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**Agencies in this issue—**



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# List of CFR Parts Affected

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

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

# Rules and Regulations

## Title 5—ADMINISTRATIVE PERSONNEL

### Chapter I—Civil Service Commission

### PART 213—EXCEPTED SERVICE

#### Temporary Boards and Commissions

Section 213.3199 is amended to show that positions at GS–15 and below on the staff of the Presidential Task Force on International Development Cooperation are excepted under Schedule A until June 30, 1970. Effective on publication in the FEDERAL REGISTER, paragraph (c) is added to § 213.3199 as set out below.

§ 213.3199 **Temporary Boards and Commissions.**

* * * * *

(c) *Presidential Task Force on International Development Cooperation.* (1) Until June 30, 1970, positions at GS–15 and below.

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

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

[F.R. Doc. 69–12544; Filed, Oct. 20, 1969; 8:46 a.m.]

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### PART 213—EXCEPTED SERVICE

#### Department of Labor

Section 213.3315 is amended to show that one position of Confidential Assistant to the Deputy Under Secretary for International Affairs is excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, subparagraph (28) is added under paragraph (a) of § 213.3315 as set out below.

§ 213.3315 **Department of Labor.**

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

(28) One Confidential Assistant to the Deputy Under Secretary for International Affairs.

* * * * *

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

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

[F.R. Doc. 69–12543; Filed, Oct. 20, 1969; 8:46 a.m.]

## Title 7—AGRICULTURE

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

SUBCHAPTER A—COMMODITY STANDARDS AND STANDARD CONTAINER REGULATIONS

### PART 29—TOBACCO INSPECTION

#### Subpart C—Standards

WISCONSIN STANDARD GRADES

On September 4, 1969, notice of proposed rule making regarding an amendment to the Official Standard Grades for Wisconsin Cigar-binder Tobacco was published in the FEDERAL REGISTER (34 F.R. 14035).

*Statement of consideration.* Grade standards for tobacco are issued under the authority of the Tobacco Inspection Act of 1935 which provides for the issuance of official U.S. grades to designate different levels of quality for the use of producers and buyers. Official grading service is also provided under the Act on both a mandatory and a permissive basis. This service is rendered free of charge when performed on designated auction markets. When inspection is made at the request of an owner or other person financially interested, a fee is charged to cover the cost of the service.

The notice of proposed amendment included proposals to (1) lower length specifications for grade B3 from 19 to 17 inches, (2) raise body specifications for grade B3 from heavy to medium, and (3) delete the word "natural" from the definition for the Binder (B Group). Grower representation requested the changes in the length and body specifications for grade B3. The lowering of length specifications for grade B3 to 17 inches excludes tobacco placed in this grade from qualifying as natural binder, therefore deletion of the word "natural" from the B group definition is essential.

Favorable response to the three changes was received during discussion of the proposed amendment with the trade.

Interested persons were given 30 days in which to submit written data, views, or arguments regarding the proposed amendment. After consideration of all such relevant matter as was presented by interested persons, the amendment as so proposed is adopted. The amendment is set forth below.

*Effective date.* This amendment shall become effective 30 days following the date of publication in the FEDERAL REGISTER.

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

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

1. In § 29.6126 the word "natural" is deleted from the heading for Binder (B Group).

2. Also in § 29.6126 U.S. grade B3 is amended to read as follows:

B3 Low Quality Binder. Medium, ripe, firm, semielastic, normal strength and width, and 17 inches or over in length. Uniformity, 70 percent; injury tolerance, 30 percent.

(49 Stat. 734; 7 U.S.C. 511m)

[F.R. Doc. 69–12561; Filed, Oct. 20, 1969; 8:47 a.m.]

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### Chapter VIII—Agricultural Stabilization and Conservation Service (Sugar), Department of Agriculture

SUBCHAPTER I—DETERMINATION OF PRICES

### PART 874—SUGARCANE; LOUISIANA

#### Fair and Reasonable Prices for 1969 Crop

*Correction*

In F.R. Doc. 69–12045 appearing at page 15637 in the issue of Thursday, October 9, 1969, the words "Houman, La." in the sixth line of the first paragraph should read "Houma, La.".

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

### PART 925—FRESH PRUNES GROWN IN DESIGNATED COUNTIES IN IDAHO AND IN MALHEUR COUNTY, OREG.

#### Expenses and Rate of Assessment

On October 4, 1969, notice of proposed rule making was published in the FEDERAL REGISTER (34 F.R. 15486) regarding proposed expenses, and the related rate of assessment for the fiscal period July 1, 1969, through June 30, 1970, pursuant to the marketing agreement and order No. 925 (7 CFR Part 925), regulating the handling of fresh prunes grown in designated counties in Idaho and in Malheur County, Oreg. This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674). After consideration of all relevant matters presented, including the proposals set forth in such notice which were submitted by

the Idaho-Malheur County, Oreg., Fresh Prune Marketing Committee (established pursuant to said marketing agreement and order), it is hereby found and determined that:

§ 925.209 Expenses and rate of assessment.

(a) *Expenses.* Expenses that are reasonable and likely to be incurred by the Idaho-Malheur County, Oreg., Fresh Prune Marketing Committee during the fiscal period July 1, 1969, through June 30, 1970, will amount to $5,645.

(b) *Rate of assessment.* The rate of assessment for said period, payable by each handler in accordance with § 925.41, is fixed at $0.005 per one-half bushel or equivalent quantity of fresh prunes.

It is hereby further found that good cause exists for not postponing the effective date hereof until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that (1) shipments of the current crop of fresh prunes grown in the designated production area are now being made; (2) the relevant provisions of said marketing agreement and this part require that the rate of assessment herein fixed shall be applicable to all assessable prunes handled during the aforesaid period; and (3) such period began on July 1, 1969, and said rate of assessment will automatically apply to all such prunes beginning with such date.

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

Dated: October 15, 1969.

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

[F.R. Doc. 69-12532; Filed, Oct. 20, 1969; 8:45 a.m.]

## PART 984—WALNUTS GROWN IN CALIFORNIA, OREGON, AND WASHINGTON

### Marketing Control Percentages for 1969–70 Marketing Year

Notice was published in the October 3, 1969, issue of the FEDERAL REGISTER (34 F.R. 15420) regarding a proposal, unanimously recommended by the Walnut Control Board, to establish marketable and surplus percentages for walnuts during the 1969–70 marketing year. The year began August 1, 1969. The establishment of such percentages is in accordance with the relevant provisions of the marketing agreement, as amended, and Order No. 984, as amended (7 CFR Part 984). The amended marketing agreement and order regulate the handling of walnuts grown in California, Oregon, and Washington, and are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674).

The notice afforded interested persons opportunity to submit written data, views, or arguments on the proposal. None were submitted within the prescribed time.

After consideration of all relevant matter presented, including that in the notice, the information and recommendations submitted by the Board, and other available information, it is found that establishment of marketable and surplus percentages as hereinafter set forth will tend to effectuate the declared policy of the Act.

Therefore, the marketable and surplus percentages for walnuts during the 1969–70 marketing year are established as follows:

§ 984.216 Marketable and surplus percentages for walnuts during the 1969–70 marketing year.

The marketable and surplus percentages during the marketing year beginning August 1, 1969, shall be as follows:

| | California District 1 | Oregon-Washington District 2 |
|---|---|---|
| Marketable percentage | 82 | 91 |
| Surplus percentage | 18 | 9 |

It is further found that good cause exists for not postponing the effective time of this action until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that: (1) The relevant provisions of said amended marketing agreement and this part require that marketable and surplus percentages designated for a particular marketing year shall be applicable to all walnuts during such year; and (2) the current 1969–70 marketing year began August 1, 1969, and the percentages established herein will automatically apply to all such walnuts beginning with such date.

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

Dated: October 16, 1969.

PAUL A. NICHOLSON,
*Acting Director, Fruit and Vegetable Division.*

[F.R. Doc. 69-12562; Filed, Oct. 20, 1969; 8:47 a.m.]

# Title 32—NATIONAL DEFENSE

## Chapter VII—Department of the Air Force

### SUBCHAPTER A—ADMINISTRATION

## PART 806—DISCLOSURE OF UNCLASSIFIED RECORDS

### Miscellaneous Amendments

Part 806 of the Code of Federal Regulations is amended to read as follows:

1. Section 806.4 is amended by revising the first sentence of paragraph (d) to read as follows:

§ 806.4 Specific policies on disclosure.

* * * * *

(d) A requester must be reasonably specific in identifying each record he would like made available. * * *

* * * * *

2. Section 806.8 is amended by adding a new paragraph (d).

§ 806.8 Identifying material requested.

* * * * *

(d) Standard Form 180, "Request Pertaining to Military Records", is used by Federal agencies to obtain information from military service records that are in the National Personnel Records Center (Military Personnel Records). Agencies may furnish copies of SF 180 to the public to facilitate unofficial inquiries and may direct nongovernment organizations to the Superintendent of Documents to purchase quantities of the form.

3. Section 806.9 is amended by revising paragraph (c) and adding a new paragraph (i) to read as follows:

§ 806.9 Addressing requests.

* * * * *

(c) For matters of record concerning civilian employees no longer employed in the Federal service: National Personnel Records Center, GSA (Civilian Personnel Records), 111 Winnebago Street, St. Louis, Mo. 63118.

* * * * *

(i) For records retired to records centers or other repositories: See AFM 181–5, AFM 12–50.

§ 806.10 [Amended]

4. Section 806.10 is amended by changing the last entry in the third column from "FRC (MPR) GS, 111 Winnebago Street, St. Louis, Mo. 63118" to "National Personnel Records Center (MPR), 9700 Page Boulevard, St. Louis, Mo. 63132".

(Sec. 8012, 70A Stat. 488; 10 U.S.C. 8012, 5 U.S.C. 552; DoD Directive 5400.7, June 1967, except as otherwise noted)

[Change 1, Sept. 5, 1969 to AFR 12–30, July 16, 1969]

By order of the Secretary of the Air Force.

ALEXANDER J. PALENSCAR, Jr.,
*Colonel, U.S. Air Force, Chief, Special Activities Group, Office of The Judge Advocate General.*

[F.R. Doc. 69-12563; Filed, Oct. 20, 1969; 8:47 a.m.]

### SUBCHAPTER J—CIVILIAN PERSONNEL

## PART 890—EMPLOYMENT POLICIES

Part 890 of Chapter VII of the Code of Federal Regulations is revised as follows:

Sec.
890.0 Purpose.
890.2 Policy.
890.4 Competitive and excepted services.
890.6 Qualification requirements.
890.8 Suitability and security factors.
890.10 Releasing employees.

AUTHORITY: The provisions of this Part 890 issued under sec. 8012, 70A Stat. 488; 10 U.S.C. 8012.

SOURCE: AFR 40–301, October 14, 1968.

§ 890.0 Purpose.

This part contains information needed by commanders, civilian personnel offices, other staff offices, and supervisors of

civilian personnel. It does not apply to the employment of non-U.S. citizens in foreign areas or Guam, or the employment of local civilians in the Canal Zone.

§ 890.2 Policy.

Civilian positions are filled on the principles of merit and qualification, without regard to race, religion, sex, color, national origin, physical handicap, marital status, age, political affiliation, or membership in any lawful group. While supervisors may specify that a particular position requires men only—or women only—the restriction must be clearly justified, and the reasons given are subject to review.

§ 890.4 The competitive and excepted services.

Most civilian positions in the Air Force are in the competitive Civil Service. Usually, an employee acquires career-conditional status after open competitive examination and is subject to the satisfactory completion of a 1-year probationary period. After 3 years of substantially continuous service, he achieves career status. The excepted service is composed of certain positions that are exempt from the competitive service by Civil Service Commission (CSC) rules and statutes. Schedule A, B, or C includes persons who are given excepted appointments and do not acquire competitive status. Schedule C positions are in the Office of the Secretary only.

§ 890.6 Qualification requirements.

The CSC establishes qualification requirements and guidelines for all positions in the competitive and excepted service. Any modification of the requirements must be approved by the Commission. Qualification requirements are: The minimum experience, training, education and physical standards that are essential to the satisfactory performance of the position involved.

§ 890.8 Suitability and security factors.

Candidates for civilian positions must be reliable, of good conduct and character, and completely loyal to the United States. The central civilian personnel office makes written and oral preselection inquiries of former employers, fellow workers, and other knowledgeable sources to evaluate a candidate's qualifications and suitability. The selecting supervisor must also appraise the candidate's general suitability before making a commitment or selection. The candidate is also subject to security program requirements before the final selection is made.

§ 890.10 Releasing employees.

Employees will not be restricted from accepting position offers from either another Air Force activity or another Federal agency. Accordingly, an employee will be released promptly to another position. Normally, this is no more than 20 calendar days after the notice of selection to the losing supervisor. The supervisor may request an extension of 10 additional days to train a replacement, but in no case will he be permitted to jeopardize an employee's transfer by delaying the release date.

By order of the Secretary of the Air Force.

ALEXANDER J. PALENSCAR, Jr.,
*Colonel, U.S. Air Force, Chief, Special Activities Group, Office of The Judge Advocate General.*

[F.R. Doc. 69-12564; Filed, Oct. 20, 1969; 8:47 a.m.]

# Title 49—TRANSPORTATION

## Chapter X—Interstate Commerce Commission

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[Ex Parte No. MC-37; Sub-No. 16]

## PART 1048—COMMERCIAL ZONES

### Sioux City, Iowa

At a session of the Interstate Commerce Commission, Review Board Number 2, held at its office in Washington, D.C., on the 9th day of October 1969.

It appearing, that on November 26, 1946, the Commission, division 5, made and entered its report, 46 M.C.C. 665, and order in this proceeding establishing a population-mileage formula for the definition of the zone adjacent to and commercially a part of each municipality in the United States, with certain exceptions which did not include Sioux City, Iowa, 49 CFR 1048.101;

It further appearing, that by petition filed March 19, 1969, Iowa Beef Packers, Inc., seeks specific definition and extension in certain respects of the Sioux City, Iowa, commercial zone;

And it further appearing, that investigation of the matters and things involved in said petition having been made, and said review board having made and filed a report herein containing its findings of fact and conclusions thereon, which report is hereby made a part hereof:

And good cause appearing therefor:

*It is ordered*, That said proceeding insofar as it relates to the zone adjacent to and commercially a part of Sioux City, Iowa, be, and it is hereby, reopened for further consideration.

*It is further ordered*, That part 1048 of Title 49 of the Code of Federal Regulations be, and it is hereby, amended by adding § 1048.38 thereto, reading as follows:

§ 1048.38 Sioux City, Iowa.

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

(a) The area which would result by application of the general formula promulgated in § 1048.101; and, in addition thereto,

(b) That area bounded by a line beginning at the intersection of Interstate Highway 29 and the line described in paragraph (a) of this section, and extending southeasterly along Interstate Highway 29 to its intersection with the Liberty-Lakeport Township, Iowa, line, thence westerly along the Liberty-Lakeport Township, Iowa, line to the Missouri River, thence northerly along the east bank of the Missouri River to its intersection with the line described in paragraph (a) of this section, thence along the line described in paragraph (a) of this section, to the point of beginning. (49 Stat. 543, as amended; 544, as amended; 546, as amended; 49 U.S.C. 302, 303, 304.)

*It is further ordered*, That this order shall become effective on November 24, 1969, and shall continue in effect until further order of the Commission.

*It is further ordered*, That the petition, except to the extent granted herein, be, and it is hereby, denied.

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

By the Commission, Review Board Number 2.

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

[F.R. Doc. 69-12551; Filed, Oct. 20, 1969; 8:46 a.m.]

# Title 21—FOOD AND DRUGS

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

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

## PART 121—FOOD ADDITIVES

### Subpart B—Exemption of Certain Food Additives From the Requirement of Tolerances

CYCLAMIC ACID AND ITS SALTS

On the basis of animal studies recently reported to the Food and Drug Administration by Abbott Laboratories, and the review of the studies and the underlying data by experts in the National Cancer Institute, by an outside consultant, and by an ad hoc Committee of the National Academy of Sciences-National Research Council, Food Protection Committee, the Commissioner concludes that cyclamates can no longer be regarded as generally recognized as safe for use in food.

Accordingly, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 201(s), 72 Stat. 1784, 21 U.S.C. 321(s); sec. 409, 72 Stat. 1785, 21 U.S.C. 348 and sec. 701(a), 52 Stat. 1055, 21 U.S.C. 371(a)) and under authority delegated to the Commissioner

(21 CFR 2.120), Part 121 is amended as follows:

1. Section 121.101 *Substances that are generally recognized as safe* is amended by deleting from paragraph (d)(4) the items "Calcium cyclamate (calcium cyclohexyl sulfamate)," "Magnesium cyclamate (magnesium cyclohexyl sulfamate)," "Potassium cyclamate (potassium cyclohexyl sulfamate)," and "Sodium cyclamate (sodium cyclohexyl sulfamate)."

*Effective date.* This order shall become effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 201(s), 72 Stat. 1784, 21 U.S.C. 321(s); sec. 409, 72 Stat. 1785, 21 U.S.C. 348; sec. 701(a), 52 Stat. 1055, 21 U.S.C. 371(a))

Cyclamates and artificially sweetened products intended for use in the dietary management of disease in man, including the management of such diseases as diabetes and obesity, should be relabeled promptly to comply with the drug provisions of the law if they are to continue on the market. Drugs containing cyclamates for nontherapeutic use should be withdrawn by July 1, 1970.

The Commissioner finds that existing stocks of artificially sweetened beverages and packaged mixes for the preparation of such beverages for general use should be withdrawn from the market between the date of this order and January 1, 1970. The Commissioner further finds that other artificially sweetened foods for general use containing substantially lower levels of cyclamates may be phased out of use by February 1, 1970.

Dated: October 17, 1969.

HERBERT L. LEY, JR.,
*Commissioner of Food and Drugs.*

[F.R. Doc. 69-12628; Filed, Oct. 20, 1969; 9:50 a.m.]

# Proposed Rule Making

## DEPARTMENT OF AGRICULTURE

**Consumer and Marketing Service**

**[ 7 CFR Parts 1007, 1090 ]**

[Dockets Nos. AO-366-A1, 266-A12]

### MILK IN THE GEORGIA AND CHATTANOOGA, TENN., MARKETING AREAS

### Decision on Proposed Amendments to Tentative Marketing Agreements and to Orders

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601, et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held at Chattanooga, Tenn., on March 27–28, 1969, pursuant to notice thereof issued on February 20, 1969 (34 F.R. 2609).

Upon basis of the evidence introduced at the hearing and the record thereof, the Deputy Administrator, Regulatory Programs, on August 28, 1969 (34 F.R. 13994; F.R. Doc. 69–10456) filed with the Hearing Clerk, U.S. Department of Agriculture, his recommended decision containing notice of the opportunity to file written exceptions thereto.

The material issues, findings and conclusions, rulings, and general findings of the recommended decision (34 F.R. 13994; F.R. Doc. 69–10456) are hereby approved, adopted and are set forth in full herein, subject to the following modifications:

Under the subheading "1. *Marketing Area*":

(a) The 8th paragraph, the 12th through 19th paragraphs, and the 22d, 23d, and 24th paragraphs are changed.

(b) Five new paragraphs are added immediately after the 19th paragraph.

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

1. Marketing area expansion; and

2. With respect to the Chattanooga order:

(a) Revision of location adjustments;

(b) Elimination of supply-demand adjustor;

(c) Diversion of producer milk; and

(d) Classification of skim milk represented by the nonfat solids used to produce reconstituted buttermilk.

This decision deals with all the above issues except 2(d) which will be dealt with in a later decision.

