are accepted for filing to be effective as of July 11, 1969, subject to the provisions of paragraph (B) below.

(B) Burnett shall file within 30 days of the date of issuance of this order an amendment to its FPC Gas Rate Schedule No. 3 providing for the proposed 12 cents per Mcf rate to be effective for the remaining life of the contract, and eliminating from said contract all rate escalation provisions, except for the tax reimbursement provisions.

(C) This order is without prejudice to any findings or orders which have been or may be made hereafter by the Commission, and is without prejudice to claims or contentions which may be made by Burnett, the Commission staff, or any affected party hereto, in any proceedings now pending, including area rate or similar proceedings, or hereafter instituted by or against Burnett or any other companies, person or parties affected by this order.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Acting Secretary.

[F.R. Doc. 69-8551; Filed, July 18, 1969; 8:48 a.m.]

[Docket Nos. CP69-269, CP69-237]

FORAKER GAS CO. ET AL.

Order Consolidating Proceedings, Permitting Intervention, Setting Hearing Date and Prescribing Procedure

JULY 14, 1969.

Foraker Gas Co., Applicant, Texas Eastern Transmission Corp., Respondent, Docket No. CP69-269; United Cities Gas Co., Applicant, Texas Eastern Transmission Corp., Respondent, Docket No. CP69-237.

CP69-269: Clyde M. Foraker, Jr., as Managing Partner in an ordinary partnership transacting business in the State of Ohio under the name of Foraker Gas Co. (Foraker), New Lexington, Ohio 43764, filed on April 15, 1969, under docket No. CP69-269 pursuant to section 7(a) of the Natural Gas Act, an application for an order directing Texas Eastern Transmission Corp. (Texas Eastern), Houston, Tex. 77001, to connect its natural gas transportation facilities near Somerset, Perry County, Ohio, with pipeline facilities to be constructed by the applicant and sell and deliver natural gas to the applicant for resale in southwestern Perry County and in the village of Oreville in Hocking County, Ohio.

Foraker alleged that it now serves four ceramic plants in Perry County, three of which have other available sources of gas supply. Its present gas supply consists of casinghead oil-well gas purchased from independent producers in Perry County. Foraker is the sole purchaser of such gas in that area. It proposes to supplement gas from local sources with gas from Texas Eastern to enable it to increase sales to present customers and add new customers.

Foraker proposes to construct transmission pipeline and distribution facilities to cost an estimated total of $64,752. It estimates that in the third year of operation it will require 456,250 Mcf of natural gas (at 14.73 p.s.i.a.) from Texas Eastern and 1600 Mcf peak day delivery to supplement local production of 164,750 Mcf annual and 690 Mcf peak day.

Texas Eastern filed an answer denying that service to Foraker will not impair its ability "* * * to render adequate service to its existing customers or subject it to any undue burden", and denying also that it is the only feasible source of gas supply for Foraker's proposed service area.

Notice of Foraker's application, setting May 23, 1969, as the final date for filing protests or petitions to intervene, was published in the FEDERAL REGISTER on May 2, 1969 (34 F.R. 7261). Petitions to intervene in opposition to Foraker's application were filed by:

Columbia Gas of Ohio, Inc., 99 North Front Street, Columbus, Ohio 43215.
The Ohio Fuel Co., 99 North Front Street, Columbus, Ohio 43215.
National Gas & Oil Corp., 1500 Granville Road, Newark, Ohio 43055.

Although none of the petitions were filed by May 23, all of them gave acceptable reasons for delay in filing and stated facts showing interests which may be directly affected and which are not adequately represented by existing parties and as to which the petitioners may be bound by the Commission's action in the proceeding.

CP69-237: United Cities Gas Co. (United), 404 James Robertson Parkway, Nashville, Tenn. 37219, filed on March 10, 1969, under docket No. CP69-237 pursuant to section 7(a) of the Natural Gas Act, an application for an order directing Texas Eastern Transmission Corp. to connect its natural gas transportation facilities at a point about 4 miles north of the town of Eldorado in Saline County, Ill., with pipeline facilities to be constructed by United and sell and deliver to United its estimated fifth-year requirement of 58,100 Mcf of natural gas annually and 450 Mcf peak day for resale in the Village of Equality and in Gallatin and Saline Counties, Ill. United's application was supplemented by information filed on March 17, 21, 27, 1969.

