

FEDERAL REGISTER

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Agencies in this issue—

Agricultural Research Service
Cabinet Task Force on Oil Import
Control
Civil Aeronautics Board
Civil Service Commission
Commodity Credit Corporation
Consumer and Marketing Service
Customs Bureau
Federal Aviation Administration
Federal Communications Commission
Federal Home Loan Bank Board
Federal Power Commission
Federal Trade Commission
Fish and Wildlife Service
Immigration and Naturalization
Service
Internal Revenue Service
Interstate Commerce Commission
Land Management Bureau
Social Security Administration
Wage and Hour Division

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1949-1963

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Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

Department of Transportation

Section 213.3394 is amended to show that one position of Assistant Administrator for Public Affairs, Urban Mass Transportation Administration, is excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, paragraph (f) is added to § 213.3394 as set out below.

§ 213.3394 Department of Transportation.

(f) *Urban Mass Transportation Administration.* (1) One Assistant Administrator 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. 69-8753; Filed, July 23, 1969;
8:49 a.m.]

Title 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service, Department of Justice

PART 1—DEFINITIONS

PART 292—REPRESENTATION AND APPEARANCES

Practice

Reference is made to the notice of proposed rule making which was published in the FEDERAL REGISTER on May 22, 1969 (34 F.R. 8047) pursuant to section 553 of title 5 of the United States Code (80 Stat. 383) and in which there was set out proposed rules pertaining to practice before the Service and the Board of Immigration Appeals. Several representations have been received. For clarification, the rules have been amended in one respect by deleting the word "and" and by substituting the word "or" therefor in § 1.1 (k), that word being the sixth word from

the end of the sentence. The rules as set out below are adopted.

Paragraphs (f), (g), and (i) of § 1.1 are amended and paragraph (k) is added to read as follows:

§ 1.1 Definitions.

As used in this chapter:

(f) The term "attorney" means any person who is a member in good standing of the bar of the highest court of any State, possession, territory, Commonwealth, or the District of Columbia, and is not under any order of any court suspending, enjoining, restraining, disbarment, or otherwise restricting him in the practice of law.

(g) Unless the context otherwise requires, the term "case" means any proceeding arising under any immigration or naturalization law, Executive order, or Presidential proclamation, or preparation for or incident to such proceeding, including preliminary steps by any private person or corporation preliminary to the filing of the application or petition by which any proceeding under the jurisdiction of the Service or the Board is initiated.

(i) The term "practice" means the act or acts of any person appearing in any case, either in person or through the preparation or filing of any brief or other document, paper, application, or petition on behalf of another person or client before or with the Service, or any officer of the Service, or the Board.

(k) The term "preparation," constituting practice, means the study of the facts of a case and the applicable laws, coupled with the giving of advice, and auxiliary activities, including the incidental drawing up and completion of papers, but does not include the lawful functions of a notary public or service consisting solely of assistance in the completion of blank spaces on printed service forms by one whose remuneration, if any, is nominal and who does not hold himself out as specially qualified in law or in immigration and naturalization procedure.

PART 292—REPRESENTATION AND APPEARANCES

1. Paragraph (b) of § 292.1 is amended and paragraph (i) is added to read as follows:

§ 292.1 Representation of others.

(b) *Reputable individuals.* When a person is entitled to representation, he may be represented by any reputable individual of good moral character who is appearing without remuneration, directly or indirectly, and files a written declaration to that effect, if such representation is permitted by a regional commissioner, district director, officer in charge, special inquiry officer, the Commissioner, or the Board.

(i) *Limitations.* No other person or persons shall practice in any case.

§ 292.3 [Amended]

2. The first sentence of paragraph (a) Grounds of § 292.3 *Suspension or disbarment* is amended to read as follows: "The Board, with the approval of the Attorney General, may suspend or bar from further practice an attorney or representative if it shall find that it is in the public interest to do so."

3. The last sentence of paragraph (b) Procedure of § 292.3 *Suspension or disbarment* is amended to read as follows: "When the final order is for suspension or disbarment, the attorney or representative shall not thereafter be permitted to practice until authorized by the Board."

4. Paragraph (b) of § 292.5 is amended to read as follows:

§ 292.5 Service upon and action by attorney or representative of record.

(b) *Right to representation.* Whenever an examination is provided for in this chapter, the person involved shall have the right to be represented by an attorney or representative who, except as otherwise specifically provided in Part 332 of this chapter, shall be permitted to examine or cross-examine such person and witnesses, to introduce evidence, to make objections which shall be stated succinctly and entered on the record, and to submit briefs.

(Sec. 103, 66 Stat. 173; 8 U.S.C. 1103)

The basis and purpose of the above prescribed rules is to curb the illegal practice of law by nonlawyers before the Service and Board of Immigration Appeals.

This order shall become effective on September 2, 1969.

Dated: July 17, 1969.

RAYMOND F. FARRELL,
Commissioner of
Immigration and Naturalization.

[F.R. Doc. 69-8661; Filed, July 23, 1969;
8:47 a.m.]

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS AND POULTRY

PART 72—TEXAS (SPLENETIC) FEVER IN CATTLE

Permitted Dips

Pursuant to the provisions of the Act of March 3, 1905, as amended, the Act of February 2, 1903, as amended, and the Act of May 29, 1884, as amended (21 U.S.C. 111-113, 115, 117, 120, 121, 123-126), § 72.13(b) of Part 72, Title 9, Code of Federal Regulations, is hereby amended in the following respects:

1. In § 72.13(b), the word "certain" is deleted in subparagraphs (1) and (2) and the word "approved" is substituted therefor.

2. Subparagraph (3) of § 72.13(b) is amended to read as follows:

(b) *Permitted dips.* The dips at present permitted by the Department in official dipping for interstate movement are:

(3) Approved proprietary brands of coumaphos (Co-Ral®), 25 percent wettable powder labeled for use as a 0.25 percent dip and used at a concentration of 0.20 to 0.25 percent.

3. In § 72.13(c) the heading is changed, and a new sentence is added at the beginning of said paragraph, to read, respectively, as follows:

(c) *Approval of dips.* Proprietary brands of dips are permitted to be used for purposes of this part only when approved by the Director of the Animal Health Division.

(Sec. 2, 32 Stat. 792, Ch. 30, 45 Stat. 59; 21 U.S.C. 111. Interprets or applies secs. 4, 5, 7, 23 Stat. 32, as amended, sec. 1, 32 Stat. 791, as amended, secs. 1, 3, 33 Stat. 1204, as amended, 1265, as amended; 21 U.S.C. 112, 113, 117, 120, 123, 125; 29 F.R. 16210, as amended, 33 F.R. 15485, as amended)

Effective date. The foregoing amendments shall become effective upon publication in the FEDERAL REGISTER.

The purpose of the foregoing amendments is to remove certain restrictions presently imposed on the use of approved proprietary brands of Co-Ral® as a dip permitted to be used in accordance with specified conditions under the regulations by: (1) Permitting the use of any approved brand without advance approval by the Director of the Animal Health Division for the specific use; and (2) permitting extended use of any approved brand for systematic dipping for eradication as well as a precautionary dip.

The amendments relieve certain restrictions presently imposed and must be made effective immediately to be of maximum benefit to persons subject to the restrictions which are relieved. Accordingly, under the administrative procedure provisions of 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to the amendments are impracticable and

contrary to the public interest, and the amendments may be made effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 17th day of July 1969.

R. J. ANDERSON,
Acting Administrator,
Agricultural Research Service.

[F.R. Doc. 69-8674; Filed, July 23, 1969; 8:49 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Airworthiness Docket No. 69-WE-12-AD; Amdt. 39-800]

PART 39—AIRWORTHINESS DIRECTIVES

Boeing Model 707/720 Series Aircraft

Amendment 39-786, 69-WE-12-AD (34 F.R. 9748) requires inspection and modification at the rudder hydraulic actuator support fitting. After issuing Amendment 39-786, the Administration determined that the phrase "or later FAA-approved revision" must be added in five (5) places.

Since this amendment provides a clarification only and imposes no additional burden on any person, notice and public procedure hereon are unnecessary and the amendment may be made effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 F.R. 13697), § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39-786, is amended by adding the phrase "or later PAA-approved revision" immediately after the phrase "Boeing ASB No. 2903," in paragraphs (a) (1) and (c), and after the phrase "Boeing ASB No. 2903 dated June 2, 1969" in paragraphs (a) (2) and (b).

This amendment becomes effective July 24, 1969.

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

Issued in Los Angeles, Calif., on July 14, 1969.

LEE E. WARREN,
Acting Director, Western Region.

[F.R. Doc. 69-8631; Filed, July 23, 1969; 8:45 a.m.]

[Docket No. 9721; Amdt. 47-8]

PART 47—AIRCRAFT REGISTRATION

Provision for Transfer or Reservation by Current Owner of Assigned One to Three Symbol Identification Number

The purpose of this amendment of § 47.15(g) of the Federal Aviation Regu-

lations is to permit the transfer or reservation of an assigned one to three symbol aircraft identification number at the request of the current owner.

Section 47.15(g) now states that the owner of an aircraft need not surrender a one to three symbol identification number that was assigned to his aircraft before August 18, 1964. Under the present interpretation of § 47.15(g), its provisions are applicable only to the person to whom the aircraft was registered on August 18, 1964. A subsequent owner is not permitted to transfer the number to another aircraft he owns, or reserve the number for later assignment. Therefore, each time an aircraft owner requests the transfer or reservation of a one to three symbol identification number assigned to his aircraft, the Aircraft Registry must make a search of the records to determine if that person is the "owner" referred to in § 47.15(g).

The amendment provides that regardless of when the aircraft was registered in his name, the current aircraft owner need not surrender a one to three symbol identification number assigned to the aircraft, but may apply for reassignment of that number to another aircraft he owns or for reservation of the number for later assignment.

The amendment would not be applicable to those one to three symbol identification numbers which have been assigned in accordance with § 47.15(e). An applicant under § 47.15(e) must show that the structural configuration or design of the aircraft prevents the placing of a larger number on his aircraft. Therefore, an aircraft owner would have no future need for the number unless he would subsequently acquire an aircraft that would meet the structural configuration or design requirements of § 47.15(e). In such case, § 47.15(e) would again be available to him.

The present supply of one to three symbol identification numbers consists of approximately 640 numbers. The numbers which have been presently assigned are not included in this figure, and therefore, amending § 47.15(g) would not adversely affect the present supply.

Under the present procedure, when a current owner's request for reassignment or reservation is denied, an explanation for such denial is given. Exemption procedures are also available under the Federal Aviation Regulations whereby exemptions are requested to permit the transfer or reservation of the number assigned to the current owner of the aircraft. These procedures, as well as the search of the records that must presently be made, are time consuming and costly to both the aviation public and the Aircraft Registry.

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

In consideration of the foregoing, § 47.15(g) of the Federal Aviation Regulations is hereby amended effective July 24, 1969, to read as follows:

§ 47.15 Identification number.

(g) The owner of an aircraft need not surrender a one to three symbol identification number assigned to his aircraft provided the number was not assigned to the aircraft under the provisions of paragraph (e) of this section. The owner may apply to the FAA Aircraft Registry for reassignment of the number to his aircraft, or for the reservation of that number for later assignment. The fee required by § 47.17 for a reassigned or reserved identification number must accompany the application. At the same time, the owner must apply to the FAA Aircraft Registry for assignment of a new identification number to the aircraft to which the one to three symbol identification number had been assigned. The fee required by § 47.17 for a special identification number must accompany the application.

(Secs. 307(c), 313(a), 501, 503, 505, 1102, Federal Aviation Act of 1958; 49 U.S.C. 1348(c), 1354(a), 1401, 1403, 1405, 1502; sec. 6(c), Department of Transportation Act; 49 U.S.C. 1655(c); § 1.4(b)(1) of the Regulations of the Office of the Secretary of Transportation)

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

D. D. THOMAS,
Deputy Administrator.

[F.R. Doc. 69-8633; Filed, July 23, 1969; 8:45 a.m.]

[Airspace Docket No. 69-EA-47]

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

Alteration of Control Zone and Transition Area

On page 9035 of the FEDERAL REGISTER for June 6, 1969, the Federal Aviation Administration published proposed regulations which would alter the Findlay, Ohio, control zone (34 F.R. 4581) and transition area (34 F.R. 4684).

Interested parties were given 30 days after publication in which to submit written data or views. No objections to the proposed regulations have been received. In view of the foregoing, the proposed regulations are hereby adopted effective 0901 G.m.t., September 18, 1969.

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

Issued in Jamaica, N.Y., on July 11, 1969.

WAYNE HENDERSHOT,
Acting Director, Eastern Region.

1. Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to, in the description of the Findlay, Ohio, control zone, delete "Findlay VOR 046" and all after and insert in lieu thereof "Findlay VORTAC 045" radial extending from the Findlay Airport 5-mile radius to the VORTAC; within 2 miles each side of the 178° bearing from the Findlay RBN, extending from the Findlay Airport 5-mile radius to 8 miles south of the

RBN; within 2 miles each side of the 248° bearing from the Findlay RBN, extending from the Findlay Airport 5-mile radius to 8 miles west of the RBN; within a 5-mile radius of the center 40°53'15" N., 83°52'00" W. of Bluffton Flying Service Airport, Bluffton, Ohio; and within 2 miles each side of the Findlay VORTAC 051° radial and 231° radial extending from the Bluffton Flying Service Airport 5-mile radius to the Findlay Airport 5-mile radius."

2. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to, in the description of the Findlay, Ohio, 700-foot transition area, delete "Findlay VOR 226" radial, extending from the 6-mile radius area to 8 miles southwest of the VOR," and insert in lieu thereof: "248° bearing from the Findlay RBN extending from the Findlay Airport 6-mile radius area to 8 miles west of the RBN; within 2 miles each side of the 178° bearing from the Findlay RBN, extending from the Findlay Airport 6-mile radius area to 8 miles south of the RBN; within a 5-mile radius of the center 40°53'15" N., 83°52'00" W. of Bluffton Flying Service Airport, Bluffton, Ohio; within 2 miles each side of the Findlay VORTAC 051° radial and 231° radial, extending from the Bluffton Flying Service Airport 5-mile radius area to 8 miles northeast of the VORTAC, and within 2 miles each side of the Findlay VORTAC 225° radial, extending from the VORTAC to the Bluffton Flying Service Airport 5-mile radius area."

[F.R. Doc. 69-8629; Filed, July 23, 1969; 8:45 a.m.]

[Airspace Docket No. 69-SO-72]

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

Alteration of Transition Area

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

The Hattiesburg transition area is described in § 71.181 (34 F.R. 4637). In the description, extensions are predicated on the Hattiesburg VORTAC 156° radial and the 330° bearing from the Hattiesburg RBN with designated widths of 2 miles each side of the radial and bearing, extending from the 7-mile radius area to the VORTAC and to 8 miles northwest of the RBN, respectively.

U.S. Standards for Terminal Instrument Procedures (TERPs), issued after extensive consideration and discussion with Government agencies concerned and affected industry groups, are now being applied to update the criteria for instrument approach procedures. The criteria for the designation of controlled airspace for the protection of these procedures was revised to conform to TERPs and achieve increased and efficient utilization of airspace.

Additionally, the refined geographic coordinate for Hattiesburg RBN (lat. 31°17'57" N., long. 89°18'01" W.) was

obtained from Coast and Geodetic Survey.

Because of this revised criteria and the refined geographic location of Hattiesburg RBN, it is necessary to alter the description by reducing the width from 2 to 1.5 miles each side of the 156° radial of the VORTAC, increase the width from 2 to 3 miles each side of the 330° bearing from the RBN, extend the 7-mile radius area to 8.5 miles northwest of the RBN, and editorially amend the geographic coordinate of Hattiesburg RBN.

In view of the foregoing, notice and public procedure hereon are unnecessary and action is taken herein to amend the description accordingly.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective immediately, as hereinafter set forth.

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

HATTIESBURG, MISS.

That airspace extending upward from 700 feet above the surface within a 7-mile radius of Hattiesburg Municipal Airport (lat. 31°16'01" N., long. 89°15'16" W.); within 1.5 miles each side of the Hattiesburg VORTAC 156° radial, extending from the 7-mile radius area to the VORTAC; within 3 miles each side of the 330° bearing from Hattiesburg RBN (lat. 31°17'57" N., long. 89°18'01" W.), extending from the 7-mile radius area to 8.5 miles northwest of the RBN.

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

Issued in East Point, Ga., on July 15, 1969.

JAMES G. ROGERS,
Director, Southern Region.

[F.R. Doc. 69-8630; Filed, July 23, 1969; 8:45 a.m.]

[Airspace Docket No. 69-EA-50]

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

Designation of Transition Area

On page 8711 of the FEDERAL REGISTER for June 3, 1969, the Federal Aviation Administration published proposed regulations which would designate a 700-foot floor transition area over Buehl Field, Langhorne, Pa.

Interested parties were given 30 days after publication in which to submit written data or views. No objections to the proposed regulations have been received. In view of the foregoing, the proposed regulations are hereby adopted effective 0901 G.m.t., September 18, 1969.

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

Issued in Jamaica, N.Y., on July 11, 1969.

WAYNE HENDERSHOT,
Acting Director, Eastern Region.

Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a Langhorne, Pa. transition area described as follows:

LANGHORNE, PA.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the center 40°11'15" N., 74°54'00" W., of Buehl Field, Langhorne, Pa., excluding the portion which coincides with the North Philadelphia, Pa., transition area. This transition area shall be effective from sunrise to sunset, daily.

[F.R. Doc. 69-8632; Filed, July 23, 1969; 8:45 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. C-1549]

PART 13—PROHIBITED TRADE PRACTICES

Be-Len Manufacturing Co., Inc., et al.

Correction

In F.R. Doc. 69-8312 appearing at page 11579 in the issue of Tuesday, July 15, 1969, in the third line of paragraph 2, the word "reflect" should read "effect".

[Docket No. C-1547]

PART 13—PROHIBITED TRADE PRACTICES

District Credit Clothing & Furniture, Inc., and Sidney Gimble

Correction

In F.R. Doc. 69-8313 appearing at page 11579 in the issue of Tuesday, July 15, 1969, in the first paragraph, line four, the title for the subpart should read "Subpart—Misrepresenting oneself and good—Goods".

[Docket No. C-1551]

PART 13—PROHIBITED TRADE PRACTICES

Maylis Associates et al.

Subpart—Invoicing products falsely: § 13.1108 *Invoicing products falsely*: 13.1108-40 Federal Trade Commission Act. Subpart—Misbranding or mislabeling: § 13.1185 *Composition*: 13.1185-90 Wool Products Labeling Act; § 13.1212 *Formal regulatory and statutory requirements*: 13.1212-90 Wool Products Labeling Act. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1852 *Formal regulatory and statutory requirements*: 13.1852-80 Wool Products Labeling Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46, Interpret or apply sec. 5, 38 Stat. 719, as amended, secs. 2-5, 54 Stat. 1128-1130; 15 U.S.C. 45, 68) [Cease and desist order, Maylis Associates et al., New York, N.Y., Docket C-1551, July 2, 1969]

In the Matter of Maylis Associates, a Partnership, and Solomon Elias, Morris Ellis, Sidney Landau, and Milton Steiger, Individually and as Copartners Trading as Maylis Associates

Consent order requiring a New York City clothing manufacturer to cease misbranding and falsely invoicing its wool products.

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

It is ordered, That respondents Maylis Associates, a partnership, and Solomon Elias, Morris Ellis, Sidney Landau, and Milton Steiger, individually and as copartners doing business as Maylis Associates or under any other name, and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with the introduction, or manufacture for introduction, into commerce, or the offering for sale, sale, transportation, distribution, delivery for shipment or shipment in commerce, of wool products, as "commerce" and "wool product" are defined in the Wool Products Labeling Act of 1939, do forthwith cease and desist from misbranding such products by:

1. Falsely or deceptively stamping, tagging, labeling or otherwise identifying such products as to the character or amount of the constituent fibers contained therein.

2. Failing to securely affix to or place on each such product a stamp, tag, label, or other means of identification showing in a clear and conspicuous manner each element of information required to be disclosed by section 4(a) (2) of the Wool Products Labeling Act of 1939.

3. Setting forth as a part of the listing or marking of required fiber content on the stamp, tag, label or other mark of identification affixed to a wool product words which constitute, directly or indirectly, the generic name of a fiber not present in the product.

4. Setting forth words and terms in required information under section 4(a) (2) of the Wool Products Labeling Act of 1939 and the rules and regulations promulgated thereunder in abbreviated form on labels affixed to wool products.

It is further ordered, That respondents Maylis Associates, a partnership, and Solomon Elias, Morris Ellis, Sidney Landau, and Milton Steiger, individually and as copartners doing business as Maylis Associates or under any other name, and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with the advertising, offering for sale, sale or distribution of fabrics or other products in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from misrepresenting the character or amount of the constituent fibers contained in such products on invoices or shipping memoranda applicable thereto or in any other manner.

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

Issued: July 2, 1969.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 69-8643; Filed, July 23, 1969; 8:46 a.m.]

[Docket No. C-1554]

PART 13—PROHIBITED TRADE PRACTICES

Meyer Brothers

Subpart—Advertising falsely and misleadingly: § 13.30 *Composition of goods*: 13.30-30 Fur Products Labeling Act; 13.30-75 Textile Fiber Products Identification Act; § 13.73 *Formal regulatory and statutory requirements*: 13.73-10 Fur Products Labeling Act; 13.73-90 Textile Fiber Products Identification Act. Subpart—Invoicing products falsely: § 13.1108 *Invoicing products falsely*: 13.1108-45 Fur Products Labeling Act. Subpart—Misbranding or mislabeling: § 13.1185 *Composition*: 13.1185-30 Fur Products Labeling Act; § 13.1212 *Formal regulatory and statutory requirements*: 13.1212-30 Fur Products Labeling Act. Subpart—Neglecting, Unfairly or Deceptively, to Make Material Disclosure: § 13.1845 *Composition*: 13.1845-30 Fur Products Labeling Act; § 13.1852 *Formal regulatory and statutory requirements*: 13.1852-35 Fur Products Labeling Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46, Interpret or apply sec. 5, 38 Stat. 719, as amended, 72 Stat. 1717, sec. 8, 65 Stat. 170; 15 U.S.C. 45, 70, 69f) [Cease and desist order, Meyer Brothers, Paterson, N.J., Docket C-1554, July 2, 1969]

In the Matter of Meyer Brothers, a Corporation

Consent order requiring a Paterson, N.J., department store to cease falsely advertising its furs and textiles, and misbranding and falsely invoicing its furs.

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

It is ordered, That respondent Meyer Brothers, a corporation, and its officers, representatives, agents, and employees, directly or through any corporate or other device, in connection with the introduction, into commerce, or the sale, advertising or offering for sale in commerce, or the transportation or distribution in commerce, of any fur product; or in connection with the sale, advertising, offering for sale, transportation or distribution, of any fur product which is made in whole or in part of fur which has been shipped and received in commerce, as the terms "commerce," "fur," and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

A. Misbranding any fur product by:

1. Falsely or deceptively labeling or otherwise falsely or deceptively identifying any such fur product as to the name or designation of the animal or animals that produced the fur contained in the fur product.

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

3. Setting forth on a label attached to the fur product the name or names of any animal or animals other than the name of the animal producing the fur

contained in the fur product as specified in the Fur Products Name Guide, and as prescribed by the rules and regulations.

4. Setting forth information required under section 4(2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in abbreviated form on a label affixed to such fur product.

5. Failing to set forth the term "Dyed Broadtail-processed Lamb" on a label in the manner required where an election is made to use that term in lieu of the term "Dyed Lamb".

6. Failing to set forth the term "natural" as part of the information required to be disclosed on a label under the Fur Products Labeling Act and the rules and regulations promulgated thereunder to describe such fur product which is not pointed, bleached, dyed, tip-dyed, or otherwise artificially colored.

7. Setting forth information required under section 4(2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in handwriting on a label affixed to such fur product.

8. Failing to set forth information required under section 4(2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder on a label in the sequence required by Rule 30 of the aforesaid rules and regulations.

B. Falsely or deceptively invoicing any fur product by:

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

2. Setting forth information required under section 5(b)(1) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in abbreviated form on an invoice pertaining to such fur product.

3. Failing to set forth the term "natural" as part of the information required to be disclosed on an invoice under the Fur Products Labeling Act and the rules and regulations promulgated thereunder to describe such fur product which is not pointed, bleached, dyed, tip-dyed, or otherwise artificially colored.

C. Falsely or deceptively advertising any fur product through the use of any advertisement, representation, public announcement or notice which is intended to aid, promote or assist, directly or indirectly, in the sale, or offering for sale of any such fur product, and which:

1. Fails to set forth in words and figures plainly legible all the information required to be disclosed by each of the subsections of section 5(a) of the Fur Products Labeling Act.

