

FEDERAL REGISTER

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Agencies in this issue—

Agriculture Department
Atomic Energy Commission
Census Bureau
Civil Aeronautics Board
Civil Service Commission
Coast Guard
Consumer and Marketing Service
Federal Aviation Administration
Federal Communications Commission
Federal Home Loan Bank Board
Federal Power Commission
Federal Reserve System
Fish and Wildlife Service
Food and Drug Administration
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Labor Standards Bureau
Land Management Bureau
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Packers and Stockyards
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Securities and Exchange Commission
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Wage and Hour Division

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Title 7—AGRICULTURE

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture
[Navel Orange Reg. 186]

PART 907—NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

§ 907.486 Navel Orange Regulation 186.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 907, as amended (7 CFR Part 907, 33 F.R. 15471), regulating the handling of Navel oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Navel Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Navel oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Navel oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Navel oranges; it is necessary, in

order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on December 2, 1969.

(b) *Order.* (1) The respective quantities of Navel oranges grown in Arizona and designated part of California which may be handled during the period December 5, 1969, through December 11, 1969, are hereby fixed as follows:

- (i) District 1: 1,274,000 cartons;
- (ii) District 2: 64,215 cartons;
- (iii) District 3: 156,000 cartons.

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

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

Dated: December 3, 1969.

ARTHUR E. BROWNE,
Acting Director, Fruit and
Vegetable Division, Consumer
and Marketing Service.

[F.R. Doc. 69-14512; Filed, Dec. 3, 1969;
11:22 a.m.]

PART 966—TOMATOES GROWN IN FLORIDA

Miscellaneous Amendments

Order amending the order, as amended.

§ 966.0 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.* A public hearing was held upon certain proposed amendments to the marketing agreement and to the order, both as amended, regulating the handling of tomatoes grown in the Florida production area. The hearing was held at Orlando, Fla., on June 30, 1969, 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 (7 CFR Part 900). Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as amended, and as hereby further amended, and all the

terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The said order, as amended, and as hereby further amended, regulates the handling of tomatoes produced in the production area in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, the marketing agreement upon which hearings have been held;

(3) The said order, as amended, and as hereby further amended, is limited in its application to the smallest regional production area that is practicable, consistent with carrying out the declared policy of the act; and the issuance of several orders applicable to subdivisions of the production area would not effectively carry out the declared policy of the Act;

(4) The said order, as amended, and as hereby further amended, prescribes, so far as practicable, such different terms, applicable to different parts of the production area and to different stages of maturity, as are necessary to give due recognition to the differences in the production and marketing of tomatoes produced in the production area; and

(5) All handling of tomatoes produced in the production area, as defined in said order, as amended, and as hereby further amended, is in the current of interstate or foreign commerce, or directly burdens, obstructs, or affects such commerce.

(b) *Additional findings.* It is hereby found that good cause exists for not postponing the effective date of this amendment beyond the date hereinafter specified and for making it effective on such date (5 U.S.C. 553) in that (1) shipments of production area tomatoes are already moving in volume and the amendment should be made effective as soon as possible so that producers may benefit during as much of the marketing season as possible; (2) the provisions of the amendment are well known to handlers and other interested persons by reason of the public hearing, the recommended decision, and the final decision thereon; (3) the producer referendum was held during the period November 12-20, 1969, when copies of the amendment were mailed to all known producers; (4) the changes effected by this amendment will not require advance preparation by handlers; and (5) no useful purpose would be served by postponing the effective date of this amendment beyond the date specified.

(c) *Determinations.* It is hereby determined that:

(1) Handlers (excluding cooperative associations of producers who are not engaged in processing, distributing, or shipping tomatoes covered by this order) who during the representative period

(Aug. 1, 1969, through July 31, 1969), handled more than 50 percent of the volume of tomatoes covered by the said order, have signed the marketing agreement, as amended, regulating the handling of tomatoes produced in the production area, and

(2) The issuance of this order, amending the order, as amended, is approved or favored (i) by at least two-thirds of the producers of tomatoes who participated in a referendum held during the period November 12-20, 1969, and who, during the determined representative period (Aug. 1, 1968, through July 31, 1969) were engaged within the production area in the production of tomatoes for market, and (ii) by producers who participated in the aforesaid referendum and who, during the aforesaid representative period, produced for market at least two-thirds of the volume of such tomatoes produced for market within the production area.

It is therefore ordered, That, on and after the effective date hereof, all handling of tomatoes produced in the production area shall be in conformity to, and in compliance with, the terms and conditions of the said order, as amended, as hereby further amended, as follows:

1. The section heading of § 966.4, *Production area and regulation area*, and the text of paragraph (b) of that section are amended to read, respectively, as follows:

§ 966.4 Production area and regulated area.

(b) "Regulated area" means that portion of the State of Florida which is bounded by the Suwannee River, the Georgia border, the Atlantic Ocean, and the Gulf of Mexico.

2. Section 966.7 *Handle* is amended to read:

§ 966.7 Handle.

"Handle" or "ship" means to sell, transport, deliver, or in any other way to place fresh tomatoes, produced in the production area, in the current of commerce within the regulated area or between any point in the regulated area and any point outside thereof. Such term shall not include the transportation, sale or delivery of field-run tomatoes within the production area by the producer thereof to a registered handler for the purpose of having such tomatoes prepared for market. A registered handler is a handler who has adequate facilities in the production area for grading and packing tomatoes and who is registered with the committee pursuant to rules established with the approval of the Secretary.

3. Section 966.12 *Maturity* is amended to read:

§ 966.12 Maturity.

"Maturity" means any of the various degrees of ripeness of tomatoes as established by the committee with approval of the Secretary as determined at the time of the inspection, pursuant to § 966.60(a).

4. Section 966.18 *Export* is amended to read:

§ 966.18 Export.

"Export" means shipment of tomatoes beyond the boundaries of the 48 contiguous States (including the District of Columbia) of the United States.

5. Paragraph (d) of § 966.52 *Issuance of regulations* is amended to read:

§ 966.52 Issuance of regulations.

(d) Fix the size, weight, capacity, dimensions, markings (including labels and stamps), or pack of the container or containers which may be used in the packaging, transportation, sale, shipment, or other handling of tomatoes.

6. Section 966.60 *Inspection and certification* is amended to read:

§ 966.60 Inspection and certification.

(a) During any period in which the handling of tomatoes is regulated pursuant to this subpart no handler shall handle tomatoes unless such tomatoes have been inspected and certified as meeting the requirements of this subpart by an authorized representative of the Federal or Federal-State Inspection Service, or such other inspection service as the Secretary shall designate, and such tomatoes are covered by a valid inspection certificate except when relieved from such requirements pursuant to § 966.53 or § 966.54 or both.

(b) Insofar as the requirements of this section are concerned, the length of time for which an inspection certificate is valid may be established by the Secretary upon the recommendation of the committee.

(c) When tomatoes are inspected in accordance with the requirements of this section a copy of each inspection certificate issued shall be made available to the committee by the inspection service.

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

Effective date. Issued at Washington, D.C., November 28, 1969, to become effective December 9, 1969.

RICHARD E. LYNG,
Assistant Secretary.

[P.R. Doc. 69-14396; Filed, Dec. 3, 1969; 8:47 a.m.]

Title 12—BANKS AND BANKING

Chapter V—Federal Home Loan Bank Board

SUBCHAPTER B—FEDERAL HOME LOAN BANK SYSTEM

[No. 23,536]

PART 526—LIMITATIONS ON RATE OF RETURN

Correction Relating to Maximum Rate of Return Payable on Certificate Accounts in Massachusetts

NOVEMBER 26, 1969.

Resolved that Federal Home Loan Bank Board Resolution No. 23,510, a document amending § 526.4 of the regulations for the Federal Home Loan

Bank System (12 CFR 526.4) by the revision of paragraph (c) of that section, published at 34 F.R. 18849 on November 26, 1969, is corrected by changing the text of subparagraph (3) of said § 526.4(c) to read as follows:

§ 526.4 Maximum rate of return payable on certificate accounts.

(c) Geographic exception.

(3) A member institution whose home office is located in Massachusetts may pay, on certificate accounts outstanding on November 14, 1969, an additional return at the rate of 0.25 percent per annum for each distribution period ending after July 1, 1969, but no later than July 31, 1970, with respect to which distribution period such institution has an announced rate of return on regular accounts not in excess of 4.75 percent per annum: *Provided*, That no such institution may advertise or publicly announce the payment of such additional return except by mail to holders of such certificate accounts.

By the Federal Home Loan Bank Board.

[SEAL]

JACK CARTER,
Secretary.

[P.R. Doc. 69-14423; Filed, Dec. 3, 1969; 8:49 a.m.]

[No. 23,538]

PART 526—LIMITATIONS ON RATE OF RETURN

Maximum Rate of Return Payable on Certificate Accounts in California and Nevada

NOVEMBER 26, 1969.

Resolved that the Federal Home Loan Bank Board, upon the basis of its consideration of the desirability of amending § 526.4 of the regulations for the Federal Home Loan Bank System (12 CFR 526.4) for the purpose of permitting certain member institutions with a home office or branch office located in California or Nevada to pay a higher rate of return on certain certificate accounts, subject to certain restrictions on advertising and promotion of such accounts, hereby amends said § 526.4 by revising paragraph (c) thereof to read as follows, effective December 4, 1969:

§ 526.4 Maximum rate of return payable on certificate accounts.

(c) *Geographic exceptions.* Notwithstanding the limitations contained in paragraphs (a) and (b) of this section—

(1) A member institution whose home office is located in California, Nevada, Alaska, or Hawaii may pay a return on certificate accounts, which must be maintained for a period of at least 3 years in order to receive a rate of return greater than that paid on regular accounts, at a rate not in excess of 5.25 percent per annum.

(2) A member institution whose home office is located in California, Nevada, Alaska, or Hawaii may pay a return on

[No. 23,540]

SUBCHAPTER C—FEDERAL SAVINGS AND LOAN SYSTEM

PART 545—OPERATIONS

Distribution of Earnings by Federal Savings and Loan Associations

NOVEMBER 26, 1969.

Resolved that the Federal Home Loan Bank Board considers it advisable to amend Part 545 of the rules and regulations for the Federal Savings and Loan System (12 CFR Part 545) for the following purposes:

1. To permit Federal savings and loan associations to compound earnings under § 545.1-1(f) of such regulations (12 CFR 545.1-1(f)) without regard to the practice of State-chartered institutions located in the same State and to permit such compounding of earnings on designated classes of accounts; and

2. With respect to certificate accounts issued by Federal savings and loan associations under § 545.3-1 of such regulations (12 CFR 545.3-1), to remove certain restrictions relating to provision for forfeiture of earnings upon early withdrawal from such accounts.

On the basis of such consideration and for such purposes, the Federal Home Loan Bank Board hereby amends said Part 545 as follows, effective December 4, 1969:

1. Section 545.1-1 is amended by revising paragraph (f) thereof to read as follows:

§ 545.1-1 Distribution of earnings on bases, terms, and conditions other than those provided by charter.

(f) *Computation of earnings for distribution.* A Federal association which has a charter in the form of Charter N or Charter K (rev.) may, after adoption by its board of directors of a resolution so providing and while such resolution remains in effect, compute the amount of earnings for distribution on its savings accounts, or designated classes thereof, as though earnings had been credited to such accounts with such uniform frequency as is fixed by such resolution between the dates as of which such Federal association regularly distributes earnings.

2. Section 545.3-1 is amended by revising subparagraph (2) of paragraph (d) to read as follows:

§ 545.3-1 Distribution of earnings at variable rates.

(d) *Time and manner of distributing earnings.* . . .

(2) As to an account issued under this section which is evidenced by a notice-account book, earnings at the applicable rate higher than the regular rate shall be distributed on each such savings account at each date as of which the Federal association regularly distributes earnings on its savings accounts. As to an account issued under this section which is evidenced by a certificate containing the fourth sentence of the quoted language set forth in subpar-

agraph (1) of paragraph (c) of this section, no earnings shall be distributed until the account has met the applicable eligibility requirements fixed pursuant to paragraph (b) of this section unless part or all of the account is withdrawn prior to meeting such eligibility requirements; and in the event of such withdrawal, the board of directors may provide that the funds withdrawn shall receive either no earnings or such percentage of the regular rate of earnings as it may fix, which percentage may vary according to the length of time the funds remain in the account but shall be less than 100 percent. As to an account issued under this section which is evidenced by a certificate containing either of the optional sentences quoted in subdivision (i) of subparagraph (3) of paragraph (c) of this section, earnings shall be distributed as provided in the certificate evidencing such account.

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1943-1948 Comp., p. 1071)

Resolved further that, since affording notice and public procedure on the above amendments would delay them from becoming effective for a period of time and since it is in the public interest that the authority contained in the amendments become effective without delay, the Board hereby finds that notice and public procedure on the amendments are contrary to the public interest under the provisions of § 508.11 of the general regulations of the Federal Home Loan Bank Board (12 CFR 508.11) and 5 U.S.C. 553(b); and since the amendments relieve restriction, publication for the 30-day period specified in § 508.14 of the general regulations of the Federal Home Loan Bank Board (12 CFR 508.14) and 5 U.S.C. 553(d) prior to the effective date of the amendments is unnecessary; and the Board hereby provides that the amendments shall become effective as hereinbefore set forth.

By the Federal Home Loan Bank Board.

[SEAL]

JACK CARTER,
Secretary.

[F.R. Doc. 69-14425; Filed, Dec. 3, 1969; 8:49 a.m.]

SUBCHAPTER D—FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION

[No. 23,537]

PART 569—LIMITATIONS ON RATE OF RETURN

Correction Relating to Maximum Rate of Return Payable on Certificate Accounts in Massachusetts

NOVEMBER 26, 1969.

Resolved that Federal Home Loan Bank Board Resolution No. 23,511, a document amending § 569.4 of the rules and regulations for Insurance of Accounts (12 CFR 569.4) by the revision of paragraph (c) of that section, published at 34 F.R. 18850 on November 26, 1969,

certificate accounts at a rate not in excess of 5.50 percent per annum if the funds were received by the institution as a certificate account prior to September 22, 1966.

(3) A member institution whose home office is located in Massachusetts may pay, on certificate accounts outstanding on November 14, 1969, an additional return at the rate of 0.25 percent per annum for each distribution period ending after July 1, 1969, but no later than July 31, 1970, with respect to which distribution period such institution has an announced rate of return on regular accounts not in excess of 4.75 percent per annum: *Provided*, That no such institution may advertise or publicly announce the payment of such additional return except by mail to holders of such certificate accounts.

(4) A member institution whose home office is located in California or Nevada may pay a return at a rate not in excess of 5.25 percent per annum on any certificate accounts having a maturity of 6 months which it may issue or renew during the period beginning December 1, 1969, and ending July 31, 1970: *Provided*, That no such institution may advertise or promote such accounts outside of the State in which its home office is located, except with respect to the institution's existing accountholders, who may be advised by mail of the availability of such accounts.

(5) The permissible rate ceilings (subject to any applicable restrictions on advertising and promotion) set forth in this paragraph shall be equally applicable to a member institution with a branch office located in any of such States with respect to such accounts maintained at such branch office.

(Sec. 55, 47 Stat. 727, as added by sec. 4, 80 Stat. 824, as amended; sec. 17, 47 Stat. 736, as amended; 12 U.S.C. 1425b, 1437. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1943-1948 Comp., p. 1071)

Resolved further that, since affording notice and public procedure on the above amendment would delay it from becoming effective for a period of time and since it is in the public interest that the authority contained in the amendment become effective as soon as possible, the Board hereby finds that notice and public procedure on said amendment is contrary to the public interest under the provisions of § 508.11 of the general regulations of the Federal Home Loan Bank Board (12 CFR 508.11) and 5 U.S.C. 553(b); and since the amendment relieves restriction, publication for the 30-day period specified in § 508.14 of the general regulations of the Federal Home Loan Bank Board (12 CFR 508.14) and 5 U.S.C. 553(d) prior to the effective date of the amendment is unnecessary; and the Board hereby provides that the amendment shall become effective as hereinbefore set forth.

By the Federal Home Loan Bank Board.

[SEAL]

JACK CARTER,
Secretary.

[F.R. Doc. 69-14424; Filed, Dec. 3, 1969; 8:49 a.m.]

is corrected by changing the text of subparagraph (3) of said § 569.4(c) to read as follows:

§ 569.4 Maximum rate of return payable on certificate accounts.

(c) *Geographic exception.*

(3) An insured institution whose home office is located in Massachusetts may pay, on certificate accounts outstanding on November 14, 1969, an additional return at the rate of 0.25 percent per annum for each distribution period ending after July 1, 1969, but no later than July 31, 1970, with respect to which distribution period such institution has an announced rate of return on regular accounts not in excess of 4.75 percent per annum: *Provided*, That no such institution may advertise or publicly announce the payment of such additional return except by mail to holders of such certificate accounts.

By the Federal Home Loan Bank Board.

[SEAL]

JACK CARTER,
Secretary.

[P.R. Doc. 69-14427; Filed, Dec. 3, 1969;
8:50 a.m.]

[No. 23,539]

PART 569—LIMITATIONS ON RATE OF RETURN

Maximum Rate of Return Payable on Certificate Accounts in California and Nevada

NOVEMBER 26, 1969.

Resolved that the Federal Home Loan Bank Board, upon the basis of its consideration of the desirability of amending § 569.4 of the rules and regulations for Insurance of Accounts (12 CFR 569.4) for the purpose of permitting certain insured institutions with a home office or branch office located in California or Nevada to pay a higher rate of return on certain certificate accounts, subject to certain restrictions on advertising and promotion of such accounts, hereby amends said § 569.4 by revising paragraph (c) thereof to read as follows, effective December 4, 1969:

§ 569.4 Maximum rate of return payable on certificate accounts.

(c) *Geographic exceptions.* Notwithstanding the limitations contained in paragraphs (a) and (b) of this section—

(1) An insured institution whose home office is located in California, Nevada, Alaska, or Hawaii may pay a return on certificate accounts, which must be maintained for a period of at least 3 years in order to receive a rate of return greater than that paid on regular accounts, at a rate not in excess of 5.25 percent per annum.

(2) An insured institution whose home office is located in California, Nevada, Alaska, or Hawaii may pay a return on certificate accounts at a rate not in excess of 5.50 percent per annum if the funds were received by the institution as

a certificate account prior to September 22, 1966.