United proposes to construct a distribution system in the Village of Equality and about 14 miles of 2-inch pipeline to the point of connection with Texas Eastern's transmission line at an estimated total cost of $259,800. United proposes to provide natural gas service in Equality and along the pipeline route to an estimated total of 231 customers in the third year of operation. It estimates its third-year gas requirements at 40,030 Mcf with 375 Mcf peak day delivery.

United alleged that it distributes natural gas in several towns in Illinois and is authorized by the Illinois Commerce Commission to render the proposed service.

Texas Eastern filed an answer stating its position that the sale and delivery by Texas Eastern of the small volume of gas requested by United is not economically feasible.

Notice of United's application, setting April 11, 1969, as the final date for filing protests or petitions to intervene was published in the FEDERAL REGISTER on March 26, 1969 (34 F.R. 5666). Only one petition to intervene was filed and that one was withdrawn.

The Commission finds:

(1) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the proceedings on the applications under Dockets Nos. CP69-237 and CP69-269 be consolidated and that a public hearing be held on the issues presented by said applications as ordered hereinafter.

(2) Good cause exists to allow the petitioners named above to intervene in this proceeding subject to their compliance with the terms of this order in order that they may establish the facts and law from which the nature and validity of their alleged rights and interests may be determined and show what further action may be appropriate under the circumstances in the administration of the Natural Gas Act.

The Commission orders:

(A) The proceedings on the applications under Dockets Nos. CP69-237 and CP69-269 are hereby consolidated.

(B) The petitioners named above are permitted to intervene in this proceeding subject to the rules and regulations of the Commission: *Provided*, That they shall comply with the terms of this order and that their participation shall be limited to matters affecting rights and interests expressly asserted in their petitions to intervene; and provided further that permission to intervene shall not be construed as admission by the Commission that any intervener might be aggrieved by any order entered in this proceeding.

(C) A public hearing on the issues presented by the applications under Dockets Nos. CP69-237 and CP69-269 will be held in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C., commencing at 10 a.m. on November 18, 1969.

(D) Each party shall file with the Commission and serve on all other parties and the Commission's staff the proposed evidence comprising its case-in-chief, including prepared testimony of witnesses and exhibits, as follows:

Foraker and United on or before August 25, 1969; Texas Eastern and each intervener on or before September 29, 1969.

Foraker and United shall file and serve rebuttal evidence on or October 20, 1969.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Acting Secretary.*

[F.R. Doc. 69-8552; Filed, July 18, 1969; 8:48 a.m.]

UNION TEXAS PETROLEUM ET AL.

[Docket No. RI69-855 etc.]

Order Providing for Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund [1]

JUNE 30, 1969.

The Respondents named herein have filed proposed changes in rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act: *Provided, however,* That the supplements to the rate schedules filed by Respondents, as set forth herein, shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order Respondents shall each execute and file under its above-designated docket number with the Secretary of the Commission its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, accompanied by a certificate showing service of copies thereof upon all purchasers under the rate schedule involved. Unless Respondents are advised to the contrary within 15 days after the filing of their respective agreements and undertakings, such agreements and undertakings shall be deemed to have been accepted.[2]

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before August 15, 1969.

By the Commission.

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

[1] Does not consolidate for hearing or dispose of the several matters herein.

[2] If an acceptable general undertaking, as provided in Order No. 377, has previously been filed by a producer, then it will not be necessary for that producer to file an agreement and undertaking as provided herein. In such circumstances the producer's proposed increased rate will become effective as of the expiration of the suspension period without any further action by the producer.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in dockets Nos.
RI69-855	Union Texas Petroleum, a division of Allied Chemical Corp. (Operator) et al., Post Office Box 2120, Houston, Tex. 77001.	65	[3] 7	El Paso Natural Gas Co. (Basin Dakota Field, San Juan County, N. Mex.) (San Juan Basin Area).	$4,570	6-10-69	[4] 7-11-69	[5] 7-12-69	[6] 14.2694	[7] [8] 15.2694	RI69-373.
RI69-856	Northern Natural Gas Producing Co., Post Office Box 1774, Houston, Tex. 77001.	25	[9] 13	El Paso Natural Gas Co. (Basin Dakota Field, San Juan and Rio Arriba Counties, N. Mex.) (San Juan Basin Area).	36	5-21-69	[10] 7- 7-69	[5] 7- 8-69	[11] 14.0505	[9] [11] 14.2343	
RI69-857	Getty Oil Co., Post Office Box 1404, Houston, Tex. 77001.	20	13	United Gas Pipe Line Co. (Brandt Field, Goliad County, Tex.) (RR. District No. 2).	1,833	6- 9-69	[4] 7-10-69	[5] 7-11-69	13.1664	[12] [13] 14.0	