2. Falsely or deceptively identifies any fur product as to the name or designation of the animal or animals that produced the fur contained in the fur product.

3. Fails to set forth the term "Dyed Broadtail-processed Lamb" in the manner required where an election is made

to use that term instead of the words "Dyed Lamb".

4. Fails to set forth the term "natural" as part of the information required to be disclosed in advertisements under the Fur Products Labeling Act and the rules and regulations promulgated thereunder to describe such fur product which is not pointed, bleached, dyed, tip-dyed, or otherwise artificially colored.

D. Failing to maintain full and adequate records disclosing the facts upon which pricing claims and representations of the types described in subsections (a), (b), (c), and (d) of Rule 44 of the rules and regulations promulgated under the Fur Products Labeling Act, are based.

It is further ordered, That respondent Meyer Brothers, a corporation, and its officers, representatives, agents, and employees, directly or through any corporate or other device, in connection with the introduction, delivery for introduction, sale, advertising or offering for sale, in commerce, or the transportation or causing to be transported, or the importation into the United States, of any textile fiber product; or in connection with the sale, offering for sale, advertising, delivery, transportation or causing to be transported, of any textile fiber product which has been advertised or offered for sale in commerce; or in connection with the sale, offering for sale, advertising, delivery, transportation, or causing to be transported, after shipment in commerce, of any textile fiber product, whether in its original state or contained in other textile fiber products, as the terms "commerce" and "textile fiber product" are defined in the Textile Fiber Products Identification Act, do forthwith cease and desist from falsely or deceptively advertising any textile fiber product by:

1. Falsely or deceptively stamping, tagging, labeling, invoicing, advertising, or otherwise identifying such product as to the name or amount of constituent fibers contained therein.

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

3. Using a fiber trademark in advertising such textile fiber product without a full disclosure of the required content information in at least one instance in said advertisement.

4. Using a fiber trademark in advertising such textile fiber product containing more than one fiber without such fiber trademark appearing in the required fiber content information in immediate proximity and conjunction with the ge-

neric name of the fiber in plainly legible type or lettering of equal size and conspicuousness.

5. Using a fiber trademark in advertising such textile fiber product containing only one fiber without such fiber trademark appearing at least once in the said advertisement, in immediate proximity and conjunction with the generic name of the fiber and in plainly legible and conspicuous type or lettering.

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

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

Issued: July 2, 1969.

By the Commission.

[SEAL]

JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 69-8644; Filed, July 23, 1969;
8:46 a.m.]

[Docket No. C-1553]

PART 13—PROHIBITED TRADE PRACTICES

Richard Martin Sampson et al.

Subpart—Advertising falsely or misleadingly: § 13.30 *Composition of goods*: 13.30-30 Fur Products Labeling Act; § 13.73 *Formal regulatory and statutory requirements*: 13.73-10 Fur Products Labeling Act. Subpart—Invoicing products falsely: § 13.1108 *Invoicing products falsely*: 13.1108-45 Fur Products Labeling Act. Subpart—Misbranding or mislabeling: § 13.1185 *Composition*: 13.1185-30 Fur Products Labeling Act; § 13.1212 *Formal regulatory and statutory requirements*: 13.1212-30 Fur Products Labeling Act. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1845 *Composition*: 13.1845-30 Fur Products Labeling Act; § 13.1852 *Formal regulatory and statutory requirements*: 13.1852-35 Fur Products Labeling Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, sec. 8, 65 Stat. 179; 15 U.S.C. 45, 69f) [Cease and desist order, Richard Martin Sampson trading as Richard Robert Edwards, etc., New York, N.Y., Docket C-1553, July 2, 1969]

In the Matter of Richard Martin Sampson, an Individual Trading as Richard Robert Edwards and as Pano-Lib, Inc.

Consent order requiring a New York City retail furrier to cease misbranding, deceptively invoicing, and falsely advertising his fur products.

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

It is ordered, That the respondent Richard Martin Sampson, an individual trading as Richard Robert Edwards

and as Pano-Lib, Inc., or under any other name or names, and respondent's representatives, agents, and employees, directly or through any corporate or other device, in connection with the introduction into commerce, or the sale, advertising or offering for sale in commerce, or the transportation or distribution in commerce, of any fur product; or in connection with the sale, advertising, offering for sale, transportation or distribution, of any fur product which is made in whole or in part of fur which has been shipped and received in commerce, as the terms "commerce," "fur," and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

A. Misbranding any fur product by:

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

2. Setting forth required information under section 4(2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in abbreviated form on the label affixed to such fur product.

3. Failing to set forth the term "natural" as part of the information required to be disclosed on a label under the Fur Products Labeling Act and the rules and regulations promulgated thereunder to describe such fur product which is not bleached, dyed, tip-dyed, or otherwise artificially colored.

4. Setting forth the information required under section 4(2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in handwriting on a label affixed to such fur product.

5. Failing to set forth information required under section 4(2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder on a label in the sequence required by Rule 30 of the aforesaid rules and regulations.

6. Failing to set forth on a label the item number or mark assigned to such fur product.

B. Falsely or deceptively invoicing any fur product by:

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

2. Setting forth information required under section 5(b) (1) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in abbreviated form.

3. Failing to set forth the term "natural" as part of the information required to be disclosed on an invoice under the Fur Products Labeling Act and rules and regulations promulgated thereunder to describe such fur product which is not pointed, bleached, dyed, tip-dyed, or otherwise artificially colored.

4. Failing to set forth on an invoice the item number or mark assigned to such fur product.

C. Falsely or deceptively advertising any fur product through the use of any advertisement, representation, public announcement, or notice which is intended to aid, promote or assist, directly or indirectly, in the sale, or offering for sale of any such fur product, and which:

1. Fails to set forth in words and figures plainly legible all the information required to be disclosed by each of the subsections of section 5(a) of the Fur Products Labeling Act.

2. Fails to set forth the term "natural" as part of the information required to be disclosed in advertisements under the Fur Products Labeling Act and the rules and regulations promulgated thereunder to describe such fur product which is not pointed, bleached, dyed, tip-dyed, or otherwise artificially colored.

3. Represents, directly or by implication, that such fur product is from the 1969 Paris collection of Jean Revion or from any source unless such source is in fact the true source of the fur product being advertised.

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

Issued: July 2, 1969.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 69-8645; Filed, July 23, 1969;
8:46 a.m.]

[Docket No. C-1552]

PART 13—PROHIBITED TRADE PRACTICES

Walker Scott Corp. and Walker Scott Co.

Subpart—Advertising falsely or misleadingly: § 13.155 Prices: 13.155-85 Sales below cost.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, sec. 8, 65 Stat. 179; 15 U.S.C. 45, 69f) [Cease and desist order, Walker Scott Corp. doing business as Walker Scott Co., San Diego, Calif., Docket C-1552, July 2, 1969]

In the Matter of Walker Scott Corp., a Corporation, Doing Business as Walker Scott Co.

Consent order requiring a San Diego, Calif., department store operator to cease falsely advertising its fur products.

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

It is ordered, That respondent Walker Scott Corp., a corporation, trading as Walker Scott Co. or under any other name, and respondent's officers, representatives, agents, and employees, directly or through any corporate or other device, in connection with the introduction, into commerce, or the sale, advertising, or offering for sale in commerce, or the transportation or distribution in com-

merce, of any fur product; or in connection with the sale, advertising, offering for sale, transportation or distribution, of any fur product which is made in whole or in part of fur which has been shipped and received in commerce, as the terms "commerce," "fur," and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from falsely or deceptively advertising any fur product through the use of any advertisement, representation, public announcement, or notice which is intended to aid, promote or assist, directly or indirectly, in the sale, or offering for sale of any such fur product, and which:

1. Falsely or deceptively represents, directly or by implication, by means of the phrase "Below Wholesale Cost" or any other phrase, term or word of similar import or meaning that such fur product is being offered for sale at less than the price paid for the product by the respondent so offering the product for sale.

2. Falsely or deceptively represents that savings are afforded to the purchaser of such fur product or misrepresents in any manner the amount of savings afforded to the purchaser of such fur product.

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

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

Issued: July 2, 1969.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 69-8646; Filed, July 23, 1969;
8:46 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[FCC 69-777]

PART 1—PRACTICE AND PROCEDURE

PART 97—AMATEUR RADIO SERVICE

Miscellaneous Amendments

Order. In the matter of amendment of Parts 1 and 97 of the Commission's rules to provide for an additional application form in the amateur radio service.

1. FCC Form 610¹ is presently used by applicants for individual, club, and military recreation amateur station licenses. All items on the application form are not relevant to all three types of stations and,

¹ Form filed as part of the original document.

as a result, applications are frequently improperly completed, necessitating their return for amendment.

2. To reduce the number of defective applications filed, separate forms, one for individual stations and one for club and military recreation stations, are to be used. The use of separate forms will be of benefit to both the Commission and the public.

3. Accordingly, the rules are being amended to provide for the use of new FCC Form 610-B by applicants for radio club and military recreation stations.

4. Because the amendment relates to matters of procedure, the prior notice and effective date provisions of section 4 of the Administrative Procedure Act, 5 U.S.C. 553, do not apply. Authority for adoption of this amendment is contained in sections 4(i) and 303 of the Communications Act of 1934, as amended.

5. In view of the foregoing: *It is ordered*, That effective July 31, 1969, Parts 1 and 97 of the rules are amended as set forth below.

6. *It is further ordered*, That the current FCC Form 610 may continue to be used by radio clubs and military recreation organizations until September 1, 1969, when the use of Form 610-B will be required.

7. *It is further ordered*, That individual amateur applicants will continue to file for amateur licenses on the FCC Form 610, but that all editions of application form, FCC Form 610, dated prior to July 1966, will no longer be accepted for filing.

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

Adopted: July 15, 1969.

Released: July 18, 1969.

FEDERAL COMMUNICATIONS
COMMISSION,²

[SEAL] BEN F. WAPLE,
Secretary.

I. Part 1 of the Commission's rules is amended as follows:

Section 1.922 is amended by adding to the list of forms to be used the form "610-B Application for Amateur Club or Military Recreation Station" between the Forms 610-A and 701.

§ 1.922 Forms to be used.

FCC form	Title
610-B	Application for Amateur Club or Military Recreation Station.

II. Part 97 of the Commission's rules is amended as follows:

1. Section 97.41(a) is amended to read as follows:

§ 97.41 Application for station license.

(a) Each application for an individual station license shall be made on the FCC Form 610, and each application for a club or military recreation station shall be made on an FCC Form 610-B.

2. In § 97.43(b), the introductory text and subparagraph (6) are amended to read as follows:

§ 97.43 Location of station.

(b) Authority for operation of an amateur station with the licensed operator on duty at a specific remote control point in lieu of the remote transmitter location may be granted upon filing an application on FCC Form 610 for an individual station license and on FCC Form 610-B for an amateur club or military recreation station license provided the following conditions are met:

(6) In the event that operation of an amateur transmitter from a remote control point by radio is desired, an application on FCC Form 610 for an individual station license and on FCC Form 610-B for an amateur club or military recreation station license should be submitted with a letter requesting authority to operate in such a manner stating that the controlling transmitter at the remote control location will operate within amateur frequency bands 220 megacycles or higher and that there will be full compliance with subparagraphs (1) through (5) of this paragraph. Supplemental statements and diagrams should accompany the application and show how radio remote control will be accomplished and what means will be employed to prevent unauthorized operation of the transmitter by signals other than those from the controlling unit. There should be included complete data on control channels, relays and functions of each, directional antenna design for the transmitter and receiver in the control circuit, and means employed for turning the main transmitter on and off from the remote control location.

3. In § 97.47, paragraphs (a) and (b) are amended to read as follows:

§ 97.47 Renewal and/or modification of amateur station license.

(a) Application for renewal and/or modification of an individual station license shall be submitted on FCC Form 610, and application for renewal and/or modification of an amateur club or military recreation station shall be submitted on FCC Form 610-B. In every case the application shall be accompanied by the applicant's license or photocopy thereof. Applications for renewal of unexpired licenses must be made during the license term and should be filed not later than 60 days prior to the end of the license term. In any case in which the licensee has, in accordance with the provisions of this chapter, made timely and sufficient application for renewal of an unexpired license, no license with reference to any activity of a continuing nature shall expire until such application shall have been finally determined.

(b) If a license is allowed to expire, application for renewal may be made during a period of grace of 1 year after the expiration date. During this 1-year period of grace, an expired license is not

valid. A license renewed during the grace period will be dated currently and will not be backdated to the date of expiration. An application for an individual station license shall be submitted on FCC Form 610. An application for an amateur club or military recreation station license shall be submitted on FCC Form 610-B. In every case the application shall be accompanied by the applicant's expired license or a photocopy thereof.

4. In § 97.95(a), the introductory text and subparagraph (2) are amended as follows:

§ 97.95 Operation away from the authorized permanent station location.

(a) Operation within the United States, its territories, or possessions is permitted as follows:

(2) When the authorized permanent station location is changed, formal application (FCC Form 610 for an individual station license and FCC Form 610-B for an amateur club or military recreation station license) must be submitted to the Commission prior to any operation and within 4 months of the move for the purpose of modifying the station license to show the new permanent station location. Operation at the new location is permitted under the license for the former station from the date the modification application is mailed until advised of Commission action on that application.

[F.R. Doc. 69-8649; Filed, July 23, 1969; 8:47 a.m.]

[Docket No. 17955; FCC 69-794]

PART 73—RADIO BROADCAST SERVICES

Memorandum Opinion and Order Regarding Table of Assignments, Refugio, Tex.

In the matter of amendment of § 73.202(b) *Table of assignments*, FM Broadcast Stations (Geneva, Ala., Baker, Mont., Wallace, N.C., Zeeland, Mich., Springdale, Ark., College, Alaska, Myrtle, Beach, S.C., Refugio, Tex., Gardiner, N.Y., Fort Valley and Douglas, Ga., Billings, Mont., and McMinnville, Tenn.), Docket No. 17955, RM-1217, RM-1219, RM-1216, RM-1221, RM-1224, RM-1222, RM-1230, RM-1225, RM-1231, RM-1226, RM-1213, RM-1228.

1. The Commission considers here the petition for reconsideration filed by Lawrence Wood on May 27, 1968, of that portion of the report and order in Docket No. 17955, released April 26, 1968 (FCC 68-455, 33 F.R. 6659), assigning Channel 224A to Refugio, Tex., and denying petitioner's request to assign Class C Channel 294 to that community. Petitioner is a potential FM applicant at Refugio. No comments by other parties were filed in connection with the petition for reconsideration.

² Commissioner Wadsworth absent.

2. Refugio, with a population of 4,944 persons, is the largest community and county seat of Refugio County, population 10,975. It is located about midway between Corpus Christi and Victoria, about 37 miles from each. There are no AM or FM stations operating in Refugio County, or in neighboring Goliad County (population 5,429) which petitioner also seeks to serve.

3. The Commission instituted a rule making proceeding in response to a request filed by petitioner to assign a first Class C Channel 294 to the small community of Refugio. The notice proposed either that assignment or, in the alternative, to assign a Class A Channel, 224A, 292A, or 296A. After careful consideration of the comments and data filed in response to the notice of proposed rule making, the Commission reached the decision that denial of the petitioner's request for a Class C channel and assignment of a Class A channel instead would serve the public interest. The decision was based on a number of considerations. First, we were not persuaded that such a small community located near Corpus Christi and Victoria, with existing Class C operations, merited a wide-area Class C assignment. Furthermore, the petitioner's showing of a "white area" of 146.9 square miles, containing very little population, that would be covered by the proposed Class C operation was not considered very significant. Finally, we were not of the opinion that the facts developed in the proceeding were sufficient to support the request for a wide-area channel in view of the large area that would be precluded from future use of the channel. We therefore assigned Class A Channel 224A to Refugio.

4. We have carefully studied the contentions and data submitted in petitioner's request for reconsideration. As concerns the assignment of a Class C channel, the arguments now advanced are chiefly a repetition of those previously submitted in earlier pleadings in the proceeding. The principal contentions made are: (1) The greater service a Class C facility would provide, with a 1 mv/m signal reaching 43,892 persons as compared to 10,119 persons so served with a Class A facility, thus providing an adequate economic base which a Class A station would not have in this sparsely settled area; (2) the greater "white area" which would be served, 147 square miles containing 1,334 persons compared to 2.5 square miles and 6 persons so benefiting from Class A facilities; (3) the need for local service in Refugio and Goliad Counties, with no AM or FM stations or daily newspapers, and no programming meeting local needs from the distant stations at Victoria, Corpus Christi and elsewhere; (4) other Commission decisions assigning Class C channels to places of this size or smaller, lo-

cated as close or closer to larger centers having Class B/C assignments.²

5. We do not find in the material before us, nearly all of which was advanced and considered earlier, reason to alter our decision not to assign Class C Channel 294 to Refugio, an assignment which would preclude use of this channel in an extremely large area extending to the Texas-Mexico border, much greater than the preclusion effect on this or other channels resulting from a Class A assignment. We refer to the views expressed in the decision herein, cited above. With respect to prior Commission decisions (footnote 2, above) most of which were mentioned previously by petitioner, it is true that wide-coverage B or C channels have been assigned to places the size of Refugio or smaller, located as close or closer to a larger center than it is to Victoria and Corpus Christi. However, in none of these cases was there the existing and potential FM service in the area generally that there is in this case, with Class C assignments and stations in different directions from Refugio at Victoria, Corpus Christi, and Sinton (the latter only some 23 miles from Refugio), as well as Class A assignments at Beeville and Cuero in the general area. Therefore we affirm our decision in this respect.

6. Mr. Woods also requests, in the event the Commission remains of the opinion assignment of a Class A channel should be retained, that Channel 292A or 296A, both of which were indicated to be available to Refugio in the notice in this proceedings, be substituted for the presently assigned Channel 224A. In support of the request it is pointed out that, although Channel 224A meets the required spacing requirements at the Refugio standard reference point (post office), other assignments in the area would severely restrict selection of sites in the north northwesterly direction from the community. It is suggested that this would prevent selection of a site maximizing service to a potential "white area" northwest of Refugio. It is asserted that neither Channels 292A nor 296A would be similarly restricted. We are of the opinion that sufficient justification has been made in this instance to warrant substitution of one of the other available Class A channels. Channel 224A has not been applied for since its assignment. We are therefore deleting Channel 224A and assigning Channel 292A as a substitute at Refugio.³

² Mentioned are Commission decisions, from 1964 to 1967, making Class B or Class C assignments to Carrollton, Ala., Ellsworth, Maine, Magee, and Forest, Miss., Jerseyville, Ill., Pipestone, Minn., and Poteau and Pryor, Okla.

³ Our preclusion study of the three Class A channels assignable to Refugio (224A, 292A, and 296A) indicates that each would cause some preclusion to two adjacent Class C channels, all such areas being about equal in area except for the areas for Channel 295 that would be caused by assignment of Channels 292A or 296A. Since the impact area on Channel 295 would be somewhat less from the assignment of Channel 292A, it is being selected in preference to Channel 296A.

7. In view of the foregoing, and pursuant to authority contained in sections 4(i), 303(r), and 307(b) of the Communications Act of 1934, as amended: *It is ordered*, That effective August 25, 1969, § 73.202(b) of the Commission's rules, is amended, insofar as the community listed below is concerned, to read as follows:

	Channel No.
City Refugio, Tex.	292A

8. *It is further ordered*, That the petition for reconsideration filed in this proceeding by Lawrence Wood is granted to the extent indicated herein and in all other respects is denied; and that this proceeding (Docket 17955) is terminated.

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

Adopted: July 15, 1969.

Released: July 18, 1969.

FEDERAL COMMUNICATIONS
COMMISSION

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 69-3650; Filed, July 23, 1969;
8:47 a.m.]

[Docket No. 18507; FCC 69-776]

PART 95—CITIZENS RADIO SERVICE

Identification of Class A Citizens Radio Stations

Report and order. In the matter of amendment of § 95.95 of the Commission's rules to permit Class A citizens radio stations to be identified in the manner provided for other land mobile stations, Docket No. 18507.

1. On April 2, 1969, the Commission adopted a notice of proposed rule making in the above-entitled matter (FCC 69-312) which was duly published in the FEDERAL REGISTER on April 19, 1969 (34 F.R. 6293). The time for filing comments and reply comments has passed.

2. In the notice, we proposed the amendment of § 95.95 of the Commission's rules to permit Class A stations to identify in a manner similar to that of other land mobile stations.

3. The only comment received was from George Nims Raybin who suggested that Class D stations also be permitted to identify themselves in the same manner. This suggestion is considered to be beyond the scope of the instant proceeding, but it may be commented that differences in permissible power, antenna height, and communication range between Class A and Class D stations are such as to warrant no corresponding change in the mode of identification of Class D stations.

4. Under this rule change, Class A licensees may identify their stations in a manner similar to other land mobile stations, and the Commission believes that its adoption will serve the public interest. The first sentence of § 95.95(e) has been edited to make clear that the method of identification is optional for Class A base stations, fixed stations, and mobile units

⁴ Commissioner Wadsworth absent.

¹ The "white area" was inadvertently described in the report and order as 144.4 instead of 146.9 square miles. Refugio itself receives at least two FM signals of 1 mv/m or greater intensity; the "white area" is entirely in Goliad County.

when communicating with base stations. Identification must be made in accordance with § 95.95(c) when communications are between mobile units.

5. Authority for the amendment set forth below is contained in sections 4(1) and 303 of the Communications Act of 1934, as amended.

6. Therefore, it is ordered, That effective August 26, 1969, § 95.95 of the Commission's rules is amended by adding a new paragraph (e) as set forth below.

7. 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 15, 1969.

Released: July 18, 1969.

FEDERAL COMMUNICATIONS
COMMISSION,¹

[SEAL] BEN F. WAPLE,
Secretary.

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

1. Section 95.95 is amended by the addition of a new paragraph (e) to read:

§ 95.95 Station identification.

(e) In lieu of complying with the requirements of paragraph (c) of this section, Class A base stations, fixed stations, and mobile units when communicating with base stations may identify as follows:

(1) Base stations and fixed stations of a Class A radio system shall transmit their call signs at the end of each transmission or exchange of transmissions, or once each 15-minute period of a continuous exchange of communications.

(2) A mobile unit of a Class A station communicating with a base station of a Class A radio system on the same frequency shall transmit once during each exchange of transmissions any unit identifier which is on file in the station records of such base station.

(3) A mobile unit of Class A stations communicating with a base station of a Class A radio system on a different frequency shall transmit its call sign at the end of each transmission or exchange of transmissions, or once each 15-minute period of a continuous exchange of communications.

[F.R. Doc. 69-8651; Filed, July 23, 1969; 8:47 a.m.]

Title 49—TRANSPORTATION

Chapter X—Interstate Commerce Commission

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

PART 1004—ADMINISTRATIVE INTERPRETATIONS—STATEMENTS OF POLICY

Gifts, Donations, and Hospitality by Carriers

At a general session of the Interstate Commerce Commission, held at its office

¹ Commissioner Wadsworth absent.

in Washington, D.C., on the 15th day of July 1969.

The Interstate Commerce Commission issues the following Statement of Policy for inclusion in Chapter X of Title 49 of the Code of Federal Regulations.

It is ordered, That Part 1004 of Chapter X of Title 49 of the Code of Federal Regulations be amended as follows:

(1) The heading of Part 1004 is amended to read as set forth above.

(2) A new § 1004.2 is added to read as follows:

§ 1004.2 Gifts, donations, and hospitality by carriers.

(a) This Commission has long been confronted with questions propounded by the public concerning the correct application and interpretation of the law as it relates to the extent, if any, to which a regulated carrier may lawfully make gifts or donations or provide hospitality to a shipper's representative.

(b) In the light of current business practices and some apparent continued uncertainty with respect to matters concerning the lawful limits of the practice of carriers making gifts or donations or providing hospitality to shippers and their representatives, the Commission deems it appropriate to issue this statement of policy.

(c) The enactment of the Interstate Commerce Act and its amendments was for the purpose of eliminating abuses. Common carriers are engaged in what has always been regarded as a public business and by reason of this status they are subject to strict legal obligations. They must, within the limits of their abilities, serve all who seek their services, and serve them equally and fairly. The "buying of freight" either directly or indirectly does not comport with fulfilling that obligation.

(d) Some purchasers of transportation may not be beyond soliciting favors from the carriers. Certainly the intent of the law is to protect both the shipper and the carrier. Any person, whether carrier, shipper, consignee, or broker, or any officer, employee, agent, or representative thereof, who shall knowingly offer, grant, or give, or solicit, accept, or receive any rebate, concession, or discrimination in violation of any provision of the Act, is in violation of the law. Thus, a gift by the carrier to a shipper of anything of substantial intrinsic value would be deemed a violation of the law and would subject both the carrier and the recipient to the penalties therein provided.