(3) An insured institution whose home office is located in Massachusetts may pay, on certificate accounts outstanding on November 14, 1969, an additional return at the rate of 0.25 percent per annum for each distribution period ending after July 1, 1969, but no later than July 31, 1970, with respect to which distribution period such institution has an announced rate of return on regular accounts not in excess of 4.75 percent per annum: *Provided*, That no institution may advertise or publicly announce the payment of such additional return except by mail to holders of such certificate accounts.

(4) An insured institution whose home office is located in California or Nevada may pay a return at a rate not in excess of 5.25 percent per annum on any certificate accounts having a maturity of 6 months which it may issue or renew during the period beginning December 1, 1969, and ending July 31, 1970: *Provided*, That no such institution may advertise or promote such accounts outside of the State in which its home office is located, except with respect to the institution's existing accountholders, who may be advised by mail of the availability of such accounts.

(5) The permissible rate ceilings (subject to any applicable restrictions on advertising and promotion) set forth in this paragraph shall be equally applicable to an insured institution with a branch office located in any of such States with respect to such accounts maintained at such branch office.

(Sec. 5B, 47 Stat. 727, as added by sec. 4, 80 Stat. 824, as amended; secs. 402, 403, 48 Stat. 1256, 1257, as amended; 12 U.S.C. 1425b, 1725, 1726; Reorg. Plan No. 3 of 1947, 12 P.R. 4981, 3 CFR, 1943-1948 Comp., p. 1071)

Resolved further that, since affording notice and public procedure on the above amendment would delay it from becoming effective for a period of time and since it is in the public interest that the authority contained in the amendment become effective as soon as possible, the Board hereby finds that notice and public procedure on said amendment is contrary to the public interest under the provisions of § 508.11 of the general regulations of the Federal Home Loan Bank Board (12 CFR 508.11) and 5 U.S.C. 553(b); and since the amendment relieves restriction, publication for the 30-day period specified in § 508.14 of the general regulations of the Federal Home Loan Bank Board (12 CFR 508.14) and 5 U.S.C. 553(d) prior to the effective date of the amendment is unnecessary; and the Board hereby provides that the amendment shall become effective as hereinbefore set forth.

By the Federal Home Loan Bank Board.

[SEAL]

JACK CARTER,
Secretary.

[P.R. Doc. 69-14426; Filed, Dec. 3, 1969;
8:49 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Docket No. 69-CE-26-AD; Amdt. 39-879]

PART 39—AIRWORTHINESS DIRECTIVES

Beech Models 99 and 99A Airplanes

An airworthiness directive was adopted on November 20, 1969, and made effective immediately as to all known owners of Beech Models 99 and 99A airplanes. On August 27, 1969, an airworthiness directive, Amendment 39-834, AD-69-18-6, effective on all Beech Models 99 and 99A airplanes was adopted providing a maximum speed restriction of 174 knots and emergency procedures in the event of pitch trim runaway. On November 6, 1969, this AD was amended by Amendment 39-875 to provide that when these airplanes were modified in accordance with Beech Service Instruction 0285-364 and the Airplane Flight Manual was revised, the speed restriction of 174 knots could be raised to 200 knots. Subsequent to the issuance of these amendments, further service experience indicates that before increasing the speed from 174 knots to 200 knots, the elevator control system must be checked for correct rigging, the stabilizer upward travel must be restricted on or before March 15, 1970, and an approved flight test must be conducted. These requirements are covered in paragraphs A and B of the airworthiness directive adopted on November 20, 1969.

In addition, Amendment 39-834 identified certain modifications to the aircraft which were then under development by the manufacturer. The development has now been completed, and the AD requires modifications of the aircraft to incorporate these improvements. Paragraph C of the AD covers these requirements on Beech Models 99 and 99A (Serial Nos. U-1 through U-133) airplanes which require (1) installation of an aural indicator that activates when the stabilizer trim system is in motion, (2) installation of an aural out-of-trim warning system indicating that the aircraft is out-of-trim longitudinally prior to take off, (3) installation of a newly designed standby trim switch and guards to prevent unwanted circuit breaker activation in the event that pilot and copilot simultaneously call for opposite trim, and (4) relocation of the trim release switch on the control wheel to make it more readily accessible to the crew. These modifications must be accomplished by March 15, 1970. Beech Service Instruction 0270-350 covers the first four modifications. Beech Service Instruction 0249-156 refers to the fifth modification. Paragraph C of the AD also requires that the Beech Model 99 Approved Airplane Flight Manual be revised by incorporating Revision C-1 dated November 14, 1969, and Beech

Model 99A Approved Airplane Flight Manual be revised by incorporating Revision A-5 dated November 14, 1969. Emergency procedures are included in these Airplane Flight Manuals revisions. When the above modifications have been incorporated and the requirements for increasing the speed to 200 knots accomplished, the speed restrictions are removed as provided in paragraph D of the AD. Paragraph E of the AD provides that elevator control system rigging and approved flight test must be conducted irrespective of the speed limitation whenever the elevator control system is repaired or otherwise modified or the elevators are repaired or replaced.

Since it was found that this amendment is in the interest of safety, notice and public procedure thereon was not practicable and contrary to the public interest and good cause existed for making this AD effective immediately as to all owners of Beech Model 99 and 99A airplane by individual letters dated November 21, 1969. This condition still exists and the airworthiness directive is hereby published in the FEDERAL REGISTER as an amendment to section 39.13 of Part 39 of the Federal Aviation Regulations to make it effective as to all persons.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (31 F.R. 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

Beech. Applies to Beech Models 69 and 99A airplanes, except that paragraph C applies only to Serial Nos. U-1 through U-133 airplanes since Serial Nos. U-134 airplanes and upward will be modified by Beech prior to release to service.

Compliance: Required as indicated, unless already accomplished.

To prevent an unsafe condition, effective immediately, restrict the aircraft to a maximum speed of 174 knots V_{max} and remark the airspeed indicator at that speed until the following are accomplished:

A. (1) Check for correct elevator control system rigging and if necessary, rerig in accordance with Beech Service Instruction 0309-364.

(2) Subsequent to the requirements of paragraph A(1), conduct a flight test in accordance with flight test procedures contained in Beech Service Instruction 0309-364, or equivalent procedures approved by the Chief, Engineering and Manufacturing Branch, FAA, Central Region.

B. On or before March 15, 1970, limit the upward travel of the leading edge of the stabilizer to a maximum of $3\frac{1}{2}^\circ$ in accordance with Beech Service Instruction 0285-364 or Beech Service Instruction 0309-364. The downward travel of the stabilizer leading edge remains unchanged.

C. (1) On before March 15, 1970, (a) install an aural warning device which indicates that the stabilizer trim system is in motion, (b) install an out-of-trim warning system indicating that the aircraft is out-of-trim longitudinally prior to takeoff, (c) install a newly designed standby trim switch and guards to prevent inadvertent operation, and (d) revise the electrical circuitry to prevent unwanted circuit breaker activation in the event that pilot and copilot simultaneously call for opposite trim. These modifications

must be accomplished in accordance with instructions and procedures set forth in Beech Service Instruction 0270-350 or equivalent modifications approved by the Chief, Engineering and Manufacturing Branch, FAA, Central Region.

(2) On or before March 15, 1970, relocate the trim release switch on the control wheel to make it more readily accessible to the crew, in accordance with instructions and procedures set forth in Beech Service Instruction 0249-156, or an equivalent method approved by the Chief, Engineering and Manufacturing Branch, FAA, Central Region.

(3) On or before March 15, 1970, revise Beech Model 99 Approved Airplane Flight Manual by incorporating revision C-1 dated November 14, 1969, and revise Beech Model 99A Approved Airplane Flight Manual by incorporating revision A-5 dated November 14, 1969.

Note: When the revisions to the Approved Airplane Flight Manuals have been incorporated as required by paragraph C(3), the temporary amendments to the Airplane Flight Manuals in AD 69-18-6, as amended, may be deleted.

D. When paragraphs A and B of this AD have been accomplished, the aircraft may be operated at a maximum speed not to exceed 200 knots V_{max} . When the modifications required by paragraphs A, B, and C of this AD have been accomplished, the aircraft may be operated at a speed not to exceed 226 knots V_{max} .

E. Paragraphs A(1) and A(2) of this AD must be complied with irrespective of the speed limitation whenever the elevator control system is repaired or otherwise modified or the elevators are repaired or replaced.

This AD supersedes AD 69-18-6 as amended insofar as it changes the maximum speed restrictions provided in AD 69-18-6 as amended.

This amendment becomes effective December 5, 1969, for all persons except those to whom it was made effective by first class letter dated November 21, 1969.

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

Issued in Kansas City, Mo., on November 25, 1969.

DANIEL E. BARROW,
Acting Director, Central Region.

[F.R. Doc. 69-14385; Filed, Dec. 3, 1969; 8:46 a.m.]

[Docket No. 69-WE-22-AD; Amdt. 39-883]

PART 39—AIRWORTHINESS DIRECTIVES

Boeing Model 727 Series Airplanes

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring replacement of silicon controlled switches Boeing P/N CR 10 and CR 28 on Boeing 727 series airplanes was published in 34 F.R. 14657.

Interested persons have been afforded an opportunity to participate in making of the amendment. The ATA has objected on the grounds that, during a year's time, Eastern Air Lines failure rate of silicon controlled rectifiers was 110,000 operating hours per failure. However, the low failure rate experienced by Eastern Air Lines was achieved in part by special heat treatment of their panels.

The low failure rate plus redundancy of generators are represented as making AD action unnecessary. The agency does not concur. The ATA has also requested a minimum compliance time of 4,000 hours based on parts availability. The agency has been informed that the parts should be available. Lead time is provided in the AD, as adopted, by both the effectivity date and the compliance time. The projected parts delivery schedule will allow operators sufficient lead time for accomplishment of the modification, while also ensuring an adequate level of safety.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (31 F.R. 13697) § 39.13 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

Boeing. Applies to Model 727 series airplanes.

Compliance within the next 2,500 hours time in service after the effective date of this AD unless already accomplished.

To prevent generator system lockout, accomplish the following or an equivalent modification approved by the Chief, Aircraft Engineering Division, FAA Western Region:

Modify the generator control panels in accordance with Part II, paragraphs A and C of Westinghouse Service Bulletin No. 66-103, dated September 15, 1966, and the supplement dated September 30, 1966, or later FAA-approved revisions.

This amendment becomes effective January 3, 1970.

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

Issued in Los Angeles, Calif., November 21, 1969.

LEE E. WARREN,
Acting Director, Western Region.

[F.R. Doc. 69-14386; Filed, Dec. 3, 1969; 8:47 a.m.]

[Docket No. 69-WE-25-AD; Amdt. 39-884]

PART 39—AIRWORTHINESS DIRECTIVES

Boeing Model 727 Series Airplanes

There have been reported failures of the engine aft cone bolts on the Boeing Model 727 airplanes due to improper cone bolt seating. The failures caused the aft end of the engine to sag approximately 4 inches. These bolt failures either resulted in the loss of engine reverse thrust capability or binding of engine thrust controls. Since this condition is likely to exist or develop in other Model 727 airplanes, an airworthiness directive is being issued to require inspection and replacement to minimize the probability of future cone bolt failures.

Since a situation exists that requires immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 F.R. 13697),

§ 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

BOEING. Applies to Model 727 series airplanes listed in Boeing Service Bulletin 71-43 dated November 10, 1969, or later FAA-approved revisions.

Compliance required within the next 500 hours time in service after the effective date of this AD, unless already accomplished.

To prevent engine cone bolt failures, accomplish the inspections and bolt replacement in accordance with the instructions in Boeing Service Bulletin 71-43, dated November 10, 1969, section II, pages 4, 5, and 6, Steps A through F, or later FAA-approved revisions, or an equivalent inspection and replacement procedure approved by the Chief, Aircraft Engineering Division, FAA Western Region.

This amendment becomes effective December 5, 1969.

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

Issued in Los Angeles, Calif., on November 21, 1969.

LEE E. WARREN,
Acting Director,
FAA Western Region.

[F.R. Doc. 69-14387; Filed, Dec. 3, 1969; 8:47 a.m.]

[Docket No. 69-WE-17-AD; Amdt. 39-882]

PART 39—AIRWORTHINESS DIRECTIVES

Boeing Model 727, 727C, and 727-200 Series Airplanes

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring installation of a filter capacitor in the generator control panel on Boeing 727, 727C, and 727-200 series airplanes was published in 34 F.R. 12951.

Interested persons have been afforded an opportunity to participate in making of the amendment. The ATA has objected on the grounds that, during a year's time Eastern Air Lines failure rate of the generator control panels due to nuisance tripping was 110,000 operating hours per failure. However, the low failure rate experienced by Eastern Air Lines was achieved in part by special heat treatment of their panels. The ATA has also requested a minimum compliance time of 3,000 hours if this AD is published concurrently with AD Docket No. 69-WE-22-AD, for scheduling and parts availability purposes. The agency has been informed that the parts should be available. Lead time is provided in the AD, as adopted by both the effectivity date and the 2,500 hours compliance time will provide for the projected parts delivery schedule and allow operators sufficient lead time for accomplishment of the modification, while also insuring an adequate level of safety.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (31 F.R. 13697) § 39.13 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

BOEING. Applies to Models 727, 727C, and 727-200 series airplanes.

Compliance required within the next 2,500 hours time in service after the effective date of this AD, unless already accomplished.

To prevent malfunction of the generator control circuit caused by induced electrical interference, accomplish the following or an equivalent modification procedure and parts installation approved by the Chief, Aircraft Engineering Division, FAA Western Region.

Within 2,500 hours time in service after the effective date of this AD, unless already accomplished, modify the generator control panels in accordance with section II, Boeing Service Bulletin No. 24-47, dated March 3, 1969, or later FAA-approved revisions.

This amendment becomes effective January 3, 1970.

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

Issued in Los Angeles, Calif., November 19, 1969.

LEE E. WARREN,
Acting Director, Western Region.

[F.R. Doc. 69-14383; Filed, Dec. 3, 1969; 8:47 a.m.]

[Docket No. 69-EA-150; Amdt. 39-886]

PART 39—AIRWORTHINESS DIRECTIVES

Fairchild Hiller Aircraft

The Federal Aviation Administration is amending § 39.13 of Part 39 of the Federal Aviation Regulations so as to issue an airworthiness directive applicable to Fairchild Hiller F-27 and FH-227 type airplanes.

The subject Airworthiness Directive is necessitated by hazards associated with instances whereby the outboard flaps drove off the ends of the screwjacks. This was caused by a single mechanical failure of the drive system that actuates both the normal flap limit switches and the flap emergency power cut off switches. The airworthiness directive will require the separation of the flap normal up and down limit switches from the emergency cut off switches within 1,000 hours time in service and interim inspection procedures.

Since a situation exists which requires expeditious adoption of this airworthiness directive notice and public procedure hereon are impractical and the airworthiness directive may be made effective in less than 30 days.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator, 14 CFR 11.85 (31 F.R. 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new Airworthiness Directive:

FAIRCHILD HILLER. Applies to Fairchild Hiller F-27 and FH-227 type airplanes, except FH-227D and FH-227E, certificated in all categories.

To prevent the hazards associated with the flaps driving off the ends of the screwjacks due to a single failure of the drive system which actuates the normal flap control limit switches and the emergency power cutoff switches, accomplish the following:

(a) Within the next 100 hours in service after the effective date of this airworthiness directive, unless already accomplished within the last 25 hours in service, and thereafter at intervals not to exceed 125 hours in service, until incorporation of the modification noted in (b).

(1) Inspect the universal joint at each end of the wing flap connecting shaft assembly P/N 27-727994-11 located between the flap motor gearbox at wing station 141 left (installed in the wheel well of the left nacelle) and the gearbox at wing station 121 left, to assure some freedom of movement in all axes.

(2) Inspect the universal joint of the actuator shaft P/N 27-727920-7, -9, or -13, as applicable, also located on the gearbox at wing station 121 left, noted in (a)(1) above, to assure some freedom of movement in all axes.

(3) If freedom of movement is not determinable, remove and replace deficient universal joint pin or bolt before further flight.

(4) Lubricate the three universal joints, noted in (a)(1) and (2) above, in accordance with applicable maintenance manual instructions.

(b) Within the next 1,000 hours in service after the effective date of this airworthiness directive, unless already accomplished, separate the existing flap "up and down" limit switches from the emergency flap power cut-off switches by complying with Fairchild Hiller Service Bulletin P-27-27-64, Revision 3, dated October 1, 1969, for F-27 type airplanes with preselect flap control, and Fairchild Hiller Service Bulletin FH-227-27-22, Revision 1, dated April 2, 1969 for FH-227 type airplanes, or later revisions thereto, or equivalent modification both approved by the Chief, Engineering and Manufacturing Branch, FAA Eastern Region.

(c) Upon request with substantiation data submitted through an FAA maintenance inspector, compliance time may be increased by the Chief, Engineering and Manufacturing Branch, FAA Eastern Region.

This amendment is effective December 6, 1969.

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

Issued in Jamaica, N.Y., on November 25, 1969.

GEORGE M. GARY,
Director, Eastern Region.

[F.R. Doc. 69-14390; Filed, Dec. 3, 1969; 8:47 a.m.]

[Docket No. 9830; Amdt. 39-887]

PART 39—AIRWORTHINESS DIRECTIVES

Hawker Siddeley Model DH-104 Dove Airplanes

A proposal to amend Part 39 of the Federal Aviation Regulations to supersede Amendment 454 (27 F.R. 5793), AD 62-14-2, with a new airworthiness directive (AD) requiring replacement of cast alleron levers with forged alleron levers on Hawker Siddeley Model DH-104 Dove airplanes was published in the FEDERAL REGISTER (34 F.R. 14226).

Interested persons have been afforded an opportunity to participate in the making of the amendment. No objections were received.

In consideration of the foregoing, and pursuant to the authority delegated to

me by the Administrator (14 CFR 11.89), § 39.13 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

HAWKER SIDDELEY AVIATION, LTD. Applies to Model DH-104 Dove Airplanes which have aileron lever P/N 4 WA.315 installed. Compliance is required as indicated unless already accomplished.