[3] Does not include acreage added by Supplement No. 5 for which the 1-cent minimum guarantee for liquids is not applicable.
[4] The stated effective date is the effective date requested by Respondent.
[5] The suspension period is limited to 1 day.
[6] Increase from rate exclusive of 1-cent minimum guarantee for liquids to rate inclusive of 1-cent minimum guarantee for liquids.
[7] Pressure base is 15.025 p.s.i.a.
[8] Includes partial reimbursement for the full 2.55 percent New Mexico Emergency School Tax.
[9] Additional material filed June 4, 1969, requesting change of effective date to July 6, 1969.
[10] The stated effective date is the first day after expiration of the statutory notice.
[11] Tax reimbursement increase.
[12] Rate suspended in Docket No. RI69-432; motion to put rate into effect filed June 4, 1969.
[13] "Fractured" rate increase. Contractually entitled to 14.1792 cents (14-cent base plus 0.1792-cent tax reimbursement).
[14] Pressure base is 14.65 p.s.i.a.

Northern Natural Gas Producing Co. (Northern) requests that its proposed rate increase be permitted to become effective as of July 6, 1969. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit an earlier effective date for Northern's rate filing and such request is denied.

Northern's proposed rate increase reflects partial reimbursement for the full 2.55 percent New Mexico Emergency School Tax. The buyer, El Paso Natural Gas Co. (El Paso), in accordance with its policy of protesting tax filings proposing reimbursement for the New Mexico Emergency School Tax in excess of 0.55 percent, is expected to file a protest to this rate increase. El Paso questions the right of the producer under the tax reimbursement clause to file a rate increase reflecting tax reimbursement computed on the basis of an increase in tax rate by the New Mexico Legislature in excess of 0.55 percent. While the buyer concedes that the New Mexico legislation effected a higher rate of at least 0.55 percent, it claims there is controversy as to whether or not the new legislation effected an increased rate in excess of 0.55 percent. In view of the contractual problem presented, we shall provide that the hearing herein with respect to Northern's rate filing shall concern itself with the contractual basis for the rate filing, as well as the statutory lawfulness of the proposed increased rate and charge.

Getty Oil Co. (Getty) is "fracturing" its contractually due rate of 14.1792 cents and proposing an increase to 14 cents per Mcf so as not to exceed the area increased rate ceiling of 14 cents per Mcf for Texas Railroad District No. 2 as announced in the Commission's statement of general policy No. 61-1, as amended. However, Getty did not submit with its notice of change in rate a waiver of its right to file for the remaining portion of its contractually due rate. Consistent with prior Commission action on similar rate increase filings, we conclude that Getty's proposed rate increase should be suspended for 1 day from July 10, 1969, the proposed effective date, since Getty did not submit with its increased rate filing a waiver of its right to file for the remaining increment of its contractually due rate.

Northern and Union Texas Petroleum, a division of Allied Chemical Corp. (Operator) et al. (Union), proposed increased rates and charges exceed the applicable area price levels for increased rates as set forth in the Commission's statement of general policy No. 61-1, as amended (18 CFR 2.56). Since Northern's proposed rate increase is for tax reimbursement and Union's rate increase includes the 1 cent per Mcf minimum guarantee for liquids as provided by its contract which was not included in its previous filing and is now filed in accordance with the Commission's suspension order dated December 27, 1968, in Docket No. RI69-373, we conclude that they should be suspended for 1 day from July 7, 1969 (Northern), the date of expiration of the statutory notice, and July 11, 1969 (Union), the proposed effective date.

[F.R. Doc. 69-8550; Filed, July 18, 1969; 8:47 a.m.]

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