

# FEDERAL REGISTER

VOLUME 34

• NUMBER 195

Friday, October 10, 1969

• Washington, D.C.

Pages 15691-15742

Agencies in this issue—

The President  
Business and Defense Services  
Administration  
Civil Aeronautics Board  
Civil Service Commission  
Coast Guard  
Consumer and Marketing Service  
Customs Bureau  
Federal Aviation Administration  
Federal Maritime Commission  
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Food and Drug Administration  
Foreign Assets Control Office  
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A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1969, and specifies how they are affected.

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# Presidential Documents

## Title 3—THE PRESIDENT

### Proclamation 3940

#### NATIONAL DAY OF PRAYER, 1969

By the President of the United States of America

#### A Proclamation

John Adams was the first President to live in the executive residence we call the White House. His first night there, he wrote a letter to his wife, Abigail, in which he said: "Before I end my letter, I pray Heaven to bestow the best of blessings on this house and all that shall hereafter inhabit it. May none but wise and honest men ever rule under this roof."

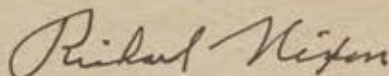
This is a brief, unadorned prayer. Yet its very simplicity speaks to us today, across the years that separate the time of Adams from our own. Prayer knows no boundary of time; we in America today, in the spirit of Adams, seek the blessing of God on our nation and its leaders.

At a time in our nation's history when the power of prayer is needed more than ever, it is fitting that we publicly demonstrate our faith in the power of prayer.

Sensible of our people's faith, the Congress, by joint resolution of April 17, 1952, provided that the President "shall set aside and proclaim a suitable day each year, other than a Sunday, as a National Day of Prayer, on which the people of the United States may turn to God in prayer and meditation at churches, in groups, and as individuals."

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby set aside Wednesday, October 22, as National Day of Prayer, 1969. And I ask that on this day the people of the United States pray for the achievement of America's goal of peace with justice for all people throughout the world.

IN WITNESS WHEREOF, I have hereunto set my hand this eighth day of October, in the year of our Lord nineteen hundred sixty-nine, and of the Independence of the United States of America the one hundred ninety-fourth.



[F.R. Doc. 69-12172; Filed, Oct. 8, 1969; 1:47 p.m.]





# Rules and Regulations

## Title 14—AERONAUTICS AND SPACE

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

#### SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Docket No. 9897; Amdt. No. 91-89]

### PART 91—GENERAL OPERATING AND FLIGHT RULES

#### Special Flight Authorizations for Foreign Civil Aircraft

The purpose of this amendment of § 91.28(b) of the Federal Aviation Regulations is to substitute the word "Administrator" for "FAA Regional Director" and thereby achieve uniformity with other provisions of the regulations.

Section 1.1 of the Federal Aviation Regulations defines "Administrator" as "the Federal Aviation Administrator or any person to whom he has delegated his authority in the matter concerned." In view of this definition, it is customary to use the term "Administrator" in the regulations and provide for a delegation of the authority involved by the Administrator. This amendment, therefore, substitutes the "Administrator" for the "FAA Regional Director" in § 91.28(b) for purposes of uniformity. Regional Directors have been delegated the requisite authority so that they may issue special flight authorizations for which application is made as required by paragraph (a) of § 91.28.

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 be made effective on less than 30 days notice.

In consideration of the foregoing, paragraph (b) of § 91.28 of the Federal Aviation Regulations is amended, effective October 10, 1969, by deleting the phrase "FAA Regional Director" therefrom and by inserting "Administrator" in its place. (Secs. 313(a), 601, 603, 610(b), Federal Aviation Act of 1958, 49 U.S.C. 1354, 1421, 1423, 1430; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on October 3, 1969.

D. D. THOMAS,  
Acting Administrator.

[F.R. Doc. 69-12118; Filed, Oct. 9, 1969; 8:46 a.m.]

[Reg. Docket No. 9896; Amdt. 95-185]

### PART 95—IFR ALTITUDES

#### Miscellaneous Amendments

The purpose of this amendment to Part 95 of the Federal Aviation Regulations is to make changes in the IFR altitudes at

which all aircraft shall be flown over a specified route or portion thereof. These altitudes, when used in conjunction with the current changeover points for the routes or portions thereof, also assure navigational coverage that is adequate and free of frequency interference for that route or portion thereof.

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

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 95 of the Federal Aviation Regulations is amended, effective November 13, 1969 as follows:

#### 1. By amending Subpart C as follows:

#### Section 95.1001 Direct routes—United States is amended by adding:

##### From, To, and MEA

Drake, Ark., VOR; Harrison, Ark., VOR; \*3,900. \*3,200—MOCA.  
Woodring, Okla., VOR; Stillwater, Okla., VOR; \*2,900. \*2,600—MOCA.  
Leona, Tex., VOR; Gregg County, Tex., VOR; \*2,500. \*1,900—MOCA.  
Ablene, Tex., VOR; Waco, Tex., VOR; \*6,500. \*3,300—MOCA.  
Esler, La., VOR; Monroe, La., VOR; 1,900.  
Drake, Ark., VOR; Russellville INT, Ark., via 124° M rad DAK; \*6,000. \*3,500—MOCA.  
INT, 327° M rad, Humble VOR and 100° M rad, College Station VOR; \*Anderson INT, Tex.; \*2,000. \*2,000—MOCA Anderson INT, eastbound. \*1,600—MOCA.  
\*Anderson INT, Tex.; Judy INT, Tex.; \*1,800. \*2,000—MOCA Anderson INT, eastbound. \*1,600—MOCA.

#### Section 95.6001 VOR Federal Airway 1 is amended to read in part:

Myrtle Beach, S.C., VOR; \*Chatham INT, N.C.; \*2,000. \*3,000—MRA. \*1,100—MOCA.  
Chatham INT, N.C.; Green INT, N.C.; \*2,000. \*3,000—MRA. \*1,100—MOCA.  
Green INT, N.C.; \*Swamp INT, N.C.; \*2,000. \*3,000—MRA. \*1,100—MOCA.  
Swamp INT, N.C.; Wilmington, N.C., VOR; \*2,000. \*1,100—MOCA.  
Wilmington, N.C., VOR; \*Angola INT, N.C.; \*2,000. \*3,500—MRA. \*1,500—MOCA.  
Angola INT, N.C.; Kinston, N.C., VOR; \*2,000. \*1,500—MOCA.  
Wilmington, N.C., VOR via W. alter.; \*Helena INT, N.C., via W. alter.; \*2,000. \*3,000—MRA. \*1,500—MOCA.  
Helena INT, N.C., via W. alter.; Kinston, N.C., VOR via W. alter.; \*2,000. \*1,500—MOCA.

#### Section 95.6002 VOR Federal Airway 2 is amended to read in part:

Jamestown, N. Dak., VOR; \*Chaffee INT, N. Dak.; \*3,300. \*5,400—MRA. \*2,800—MOCA.  
Chaffee INT, N. Dak.; Fargo, N. Dak., VOR; \*3,300. \*2,800—MOCA.

#### Section 95.6004 VOR Federal airway 4 is amended to read in part:

Lawrence INT, Kans., via S alter.; De Soto INT, Kans., via S alter.; \*2,700. \*2,200—MOCA.

De Soto INT, Kans., via S alter.; Parkville INT, Mo., via S alter.; \*2,500. \*2,400—MOCA.

Parkville INT, Mo., via S alter.; Kansas City, Mo., VOR via S alter.; 2,300.

#### Section 95.6009 VOR Federal airway 9 is amended to read in part:

Capital, Ill., VOR; Gilbert INT, Ill.; \*2,100. \*1,900—MOCA.  
Gilbert INT, Ill.; Atlanta INT, Ill.; \*2,300. \*2,100—MOCA.

#### Section 95.6010 VOR Federal airway 10 is amended to read in part:

De Soto INT, Kans.; Parkville INT, Mo.; \*2,500. \*2,400—MOCA.  
Parkville INT, Mo.; Kansas City, Mo., VOR; 2,300.

#### Section 95.6012 VOR Federal airway 12 is amended to read in part:

Tucumcari, N. Mex., VOR; \*Tower INT, Tex.; \*6,000. \*7,000—MRA. \*5,500—MOCA.  
De Soto INT, Kans.; Shawnee INT, Kans.; \*2,500. \*2,400—MOCA.

#### Section 95.6014 VOR Federal airway 14 is amended to read in part:

Vandalia, Ill., VOR; Montrose INT, Ill.; \*2,400. \*2,000—MOCA.  
Montrose INT, Ill.; Casey INT, Ill.; \*2,400. \*1,800—MOCA.  
Casey INT, Ill.; Terre Haute, Ill., VOR; \*2,400. \*2,000—MOCA.  
Langston INT, Okla., via N alter.; Yale INT, Okla., via N alter.; \*3,800. \*2,600—MOCA.

#### Section 95.6051 VOR Federal airway 51 is amended to read in part:

Miami, Fla., VOR; New River INT, Fla.; \*2,000. \*1,300—MOCA.

#### Section 95.6063 VOR Federal airway 63 is amended to read in part:

Plad INT, Mo.; \*Roach INT, Mo.; \*3,000. \*3,200—MRA. \*2,500—MOCA.  
Roach INT, Mo.; Barnett INT, Mo.; \*4,000. \*2,200—MOCA.

#### Section 95.6066 VOR Federal airway 66 is amended to read in part:

Atlanta, Ga., VOR; Rex, Ga., VOR; 2,300.  
Hyman, Tex., VOR; Tye INT, Tex.; 4,500.

#### Section 95.6069 VOR Federal airway 69 is amended to read in part:

Capital, Ill., VOR; Gilbert INT, Ill.; \*2,100. \*1,900—MOCA.  
Gilbert INT, Ill.; Atlanta INT, Ill.; \*2,300. \*2,100—MOCA.

#### Section 95.6072 VOR Federal airway 72 is amended to read in part:

Farmington, Mo., VOR; Ellis INT, Ill.; \*3,000. \*2,400—MOCA.  
Ellis INT, Ill.; Centralia, Ill., VOR; \*2,300. \*1,900—MOCA.  
Bible Grove, Ill., VOR; Montrose INT, Ill.; \*2,400. \*1,900—MOCA.  
Montrose INT, Ill.; Mattoon, Ill., VOR; \*2,500. \*1,900—MOCA.  
Maples, Mo., VOR; Bunker INT, Mo.; \*3,000. \*2,500—MOCA.  
Bunker INT, Mo.; Farmington, Mo., VOR; \*3,500. \*2,800—MOCA.



Section 95.6114 *VOR Federal airway 114* is amended to read in part:

Stoneburg INT, Tex.; Denton INT, Tex.; \*3,000. \*2,600—MOCA.

Section 95.6128 *VOR Federal airway 128* is amended to read in part:

Fowler INT, Ind.; \*Swanington INT, Ind.; \*\*4,000. \*4,000—MRA. \*\*2,000—MOCA. Swanington INT, Ind.; \*Westpoint INT, Ind.; \*\*4,000. \*4,000—MRA. \*\*2,000—MOCA.

Section 95.6139 *VOR Federal airway 139* is amended to read in part:

Wilmington, N.C., VOR; \*Maple Hill INT, N.C.; \*\*2,000. \*3,500—MRA. \*\*1,800—MOCA. Maple Hill INT, N.C.; \*Ridge INT, N.C.; \*\*2,000. \*3,500—MRA. \*\*1,800—MOCA. Ridge INT, N.C.; New Bern, N.C., VOR; \*2,000. \*1,800—MOCA.

Section 95.6140 *VOR Federal airway 140* is amended to read in part:

Langston INT, Okla.; Yale INT, Okla.; \*3,800. \*2,600—MOCA.

Section 95.6155 *VOR Federal airway 155* is amended to read in part:

Raleigh, N.C., VOR; Wilton INT, N.C.; \*2,300. \*2,000—MOCA. Wilton INT, N.C.; Lawrenceville, Va., VOR; \*3,000. \*2,000—MOCA.

Section 95.6159 *VOR Federal airway 159* is amended to read in part:

Hamilton, Ala., VOR; Guntown INT, Miss.; 2,200. Miami, Fla., VOR; New River INT, Fla.; \*2,000. \*1,300—MOCA.

Section 95.6161 *VOR Federal airway 161* is amended by adding:

International Falls, Minn., VOR; United States-Canadian border; \*7,000. \*2,900—MOCA. United States-Canadian border; Whitemouth INT, Canada; \*\*7,000. \*2,900—MOCA. #For that airspace over U.S. territory.

Section 95.6161 *VOR Federal airway 161* is amended to read in part:

\*Fox INT, Tex.; Slidell INT, Tex.; \*\*4,000. \*2,500—MRA. \*\*2,100—MOCA. Slidell INT, Tex.; Ardmore, Okla., VOR; \*3,000. \*2,300—MOCA.

Section 95.6165 *VOR Federal airway 165* is amended to read in part:

Lamont INT, Calif.; \*Arvin INT, Calif.; \*\*8,000. \*7,300—MCA Arvin INT, south-eastbound. \*\*6,000—MOCA. Arvin INT, Calif.; Bakersfield, Calif., VOR; 4,000.

Section 95.6167 *VOR Federal airway 167* is amended to read in part:

Hartford, Conn., VOR; Sterling INT, Conn.; \*2,600. \*2,000—MOCA. Sterling INT, Conn.; Providence, R.I., VOR; \*2,500. \*1,900—MOCA.

Section 95.6172 *VOR Federal airway 172* is amended to read in part:

Lisbon INT, Iowa; Charlotte INT, Iowa; \*2,700. \*2,300—MOCA.

Section 95.6175 *VOR Federal airway 175* is amended to read in part:

Malden, Mo., VOR; Bunker INT, Mo.; \*4,000. \*2,500—MOCA. Bunker INT, Mo.; Vicky, Mo., VOR; \*3,000. \*2,500—MOCA.

Section 95.6179 *VOR Federal airway 179* is amended to read in part:

Vandalla, Ill., VOR; Clarksdale INT, Ill.; \*2,500. \*2,100—MOCA. Clarksdale INT, Ill.; Edinburg INT, Ill.; \*2,300. \*2,100—MOCA. Edinburg INT, Ill.; Capital, Ill., VOR; \*2,300. \*2,200—MOCA.

Section 95.6190 *VOR Federal airway 190* is amended to read in part:

Maples, Mo., VOR; Bunker INT, Mo.; \*3,000. \*2,500—MOCA. Bunker INT, Mo.; Farmington, Mo., VOR; \*3,500. \*2,800—MOCA.

Section 95.6197 *VOR Federal airway 197* is amended by adding:

\*Palmdale, Calif., VOR; Fisher INT, Calif.; \*\*6,000. \*7,800—MCA Palmdale VOR, south-eastbound. \*\*4,500—MOCA. \*Fisher INT, Calif.; Lamont INT, Calif.; 10,000. \*8,000—MCA Fisher INT, north-westbound. Lamont INT, Calif.; \*Arvin INT, Calif.; \*\*8,000. \*7,300—MCA Arvin INT, south-eastbound. \*\*6,000—MOCA. Arvin INT, Calif.; Bakersfield, Calif., VOR; 4,000.

Section 95.6227 *VOR Federal airway 227* is amended to read in part:

Lafayette, Ind., VOR; \*Swanington INT, Ind.; \*\*2,600. \*4,000—MRA. \*\*2,300—MOCA. Swanington INT, Ind.; Roberts, Ill., VOR; \*2,600. \*2,300—MOCA.

Section 95.6234 *VOR Federal airway 234* is amended to read in part:

Butler, Mo., VOR; \*Roach INT, Mo.; \*\*3,200. \*MRA—3,200. \*\*2,400—MOCA. Roach INT, Mo.; Vichy, Mo., VOR; \*3,200. \*2,400—MOCA.

Section 95.6267 *VOR Federal airway 267* is amended to read in part:

Dublin, Ga., VOR; Wayside INT, Ga.; \*2,200. \*2,000—MOCA. Miami, Fla., VOR; New River INT, Fla.; \*2,000. \*1,300—MOCA.

Section 95.6278 *VOR Federal airway 278* is amended to read in part:

Jerome INT, Ark.; Greenwood, Miss., VOR; \*2,000. \*1,800—MOCA.

Section 95.6280 *VOR Federal airway 280* is amended to read in part:

Roswell, N. Mex., VOR; Dora INT, N. Mex.; \*6,500. \*5,500—MOCA. \*Caprock INT, N. Mex., via S alter.; Dora INT, N. Mex., via S alter.; \*\*9,000. \*9,000—MRA. \*\*5,500—MOCA.

Section 95.6335 *VOR Federal airway 335* is amended to read in part:

Crystal City INT, Mo.; Ellis INT, Ill.; \*3,500. \*2,100—MOCA. Ellis INT, Ill.; Marion, Ill., VOR; \*2,300. \*1,700—MOCA.

Section 95.6343 *VOR Federal airway 343* is amended to read in part:

\*Bozeman, Mont., VOR; \*\*Three Forks INT, Mont.; \*\*8,000. \*10,400—MCA Bozeman VOR, southbound. \*\*8,600—MCA Three Forks INT, westbound. \*\*7,900—MOCA. Three Forks INT, Mont.; \*Boulder INT, Mont.; Westbound, \*\*9,000; Eastbound, \*\*8,000. \*10,300—MCA Boulder INT, Westbound. \*\*7,900—MOCA. Boulder INT, Mont.; Drummond, Mont., VOR; 10,800.

Section 95.6429 *VOR Federal airway 429* is amended to read in part:

Bible Grove, Ill., VOR; Montrose INT, Ill.; \*2,400. \*1,900—MOCA. Montrose INT, Ill.; Mattoon, Ill., VOR; \*2,500. \*1,900—MOCA.

Section 95.6454 *VOR Federal airway 454* is amended to read in part:

Atlanta, Ga., VOR; Rex, Ga., VOR; 2,300.

Section 95.7008 *Jet Route No. 8* is amended to delete:

From, to, MEA, and MAA

Oklahoma City, Okla., VORTAC; Tulsa, Okla., VORTAC; 18,000, 45,000. Tulsa, Okla., VORTAC; Springfield, Mo., VORTAC; 18,000, 45,000.

Section 95.7008 *Jet Route No. 8* is amended by adding:

Amarillo, Tex., VORTAC; Kingfisher, Okla., VORTAC; 18,000; 45,000. Kingfisher, Okla., VORTAC; Springfield, Mo., VORTAC; 18,000; 45,000.

Section 95.7020 *Jet Route No. 20* is amended to read in part:

Pocatello, Idaho, VORTAC; Rock Springs, Wyo., VORTAC; #21,000; 45,000. #MEA is established with a gap in navigation signal coverage.

Section 95.7098 *Jet Route No. 98* is amended by adding:

Oklahoma City, Okla., VORTAC; Tulsa, Okla., VORTAC; 18,000; 45,000. Tulsa, Okla., VORTAC; Springfield, Mo., VORTAC; 18,000; 45,000.

Section 95.7131 *Jet Route No. 131* is amended by adding:

Greater Southwest, Tex., VORTAC; Texarkana, Ark., VORTAC; 18,000; 45,000. Texarkana, Ark., VORTAC; Little Rock, Ark., VORTAC; 18,000; 45,000. Little Rock, Ark., VORTAC; Evansville, Ind., VORTAC; #18,000; 45,000. #MEA is established with a gap in navigation signal coverage.

Section 95.7523 *Jet Route No. 523* is amended to read in part:

Neah Bay, Wash., NDB; Sandspit, British Columbia, Canada, VOR; #18,000; #45,000. #For that airspace over U.S. territory. Sandspit, British Columbia, Canada, VOR; Annette Island, Alaska, VOR; #18,000; #45,000. #For that airspace over U.S. territory.

Section 95.7525 *Jet Route No. 525* is amended to read in part:

Sandspit, British Columbia, Canada, LFR; Annette Island, Alaska, LFR; #18,000; #45,000. #For that airspace over U.S. territory.

2. By amending Subpart D as follows:  
Section 95.8003 *VOR Federal airway changeover points*:

From, to—Changeover point; distance; from

V-178 is amended to delete:  
Lexington, Ky., VOR; Bluefield, W. Va., VOR; 96; Lexington.

V-14 is amended to delete:  
Findlay, Ohio, VORTAC; Cleveland, Ohio, VORTAC; 30; Findlay.

V-161 is amended by adding:  
International Falls, Minn., VOR; Winnipeg, Canada, VOR; 77; International Falls.

V-187 is amended by adding:  
Farmington, N. Mex., VORTAC; Grand Junction, Colo., VORTAC; 90; Farmington. (Sec. 307, 1110, Federal Aviation Act of 1958 (49 U.S.C. 1348, 1510))

Issued in Washington, D.C., on October 3, 1969.

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

[P.R. Doc. 69-12074; Filed, Oct. 9, 1969; 8:45 a.m.]



[Reg. Docket No. 9867; Amdt. 669]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Amendments

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

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

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

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

- Augusta, Maine—Augusta State, NDB (ADF) Runway 17, Orig., 17 June 1967 (established under Subpart C).
- Birmingham, Ala.—Municipal, ADF 1, Amdt. 18, 5 Nov. 1966 (established under Subpart C).
- Birmingham, Ala.—Municipal, NDB (ADF) Runway 23, Amdt. 6, 27 Jan. 1968 (established under Subpart C).
- Tifton, Ga.—Henry Tift Myers, ADF 1, Orig., 8 Dec. 1966 (established under Subpart C).
- Augusta, Maine—Augusta State, VOR Runway 17, Amdt. 6, 17 June 1967 (established under Subpart C).
- Greeley, Colo.—Weld County Municipal, VOR 1, Orig., 29 Jan. 1966 (established under Subpart C).

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

- Augusta, Maine—Augusta State, VOR/DME-1, Amdt. 1, 17 June 1967 (established under Subpart C).
- Augusta, Maine—Augusta State, VOR/DME-3, Amdt. 1, 17 June 1967 (established under Subpart C).

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

- Augusta, Maine—Augusta State, VOR/DME-2, Amdt. 1, effective 17 June 1967, canceled, effective 23 Oct. 1969.

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

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE ILS

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

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

Transition		Course and distance	Minimum altitude (feet)	Condition	Ceiling and visibility minimums		
From—	To—				2-engine or less 65 knots or less	More than 2-engine, more than 65 knots	More than 2-engine, more than 65 knots
Mission Int/DME Fix.....	Irvington Int/DME Fix.....	Direct.....	3500	T-dn.....	300-1	300-1	300-1½
Sunol Int/DME Fix.....	Irvington Int/DME Fix.....	Direct.....	4000	C-dn**.....	500-1	500-1	500-1½
Irvington Int/DME Fix.....	Center Int.....	Direct.....	3500	S-dn-20#.....	200-1½	200-1½	200-1½
Center Int.....	Russell LOM (final).....	Direct.....	1600	A-dn.....	600-2	600-2	600-2

Radar available.  
 Procedure turn not authorized. Aircraft must: (1) Proceed via an approved transition or, (2) descend in the Irvington Int holding pattern 229° Inbnd, 1 minute pattern, right turns, minimum altitude 4000' or, (3) be radar vectored to final approach crs.  
 Final approach crs Inbnd, 213°.  
 Minimum altitude at glide slope interception Inbnd, 3500'.  
 Altitude of glide slope and distance to approach end of runway from Center Int, 3854'—13 miles; Russell LOM, 1368'—4.6 miles; MM, 213'—0.5 mile; IM, 108'—1000'.  
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, climb straight ahead to 300', then turn right and intercept the OAK VOR R 313°, climbing to 3000' to Richmond Int.  
 Glide slope unusable below 200'.  
 In vicinity of LOM, heavy VFR traffic in Hayward Airport traffic pattern.  
 \*RVR 1800' authorized Runway 29. IFR departures must comply with published Oakland SID's, or be radar vectored.  
 \*\*RVR 2000' 4-engine turbojet; RVR 1800' other aircraft. Descent below 200' not authorized unless approach lights are visible.  
 †300-1 required for takeoff on Runways 33 and 15.  
 ‡400-1 required if glide slope not utilized. 400-1½ authorized with operative ALS, except for 4-engine turbojets.  
 §Upon intercepting the glide slope, aircraft may continue descent on the glide slope to cross the OM at 1368'. If glide slope not utilized, aircraft must cross the OSI VOR R 025° at 2900' and the OM at 1600'.  
 \*\*Circling N of Runways 9/27 below 700' not authorized due to 362' tank, 1.6 miles N of airport.  
 MSA within 25 miles of LOM: 000°-090°-5100'; 090°-180°-5400'; 180°-270°-3900'; 270°-360°-4000'.  
 City, Oakland; State, Calif.; Airport name, Oakland International; Elev., 6'; Fac. Class., ILS; Ident., I-INB; Procedure No. ILS Runway 29, Amdt. 9; Eff. date, 23 Oct. 69; Sup. Amdt. No. 8; Dated, 29 July 67



## STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE ILS—Continued

Grimes Int.	Tudor Int.	ILA, R 686°	2000	T-dn 1/2	300-1	300-1	300-1 1/2
MYV VOR	Tudor Int.	MYV, R 173°	2000	C-dn 1/2	500-1	500-1	500-1 1/2
Newcastle Int.	Tudor Int.	ILA, R 686°	3000	S-dn 168°	200-1 1/2	200-1 1/2	200-1 1/2
		SAC, R 342°		A-dn	600-2	600-2	600-2
		lead radial.					
SAC VOR	Levee LOM	Direct	2000				
Harter Int.	Tudor Int.	LOC N crs.	2000				
Tudor Int.	Levee LOM (final)	LOC N crs.	1600				

Radar available.

Procedure turn W side of crs, 342° Outbnd, 162° Inbnd, 2000' within 10 miles.

Minimum altitude at glide slope interception Inbnd, 1600'.

Altitude of glide slope and distance to approach end of runway at OM, 1491'—5.2 miles; at MM, 214'—6.5 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, 4.7 miles after passing OM, climb straight ahead to 325', turn right to heading 300°, continue climb to 2000' and proceed to Yolo Int via SAC, R 320° or, when authorized by ATC, climb to 2000' on the S crs of the localizer and R 329° to SAC VOR.

NOTE: When authorized by ATC, DME may be used at 28 miles from the SAC VOR at 3000' between R 329° and R 036° CW to position aircraft on SMF localizer N crs for straight-in approach with elimination of procedure turn.

RV R 2000', 4-engine turbojet and RV R 1800', other aircraft. Descent below 225' not authorized unless approach lights are visible.

% RV R 2000' authorized Runway 16 for 4-engine turbojet; RV R 1800' authorized other aircraft.

\$300-1/2 required when glide slope not utilized. Reductions not authorized.

\*All circling must be accomplished W of Runways 16/34 due to MCC AFB traffic.

MSA within 25 miles of LOM: 000°-180°-4000'; 180°-270°-4100'; 270°-360°-3200'.

City, Sacramento; State, Calif.; Airport name, Sacramento Metropolitan; Elev., 23'; Fae. Class., ILS; Ident., 1-SMF; Procedure No. ILS Runway 16, Amdt. 2; Eff. date, 23 Oct. 69; Sup. Amdt. No. 1; Dated, 10 Apr. 69

## 5. By amending § 97.17 of Subpart B to delete instrument landing system (ILS) procedures as follows:

Birmingham, Ala.—Municipal, ILS Runway 5, Amdt. 22, 23 Dec. 1967 (established under Subpart C).

Birmingham, Ala.—Municipal, LOC (BC) Runway 23, Orig., 27 Jan. 1968 (established under Subpart C).

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

Birmingham, Ala.—Municipal, Radar-1, Amdt. 8, 30 Dec. 1967 (established under Subpart C).

## 7. By amending § 97.21 of Subpart C to amend low or medium frequency range (L/MF) procedures as follows:

## STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE LFR

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

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

Terminal routes				Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: 1.4 miles after passing MC LFR.	
MCG VORTAC	MC LFR	Direct	2700	Climb to 3200' on W crs MC LFR within 15 miles. Supplementary charting information: Mountainous terrain all quadrants. 1260' mountain 2.8 miles S of airport. 1677' mountain 3.6 miles S of airport. 1569' mountain 4.4 miles N of airport.	

Procedure turn S side of crs, 096° Outbnd, 276° Inbnd, 2700' within 10 miles of MC LFR.

FAF, MC LFR. Final approach crs, 272°. Distance FAF to MAP, 1.4 miles.

Minimum altitude over MC LFR, 1300'.

MSA: NW—3300'; NE—3100'; SE—3500'; SW—4000'.

\*IFR SID's available.

\*Alternate minimums Category D, 1000-2.

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	800	1	463	800	1	463	800	1 1/4	463	1100	2	763
A	Standard.*			T 2-eng. or less—Standard. %			T over 2-eng.—Standard. %					

City, McGrath; State, Alaska; Airport name, McGrath; Elev., 337'; Facility, MC; Procedure No. LFR-1, Amdt. 11; Eff. date, 23 Oct. 69; Sup. Amdt. No. 10; Dated, 1 May 69



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

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR

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

Terminal routes				Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: AUG VOR.	
New Gloucester NDB	Augusta VORTAC	Direct	2300	Climb on R 166° to 2000', then left turn direct AUG VOR and hold. Supplementary charting information: Hold SE of AUG VOR, 1 minute, left turns, 321° Inbnd. CAUTION: 597' antenna 1.3 miles W of airport; 545' terrain and trees 0.9 mile S of airport. Final approach crs intercepts runway centerline 2300' from threshold. Runway 17, TDZ elevation, 352'.	
Waterville NDB	Augusta VORTAC	Direct	2300		

Procedure turn W side of crs, 346° Outbnd, 166° Inbnd, 2300' within 10 miles of AUG VOR.

Final approach crs, 166°.

Minimum altitude over 3-mile DME Fix, 1030'.

MSA: 000°-090°-2300'; 090°-180°-2200'; 180°-270°-2800'; 270°-360°-3000'.