To prevent fatigue failure of the aileron lever, accomplish the following:

(a) Visually inspect the aileron lever, P/N 4 WA.315 for cracks at the lugs for the attachment of the connecting rod and in the counterbored portion which receives the mass balance arm within the next 50 hours' time in service after the effective date of this AD unless already accomplished within the last 50 hours' time in service, and thereafter at intervals not to exceed 50 hours' time in service from the last inspection. If evidence of cracks is found, verify using dye penetrant or other FAA-approved equivalent inspection methods.

(b) If cracks are found during the inspection required by paragraph (a), before further flight, install a new forged aileron lever, P/N 4 WA.491 in accordance with Hawker Siddeley Aviation, Ltd., Dove Modification No. 967, or an equivalent approved by the Chief, Aircraft Certification Staff, Europe, Africa, and Middle East Region.

(c) If no cracks are found during the inspections required by paragraph (a), within the next 1,000 hours' time in service after the effective date of this AD, install a new forged aileron lever P/N 4 WA.491 in accordance with Hawker Siddeley Aviation, Ltd., Dove Modification No. 967, or an equivalent approved by the Chief, Aircraft Certification Staff, Europe, Africa, and Middle East Region.

(d) The inspection required in paragraph (a) may be discontinued after the new aileron lever, P/N 4 WA.491 or an equivalent approved by the Chief, Aircraft Certification Staff, Europe, Africa, and Middle East Region is installed.

(Hawker Siddeley Aviation, Ltd., Technical News Sheet CT(104) No. 151, Issue 4, dated July 14, 1969, covers this subject.)

This supersedes Amendment 454, Part 507 (27 F.R. 5793) AD 62-14-2.

This amendment becomes effective January 3, 1970.

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

Issued in Washington, D.C., on November 26, 1969.

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

[P.R. Doc. 69-14391; Filed, Dec. 3, 1969; 8:47 a.m.]

[Docket No. 9831; Amdt. 39-888]

PART 39—AIRWORTHINESS DIRECTIVES

Hawker Siddeley Model DH-114 Heron Airplanes

A proposal to amend Part 39 of the Federal Aviation Regulations to supersede Amendment 453 (27 F.R. 5793) AD 62-14-1, with a new airworthiness directive (AD) requiring replacement of cast aileron levers with forged aileron levers on Hawker Siddeley Model DH-114 Heron airplanes was published in the **FEDERAL REGISTER** (34 F.R. 14226).

Interested persons have been afforded an opportunity to participate in the making of the amendment. No objections were received.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (14 CFR 11.89), § 39.13 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

HAWKER SIDDELEY AVIATION, LTD. Applies to Model DH-114 Heron Airplanes which have aileron lever, P/N 14 WA.199 installed.

Compliance is required as indicated unless already accomplished.

To prevent fatigue failure of the aileron lever, accomplish the following:

(a) Visually inspect the aileron lever, P/N 14 WA.199 for cracks at the lugs for the attachment of the connecting rod and in the counterbored portion which receives the mass balance arm within the next 50 hours' time in service after the effective date of this AD unless already accomplished within the last 50 hours' time in service, and thereafter at intervals not to exceed 50 hours' time in service from the last inspection. If evidence of cracks is found, verify using dye penetrant or other FAA-approved equivalent inspection methods.

(b) If cracks are found during the inspection required by paragraph (a), before further flight, install a new forged aileron lever, P/N 14 WA.245 in accordance with Hawker Siddeley Aviation, Ltd., Heron Modification No. 662, or an equivalent approved by the Chief, Aircraft Certification Staff, Europe, Africa, and Middle East Region.

(c) If no cracks are found during the inspections required by paragraph (a), within the next 1,000 hours' time in service after the effective date of this AD, install a new forged aileron lever P/N 14 WA.245 in accordance with Hawker Siddeley Aviation, Ltd., Heron Modification No. 662, or an equivalent approved by the Chief, Aircraft Certification Staff, Europe, Africa, and Middle East Region.

(d) The inspections required in paragraph (a) may be discontinued after the new aileron lever, P/N 14 WA.245 or an equivalent approved by the Chief, Aircraft Certification Staff, Europe, Africa, and Middle East Region is installed.

(Hawker Siddeley Aviation, Ltd., Technical News Sheet Heron No. W.3, Issue 3, dated July 14, 1969, covers this subject.)

This supersedes Amendment 453, Part 507 (27 F.R. 5793), AD 62-14-1.

The amendment becomes effective January 3, 1970.

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

Issued in Washington, D.C., on November 26, 1969.

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

[P.R. Doc. 69-14392; Filed, Dec. 3, 1969; 8:47 a.m.]

[Docket No. 69-EA-80; Amdt. 39-880]

PART 39—AIRWORTHINESS DIRECTIVES

Kollsman Altimeters

On page 12103 of the **FEDERAL REGISTER** for July 17, 1969, the Federal Aviation

Administration published a proposed rule which would issue an airworthiness directive applicable to certain types of Kollsman altimeters.

Interested parties were given 30 days after publication in which to submit written data or views. No objections to the proposed regulations have been received.

In view of the foregoing and pursuant to the authority delegated to me by the Administrator, 14 CFR 11.89 (31 F.R. 13697), § 39.13 of the Federal Aviation Regulations is amended hereby and the airworthiness directive adopted as published.

This amendment is effective December 4, 1969.

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

Issued in Jamaica, N.Y., on November 19, 1969.

WAYNE HENDERSHOT,
Acting Director, Eastern Region.

Applies to Kollsman Type A4086910031, A4186910028 and A4186910029 Altimeters.

Unless already accomplished, compliance is required within 900 hours time in service after the effective date of this AD, or the next overhaul of the altimeter, whichever occurs first. In order to remove the source of a false signal, alter the altimeters in accordance with either:

(a) Kollsman Service Bulletin 188, Rev. 1, dated December 19, 1968, or Service Bulletin 189, dated October 29, 1968, or

(b) An equivalent method approved by the Chief, Engineering and Manufacturing Branch, FAA Eastern Region.

[P.R. Doc. 69-14393; Filed, Dec. 3, 1969; 8:47 a.m.]

[Docket No. 69-EA-149; Amdt. 39-885]

PART 39—AIRWORTHINESS DIRECTIVES

Piper Aircraft

The Federal Aviation Administration is amending § 39.13 of Part 39 of the Federal Aviation Regulations so as to amend AD 67-24-2, applicable to Piper Aircraft PA-22 type airplanes.

The AD 67-24-2 requires a placard to be installed on the fuel quantity gauge in the cockpit to read "No take-off on Right Tank with Less Than 1/3 Tank". This is intended to prevent fuel starvation during takeoff operations under low fuel conditions.

As a result of two recent accidents which involved engine fuel starvation during missed approach and touch-and-go operations, replace the above placard with a more restrictive limitation placard. The limitation would read: "Right Tank Level Flight ONLY With Less than 1/3 Tank".

Since a situation exists that requires expeditious adoption of this regulation, it is found that notice and public procedure hereon are impractical and good cause exists for making this amendment effective in less than 30 days.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator, 14 CFR 11.85

(31 F.R. 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by revising AD 67-24-2 as follows:

(1) Delete the Compliance paragraph and insert in lieu thereof:

Compliance required within the next 15 hours in service after December 5, 1969, the effective date of this AD as amended.

(2) Delete in the second paragraph the material in quotes and insert in lieu thereof:

"Right Tank Level Flight Only With Less Than 1/2 Tank".

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

Issued in Jamaica, N.Y., on November 25, 1969.

WAYNE HENDERSHOT,
Acting Director, Eastern Region.

[F.R. Doc. 69-14394; Filed, Dec. 3, 1969; 8:47 a.m.]

[Docket No. 9995; Amdt. 159-12]

PART 159—NATIONAL CAPITAL AIRPORTS

Minimum Pilot Certificate Requirements; Dulles International Airport

The purpose of this amendment to § 159.53 of the Federal Aviation Regulations is to prohibit any person operating a civil aircraft from landing at or taking off from Dulles International Airport (including touch and go operations) unless he holds at least a private pilot certificate.

In view of the currently increasing and anticipated traffic volume at Dulles International Airport, the continued operation of aircraft at that Airport by persons holding only student pilot certificates could adversely affect safety. Accordingly, it has been determined that a pilot holding a student pilot certificate should no longer be allowed to operate an aircraft at that Airport. Thus, under the rule a student pilot may not manipulate the controls for a landing at or take off from the airport even though he is accompanied by a certificated flight instructor or other appropriately certificated pilot.

This amendment readopts a restriction that was modified by Amendment 159-7, effective March 29, 1966 (31 F.R. 5258). It imposes at Dulles the same pilot certificate requirement that has been in force at Washington National Airport.

Since this amendment relates to agency management and public property, notice and public procedure thereon are not required, and it may be made effective in less than 30 days.

In consideration of the foregoing, § 159.53 of the Federal Aviation Regulations is amended, effective December 4, 1969, to read as follows:

§ 159.53 Minimum pilot certificate requirement.

No person operating a civil aircraft may land at or take off from the Airport (including touch and go operations) unless he holds at least a private pilot certificate.

(Sec. 4, Second Washington Airport Act, title 7, District of Columbia Code 1404; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c); § 1.4(b)(1), Regulations of Office of Secretary of Transportation)

Issued in Washington, D.C., on November 28, 1969.

D. D. THOMAS,
Acting Administrator.

[F.R. Doc. 69-14395; Filed, Dec. 3, 1969; 8:47 a.m.]

Chapter II—Civil Aeronautics Board

SUBCHAPTER A—ECONOMIC REGULATIONS

[Regulation ER-592; Amdt. 2]

PART 224—ACCESS TO AIRCRAFT FOR SAFETY PURPOSES; FREE TRANSPORTATION FOR CERTAIN FEDERAL AVIATION ADMINISTRATION, NATIONAL TRANSPORTATION SAFETY BOARD, AND WEATHER BUREAU EMPLOYEES

Additional Free Transportation for Federal Aviation Administration Air Traffic Service Evaluation Staff

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 1st day of December 1969.

In a notice of proposed rule making dated October 6, 1969 (EDR-171, published at 34 F.R. 15661, Oct. 9, 1969) Docket 12169, the Board proposed to allow air carriers to provide additional free transportation to FAA Air Traffic Service evaluation personnel.

Interested persons were afforded an opportunity to participate in the rule making. The FAA filed the only comment, stating that the proposed rule is satisfactory.¹ Therefore, the Board adopts the tentative findings set out in EDR-171 and makes final the rule as proposed.

Accordingly, the Board hereby amends Part 224 of the economic regulations (14 CFR Part 224), effective January 3, 1970, as follows:

1. Amend § 224.2 to read as follows:

§ 224.2 Traffic control and communications personnel and aviation weather forecasters.

Any air carrier may carry without charge on any aircraft which it operates any traffic controller or aircraft communicator of the Federal Aviation Administration or any aviation weather forecaster of the Weather Bureau (including supervising officers of such persons) for the purpose of more fully and adequately acquainting such persons with the problems affecting in-flight use of air traffic control and communications and weather forecast services provided by the U.S. Government: *Provided, however*, That no request for free transportation under this section shall be made for the same individual upon any one air carrier more than once in each calendar year (round trips are regarded as one trip for the purposes of this section) unless the individual is an air traffic controller who is a member of the Washington or Regional Air Traffic Service Evaluation Staff of the Federal Aviation Administration or unless the request for such additional transportation is accompanied by the statement in writing prescribed in § 224.3(c).

¹ The FAA's comment did, however, request that the Board note that the FAA requested the change "in order to facilitate the objectives of its Air Traffic Service evaluation program and most especially to permit more extensive observation from the flight deck during periods when the air traffic system is experiencing interruptions or other operating difficulties."

2. Amend § 224.3(c) to read as follows:

§ 224.3 Requests for access to aircraft and free transportation.

(c) When free transportation is requested pursuant to § 224.2 involving more than one free trip within a calendar year by the same individual on the same carrier, the person to be transported, unless he is a member of the Washington or Regional Air Traffic Service Evaluation Staff of the Federal Aviation Administration, shall, at the time of performance of each such additional trip, present to the appropriate agent of the air carrier a statement in writing by the Administrator of the Federal Aviation Administration, or the Director, Weather Bureau, or any official on their staff they may designate, that the additional trip or trips by the person named, between the points designated and on the type of aircraft specified therein, is solely for the purpose specified in § 224.2 and is essential to the effective performance of Federal Aviation Administration or Weather Bureau functions.

(Secs. 204(a), 301-314, 403, 404, 601-610, and 701 of the Federal Aviation Act of 1958, as amended 72 Stat. 743, 744-754, 759, 760, 775-780, and 781; 49 U.S.C. 1324, 1341-1355, 1373, 1374, 1421-1430, and 1441)

By the Civil Aeronautics Board.

[SEAL] MABEL MCCART,
Acting Secretary.

[F.R. Doc. 69-14408; Filed, Dec. 3, 1969; 8:48 a.m.]

Title 29—LABOR

Chapter V—Wage and Hour Division, Department of Labor

SUBCHAPTER C—AGE DISCRIMINATION IN EMPLOYMENT

PART 850—RECORDS TO BE MADE OR KEPT RELATING TO AGE; NOTICES TO BE POSTED; ADMINISTRATIVE EXEMPTIONS

Change in Recordkeeping Requirements

On August 26, 1969, there was published in the FEDERAL REGISTER (34 F.R. 13666) notice of a proposal to revise Part 850 of Title 29, Code of Federal Regulations, in order to change the temporary recordmaking and recordkeeping requirements promulgated under the Age Discrimination in Employment Act of 1967 (29 U.S.C. 629) and section 11 of

the Fair Labor Standards Act of 1938 (29 U.S.C. 211).

Interested persons were invited to submit written data, views, or argument. After consideration of all relevant matter presented, and pursuant to section 7 of the Age Discrimination in Employment Act of 1967 (29 U.S.C. 629) and section 11 of the Fair Labor Standards Act of 1938 (29 U.S.C. 211), and Secretary of Labor's Orders No. 10-68 (33 F.R. 9729) and No. 11-68 (33 F.R. 9690), the revision as so proposed is hereby adopted, subject to the following changes:

1. In subparagraph (2) of § 850.3(b), the first sentence is deleted and the following sentence is inserted in its place: "Every employer shall keep on file any employee benefit plans such as pension and insurance plans, as well as copies of any seniority systems and merit systems which are in writing, for the full period the plan or system is in effect, and for at least 1 year after its termination."

2. In § 850.16, The first two sentences are designated as paragraph (a).

3. In § 850.16, The words "paragraph (b) of this section" in the first sentence are changed to "§ 850.15(b) of this part".

4. In § 850.16, The word "provisions" in the first sentence is changed to "prohibitions".

5. In § 850.16, The following paragraph is added and designated as paragraph (b):

(b) Any employer, employment agency, or labor organization the activities of which are exempt from the prohibitions of the Act under paragraph (a) of this section shall maintain and preserve records containing the same information and data that is required of employers, employment agencies, and labor organizations under §§ 850.3, 850.4, and 850.5, respectively.

This revision shall become effective 30 days following the date of its publication in the FEDERAL REGISTER.

Signed at Washington, D.C., this 26th day of November 1969.

ROBERT D. MORAN,
Administrator, Wage and Hour
and Public Contracts Divisions.

PART 850—RECORDS TO BE MADE OR KEPT RELATING TO AGE; NOTICES TO BE POSTED; ADMINISTRATIVE EXEMPTIONS

Subpart A—General

Sec.
850.1 Purpose and scope.

Subpart B—Records To Be Made or Kept Relating to Age; Notices To Be Posted

850.2 Forms of records.
850.3 Records to be kept by employers.
850.4 Records to be kept by employment agencies.
850.5 Records to be kept by labor organizations.
850.6 Availability of records for inspection.
850.7 Transcriptions and reports.
850.8-850.9 [Reserved]
850.10 Notices to be posted.
850.11 Petitions for recordkeeping exceptions.

Subpart C—Administrative Exemptions

Sec.
850.15 Administrative exemptions; procedures.
850.16 Specific exemptions.

AUTHORITY: The provisions of this Part 850 issued under sec. 7, 81 Stat. 604; 29 U.S.C. 626; sec. 11, 52 Stat. 1066, as amended, 29 U.S.C. 211.

Subpart A—General

§ 850.1 Purpose and scope.

(a) Section 7 of the Age Discrimination in Employment Act of 1967 (hereinafter referred to in this part as the Act) empowers the Secretary of Labor to require the keeping of records which are necessary or appropriate for the administration of the Act in accordance with the powers contained in section 11 of the Fair Labor Standards Act of 1938. Subpart B of this part sets forth the recordkeeping and posting requirements which are prescribed by the Secretary of Labor for employers, employment agencies, and labor organizations which are subject to the Act. Reference should be made to section 11 of the Act for definitions of the terms "employer", "employment agency", and "labor organization". General interpretations of the Act and of this part are published in Part 860 of this chapter. This part also reflects pertinent delegations of the Secretary of Labor's duties to the Administrator of the Wage and Hour and Public Contracts Divisions.

(b) Subpart C of this part sets forth the Department of Labor's rules under section 9 of the Act providing that the Secretary of Labor may establish reasonable exemptions to and from any or all provisions of the Act as he may find necessary and proper in the public interest.

Subpart B—Records To Be Made or Kept Relating to Age; Notices To Be Posted

§ 850.2 Forms of records.

No particular order or form of records is required by the regulations in this Part 850. It is required only that the records contain in some form the information specified. If the information required is available in records kept for other purposes, or can be obtained readily by recomputing or extending data recorded in some other form, no further records are required to be made or kept on a routine basis by this Part 850.

§ 850.3 Records to be kept by employers.

(a) Every employer shall make and keep for 3 years payroll or other records for each of his employees which contain:

- (1) Name;
- (2) Address;
- (3) Date of birth;
- (4) Occupation;
- (5) Rate of pay, and
- (6) Compensation earned each week.

(b) (1) Every employer who, in the regular course of his business, makes, obtains, or uses, any personnel or employment records related to the following, shall, except as provided in subparagraphs (3) and (4) of this paragraph, keep them for a period of 1 year from

the date of the personnel action to which any records relate:

(i) Job applications, resumes, or any other form of employment inquiry whenever submitted to the employer in response to his advertisement or other notice of existing or anticipated job openings, including records pertaining to the failure or refusal to hire any individual.

(ii) Promotion, demotion, transfer, selection for training, layoff, recall, or discharge of any employee.