#### 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. *Marketing area.* The Georgia counties of Floyd, Gilmer, Gordon, Pickens, and Union, should be added to the Georgia marketing area. This will provide a regulatory program for milk marketing within the enlarged marketing area consistent with current marketing conditions and practices. It is concluded further that the present provisions of the Georgia order are appropriate to the enlarged marketing area.

Producer associations under the Georgia order and Beatrice Foods Co., a handler, proposed including the five counties, which lie between the present Chattanooga and Georgia marketing areas, under the Georgia order. This position was supported by a Calhoun, Ga., handler whose sales are primarily in Gordon County.

The Beatrice spokesman urged that the five counties be included in the Georgia marketing area (rather than Chattanooga), stating that this would facilitate the continuance of partially regulated distributing plant status for its Gadsden plant under both orders. He stated that if the Gadsden plant became a pool plant under either order, it could be disadvantaged competitively in its principal sales territory. About 75 percent of the plant's Class I distribution is in Alabama, where it must compete with an entirely different group of distributors and under substantially different market conditions. While there is State price regulation of farm prices of milk in Alabama, there is no federally regulated market there at this time.

The Tennessee Valley Milk Producers Association (TVMPA), which represents about three-fourths of the producers under the Chattanooga order, proposed that the five counties be included in the Chattanooga marketing area. This proposal was supported by major Chattanooga order handlers, one of whom has Class I distribution in parts of the five-county area from both his Chattanooga and Atlanta plants, which are regulated under the Chattanooga and Georgia orders, respectively.

These proponents for including the five counties in the Chattanooga marketing area (instead of Georgia) stated that this was desirable in order to insure that the Gadsden, Ala., plant would be a fully regulated plant under the Chattanooga order instead of a partially regulated distributing plant under both the Chattanooga and Georgia orders. To do otherwise, they claimed, would provide the operator of the Gadsden plant a competitive advantage over fully regulated handlers on his sales in the five counties.

Official notice is taken of the November 19, 1968, recommended decision (33 F.R. 17624) on the then proposed Georgia order which found that the above five counties should be included in the Georgia marketing area. Exceptions filed to that decision argued that the five counties should be a part of the Chattanooga marketing area (instead of Georgia). In view of the controversy, the January 15, 1969, final decision (34 F.R. 960) on the Georgia order did not include the five counties in the marketing area. That decision, of which official notice also is taken, stated that another hearing would be held as soon as possible to receive additional and more current evidence concerning the marketing of milk in these counties to determine which order should apply to any, or all, such counties if regulation were warranted. The hearing on which this decision is based resulted from that action.

With the addition of the above five counties, the Georgia marketing area would include 151 of the 159 counties in Georgia. Of the remainder, seven in the northwestern corner of the State are in the Chattanooga order marketing area, and one county, Rabun, is not included in the marketing area of any Federal order.

The handling of milk and milk products in the expanded Georgia marketing area is in the current of interstate commerce or directly burdens, obstructs or affects interstate commerce in milk and its products. Fluid milk products are distributed regularly on routes in the five counties proposed to be added to the marketing area from plants located in Alabama, Tennessee, and South Carolina, as well as from local plants and plants in other parts of the Georgia marketing area. Supplemental supplies of milk for their Class I needs are sometimes obtained from out-of-State plants by Georgia handlers, including those serving the five counties. In addition, when the milk of producers regularly supplying Georgia plants is not needed by them, it is moved to plants in Tennessee for manufacturing.

The minimum sanitary requirements applicable to Grade A milk handled throughout the entire marketing area as expanded are patterned after the U.S. Public Health Ordinance and Code and are uniformly administered by State and county authorities.

The 1960 census population of the enlarged marketing area is 3.8 million. The 1960 population of the five counties to be added to the marketing area is 113,000. The heaviest concentration of population in the five counties is in Floyd County (69,000). The populations of the other counties are: Gordon—19,000; Gilmer—9,000; Pickens—9,000; and Union—7,000.

Rome (population 32,000), in Floyd County, is the largest city in the five counties. Calhoun, in Gordon County, the next largest city, has a population of 4,000.

Except for a producer-handler plant, all plants from which milk is distributed

in the five-county area are subject to either the Georgia or Chattanooga order as fully regulated or partially regulated distributing plants. Rome is 65 miles from both Atlanta and Chattanooga, the major cities in the two marketing areas. Calhoun is 70 miles from Atlanta and 50 miles from Chattanooga. One of the handlers, who sells in four of the five counties, has fully regulated plants at both Chattanooga and Atlanta. This handler sells some milk in such counties from both plants. However, two principal plants serving such counties are located in such counties, at Rome and Calhoun. The latter plants are fully regulated by the Georgia order.

A principal consideration for determining the marketing area in which the five counties should be included is whether the Rome and Calhoun handlers should be regulated under the Georgia order or Chattanooga order. The Rome handler would be regulated by the order for the marketing area that would include Floyd County. Likewise, the Calhoun handler would be regulated by the order that would include Gordon County in its marketing area. More than 75 percent of the population of the five-county area is in these counties. The other three counties are basically rural with relatively small volumes of sales.

The principal competitors in Gordon County have been the Calhoun handler and the Beatrice Co. plant at Gadsden, Ala. The latter has been a partially regulated plant under the Chattanooga order relative to Class I sales in the Chattanooga marketing area and partially regulated under the Georgia order on its sales in the Georgia marketing area. It has not been regulated on sales in the five counties.

The distribution from these two plants represents between 63 and 94 percent of the total fluid milk sold in Gordon County. Between 1 and 5 percent is distributed by a Chattanooga order handler. The remaining Class I distribution is by Georgia order handlers and the handler who has plants at both Chattanooga and Atlanta, one being regulated under the Chattanooga order and the other under the Georgia order.

Of the total Class I distribution in Floyd County, between 27 and 40 percent is from the local plant at Rome, which is a fully regulated plant under the Georgia order. Approximately 35 percent is from Atlanta plants under the Georgia order. Between 7 and 15 percent of the county distribution is from the Gadsden and Calhoun plants. The remaining distribution is by the handler who has fully regulated plants under the Chattanooga and Georgia orders.

Both the Rome and Calhoun handlers sell also outside the five counties in other counties which lie principally to the south and are included in the Georgia marketing area. The handler at Rome has penetrated the Atlanta area to compete for and secure a contract for school milk sales and is in competition with other Georgia order handlers in the counties of Polk, Paulding, and Haralson. Consequently, they are in strong competition with Georgia order handlers not only in their home counties but also in counties currently a part of the Georgia market.

The Calhoun handler has no sales north of Gordon County. The Rome handler does not distribute significant quantities of milk inside the Chattanooga marketing area. Although supplemental milk is sometimes purchased by the Rome and Calhoun handlers from the Chattanooga market, this practice on their part is not significantly different from the practice, as stated above, of other Georgia handlers who, because of the deficit production conditions which prevail generally throughout Georgia, also purchase supplemental milk each year.

In the remaining three counties of the five-county area, Gilmer, Union, and Pickens, the Class I sales from plants that would be fully or partially regulated are from the plants of handlers with whom the Rome and Calhoun handlers compete for sales in Floyd and Gordon counties, and also from several fully regulated plants under the Georgia order.

In Pickens County, about one-third of the distribution has been from the Gadsden plant, about one-third from a producer-handler, and the remaining third from plants fully regulated under the Georgia order, including the plant at Calhoun.

About half the distribution in Gilmer County has been from the Gadsden plant, 20–25 percent from a Georgia order fully regulated plant and the remainder from the handler who operates plants in both Atlanta and Chattanooga.

A spokesman for the Gadsden plant estimated that 70 percent of the total distribution in Union County has been from that plant. TVMPA's survey indicated that 38 percent of the distribution in the county was from the Gadsden plant. The remaining distribution in the county is from two fully regulated plants under the Georgia order.

It is virtually certain that milk fully regulated under both orders will continue to be in competition for Class I sales in the five counties to be included in the Georgia marketing area. It is concluded, however, that the conditions under which milk is marketed in these counties are more intimately related to those prevailing in the Georgia marketing area than to those of the Chattanooga market, and therefore the handling of milk in such counties should be regulated on equal terms with milk now regulated by the Georgia order.

The minimum price level in such counties under the Georgia order will be the same as the minimum price level for such counties on milk regulated by the Chattanooga order. Consequently, handlers in both markets will be in position to compete in such counties on similar minimum price terms.

Regulated handlers are required of course, to pay producers minimum class prices for all Class I milk distributed in the proposed area. Extending the Georgia marketing area to include the five counties proposed herein is necessary to insure that such handlers are not competitively disadvantaged on a substantial amount of their Class I sales. This action thus will assure the fully regulated handlers having Class I sales in these counties that other distributors who compete therein will be subject to the provisions of the order on such sales.

The provisions of the order applicable to a handler selling only small amounts in the area (as a partially regulated distributing plant) insures that the price paid by him for the milk sold in the marketing area will approximate its value at the minimum Class I price under the order. Since the quantity of Class I milk that he may distribute in the marketing area without becoming fully regulated is limited, he may not increase appreciably his sales in the marketing area at the expense of fully regulated handlers and their producers. By this means the integrity of the regulation may be maintained.

As indicated above, the intent of the proposal to include the five counties in the Chatanooga marketing area (instead of Georgia was to fully regulate the Gadsden, Ala., plant under the Chattanooga order.

It was not shown that the Gadsden plant must be fully regulated under the Chattanooga order to remove or prevent an adverse effect on its fully regulated competitors or their producer suppliers. Moreover, even if the distribution patterns suggested inclusion of such five counties in the Chattanooga marketing area, the objective of proponents to fully regulate the Gadsden plant under Chattanooga would not necessarily be realized. Other choices are open to the operator of the Gadsden plant.

As a partially regulated plant under the Chattanooga order, Gadsden's Class I sales in the Chattanooga marketing area have been, of course, less than 15 percent of the plant's total Class I disposition. It is noted also that the handler operating such plant also operates a plant at Opelika, Ala., which is expected to be a fully regulated or partially regulated plant under the Georgia order. In recent months Class I distribution in the Chattanooga marketing area from the Opelika plant has replaced some of the Class I sales previously made from the Gadsden plant. The purpose of this shift apparently was to avoid fully regulated status for the Gadsden plant under the Chattanooga order. The handler indicated that he would open another plant in northern Georgia which obviously will further divide his fluid operations.

In the January 15, 1969, decision (34 F.R. 960), on the then proposed Georgia order, it was found that it is necessary that a plant fully regulated be required to pay class prices for all milk handled whether disposed of inside or outside the marketing area. The findings and conclusions of that decision with respect to the Class I disposition both inside and outside the marketing area are applicable to the situation here

considered and are adopted as if set forth in full herein.

2. Amendments to the Chattanooga order—(a) *Revision of location adjustments.* No location adjustments (plus or minus) should be applicable at plants south of either the southern boundary of the State of Tennessee or the northern boundary of the State of South Carolina.

The order now provides for reducing the Class I and uniform prices at plants 65 miles or more, in any direction, from Chattanooga at the rate of 15 cents at plants within 65–75 miles plus an additional 1.5 cents for each additional 10 miles.

The proposal to eliminate minus location adjustments at plants south of Chattanooga was proposed by Chattanooga order producers and handlers and by producers under the Georgia order.

In addition, the same producer associations under the Georgia order would increase the Chattanooga Class I price at plants more than 110 miles south of Chattanooga by 1.5 cents for each 10 miles that such plant is located from that city. The purpose of this proposal was to insure that approximately the same Class I price is applicable under the Georgia and Chattanooga orders at plants in southern Georgia.

Chattanooga, which is near the Tennessee-Georgia border, is the principal population center in the marketing area. Of the 555,000 people (1960 census) in the 16-county marketing area, 368,000 are in the city of Chattanooga and its environs that comprise the Chattanooga metropolitan area. The remainder of the marketing area is principally rural. At present, all producer milk is moved directly from farms to the Chattanooga area for processing. Chattanooga is the major point of distribution in the marketing areas since the six fully regulated plants under the order are in or near the city of Chattanooga.

The Chattanooga market also is depended upon as a principal source of supplemental supplies of Class I milk for Georgia and Alabama handlers who must import more than 30 million pounds of milk annually.

There is substantial overlapping of the procurement and sales areas in northern Georgia of handlers under the Chattanooga and Georgia orders. The elimination of location adjustments at plants south of Chattanooga as herein proposed will improve the alignment of prices under the two orders in an area of competition between the markets and therefore will contribute to orderly marketing.

At no time since the inception of the Chattanooga order in 1956 has any plant more than 110 miles south of Chattanooga been a pool plant under that order. There is no indication that any plant so situated will, in the foreseeable future, qualify as a pool plant under the Chattanooga order. The main alternative sources of plant supply for this market are north of Chattanooga. Areas to the south primarily import rather than export milk. This is because milk produced by dairy farmers shipping to most plants south of Chattanooga is not always adequate for their local Class I needs. There is no basis, therefore, for a plus differential at locations 110 miles south of Chattanooga since this area is not an area where there is need to maintain a source of supply for the Chattanooga market.

A proposal by Chattanooga order handlers would apply location adjustments only at plants north of Chattanooga that are more than 150 miles from the nearer of the city halls in Chattanooga and Knoxville. As proposed, the Class I price would be reduced 22 cents plus 1.5 cents for each 10 miles beyond 150 miles. This proposal was submitted by the same handlers who have requested a hearing to merge the Chattanooga and Knoxville orders and who indicated on the record that their proposal might more appropriately be considered at such a hearing. We agree with this view and therefore no action on it is taken.

(b) *Elimination of supply-demand adjustor.* The supply-demand adjustment provisions should be deleted from the order. As a corollary change, the Class I differential should be increased 20 cents, the average amount that the supply-demand adjustor has contributed to the Class I price in recent years.

The order now provides that the Class I price shall be adjusted monthly to reflect any change 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.

During the 2-year period of 1967 and 1968, the supply-demand adjustment averaged nearly 20 cents. It ranged from a low of minus 2 cents in October 1967 to plus 44 cents in December 1968.

Handlers under both the Chattanooga and Georgia orders proposed to limit supply-demand adjustments to a maximum of 20 cents (plus or minus); the order now has a 50-cent limit. The producer associations under both orders opposed the handler proposal.

Georgia order producers urged the retention of the supply-demand adjustor in the Chattanooga order mainly because it results in an increase in the Georgia Class I price in any month that the Chattanooga supply-demand adjustor is more than 20 cents.

The January 15, 1969, decision on the then proposed Georgia order found that the alignment of prices between the two orders requires that the Class I price in northern Georgia be related to the Chattanooga Class I price. In establishing the Class I differential under the Georgia order, recognition was given to the average plus 20-cent supply-demand adjustment that had been applicable under the Chattanooga order over a representative period.

The Georgia order, which provides for a Class I differential of $2.15 in the "Northern Zone" (the 29 northernmost Georgia counties) and $2.30 elsewhere in the marketing area, also provides that in the Northern Zone the Class I price shall not be less than the Chattanooga Class I price and in the remainder of the marketing area not less than the Chattanooga price plus 15 cents. In those months when the Chattanooga supply-demand adjustment was more than 20 cents, this had the effect of increasing the Georgia Class I price by any amount in excess of 20 cents. For example, in April 1969 the Chattanooga supply-demand adjustment of plus 28 cents resulted in an 8-cent increase in the Georgia Class I price. However, whenever the Chattanooga supply-demand adjustment was below 20 cents, the Chattanooga Class I price was reduced in relation to the Georgia Class I price. In June 1969, when the supply-demand adjustment was minus 2 cents, the Chattanooga Class I price in the Northern Zone was 18 cents less than the Georgia Class I price.[1]

The Chattanooga Class I differential resulting from this decision will be $2.15, the same as that applicable in the Northern Zone of the Georgia order. The handler proposal to retain a supply-demand adjustment provision in the order and limiting the adjustor to 20 cents (plus or minus) would continue a situation in which a lower price can prevail under the Chattanooga order in some months in the Northern Zone than the Georgia Class I price in that area. Therefore, the handler proposal to retain a supply-demand provision in the order with a limit of 20 cents is denied in favor of a stated differential. Removal of the supply-demand adjustor, as herein provided, will insure that the Class I prices under the Georgia and Chattanooga orders will be closely aligned each month. This is appropriate since, as previously stated, there is an extensive overlapping of the sales areas of Chattanooga and Georgia order handlers in northern Georgia.

(c) *Diversion of producer milk.* In any month of September-November a cooperative should be permitted to divert to nonpool plants up to 35 percent of its producer-members' monthly deliveries to all pool plans. Similarly, a pool plant operator should be permitted to divert to to nonpool plants up to 35 percent of producer milk (exclusive of that received from producer-members of a cooperative) physically received at his plant during any such month.

The order now permits diversion of the milk of individual producers for not more than 10 days monthly in August-February. Unlimited diversion is allowed in other months. Milk may now be diverted to any nonpool plant except a producer-handler plant or an other order plant. As provided by this decision, diversions to other order plants would be permitted under certain conditions.

Producers proposed changing the basis for computing the amount of producer milk that may be diverted during the months of August-February from not more than 10 days on an individual producer basis, to 35 percent of the total producer milk of its members received at

[1] Official notice is taken of the Chattanooga market administrator's monthly price announcements for March through June 1969.

pool plants during each of the months of September-November. This latter basis, which is commonly applied in a number of Federal milk orders, was not opposed at the hearing.

Diversion provisions are for the purpose of enabling handlers and cooperatives to divert producer milk when it is not needed in the market for Class I purposes, such as on weekends and holidays. The limitations herein proposed will be more practicable than those now contained in the order in accommodating diversion under current marketing conditions and will facilitate the orderly disposition of produce milk.

In the Chattanooga market, the cooperative exercises the responsibility for diverting its members' milk to nonpool plants. Milk not needed by handlers can, of course, be most economically handled by being moved directly from the farm to nearby manufacturing plants. The greatest efficiency in this regard is achieved by diverting the milk from the farms of producers nearest the manufacturing plants. This can be accomplished most practicably if the diversion is in terms of a percentage of the aggregate quantity of milk delivered to pool plants by the cooperative, as herein provided.

A pool plant operator whose source of supply is principally from nonmember producers has no less need for diversion than does a cooperative whose members supply other pool plants. It is appropriate, therefore, that such a handler be permitted to divert nonmember supplies on the same percentage basis as that allowed a cooperative.

Milk diverted to nonpool plants in excess of the 35 percent limitation provided would not be considered producer milk. Hence, eligibility for pricing and pooling under the order would be forfeited on a quantity of milk equal to such excess. In such instances, the diverting handler must specify which milk is ineligible as producer milk. If the handler fails to make such designation, thereby making it infeasible for the market administrator to determine which milk was overdiverted, all milk diverted to nonpool plants by such handler would be made ineligible as producer milk.

It is neither necessary nor feasible to allow handlers to divert the member milk of cooperative associations. TVMPA, which represents about three-fourths of the producers under the order is in a position to divert the milk of its own members. If a proprietary handler dealing with the association does not need all of the member milk he is receiving, he need only notify the association and it can arrange for the diversion of the milk. The cooperative must know at all times how much of its member milk is being diverted so that it will not divert more than the quantities allowed under the diversion provision. If a proprietary handler were allowed to divert cooperative milk also, there would be danger that more cooperative milk would be diverted than is allowed under the diversion limitations. This could result in some milk regularly supplied to the market being excluded from the pool.

Producers contend that because the basis for computing the amount of producer milk that may be diverted is being changed from an individual producer basis to a percentage of the aggregate producer milk deliveries, a producer whose milk is diverted during the month should not be required to deliver any specifed number of days during the month to a pool plant.

As proposed by producers, a dairy farmer could ship his entire production throughout the year to a nonpool plant as diverted milk and have it pooled under the order. This could result in the the exploitation of the pool not only by cooperatives and handlers now under the order but also by others who are not now associated with the market.