(e) It is also evident that substantial expenditures of this type could have the effect of raising the level of rates and charges for carrier services. Therefore, great care will be taken by this Commission to assure that no such expenses will be allowed to support requests to increase carrier rates and charges. It will be our purpose to take appropriate enforcement action wherever concessions involving unlawful expenditures of the described type are found to occur. Some such matters which have come to our attention are presently under investigation by our field staff.

(f) For the purpose of giving greater publication to the principles involved, the following points involving the carrier-shipper relation are restated here:

(1) It is unlawful for any common carrier engaged in interstate or foreign commerce to make, give, or cause any undue or unreasonable preference or advantage to any particular person.

(2) No common carrier shall refund or remit in any manner or by any device, directly or indirectly, or extend to any person any privileges or facilities for transportation in interstate commerce except such as are specified in its tariffs. (Obviously no carrier's tariffs can contain provisions for gifts or privileges for preferred customers, or any other limited class, since they are in violation of the law.)

(3) Gifts of services or articles of substantial value to particular shippers or their representatives are considered violations of the law. For example, transportation of shipper representatives in carrier-owned aircraft or automobiles to resorts for recreational weekends or similar excursions are so regarded. Also, the use of trading stamps by common carriers is considered to amount to a rebate, whether the stamps are redeemable by the carrier or by a third party. Essentially, this is a discount and, though no cash is refunded, the equivalent of cash is given to the customer. Common carriers may not participate in such plans.

(Sec. 12, 24 Stat. 383, as amended, 81 Stat. 54; 49 U.S.C. 12, 5 U.S.C. 552)

It is further ordered, That this amendment shall be effective upon its publication in the FEDERAL REGISTER.

And it is further ordered, That notice of this statement of policy shall be given to the general public by depositing a copy in the Office of the Secretary of the Commission, and by filing a copy with the Director, Office of the Federal Register.

By the Commission.

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

[F.R. Doc. 69-8663; Filed, July 23, 1969; 8:48 a.m.]

[No. MC-C-258]

PART 1048—COMMERCIAL ZONES Decision and Order on Further Consideration Regarding Kansas City, Mo.-Kansas City, Kans. Commercial Zone

At a session of the Interstate Commerce Commission, Review Board No. 2, Members Mills, Boyle, and Parker, held at its office in Washington, D.C., on the 11th day of June 1969.

It appearing, that on September 25, 1967, the Commission, Review Board No. 2, made and filed its decision and order on further consideration in this proceeding, 105 M.C.C. 750, redefining the limits of the zone adjacent to and commercially a part of Kansas City, Mo.-Kansas City, Kans., contemplated by section 203

(b) (8) of the Interstate Commerce Act (49 U.S.C. 303(b) (8)) ;

It further appearing, that the present limits of said zone are defined, in part, by a line beginning at the western boundary of Richards-Gebaur Air Force Base at its intersection with Missouri Highway 150, and extending west along Missouri Highway 150 to the Kansas-Missouri State line;

It further appearing, that by petition filed March 17, 1969, Borg-Warner Pipe and Products, Department of Fabricated Products Division, Borg-Warner Corp., requests the Commission to reopen the above proceeding for the purpose of redefining the limits of the Kansas City, Mo.-Kansas City, Kans., commercial zone so as to include an area located within Kansas City, Mo., not now within the limits of such zone;

It further appearing, that pursuant to section 552 of the Administrative Procedure Act, notice of the said proposal to include a part of Kansas City, Mo., within the zone was published in the FEDERAL REGISTER on March 26, 1969 (34 F.R. 5659), which notice stated that no oral hearing was contemplated, and that persons desiring to participate in the proceeding were invited to file representations supporting or opposing the action proposed;

It further appearing, that a representation supporting the proposed redefinition of the zone was filed by Red Ball Motor Freight, Inc., and that no representations in opposition to the proposed redefinition were filed;

And it further appearing, that the involved incorporated portion of Kansas City, Mo., not now within the Kansas City, Mo.-Kansas City, Kans., commercial zone, is, in fact, economically and commercially a part of Kansas City, Mo.;

Wherefore, and good cause appearing therefor:

We find, that the zone adjacent to and commercially a part of Kansas City, Mo.-Kansas City, Kans., as contemplated by section 203(b) (8) of the Interstate Commerce Act should be modified to include that area described in the second succeeding paragraph herein.

It is ordered, That said proceeding be, and it is hereby, reopened for further consideration.

It is further ordered, That the decision and order entered in this proceeding September 25, 1967 (49 CFR 1048.8), be, and they are hereby, vacated and set aside and § 1048.8 is hereby revised as follows:

§ 1048.8 Kansas City, Mo.-Kansas City, Kans.

The zone adjacent to and commercially a part of Kansas City, Mo.-Kansas City, Kans., within which transportation by motor vehicle, in interstate or foreign commerce, not under a common control, management, or arrangement for a continuous carriage or shipment to or from a point beyond the zone is partially exempt from regulation under section 203(b) (8) of the Interstate Commerce Act (49 U.S.C. 303(b) (8)), includes and is comprised of all points in the area bounded by a line as follows:

Beginning on the north side of the Missouri River at the western boundary line of Parkville, Mo., thence along the western and northern boundaries of Parkville to the Kansas City, Mo., corporate limits, thence along the western, northern, and eastern corporate limits of Kansas City, Mo., to its junction with U.S. Bypass 71 (near Liberty, Mo.), thence along U.S. Bypass 71 to Liberty, thence along the northern and eastern boundaries of Liberty to its junction with U.S. Bypass 71 south of Liberty, thence south along U.S. Bypass 71 to its junction with the Independence, Mo., corporate limits, thence along the eastern Independence, Mo., corporate limits to its junction with the Lees Summit corporate limits, thence along the eastern Lees Summit corporate limits to the Jackson-Cass County line, thence west along Jackson-Cass County line to the eastern corporate limits of Belton, Mo., thence along the eastern, southern, and western corporate limits of Belton to the western boundary of Richards-Gebaur Air Force Base, thence along the western boundary of said Air Force Base to the corporate limits of Kansas City, Mo., thence west along said corporate limits to the Kansas-Missouri State line, thence north along the Kansas-Missouri State line to 110th Street, thence west along 110th Street to its junction with U.S. Highway 69, thence north along U.S. Highway 69 to its junction with 103d Street, thence west along 103d Street to its junction with Quivera Road (the corporate boundary of Lenexa, Kans.), thence along the eastern, southern, western, and northern boundaries of Lenexa to Pflumm Road, thence north along Pflumm Road to its junction with Kansas Highway 10, thence west on Kansas Highway 10 to its junction with Kansas Highway 7, thence north on Kansas Highway 7 to Bonner Springs, Kans., thence along the southern and eastern boundaries of Bonner Springs to its junction with Kansas Highway 32, thence east on Kansas Highway 32 to the corporate boundary of Kansas City, Kans., thence north, west, and east along the corporate boundaries of Kansas City, Kans., to junction of Cernech Road and Pomeroy Drive, thence northwesterly along Pomeroy Drive to its junction with 79th Street, thence along 79th Street to its junction with Wolcott Drive at Pomeroy, Kans., thence due west 1.3 miles to its junction with an unnamed road, thence north along such unnamed road to the entrance to the Powell Port facility, thence due north to the southern bank of the Missouri River, thence east along the southern bank of the Missouri River to a point directly across from the western boundary of Parkville, Mo., thence across the Missouri River to point of beginning.

(49 Stat. 543, as amended, 544, as amended, 546, as amended; 49 U.S.C. 302, 303, 304)

It is further ordered, That this order shall become effective on August 22, 1969, and shall continue in effect until further order of the Commission.

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

By the Commission, Review Board No. 2.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 69-8664; Filed, July 23, 1969; 8:48 a.m.]

Title 50—WILDLIFE AND FISHERIES

Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior

PART 32—HUNTING

Kofa Game Range, Ariz.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 32.22 Special regulations; upland game; for individual wildlife refuge areas.

ARIZONA

KOFA GAME RANGE

The public hunting of quail, rabbits, coyotes, gray fox, bobcat, and skunks on the Kofa Game Range, Ariz., is permitted only on the area designated by signs as open to hunting. This open area, comprising 660,041 acres or 100 percent of the total area of the game range, is delineated on a map available at the refuge headquarters, Yuma, Ariz., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex. 87103. Hunting shall be in accordance with all applicable State regulations governing the hunting of quail, rabbits, coyotes, gray fox, bobcat, and skunks subject to the following special condition:

(1) The open season for hunting quail, rabbits, coyotes, gray fox, bobcat, and skunks on the refuge extends from October 1 through November 30, 1969, inclusive.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through November 30, 1969.

CLAUDE F. LARD,
Refuge Manager, Kofa
Game Range, Yuma, Ariz.

JULY 11, 1969.

[F.R. Doc. 69-8627; Filed, July 23, 1969; 8:45 a.m.]

PART 32—HUNTING

Cabeza Prieta Game Range, Ariz.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 32.32 Special regulations; big game; for individual wildlife refuge areas.

ARIZONA

CABEZA PRIETA GAME RANGE

Public hunting of bighorn sheep on the Cabeza Prieta Game Range, Ariz., is permitted only on the area designated by signs as open to hunting. The bighorn sheep season is from December 6 through December 21, 1969, inclusive. The open bighorn sheep area, comprising 685,000 acres, is delineated on a map available at the game range headquarters, Yuma,

Ariz., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex. 87103. Hunting shall be in accordance with all applicable State regulations governing the hunting of bighorn sheep subject to the following special condition:

(1) Bighorn sheep limited to four permits issued by the Arizona Game and Fish Department.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through December 21, 1969.

CLAUDE F. LARD,
Refuge Manager, Cabeza Prieta
Game Range, Yuma, Ariz.

JULY 11, 1969.

[P.R. Doc. 69-8625; Filed, July 23, 1969;
8:45 a.m.]

PART 32—HUNTING

Kofa Game Range, Ariz.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 32.32 Special regulations; big game; for individual wildlife refuge areas.

ARIZONA

KOFA GAME RANGE

Public hunting of bighorn sheep and deer on the Kofa Game Range, Ariz., is permitted only on the area designated by signs as open to hunting. The bighorn sheep season is from December 6 through December 21, 1969, inclusive, and the deer season is from September 5 through September 21, 1969, inclusive, and from October 31 through November 16, 1969, inclusive. The open bighorn sheep and deer hunting area, comprising 660,041 acres, is delineated on maps available at refuge headquarters, Yuma, Ariz., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex., 87103.

Hunting shall be in accordance with all applicable State regulations covering the hunting of bighorn sheep and deer subject to the following special condition:

(1) Bighorn sheep limited to 10 permits issued by the Arizona Game and Fish Department.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through December 21, 1969.

CLAUDE F. LARD,
Refuge Manager, Kofa
Game Range, Yuma, Ariz.

JULY 11, 1969.

[P.R. Doc. 69-8626; Filed, July 23, 1969;
8:45 a.m.]

PART 32—HUNTING

San Andres National Wildlife Refuge, N. Mex.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER:

§ 32.32 Special regulations; big game; for individual wildlife refuge areas.

NEW MEXICO

SAN ANDRES NATIONAL WILDLIFE REFUGE

Public hunting of deer (either sex) on the San Andres National Wildlife Refuge, N. Mex., is permitted from November 29 through November 30, 1969, inclusive, only on the area designated by signs as open to hunting. This area, comprising 57,215 acres, is delineated on maps available at refuge headquarters, Las Cruces, N. Mex., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex. 87103. Hunting shall be in accordance with all applicable State regulations covering the hunting of deer, subject to the following special conditions:

(1) Hunters must check in and out in person at the check station at the junction of U.S. 70 and Jornada Road. The check station will be open to allow hunters to start checking in during the afternoon of November 28, 1969. Time of entry to the hunting area will be at the discretion of the conservation officer in charge. Any entry permits required by the military authorities will be available at the check station. All hunters must check out no later than 10 p.m. November 30, 1969.

(2) No entry into the hunting area from the west will be permitted north of the Rope Springs Road. Hunters will also not be permitted to enter the east side of the San Andres Range except at the discretion of the conservation officer in charge.

(3) The conservation officer in charge may restrict the number of hunters entering any one area. If required by the firing schedule, hunters will be cleared from all areas whereon their safety is endangered.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through November 30, 1969.

JOHN H. KIGER,
Refuge Manager, San Andres
National Wildlife Refuge, Las
Cruces, N. Mex.

JULY 11, 1969.

[P.R. Doc. 69-8628; Filed, July 23, 1969;
8:45 a.m.]

Title 7—AGRICULTURE

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

[Valencia Orange Reg. 284, Amdt. 1]

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

Limitation of Handling

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

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, and this amendment relieves restriction on the handling of Valencia oranges grown in Arizona and designated part of California.

Order, as amended. The provisions in paragraph (b) (1) (i), (ii), and (iii) of § 908.584 (Valencia Orange Reg. 284, 34 F.R. 11413) are hereby amended to read as follows:

§ 908.584 Valencia Orange Regulation 284.

- (b) Order. (1) * * *
- (i) District 1: 228,000 cartons;
 - (ii) District 2: 344,000 cartons;
 - (iii) District 3: 78,000 cartons.

(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.

[P.R. Doc. 69-8639; Filed, July 23, 1969;
8:46 a.m.]

[Valencia Orange Reg. 286]

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

Limitation of Handling

§ 908.586 Valencia Orange Regulation 286.

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

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate

the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on July 22, 1969.

(b) *Order.* (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period July 25, 1969, through July 31, 1969, are hereby fixed as follows:

- (i) District 1: 216,000 cartons;
- (ii) District 2: 294,000 cartons;
- (iii) District 3: 90,000 cartons.

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

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

Dated: July 23, 1969.

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

[F.R. Doc. 69-8784; Filed, July 23, 1969;
12:17 p.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

**SUBCHAPTER B—LOANS, PURCHASES, AND
OTHER OPERATIONS**

PART 1427—COTTON

**Subpart—1969 Crop Supplement to
Cotton Loan Program Regulations**

Correction

In F.R. Doc. 69-8198 appearing at page 11584 in the issue of Tuesday, July 15, 1969, make the following changes:

1. In the table for § 1427.1522, under the State of Texas, the city "Odonnell" should read "Odonnell".

2. In the table for § 1427.1523, the third entry from the bottom under the column "1/2" should read "—100".

Proposed Rule Making

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 39]

[Docket No. 69-CE-10-AD]

AIRWORTHINESS DIRECTIVES

Continental Models TSIO-520-B-D-E Engines

The Federal Aviation Administration is considering amending Part 39 of the Federal Aviation Regulations by adding an airworthiness directive applicable to Continental Models TSIO-520-B-D-E engines. There have been reports of failures of the turbocharger lubricating oil scavenge pump on these engines which resulted in loss of engine oil supply, engine featherings, engine power loss, and inflight fire.

Since this condition is likely to exist or develop in other engines of the same type design, the proposed airworthiness directive would require, within the next 100 hours' time-in-service after the effective date of this airworthiness directive, replacement of the scavenge pump drive gear and driving key of all engines of the serial numbers hereinafter listed having more than 300 hours' time-in-service, in accordance with instructions contained in Continental Service Bulletin No. M69-8, dated June 11, 1969.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, view, or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Director, Central Region, Attention: Regional Counsel, Airworthiness Rules Docket, 601 East 12th Street, Kansas City, Mo. 64106. All communications received within 30 days after publication of the notice in the FEDERAL REGISTER will be considered before action is taken upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the Airworthiness Rules Docket for examination by interested persons.

This amendment is proposed under the authority of sections 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423), and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

In consideration of the foregoing, it is proposed to amend § 39.13 of Part 39 of the Federal Aviation Regulations by adding the following new airworthiness directive.

CONTINENTAL. Applies to Models TSIO-520-B (Serial Nos. 145001 through 145618), TSIO-520-D (Serial Nos. 156001 through 156103), and TSIO-520-E (Serial Nos. 165001 through 165493, 165496, and 165497) engines having 300 hours' or more time-in-service, except those engines having turbocharger oil scavenge pumps with P/N 635327 Shaft Gear-Starter, P/N 635328 Body-Scavenge Pump and P/N 635330 Gear-Scavenge Pump, or those engines equipped with P/N 635061-A1 Starter Adaptor and Scavenge Pump Assembly.

Compliance: Unless already accomplished, within the next 100 hours' time-in-service after the effective date of this airworthiness directive, on engines having 300 or more hours' time-in-service, or at or before 400 hours' time-in-service on engines that have less than 300 hours' time-in-service at the effective date of this airworthiness directive, accomplish the following:

To prevent failure of the turbocharger lubricating oil scavenge pump:

Remove P/N 632597 scavenge pump drive gear and P/N MS 35756-3 Woodruff Key and replace with a P/N 636251 scavenge pump drive gear and a new P/N MS 35756-3 Woodruff Key. In the P/N 632602 scavenge body assembly drill a 0.093 inch ($\frac{9}{32}$) diameter hole to a depth of 0.31 inch ($\frac{5}{16}$) in the floor of the gear cavity midway between the center of the gears. Continental Service Bulletin No. M69-8 dated June 11, 1969, refers to the above and provides additional instructions on this modification.

Issued in Kansas City, Mo., on July 15, 1969.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 69-8636; Filed, July 23, 1969;
8:40 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 69-WE-54]

CONTROL ZONE

Proposed Alteration

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the description of the Palm Springs, Calif., control zone.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Director, Western Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, 5651 West Manchester Avenue, Post Office Box 92007, Worldway Postal Center, Los Angeles, Calif. 90009. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials

may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

A public docket will be available for examination by interested persons in the office of the Regional Counsel, Federal Aviation Administration, 5651 West Manchester Avenue, Los Angeles, Calif. 90045.

The hours of operation of the Palm Springs tower and effective time of the control zone are currently from 0600 to 2300 hours local time daily. Rule-making action is currently being processed to reduce these hours to 2200 hours local time daily. It is expected, however, that seasonal changes in the hours of operation of the control tower will be necessary in the future due to changes in traffic volume. The use of the NOTAM is proposed to designate these changes, when required, and will provide an expeditious means of designating the effective hours of the control zone to coincide with the hours of operation of the control tower.

In consideration of the foregoing the FAA proposes the following airspace action:

In § 71.171 (34 F.R. 4557) the description of the Palm Springs, Calif., control zone is amended by deleting the last sentence and substituting therefor "This control zone shall be effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual."

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958, as amended, (72 Stat. 749; 49 U.S.C. 1348(a)), and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Los Angeles, Calif., on July 14, 1969.

WILLIAM R. KRIEGER,
Acting Director, Western Region.

[F.R. Doc. 69-8634; Filed, July 23, 1969;
8:45 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 69-WE-51]

CONTROL ZONE AND TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering amendments to Part 71 of the Federal Aviation Regulations which would alter the descriptions of the Grand

Junction, Colo., control zone and transition area.

Interested persons may participate in the proposed rule-making by submitting such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Director, Western Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, 5651 West Manchester Avenue, Post Office Box 92007, Worldway Postal Center, Los Angeles, Calif. 90009. All communications received within 30 days after publication of this notice in the *FEDERAL REGISTER* will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

A public docket will be available for examination by interested persons in the office of the Regional Counsel, Federal Aviation Administration, 5651 West Manchester Avenue, Los Angeles, Calif. 90045.

The criteria for establishment of control zones and transition areas has recently been changed. Accordingly it is necessary to alter such areas to conform to the new criteria.

In consideration of the foregoing the FAA proposes the following airspace actions:

In § 71.171 (34 F.R. 4557) the description of the Grand Junction, Colo., control zone is amended by deleting the numeral "10" and substituting "10" * * * * * therefore.

In § 71.181 (34 F.R. 4637) in the description of the Grand Junction, Colo., transition area a 700-foot portion of transition area is added and amended to read in part as follows:

GRAND JUNCTION, COLO.

That airspace extending upward from 700 feet above the surface within 8 miles northwest and 5 miles southeast of the Grand Junction VORTAC 247° and 067° radials extending from 13 miles southwest to 14 miles northeast of the VORTAC and within 2 miles south and 10 miles north of the Grand Junction VORTAC 110° radial extending from the VORTAC to 22 miles southeast; that airspace extending upward from 1,200 feet above the surface * * *.

These amendments are proposed under the authority of section 307(a) of the Federal Aviation Act of 1958, as amended (72 Stat. 749; 49 U.S.C. 1348 (a)), and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Los Angeles, Calif., on July 14, 1969.

WILLIAM R. KRIEGER,
Acting Director, Western Region.

[F.R. Doc. 69-8635; Filed, July 23, 1969; 8:45 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 73]

[Docket No. 18607; FCC 69-793]

DETERMINATION OF POWER OF STANDARD BROADCAST STATIONS

Notice of Proposed Rule Making

1. Section 73.51(a) of the Commission's rules requires that the operating power of a standard broadcast station be determined under normal conditions, "by the direct method", i.e., by measuring the antenna current, and taking the product of the square of this value and the antenna resistance, which has been previously measured. Paragraph (b) of this section permits the determination of power "by the indirect method" on a temporary basis in emergencies, or in other instances when a determination by the direct method is not feasible, or would provide a result of questionable accuracy. Section 73.52 describes the indirect method, which involves the application of an efficiency factor to the DC plate input power to the final radio stage of the transmitter. A table of values for the efficiency factor for different methods of modulation and transmitter power ratings is set forth in paragraph (b) of this section.

2. The present rules provide no alternative to the use of efficiency factors contained in the above-mentioned table, despite the fact that these are average values, and the appropriate figures may vary among transmitters of different makes, and with various power levels for a given transmitter. Moreover, certain modern transmitters employ methods of modulation to which none of the efficiency factors listed in the table are applicable.

3. It is the primary purpose of this proceeding to provide for other, more accurate means for determining the efficiency factor in individual cases where the indirect method for determining power is employed. To a large extent, the rule changes proposed in this area codify procedures which heretofore have been specified or permitted on an ad hoc basis.

4. As a secondary objective, we propose to reorganize material in the rules dealing with power and its determination and, in certain instances, delete certain redundant or obsolete matter, and in other cases, revise or add material. Specifically, the following changes may be noted.

5. Paragraph (e) of § 73.39, provides in part that stations determining power by the indirect method may log transmission line current in lieu of antenna current. Neither antenna nor transmission line current values are employed in the determination of power by the indirect method. Accordingly, this paragraph would be deleted as inapplicable and obsolete.

6. All provisions relating to the determination of power by the direct and indirect methods now in §§ 73.51 and 73.52,

as revised would be consolidated in § 73.51, retaining the present heading.

7. The material in § 73.57 *Operating power; maintenance of*, would be transferred to § 73.52, thus locating the sections of the rules dealing with operating power in more convenient physical proximity. Section 73.57 would be deleted.

8. Section 73.54 *Operating power; direct measurement* deals principally with the determination of antenna resistance and reactance; the present heading is not truly descriptive of its contents. It is proposed to retitle this section "Antenna resistance and reactance; how determined," to delete material not directly applicable to this subject and to add requirements now found only under Question 9 of section II-A of FCC Form 302.¹ The material deleted is covered by present paragraphs (a), (b), and (d) (3) and (5).

9. In particular, present paragraph (a) unnecessarily repeats material contained in § 1.546, and (d) (5) states no requirement not already contained in paragraph (a) of § 73.58. Present paragraph (b) and paragraph (d) (3) purport to specify the methods to be employed in measuring resistance and reactance. However, these specifications are in terms that are essentially non-restrictive—they do not, per se, preclude the measurement of antenna resistance by any method found acceptable by the Commission on the basis of a proper showing. Consequently, we see little benefit to be gained by retaining the material contained in these paragraphs. In any event, perhaps 99 percent of all antenna resistance measurements are made with radio frequency bridges, and we foresee no substantial change in this situation.

10. For the reason cited above, material having to do with methods of measurement of antenna resistance would be deleted from paragraph (a) (5) of § 73.186. However, the principal purpose for amending this paragraph is to remove the reference to power determination "by the direct method". Power is determined by the direct method when the station is in regular operation (see § 73.51) but only pursuant to favorable Commission action on a formal application to permit this (see § 1.546). A station conducting a field intensity survey is required to maintain the power fed into its antenna at a specified level throughout the survey, but is not expected to file an application in connection with this requirement. Accordingly, as we propose to revise this subparagraph, we require maintenance of the "antenna power", as defined in paragraph (f) of § 73.14. This language change, of course, involves no substantive change in the technical requirements.

11. Pursuant to the authority contained in sections 4(i) and 303 of the Communications Act of 1934, as amended, it is proposed to amend Part 73, Subpart A of the Commission's rules as set forth below.

¹ When FCC Form 302 is revised, it is expected that the material to be included in § 73.54 will be deleted from the form.

12. Pursuant to applicable procedures set forth in § 1.415 of the Commission's rules, interested persons may file comments on or before August 22, 1969, and reply comments on or before September 5, 1969. All relevant and timely comments and reply comments will be considered by the Commission before final action is taken. In reaching its decision in this proceeding, the Commission may also take into account other relevant information before it, in addition to the specific comments invited by this notice.