(iii) Job orders submitted by the employer to an employment agency or labor organization for recruitment of personnel for job openings.

(iv) Test papers completed by applicants or candidates for any position which disclose the results of any employer-administered aptitude or other employment test considered by the employer in connection with any personnel action.

(v) The results of any physical examination where such examination is considered by the employer in connection with any personnel action.

(vi) Any advertisements or notices to the public or to employees relating to job openings, promotions, training programs, or opportunities for overtime work.

(2) Every employer shall keep on file any employee benefit plans such as pension and insurance plans, as well as copies of any seniority systems and merit systems which are in writing, for the full period the plan or system is in effect, and for at least 1 year after its termination. If the plan or system is not in writing, a memorandum fully outlining the terms of such plan or system and the manner in which it has been communicated to the affected employees, together with notations relating to any changes or revisions thereto, shall be kept on file for a like period.

(3) In the case of application forms and other preemployment records of applicants for positions which are, and are known by applicants to be, of a temporary nature, every record required to be kept under subparagraph (1) of this paragraph shall be kept for a period of 90 days from the date of the personnel action to which the record relates.

(4) When an enforcement action is commenced under section 7 of the Act regarding a particular applicant or employee, the Administrator may require the employer to retain any record required to be kept under subparagraph (1), (2), or (3) of this paragraph which is relative to such action until the final disposition thereof.

§ 850.4 Records to be kept by employment agencies.

(a) (1) Every employment agency which, in the regular course of its business, makes, obtains, or uses, any records related to the following, shall, except as provided in subparagraphs (2) and (3) of this paragraph, keep them for a period of 1 year from the date of the action to which the records relate:

(i) Placements;
 (ii) Referrals, where an individual is referred to an employer for a known or reasonably anticipated job opening;

(iii) Job orders from employers seeking individuals for job openings;

(iv) Job applications, resumes, or any other form of employment inquiry or record of any individual which identifies his qualifications for employment, whether for a known job opening at the time of submission or for future referral to an employer;

(v) Test papers completed by applicants or candidates for any position which disclose the results of any agency-administered aptitude or other employment test considered by the agency in connection with any referrals;

(vi) Advertisements or notices relative to job openings.

(2) In the case of application forms and other preemployment records of applicants for positions which are, and are known by applicants to be, of a temporary nature, every record required to be kept under subparagraph (1) of this paragraph shall be kept for a period of 90 days from the date of the making or obtaining of the record involved.

(3) When an enforcement action is commenced under section 7 of the Act regarding a particular applicant, the Administrator may require the employment agency to retain any record required to be kept under subparagraph (1) or (2) of this paragraph which is relative to such action until the final disposition thereof.

(b) Whenever an employment agency has an obligation as an "employer" or a "labor organization" under the Act, the employment agency must also comply with the recordkeeping requirements set forth in § 850.3 or § 850.5, as appropriate.

§ 850.5 Records to be kept by labor organizations.

(a) Every labor organization shall keep current records identifying its members by name, address, and date of birth.

(b) Every labor organization shall, except as provided in paragraph (c) of this section, keep for a period of 1 year from the making thereof, a record of the name, address, and age of any individual seeking membership in the organization. An individual seeking membership is considered to be a person who files an application for membership or who, in some other manner, indicates a specific intention to be considered for membership, but does not include any individual who is serving for a stated limited probationary period prior to permanent employment and formal union membership. A person who merely makes an inquiry about the labor organization or, for example, about its general program, is not considered to be an individual seeking membership in a labor organization.

(c) When an enforcement action is commenced under section 7 of the Act regarding a labor organization, the Administrator may require the labor organization to retain any record required to be kept under paragraph (b) of this section which is relative to such action until the final disposition thereof.

(d) Whenever a labor organization has an obligation as an "employer" or as an "employment agency" under the Act, the labor organization must also comply with the recordkeeping requirements set forth in § 850.3 or § 850.4, as appropriate.

§ 850.6 Availability of records for inspection.

(a) *Place records are to be kept.* The records required to be kept by this part shall be kept safe and accessible at the place of employment or business at which the individual to whom they relate is employed or has applied for employment or membership, or at one or more established central recordkeeping offices.

(b) *Inspection of records.* All records required by this part to be kept shall be made available for inspection and transcription by authorized representatives of the Administrator during business hours generally observed by the office at which they are kept or in the community generally. Where records are maintained at a central recordkeeping office pursuant to paragraph (a) of this section, such records shall be made available at the office at which they would otherwise be required to be kept within 72 hours following request from the Administrator or his authorized representative.

§ 850.7 Transcriptions and reports.

Every person required to maintain records under the Act shall make such extension, recomputation or transcriptions of his records and shall submit such reports concerning actions taken and limitations and classifications of individuals set forth in records as the Administrator or his authorized representative may request in writing.

§§ 850.8—850.9 [Reserved]

§ 850.10 Notices to be posted.

Every employer, employment agency, and labor organization which has an obligation under the Age Discrimination in Employment Act of 1967 shall post and keep posted in conspicuous places upon its premises the notice pertaining to the applicability of the Act prescribed by the Secretary of Labor or his authorized representative. Such a notice must be posted in prominent and accessible places where it can readily be observed by employees, applicants for employment and union members.

§ 850.11 Petitions for recordkeeping exceptions.

(a) *Submission of petitions for relief.* Each employer, employment agency, or labor organization who for good cause wishes to maintain records in a manner other than required in this part, or to be relieved of preserving certain records for the period or periods prescribed in this part, may submit in writing a petition to the Administrator requesting such relief setting forth the reasons therefor and proposing alternative recordkeeping or record-retention procedures.

(b) *Action on petitions.* If, on review of the petition and after completion of any necessary or appropriate investi-

gation supplementary thereto, the Administrator shall find that the alternative procedure proposed, if granted, will not hamper or interfere with the enforcement of the Act, and will be of equivalent usefulness in its enforcement, the Administrator may grant the petition subject to such conditions as he may determine appropriate and subject to revocation. Whenever any relief granted to any person is sought to be revoked for failure to comply with the conditions of the Administrator, that person shall be notified in writing of the facts constituting such failure and afforded an opportunity to achieve or demonstrate compliance.

(c) *Compliance after submission of petitions.* The submission of a petition or any delay of the Administrator in acting upon such petition shall not relieve any employer, employment agency, or labor organization from any obligations to comply with this part. However, the Administrator shall give notice of the denial of any petition with due promptness.

Subpart C—Administrative Exemptions

§ 850.15 Administrative exemptions; procedures.

(a) Section 9 of the Act provides that, "In accordance with the provisions of subchapter II of chapter 5, of title 5, United States Code, the Secretary of Labor . . . may establish such reasonable exemptions to and from any or all provisions of this Act as he may find necessary and proper in the public interest."

(b) The authority conferred on the Secretary by section 9 of the Act to establish reasonable exemptions will be exercised with caution and due regard for the remedial purpose of the statute to promote employment of older persons based on their ability rather than age and to prohibit arbitrary age discrimination in employment. Administrative action consistent with this statutory purpose may be taken under this section, with or without a request therefor, when found necessary and proper in the public interest in accordance with the statutory standards. No formal procedures have been prescribed for requesting such action. However, a reasonable exemption from the Act's provisions will be granted only if it is decided, after notice published in the FEDERAL REGISTER giving all interested persons an opportunity to present data, views, or arguments, that a strong and affirmative showing has been made that such exemption is in fact necessary and proper in the public interest. Request for such exemption shall be submitted in writing to the Administrator.

§ 850.16 Specific exemptions.

(a) Pursuant to the authority contained in section 9 of the Act and in accordance with the procedure provided therein and in § 850.15(b) of this part, it has been found necessary and proper in the public interest to exempt from all

prohibitions of the Act all activities and programs under Federal contracts or grants, or carried out by the public employment services of the several States, designed exclusively to provide employment for, or to encourage the employment of, persons with special employment problems, including employment activities and programs under the Manpower Development and Training Act of 1962, as amended, and the Economic Opportunity Act of 1964, as amended, for persons among the long-term unemployed, handicapped, members of minority groups, older workers, or youth. Questions concerning the application of this exemption shall be referred to the Administrator for decision.

(b) Any employer, employment agency, or labor organization the activities of which are exempt from the prohibitions of the Act under paragraph (a) of this section shall maintain and preserve records containing the same information and data that is required of employers, employment agencies, and labor organizations under §§ 850.3, 850.4, and 850.5, respectively.

[F.R. Doc. 69-14434; Filed, Dec. 3, 1969; 8:50 a.m.]

Chapter XIII—Bureau of Labor Standards, Department of Labor

PART 1500—CHILD LABOR REGULATIONS, ORDERS, AND STATEMENTS OF INTERPRETATION

State Certificates of Age

The age, employment, or working certificates or permits of several States are designated in 29 CFR 1500.21 as having the same force and effect as Federal certificates of age issued under section 3(1) of the Fair Labor Standards Act of 1938 (52 Stat. 1061 as amended; 29 U.S.C. 203).

In a document published in the FEDERAL REGISTER on August 27, 1968 (33 F.R. 12098), it was provided that these designations would expire on June 30, 1969.

Pursuant to section 3(1) and section 11(b) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203 and 211), and Reorganization Plan No. 2 of 1946 (3 CFR 1943-1948 Comp., p. 1064), I hereby extend the designations contained in 29 CFR 1500.21 until June 30, 1970. I further ratify and confirm all such age, employment or working certificates issued under 29 CFR 1500.21 between the expiration of the previous delegation on June 30, 1969, and the effective date of this document.

Signed at Washington, D.C., this 28th day of November 1969.

GEORGE P. SHULTZ,
Secretary of Labor.

[F.R. Doc. 69-14435; Filed, Dec. 3, 1969; 8:50 a.m.]

Title 32—NATIONAL DEFENSE

Chapter VI—Department of the Navy

SUBCHAPTER C—PERSONNEL

PART 723—BOARD FOR CORRECTION OF NAVAL RECORDS

Miscellaneous Amendments

Section 723.2(b) is revised to read as follows:

§ 723.2 Establishment, function, and jurisdiction of the Board.

(b) *Function.* The function of the Board is to consider all applications properly before it for the purpose of determining the existence of an error or an injustice.

In § 723.3, paragraphs (a), (b), and (c) are revised to read as follows:

§ 723.3 Application for correction.

(a) *General Requirements.* (1) The application for correction should be submitted on DD Form 149 (Application for Correction of Military or Naval Record) or exact facsimile thereof, and should be addressed to: Board for Correction of Naval Records, Washington, D.C. 20370. Forms and explanatory matter may be obtained upon request addressed to the Board.

(2) * * *

(3) When the record in question is that of a person who is incapable of making application himself, or whose whereabouts is unknown, or when such person is deceased, for the purpose of bringing the matter before the Board the application may be made by a spouse, parent, heir, or legal representative. Proof of proper interest shall be submitted as may be required by the Board.

(b) *Time Limit for Filing Application.* A claimant, his heir, or legal representative, must file the application for correction of a record within 3 years after discovery of the alleged error or injustice. Failure to file within the time prescribed may be excused by the Board if it finds it would be in the interest of justice to do so. If the claimant, his heir, or legal representative files an application more than 3 years after he discovers the error or injustice, he must include in his application his reasons why the Board should find it is in the interest of justice to excuse his failure to file his application within the time prescribed above.

(c) * * *

(d) * * *

(e) *Consideration of Application.* (1) Each application and the available military or naval records pertinent to the corrective action requested will be reviewed to determine whether to authorize a hearing, recommend that the records be corrected without a hearing, or to deny the application without a hearing. The Board will make this determina-

tion in all cases except those in which the application has been denied administratively for the reason that the applicant has not exhausted all other effective administrative remedies available to him, or for the reason that the applicant did not file his application within 3 years after he discovered the alleged error or injustice and did not submit any reason why the Board should find it to be in the interest of justice to excuse the failure to file the application within the prescribed 3 years.

(2) The Board may deny any application if it determines that insufficient relevant evidence has been presented to demonstrate the existence of probable material error or injustice. The Board will not deny an application on the sole ground that the record was made by or at the direction of the President or the Secretary in connection with proceedings other than proceedings of a Board for the correction of military or naval records. Denial of an application on the grounds of insufficient relevant evidence to demonstrate the existence of probable material error or injustice is without prejudice to further consideration in the event new and relevant evidence is submitted. The applicant will be informed of his privilege to submit newly discovered relevant evidence for consideration.

(3) When an application is denied without a hearing, written findings, decision and recommendations are not required.

Section 723.4 (a) and (c) are revised to read as follows:

§ 723.4 General; notice; counsel; witnesses; access to records.

(a) *General.* In each case in which the Board determines a hearing is warranted, the applicant will be entitled to appear before the Board either in person or by counsel of his own selection or in person with counsel.

(c) *Access to Records.* (1) The applicant shall have access to such official records as are deemed necessary to an adequate presentation of his case. It is the responsibility of the applicant to procure such evidence not contained in the official records of the Department of the Navy as he desires to present in support of his case.

(2) Classified or privileged matter shall not be disclosed or made available without express finding of the Chairman that such disclosure is required in the case and is not detrimental to the public interest. Such disclosure shall not be contrary to existing law and departmental regulations concerning privileged and classified material. When appropriate the applicant may be supplied only with a summary or extract of classified matter.

(3) This regulation does not authorize the furnishing of copies of official records by the Board. Requests for copies

of official records should be submitted in accordance with regulations governing the release of information.

Section 723.9 is revised to read as follows:

§ 723.9 Reconsideration.

After final adjudication further consideration will be granted only upon presentation by the applicant of newly discovered relevant evidence not previously considered by the Board and then only upon recommendation of the Board and approval by the Secretary of the Navy.

Section 723.10(c) is revised to read as follows:

§ 723.10 Settlement of claims.

(c) *Settlement.* (1) Settlement of claims shall be upon the basis of the decision and recommendations of the Board, as approved by the Secretary of the Navy. Computation of the amounts due shall be made by the appropriate disbursing activity. In no case will the amount found due exceed the amount which would otherwise have been paid or have become due under applicable laws had no error or injustice occurred. Earnings received from civilian employment during any period for which active duty pay and allowances are payable will be deducted from the settlement. To the extent authorized by law and regulations, amounts found due may be reduced by the amount of any existing indebtedness to the Government arising from military service.

[SEAL] D. D. CHAPMAN,
Rear Admiral, JAGC, U.S. Navy,
Acting Judge Advocate General.

NOVEMBER 25, 1969.

[F.R. Doc. 69-14351; Filed, Dec. 3, 1969;
8:45 a.m.]

Title 46—SHIPPING

Chapter I—Coast Guard, Department of Transportation

SUBCHAPTER M—BULK GRAIN CARGOES

[CGFR 69-135]

PART 144—LOADING AND STOWAGE OF GRAIN CARGOES

Equivalent Set of Bulk Grain Regulations

Subchapter M was last amended by a document published in the *FEDERAL REGISTER* of March 19, 1966 (31 F.R. 4209) as a result of a number of casualties involving vessels transporting bulk grain cargoes. The purpose of this amendment was to require the use of centerline divisions in and below the "feeders". It was concluded that without these divisions the uninhibited flow of the grain athwartship produced adverse heeling which reduced the vessel's safety. However, at the time this amendment was made it was recognized as only an interim measure pending the

results of further study and research into the nature of the behavior of bulk grain cargoes on board vessels. Since then research into this problem has been carried on under the aegis of the U.S. Solas Subcommittee Working Group on Subdivision and Stability and its panel on Bulk Cargoes. As a result of this study an alternative set of bulk grain regulations has been developed. This alternative employs an engineering approach that treats each vessel in terms of its ability to carry bulk grain from the standpoint of stability considerations. For each given loading arrangement account is taken of the heeling moment which can occur due to a shift of the grain. The vessel's stability under those conditions is compared with minimum criteria of heel angle, dynamical stability, and metacentric height (GM). The required grain fittings are those necessary to restrict the total heeling moment to that value which can be accommodated by the stability characteristics of the particular vessel.

This alternative method of demonstrating satisfactory stability is deemed to represent an improvement over the requirements presently contained in Subchapter M and its use is encouraged by the Coast Guard. It must, however, be used in its entirety and not in combination with any portion or portions of the existing requirements. It is also recognized that a final evaluation of the new requirements cannot be made until after a reasonable trial period, expected to be about 3 years. Accordingly, it has been decided for the present to permit the owners of vessels at their option to utilize these requirements instead of the existing requirements in Subchapter M. It is anticipated that after this trial period, Subchapter M will be revised on the basis of the experience gained. Because of the approach of the winter season, it has been determined that the use of this alternative should be permitted without further delay.

The alternative regulations are set forth in detail in Navigation and Vessel Inspection Circular No. 10-69 dated November 20, 1969. This document amends Subchapter M by authorizing the owners or masters of vessels to utilize the new requirements as a total alternative to the existing requirements of Subchapter M.

Since the effect of this amendment is permissive and time is of the essence, it is hereby found to be unnecessary and impracticable to comply with the requirements of the Administrative Procedure Act relating to notice of proposed rule making, public procedure thereon, and the effective date. Therefore, this amendment is exempted from these requirements by the provisions of 5 U.S.C. 553.

1. Section 144.10-1 is revised to read as follows:

§ 144.10-1 Scope.

(a) The regulations in this part contain the minimum requirements for the handling, stowage, and transportation of loose grain in bulk on board vessels.

However, instead of complying with the regulations in this subpart, the owner or master of any vessel may, at his option handle, store, and transport loose grain in bulk in accordance with the provisions of Navigation and Vessel Inspection Circular No. 10-69 dated November 20, 1969. This circular may be obtained from the Commandant (CAS-2), U.S. Coast Guard Headquarters, Washington, D.C. 20591, or at any Coast Guard Marine Inspection Office.

(R.S. 4405, as amended, 4462, as amended, sec. 6(b) (1), 80 Stat. 937; 46 U.S.C. 375, 416, 49 U.S.C. 1655(b) (1); 49 CFR 1.4(a) (2))

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

Dated: December 1, 1969.