Only milk regularly associated with the market should be eligible for diversion to nonpool plants. Milk that is delivered continuously to a nonpool plant, whether for Class I or manufacturing uses, cannot properly be considered a part of the supply for the Chattanooga market. It is necessary, therefore, that an appropriate standard be specified in the order for establishing a dairy farmer's continuing association with the Chattanooga market to qualify his milk for diversion to nonpool plants.

Since the diversion of producer milk would, by this decision, be based on a percentage of the aggregate producer deliveries, the number of days that a producer's milk should be received at a pool plant during the September–November period of limited diversion should be minimal. It is appropriate, therefore, to provide that not less than 4 days' production of a producer be delivered to a pool plant during the month in September–November to qualify all his production in the same month for diversion within the limits proposed herein.

If less than 4 days' production of a producer is delivered to a pool plant during the month in September–November, then only that quantity of milk delivered to a nonpool plant that is not greater than the quantity delivered to a pool plant would be considered producer milk. These requirements are sufficient under current conditions to permit the necessary flexibility for milk not needed for fluid use.

Substantial quantities of milk are moved between Chattanooga order pool plants and fully regulated plants under the Georgia order. When milk is not needed at Georgia plants, it is moved to the Chattanooga plant of the Tennessee Valley Milk Producers Association for manufacturing. Such shipments from a Georgia pool plant to a Chattanooga order plant are priced and pooled as Class II under the Georgia order. The Georgia order now facilitates the movement of such milk whether moved from a plant or moved directly from the farm of a Georgia producer as diverted milk to an other order plant.

The movement of milk to Chattanooga order pool plants from Georgia and other Federal order markets should be facilitated by permitting the milk of producers under any other order to be diverted to a Chattanooga order pool plant for manufacturing purposes without losing its producer milk status under the other order. This would be appropriately accomplished by providing that a person would not be a producer under the Chattanooga order with respect to milk that is (1) physically received at a pool plant as diverted milk from an other order plant; (2) designated for Class II under the Chattanooga order; and (3) subject to the pricing and pooling provisions of another Federal order. Such a provision governing the movement of milk for manufacturing purposes from an other order plant to a pool plant will contribute to orderly marketing.

When the milk of producers regularly associated with the Chattanooga market is not needed for Class I purposes, its disposal for manufacturing purposes to nonpool plants should be facilitated. In some instances, an other order plant may be the most suitable outlet for such surplus milk. It would be appropriate, therefore, to provide that milk may be moved directly from the farm of a Chattanooga order producer as diverted milk to an other order plant when such milk is classified as Class II (or a comparable class under that order) and is not subject to the pricing and pooling provisions of that order as producer milk.

### 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 orders 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 agreements and the orders, 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 agreements and the orders, 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 agreements and the orders, 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.

RULINGS ON EXCEPTIONS

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

MARKETING AGREEMENT AND ORDER

Annexed hereto and made a part hereof are four documents entitled respectively, "Marketing Agreement Regulating the Handling of Milk in the Georgia Marketing Area", "Marketing Agreement Regulating the Handling of Milk in the Chattanooga, Tenn., Marketing Area", "Order Amending the Order Regulating the Handling of Milk in the Georgia Marketing Area", and "Order Amending the Order Regulating the Handling of Milk in the Chattanooga, Tenn., Marketing Area", which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions.

*It is hereby ordered*, That all of this decision, except the attached marketing agreement, be published in the FEDERAL REGISTER. The regulatory provisions of said marketing agreement are identical with those contained in the order as hereby proposed to be amended by the attached order which will be published with this decision.

DETERMINATION OF REPRESENTATIVE PERIOD

The month of August 1969 is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of the attached orders as amended and as hereby proposed to be amended, regulating the handling of milk in the Georgia and Chattanooga, Tenn., marketing areas, is approved or favored by producers, as defined under the terms of the order, as amended and as hereby proposed to be amended, and who, during such representative period, were engaged in the production of milk for sale within the aforesaid marketing area.

Signed at Washington, D.C., on October 16, 1969.

RICHARD E. LYNG,
*Assistant Secretary.*

*Order*[1] *Amending the Order Regulating the Handling of Milk in the Georgia Marketing Area*

FINDINGS AND DETERMINATIONS

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) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Georgia marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) 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 said marketing area, and the minimum prices specified in the order as hereby 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;

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held;

(4) All milk and milk products handled by handlers, as defined in the order as hereby amended, are in the current of interstate commerce or directly burden, obstruct, or affect interstate commerce in milk or its products; and

(5) It is hereby found that the necessary expense of the market administrator for the maintenance and functioning of such agency will require the payment by each handler, as his pro rata share of such expense, 4 cents per hundredweight or such amount not to exceed 4 cents per hundredweight as the Secretary may prescribe, with respect to:

(i) Producer milk (including such handler's own production);

(ii) Other source milk allocated to Class I pursuant to § 1007.45(a) (5) and (9) and the corresponding steps of § 1007.45(b); and

(iii) Class I milk disposed of in the marketing area from a partially regulated distributing plant that exceeds the hundredweight of Class I milk received during the month at such plant from pool plants and other order plants.

*Order relative to handling.* It is therefore ordered that on and after the effective date hereof, the handling of milk in the Georgia marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended and as hereby amended, as follows:

The provisions of the proposed marketing agreement and order amending the order contained in the recommended decision issued by the Deputy Administrator, Regulatory Programs, on August 28, 1969, and published in the FEDERAL REGISTER on September 3, 1969 (34 F.R. 13994; F.R. Doc. 69-10456), shall be and are the terms and provisions of this order, and are set forth in full herein:

Section 1007.6 is revised to read as follows:

**§ 1007.6 Georgia marketing area.**

The "Georgia marketing area", hereinafter called the "marketing area", means all the territory, including all waterfront facilities connected therewith, geographically within the boundaries of the State of Georgia except the counties of Catoosa, Chattooga, Dade, Fannin, Murray, Rabun, Walker, and Whitfield. The marketing area shall include all territory that is occupied by government (municipal, State, or Federal) reservations, installations, institutions, or other similar establishments if any part of such territory is within the designated geographical limits of the marketing area.

*Order*[1] *Amending the Order Regulating the Handling of Milk in the Chattanooga, Tennessee, Marketing Area*

FINDINGS AND DETERMINATIONS

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.

[1] This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.

[1] This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Chattanooga, Tenn., marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) 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 said marketing area, and the minimum prices specified in the order as hereby 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

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

*Order relative to handling.* It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Chattanooga, Tenn., marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended and as hereby amended, as follows:

The provisions of the proposed marketing agreement and order amending the order contained in the recommended decision issued by the Deputy Administrator, Regulatory Programs, on August 28, 1969, and published in the FEDERAL REGISTER on September 3, 1969 (34 F.R. 13994; F.R. Doc. 69-10456), shall be and are the terms and provisions of this order, and are set forth in full herein:

1. Section 1090.6 is revised to read as follows:

**§ 1090.6 Producer.**

"Producer" means any approved dairy farmer, except a producer-handler as defined in any order (including this part) issued pursuant to the Act, whose milk is physically received at a pool plant or diverted pursuant to § 1090.11 from a pool plant to a nonpool plant. "Producer" shall not include an approved dairy farmer with respect to milk that is physically received at a pool plant as diverted milk from an other order plant if a Class II classification under this order is designated for such milk and it is subject to the pricing and pooling provisions of another order issued pursuant to the Act.

2. Section 1090.11 is revised to read as follows:

**§ 1090.11 Producer milk.**

"Producer milk" means the skim milk and butterfat contained in milk:

(a) Received at a pool plant directly from a producer; or

(b) Diverted from a pool plant to a nonpool plant (except a producer-handler plant), subject to the following conditions:

(1) Such milk shall be deemed to have been received by the diverting handler at the plant from which diverted;

(2) In any month of September through November that less than 4 days' production of a producer is delivered to pool plants, the quantity of milk of the producer diverted during the month that exceeds that delivered to pool plants shall not be deemed to have been received at a pool plant and shall not be producer milk;

(3) Milk may be diverted to an other order plant only if a Class II classification (or its equivalent) is designated for such milk pursuant to the provisions of another order issued pursuant to the Act and such milk is not subject to the pricing and pooling provisions of such orders;

(4) A cooperative association may divert for its account the milk of any member-producer: *Provided,* That in any month of September through November the total quantity of milk so diverted that exceeds 35 percent of the milk physically received from member-producers at all pool plants during the month shall not be deemed to have been received at a pool plant and shall not be producer milk;

(5) The operator of a pool plant, other than a cooperative association, may divert for his account the milk of any producer other than a member of a cooperative association: *Provided,* That in any month of September through November the total quantity of milk so diverted that exceeds 35 percent of the milk physically received at such pool plant during the month from producers who are not members of a cooperative association shall not be deemed to have been received at a pool plant and shall not be producer milk; and

(6) The diverting handler shall designate the dairy farmers whose milk is not producer milk pursuant to subparagraphs (4) and (5) of this paragraph. If the handler fails to make such designation, no milk diverted by him shall be producer milk.

3. Section 1090.51(a) is revised to read as follows:

**§ 1090.51 Class prices.**

* * * * *

(a) *Class I milk price.* The price per hundredweight for Class I milk for the month shall be the basic formula price for the preceding month plus $1.95 and plus 20 cents.

* * * * *

4. Section 1090.53(a) is revised to read as follows:

**§ 1090.53 Location adjustments to handlers.**

(a) The Class I price for producer milk and other source milk (for which a location adjustment is applicable) at a plant that is north of either the southern boundary of the State of Tennessee or the northern boundary of the State of South Carolina and more than 65 miles (by the shortest hard-surfaced highway distance as determined by the market administrator) from the city hall in Chattanooga shall be reduced 15 cents and an additional 1.5 cents for each 10 miles or fraction thereof in excess of 75 miles (by the shortest hard-surface highway distance as determined by the market administrator) that such plant is from the city hall in Chattanooga; and

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[F.R. Doc. 69-12560; Filed, Oct. 20, 1969; 8:47 a.m.]

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## [ 7 CFR Part 1134 ]

[Docket No. AO-301-A10]

## MILK IN WESTERN COLORADO MARKETING AREA

### Notice of Hearing on Proposed Amendments to Tentative Marketing Agreement and 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 a public hearing to be held at the Holiday Inn, Interstate 70 and Horizon Drive, Grand Junction, Colo., beginning at 9:30 a.m. local time, on November 3, 1969, with respect to proposed amendments to the tentative marketing agreement and to the order, regulating the handling of milk in the Western Colorado marketing area.

The public hearing is for the purpose of receiving evidence with respect to the economic and marketing conditions which relate to the proposed amendments, hereinafter set forth, and any appropriate modifications thereof, to the tentative marketing agreement and to the order.

The proposed amendments, set forth below, have not received the approval of the Secretary of Agriculture.

Proposed by Western Colorado Milk Producers Association:

*Proposal No. 1.* In § 1134.51 *Class prices,* delete paragraph (a), and substitute therefor:

(a) *Class I milk.* The Class I price for each month shall be the price for Class I milk established under Federal order No. 137 regulating the handling of milk in the Eastern Colorado marketing area f.o.b. Denver, less 30 cents;

*Proposal No. 2.* In § 1134.53(a) *Butterfat differentials to handlers,* delete "0.130", and substitute therefor "0.120."

*Proposal No. 3.* In § 1134.86 *Adjustment of accounts,* add a paragraph as follows: "Any unpaid obligation of a

handler pursuant to § 1135.84 of this chapter or this section relative to payments to the producer-settlement fund shall be increased 1 percent on the 3d day following the due date of such obligation and on the 15th day of each month thereafter until such obligation is paid."

*Proposal No. 4.* Delete § 1134.13 *Producer-handler*, and substitute therefor the following:

**§ 1134.13 Producer-handler.**

"Producer-handler" means an individual, partnership or corporation engaged in the production of milk and operation of a plant from which fluid milk products are disposed of within the marketing area and who has been so designated by the market administrator upon his determination that all of the requirements of this section have been met, and that none of the conditions therein for cancellation of such designation exists. All designations shall remain in effect until canceled pursuant to paragraph (c) of this section.

(a) *Requirements for designation.* Any individual, partnership, or corporation requesting designation as a producer-handler shall meet all of the following requirements:

(1) In the event the applicant is a partnership the Articles of partnership shall be filed with the market administrator.

(2) In the event the applicant is a corporation the Articles of Incorporation and bylaws shall be filed with the market administrator.

(3) Such individual, partnership or corporation (in the capacity of a producer) shall provide proof satisfactory to the market administrator that the care, management and ownership of all the dairy animals and other resources used to produce milk are under the complete, exclusive control and are the sole financial risk of the said individual, partnership or corporation.

(4) Such individual, partnership or corporation (in the capacity of a handler) shall provide proof satisfactory to the market administrator that the operation and management of the handling, processing and distribution facilities are under the complete and exclusive control and at the sole financial risk of said individual, partnership or corporation.

(5) The said producer-handler neither receives at his designated milk production resources and facilities nor receives, handles, processes or distributes at or through any of his milk handling, processing or distributing resources and facilities fluid milk products derived from any source other than (i) his designated milk production resources and facilities, (ii) pool plants in the form of packaged fluid milk products, other than whole milk, which do not exceed a daily average during the month of 100 pounds, or (iii) nonfat milk solids which are used to fortify fluid milk products.

(6) The said producer-handler is neither directly or indirectly associated with the business control or management of, nor has a financial interest in, another handler's operation; nor is any other handler so associated with the producer-handler's operation.

(7) That said producer-handler shall distribute fluid milk products only in the following manner, and no other:

(i) Disposition at the farm to retail customers;

(ii) Disposition not for resale;

(iii) Delivery to grocery stores and restaurants.

(b) *Application.* Any individual, partnership, or corporation claiming to meet the requirements of paragraph (a) of this section above may file with the market administrator, on forms prescribed by the market administrator, an application for designation as a producer-handler. The application shall contain the following information:

(1) A listing and description of all resources and facilities used for the production of milk which are the sole financial risk or said individual, partnership, or corporation.

(2) A listing and description of all resources and facilities used for the processing or distribution of milk or milk products which are the sole financial risk of said individual, partnership or corporation.

(3) Information satisfactory to the market administrator that said producer-handler has met all the requirements of paragraph (a) of this section.

(c) *Cancellation.* The designation as a producer-handler shall be canceled upon determination by the market administrator that any of the requirements of paragraph (a) of this section are not continuing to be effective on the first day of the month following the month in which the requirements were not met.

(d) *Public announcement.* The market administrator shall publicly announce the name, plant location and farm location(s) of persons designated as producer-handlers, or those whose designations have been canceled, and the effective dates of producer-handler status or loss of producer-handler status for each. Such announcements shall be controlling with respect to the accounting at plants of other handlers for milk received from any producer-handler.

(e) *Burden of establishing and maintaining producer-handler status.* The burden rests upon the handler who is designated as a producer-handler to establish through records required pursuant to § 1134.33 that the requirements set forth in paragraph (a) of this section have been and are continuing to be met, and that the conditions set forth in paragraph (c) of this section for cancellation of designation do not exist.

*Proposal No. 5.* Delete § 1134.16, *Fluid milk products*, and substitute therefor the following:

**§ 1134.16 Fluid milk products.**

"Fluid milk products" means milk, skim milk, buttermilk, plain or flavored milk and milk drinks (unmodified or with added nonfat milk solids) including "dietary milk products", reconstituted milk or skim milk, filled milk, concentrated milk not in hermetically sealed all-metal containers, cream (sweet and sour) and mixtures of cream and milk or skim milk, but not including the following: aerated cream products, frozen cream, sour cream to which other ingredients are added (commonly referred to as "dips"), eggnog, yogurt, ice cream, and frozen dessert mixes, evaporated or condensed milk, and sterile fluid milk products in hermetically sealed all-metal containers.

*Proposal No. 6.* In § 1134.70 *Computation of the net pool obligation of each pool handler:*

1. Delete paragraph (c)(2) and substitute therefor the following:

(2) Multiply the difference between the appropriate Class III price for the preceding month and the appropriate Class II price for the current month by the hundredweight of skim milk and butterfat subtracted from Class II milk under § 1134.46(a)(6) and the corresponding step of § 1134.46(b), for the current month.

2. Delete paragraph (c)(3).

*Proposal No. 7.* In § 1134.9 *Pool plant*, delete paragraph (a) (1) and (2) and substitute therefor the following:

(a) Any plant hereinafter referred to as a "distributing pool plant", in which during the month milk or milk products are processed or packaged and from which:

(1) An amount equal to 50 percent or more of any receipts of Grade A milk (except receipts from distributing pool plants) is disposed of as fluid milk products from said plant or premises on routes; and

(2) Ten percent or more of such disposition, or 2,000 pounds per day, whichever is less, is disposed of on routes in the marketing area; and

*Proposal No. 8.* In § 1134.12 *Producer*, delete paragraph (d).

*Proposal No. 9.* In § 1134.14 *Producer milk*, add the following:

(c) Milk diverted pursuant to this section shall be deemed received at the plant from which diverted, except when milk is diverted from a pool plant located within 60 miles of the City Hall of Grand Junction, Colo., to a plant in excess of 125 miles of the City Hall of Grand Junction, Colo., such milk shall be deemed received at the plant to which diverted for purposes of pricing, pursuant to §§ 1134.52 and 1134.81.

Make necessary conforming changes in §§ 1134.52 and 1134.81.

Proposed by the Dairy Division, Consumer and Marketing Service:

*Proposal No. 10.* Make such changes as may be necessary to make the entire marketing agreement and the order conform with any amendments thereto that may result from this hearing.

Copies of this notice of hearing and the order may be procured from the Market Administrator, H. Alan Luke, 4411 East Kentucky Avenue, Denver, Colo. 80222, or from the Hearing Clerk, Room 112-A, Administration Building,

U.S. Department of Agriculture, Washington, D.C. 20250 or may be there inspected.

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

JOHN C. BLUM,
*Deputy Administrator,*
*Regulatory Programs.*

[F.R. Doc. 69-12534; Filed, Oct. 20, 1969; 8:45 a.m.]

# FEDERAL MARITIME COMMISSION

## [ 46 CFR Part 528 ]

[Docket No. 69-38]

## MANDATORY PROVISIONS TO BE INCLUDED IN SELF-POLICING SYSTEMS

### Rescheduling of Filing Dates

OCTOBER 15, 1969.

At the request of Hearing Counsel, and good cause appearing, time within which their reply may be filed in this proceeding is enlarged to and including December 15, 1969. Answers to Hearing Counsel's reply may be filed on or before January 5, 1970.

THOMAS LISI,
*Secretary.*

[F.R. Doc. 69-12556; Filed, Oct. 20, 1969; 8:47 a.m.]

# Notices

## DEPARTMENT OF THE TREASURY

### Bureau of Customs

[T.D. 69-231]

### AIRCRAFT IN FOREIGN TRADE

### Supplies and Equipment for Aircraft of Foreign Registry

OCTOBER 13, 1969.

In accordance with section 309(d), Tariff Act of 1930, as amended (19 U.S.C. 1309(d)), the Department of Commerce has found and under date of September 30, 1969, has advised the Treasury Department that, except for ground equipment, on and after April 1, 1969, Jamaica has allowed privileges to aircraft registered in the United States and engaged in foreign trade substantially reciprocal to those provided for in sections 309 and 317 of the Tariff Act of 1930, as amended (19 U.S.C. 1309, 1317). Corresponding privileges are accordingly extended to aircraft registered in Jamaica and engaged in foreign trade.