NOTES: (1) Approach from a holding pattern not authorized; procedure turn required. (2) Isoperative component table does not apply to REIL's Runway 17.

% Runway 17 departures, climb on heading 150° to 1000' before turning westbound.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	VIS
S-17.....	1020	1	668	1020	1	668	1020	1½	668	NA
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	
C.....	1020	1	663	1020	1	663	1020	1½	663	NA
	DME Minimums:									
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	
S-17.....	680	1	328	680	1	328	680	1	328	NA
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	
C.....	900	1	543	900	1	543	900	1½	543	NA
A.....	Standard.			T 2-eng. or less—Standard.%			T over 2-eng.—Standard.%			

City, Augusta; State, Maine; Airport name, Augusta State; Elev., 357'; Facility, AUG; Procedure No. VOR Runway 17, Amdt. 7; Eff. date, 23 Oct. 69; Sup. Amdt. No. 6; Dated, 17 June 67

Terminal routes				Missed approach	
From	To—	Via	Minimum altitudes (feet)	MAP: 5.8 miles after passing GLL VOR.	
				Climbing left turn to 6800' direct to GLL VOR and hold.* Supplementary charting information: *Hold NE, 1 minute, right turns, 305° Inbnd. Final approach to center of airport.	

Procedure turn W side of crs, 025° Outbnd, 205° Inbnd, 6800' within 10 miles of GLL VOR.

FAF, GLL VOR. Final approach crs, 205°. Distance FAF to MAP, 5.8 miles.

Minimum altitude over GLL VOR, 5600'.

MSA: 000°-180°-6400'; 180°-360°-7500'.

NOTES: (1) Use Denver, Colo., altimeter setting. (2) Approach from holding pattern not authorized; procedure turn required.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	5360	1	712	5360	1	712	5360	1½	712	5360	2	712
A	Not authorized.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.					

City, Greeley; State, Colo.; Airport name, Weld County Municipal; Elev., 4648'; Facility, GLL; Procedure No. VOR-1, Amdt. 1; Eff. date, 23 Oct. 69; Sup. Amdt. No. VOR 1, Orig.; Dated, 29 Jan. 69



## RULES AND REGULATIONS

## STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR/DME

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

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

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: AUG VORTAC.
15-mile DME Fix, R 069° AUG VORTAC	5-mile DME Fix, R 069° AUG VOR TAC (NOPT).	Direct	2000	Left-climbing turn to 2000' on heading 141°; then left turn direct AUG VORTAC and hold. Supplementary charting information: Hold SE of AUG VORTAC, 1 minute, left turns, 321° Inbnd. CAUTION: 597' antenna 1.3 miles W of airport; 545' terrain and trees 0.9 mile S of airport.

Procedure turn not authorized.

Final approach crs, 249°.

Minimum altitude over 5-mile DME Fix, 2000'.

MSA: 000°-060°-2300'; 060°-180°-2200'; 180°-270°-2800'; 270°-360°-3000'.

% Runway 17 departures, climb on heading 150° to 1000' before turning westbound.

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	VIS
C.....	900		543	900	1	543	900	1½	543	NA
A.....	Standard.		T 2-eng. or less—Standard. %				T over 2-eng.—Standard. %			

City, Augusta; State, Maine; Airport name, Augusta State; Elev., 357'; Facility, AUG; Procedure No. VOR/DME-1; Amdt. 2; Eff. date, 23 Oct. 69; Sup. Amdt. No. 1; Dated 17 June 67

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: AUG VORTAC.
New Gloucester NDB	11-mile DME Fix, R 247° AUG VOR TAC.	Direct	2300	Right-climbing turn to 2000' on heading 141°; then right turn direct AUG VOR TAC and hold.
11-mile DME Fix, R 247° AUG VORTAC	5-mile DME Fix, R 247° AUG VOR TAC (NOPT).	Direct	2000	Supplementary charting information: Hold SE of AUG VORTAC, 1 minute, left turns, 321° Inbnd.
11-mile DME Fix, R 232° AUG VORTAC CW.	11-mile DME Fix, R 247° AUG VOR TAC.	11-mile Arc AUG VORTAC.	2300	CAUTION: 597' antenna 1.3 miles W of airport; 545' terrain and trees 0.9 mile S of airport. Runway 8, TDZ elevation, 353'.

Procedure turn not authorized.

FAF, 6-mile DME, R 247°. Final approach crs, 067°. Distance FAF to MAP, 5 miles.

Minimum altitude over 5-mile DME Fix, 2000'.

MSA: 000°-060°-2300'; 060°-180°-2200'; 180°-270°-2800'; 270°-360°-3000'.

% Runway 17 departures, climb on heading 150° to 1000' before turning westbound.

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	VIS
S-S.....	800	1	507	800	1	507	800	1	507	NA
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	
C.....	900	1	543	900	1	543	900	1½	543	NA
A.....	Standard.		T 2-eng. or less—Standard. %				T over 2-eng.—Standard. %			

City, Augusta; State, Maine; Airport name, Augusta State; Elev., 357'; Facility, AUG; Procedure No. VOR/DME Runway 8, Amdt. 2; Eff. date, 23 Oct. 69; Sup. Amdt. No. VOR/DME-3, Amdt. 1; Dated, 17 June 67

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

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR

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

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

Terminal routes				Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: 2.1 miles after passing BWG VOR TAC.	
R 150°, BWG VORTAC CW	R 204°, BWG VORTAC	10-mile Arc BWG, R 192° lead radial.	2500	Climb to 2500', right turn direct BWG VORTAC and hold. Supplementary charting information: Hold SW, 1 minute, right turns, 024° Inbnd. Final approach crs to Runway 3 threshold, Runway 3, TDZ elevation, 539'.	
10-mile DME Arc	BWG VORTAC (NOPT)	BWG, R 204°	1300		
R 228°, BWG VORTAC CCW	R 204°, BWG VORTAC	10-mile Arc BWG, R 216° lead radial.	2500		

Procedure turn E side of crs, 204° Outbnd, 024° Inbnd, 2500' within 10 miles of BWG VORTAC.

FAF, BWG VORTAC. Final approach crs, 024°. Distance FAF to MAP, 2.1 miles.

Minimum altitude over BWG VORTAC, 1300'.

MSA: 000°-090°-2300'; 090°-180°-2500'; 180°-270°-2500'; 270°-360°-2500'.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-3	900	1	361	900	1	361	900	1	361	900	1	361
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	960	1	421	1080	1	541	1100	1 1/4	561	1100	2	561
A	Standard.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.					

City, Bowling Green; State, Ky.; Airport name, Bowling Green-Warren County; Elev., 539'; Facility BWG; Procedure No. VOR Runway 3, Amdt. 6; Eff. date, 23 Oct. 69; Sup. Amdt. No. 5; Dated, 28 Aug. 69.

Terminal routes				Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: GPT VORTAC.	
R 262°, GPT VORTAC CCW	R 208°, GPT VORTAC	7-mile DME Arc.	1800	Climb to 2500' via R 330° to Mouse Int and hold or, when directed by ATC, climbing left turn to 1600' direct to GPT VORTAC and hold. Supplementary charting information: Mouse holding; hold N, 159° Inbnd, 1 minute, right turn. GPT holding; hold NW 140° Inbnd, 1 minute, right turns. TDZ elevation, 28'.	
Henderson Int.	Edgewater Int (NOPT)	Direct	1800		
7-mile DME Arc	2-mile DME GPT, R 208° (NOPT)	GPT, R 208°	700		

Procedure turn E side of crs, 208° Outbnd, 028° Inbnd, 1600' within 10 miles of GPT VORTAC.

Final approach crs, 028°.

Minimum altitude over 2-mile DME GPT, R 208°, 700'.

MSA: 090°-270°-1500'; 270°-090°-2000'.

\*Night operations not authorized Runways 22/4.

@ Alternate minimums not authorized when control zone not effective except for operators with approved weather reporting service.

# Use Mobile altimeter setting when control zone not effective and all MDA's increased 200' except for operators with approved weather reporting service.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-4 #	700	1	672	700	1	672	700	1 1/4	672	700	1 1/4	672
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C #	700	1	672	700	1	672	700	1 1/4	672	700	2	672
VOR/DME Minimums:												
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-4 #	600	1	572	600	1	572	600	1	572	600	1 1/4	572
A	Standard.@			T 2-eng. or less—Standard.*			T over 2-eng.—Standard.*					

City, Gulfport; State, Miss.; Airport name, Gulfport Municipal; Elev., 28'; Facility, GPT; Procedure No. VOR Runway 4, Amdt. 3; Eff. date, 23 Oct. 69; Sup. Amdt. No. 2 Dated, 27 Mar. 69.



## RULES AND REGULATIONS

## STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: GPT VORTAC.
R 242°, GPT VORTAC CW.....	R 320°, GPT VORTAC (NOPT).....	7-mile DME Arc.....	1800	Climbing right turn to 1600' via R 242° to Morris Int and hold or, when directed by ATC, climb to 1600'; proceed to Hawkeye Int via R 180° and hold. Supplementary charting information: Morris holding; hold SW 062° Inbnd, 1 minute, right turns. Hawkeye holding; hold S 360° Inbnd, 1 minute right turns. TDZ elevation, 24'.
R 058°, GPT VORTAC CCW.....	R 320°, GPT VORTAC (NOPT).....	7-mile DME Arc.....	1800	

Procedure turn W side of crs, 320° Outbnd, 140° Inbnd, 1600' within 10 miles of GPT VORTAC.

Final approach crs, 140°.

MSA: 090°-270°-1500'; 270°-090°-2000'.

\*Night operations not authorized Runways 22/4.

@Alternate minimums not authorized when control zone not effective except for operators with approved weather reporting service.

#Use Mobile altimeter setting when control zone not effective and all MDA's increased 200' except for operators with approved weather reporting service.

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-13#.....	400	3/4	436	400	3/4	436	400	3/4	436	400	1	436
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C#.....	680	1	652	680	1	652	680	1 1/4	652	700	2	672
A.....	Standard.@			T 2-eng. or less—Standard.*			T over 2-eng.—Standard.*					

City, Gulfport; State, Miss.; Airport name, Gulfport Municipal; Elev., 28'; Facility, GPT; Procedure No. VOR Runway 13, Amdt. 7; Eff. date, 23 Oct. 69; Sup. Amdt. No. 6; Dated, 27 Mar. 69

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: GPT VORTAC.
R 339°, GPT VORTAC CW.....	R 045°, GPT VORTAC.....	7-mile DME Arc.....	1800	Climb to 1600' via R 242° to Morris Int. and hold or, when directed by ATC, climb to 1600' via R 180° to Hawkeye Int and hold. Supplementary charting information: Morris holding; hold SW 062° Inbnd, 1 minute, right turns. Hawkeye holding; hold S 360° Inbnd, 1 minute, right turns. TDZ elevation, 27'.
R 068°, GPT VORTAC CCW.....	R 045°, GPT VORTAC.....	7-mile DME Arc.....	1800	
7-mile DME Arc.....	3-mile DME GPT, R 045° (NOPT).....	GPT, R 045°.....	680	

Procedure turn N side of crs, 045° Outbnd, 225° Inbnd, 1600' within 10 miles of GPT VORTAC.

Final approach crs, 225°.

Minimum altitude over 3-mile DME GPT R 045°, 680'.

MSA: 090°-270°-1500'; 270°-090°-2000'.

\*Night operations not authorized Runways 22/4.

@Alternate minimum not authorized when control zone not effective except for operators with approved weather reporting service.

#Use Mobile altimeter setting when control zone not effective and all MDA's increased 200' except for operators with approved weather service.

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-22#.....	680	1	653	680	1	653	680	1 1/4	653	680	1 1/4	653
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C#.....	680	1	652	680	1	652	680	1 1/4	652	700	2	672
	VOR/DME Minimums:											
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-22#.....	460	1	433	460	1	433	460	1	433	460	1	433
A.....	Standard.@			T 2-eng. or less—Standard.*			T over 2-eng.—Standard.*					

City, Gulfport; State, Miss.; Airport name, Gulfport Municipal; Elev., 28'; Facility, GPT; Procedure No. VOR Runway 22, Amdt. 3; Eff. date, 23 Oct. 69; Sup. Amdt. No. 2; Dated 27 Mar. 69

# RULES AND REGULATIONS

15705

## STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR—Continued

Terminal routes			Minimum altitudes (feet)	Missed approach
From—	To—	Via		
R 068° GPT VORTAC CW	R 124° GPT VORTAC	7-mile DME Arc	1800	MAP: GPT VORTAC. Climbing left turn to 1600' via R 242° to Morris Int and hold or, when directed by ATC, climb to 2500', R 339° to Mouse Int and hold. Supplementary charting information: Morris holding: hold SW 062° Inbnd, 1 minute, right turns. Mouse holding: hold NW 159° Inbnd, 1 minute, right turns. TDZ elevation, 25'.
R 242° GPT VORTAC CCW	R 124° GPT VORTAC	7-mile DME Arc	1800	
7-mile DME Arc	4-mile DME GPT, R 124° (NOPT)	GPT, R 124	480	

Procedure turn N side of crs, 124° Outbnd, 304° Inbnd, 1600' within 10 miles of GPT VORTAC.

Final approach crs, 124°.

Minimum altitude over 4-mile DME GPT, R 124°, 480'.

MSA: 060°-270°-1500'; 270°-090°-2600'.

Note: Inoperative table does not apply to HIRL Runway 31.

\*Night operations not authorized Runways 22/4.

†Alternate minimums not authorized when control zone not effective except operators with approved weather reporting service.

‡Use Mobile altimeter setting when control zone not effective and all MDA's increased 200' except for operators with approved weather reporting service.

### DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-31°	480	1	455	480	1	455	480	1	455	480	1	455
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C°	680	1	652	680	1	652	680	1½	652	700	2	672
	VOR/DME Minimums:											
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-31°	420	1	395	420	1	395	420	1	395	420	1	395
A	Standard.†			T 2-eng. or less—Standard.*			T over 2-eng.—Standard.*					

City, Gulfport; State, Miss.; Airport name, Gulfport Municipal; Elev., 28'; Facility, GPT; Procedure No. VOR Runway 31, Amdt. 3; Eff. date, 23 Oct. 66; Sup. Amdt. No. 2; Dated, 27 Mar. 69

Terminal routes			Minimum altitudes (feet)	Missed approach
From—	To—	Via		
MCLFR	MCG VORTAC	Direct	2700	MAP: MCG VORTAC. Climb to 3000' on R 272° within 15 miles. Supplementary charting information: Mountainous terrain all quadrants: 1296' mountain 2.8 miles S of airport. 1677' mountain 3.6 miles S of airport. 1569' mountain 4.4 miles N of airport.
R 089° MCG VORTAC CW	R 100° MCG VORTAC (NOPT)	10-mile Arc MCG, R 089° lead radial.	3100	

Procedure turn S side of crs, 100° Outbnd, 280° Inbnd, 2700' within 10 miles of MCG VORTAC.

Final approach crs, 280°.

Minimum altitude over R 100°, 1.3-mile DME or 190° bearing from MC LFR, 880'.

MSA: 090°-090°-3000'; 090°-180°-3100'; 180°-270°-4300'; 270°-360°-5300'.

Note: Descent below 880' not authorized until past 1.3-mile DME or 190° bearing from MC LFR.

‡IFR SID's available.

\*Alternate minimums for Category D, 1900-2.

### DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	880	1	543	880	1	543	880	1½	543	1100	2	763
	VOR/DME or VOR/LFR Minimums:											
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	800	1	463	800	1	463	800	1½	463	1100	2	763
A	Standard.*			T 2-eng. or less—Standard.‡			T over 2-eng.—Standard.‡					

City, McGrath; State, Alaska; Airport name, McGrath; Elev., 337'; Facility, MCG; Procedure No. VOR-1, Amdt. 4; Eff. date, 23 Oct. 66; Sup. Amdt. No. 3; Dated, 1 May 69



## RULES AND REGULATIONS

## STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	
Hartsfield Int.	MGR VOR	Direct	1500	MAP: 10 miles after passing MGR VOR. Turn left, climb to 1800' direct MGR VOR. Supplementary charting information: Profile show MAP 10 miles from VOR. UNICOM, 122.8.

Procedure turn W side of crs, 030° Outbnd, 210° Inbnd, 1800' within 10 miles of MGR VOR.  
FAF, MGR VOR. Final approach crs, 198°. Distance FAF to MAP, 10 miles.  
Minimum altitude over MGR VOR, 1800'.  
MSA: 000°-090°-2400'; 090°-180°-1500'; 180°-360°-2000'.  
NOTES: (1) Radar vectoring. (2) Use Valdosta, Ga., altimeter setting.

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C.....	1000	2	736	1000	2	736	1000	2	736	1000	2	736
A.....	Not authorized.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.					

City, Thomasville; State, Ga.; Airport name, Thomasville Municipal; Elev., 264'; Facility, MGR; Procedure No. VOR-1, Amdt. 5; Eff. date, 23 Oct. 69; Sup. Amdt. No. 4; Dated, 29 Feb. 68

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	
				MAP: 10.2 miles after passing MEM VOR TAC. Climb to 1800' to Porter Int. via R 207° MEM VORTAC and hold. Supplementary charting information: Hold W, 1 minute, right turn, 077° Inbnd.

Procedure turn S side of crs, 080° Outbnd, 260° Inbnd, 1900' within 10 miles of MEM VORTAC.  
FAF, MEM VORTAC. Final approach crs, 260°. Distance FAF to MAP, 10.2 miles.  
Minimum altitude over MEM VORTAC, 1900'; over Hilda Int., 1100'.  
MSA: 000°-090°-2300'; 090°-180°-1900'; 180°-270°-1700'; 270°-360°-2300'.  
NOTES: (1) Radar vectoring. (2) Use MEM APC/FSS altimeter settings and weather. (3) Night minimums not authorized Runways 18-36.

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAA	MDA	VIS	HAA	VIS			VIS		
C.....	1100	1½	890	1100	1½	890	NA			NA		
	VOR/DME or VOR/NDB Minimums:											
	MDA	VIS	HAA	MDA	VIS	HAA						
C.....	640	1	430	660	1	450	NA			NA		
A.....	Not authorized.			T 2-eng. or less—Standard.			T over 2-eng.—Not authorized.					

City, Walls; State, Miss.; Airport name, Twinkle Town; Elev., 210'; Facility, MEM; Procedure No. VOR-1, Amdt. 2; Eff. date, 23 Oct. 69; Sup. Amdt. No. 1; Dated, 3 Apr 69

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VORTAC

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

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 1-mile DME on R 345°.
MC LFR	MCG VORTAC	Direct	2700	Climbing left turn to 3000' on R 100° within 15 miles. Supplementary charting information: Mountainous terrain all quadrants. 1266' mountain 2.8 miles S of airport. 1677' mountain 3.6 miles S of airport. 1960' mountain 4.4 miles N of airport. Final approach crs intercepts runway centerline 3000' from threshold.
R 321°, MCG VORTAC CW	R 345°, MCG VORTAC (NOPT)	14-mile Arc MCG, R 337° lead radial.	4000	
R 305°, MCG VORTAC CCW	R 345°, MCG VORTAC (NOPT)	14-mile Arc MCG R-353° lead radial.	3500	

Procedure turn E side of crs, 345° Outbnd, 165° Inbnd, 2000' within 10 miles of 4-mile DME Fix.

Final approach crs, 165°.

Minimum altitude over 4-mile DME, 1400'; over 2-mile DME, 800'.

MSA: 000°-090°-3000'; 090°-180°-3100'; 180°-270°-4300'; 270°-360°-3300'.

% IFR SID's available.

\*Alternate minimums Category D, 1000-2.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
5-16	680	1	343	680	1	343	680	1	343	680	1	343
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	800	1	463	800	1	463	800	1½	463	1100	2	763
A	Standard.*			T 2-eng. or less—Standard. %			T over 2-eng.—Standard. %					

City, McGrath; State, Alaska; Airport name, McGrath; Elev., 337'; Facility, MCG; Procedure No. VORTAC, Runway 16, Amdt. 4; Eff. date, 23 Oct. 69; Sup. Amdt. No 3; Dated, 1 May 69

10. By amending § 97.25 of Subpart C to establish localizer (LOC) and localizer-type directional aid (LDA) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE LOC (BC)

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

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

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 4 miles after passing ROE NDB.
BHM VORTAC	ROE NDB	Direct	2800	Climb to 3000' direct to BH LOM and hold; or, when directed by ATC, climbing right turn to 3000' direct to BHM VORTAC hold NE, 1 minute, right turns, 225° Inbnd.
Lewis Int.	ROE NDB	Direct	2800	
Helen Int.	ROE NDB	Direct	2800	
Bessemer Int.	ROE NDB	Direct	2800	Supplementary charting information: Hold SW, 1 minute, left turns, 092° Inbnd. Chart tower 1400' 1.5 miles S of final approach crs. HIRLS Runways 5/23, 18/36. VASI Runway 23. Runway 23, TDZ elevation, 610'.
Trussville Int.	ROE NDB (NOPT)	Direct	1900	
R 310°, BHM VORTAC (CW)	BHM LOC (BC)	15-mile DME Arc BHM VOR TAC, R 085° lead radial.	2800	
15-mile DME Arc	ROE NDB (NOPT)	LOC (BC)	1900	

Procedure turn N side of crs, 052° Outbnd, 232° Inbnd, 2800' within 10 miles of ROE NDB.

FAF, abeam ROE NDB. Final approach crs, 232°. Distance FAF to MAP, 4 miles.

Minimum altitude over abeam ROE NDB, 1900'.

MSA: 000°-180°-2700'; 180°-270°-2900'; 270°-360°-2400'.

NOTE: ASR.

\*Circling not authorized E of airport between centerline extended of Runways 23 and 36.

#Inoperative table does not apply to HIRL Runway 23.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
5-23	1180	1	561	1180	1	561	1180	1	561	1180	1½	561
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	1240	1	597	1240	1	597	1240	1½	597	1240	2	597
A	Standard.			T 2-eng. or less—RVR 50', Runway 5; Standard all others.			T over 2-eng.—RVR 24', Runway 5; Standard all others.					

City, Birmingham; State, Ala.; Airport name, Municipal; Elev., 643'; Facility, I-BHM; Procedure No. LOC (BC) Runway 23, Amdt. 1; Eff. date, 23 Oct. 69; Sup. Amdt. No. Orig.; Dated, 27 Jan. 68



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

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

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

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

Terminal routes				Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: 0.9 mile after passing CCM NDB.	
New Gloucester NDB.....	CCM NDB.....	Direct.....	2300	Climb straight ahead on 171° bearing from CCM NDB to 1500'; then right-climbing turn to 2300' direct CCM NDB and hold. Supplementary charting information: Hold N of CCM NDB, 171° Inbnd, 1 minute, right turns. CAUTION: 567' antenna 1.3 miles W of airport; 545' terrain and trees 0.9 mile S of airport.	
Waterville NDB.....	CCM NDB.....	Direct.....	2300		
Augusta VOR.....	CCM NDB.....	Direct.....	2300		

Procedure turn W side of crs, 351° Outbnd, 171° Inbnd, 2300' within 10 miles of CCM NDB.

FAF, CCM NDB. Final approach crs, 171°. Distance FAF to MAP, 0.9 mile.

Minimum altitude over CCM NDB, 1200'.

MSA: 000°-090°-2300'; 090°-180°-2200'; 180°-270°-2800'; 270°-360°-3000'.

NOTES: (1) Approach from a holding pattern not authorized; procedure turn required. (2) Inoperative components table does not apply to REIL's Runway 17.

%Runway 17 departures, climb on heading 150° to 1000' before turning westbound.

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D	
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	VIS	
O.....	900	1	543	900	1	543	900	1½	543	NA	
A.....	Standard.	T 2-eng. or less—Standard. %			T over 2-eng.—Standard. %						

City, Augusta; State, Maine; Airport name, Augusta State; Elev., 357'; Facility, CCM; Procedure No. NDB (ADF) Runway 17, Amdt. 1; Eff. date, 23 Oct. 69; Sup. Amdt. No. Orig.; Dated, 17 June 67

Terminal routes				Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: 4.5 miles after passing BH LOM.	
BHM VORTAC.....	BH LOM.....	Direct.....	2800	Climb to 3000' direct to ROE NDB and hold; or when directed by ATC, climbing left turn to 3000' direct to BHM VORTAC and hold NE, 1 minute, right turns, 225° Inbnd. Supplementary charting information: Hold NE, 1 minute, right turns, 232° Inbnd. Chart lower 1400' 2.2 miles E of airport. HIRL's Runways 5/23 and 18/36. VASI Runway 23. Runway 5, TDZ elevation, 604'.	
Lewis Int.....	BH LOM.....	Direct.....	2800		
Bessemer Int.....	BH LOM (NOPT).....	Direct.....	2000		

Procedure turn N side of crs, 232° Outbnd, 052° Inbnd, 2500' within 10 miles of BH LOM.

FAF, BH LOM. Final approach crs, 052°. Distance FAF to MAP, 4.5 miles.

Minimum altitude over BH LOM, 2000'.

MSA: 000°-360°-2000'.

NOTE: A.S.R.

\* Circling not authorized E of airport between centerline extended of Runways 23 and 36.

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-5.....	1300	RVR 40	696	1300	RVR 40	696	1300	RVR 50	696	1300	RVR 60	696
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
G*.....	1300	1	657	1300	1	657	1300	1½	657	1300	2	657
A.....	Standard.	T 2-eng or less—RVR 50', Runway 5; Standard all others.						T over 2-eng.—RVR 24', Runway 5; Standard all others.				

City, Birmingham; State, Ala.; Airport name, Municipal; Elev., 643'; Facility BH; Procedure No. NDB (ADF) Runway 5, Amdt. 19; Eff. date, 23 Oct. 69; Sup. Amdt. No. ADF 1, Amdt. 18; Dated, 5 Nov. 66

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

Terminal routes				Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: 4 miles after passing ROE NDB.	
BHM VORTAC	ROE NDB	Direct	2800	Climb to 3000' direct to BH LOM and hold; or, when directed by ATC, climbing right turn to 3000' direct to BHM VOR TAC and hold NE, 1 minute, right turns, 225° Inbnd. Supplementary charting information: Hold SW, 1 minute, left turns, 032° Inbnd. Chart tower 1400' MSL 1.6 miles S of final approach crs. HRL's Runways 5/23 and 18/36. VAST Runway 23. Runway 23, TDZ elevation, 619'.	
Lewis Int.	ROE NDB	Direct	2800		
Holmes Int.	ROE NDB	Direct	2800		
Bassett Int.	ROE NDB	Direct	2800		
Trussville Int.	ROE NDB (NOTT)	Direct	1900		

Procedure turn N side of crs, 083° Outbnd, 233° Inbnd, 2800' within 10 miles of ROW NDB.  
FAP, ROE NDB. Final approach crs, 233°. Distance FAP to MAP, 4 miles.  
Minimum altitude over ROE NDB, 1900'.  
MSA: 000°-180°-2000'; 180°-270°-2900'; 270°-360°-2400'.  
NOTE: ASR.  
\*Circling not authorized E of airport between centerline extended of Runways 23 and 36.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-22	1420	1	801	1420	1 1/4	801	1420	1 1/2	801	1420	1 3/4	801
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	1420	1	777	1420	1 1/4	777	1420	1 1/2	777	1420	2	777
A	1000-2	T 2-eng. or less—RVR 50', Runway 5; Standard all others.						T over 2-eng.—RVR 24, Runway 5; Standard all others.				

City, Birmingham; State, Ala.; Airport name, Municipal; Elev., 643'; Facility, ROE; Procedure No. NDB (ADF) Runway 23, Amdt. 7; Eff. date, 23 Oct. 69; Sup. Amdt. No. 6; Dated, 27 Jan. 68

Terminal routes				Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: TVI NDB.	
GEF VOR	TVI NDB	Direct	1800	Climbing left turn to 1800' direct TVI NDB and hold. Supplementary charting information: Hold NE, 1 minute, right turns, 211° Inbnd. Final approach crs intercepts runway centerline 3000' from threshold. UNICOM, 122.4. Runway 22, TDZ elevation, 235'.	
MGR VOR	TVI NDB	Direct	1800		
VLD VOR	TVI NDB	Direct	1800		

Procedure turn W side of crs, 031° Outbnd, 211° Inbnd, 1800' within 10 miles of TVI NDB.  
Final approach crs, 211°.  
MSA: 000°-090°-2400'; 090°-180°-1700'; 180°-270°-2300'; 270°-360°-2000'.  
NOTES: (1) Radar vectoring. (2) Use Valdosta, Ga., altimeter setting when Moultrie, Ga., control zone not effective, and MDA becomes 800' except Category D circling; Category D straight-in visibility becomes 1 1/4 mile.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-22	700	1	465	700	1	465	700	1	465	700	1	465
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	700	1	436	720	1	456	720	1 1/4	456	820	2	556
A	Not authorized.			T 2-eng. or less—Standard.				T over 2-eng.—Standard.				

City, Thomasville; State, Ga.; Airport name, Thomasville Municipal; Elev., 264'; Facility TVI; Procedure No. NDB (ADF) Runway 22, Amdt. Orig.; Eff. date, 23 Oct. 69



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

Terminal routes			Minimum altitudes (feet)	Missed approach
From—	To—	Via		
Moultrie VOR	Tifton VHF Int/TMA NDB	Direct	2000	MAP: TMA NDB. Climbing left turn to 2000', return to TMA NDB and hold. Supplementary charting information: Hold SE, 1 minute, right turns, 322° Inbnd. CAUTION: 322° track 1 mile S of airport.
Albany VORTAC	Tifton VHF Int/TMA NDB	Direct	2000	

Procedure turn E side of crs, 142° Outbnd, 322° Inbnd, 1800' within 10 miles of TMA NDB.

Final approach crs, 322°.