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

[F.R. Doc. 69-14459; Filed, Dec. 3, 1969;
8:51 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 18611; FCC 69-1297]

PART 43—REPORTS OF COMMUNICATION COMMON CARRIERS AND CERTAIN AFFILIATES

Annual Report Form M and Monthly Report Form 901 for Telephone Companies

1. On August 1, 1969, the Commission released a notice of proposed rule making in the above matter. This notice was published in the *FEDERAL REGISTER* on August 5, 1969 (34 F.R. 12717) in accordance with section 4 of the Administrative Procedure Act. The notice presented for comment on or before September 2, 1969, and for reply comment on or before September 16, 1969, a proposal to amend certain schedules in Annual Report Form M and Monthly Report Form 901 in order to coordinate the report forms with amendments to Part 31, Uniform System of Accounts for Class A and Class B Telephone Companies, of the Commission's rules promulgated in Docket No. 18477.

2. Comments were received from the American Telephone and Telegraph Co. (A.T. & T.) and the G.T. & E. Service Corp. (GT&E). No comments in reply to the original comments were received.

3. Modification of the original proposals that have been suggested by A.T. & T. may be summarized as follows:

(a) To include on lines 6 and 11 of new Schedule 11 of Annual Report Form M the parenthetical phrases that are currently included on such lines. These phrases were inadvertently omitted but are being added herein. Also, to revise the footnote to this Schedule which now reads "Net debit amounts shall be shown in parentheses," to read "Net debit

amounts should be shown as provided in General Instruction 4." General Instruction 4 now provides that items of a reverse or contrary character shall be enclosed in parentheses. This instruction is being revised to provide for the use of a minus symbol in lieu of parentheses to identify items of a reverse or contrary character in those cases where the report is prepared by a computer printout. Since General Instruction 4 applies, where appropriate, to all schedules we do not feel that it is necessary to make this change.

(b) That the proposed title of Schedule 33, Analysis of Entries in Retained Earnings Accounts, be revised to read "Analysis of Entries in Account 179, Other Capital, and in the Retained Earnings Accounts" in order to broaden the title to include account 179. This title is being revised to read "Analysis of Entries in Other Capital and Retained Earnings Accounts."

(c) That the total line for Schedule 36A, Other Operating Taxes (Account 307), be extended through all columns to show the totals for each kind of tax included in account 307. This is being done.

(d) That three additional lines be provided in Schedule 36C, Federal Income Taxes, in order to allow space for entering all the possible accounts to which such taxes may be charged. These extra lines are being added.

(e) Requests that additional lines be provided in Schedule 36D, Excise Taxes Collected from Users of Respondent's Services, to permit the showing of all governmental bodies from which such taxes were collected. Eight additional lines are being added to the schedule. This will allow for all the governmental bodies for whom most companies collect such taxes. If necessary additional lines can be readily inserted by a company.

(f) That, since Schedule 44 is to be captioned "Nondistortive Delayed Items," that the proposed caption of Schedule 45, Analysis of Extraordinary and Delayed Items, be changed to read "Analysis of Extraordinary Items and Distortive Delayed Items." This more descriptive title is being adopted.

4. In addition to the foregoing, it has been called to our attention on an informal basis by a representative of A.T. & T. that the center caption above line 45 of Schedule 10, Balance Sheet, which was proposed to read "CAPITAL STOCK AND RETAINED EARNINGS" is not fully descriptive of all accounts included in that grouping. The caption is therefore being revised to read "STOCKHOLDERS' EQUITY."

5. With respect to the proposed revisions of Monthly Report Form 901 A.T. & T. suggests that the following modifications be made:

(a) Revise Instruction 2 of the form to permit negative amounts to be indicated by a minus symbol (in lieu of enclosing in parenthesis) when the form is prepared on a computer. This is being done.

(b) Change the caption on line 29 to read "Operating income." This sugges-

tion has been accepted in order to be consistent with the terminology being used in the income statement in Form M.

6. G.T. & E. suggests that we provide instructions on the reporting of comparisons between the 1970 and 1969 data in the annual and monthly reports in view of the changes in the income and retained earnings accounts of the system of accounts effective January 1, 1970. It will be acceptable to this Commission for the companies to follow the same procedures in reporting in Annual Report Form M and in Monthly Report Form 901 that they follow in preparing reports for internal purposes. In other words, if the 1969 income and retained earnings accounts are recast on a pro forma basis for internal reporting purposes and comparisons made, then comparisons should be shown in reports to this Commission. If not, then comparisons should be shown only for those accounts which were not changed. It is contemplated that an instruction covering this procedure will be included in a covering letter transmitting the forms for completion in 1970 by the telephone companies.

7. We expect that the revised Monthly Report Form 901 will be available for distribution by the Commission in December 1969 and that revised Annual Report Form M for 1970 will be available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402 about January 1971.

8. All other schedules in Annual Report Form M and the other portions of Monthly Report Form 901 that were proposed to be revised in the notice of proposed rule making are being amended as proposed therein.

9. Accordingly, it is ordered, That, under authority contained in sections 4(i) and 219 of the Communications Act of 1934, as amended, Annual Report Form M for Telephone Companies and Form 901, Monthly Report of Revenues, Expenses and Other Items—Telephone Companies, are amended as set forth in the attached appendix effective with the Annual Report Form M for 1970 and with Monthly Report Form 901 for January 1970.

10. It is further ordered, That this proceeding is hereby terminated.

(Secs. 4, 219, 48 Stat., as amended, 1066, 1077; 47 U.S.C. 154, 219)

Adopted: November 25, 1969.

Released: November 28, 1969.

FEDERAL COMMUNICATIONS
COMMISSION,¹

BEN F. WAPLE,

Secretary.

I. Annual Report Form M for Telephone Companies is amended as follows:

1. In the General Instructions, instructions 4 and 6 are amended to read as follows:

4. For convenience in preparation, the blank spaces provided in this report form are measured in twelfths of inches, the spacing of a typewriter having elite-size type. Such a typewriter should be used in preparing a

¹ Chairman Burch not participating.

master copy for multicopy processing, or in the preparation of typewritten copies when multicopy processing is not used. In any event the copies filed with the Commission must be legible and permanent. All entries therein shall be shown in black with items of a reverse or contrary character enclosed in parentheses, or if the schedule is prepared from a computer printout, items of a reverse or contrary character may be indicated by a minus symbol following the amount.

6. Reference to reports of previous years or to other reports shall not be made in lieu of requisite information except as provided in query 3 of Schedule 7.

2. In Schedule 7, Important Changes During the Year, query 3 is amended to read as follows:

3. Attach a map defining the territory covered by the respondent's operations. A new map is required when changes in territory have occurred and also in each year ending in 0 or 5 (e.g., 1970 or 1975). In all other years reference to the report for the last year in which the map appeared will be sufficient.

3. Schedule 10, Balance Sheet, is amended as follows:

a. The caption in column (a) above line 45 is amended to read as follows:

STOCKHOLDERS' EQUITY

b. In column (a) on line 50 the work surplus is deleted.

c. The captions on lines 51 and 52, respectively, are amended to read as follows:

180 Retained earnings reserved.
181 Unappropriated retained earnings.

d. The parenthetical sentence in query 4 which follows Notes to Balance Sheet is amended to read as follows:

(If retained earnings have been reserved to cover a contingent liability of the respondent and details thereof are shown in Schedule 31 of this report, reference thereto will be considered adequate response to this query.)

4. Schedule 11, Income and Earned Surplus Statement, is revised as follows:

a. The captions and accounts are revised to read as follows:

INCOME AND RETAINED EARNINGS STATEMENT

Income

TELEPHONE OPERATING INCOME

300 Operating revenues (see Note 1).
301 Operating expenses.
302 Rent from lease of operating property.
303 Rent for lease of operating property.
304 Investment credits—Net (see Note 2).
306 Federal income taxes—Operating.
307 Other operating taxes.
Operating income.*

OTHER INCOME

312 Dividend income.
313 Interest income (including \$..... interest charged to constr.).
314 Income from sinking and other funds.
315 Income from miscellaneous physical property.
316 Miscellaneous income.
Total other income.

MISCELLANEOUS DEDUCTIONS FROM INCOME

323 Miscellaneous income charges.
326 Federal income taxes—nonoperating.

- 327 Other nonoperating taxes.
Total miscellaneous deductions.
Income available for fixed charges.*

FIXED CHARGES

- 335 Interest on funded debt.
336 Other interest deductions.
338 Amortization of discount on long-term debt.
339 Release of premium on long-term debt—Cr.
340 Other fixed charges.
Total fixed charges
Income before extraordinary and delayed items.*

EXTRAORDINARY AND DELAYED ITEMS

- 360 Extraordinary income credits.
365 Delayed income credits.
370 Extraordinary income charges.
375 Delayed income charges.
Extraordinary and delayed items before tax effect—Net.*
380 Income tax effect of extraordinary and delayed items—Net.
Extraordinary and delayed items less tax effect thereof.*
Net income (after extraordinary and delayed items).*

*Net debit amounts shall be shown in parentheses.

Retained Earnings

- 181 Unappropriated retained earnings (at beginning of year).

CREDITS DURING THE YEAR

- 400 Balance transferred from income accounts.
402 Miscellaneous credits to retained earnings.
Total credits.

DEBITS DURING THE YEAR

- 413 Miscellaneous debits to retained earnings.
415 Reservations of retained earnings.
416 Dividends declared.
Total debits.
181 Unappropriated retained earnings (at end of year).

b. The center heading at the end of the Income Statement captioned "Notes to Income and Earned Surplus Statement" is amended to read "Notes to Income and Retained Earnings Statement."

5. Schedule 12B, Analysis of Credits for Telephone Plant Retired, is amended as follows:

a. Lines 4, 5 and 6 are deleted and the following two lines substituted therefor:

- 4 370 Extraordinary income charges.
5 360 Extraordinary income credits.

b. Lines 7 and 8 are renumbered lines 6 and 7, respectively.

6. In Schedule 14A, Analysis of Entries in Depreciation Reserve (Account 171), the column heading for column (p) is amended to read "Charge (or Credit) to Extraordinary Income."

7. In Schedule 15A, Analysis of Entries in Amortization Reserve (Account 172), line 3, which reads 413 Miscellaneous debits to earned surplus, is deleted.

8. In Schedule 16, Miscellaneous Physical Property (Accounts 103 and 315), the column heading for column (g) is amended to read "Taxes for the Year Charged to Account 327."

9. The title of Schedule 31, Earned Surplus Reserved (Account 180), is amended to read as follows:

31. RETAINED EARNINGS RESERVED (ACCOUNT 180)

10. In Schedule 32, Dividends Declared, instruction 1 is amended to read as follows:

1. The total of column (f) should agree or be reconciled with the amount reported as dividends declared in schedule 11.

11. In Schedule 33, Analysis of Entries in Earned Surplus Accounts, the title and the instructions are amended to read as follows:

33. ANALYSIS OF ENTRIES IN OTHER CAPITAL AND RETAINED EARNINGS ACCOUNTS

1. Report separately by accounts particulars with respect to each item amounting individually to \$10,000 or more entered in any of the following accounts during the year: 179, "Other capital," 402, "Miscellaneous credits to retained earnings," 413, "Miscellaneous debits to retained earnings," and 415, "Reservations of retained earnings."

2. The aggregate of all other items in each account shall be reported on a separate line immediately preceding the total for the account.

12. Schedule 36A, Operating Taxes (Account 305), is deleted and the following schedule is substituted therefor:

36A. OTHER OPERATING TAXES (ACCOUNT 307)

b. The instructions read as follows:

1. Starting on line 2, insert in column (a) the name of each State, territory, or foreign government to which government (or a subdivision thereof) taxes were payable.

2. In columns (b) through (i), insert as column headings a short descriptive title for each type of tax charged to account 307 during the year, appropriately designating any taxes applicable to the respondent's plant leased to others the rent from which is includible in account 302, "Rent from lease of operating property."

c. The column headings read as follows:

(a): Name of Government.
Caption overriding columns (b) through (i) reads:

TYPE OF TAX

(j): Total
The captions in column (a) read as follows:

1. U.S. Government.
13. Total.
14. Billed by others.
15. Billed to others.
16. Charged to constr.
17. Net charged to acct.

13. Schedule 36B is redesignated as Schedule 36D and Schedule 36C is redesignated as Schedule 36B.

14. A new schedule entitled 36C, Federal Income Taxes, is inserted. The following is a description of the schedule:

a. The column headings read as follows:

(a): Particulars.
(b): Debit or (Credit) Amount.

b. The captions in column (a) read as follows:

- 1 306 Federal income taxes—Operating.
2 326 Federal income taxes—Nonoperating.
3 380 Income tax effect of extraordinary and delayed items—Net.
4 402 Miscellaneous credits to retained earnings.

- 5 413 Miscellaneous debits to retained earnings.
6 179 Other capital.
7 Other (specified):
11 Total.

15. In Schedule 38, Miscellaneous Income Charges (Account 323), the caption on line 1 reading, "Amortization or arresting growth of unfunded actuarial reserve requirement for pensions," is deleted and a new caption is inserted to read, "Abandoned construction projects."

16. The title of Schedule 44, Delayed Items, is amended to read "Nondistortive Delayed Items."

17. A new schedule 45 is inserted as follows:

a. The title reads as follows:

45. ANALYSIS OF EXTRAORDINARY ITEMS AND DISTORTIVE DELAYED ITEMS (ACCOUNTS 360, 365, 370, 375 AND 380)

b. The instructions read as follows:

1. Show in column (a), separately by accounts, a brief description of each item amounting to \$10,000 or more included in accounts 360, "Extraordinary income credits," 365, "Delayed income credits," 370, "Extraordinary income charges," and 375, "Delayed income charges," including for accounts 365 and 375, the years to which amounts are applicable.

2. The aggregate of all other items in each account shall be reported on a separate line immediately preceding the total for the account.

c. The column headings are as follows:

- (a): Particulars.
(b): Debit Amounts.
(c): Credit Amounts.
(d): Tax Effect Included in Account 380.

II. FCC Form, 901—Monthly Report of Revenues, Expenses and other items—Telephone Companies is amended as follows:

1. Instruction 2 is amended to read as follows:

2. Show amounts to the nearest dollar adjusted to accord with footings and enclose entries of a reverse or contrary character in parentheses or if the schedule is prepared from a computer printout, items of a reverse or contrary character may be indicated by a minus symbol following the amount.

2. Line 27 is amended to read as follows:

27. Federal income taxes—Operating (306).

3. Line 28 is amended to read as follows:

28. Other operating taxes (307).

4. Line 29 is amended to read as follows:

29. Operating income (Items 24, 25 less 26-28).

5. Line 31 is amended to read as follows:

31. Miscellaneous income charges and taxes (323, 326, 327).

6. Line 32 is amended to read as follows:

32. Interest deductions (335, 336).

7. Line 34 is amended to read as follows:

34. Income Before Extr. and Delayed Items.

8. New lines 35 and 36 are added to read as follows:

35. Extraordinary and delayed items (360, 365, 370, 375, 380).
36. Net Income (After extr. and delayed items).
9. Lines 35 through 49 are redesignated as lines 37 through 51.
10. Present line 45 is amended to read as follows:
47. Premium on capital stock and other capital (Accts. 152 and 179).
11. Present line 46 is amended to read as follows:
48. Unappropriated retained earnings (Acct. 181).
12. Present line 47 is amended to read as follows:
49. Retained earnings reserved (Acct. 180).
- [P.R. Doc. 69-14419; Filed, Dec. 3, 1969; 8:49 a.m.]

Title 50—WILDLIFE AND FISHERIES

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

PART 33—SPORT FISHING

Seney National Wildlife Refuge, Mich.

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

§ 33.5 Special regulation; sport fishing; for individual wildlife refuge areas.

MICHIGAN

SENEY NATIONAL WILDLIFE REFUGE

Sport fishing on the Seney National Wildlife Refuge, Seney, Mich., is permitted on areas as described under special conditions below, and as delineated on maps available at refuge headquarters and from the office of the Regional Director, Federal Building, Fort Snelling, Twin Cities, Minn. 55111. Sport fishing shall be in accordance with all applicable State regulations subject to the following special conditions:

(a) Streams and ditches, open only during the regular State trout fishing season, are:

- (1) Driggs River from Highway M-28 south to the Diversion Ditch.
- (2) Walsh Creek and Ditch from Highway M-28 south to C-3 Pool.

(3) Creighton River—entire length through refuge.

(b) Manistique River, entire length through refuge, open from January 1, 1970, through December 31, 1970.

(c) Pools are open to fishing, daylight hours only, as follows:

(1) All pools—January 1, 1970, through February 28, 1970.

(2) Show Pools (located west of Highway M-77 one-half mile north of the Headquarters entrance road) from Memorial Day (May 30, 1970) through Labor Day (September 7, 1970).

(3) C-3 Pool from July 1, 1970, through Labor Day (September 7, 1970).

(d) Night fishing, boats and the use of minnows for bait are prohibited except on the Creighton and Manistique Rivers.

(e) Snowmobiles or motorized bikes are not allowed on the refuge. The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through December 31, 1970.

JOHN E. WILBRECHT,
Refuge Manager,
Seney National Wildlife Refuge.

NOVEMBER 26, 1969.

[P.R. Doc. 69-14370; Filed, Dec. 3, 1969; 8:46 a.m.]

Chapter II—Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior

SUBCHAPTER F—AID TO FISHERIES

PART 256—FISHING VESSEL CONSTRUCTION-DIFFERENTIAL SUBSIDY PROCEDURES

Furnishing of Information

DECEMBER 1, 1969.

On page 16557 of the FEDERAL REGISTER of October 16, 1969, there was published a notice to amend 50 CFR Part 256. The United States Fishing Fleet Improvement Act (46 U.S.C. 1401-1413), as amended, and the contracts executed in connection therewith contain certain requirements regarding among other things, the fishery, landing of the catch, citizenship or domicile of the vessel employees, and documentation of the vessel. In the past, enforcement of these requirements has

been on an individual basis with necessary information being requested from each vessel owner individually. The purpose of this regulation is to regularize the furnishing of this information by notifying the public broadly of the requirement and providing for it to be furnished by affidavit without individual requests. Further, in order to determine, among other things, the profitability of the fishery and to assist the Bureau in determining which fisheries can benefit the most from the limited amounts of subsidy funds available, all those persons having a Subsidy Contract shall be required to furnish annual operating statements. This information will be treated as confidential and will be released, if at all, only in a consolidated form so as not to reveal individual operations.

Interested persons were given 30 days within which to submit written comments, suggestions, or objections with respect to the proposed amendment. Inasmuch as no written comments, suggestions, or objections were received, a new § 256.11 is added to read as follows:

§ 256.11 Furnishing of information.