The applicable provisions of §§ 10.59 to 10.65, Customs Regulations (19 CFR 10.59-10.65), shall be applied to withdrawals for these aircraft.

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

[F.R. Doc. 69-12539; Filed, Oct. 20, 1969; 8:45 a.m.]

### Fiscal Service

[Dept. Circ. 570, 1969 Rev., Supp. No. 4]

### INTEGRITY MUTUAL INSURANCE COMPANY

### Surety Company Acceptable on Federal Bonds

A Certificate of Authority as an acceptable surety on Federal bonds has been issued by the Secretary of the Treasury to the following company under sections 6 to 13 of Title 6 of the United States Code. On underwriting limitation of $165,000.00 has been established for the company.

*Name of company, location of principal executive office, and State in which incorporated:*

Integrity Mutual Insurance Company

Appleton, Wisconsin

Wisconsin

Certificates of authority expire on June 30 each year, unless sooner revoked, and new certificates are issued on July 1 so long as the companies remain qualified (31 CFR Part 223). A list of qualified companies is published annually as of July 1 in Department Circular 570, with details as to underwriting limitations, areas in which licensed to transact fidelity and surety business and other information. Copies of the circular, when issued, may be obtained from the Treasury Department, Bureau of Accounts, Audit Staff, Washington, D.C. 20226.

Dated October 16, 1969.

[SEAL] JOHN K. CARLOCK,
*Fiscal Assistant Secretary.*

[F.R. Doc. 69-12540; Filed, Oct. 20, 1969; 8:45 a.m.]

### Internal Revenue Service

### NORMAN HOMER STANLEY

### Notice of Granting of Relief

Notice is hereby given that Mr. Norman Homer Stanley, Route 2, Box 114, Varnville, S.C., has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his conviction on October 15, 1934, by the Court of General Sessions, Allendale County, Allendale, S.C., and on or about March 26, 1957, by the U.S. District Court for the Eastern District of South Carolina, of crimes punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Norman Homer Stanley, because of such convictions, to ship, transport, or receive in interstate or foreign commerce any firearm or ammunition, and he would be ineligible for a license under chapter 44, title 18, United States Code as a firearms or ammunition importer, manufacturer, dealer, or collector. In addition, under title VII of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (82 Stat. 236; 18 U.S.C., Appendix), because of such convictions, it would be unlawful for Mr. Stanley to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Norman Homer Stanley's application and have found:

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

(2) It has been established to my satisfaction that the circumstances regarding the convictions and the applicant's record and reputation are such that the applicant will not be likely to act in a manner dangerous to public safety, and that the granting of the relief would not be contrary to the public interest.

Therefore, pursuant to the authority vested in the Secretary of the Treasury by section 925(c), title 18, United States Code and delegated to me by 26 CFR 178.144, it is ordered that Norman Homer Stanley be, and he hereby is, granted relief from any and all disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms and incurred by reason of the convictions hereinabove described.

Signed at Washington, D.C., this 15th day of October 1969.

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

[F.R. Doc. 69-12541; Filed, Oct. 20, 1969; 8:45 a.m.]

## DEPARTMENT OF DEFENSE

### Department of the Air Force

### ORGANIZATION STATEMENT

Sec.
1. General.
2. Office of the Secretary of the Air Force.
3. Air staff.
4. Field organization.

SECTION 1. *General*—(a) *Creation and authority.* The Department of the Air Force was established as part of the National Military Establishment by the National Security Act of 1947 (61 Stat. 495), and by the terms of that act came into legal being on September 18, 1947. The National Security Act Amendments of 1949 (63 Stat. 578), redesignated the National Military Establishment as the Department of Defense, established it as an executive department, and made the Department of the Air Force a military department within the Department of Defense. The Department of the Air Force is separately organized under the Secretary of the Air Force. It operates under the authority, direction, and control of the Secretary of Defense (10 U.S.C. 8010). The organization of the Department is prescribed by sections 8011-8079 of title 10, United States Code.

(b) *Mission.* The mission of the Department of the Air Force is to provide an Air Force that is capable, in conjunction with the other armed forces, of preserving the peace and security of the United States, providing for its defense, supporting the national policies, implementing the national objectives, and overcoming any nation responsible for aggressive acts that imperil the peace and security of the United States. In general, the Air Force includes aviation forces both combat and service not otherwise assigned. It is organized, trained, and equipped primarily for prompt and sustained offensive and defensive aerospace operations. It is responsible for the preparation of the aerospace forces necessary for the effective prosecution of war except as otherwise assigned and, in accordance with integrated joint mobilization plans, for the expansion of the peacetime components of the Air Force to meet the needs of war.

SEC. 2. *Office of the Secretary of the Air Force.* (a) The Secretary of the Air

Force is responsible for and has the authority necessary to conduct all affairs of the Department of the Air Force. In the absence of the Secretary, the Under Secretary performs the duties of the Secretary; in the absence of the Secretary and Under Secretary, the Assistant Secretaries in the order fixed by their length of service as such perform the duties of the Secretary.

(b) *Under Secretary of the Air Force.* The Under Secretary of the Air Force, as principal assistant to the Secretary, acts with full authority of the Secretary on all affairs of the Department.

(c) *Assistant Secretary of the Air Force (Research and Development).* The Assistant Secretary of the Air Force (Research and Development) is responsible for plans, policies, and programs relative to scientific and technical matters; basic and applied research, exploratory development and advanced technology; and integration of technology with, and determination of, qualitative Air Force requirements. He is also responsible for research, development, test, and evaluation of weapons, weapons systems, and defense materiel. In addition, he is charged with the technical management of systems engineering and integration, and with the direction and supervision of all space programs and space activities of the Air Force.

(d) *Assistant Secretary of the Air Force (Installations and Logistics).* The Assistant Secretary of the Air Force (Installations and Logistics) is responsible for production and contract management of weapons systems; industrial defense program; industrial resources and readiness; procurement activities; contractors' equal employment opportunities; renegotiation affairs and contract appeals; Contract Adjustment Board matters; and small business matters. He is charged with the responsibility of the Canadian Production and Development Sharing Program, and the International Logistics Program. His responsibilities also include supply management; equipment maintenance and modification management; materiel and logistics planning and programing; cost reduction program; standardization and technical data; and installations planning and programing. In addition, he is responsible for the acquisition and disposal of real estate; construction of bases and facilities; family housing; maintenance of real property; civil aviation, including the Department of Defense Advisory Committee on Federal Aviation, and the Interagency Group on International Aviation; transportation, communications, and other service activities; and economic utilization policy.

(e) *Assistant Secretary of the Air Force (Financial Management).* The Assistant Secretary of the Air Force (Financial Management) is responsible for the Air Force programing processes and the preparation and validation of all program documentation; budgeting and fund management; accounting, accounting systems, and cost control; finance, including disbursement and collection of funds; contract financing; the design, installation, and application of management information and control systems; auditing; contracts for management engineering services; and automatic data processing programs. He is the Air Force Senior ADP Policy Official in this area, serving as the focal point for ADP Policy and for the administration of the ADP Programs within the Department, including the development of automated data systems and the selection, acquisition, management and use of automatic data processing equipment and associated software (ADPE/S). In addition, he is responsible for directing and supervising the Comptroller of the Air Force, who has a concurrent responsibility of the Chief of Staff.

(f) *Assistant Secretary of the Air Force (Manpower and Reserve Affairs).* The Assistant Secretary of the Air Force (Manpower and Reserve Affairs) is authorized and directed to act for the Secretary within the following areas of responsibility: reserve component affairs; manpower and organization; and military and civilian personnel, including procurement administration, and all factors affecting morale and well being. He is responsible for programs to prohibit discrimination because of race, creed, color, sex, or national origin, except programs applicable to contractors. He is also responsible for Civil Air Patrol; Reserve Officers Training Corps; Air National Guard; contracts for personal services and training; and travel and per diem allowances. His responsibilities include military, civilian, and industrial personnel security and investigative programs, and manpower management programs and techniques. He is responsible for all matters pertaining to the Air Force Board for Correction of Military Records; the Air Force Personnel Council and its component boards, including the Air Force Discharge Review Board, the Air Force Board of Review, the Air Force Physical Disability Appeal Board, and the Air Force Decorations Board. The Assistant Secretary of the Air Force (Manpower and Reserve Affairs) is, pursuant to 10 U.S.C. 175(a)(2), a member of the Reserve Forces Policy Board.

(g) *Administrative Assistant.* The Administrative Assistant serves as principal adviser to the Secretary of the Air Force and other statutory appointees on all phases of internal administration and management policies and assures administrative continuity in the Office of the Secretary during changes of top officials. He acts for the Secretary in numerous administrative matters which do not require his personal attention and administers the contingency funds of the Secretary. He provides staff support to the offices of the secretariat and is responsible for such special studies and projects as may be assigned to him directly by the Secretary.

(h) *General Counsel.* The General Counsel is the final legal authority on all matters arising within or referred to the Department of the Air Force, except those relating to the administration of military justice and such other matters as may be assigned to the Judge Advocate General. The General Counsel furnishes all necessary legal advice and assistance to the Office of the Secretary of the Air Force, and is also responsible for providing legal advice and assistance to the Air Staff on matters relating to: Procurement and disposal of supplies; research and development; real property acquisition and disposal; construction of military public works; family housing programs; fiscal matters; civil aviation; and personnel security programs. The General Counsel represents the Secretary of the Air Force in dealing with other departments and agencies of the Government on all matters relating to the negotiation of international agreements affecting the Air Force.

(i) *Director, Office of Legislative Liaison.* The Director of Legislative Liaison advises and assists the Secretary and all other principal civilian and military officials of the Department concerning Air Force legislative affairs and congressional relations. Except in appropriation matters, he is responsible for the Air Force legislative program, including the preparation of reports, testimony, and related statements on legislation; replies to congressional committee investigative inquiries; replies to inquiries from Members of Congress, the Executive Office of the President, and the Office of the Vice President. He is responsible for travel arrangements for congressional travel designated an official responsibility of the Air Force; informing Members of Congress and committees of Congress of Air Force activities; and the release of classified information to the Congress.

(j) *Director, Office of Information.* The Director of Information, under the direction of the Secretary of the Air Force, is assigned responsibility for conducting the operations of the U.S. Air Force Information Program; planning, directing, and supervising internal and external information activities; and developing and supervising programs designed to maintain effective Air Force-community relations. Additionally, he is responsible for maintaining liaison with counterpart information offices of the Office, Secretary of Defense, Army, Navy, and other governmental and industrial organizations.

SEC. 3. *Air staff.*—(a) *Chief of Staff.* The Chief of Staff, U.S. Air Force, serves as a member of the Joint Chiefs of Staff and the Armed Forces Policy Council. In his Joint Chiefs of Staff capacity he is one of the principal military advisers to the President, the National Security Council, and the Secretary of Defense. He is the principal military adviser and executive to the Secretary of the Air Force on activities of the Air Force. He presides over the Air Staff, and supervises such members and organizations of the Air Force as the Secretary of the Air Force determines, consistent with full operational command assigned to commanders of specified and unified combatant commands. He is responsible for transmitting to the Secretary the plans and recommendations of the Air Staff,

for advising him with regard thereto, and, after their approval by the Secretary, for acting as his agent in carrying them out. The Chief of Staff is directly responsible to the Secretary of the Air Force for the efficiency of the Air Force and preparation of its forces for military operations. He supervises the administration of Air Force personnel assigned to unified organizations and unified and specified combatant commands, and support of forces assigned to these organizations and commands as directed upon the Air Force by the Secretary of Defense. He supervises the following activities when responsibility for them has been assigned to the Air Force by the Secretary of Defense: the carrying out of any supply or service activity common to more than one military department; the development and operational use of new weapons and weapon systems; and the performance of such functions as may be transferred from other departments or agencies of the Department of Defense. He performs such other duties as are assigned by the President.

(b) *Vice Chief of Staff.* The Vice Chief of Staff assists the Chief of Staff in the the exercise of all his responsibilities. Under delegated authority from the Chief of Staff, he supervises the U.S. Air Force consistent with policy guidance and statutory limitations. In the absence or disability of the Chief of Staff, or in the event of a vacancy in that office, he exercises the authority and performs the duties of the Chief of Staff. He serves as Chairman of the Air Force Council.

(c) *Assistant Vice Chief of Staff.* The Assistant Vice Chief of Staff assists the Chief of Staff and the Vice Chief of Staff in the discharge of their duties. He assists in the development, implementation, and review of plans, programs, and policies, and in the overall direction of the USAF. He also exercises general supervision over the organization and administration of the Air Staff.

(d) *Secretary of the Air Staff.* The Secretary of the Air Staff is responsible to the Assistant Vice Chief of Staff for internal administration and management of the Air Staff. He supervises management programs for efficient utilization of Air Staff resources.

(e) *USAF Scientific Advisory Board.* The USAF Scientific Advisory Board advises the Secretary of the Air Force and the Chief of Staff on all scientific matters of interest to the Air Force mission. The Board reviews research and technological developments for possible further development for military application, reviews and evaluates the Air Force long-range plans for research and development, and provides advice on the adequacy of the Air Force program.

(f) *Chief Scientist.* The Chief Scientist serves as chief scientific adviser to the Chief of Staff and the Air Force in all areas of research and development. He recommends changes in policies, plans, and organization to improve research and development programs.

(g) *Chief, Office of Air Force History.* The Chief, Office of Air Force History, is responsible for the general direction and administration of the global Air Force Historical Program. He advises and counsels the Secretary of the Air Force and Chief of Staff on historical matters.

(h) *Chief, Operations Analysis.* The Chief of Operations Analysis serves as a scientific adviser to the Secretary of the Air Force and the Chief of Staff on matters relating to Air Force designated and functional studies, and he provides focus and direction to the worldwide Air Force Operations Analysis Program. The Operations Analysis Office makes scientific studies of the problems of air warfare in order to provide bases for command and management decisions. It uses the methods of operations research to study and evaluate weapons and tactics, strategy, logistics, and other subjects related to the Air Force mission.

(i) *Surgeon General.* The Surgeon General advises the Secretary of the Air Force and the Chief of Staff on all matters pertaining to the health of Air Force personnel, administers all medical services of the U.S. Air Force, develops the Air Reserve Forces medical program, and advises the Deputy Assistant Secretary of Defense (Health and Medical) on USAF medical matters.

(j) *The Inspector General.* The Inspector General acts as an adviser to the Chief of Staff and serves as a professional assistant to the Secretary of the Air Force. He determines the status of combat readiness, command mission accomplishment, logistic effectiveness and discipline; evaluates the efficiency, economy, and adequacy of the USAF; investigates matters within USAF jurisdiction involving crime, violations of public trust, subversion, disaffection, and related activities; directs the counterintelligence program; establishes security policy; develops and directs the ground, flight, missile, and nuclear safety policies, programs, and procedures; and establishes effective Air Force facilities for inspection, security, investigation, law enforcement, and safety.

(k) *The Judge Advocate General.* The Judge Advocate General acts as legal adviser to the Chief of Staff and exercises general supervision over the administration of military justice and civil law matters pertaining to the Air Force. He is responsible for the establishment and operation of the legal system of appellate reviews of courts-martial records as provided by the Uniform Code of Military Justice.

(l) *Assistant Chief of Staff, Intelligence.* The Assistant Chief of Staff, Intelligence, develops and implements USAF intelligence plans and policies and represents the Chief of Staff on intelligence matters on specific joint and interagency committees of the Government. He coordinates the collection and production of air intelligence by Air Force activities; monitors the worldwide targeting efforts in order to keep the USAF apprised of current changes and developments; and produces air technical intelligence from reports and analyses of foreign materiel.

(m) *Chief, National Guard Bureau.* The National Guard Bureau is a joint bureau of the Department of the Army and the Department of the Air Force, headed by a chief who is the adviser to the Army Chief of Staff and the Air Force Chief of Staff on National Guard matters. The National Guard Bureau is the channel of communication between the departments concerned and the several States, Puerto Rico, and the District of Columbia on matters pertaining to the National Guard, the Army National Guard of the United States, and the Air National Guard of the United States (10 U.S.C. 3015). The Chief, National Guard Bureau, is directly responsible to the Air Force Chief of Staff for all matters pertaining to the development and maintenance of the Air National Guard and the Air National Guard of the United States, and advises all other elements of the Air Staff on Air National Guard matters.

(n) *Chief, Air Force Reserve.* The Chief, Air Force Reserve is the principal adviser to the Chief of Staff on all matters relating to the Air Force Reserve and serves on his special staff. He monitors and maintains surveillance of Air Staff actions affecting the Air Force Reserve and is final coordinator on all correspondence, directives, and other official documents relating thereto. He also provides a channel of communication between Headquarters, USAF and all subordinate elements responsible for the administration and training of the Air Force Reserve. He presents all pertinent matters to Congress and provides liaison with nongovernmental organizations having a primary interest in the Air Force Reserve.

(o) *Assistant Chief of Staff, Studies and Analysis.* The Assistant Chief of Staff, Studies and Analysis, formulates the Air Force Designated Studies Program for approval by the Chief of Staff and conducts or assists in conducting all studies so approved. Designated studies are important, high priority studies of particular significance to the Air Force. Generally, they deal with strategic offensive and defensive, general purpose, and airlift force composition. The Assistant Chief of Staff, Studies and Analysis, also conducts technical and specialized operational feasibility analyses and cost effectiveness evaluations to assist in major force level decisions.

(p) *Chief of Chaplains.* The Chief of Chaplains is responsible for all matters pertaining to the Air Force chaplaincy. He establishes and maintains cordial relationship with religious groups and quasi-official relationship with ecclesiastical endorsing agencies.

(q) *Director of Administration.* The Director of Administration is responsible for the development, coordination, and management of Air Force-wide programs, systems, and procedures governing: printing and duplicating operations and facilities, publications management and distribution, forms management, postal and courier operations, records management, correspondence and message management. He is also responsible for administrative orders, effective writing program, document security, refer-

ence library service, terminology and abbreviations, and the release of documents and fee system in compliance with the Freedom of Information Act.

(r) *Comptroller of the Air Force.* The Comptroller of the Air Force is directly responsible to the Assistant Secretary of the Air Force (Financial Management) and concurrently to the Chief of Staff, USAF, for budgeting, accounting, disbursing, data management and automated systems development, analyses and progress reporting, and auditing throughout the Air Force.

(s) *Deputy Chief of Staff, Personnel.* The Deputy Chief of Staff, Personnel, is responsible for developing plans, policies, and programs pertaining to military and civilian personnel of the Air Force and directing the execution thereof. He develops personnel systems designed to integrate fully qualified personnel at the time and place required for optimum support of all weapon and support systems, and attendant operational support.

(t) *Deputy Chief of Staff, Programs and Resources.* The Deputy Chief of Staff, Programs and Resources, is responsible for developing Air Force programs pertaining to the attainment of operating and supporting forces, and directing the implementation of necessary actions relating thereto. He exercises Air Staff leadership in effecting maximum balance of available resources and integration of effort toward optimum operational capability of all weapon and support systems.

(u) *Deputy Chief of Staff, Plans and Operations.* The Deputy Chief of Staff, Plans and Operations, is responsible for formulating overall Air Force operational concepts, objectives, policies, plans, missions, doctrines, and force effectiveness. He translates assigned roles and missions into Air Force tasks and determines force requirements to support approved national strategy. His planning functions include unilateral aerospace planning and joint planning. He is also responsible for those operating functions which are in support of the Joint Chiefs of Staff. He is the Operations Deputy to the Chief of Staff, USAF, in the latter's capacity as a member of the Joint Chiefs of Staff and is responsible for USAF participation in joint and combined policy making, planning, and operational activities.