MSA: 090°-180°-1800'; 180°-270°-2400'; 270°-090°-1800'.

NOTE: Use Albany, Ga., altimeter setting.

\*Night operations authorized Runways 15/33 only.

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-33°	1040	1	685	1040	1	685	1040	1½	685	1040	1½	685
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C*	1040	1	685	1040	1	685	1040	1½	685	1220	2	865
A	Not authorized.			T 2-eng. or less—400-1 all runways%.			T over 2-eng.—400-1 all runways%.					

City, Tifton; State, Ga.; Airport name, Henry Tift Myers; Elev., 355'; Facility, TMA; Procedure No. NDB (ADF) Runway 33, Amdt. 1; Eff. date, 23 Oct. 69; Sup. Amdt. No. ADF 1, Orig.; Dated, 8 Dec. 66.

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

Beckley, W. Va.—Raleigh County Memorial, NDB (ADF) Runway 10, Orig., 29 May 1969, canceled, effective 23 Oct. 1969.

Bluefield, W. Va.—Mercer County, NDB (ADF) Runway 22, Orig., 24 July 1969, canceled, effective 23 Oct. 1969.

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

## STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE ILS

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

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

Terminal routes			Minimum altitudes (feet)	Missed approach
From—	To—	Via		
BHM VORTAC	BH LOM	Direct	2800	MAP: ILS DH, 804'; LOC 4.5 miles after passing BH LOM. Climb to 3000' direct to ROE NDB and hold; or, when directed by ATC, climbing left turn to 3000' to BHM VORTAC and hold NE, 1 minute, right turns, 225° Inbnd. Supplementary charting information: Hold NE, 1 minute, right turns, 232° Inbnd. Chart 1497 tower 2.2 miles E of airport. HRL's Runway 5/23. VASI Runway 23. Runway 5, TDZ elevation, 604'.
Lewis Int.	BH LOM	Direct	2800	
Bessemer Int.	BH LOM (NOPT)	Direct	2000	
R 332°, BHM VORTAC CCW	BHM LOC	16-mile Arc BHM VORTAC, R 302° lead radial.	2300	
16-mile DME Arc	BH LOM (NOPT)	LOC crs	2000	

Procedure turn N side of crs, 232° Outbnd, 652° Inbnd, 2500' within 10 miles of BH LOM.

FAF, BH LOM. Final approach crs, 052°. Distance FAF to MAP, 4.5 miles.

Minimum glide slope interception altitude, 2000'. Glide slope altitude at OM, 2000'; at MM, 815'.

Distance to runway threshold at OM, 4.5 miles; at MM, 0.6 mile.

MSA: 000°-360°-2900'.

NOTES: (1) ASR. (2) LOC unusable below 2800' beyond 15 miles; unusable below 3500' beyond 25 miles.

\*Circling not authorized E of airport between centerline extended of Runways 23 and 36.

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT
S-5.	804	RVR 24	200	804	RVR 24	200	804	RVR 24	200	804	RVR 24	200
Loc:	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-5.	1000	RVR 24	396	1000	RVR 24	396	1000	RVR 24	396	1000	RVR 40	396
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C*	1240	1	597	1240	1	597	1240	1½	597	1240	2	597
A	Standard.			T 2-eng. or less—RVR 50', Runway 5; Standard all others.			T over 2-eng.—RVR 24', Runway 5; Standard all others.					

City, Birmingham; State, Ala.; Airport name, Municipal; Elev., 645'; Facility, I-BHM; Procedure No. ILS Runway 5, Amdt. 23; Eff. date, 23 Oct. 69; Sup. Amdt. No. 22; Dated, 23 Dec. 67.



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

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE RADAR

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

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

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

From—	To—	Distance	Altitude	Distance	Altitude	Distance	Altitude	Distance	Altitude	Distance	Altitude	Notes
000°	360°	0-15	2500	15-25	3500							Descend aircraft after passing final approach fix 6 miles from runway threshold. Runway 5—Minimum altitude over 3-mile fix, 1900'. Runway 23—Positive orientation over ROE NDB fix required prior to descent below 1900' on final. Minimum altitude over 2.2-mile radar fix, 1460'. VASI—Runway 23, HIRL's—Runways 5/23, 18/36. Runway 5, TDZ elevation, 604'; Runway 23, TDZ elevation, 619'.

As established by Birmingham ASR minimum altitude vectoring charts. Radar will provide 1000' vertical clearance within 3-mile radius of radio tower 1800' located 4 miles SW of airport.

Missed approach:

Runway 5—Climb to 3000' on crs 052° from BH LOM within 15 miles.

Runway 23—Climbing right turn to 3000' direct to BHM VORTAC; or, when directed by ATC, climb to 3000' direct to BH LOM.

Note: Circling not authorized E of airport between centerline extended of Runways 23 and 36.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
5-5	1240	RVR 40	636	1240	RVR 40	636	1240	RVR 40	636	1240	RVR 50	636
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
5-23	1180	1	561	1180	1	561	1180	1	561	1180	1 1/4	561
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	1240	1	597	1240	1	597	1240	1 1/2	597	1240	2	597
A	Standard.			T 2-eng. or less—RVR 50', Runway 5; Standard all others.			T over 2-eng.—RVR 24', Runway 5; Standard all others.					

City, Birmingham; State, Ala.; Airport name, Municipal; Elev., 643'; Facility, Birmingham Radar; Procedure No. Radar-1, Amdt. 9; Eff. date, 23 Oct. 69; Sup Amdt. No. 5 Dated, 30 Dec. 67

These procedures shall become effective on the dates specified therein.

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

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

JAMES F. RUDOLPH,  
Director, Flight Standards Service.

[F.R. Doc. 69-11368; Filed, Oct. 9, 1969; 8:45 a.m.]

## Title 45—PUBLIC WELFARE

### Chapter VIII—Civil Service Commission

#### PART 801—VOTING RIGHTS PROGRAM

##### Alabama and Mississippi

Appendix A to Part 801 is amended as set out below to show, under the heading "Dates, Times, and Places for filing," changes in the places for filing in Claiborne and Grenada Counties, Miss.:

##### MISSISSIPPI

County; Place for filing; Beginning date.

\* \* \*  
Claiborne; (1) Port Gibson—McFatters Drug Store, Second Floor, 618 Main Street; April 16, 1968, through October 9, 1969; (2) Port Gibson—Federal Building, Room 111; October 10, 1969.

\* \* \*  
Grenada; (1) Grenada—Post Office Building; July 22, 1968, through August 7, 1968;

(2) Grenada—639 Union Street; August 8, 1968, through October 9, 1969; (3) Grenada—U.S. Post Office, basement, October 10, 1969; (4) Tie Plant—trailer at site of Horseshoe Store two blocks west of Tie Plant School on dirt road; September 9, 1966.

Appendix C to Part 801 is amended as set out below to show a change in the address of the Examiner (State Supervisor) in the State of Alabama:

##### ALABAMA

Examiner (State Supervisor), U.S. Civil Service Commission, Post Office Building, Birmingham, Ala.

(Secs. 7, 9, Voting Rights Act of 1965; Public Law 89-110)

##### UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,  
Executive Assistant to the Commissioners.

[F.R. Doc. 69-12127; Filed, Oct. 9, 1969; 8:46 a.m.]

## Title 5—ADMINISTRATIVE PERSONNEL

### Chapter I—Civil Service Commission

#### PART 213—EXCEPTED SERVICE

##### Department of Justice

Section 213.3110 is amended to show that 20 positions of Field Representative Trainee, GS-5-7, who will serve on college campuses for not to exceed 130 working days a year for the Community Relations Service are excepted under Schedule A. Appointments under this authority may not exceed 1 year but they may be extended for one additional year with prior approval of the Commission. Effective on publication in the FEDERAL REGISTER, subparagraph (6) is added under paragraph (a) of § 213.3110 as set out below.



## RULES AND REGULATIONS

## § 213.3110 Department of Justice.

(a) *General.* \* \* \*

(6) Not to exceed 20 positions of Field Representative Trainee, GS-5-7, in the Community Relations Service, for employment on college campuses for not to exceed 130 working days a year. Employment under this authority is limited to 1 year: *Provided*, That an appointment may be extended for one additional year with the prior approval of the Commission.

(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. 69-12126; Filed, Oct. 9, 1969;  
8:46 a.m.]

## PART 213—EXCEPTED SERVICE

Department of Health, Education,  
and Welfare

Section 213.3316 is amended to show that one position of Special Assistant to the Deputy Assistant Secretary for Evaluation and Program Monitoring, Office of the Assistant Secretary for Planning and Evaluation is excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, subparagraph (9) is added to paragraph (k) of § 213.3316, as set out below.

## § 213.3316 Department of Health, Education, and Welfare.

(k) *Office of the Assistant Secretary for Planning and Evaluation.* \* \* \*

(9) One Special Assistant to the Deputy Assistant Secretary for Evaluation and Program Monitoring.

(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. 69-12125; Filed, Oct. 9, 1969;  
8:46 a.m.]



# Proposed Rule Making

## DEPARTMENT OF THE TREASURY

Bureau of Customs

[19 CFR Part 1]

### CUSTOMS PORTS OF ENTRY

#### Notice of Proposed Changes in Philadelphia, Pa., District

OCTOBER 2, 1969.

A survey of the workload at the Philadelphia, Pa., Customs district (Region III) indicates that the revocation of the designation of the Chester, Pa., port of entry and the simultaneous extension of the limits of the Philadelphia, Pa., and Wilmington, Del., ports of entry to include the area of the port of Chester, Pa., and other adjacent territory will improve the efficiency of operations through the maximum utilization of available manpower, space, and funds.

Accordingly, notice is hereby given that under the authority vested in the President by section 1 of the Act of August 1, 1914, 38 Stat. 623 (19 U.S.C. 2), which was delegated to the Secretary of the Treasury by the President by Executive Order No. 10289, September 17, 1951 (3 CFR, ch. II), and pursuant to authorization provided by Treasury Department Order No. 190, Rev. 6 (34 F.R. 6298), it is proposed to revoke the designation of Chester, Pa., as a port of entry in the Philadelphia, Pa., Customs district (Region III) and simultaneously extend the present geographical limits of the Philadelphia, Pa., and Wilmington, Del., Customs ports of entry in the Philadelphia, Pa., Customs district (Region III).

Under this proposal the limits of the Philadelphia, Pa., port of entry will include the territory described as follows:

All the territory embraced within the corporate limits of the city of Philadelphia, Pa.; all the territory embraced within Delaware County, Pa., except Upper Chichester Township, Lower Chichester Township, Marcus Hook Borough, and Trainer Borough; and that part of the Delaware River adjacent to Marcus Hook Borough and Trainer Borough; all the territory bounded by the Delaware River and U.S. Highway No. 13 in Bucks County, Pa., from the corporate limits of the city of Philadelphia, Pa., to and including the borough limits of Morrisville, Pa.; and the city of Trenton, N.J.; all the territory bounded by the Delaware River and U.S. Highway No. 206 from the corporate limits of Trenton, N.J., to the intersection of U.S. Highway No. 206 and U.S. Highway No. 130; all the territory bounded by the Delaware River and U.S. Highway No. 130 from the point of intersection with U.S. Highway No. 206 to and including the city of Camden, N.J.; all the territory embraced by Gloucester City, county of Camden, N.J.; Township of West Deptford, county of Gloucester, N.J.; Borough of National Park, county of Gloucester, N.J.; Borough of Paulsboro, county of Gloucester, N.J.; and the Township of Greenwich, county of Gloucester, N.J.; and all the Delaware River north of a line extending

from the junction of the northeasterly boundary of Trainer Borough and the Delaware River, Delaware County, Pa., to a point of junction on the eastern shore of the Delaware River at the north bank of Raccoon Creek, Gloucester County, N.J., to a line extending into the Delaware River from the northerly boundary of the Borough of Morrisville, Bucks County, Pa., to the line of demarcation of the States of Pennsylvania and New Jersey, thence northwesterly along the line of demarcation to a point of junction with a line extending into the Delaware River from the northwesterly boundary of the city of Trenton, Mercer County, N.J.

Under this proposal the limits of the Wilmington, Del., port of entry will include the territory described as follows:

All territory in New Castle County, State of Delaware, between its northern boundary, western boundary, the Chesapeake and Delaware Canal and Delaware River including all the Delaware River in New Castle County north of a line drawn from the Chesapeake and Delaware Canal to a point of junction with the eastern shore of the Delaware River at the northern bank of the Salem River as well as all the territory embraced by Upper Chichester Township, Lower Chichester Township, Marcus Hook Borough and Trainer Borough, all in Delaware County, State of Pennsylvania, including all the Delaware River adjacent to Marcus Hook Borough and Trainer Borough to a point of junction with the eastern shore of the Delaware River at the northern bank of Raccoon Creek as well as the villages of Carneys Point and Deep Water in Salem County, N.J.

Data, views, or arguments with respect to the foregoing may be addressed to the Commissioner of Customs, Washington, D.C. 20226. To insure consideration of such communications, they must be received in the Bureau not later than 30 days from the date of the publication of this notice in the FEDERAL REGISTER. No hearing will be held.

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

[F.R. Doc. 69-12145; Filed, Oct. 9, 1969;  
8:48 a.m.]

## DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 907]

### NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

#### Handling

Notice is hereby given that the Department is considering proposed amendments, as hereinafter set forth, to the rules and regulations (7 CFR 907.100 et seq.; Subpart—Rules and Regulations) of the Navel Orange Administrative Committee, currently in effect pursuant to the applicable provisions of the marketing agreement, as amended, and Or-

der No. 907, as amended (7 CFR Part 907), regulating the handling of Navel oranges grown in Arizona and designated part of California. This is a regulatory program effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

The amendment of said rules and regulations was proposed by the Navel Orange Administrative Committee, established under the said amended marketing agreement and order as the agency to administer the terms and provisions thereof. The proposed amendment would (1) provide that whenever a time of day is specified in the rules and regulations it shall mean the local time in effect at committee headquarters; (2) set forth the committee's current mailing address; (3) reduce the number of committee members representing cooperatives handling less than 50 percent of the oranges and change nomination procedures to conform with the amended marketing agreement and order provisions; (4) provide that the committee's recommendations for volume regulation for each prorate district shall reflect that district's percentage of the tree crop in the production area; (5) specify conditions for loan transactions arranged by handlers and by the committee; (6) delete § 907.103 because the provisions thereof are being incorporated into the amendment of § 907.102 or are otherwise covered by § 907.23; (7) specify what information applicants for short-life allotment shall furnish to the committee; (8) prescribe procedures for bona fide and timely offers to lend general maturity allotments and for allocating forfeited allotment to other handlers; (9) include provisions for allocation to, and transfers between, handlers of freeze damage allotment; and (10) change the conversion factor provisions.

The proposed amendments are as follows:

1. Add a new paragraph (g) to § 907.100 *Definitions* to read as follows:

#### § 907.100 Definitions.

(g) Whenever a time of day is specified in this subpart, it shall mean local time in effect at the headquarters of the committee in Los Angeles, Calif., except when specifically stated otherwise.

2. Amend the provisions of § 907.101 following the colon to read as follows:

#### § 907.101 Communications.

Navel Orange Administrative Committee, 117 West Ninth Street, Room 913, Los Angeles, Calif. 90015.

3. Amend the provisions of subparagraphs (2) and (3) of paragraph (a) of § 907.102 *Nomination procedure* to read as follows:



# **§ 907.102 Nomination procedure.**

(a) \* \* \*

(2) All cooperative marketing organizations which market oranges and which are not qualified under § 907.22(b), or the growers affiliated therewith, shall nominate members and alternate members as provided in § 907.22(c). The vote of each such organization shall be weighted, as provided in § 907.22(e), by the quantity of oranges which it handled during the marketing year in which the nominations are made.

(3) Not less than seven meetings shall be held at such times and places throughout the production area as may be designated by the agent of the Secretary, at which growers who are not members of, or affiliated with, the organizations included under subparagraphs (1) and (2) of this paragraph may vote. At each such meeting, the growers present shall nominate members and alternate members as provided in § 907.22(d). The number of ballots to be cast in selecting the nominees at any such meeting shall be determined at that meeting. All growers voting at any such meeting shall submit their names and addresses to the agent of the Secretary.

# **§ 907.103 [Deleted]**

4. Delete § 907.103.

# **§ 907.108 [Redesignated]**

5. Redesignate § 907.110 as § 907.108.

6. Add a new § 907.110 *Equity of marketing opportunity* to read as follows:

# **§ 907.110 Equity of marketing opportunity.**

Equity of marketing opportunity between prorate districts shall be afforded by the following procedure:

(a) The committee shall establish an equity factor which is the same for all prorate districts. The equity factor shall be stated as a percentage of the tree crop in each district and shall reflect a quantity of oranges (grown in each district) for which there will be equitable marketing opportunity under volume regulation during the ensuing season.

(b) At the marketing policy meeting for each prorate district the committee shall formulate a weekly shipping schedule for the ensuing season reflecting, insofar as practicable, the desire of growers and handlers of oranges within the district as to the quantity of oranges grown in that district to be shipped under volume regulation each week. The quantity of oranges on such schedules shall be computed by application of the equity factor to the tree crop of the district. The seasonal periods covered by such schedules shall be determined by the committee. Prior to any marketing policy meeting for a prorate district the committee may consult with such growers and handlers regarding formulation of such schedule.

(c) Following the marketing policy meetings for all districts, the committee may review and make equitable modifications as it deems advisable in the

equity factor and weekly shipping schedules.

(d) The committee shall combine into a weekly total the quantities of oranges that growers and handlers in each district desire to handle each week, as shown on the weekly shipping schedules. The weekly quantity shown on the applicable schedule for a district shall be converted into a percentage of the said weekly total. This percentage shall be known as the percentage allocation to such district.

(e) Insofar as practicable, the committee shall base its recommendations each week (pursuant to § 907.51(a)) to the Secretary as to the respective quantities of oranges that should be handled in the prorate districts, upon the percentage allocations for such districts for such week except when allotments are granted on the basis of the requests of handlers of early maturity oranges pursuant to § 907.60 or the requests of handlers for freeze damage allotments pursuant to § 907.61a.

(f) The committee shall make such adjustments as it deems advisable in the equity factor, the weekly shipping schedules, and the percentage allocations to prorate districts, so as to reflect changing crop or market conditions. Appropriate adjustments shall be made in the schedules and percentage allocations as soon as possible after a change in the estimated tree crop of any prorate district. Whenever a prorate district nears the end of the shipping schedule for that district and the committee ascertains that oranges (grown in that district) remain for handling under volume regulation, the committee may (1) adjust the equity factor upward with corresponding changes in the weekly shipping schedules for all districts or (2) adjust the schedules for all districts by adding thereto the difference between the aggregate quantity of oranges listed on the weekly shipping schedule of each district during all of the preceding weeks and the sum of the aggregate quantity of oranges fixed by the Secretary for handling under general maturity, early maturity, and freeze damage allotments during such preceding weeks of regulation in each of the respective districts plus the aggregate quantity of oranges that were handled in each district when no such regulation was in effect. Adjustments in the weekly shipping schedules for each of the prorate districts may be made by adding weeks to or deleting weeks from the schedule and, if deemed advisable, by proportionate modification of the desired shipments shown thereon for the remaining weeks of the season or any portion thereof.

(g) The committee shall calculate each season, as soon as it is feasible, an estimated percentage of the total tree crop in the production area which, in the judgment of the committee, will be handled under volume regulation and prepare a schedule of estimated weekly shipments based thereon, taking into account the purposes of the act. Such percentage and schedule shall be used as the reference for determining adjustments in the prorate base of handlers, for granting

short life allotment, and for matters wherein it is necessary to consider utilization of the crop within a district.

7. Revise the provisions of § 907.111 *Allotment loans* to read as follows:

# **§ 907.111 Allotment loans.**

(a) Loans arranged by handlers: Loans arranged by handlers shall be subject to the following:

(1) *Payback date.* Each allotment loan agreement entered into by a handler must provide for a payback date specified by the lender. Each loan agreement entered into by a handler to whom short-life allotments have been issued shall provide for the repayment of the loan during the time the borrowing handler will be issued allotment.

(2) *Ability to repay.* Allotment loan transactions shall be limited to the borrowing handler's calculated ability to make repayment whenever the payback date falls within the scheduled shipping period of the borrowing handler.

(3) *Confirmation.* All allotment loans made on Saturday shall be confirmed as required by § 907.57 but not later than 4:30 p.m. on the following Monday.

(b) Loans arranged by the committee: The committee shall arrange loans for handlers subject to paragraph (a) (1) and (2) of this section and, to the extent practicable, in accordance with the following:

(1) The committee shall give priority, in arranging loans, to those offers which have a payback date within the current scheduled shipping period of borrowing handlers.

(2) Except as otherwise provided in subparagraph (4)(iii) of this paragraph (b), the committee shall consider offers to loan and requests to borrow received prior to 12 m. Monday separately from offers and requests received thereafter during the week.

(3) Each handler offering allotment for loan shall specify at least two payback dates. To receive a loan of any such allotment, or portion thereof offered, the payback date specified by the requesting handler must be the same as one of the repayment dates specified by the offering handler.

(4) Loan offers and requests received by the committee prior to 12 m. Monday shall be applied first to the arrangement of loans between handlers within the same prorate district in accordance with the following provisions:

(i) If requests from handlers, in a prorate district, for general maturity allotment exceed the quantity offered by handlers in that district, the quantity offered shall be equitable apportioned to each borrowing handler so that the amount he receives bears the same ratio to the total amount received by all borrowing handlers as his tree crop bears to the total tree crop of all borrowing handlers. If the quantity of general maturity allotment offered in any prorate district exceeds the quantity requested in the district, the same proportion of each handler's allotment shall be loaned; and any surplus general maturity allotment from such prorate district shall be equi-



tably apportioned, as aforesaid, to fill requests from borrowing handlers in all other prorate districts.

(ii) If requests from handlers, in a prorate district, for short-life allotments exceed the quantity offered by handlers in that district, the quantity offered shall be equitably apportioned to each borrowing handler so that the amount he receives bears the same ratio to the total amount received by all borrowing handlers as his tree crop bears to the total tree crop of all borrowing handlers. If the quantity of short-life allotment offered in a prorate district exceeds the quantity requested in that district, the same proportion of each lending handler's allotment shall be loaned.

(iii) Such loan offers and requests may be modified or withdrawn any time prior to 12 m. Monday, after which time the committee shall arrange allotment loans on the basis of the offers and requests, including modifications thereof, then pending without further action by the handlers involved. Loan offers and requests not fully utilized in such allotment loan arrangements may be modified or withdrawn.

(5) Offers to loan allotment received by the committee at, or subsequent to, 12 m. Monday shall be applied first to the arrangement of loans to handlers within the same prorate district whose requests were received prior to such time, but had not been completely filled. Any remaining allotment shall then be applied to the arrangement of loans to handlers within that district to fill any requests as thereafter received. Allotment loan offers received from handlers in a prorate district at, or subsequent to, 12 m. Monday and for which there are no requests by handlers in that district, may be applied by the committee to the arrangement of loans to fill requests from handlers in other prorate districts. If the total allotment offered for loan in the same prorate district exceeds total requests in such district, the same proportion of each lending handler's allotment shall be loaned. If the quantity of allotment requested by handlers in a prorate district exceeds the quantity offered, the quantity each borrowing handler receives shall bear the same ratio to the total amount received by all borrowing handlers as his tree crop bears to the total tree crop of all borrowing handlers.

(i) Offers to loan, and requests to borrow, allotment received at, or subsequent to, 12 m. Monday may be modified or withdrawn: *Provided*, That allotment loan arrangements with respect to such offered allotment have not been completed by the committee.

(6) Offers to loan, and requests for, allotment may be made in person, by telephone, or telegram, or in writing. Immediately after completing arrangements for a loan the committee shall confirm the terms thereof by mailing NOAC Form 6 Confirmation of Allotment Loan to the handlers involved.

(c) Whenever any Monday herein specified falls on a legal holiday, the next following business day shall be applicable.

8. Revise paragraph (a) and the second sentence of paragraph (b) of § 907.114 *Short-life allotments* to read as follows:

§ 907.114 *Short-life allotments.*

(a) *Qualification for short-life allotment.* A handler shall be considered to have short-life oranges when he has oranges which historically are known to lack keeping qualities which will permit him to handle, during the normal marketing period for the oranges grown in the prorate district, the same percentage of his oranges it was estimated will be handled by all handlers.

(b) *Application to be filed.* \* \* \* The application shall contain the following information: Name and address of applicant; location of each grove producing short-life oranges; a record covering the maximum years available, but not in excess of the 10 immediately preceding years, showing the marketing period of the oranges covered by the application; a suggested shortened marketing season showing the final date when the short-life oranges covered by the application should be marketed; and, a showing satisfactory to the committee why the oranges covered by the application cannot be marketed during the normal marketing period for the applicable district through appropriate adjustments in the handler's packinghouse operations.

9. A new § 907.116 *Credit forfeitures* is added to read as follows:

§ 907.116 *Credit forfeitures.*

(a) The forfeiture of any handler's general maturity allotment that was neither used nor loaned to another handler shall be applied to reduce overshipments of handlers as provided in § 907.55 unless the forfeiting handler made a bona fide and timely offer to the committee to lend his undershipment. An offer shall be considered bona fide and timely if such offer (1) was received in the office of the committee by 12 m. Monday, or the next following business day if Monday is a legal holiday, and (2) contained at least two alternative payback dates. All short-life allotment that is forfeited shall be applied to reduce overshipments of handlers as provided in § 907.55.

(b) If the forfeiture of allotment in a prorate district exceeds that required to offset overshipments in such district and overshipments exceed forfeitures in other districts, the surplus forfeiture credit shall be allocated, as provided in § 907.55, to the handlers in the deficit districts in proportion to their permissible overshipments.

10. Add a new § 907.117 *Freeze damage allotments* to read as follows:

§ 907.117 *Freeze damage allotments.*

(a) At least 6 days before any meeting held by the committee to consider the quantity of allotments to be issued in any one or more prorate districts pursuant to § 907.61a, the committee shall mail written notice to handlers in such districts of its intention advising handlers that applications for such allot-

ments shall be filed with the committee as hereinafter provided.

(b) Whenever freeze damage allotments are to be issued in a prorate district pursuant to § 907.61a on the basis of requests by handlers, the committee shall determine on the basis of all available information and after consideration of all of the factors enumerated in § 907.51(b), the extent to which freeze damage allotments should be granted in such district.

(c) Any handler who desires to receive freeze damage allotment shall request such allotment in person, or by telephone, telegram, or by filing NOAC Form 35 on or before 12 m. of the day preceding the regular weekly meeting of the committee. Such requests may be made at any of the offices of the committee. NOAC Form 35 shall contain (1) the name and address of the handler, (2) the week for which the application is made, (3) the amount of freeze damage allotment requested, and (4) the signature of the handler or authorized representative. All requests not made by a properly completed NOAC Form 35 shall be confirmed by delivering to the committee at any of its offices, not later than the day preceding the committee's regular weekly meeting, a properly completed NOAC Form 35 or by mailing a properly completed form to the committee not later than the day preceding the committee's regular weekly meeting.

(d) Whenever the total amount of freeze damage allotment the committee determines should be granted to handlers within a prorate district equals or is larger than the total amount applied for in such district, the full amount applied for in each application shall be granted. Whenever the total amount applied for exceeds the total amount of freeze damage allotment the committee deems should be granted in the district, the request of each handler in such district shall be granted in the same proportion as the handler's tree crop bears to the total tree crop of requesting handlers in that district, but not in excess of the amount requested, and any allotment then remaining shall be granted in successive increments, as necessary, to handlers filing requests, in the same proportion as aforesaid, but not in excess of the amount requested.

(e) Any handler to whom freeze damage allotment is issued may transfer such allotment, or portion thereof, to another such handler in the same prorate district; and such handlers shall notify the committee of such transfer on or before 12 m. Friday, or the following business day if Friday is a legal holiday, of the week following the one for which such allotment was issued. Such notification shall show names of the parties, the amount of the allotment transferred, and the week thereof.

(f) Any handler to whom freeze damage allotment is issued and who desires transfer of freeze damage allotment from or to other such handlers within another prorate district shall so notify the committee in person, by telephone, or telegram, or in writing by 12 m. Wednesday



of the week for which the allotment was issued, or by 12 m. of the preceding day if Wednesday is a legal holiday. The committee shall endeavor to effect a transfer of allotment and shall confirm each such transfer to the handlers involved. In the event the total amount of the allotment available for transfer is less than the total amount requested, the committee shall transfer the available allotment to the requesting handlers proportionately as provided in paragraph (d) of this section.

#### § 907.139 [Amended]

11. In § 907.139 *Conversion factors*, delete "40" from the second sentence and insert "37½" in lieu thereof.

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposed amendment shall file the same, in quadruplicate, with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than the 10th day after publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Dated: October 7, 1969.

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

[P.R. Doc. 69-12152; Filed, Oct. 9, 1969; 8:48 a.m.]

#### [7 CFR Part 953]

### IRISH POTATOES GROWN IN SOUTHEASTERN STATES

#### Notice of Proposed Change in Date for Completing Nominations, Term of Office and Fiscal Period

Consideration is being given to the approval of proposed rules as hereinafter set forth which were recommended by the Southeastern Potato Committee established pursuant to Marketing Agreement No. 104 and Marketing Order No. 953, both as amended (7 CFR Part 953).

This marketing order program regulates the handling of Irish potatoes grown in designated counties in Virginia and North Carolina, and is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

All persons who desire to submit written data, views, or arguments in connection with this proposal shall file the same in quadruplicate with the Hearing Clerk, Room 112-A, U.S. Department of Agriculture, Washington, D.C. 20250, not later than October 20. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

*Statement of considerations.* The order provides in § 953.18(c) that the Secretary, if he finds that September 15 is not a satisfactory date for submitting names of nominees to him, may specify some other more satisfactory date.