During the term of the contract, an affidavit will be submitted to the Secretary by the owner or his authorized agent, of each vessel constructed with the aid of a subsidy paid under the Act, within 90 days of the end of each calendar year, or at such other times as the Secretary may require, providing information on the citizenship and domicile of all vessel employees, the catch of the vessel by species, ports in which the catch was landed and assurance that the vessel has been continuously documented as a vessel of the United States during the preceding calendar year or period since the last previous affidavit was filed. It should also contain the basis for such information and when necessary include supporting documents. In addition, within 90 days of the close of each fiscal year, an operating statement shall be furnished to the Bureau.

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

J. M. PATTON,
Acting Director.

Bureau of Commercial Fisheries.

[P.R. Doc. 69-14428; Filed, Dec. 3, 1969; 8:50 a.m.]

Proposed Rule Making

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 39]

[Docket No. 69-EA-139]

AIRWORTHINESS DIRECTIVE

DeHavilland Aircraft

The Federal Aviation Administration published a proposed rule which would revoke AD 65-25-2 as applicable to DeHavilland DHC-2 type airplanes.

Due to inadvertence the language of the proposed rule indicated revocation of AD 65-25-3.

In view of the foregoing Docket 69-EA-139 is hereby amended so as to delete the reference to "65-25-3" in paragraph 1 of the proposed AD and insert in lieu thereof "65-25-2".

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

Issued in Jamaica, N.Y., on November 24, 1969.

WAYNE HENDERSHOT,
Acting Director, Eastern Region.

[F.R. Doc. 69-14389; Filed, Dec. 3, 1969;
8:47 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[43 CFR Part 4110]

GRAZING REGULATIONS FOR PUBLIC LANDS

Notice of Proposed Rule Making

DECEMBER 2, 1969.

Basis and purpose. Notice is hereby given that pursuant to authority vested in the Secretary of the Interior by the Act of June 28, 1934, as amended (48 Stat. 1270; 43 U.S.C. § 315), it is proposed to amend and revise the regulations as set forth below.

The purpose of this change is to defer for 1 year (the grazing use year beginning March 1, 1970) the implementation of annual increment to the range forage fees, in order to permit time for the consideration of the report of the Public Land Law Review Commission.

It is the policy of the Department, whenever practicable, to afford the public an opportunity to participate in the rule-making process. The Department also desires to conform to the provisions of § 18(b) of the Act of June 28, 1934, as amended (48 Stat. 1270; 43 U.S.C.

§ 315o-1), which provides in part that, except in a case where in the judgment of the Secretary an emergency shall exist, the Secretary shall request the advice of the advisory board in advance of the promulgation of any rules and regulations affecting the district.

Accordingly, interested persons may submit written comments, suggestions, or objections with respect to the proposed amendment to the Bureau of Land Management, Washington, D.C. 20240, within thirty (30) days of publication of this notice in the FEDERAL REGISTER.

Subdivision (ii) of subparagraph (1) of paragraph (k) of § 4115.2-1 is amended as follows:

§ 4115.2-1 License and permit procedures; requirements and conditions.

(k) Fees, payments, and refunds—
(1) Fees. * * *

(ii) Fees will be established by the Secretary in 9 equal annual increments, effective with the grazing use year beginning March 1, 1971, to attain the fair market value of range forage at the 1979 grazing use year. Fair market value is that value established by the Western Livestock Grazing Survey of 1966 or as determined by a similar study which may be conducted periodically to update the fee base, if deemed necessary. Annual adjustments may also be made for any of the 1970-79 grazing use years, and thereafter, to reflect current market values.

WALTER J. HICKEL,
Secretary of the Interior.

[F.R. Doc. 69-14449; Filed, Dec. 3, 1969;
8:51 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Parts 0, 1, 21, 23]

[Docket No. 18742; FCC 69-1279]

COMMUNICATIONS COMMON CARRIERS

Non-Discrimination in Employment Practices

1. In a memorandum opinion and order and notice of proposed rule making of July 3, 1968, the Commission ruled that discrimination in employment practices by broadcast licensees was incompatible with their obligation to operate in the public interest (Docket No. 18244, 33 F.R. 9960). A report and order and a further notice of proposed rule making, adopted on June 4, 1969 (34 F.R. 9288), promulgated new rules for the broadcast service to require that equal opportunity in employment shall be afforded by all broadcast licensees. The further

notice of proposed rule making of June 4, 1969, also proposed additional rules providing for the filing of an annual employment report with the Commission, the maintenance of records, and the preparation of specific equal opportunity programs by applicants and licensees. These proposed rules were directed primarily to employment practices to be followed to insure equal employment opportunities for Negroes, Orientals, American Indians, and Spanish surnamed Americans. The proposed rules apply to recruitment, selection, training, placement, promotion, pay, working conditions, demotions, layoff, and termination. These proposals are now pending.

2. The rules and rule making involved in Docket No. 18244 relate only to broadcast licensees. They arose out of a petition primarily directed to that area. However, we believe that the same considerations of public policy are applicable to those communications common carriers subject to Commission jurisdiction. The national policy against discrimination in employment on the basis of race, religion, sex, or nationality is clear. Thus, Title VII of the Civil Rights Act of 1964, as amended, makes it unlawful for employees in an industry affecting interstate commerce who employ at least 25 persons, to discriminate because of race, color, religion, sex, or national origin in the hiring, discharging, or training of employees, or in fixing their terms and conditions of employment, including compensation, privileges, and classification. A number of common carriers, particularly telephone companies, employ more than 25 persons and are thus subject to the Civil Rights Act. The majority of such carriers employ less than 25 full-time employees, and are thus not subject to the Civil Rights Act. In addition to the Civil Rights Act, a number of States and cities have laws and ordinances prohibiting discrimination on the grounds of sex, race, color, religion, and national origin. In most cases the minimum number of employees which bring the employer within the State statutes is less than 25 and in many cases less than eight. Thus, it would appear that a substantial percentage of the common carrier radio licensees and common carriers holding authorizations under section 214 of the Act, 47 U.S.C. 214, are subject to Federal and State or local antidiscrimination laws. We believe, however, that the national policy against discrimination is applicable to all common carriers, whether or not they are subject to the specific provisions of the Civil Rights Act.

3. We note at the outset that most communications common carriers are authorized under Title III of the Communications Act of 1934 to operate radio facilities as part of their common carrier

activity. Such authorizations can be granted only after a finding that the public interest, convenience and necessity will be served thereby. In making such a determination, the Commission must consider among other things, whether the applicant is law abiding. *FCC v. American Broadcasting Co.*, 347 U.S. 190 (1953); *City of Pittsburgh v. Federal Power Commission*, 237 F.2d 741 (D.C. Cir. 1956); See also Report on Establishment of Uniform Policy in Connection with Violations by an Applicant of Laws of the United States, 1 Pike & Fischer, Radio Regulations, Part Three, 91:32. Thus the Commission must consider whether the applicant has violated or is in violation of the Civil Rights Act or pertinent State or local laws or ordinances in this field. Of equal importance, the Commission must consider the unique position occupied by those communications common carriers providing telephone or telegraph service to the general public. These carriers have been granted monopoly or semimonopoly positions in particular areas, and the public is required to deal with them. Thus, the carriers are given a privileged position in the economic life of the Nation, and they have a unique and peculiar public interest role. The Communications Act of 1934 recognizes the special responsibilities of such carriers by providing that it is unlawful for any common carrier "to make any unjust or unreasonable discrimination in charges, practices, classifications, regulations, facilities or services for or in connection with like communication service * * *". It would seem evident that a company which follows discriminatory employment practices would find it difficult to provide nondiscriminatory service. Both because of the special position granted communications common carriers by the Government, and the relationship between service to the public and the carrier's employment practices, it would be intolerable to countenance discriminatory employment practices.

4. We recognize, of course, that there are differences between common carriers and broadcast licensees both in the public interest considerations involved and in the problems of enforcement. However, these differences do not affect the Commission's responsibility to take what steps it can to eliminate discrimination by common carriers. We therefore, give notice of proposed rule making. The proposed rules are set forth below. The proposed rules, similar to those in effect and proposed for broadcast licensees, can be put into three categories: (1) The requirement that each carrier establish and maintain a program which is designed to assure equal opportunity; (2) amendment of existing FCC reporting forms to give the Commission yearly statistical and substantive information on compliance by carriers licensed by or under Commission jurisdiction; and (3) provision for forms to be filed by each applicant for license or renewal or for a construction permit, giving the Commission information on the applicant's nondiscrimination program, which the Commission will take into consideration in

passing on the application. The rules relating to the filing of reports and forms would be limited to common carriers having five or more employees. The requirement that each common carrier maintain a program designed to insure equal employment opportunity would apply to all common carriers subject to Commission jurisdiction.

5. Complaints received by the Commission will be processed in the following manner: (1) If a complaint raising a substantial issue of discrimination is received against a licensee with 25 or more employees, thus making the Civil Rights Act applicable, the Commission will refer the complaint to the EEOC, and will thereafter maintain appropriate liaison with that agency and the Department of Justice. Insofar as this aspect of the matter is concerned, action on a major application would await resolution of the referral;¹ (2) in the case of complaints pressed against licensees which, while not covered by the Civil Rights Act, do come within State or local fair employment laws, the referral by the Commission would be to the appropriate State or local authority; and the same procedure as outlined above would be followed; and (3) where substantial complaints are lodged against licensees which, due to the small number of their personnel or the absence of State legislation, fall under neither Federal nor State civil rights provisions, the Commission itself will act upon these complaints in accord with the above stated policy.

6. Authority for the proposed rules is set forth in sections 4(i) 303, 307, 308, 309, and 310 of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), 303, 307, 308, 309, and 310.

7. All interested parties are invited to file written comments on or before January 6, 1970, and reply comments on or before January 27, 1970. In reaching its decision in this matter, the Commission may also take into account any other relevant information before it, in addition to the comments invited by this notice.

8. In accordance with the provisions of § 1.419 of the Commission's rules and regulations, an original and 14 copies of all comments, replies, pleadings, briefs, or other documents filed in this proceeding shall be furnished the Commission.

Adopted: November 19, 1969.

Released: November 26, 1969.

FEDERAL COMMUNICATIONS
COMMISSION,²

[SEAL] BEN F. WAPLE,
Secretary.

A. Parts 0 and 1 are amended to read as follows:

¹ In appropriate cases, the Commission may make an independent inquiry into the complaint.

² Commissioners Burch, chairman; and Wells not participating; Commissioner Bartley dissenting; Commissioner Robert E. Lee concurring for the reasons stated in his statement attached to Report and Order, FCC 69-631, 18 FCC (2d) 240.

1. In § 0.455(c), subparagraph (15) is added to read as follows:

§ 0.455 Other locations at which records may be inspected.

(c) Common Carrier Bureau * * *

(15) Annual Employment Report filed by common carrier licensees pursuant to § 1.815 of this chapter.

A new § 1.815 is added to read as follows:

§ 1.815 Reports of annual employment.

Each common carrier licensee with five or more full-time employees shall file with the Commission on or before _____ of each year, on FCC Form _____, an annual employment report.

B. In Parts 21 and 23, new §§ 21.307 and 23.49, both to read identically, are added to read as follows:

§ _____ Equal employment opportunities.

(a) General policy: Equal opportunity in employment shall be afforded by all common carrier licensees to all qualified persons, and no person shall be discriminated against in employment because of sex, race, color, religion or national origin.

(b) Equal employment opportunity program: Each licensee shall establish, maintain, and carry out, a positive continuing program of specific practices designed to assure equal opportunity in every aspect of employment policy and practice. Under the terms of its program, a licensee shall:

(1) Define the responsibility of each level of management to insure a positive application and vigorous enforcement of the policy of equal opportunity, and establish a procedure to review and control managerial and supervisory performance.

(2) Inform its employees and recognized employee organizations of the positive equal employment opportunity policy and program and enlist their cooperation.

(3) Communicate the licensee's equal employment opportunity policy and program and its employment needs to sources of qualified applicants without regard to sex, race, color, religion or national origin, and solicit their recruitment assistance on a continuing basis.

(4) Conduct a continuing campaign to exclude every form of prejudice or discrimination based upon sex, race, color, religion or national origin from the licensee's personnel policies and practices and working conditions.

(5) Conduct continuing review of job structure and employment practices and adopt positive recruitment, training, job design and other measures needed in order to insure genuine equality of opportunity to participate fully in all organizational units, occupations and levels of responsibility.

C. Proposed Additional section to be added to FCC Forms. (Applicants for

licenses or construction permits or for renewal would file equal employment opportunity programs or amendments to those programs in the following exhibit.)

I. Submit as exhibit No. _____ the applicant's equal employment opportunity program, indicating specific practices to be followed in order to assure equal employment opportunity for Females, Negroes, Orientals, American Indians, and Spanish Surnamed Americans in each of the following aspects of employment practice: Recruitment, selection, training, placement, promotion, pay, working conditions, demotion, layoff, and termination. The program should reasonably address itself to such specific practices as the following to the extent they are appropriate in terms of licensee size, location, etc. A program need not be filed if the licensee has less than five fulltime employees.

1. *To assure nondiscrimination in recruiting.* (a) Posting notices in the licensee's employment offices informing applicants of their equal employment rights and their right to notify the Federal Communications Commission or other appropriate agency if they believe they have been the victim of discrimination.

(b) Placing a notice in bold type on the employment application informing prospective employees that discrimination because of sex, race, color, religion or national origin is prohibited and they may notify the Federal Communications Commission or other appropriate agency if they believe they have been discriminated against.

(c) Placing employment advertisements in media which have significant circulation among minority group people in the recruiting area.

(d) Recruiting through schools and colleges with significant minority-group enrollments.

(e) Maintaining systematic contacts with minority and human relations organizations, leaders and spokesmen to encourage referral of qualified minority applicants.

(f) Encouraging present employees to refer minority applicants.

(g) Making known to all recruitment sources that qualified minority members are being sought for consideration whenever the licensee hires.

2. *To assure nondiscrimination in selection and hiring.* (a) Instructing personally those of your staff who make hiring decisions that all applicants for all jobs are to be considered without discrimination.

(b) Where union agreements exist:

1. Cooperating with your unions in the development of programs to assure qualified minority persons of equal opportunity for employment;

2. Including an effective nondiscrimination clause in new or renegotiated union agreements.

(c) Avoiding use of selection techniques or tests which have the effect of discrimination against minority groups.

3. *To assure nondiscriminatory placement and promotion.* (a) Instructing personally those of the licensee's staff who make decisions on placement and promotion that minority employees and females are to be considered without discrimination, and that job areas in which there is little or no minority or female representation should be reviewed to determine whether this results from discrimination.

(b) Giving minority groups and female employees equal opportunity for positions which lead to higher positions. Inquiring as to the interest and skills of all lower-paid employees with respect to any of the higher-paid positions, followed by assistance, counselling, and effective measures to enable employees with interest and potential to qualify themselves for such positions.

(c) Reviewing seniority practices and seniority clauses in union contracts to insure that such practices or clauses are nondiscriminatory and do not have a discriminatory effect.

4. *To assure nondiscrimination in other areas of employment practices.* (a) Examining rates of pay and fringe benefits for present employees with equivalent duties, and adjusting any inequities found.

(b) Advising all qualified employees whenever there is an opportunity to perform overtime work.

II. Renewal applicants would file the following exhibit: Submit a report as exhibit _____ indicating the manner in which the specific practices undertaken pursuant to the licensee's equal employment opportunity program have been applied and the effect of these practices upon the applications for employment, hiring and promotions of minority group members and females.

III. Applicants for renewal, would file the following exhibit: Submit as exhibit _____ whether any complaint has been filed before any body having competent jurisdiction under Federal, State, territorial or local law, alleging unlawful discrimination in the employment practices of the applicant, including the persons involved, the date of filing, the court or

agency before which the matter is or has been, the file number (if any), and the disposition or current status of the matter.

Instructions for Annual Employment Report (FCC Form _____)

1. *Who must file.* All licensees and permittees of common carrier service with five or more fulltime employees must file the Annual Employment Report on FCC Form _____

2. *When and where to file.* A single copy of each Annual Employment Report required under these instructions must be filed with the Federal Communications Commission, 1919 M Street NW., Washington, D.C. 20554, no later than _____ each year.

3. *Reporting period.* The employment data filed on FCC Form _____ must reflect the facts as of the preceding December 31. Such data may be taken from the payrolls for the period in which December 31 falls.

4. *Reporting units.* A separate Annual Employment Report (FCC Form _____) must be filed for each common carrier licensee.

5. *Job categories.* Persons performing functions in more than one category should be classified according to their major function.

6. *"All employees."* Include in this column all employees in the Reporting Unit covered in the individual FCC Form _____, not just the total employees falling within the four categories of "Minority Group Employees".

7. *Minority group identification.* (a) Minority group information necessary for this section may be obtained either by visual surveys of the work force, or from post-employment records as to the identity of employees. An employee may be included in the minority group to which he or she appears to belong, or is regarded in the community as belonging.

(b) Since visual surveys are permitted, the fact that minority group identifications are not present on company records is not an excuse for failure to provide the data called for.

(c) Conducting a visual survey and keeping post-employment records of the race or ethnic origin of employees is legal in all jurisdictions and under all Federal and State laws. State laws prohibiting inquiries and recordkeeping as to race, etc., relate only to applicants for jobs, not to employees.

(d) FCC Form _____ provides for reporting Females, Negroes, American Indians, Orientals, and Spanish Surnamed Americans, wherever such persons are employed. For purposes of this report, the term "Spanish Surnamed Americans" is deemed to include all persons of Mexican, Puerto Rican, Cuban or Spanish origin. Identification may be made by inspection of records bearing the employee's names, by visual survey, by employees' use of the Spanish language, or other indications that they belong to this group. The following States are among those having large concentrations of Spanish Surnamed Americans: Arizona, California, Colorado, Florida, New Jersey, New Mexico, New York, and Texas. Large concentrations of Spanish Surnamed Americans are found in particular localities in other States. The term "American Indian" does not include Eskimos and Aleuts.

Employment data:

Job categories	All employees, total ¹	Female	Minority group employment ²			
			Negro	Oriental	American Indian	Spanish surnamed American
Officials and managers.....						
Professionals.....						
Technicians.....						
Sales workers.....						
Office and clerical.....						
Craftsmen (skilled).....						
Operatives (semiskilled).....						
Laborers (unskilled).....						
Service workers.....						
Total.....						
Total employment from previous report (if any).....						