(v) *Deputy Chief of Staff, Research and Development.* The Deputy Chief of Staff, Research and Development is responsible for identification of desired operational capabilities for aerospace systems and subsystems to perform military tasks. He develops and directs plans and programs for the Air Force in the field of basic and applied research, advanced engineering development, development planning, systems acquisition, research support, and test activities. He serves as the focal point for all matters relating to space, including the coordination of Air Force activities with other Government agencies. He is responsible for projecting developments to meet future Air Force mission requirements, and directs Air Force research and development activities in the nuclear energy field.

(w) *Deputy Chief of Staff, Systems and Logistics.* The Deputy Chief of Staff, Systems and Logistics is responsible for developing and directing plans, policies, programs, and procedures for the management of Air Force and Reserve Forces activities in the field of logistical support. This involves logistical planning, procurement, supply and services, maintenance engineering and transportation for systems. He is also responsible for execution of the Air Force portion of foreign military assistance, sales and programs.

SEC. 4. *Field organization.* There are 15 major commands and 7 separate operating agencies which together represent the field organization of the U.S. Air Force. These commands are organized on a functional basis in the United States and on an area basis overseas. The commands are given the responsibility for accomplishing certain phases of the worldwide activities of the USAF. They are responsible for organizing, administering, equipping, and training their subordinate elements for the accomplishment of assigned missions.

(a) *Aerospace Defense Command.* The Aerospace Defense Command is a major command of the U.S. Air Force and is the Air Force component in the North American Air Defense Command/Continental Air Defense Command structure. Its primary mission is to discharge Air Force responsibilities for the aerospace defense of the United States.

(b) *Air Force Logistics Command.* The Air Force Logistics Command provides worldwide logistics support to the Air Force. This includes procurement, storage, and distribution of supplies and the performance of or arrangement for the performance of depot level maintenance on materiel.

(c) *Air Force Systems Command.* The responsibility of the Air Force Systems Command is to advance aerospace technology, adapt it into operational aerospace systems, and acquire qualitatively superior aerospace systems and material needed to accomplish the U.S. Air Force mission.

(d) *Air Training Command.* The Air Training Command provides individual training for Air Force officers and airmen. This includes: basic training and indoctrination for all Air Force recruits; flying training; and technical field special, and such other training as directed. It is also charged with the recruiting function for the USAF.

(e) *Air University.* The Air University is primarily concerned with the higher education of Air Force officers. It is responsible for the supervision and operation of such activities as the War College, the Command and Staff College, the Institute of Technology, the Extension Course Institute, and the Air Force ROTC.

(f) *Headquarters Command, USAF.* The Headquarters Command provides administrative and logistics support for Headquarters, USAF and for those Air Force units stationed within the Washington, D.C., area on a permanent or temporary duty basis that are not capable of providing self-support. This includes the USAF Band, air attaché and air mission units and other special mission personnel located in the CONUS and overseas.

(g) *Military Airlift Command.* The Military Airlift Command provides air transportation for personnel and cargo for all the military services on a worldwide basis. In addition, MAC furnishes weather, rescue, and photographic and charting services for the Air Force.

(h) *Strategic Air Command.* The Strategic Air Command is a major command of the U.S. Air Force and a Joint Chiefs of Staff specified command. Its primary mission is to organize, train, equip, administer, and prepare strategic air forces for combat, including bombardment, missile, special mission and strategic reconnaissance units; and to conduct strategic air operations.

(i) *Tactical Air Command.* The tactical Air Command is a major command of the U.S. Air force and is the Air Force component (Air Force Strike Command) in the U.S. Strike Command. Its mission is to organize, train, and equip forces to participate in tactical air operations which includes tactical fighter, tactical air reconnaissance, special operations, tactical airlift, close combat air support, and logistical air support to the Army; and joint amphibious and airborne operations in coordination with the other services in accordance with doctrines established by the Joint Chiefs of Staff. Participates with the Army, Navy, and Marine Corps in developing doctrine, procedures, tactics, techniques, training, and equipment for joint operations. Provides combat ready air elements to Strike Command.

(j) *U.S. Air Force Security Service.* The U.S. Air Force Security Service monitors Air Force communications in all parts of the world to insure compliance with established communication security practices and procedures. Additionally, USAF Security Service units occasionally conduct research in communication phenomena in support of various elements of the U.S. Government.

(k) *Air Force Communications Service.* The Air Force Communications Service provides base and point-to-point communications, flight facilities, and air traffic control services primarily to the Air Force but also other agencies, governmental and civil, national and foreign.

(l) *Oversea commands.* The U.S. Air Forces in Europe, Pacific Air Forces, Alaskan Air Command and U.S. Air Forces Southern Command constitute the oversea commands of the USAF. They are responsible for the offensive, defensive, transport, and logistics functions in their area of operation. They provide the air elements for the unified force to which they are assigned and assist Air Forces of other countries.

(m) *Separate operating agencies.* (1) The Air Force Accounting and Finance Center provides technical supervision, advice, and guidance to Air Force accounting and finance field activities and

a centralized Air Force accounting and finance operation.

(2) The Aeronautical Chart and Information Center provides the Air Force with aeronautical charts, air target materials, flight information, publications and documents, terrain models, maps, intelligence on air facilities, and related cartographic services.

(3) The Office of Aerospace Research conducts and supports research relevant to the U.S. Air Force interests.

(4) The U.S. Air Force Academy provides a 4-year educational curriculum for cadets that includes a baccalaureate level education in airmanship, related sciences, and the humanities. Besides a classical education, each cadet is trained to appreciate the role of airpower, its capabilities and limitations, high ideals of individual integrity, patriotism, loyalty, honor physical fitness, sense of responsibility, and a dedication of selfless and honorable service.

(5) The Air Force Data Systems Design Center analyzes, designs, develops, tests, implements, and maintains all automated data processing systems assigned to it by Headquarters USAF, including particularly standard automated data systems.

(6) The Air Reserve Personnel Center provides for personnel administration of the Air Reserve Forces and mobilization of these reserves when needed.

(7) The Air Force Reserve performs the USAF Chief of Staff field responsibilities for command of the Air Force Reserve; is responsible for participation in formulation of plans for management, administration, and execution of programs affecting Air Force Reserve (AFRes) units.

(5 U.S.C. 301, 552; 10 U.S.C. 8012)

By order of the Secretary of the Air Force.

ALEXANDER J. PALENSCAR, Jr.,
*Colonel, U.S. Air Force, Chief, Special Activities Group, Office of The Judge Advocate General.*

[F.R. Doc. 69-12566; Filed, Oct. 20, 1969; 8:47 a.m.]

# DEPARTMENT OF THE INTERIOR

## Fish and Wildlife Service

## LOANS TO COMMERCIAL FISHERMEN

### Intent To Request Proposals for Master Hull Policies

OCTOBER 16, 1969.

Under the terms of the mortgages utilized in connection with loans to commercial fishermen authorized in section 4 of the Fish and Wildlife Act of 1956, as amended (16 U.S.C. 742c), a mortgagor is required to obtain, among other things, hull insurance satisfactory to the Secretary of the Interior. Some of the basic requirements as respects the hull insurance coverage are that (a) the United States of America be the sole loss payee; (b) the vessel be insured for its full commercial value but in no event less than 110 percent of the outstanding balance of the note secured by the mortgage; and (c) the policy contain satisfactory Inchmaree and Breach of Warranty Clauses.

In the past, as a service to our borrowers and to potential borrowers, the Bureau of Commercial Fisheries has notified the interested public that the Commercial Fishermen's Inter-Insurance Exchange had a Master Hull Policy which, both in form and substance, met the requirements of our mortgage. This notice was merely informational and did not require the utilization of said Master Hull Policy. This Master Hull Policy expires on January 1, 1970.

The Bureau of Commercial Fisheries, in fulfilling its obligations under the Fish and Wildlife Act of 1956, as amended, desires to again notify the interested public of the existence of any Master Hull Policies which may be available to commercial fishing vessel owners or operators whose vessels serve as collateral for fisheries loans. The name of any qualifying insurance company submitting a Master Hull Policy, found acceptable for use in connection with the Bureau's lending program, will be placed in an informational release along with the applicable premium charges. While this release will be distributed to the interested public there will be no compulsion that a borrower utilize any Master Hull Policy listed in such release.

Notice is hereby given of the intent to issue a request for such proposals. Interested persons may submit written comments, suggestions or objections with respect to the proposed request to the Director, Bureau of Commercial Fisheries, Department of the Interior, Washington, D.C. 20240, by November 17, 1969.

DAYTON L. ALVERSON,
*Acting Director.*

[F.R. Doc. 69-12546; Filed, Oct. 20, 1969; 8:46 a.m.]

# DEPARTMENT OF AGRICULTURE

## Forest Service

## BLUE RANGE WILDERNESS PROPOSAL AND HEARING ANNOUNCEMENT

Notice is hereby given in accordance with the provisions of the Wilderness Act of September 3, 1964 (Public Law 88-577; 78 Stat. 890, 892; 16 U.S.C. 1131, 1132), that a public hearing will be held beginning at 9 a.m. on December 19, 1969, in the Catron County Courthouse, Reserve, N. Mex.; and at 9 a.m. on December 20, 1969, in the VFW Hall at Springerville, Ariz., on a proposal for a recommendation to be made by the Secretary of Agriculture to the President of the United States that a recommendation be submitted to Congress for the establishment of the Blue Range Wilderness, comprising about 177,239 acres, including most of the Blue Range Primitive Area and two contiguous areas. The proposed Blue Range Wilderness is located within the Apache National Forest, Greenlee County, State of Arizona, and Catron County, State of New Mexico.

A brochure containing a map and information about the proposed Wilderness may be obtained from the Forest Supervisor, Apache National Forest, Springerville, Ariz., or the Regional Forester, 517 Gold Avenue, SW., Albuquerque, N. Mex. Individuals and organizations are invited to express their views by appearing at the hearing, or they may submit written comments for inclusion in the official record to Regional Forester, 517 Gold Avenue SW., Albuquerque, N. Mex., by January 20, 1970.

A. W. GREELEY,
*Associate Chief, Forest Service.*

[F.R. Doc. 69-12535; Filed, Oct. 20, 1969; 8:45 a.m.]

# ATOMIC ENERGY COMMISSION

## PAST-DUE ACCOUNTS

### Increase in Interest Rate

1. The U.S. Atomic Energy Commission (AEC) hereby announces that on September 15, 1969, the interest rate charged for overdue accounts was raised from 7 percent to 8½ percent per annum. The new interest rate is not applicable to outstanding contracts and agreements which specify a different rate.

Dated at Washington, D.C., this 15th day of October 1969.

For the Atomic Energy Commission.

W. B. MCCOOL,
*Secretary.*

[F.R. Doc. 69-12547; Filed, Oct. 20, 1969; 8:46 a.m.]

# CIVIL AERONAUTICS BOARD

## E. J. BRADLEY ET AL.

### Notice of Proposed Approval

Joint application of E. J. Bradley, Melvin C. Roundtree, Gordon S. Harang, and Alaska World Air, Inc., for approval of certain control and interlocking relationships pursuant to sections 408 and 409 of the Act, Docket 21075.

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 attached order 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 15, 1969.

A. M. ANDREWS,
*Director,*
*Bureau of Operating Rights.*

[Docket No. 21075]

ORDER OF APPROVAL

Issued under delegated authority.

Joint application of E. J. Bradley, Melvin C. Roundtree, Gordon S. Harang, and Alaska

World Air, Inc., for approval of certain control and interlocking relationships pursuant to sections 408 and 409 of the Federal Aviation Act of 1958, as amended.

By joint application filed June 12, 1969, E. J. Bradley, Melvin C. Roundtree, and Gordon S. Harang request approval pursuant to section 408 of the Federal Aviation Act of 1958, as amended (the Act), of their proposed acquisition, in equal shares, of all of the shares of stock of Alaska World Air, Inc. (Alaska), an applicant for interstate air freight forwarder authority, while at the same time such persons own and operate interstate common carriers of general commodities, as follows: Mr. Bradley owns and operates Ed's Fuel and Transfer Co. (Transfer); Mr. Roundtree owns and operates Reliable Transfer Co. (Reliable); and Mr. Harang owns and operates, together with his father, Arrowhead Transfer (Arrowhead).[1] Each of the three individual applicants herein will hold one-third of the shares of stock of Alaska, and the officers and directors of Alaska will be as follows:

President and director—Mr. Bradley.
Vice President, director—Mr. Roundtree.
Secretary-treasurer, director—Mr. Harang.

Applicants submit that the activities of the three surface common carriers can in no way conflict with the proposed air freight forwarder activities of Alaska, hence the public interest will not be adversely affected by the control and interlocking relationships proposed herein.

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 joint application, it is concluded that Alaska is an air carrier, and that Transfer, Reliable, and Arrowhead are common carriers within the meaning of section 408 of the Act, and that the common control relationships proposed herein are subject to that section. However, it has been further concluded that such common 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 tend to 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 are similar to others which have been approved by the Board and do not, essentially, present any new substantive issues.[2] It therefore appears that approval of the control relationships would be consistent with the public interest.

We also find that interlocking relationships within the scope of section 409(a) of the Act will result from the holding by the individual applicants of the positions described herein. However, we have concluded that such relationships come within the scope of the exemption from the provisions of section 409 afforded by § 287.2 of the Board's economic regulations. Thus, to the extent that the application requests approval of such relationships, it will be dismissed.

Pursuant to authority duly delegated by the Board in the Board's regulations, 14 CFR 385.13, and 385.3, it is found that the foregoing control relationships should be approved under section 408(b) of the Act, without hearing, and that the application to the extent that it requests approval of the aforementioned interlocking relationships should be dismissed.

*Accordingly, it is ordered:*

1. That the common control by Messrs. Bradley, Roundtree, and Harang of Alaska, while, respectively, they control Transfer, Reliable, and Arrowhead be and it hereby is approved; and

2. That, to the extent that approval of interlocking relationships is sought herein pursuant to section 409 of the Act, the application 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. 69-12550; Filed, Oct. 20, 1969; 8:46 a.m.]

[Docket No. 21403; Order 69-10-71]

## CUTLASS AVIATION, INC.

### Order To Show Cause Regarding Service Mail Rates

Issued under delegated authority October 15, 1969.

The Postmaster General filed notices of intent September 10 and 11, 1969, pursuant to 14 CFR, Part 298, petitioning the Board to establish for the above captioned air taxi operator final service mail rates per great circle aircraft mile for the transportation of mail by aircraft as follows:

| Docket | Between | Cents |
|---|---|---|
| 21403 | Watertown and New York (La Guardia) via Syracuse, N.Y. | 54.5 |
| 21404 | Albany, N.Y., and Newark, N.J. | 65.5 |
| 21405 | Utica and New York (La Guardia) via Poughkeepsie, N.Y. | 59.5 |
| 21406 | Rochester and Albany, N.Y. | 58.0 |
| 21414 | Albany and New York (La Guardia), N.Y. | 79.5 |

No protest or objection was filed against the proposed services during the time for filing such objections. The Postmaster General states that the Department and the carrier agree that the above are fair and reasonable rates of compensation for the proposed services, and submits the cost data which Cutlass, formerly Buker Airways, Inc., presented with its bid. These cost data tend to support the proposed rates. The Postmaster General believes these services will meet postal needs in the market. He states the air taxi plans to initiate mail service on the first four routes with twin-engine Beech, Model 18 aircraft equipped for all-weather operation and on the fifth route with twin-engine Beech Volpar Turboliner aircraft similarly equipped.

It is in the public interest to fix, determine, and establish the fair and reasonable rates of compensation to be paid by the Postmaster General for the proposed transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, between the aforesaid points. Upon consideration of the notice of intent and other matters officially noticed, it is proposed to issue an order[1] to include the following findings and conclusions:

The fair and reasonable final service mail rates per great circle aircraft mile to be paid entirely by the Postmaster General pursuant to section 406 of the Act for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, to Cutlass Aviation, Inc., shall be as follows:

| Docket | Between | Cents |
|---|---|---|
| 21403 | Watertown and New York (La Guardia) via Syracuse, N.Y. | 54.5 |
| 21404 | Albany, N.Y., and Newark, N.J. | 65.5 |
| 21405 | Utica and New York (La Guardia) via Poughkeepsie, N.Y. | 59.5 |
| 21406 | Rochester and Albany, N.Y. | 58.0 |
| 21414 | Albany and New York (La Guardia), N.Y. | 79.5 |

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly §§ 204(a) and 406 thereof, and regulations promulgated in 14 CFR Part 302, 14 CFR Part 298, and 14 CFR 385.14(f),

*It is ordered*, That:

1. Cutlass Aviation, Inc., the Postmaster General, American Airlines, Inc., Eastern Air Lines, Inc., Allegheny Airlines, Inc., Mohawk Airlines, Inc., and all other interested persons are directed to show cause why the Board should not adopt the foregoing proposed findings and conclusions and fix, determine, and publish the final rates for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith as specified above as the fair and reasonable rates of compensation to be paid to Cutlass Aviation, Inc.,

2. Further procedures herein shall be in accordance with 14 CFR Part 302, and notice of any objection to a rate or rates or to the other findings and conclusions proposed herein, shall be filed within 10 days, and if notice is filed, written answer and supporting documents shall be filed within 30 days after service of this order;

3. If notice of objection is not filed within 10 days after service of this order, or if notice is filed and answer is not filed within 30 days after service of this

[1] Transfer is authorized to operate between points on Wrangell Island; Reliable, between points on Mitkof Island; and Arrowhead, between points in Alaska south and east of the United States-Canada boundary line north of Haines Alaska.

[2] Cf. John A. Chamberlain et al., Order 69-6-175, June 30, 1969, and Herbert Cohan et al., Order 69-2-129, Feb. 25, 1969, approving common control relationships between air freight forwarders and motor common carriers.

[1] As this order to show cause is not a final action but merely affords interested persons an opportunity to be heard on the matters herein proposed, it is not regarded as subject to the review provisions of Part 385 (14 CFR Part 385). These provisions for Board review will be applicable to final action taken by the staff under authority delegated to § 385.14(g).

order, all persons shall be deemed to have waived the right to hearing and all other procedural steps short of a final decision by the Board, and the Board may enter an order incorporating the findings and conclusions proposed herein and fix and determine the final rates specified herein;

4. If answer is filed presenting issues for hearing, the issues involved in determining the fair and reasonable final rates shall be limited to those specifically raised by the answer, except insofar as other issues are raised in accordance with Rule 307 of the rules of practice (14 CFR 302.307); and

5. This order shall be served upon Cutlass Aviation, Inc., the Postmaster General, American Airlines, Inc., Eastern Air Lines, Inc., Allegheny Airlines, Inc., and Mohawk Airlines, Inc.

This order will be published in the FEDERAL REGISTER.

[SEAL] HAROLD R. SANDERSON,
*Secretary.*

[F.R. Doc. 69-12548; Filed, Oct. 20, 1969; 8:46 a.m.]

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[Docket No. 20291; Order 69-10-73]

## INTERNATIONAL AIR TRANSPORT ASSOCIATION

### Order Relating to Free and Reduced Transportation for Passenger Sales Agents

Issued under delegated authority October 15, 1969.

Agreement adopted by the Traffic Conferences of the International Air Transport Association relating to free and reduced transportation for passenger sales agents, Docket No. 20291, Agreement CAB 21279, R-1.

By Order 69-10-18, dated October 3, 1969, action was deferred, with a view toward eventual approval, on a resolution adopted by the Traffic Conferences of the International Air Transport Association (IATA). 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.

In deferring action on the agreement, 7 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 69-10-18 will herein be made final.

*Accordingly, it is ordered,* That:

Agreement CAB 21279, R-1, is approved.

This order will be published in the FEDERAL REGISTER.