The present submission date falls at an inappropriate time. It is difficult for producers and handlers to attend nomination meetings because they are busy harvesting and marketing other crops. By shifting the date specified for submitting the names of nominees to January 31 the nomination meetings could be held when farm operations are less pressing. Also, they could then be combined with other annual industry meetings. This should result in larger turnouts at nomination meetings and in electing nominees who are more representative of the industry.

The new date would still provide adequate time for the new nominees to be appointed by the Secretary and take all necessary committee actions in advance of the shipping season which begins on or about June 5.

This change in the date for submitting names of nominees to the Secretary necessitates a corresponding change in the term of office. The term of office as herein provided would be April 1 through March 31 of the following year. This more properly corresponds with the shipping season.

The fiscal period as proposed herein corresponds with the change in the term of office for committee members. Having the fiscal period begin as near as practical to the beginning of the shipping season should enable the committee to do a better job of planning its budget and operations for the season.

The recommended decision for the amended order found that the November 1 beginning date of the fiscal year did not occur at an appropriate time in relation to the harvest season. It began about 7 months before the shipping season. Operating for 7 months without any income can result in financial problems for the committee.

Also, the order required that the committee meet and set a budget and rate of assessment at the beginning of the fiscal year. On November 1, the committee does not have any real basis to do this as the next season's potatoes have not even been planted and they do not know the quantity of assessable potatoes which will be handled. Therefore, it is proposed that the beginning and ending dates of the fiscal period be established as hereinafter set forth.

The proposals are as follows:

#### § 953.120 Nomination date.

The names of committee nominees shall be supplied to the Secretary in such manner and form as he may prescribe, pursuant to § 953.18, not later than January 31 of each year.

#### § 953.121 Term of office.

The term of office, pursuant to § 953.16, which began November 1, 1968, shall end March 31, 1970. Thereafter, each term of office shall begin April 1 of each year

and end March 31 of the following year, both dates inclusive.

#### § 953.122 Fiscal period.

The fiscal period, pursuant to § 953.9, which began November 1, 1968, shall end March 31, 1970. Thereafter, each fiscal period shall begin April 1 of each year and end March 31 of the following year, both dates inclusive.

Dated: October 7, 1969.

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

[P.R. Doc. 69-12120; Filed, Oct. 9, 1969; 8:46 a.m.]

#### [7 CFR Part 1133]

[Docket No. AO-275-A20]

### MILK IN INLAND EMPIRE MARKETING AREA

#### Notice of Recommended Decision and Opportunity To File Written Exceptions on Proposed Amendments to Tentative Marketing Agreement and to Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of the filing with the Hearing Clerk of this recommended decision with respect to proposed amendments to the tentative marketing agreement and order regulating the handling of milk in the Inland Empire marketing area. Interested parties may file written exceptions to this decision with the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C. 20250, by the 15th day after publication of this decision in the FEDERAL REGISTER. The exceptions should be filed in quadruplicate. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

*Preliminary statement.* The hearing on the record of which the proposed amendments, as hereinafter set forth, to the tentative marketing agreement and to the order as amended, were formulated, was conducted at Spokane, Wash., on July 9, 1969, pursuant to notice thereof which was issued June 26, 1969 (34 F.R. 1147).

The material issues on the record of the hearing relate to:

1. Pool plant qualifications;
2. Elimination of supply-demand adjuster;
3. Clarification of the Class II milk definition; and
4. Partial payments to producers.

*Findings and conclusions.* The following findings and conclusions on the material issues are based on evidence



presented at the hearing and the record thereof:

1. *Pool plant qualifications.* The "in-area" route disposition requirement for a pool distributing plant should be the lesser of 15 percent of its Grade A receipts during the month or 150,000 pounds.

A plant that disposes of 15 percent of its Grade A receipts or 150,000 pounds of Class I milk on routes in the marketing area during the month is sufficiently associated with the regulated market to be a competitive influence on fully regulated handlers. Accordingly, such a plant should be fully regulated on the same terms and conditions as are binding on fully regulated handlers.

The order now provides that a plant must have Class I distribution in the marketing area during the month of at least 20 percent of its Grade A receipts or 250,000 pounds. In addition, the plant must dispose of during the month at least 40 percent (50 percent in September-November) of its receipts on routes (both inside and outside the marketing area). There was no proposal to change the latter requirement.

Two cooperatives representing most of the producers on the market proposed reducing the in-area disposition requirement for pooling to "the lesser of 100,000 pounds or 10 percent" (from "the lesser of 250,000 or 20 percent").

In support of their position to revise the qualifications for pool distributing plants, producers stated that the Class I distribution in the marketing area from nonpool plants had increased in recent years. They noted particularly that such sales from nonpool plants were 0.79 percent of the 10.6 million pounds of Class I milk sold by pool handlers in May 1967 and that such sales from nonpool plants increased to 1.66 percent of the 10.2 million pounds of Class I milk sold by pool handlers in July 1968.

Three partially regulated distributing plants sell in the marketing area. About 70 percent of these Class I sales is from a plant in Missoula, Mont. No testimony was presented relative to the operations of the other two partially regulated plants.

The Missoula plant has been a partially regulated plant under the order since March 1962 when the marketing area was expanded to include Shoshone and Kootenai Counties in Idaho. Its present marketing area sales are currently confined to this Idaho portion of the marketing area. The principal sales area of the plant is in Montana. In the 2-year period, June 1967 to May 1969, the plant's average monthly sales in the Inland Empire marketing area were 106,000 pounds, representing 3.6 percent of the total quantity of milk handled in the Missoula plant.

The proportion of Class I sales in the marketing area from all nonpool plants still remains relatively small. There has been no substantial change in the level of such sales within the past 2 years. In the 2-year period of June 1967 to May 1969, such sales averaged 153,000 pounds monthly and were 1.41 percent of the average monthly Class I sales of 10.9

million pounds of producer milk for the same period. The most significant change in that period was from May to June 1967, when a nonpool handler obtained a chain store account in the marketing area in the latter month. The total Class I sales from nonpool plants in the marketing area increased from 84,000 pounds in May 1967 to 115,000 pounds in June 1967 to 163,000 pounds in December of the same year. In May 1969, the most recent month in which data are available, the total Class I distribution in the marketing area from nonpool plants was 150,000 pounds.

The Missoula handler opposed the in-area pooling qualifications proposed by producers (the lesser of 10 percent of Grade A receipts or 100,000 pounds). Based on his present sales in the marketing area, adoption of the producer proposal would result in fully regulating the Missoula plant as a pool plant unless the handler discontinued some of his sales in the marketing area to retain his partially regulated distributing plant status. The handler stated that if such plant became a pool plant under the order, he would be disadvantaged competitively because his principal sales territory is in Montana where he must compete with an entirely different group of distributors under substantially different marketing conditions.

The purpose of a minimum in-area route disposition requirement to qualify a distributing plant for pooling has been discussed in previous decisions on this order. It is to assure that, to be pooled, a plant must be associated with the market in a significant and regular manner. Otherwise, dairy farmers and handlers who ordinarily have no affiliation with the market could casually or incidentally associate themselves with the market only when it was to their advantage to do so and thus share unwarrantedly in the Class I proceeds of the market. On the other hand, if a plant is associated regularly and in a significant manner, the market equalization plan should be applicable to insure uniform pricing.

Proponents' proposal could have one of two results, either to pool all milk at the Missoula plant or to cause such plant to reduce sales in the marketing area to avoid pooling. Neither result is appropriate. The marketing area sales of this plant and other nonpool plants presently are minor and do not warrant extension of pooling to such operations. In view of the fact that the Missoula plant obtained its marketing area sales under the present provisions and over a substantial period of time, it likewise would not be reasonable now to require such plant to reduce its in-area sales to avoid pooling on all its Class I milk, including Montana sales.

Consequently, the minimum requirements for pooling should not be reduced to the extent proposed by proponents. However, the substitution of partially regulated milk for producer milk to the extent allowed by the present provisions could have, in a market of this size, significant adverse effect on the uniform price to regular producers. This pos-

sibility should be avoided. It is reasonable, therefore, to reduce the minimum requirements for pooling to the Class I sales on routes in the marketing area of 15 percent of a plant's Grade A milk receipts, or not less than 150,000 pounds.

Since the quantity of milk that a partially regulated handler distributes in the marketing area without becoming a fully regulated plant (as herein provided) is limited, he may not increase appreciably his sales in the marketing area at the expense of fully regulated handlers and their producers. Moreover, the order contains provisions to insure that for Class I milk distributed within the marketing area the partially regulated handler must pay an amount which approximates its value at the order Class I price. Consequently, the integrity of the regulation is maintained. At the same time a partially regulated handler, such as the Missoula handler, may continue to compete on the same terms as his main competitors in the area where most of his business is conducted and where such terms differ substantially from those prevailing in the regulated marketing area. There was no showing on the record that the Missoula plant, which is more than 200 miles from Spokane, the principal city in the marketing area, presently has an advantage over fully regulated handlers on its limited sales in the marketing area.

2. *Elimination of supply-demand adjutor.* The supply-demand adjustment provisions should be deleted from the order. As a corollary change, the Class I differential should be adjusted to maintain the Class I price level that has been effective under the order.

The order now provides that the Class I price shall be adjusted monthly to reflect changes in the supply of milk in the market relative to fluid milk sales. When milk supplies are more than adequate in relation to Class I sales, the Class I price is reduced. Conversely, when supplies are less than adequate relative to sales, the Class I price is increased.

In the 24-month period of July 1967 through June 1969, the supply-demand adjustment averaged minus 15 cents. It ranged from a low of minus 6 cents in November 1967 to minus 28 cents in January 1969. The minus 15-cent adjustment that prevailed in the most recent 24-month period approximates the average monthly supply-demand adjustment under the order in the previous several years.

The two principal cooperatives in the market proposed that the supply-demand adjutor be discontinued. There was no opposition to the proposal.

Producers contended that the supply-demand provisions are no longer suitable under current conditions in the market. They cited particularly that the adjustments to the Class I price resulting from the supply-demand adjutor are no longer seasonally appropriate.

The monthly stated standard utilization percentages, or "norms", are designed to reflect the normal or desired relationship of producer deliveries to Class I sales. If the seasonal supply-demand relationship of the market shifts



and is no longer accurately reflected by the norms, a seasonal bias is injected into the computation of the supply-demand adjustment. Supply-demand adjustments can then result which are seasonally inappropriate. Such a change in seasonality has occurred with respect to the relationship of producer milk to Class I sales in the Inland Empire market. For example, adjustments to the Class I price for the months of January, February, and March 1969 averaged minus 25 cents; for the seasonally high production months of April, May, and June of the same year, the average adjustment was minus 16 cents.

Discontinuing the supply-demand adjuster not only will eliminate the inappropriate contraseasonal Class I price adjustments which have occurred, but also will enable the seasonal incentive plan provided in the order to have maximum effect in inducing more even deliveries throughout the year as intended by such provisions. Such seasonal incentive plan is aimed at discouraging production during the spring months when the supply of milk is highest relative to demand and to encourage production during the fall months when production is lowest relative to demand.

The Class I price level which has prevailed under the order in recent months has obtained an adequate total supply of milk for the Inland Empire market. In 1968, the Class I utilization of producer deliveries ranged from a low of 56 percent in June to a high of 71 percent in January; the average for the year was 65 percent. For the 5-year period, 1964 through 1968, the Class I utilization of producer milk averaged 67 percent. In addition, the Class I price should be maintained in close alignment with the Class I prices under other orders to provide a reasonable basis for intermarket competition and to minimize uneconomic shifting of producers between markets.

It is concluded the Class I price applicable under the Inland Empire order in recent years has been reasonably aligned with the Class I prices in nearby markets and has maintained an adequate but not burdensome supply of milk for the market.

The Class I price therefore should be maintained at the average level which has been effective in the market in recent months. This may be accomplished by reducing the stated Class I differential 15 cents to reflect the average supply-demand adjustment of minus 15 cents that has prevailed.

3. *Class II milk.* The Class II milk definition and related allocation provisions should be clarified as to the appropriate classification treatment of other source milk used to produce Class II milk products.

A handler proposed that the order be made more explicit concerning applicability of the classification provisions to other source milk reprocessed or converted for use in a Class II product. The purpose of the proposal is to insure, in effect, that the skim milk represented by any nonfluid milk product (e.g., nonfat dry milk) used to produce a Class II product (e.g., ice cream mix) will be deducted directly from Class II in the

allocation procedure to determine the appropriate classification of producer milk.

The order is now silent regarding the allocation of skim milk and butterfat represented by a nonfluid milk product used to produce a Class II product. Because of this, some such skim milk is allocated to a handler's Class III utilization and consequently results in allocating to Class II an equal amount of producer milk.

It is intended that only fluid milk products derived from producer milk and utilized in Class II milk shall be so classified for the purpose of applying the order's minimum prices. Specifying a Class II classification for all skim milk and butterfat used to produce a Class II product but deducting, in allocation, any other source milk so used directly from the handler's Class II uses, as herein proposed, will insure appropriate application of the pricing provisions.

4. *Partial payment to producers.* The order provides that handlers shall make an "advance payment" to producers before the end of the month for milk delivered during the first 15 days of the month at not less than the Class III price for the preceding month. The amount thus paid is deducted from the total amount due producers when completing payment in the following month for their total month's deliveries.

The payment made on the basis of milk delivered in the first 15 days of the month is, in fact, a partial payment for the milk delivered during this 15-day period. "Partial payment", the term which is most commonly used in the various orders in designating such payments, is more descriptive of this type of payment and should replace the term "advance payment" that is now used in the Inland Empire order.

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

*General findings.* The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) The tentative marketing agreement and the order, as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(b) The parity prices of milk as determined pursuant to section 2 of the Act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the proposed marketing agreement and the order, as hereby proposed to be amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The tentative marketing agreement and the order, as hereby proposed to be amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

*Recommended marketing agreement and order amending the order.* The following order amending the order as amended regulating the handling of milk in the Inland Empire marketing area is recommended as the detailed and appropriate means by which the foregoing conclusions may be carried out. The recommended marketing agreement is not included in this decision because the regulatory provisions thereof would be the same as those contained in the order, as hereby proposed to be amended:

#### § 1133.8 [Amended]

1. In § 1133.8(a)(1), "the lesser of 250,000 pounds or 20 percent" is changed to "the lesser of 150,000 pounds or 15 percent."

2. Section 1133.13(b) is revised as follows:

#### § 1133.13 Other source milk.

(b) Products, other than fluid milk products, from any source (including those processed at the plant) which are reprocessed in connection with, or converted to, another product in the plant during the month, and any disappearance during the month of nonfluid milk products not otherwise accounted for.

3. Section 1133.41(b) is revised as follows:

#### § 1133.41 Classes of utilization.

(b) *Class II milk.* Class II milk shall be all skim milk and butterfat used to produce ice cream, ice cream mix, frozen deserts, cocoa mixes and cottage, pot and bakers' cheese; and

4. In § 1133.46(a), a new subparagraph (2a) is added and subparagraph (3) (i) is revised as follows:

#### § 1133.46 Allocation of skim milk and butterfat classified.

(a) . . .

(2a) Subtract from the total pounds of skim milk in Class II the pounds of skim milk in products other than fluid milk products that are used (directly or as a reconstituted fluid milk product) to produce Class II products;



(3) \* \* \*

(i) Other source milk (that was not subtracted pursuant to subparagraph (2a) of this paragraph) in a form other than that of a fluid milk product;

5. In § 1133.51, paragraph (d) is revoked and paragraph (a) is revised as follows:

§ 1133.51 Class prices.

(a) *Class I milk price.* For each month the price for Class I milk shall be the basic formula price for the preceding month plus \$1.75 and plus 20 cents.

(d) [Revoked]

§ 1133.80 [Amended]

6. In § 1133.80(a), the word "advance" is changed to "partial".

7. In § 1133.80(d) (1), the word "advance" is changed to "partial".

Signed at Washington, D.C., on October 6, 1969.

JOHN C. BLUM,  
Deputy Administrator,  
Regulatory Programs.

[F.R. Doc. 69-12121; Filed, Oct. 9, 1969;  
8:46 a.m.]

## INTERSTATE COMMERCE COMMISSION

[ 49 CFR Part 1056 ]

[Ex Parte No. MC-19 (Sub-No. 8) ]

### PRACTICES OF MOTOR COMMON CARRIERS OF HOUSEHOLD GOODS

#### Notice of Extension of Time for Filing Statements

OCTOBER 6, 1969.

At the request of interested persons the time for filing initial statements in the above-entitled proceeding has been extended to November 10, 1969. Replies thereto will be due on or before December 10, 1969.

By the Commission.

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

[F.R. Doc. 69-12138; Filed, Oct. 9, 1969;  
8:47 a.m.]



# Notices

## DEPARTMENT OF THE TREASURY

### Office of Foreign Assets Control CHINESE TYPE FOODSTUFFS

#### Importation Directly From Taiwan (Formosa); Available Certifications

Notice is hereby given that certificates of origin issued by the Ministry of Economic Affairs of the Government of the Republic of China under procedures agreed upon between that government and the Office of Foreign Assets Control in connection with the Foreign Assets Control Regulations are now available with respect to the importation into the United States directly, or on a through bill of lading, from Taiwan (Formosa) of the following commodities:

Almond pudding.  
Green bean pudding (Dow-Saah).  
Edible fungus, dried.  
Bitter melon, stuffed (Young-Foo-Gwaah).  
Sweet rice, flavored (Hor-Yeh-Fan).  
Hot and Sour soup, canned.  
Winter melon soup, canned.  
Chinese white squash (Doong-Gwaah-Yung).  
Water chestnut jelly.

[SEAL] MARGARET W. SCHWARTZ,  
Director,  
Office of Foreign Assets Control.

[F.R. Doc. 69-12146; Filed, Oct. 9, 1969;  
8:48 a.m.]

## DEPARTMENT OF THE INTERIOR

### Bureau of Indian Affairs

#### ISLETA RESERVATION, N. MEX.

#### Ordinance Legalizing Introduction, Sale, or Possession of Intoxicants

OCTOBER 6, 1969.

In accordance with authority delegated by the Secretary of the Interior to the Commissioner of Indian Affairs by 230 DM 2, and in accordance with the Act of August 15, 1953, Public Law 277, 83d Congress, first session (67 Stat. 586), I certify that the following ordinance relating to the application of the Federal Indian Liquor Laws on the Isleta Indian Reservation, N. Mex., was adopted on June 18, 1969, by the Tribal Council of the Pueblo of Isleta, which has jurisdiction over the area of Indian country included in the ordinance, reading as follows:

Whereas, Public Law 277, 83d Congress, approved August 15, 1953, provides that sections 1154, 1156, 3113, 3488, and 3618 of title 18, United States Code, commonly referred to as the Federal Indian Liquor Laws, shall not apply to any act or transaction within any area of Indian country provided such act or transaction is in conformity with both the laws of the State in which such act or transaction occurs and with an ordinance duly adopted by the Tribe having jurisdic-

tion over such area of Indian country, certified by the Secretary of the Interior, and published in the FEDERAL REGISTER, and

Whereas, the Tribal Council requests the introduction, sale, or possession of intoxicating beverages shall be lawful within the lands under the jurisdiction of the Isleta Pueblo Tribe, and further, that such introduction, sale, or possession be in conformity with the laws of New Mexico, and provided that the Pueblo of Isleta shall be the owner of any liquor license located within the Pueblo of Isleta.

Therefore, be it enacted by the Isleta Pueblo Council that said introduction, sale, or possession of intoxicating beverages shall be lawful within the Indian country under the jurisdiction of the Isleta Pueblo Tribe of the Isleta Pueblo Reservation: *Provided*, That such introduction, sale or possession is in conformity with the laws of New Mexico and further provided that the Pueblo of Isleta shall be the owner of any liquor license located within the Pueblo of Isleta.

Be it further enacted that any tribal laws, resolution, or ordinances heretofore enacted which prohibit the sale, introduction, or possession of intoxicating beverages are hereby repealed.

Be it further enacted that this ordinance shall be effective at such time as it is certified by the Secretary of the Interior and duly published in the FEDERAL REGISTER, as required by law.

T. W. Taylor,  
Acting Commissioner  
of Indian Affairs.

[F.R. Doc. 69-12115; Filed, Oct. 9, 1969;  
8:45 a.m.]

### Bureau of Land Management

#### MICHIGAN

#### Notice of Proposed Withdrawal and Reservation of Lands

The Forest Service, Department of Agriculture, has filed application BLM 062905, for the withdrawal of the lands described below for addition to the Hiawatha National Forest, Mich.:

MICHIGAN MERIDIAN, MICHIGAN

T. 42 N., R. 21 W., Delta County,  
Sec. 18, E½ SE¼;  
Sec. 21, W½ SE¼;  
Sec. 28, NW¼ SW¼.

Containing an aggregate of 200 acres.

For a period of 30 days from the date of publication of this notice all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Eastern States Land Office, Bureau of Land Management, Department of the Interior, 7981 Eastern Avenue, Silver Spring, Md. 20910.

The Department's regulations, 43 CFR 2311.1-3(c) provide that the authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands

and their resources. The officer will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, to eliminate lands needed for purposes more essential than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

The authorized officer will also prepare a report for consideration of the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the applicant agency.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

DORIS A. KOIVULA,  
Manager.

OCTOBER 6, 1969.

[F.R. Doc. 69-12122; Filed, Oct. 9, 1969;  
8:46 a.m.]

#### MICHIGAN

#### Notice of Proposed Withdrawal and Reservation of Lands

OCTOBER 6, 1969.

The Forest Service, Department of Agriculture, has filed application BLM 059707, for the withdrawal of the lands described below for addition to the Hiawatha National Forest, Chippewa County, Mich.:

MICHIGAN MERIDIAN, MICHIGAN

T. 47 N., R. 4 W., Chippewa County,  
Sec. 25, lot 2;  
Sec. 26, lots 4, 5, 6, and 7.

Containing an aggregate of 123.30 acres.

For a period of 30 days from the date of publication of this notice all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Eastern States Land Office, Bureau of Land Management, Department of the Interior, 7981 Eastern Avenue, Silver Spring, Md. 20910.

The Department's regulations, 43 CFR 2311.1-3(c) provide that the authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. The officer will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for



purposes other than the applicant's, to eliminate lands needed for purposes more essential than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

The authorized officer will also prepare a report for consideration of the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the applicant agency.

The determination of the Secretary on the application will be published in the *FEDERAL REGISTER*. A separate notice will be sent to each interested party of record.

If circumstances warrant, a public hearing will be held at a convenient time and place, which will be announced.

DORIS A. KOIVULA,  
Manager.

OCTOBER 6, 1969.

[P.R. Doc. 69-12123; Filed, Oct. 9, 1969;  
8:45 a.m.]

### Bureau of Mines

#### SAFETY RESEARCH CENTER

#### Various Bureau of Mines' Schedules and Change in Name of Bureau Organization

On July 1, 1969, the former Explosives Research Center and the former Health and Safety Research and Testing Center were combined into a newly created Safety Research Center. This new Center will grant approvals and certifications of electrical-mechanical mining equipment, diesel mining equipment, dust collectors, hydraulic fluids, explosives, stemming devices, blasting devices, and respirators.

All applications and any other communication for tests under the schedules listed below should be addressed to the U.S. Bureau of Mines, Safety Research Center, 4800 Forbes Avenue, Pittsburgh, Pa. 15213, Attention: Approval and Testing.

#### INDEX

- Schedule 1H.... Explosives and Related Articles.
- Schedule 2G.... Electric Motor-Driven Mine Equipment and Accessories.
- Schedule 6D.... Electrical Equipment, Lamps, Methane Detectors; Electric Cap Lamps.
- Schedule 7C.... Flame Safety Lamps.
- Schedule 8C.... Portable Methane Detectors.
- Schedule 9B.... Electrical Equipment, Lamps, Methane Detectors; Telephone and Signal Devices.
- Schedule 10C.... Electric Mine Lamps other than Standard Cap Lamps.
- Schedule 12D.... Single-Shot Blasting Units.
- Schedule 13E.... Self-Contained Breathing Apparatus.
- Schedule 14F.... Respiratory Protective Apparatus.
- Schedule 16E.... Multiple-Shot Blasting Units.
- Schedule 19B.... Respiratory Protective Apparatus; Supplied-Air Respirators.
- Schedule 21B.... Filter-Type Dust, Fume, and Mist Respirators.

- Schedule 22.... Mechanical Equipment for Mines; Diesel Mine Locomotives.
- Schedule 23.... Respiratory Protective Apparatus; Nonemergency Gas Respirators.
- Schedule 24.... Mobile Diesel Powered Equipment for Non-Coal Mines.
- Schedule 25B.... Dust Collectors for Use in Connection with Rock Drilling in Coal Mines.
- Schedule 26A.... Explosives and Related Articles; Blasting Devices.
- Schedule 27B.... Explosives and Related Articles; Stemming Devices.
- Schedule 28.... Mechanical Equipment for Mines; Fire Resistant Conveyor Belts.
- Schedule 30.... Mechanical Equipment for Mines; Fire Resistant Hydraulic Fluids.
- Schedule 31.... Mobile Diesel-Powered Transportation Equipment for Gassy Non-Coal Mines and Tunnels.
- Schedule 32.... Electrical Equipment, Lamps, Methane Monitoring Systems.

JOHN F. O'LEARY,  
Director, Bureau of Mines.

[P.R. Doc. 69-12116; Filed, Oct. 9, 1969;  
8:45 a.m.]

## DEPARTMENT OF COMMERCE

### Business and Defense Services Administration

#### BRANDEIS UNIVERSITY

#### Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 69-00529-33-46040. Applicant: Brandeis University, Laboratory Supplies and Services, South Street, Waltham, Mass. 02154. Article: Electron microscope, Model EM 300. Manufacturer: Philips Electronics, N.V.D., The Netherlands. Intended use of article: The article will be used by qualified individuals in the Graduate Department of Biochemistry and the Bio-Medical Research Institute in research concerned with the motility apparatuses of cells and organs; muscles, the mitotic apparatus, and flagella. These diverse structures achieve movement by certain common mechanisms. All involve at least two major proteins, which appear to be similar in all three contractile systems. Comments: No comments have been received with respect to this application. Decision: Ap-

plication approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: The foreign article provides a variable magnification range from 220 to 500,000 magnifications, without the need to change pole pieces or realignment of the lens system. In the course of conducting experiments with biological materials, the applicant requires accurate micrographs of the specimens taken at low and intermediate magnifications. The most closely comparable domestic instrument is the Model EMU-4B electron microscope, which is currently manufactured by the Forgiro Corp. (Forgiro) but, at the time the applicant ordered the foreign article, was being manufactured by the Radio Corp. of America (RCA). The RCA specification for the Model EMU-4B (SI-103A, dated July 1, 1968) stipulates a variable range from 1,400 to 240,000 magnifications. But, RCA further stipulates the replacement of the regular pole piece with a special wide, bore long focal length pole piece, which provides a variable magnification range from 500 to 70,000 magnifications. The foreign article, however, provides a continuous change in magnifications without the need to change pole pieces.

We are advised by the Department of Health, Education, and Welfare (HEW) (memorandum dated June 25, 1969), the capability of continuous magnification without changing pole pieces and thus avoiding the breaking of the vacuum (which induces specimen contamination) is pertinent to the purposes for which the foreign article is intended to be used.

For this reason, we find that the RCA Model EMU-4B is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, which is being manufactured in the United States.

CHARLEY M. DENTON,  
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[P.R. Doc. 69-12105; Filed, Oct. 9, 1969;  
8:45 a.m.]

## RESEARCH FOUNDATION OF STATE UNIVERSITY OF NEW YORK ET AL.

#### Notice of Applications for Duty-Free Entry of Scientific Articles

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to section 6 (c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of



equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Scientific Instrument Evaluation Division, Business and Defense Services Administration, Washington, D.C. 20230, within 20 calendar days after date on which this notice of application is published in the *FEDERAL REGISTER*.

Regulations issued under cited Act, published in the February 4, 1967, issue of the *FEDERAL REGISTER*, prescribe the requirements applicable to comments.

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 70-00167-33-46040. Applicant: The Research Foundation of State University of New York, Department of Anatomy, SUNY-Upstate Medical Center, 766 Irving Avenue, Syracuse, N.Y. 13210. Article: Electron microscope, Model Elmiskop 101. Manufacturer: Siemens AG, West Germany. Intended use of article: The article will be used for the continuation and extension of studies dealing with avian tumor viruses. The contemplated studies are as follows:

1. Conjugated antibody studies;
2. Relationship of group-specific antigens to viral structure;
3. Ultrastructure studies of avian leukosis virus.

Application received by Commissioner of Customs: September 5, 1969.

Docket No. 70-00168-33-46500. Applicant: City of Hope Medical Center, 1500 East Duarte Road, Duarte, Calif. 91010. Article: Ultramicrotome, Model LKB 8800A Ultratome III. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article will be used in producing ultrathin sections for the study of the morphology of tumor cells under the influence of chemotherapeutic agents. Tumor cells are studied at the various intervals after injection of chemicals. It is mandatory in the preparation of these tumor cells that ultrathin sections be cut in long series and of exacting thickness throughout. These sections should be easily varied by the operator so that he can choose the correct thickness for maximum information relevant to each particular cell or tissue. Application received by Commissioner of Customs: September 5, 1969.

Docket No. 70-00169-33-46500. Applicant: University of Southern California School of Medicine, 2025 Zonal Avenue, Los Angeles, Calif. 90033. Article: Ultramicrotome, Model LKB 8800A Ultratome III. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article will be used by several investigators to section a variety of types of animal and human tissues for electron microscopic examination. The primary use will be for study of nervous tissue in a study of disease of the nervous system. In addition it will be used to section tissues of the reticuloendothelial and respiratory

systems. In all instances there is a need for extremely thin sections to determine the relationships between the cellular and subcellular components. In the study of nervous tissue it is necessary that serial sections of equal thickness be prepared, and that the operator be able to vary the thickness of sections between 50 angstroms and 2 microns. Application received by Commissioner of Customs: September 5, 1969.