13. In accordance with the provisions of § 1.419 of the rules, an original and 14 copies of all comments, replies, pleadings, briefs, and other documents shall be furnished the Commission.

Adopted: July 15, 1969.

Released: July 18, 1969.

FEDERAL COMMUNICATIONS
COMMISSION,²

[SEAL] BEN F. WAPLE,
Secretary.

1. In § 73.39, the text of paragraph (e) is deleted, and (e) is shown as "[Reserved]."

§ 73.39 Indicating instruments—specifications.

• • • • •
(e) [Reserved]
• • • • •

2. Section 73.51 is amended to read as follows:

§ 73.51 Operating power; how determined.

(a) Except as provided in paragraph (b) of this section, the operating power shall be the product of the antenna resistance at the operating frequency (see § 73.54) and the square of the antenna current at this frequency, measured at the point where the antenna resistance has been determined.

(b) The operating power shall be determined on a temporary basis by the indirect method described in paragraphs (c) and (d) of this section, in the following circumstances: (1) In an emergency, where the authorized antenna system has been damaged by causes beyond the control of the licensee or permittee (see § 73.45), or (2) pending completion of authorized changes in the antenna system, or (3) if changes occur in the antenna system or its environment which affect or appear likely to affect the value of antenna resistance or (4) if the antenna current meter becomes defective (see § 73.58). Prior authorization for determination of power by the indirect method is not required. However, an appropriate notation shall be made in the operating log.

(c) (1) Operating power is determined by the indirect method by applying an appropriate factor to the plate input power, in accordance with the following formula:

$$\text{Operating power} = E_p \times I_p \times F$$

Where:

E_p = plate voltage of the final radio stage.

² Commissioner Wadsworth absent.

I_p = total plate current of the final radio stage.

F = efficiency factor.

(2) The value of F applicable to each mode of operation shall be entered in the operating log for each day of operation, with a notation as to its derivation. This factor shall be established by one of the methods described in paragraph (d) of this section, which are listed in order of preference.

(d) (1) If the transmitter and the power utilized during the period of indirect power determination are the same as have been authorized and utilized for any period of regular operation, the factor F shall be the ratio of such authorized power to the corresponding plate input power of the transmitter for regular conditions of operation, computed with values of plate voltage and plate current obtained from the operating logs of the station for the last week of regular operation. However, if the station has been regularly authorized for operation with directional antenna, and temporary authority has been granted for nondirectional operation with regularly authorized power during the period that power is being determined indirectly, an adjusted factor F shall be employed, which is derived by dividing the factor, as determined above, by a constant (0.925 for authorized powers of 5 kw or less; 0.95 for power above 5 kw).

(2) If a station has not been previously in regular operation with the power authorized during the period of indirect power determination, if a new transmitter has been installed, or if, for any other reason, the determination of the factor F by the method described in paragraph (b) (1) of this section is impracticable:

(i) The factor F shall be obtained from the transmitter manufacturer's letter or test report retained in the station's files, if such a letter or test report specifies a unique value of F for the power level and frequency utilized; or

(ii) By reference to the following table:

Factor (F)	Method of modulation	Maximum rated carrier power	Class of amplifier
0.70	Plate	0.25-1.0 kw	
.80	do.	5 kw and over	
.85	Low level	0.25 kw and over	B
.85	do.	do.	BC ¹
.85	Grid	do.	

¹ All linear amplifier operation where efficiency approaches that of Class C operation.

(3) When the factor F is obtained from the table, this value shall be used even though the operating power may be less than the maximum rated carrier power of the transmitter.

§ 73.57 [Redesignated]

3. The title and text of § 73.52 is deleted and the title and text of § 73.57 substituted therefor.

4. Section 73.54 is amended to read as follows:

§ 73.54 Antenna resistance and reactance; how determined.

(a) The resistance of an omnidirectional series fed antenna shall be measured

at the base of the antenna, without intervening coupling networks. For a shunt excited antenna, the antenna resistance shall be measured at the point the slant wire or other feed wire couples to the transmission line (or to the transmitter if no transmission line is employed).

(b) The resistance and reactance of a directional antenna shall be measured at the point of common radio frequency input to the directional antenna system. The following conditions shall obtain:

(1) The antenna shall be finally adjusted for the required radiation pattern.

(2) The reactance at the operating frequency and at the point of measurement shall be adjusted to zero, or as near thereto as practicable.

(c) (1) The resistance of an antenna shall be determined by the following procedure: A series of discrete measurements shall be made over a band of frequencies extending from approximately 25 kc/s below the operating frequency to approximately 25 kc/s; above that frequency, at intervals of approximately 5 kc/s. The measured values shall be plotted on a linear graph, with frequency as the abscissa and resistance as the ordinate. A smooth curve shall be drawn through the plotted values. The resistance value corresponding to the point of intersection of the curve and the ordinate representing the operating frequency of the station shall be the resistance of the antenna.

(2) For a directional antenna, the reactance of the antenna shall be determined by a procedure similar to that described in subparagraph (1) of this paragraph.

(d) The license of a station with a directional antenna, and authorized power of 5 kilowatts or less shall specify an antenna resistance 92.5 percent of that determined at the point of common input; for a station with directional antenna and authorized power exceeding 5 kilowatts the license shall specify an antenna resistance 95 percent of that determined at the point of common input.

(e) Applications for authority to determine power by the direct method shall specify the antenna or common point resistance, and shall include the following supporting information.

(1) A full description of the method used to make measurements.

(2) A schematic diagram showing clearly all components of coupling circuits, the point of resistance measurement, location of antenna ammeter, connections to and characteristics of all tower lighting isolation circuits, static drains, and any other fixtures, sample lines, etc., connected to or supported by the antenna, including other antennas and associated circuits.

(3) Make and type of each calibrated instrument employed, manufacturer's rated accuracy, together with the date of last calibration of the instrument, the accuracy of the calibration, and the identity of the person or firm making the calibration.

(4) A tabulation of all measured data.

PROPOSED RULE MAKING

(5) Graph(s) plotted from this data.

(6) The qualifications of the engineer(s) making the measurements.

§ 73.57 [Deleted]

5. Section 73.57 is deleted.

§ 73.58 [Amended]

6. Section 73.58(b)(3) line 8—change reference from "§ 73.52" to "73.51 (c) and (d)."

7. In § 73.186, subparagraph (5) of paragraph (a) is amended to read as follows:

§ 73.186. Field intensity measurements in allocation; establishment of effective field at 1 mile.

(a) * * *

(5) The antenna power of the station shall be maintained at the authorized level during all field intensity measure-

ments. The power determination requires a knowledge of the total antenna resistance, which must be accurately measured and modified in accordance with § 73.54(d) in the case of a directional antenna, and the antenna current, measured by an ammeter of acceptable accuracy (see §§ 73.39 and 73.58).

[F.R. Doc. 69-8652; Filed, July 23, 1969; 8:47 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Bureau of Customs

PLASTIC MATTRESS HANDLES FROM CANADA

Determination of Sales at Less Than Fair Value

JULY 11, 1969.

Information was received on March 21, 1968, that plastic mattress handles manufactured by Fibre Conversion Co., Ltd., Toronto, Canada, were being sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.) (referred to in this notice as "the Act").

A "Withholding of Appraisement Notice" issued by the Commissioner of Customs is being published concurrently with this notice.

I hereby determine that plastic mattress handles manufactured by Fibre Conversion Co., Ltd., Toronto, Canada, are being, or are likely to be, sold at less than fair value within the meaning of section 201(a) of the Act.

Statement of reasons:

It was determined that the appropriate comparison for fair value purposes is between purchase price and home market price.

Purchase price was based on the delivered price to the United States port with an appropriate deduction to establish a price exclusive of freight charges from Toronto to Buffalo.

Home market price was based on the weighted-average price to purchasers in the home market for the period under consideration with no deductions being made.

Purchase price was lower than the home market price.

This determination is published pursuant to section 201(a) of the Act (19 U.S.C. 160(c)).

[SEAL] EUGENE T. ROSSIDES,
Assistant Secretary of the Treasury.

[F.R. Doc. 69-8656; Filed, July 23, 1969; 8:47 a.m.]

PLASTIC MATTRESS HANDLES FROM CANADA

Withholding of Appraisement Notice

JULY 11, 1969.

Information was received on March 21, 1968, that plastic mattress handles manufactured by Fibre Conversion Co., Ltd., Toronto, Canada, were being sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.) (referred to in this notice as "the Act"). This information was the subject of an "Anti-

dumping Proceeding Notice," which was published in the FEDERAL REGISTER of September 10, 1968, on page 12792. The "Antidumping Proceeding Notice" indicated that there was evidence on record concerning injury to or likelihood of injury to or prevention of establishment of an industry in the United States.

Pursuant to section 201(b) of the Act (19 U.S.C. 160(b)) notice is hereby given that there are reasonable grounds to believe or suspect that the purchase price (section 203 of the Act; 19 U.S.C. 162) of such plastic mattress handles manufactured by Fibre Conversion Co., Ltd., Toronto, Canada, are less, or likely to be less, than the foreign market value (section 205 of the Act; 19 U.S.C. 164).

Customs officers are being directed to withhold appraisement of plastic mattress handles manufactured by Fibre Conversion Co., Ltd., Toronto, Canada, in accordance with § 53.48, Customs Regulations (19 CFR 53.48).

In accordance with §§ 53.32(b) and 53.37, Customs Regulations (19 CFR 53.32(b), 53.37) interested parties may present written views or arguments, or request in writing that the Secretary of the Treasury afford an opportunity to present oral views.

Any such written views or arguments, or requests should be addressed to the Commissioner of Customs, 2100 K Street NW., Washington, D.C. 20226, in time to be received by his office not later than 7 days from the date of publication of this notice in the FEDERAL REGISTER.

This notice, which is published pursuant to § 53.34(a), Customs Regulations, shall become effective upon publication in the FEDERAL REGISTER. It shall cease to be effective at the expiration of 3 months from the date of such publication, unless previously revoked.

[SEAL] EDWIN F. RAINS,
Acting Commissioner of Customs.

[F.R. Doc. 69-8656; Filed, July 23, 1969; 8:47 a.m.]

Internal Revenue Service

PAUL FIKE, JR.

Notice of Granting of Relief

Notice is hereby given that Paul Fike, Jr., 479 Coolspring Street, Uniontown, Pa., has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his convictions on October 19, 1960, in the Court of Quarter Sessions of Fayette County, Pa., of crimes punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Paul Fike, Jr., because of such convictions to ship, transport or receive in interstate or foreign commerce any firearm or ammunition, and he would be prevented under Chap-

ter 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 United States Code, Appendix) because of such convictions it would be unlawful for Mr. Fike, to receive, possess, or transport in commerce, a firearm. Notice is hereby further given that I have considered Paul Fike, Jr.'s 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 Paul Fike, Jr. 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 Paul Fike, Jr. 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 11th day of July 1969.

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

[F.R. Doc. 69-8657; Filed, July 23, 1969; 8:47 a.m.]

MERLIN L. ALSON AND
ROBERT D. BROMLEY

Notice of Granting of Relief

The Federal Firearms Act was repealed by section 906 of the Omnibus Crime Control and Safe Streets Act of 1968. (82 Stat. 234.) Section 907 of that Act provided that the repeal of the Federal Firearms Act should not in itself terminate any valid license issued pursuant to that Act, and any such license should be deemed valid until it expired according to its terms unless it was sooner revoked or terminated pursuant to applicable provisions of law. (82 Stat. 235.) However, Title VII of the same Act prohibited persons convicted of felonies from receiving, possessing or transporting in commerce or affecting commerce, any firearm. (82 Stat. 236.)

Section 10 of the Federal Firearms Act provided that persons who had been convicted of certain crimes punishable by imprisonment for a term exceeding 1 year could apply for relief from their disabilities incurred under the Act by virtue of such convictions. (79 Stat. 788.) The following persons applied for and were granted relief, and a notice thereof was published in the FEDERAL REGISTER as required by law.

(1) Merlin L. Olson, 31 F.R. 14993 (1966)

(2) Robert D. Bromley, 32 F.R. 14337 (1967)

It will be necessary for these persons to be granted relief from their disabilities under Title VII of the Omnibus Crime Control and Safe Streets Act of 1968 (82 Stat. 236) and the Gun Control Act of 1968 (82 Stat. 1213) if they wish to continue to receive, possess, transport, and deal in firearms.

Notice is hereby given that I have considered the previous applications for relief from disabilities of the persons named above. I have found that:

(1) Their convictions were made upon charges 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) The circumstances regarding their convictions, and the applicants' records and reputations, are such that they will not be likely to act in a manner dangerous to public safety, and that granting them relief pursuant to 18 U.S.C. 925(c) would not be contrary to the public interest.

Therefore, it is ordered, Pursuant to the authority vested in the Secretary of the Treasury by 18 U.S.C. 925(c), delegated to me by 26 CFR 178.144(c), that all the persons listed above be, and they are hereby, granted relief from any and all disabilities imposed by the Omnibus Crime Control and Safe Streets Act of 1968 (82 Stat. 197) and the Gun Control Act of 1968 (82 Stat. 1213) with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of their conviction of crimes punishable by imprisonment for a term exceeding 1 year as described in the issue of the FEDERAL REGISTER cited after each listed name.

Signed at Washington, D.C., this 17th day of July 1969.

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

[F.R. Doc. 69-8658; Filed, July 23, 1969;
8:47 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Classification C3-1109]

CALIFORNIA

Order Providing for Opening of Public Lands

JULY 17, 1969.

1. Pursuant to Bureau Order No. 701 of July 23, 1964 (29 F.R. 10526), as

amended, and pursuant to authority delegated to me by the Manager, November 18, 1965 (30 F.R. 14444), the following described land was classified April 15, 1969 and is hereby opened to filing of applications for exchange under section 8 of the Act of June 28, 1934 (48 Stat. 1272; 43 U.S.C. 315g), as amended, subject to valid existing rights, the provisions of any existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on August 7, 1969, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in order of filing.

MOUNT DIABLO MERIDIAN

T. 46 N., R. 1 E.,
Sec. 18, Lot 1.

2. The above described area contains 39.80 acres of public land located near Sheep Mountain approximately 5 miles due east of Macdoel, Siskiyou County, Calif., and is included in the Mount Dome National Cooperative Land and Wildlife Management Area.

Inquiries concerning the land should be addressed to the Manager, Land Office, Bureau of Land Management, Sacramento, Calif.

ELIZABETH H. MIDTBY,
Chief, Lands Adjudication Section.

[F.R. Doc. 69-8752; Filed, July 23, 1969;
8:49 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Social Security Administration

COLOMBIA

Notice of Finding Regarding Foreign Social Insurance or Pension System

Section 202(t)(1) of the Social Security Act (42 U.S.C. 402(t)(1)) prohibits payment of monthly benefits to aliens, subject to the exceptions described in sections 202(t)(2) through 202(t)(5) of the Social Security Act (42 U.S.C. 402(t)(2) through 402(t)(5)), for any month after they have been outside the United States for 6 consecutive calendar months.

Section 202(t)(2) of the Social Security Act (42 U.S.C. 402(t)(2)) provides that section 202(t)(1) shall not apply to any individual who is a citizen of a foreign country which the Secretary of Health, Education, and Welfare finds has in effect a social insurance or pension system which is of general application in such country and under which (A) periodic benefits, or the actuarial equivalent thereof, are paid on account of old age, retirement, or death, and (B) individuals who are citizens of the United States but not citizens of such foreign country and who qualify for such benefits are permitted to receive such benefits or the actuarial equivalent thereof while outside such foreign country without regard to the duration of the absence.

Pursuant to authority duly vested in the Commissioner of Social Security by the Secretary of Health, Education, and

Welfare, and redelegated to him, the Director of the Bureau of Retirement and Survivors Insurance has approved a finding that beginning January 1967 Colombia has in effect a social insurance system of general application which meets the requirements of section 202(t)(2)(A) and (B) in that it pays periodic benefits on account of old age, retirement, or death and qualified U.S. citizens, not citizens of Colombia, who leave that country are permitted to receive such benefits at the full rate while outside that country without regard to the duration of the absence.

Accordingly, it is hereby determined and found that Colombia has in effect beginning with January 1967, a social insurance system of general application which meets the requirements of section 202(t)(2)(A) and (B) of the Social Security Act (42 U.S.C. 402(t)(2)(A) and (B)).

This revises the finding published in the FEDERAL REGISTER of July 26, 1958 (23 F.R. 5674).

Dated: July 3, 1969.

HUGH F. McKENNA,
Director, Bureau of Retirement
and Survivors Insurance.

[F.R. Doc. 69-8659; Filed, July 23, 1969;
8:47 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 20781; Order 69-7-81]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Transatlantic Promotional Fares

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 16th day of July 1969.

Agreements adopted by the International Air Transport Association (IATA) relating to transatlantic promotional fares, Docket 20781, Agreement CAB 20848.

By Order 69-4-138, the Board approved various IATA transatlantic fare resolutions subject to certain conditions. The Board, inter alia, limited to March 31, 1970, its approval of the contract bulk inclusive tour (CBIT) fares intended for effectiveness from November 1, 1969, through March 31, 1971, and it set this element of the resolutions down for an expedited investigation along with the discontinuance of the round-trip discount. The Board also deferred action on the group inclusive tour (GIT) fares intended for effectiveness April 1, 1970, through March 31, 1971. The latter would impose roughly a \$10 increase in the round-trip fares and tighter tour requirements than those that now apply.

Petitions for reconsideration of one or both of these resolutions have been received from Pan American World Airways, Inc. (Pan American), Trans World Airlines, Inc. (TWA), American Express Co. (AMEXCO), Creative Tour Operators (CTOA), and Flying Mercury, Inc. In general, the petitioners seek an extension of approval of the resolutions in

question through the 1970 summer season—through varying dates up to October 31, 1970. A statement has also been received from the Secretary of Commerce suggesting that the CBIT fares be approved through the 1970 summer season and asking that the Board act now on the GIT fares so as to remove the present uncertainty over the latter fares for next year.¹ Pan American has filed a motion to file an unauthorized document supplementing its petition. The Board will grant the motion and consider the supplement.

The principal thrust of the petitions is that the carriers and the travel industry have an urgent need for some degree of certainty as to the fares and the rules that will be available for inclusive tour travel in the 1970 summer season because of the lead time normally required for planning and marketing tours. It is contended that the planning and marketing of promotional programs for the next summer season cannot be accomplished on short notice—that effective marketing requires a lead time beginning now.

Both Pan American and TWA advert to the Board's limited approval of the CBIT fares through March 31, 1970, as a means of obtaining some experience under these fares, and, in substance, both believe that the test would be meaningless since approval would be limited to an off-season period.

AMEXCO argues that tour operators are faced with two alternatives—either to delay the marketing of the tours until the Board has resolved the lawfulness of the promotional fares or to proceed on the assumption that the fares in question will be approved for application next summer. AMEXCO contends that if it follows the second alternative, and the fares are not available in the 1970 summer season, serious public inconvenience would result and that this situation would prove disastrous for AMEXCO. In addition to wasted expenditures, its reputation of honoring commitments would be at stake. Finally, AMEXCO believes that the Board's action on these promotional fares will deter westbound travel to the United States, since definitive fares to the other vacation spots will be available on terms known in advance.

The National Air Carriers Association (NACA) filed an answer to the petition for reconsideration. NACA does not oppose the extension of the Board's approval of the GIT fares beyond April 1, 1970, but it expresses strong opposition

to an extension of the Board's approval of the CBIT fares.²

Upon consideration of the record and all relevant matters, the Board will deny the petitions to extend approval of the CBIT fares, but will approve the GIT fares for their intended effectiveness, i.e., April 1, 1970, through March 31, 1971.³ The Board ordered this investigation of the CBIT fares in the light of contentions by the supplemental air carrier industry that these fares are unreasonable and that they would be seriously injured by them. There is nothing in the petitions for reconsideration which was not considered before we issued Order 69-4-138 or that would now resolve those issues.

The contention that failure to approve the CBIT fares now for the period beyond March 31, 1970, will impair the carriers' and tour operators' ability to mount a successful inclusive tour program during the 1970 season, if valid, does not override the need to test the lawfulness of those fares before they come into general use during the peak season travel period when they could have a serious potential effect on the supplemental carriers. There is no question here of discontinuing a long-established tour basing fare to the detriment of persons who have been relying on that fare. The question is whether a newly designed promotional fare meets the statutory tests of lawfulness and whether the implementing agreement should be approved for the future.

The theory that some persons may gamble on eventual approval of the CBIT fares, going forward now with tour programs based on such fares, to the ultimate inconvenience and disadvantage of the traveling public if the fares are later disapproved, is no valid basis for applying the fares at this point

¹ NACA says that the Board lacks jurisdiction to reconsider its order on the CBIT fares because of the pendency of NACA's petition for judicial review of such order in the U.S. Court of Appeals for the District of Columbia Circuit. National Air Carrier Association, et al. v. Civil Aeronautics Board, C.A.D.C. No. 23,012, filed May 7, 1969. In view of our denial of the requests to extend approval of the CBIT fares, no question of our jurisdiction is presented. *Anchor Line v. Federal Maritime Commission*, 299 F. 2d 124 (C.A.D.C., 1962); *Frontier Airlines, Inc. v. Civil Aeronautics Board*, 289 F. 2d 808 (C.A.D.C., 1958).

² Although the Board earlier decided to defer action at this time on the GIT fares for effectiveness on and after Apr. 1, 1970, in light of the contentions that the fares and rules applicable to inclusive tours for the 1970 season must be established now, we will pass on the GIT agreements at this time. The increases in the round-trip GIT fares proposed, generally \$10, are minimal, and the Board has historically allowed the carriers a measure of discretion in establishing promotional fares. In addition, the proposed changes in the rules governing the applicability of the GIT fares are not unreasonable and should improve the economics of these fares. For example, GIT rules would (1) place a limitation on the number of allowable stopovers, and (2) require sightseeing as part of the minimum tour price. Current GIT rules (1) have no restriction on the number of stopovers, and (2) do not require sightseeing as part of the minimum tour price.

for use during the peak 1970 travel season. Moreover, our approval herein of the GIT fares for the full term of the resolution should afford the tour industry an adequate basis for a full tour program during the summer of 1970.

Accordingly, it is ordered, That:

1. The motions of Pan American World Airways, Inc., and the National Air Carriers Association to file unauthorized documents are granted;
2. Petitions requesting an extension of the Board's approval of the contract bulk inclusive tour fares are denied;
3. Group inclusive tour fares intended for effectiveness from April 1, 1970, through March 31, 1971, on which Board action was deferred, are approved; and
4. To the extent not granted, all other petitions, complaints, and requests relating to the extension of approval of the CBIT fares and/or approval of the GIT fares are hereby denied.

This order will be published in the *FEDERAL REGISTER*.

By the Civil Aeronautics Board.⁴

[SEAL] HAROLD R. SANDERSON,
Secretary.

[P.R. Doc. 69-8675; Filed, July 23, 1969;
8:49 a.m.]

[Docket No. 20950]

LUXAIR

Notice of Postponement of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that the hearing in the above-entitled proceeding now assigned to be held on July 30, 1969, is hereby postponed to August 1, 1969, at 10 a.m., e.d.s.t., in Room 911, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before the undersigned examiner.

Dated at Washington, D.C., July 17, 1969.

[SEAL] JOSEPH L. FITZMAURICE,
Hearing Examiner.

[P.R. Doc. 69-8676; Filed, July 23, 1969;
8:49 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Dockets Nos. 18602, 18603; FCC 69-782]

NATIONAL BROADCASTING CO.,
INC. (KNBC), AND VOICE OF LOS
ANGELES, INC.

Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of National Broadcasting Co., Inc. (KNBC), Los Angeles, Calif., Docket No. 18602, File No. BRCT-81; for renewal of broadcast license;

⁴ Members Gilliland and Adams would have granted the petitions as filed.

¹ NACA has filed a motion for leave to file an unauthorized document, namely, a response to the Secretary of Commerce's statement. This motion will be granted.

Voice of Los Angeles, Inc., Los Angeles, Calif., Docket No. 18603, File No. BPCT-4192; for construction permit for new television broadcast station.

1. The Commission has before it for consideration the above-captioned applications, one requesting a renewal of its license to operate on Channel 4, Los Angeles, Calif., and the other requesting a construction permit for a new television broadcast station to operate on Channel 4, Los Angeles, Calif.