[SEAL] HAROLD R. SANDERSON,
*Secretary.*

[F.R. Doc. 69-12549; Filed, Oct. 20, 1969; 8:46 a.m.]

# FEDERAL MARITIME COMMISSION

## CONTINENTAL NORTH ATLANTIC WESTBOUND FREIGHT 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 agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed by:

Mr. Elliott B. Nixon, Burlingham Underwood Wright White and Lord, 25 Broadway, New York, N.Y. 10004.

Agreement No. 8210-8 between the member lines of the Continental North Atlantic Westbound Freight Conference, amends Article 5(a) of the basic agreement (1) to remove the requirement that forwarding agents must be domiciled at ports of loading, and (2) to provide that in the event that both an inland forwarder and a port forwarder are involved in the same shipment, brokerage may only be paid to the party making the booking.

Dated: October 16, 1969.

By order of the Federal Maritime Commission.

THOMAS LISI,
*Secretary.*

[F.R. Doc. 69-12557; Filed, Oct. 20, 1969; 8:47 a.m.]

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## PARR-RICHMOND TERMINAL CO. AND PETROMARK, INC.

### Notice of Agreement Filed for Approval

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

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

Notice of agreement filed for approval by:

Mr. Merritt L. Hewitt, Manager, Commercial Division, Parr-Richmond Terminal Co., 402 Wright Avenue, Richmond, Calif. 94804.

Agreement No. T-671-1 between Parr-Richmond Terminal Co. (Parr-Richmond) and Petromark, Inc., modifies the basic agreement which provides for the lease of certain property and equipment from Parr-Richmond. The purpose of the modification is to amend the description of the property so as to delete therefrom a portion of land which was deeded to the city of Richmond.

Dated: October 16, 1969.

By order of the Federal Maritime Commission.

THOMAS LISI,
*Secretary.*

[F.R. Doc. 69-12558; Filed, Oct. 20, 1969; 8:47 a.m.]

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## PARR-RICHMOND TERMINAL CO. AND PETROMARK, INC.

### Notice of Agreements Filed for Approval

Notice is hereby given that the following Agreements have 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(s) at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1202, or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the

agreement (as indicated hereinafter), and the comments should indicate that this has been done.

Notice of agreements filed for approval by:

Mr. Merritt L. Hewitt, Manager, Commercial Division, Parr-Richmond Terminal Co., 402 Wright Avenue, Richmond, Calif. 94804.

Agreements Nos. T-671-2 and T-1830-1, between Parr-Richmond Terminal Co. and Petromark, Inc. (Petromark), amend the basic agreements which provide for the lease of certain property to Petromark. The purpose of the modifications is to extend the terms of the leases to October 1976.

Dated: October 16, 1969.

By order of the Federal Maritime Commission.

THOMAS LISI,
*Secretary.*

[F.R. Doc. 69-12559; Filed, Oct. 20, 1969; 8:47 a.m.]

# FEDERAL POWER COMMISSION

[Docket Nos. G-2712 etc.]

## CITIES SERVICE CO. ET AL.

### Findings and Order After Statutory Hearing

OCTOBER 9, 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 change effective, accepting agreements and undertakings for filing, accepting surety bond 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.

Katherine B. Palmer, Applicant in Docket No. G-5247, proposes to continue the sale of natural gas heretofore authorized in said docket to be made pursuant to C. T. Palmer FPC Gas Rate Schedule No. 3. Said rate schedule will be redesignated as a rate schedule of Applicant. The presently effective rate under said rate schedule is in effect subject to refund in Docket No. RI65-302. Applicant has filed a motion to be substituted as respondent in said proceeding, together with an agreement and undertaking to assure the refund of all amounts collected in excess of the amount determined to be just and reasonable in said proceeding. Therefore, Applicant will be substituted in lieu of C. T. Palmer as respondent in the proceeding pending in Docket No. RI65-302; the proceeding will be redesignated accordingly; and the agreement and undertaking will be accepted for filing.

General Crude Oil Co., Applicant in Docket No. G-16748, proposes to continue the sale of natural gas heretofore authorized in said docket to be made pursuant to Magna Oil Corp. FPC Gas Rate Schedule No. 4. Said rate schedule will be redesignated as that of Applicant. The presently effective rate under said rate schedule is in effect subject to refund in Docket No. RI64-20. Applicant has filed a motion to be made 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. Therefore, Applicant will be made co-respondent in the proceeding pending in Docket No. RI64-20; the proceeding will be redesignated accordingly; and the agreement and undertaking will be accepted for filing.

Alamo Production Co., Applicant in Dockets Nos. CI63-1131 and CI63-1174, proposes to continue the sales of natural gas heretofore authorized in said dockets to be made pursuant to Sword Co. PFC Gas Rate Schedules Nos. 5 and 4, respectively. Said rate schedules will be redesignated as those of Applicant. The presently effective rates under Sword Co. FPC Gas Rate Schedule No. 4 are in effect subject to refund in Dockets Nos. RI64-462 and RI64-525. The presently effective rate under Sword Co. FPC Gas Rate Schedule No. 5 is in effect subject to refund in Docket No. RI64-525. Applicant has filed agreements and undertakings to assure the refunds of any amounts collected by it in excess of the amounts determined to be just and reasonable in said proceedings. Therefore, Applicant will be made co-respondent in the proceedings pending in Dockets Nos. RI64-462 and RI64-525; the proceedings will be redesignated accordingly; and the agreements and undertakings will be accepted for filing.

Genevra Harris Bradley, individually and as independent executrix of the estate of Palmer Bradley, deceased, Applicant in Docket No. CI66-735, proposes to continue in lieu of Palmer Bradley the sale of natural gas heretofore authorized in said docket to be made pursuant to Palmer Bradley et al., FPC Gas Rate Schedule No. 1. Said rate schedule will be redesignated as that of Applicant and the other owner of the producing property whose interest has not changed. Palmer Bradley et al., filed a notice of change in rate under said rate schedule, the operation of which is suspended in Docket No. RI66-123. Applicant has filed a motion to be substituted in lieu of Palmer Bradley as co-respondent in said proceeding. Therefore, she will be substituted as co-respondent, and the proceeding will be redesignated accordingly.

S & G Oil Co., Inc., Applicant in Docket No. CI69-1202, proposes to continue in part the sale of natural gas heretofore authorized in Docket No. G-12910 to be made pursuant to Continental Oil Co. FPC Gas Rate Schedule No. 148. The contract comprising said rate schedule will also be accepted for filing as a rate schedule of Applicant. The presently effective rate under Continental's rate schedule is in effect subject to refund in Docket No. RI65-375. Continental has collected a prior increased rate for a locked-in period subject to refund in Docket No. G-20341. Applicant has filed a surety bond to assure the refund of any amounts collected by it in excess of the amounts determined to be just and reasonable in said proceedings. Therefore, Applicant will be made co-respondent in the proceedings pending in Dockets Nos. G-20341 and RI65-375; the proceedings will be redesignated accordingly; and the surety bond will be accepted for filing.

Texas Gulf Sulphur Co. (Operator) et al., Applicant in Docket No. CI69-1229, proposes to continue in part the sale of natural gas heretofore authorized in Docket No. G-4290 to be made pursuant to Shell Oil Co. FPC Gas Rate Schedule No. 26. An instrument of ratification of the contract comprising said rate schedule is being accepted for filing as a rate schedule of Applicant. The presently effective rate under Shell's rate schedule is in effect subject to refund in Docket No. RI65-475. Applicant has filed a motion to be made co-respondent in said proceeding. Therefore, Applicant will be made a co-respondent in the proceeding pending in Docket No. RI65-475; 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.

King Resources Co., Applicant in Docket No. CI69-1237, proposes to continue in part sales of natural gas heretofore authorized in Docket No. CI66-942 to be made pursuant to Pan American Petroleum Corp. (Operator) et al., FPC Gas Rate Schedule No. 449. The contract comprising said rate schedule will also be accepted for filing as a rate schedule of Applicant. The presently effective rate under Pan American's rate schedule is in effect subject to refund in Docket No. RI69-224. Therefore, Applicant will be made a co-respondent in

said proceeding, and the proceeding will be redesignated accordingly.

Sun Oil Co. (DX Division), Applicant in Docket No. CI70–10, proposes to continue in part sales of natural gas heretofore authorized in Docket No. G–10690 to be made pursuant to Viersen & Cochran (Operator) et al., FPC Gas Rate Schedule No. 1. The contract comprising said rate schedule will also be accepted for filing as a rate schedule of Sun. The presently effective rate under Viersen & Cochran's rate schedule is in effect subject to refund in Docket No. RI65–539. Therefore, Sun will be made a co-respondent in said proceeding; the proceeding will be redesignated accordingly; and Sun 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.

Shell Oil Co., Applicant in Docket No. CI70–11, proposes to continue in part sales of natural gas heretofore authorized in Docket No. CI61–1281 to be made pursuant to Mobil Oil Corp. (Operator) et al., FPC Gas Rate Schedule No. 322. The contract comprising said rate schedule will also be accepted for filing as a rate schedule of Applicant. The presently effective rate under Mobil's rate schedule is in effect subject to refund in Docket No. RI68–565. On December 24, 1968, Mobil filed with the Commission a notice of change in rate under its FPC Gas Rate Schedule No. 322. By order issued January 17, 1969, in Docket No. RI69–471 et al., the Commission suspended the proposed change in Docket No. RI69–476 until June 24, 1969, and thereafter until made effective. The notice of change was designated as Supplement No. 15 to Mobil's rate schedule. On June 23, 1969, Shell filed a motion to be made co-respondent in the proceedings pending in Dockets Nos. RI68–565 and RI69–476 and to make the change in rate effective subject to refund in Docket No. RI69–476. Therefore, Shell will be made co-respondent in the proceedings pending in Dockets Nos. RI68–565 and RI69–476; the proceedings will be redesignated accordingly; and the change in rate will be made effective subject to refund in Docket No. RI69–476 with respect to sales by Shell from the properties acquired from Mobil. Shell has heretofore filed a general agreement and undertaking to assure the refund of amounts collected in excess of amounts determined to be just and reasonable in proceedings under section 4(e) of the Natural Gas Act.

The Commission's staff has reviewed each application and recommends 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, a notice of intervention by The Public Service Commission of the State of New York was filed in Docket No. CI69–1147. Said petition is not in opposition to the granting of the application. No other petitions to intervene, notices of intervention, or protests to the granting of any of the applications have been filed.

At a hearing held on October 2, 1969, the Commission on its own motion received and made a part of the record in this proceeding all evidence, including the applications and petitions, 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 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 Katherine B. Palmer should be substituted in lieu of C. T. Palmer as respondent in the proceeding pending in Docket No. RI65–302; that said proceeding should be redesignated accordingly; and that the agreement and undertaking filed by Katherine B. Palmer in said proceeding should be accepted for filing.

(10) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that General Crude Oil Co. should be made a co-respondent in the proceeding pending in Docket No. RI64–20, that said proceeding should be redesignated accordingly, and that the agreement and undertaking filed by General Crude in said proceeding should be accepted for filing.

(11) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Alamo Petroleum Co. should be made co-respondent in the proceedings pending in Docket Nos. RI64–462 and RI64–525, that said proceedings should be redesignated accordingly, and that the agreements and undertakings submitted by Alamo in said proceedings should be accepted for filing.

(12) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Genevra Harris Bradley, individually and as independent executrix of the estate of Palmer Bradley, deceased, should be substituted in lieu of Palmer Bradley as co-respondent in the proceeding pending in Docket No. RI66–123 and that said proceeding should be redesignated accordingly.

(13) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that S & G Oil Co., Inc., should be made a co-respondent in the proceedings pending in Dockets Nos. G–20341 and RI65–375; that said proceedings should be redesignated accordingly; and that the surety bond filed by S & G in said proceedings should be accepted for filing.

(14) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Texas Gulf Sulphur Co. (Operator) et al., should be made a co-respondent in the proceeding pending in Docket No. RI65–475; that said proceeding should be redesignated accordingly; and that Texas Gulf Sulphur should be required to file an agreement and undertaking in said proceeding.

(15) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that King Resources Co. should be made a co-respondent in the proceeding pending in Docket No. RI69–224 and that said proceeding should be redesignated accordingly.

(16) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Sun Oil Co. (DX Division) should be made a co-respondent in the proceeding pending in Docket No. RI65–539, that said proceeding should be redesignated accordingly, and that Sun should be required to file an agreement and undertaking.

(17) 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. RI65–565 and RI69–476, that said proceedings should be redesignated accordingly, and that the proposed change in rate suspended in Docket No. RI69–476 should be made effective subject to refund with respect to sales by Shell from the properties acquired from Mobil.

(18) 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 rates for sales authorized in Docket No. CI69–1147 shall be 20 cents per Mcf at 15.025 p.s.i.a. (gas-well gas) and 18.5 cents per Mcf at 15.025 p.s.i.a. (casinghead gas), the applicable area base rates prescribed in Opinion No. 546, as modified by Opinion No. 546–A, as adjusted for quality of gas, or the contract rates, whichever are lower. If the quality of the gas delivered by Applicant deviates at any time from the quality standards set forth in Opinion No. 546, as modified by Opinion No. 546–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 a notice of change in rate. Within 90 days from the date of initial delivery Applicant shall file a rate schedule quality statement in the form prescribed in Opinion No. 546.

(b) Applicant in Docket No. CI69–1147 shall not require buyer to take-or-pay for an annual quantity of gas-well gas which is in excess of an average of 1 Mcf per day for each 7,300 Mcf of determined gas-well gas reserves or the specified contract quantity, whichever is the lesser amount. This condition shall remain in effect pending further Commission order in the subject docket or in other matters relating to the buyer's take-or-pay obligation under the subject contract.

(c) The initial rate for the sale authorized in Docket No. CI69–1229 shall be 21.1 cents per Mcf at 15.025 p.s.i.a. subject, however, to Opinion Nos. 546 and 546–A, and accompanying orders, and specifically including those relating to rate reductions, refunds and filings required by those orders for sales made from May 17, 1968, and is subject to Opinion Nos. 546 and 546–A, and accompanying orders for sales made prior to May 17, 1968.

(d) The initial rate for the sale authorized in Docket No. CI69–1152 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, Applicant thereupon may substitute the new rate reflecting the amount of such increase and thereafter collect the new rate prospectively in lieu of the initial rate herein authorized in said docket.

(e) The initial rate for sales authorized in Dockets Nos. CI69–551, CI70–9, and CI70–109 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. CI70–109 shall file a revised billing statement to reflect the 17 cents rate as required by the regulations under the Natural Gas Act.

(f) Applicant in Docket No. CI70–109 shall not require buyer to take-or-pay for an annual quantity of gas during the first 2 contract years which is in excess of an average of 1 Mcf per day for each 3,650 Mcf of determined gas reserves.

(g) The initial rate for the sale authorized in Docket No. CI70–38 shall be 17 cents per Mcf at 14.65 p.s.i.a., subject to adjustment for B.t.u. content of the gas as provided in the contract, and subject to Applicants' refunding to the buyer with interest at the rate of seven percent per annum, of any amounts collected in excess of the higher of: (1) The just and reasonable rate finally determined for sales from the subject area or (2) a rate of 15 cents per Mcf at 14.65 p.s.i.a., proportionally adjusted to reflect B.t.u. content of the gas below 1,000 B.t.u.'s per cubic foot measured on a wet basis.

(h) The certificates issued herein in Dockets Nos. CI70–38, CI70–109, and CI70–112 are conditioned upon any determination which may be made in the proceeding pending in Docket No. R–338 with respect to the transportation of liquefiable hydrocarbons.

(i) Sales authorized in Docket No. CI66–470 shall be made at the initial rate of 15 cents per Mcf at 14.65 p.s.i.a. including tax reimbursement from the newly dedicated acreage acquired from Humble Oil & Refining Co.; and 16.015 cents per Mcf at 14.65 p.s.i.a. including tax reimbursement from acreage acquired from Pan American Petroleum Corp. in Docket No. CI65–1145.

(F) The orders issuing certificates in Dockets Nos. G–2712, G–3498, G–4954, G–7241, CI63–26, CI66–470, CI66–653, CI68–492, CI69–340, CI69–551, and CI69–721 are amended by adding thereto or deleting therefrom authorization to sell natural gas as described in the tabulation herein.

(G) 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–4290 | CI69–1229 |
| G–6180 | CI70–57 |
| G–10690 | CI70–10 |
| G–12910 | CI69–1202 |
| G–15714 | CI70–45 |
| CI61–36 | CI70–99 |
| CI61–1281 | CI70–11 |
| CI65–1145 | CI66–470 |
| CI66–942 | CI69–1237 |

(H) The orders issuing certificates in Dockets Nos. G–5247, G–11941, G–16748, CI63–26, CI63–1131, CI63–1174, CI63–1191, CI65–1326, and CI66–735 are amended by substituting the successors in interest as certificate holders.

(I) 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.

(J) Permission for and approval of the abandonment in Docket No. CI70–91 shall not be construed to relieve Applicant of any refunds which may be ordered in Docket No. CI62–782.

(K) Permission for and approval of the abandonment in Docket No. CI70–94 shall not be construed to relieve Applicant of any refund obligations in the related rate suspension proceedings pending in Dockets Nos. RI66–127, RI67–99, and RI68–183.

(L) The certificates heretofore issued in Dockets Nos. G–3055, G–11866, G–14539, CI62–782, CI62–793, CI64–536, CI64–1500, CI68–490, and CI68–491 are terminated; and the temporary certificate heretofore issued in Docket No. CI62–782 on December 9, 1966, is terminated.

(M) Katherine B. Palmer is substituted in lieu of C. T. Palmer as respondent in the proceeding pending in Docket No. RI65–302, said proceeding is redesignated accordingly; and the agreement and undertaking submitted by Katherine B. Palmer in said proceeding is accepted for filing. Katherine B. Palmer shall comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder. The agreement and undertaking shall remain in full force and effect until discharged by the Commission.

(N) General Crude Oil Co. is made a co-respondent in the proceeding pending in Docket No. RI64–20, said proceeding is redesignated accordingly, and the agreement and undertaking filed by General Crude in said proceeding is accepted for filing. General Crude shall comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder. The agreement and undertaking shall remain in full force and effect until discharged by the Commission.

(O) Alamo Production Co. is made a co-respondent in the proceedings pending in Dockets Nos. RI64–462 and RI64–525, said proceedings are redesignated accordingly, and the agreements and undertakings submitted by Alamo in said proceedings are accepted for filing. Alamo shall comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder. The agreements and undertakings shall remain in full force and effect until discharged by the Commission.

(P) Genevra Harris Bradley, individually and as independent executrix of the Estate of Palmer Bradley, deceased, is substituted in lieu of Palmer Bradley as co-respondent in the proceeding pending in Docket No. RI66–123 and said proceeding is redesignated accordingly.

(Q) S & G Oil Co., Inc., is made a co-respondent in the proceedings pending in Dockets Nos. G–20341 and RI65–375; said proceedings are redesignated accordingly and the surety bond filed by S & G in said proceedings is accepted for filing. S & G shall comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder. The surety bond shall remain in full force and effect until discharged by the Commission.

(R) Texas Gulf Sulphur Co. (Operator) et al., is made a co-respondent in the proceeding pending in Docket No. RI65–475 and said proceeding is redesignated accordingly. Texas Gulf Sulphur shall comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder.

(S) Within 30 days from the issuance of this order, Texas Gulf Sulphur Co. (Operator) et al. 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. RI65–475. 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.

(T) King Resources Co. is made a co-respondent in the proceeding pending in Docket No. RI69–224 and said proceeding is redesignated accordingly. King Resources Co. shall comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder.