Docket No. 70-00170-01-07500. Applicant: University of Delaware, Newark, Del. 19711. Article: Microcalorimeter system with gold cells, Catalog No. 10700-2B. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article will be used to teach graduate students to do research in calorimetry. It will be used to measure the heats of dilution of solutions of alkali halides in *n*-methylacetamide. Application received by Commissioner of Customs: September 5, 1969.

Docket No. 70-00171-63-46500. Applicant: Herbert H. Lehman College (CCNY), Bedford Park Boulevard West, Bronx, N.Y. 10468. Article: Ultramicrotome, Model LKB 8800 Ultratome III. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article will be used to produce ultrathin sections for electron microscopic examination in connection with studies concerning blue-green algae. One of the problems currently in progress is the three dimensional reconstruction of certain inclusions. In order to accomplish this, long series of equal thickness serial sections must be cut. The thickness of these sections should be easily varied by the operator between the values of 50 angstroms and 2 microns. Application received by Commissioner of Customs: September 5, 1969.

Docket No. 70-00172-33-46500. Applicant: New York University Medical Center, Department of Cell Biology, 550 First Avenue, New York, N.Y. 10016. Article: Ultramicrotome, Model LKB 8800A Ultratome III. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article will be used to cut ultrathin sections for electron microscopic examination in connection with studies concerning a variety of tissues and organs, chiefly: Adrenal, testis, ovary, salivary glands, and skin. In some cases sections of cell fractions of these tissues will be required. Serial sections of equal thickness are necessary for such detailed study. The thickness of these serial sections should be able to be easily and rapidly varied by the operator between 50 angstroms to 2 microns. Application received by Commissioner of Customs: September 5, 1969.

Docket No. 70-00173-33-46040. Applicant: Magee-Women's Hospital, University of Pittsburgh Health Center, Pittsburgh, Pa. 15213. Article: Electron Microscope, Model EM 300 and accessories. Manufacturer: Philips Electronic Instruments, The Netherlands. Intended use of article: The article will be used for medical research and teaching in the Pathology Department. Current research projects include the following:

(1) Ultrastructural studies of normal and abnormal mammalian muscle spindles;

(2) Other studies of normal and diseased skeletal and heart muscle;

(3) Autoradiographic, immunohistochemical, and histochemical techniques applied to various endocrine cells and smooth muscle cells necessitate the use of unstained specimens;

(4) Studies on the applicability of ultrastructural techniques as an aid in the diagnosis of certain surgical pathology specimens.

Application received by Commissioner of Customs: September 5, 1969.

Docket No. 70-00174-00-46040. Applicant: The Johns Hopkins University, Purchasing Department, Baltimore, Md. 21218. Article: Accessories, electron microscope (valve with vacuumhose) (fifth control circuit) (guiding case). Manufacturer: Siemens AG, West Germany. Intended use of article: The article will be used to update an existing electron microscope purchased from Siemens. Application received by Commissioner of Customs: September 8, 1969.

CHARLEY M. DENTON,  
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 69-12106; Filed, Oct. 9, 1969; 8:45 a.m.]

## VETERANS ADMINISTRATION HOSPITAL, WASHINGTON, D.C., ET AL.

### Notice of Applications for Duty-Free Entry of Scientific Articles

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to section 6 (c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Scientific Instrument Evaluation Division, Business and Defense Services Administration, Washington, D.C. 20230, within 20 calendar days after the date on which this notice of application is published in the *FEDERAL REGISTER*.

Regulations issued under cited Act, published in the February 4, 1967, issue of the *FEDERAL REGISTER*, prescribe the requirements applicable to comments.

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 70-00159-33-46040. Applicant: Veterans Administration Hospital, 50 Irving Street NW., Washington, D.C.



30422. Article: Electron microscope, Model EM 801. Manufacturer: GEC-AEI Electronics Ltd., United Kingdom. Intended use of article: The article will be used to investigate ultrathin serial sections of central and peripheral nervous tissue and skeletal muscle fibers to identify synaptic terminals. The changes that may occur in these structures due to the effects of disease (malignancy, diabetes, alcoholism), anoxia, pharmacologic agents and atypical physiologic states will be studied. The instrument will be used to more precisely define and distinguish between primary neurogenic and primary muscle atrophy. Application received by Commissioner of Customs: August 28, 1969.

Docket No. 70-00160-33-46040. Applicant: Rhode Island Hospital, 593 Eddy Street, Providence, R.I. 02902. Article: Electron microscope, Model Elmiskop IA. Manufacturer: Siemens A.G. West Germany. Intended use of article: The article will be used to handle the varied research projects summarized below:

(a) General examination of pathologic specimens from patients (kidney biopsies in transplantation cases, viral examination from isolations performed by the bacteriology lab, etc.);

(b) Examination of hormonal effects in human mammary tissue in vitro;

(c) Study of ultrastructure of atypical lymphocytes in humans—correlation with morphologic, cytochemical studies on light microscopy level;

(d) Characterization of virus isolated from mice with spontaneous osteogenic sarcoma;

(e) Study of platelet ultrastructure in human thrombopathies—looking for organelle changes in relation to specific defects in coagulation;

(f) Study of abnormal lymphocytes in certain diseases comparing the ultrastructure of the material contained in "vacuoles" seen in light of microscopy to the known pattern of phospholipid membranes seen in brain tissue from patients.

Application received by Commissioner of Customs: August 28, 1969.

Docket No. 70-00161-33-46040. Applicant: The University of Texas M. D. Anderson Hospital and Tumor Institute at Houston, 6723 Bertner Drive, Houston, Tex. 77025. Article: Electron microscope, Model HS-8. Manufacturer: Hitachi, Ltd., Japan. Intended use of article: The article will be used for the following activities:

1. Training electron microscope technicians in a new biological ultrastructure program in the Graduate School of Biomedical Sciences at Houston;

2. Training predoctoral and postdoctoral fellows in the Biology Department;

3. Student research programs requiring electron microscopy;

4. Staff research programs in biological ultrastructure.

Application received by Commissioner of Customs: August 28, 1969.

Docket No. 70-00162-85-46060. Applicant: Massachusetts Institute of Tech-

nology, 77 Massachusetts Avenue, Cambridge, Mass. 02139. Article: Polarizing microscope, Model M70A. Manufacturer: Vickers Ltd., Vickers Instrument Division, U.K. Intended use of article: The article will be used for laboratory study of igneous and metamorphic rock-forming minerals with a petrographic microscope as part of a course in Petrology. This course involves the distribution, association, and origin of igneous and metamorphic rocks. The course content is matched with that of courses in Physical Geology, Historical Geology, Structural Geology, Mineralogy and Crystallography to give a rounded training in the fundamentals of geology. Application received by Commissioner of Customs: September 2, 1969.

Docket No. 70-00143-33-46040. Applicant: Duke University Medical Center, Durham, N.C. 27706. Article: Electron microscope, Model EM 300. Manufacturer: Philips Electronic Instruments, The Netherlands. Intended use of article: The article will be used for studies concerning viral assembly. These studies will concentrate on the RNA cancer viruses and on E. coli bacteriophage T4. The investigation will require ultra-high resolution electron microscopy of stained and unstained virus, and protein or lipoprotein subunit materials. For the RNA Avian tumor (cancer) viruses, the applicant will be attempting to elucidate: small structural differences (10-20 Å), on the outer envelope that may occur among various "antigenic types"; localization of different antigens on viral envelope by use of ferritin-conjugated antibodies; the capsomere substructure for various nucleocapsids. Application received by Commissioner of Customs: August 22, 1969.

Docket No. 70-00158-33-84100. Applicant: Ferris State College, School of Health Sciences and Arts, Big Rapids, Mich. 49307. Article: Teaching aid and plates, Opticart. Manufacturer: Adam, Rouilly & Co., Ltd., United Kingdom. Intended use of article: The article will be used for classroom and independent study of different medical subjects by a projected demonstration system based on the stroboscopic effect, thus creating movement on the plate being projected. Application received by Commissioner of Customs: August 28, 1969.

Docket No. 70-00163-33-46040. Applicant: Wagner College, 630 Howard Avenue, Staten Island, N.Y. 10301. Article: Electron microscope, Model HU-11E. Manufacturer: Hitachi, Ltd., Japan. Intended use of article: The article will be used for training and research. Training includes courses for laboratory technicians, graduate and undergraduate students as follow:

(a) Clinical Pathology (Bacteriology 71);

(b) Electron Microscopy (Bacteriology 220);

(c) Introductory Pathology (Bacteriology 17);

(d) Advanced Pathology (Bacteriology 202).

Student research involves projects on the cellular invasiveness of the microbe, *Listeria Monocytogenes*. In this investigation, guinea pig eyes are inoculated with *Listeria Monocytogenes* in an attempt to study the pathological processes involved. Other investigations planned will be concerned with the finer structures of specific bacteria and the intracellular multiplication of microbes within certain tissues of experimental animals, as well as in tissue culture. Application received by Commissioner of Customs: September 3, 1969.

Docket No. 70-00164-01-77030. Applicant: University of Maryland, 636 West Lombard Street, Baltimore, Md. 21201. Article: Nuclear magnetic resonance spectrometer, Model JNM-C-60HL. Manufacturer: Japan Electron Optics Laboratory Co., Japan. Intended use of article: The article will be used for routine structural studies of a wide variety of substances, as well as for routine analysis and structural determination of synthetic reaction products. It will also be used for instructions in both fundamental theory and applications in an undergraduate course in Pharmaceutical Analysis and in graduate courses: Instrumental Analysis, Synthetic Organic Chemistry, Spectroscopy and Advanced Analytical Chemistry. Miscellaneous uses include conformational studies of proteins; intermolecular hydrogen bonding between nucleoside base pairs in DNA; and enzyme kinetics. Application received by Commissioner of Customs: September 3, 1969.

Docket No. 70-00166-33-46500. Applicant: Mount Sinai Hospital School of Medicine, 10 East 102d Street, New York, N.Y. 10029. Article: Ultramicrotome, Model LKB 8800 Ultratome III. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article will be used to produce ultrathin sections for electron microscopic examination of nervous tissue, primarily the study of synaptology. Because the continuity between nervous tissue elements is of primary concern, there is a need for extremely thin sections to determine the specific relationship between these synapsing structures. Therefore, it is mandatory to cut long series of equal thickness serial section. These sections should be easily varied by the operator between the values of 50 angstroms and 2 microns. Application received by Commissioner of Customs: September 4, 1969.

CHARLEY M. DENTON,  
Assistant Administrator for In-  
dustry Operations, Business  
and Defense Services Admin-  
istration.

[F.R. Doc. 69-12107; Filed, Oct. 9, 1969;  
8:45 a.m.]

#### YALE UNIVERSITY

#### Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific



article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 69-00521-75-40600. Applicant: Yale University, Bureau of Purchases, 20 Ashmun Street, New Haven, Conn. 06520. Article: MP-Penning ion source. Manufacturer: Dr. E. Heinecke, Physics Department, University of Heidelberg, West Germany. Intended use of article: The article will be used as a source of negative ions at energies of approximately 20 to 80 Kev. in energy. These ions will then be injected into the Yale MP Tandem accelerator for further acceleration up to energies of 40 Mev. depending on the type of ion. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: The applicant intends to perform a broad program of nuclear reaction research, which will require a variety of negative ions at varying intensities. Some of the experiments to be performed require using a 1.5  $\mu$ A (microampere) current of negative lithium ions. The foreign article provides 18 different negative ions at intensities that vary from specie to specie from 0.2  $\mu$ A to 200  $\mu$ A. The article provides negative lithium ions at 1.5  $\mu$ A. This intensity of negative lithium ions is sufficient to induce measurable nuclear reactions in the energy range of 5 to 26 Mev. (million electron volts).

We are advised by the National Bureau of Standards (NBS), in its memorandum of July 8, 1969, that for the purposes for which the foreign article is intended to be used, the ability to supply a 1.5  $\mu$ A current of negative lithium ions is a pertinent characteristic of the article. NBS further advises, that the use of the very low current of negative lithium ions that can be provided by comparable domestic instruments such as the Diode Ion Source manufactured by High Voltage Engineering Corp. could result in failure of the applicant's experiment.

In addition, NBS advises, that it knows of no other instrument or apparatus of equivalent scientific value to the foreign article for such purposes as this article is intended to be used, which is being manufactured in the United States.

CHARLEY M. DENTON,  
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 69-12108; Filed, Oct. 9, 1969; 8:45 a.m.]

## Patent Office

### EXAMINATION OF PATENT APPLICATIONS ON COMPUTER PROGRAMS

#### Notice of Rescission of Guidelines

Notice regarding the adoption by the Patent Office of guidelines for the examination of patent applications on computer programs was published in the FEDERAL REGISTER of October 22, 1968 (33 F.R. 15609), and in the Official Gazette of the Patent Office of October 22, 1968 (855 O.G. 829).

In view of the decision by the U.S. Court of Customs and Patent Appeals in "In re Prater et al.," 162 USPQ 541, 866 O.G. 1034 (1969), the adopted guidelines are hereby rescinded, effective immediately. For the time being, adoption of new guidelines for the examination of patent applications is being deferred pending further judicial interpretation of the law on a case-by-case basis.

Consideration of "In re Prater et al.," has brought into question the advisability of issuing guidelines for the examination of patent applications on computer programs. Parties who desire to present their views, recommendations, or suggestions concerning such guidelines are invited to do so, by letter addressed to the Commissioner of Patents, Washington, D.C. 20231. Those parties who recommend the issuance of such guidelines are invited to submit comments concerning the proposed language of the guidelines.

WILLIAM E. SCHUYLER, Jr.,  
Commissioner of Patents.

Approved: October 3, 1969.

MYRON TRIBUS,  
Assistant Secretary for  
Science and Technology.

[F.R. Doc. 69-12194; Filed, Oct. 9, 1969; 8:48 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Coast Guard

[CGFR 69-108]

### EQUIPMENT, CONSTRUCTION, AND MATERIALS

#### Approval Notice

1. Certain laws and regulations (46 CFR Chapter I) require that various items of lifesaving, firefighting, and miscellaneous equipment, construction, and materials used on board vessels subject to Coast Guard inspection, on certain motorboats and other recreational vessels, and on the artificial islands and fixed structures on the outer Continental Shelf be of types approved by the Commandant, U.S. Coast Guard. The purpose of this document is to notify all interested persons that certain approvals have been granted as herein described during the period from August 18, 1969

to September 2, 1969 (List No. 24-69). These actions were taken in accordance with the procedures set forth in 46 CFR 2.75-1 to 2.75-50.

2. The statutory authority for equipment, construction, and material approvals is generally set forth in sections 367, 375, 390b, 416, 481, 489, 526p, and 1333 of title 46, United States Code, section 1333 of title 43, United States Code, and section 198 of title 50, United States Code. The Secretary of Transportation has delegated authority to the Commandant, U.S. Coast Guard with respect to these approvals (49 CFR 1.4(a) (2) and (g)). The specifications prescribed by the Commandant, U.S. Coast Guard for certain types of equipment, construction and materials are set forth in 46 CFR, Parts 160 to 164.

3. The approvals listed in this document shall be in effect for a period of 5 years from the date of issuance, unless sooner canceled or suspended by proper authority.

#### GAS MASKS, SELF-CONTAINED BREATHING APPARATUS, AND SUPPLIED-AIR RESPIRATORS, FOR MERCHANT VESSELS

Approval No. 160.011/27/2, Scott airpak, Model 6000-A2MS, self-contained one-half hour compressed air breathing apparatus, at least one extra fully charged cylinder of breathing air to be included as part of the complete unit, one instruction sheet form No. I-137, one instruction manual, Handbook No. H21-A, Bureau of Mines approval No. BM-130-08, Scott assembly dwg. No. 6000-A2MS, Rev. G dated December 13, 1962, E.O. No. 3087-003 dated December 19, 1963, manufactured by Scott Aviation Corp., Lancaster, N.Y. 14086, effective August 25, 1969. (It supersedes Approval No. 160.011/27/1 dated Dec. 10, 1964, to show change in construction.)

Approval No. 160.011/37/1, Scott airpak II, Model 900,000, self-contained one-half hour compressed air breathing apparatus, at least one extra fully charged cylinder of breathing air to be included as part of the complete unit, Bureau of Mines approval No. BM-13E-08, Scott assembly dwg. No. 900,000 dated May 28, 1964, E.O. No. 3136-120 dated April 14, 1969, E.O. No. 3136-090 dated October 11, 1968, instruction sheet 1-244A, December 1968, operations and maintenance instructions 1-311, manufactured by Scott Aviation Corp., Lancaster, N.Y. 14086, effective August 25, 1969. (It supersedes Approval No. 160.011/37/0 dated Jan. 29, 1965, to show change in construction.)

#### LINE-THROWING APPLIANCE, SHOULDER GUN TYPE (AND EQUIPMENT), FOR MERCHANT VESSELS

Approval No. 160.031/7/0, "Safety-Liner" shoulder gun type line-throwing appliance, dwg. Nos. LT-100 dated July 21, 1969, 2100 dated April 11, 1969, SK-445 dated March 6, 1969, LT-103 dated October 25, 1968, and LT-102 dated October 14, 1968, manufactured by Hall Ski-Lift Co., Inc., 753 West Main Street, Watertown, N.Y. 13601, effective August 18, 1969.



# MECHANICAL DISENGAGING APPARATUS, LIFEBOAT, FOR MERCHANT VESSELS

Approval No. 160.033/52/1, Type B-1, Rottmer type releasing gear, approved for maximum working load of 14,000 pounds per set (7,000 pounds per hook), identified by assembly dwg. No. M-125-13, Rev. F dated May 5, 1969, manufactured by Marine Safety Equipment Corp., Foot of Wycoff Road, Farmingdale, N.J. 07727, effective August 28, 1969. (It supersedes Approval No. 160.033/52/0 dated Apr. 22, 1965, to show change in address and construction.)

# BUOYANT CUSHIONS, UNICELLULAR PLASTIC FOAM

NOTE: Approved for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.

Approval No. 160.049/63/0, special approval for 23" x 13" x 2 1/2" rectangular, vinyl-dipped, unicellular plastic foam buoyant cushion, dwg. No. 5335-X, Rev. 1 dated August 14, 1964, manufactured by Goodenow Manufacturing, 1301 West 18th Street, Erie, Pa. 16501, effective August 20, 1969. (It is an extension of Approval No. 160.049/63/0 dated Sept. 28, 1964.)

# FIRE-PROTECTIVE SYSTEMS

Approval No. 161.002/9/1, supervised automatic and manual fire alarm system consisting of a control unit containing up to 40 zone modules (dwgs. 55-124, 55-125, 55-127), zone module assembly (dwg. 55-126) and battery charging panel, 5 amp (dwg. 55-129) or 10 amp (dwg. 55-128). This system is intended for use with two 24-volt storage batteries, one of which is on charge while the other is supplying the system, and bells, manual alarm stations, test stations, and thermostats approved by the U.S. Coast Guard, manufactured by Henschel Corp., Amesbury, Mass. 01913, effective August 27, 1969. (It supersedes Approval No. 161.002/9/0 dated Nov. 17, 1967.)

Approval No. 161.002/11/0, audible and visual supervised photoelectric optical smoke detection system, Model ES-2, one through 70 lines on main cabinet with wheelhouse annunciator, general testing labs report 3808 dated June 20, 1969, and report 3808-1 dated August 21, 1969, dwgs. 56086, 82458, 93336, 93353-93356, 93362, 93429, 93484, 93496, 97875-97900, 97930, 97932, 97943, 97946, 97995-98014, 98022-98024, 98035, 98036, 98042, 98043, 98050, 98073, 98079-98083, 98095, 98096, 98101, 98102, 98107, 98121, 98165-98179, 98181, 98182, 98184, 98185, 98187-98194, 98210-98214, 98217, 98225, 98226, 98231-98243, 98246-98248, 98267-98273, 98275-98277, 98294-98297, 98299-98314, 98319, 98321, 98343, 98349-98356, manufactured by Norris Industries, Fire and Safety Equipment Division, Post Office Box 2750, Newark, N.J. 07114, effective September 2, 1969.

# TELEPHONE SYSTEMS, SOUND-POWERED

Approval No. 161.005/38/2, sound-powered telephone station, desk type, with internal ringer, selective ringing, common talking, 2, 8, and 17 stations, dwg. No. 70-529-2, Alt. 0 dated October 10, 1964, for use in staterooms, offices,

chart room, radio room, etc., manufactured by Henschel Corp., Amesbury, Mass. 01913, effective August 20, 1969. (It is an extension of Approval No. 161.005/38/2 dated Nov. 24, 1964.)

# FLASHLIGHTS, ELECTRIC, HAND

Approval No. 161.008/13/0, N-36 watertight flashlight, Type I, size 2 (2-cell), Part No. N-36, each flashlight shall be plainly and permanently marked with the name of the manufacturer and the above part number, manufactured by Fulton Manufacturing, Division of Chromalloy American Corp., Wauseon, Ohio 43567, formerly Fulton Manufacturing Corp., effective August 25, 1969. (It is an extension of Approval No. 161.008/13/0 dated Aug. 25, 1964, and change of name of manufacturer.)

# BACKFIRE FLAME CONTROL, GASOLINE ENGINES; FLAME ARRESTERS; FOR MERCHANT VESSELS AND MOTORBOATS

Approval No. 162.041/93/1, Jet Motor Board carburetor backfire flame arrester assembly, Model JB1056, Jet Board Corp. dwg. No. JB1056, revision E dated July 14, 1969, manufactured by Jet Board Corp., 9255 Sunset Boulevard, Los Angeles, Calif. 90069, formerly Alpha Jet Industries, Inc., effective September 2, 1969. (It supersedes Approval No. 162.041/93/0 dated Aug. 4, 1966, to show design modifications, and change of name, and address of manufacturer.)

Dated: October 7, 1969.

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

[F.R. Doc. 69-12147; Filed, Oct. 9, 1969;  
8:48 a.m.]

# DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

## Food and Drug Administration

## HESS & CLARK

## Notice of Filing of Petition for Food Additive Diethylstilbestrol

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348 (b)(5)), notice is given that a petition (12-553V) has been filed by Hess & Clark, Division of Richardson-Merrell, Inc., Seventh and Orange Streets, Ashland, Ohio 44805, proposing that the food additive regulations (21 CFR Part 121) be amended to provide for the safe use in beef cattle of diethylstilbestrol administered by subcutaneous implant pellet at 30 milligrams per head in combination with diethylstilbestrol in feed at the rate of 10 milligrams per head per day for increased weight gain and improved feed efficiency.

Dated: October 2, 1969.

R. E. DUGGAN,  
Acting Associate Commissioner  
for Compliance.

[F.R. Doc. 69-12117; Filed, Oct. 9, 1969;  
8:45 a.m.]

# CIVIL AERONAUTICS BOARD

[Docket No. 21188]

## DEL MONTE CORP. ET AL.

## Notice of Proposed Approval

Application of Del Monte Corp. and Willis Shaw Frozen Express et al., for approval of control relationships under section 408 of the Act, Docket No. 21188.

Notice is hereby given, pursuant to the statutory requirements of section 408(b) of the Federal Aviation Act of 1958, as amended, that the undersigned intends to issue the order set forth below under delegated authority. Interested persons are hereby afforded a period of 15 days from the date of service within which to file comments or request a hearing with respect to the action proposed in the order.

Dated at Washington, D.C., October 7, 1969.

[SEAL] A. M. ANDREWS,  
Director,  
Bureau of Operating Rights.

## ORDER APPROVING CONTROL RELATIONSHIPS

Issued under delegated authority.  
Application of Del Monte Corp., Willis Shaw Frozen Express, et al. for approval of control relationships under section 408 of the Act; Docket 21188.

By application filed July 11, 1969, Del Monte Corp. (Del Monte), H. G. Prince & Co. (Prince), Willis Shaw Frozen Express (Shaw), Encinal Terminals, Inc. (Encinal), and Air Land Freight Consolidators, Inc. (Air Land), request approval, pursuant to section 408 of the Federal Aviation Act of 1958, as amended (The Act) of control relationships resulting from the acquisition by Prince, a wholly owned Del Monte subsidiary, of all the capital stock of Shaw.

Del Monte, whose principal business is the production of canned fruits and vegetables, is also involved in the ownership of several transportation enterprises. By Order 69-3-10, March 4, 1969, the Board approved, under section 408 of the Act, the acquisition of Air Land, a domestic and international air freight forwarder, by Encinal, a wholly owned Del Monte subsidiary, and approved the various control relationships among the inter-related Del Monte companies.

In addition the Board recently approved control relationships resulting from the acquisition by a wholly owned Del Monte subsidiary of Fairchild General Freight, Inc., and D & O Fairchild, Inc., both motor carriers holding limited interstate authority.<sup>1</sup>

Shaw is a specialized irregular route interstate surface carrier holding various authorities from the Interstate Commerce Commission, confined in the main to frozen and refrigerated foods and related products.<sup>2</sup>

<sup>1</sup> The purchase price is to be paid in stock of Del Monte and consummation of the transaction is subject to prior Board approval.

<sup>2</sup> Order 69-9-20, Sept. 3, 1969.

<sup>3</sup> According to the applicants, an "irregular route" authority is the type of grant utilized by the ICC to enable and require a carrier to provide what is essentially a "call on demand" service. As opposed to "regular route" authority, it does not permit regularly scheduled service between fixed terminals over established routes, nor may the carrier permit its operations to develop into "regular route" authority.



Shaw holds no general commodity authority.

The applicants state that no conflicts of interest are presented by the instant transaction and that no restraint of trade will result therefrom. In support thereof they assert that 80 percent of Shaw's freight by weight moves under refrigeration. Further, the type of products primarily transported by Shaw are not now and will not be in the foreseeable future susceptible to air transportation because of the high weights and contrasting low valuation of product per pound of its movements for particular shippers and also because of the fact that such shipments all move from door-to-door on the same vehicle without transfer to and from local pickup and delivery trucks.<sup>2</sup> They further state that none of the operations of any of the Del Monte related carrier companies can be operationally utilized in conjunction with Shaw's operations or be used for tacking purposes. Specifically they assert that Air Land's air freight forwarding operations cannot be, and will not be, utilized in conjunction with Shaw's service, nor would or could the specific operations of either be used to benefit the other, to the disadvantage of any competitor of Air Land or Shaw.<sup>3</sup>

No comments relative to the application or requests for a hearing have been received.

Notice of intent to dispose of the application without a hearing has been published in the FEDERAL REGISTER and a copy of such notice has been furnished by the Board to the Attorney General not later than 1 day following such publication, both in accordance with section 408(b) of the Act.

Upon consideration of the foregoing, it is concluded that the unified control of Shaw, on the one hand, and Air Land, on the other, by Del Monte is subject to section 408 of the Act.<sup>4</sup> However, it has been further concluded that such control relationships do not affect the control of an air carrier directly engaged in the operation of aircraft in air transportation, do not result in creating a monopoly and do not restrain competition. Furthermore, no person disclosing a substantial interest in the proceeding is currently requesting a hearing and it is concluded that the public interest does not require a hearing. The control relationships, involving a motor carrier holding limited and restricted interstate operating authority, are similar to others which have previously been approved by the Board.<sup>5</sup>

<sup>2</sup> Shaw has recently filed an application with the ICC for approval of its acquisition of certain of the properties of Bonney Motor Express Inc., which holds authority from the ICC to transport primarily frozen foods. Shaw is currently operating said properties under temporary authority granted by the ICC.

<sup>3</sup> The applicants assert those commodities transported by Shaw which are of sufficient valuation per pound to be economically adaptable to air transportation, are required, either by regulation or by their inherent nature, to be transported under refrigeration.

<sup>4</sup> In this connection the applicants state that Del Monte has not availed itself of Shaw's services in the past and does not contemplate so doing in the future.

<sup>5</sup> Air Freight Forwarder Authority Case, 9 CAB 473, 504 (1948).

<sup>6</sup> See for example Order 69-7-158, July 30, 1969 (Lazard Freres & Co. et al.); Order 69-3-10, Mar. 4, 1969 (Del Monte, Air Land, et al.); Orders 68-10-134, Oct. 25, 1968, and 68-11-61, Nov. 14, 1968 (Novo Industrial Corp. and Boss-Linco Lines); and Order 69-5-30, May 13, 1969 (Loomis Corp., et al.).

Shaw's fleet consists entirely of vehicles equipped with mechanical refrigeration and is designed to transport commodities which, because they most often require refrigeration and door-to-door shipment and because of their high weight and low valuation per pound, are not now, and apparently will not be in the foreseeable future, susceptible to air transportation. It therefore appears that approval of the control relationships would not be inconsistent with the public interest. However, should the general character of any motor carrier in the Del Monte system of subsidiary companies alter in any significant respect through expansion of operations, new issues would be raised which would require the filing of a further application in the matter.

Pursuant to authority duly delegated by the Board in the Board's regulations, 14 CFR 385.13, it is found that the foregoing control relationships should be approved under section 408(b) of the Act, without hearing.

Accordingly, it is ordered:  
1. That the control relationships described herein be and they hereby are approved; and  
2. That except to the extent granted herein, the application in Docket 21188 be and it hereby is dismissed.

Persons entitled to petition the Board for review of this order pursuant to the Board's regulations, 14 CFR 385.50, may file such petitions within 5 days after the date of service of this order.

This order shall be effective and become the action of the Civil Aeronautics Board upon expiration of the above period unless within such period a petition for review is filed, or the Board gives notice that it will review this order on its own motion.

[SEAL] HAROLD R. SANDERSON,  
Secretary.