2. With respect to the application of Voice of Los Angeles, Inc., the following considerations are pertinent:

(a) Based on the information contained in the application of Voice of Los Angeles, Inc., cash in the amount of \$2,636,422 will be needed for the construction and first 3 months cost of operation of the proposed station, consisting of down payment on equipment—\$383,000; payments on equipment including interest—\$328,422; buildings—\$100,000; other items—\$200,000; 3 months cost of operation—\$1,625,000. The applicant does not propose to operate with a network affiliation. Since the independent Los Angeles VHF television stations generate revenues on an average at least equal in amount to the applicant's anticipated first-year revenues (\$6,500,000), the cash needed figure has been computed on the basis of requiring that the applicant demonstrate the availability of cash to meet the first 3 months operating costs until the previously established revenues can be generated.

(b) To meet the cash needed requirements, the applicant relies upon the availability of \$319,990 in stock subscription agreements and a \$2,500,000 bank loan from the Union Bank, Los Angeles, Calif. The applicant has established that except for John F. Simmons, all of the proposed stockholders have available liquid and current assets in excess of current liabilities in sufficient amounts to meet their total stock subscription commitments of \$304,990. Since the balance sheet submitted by John F. Simmons does not indicate what portion of his liabilities are current, it cannot be determined whether he will have available sufficient liquid and current assets in excess of current liabilities to meet his \$15,000 subscription commitment. The proposed \$2,500,000 bank loan from the Union Bank does not comply with the requirements of section III, paragraph 4(h), FCC Form 301, since the loan is conditioned on the stockholders providing guarantees or pledges of collateral in a manner sufficient to satisfy the bank and no such guarantees or pledges have been submitted and there is no indication as to the type of guarantees or pledges which would satisfy the bank. Accordingly, financial issues have been specified.

3. National Broadcasting Co., Inc., is qualified to own and operate Television

Broadcast Station KNBC¹ and except as indicated by the issues set forth below, Voice of Los Angeles, Inc., is qualified to construct, own, and operate the proposed new television broadcast station. The applications are, however, mutually exclusive in that operation by the applicants as proposed would result in mutually destructive interference. The Commission is, therefore, unable to make the statutory finding that a grant of the applications would serve the public interest, convenience, and necessity, and is of the opinion that they must be designated for hearing in a consolidated proceeding on the issues set forth below.

4. It is ordered, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the above-captioned applications of National Broadcasting Co., Inc., and Voice of Los Angeles, Inc., are designated for hearing in a consolidated proceeding at a time and place to be specified in a subsequent order, upon the following issues:

(1) To determine with respect to the application of Voice of Los Angeles, Inc.:

(a) Whether John F. Simmons has available liquid and current assets (as defined in section III, paragraph 4(d), FCC Form 301) in excess of current liabilities in sufficient amount to meet his commitment to the applicant.

(b) Whether the applicant will have available a bank loan of \$2,500,000 from the Union Bank to finance the construction and first 3 months cost of operation of the station.

(c) Whether, in the light of the evidence adduced pursuant to the foregoing, Voice of Los Angeles, Inc., is financially qualified.

(2) To determine which of the proposals would better serve the public interest.

(3) To determine in the light of the evidence adduced pursuant to the foregoing issues, which of the applications should be granted.

5. It is further ordered, That to avail themselves of the opportunity to be heard, the applicants pursuant to § 1.221(c) of the Commission's rules, in person or by attorney, shall, within twenty (20) days of the mailing of this order, file with the Commission, in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

6. It is further ordered, That the applicants herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594 of the Commission's rules, give notice of the hearing within the time and in the manner prescribed in such rule, and shall

¹ On two occasions we have written letters raising certain problems in connection with the operation of Station KNBC, and in each letter we have stated that the matters discussed would be considered further in connection with the next application for renewal of license of Station KNBC, 12 F.C.C. 2d 778, 13 R.R. 2d 82 (1968), 14 F.C.C. 2d 976, 14 R.R. 2d 421 (1968). Therefore, these matters will be considered in this proceeding.

advise the Commission of the publication of such notice as required by § 1.594(g) of the rules.

Adopted: July 9, 1969.

Released: July 16, 1969.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[P.R. Doc. 69-8653; Filed, July 23, 1969;
8:47 a.m.]

FEDERAL HOME LOAN BANK BOARD

[H.C. No. 29]

GOLDEN WEST FINANCIAL CORP.

Notice of Receipt of Applications for Permission To Acquire Control of Modesto Savings and Loan Association and Redwood Empire Savings and Loan Association

JULY 18, 1969.

Notice is hereby given that the Federal Savings and Loan Insurance Corporation has received an application from the Golden West Financial Corp., Oakland, Calif., a registered savings and loan holding company, for approval of the latter corporation's acquisition of control of the Modesto Savings and Loan Association, Modesto, Calif., an insured institution and Redwood Empire Savings and Loan Association, Petaluma, 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 section 584.4 of the rules and regulations for Savings and Loan Holding Companies, said acquisitions to be effected by the purchase of assets of Modesto Savings and Loan Association and Redwood Empire Savings and Loan Association by Golden West Savings and Loan Association, an insured institution which is controlled by Golden West Financial Corp., in exchange for stock of Golden West Financial Corp., and the assumption of the liabilities and obligations of Modesto Savings and Loan Association and Redwood Empire Savings and Loan Association by Golden West Savings and Loan Association. Following such exchange Modesto Savings and Loan Association and Redwood Empire Savings and Loan Association will be dissolved. 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.

[P.R. Doc. 69-8648; Filed, July 23, 1969;
8:46 a.m.]

FEDERAL POWER COMMISSION

[Docket No. G-2793 etc.]

ATLANTIC RICHFIELD CO.

Orders Issuing Certificates of Public Convenience and Necessity

JULY 2, 1969.

In the order amending orders issuing certificates of public convenience and necessity, accepting notices of succession for filing, redesignating FPC gas rate schedules, substituting respondent, redesignating proceedings, and dismissing in part petition to amend, issued June 12, 1969, and published in the FEDERAL REGISTER June 24, 1969, F.R. 34(9758), on page 3, paragraph (F) should read as follows:

(F) The petition to amend is dismissed as moot with respect to the sales authorized in Docket No. G-4882, except as to sales from the Case Formation, and CI64-1500 which have been permitted to be abandoned in Dockets Nos. CI65-1271 and CI69-820.

On page 4, add certificate Docket No. G-15373 as pertaining to sales heretofore authorized to be made under Sinclair Oil Corp. FPC Gas Rate Schedule No. 61 which sales will be continued under Atlantic Richfield Co. FPC Gas Rate Schedule No. 359, and delete the asterisk after the latter rate schedule number.

On page 8, move "5" from after rate suspension Docket No. G-16669 to after rate suspension Docket No. RI65-244, and in footnote 5 change "Proceeding" to "Proceedings."

On page 8, add certificate in Docket No. G-4882, and rate suspension Docket No. RI60-213 as pertaining to sales heretofore authorized to be made under Sinclair Oil Corp. (Operator) et al., FPC Gas Rate Schedule No. 339 which sales will be continued under Atlantic Richfield Co. (Operator) et al., FPC Gas Rate Schedule No. 557.

On page 8, delete "4" after certificate Docket No. CI61-468.

On page 9, delete "6" after certificate Docket No. CI69-835.

KENNETH F. PLUMB,
Acting Secretary.

[F.R. Doc. 69-8640; Filed, July 23, 1969;
8:46 a.m.]

[Docket No. CP69-352]

CITIES SERVICE GAS CO.

Notice of Application

JULY 16, 1969.

In the notice of application, issued July 2, 1969, and published in the FEDERAL REGISTER July 10, 1969, F.R. 34 (11445), on page 1, paragraph 2: Change " * * * for resale and distribution in the community of Pine, Okla., in Osage County" to " * * * for resale and distribution in the community of Prue, Okla., in Osage County."

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-8641; Filed, July 23, 1969;
8:46 a.m.]

IOWA POWER AND LIGHT CO. AND
IOWA-ILLINOIS GAS AND ELECTRIC
CO.

Notice of Application

JULY 16, 1969.

In the notice of application, issued July 2, 1969, and published in the FEDERAL REGISTER July 10, 1969, F.R. 34 (11445), change the last phrase of paragraph 2 to read as follows: "the common stock of the new company for each share of the common stock of Iowa Power".

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-8642; Filed, July 23, 1969;
8:46 a.m.]

[Project No. 695]

UTAH POWER & LIGHT CO.

Notice of Application for Surrender of
License (Major)

JULY 18, 1969.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a-824r) by Utah Power & Light Co. for surrender of license for Project No. 665, located along the Santaquin or Summit Creek, Utah.

The Santaquin project consists of (1) a concrete diversion dam and intake; (2) an 11,120-foot long wood stave pipe from the intake to the penstock; (3) a 2,145-foot long steel penstock; (4) a brick powerhouse with two generating units of 880 kw. each; (5) a short transmission line from the powerhouse to a switchyard on the interconnected transmission system of the licensee and (6) appurtenant facilities.

According to the application filed June 17, 1969, the operation of the project is uneconomical and the energy supplied by this project can be furnished more economically from other sources within the Licensee's interconnected system. Licensee will dismantle project within one year following approval of application.

Any person desiring to be heard with reference to said application should, on or before August 27, 1969, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file and available for public inspection.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-8680; Filed, July 23, 1969;
8:49 a.m.]

DEPARTMENT OF LABOR

Wage and Hour Division

CERTIFICATES AUTHORIZING EM-
PLOYMENT OF FULL-TIME STU-
DENTS WORKING OUTSIDE OF
SCHOOL HOURS AT SPECIAL MIN-
IMUM WAGES IN RETAIL OR SERV-
ICE ESTABLISHMENTS OR IN
AGRICULTURE

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 20 U.S.C. 201 et seq.), the regulation on employment of full-time students (29 CFR Part 519), and Administrative Order No. 595 (31 F.R. 12981), the establishments listed in this notice have been issued special certificates authorizing the employment of full-time students working outside of school hours at hourly wage rates lower than the minimum wage rates otherwise applicable under section 8 of the act. The effective and expiration dates are as indicated below. The minimum certificate rates are not less than 85 percent of the applicable statutory minimum.

The following certificates provide for an allowance not to exceed the proportion of the total hours worked by full-time students at rates below \$1 an hour to the total number of hours worked by all employees in the establishment during the base period in occupations of the same general classes in which the establishment employed full-time students at wages below \$1 an hour in the base period.

Anton Alkek Grocery & Market, foodstore; 714 South Bridge Street, Victoria, Tex.; 4-26-69 to 4-25-70.

Baconia Plantation, Inc., agriculture; Cary, Miss.; 5-12-69 to 5-11-70.

Baptist Memorial Hospital, hospital; 1007 Goodyear Avenue, Gadsden, Ala.; 5-10-69 to 5-9-70.

Bern's Super Foods, foodstore; 20 North Main Street, Midvale, Utah; 5-2-69 to 5-1-70. Big Giant Super Market, Inc., foodstore; 2121 South Portland, Oklahoma City, Okla.; 5-1-69 to 4-30-70.

The Bomber, gasoline station; 13515 Southeast McLoughlin, Portland, Ore.; 5-10-69 to 4-30-70.

Bond Stores, Inc., apparel store; 729 Broad Street, Newark, N.J.; 5-15-69 to 5-14-70.

Bondurant Drug, Inc., drugstore; 107 Main Street, Corbin, Ky.; 4-15-69 to 4-14-70.

Bone Superette, foodstore; 609 First Street, Bald Knob, Ark.; 4-11-69 to 4-10-70.

Buchanan Nursing Home, Inc., nursing home; Okeene, Okla.; 4-22-69 to 4-21-70.

Buehler Market, foodstore; 1509 First Avenue, Southeast, Cedar Rapids, Iowa; 5-2-69 to 5-1-70.

Robert Bulst, agriculture; 11993 74th Avenue, Allendale, Mich.; 5-5-69 to 5-4-70.

Butler Furniture Co., furniture store; 408 Washington Avenue, West Plains, Mo.; 5-19-69 to 5-18-70.

John Casemier Food Market, foodstore; 120 West Savidge Street, Spring Lake, Mich.; 4-24-69 to 4-23-70.

Clinch Food Market, foodstore; Homerville, Ga.; 4-25-69 to 4-24-70.

Dover, Inc., foodstore; Crossville, Ala.; 5-10-69 to 5-9-70.

The Drumstick, Inc., restaurant; 7835 State Line, Kansas City, Mo.; 5-7-69 to 4-26-70.

Duckwall's, Inc., variety-department store; No. 69, Lawrence, Kans.; 5-7-69 to 1-31-70.

Edson's Grocery, foodstore; Stanberry, Mo.; 5-16-69 to 5-15-70.

Anthony Euser Greenhouses, agriculture; Route 1, Broomfield, Colo.; 4-9-69 to 4-8-70.

Forest Retreat Farms, Inc., agriculture; Carlisle, Ky.; 5-8-69 to 5-7-70.

Frankenmuth IGA, foodstore; 270 South Main Street, Frankenmuth, Mich.; 5-14-69 to 5-13-70.

Wm. Gehring, Inc., agriculture; Rensselaer, Ind.; 4-9-69 to 4-8-70.

Gerado's Grocery, foodstores; Toluca, Ill.; 5-7-69 to 5-6-70.

Gifford Memorial Hospital, Inc., hospital; 44 South Main Street, Randolph, Vt.; 5-1-69 to 4-30-70.

W. T. Grant Co., variety-department stores; No. 877, Jacksonville, Fla.; 5-19-69 to 5-18-70; No. 53, St. Ann, Mo.; 5-12-69 to 5-12-69 to 5-11-70; No. 629, Ashland, Ohio; 5-10-69 to 5-9-70.

Herberger's, department store; 518 St. Germain, St. Cloud, Minn.; 5-16-69 to 5-15-70.

Hill Country Implement Co., Inc., farm implement dealer; 307 East Main, Fredericksburg, Tex.; 5-7-69 to 5-6-70.

Jerry's Markets, foodstore; 2101 West Franklin, Evansville, Ind.; 5-2-69 to 5-1-70.

Joshehans Drug Store, drugstore; 1 North Whittaker Street, New Buffalo, Mich.; 4-23-69 to 4-22-70.

Herbert Klug, agriculture; 271 Seminole, Muskegon, Mich.; 5-13-69 to 5-12-70.

Kreher's Poultry Farm, agriculture; 11066 Main Street, Clarence, N.Y.; 4-24-69 to 4-23-70.

S. S. Kresge Co., variety-department stores from 5-2-69 to 5-1-70 except as otherwise indicated: No. 4058, Springfield, Ill.; No. 363, Owensboro, Ky.; No. 704, Dallas, Tex. (5-13-69 to 5-12-70).

S. H. Kress and Co., variety-department stores from 5-1-69 to 4-30-70 except as otherwise indicated: 901 G Avenue, Douglas, Ariz. (4-27-69 to 4-26-70); 119 Morley Avenue, Nogales, Ariz. (4-27-69 to 4-26-70); 22 West Washington Street, Phoenix, Ariz. (4-27-69 to 4-26-70); 414 Central Avenue SW., Albuquerque, N. Mex.; 206 North Main Street, Roswell, N. Mex. (5-15-69 to 5-14-70); 119 West Main Street, Ardmore, Okla.; 325 Chickasha Avenue, Chickasha, Okla.; 129 West Main Street, Enid, Okla.; 324 C Avenue, Lawton, Okla.; 100 East Seventh Street, Okmulgee, Okla.; 105 East Grand Avenue, Ponca City, Okla.; 109 East Main, Shawnee, Okla.; 218 South Main Street, Tulsa, Okla.; 243 East Main Street, Johnson City, Tenn.; 700 Polk Street, Amarillo, Tex.; 1404 Elm Street, Dallas, Tex.; 206 West Jefferson Street, Dallas, Tex.; 201 West California Street, Gainesville, Tex.; 2506 Lee Street, Greenville, Tex.; 116 West Broad Street, Texarkana, Tex.; 114 West Erwin Street, Tyler, Tex.; 101 South College Street, Waxahachie, Tex.; 808 Indiana Avenue, Wichita Falls, Tex.

Leader Store, department store; 41 West Broad Street, Hazleton, Pa.; 5-19-69 to 5-18-70.

Leepers Retail Outlet, foodstore; Mt. Pleasant, Pa.; 5-19-69 to 5-18-70.

Le-Mac Nurseries, Inc., agriculture; Hampton, Va.; 5-1-69 to 8-31-69.

Lynndale Planting Co., Inc., agriculture; Cary, Miss.; 5-12-69 to 5-11-70.

McCrary-McLellan-Green Stores, variety-department store No. 466, St. Paul, Minn.; 5-2-69 to 5-1-70.

Mid-Nebraska Lutheran Home, nursing home; Newman Grove, Nebr.; 5-9-69 to 5-8-70.

Harry Minkovitz, Inc., department store; 124 Main Street, Sylvania, Ga.; 4-21-69 to 4-20-70.

Moody's Discount Center, foodstore; No. 1, San Benito, Tex.; 5-20-69 to 5-19-70.

Morgan & Lindsey, Inc., variety-department store, No. 3076, Greenville, Miss.; 4-21-69 to 4-20-70.

Mount Arbor Nurseries, agriculture; 400 North Center Street, Shenandoah, Iowa; 5-10-69 to 5-9-70.

G. C. Murphy Co., variety-department stores from 5-1-69 to 4-30-70 except as otherwise indicated: No. 97, Naugatuck, Conn. (5-4-69 to 5-3-70); No. 93, Torrington, Conn. (5-4-69 to 5-3-70); No. 435, Albion, Mich.; No. 436, Charlotte, Mich.; No. 444, Coldwater, Mich.; No. 406, Hillsdale, Mich.; No. 437, Marshall, Mich.; No. 424, Owosso, Mich.; No. 120, St. Joseph, Mich.; No. 451, South Haven, Mich.; No. 136, Ocean City, N.J. (5-8-69 to 5-7-70); No. 139, Washington, N.J. (5-8-69 to 5-7-70); No. 135, Wildwood, N.J. (5-8-69 to 5-7-70); No. 181, Alliance, Ohio; No. 140, Barnesville, Ohio; No. 65, Bellaire, Ohio; No. 36, Bellefontaine, Ohio; No. 415, Bryon, Ohio; No. 234, Cincinnati, Ohio; No. 110, Circleville, Ohio; No. 265, Columbus, Ohio; No. 418, Defiance, Ohio; No. 441, Franklin, Ohio; No. 460, Gallon, Ohio; Nos. 2 and 468, Gallipolis, Ohio; No. 37, Greenville, Ohio; No. 456, Hillsboro, Ohio; No. 459, Jackson, Ohio; No. 269, Kettering, Ohio (5-8-69 to 5-7-70); No. 446, Lebanon, Ohio (5-9-69 to 5-8-70); No. 469, London, Ohio (5-9-69 to 5-8-70); No. 230, Marion, Ohio (5-9-69 to 5-8-70); No. 38, Middletown, Ohio (5-9-69 to 5-8-70); No. 462, Napoleon, Ohio (5-9-69 to 5-8-70); No. 257, North Ridgeville, Ohio (5-9-69 to 5-8-70); No. 41, Piqua, Ohio (5-9-69 to 5-8-70); No. 453, St. Marys, Ohio (5-9-69 to 5-8-70); No. 52, Salem, Ohio (5-9-69 to 5-8-70); No. 40, Sidney, Ohio (5-9-69 to 5-8-70); No. 434, Toledo, Ohio (5-9-69 to 5-8-70); No. 122, Toronto, Ohio (5-9-69 to 5-8-70); No. 35, Troy, Ohio (5-9-69 to 5-8-70); No. 419, Urbana, Ohio (5-9-69 to 5-8-70); No. 20, Washington Court House, Ohio (5-8-69 to 5-7-70); No. 192, Wilmington, Ohio (5-8-69 to 5-7-70); Nos. 187 and 222, Youngstown, Ohio (5-8-69 to 5-7-70).

Myers Fried Chicken, Inc., restaurant; 2700 Georgia Street, Amarillo, Tex.; 5-8-69 to 5-7-70.

Mrs. Gertrude Nauman, agriculture; Bowmansdale, Pa.; 4-28-69 to 4-27-70.

Neisner Brothers, Inc., variety-department store; No. 125, Washington, D.C.; 5-19-69 to 5-18-70.

Ochs Brothers, Inc., department store; 414 Central Avenue, Faribault, Minn.; 5-19-69 to 5-18-70.

Olson's Grocery, foodstore; Bagley, Minn.; 5-14-69 to 5-13-70.

Pacemaker Food Store, foodstores from 5-2-69 to 5-1-70: 2019 Broadway, Rockford, Ill.; 3132 North Rockton Avenue, Rockford, Ill.

Park N Shop Supermarket, foodstores from 5-12-69 to 5-11-70: East Jefferson, Culver, Ind.; Lincoln at Beech Road, Osceola, Ind.; 54977 Mayflower Road, South Bend, Ind.

Piggly Wiggly, foodstore; Centre, Ala.; 4-17-69 to 4-16-70.

Post Gardens, Inc., agriculture; 3055 West Michigan, Battle Creek, Mich.; 5-8-69 to 5-7-70.

Jim Pridgen Hardware, Inc., hardware store; 110 South Fifth Street, Griffin, Ga.; 4-22-69 to 4-21-70.

R & G Market, foodstore; 523 South 17th Street, Manhattan, Kans.; 5-15-69 to 3-30-70.

Rayless Department Store, variety-department stores from 5-1-69 to 4-30-70: 835-841 Broad Street, Augusta, Ga.; Corner Main and Davis Streets, Burlington, N.C.; 315 West Main Street, Durham, N.C.; 202 Hay Street, Fayetteville, N.C.; 102-04 West Main Street, Gastonia, N.C.; Corner Main Street and Second Avenue, Lexington, N.C.; 112 Pendleton Street, Easley, S.C.; 131 Main Street, Spartanburg, S.C.

Reebie Food Market, foodstores from 5-15-69 to 5-14-70: Nos. 1 and 2, Emporia, Ohio.

Ridgewood Variety, Inc., variety store; 623 42d Avenue, East Moline, Ill.; 5-14-69 to 5-13-70.

Rosefield Food Center, Inc., foodstore; Richeyville, Pa.; 5-16-69 to 5-15-70.

Royal's Inc., department store; Immokalee, Fla.; 5-9-69 to 5-8-70.

Rudyard Co-Op Co., foodstore; Rudyard, Mich.; 5-11-69 to 5-10-70.

Nelson W. Scott, agriculture; 3825 Werner Street, Muskegon, Mich.; 5-13-69 to 5-12-70.

Shenandoah Nurseries, agriculture; Shenandoah, Iowa; 5-12-69 to 5-11-70.

Arthur E. Snyder, agriculture; 57537 Mayflower Road, South Bend, Ind.; 5-13-69 to 5-12-70.

Spurgeon's, department store; 125 South Side Square, Macomb, Ill.; 5-1-69 to 4-30-70.

Sterling Stores Co., Inc., variety stores from 5-1-69 to 4-30-70: 2240 Lamar Avenue, Memphis, Tenn.; 121-123 North Moose Street, Morrilton, Ark.

T.G. & Y. Stores Co., variety-department stores: No. 231, Mobile, Ala.; 5-1-69 to 4-30-70; No. 183, Phoenix, Ariz.; 4-29-69 to 4-28-70; No. 181, Albuquerque, N. Mex. 5-15-69 to 5-14-70; No. 286, Santa Fe, N. Mex. 5-19-69 to 5-18-70; No. 67, Tulsa, Okla. 4-29-69 to 4-28-70; No. 120, Amarillo, Tex. 5-2-69 to 5-1-70.

Jacob Wagenmaker, agriculture; 1243 East Norton Road, Muskegon, Mich.; 5-10-69 to 5-9-70.

Walton's Family Center, variety store; Midtown Shopping Center, Bentonville, Ark.; 1-13-69 to 1-12-70.

Ward & Fennig, department store; Esteline, S. Dak.; 5-19-69 to 5-18-70.

Ward-Brodt Music Co., music store; 315 North Henry Street, Madison, Wis.; 5-15-69 to 5-14-70.

Winfield Grocery & Market, foodstore; 120 East Third Street, West Liberty, Iowa; 5-19-69 to 5-18-70.

The Wishbone, Inc., restaurant; 4455 Main, Kansas City, Mo.; 5-7-69 to 4-26-70.

Wolke & Kotler, Inc., department store; 4811 Milwaukee Avenue, Chicago, Ill.; 5-16-69 to 5-15-70.

Woods Super Market, foodstore; Buffalo, Mo.; 5-3-69 to 5-2-70.

F. W. Woolworth Co., variety-department stores from 5-16-69 to 5-15-70: No. 2229, Crestwood, Mo.; No. 2253, Houston, Tex.

The following certificates were issued to establishments relying on the base-year employment experience of other establishments, either because they came into existence after the beginning of the applicable base year or because they did not have available base-year records. The certificates permit the employment of full-time students at rates of not less than 85 percent of the statutory minimum in the classes of occupations listed, and provide for the indicated monthly limitations on the percentage of full-time student hours of employment at rates below the applicable statutory minimum to total hours of employment of all employees.