(U) Sun Oil Co. (DX Division) is made a co-respondent in the proceeding pending in Docket No. RI65–539 and said proceeding is redesignated accordingly. Sun shall comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder.

(V) Within 30 days from the issuance of this order, Sun Oil Co. (DX Division) 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. RI65–539. 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.

(W) Shell Oil Co. is made a co-respondent in the proceedings pending in Dockets Nos. RI68–565 and RI69–476 and said proceedings are redesignated accordingly. The rates, charges, and classifications set forth in Supplement No. 15 to Mobil Oil Corp. (Operator) et al., FPC Gas Rate Schedule No. 322 shall be effective subject to refund in Docket No. RI69–476 as of June 24, 1969, with respect to sales by Shell from properties acquired from Mobil which sales are made pursuant to Shell's FPC Gas Rate Schedule No. 374. The effective rates shall be charged and collected as of the effective date subject to any future orders of the Commission in Docket No. RI69–476. Shell shall comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder.

(X) 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.*

| Docket No. and date filed | Applicant | Purchaser, field, and location | FPC rate schedule to be accepted | | |
|---|---|---|---|---|---|
| | | | Description and date of document | No. | Supp. |
| G–2712 D 7–25–69 | Cities Service Co. (Operator) et al. (partial abandonment). | Arkansas Louisiana Gas Co., Rodessa Field, Caddo Parish, La. | Cancellation agreement 6–24–69.[1 2] | 5 | 6 |
| G–3498 D 7–11–69 | Phillips Petroleum Co. | Tennessee Gas Pipeline Co., a division of Tenneco Inc., South Crowley Field, Acadia Parish, La. | Amendment 6–20–69.[2 3] | 218 | 18 |
| G–4964 D 8–4–69 | Sun Oil Co. (DX Division) (Operator) et al. (partial abandonment). | United Gas Pipe Line Co., Marshall Field, Goliad County, Tex. | Notice of partial cancellation 7–29–69.[1 4] | 21 | 15 |
| G–5247 E 6–20–69 | Katherine B. Palmer (successor to C. T. Palmer). | Panhandle Eastern Pipe Line Co., Hugoton Field, Morton, Seward, and Stevens Counties, Kans. | C. T. Palmer, FPC GRS No. 3. | 1 | ..... |
| | | | Supplement No. 1 | 1 | 1 |
| | | | Notice of succession (undated). | ..... | ..... |
| | | | Last Will and Testament 11–1–55. | 1 | 2 |
| | | | Effective date: 9–30–68 | ..... | ..... |
| G–7241 C 6–2–69 [5] | Aztec Oil & Gas Co. (Operator) et al. | El Paso Natural Gas Co., Aztec Pictured Cliffs Field, San Juan County, N. Mex. | Supplemental agreement 5–28–69.[6] | 4 | 28 |
| G–7241 C 7–30–69 [5] | do | do | Supplemental agreement 7–15–69.[6] | 4 | 29 |

Filing code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.
F—Partial succession.

See footnotes at end of table.

| Docket No. and date filed | Applicant | Purchaser, field, and location | FPC rate schedule to be accepted: Description and date of document | No. | Supp. |
|---|---|---|---|---|---|
| G-11941 ..... E 7-18-69 | Buttes Gas & Oil Co. (Operator) (successor to Mobil Oil Corp.). (Operator). | Trunklins Gas Co., Hurricane Creek Field, Beauregard Parish, La. | Mobil Oil Corp. (Operator), FPC GRS No. 46. | 5 | ..... |
| | | | Supplements Nos. 1-15 | 5 | 1-15 |
| | | | Notice of succession 7-11-69. | ..... | ..... |
| | | | Conveyance 6-2-67 [7] | 5 | 19 |
| G-16748 ..... E 7-11-69 | General Crude Oil Co. (successor to Magna Oil Corp.). | Northern Natural Gas Co., E. C. Greene Unit, Hansford County, Tex. | Magna Oil Corp., FPC GRS No. 4. | 14 | ..... |
| | | | Supplements Nos. 1-2 | 14 | 1-2 |
| | | | Notice of succession 7-10-69. | ..... | ..... |
| | | | Conveyance 9-26-68 | 14 | 3 |
| | | | Effective date: 9-1-68 | ..... | ..... |
| CI63-26 ..... E 7-2-69 C 7-2-69 [10] | George W. Mathews et al. (successor to Thomas J. Blaho, Jr., d.b.a. Blaho Oil & Gas Co.). | Equitable Gas Co., Troy District, Gilmer County, W. Va. | Thomas J. Blaho, Jr., [1] d.b.a. Blaho Oil & Gas Co., FPC GRS No. 6. | 2 | ..... |
| | | | Supplements Nos. 1-3 | 2 | 1-3 |
| | | | Notice of succession 6-17-69. | ..... | ..... |
| | | | Assignment 1-29-62 [4] | 2 | 4 |
| | | | Assignment 1-25-63 [5] | 2 | 5 |
| | | | Assignment 7-8-63 [6] | 2 | 6 |
| | | | Assignment 3-8-69 [8] | 2 | 7 |
| | | | Assignment 3-10-69 [9] | 2 | 8 |
| | | | Letter agreement 5-23-69. [10] | 2 | 9 |
| | | | Effective date: 3-10-69 | ..... | ..... |
| CI63-1131 ..... E 6-23-69 | Alamo Petroleum Co. (successor to Sword Co.). | El Paso Natural Gas Co., Platero-Navajo Nos. 1 and 2, Wells, San Juan County, N. Mex. | Sword Co., FPC GRS No. 5. | 2 | ..... |
| | | | Supplements Nos. 1-3 | 2 | 1-3 |
| | | | Notice of succession 6-19-69. | ..... | ..... |
| | | | Assignment 4-21-69 | 2 | 4 |
| | | | Effective date: 1-1-69 | ..... | ..... |
| CI63-1174 ..... E 6-23-69 | do | El Paso Natural Gas Co., Davis Federal No. 1 et al., Wells, San Juan County, N. Mex. | Sword Co., FPC GRS No. 4. | 1 | ..... |
| | | | Supplement Nos. 1-4 | 1 | 1-4 |
| | | | Notice of succession 6-19-69. | ..... | ..... |
| | | | Assignment 4-21-69 | 1 | 5 |
| | | | Effective date: 1-1-69 | ..... | ..... |
| CI63-1191 ..... E 6-23-69 | do | El Paso Natural Gas Co., Davis Federal No. 1, Gallup, San Juan County, N. Mex. | Sword Co., FPC GRS No. 6. | 3 | ..... |
| | | | Supplement Nos. 1-4 | 3 | 1-4 |
| | | | Notice of succession 6-19-69. | ..... | ..... |
| | | | Assignment 4-21-69 | 3 | 5 |
| | | | Effective date: 1-1-69 | ..... | ..... |
| CI65-1326 ..... E 7-31-69 | Petro Dynamics, Inc. (Operator) et al. (successor to Jas. F. Smith). | Cities Service Gas Co., Yellowstone Field, Woods County, Okla. | Jas. F. Smith, FPC GRS No. 16. | 16 | ..... |
| | | | Supplement Nos. 1-4 | 16 | 1-4 |
| | | | Notice of succession (Undated). | ..... | ..... |
| | | | Effective date: 7-2-68 | ..... | ..... |
| F CI66-470 ..... (CI65-1145) C 7-2-69 | Sun Oil Co. (DX Division) (Operator) et al. | Arkansas Louisiana Gas Co., Wilburton Field, Pittsburg County, Okla. | Letter agreement 5-19-69. [11] | 259 | 14 |
| | | | Compliance (Undated) [12] | 259 | 15 |
| CI66-653 ..... D 7-24-69 | Austral Oil Co., Inc., et al. (partial abandonment). | Arkansas Louisiana Gas Co., acreage in Le Flore County, Okla. | Release agreement 6-26-69. [13] | 27 | 11 |
| CI66-735 ..... E 6-30-69 | Genevra Harris Bradley, Individually and as Independent Executrix of the Estate of Palmer Bradley, Deceased et al. (successor to Palmer Bradley et al.). | United Gas Pipe Line Co., Burnell-North Pettus Field, Bee, Goliad, and Karnes Counties, Tex. | Palmer Bradley et al., FPC GRS No. 1. | 1 | ..... |
| | | | Supplement Nos. 1-5 | 1 | 1-5 |
| | | | Notice of succession 6-16-69. | ..... | ..... |
| | | | Effective date: 6-13-68 | ..... | ..... |
| CI68-492 ..... D 6-19-69 | Cabot Corp. (GLC) (partial abandonment). | Consolidated Gas Supply Corp., acreage in Calhoun County, W. Va. | Letter agreement 6-5-69 [14] | 91 | 1 |

See footnotes at end of table.

| Docket No. and date filed | Applicant | Purchaser, field, and location | FPC rate schedule to be accepted: Description and date of document | No. | Supp. |
|---|---|---|---|---|---|
| CI69-340 ..... C 7-22-69 [2] [14] | Helmly & Prather Oil Corp. (Operator) et al. | Northern Natural Gas Co., Northwest Lovedale Field, Harper County, Okla. | Amendatory agreement 6-20-69. [3] | 1 | 2 |
| CI69-551 ..... C 7-30-69 [2] | Jones & Pellow Oil Co. [15] | Michigan Wisconsin Pipe Line Co., Woodward Area, Woodward County, Okla. | Amendatory agreement 5-28-69. | 6 | 2 |
| CI69-721 ..... C 8-4-69 [2] | Sohio Petroleum Co. (Operator) et al. | Northern Natural Gas Co., Northwest Camrick Field, Texas County, Okla. | Agreement 3-27-69 [4] [16] | 149 | 1 |
| CI69-820 ..... (CI64-1300) B 2-24-69 | Sinclair Oil Corp. (now Atlantic Richfield Co.). | Cities Service Gas Co., Northwest Lovedale Field, Harper County, Okla. | Notice of cancellation 3-19-69. [2] [4] | 319 | 1 |
| CI69-1110 ..... A 5-26-69 [2] [17] | Beech Creek Gas Co. | United Fuel Gas Co., Magnolia District, Mingo County, W. Va. | Contract 10-30-59 [4] | 9 | ..... |
| CI69-1147 ..... A 6-6-69 [17] | Texas Gulf Sulphur Co. (Operator) et al. [18] | United Fuel Gas Co. [19] Orange Grove Field, [20] Terrebonne Parish, La. | Contract 5-8-69 [4] | 4 | ..... |
| CI69-1152 ..... A 6-6-69 [2] | D. R. Lauck Oil Co., Inc., et al. | Panhandle Eastern Pipe Line Co., State Line Field, Woods County, Okla. | Contract 4-24-69 [21] | 8 | ..... |
| | | | Compliance 7-28-69 [2] [22] | 8 | 1 |
| CI69-1202 ..... (G-12910) F 6-17-69 | S & G Oil Co., Inc. (successor to Continental Oil Co.). | Cities Service Gas Co., Wakita Trend Field, Alfalfa County, Okla. | Contract 5-31-57 [23] | 1 | ..... |
| | | | Assignment 5-1-69 [24] | 1 | 1 |
| | | | Effective date: 4-1-69 | ..... | ..... |
| CI69-1210 ..... (G-3085) B 6-19-69 | Heiner Gas Co. [25] | Cabot Corp., Poca District, Putnam County, W. Va. | Notice of cancellation 4-14-69. [2] [17] | 1 | 1 |
| CI69-1211 ..... (CI68-491) B 6-19-69 | Leonore B. Sample | do | Notice of cancellation 5-1-69. [2] [17] | 2 | 2 |
| CI69-1212 ..... (CI68-490) B 6-19-69 | do | Cabot Corp., Union District, Putnam County, W. Va. | Notice of cancellation 5-1-69. [2] [17] | 1 | 2 |
| CI69-1220 ..... (G-4290) F 6-25-69 | Texas Gulf Sulphur Co. (Operator) et al. (successor to Shell Oil Co.). | United Fuel Gas Co., Orange Grove Field, Terrebonne Parish, La. | Ratified 5-8-67 [26] | 3 | ..... |
| | | | Contract 9-1-54 | 3 | 1 |
| | | | Notice of change 9-14-55 | 3 | 2 |
| | | | Notice of change 9-21-56 | 3 | 3 |
| | | | Letter agreement 7-23-57 | 3 | 4 |
| | | | Notice of change 9-27-57 | 3 | 5 |
| | | | Notice of change 6-27-58 | 3 | 6 |
| | | | Notice of change 9-19-58 | 3 | 7 |
| | | | Compliance 12-23-58 | 3 | 8 |
| | | | Notice of change 9-10-59 | 3 | 9 |
| | | | Notice of change 9-12-60 | 3 | 10 |
| | | | Notice of change 9-18-61 | 3 | 11 |
| | | | Compliance 9-21-62 | 3 | 12 |
| | | | Notice of change 12-31-64 | 3 | 13 |
| | | | Letter agreement 9-22-64 | 3 | 14 |
| | | | Sublease 5-17-68 [27] | 3 | 15 |
| | | | Assignment 12-12-68 [28] | 3 | 16 |
| | | | Effective date: 5-17-68 | ..... | ..... |
| (G-4290) [2] | Shell Oil Co. | do | Sublease 5-17-68 [29] | 26 | 14 |
| | | | Effective date: 5-17-68 | ..... | ..... |
| CI69-1237 ..... (CI66-942) F 6-25-69 | Kinz Resources Co. (successor to Pan American Petroleum Corp.). | Northern Natural Gas Co., Fort Supply Field, Ellis County, Okla. | Contract 3-8-66 [31] | 22 | ..... |
| | | | Assignment 12-2-68 [32] | 22 | 1 |
| | | | Assignment 4-3-69 [33] | 22 | 2 |
| | | | Assignment 4-14-69 [2] [33] | 22 | 3 |
| CI70-9 ..... A 7-7-69 [2] | Graham-Michaelis Drilling Co. | Michigan Wisconsin Pipe Line Co., Southwest Cedardale Field, Woodward County, Okla. | Contract 5-27-69 | 89 | ..... |
| | | | Compliance 8-4-69 [2] [34] | 89 | 1 |
| CI70-10 ..... (G-10696) F 7-2-69 | Sun Oil Co. (DX Division) (successor to Viersen & Cochran). | Cities Service Gas Co., Eureka District, Grant and Alfalfa Counties, Okla. | Contract 3-20-56 [35] | 301 | ..... |
| | | | Assignment 12-30-68 [36] | 301 | 1 |
| | | | Effective date: 1-1-69 | ..... | ..... |
| CI70-11 ..... (CI61-1281) F 6-23-69 | Shell Oil Co. (successor to Mobil Oil Corp. (Operator) et al.). | Michigan Wisconsin Pipe Line Co., Cedardale Field, Woodward County, Okla. | Contract 1-18-61 [37] | 374 | ..... |
| | | | Amendatory agreement 7-11-61. | 374 | 1 |
| | | | Agreement 2-1-69 [37] | 374 | 2 |
| | | | Assignment 3-20-69 [38] | 374 | 3 |
| | | | Effective date: 2-1-69 | ..... | ..... |

| Docket No. and date filed | Applicant | Purchaser, field, and location | FPC rate schedule to be accepted | | |
|---|---|---|---|---|---|
| | | | Description and date of document | No. | Supp. |
| CI70-30 (CI64-536) B 7-2-69 | Thomas J. Blaho, Jr. et al. | Consolidated Gas Supply Corp., Troy District, Gilmer County W. Va. | Notice of cancellation 6-17-69.[2] | 8 | 2 |
| CI70-38 A 7-14-69[3] | Jake L. Hamon | Natural Gas Pipeline Co. of America, Buffalo Wallow Field, Hemphill County, Tex. | Contract 7-1-69 | 56 | |
| | | | Compliance 8-11-69[4] [6] | 56 | 1 |
| CI70-45 (G-15714) F 7-10-69 | Cotton Petroleum Co. (successor to Humble Oil & Refining Co. (Operator) et al.). | Transwestern Pipeline Co., Bradford Cleveland Field, Lipscomb County, Tex. | Ratified 6-16-69 [47] Contract 7-7-58 [43] | 2 | 1 |
| | | | Letter agreement 10-8-59. | 2 | 2 |
| | | | Letter agreement 3-11-60 | 2 | 3 |
| | | | Letter agreement 5-25-60. | 2 | 4 |
| | | | Letter agreement 10-19-62. | 2 | 5 |
| | | | Letter agreement 4-7-64. | 2 | 6 |
| | | | Farmout agreement 12-27-68. | 2 | 7 |
| CI70-57 (G-6280) F 7-14-69 | Benjamin Elenbogen (sucessor to The Superior Oil Co.). | El Paso Natural Gas Co., Ballard Pictured Cliffs Field, Sandoval County, N. Mex. | Assignment 7-11-69 [44] | 2 | 8 |
| | | | Contract 10-26-53 [45] | 2 | |
| | | | Supplemental agreement 10-13-59. | 2 | 1 |
| | | | Amendment 3-28-68 | 2 | 2 |
| | | | Assignment 5-27-69 [46] | 2 | 3 |
| | | | Effective date: 5-27-69 | | |
| CI70-81 A 7-28-69[3] | Meridian Exploration Co. (Operator) et al. | Transcontinental Gas Pipe Line Corp., Vidaurri Field, Refugio County, Tex. | Contract 7-1-69[4] | 2 | |
| CI70-86 A 7-25-69[3] | Troy A. Brady, Jr. et al., for Talkington-Brady, Inc. | Equitable Gas Co., Skin Creek District, Lewis County, W. Va. | Contract 5-21-69[3] | 2 | |
| CI70-91 (CI68-782) B 7-28-69 | Pan American Petroleum Corp. | Transcontinental Gas Pipe Line Corp., North White Lake Field, Vermilion Parish, La. | Notice of cancellation 7-25-69.[2] | 325 | 5 |
| CI70-94 (G-14539) B 8-1-69 | Hunt Oil Co. | Texas Eastern Transmission Corp., Woodlawn Field, Harrison County, Tex. | Notice of cancellation (Undated).[2] | 38 | 12 |
| CI70-95 A 7-30-69[3] | Ralph Kirtley et al. | United Fuel Gas Co., McComas District, Cabell County, W. Va. | Contract 9-10-55 [47] | 1 | |
| | | | Letter agreement 1-20-51 | 1 | 1 |
| | | | Letter agreement 12-15-52 | 1 | 2 |
| | | | Assignment 8-21-62 [48] | 1 | 3 |
| | | | Effective date: 8-21-62 | | |
| CI70-99 (CI61-36) F 7-28-69 | Glen S. Soderstrom (Operator) et al. (successor to Kerr-McGee Corp.). | Panhandle Eastern Pipe Line Co., Mocane-Laverne Field, Beaver County, Okla. | Contract 6-15-60 [49] | 1 | |
| | | | Contract 7-25-60 [50] | 1 | 1 |
| | | | Assignment (Undated) [51] | 1 | 2 |
| | | | Assignment 2-29-68 [52] | 1 | 3 |
| | | | Assignment 4-3-69 [53] | 1 | 4 |
| CI70-101 A 8-4-69[3] | Ashland Oil & Refining Co. | Colorado Interstate Gas Co., a division of Colorado Interstate Corp., Hugoton Field, Hamilton County, Kans. | Contract 7-24-69[3] | 196 | |
| CI70-103 A 8-4-69[3] | Gulf Coast Natural Gas Co. (Operator) et al. | Transcontinental Gas Pipe Line Corp., Cooke Field, La Salle County, Tex. | Contract 6-20-69[3] [54] | 2 | |
| CI70-106 (CI62-788) B 8-4-69 | T. F. Hodge (Operator) et al. | Texas Eastern Transmission Corp., Rudman Field, Bee County, Tex. | Notice of cancellation 7-31-69.[2] | 4 | 1 |
| CI70-109 A 8-4-69[3] | Phillips Petroleum Co. | Panhandle Eastern Pipe Line Co., Northeast Grand Field, Ellis County, Okla. | Contract 2-24-69 [55] | 472 | |
| | | | Supplemental agreement 7-2-69.[3] | 472 | 1 |
| CI70-111 (G-11869) B 8-4-69 | Mobil Oil Corp. (Operator) et al. | Lone Star Gas Co., Katie Field, Garvin County, Okla. | Notice of cancellation 7-30-69.[3] [4] | 12 | 5 |
| CI70-112 A 8-6-69[3] | John H. Hill [56] | Panhandle Eastern Pipe Line Co., Southwest Cedardale Field, Woodward County, and Northwest Six Mile Field, Beaver County, Okla. | Contract 7-14-69[3] | 11 | |

See footnotes at end of table.