[F.R. Doc. 69-12130; Filed, Oct. 9, 1969;  
8:47 a.m.]

[Docket No. 18650; Order 69-10-26]

## INTERNATIONAL AIR TRANSPORT ASSOCIATION

### Order Regarding Specific Commodity Rates

Issued under delegated authority October 6, 1969.

Agreement adopted by the Joint Conferences of the International Air Transport Association relating to specific commodity rates, Docket 18650, Agreement CAB 20745, R-99 through R-114.

By Order 69-9-117, dated September 19, 1969, action was deferred, with a view toward eventual approval, on certain resolutions adopted by the International Air Transport Association (IATA), relating to specific commodity rates. In deferring action on the agreement 10 days were granted in which interested persons might file petitions in support of or in opposition to the proposed action.

No petitions have been received within the filing period, and the tentative conclusions in Order 69-9-117 will herein be made final.

Accordingly, it is ordered, That:

Agreement CAB 20745, R-99 through R-114 be, and it hereby is, approved: *Provided*, That approval shall not constitute approval of the specific commodity descriptions contained therein for purposes of tariff publication.

This order will be published in the FEDERAL REGISTER.

[SEAL] HAROLD R. SANDERSON,  
Secretary.

[F.R. Doc. 69-12133; Filed, Oct. 9, 1969;  
8:47 a.m.]

[Docket Nos. 20291, 20781; Order 69-10-29]

## INTERNATIONAL AIR TRANSPORT ASSOCIATION

### Order Regarding Fare Matters

Issued under delegated authority October 6, 1969.

Agreements adopted by the Traffic Conferences of the International Air Transport Association relating to fare matters, Docket No. 20291, Docket No. 20781, Agreement CAB 21276, Agreement CAB 21291, Agreement CAB 21293.

By Order 69-9-93, dated September 16, 1969, action was deferred, with a view toward eventual approval, on certain resolutions adopted by the Traffic Conferences of the International Air Transport Association (IATA). The agreements would amend the resolution governing incentive group travel so as to adapt the group fare application form contained therein for use in purely incentive group situations; and amend the resolution governing the rounding-off of passenger fares by (1) providing for a change of Irish currency to the decimal system in February of 1971, and (2) raising the Yugoslavian dinar unit used in the rounding-off of excess-baggage charges.

In deferring action on the agreement, 10 days were granted in which interested persons might file petitions in support of or in opposition to the proposed action. No petitions have been received within the filing period and the tentative conclusions in Order 69-9-93 will herein be made final.

Accordingly, it is ordered, That:

Agreements CAB 21276, CAB 21291, and CAB 21293 be, and hereby are, approved.

This order will be published in the FEDERAL REGISTER.

[SEAL] HAROLD R. SANDERSON,  
Secretary.

[F.R. Doc. 69-12134; Filed, Oct. 9, 1969;  
8:47 a.m.]

[Docket No. 20291; Order 69-10-19]

## INTERNATIONAL AIR TRANSPORT ASSOCIATION

### Order Regarding Fare Matters

Issued under delegated authority October 3, 1969.

Agreement adopted by the Traffic Conferences of the International Air Transport Association relating to fare matters, Docket 20291, Agreement CAB 21224.

By Order 69-9-73, dated September 12, 1969, action was deferred, with a view toward eventual approval, on certain



## IATA RESOLUTIONS

202(PAC) 203b.  
302(PAC) 203b.  
JT12(2) (PAC) 203b.  
JT23(2) (PAC) 203b.  
JT31(2) (PAC) 203b.  
JT123(2) (PAC) 203b.

Accordingly, it is ordered, That:

Action on Agreement CAB 21279, R-1, be and hereby is deferred with a view toward eventual approval.

Persons entitled to petition the Board for review of this order, pursuant to the Board's regulations, 14 CFR 385.50, may, within 7 days after the date of service of this order, file such petitions in support of or in opposition to our proposed action herein.

This order will be published in the FEDERAL REGISTER.

[SEAL] HAROLD R. SANDERSON,  
Secretary.

[F.R. Doc. 69-12136; Filed, Oct. 9, 1969;  
8:47 a.m.]

[Docket No. 20781; Order 69-10-20]

### INTERNATIONAL AIR TRANSPORT ASSOCIATION

#### Order Regarding Philadelphia/Baltimore/Washington Transatlantic Fares

Issued under delegated authority October 3, 1969.

Agreement adopted by Joint Conference 1-2 of the International Air Transport Association relating to Philadelphia/Baltimore/Washington transatlantic fares, Docket 20781, Agreement CAB 21275.

By Order 69-9-57, dated September 11, 1969, action was deferred, with a view toward eventual approval, on a resolution adopted by Joint Conference 1-2 of the International Air Transport Association (IATA). The agreement establishes proportional fares to be applied in constructing through transatlantic contract bulk inclusive tour fares to/from Philadelphia/Baltimore/Washington.

In deferring action on the agreement, 10 days were granted in which interested persons might file petitions in support of or in opposition to the proposed action. No petitions have been received within the filing period and the tentative conclusions in Order 69-9-57 will herein be made final.

Accordingly, it is ordered, That:  
Agreement CAB 21275 is approved.

This order will be published in the FEDERAL REGISTER.

[SEAL] HAROLD R. SANDERSON,  
Secretary.

[F.R. Doc. 69-12137; Filed, Oct. 9, 1969;  
8:47 a.m.]

[Docket No. 20838, etc.]

### NORFOLK-NEW YORK PROCEEDING

#### Notice of Postponement of Hearing

Notice is hereby given that the hearing in the above-entitled proceeding now

assigned to be held on October 22, 1969, is postponed to October 23, 1969, at 10 a.m., e.d.s.t., in Room 726, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before the undersigned examiner and that rebuttal exhibits now due to be filed on or before October 10, 1969, may be filed on or before October 17, 1969.

Dated at Washington, D.C., October 6, 1969.

[SEAL] JOHN E. FAULK,  
Hearing Examiner.

[F.R. Doc. 69-12131; Filed, Oct. 9, 1969;  
8:47 a.m.]

[Docket No. 21351]

### PAN AMERICAN WORLD AIRWAYS, INC., AND NEW YORK AIRWAYS, INC.

#### Notice of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a hearing in the above-entitled matter is assigned to be held on October 16, 1969, at 10 a.m., e.d.t., in Room 726, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before Examiner Ross I. Newmann.

Dated at Washington, D.C., October 7, 1969.

[SEAL] ROSS I. NEWMANN,  
Hearing Examiner.

[F.R. Doc. 69-12132; Filed, Oct. 9, 1969;  
8:47 a.m.]

## CIVIL SERVICE COMMISSION

### DEPARTMENT OF COMMERCE

#### Notice of Revocation of Authority To Make Noncareer Executive Assignments

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Department of Commerce to fill by noncareer executive assignment in the excepted service the position of Assistant to the Secretary.

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,  
Executive Assistant to the Commissioners.

[F.R. Doc. 69-12128; Filed, Oct. 9, 1969;  
8:46 a.m.]

### DEPARTMENT OF COMMERCE

#### Notice of Grant of Authority To Make Noncareer Executive Assignments

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Commerce to fill by noncareer executive assignments in the excepted service the positions of Special Assistant

resolutions adopted by the Traffic Conferences of the International Air Transport Association (IATA). These resolutions make a technical amendment to the IATA resolution governing free baggage allowances, insofar as it provides dates by which a High Level Policy Group is to recommend a mail vote for adoption of a worldwide free baggage control, in order to standardize such dates for worldwide conformity.

In deferring action on the agreement, 10 days were granted in which interested persons might file petitions in support of or in opposition to the proposed action. No petitions have been received within the filing period and the tentative conclusions in Order 69-9-73 will herein be made final.

Accordingly, it is ordered, That:  
Agreement CAB 21224 is approved.

This order will be published in the FEDERAL REGISTER.

[SEAL] HAROLD R. SANDERSON,  
Secretary.

[F.R. Doc. 69-12135; Filed, Oct. 9, 1969;  
8:47 a.m.]

[Docket No. 20291; Order 69-10-18]

### INTERNATIONAL AIR TRANSPORT ASSOCIATION

#### Order Regarding Free and Reduced Transportation for Passenger Sales Agents

Issued under delegated authority October 3, 1969.

Agreement adopted by the Traffic Conferences of the International Air Transport Association relating to free and reduced transportation for passenger sales agents, Docket 20291, Agreement CAB 21279, R-1.

An agreement has been filed with the Board, pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's economic regulations, between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of the Traffic Conferences of the International Air Transport Association (IATA), and adopted by mail vote as a result of the second IATA Passenger Agency Committee meeting, held at Geneva in June 1969. The agreement has been assigned the above-designated CAB agreement number.

The agreement amends an existing resolution, which governs group educational and familiarization trips for passenger sales agents and which the Board earlier conditioned so as to preclude its application for U.S.-based agents, in order to conform in all areas other than within the Western Hemisphere a provision permitting the absorption of en route connecting expenses allowed under those conditions spelled out in Resolution 102.

Pursuant to authority duly delegated by the Board in the Board's regulations, 14 CFR 385.14, it is not found, on a tentative basis, that the following resolutions, which are incorporated in Agreement CAB 21279, R-1, are adverse to the public interest or in violation of the Act:



to the Secretary for Public Affairs, and Deputy Director of Public Affairs.

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

[P.R. Doc. 69-12129; Filed, Oct. 9, 1969;  
8:46 a.m.]

## FEDERAL MARITIME COMMISSION

[Independent Ocean Freight Forwarder  
License 442]

### ARGUS SHIPPING CO., INC.

#### Notice of Revocation of License

By letter dated September 29, 1969, Argus Shipping Co., Inc., 11 Broadway, New York, N.Y. 10004, confirmed earlier advice that it had discontinued operations. It has returned its License No. 442, voluntarily, for cancellation.

By virtue of authority vested in me by the Federal Maritime Commission as set forth in Manual of Orders, Commission Order 201.1, section 6.03:

It is ordered, That the Independent Ocean Freight Forwarder License No. 442 of Argus Shipping Co., Inc., be and is hereby revoked without prejudice to re-application for a license at a later date. This revocation is effective October 6, 1969.

It is further ordered, That a copy of this order be published in the FEDERAL REGISTER and served upon Argus Shipping Co., Inc.

JOHN F. GILSON,  
Deputy Director,  
Bureau of Domestic Regulation.

[P.R. Doc. 69-12151; Filed, Oct. 9, 1969;  
8:48 a.m.]

### PACIFIC/INDONESIAN CONFERENCE AND WILHELMSSENS DAMPSKIBS- SAKTIESELSKAB FERN LINE

#### Notice of Proposed Cancellation of Agreements

Notice is hereby given that the following agreements will be canceled by the Commission pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreements at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1202; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 10 days after publication of this notice in the FEDERAL REGISTER.

Notice to cancel Agreements 6060-B and 6060-E under section 15 filed by:

Mr. R. E. Spaulding, Secretary, Pacific/Indonesian Conference, 635 Sacramento Street, San Francisco, Calif. 94111.

Agreements Nos. 6060-B and 6060-E are Associate Membership Agreements between Wilhelmsens Dampskibsselskab (Wilhelmsens) and Fern Line (Fern) respectively, and the Pacific/Indonesian Conference Agreement No. 6060, as amended. All parties have requested the cancellation of these arrangements under section 15 of the Shipping Act. Upon approval of these petitions, Wilhelmsens' and Fern's participation in the Conference's affairs would be merged with those of Barber Lines A/S pursuant to approved FMC Agreement No. 9809.

Dated: October 7, 1969.

By order of the Federal Maritime Commission.

THOMAS LISI,  
Secretary.

[P.R. Doc. 69-12148; Filed, Oct. 9, 1969;  
8:48 a.m.]

### PACIFIC-STRAITS CONFERENCE AND WILHELMSSENS DAMPSKIBS- SELSKAB FERN LINE

#### Notice of Proposed Cancellation of Agreements

Notice is hereby given that the following agreements will be canceled by the Commission pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreements at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1202; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to the agreements including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 10 days after publication of this notice in the FEDERAL REGISTER.

Notice to cancel Agreements 5680-B and 5680-M under section 15 filed by:

Mr. R. E. Spaulding, Secretary, Pacific Straits Conference, 635 Sacramento Street, San Francisco, Calif. 94111.

Agreements Nos. 5680-B and 5680-M are Associate Membership Agreements between Wilhelmsens Dampskibsselskab (Wilhelmsens) and Fern Line (Fern) respectively, and the Pacific Straits Conference Agreement No. 5680, as amended. All parties have requested the cancellation of these arrangements under section 15 of the Shipping Act. Upon approval of these petitions, Wilhelmsens' and Fern's participation in the Conference's affairs would be merged with those of Barber Lines A/S pursuant to approved FMC Agreement No. 9809.

ant to approved FMC Agreement No. 9809.

Dated: October 7, 1969.

By order of the Federal Maritime Commission.

THOMAS LISI,  
Secretary.

[P.R. Doc. 69-12149; Filed, Oct. 9, 1969;  
8:48 a.m.]

### UNITED STATES/SOUTH AND EAST AFRICA CONFERENCE

#### Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1202; or may inspect agreement at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed by:

Mr. William L. Hamm, Secretary, United States/South and East Africa Conference, 25 Broadway, New York, N.Y. 10004.

Agreement No. 9502-4, among member lines of the United States/South and East Africa Conference, amends Article (1) of the basic agreement to provide that the trade area covered by the agreement shall be served by direct call or transshipment.

Dated: October 7, 1969.

By order of the Federal Maritime Commission.

THOMAS LISI,  
Secretary.

[P.R. Doc. 69-12150; Filed, Oct. 9, 1969;  
8:48 a.m.]

### FEDERAL POWER COMMISSION

[Docket No. G-9366 etc.]

### ATLANTIC RICHFIELD CO. ET AL.

#### Findings and Order

OCTOBER 1, 1969.

Findings and order after statutory hearing issuing certificates of public convenience and necessity, amending orders



issuing certificates, permitting and approving abandonment of service, terminating certificates, substituting respondents, making successors co-respondents, redesignating proceedings, making rate changes effective, accepting agreements and undertakings for filing, requiring filing of agreements and undertakings, and accepting related rate schedules and supplements for filing.

Each of the Applicants listed herein has filed an application pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale and delivery of natural gas in interstate commerce or for permission and approval to abandon service or a petition to amend an order issuing a certificate, all as more fully set forth in the applications and petitions, as supplemented and amended.

Applicants have filed related FPC gas rate schedules or supplements thereto and propose to initiate, abandon, add to, or discontinue in part natural gas service in interstate commerce as indicated in the tabulation herein. All sales certificated herein are at rates either equal to or below the ceiling prices established by the Commission's statement of general policy No. 61-1, as amended, or involve sales for which permanent certificates have been previously issued; except that sales from areas for which area rates have been determined are authorized to be made at or below the applicable area base rates adjusted for quality of the gas, and under the conditions prescribed in the orders determining said rates.

Continental Oil Co., Applicant in Docket No. G-11030, proposes to continue the sale of natural gas heretofore authorized in said docket to be made pursuant to W. U. Paul FPC Gas Rate Schedule No. 1. Said rate schedule will be redesignated as a rate schedule of Applicant. On October 28, 1964, Paul filed with the Commission a notice of change in rate under his FPC Gas Rate Schedule No. 1. By order issued November 24, 1964, in Docket No. RI65-328 et al., the Commission suspended the proposed change in Docket No. RI65-330 until April 28, 1965, and thereafter until made effective. The notice of change was designated as Supplement No. 3 to Paul's rate schedule. On June 5, 1969, Continental filed an agreement and undertaking to assure the refund of any amounts collected by it in excess of the amount determined to be just and reasonable in Docket No. RI65-330. Therefore, Continental will be substituted in lieu of Paul as respondent in the proceeding pending in Docket No. RI65-330; the proceeding will be redesignated accordingly; the change in rate will be made effective subject to refund; and the agreement and undertaking will be accepted for filing.

Wrightman Investment Co., Applicant in Docket No. G-12055, proposes to continue the sale of natural gas heretofore authorized in said docket to be made pursuant to Charles B. Wrightman FPC Gas Rate Schedule No. 3. Said rate schedule will be redesignated as that of Applicant. The presently effective rate under Charles B. Wrightman's rate

schedule is in effect subject to refund in Docket No. RI62-433. Applicant has filed a motion to be made a co-respondent in said proceeding. Therefore, Applicant will be made a co-respondent; the proceeding will be redesignated accordingly; and Applicant will be required to file an agreement and undertaking to assure the refund of any amounts collected by it in excess of the amount determined to be just and reasonable in said proceeding.

Clinton Oil Co., Applicant in Dockets Nos. CI68-1164 and CI69-107, proposes to continue the sale of natural gas heretofore authorized in said dockets to be made pursuant to James A. Wood, Trustee (Operator) et al., FPC Gas Rate Schedules Nos. 4 and 6, respectively. Said rate schedules will be redesignated as those of Applicant. The presently effective rate for sales under Wood's FPC Gas Rate Schedule No. 4 for 87½ percent of the gas is in effect subject to refund in Docket No. RI67-273. The presently effective rate for sales under Wood's FPC Gas Rate Schedule No. 6 is in effect subject to refund in Docket No. RI67-272. On October 8, 1968, Wood filed with the Commission a notice of change in rate under his FPC Gas Rate Schedule No. 4 for 12½ percent of the gas. By order issued October 31, 1968, in Docket No. RI69-187 et al., the Commission suspended the proposed change in Docket No. RI69-197 until April 8, 1969, and thereafter until made effective. The notice of change was designated as Supplement No. 6 to Wood's rate schedule. On September 2, 1969, Clinton filed a motion to make the change in rate effective subject to refund. Therefore, Clinton will be made a co-respondent in the proceedings pending in Dockets Nos. RI67-272 and RI67-273; Clinton will be substituted in lieu of Wood as respondent in the proceeding pending in Docket No. RI69-197; said proceedings will be redesignated accordingly; the change in rate in Docket No. RI69-197 will be made effective subject to refund; and Clinton will be required to file an agreement and undertaking to assure the refund of any amounts collected by it in excess of amounts determined to be just and reasonable.

Shell Oil Co., Applicant in Docket No. CI69-1143, proposes to continue in part sales of natural gas heretofore authorized in Dockets Nos. G-3071, G-4286, G-4287, and G-11944 to be made pursuant to Humble Oil & Refining Co. FPC Gas Rate Schedules Nos. 10, 258, 257, and 391, respectively. The contracts comprising said rate schedules will also be accepted for filing as rate schedules of Applicant. The presently effective rates under Humble's FPC Gas Rate Schedules Nos. 10, 258, and 391 are in effect subject to refund in Dockets Nos. RI65-544, and RI68-307, respectively. A prior increased rate under Humble's FPC Gas Rate Schedule No. 391 was collected for a locked-in period subject to refund in Docket No. RI67-277. Shell has filed a motion to be made co-respondent in all of said proceedings. Shell has heretofore filed a general agreement and undertaking to assure the refund of amounts col-

lected in excess of amounts determined to be just and reasonable in proceedings under section 4(e) of the Natural Gas Act. Therefore, Shell will be made a co-respondent in the proceedings pending in Dockets Nos. RI65-544, RI67-277, and RI68-307; and the proceedings will be redesignated accordingly.

GMC Oil and Gas Corp., Applicant in Docket No. CI69-1166, proposes to continue in part the sale of natural gas heretofore authorized in Docket No. CI64-885 to be made pursuant to Sun Oil Co. FPC Gas Rate Schedule No. 167. The contract comprising said rate schedule will also be accepted for filing as a rate schedule of Applicant. The presently effective rate under said rate schedule is in effect subject to refund in Docket No. RI65-488. Applicant has filed a motion to be made a co-respondent in said proceeding, together with an agreement and undertaking to assure the refund of any amounts collected by it in excess of the amount determined to be just and reasonable in said proceeding.<sup>1</sup> Therefore, Applicant will be made a co-respondent in the proceeding pending in Docket No. RI65-488; the proceeding will be redesignated accordingly; and the agreement and undertaking will be accepted for filing.

The Commission's staff has reviewed each application and recommend each action ordered as consistent with all substantive Commission policies and required by the public convenience and necessity.

After due notice by publication in the FEDERAL REGISTER, no petitions to intervene, notices of intervention or protests to the granting of the applications have been filed.

At a hearing held on September 26, 1969, the Commission on its own motion received and made a part of the record in this proceeding all evidence, including the applications and petition as supplemented and amended, and exhibits thereto submitted in support of the authorizations sought herein, and upon consideration of the record:

The Commission finds:

(1) Each applicant herein is a "natural-gas company" within the meaning of the Natural Gas Act as heretofore found by the Commission or will be engaged in the sale of natural gas in interstate commerce for resale for ultimate public consumption, subject to the jurisdiction of the Commission, and will, therefore, be a "natural-gas company" within the meaning of the Natural Gas Act upon the commencement of service under the authorizations hereinafter granted.

(2) The sales of natural gas hereinbefore described, as more fully described in the applications in this proceeding, will be made in interstate commerce subject to the jurisdiction of the Commission; and such sales by Applicants, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary

<sup>1</sup> The agreement and undertaking was submitted in Docket No. RI64-885, a nonexistent docket designation. It will be construed as being submitted in Docket No. RI65-488.



therefor, are subject to the requirements of subsections (c) and (e) of section 7 of the Natural Gas Act.

(3) Applicants are able and willing properly to do the acts and to perform the service proposed and to conform to the provisions of the Natural Gas Act and the requirements, rules, and regulations of the Commission thereunder.

(4) The sales of natural gas by Applicants, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are required by the public convenience and necessity and certificates therefor should be issued as hereinafter ordered and conditioned.

(5) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act and the public convenience and necessity require that the orders issuing certificates of public convenience and necessity in various dockets involved herein should be amended as hereinafter ordered and conditioned.

(6) The sales of natural gas proposed to be abandoned as hereinbefore described and as more fully described in the applications and in the tabulation herein are subject to the requirements of subsection (b) of section 7 of the Natural Gas Act.

(7) The abandonments proposed by Applicants herein are permitted by the public convenience and necessity and should be approved as hereinafter ordered.

(8) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the certificates heretofore issued to Applicants relating to the abandonments hereinafter permitted and approved should be terminated or that the orders issuing said certificates should be amended by deleting therefrom authorization to sell natural gas from the subject acreage.

(9) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Continental Oil Co. should be substituted in lieu of W. U. Paul as respondent in the proceeding pending in Docket No. RI65-330, that said proceeding should be redesignated accordingly, that the proposed change in rate suspended in said proceeding should be made effective subject to refund, and that the agreement and undertaking submitted by Continental should be accepted for filing.

(10) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Wrightsman Investment Co. should be made a co-respondent in the proceeding pending in Docket No. RI62-433, that said proceeding should be redesignated accordingly, and that Wrightsman should file an agreement and undertaking in said proceeding.

(11) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Clinton Oil Co. should be made a co-respondent in the proceed-

ings pending in Dockets Nos. RI67-272 and RI67-273; that Clinton Oil Co. should be substituted in lieu of James A. Wood, Trustee (Operator) et al., as respondent in the proceeding pending in Docket No. RI69-197; that said proceedings should be redesignated accordingly; that the proposed change in rate suspended in Docket No. RI69-197 should be made effective subject to refund; and that Clinton should be required to file an agreement and undertaking.

(12) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Shell Oil Co. should be made a co-respondent in the proceedings pending in Dockets Nos. RI65-544, RI67-277, and RI68-307 and that said proceedings should be redesignated accordingly.

(13) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that GMC Oil and Gas Corp. should be made a co-respondent in the proceeding pending in Docket No. RI65-488, that said proceeding should be redesignated accordingly, and that the agreement and undertaking submitted by GMC in said proceeding should be accepted for filing.

(14) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the FPC gas rate schedules and supplements related to the authorizations hereinafter granted should be accepted for filing.

The Commission orders:

(A) Certificates of public convenience and necessity are issued upon the terms and conditions of this order authorizing sales by Applicants of natural gas in interstate commerce for resale, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, all as hereinbefore described and as more fully described in the applications and in the tabulation herein.

(B) The certificates granted in paragraph (A) above are not transferable and shall be effective only so long as Applicants continue the acts or operations hereby authorized in accordance with the provisions of the Natural Gas Act and the applicable rules, regulations, and orders of the Commission.

(C) The grant of the certificates issued in paragraph (A) above shall not be construed as a waiver of the requirements of section 4 of the Natural Gas Act or of Part 154 or Part 157 of the Commission's regulations thereunder and is without prejudice to any findings or orders which have been or which may hereafter be made by the Commission in any proceedings now pending or hereafter instituted by or against Applicants. Further, our action in this proceeding shall not foreclose nor prejudice any future proceedings or objections relating to the operation of any price or related provisions in the gas

purchase contracts herein involved. Nor shall the grant of the certificates aforesaid for service to the particular customers involved imply approval of all of the terms of the contracts, particularly as to the cessation of service upon termination of said contracts as provided by section 7(b) of the Natural Gas Act. The grant of the certificates aforesaid shall not be construed to preclude the imposition of any sanctions pursuant to the provisions of the Natural Gas Act for the unauthorized commencement of any sales of natural gas subject to said certificates.

(D) The grant of the certificates issued herein on certain applications filed after July 1, 1967, is upon the condition that no increase in rate which would exceed the ceiling prescribed for the given area by paragraph (d) (3) of the Commission's statement of general policy No. 61-1, as amended, shall be filed prior to the applicable date indicated in the tabulation herein.

(E) The certificates issued herein and the amended certificates are subject to the following conditions:

(a) The initial rate for the sales authorized in Dockets Nos. CI65-466 and CI70-85 shall be the applicable area base rates prescribed in Opinion No. 468, as modified by Opinion No. 468-A, as adjusted for quality of gas, or the contract rates, whichever are lower. If the quality of the gas delivered by Applicants deviates at any time from the quality standards set forth in Opinion No. 468, as modified by Opinion No. 468-A, so as to require a downward adjustment of the existing rate, a notice of change in rate shall be filed pursuant to section 4 of the Natural Gas Act; *Provided, however*, That adjustments reflecting changes in B.t.u. content of the gas shall be computed by the applicable formula and charged without the filing of notices of changes in rates.

(b) Within 90 days from the date of initial delivery Applicant in Docket No. CI65-466 shall file a rate schedule quality statement in the form prescribed in Opinion No. 468-A. Applicant in Docket No. CI70-85 shall file a rate schedule quality statement within 45 days from the date of this order.

(c) The initial rate for sales authorized in Dockets Nos. CI68-55 (newly dedicated acreage only) and CI69-1201 shall be 15 cents per Mcf at 14.65 p.s.i.a., including tax reimbursement, and subject to B.t.u. adjustment. In the event that the Commission amends its statement of general policy No. 61-1, by adjusting the boundary between the Oklahoma Panhandle area and the Oklahoma "Other" area, so as to increase the initial wellhead price for new gas, Applicants thereupon may substitute the new rates reflecting the amounts of such increases and thereafter collect the new rates prospectively in lieu of the initial rate herein authorized in said dockets.



(d) The initial rate for sales authorized in Dockets Nos. CI69-1236 and CI70-65 shall be 17 cents per Mcf at 14.65 p.s.i.a., including tax reimbursement, and subject to B.t.u. adjustment. Applicant in Docket No. CI70-65 shall file a revised billing statement reflecting the 17 cents rate.

(e) The authorization granted in Docket No. CI68-909 is issued with the understanding that the pricing provisions of the rate schedule, as supplemented, covering the subject sale are intended to be consistent, and not in conflict, with § 154.93 of the regulations under the Natural Gas Act.

(f) The authorization granted in Docket No. CI70-52 involving the sale of gas by Anadarko Production Co. (Operator) to its affiliate, Panhandle Eastern Pipe Line Co., determines the rate which legally may be paid by the buyer to the seller, but is without prejudice to any action which the Commission may take in any rate proceeding involving either company.

(g) The orders issuing certificates in Dockets Nos. G-9366, G-14548, CI65-461, CI65-466, CI68-55, CI68-909, and CI69-345 are amended by adding thereto or deleting therefrom authorization to sell natural gas as described in the tabulation herein.

(h) The order issuing a certificate to Mobil Oil Corp. in Docket No. CI69-574 is amended to include the interest of Newman Brothers Drilling Co. and the related rate schedule is redesignated as Mobil Oil Corp. (Operator) et al.

(i) The certificate heretofore issued to Newman Brothers Drilling Co. (Operator) et al., in Docket No. CI67-1626 is terminated and the related rate schedule is canceled.

(j) The orders issuing certificates in the following dockets are amended to reflect the deletion of acreage where new certificates are issued herein or existing certificates are amended herein to authorize service from the subject acreage:

Amend to delete acreage	New certificate and/or Amendment to add acreage
G-3071	CI69-1143
G-4286	CI69-1143
G-4287	CI69-1143
G-11944	CI69-1143
CI63-20	CI69-1222
CI64-885	CI69-1166
CI64-902	CI70-85
CI65-1145	CI68-55
CI67-27	CI69-733

(k) The orders issuing certificates in Dockets Nos. G-11030, G-12055, CI62-1384, CI63-44, CI63-723, CI63-1212, CI66-123, CI67-837, CI67-1542, CI68-533, CI68-848,<sup>2</sup> CI68-1164, CI69-103, and CI69-107 are amended by substituting the successors in interest as certificate holders.

(l) The authorization granted in Dockets Nos. G-12055 and CI63-44 in paragraph (k) above shall be subject to Opinion Nos. 546 and 546-A and accompanying orders, specifically including those relating to rate reductions, refunds, and filings required by those orders.

(m) Applicant in Docket No. CI68-848 shall not be relieved of any refunds ordered in said docket for the period prior to November 1, 1968, the date of transfer of properties.