(The data below shall also be included in the figures for the appropriate occupational categories above)

On-the-job trainees:³

White collar.....	
Production.....	

¹ Insert here the total of all employees at the places covered in this report (permanent, temporary and part-time), not merely those in minority groups.

² See Instructions for Identification of minority groups.

³ Report only employees enrolled in formal on-the-job training programs.

CERTIFICATION

(This report must be certified: by licensee..... if an individual; by partner of licensees..... if a partnership; by an officer of licensee or permittee, if a corporation or association; or by attorney of licensee..... in case of physical disability of licensee..... or his absence from the Continental United States.)

I certify that to the best of my knowledge, information, and belief, all statements contained in this report are true and correct.*

Signed.....	Title.....
Date....., 19..	Name of company.....

Identity of Reporting Unit(s) covered in this Report:

- (a) International Fixed Public:
- (1) Space.
- (b) Domestic Public Land Mobile.
- (c) Point to Point Microwave.
- (d) Domestic Public Air Ground.
- (e) Rural Radio Service.
- (f) Local TV Transmission.

- (g) Telephone:
- (1) Domestic.
- (2) International.
- (h) Telegraph:
- (1) Domestic.
- (2) International.

[F.R. Doc. 60-14221; Filed, Dec. 3, 1969; 8:45 a.m.]

Notices

FEDERAL POWER COMMISSION

[Docket Nos. RI70-516, etc.]

PERRY R. BASS ET AL.

Order Providing for Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject To Refund¹

NOVEMBER 21, 1969.

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

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

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

their use be deferred as ordered below.

The Commission orders:

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

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

involved. Unless respondents are advised to the contrary within 15 days after the filing of their respective agreements and undertakings, such agreements and undertakings shall be deemed to have been accepted.²

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

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before January 8, 1970.

By the Commission.

[SEAL]

GORDON M. GRANT,
Secretary.

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

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until	Cents per Mcf		Rate in effect subject to refund in docket No.
									Rate in effect	Proposed increased rate	
RI70-516	Perry R. Bass (Operator), Agent.	16	2	El Paso Natural Gas Co.	10-23-69	10-23-69	10-1-69	10-2-69	15.91	15.9087	
RI70-517	Perry R. Bass (Operator) et al.	18	2	do	10-23-69	10-23-69	10-1-69	10-2-69	15.91	15.9087	
	do	17	7	Transwestern Pipeline Co.	10-23-69	10-23-69	10-1-69	10-2-69	13.48	13.5390	
	do	6	10	do	10-23-69	10-23-69	10-1-69	10-2-69	14.48	14.5725	
	do			do	10-23-69	10-23-69	10-1-69	10-2-69	14.25	14.3211	
	do			do	10-23-69	10-23-69	10-1-69	10-2-69	14.26	14.3224	
	do			do	10-23-69	10-23-69	10-1-69	10-2-69	14.67	14.7342	
RI70-518	Union Oil Co. of California.	97	4	El Paso Natural Gas Co.	10-29-69	10-29-69	10-1-69	10-2-69	14.25	14.3085	
	do	95	1	Northern Natural Gas Co.	10-27-69	10-27-69	10-1-69	10-2-69	17.0	17.06375	
	do	87	3	do	10-29-69	10-29-69	10-1-69	10-2-69	17.0	17.06375	
RI70-519	Standard Oil Co. of Texas, a division of Chevron Oil Co.	11	9	El Paso Natural Gas Co.	10-30-69	10-30-69	10-1-69	10-2-69	14.10	14.1522	
	do	13	4	do	10-30-69	10-30-69	10-1-69	10-2-69	11.80	11.9346	
	do	23	6	Transwestern Pipeline Co.	10-30-69	10-30-69	10-1-69	10-2-69	14.85	14.9250	
	do	24	6	do	10-30-69	10-30-69	10-1-69	10-2-69	14.85	14.9250	
	do	25	6	do	10-30-69	10-30-69	10-1-69	10-2-69	14.85	14.9250	
	do	33	4	Northern Natural Gas Co.	10-30-69	10-30-69	10-1-69	10-2-69	14.50	14.5218	
	do	35	7	El Paso Natural Gas Co.	10-30-69	10-30-69	10-1-69	10-2-69	16.50	16.5610	
	do	43	3	do	10-30-69	10-30-69	10-1-69	10-2-69	16.97	17.0336	
RI70-520	Hunt Oil Co.	65	4	do	10-27-69	10-27-69	10-1-69	10-2-69	10.949	10.988	RI69-417.
	do	32	10	Texas Eastern Transmission Corp.	10-27-69	10-27-69	10-1-69	10-2-69	15.91	15.97	
RI70-521	W. H. Hunt	9	1	Northern Natural Gas Co.	10-27-69	10-27-69	10-1-69	10-2-69	15.0	15.0649	
RI70-522	Pioneer Production Corp. et al.	13	4	El Paso Natural Gas Co.	10-28-69	10-28-69	10-1-69	10-2-69	14.5	14.5544	
RI70-523	Odessa Natural Gasoline Co.	1	7	do	10-29-69	10-29-69	10-1-69	10-2-69	14.5	14.5544	
RI70-524	Monsanto Co.	5	11	do	10-29-69	10-29-69	10-1-69	10-2-69	14.5	14.554	
	do	12	8	do	10-29-69	10-29-69	10-1-69	10-2-69	14.22	14.2744	
	do	39	4	Transwestern Pipeline Co.	10-29-69	10-29-69	10-1-69	10-2-69	14.4	14.463	
	do	89	2	do	10-29-69	10-29-69	10-1-69	10-2-69	14.97	15.0354	
	do	92	2	do	10-29-69	10-29-69	10-1-69	10-2-69	17.25	17.3255	
	do	37	3	Northern Natural Gas Co.	10-29-69	10-29-69	10-1-69	10-2-69	16.5	16.562	
	do	48	6	do	10-29-69	10-29-69	10-1-69	10-2-69	17.0	17.064	
	do	88	1	Transwestern Pipeline Co.	10-29-69	10-29-69	10-1-69	10-2-69	18.224	18.304	
	do	94	2	do	10-29-69	10-29-69	10-1-69	10-2-69	17.0	17.0744	
RI70-525	Pennzoil United, Inc.	15	4	do	10-29-69	10-29-69	10-1-69	10-2-69	15.86	15.9294	
	do	18	2	Natural Gas Pipeline Co. of America	10-29-69	10-29-69	10-1-69	10-2-69	16.4	16.4615	
RI70-526	David Fackel (Operator) et al.	2	3	Transwestern Pipeline Co.	10-30-69	10-30-69	10-1-69	10-2-69	14.5	14.5634	

See footnotes at end of table.

APPENDIX A—Continued

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until	Cents per Mcf		Rate in effect subject to refund in dockets Nos.
									Rate in effect	Proposed increased rate	
RI70-527	David Pasken et al.	5	5	El Paso Natural Gas Co.	10-30-69	10-30-69	10-1-69	10-2-69	15.91	15.9697	
RI70-528	Atlantic Richfield Co. (Operator) et al.	181	14	Texas Eastern Transmission Corp.	10-29-69	10-29-69	10-1-69	10-2-69	15.0	15.0656	
	do	361	15	do	10-29-69	10-29-69	10-1-69	10-2-69	15.0	15.06563	
	do	288	2	Northern Natural Gas Co.	10-29-69	10-29-69	10-1-69	10-2-69	15.0	15.0653	
	do	584	3	Natural Gas Pipeline Co. of America	10-29-69	10-29-69	10-1-69	10-2-69	17.0	17.06375	
RI70-529	Atlantic Richfield Co.	307	2	Panhandle Eastern Pipe Line Co.	10-29-69	10-29-69	10-1-69	10-2-69	17.0	17.0638	
	do	352	10	Lone Star Gas Co.	10-29-69	10-29-69	10-1-69	10-2-69	14.49	14.525	
	do	549	1	do	10-29-69	10-29-69	10-1-69	Accepted	16.10	16.140	
	do	579	3	do	10-29-69	10-29-69	10-1-69	10-2-69	14.49	14.525	
	do	614	1	Cities Service Gas Co.	10-29-69	10-29-69	10-1-69	10-2-69	17.0	17.065	
	do	285	2	Northern Natural Gas Co.	10-29-69	10-29-69	10-1-69	10-2-69	17.0	17.0638	
	do	490	5	do	10-29-69	10-29-69	10-1-69	Accepted	18.0	18.0675	
	do	386	13	Texas Gas Transmission Corp.	10-29-69	10-29-69	10-1-69	10-2-69	15.0	15.0625	
	do	583	1	Natural Gas Pipeline Co. of America	10-29-69	10-29-69	10-1-69	10-2-69	17.0	17.06375	
RI70-530	Union Oil Co. of California (Operator) et al.	86	1	Northern Natural Gas Co.	10-27-69	10-27-69	10-1-69	10-2-69	15.0	15.0625	
RI70-531	Hunt Oil Co. (Operator) et al.	1	11	Texas Gas Transmission Corp.	10-27-69	10-27-69	10-1-69	10-2-69	15.0	15.0649	
RI70-532	Milton F. Shaffer (Operator) et al.	6	1	Colorado Interstate Gas Co.	10-27-69	10-27-69	10-1-69	10-2-69	16.5	16.561875	
	do	4	3	Northern Natural Gas Co.	10-27-69	10-27-69	10-1-69	10-2-69	16.5	16.561875	
RI70-533	The Pipe Investment Co.	1	5	Kerr-McGee Corp.	10-27-69	10-27-69	10-1-69	10-2-69	12.1536	12.2136	
RI70-534	Sohio Petroleum Co.	106	1	Mississippi River Fuel Corp.	10-28-69	10-28-69	10-1-69	10-2-69	15.0	15.0625	
RI70-535	Excelsior Oil Corp. et al.	8	2	Kansas-Nebraska Natural Gas Co., Inc.	10-24-69	10-24-69	10-1-69	10-2-69	17.0	17.06375	
RI70-536	Colorado Oil & Gas Corp.	38	1	Natural Gas Pipeline Co. of America	10-29-69	10-29-69	10-1-69	10-2-69	16.0	16.06	
RI70-537	J. M. Hawley (Operator) et al.	1	15	Phillips Petroleum Co.	10-22-69	10-22-69	10-1-69	10-2-69	12.5	12.53125	
	do	4	12	do	10-22-69	10-22-69	10-1-69	10-2-69	12.5	12.53125	
RI70-538	W. H. Taylor Estate (Operator) et al.	1	17	do	10-22-69	10-22-69	10-1-69	10-2-69	12.5	12.53125	
RI70-539	Martha Clayton Estes (Operator) et al.	2	12	do	10-27-69	10-27-69	10-1-69	10-2-69	12.5	12.53125	
RI70-540	Jane Clayton Russell (Operator) et al.	1	9	do	10-27-69	10-27-69	10-1-69	10-2-69	12.5	12.53125	

¹ Waiver of notice is being granted pursuant to the Commission's Order No. 390, issued Oct. 10, 1969.

² The suspension period is limited to 1 day.

³ Tax reimbursement increase.

⁴ Pressure base is 14.65 p.s.i.a.

⁵ Applicable to Hamon Field sales.

⁶ Applicable to new gas well gas.

⁷ Applicable to Halley Field sales.

⁸ Applicable to casinghead gas.

⁹ Applicable to Keystone Field sales.

¹⁰ Applicable to old gas well gas and casinghead gas.

¹¹ Applicable to Crawford Field sales.

¹² Accepted subject to the rate suspension proceeding in Docket No. RI68-417.

¹³ Edenburger gas.

¹⁴ Bromide gas.

¹⁵ Present effective firm rate.

¹⁶ Rate suspended in Docket No. RI69-746 until Dec. 1, 1969.

¹⁷ Accepted subject to the rate suspension proceeding in Docket No. RI69-746.

¹⁸ Initial certificated rate.

¹⁹ Rate suspended in Docket No. RI69-820 until Jan. 1, 1970.

²⁰ Accepted subject to the rate suspension proceeding in Docket No. RI69-820 until Jan. 1, 1970.

²¹ Applicable to Texas production only. Rate Schedule also covers production in Oklahoma Panhandle Area.

²² Rate in effect subject to refund in Docket No. RI69-746.

²³ Accepted subject to the rate suspension proceeding in Docket No. RI69-746.

²⁴ Sweet gas rate. Subject to a deduction of 0.4466 cent for sour gas.

²⁵ Bromide gas.

²⁶ Present effective firm rate.

²⁷ Rate suspended in Docket No. RI69-746 until Dec. 1, 1969.

²⁸ Accepted subject to the rate suspension proceeding in Docket No. RI69-746.

²⁹ Initial certificated rate.

³⁰ Rate suspended in Docket No. RI69-820 until Jan. 1, 1970.

³¹ Accepted subject to the rate suspension proceeding in Docket No. RI69-820 until Jan. 1, 1970.

³² Applicable to Texas production only. Rate Schedule also covers production in Oklahoma Panhandle Area.

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³⁹ Accepted subject to the rate suspension proceeding in Docket No. RI69-746.

⁴⁰ Initial certificated rate.

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⁴⁶ Sweet gas rate. Subject to a deduction of 0.4466 cent for sour gas.

⁴⁷ Bromide gas.

⁴⁸ Present effective firm rate.

⁴⁹ Rate suspended in Docket No. RI69-746 until Dec. 1, 1969.

⁵⁰ Accepted subject to the rate suspension proceeding in Docket No. RI69-746.

⁵¹ Initial certificated rate.

⁵² Rate suspended in Docket No. RI69-820 until Jan. 1, 1970.

⁵³ Accepted subject to the rate suspension proceeding in Docket No. RI69-820 until Jan. 1, 1970.

⁵⁴ Applicable to Texas production only. Rate Schedule also covers production in Oklahoma Panhandle Area.

⁵⁵ Rate in effect subject to refund in Docket No. RI69-746.

⁵⁶ Accepted subject to the rate suspension proceeding in Docket No. RI69-746.

⁵⁷ Sweet gas rate. Subject to a deduction of 0.4466 cent for sour gas.

RI69-820,²⁰ and RI69-746.²¹ In this situation, we conclude that Hunt and Atlantic's proposed tax increases should be accepted for filing subject to the suspension proceedings in said dockets to become effective as of the expiration date of the suspension periods previously ordered therein at the earliest.

[F.R. Doc. 69-14191; Filed, Dec. 3, 1969; 8:45 a.m.]

[Docket No. RI69-363 etc.]

SKELLY OIL CO. ET AL.

Order Providing for Hearings on and Suspension of Proposed Changes in Rates¹

NOVEMBER 21, 1969.

The respondents named herein have filed proposed increased rates and

¹ 18.0675-cents rate contained in Supp. No. 6 to Atlantic's FPC Gas Rate Schedule No. 285. (Docket No. RI69-820.)

² 18.0675-cents rate contained in Supp. No. 5 to Atlantic's FPC Gas Rate Schedule No. 490. (Docket No. RI69-746.)

³ Does not consolidate for hearing or dispose of the several matters herein.

charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

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

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

The Commission orders:

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

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred

¹ 10.988-cents rate contained in Supp. No. 4 to Hunt's FPC Gas Rate Schedule No. 65. (Docket No. RI69-417.)

² 16.140-cents rate contained in Supp. No. 10 to Atlantic's FPC Gas Rate Schedule No. 352. (Docket No. RI69-746.)

until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act.

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought

to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules

of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before January 5, 1970.

By the Commission.

[SEAL]

GORDON M. GRANT,
Secretary.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf	
									Rate in effect	Proposed increased rate ¹
RI69-362	Skelly Oil Co. (Operator) et al.	46	21	El Paso Natural Gas Co., San Juan Basin, N. Mex.	\$6,417	10-23-69	11-23-69	* 11-23-69	14.0593	15.0095
RI69-362	do.	141	18	do.	14,367	10-23-69	11-23-69	11-23-69	14.0593	15.0095
RI69-362	do.	157	8	do.	332	10-23-69	11-23-69	11-23-69	14.0593	15.0095
RI70-501	Sun Oil Co.	66	1 to 18	United Gas Pipe Line Co., Mississippi.	80	11-4-69	12-5-69	* 4-24-70	22	23
RI70-543	do.	77	8	do.	6,000	10-24-69	11-24-69	4-24-70	20	23
RI70-544	Sun Oil Co.—DX Division.	81	18	El Paso Natural Gas Co. Permian Basin.	571	10-23-69	11-23-69	4-23-70	18.3105	19.3278
do.	do.	92	11	do.	1,201	10-23-69	11-23-69	4-23-70	18.3105	19.3278
do.	do.	93	13	do.	3,032	10-23-69	11-23-69	4-23-70	18.3105	19.3278
do.	do.	94	12	do.	741	10-23-69	11-23-69	4-23-70	18.3105	19.3278
do.	do.	133	8	do.	588	10-23-69	11-23-69	4-23-70	18.3105	19.3278
RI70-545	Shell Oil Co. (Operator) et al.	309	14	Montana-Dakota Utilities Co., Wyoming.	5,383	10-23-69	11-23-69	10-24-69	15.5378	16.5478
do.	do.	309	15	do.	35,350	10-23-69	11-30-69	4-30-70	15.5378	16.5478
RI70-546	Astec Oil & Gas Co. (Operator) et al.	4	31	El Paso Natural Gas Co., San Juan Basin, N. Mex.	55	10-24-69	11-24-69	* 11-25-69	13	13.0501

¹ Each of the proposed rates and charges exceed the applicable just and reasonable rate, or area rate ceiling.

² Filing reflects a 1-cent minimum guarantee for liquids to be included in the increased rate presently being collected subject to refund in Docket No. RI69-362.

³ Filing is accepted, subject to refund, as a corrected proposed rate increase in Docket No. RI70-501.

⁴ Filing reflects a tax reimbursement increase applicable to deliveries to be made from acreage added to the contract. The proposed increase is suspended for 1 day from the proposed effective date, or for 1 day from the date of initial delivery of gas from said added acreage, whichever is later.

Each of the proposed rates and charges exceed the applicable area just and reasonable rate, or, where such has not been determined, the applicable area increased rate ceiling set forth in the Commission's Statement of General Policy No. 61-1, as amended. Except as otherwise indicated below the proposed rates should be suspended for 5 months.