Ashcraft's Market, Inc., foodstore; 158 First Street, Harrison, Mich.; stock clerk, carryout; 15 to 27 percent; 5-16-69 to 5-15-70.

Ben Franklin, Inc., variety store; 300 West Eureka Street, Berryville, Ark.; stock clerk, salesclerk; 5 to 6 percent; 1-13-69 to 1-12-70.

Big Star, foodstore; No. 95, Memphis, Tenn.; sacker, carryout, bottle clerk; 15 to 20 percent; 5-9-69 to 5-8-70.

John Casemier Food Market, foodstore; 244 Randall Street, Coopersville, Mich.; stock

clerk, carryout, produce clerk, clerk, cleanup; 25 to 35 percent; 4-24-69 to 4-23-70.

Columbus Farm Equipment, Inc., farm implement dealer; Columbus, Nebr.; mechanic; 1 to 10 percent; 5-12-69 to 5-11-70.

Community Hospital of Roanoke Valley, hospital; 101 Elm Avenue SE., Roanoke, Va.; general duty nursing; 1 percent; 5-1-69 to 4-30-70.

Craft's Drug Store, drugstore; No. 11, Spartanburg, S.C.; salesclerk; 8 percent; 5-6-69 to 5-5-70.

D. S. Flower Farm, agriculture; Stuart, Fla.; general farm laborer; 9 to 32 percent; 4-14-69 to 4-13-70.

Dick's Market, foodstore; 350 East Pages Lane; Centerville, Utah; bagger, checker, stock clerk, general worker; 36 to 54 percent; 5-7-69 to 5-6-70.

Engle's Grocery and Market, foodstore; 225 West Main, Madison, Kans.; stock clerk, bagger, carryout; 10 to 18 percent; 5-19-69 to 5-18-70.

Garden City I.G.A. Foodliner, foodstore; 600 Garden City Drive, Monroeville, Pa.; cashier, stock clerk, bagger, carryout; 11 to 28 percent; 5-7-69 to 5-6-70.

Gee Bee, department store; Monroeville, Pa.; cashier, stock clerk, salesclerk, wrapper; 0.2 to 3 percent; 5-20-69 to 5-19-70.

Dillon Cos., Inc., foodstores for the occupations of cashier, checker, carryout, clerk, maintenance, wrapper; No. 105, Springdale, Ark., 11 to 32 percent, 5-12-69 to 5-11-70; No. 51, Great Bend, Kans.; 17 to 38 percent, 5-2-69 to 5-1-70.

W. T. Grant Co., variety-department stores for the occupations of salesclerk, stock clerk, office clerk, cashier except as otherwise indicated: No. 226, Rockford, Ill., 6 to 18 percent, 5-17-69 to 5-16-70 (salesclerk, stock clerk); No. 142, Ballwin, Mo., 5 to 18 percent, 5-12-69 to 5-11-70 (salesclerk, office clerk, stock clerk); No. 1233, St. Charles, Mo., 6 to 10 percent, 5-8-69 to 5-7-70; No. 126, Newark, Ohio, 6 to 23 percent, 5-15-69 to 5-14-70; No. 3370, Washington, Pa., 6 to 20 percent, 5-13-69 to 5-12-70 (salesclerk).

H & J Food Basket, foodstores for the occupation of carryout, 4-22-69 to 4-21-70; No. 17, Roswell, N. Mex., 5 percent; No. 18, Roswell, N. Mex., 8 percent; No. 15, Ruidoso, N. Mex., 6 percent.

Haffner's 5¢ to \$1 Store, variety store; No. 23, Sandusky, Mich.; salesclerk, office clerk, stock clerk, janitorial; 9 to 20 percent; 4-24-69 to 4-23-70.

Hub Frankel Co., Inc., department store; 232-234 West Main Street, Danville, Ky.; salesclerk, stock clerk, office clerk; 2 to 12 percent; 5-14-69 to 5-13-70.

Jerry's IGA, Inc., foodstore; 1113 West Beecher Street, Adrian, Mich.; bagger, stock clerk; 14 to 28 percent; 5-6-69 to 5-5-70.

Jerry's Markets, foodstores for the occupations of sacker, carryout, 10 percent, 5-2-69 to 5-1-70; 2809 Lincoln Avenue, Evansville, Ind.; 1115 Main Street, Evansville, Ind.

S. S. Kresge Co., variety-department stores for the occupations of salesclerk, stock clerk, office clerk, checker-cashier except as otherwise indicated: No. 4111, Birmingham, Ala., 3 to 11 percent, 5-8-69 to 5-7-70 (salesclerk); No. 4243, Oakland Park, Fla., 1 to 12 percent, 5-2-69 to 5-1-70 (salesclerk); No. 4085, Pensacola, Fla., 1 to 12 percent, 5-3-69 to 5-2-70 (salesclerk); 2535 Hubbell Avenue, Des Moines, Iowa, 2 to 10 percent, 5-2-69 to 5-1-70; No. 4018, Dubuque, Iowa, 8 to 23 percent, 5-3-69 to 5-2-70; No. 4110, High Point, N.C., 11 to 22 percent, 5-13-69 to 5-12-70 (salesclerk, checker); No. 4069, Casper, Wyo., 9 to 18 percent, 5-17-69 to 5-16-70.

Lerner Shops, apparel stores for the occupations of salesclerk, cashier, credit clerk, 5-15-69 to 5-14-70 except as otherwise indicated: No. 125, Mobile, Ala., 5 to 21 percent; No. 416, Tucson, Ariz., 15 percent; No. 46, Bradenton, Fla., 4 to 18 percent (5-2-69

to 5-1-70); No. 146, Sarasota, Fla., 4 to 18 percent (5-2-69 to 5-1-70); Nos. 54, 62, and 106, Tampa, Fla., 4 to 18 percent (5-2-69 to 5-1-70); No. 228, South Bend, Ind., 3 to 9 percent; No. 255, Wichita, Kans., 10 to 17 percent (5-2-69 to 5-1-70); No. 267, Pleasure Ridge Park, Ky., 5 to 13 percent (5-2-69 to 5-1-70); Nos. 134 and 302, Hyattsville, Md., 10 percent; No. 176, Langley Park, Md., 10 percent; No. 69, Silver Spring, Md., 10 percent; No. 177, Wheaton, Md., 10 percent; No. 159, Boston, Mass., 3 to 40 percent (5-2-69 to 5-1-70); No. 168, Framingham, Mass., 3 to 40 percent (5-2-69 to 5-1-70); No. 158, Medford, Mass., 3 to 40 percent (5-2-69 to 5-1-70); No. 164, Peabody, Mass., 3 to 40 percent (5-2-69 to 5-1-70); No. 156, Revere, Mass., 3 to 40 percent (5-2-69 to 5-1-70); No. 152, Worcester, Mass., 3 to 40 percent; No. 188, Biloxi, Miss., 5 to 21 percent; No. 74, Meridian, Miss., 5 to 21 percent; Nos. 208, 209, and 300, Kansas City, Mo., 10 to 17 percent (5-2-69 to 5-1-70); No. 27, Metuchen, N.J., 6 to 25 percent (5-9-69 to 5-8-70); No. 18, Paramus, N.J., 19 to 37 percent (5-9-69 to 5-8-70); No. 311, Willingboro, N.J., 14 to 30 percent (5-2-69 to 5-1-70); No. 89, Asheville, N.C., 6 to 20 percent (5-2-69 to 5-1-70); No. 39, Charlotte, N.C., 4 to 12 percent (5-2-69 to 5-1-70); No. 309, Akron, Ohio, 3 to 24 percent; Nos. 252 and 304, Cincinnati, Ohio, 4 to 11 percent; No. 264, Columbus, Ohio, 3 to 10 percent; No. 202, Dayton, Ohio, 4 to 11 percent; No. 278, Parma, Ohio, 7 to 11 percent; No. 64, Enid, Okla., 1 to 12 percent (4-25-69 to 4-24-70); No. 301, Tulsa, Okla., 1 to 12 percent (4-25-69 to 4-24-70); No. 206, Erie, Pa., 7 to 12 percent (4-25-69 to 4-24-70); No. 81, Anderson, S.C., 6 to 26 percent (5-2-69 to 5-1-70); No. 473, Abilene, Tex., 10 to 28 percent; No. 466, Amarillo, Tex., 0 to 35 percent; No. 131, Austin, Tex., 11 to 28 percent; No. 50, Beaumont, Tex., 0.2 to 21 percent (5-17-69 to 5-16-70); Nos. 37 and 101, Dallas, Tex., 4 to 11 percent; Nos. 130 and 471, El Paso, Tex., 10 to 28 percent; Nos. 104 and 148, Fort Worth, Tex., 4 to 11 percent; Nos. 56, 98, and 182, Houston, Tex., 4 to 11 percent (5-17-69 to 5-16-70); No. 58, Lubbock, Tex., 12 to 28 percent; No. 47, Mesquite, Tex., 4 to 11 percent; No. 33, Lynchburg, Va., 9 to 16 percent; No. 140, Newport News, Va., 13 to 20 percent; Nos. 215, 248, and 261, Milwaukee, Wis., 9 to 20 percent; No. 221, Wauwatosa, Wis., 9 to 20 percent.

Magic Mart, Inc., department store; East Race Street, Searcy, Ark.; salesclerk, stock clerk, janitorial; 2 to 14 percent; 4-21-69 to 4-20-70.

Martori Brothers Distributors, agriculture; Glendale, Ariz.; grape packer; 0 to 73 percent; 5-15-69 to 5-14-70.

May's Drug Store, drugstores for the occupations of salesclerk, stock clerk, 5 to 8 percent, 5-2-69 to 5-1-70 except as otherwise indicated: Nos. 161, 165, 166, 170, and 171, Cedar Rapids, Iowa; No. 175, Cedar Rapids, Iowa (5-15-69 to 5-1-70); No. 204, Dubuque, Iowa; No. 184, Marion, Iowa; No. 194, Marshalltown, Iowa; No. 197, Ottumwa, Iowa.

Men's Quality Shop, Inc., apparel; Oglethorpe Mall, Savannah, Ga.; salesclerk, office clerk, maintenance; 6 to 32 percent; 5-8-69 to 5-7-70.

Morgan & Lindsey, Inc., variety-department stores for the occupations of salesclerk, office clerk, stock clerk except as otherwise indicated, 8 to 27 percent except as otherwise indicated: No. 3120, Baton Rouge, La., 5-12-69 to 5-11-70; No. 3027, Bunkie, La., 5-16-69 to 5-15-70 (salesclerk, stock clerk); No. 3110, Lafayette, La. (6 to 17 percent), 5-2-69 to 5-1-70.

G. C. Murphy Co., variety-department stores for the occupations of salesclerk, office clerk, stock clerk, janitorial; No. 282, Shreveport, La., 12 to 25 percent, 5-12-69 to 5-11-70; Nos. 71 and 298, Trenton, N.J., 17 to 28 per-

cent, 5-8-69 to 5-7-70; No. 291, Cleveland, Ohio, 2 to 18 percent, 5-9-69 to 5-8-70; No. 281, Dayton, Ohio, 5 to 18 percent, 5-9-69 to 5-8-70.

Neisner Brothers, Inc., variety-department store; No. 169, Newton, Iowa; salesclerk; 1 to 18 percent; 5-2-69 to 5-1-70.

North Plaza Shop Rite, foodstore; 1307 North Center, Beaver Dam, Wis.; carryout; 5 to 21 percent; 4-16-69 to 4-15-70.

Pacemaker Food Store, foodstore; 8010 North Second Street, Rockford, Ill.; bagger, stock clerk, janitorial, carryout, cashier, window trimmer; 20 percent; 5-2-69 to 5-1-70.

Piggly Wiggly, foodstores for the occupation of bagger except as otherwise indicated: 10th Street, De Funiak Springs, Fla., 9 to 10 percent, 5-12-69 to 5-11-70; West Oakland Avenue, Camilla, Ga., 10 percent, 5-12-69 to 5-11-70; North Lake Drive, Prestonsburg, Ky., 20 to 32 percent, 5-19-69 to 5-18-70 (bagger, carryout, stock clerk).

Pleasant Food Store, foodstore; No. 4, Pensacola, Fla.; bagger, checker, stock clerk, market counter helper; 8 to 18 percent; 5-14-69 to 5-13-70.

Rayless Department Store, variety-department store; 1123-5 Broadway, Columbus, Ga.; stock clerk, salesclerk, office clerk, marker, janitorial; 11 to 29 percent; 5-4-69 to 5-3-70.

Rose's Stores, Inc., variety-department stores for the occupations of salesclerk, stock clerk, checker, marker, order writer, window trimmer except as otherwise indicated, 5-15-69 to 5-14-70 except as otherwise indicated: No. 11, La Grange, Ga., 13 to 31 percent, 5-5-69 to 5-4-70; No. 173, Tifton, Ga., 13 to 32 percent; No. 171, Alken, S.C., 6 to 21 percent (salesclerk, stock clerk); No. 157, Morristown, Tenn., 2 to 8 percent (salesclerk, stock clerk, office clerk, checker).

Royal's, Inc., department store; 300 West North Park Street, Okemah, Okla.; salesclerk; 2 to 46 percent; 5-9-69 to 5-8-70.

St. Michael's Hospital, hospital; Third and Broadway, Tyndall, S. Dak.; nurse's aide; 0.3 to 5 percent; 5-16-69 to 5-15-70.

Sterling Stores Co., Inc., variety store; 5030 Park Avenue, Memphis, Tenn.; salesclerk, stock clerk, janitorial; 12 to 43 percent; 5-1-69 to 4-30-70.

T.G. & Y. Stores Co., variety-department stores for the occupations of salesclerk, office clerk, stock clerk; No. 189, Yuma, Ariz., 26 to 30 percent, 4-29-69 to 4-28-70; No. 763, Jonesboro, Ark., 11 to 30 percent, 5-9-69 to 5-8-70; No. 596, Chula Vista, Calif., 23 to 30 percent, 5-15-69 to 5-14-70; No. 455, Kansas City, Kan., 15 to 29 percent, 5-2-69 to 5-1-70; No. 777, Minden, La., 6 to 17 percent, 5-19-69 to 5-18-70; No. 701, West Monroe, La., 3 to 15 percent, 5-1-69 to 4-30-70; No. 140, Independence, Mo., 22 to 39 percent, 5-2-69 to 5-1-70; No. 450, Sedalia, Mo., 14 to 30 percent, 5-2-69 to 5-1-70; No. 284, Albuquerque, N. Mex., 13 to 24 percent; 5-7-69 to 5-6-70; No. 86, Nicoma Park, Okla., 22 to 30 percent, 4-24-69 to 4-23-70; No. 418, Oklahoma City, Okla., 22 to 30 percent, 5-1-69 to 4-30-70; No. 842, Nacogdoches, Tex., 30 percent, 5-9-69 to 5-8-70; No. 779, Nederland, Tex., 30 percent, 5-5-69 to 11-13-69, Replacement.

Tom's Super Market, foodstore; Front and Kellner Streets, Rensselaer, Ind.; stock clerk, carryout; 35 to 40 percent; 5-16-69 to 5-14-70.

Trowbridge Super Markets, Inc., foodstore; 300-310 Gilbert, Charles City, Iowa; carryout, stock clerk; 8 to 22 percent; 5-15-69 to 5-14-70.

F. W. Woolworth Co., variety-department stores for the occupation of salesclerk, 5-2-69 to 5-1-70; No. 2604, Kansas City, Mo., 4 to 23 percent; No. 2598, St. Louis, Mo., 9 to 15 percent.

Each certificate has been issued upon the representations of the employer

which, among other things, were that employment of full-time students at special minimum rates is necessary to prevent curtailment of opportunities for employment, and the hiring of full-time students at special minimum rates will not create a substantial probability of reducing the full-time employment opportunities of persons other than those employed under a certificate. The certificates may be annulled or withdrawn, as indicated therein, in the manner provided in Part 528 of Title 29 of the Code of Federal Regulations. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within 30 days after publication of this notice in the *FEDERAL REGISTER* pursuant to the provisions of 29 CFR 519.9.

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

ROBERT G. GRONEWALD,
Authorized Representative
of the Administrator.

[F.R. Doc. 69-8647; Filed, July 23, 1969;
8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

[Ex Parte No. MC-75]

AGRICULTURAL COOPERATIVE TRANSPORTATION EXEMPTION

Implementation of Public Law 90-433

JULY 16, 1969.

Section 1047.21 of Title 49 CFR, effective July 7, 1969, adopted by the Commission to implement the provisions of Public Law 90-433 amending sections 203(b)(5) and 220 of the Interstate Commerce Act contains a limitation as to the amount of certain interstate transportation which may be performed by an agricultural cooperative subject to the regulations. It is specifically provided therein that such transportation "shall in no event exceed 15 percent of its total interstate transportation services in any fiscal year, measured in terms of tonnage."

The Commission has been requested by interested parties to clarify the meaning of the 15 percent limitation when applied to operations by an agricultural cooperative during that part of its fiscal year remaining after July 7, 1969. In this connection the Commission hereby advises all interested parties that the tonnage limitation specified in § 1047.21 of the subject regulations adopted by the Commission applies only to that interstate traffic received for transportation during the part of the fiscal year of any such agricultural cooperative remaining after July 6, 1969, regardless of the length of such remaining period.

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

[F.R. Doc. 69-8665; Filed, July 23, 1969;
8:48 a.m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

JULY 18, 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. 41695—*Phosphatic fertilizer solution from points in Utah*. Filed by Colorado-Utah-Wyoming Committee, agent (No. 7), for interested rail carriers. Rates on phosphatic fertilizer solution, in tank carloads, as described in the application, from points in Utah, to points in Colorado and Wyoming.

Grounds for relief—Short-line distance formula and grouping.

FSA No. 41696—*Anhydrous ammonia from specified points in Canada*. Filed by Western Trunk Line Committee, agent (No. A-2594), for interested rail carriers. Rates on anhydrous ammonia, in tank carloads, as described in the application, from specified points in Canada, to specified points in Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, Wisconsin, and Wyoming.

Grounds for relief—Market competition, short-line distance formula and grouping.

Tariff—Canadian National Railway tariff ICC W.766.

FSA No. 41697—*Chemicals from Louisiana and Texas points to Lemont, Ill.* Filed by Southwestern Freight Bureau, agent (No. B-53), for interested rail carriers. Rates on perchloroethylene, trichloroethane, and trichloroethylene, in tank carloads, from specified points in Louisiana and Texas, to Lemont, Ill.

Grounds for relief—Market competition.

Tariffs—Supplements 166 and 231 to Southwestern Freight Bureau, agent, tariffs ICC 4668 and 4564, respectively.

By the Commission.

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

[F.R. Doc. 69-8666; Filed, July 23, 1969;
8:48 a.m.]

[Notice 500]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

JULY 18, 1969.

The following letter-notices of proposals to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission, under the Commission's Deviation Rules Revised, 1957 (49 CFR 211.1 (e)(8)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 211.1(d)(4)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and

form provided in such rules (49 CFR 211.1 (e)) at any time, but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's Deviation Rules Revised, 1957, will be numbered consecutively for convenience in identification and protests if any should refer to such letter-notices by number.

MOTOR CARRIERS OF PROPERTY

No. MC 4963 (Deviation No. 35), JONES MOTOR CO., INC., Bridge Street and Schuylkill Road, Spring City, Pa. 19475, filed July 10, 1969. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over a deviation route as follows: From Charlotte, N.C., over Interstate Highway 85 to junction Interstate Highway 95, thence over Interstate Highway 95 to Washington, D.C., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: (1) From Roanoke, Va., over U.S. Highway 220 to Ridgeway, Va., thence over Virginia Highway 87 to the Virginia-North Carolina State line, thence over North Carolina Highway 87 to Reidsville, N.C., thence over U.S. Highway 29 to Greensboro, N.C., thence over Alternate U.S. Highway 29 (formerly portion U.S. Highway 29) to High Point, N.C., thence over U.S. Highway 29 to junction Business Route U.S. Highway 29 (formerly portion U.S. Highway 29), thence over Business Route U.S. Highway 29 to Salisbury, N.C., thence over U.S. Highway 601 (formerly portion U.S. Highway 29) to junction U.S. Highway 29, thence over U.S. Highway 29 to Charlotte, N.C., (2) from High Point, N.C., over U.S. Highway 29 to Danville, Va., thence over U.S. Highway 58 to Martinsville, Va., thence over U.S. Highway 220 to Roanoke, Va., (3) from Lynchburg, Va., over U.S. Highway 501 to South Boston, Va., and (4) from Roanoke, Va., over U.S. Highway 460 to Lynchburg, Va., thence over U.S. Highway 29 via Charlottesville, Va., to Washington, D.C., and return over the same routes.

No. MC 8600 (Deviation No. 8), WERNER CONTINENTAL, INC., Graham Street, McKees Rocks, Pa. 15136, filed July 7, 1969. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over deviation routes as follows: (1) From Hubbard (Youngstown), Ohio, over Interstate Highway 80 to junction Interstate Highway 81E, thence over Interstate Highway 81E to junction Interstate Highway 84, thence over Interstate Highway 84 to Hartford, Conn.; and (2) from Hubbard (Youngstown), Ohio, over Interstate Highway 80 to junction North East Extension of the Pennsylvania Turnpike, thence over the North East Extension of the Pennsylvania Turnpike to Philadelphia, Pa., and return over the same routes, for operating convenience only.

The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: (1) From Hubbard (Youngstown), Ohio, over U.S. Highway 422 to Portersville, Pa., thence over U.S. Highway 19 to Pittsburgh, Pa., thence over U.S. Highway 22 to Newark, N.J., thence over city streets and connecting highways to New York, N.Y., thence over U.S. Highway 1 to New Haven, Conn., thence over U.S. Highway 5 to Hartford, Conn.; and (2) from Hubbard (Youngstown), Ohio, over the route described in (1) above to Harrisburg, Pa., thence over U.S. Highway 422 to Philadelphia, Pa., and return over the same routes.

No. MC 61440 (Deviation No. 15), LEE WAY MOTOR FREIGHT, INC., 3000 West Reno, Post Office Box 82488, Oklahoma City, Okla. 73108, filed July 8, 1969. Carrier's representative: Richard H. Champlin, same address as applicant. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over a deviation route as follows: Between Houston, Tex., and Beaumont, Tex., over Interstate Highway 10, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: Between Houston, Tex., and Beaumont, Tex., over U.S. Highway 90.

No. MC 65491 (Deviation No. 8), GEORGE W. BROWN, INC., 1475 East 222d Street, Bronx, N.Y. 10469, filed July 10, 1969. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over deviation routes as follows: (1) From Buffalo, N.Y., over Interstate Highway 90 to junction Interstate Highway 79, thence over Interstate Highway 79 to junction Interstate Highway 80S thence over Interstate Highway 80S to junction Interstate Highway 76, thence over Interstate Highway 76 to junction Interstate Highway 70, thence over Interstate Highway 70 to junction Interstate Highways 70N and 70S, thence over Interstate Highway 70N to Baltimore, Md.; and (2) from Buffalo, N.Y., over the route described in (1) above to junction Interstate Highway 70, 70N and 70S, thence over Interstate Highway 70S to Washington, D.C., and return over same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: (1) From New York, N.Y., over U.S. Highway 1 to junction U.S. Highway 22, thence over U.S. Highway 22 to Easton, Pa., thence over unnumbered highway via Wilson, Dryland, Butztown, Bethlehem, and Allentown, Pa., to junction U.S. Highway 22, thence over U.S. Highway 22, thence over U.S. Highway 22 to junction unnumbered highway at or near Strausstown, Pa., thence over unnumbered highway via Strausstown and Bethel, Pa., to junction U.S. Highway 22, thence over U.S. Highway 22 to Harrisburg, Pa.; (2) from New York, N.Y., over U.S. Highway 9 to Albany, N.Y., thence over U.S. Highway 20 to junction New York Highway 130,

thence over New York Highway 130 to Buffalo, N.Y.; and (3) from Newark, N.J., over U.S. Highway 1 to Richmond, Va., and return over the same routes.

No. MC 66562 (Deviation No. 24), RAILWAY EXPRESS AGENCY, INCORPORATED, 219 East 42d Street, New York, N.Y. 10017, filed July 9, 1969. Carrier's representative: William H. Marx, same address as applicant. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, moving in express service, over a deviation route as follows: Between Binghamton, N.Y., and Syracuse, N.Y., over Interstate Highway 81, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Binghamton, N.Y. over U.S. Highway 11 to junction New York Highway 41, thence over New York Highway 41 to junction New York Highway 281, thence over Highway 281 to junction U.S. Highway 11, thence over U.S. Highway 11 to Syracuse, N.Y., and return over the same route.