(n) Permission for and approval of the abandonment of service by Applicants, as hereinbefore described, all as more fully described in the applications and in the tabulation herein are granted.

(o) The certificates heretofore issued in Dockets Nos. G-12115, CI64-1095, CI64-1097, CI64-1099, CI64-1113, CI66-1170, and CI67-1677 are terminated.

(p) Continental Oil Co. is substituted in lieu of W. U. Paul as respondent in the proceeding pending in Docket No. RI65-330, said proceeding is redesignated accordingly, and the agreement and undertaking submitted by Continental in said proceeding is accepted for filing. The rates, charges, and classifications set forth in Supplement No. 3 to W. U. Paul FPC Gas Rate Schedule No. 1, herein redesignated as Continental Oil Co. FPC Gas Rate Schedule No. 349, shall be effective subject to refund as of June 5, 1969. Said effective rates shall be charged and collected as of the effective date subject to any future orders of the Commission in Docket No. RI65-330. Continental shall comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, and the agreement and undertaking filed by it in Docket No. RI65-330 shall remain in full force and effect until discharged by the Commission.

(q) Wrightsman Investment Co. is made a co-respondent in the proceeding pending in Docket No. RI62-433, and said proceeding is redesignated accordingly.

(r) Within 30 days from the issuance of this order, Wrightsman Investment Co. shall execute, in the form set out below, and shall file with the Secretary of the Commission an acceptable agreement and undertaking to assure the refund of any amounts collected by it, together with interest at the rate of 7 percent per annum, in excess of the amount determined to be just and reasonable in Docket No. RI62-433. Unless notified to the contrary by the Secretary of the Commission within 30 days from the date of submission, such agreement and undertaking shall be deemed to have been accepted for filing. Wrightsman Investment Co. shall comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder.

(s) Clinton Oil Co. is made a co-respondent in the proceedings pending in

Dockets Nos. RI67-272 and RI67-273, and said proceedings are redesignated accordingly. Clinton Oil Co. is substituted in lieu of James A. Wood, Trustee (Operator), et al., as respondent in the proceeding pending in Docket No. RI69-197; and said proceeding is redesignated accordingly. The rates, charges, and classifications set forth in Supplement No. 6 to Wood's FPC Gas Rate Schedule No. 4, herein redesignated as Clinton's FPC Gas Rate Schedule No. 16, shall be effective subject to refund as of September 2, 1969. Said effective rates shall be charged and collected as of the effective date subject to any future orders of the Commission in Docket No. RI69-197. Clinton shall comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder.

(t) Within 30 days from the issuance of this order, Clinton Oil Co. shall execute, in the form set out below, and shall file with the Secretary of the Commission an acceptable agreement and undertaking to assure the refund of any amounts collected by it, together with interest at the rate of 7 percent per annum, in excess of the amount determined to be just and reasonable in Dockets Nos. RI67-272, RI67-273, and RI69-197. Unless notified to the contrary by the Secretary of the Commission within 30 days from the date of submission, such agreement and undertaking shall be deemed to have been accepted for filing. The agreement and undertaking shall remain in full force and effect until discharged by the Commission.

(u) Shell Oil Co. is made a co-respondent in the proceedings pending in Dockets Nos. RI65-544, RI67-277, and RI68-307; and said proceedings are redesignated accordingly. Shell shall comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder.

(v) GMC Oil and Gas Corp. is made a co-respondent in the proceeding pending in Docket No. RI65-488, said proceeding is redesignated accordingly, and the agreement and undertaking submitted by GMC in said proceeding is accepted for filing. GMC shall comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, and the agreement and undertaking shall remain in full force and effect until discharged by the Commission.

(w) The rate schedules and rate schedule supplements related to the authorizations granted herein are accepted for filing or are redesignated, all as described in the tabulation herein.

By the Commission.

[SEAL] GORDON M. GRANT,  
Secretary.

<sup>2</sup> Temporary certificate.







## NOTICES

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[illegible]

See footnotes at end of table.

See footnotes at end of table.



1. Applicant requests that its certificate be terminated and that its sale be covered by the operator's certificate (Mobil Oil Corp. FPC GRS No. 447, Docket No. C109-574). Applicant has been the operator but effective Jan. 1, 1969, Mobil became operator. By letter dated Mar. 24, 1969, Mobil requested that its FPC GRS No. 447 be designated as "Operator", et al.

2. Applicant is filing for sales from the Edith Richards Unit, a portion of which was previously non-designated acreage (Jan. 1, 1970, non-designation applicable to newly dedicated acreage only).

3. Dedicates to Applicant's contract dated June 2, 1967 (FPC GRS No. 297) acreage which was acquired from Pan American Petroleum Corp. under assignment dated Jan. 3, 1966, and also other acreage not previously dedicated to interstate commerce.

4. Conveys acreage from Pan American to Atlantic Richfield Co. which was dedicated to Pan American's contract dated Apr. 1, 1965 (FPC GRS No. 419).

5. Reassigns part of acreage which Atlantic acquired by the Jan. 3, 1966, assignment to Marathon Oil Co., et al. Reissues certain acreage assigned Jan. 3, 1966, from Pan American's contract dated Apr. 1, 1965, so that it may be covered by Atlantic's contract dated June 2, 1967.

6. No permanent certificate issued, sale being rendered pursuant to temporary authorization.

7. Assigns acreage from D. G. Wood, Jr., et al., to Clinton Oil Co.

8. Assigns acreage from A. Bart Brown to Clinton Oil Co.

9. Assigns acreage from David D. Steers to Clinton Oil Co.

10. Assigns acreage from Oliver J. Stelling to Clinton Oil Co.

11. Assigns acreage from William B. Brown to Clinton Oil Co.

12. Assigns acreage from William P. Carroll to Clinton Oil Co.

13. Assigns acreage from Bart B. Brown to Clinton Oil Co.

14. Assigns acreage from E. W. Madge, Jr., to Clinton Oil Co.

15. Assigns acreage from John Hall Allen to Clinton Oil Co.

16. Accepts conditioned temporary certificate dated July 3, 1968. Waives all right to price increase increases under paragraph (2) of letter agreement dated Sept. 5, 1967 (Supp. No. 2 to FPC GRS No. 1).

17. Between Dan A. Hughes, Dudley J. Hughes, and Monroe Silver Partnership, on the one hand, and J. Hughes, et al., FPC GRS No. 1.

18. Assigns acreage from Thomas B. Shearman, Sr., to J. Edward Sick III.

19. Assigns acreage from Thomas B. Shearman, Jr., William Hugh Shearman, Joseph William Jackson, and Robert H. Beck to J. Edward Sick III.

20. Assigns acreage from Dan A. Hughes and Dudley J. Hughes to J. Edward Sick III.

21. Assigns acreage from J. Edward Sick III to Clinton Oil Co.

22. Sale being rendered on June 7, 1964.

23. Between Humble Oil & Refining Co. and Wilcox Trend Gathering System, Inc. (now Texas Eastern Transmission Corp.); on file as Humble Oil & Refining Co. FPC GRS No. 18.

24. Provides for a rate of 15.75 cents.

25. Assigns acreage from Humble Oil & Refining Co. to Shell Oil Co.

26. No certificate filing made or necessary; only the related rate filing is being accepted for filing by this order.

27. Includes conveyance transferring acreage from Humble Oil & Refining Co. to Shell Oil Co.

28. Between Motley Exploration Co. and Wilcox Trend Gathering System, Inc. (now Texas Eastern Transmission Corp.); on file as Humble Oil & Refining Co., FPC GRS No. 27.

29. Between Monterey Oil Co. of Texas and Wilcox Trend Gathering System, Inc. (now Texas Eastern Transmission Corp.); on file as Humble Oil & Refining Co., FPC GRS No. 28.

30. Between Magnolia Petroleum Co. and Wilcox Trend Gathering System, Inc. (now Texas Eastern Transmission Corp.); on file as Humble Oil & Refining Co., FPC GRS No. 29.

31. Provides for a rate of 15.35 cents.

32. Between Sun Oil Co. and Cities Service Gas Co.; also on file as Sun Oil Co. FPC GRS No. 37.

33. Partial assignment from Sun Oil Co. to GMC Oil & Gas Corp.

34. Complies with temporary certificate issued July 3, 1969. Applicant states willingness to accept a permanent certificate conditioned to 15 cents including tax reimbursement and subject to B.I.U. adjustment.

35. Also amends basic contract to provide for a 5-year makeup period for unpaid gas.

36. Also on file as Humble Oil & Refining Co. (Operator) et al., FPC GRS No. 38.

37. From Humble Oil & Refining Co. to Southwest Oil Industries, Inc.

38. Accepts conditioned temporary certificate issued July 25, 1969 (filed July 31, 1969). Advises of willingness to accept a permanent certificate conditioned to 17 cents including tax reimbursement and subject to B.I.U. adjustment.

39. Source of gas depleted.

40. Applicant gathers gas for buyer; no sale involved.

41. Letter agreement of May 1, 1969 (Supp. No. 1) is accepted as a supplement only and not as a notice of change in rate.

42. Contract provides for a rate of 15.5 cents plus tax reimbursement and subject to B.I.U. adjustment. Applicant has stated willingness to accept a permanent certificate at 17 cents (14.65 p.s.a.) including tax reimbursement and subject to B.I.U. adjustment.

43. For gas produced from the Newburg Sand.

44. Sale being rendered without prior Commission authorization.

45. Production of gas no longer economically feasible.

46. Rate of 15.97 cents presently in effect under predecessor's rate schedule. Applicant proposes the contract rate of 17 cents but has stated willingness to accept a permanent certificate under the same terms as the predecessor.

47. Presently on file as Delta Drilling Co. (Operator) et al., FPC GRS No. 40.

48. From Delta Drilling Co. to B. W. Wiseman, Jr.

49. From B. W. Wiseman, Jr., to King Resources.

Docket No. and date filed	Applicant	Purchaser, field, and location	FPC rate schedule to be accepted Description and date of document	No. Supp.
C170-63 A 7-22-68	Investors Royalty Co., Inc.	Michigan Wisconsin Pipe Line Co., Woodward Area, Woodward County, Okla.	Contract 6-22-68	4
C170-67 (C164-1113) B 7-22-68	Mobil Oil Corp.	Mountain Fuel Supply Co., Little Snake Field, Sweetwater County, Wyo., and Moffat County, Colo.	Notice of cancellation 7-15-68	344
C170-68 (C164-1099) B 7-22-68	Union Oil Co. of California	do	Notice of cancellation 7-15-68	88
C170-69 (C164-1097) B 7-22-68	Husky Oil Co. of Delaware	do	Notice of cancellation 7-15-68	12
C170-70 (C164-1095) B 7-22-68	Champion Petroleum Co.	do	Notice of cancellation 7-15-68	96
C170-71 A 7-22-68	Sanford E. McCormick et al.	United Fuel Gas Co., Coopers Creek Field, Elk and Union Districts, Kanawha County, W. Va.	Contract 4-10-69	3
C170-72 A 7-22-68	An-Son Corp.	Northern Natural Gas Co., South Farnell Field, Gentile County, W. Va.	Contract 4-15-69	28
C170-73 A 7-22-68	Chandler & Associates, Inc. (Operator), et al.	Kansas-Northern Natural Gas Co., Inc., Emerald Field, Logan County, Colo.	Contract 3-14-69	4
C170-76 A 7-22-68	Clifford Mills	United Fuel Gas Co., acreage in Lincoln et al. Fields, W. Va.	Contract 12-15-67	1
C170-80 A 7-22-68	Cities Service Oil Co. (Operator) et al.	Northern Natural Gas Co., acreage in Edwards County, Kansas	Contract 7-8-69	316
C170-84 (C164-1110) B 7-22-68	Mobil Oil Corp.	Kansas-Dakota Utilities Co., Graded Field, Big Horn County, Wyo.	Notice of cancellation 7-24-68	214
C170-85 (C164-1093) F 7-24-68	King Resources Co., Inc. (Operator) et al.	Northern Natural Gas Co., Orona Area, Crockett County, Tex.	Contract 5-7-63 Assignment 7-15-67 Assignment 7-27-67	25 25 25

1. Application to amend the certificate to reflect deletion of acreage which has been returned to landowner.

2. Effective date: Date of this order.

3. Identical assignments whereby indicated parties assign interest in acreage to Continental Oil Co.

4. Transfers acreage in Lafayette Parish from Charles B. Wrightman to Wrightman Investment Co.

5. Transfers acreage in Vermilion Parish from Charles B. Wrightman to Wrightman Investment Co.

6. Jan. 1, 1970, non-designation pursuant to the Commission's statement of general policy No. 41-1, as amended.

7. Effective date: Date of initial delivery (Applicant shall advise the Commission as to such date).

8. Transfers purchase rights under contract from Consolidated Gas Supply Corp. to Texas Gas Transmission Corp.

9. Transfers acreage from Charles B. Wrightman to Wrightman Investment Co.

10. Provides for change in method of determining specific gravity.

11. By letter filed July 14, 1969, Applicant agreed to accept permanent authorization for the additional acreage conditioned as Opinion No. 468, as modified by Opinion No. 466-A.

12. Transfers acreage from McWilliams-Moffett Corp., in liquidation, to Horn Silver Mines Co. Contains copies of agreements whereby parties consent to designate McWilliams-Moffett as operator of the properties.

13. Makes assignment subject to McWilliams-Moffett's Dec. 1, 1966, contract with Florida Gas.



Suggested general undertaking in accordance with Order No. 377:

**BEFORE THE FEDERAL POWER COMMISSION**

(Name of Respondent) \_\_\_\_\_

GENERAL UNDERTAKING OF (NAME OF RESPONDENT) TO COMPLY WITH REFUNDING AND REPORTING PROVISIONS OF § 154.102 OF THE COMMISSION'S REGULATIONS UNDER THE NATURAL GAS ACT

(Name of Respondent) hereby agrees to comply with the refunding and reporting provisions of § 154.102 of the Commission's regulations under the Natural Gas Act insofar as they are applicable to any present and future rate increases suspended under section 4(e) of the Natural Gas Act and collected subject to refund thereunder and has caused this undertaking to be executed and sealed in its name by a duly authorized officer this \_\_\_\_\_ day of \_\_\_\_\_ 196\_\_.

(Name of Respondent)

By \_\_\_\_\_

Attest:

[F.R. Doc. 69-11985; Filed, Oct. 9, 1969; 8:45 a.m.]

[Docket No. RP69-19, etc.]

**CONSOLIDATED GAS SUPPLY CORP.**

**Order Granting Oral Argument and Denying Motion To Dismiss**

OCTOBER 3, 1969.

Consolidated Gas Supply Corp., Dockets Nos. RP69-19, RP70-2, CP67-307, G-1972.

Consolidated Gas Supply Corp. (Consolidated) on September 18, 1969, requested that this Commission hear oral argument on the issue of rate of return and related matters in these proceedings.

By order, dated August 29, 1969, the rate filings in Dockets Nos. RP69-19 and RP70-2 were consolidated for the purpose of hearing and decision.

On July 30, 1969, Presiding Examiner Alvin A. Kurtz issued an initial decision with respect to the rate of return in Docket No. RP69-19 (Phase I).

On September 9, 1969, a hearing was held and evidence introduced, inter alia, relating to rate of return in Docket No. RP70-2 (Phase I). At that hearing Staff filed a motion to dismiss that portion of the rate increase in Docket No. RP70-2 relating to rate of return. It suggested in the alternative that the Commission consider Consolidated's claim for a rate of return on the basis of the evidence in Docket No. RP69-19 and the evidence and claims in Docket No. RP70-2. On September 22, 1969, Consolidated filed an Answer to Staff's motion to dismiss.

Upon consideration of the motion and answer thereto we believe that Staff's motion should be denied. However, due and timely execution of our functions under the Natural Gas Act require, in this instance, that we omit the intermediate decision procedure on the issue of rate of return in Docket No. RP70-2. Accordingly, we will combine and hear oral argument on the rate of return issue in both Dockets Nos. RP69-19 and RP70-2.

Oral argument in the aforementioned dockets on the issue of rate of return (Phase I) will be heard by the Commission on November 4, 1969. All parties desiring to participate in such oral argu-

ment shall notify the Secretary of the Commission in writing on or before October 15, 1969, of the amount of time desired for presentation of their respective arguments.

The Commission orders:

(A) The Staff's motion to dismiss that portion of Consolidated's rate increase which relates to rate of return in Docket No. RP70-2 is denied.

(B) The intermediate decision procedure relating to rate of return in Docket No. RP70-2 (Phase I) is hereby omitted.

(C) Oral argument on the issue of rate of return in Dockets Nos. RP69-19 and RP70-2 will be heard by the Commission en banc commencing at 9:30 a.m., e.s.t., November 4, 1969, in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C.

By the Commission.

[SEAL]

GORDON M. GRANT,  
Secretary.

[F.R. Doc. 69-12109; Filed, Oct. 9, 1969; 8:45 a.m.]

[Docket No. CP70-73]

**IOWA ENERGY CORP.**

**Notice of Application**

OCTOBER 3, 1969.

Take notice that on September 26, 1969, Iowa Power and Light Co. (Iowa Power), 823 Walnut Street, Des Moines, Iowa 50303, and Iowa-Illinois Gas and Electric Co. (Iowa-Illinois), 206 East Second Street, Davenport, Iowa 52801, filed in Docket No. CP70-73 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing Iowa Energy Corp. to acquire from Iowa-Illinois and operate interstate natural gas transportation facilities and authorizing Iowa Energy Corp. to transport natural gas in interstate commerce all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Iowa Energy Corp. will be a new corporation formed by the consolidation of Iowa Power and Iowa-Illinois. Iowa-Illinois is presently authorized in Dockets Nos. G-303, G-1721, G-1899, G-2012, G-18138, G-20593, CP61-166, CP62-4, and CP64-123 to operate facilities and transport natural gas in interstate commerce subject to the jurisdiction of the Commission. Iowa Power is not authorized to operate facilities or transport natural gas in interstate commerce subject to the jurisdiction of the Commission. Iowa-Illinois transports natural gas in interstate commerce for sale and distribution. Neither company is authorized to make sales for resale of natural gas in interstate commerce. Iowa Power and Iowa-Illinois state that Iowa Energy Corp. will continue the jurisdictional interstate natural gas activities of Iowa-Illinois.

Iowa Power and Iowa-Illinois have filed in Docket No. E-7494 an application pursuant to section 203 of the Federal Power Act for Commission authorization to consummate the proposed consolidation. Iowa-Illinois has also filed a petition with the Illinois Commerce

Commission pursuant to the Illinois Public Utilities Act for approval of the consolidation. The proposal in the instant application is stated to be contingent upon prior approval of the consolidation by the Federal Power Commission and the Illinois Commerce Commission.

Any person desiring to be heard or to make any protest with reference to the application in Docket No. CP70-73 should on or before October 29, 1969, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

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

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

GORDON M. GRANT,  
Secretary.

[F.R. Doc. 69-12110; Filed, Oct. 9, 1969; 8:45 a.m.]

[Docket No. RP69-16 etc.]

**MANUFACTURERS LIGHT AND HEAT CO. ET AL.**

**Order Granting and Fixing Oral Argument**

OCTOBER 3, 1969.

The Manufacturers Light and Heat Co., Home Gas Co., Columbia Gulf Transmission Co., United Fuel Gas Co., Kentucky Gas Transmission Corp., Atlantic Seaboard Corp.; Dockets Nos. RP69-16, RP69-33, RP69-17, RP69-32, RP69-28, RP69-29, RP69-30, RP69-31.

The Commission has before it the Presiding Examiner's initial decision, Phase I—Rate of Return Issues, issued July 29, 1969, and the briefs on exceptions. The deadline for filing briefs opposing exceptions is Monday, October 13,



1969. A motion on behalf of Columbia Cos. for oral argument was filed herein September 11, 1969, to which no opposition has been filed.

The Commission orders:

(A) The motion for oral argument is granted.

(B) An oral argument in the above designated matter will be heard by the Commission en banc on the afternoon of Tuesday, November 4, 1969, in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C.

All parties desiring to participate in such oral argument shall notify the Secretary of the Commission in writing on or before October 15, 1969, of the amount of time desired for presentation of their respective arguments.

By the Commission.

[SEAL] GORDON M. GRANT,  
Secretary.

[F.R. Doc. 69-12111; Filed, Oct. 9, 1969;  
8:45 a.m.]

[Docket No. RI70-266]

### PHILLIPS PETROLEUM CO.

#### Order Providing for Hearing on and Suspension of Proposed Change in Rate, and Allowing Rate Change To Become Effective Subject to Refund

OCTOBER 2, 1969.

Respondent named herein has filed a proposed change in rate and charge of a

currently effective rate schedule for the sale of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

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

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon a hearing regarding the lawfulness of the proposed change, and that the supplement herein be suspended and its use be deferred as ordered below.

The Commission orders:

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

(B) Pending hearing and decision thereon, the rate supplement herein is suspended and its use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act: *Provided, however*, That the supplement to the rate schedule filed by Respondent shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order Respondent shall execute and file under its above-designated docket number with the Secretary of the Commission its agreement and undertaking to comply

with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, accompanied by a certificate showing service of a copy thereof upon the purchaser under the rate schedule involved. Unless Respondent is advised to the contrary within 15 days after the filing of its agreement and undertaking, such agreement and undertaking shall be deemed to have been accepted.<sup>1</sup>

(C) Until otherwise ordered by the Commission, neither the suspended supplement, nor the rate schedule sought to be altered, shall be changed until disposition of this proceeding or expiration of the suspension period.

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

By the Commission.

[SEAL] GORDON M. GRANT,  
Secretary.

<sup>1</sup> If an acceptable general undertaking, as provided in Order No. 377, has previously been filed by a producer, then it will not be necessary for that producer to file an agreement and undertaking as provided herein. In such circumstances the producer's proposed increased rate will become effective as of the expiration of the suspension period without any further action by the producer.

#### APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until	Cents per Mcf Rate in Proposed increased rate	Rate in effect subject to refund in docket No.
RI70-266	Phillips Petroleum Co., Bartlesville, Okla. 74003.	279	16	El Paso Natural Gas Co. (Hogback Area, Sublette and Lincoln Counties, Wyo.).	\$10,823 1,708	8-4-69	8-4-69	8-5-69	* 18.5 * 15.384	* 18.775 * 15.6145 G-10713

<sup>2</sup> By additional filing of Aug. 26, 1969, Phillips extended the Commission action time until Oct. 3, 1969.

<sup>3</sup> The stated effective date is the date of filing.

<sup>4</sup> The suspension period is limited to 1 day.

<sup>5</sup> Tax reimbursement increase.

Phillips Petroleum Co. (Phillips) has filed proposed increased rates which exceed the applicable area ceiling rate for sales of gas to El Paso Natural Gas Co. (El Paso) in Wyoming. The proposed increases reflect partial reimbursement of a severance tax recently enacted by the State of Wyoming, which is retroactively effective as of January 1, 1968. The tax amounts to 1 percent of the value of natural gas produced during the preceding calendar year and is payable annually on July 1. Phillips is contractually entitled to reimbursement of 75 percent of any increase in taxes imposed after November 27, 1956, the date of initial delivery.

Phillips proposes to increase its rates by 1.5 percent of the value of the gas in order to provide for reimbursement of taxes applicable to past production back to January 1, 1968.<sup>10</sup> Phillips states that after the amounts applicable to past production have been recovered they will file an appropriate rate reduction to reduce the rates so as to only

provide for tax reimbursement for future production. Phillips has notified the Commission that Phillips and El Paso are in accord that the instant filing accomplishes El Paso's contractual obligation to reimburse Phillips for the Wyoming Severance Tax and that no new agreement is needed to recover taxes on past production under the tax reimbursement provision in the contract.

In these circumstances, we conclude that it would be in the public interest to waive the statutory notice requirement and accept for filing Phillips' instant notice of change. Such notice of change is suspended for 1 day from August 4, 1969, the date of filing. Phillips is hereby required to file a notice of change reducing its rates to eliminate the portion of the proposed increases applicable to reimbursement of taxes attributable to past production after such tax reimbursement has been recovered. Phillips will be required to refund any reimbursement relating to the Wyoming Severance Tax collected in this section 4(e) proceeding in the event the tax is for any reason held invalid upon judicial review.

[F.R. Doc. 69-12113; Filed, Oct. 9, 1969;  
8:45 a.m.]

<sup>10</sup> One-half of the increase is for future production and one-half is for past production.

\* Pressure base is 15,025 p.s.i.a.  
\* Hogback and Dry Piney Unit Areas.  
\* Tip Top Unit.  
\* Initial rate.

## SECURITIES AND EXCHANGE COMMISSION

GLAS-FOAM CORP.

### Order Suspending Trading

OCTOBER 6, 1969.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Glas-Foam Corp., a Delaware corporation, and all other securities of Glas-Foam Corp. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

It is ordered, Pursuant to section 15 (c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this



order to be effective for the period October 7, 1969, through October 16, 1969, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBois,  
Secretary.

[P.R. Doc. 69-12124; Filed, Oct. 9, 1969;  
8:46 a.m.]

## INTERSTATE COMMERCE COMMISSION

### FOURTH SECTION APPLICATIONS FOR RELIEF

OCTOBER 7, 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. 41776—*Superphosphate to Prescott, Wis.* Filed by O. W. South, Jr., agent (No. A6131), for interested rail carriers. Rates on superphosphate, not defluorinated superphosphate, nor feed grade superphosphate, in carloads, as described in the application, from Aurora and Lee Creek, N.C., to Prescott, Wis.

Grounds for relief—Market competition.

Tariff—Supplement 18 to Southern Freight Association, agent, tariff ICC 8-847.

FSA No. 41777—*Rubber and rubber compounds from Port Arthur, Tex.* Filed by Southwestern Freight Bureau, agent (No. B-85), for interested rail carriers. Rates on rubber, artificial, neoprene or synthetic, crude, and rubber compounds, n.o.i.b.n., loose or in packages, in carloads, from Port Arthur, Tex., to points in southern, southwestern, western trunkline, and official (including Illinois) territories.

Grounds for relief—Rate relationship.

Tariff—Supplement 18 to Southwestern Freight Bureau, agent, tariff ICC 4849.

FSA No. 41778—*Cement from Bushland, Tex.* Filed by Southwestern Freight Bureau, agent (No. B-92), for interested rail carriers. Rates on cement and related articles, in carloads, as described in the application, from Bushland, Tex., to points in southern territory.

Grounds for relief—Market competition.

Tariff—Supplement 22 to Southwestern Freight Bureau, agent, tariff ICC 4825.

By the Commission.

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

[P.R. Doc. 69-12139; Filed, Oct. 9, 1969;  
8:47 a.m.]

[Notice 921]

### MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

OCTOBER 7, 1969.

The following are notices of filing of applications for temporary authority under section 210(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67 (49 CFR Part 1131), 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 45134 (Sub-No. 6 TA), filed October 1, 1969. Applicant: COLLINS TRUCK LINE, INC., 3705 Marshall Street NE., Minneapolis, Minn. 55451. Applicant's representative: A. R. Fowler, 2288 University Avenue, St. Paul, Minn. 55114. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Dry fertilizer and dry fertilizer compounds*, from Winona, Minn., to points in North Dakota, for 180 days. Supporting shipper: Farmers Union Central Exchange, St. Paul, Minn. 55101. 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 50069 (Sub-No. 428 TA), filed October 1, 1969. Applicant: REFINERS TRANSPORT & TERMINAL CORPORATION, 445 Earlwood Avenue, Oregon, Ohio 43616. Applicant's representative: Jack A. Gollan (same address as above). Authority sought to operate as a common carrier, by motor vehicle over irregular routes, transporting: *Liquid acetone and phenol*, in bulk, in tank vehicles, from plantsite of United States Steel Corp. at or near Haverhill, Ohio, to points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode

Island, South Carolina, Tennessee, Texas, Virginia, West Virginia, and Wisconsin, for 180 days. Supporting shipper: United States Steel Corp., 525 William Penn Place, Pittsburgh, Pa. 15230. Send protests to: Keith D. Warner, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 5234 Federal Office Building, 234 Summit Street, Toledo, Ohio 43604.

No. MC 61403 (Sub-No. 200 TA), filed September 30, 1969. Applicant: THE MASON AND DIXON TANK LINES, INC., Eastman Road, Kingsport, Tenn. 37662. Applicant's representative: Charles E. Cox (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Dry polyester pellets*, in bulk, in tank or hopper-type vehicles, from Hystron Corp., Forster, S.C., to American Enka Corp., Lowland, Tenn., for 120 days. Supporting shipper: American Enka Corp., Enka, N.C. 28728. Send protests to: Joe J. Tate, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 803—1808 West End Building, Nashville, Tenn. 37203.

No. MC 93529 (Sub-No. 7 TA), filed October 1, 1969. Applicant: IVAN I. PRATT, doing business as PRATT MOTOR FREIGHT, 902 East Park Avenue, Milbank, S. Dak. 57252. Applicant's representative: Ivan I. Pratt (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Dry fertilizer and dry fertilizer compounds*, from Winona, Minn., to points in North Dakota and South Dakota, for 180 days. Supporting shipper: Farmers Union Central Exchange, Inc., Post Office Box G, St. Paul, Minn. 55101; Carl G. Pylkas, Transportation Manager. Send protests to: J. L. Hammond, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 369, Federal Building, Pierre, S. Dak. 57501.

No. MC 107295 (Sub-No. 222 TA), filed October 2, 1969. Applicant: PRE-FAB TRANSIT CO., 100 South Main Street, Farmer City, Ill. 61842. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Pipe tubing and fittings, including accessories incidental to the completion, erection and installation thereof*, from the plantsite of Wheatland Tube Co., Wheatland, Pa., to points in the United States (except Alaska, Arizona, California, Connecticut, Delaware, Hawaii, Idaho, Maine, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Nevada, Oregon, Pennsylvania, Rhode Island, Utah, Vermont, and Washington), for 180 days. Supporting shipper: Wheatland Tube Co., Wheatland, Pa. Send protests to: Harold C. Jolliff, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 476, 325 West Adams Street, Springfield, Ill. 62704.