[1] Buyer's compressor facility which compresses gas produced from this acreage is being shutdown.
[2] Effective date: Date of this order.
[3] Production of gas no longer economically feasible.
[4] Source of gas depleted.
[5] Jan. 1, 1970, moratorium pursuant to the Commission's statement of general policy No. 61-1, as amended.
[6] Effective date: Date of initial delivery (Applicant shall advise the Commission as to such date).
[7] From Mobil Oil Corp to Buttes Gas & Oil Co. (Operator).
[8] From Thomas J. Blaho, Jr. to Henry Breck.
[9] From Henry Breck to Applicants.
[10] Jan. 1, 1970, moratorium applicable to the added acreage only (applies to the Glyde C. Bailey et al., partial interest lease covering one half interest in 52.75 acres and the Charles P. Lough et al., partial interest lease covering one half interest in 52.75 acres.
[11] In addition to adding acreage not previously dedicated, the agreement amends Sun's contract dated Nov. 4, 1965 (FPC GRS No. 289) to include acreage acquired subject to Pan American Petroleum Corp. FPC GRS No. 419 (contract dated Apr. 7, 1965) and terminates Pan American's contract with respect to such acreage. Jan. 1, 1970, moratorium applicable to newly dedicated acreage only.
[12] Filed Aug. 20, 1969, under transmittal letter dated Aug. 14, 1969. Accepts conditioned temporary certificate issued Aug. 8, 1969. Applicant indicates willingness to accept permanent authorization conditioned to 15 cents for sales from acreage acquired from Humble Oil & Refining Co.
[13] Filing made in compliance with Opinion No. 564, requiring Cabot to seek abandonment authorization for certain pipeline facilities being leased to Mountain Gas Co. Cabot also seeks permission and approval to abandon Oriskany production which was formerly transported through the subject pipeline facilities. The subject sale will continue to be made from Applicant's production in the Calhoun County Area.
[14] Applicant's filing also reflects part of its original acreage dedicated under the Aug. 31, 1968, contract (FPC GRS No. 1) which has been assigned to certain "et al." parties but is still covered by the certificate in Docket No. CI69-389.
[15] Contract provides for rate of 19.5 cents per Mcf; however, Applicant has stated willingness to accept permanent authorization at 17 cents per Mcf including tax reimbursement and subject to B.t.u. adjustment.
[16] Commits additional acreage to contract. Acreage, committed limited as to all depths between sea level and 6,280 feet.
[17] Sale being rendered without prior Commission authorization.
[18] Jan. 1, 1974, moratorium provided by Opinion No. 546-A.
[19] Applicant stated in its application, as amended by letter of July 25, 1969, willingness to accept a permanent certificate with Opinion No. 546 rates.
[20] Columbia Gulf Transmission Co. transports the gas for United Fuel under existing authorization.
[21] To a depth of 10,900 feet subsurface.
[22] Dedicated production limited to Cherokee Formation and Mississippian System.
[23] Complies with temporary certificate issued July 25, 1969. Applicant states willingness to accept a permanent certificate conditioned to an initial rate of 15 cents plus B.t.u. adjustment.
[24] Currently on file as Continental Oil Co. FPC GRS No. 148.
[25] From Continental Oil Co. to S & G Oil Co., Inc.
[26] Filing made by C. W. Kelly, successor in interest to Heizer Gas Co.
[27] Producer-supplier filings related to Cabot's subject filing in Docket No. CI68-492.
[28] Ratifies contract dated Sept. 1, 1954, between Shell Oil Co. and United Fuel Gas Co.; currently on file as Shell Oil Co. FPC GRS No. 26.
[29] Transfers acreage from Shell Oil Co. to Pel-Tex Petroleum Co., Inc.
[30] Transfers acreage from Pel-Tex Petroleum Co., Inc., to Texas Gulf Sulphur Co.
[31] No certificate filing made or necessary; only the related rate filing is being accepted for filing by this order.
[32] On file as Pan American Petroleum Corp. (Operator) et al., FPC GRS No. 449.
[33] Conveys interest from J. D. Simmons to King Resources Co.
[34] Conveys interest from Pan American to J. D. Simmons.
[35] Omitted.

[36] Complies with temporary certificate issued Aug. 1, 1969. Applicant states willingness to accept a permanent certificate conditioned to an initial rate of 17 cents including tax reimbursement and subject to B.t.u. adjustment.
[37] On file as Viersen & Cochran (Operator) et al., FPC GRS No. 1.
[38] Conveys acreage from Viersen & Cochran and The Protestant Episcopal Church Foundation of The Diocese of Oklahoma to Sun Oil Co. (DX Division).
[39] On file as Mobil Oil Corp. (Operator) et al., FPC GRS No. 322.
[40] Conveys acreage from Mobil to Shell Oil Co.
[41] By letter filed Aug. 13, 1969, Applicant advised willingness to accept a permanent certificate conditioned as the temporary certificate issued Aug. 8, 1969.
[42] Covers acreage acquired by assignment from Humble Oil & Refining Co.
[43] Currently on file as Humble Oil & Refining Co. (Operator) et al., FPC GRS No. 239.
[44] Assigns acreage from Humble Oil & Refining Co. to Cotton Petroleum Co. pursuant to the Dec. 27, 1909, Farmout agreement.
[45] On file as The Superior Oil Co. FPC GRS No. 20.
[46] From The Superior Oil Co. to Benjamin Elenbogen.
[47] Between E. L. Lusher and United Fuel Gas Co.
[48] Document whereby Applicant acquired his interest in the subject properties. Sale being rendered on June 7, 1954, by predecessor (no certificate or rate schedule filings were made by the predecessor).
[49] Between Kerr-McGee Oil Industries, Inc., and the purchaser. Also on file as Kerr-McGee Corp. FPC GRS No. 66.
[50] Between Roy W. Reed and the purchaser. Adopts terms of contract dated June 15, 1960.
[51] Conveys certain acreage from Kerr-McGee to Crouch Enterprises, Inc., and W. C. Roberts.
[52] Conveys acreage from Crouch Enterprises, Inc., to Crouch Carpet Co., Inc.
[53] Conveys acreage from Crouch Carpet Co., Inc., and W. C. Roberts to Glen S. Soderstrom.
[54] Provides for a depth limitation of 5,618 feet.
[55] Contract rate is 18 cents. By letter dated Aug. 15, 1969, Applicant advised willingness to accept a permanent certificate conditioned to the area ceiling of 17 cents, to limit the purchaser's take-or-pay obligation to a 1 to 3,650 ratio of takes to reserves during the first 2 years of the contract, and to make the sale subject to the ultimate disposition of the proceedings in Docket No. R-338.
[56] By letter dated Aug. 20, 1969, Applicant advised willingness to accept a permanent certificate conditioned to the ultimate disposition of the proceedings in Docket No. R-338.

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 SECTION 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 section 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:

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[F.R. Doc. 69-12444, Filed, Oct. 20, 1969; 8:45 a.m.]

# FEDERAL HOME LOAN BANK BOARD

[H.C. No. 45]

## NORTHERN FINANCIAL CORP.

### Notice of Receipt of Application for Approval of Acquisition of Control of the Akron Savings and Loan Co.

OCTOBER 16, 1969.

Notice is hereby given that the Federal Savings and Loan Insurance Corporation has received an application from the Northern Financial Corp., Akron, Ohio, for approval of acquisition of control of the Akron Savings and Loan Co., Akron, Ohio, an insured institution, under the provisions of section 408(e) of the National Housing Act, as amended (12 U.S.C. 1730(a)), and § 584.4 of the regulations for Savings and Loan Holding Companies. The acquisition is to be effected by the transfer of 99.96 percent of the guarantee stock of the Akron Savings and Loan Co., held by Fidelity Corp. (a savings and loan holding company which has organized Northern Financial Corp.) to Northern Financial Corp. in exchange for stock of Northern Financial Corp. Following the transfer, Fidelity Corp. proposes to make a public offering of approximately 90 percent of Northern Financial Corp.'s outstanding stock and to retain approximately 10 percent thereof. Comments on the proposed acquisition should be submitted to the Director, Office of Examinations and Supervision, Federal Home Loan Bank Board, Washington, D.C. 20552, within 30 days of the date this notice appears in the FEDERAL REGISTER.

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

[F.R. Doc. 69-12554; Filed, Oct. 20, 1969; 8:47 a.m.]

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[H.C. No. 46]

## PACIFIC COAST HOLDINGS, INC.

### Notice of Receipt of Application for Permission To Acquire Control of Marin County Savings and Loan Association

OCTOBER 16, 1969.

Notice is hereby given that the Federal Savings and Loan Insurance Corporation has received an application from the Pacific Coast Holdings, Inc., San Francisco, Calif., for approval of the acquisition of control of the Marin County Savings and Loan Association, San Rafael, Calif., an insured institution, under the provisions of section 408(a) of the National Housing Act, as amended (12 U.S.C. 1730(a)), and § 584.4 of the regulations for Savings and Loan Holding Companies, said acquisition to be effected by the acquisition of all of the guarantee stock of Marin County Savings and Loan Association from Marin County Financial Corp., in exchange for common stock of Pacific Coast Holdings, Inc. Following the proposed acquisition Marin County will be merged into San Mateo Mutual Savings and Loan Association, San Mateo, Calif., an insured subsidiary of Pacific Coast Holdings, Inc. Comments on the proposed acquisition should be submitted to the Director, Office of Examinations and Supervision, Federal Home Loan Bank Board, Washington, D.C. 20552, within 30 days of the date this notice appears in the FEDERAL REGISTER.

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

[F.R. Doc. 69-12555; Filed, Oct. 20, 1969; 8:47 a.m.]

# CIVIL SERVICE COMMISSION

## DEPARTMENT OF COMMERCE

### Notice of Grant of Authority To Make a Noncareer Executive Assignment

Under authority of section 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 assignment in the excepted service the position of Special Assistant to the Secretary.

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

[F.R. Doc. 69-12545; Filed, Oct. 20, 1969; 8:46 a.m.]

# FEDERAL RESERVE SYSTEM

## CENTRAL BANKING SYSTEM, INC.

### Notice of Application for Approval of Acquisition of Shares of Bank

Notice is hereby given that application has been made, pursuant to section 3(a) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)), by Central Banking System, Inc., which is a bank holding company located in Oakland, Calif., for prior approval by the Board of Governors of the acquisition by Applicant of 51 percent or more of the voting shares of Tahoe National Bank, South Lake Tahoe, Calif.

Section 3(c) of the Act provides that the Board shall not approve:

(1) any acquisition or merger or consolidation under section 3 which would result in a monopoly, or which would be in furtherance of any combination or conspiracy to monopolize or to attempt to monopolize the business of banking in any part of the United States, or

(2) any other proposed acquisition or merger or consolidation under section 3 whose effect in any section of the country may be substantially to lessen competition, or to tend to create a monopoly, or which in any other manner would be in restraint of trade, unless the Board finds that the anticompetitive effects of the proposed transaction are clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served.

Section 3(c) further provides that, in every case, the Board shall take into consideration the financial and managerial resources and future prospects of the company or companies and the banks concerned, and the convenience and needs of the community to be served.

Not later than thirty (30) days after the publication of this notice in the FEDERAL REGISTER, comments and views regarding the proposed acquisition may be filed with the Board. Communications should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551. The application may be inspected at the office of the Board of Governors or the Federal Reserve Bank of San Francisco.

Dated at Washington, D.C., this 13th day of October 1969.

By order of the Board of Governors.

[SEAL] ROBERT P. FORRESTAL,
*Assistant Secretary.*

[F.R. Doc. 69-12567; Filed, Oct. 20, 1969; 8:47 a.m.]

## BANK SECURITIES, INC. (NSL)

### Order Approving Acquisition of Bank Stock by Bank Holding Company

In the matter of the application of Bank Securities, Inc. (NSL), of Alamagordo, N. Mex., for approval of acquisition of 77 percent or more of the voting shares of American Bank of Carlsbad, Carlsbad, N. Mex.

There has come before the Board of Governors, pursuant to section 3(a)(3) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(3)) and § 222.3 (a) of Federal Reserve Regulation Y (12 CFR 222.3(a)), an application by Bank Securities, Inc. (NSL), Alamagordo, N. Mex., a registered bank holding company, for the Board's prior approval of the acquisition of 77 percent or more of the voting shares of American Bank of Carlsbad, Carlsbad, N. Mex.

As required by section 3(b) of the Act, the Board gave written notice of receipt of the application to the New Mexico Commissioner of Banking, and requested his views and recommendation. The Commissioner expressed views favorable to approval of the application.

Notice of receipt of the application was published in the FEDERAL REGISTER on August 27, 1969 (34 F.R. 13712), providing an opportunity for interested persons to submit comments and views with respect to the proposal. A copy of the application was forwarded to the U.S. Department of Justice for its consideration. Time for filing comments and views has expired and all those received have been considered by the Board.

*It is hereby ordered,* For the reasons set forth in the Board's statement[1] of this date, that said application be and hereby is approved: *Provided,* That the acquisition so approved shall not be consummated (a) before the 30th calendar day following the date of this order or (b) later than 3 months after the date of this order, unless such period is extended for good cause by the Board or by the Federal Reserve Bank of Dallas pursuant to delegated authority.

Dated at Washington, D.C., this 13th day of October 1969.

By order of the Board of Governors.[2]

[SEAL] ROBERT P. FORRESTAL,
*Assistant Secretary.*

[F.R. Doc. 69-12536; Filed, Oct. 20, 1969; 8:45 a.m.]

[1] Filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551, or to the Federal Reserve Bank of Dallas.

## SHAWMUT ASSOCIATION, INC.

### Order Approving Acquisition of Bank Stock by Bank Holding Company

In the matter of the application of Shawmut Association, Inc., Boston, Mass., for approval of acquisition of up to 100 percent of the voting shares of First Bank and Trust Co. of Hampden County, Springfield, Mass.

There has come before the Board of Governors, pursuant to section 3(a)(3) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(3)), and § 222.3 (a) of Federal Reserve Regulation Y (12 CFR 222.3(a)), an application by Shawmut Association, Inc., Boston, Mass., a registered bank holding company, for the Board's prior approval of the acquisition of up to 100 percent of the voting shares of First Bank and Trust Co. of Hampden County, Springfield, Mass.

As required by section 3(b) of the Act, the Board gave written notice of receipt of the application to the Commissioner of Banks of the State of Massachusetts and requested her views and recommendation thereon. In response, the Board was notified that, pursuant to Massachusetts law, and following a hearing in the matter, the Massachusetts Board of Bank Incorporation, of which the Commissioner of Banks is a member, had granted permission to Shawmut Association, Inc., to acquire and vote stock of First Bank and Trust Co. of Hampden County.

Notice of receipt of the application was published in the FEDERAL REGISTER on May 20, 1969 (34 F.R. 7935), providing an opportunity for interested persons to submit comments and views with respect to the proposed acquisition. A copy of the application was forwarded to the U.S. Department of Justice for its consideration. Time for filing comments and views has expired and all those received have been considered by the Board.

*It is hereby ordered,* For the reasons set forth in the Board's statement[1] of this date, that said application be and hereby is approved: *Provided,* That the acquisition so approved shall not be consummated (a) before the 30th calendar day following the date of this order, or (b) later than 3 months after the date of this order, unless such period is extended for good cause by the Board or by the Federal Reserve Bank of Boston pursuant to delegated authority.

Dated at Washington, D.C., this 13th day of October 1969.

By order of the Board of Governors.[2]

[SEAL] ROBERT P. FORRESTAL,
*Assistant Secretary.*

[F.R. Doc. 69-12537; Filed, Oct. 20, 1969; 8:45 a.m.]

[2] Voting for this action: Chairman Martin and Governors Robertson, Daane, Maisel, Brimmer, and Sherrill. Absent and not voting: Governor Mitchell.

[1] Filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551, or to the Federal Reserve Bank of Boston.

# OFFICE OF EMERGENCY PREPAREDNESS

## PENNSYLVANIA

### Amendment to Notice of Major Disaster

Notice of major disaster for the State of Pennsylvania, dated August 25, 1969, and published August 30, 1969 (34 F.R. 13956) is hereby amended to include the following county among those counties determined to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of August 19, 1969:

Pike.

Dated: October 14, 1969.

G. A. LINCOLN,
*Director,*
*Office of Emergency Preparedness.*

[F.R. Doc. 69-12528; Filed, Oct. 20, 1969; 8:45 a.m.]

# INTERSTATE COMMERCE COMMISSION

## FOURTH SECTION APPLICATION FOR RELIEF

OCTOBER 16, 1969.

Protests to the granting of an application must be prepared in accordance with Rule 1100.40 of the general rules of practice (49 CFR 1100.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 41788—*Grain products and related articles to Reserve, La.* Filed by Southwestern Freight Bureau, agent (No. B-94), for interested rail carriers. Rates on grain products and related articles, in carloads, as described in the application, from points in southwestern

[2] Voting for this action: Chairman Martin and Governors Mitchell, Daane, Maisel, Brimmer and Sherrill. Absent and not voting: Governor Robertson.

and western trunkline territories, to Reserve, La.

Grounds for relief—Market competition.

Tariffs—Supplement 55 to The Atchison, Topeka, and Santa Fe Railway Co. tariff ICC 15044, and nine other schedules listed in the application.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 69-12552; Filed, Oct. 20, 1969; 8:46 a.m.]

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[Notice No. 430]

## MOTOR CARRIER TRANSFER PROCEEDINGS

OCTOBER 16, 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-71658. By order of October 14, 1969, the Motor Carrier Board approved the transfer to Duffy & Perham Bus Lines, Inc., Malone, N.Y., of the certificate No. MC-116851 issued November 13, 1964, to Bernard F. Duffy and Mildred D. Perham, doing business as Duffy Perham Bus Lines, Malone, N.Y., authorizing the tranportation of: Passengers and their baggage, in round trip charter operations between points on the United States-Canadian Border line, and specified points in New York, N.Y. John J. Brady, Jr., 75 State Street, Albany, N.Y. 12207, attorney for applicants.

No. MC-FC-71671. By order of October 14, 1969, the Motor Carrier Board approved the transfer to Sunderman Transfer, Inc., Windom, Minn., of permits Nos. MC-125103 (Sub-No. 1) and (Sub-No. 3) issued October 22, 1963 and June 21, 1965, respectively, to P. A. Iverson, Windom, Minn., authorizing the transportation of: Fresh and frozen meats, and meats, meat products, and articles distributed by meat packinghouses, as described by the Commission, from Windom, Minn., to points in North Dakota, South Dakota, Nebraska, Oklahoma, Iowa, Missouri, Arkansas, Louisiana, and portions of the eastern United States. Charles E. Nieman, 1160 Northwestern Bank Building, Minneapolis, Minn. 55402, attorney for applicants.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 69-12553; Filed, Oct. 20, 1969; 8:46 a.m.]

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