No. MC 76032 (Deviation No. 24), NAVAJO FREIGHT LINES, INC., 1205 South Platte River Drive, Denver, Colo. 80223, filed July 7, 1969. Carrier's representative: William E. Kenworthy, same address as applicant. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exception, over a deviation route as follows: From junction U.S. Highway 40 and Interstate Highway 35W near Salina, Kans., over Interstate Highway 35W to junction U.S. Highway 56 near McPherson, Kans., thence over U.S. Highway 56 to junction Kansas Highway 96 near Great Bend, Kans., thence over Kansas Highway 96 to the Kansas-Colorado State line, thence over Colorado Highway 96 to Pueblo, Colo., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: (1) Between Kansas City, Mo., and Denver, Colo. over U.S. Highway 40; and (2) between Denver, Colo., and Pueblo, Colo., over U.S. Highway 85.

No. MC 108589 (Deviation No. 3), EAGLE EXPRESS COMPANY, Post Office Box 679, Somerset, Ky. 42501, filed July 8, 1969. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over a deviation route as follows: Between junction Interstate Highway 75 and Tennessee Highway 63, at Caryville, Tenn., and Knoxville, Tenn., over Interstate Highway 75, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Knoxville, Tenn., over U.S. Highway 25W to Caryville, Tenn., thence over Tennessee Highway 63 to junction U.S. Highway 27, thence over U.S. Highway 27 to Somerset, Ky., and return over the same route.

MOTOR CARRIERS OF PASSENGERS

No. MC 61616 (Deviation No. 33) (Cancels Deviation No. 30), MIDWEST BUSLINES, INC., 433 West Washington Avenue, North Little Rock, Ark. 72214, filed July 10, 1969. Carrier's representative: Nathaniel Davis, Post Office Box 1188, Little Rock, Ark. 72203. Carrier proposes to operate as a common carrier, by motor vehicle, of passengers and their baggage, and express and newspapers in the same vehicle with passengers over deviation routes as follows: (1) From junction U.S. Highway 64 and Interstate Highway 40, 1.7 miles west of Clarksville, Ark., over Interstate Highway 40 to junction Arkansas Highway 103 (an access road), thence over Arkansas Highway 103 to Clarksville, Ark., a distance of 5.2 miles; (2) from Clarksville, Ark., over Arkansas Highway 103 (an access road) to junction Interstate Highway 40, thence over Interstate Highway 40 to junction Arkansas Highway 7 (an access road), thence over Arkansas Highway 7 to Russellville, Ark., a distance of 26.2 miles; (3) from Russellville, Ark., over Arkansas Highway 7 (an access road) to junction Interstate Highway 40, thence over Interstate Highway 40 to junction Arkansas Highway 331 (an access road), thence over Arkansas Highway 331 to junction U.S. Highway 64, a distance of 5.7 miles; (4) from junction U.S. Highway 64 and Arkansas Highway 331 over Arkansas Highway 331 (an access road) to junction Interstate Highway 40, thence over Interstate Highway 40 to junction unnumbered access road, thence over unnumbered access road to Pottsville, Ark., a distance of 4.8 miles; and (5) from Pottsville, Ark., over unnumbered access road to junction Interstate Highway 40, thence over Interstate Highway 40 to junction Arkansas Highway 105 (an access road), thence over Arkansas Highway 105 to Atkins, Ark., a distance of 6.7 miles; and (6) from Atkins, Ark., over Arkansas Highway 105 (an access road) to junction Interstate Highway 40, thence over Interstate Highway 40 to junction unnumbered access road, thence over unnumbered access road to Blackwell, Ark., a distance of 8.2 miles, and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over a pertinent service route as follows: (1) From Fort Smith, Ark., over U.S. Highway 64 to junction U.S. Highway 65, thence over U.S. Highway 65 to junction U.S. Highway 70, thence over U.S. Highway 70 to Memphis, Tenn., and return over the same route.

No. MC 61616 (Deviation No. 34), MIDWEST BUSLINE, INC., 433 West Washington Avenue, North Little Rock, Ark., filed July 10, 1969. Carrier's representative: Nathaniel Davis, Post Office Box 1188, Little Rock, Ark. 72203. Carrier proposes to operate as a common carrier, by motor vehicle, of passengers and their baggage, and express and newspapers in the same vehicle with passengers, over a deviation route as follows: From Menifee, Ark., over an unnumbered

access road to junction Interstate Highway 40, thence over Interstate Highway 40 to North Little Rock, Ark., a distance of 34.2 miles, and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over a pertinent service route as follows: From Fort Smith, Ark., over U.S. Highway 64 to junction U.S. Highway 65, thence over U.S. Highway 65 to junction U.S. Highway 70, thence over U.S. Highway 70 to Memphis, Tenn., and return over the same route.

By the Commission.

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

[P.R. Doc. 69-8667; Filed, July 23, 1969;
8:48 a.m.]

[Notice 1314]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

JULY 18, 1969.

The following publications are governed by the new Special Rule 1.247 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of December 3, 1963, which became effective January 1, 1964.

The publications hereinafter set forth reflect the scope of the applications, as filed by applicant, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

APPLICATIONS ASSIGNED FOR ORAL HEARING MOTOR CARRIERS OF PROPERTY

No. MC 119778 (Sub-No. 120) (Republication), filed February 13, 1969, published in the FEDERAL REGISTER issue of March 13, 1969, and republished this issue. Applicant: REDWING CARRIERS, INC., Post Office Box 34, Powderly Station, Birmingham, Ala. 35221. Applicant's representative: J. V. McCoy, Post Office Box 426, Tampa, Fla. 33601. By application filed February 13, 1969, applicant seeks a certificate of public convenience and necessity authorizing operation, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of liquid sugar and blends of liquid sugar, in bulk, in tank vehicles, from points in Jefferson County, Ala., to points in Georgia on and west of U.S. Highway 129, and points in that part of Tennessee on and west of a line beginning at the Georgia-Tennessee State line and extending along U.S. Highway 11 to Knoxville, Tenn., thence along U.S. Highway 25W to the Tennessee-Kentucky State line and east of Tennessee Highway 13. An order of the Commission, Operating Rights Board, dated June 20, 1969, and served July 15,

1969, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of (1) liquid sugar and (2) blends of liquid sugar and other sweeteners, in bulk, in tank vehicles, from points in Jefferson County, Ala., to those points in that part of Georgia on and west of U.S. Highway 129, and to those points in that part of Tennessee on and west of a line beginning at the Georgia-Tennessee State line and extending along U.S. Highway 11 to Knoxville, Tenn., thence along U.S. Highway 25W to the Tennessee-Kentucky State line and east of Tennessee Highway 13; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other persons, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file a petition to reopen or for other appropriate relief setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 123063 (Sub-No. 7) (Republication), filed April 11, 1968, published in the FEDERAL REGISTER of May 2, 1968, and republished this issue. Applicant: KIRBY TRANSPORTATION, INC., 425 Main Street, Woodbridge, N.J. 07095. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. By report and order entered in the above-entitled proceeding, the joint board recommended the granting to applicant a certificate of public convenience and necessity, authorizing operation in interstate or foreign commerce as a common carrier by motor vehicle, over irregular routes of, the commodities, to and from points substantially as indicated below. An order of the Commission, Division 1, served June 2, 1969, and effective by operation of law July 2, 1969, finds that the present and future public convenience and necessity require operation by applicant as a common carrier, by motor vehicle, in interstate or foreign commerce, over irregular routes, (1) of cement and fly ash, from the facilities of McNeil Bros., Inc., at Devon, Conn., to points in Massachusetts; (2) of lime, from Adams and Lee, Mass., to the facilities of McNeil Bros., Inc., at Devon, Conn.; and (3) of fly ash, from points in Massachusetts to the facilities of McNeil Bros., Inc., at Devon, Conn., restricted against tacking with applicant's present authority; that the holding by applicant of the certificate authorized herein and of permit No. MC 50413 (Sub-No. 8) will be consistent with the public interest and the national trans-

portation policy; that applicant is fit, willing, and able properly to perform the service herein authorized and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other persons, who have relied upon the notice of the publication as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file a petition to reopen or for other appropriate relief setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 133192 (Republication), filed September 26, 1968, published in FEDERAL REGISTER issue of October 17, 1968, and republished this issue. Applicant: LARRY TREBINO CONSTRUCTION COMPANY, INC., 5 Cypress Drive, Burlington, Mass. 01803. Applicant's representative: Arthur A. Wentzell, Post Office Box 720, Worcester, Mass. 01601. By application filed September 26, 1968, as amended, applicant seeks a permit authorizing operations, in interstate or foreign commerce as a contract carrier by motor vehicle over irregular routes of (1) granite chips and sand from Chelmsford and Monson, Mass., to Danbury, Hartford, Manchester, Newington, North Haven, and South Windsor, Conn.; (2) quartz and topaz from Lyneboro, N.H., and Malden, Mass., to Manchester, and South Windsor, Conn.; (3) expanded shale from Plainville, Mass., to Danbury, Hartford, Newington, and North Haven, Conn.; (4) pumice from Boston, Mass., Bridgeport and North Haven, Conn., and Portsmouth, N.H., to Acton and Medford, Mass., and North Haven, Conn.; (5) kiln feed from Canaan, Conn., to Acton and Medford, Mass.; and (6) limestone from Lee, Mass., to North Haven, Conn.; in bulk, in dump vehicles under contract with Plasticrete Corp. The application was referred to Examiner Allard for hearing and the recommendation of an appropriate order thereon. Hearing was held on May 8, 1969, at Boston, Mass.

A report and recommended order was served June 19, 1969, finds that operation by applicant, in interstate or foreign commerce, as a contract carrier by motor vehicle, over irregular routes, of (1) granite chips and sand from Chelmsford and Monson, Mass., to Danbury, Hartford, Manchester, Newington, North Haven, and South Windsor, Conn.; (2) quartz and topaz from Lyneboro, N.H., and Malden, Mass., to Manchester, Newington, and South Windsor, Conn.; (3) expanded shale from Plainville, Mass., to Danbury, Hartford, Newington, and North Haven, Conn.; (4) pumice from Boston, Mass., and Bridgeport and North Haven, Conn., and Portsmouth, N.H., to Acton and Medford, Mass., and North

Haven, Conn.; (5) *kiln feed* from Canaan, Conn.; to Acton and Medford, Mass.; and (6) *limestone* from Lee, Mass., to North Haven, Conn., in bulk, in dump vehicles, under contract with Plactierete Corp., will be consistent with the public interest and the national transportation policy; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other persons, who have relied upon the notice of the application as published may have interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER issuance of a permit in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file a petition to reopen or for other appropriate relief setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 133339 (Republication), filed December 9, 1968, published in FEDERAL REGISTER issues of January 3, 1969, and February 6, 1969, and republished this issue. Applicant: VICTORIA TRANSFER & STORAGE CO., a corporation, 1211 North Laurent Street, Post Office Box 1807, Victoria, Tex. 77901. Applicant's representative: Mert Starnes, The 904 Lavaca Building, Austin, Tex. 78701. By application filed December 9, 1968, as amended, applicant seeks a permit authorizing operations, in interstate or foreign commerce as a contract carrier by motor vehicle, over irregular routes of telephone equipment, materials, and supplies between Victoria, Tex., on the one hand, and, on the other, points in De Witt, Jackson, Calhoun, Victoria, Bee, Goliad, Refugio, and Lavaca Counties, Tex., restricted to traffic having a prior or subsequent out-of-State movement, under contract with Western Electric Co., Inc. An order of the Commission, Operating Rights Board, dated June 5, 1969, and served June 20, 1969, finds that operation by applicant, in interstate or foreign commerce as a contract carrier by motor vehicle, over irregular routes, of telephone equipment, materials, and supplies between Victoria, Tex., on the one hand, and, on the other, points in De Witt, Jackson, Calhoun, Victoria, Bee, Goliad, Refugio, and Lavaca Counties, Tex., under a continuing contract with Western Electric Co., Inc., will be consistent with the public interest and the national transportation policy; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder; Because it is possible that other persons, who have relied upon the notice of the application as published may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order,

a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a permit in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file a petition to reopen or for other appropriate relief setting forth in detail the precise manner in which it has been so prejudiced.

NOTICE OF FILING OF PETITION

No. MC 114789 (Sub-No. 16) (Notice of Filing of Petition To Add an Additional Contract Shipper), filed July 9, 1969. Petitioner: NATIONWIDE CARRIERS, INC., Maple Plain, Minn. Petitioner, states it is a motor carrier of property in interstate commerce operating under both common and contract authority. Contract authority is issued in MC 114789 and subs thereunder, and authorizes, in Sub 16, the following described operations: "Floor coverings, stair treads, wall tile, countertop coverings, and molding, and materials and supplies used in the installation, maintenance, and repair of the commodities described above." "From Danbury, New London and West Haven, Conn.; Boston, Mass.; Lisbon, Maine; Newark, Salem, and Trenton, N.J.; Newburgh and New York, N.Y.; Akron, Fostoria, and Middlefield, Ohio; and Chicago, Ill.; to points in Iowa, Minnesota, North Dakota, and Wisconsin, with no transportation for compensation on return except as otherwise authorized." Petitioner states it is operating the above authority under contract with General Floor Coverings Co. of Minneapolis, Minn. Said authority described above was issued on February 6, 1969. By the instant petition, Petitioner states that Minnesota Tile Supply of Minneapolis, Minn., has requested petitioner to provide the same kind and type of contract service for it as it is presently performing for General Floor Coverings, and Petitioner is desirous of performing this extension of service. Any interested person desiring to participate may file an original and six copies of his written representations, views, or argument in support of, or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

APPLICATIONS FOR CERTIFICATES OR PERMITS WHICH IS TO BE PROCESSED CONCURRENTLY WITH APPLICATIONS UNDER SECTION 5 GOVERNED BY SPECIAL RULE 1.240 TO THE EXTENT APPLICABLE

No. MC 5888 (Sub-No. 30), filed June 29, 1969. Applicant: MID-AMERICAN LINES, INC., 900 North Indiana, Kansas City, Mo. 64120. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: General commodities (except household goods and commodities in bulk), (1) between points in Lake, Cook, McHenry, De Kalb, Kane, Du Page, Kendall, Grundy, Will, and Kankakee Counties, Ill., and (2) between points in the counties named in (1) above, on the one hand, and, on the

other, points in Illinois, restricted to shipments originating at or destined to points in the counties named in (1) above. NOTE: This application is directly related to MC-F 10529, published in the FEDERAL REGISTER on July 9, 1969. Applicant states it intends to tack at Chicago, Ill. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers under sections 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto. (49 CFR 1.240.)

MOTOR CARRIERS OF PROPERTY

Finance Docket No. 25723. (Correction) (SOUTHERN PACIFIC COMPANY and SOUTHERN PACIFIC TRANSPORTATION COMPANY), published in the June 18, 1969, issue of the FEDERAL REGISTER, on page 9596. This notice to show the correct name "SOUTHERN PACIFIC TRANSPORTATION COMPANY (Transportation Company), a new corporation, in lieu of Southern Pacific Transport Company (Transport Company), as was erroneously referred to in the prior notice.

No. MC-F-10414. (Amendment) (EASTERN EXPRESS, INC.—Purchase—KASMAR ROCHELLE TRANSIT CO.), published in the March 19, 1969, issue of the FEDERAL REGISTER, on page 5410. Amendment filed July 2, 1969, shows the joining in of AMERICAN EXPORT INDUSTRIES, INC., 26 Broadway, New York, N.Y. 10004, as party in control of EASTERN EXPRESS, INC.

No. MC-F-10507 (Supplement) (RYDER SYSTEM, INC.—Control—COMPLETE AUTO TRANSIT, INC.), published in the June 18, 1969, issue of the FEDERAL REGISTER, on page 9597. By supplemental application, filed July 14, 1969, JAR CORPORATION, TEMCO INDUSTRIES, INC., and RIDR, INC., all also of 2701 South Bayshore Drive, Miami, Fla. 33133, seek to join in the application as parties in control of RYDER SYSTEM, INC.

No. MC-F-10513 (Correction) (AAA MOTOR LINES, INC.—Control—COOPER TRANSFER CO., INC.), published in the June 25, 1969, issue of the FEDERAL REGISTER, on page 9833. This notice to show additional authority sought to be controlled which was inadvertently stated in error or omitted and the exclusion of one nonexistent route which was inadvertently included. The additional authority sought to be controlled should read: General commodities, excepting, among others, household goods, but not excepting commodities in bulk, over regular routes, between Pensacola, Fla., and Uriah, Ala., serving all intermediate points, in lieu of between Pensacola, Fla., and Uriah, Ala.; textile products, over irregular routes, from points in Alabama within

150 miles of Brewton, Ala., including Brewton, Ala., to New Orleans, La., in lieu of from points in Alabama within 150 miles of Brewton, Ala., including Brewton, Ala., to points in Florida within 100 miles of Pensacola, Fla., including Pensacola, Fla.; and *roofing and roofing materials*, from New Orleans, La., to points in Alabama within 150 miles of Brewton, Ala., including Brewton, Ala., and points in Florida within 10 miles of Pensacola, Fla., including Pensacola, Fla. The nonexistent authority which should be excluded reads: *General commodities*, excepting among others, household goods and commodities in bulk, over regular routes, between Mobile, Ala., on the one hand, and, on the other, points in Alabama.

No. MC-F-10530. Authority sought for purchase by PAUL ARPIN VAN LINES, INC., 150 Manton Avenue, Providence, R.I. 02909, of the operating rights of A-WORLD VAN SERVICE, INC. (JOSEPH O. EARP, Trustee in Bankruptcy), % Jerome Shulkin, 30th Floor, Smith Tower, Seattle, Wash. 98104, and for acquisition by PAUL ARPIN VAN LINES, INC., and, in turn by ADOLPH ARPIN, MILTON J. ARPIN, LOUISE M. ARPIN, and PAUL G. ARPIN, all also of Providence, R.I., of control of such rights through the purchase. Applicants' attorney and representative: Herbert Burstein, 160 Broadway, New York, N.Y. 10038, and Jerome Shulkin, 30th Floor, Smith Tower, Seattle, Wash. 98104. Operating rights sought to be transferred: *Household goods*, as defined by the Commission, as a *common carrier*, over irregular routes, between points in Alabama, Arkansas, Colorado, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, New York, Oklahoma, Pennsylvania, Tennessee, Texas, Virginia, West Virginia, Wisconsin, and the District of Columbia. Vendee is authorized to operate as a *common carrier* in New York, New Jersey, Arkansas, Iowa, Kansas, Louisiana, Minnesota, Missouri, Nebraska, North Dakota, Oklahoma, South Dakota, Texas, Colorado, and Illinois. Application has been filed for temporary authority under section 210a(b).

No. MC-F-10531. Authority sought for purchase by GUY HEAVENER, INC., Harleysville, Pa., of a portion of the operating rights of PROSPECT TRUCKING CO., INC., 2129 Nottingham Way, Trenton, N.J. 08619, and for acquisition by DUANE HEAVENER, also of Harleysville, Pa., of control of such rights through the purchase. Applicants' attorney: James W. Patterson, 2107 Fidelity Building, Philadelphia, Pa. 19109. Operating rights sought to be transferred: *Fertilizer*, as a *common carrier*, over irregular routes, from Baltimore, Md., Camden and Trenton, N.J., and Wilmington, Del., to points in Chester, Montgomery, Delaware, Bucks, and Berks Counties, Pa., and points in Camden and Atlantic Counties, N.J., from Carteret, N.J., to points in Bucks and

Montgomery Counties, Pa. Vendee is authorized to operate as a *common carrier* in all points in the United States (except Alaska and Hawaii). Application has not been filed for temporary authority under section 210a(b). Note: See also MC-F-10473 (P. LIEDTKA TRUCKING, INC.—Purchase (Portion)—PROSPECT TRUCKING CO., INC.), MC-F-10459 (MAIN TRUCKING & RIGGING CO., INC.—Purchase (Portion)—PROSPECT TRUCKING CO., INC.), and MC-F-10475 (N & N TRANSPORTATION CO., INC.—Purchase (Portion)—PROSPECT TRUCKING CO., INC.), published in the May 14, 1969, and April 30, 1969, issues of the FEDERAL REGISTER, on pages 7673, 7109, and 7674, respectively.

No. MC-F-10532. Authority sought for purchase by McKEE LINES, INC., 664 54th Avenue, Mattawan, Mich. 49071, of a portion of the operating rights of SCHILLI MOTOR LINES, Yeoman, Ind. (Mailing address: Post Office Box 122, Delphi, Ind. 46923), and for acquisition by LEONARD R. McKEE, also of Mattawan, Mich., of control of such rights through the purchase. Applicants' attorney: Thomas F. Kilroy, 2111 Jefferson Davis Highway, Arlington, Va. 22202. Operating rights sought to be transferred: *Foodstuffs*, except those in bulk, in tank vehicles, as a *common carrier*, over irregular routes, from Lawton, Mich., to points in that part of Illinois south of U.S. Highway 36, Indiana and Kentucky, with restriction. Vendee is authorized to operate as a *common carrier* in Michigan, California, Florida, Louisiana, Georgia, Arizona, Utah, Indiana, Mississippi, Alabama, North Carolina, South Carolina, Tennessee, Virginia, and West Virginia; and as a *contract carrier* in New York, Maryland, Connecticut, Massachusetts, New Jersey, Pennsylvania, Rhode Island, and Michigan. Application has been filed for temporary authority under section 210a(b).

No. MC-F-10533. Authority sought for purchase by LOUIS J. GARDELLA, INC., 111 Harbor Avenue, Norwalk, Conn. 06852, of the operating rights of THE DAVIS STORAGE COMPANY, 335 East Street, New Haven, Conn. 06511, and for acquisition by LOUIS J. GARDELLA, Spar Road, Norwalk, Conn., of control of such rights through the purchase. Applicants' attorney: Sidney L. Goldstein, 109 Church Street, New Haven, Conn. 06510. Operating rights sought to be transferred: Under a certificate of registration, in Docket No. MC-48554 Sub 2, covering the transportation of property, as a *common carrier*, in intrastate commerce, within the State of Connecticut. Vendee is authorized to operate as a *common carrier* in Connecticut, Massachusetts, Maryland, Illinois, Delaware, New Jersey, New York, Michigan, Rhode Island, Maine, New Hampshire, Pennsylvania, Ohio, West Virginia, Virginia, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b). Note: MC-73866 Sub 5 is a matter directly related.

No. MC-F-10546. Authority sought for purchase by LIGON SPECIALIZED

HAULERS, INC., Post Office Box Drawer L, Madisonville, Ky. 42431, of the operating rights of L. R. HENLEY, Clarksville, Mo. 63336, and for acquisition by RALPH LIGON, also of Madisonville, Ky., of control of such rights through the purchase. Applicants' attorney: Robert M. Pearce, Post Office Box E, 1033 State Street, Bowling Green, Ky. 42101. Operating rights sought to be transferred: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier*, over regular routes, between Clarksville, Mo., and East St. Louis, Ill., serving the intermediate point of St. Louis, Mo., and intermediate and off-route points within 7 miles of Clarksville. Vendee is authorized to operate as a *common carrier* in all points in the United States (except Alaska and Hawaii); and as a *contract carrier* in all points in the United States (except Alaska, Hawaii, and the District of Columbia). Application has not been filed for temporary authority under section 210a(b).

No. MC-F-10547. Authority sought for purchase by ALLIED INDUSTRIAL CONTRACTORS, INC., 300 East 7 Mile Road, Detroit, Mich. 48203, of the operating rights of TURNER CARTAGE & STORAGE CO., 4200 Miller Road, Dearborn, Mich. 48216, and for acquisition by RODGER DEAN WASSERMAN and ALVIN WASSERMAN, both of 2201 Finkell Avenue, Detroit, Mich., EDITH L. WASSERMAN, 1521 Charrington, Birmingham, Mich., ALBERT A. GOLDFARB, 3300 Guardian Building, Detroit, Mich., and BARBARA L. GOLDFARB, 30165 Stellamar Drive, Birmingham, Mich., of control of such rights through the purchase. Applicants' attorney: William B. Elmer, 22644 Gratiot Avenue, East Detroit, Mich. 48021. Operating rights sought to be transferred: Under a certificate of registration, in Docket No. MC-66585 Sub 6, covering the transportation of properties, as a *common carrier*, in intrastate commerce, within the State of Michigan. Vendee holds no authority from this Commission. However one of its stock holders ALVIN WASSERMAN of ALLIED DELIVERY SYSTEM, INC. is authorized to operate as a *common carrier* in the State of Michigan. Application has been filed for temporary authority under section 210a(b).