No. MC 110525 (Sub-No. 931 TA), filed October 1, 1969. Applicant: CHEMICAL



LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. 19335. Applicant's representative: Edwin H. van Deusen (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Thorium nitrate solution*, in bulk, in tank vehicles, from Fernald, Ohio, to Erwin, Tenn., for 150 days. Supporting shipper: NuClear Fuel Services, Inc., Erwin, Tenn. 37650. 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 112520 (Sub-No. 206 TA), filed October 1, 1969. Applicant: MCKENZIE TANK LINES, INC., New Quincey Road, Tallahassee, Fla. 32302. Applicant's representative: Sol H. Proctor, 1729 Gulf Life Tower, Jacksonville, Fla. 32207. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hydrofluorsilicic acid*, in bulk, in tank vehicles, from points in Crisp and Effingham Counties, Ga., to points in Alabama, Arkansas, Connecticut, Delaware, District of Columbia, Florida, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia, West Virginia, and Wisconsin, for 180 days. Supporting shipper: Cotton Producers Association, 3348 Peachtree Road NE., Atlanta, Ga. 30301. Send protests to: District Supervisor G. H. Fauss, Jr., Bureau of Operations, Interstate Commerce Commission, 400 West Bay Street, Jacksonville, Fla. 32202.

No. MC 113666 (Sub-No. 38 TA), filed October 2, 1969. Applicant: FREEPORT TRANSPORT, INC., 1200 Butler Road, Freeport, Pa. 16229. Applicant's representative: Andrew Smetanik (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Refractory products*, from ports of entry at the international boundary line between the United States and Canada at Detroit, Mich.; Port Huron, Mich.; and Niagara Falls, N.Y., and Buffalo, N.Y., to points in Indiana, Illinois, Michigan, Ohio, Pennsylvania, New York, Maryland, West Virginia, and New Jersey, for 180 days. Supporting shipper: General Refractories Co., 1520 Locust Street, Philadelphia, Pa. 19102. Send protests to: John J. England, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 2109 Federal Building, 1000 Liberty Avenue, Pittsburgh, Pa. 15222.

No. MC 113828 (Sub-No. 165 TA), filed October 1, 1969. Applicant: O'BOYLE TANK LINES, INC., 4848 Cordell Avenue, Washington, D.C. 20014. Applicant's representative: John P. Grimm, 4848 Cordell Avenue, Washington, D.C. 20014. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gypsum concrete*, in bulk, from Plasterco, Va., to

points in Alabama, Georgia, North Carolina, South Carolina, Tennessee, and West Virginia, for 180 days. Supporting shipper: United States Gypsum Co., 3098 Piedmont Road NE., Atlanta, Ga. 30305. Send protests to: R. D. Caldwell, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 12th and Constitution Avenue NW., Room 2210, Washington, D.C. 20423.

No. MC 118159 (Sub-No. 80 TA), filed October 1, 1969. Applicant: EVERETT LOWRANCE, INC., 4916 Jefferson Highway, New Orleans, La. 70121. Applicant's representative: David D. Brunson, 419 Northwest 6, Oklahoma City, Okla. 73102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses as described in Descriptions of Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Amarillo, Tex., to points in Louisiana, Mississippi, Alabama, Georgia, Florida, South Carolina, Tennessee, Oklahoma, North Carolina, and Arkansas, for 180 days. Supporting shipper: Glover Packing Co., Post Office Box 92, Amarillo, Tex. Send protests to: W. R. Atkins, District Supervisor, Interstate Commerce Commission, Bureau of Operations, T-4009 Federal Building, 701 Loyola Avenue, New Orleans, La. 70113.

No. MC 119531 (Sub-No. 126 TA), filed October 1, 1969. Applicant: DIECKBRADER EXPRESS, INC., 5391 Wooster Road, Cincinnati, Ohio 45226. Applicant's representative: Kenneth D. Steinsiek (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Corrugated fiberboard sheets*, from Ashtabula, Ohio, to Winchester, Va., for 150 days. Supporting shipper: Inland Container Corp., Indianapolis, Ind. 46206. Send protests to: Emil P. Schwab, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1010 Federal Building, 550 Main Street, Cincinnati, Ohio 45202.

No. MC 119726 (Sub-No. 20 TA), filed October 1, 1969. Applicant: N.A.B. TRUCKING CO., INC., 1007 East 27th Street, Indianapolis, Ind. 46205. Applicant's representative: Norman A. Borinstein (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Empty glass containers*, from plantsite of Kerr Glass Manufacturing Corp., Dunkirk, Ind., to plantsite of Travenol Laboratories, Inc., Kintree, S.C., with provisions for the return of glassware, materials, and supplies in the reverse direction, for 180 days. Supporting shipper: Kerr Glass Manufacturing Corp., Lancaster, Pa. 17604. Send protests to: James W. Habermehl, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 802 Century Building, 36 South Pennsylvania Street, Indianapolis, Ind. 46204.

No. MC 120906 (Sub-No. 4 TA), filed October 2, 1969. Applicant: SPECIAL SERVICE DELIVERY, INC., 828 Prouty Avenue, Toledo, Ohio. Applicant's representative: William B. Avery (same ad-

dress as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities dealt in by hardware, sales, between the plantsite of The Bostwick & Braun Co. at Toledo, Ohio, on the one hand, and, on the other, points in Monroe, Lenawee, Hillsdale, Branch, Calhoun, Jackson, Washtenaw, Wayne, Eaton, Ingham, Livingston, Oakland, Macomb, St. Clair, Lapeer, Genesee, Shiawassee, and Clinton Counties, Mich.* Restriction: The service authorized above is restricted to shipments originating at, or destined to, the plantsite of The Bostwick-Braun Co. at Toledo, Ohio, for 150 days. Supporting shipper: The Bostwick-Braun Co., Summit Street, Toledo, Ohio 43604. Send protests to: Keith D. Warner, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 5234 Federal Office Building, Toledo, Ohio 43604.

No. MC 128095 (Sub-No. 4 TA), filed October 1, 1969. Applicant: PARKER TRUCK LINE, INC., Westmoreland Drive, Tupelo, Miss. 38801. Applicant's representative: Donald B. Morrison, Post Office Box 22628, Jackson, Miss. 39205. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, from Senatobia, Miss., to points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia, for 180 days. Supporting shipper: William F. Kolb, Distribution Manager, Chromcraft, Inc., Senatobia, Miss. 38668. Send protests to: Floyd A. Johnson, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 390 Federal Office Building, 167 North Main Street, Memphis, Tenn. 38103.

No. MC 129214 (Sub-No. 6 TA), filed October 1, 1969. Applicant: CAVES TRUCKING COMPANY, INC., Post Office Box 206, Wild Rose, Wis. 54982. Applicant's representative: Gordon N. Caves (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Corrugated pulpboard boxes, wooden box materials, and fiberboard boxes, with wooden frames*, from Wild Rose, Wis., to Farmington, Minn., for 150 days. Supporting shipper: Klechefer Boxes, Inc., Wild Rose, Wis. 54984. Send protests to: Barney L. Hardin, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 444 West Main Street, Room 11, Madison, Wis. 53703.

By the Commission.

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

[F.R. Doc. 69-12140; Filed, Oct. 9, 1969;  
8:47 a.m.]



[Notice 423]

MOTOR CARRIER TRANSFER  
PROCEEDINGS

OCTOBER 7, 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-71437. By order of September 30, 1969, the Motor Carrier Board approved the transfer to Motor Transit, Inc., Grand Junction, Colo., of corrected certificate No. MC-63081 issued October 30, 1967, to Edgar J. Daugherty, doing business as Daugherty Trucking, Baggs, Wyo., authorizing the transportation of: Wool, livestock, feed, seed grain, household goods, fertilizer, and machinery, materials, supplies, and equipment, used in the gas and petroleum industry, between specified points in Wyoming and Colorado. Warren F. Reams, 301 North Seventh Street, Grand Junction, Colo. 81501, attorney for applicants.

No. MC-FC-71471. By order of September 30, 1969, the Motor Carrier Board approved the transfer to X-Line, Inc., Akron, Ohio, of a portion of the operating rights in certificate No. MC-36734 (Sub-No. 3) and the operating rights in certificate No. MC-36734 (Sub-No. 7) issued June 1, 1960, and September 14, 1967, respectively, to Fleming's Express, Inc., Wrentham, Mass., authorizing the transportation over irregular routes, of prefabricated buildings, knocked down or in sections, and fixtures and equipment to be installed therein, when transported in connection with the movement of the building in which such fixtures and equipment are to be installed, from Nashua, N.H., to points in Maine, Vermont, Massachusetts, Rhode Island, Connecticut, New York, and New Jersey, and heavy machinery, equipment, and other articles which by reason of size or weight require the use of special devices for handling, between Pittsfield, Mass., and points within 25 miles thereof, on the one hand, and, on the other, points in Massachusetts, Rhode Island, Connecticut, and New York. A. David Millner, 1060 Broad Street, Newark, N.J. 07102, and Thomas W. Murrett, 342 North Main Street, West Hartford, Conn. 06117, attorney for applicants.

No. MC-FC-71591. By order of October 1, 1969, the Motor Carrier Board approved the transfer to Dyersburg Express, Inc., Nashville, Tenn., of the operating rights in certificates Nos. MC-8872, MC-8872 (Sub-No. 1), and MC-8872 (Sub-No. 6) issued June 13, 1951, June 13, 1951, and February 23, 1965, re-

spectively, to G. W. Chambers, doing business as Dyersburg Express, Memphis, Tenn., authorizing the transportation, over regular routes, of general commodities, except those of unusual value, and except dangerous explosives, household goods, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, between Dyersburg, Tenn., and Philippi, Tenn., and between Memphis, Tenn., and Dyersburg, Tenn., and general commodities, except those of unusual value, classes A and B explosives, household goods, commodities in bulk, and those requiring special equipment; between Tiptonville, Tenn., and Union City, Tenn., serving certain intermediate and off-route points. A. O. Buck, 500 Court Square Building, Nashville, Tenn. 37201, and Longstreet Heskell, 2020 First National Bank Building, Memphis, Tenn. 38103, attorneys for applicants.

No. MC-FC-71616. By order of October 1, 1969, the Motor Carrier Board approved the transfer to Links Trucking, Inc., Brooklyn, N.Y., of certificate No. MC-83322, issued July 31, 1958, to Morris Obligen, doing business as Links Trucking, Brooklyn, N.Y., authorizing the transportation of: (1) Knitting plant machinery, uncrated, and knitting plant machinery parts, over irregular routes, between New York, N.Y., and Philadelphia, Pa., on the one hand, and, on the other, points in Alabama, Delaware, Georgia, Illinois, Maryland, Mississippi, North Carolina, Ohio, South Carolina, and Vermont; (2) new knitting machinery and parts over irregular routes between New York, N.Y., and Philadelphia, Pa., on the one hand, and, on the other, points in Connecticut, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, and Rhode Island; (3) used knitting machinery and parts, used knitting plant equipment, and stock in trade of knitting plants, over irregular routes, between points in Connecticut, Massachusetts, New Jersey, New York, Pennsylvania, and Rhode Island. Blanton P. Bergen, 137 East 36th Street, New York, N.Y. 10016, attorney for applicants.

No. MC-FC-71645. By order of October 1, 1969, the Motor Carrier Board approved the transfer to Bell & Mooney, Inc., Gillette, Wyo., of certificate No. MC-103019 issued November 5, 1968, to Marvel Truck & Dozer Service, Inc., Cheyenne, Wyo., authorizing the transportation of machinery, materials, supplies, and equipment used in the petroleum and pipeline industries, between railheads in Wyoming, on the one hand, and, on the other, points in Wyoming not on railroads, and machinery, equipment, materials, and supplies, except complete drilling rigs, used in the petroleum and pipeline industries, from points in Niobrara County, Wyo., to points in Colorado, Montana, South Dakota, and Utah. Robert S. Stauffer, 3539 Boston Road, Cheyenne, Wyo. 82001, attorney for applicants.

[SEAL] ANDREW ANTHONY JR.,  
Acting Secretary.

[P.R. Doc. 69-12141; Filed, Oct. 9, 1969;  
8:48 a.m.]

[S.O. 1002; Car Distribution Direction 64]

ILLINOIS CENTRAL RAILROAD CO.  
AND COLUMBUS AND GREENVILLE  
RAILWAY CO.

## Car Distribution

Pursuant to section 1 (15) and (17) of the Interstate Commerce Act and authority vested in me by Interstate Commerce Commission Service Order No. 1002:

It is ordered, That:

(1) Each common carrier by railroad subject to the Interstate Commerce Act shall comply with the following distribution directions:

(a) The Illinois Central Railroad Co. shall deliver to the Columbus and Greenville Railway Co. a weekly total of 105 empty plain serviceable boxcars with inside length less than 44 feet 8 inches and doors less than 8 feet wide. Exception: Canadian ownerships.

It is further ordered, That the rate of delivery specified in this direction shall be maintained within weekly periods ending each Sunday at 11:59 p.m., so that at the end of each 7 days the full delivery required for that period shall have been made.

It is further ordered, That cars applied under this direction shall be so identified on empty car cards, movement slips, and interchange records as moving under the provisions of this direction.

(b) The carriers delivering the empty boxcars as described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars, covered by this direction, delivered during the preceding week, ending each Sunday at 11:59 p.m.

(c) The carriers receiving the cars described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars received during the preceding week, ending each Sunday at 11:59 p.m.

(2) Regulations suspended. The operation of all rules and regulations, insofar as they conflict with the provisions of this direction, is hereby suspended.

(3) Effective date. This direction shall become effective at 12:01 a.m., October 9, 1969.

(4) Expiration date. This direction shall expire at 11:59 p.m., November 2, 1969, unless otherwise modified, changed or suspended by order of this Commission.

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

Issued at Washington, D.C., October 6, 1969.

INTERSTATE COMMERCE  
COMMISSION,  
N. THOMAS HARRIS,  
Agent.

[SEAL] [P.R. Doc. 69-12142; Filed, Oct. 9, 1969;  
8:48 a.m.]



[S.O. 1002; Car Distribution Direction 63]

**SEABOARD COAST LINE RAILROAD CO. ET AL.****Car Distribution**

Seaboard Coast Line Railroad Co., St. Louis-San Francisco Railway Co., and Columbus and Greenville Railway Co.

Pursuant to section 1 (15) and (17) of the Interstate Commerce Act and authority vested in me by Interstate Commerce Commission Service Order No. 1002:

*It is ordered, That:*

(1) Each common carrier by railroad subject to the Interstate Commerce Act shall comply with the following distribution directions:

(a) The Seaboard Coast Line Railroad Co. shall deliver to the St. Louis-San Francisco Railway Co. a weekly total of 105 empty plain serviceable boxcars with inside length less than 44 feet 8 inches and doors less than 8 feet wide. Exception: Canadian ownerships.

(b) The St. Louis-San Francisco Railway Co. shall deliver to the Columbus and Greenville Railway Co. a weekly total of 105 empty plain serviceable boxcars with inside length less than 44 feet 8 inches and doors less than 8 feet wide. Exception: Canadian ownerships.

*It is further ordered, That* the rate of delivery specified in this direction shall be maintained within weekly periods ending each Sunday at 11:59 p.m., so that at the end of each 7 days the full delivery required for that period shall have been made.

*It is further ordered, That* cars applied under this direction shall be so identified on empty car cards, movement slips, and interchange records as moving under the provisions of this direction.

(c) The carriers delivering the empty boxcars as described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars, covered by this direction, delivered during the preceding week, ending each Sunday at 11:59 p.m.

(d) The carriers receiving the cars described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars received during the preceding week, ending each Sunday at 11:59 p.m.

(2) *Regulations suspended.* The operation of all rules and regulations, insofar as they conflict with the provisions of this direction, is hereby suspended.

(3) *Effective date.* This direction shall become effective at 12:01 a.m., October 9, 1969.

(4) *Expiration date.* This direction shall expire at 11:59 p.m., November 2, 1969, unless otherwise modified, changed, or suspended by order of this Commission.

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

Issued at Washington, D.C., October 6, 1969.

INTERSTATE COMMERCE  
COMMISSION,

[SEAL]

N. THOMAS HARRIS,  
Agent.

[F.R. Doc. 69-12143; Filed, Oct. 9, 1969;  
8:48 a.m.]

[S.O. 1002; Car Distribution Direction 63]

**SOUTHERN RAILWAY CO. AND COLUMBUS AND GREENVILLE RAILWAY CO.****Car Distribution**

Pursuant to section 1 (15) and (17) of the Interstate Commerce Act and authority vested in me by Interstate Commerce Commission Service Order No. 1002:

*It is ordered, That:*

(1) Each common carrier by railroad subject to the Interstate Commerce Act shall comply with the following distribution directions:

(a) The Southern Railway Co. shall deliver to the Columbus and Greenville Railway Co. a weekly total of 75 empty plain serviceable boxcars with inside length less than 44 feet 8 inches and

doors less than 8 feet wide. Exception: Canadian ownerships.

*It is further ordered, That* the rate of delivery specified in this direction shall be maintained within weekly periods ending each Sunday at 11:59 p.m., so that at the end of each 7 days the full delivery required for that period shall have been made.

*It is further ordered, That* cars applied under this direction shall be so identified on empty car cards, movement slips, and interchange records as moving under the provisions of this direction.

(b) The carriers delivering the empty boxcars as described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars, covered by this direction, delivered during the preceding week, ending each Sunday at 11:59 p.m.

(c) The carriers receiving the cars described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars received during the preceding week, ending each Sunday at 11:59 p.m.

(2) *Regulations suspended.* The operation of all rules and regulations, insofar as they conflict with the provisions of this direction, is hereby suspended.

(3) *Effective date.* This direction shall become effective at 12:01 a.m., October 9, 1969.

(4) *Expiration date.* This direction shall expire at 11:59 p.m., November 2, 1969, unless otherwise modified, changed, or suspended by order of this Commission.

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

Issued at Washington, D.C., October 6, 1969.

INTERSTATE COMMERCE  
COMMISSION,

[SEAL]

N. THOMAS HARRIS,  
Agent.

[F.R. Doc. 69-12144; Filed, Oct. 9, 1969;  
8:48 a.m.]



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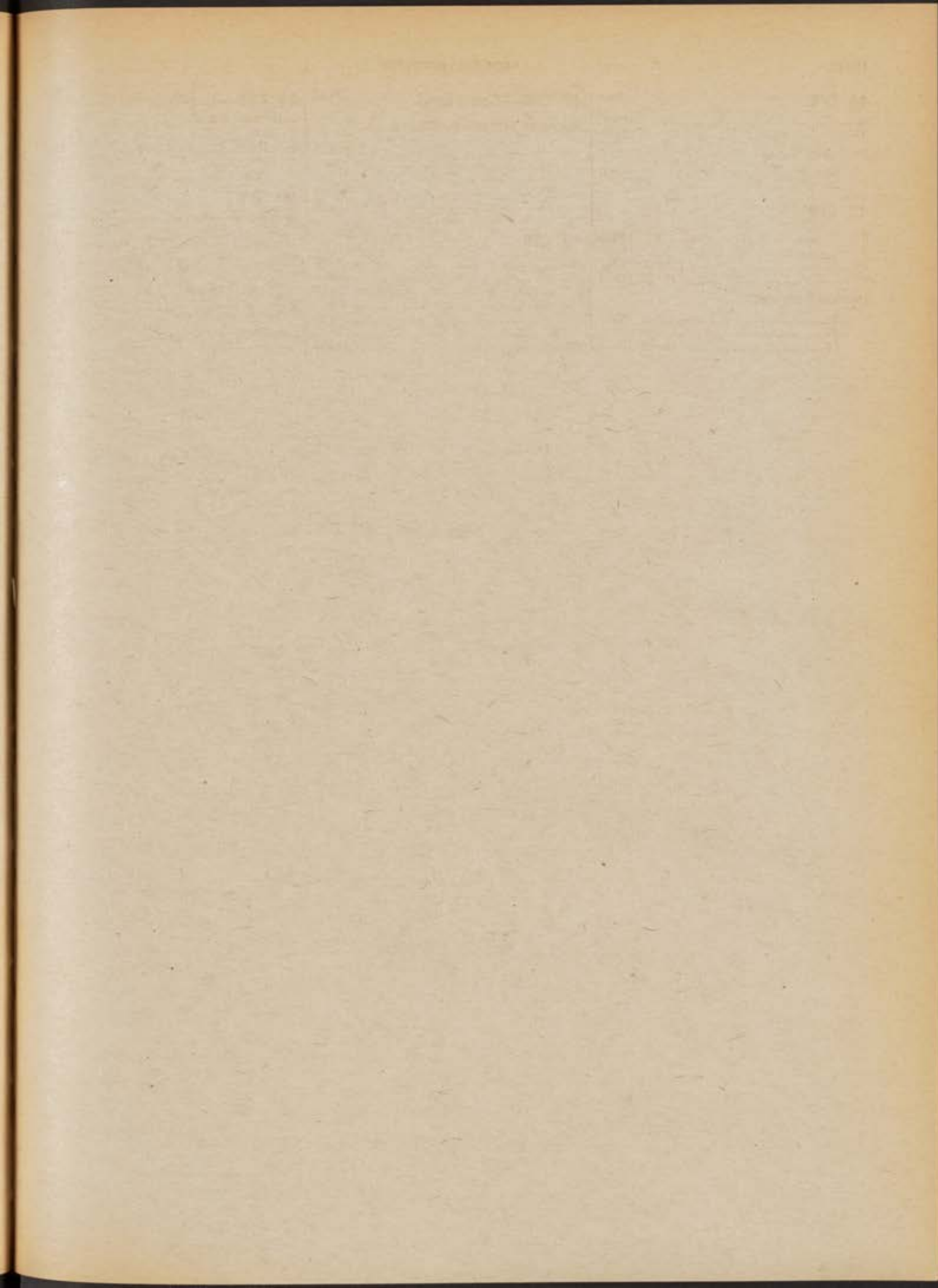
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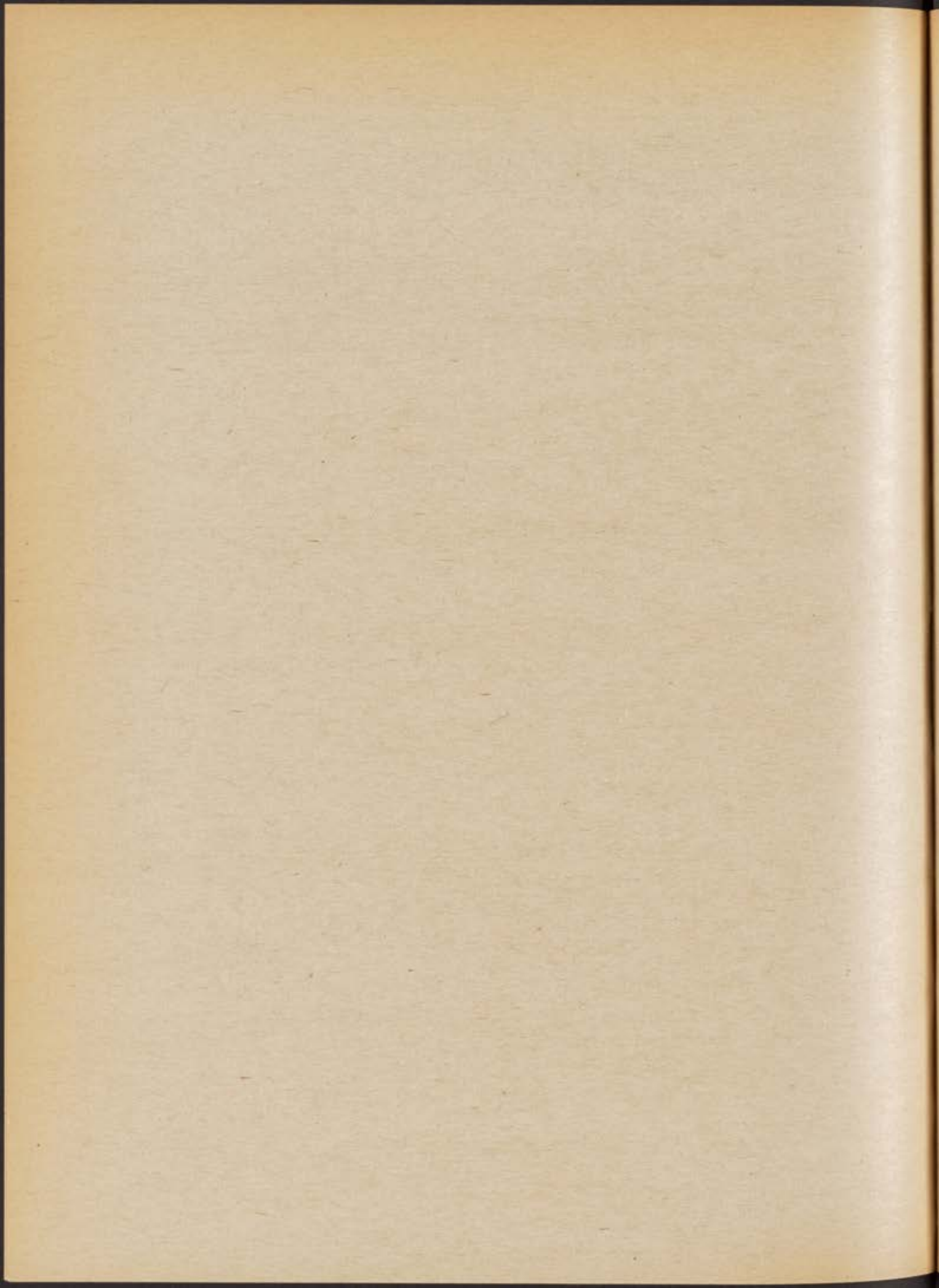
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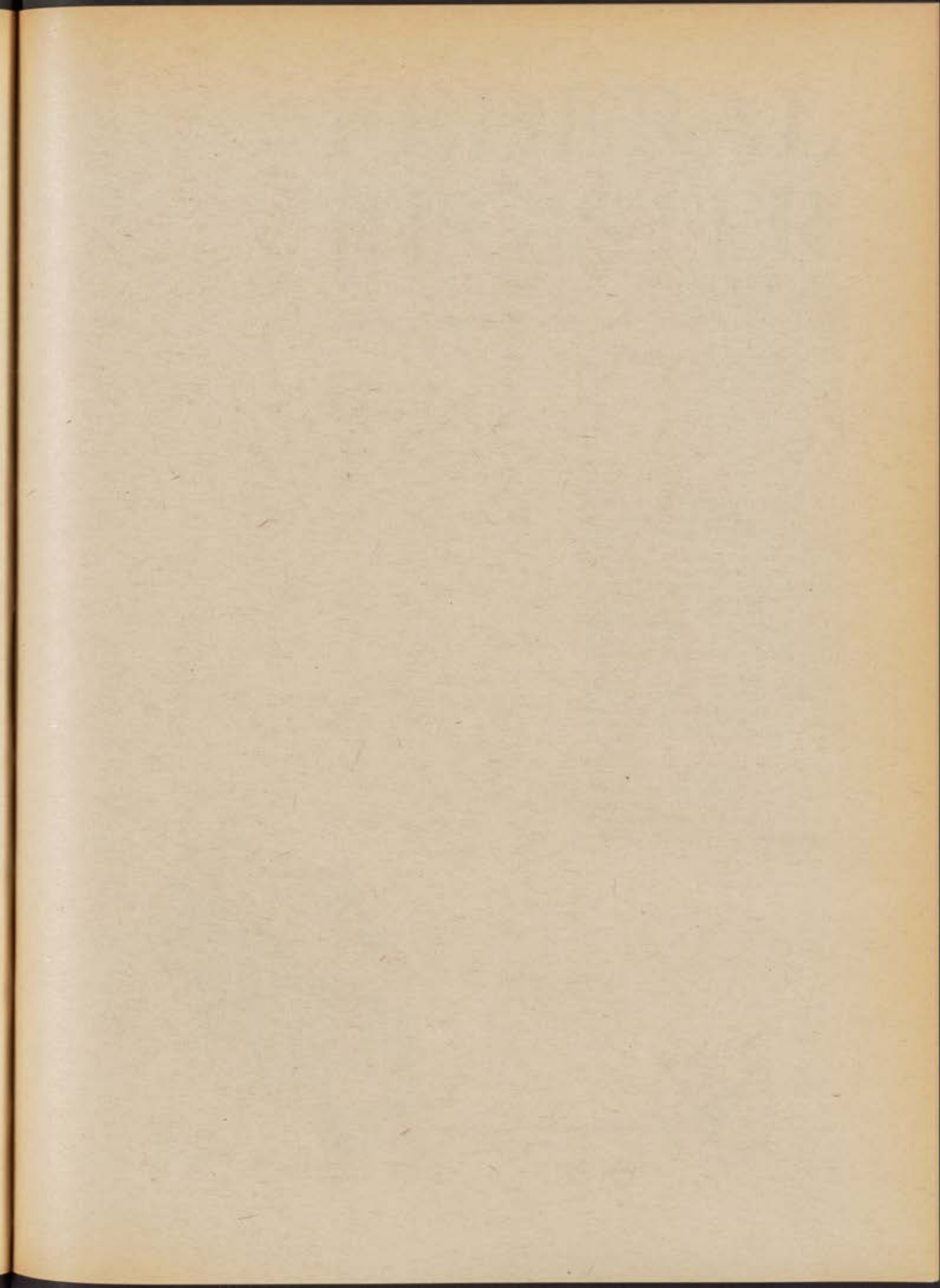














GENERAL

REGISTER

OF THE  
COUNTY OF  
SHERBORN