No. MC-F-10548. Authority sought for purchase by REFINERS TRANSPORT & TERMINAL CORPORATION, 445 Earlwood Avenue, Oregon (Toledo), Ohio 43616, of a portion of the operating rights of HUFF TRANSPORT CO., INC., 2114 South 41st Street, Louisville, Ky. 40213, and for acquisition by LEASEWAY TRANSPORTATION CORP., and in turn by H. M. O'NEILL, F. J. O'NEILL and W. J. O'NEILL all of 21111 Chagrin Boulevard, Cleveland, Ohio 44122, of control of such rights through the purchase. Applicants' attorneys: John Andrew Kundtz, 1050 Union Commerce Building, Cleveland, Ohio 44115 and Roland Rice, 618 Perpetual Building, Washington, D.C. 20004.

Operating rights sought to be transferred: *Petroleum and petroleum products*, as described in appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, in bulk, in tank vehicles, as a common carrier over irregular routes from the pipeline terminal site of the Texas Eastern Transmission Corp., at or near Lebanon, Warren County, Ohio, to points in Indiana, Kentucky, and West Virginia (except points in Kanawha County, W. Va., and except petroleum chemicals to Fairmont, Fellansbee, and Morgantown, W. Va.). Vendee is authorized to operate as a common carrier in all States in the United States (except Alaska and Hawaii) and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-10549. Authority sought for purchase by B-BROTHERS CARTAGE, INC., Post Office Box 21, 1020 West 129th Place, Blue Island, Ill. 60406, of the operating rights of TAYLOR TRANSFER COMPANY, INC. (Bernard C. Chaitman, assignee for the benefit of creditors), 260 East Brookmont Boulevard, Kankakee, Ill. Applicants' attorney: Robert H. Levy, 29 South La Salle Street, Chicago, Ill. 60603. Operating rights sought to be transferred: *General commodities*, excepting, among others, household goods and commodities in bulk, as a common carrier, over regular routes, between Kankakee, Ill., and Chicago, Ill., serving all intermediate points, and the off-route point of Bourbonnais, Ill., with restriction; *general commodities*, excepting, among others, household goods, but not excepting commodities in bulk, between Kankakee, Ill., and Chicago, Ill., serving no intermediate points, with restriction; and under a certificate of registration, in Docket No. MC-870 Sub-No. 3, covering the transportation of property, as a common carrier, in intrastate commerce, within the State of Illinois. Vendee is authorized to operate as a common carrier in Illinois, Iowa, Wisconsin, Indiana, Michigan, Ohio, Kentucky, and Missouri. Application has been filed for temporary authority under section 210a(b). Note: MC-127608 Sub-No. 2 is a matter directly related.

No. MC-F-10550. Authority sought for purchase by MITCHELL BROS. TRUCK LINES, 3841 North Columbia Boulevard, Portland, Oreg., of the operating rights of W. J. TANNAHILL & SONS, 2101 East 38th Street, Vernon, Calif., and for acquisition by O. J. MITCHELL, also of Portland, Oreg., and B. D. MITCHELL, Post Office Box 370, Medford, Oreg., of control of such rights through the purchase. Applicants' attorneys: Norman E. Sutherland, 1200 Jackson Tower, Portland, Oreg. 97205, and Bart Wade, 729 Citizen's National Bank Building, 453 South Spring Street, Los Angeles, Calif. Operating rights sought to be transferred: *Building materials*, as a common carrier, over irregular routes, from Los Angeles Harbor and Long Beach Harbor, Calif., to points in California within 325 miles of First and Main Streets, Los

Angeles, Calif.; and *lumber*, from points in the Los Angeles commercial zone as defined by the Commission in *Los Angeles, Calif., Commercial Zone*, 3 M.C.C. 248, to points in California within 325 miles of First and Main Streets, Los Angeles, Calif. Vendee is authorized to operate as a common carrier in Oregon, Washington, Idaho, California, Montana, and Nevada. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-10551. Authority sought for control and merger by BERMAN'S MOTOR EXPRESS, INC., Post Office Box 1566, Binghamton, N.Y. 13902, of the operating rights and property of NORWICH EXPRESS, INC., 2 Franklin Street, Binghamton, N.Y., and for acquisition by JACOB BERMAN, Post Office Box 1566, Binghamton, N.Y. 13902, BENJAMIN BERMAN, and SAMUEL BERMAN, both of 337 Mystic Avenue, Medford, Mass. 02178, of control of such rights and property through the transaction. Applicants' attorneys and representatives: Martin Werner, Norman Weiss, both of 2 West 45th Street, New York, N.Y. 10036, and Eugene E. Peckham, Security Mutual Building, Binghamton, N.Y. 13901. Operating rights sought to be controlled and merged: *General commodities*, excepting, among others, household goods and commodities in bulk, as a common carrier, over regular routes, between Binghamton, N.Y., and Norwich, N.Y., serving the intermediate points of Greene and Oxford, N.Y.; and under a certificate of registration, in Docket No. MC-99820 Sub-No. 2, covering the transportation of general commodities, as a common carrier, in intrastate commerce, within the State of New York. BERMAN'S MOTOR EXPRESS, INC., is authorized to operate as a common carrier in New York, Massachusetts, Pennsylvania, Maine, Rhode Island, New Hampshire, Vermont, and Connecticut. Application has not been filed for temporary authority under section 210a(b). Note: MC-111625 Sub-No. 15 is a matter directly related.

No. MC-F-10552. Authority sought for purchase by JIM TIONA, Jr., 803 West Ohio, Butler, Mo. 64730, of a portion of the operating rights of VAN TASSEL, INCORPORATED, Fifth and Grand, Pittsburg, Kans. 66762. Applicants' attorney: Tom B. Kretsinger, 450 Professional Building, Kansas City, Mo. 64106. Operating rights sought to be transferred: *Dry muriate of pot ash*, as a common carrier, over irregular routes, from points in Eddy and Lea Counties, N. Mex., to Tulsa, Okla. Vendee is authorized to operate as a common carrier in Oklahoma, Kansas, Nebraska, Colorado, Iowa, Minnesota, Missouri, Tennessee, Mississippi, Arkansas, Virginia, West Virginia, Texas, Indiana, Kentucky, Michigan, North Dakota, Ohio, Wisconsin, South Dakota, Illinois, Louisiana, Alabama, and New Mexico. Application has not been filed

for temporary authority under section 210a(b).

By the Commission.

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

[P.D. Doc. 69-8668; Filed, July 23, 1969;
8:48 a.m.]

[Notice 971]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

July 18, 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. 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 531 (Sub-No. 252 TA), filed July 11, 1969. Applicant: YOUNGER BROTHERS, INC., 4904 Griggs Road, Post Office Box 14048, Houston, Tex. 77021. Applicant's representative: Wray E. Hughes (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Petroleum grease*, in bulk, in tank vehicles, from the plantsite of International Lubricant Co., New Orleans, La., to points in Alabama, Michigan, Ohio, and West Virginia, for 180 days. Note: Applicant does not intend to tack authority with presently authorized routes. Supporting shipper: Shell Oil Co. (Mr. R. E. Olson, Assistant Manager, Traffic Department), 1250 Sixth Avenue, New York, N.Y. 10020. Send protests to: District Supervisor John C. Redus, Interstate Commerce Commission, Bureau of Operations, Post Office Box 61212, Houston, Tex. 77061.

No. MC 65525 (Sub-No. 20 TA), filed July 11, 1969. Applicant: WHITE BROTHERS TRUCKING CO., 10 South School Street, Wasco, Ill. Applicant's representative: Ralph Immer (same address as above). Authority sought to operate as a common carrier, by motor

vehicle, over irregular routes, transporting: *Concrete pressure pipe*, from Hattiesburg, Miss., to Seadrift, Tex., for 180 days. Supporting shipper: Price Brothers Co., Post Office Box 825, Dayton, Ohio 45401. Send protests to: William E. Gallagher, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 219 South Dearborn Street, Chicago, Ill. 60604.

No. MC 105755 (Sub-No. 12 TA), filed July 14, 1969. Applicant: M. J. K. TRUCKING CORP., 1040 John Alden Lane, Schenectady, N.Y. 12303. Applicant's representative: Edward M. Alfano, 2 West 45th Street, New York, N.Y. 10036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas, plantains, pineapples, coconuts, and other exempt agricultural commodities* when transported in mixed shipments with regulated commodities, from Wilmington, Del., to points in the States of New York and New Jersey, for 150 days. Supporting shipper: West Indies Fruit Co., Post Office Box 1940, Miami, Fla. 33101. Send protests to: Charles F. Jacobs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 518 Federal Building, Albany, N.Y. 12207.

No. MC 107934 (Sub-No. 20 TA), filed July 11, 1969. Applicant: BYRD MOTOR LINE, INCORPORATED, Post Office Box 787, Lexington, N.C. 27292. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, from Ronda and Elkin, N.C., to points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, Missouri, North Carolina, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Virginia, Vermont, West Virginia, Wisconsin, and District of Columbia, for 180 days. Supporting shipper: Burlington Industries, Inc., Transportation Division, Box 691, Burlington, N.C. 27215. Send protests to: Jack K. Huff, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 316 East Morehead, Suite 417 (BSR Building), Charlotte, N.C. 28202.

No. MC 108449 (Sub-No. 298 TA), filed July 14, 1969. Applicant: INDIANHEAD TRUCK LINE, INC., 1947 West County Road C, St. Paul, Minn. 55113. Applicant's representative: W. A. Myllenbeck (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fly ash*, in bulk, in tank vehicles, from Fergus Falls, Minn., to points in North Dakota, for 180 days. Supporting shipper: Otter Tail Power Co., Fergus Falls, Minn. 56537. Send protests to: District Supervisor A. E. Rathert, Interstate Commerce Commission, Bureau of Operations, 448 Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn. 55401.

No. MC 18088 (Sub-No. 50 TA), filed July 11, 1969. Applicant: FLOYD &

BEASLEY TRANSFER COMPANY, INC., Post Office Box Drawer 8, Sycamore, Ala. 35149. Applicant's representative: Erris A. Barnett (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, with usual exceptions, between Vincent, Ala., the plantsite of Vulcan Binder & Cover, Division of EBSCO Industries, Inc., on the one hand, and, on the other, points in Alabama, Georgia, South Carolina, and Tennessee, for 180 days. Note: Applicant will effect interchange at all points served Atlanta, Ga.; Birmingham and Mobile, Ala.; Greenville, S.C.; Chattanooga, Knoxville, Memphis, and Nashville, Tenn. Supporting shipper: Vulcan Binder & Cover, Division of EBSCO Industries, Inc., Post Office Box 29, Vincent, Ala. 35178. Send protests to: B. R. McKenzie, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 814, 2121 Building, Birmingham, Ala. 35203.

No. MC 128383 (Sub-No. 5 TA), filed July 8, 1969. Applicant: PINTO TRUCKING SERVICE, INC., 1219 Morris Street, Philadelphia, Pa. 19148. Applicant's representative: James W. Patterson, 123 South Broad Street, Philadelphia, Pa. 19109. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, except commodities in bulk, between John F. Kennedy International Airport, New York, N.Y., Newark Airport, Newark, N.J., and Philadelphia International Airport, Philadelphia, Pa., on the one hand, and, on the other, points in Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, Mercer, and Salem Counties, N.J., and Bucks, Chester, Delaware, Montgomery and Philadelphia Counties, Pa., for 180 days. Supporting shippers: Airborne Freight Corp., Caloon Hook Road, Sharon Hill, Pa. 19079; Atlas Chemical Industries, Inc., Valley Forge Industrial Park, Valley Forge, Pa. 19481; Bor-Air Freight Co., Inc., 351 West 38th Street, New York, N.Y. 10018; Davis, Turner & Co., 113 Chestnut Street, Philadelphia, Pa. 19106; Five Star Air Freight Corp., Third and Governor Printz Boulevard, Lester, Pa. 19154; Imperial Air Freight Service, Inc., 151 Oliver Street, Newark, N.J. 07105; John H. Faunce Inc., 721 Chestnut Street, Philadelphia, Pa. 19106; Leeds & Northrup Co., Summerville Pike, North Wales, Pa. 19454; Wyeth Laboratories, Post Office Box 861, Paoli, Pa. 19301. Send protests to: Peter R. Guman, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 900 U.S. Customhouse, Second and Chestnut Streets, Philadelphia, Pa. 19106.

No. MC 129253 (Sub-No. 2 TA), filed July 14, 1969. Applicant: P & H TRUCKING COMPANY, 184 West 3300 South Street, Salt Lake City, Utah 84115. Applicant's representative: Irene Warr, 419 Judge Building, Salt Lake City, Utah 84111. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Plumbing, heating, and waterworks supplies*, be-

tween points in Colorado, California, Wyoming, Nebraska, and New Mexico, for 180 days. Supporting shipper: N. O. Nelson Co. of Colorado, 300 Ilex Street, Post Office Box 76, Pueblo, Colo. 81002 (Bobby E. Cowden, President). Send protests to: John T. Vaughan, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 6201 Federal Building, Salt Lake City, Utah 84111.

No. MC 133066 (Sub-No. 1 TA), filed July 10, 1969. Applicant: THURMAN LEE HESTER, doing business as T. L. HESTER TRUCK SERVICE, 904 South Howard, Moore, Okla. Applicant's representative: Rufus H. Lawson, 106 Bixler Building, 2400 Northwest 23d Street, Oklahoma City, Okla. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Finished paper products*, from San Rafael, Calif., to points in Alabama, Arkansas, Florida, Georgia, Kansas, Louisiana, Mississippi, Missouri, Oklahoma, and Texas, for 180 days. Supporting shipper: Marco Paper Products Co., T. J. McCall, Vice President, 452 Du Bois Street, San Rafael, Calif. Send protests to: C. L. Phillips, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 240, Old Post Office Building, 215 Northwest Third, Oklahoma City, Okla. 73102.

No. MC 133646 (Sub-No. 1 TA), filed July 10, 1969. Applicant: YELLOWSTONE MOLASSES SERVICE, INC., Post Office Box 404, Billings, Mont. 59103. Applicant's representative: J. F. Meglen, Post Office Box 1581, 2822 Third Avenue North, Billings, Mont. 59103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Molasses*, in bulk, in specialized tank vehicles, between sugar plants located at Sidney, Billings, and Hardin, Mont., and Lovell, Worland, and Torrington, Wyo., for 180 days. Supporting shipper: Holly Sugar Corp., 100 Chase Stone Center, Colorado Springs, Colo. 80902. Send protests to: Paul J. Labane, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 251 U.S. Post Office Building, Billings, Mont. 59101.

No. MC 133882 TA, filed July 14, 1969. Applicant: BARRY BLOEDEL, doing business as NEW ULM FREIGHT-LINES, 1427 North Broadway, New Ulm, Minn. 56073. Applicant's representative: James H. Malecki, State and Center Streets, New Ulm, Minn. 56073. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Equipment, material, and supplies* used in the manufacture, assembly, equipping, outfitting and furnishing of mobile homes, from Elkhart, Ind., South Bend, Ind., Chicago, Ill., and Marshfield, Wis., to New Ulm, Minn., and return of *rejected, damaged, or defective materials*, for 180 days. Supporting shipper: Homette Corp., Division of Skyline, Inc., 2520 By Pass Road, Elkhart, Ind. 56514. Send protests to: A. N. Spath, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 448 Federal Building and U.S.

Courthouse, 110 South Fourth Street, Minneapolis, Minn. 55401.

By the Commission.

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

[P.R. Doc. 69-8669; Filed, July 23, 1969;
8:48 a.m.]

[Notice 381]

MOTOR CARRIER TRANSFER PROCEEDINGS

July 18, 1969.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-71461. By order of July 9, 1969, the Motor Carrier Board approved the transfer to Wadsworth and Reilly Express, Inc., Washington Mills, N.Y., of certificate No. MC-83151, issued May 18, 1954, to William Wadsworth, Sumner E. Reilly, and W. Bradley Wadsworth, a partnership, doing business as Wadsworth & Reilly, Washington Mills, N.Y., authorizing the transportation of general commodities, with the usual exceptions, between specified points in New York. Henry A. Cappelli, Suite 1102, First National Bank Building, Utica, N.Y. 13501, attorney for applicants.

No. MC-FC-71478. By order of July 9, 1969, the Motor Carrier Board approved the transfer to Best-Way Truck Line, Inc., Denver, Colo., of certificate No. MC-126058 (Sub-No. 2) issued March 3, 1969, to Bruce E. Bishop, doing business as Best-Way Truck Line, Denver, Colo., authorizing the transportation of general commodities, with the usual exceptions, between Denver, Colo., and Kirk, Colo., serving all intermediate and off-route points within 15 miles of Kirk (except Cope and Idalia, Colo.). Sanford Zisman, 1515 Western Federal Savings Building, Denver, Colo. 80202, attorney for applicants.

No. MC-FC-71484. By order of July 10, 1969, the Motor Carrier Board approved the transfer to Stephen's Moving Co., Inc., Berea, Ohio, of the certificate No. MC-47861 issued June 21, 1957, to A.A.A. Moving & Storage Co., a corporation, Berea, Ohio, authorizing the transportation of: *Household goods*, as defined by the Commission, between points in Cuyahoga County, Ohio, on the one hand, and, on the other, points in Illinois, Indiana, Kentucky, Michigan, New Jersey, New York, Pennsylvania, and West Virginia. Earl N. Merwin, 85 East Gay Street, Columbus, Ohio 43215, attorney for applicants.

No. MC-FC-71489. By order of July 9, 1969, the Motor Carrier Board approved the transfer to Peck's Moving & Storage Co., Inc., 1719 North Eighth Street, Paducah, Ky. 42001, of certificate No. MC-107077 issued September 17, 1958, to Reid Peck, doing business as Peck's Moving & Storage Co., 1719 North Eighth Street, Paducah, Ky. 42001, authorizing the transportation of uncrated furniture between points in McCracken County, Ky., on the one hand, and, on the other, points in Illinois, Missouri, and Tennessee, and household goods as defined by the Commission between points in specified counties in Kentucky on the one hand, and, on the other, points in Tennessee, Michigan, Ohio, Alabama, Arkansas, and Mississippi.

No. MC-FC-71501. By order of July 9, 1969, the Motor Carrier Board approved the transfer to Donald M. Koch, Alhambra, Ill., of certificates Nos. MC-66992 and MC-66992 (Sub-No. 1), issued October 12, 1949, and November 7, 1949, respectively, to Alfred H. Koch, Alhambra, Ill., authorizing the transportation of: *Livestock and poultry*, from points and places in Marine, Alhambra, and Hamel Townships, Madison County, Ill., to St. Louis, Mo., with no transportation for compensation on return; and general commodities, excluding household goods, commodities in bulk, and other specified commodities, from St. Louis, Mo., to points and places in Marine, Alhambra, and Hamel Townships, Madison County, Ill., and return with no transportation for compensation except as otherwise authorized. Routman and Lawley, 308 Reisch Building, Springfield, Ill. 62700, attorneys for applicants.

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

[P.R. Doc. 69-8670; Filed, July 23, 1969;
8:48 a.m.]

[S.O. 1002; Car Distribution Direction No. 50;
Amdt. 3]

SEABOARD COAST LINE RAILROAD CO. ET AL.

Car Distribution

To: Seaboard Coast Line Railroad Co., Norfolk and Western Railway Co., and Chicago, Burlington & Quincy Railroad Co.

Upon further consideration of Car Distribution Direction No. 50, and good cause appearing therefor:

It is ordered, That:

Car Distribution Direction No. 50 be, and it is hereby amended by substituting the following paragraph (4) for paragraph (4) thereof:

(4) *Expiration date.* This direction shall expire at 11:59 p.m., August 3, 1969, unless otherwise modified, changed, or suspended.

It is further ordered, That this amendment shall become effective at 11:59 p.m., July 20, 1969, and that it 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 17, 1969.

INTERSTATE COMMERCE
COMMISSION,
N. THOMAS HARRIS,
Agent.

[SEAL]

[P.R. Doc. 69-8671; Filed, July 23, 1969;
8:48 a.m.]

[S.O. 1002; Car Distribution Direction No. 52;
Amdt. 3]

PENN CENTRAL CO. AND CHICAGO, BURLINGTON & QUINCY RAILROAD CO.

Car Distribution

Upon further consideration of Car Distribution Direction No. 52, and good cause appearing therefor:

It is ordered, That:

Car Distribution Direction No. 52 be, and it is hereby amended by substituting the following paragraph (4) for paragraph (4) thereof:

(4) *Expiration date.* This direction shall expire at 11:59 p.m., August 3, 1969, unless otherwise modified, changed, or suspended.

It is further ordered, That this amendment shall become effective at 11:59 p.m., July 20, 1969, and that it 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 17, 1969.

INTERSTATE COMMERCE
COMMISSION,
N. THOMAS HARRIS,
Agent.

[SEAL]

[P.R. Doc. 69-8672; Filed, July 23, 1969;
8:48 a.m.]

[S.O. 994; ICC Order 31]

CHICAGO AND NORTH WESTERN RAILWAY CO.

Rerouting and Diversion of Traffic

In the opinion of N. Thomas Harris, agent, the Chicago and North Western Railway Co. is unable to transport traffic over car ferries at Manitowoc, Wis., because of damage to its ferry slip at Manitowoc, Wis.

It is ordered, That:

(a) Rerouting traffic: The Chicago and North Western Railway Co. being unable to transport traffic over car ferries at Manitowoc, Wis., because of damage to its ferry slip at Manitowoc, Wis. The Chicago and North Western Railway Co. and its connections are hereby authorized to reroute or divert such traffic over any available route to expedite the movement, regardless of the routing shown on the waybill. The billing covering all such cars rerouted or diverted shall carry a reference to this order as authority for the rerouting.

(b) Concurrence of receiving roads to be obtained: The railroad desiring to divert or reroute traffic under this order 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 is deemed to be due to carrier 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 4 p.m., July 16, 1969.

(g) Expiration date: This order shall expire at 11:59 p.m., July 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 16, 1969.

INTERSTATE COMMERCE
COMMISSION,
N. THOMAS HARRIS,
Agent.

[SEAL]

[F.R. Doc. 69-8673; Filed, July 23, 1969;
8:48 a.m.]

CABINET TASK FORCE ON OIL IMPORT CONTROL MANDATORY OIL IMPORT PROGRAM Second-Round Submissions

1. On May 22, 1969, the Task Force on Oil Import Control published a notice in the *FEDERAL REGISTER* (34 F.R. 8055) setting forth its procedures and listing general and detailed questions on which responsive submissions were invited. The initial period for submissions ended on July 15, 1969, and copies of these submissions are available for reading and reproduction in accordance with the Task Force's previously published procedures.

2. For ease of reference paragraph 9 of those procedures is repeated in full:

9. The Task Force may, after reviewing the initial submissions, propound additional or repeated questions by publication of a similar notice in the *FEDERAL REGISTER* or by notice to individuals. Whether or not such additional or repeated questions are propounded, all interested parties are invited to submit additional or more refined data, comments, statements of views, and arguments by way of rebuttal, after their own review of initial submissions by other interested parties. For either of these purposes, the Task Force library will be open to receive second-round or rebuttal submissions no later than August 15, 1969. Interested persons may thereafter read and reproduce these second-round or rebuttal submissions as before, but no third round is contemplated.

The Task Force is currently reviewing the initial submissions, and may publish or address to individuals any further questions developed in the course of this review.

3. The Task Force has received or will be receiving certain special materials that will be deposited in its library and on which comments of interested persons during the second round of submissions would be particularly welcomed. These comprise:

(a) A report for the Office of Science and Technology by Charles River Associates, Inc., entitled "An Analytical

Framework for Evaluating the Oil Import Quota Program."

(b) "Report on Estimates of Additional Recoverable Reserves of Oil and Gas for the United States and Canada," dated June 30, 1969, also prepared for the Office of Science and Technology by de Golyer & MacNaughton.

(c) A report for the Secretary of Interior by the National Petroleum Council, expected to be available about August 1, providing industry information relating to designated questions in the *FEDERAL REGISTER* notice of May 22, 1969.

(d) Presentations to committees of the Congress, including—to the extent that printing schedules permit—testimony prepared for submission to the Antitrust Subcommittee of the Senate Judiciary Committee in 1969.

(e) Other, comparable materials of special interest that have been or may be deposited by the staff, together with the foregoing materials, on or before August 8 in a file marked "Special Materials" in the Task Force library. One or more preliminary assessments of the possible order of magnitude of costs of production and transportation to market of Alaskan North Slope oil may be included in this category.

4. Interested persons who wish to make submissions in the second round should not repeat information or arguments adequately presented by their own or other submissions in the course of the first round. In some cases, however, it may be possible to comment on the materials specially identified in paragraph 3 of this notice through brief incorporations by reference of material set forth in one or more identified first-round submissions.

5. Rebuttal material should identify with particularity the first-round submission(s) or specially identified materials being rebutted.

6. All other procedures set forth in the *FEDERAL REGISTER* notice of May 22, 1969 remain in effect, although interested persons are encouraged to keep their second-round submissions well below 50 pages in length whenever possible.

GEORGE P. SHULTZ,
Secretary of Labor.

[F.R. Doc. 69-8782; Filed, July 23, 1969;
11:43 a.m.]

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