In Docket No. RI70-501, Sun with respect to its Rate Schedule No. 66 has made a corrective rate filing proposing to increase its rate for gas sold from all acreage covered by its rate schedule to the same rate shown in its prior filing which was applicable only to certain acreage covered by the basic contract. The prior rate filing was suspended to April 24, 1970, in Docket No. RI70-501. The present filing is accepted for filing in Docket No. RI70-501 subject to the same suspension period applicable to Sun's earlier filing.

Skelly's proposed increases reflect payment for the 1-cent minimum guarantee for liquids. Skelly's underlying rates are now being collected subject to refund in Docket No. RI69-362. Skelly requests that it be permitted to collect its proposed increases as of the date it commenced collection of the underlying increases in Docket No. RI69-362. Good cause has not been shown for granting such request. We believe, however, that it is appropriate in view of the nature of the filing to permit the proposed rates to become effective, subject to refund in Docket No. RI69-362, as of the expiration of the 30 day statutory notice period.

Supplement No. 14 to Shell's Rate Schedule No. 309 involves a proposed increase reflecting partial reimbursement of a severance tax recently enacted by the State of Wyoming. The increase reflects a double amount of tax reimbursement to provide for reimbursement applicable to past production back to January 1, 1968, as well as to future production. Accordingly, this increase will be suspended for only 1 day from the date of filing. Shell is hereby required to file a notice of change reducing its rate to eliminate the portion of the proposed increase applicable to reimbursement of taxes attributable to past production after such tax reimburse-

ment has been recovered. Shell will be required to refund any reimbursement relating to the Wyoming Severance Tax collected in this section 4(e) proceeding in the event the tax is for any reason held invalid upon judicial review.

Astec's rate filing involves a tax reimbursement increase for a sale in the San Juan Basin, and it should therefore be suspended for 1 day.

Since Astec and Shell have previously filed general undertakings which have been accepted, the proposed rates contained in Supplement No. 31 to Astec's Rate Schedule No. 4 and Supplement No. 14 to Shell's Rate Schedule No. 309 will become effective, subject to refund, as of the expiration of the 1 day suspension periods ordered herein without any further action by these producers either in the form of a motion under section 4(e) of the Act or additional refund assurance.

[P.R. Doc. 69-14192; Filed, Dec. 3, 1969; 8:45 a.m.]

[Docket No. G-6668 etc.]

SIGNAL OIL AND GAS CO. ET AL.

Notice of Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates¹

NOVEMBER 25, 1969.

Take notice that each of the applicants listed herein has filed an application or petition pursuant to section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

¹ This notice does not provide for consolidation for hearing of the several matters covered herein.

Any person desiring to be heard or to make any protest with reference to said applications should on or before December 22, 1969, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure a hearing will be held without further notice before the Commission on all applications in which no petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given: *Provided, however*, That pursuant to section 2.56 of the Commission's general policy and interpretations as amended, all permanent certificates of public convenience and necessity granting applications, filed after July 1, 1967,

without further notice, will contain a condition precluding any filing of an increased rate at a price in excess of that designated for the particular area of production for the period prescribed therein unless at the time of filing such certificate application, or within the time fixed for filing protests or petitions to intervene, the applicant indicates in writing that it is unwilling to accept such a condition. In the event applicant is unwilling to accept such condition the application will be set for formal hearing.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for applicants to appear or be represented at the hearing.

GORDON M. GRANT,
Secretary.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Prise per Mcf base
G-4928 E 11-4-49	Signal Oil & Gas Co., a division of The Signal Co., Inc. (successor to Service Gas Products Co.), 2000 First National Bank Bldg., Dallas, Texas 75201	Lease Star Gas Co., Doyle Plant, Stephens County, Okla.	14.0	14.65
G-17236 E 11-3-49	Arco Oil & Gas Co. (successor to El Paso Petroleum Co.), 2000 First National Bank Bldg., Dallas, Texas 75201	El Paso Natural Gas Co., Basin Dakota Field, San Juan County, N. Mex.	114.8538	15.025
C154-533 E 6-29-49	Occidental Petroleum Corp. (successor to McWood Corp.), 2000 Stockdale Highway, Bakersfield, Calif. 93309	Tennessee Gas Pipeline Co., a division of Tennessee Inc., Petroco Field, Kennedy County, Tex. 75801	17.2667	14.65
C152-772 E 11-4-49	Signal Oil & Gas Co., a division of The Signal Co., Inc. (successor to Service Gas Products Co.), 2000 First National Bank Bldg., Dallas, Texas 75201	Lease Star Gas Co., West Hoover Plant, Garvin County, Okla.	15.0	14.65
C153-229 E 11-3-49	Expando Production Co. (successor to Hugh A. Hawthorne), 607 Hamilton Bldg., Wichita Falls, Tex. 76301	United Gas Pipe Line Co., South Elton Field, Jefferson Davis Parish, La.	119.25	15.025
C153-477 E 11-4-49	Signal Oil & Gas Co., a division of The Signal Co., Inc. (successor to Service Gas Products Co.), 2000 First National Bank Bldg., Dallas, Texas 75201	Lease Star Gas Co., Doyle Plant, Stephens County, Okla.	15.0	14.65
C153-731 E 6-20-49	Occidental Petroleum Corp. (successor to McWood Corp.), 2000 Stockdale Highway, Bakersfield, Calif. 93309	Tennessee Gas Pipeline Co., a division of Tennessee Inc., Petroco Field, Kennedy County, Tex.	14.6	14.6
C154-41 E 11-3-49	Expando Production Co. (successor to Hugh A. Hawthorne) (Operator) et al., Post Office Box 7536, Shreveport, La. 71157	Texas Gas Transmission Corp., North Tegetate Field, Andola Parish, La.	15.75	15.025
C154-1126 E 10-29-49	Triton Oil & Gas Corp. (successor to Landa Oil Co.), 2510 Republic National Bank Tower, Dallas, Texas 75201	United Gas Pipe Line Co., Orange Grove and Quinto Creek Fields, Jim Wells County, Tex.	14.1762	14.65
C155-417 E 11-10-49	Bronner Engineering, Inc. (successor to J. C. Tralian, Drilling Contractor, Inc.), Post Office Box 7536, Shreveport, La. 71157	United Gas Pipe Line Co., Liberty Hill Field, Blountville Parish, La.	13.0	15.025
C155-405 E 11-3-49	Expando Production Co. (successor to Hugh A. Hawthorne), 607 Hamilton Bldg., Wichita Falls, Tex. 76301	Michigan Wisconsin Pipe Line Co., South Elton Field, Jefferson Davis Parish, La.	12.75	15.025
C155-428 E 11-3-49	do	United Gas Pipe Line Co., South Elton Field, Jefferson Davis Parish, La.	15.0	15.025
C155-433 E 11-3-49	Signal Oil & Gas Co., a division of The Signal Co., Inc. (successor to Service Gas Products Co.), 2000 First National Bank Bldg., Dallas, Texas 75201	Panhandle Eastern Pipe Line Co., East Allene Processing Plant, Alfalfa County, Okla.	15.0	14.65
C155-442 C 11-13-49	Pan American Petroleum Corp. (Operator) et al., Post Office Box 261, Tulsa, Okla. 74102	Northern Natural Gas Co., Wildcat Field, Ellis County, Okla.	13.35	14.65

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

See footnotes at end of table.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Prise per Mcf base
C157-493 C 11-19-49	John E. Schalk et al., 935 Millwood Springs Bldg., Denver, Colo. 80202	El Paso Natural Gas Co., Ballard Pictured Cliffs Field, Rio Arriba County, N. Mex.	13.0	15.025
C157-493 C 11-19-49	do	do	13.0	15.025
C157-539 E 11-5-49	Signal Oil & Gas Co., a division of The Signal Co., Inc. (successor to Service Gas Products Co.), 2000 First National Bank Bldg., Dallas, Texas 75201	Michigan Wisconsin Pipe Line Co., Northern Lovelock Field, Woods County, Okla.	117.0	14.65
C158-1347 E 11-4-49	Lease Star Exploration, Inc. (Operator) et al. (successor to Wessley Petroleum Corp. d.b.a. Wessley Petroleum, Ltd. B (Operator) et al.), 2000 Republic Bank Bldg., Dallas, Texas 75201	Arkansas Louisiana Gas Co., Arkansas Basin Area, Le Flore County, Okla.	15.0	14.65
C158-1352 C 11-31-49	B. J. Brown, 701 Fort Worth National Bank Bldg., Fort Worth, Tex. 76102	Arkansas Louisiana Gas Co., Meunier Field, Scott and Sebastian Counties, Ark.	15.0	14.65
C158-1435 C 11-7-49	Diamond Shamrock Corp., Post Office Box 631, Amarillo, Tex. 79105	Arkansas Louisiana Gas Co., acreage in Le Flore County, Okla.	115.0	14.65
C158-154 C 11-12-49	Brown Drilling Co., Inc., et al., c/o John S. Holt, Attorney, Post Office Box 643, Weston, W. Va. 26452	Equitable Gas Co., Collins Settlement District, Lewis County, W. Va.	25.0	15.325
C170-90 C 11-3-49	Sunset International Petroleum Corp., 2400 Fidelity Union Tower, Dallas, Texas 75201	Arkansas Louisiana Gas Co., Arkansas Basin Area, Le Flore County, Okla. and Sebastian County, Ark.	15.0	14.65
C170-232 (G-4874) F 9-6-49 as amended 10-31-49 A 10-20-49	W. Russell Birdwell (successor to The Superior Oil Co.), Post Office Box 1837, McAllen, Tex. 78501	Tennessee Gas Pipeline Co., a division of Tennessee Inc., East La Sana Field, Wilbrey County, Tex.	17.26347	14.65
C170-387 10-31-49 A 10-20-49	Tom Brown Drilling Co., Inc., Post Office Box 4796, Midland, Texas 79701	Transwestern Pipeline Co., Crawford Field Area, Eddy County, N. Mex.	15.5	14.65
C170-401 (G-4874) F 10-22-49	Adams & McGahery (successor to Pan American Petroleum Corp.), 701 Amarillo Bldg., Amarillo, Tex. 79101	Phillips Petroleum Co., Oklahoma Hugoton Field, Texas County, Okla.	11.3961	14.65
C170-485 B 11-3-49	Union Producing Co., 701 Amarillo Bldg., Amarillo, Tex. 79101	Frank S. Kelly et al., Floyd (Epps) Field, East and West Carroll Parishes, La.	(9)	-----
C170-486 A 11-3-49	Bowyer Drilling Co., Inc., 1434 Wichita Plaza, Wichita, Kans. 67202	Cities Service Gas Co., Elton Field, Barber County, Kans.	14.0	14.65
C170-487 B 11-3-49	Houston Natural Gas Production Co., Post Office Box 1188, Houston, Tex. 77001	Tennessee Gas Pipeline Co., a division of Tennessee Inc., Bob Weider Field, Victoria County, Tex.	Depleted	-----
C170-498 B 11-3-49	Neal Radder, Agent for Radder Oil & Gas Co., et al., Box 128, Belper, Ohio 45714	Equitable Gas Co., Central District, Doddridge County, W. Va.	Depleted	-----
C170-499 B 11-3-49	do	Consolidated Gas Supply Corp., Central District, Doddridge County, W. Va.	Depleted	-----
C170-449 (C161-836) 11-3-49	William A. and Edward R. Hudson (Operators) et al., 1010 First National Bldg., Fort Worth, Texas 76102	Transwestern Pipeline Co., Bell Lake Unit, Los County, N. Mex.	18.5	14.65
C170-449 A 11-4-49	Columbus Hobbs, Agent, 4709 Nottingham Ct., Ashland, Ky. 41101	United Fuel Gas Co., acreage in Mingo County, W. Va.	18.0	15.325
C170-442 (C168-322) F 11-3-49	Harold A. Yaffee (successor to J. R. Abraham), c/o B. H. Keyes, Agent, Box 862, Artes, N. Mex. 87410	El Paso Natural Gas Co., Tapachula Pictured Cliffs Field, Rio Arriba County, N. Mex.	13.0	15.025
C170-443 B 11-3-49	Houston Natural Gas Production Co. (Operator) et al.	Texas Eastern Transmission Corp., Holmark-Wood Field, Bos County, Tex.	Depleted	-----
C170-444 A 11-5-49	Wharrior Oil, Inc. (Operator) et al., Post Office Box 474, Martoon, Ill. 61008	Panhandle Eastern Pipe Line Co., McGinnis Gas Unit, Seward County, Kans.	116.0	14.65

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
CI70-445..... B 11-6-69	Texaco Inc., Post Office Box 52332, Houston, Tex. 77052.	Montana-Dakota Utilities Co., Garland Field, Big Horn County, Wyo.	Uneconomical
CI70-446..... B 11-7-69	Petroleum Promotions, Inc., G-8469 South Saginaw Rd., Grand Blanc, Mich. 48139.	Consolidated Gas Supply Corp., Freemans Creek District, Lewis County, W. Va.	Uneconomical
CI70-447..... A 11-7-69	Lock 3 Oil, Coal & Dock Co. et al., 200 Union Carbide Bldg., Parkway Center, Pittsburgh, Pa. 15220.	Consolidated Gas Supply Corp., acreage in Harrison, Barbour, and Upshur Counties, W. Va.	" 28.0	15.325
CI70-448..... A 11-5-69	Apache Corp., Post Office Box 2290, Tulsa, Okla. 74101.	Michigan Wisconsin Pipe Line Co., Northeast Cedarvale Area, Major County, Okla.	19.5	14.65
CI70-449..... B 11-7-69	W. A. Moncrief (Operator) et al., Moncrief Bldg., Ninth at Commerce, Fort Worth, Tex. 76102.	Arkansas Louisiana Gas Co., Excelsior (Pettit) Field, Marion County, Tex.	Depleted
CI70-450..... A 11-7-69	Mobil Oil Corp., Post Office Box 1774, Houston, Tex. 77001.	Southern Natural Gas Co., Main Pass Block 144 Field, Offshore (Federal) Louisiana.	" 21.25	15.025
CI70-451..... A 11-7-69	Texaco Oil & Gas Corp. (Operator) et al., 2320 Fidelity Union Tower, Dallas, Tex. 75201.	Texas Eastern Transmission Corp., Salt Dome (Deep) Field, Lavaca County, Tex.	10.0	14.65
CI70-452..... A 11-10-69	A. D. Lippe and Stanley Yochym, Box 93, Sand Fork, W. Va. 26430.	Equitable Gas Co., Salt Lick District, Braxton County, W. Va.	25.0	15.325
CI70-453..... A 11-10-69	Pan American Petroleum Corp.	Tennessee Gas Pipeline Co., a division of Tenneco Inc., Ship Shoal Block 176 Field, Offshore Louisiana.	22.25	15.025
CI70-454..... A 11-10-69	Curran Oil Co. et al., 1801 National Bank of Tulsa Bldg., Tulsa, Okla. 74103.	Panhandle Eastern Pipe Line Co., Mocane-Laverne Field, Beaver County, Okla.	18.0	14.65
CI70-455..... (C161-1162) F 11-3-69	Clinton Oil Co. (successor to Oil & Gas Futures, Inc.), 217 North Water St., Wichita, Kans. 67202.	Transcontinental Gas Pipe Line Corp., Blocks 5 and 16 Field, Vermilion Area, Offshore Louisiana.	20.025	15.025
CI70-456..... B 11-5-69	Billy Bridwell, Operator, c/o Walker and Watson, Attorneys, 950 National Foundation Life Bldg., Oklahoma City, Okla. 73112.	Cities Service Gas Co., Northeast Norman Field, Cleveland County, Okla.	Depleted
CI70-458..... A 11-12-69	Sun Oil Co. (Sunoco division), 1908 Walnut St., Philadelphia, Pa. 19103.	Florida Gas Transmission Co., Lochridge Field, Brazoria County, Tex.	17.8	14.65
CI70-459..... A 11-12-69	Petroleum, Inc. (Operator) et al., 300 West Douglas, Wichita, Kans. 67202.	Kansas-Nebraska Natural Gas Co., Inc., Redwing Field, Washington County, Colo.	10.0	16.4
CI70-461..... A 11-12-69	Walter Duncan, Post Office Box 211, La Salle, Ill. 61301.	Michigan Wisconsin Pipe Line Co., Woodward Area, Major County, Okla.	" 19.91	14.65
CI70-462..... A 11-12-69	Gulf Minerals Inc., 488 The Main Bldg., 1212 Main St., Houston, Tex. 77002.	Trunkline Gas Co., West Nona Mills Field, Hardin County, Tex.	17.0	14.65

¹ Rate in effect subject to refund in Docket No. R164-460.

² Includes 1.75-cent tax reimbursement.

³ Includes 0.175-cent tax reimbursement. Rate in effect subject to refund in Docket No. R168-670.

⁴ Includes 1.5-cent tax reimbursement.

⁵ Subject to upward and downward B.T.U. adjustment.

⁶ Contract provides for rate of 18 cents per Mcf, plus B.T.U. adjustment; however, Applicant states its willingness to accept certificate at 17 cents per Mcf, plus B.T.U. adjustment.

⁷ Includes 2.55-cent upward B.T.U. adjustment. Subject to upward and downward B.T.U. adjustment.

⁸ No permanent certificate issued; temporary authorization granted only.

⁹ Subject to upward B.T.U. adjustment.

¹⁰ Application was previously noticed Sept. 22, 1969, in Dockets Nos. G-4953 et al., as an initial service and at a total initial rate of 17.8 cents per Mcf. By amendment filed Oct. 31, 1969, Applicant corrected its application to reflect partial succession to Docket No. G-3802 and to change price to read 17.24347 cents per Mcf.

¹¹ Rate in effect subject to refund in Docket No. G-19610.

¹² By letter filed Nov. 5, 1969, Applicant agreed to accept permanent certificate conditioned as Opinion No. 468 as modified by Opinion No. 468-A.

¹³ Application was erroneously noticed Nov. 12, 1969, in Dockets Nos. G-7193 et al. at a total initial rate of 7.1463 cents per Mcf.

¹⁴ Property sold and contract canceled.

¹⁵ Applicants are requesting a certificate to cover their portion of a sale presently covered by Continental Oil Co.'s FPC GRS No. 180 and certificate in Docket No. C161-636.

¹⁶ Rate in effect subject to refund in Docket No. R169-663.

¹⁷ Includes 1 cent per Mcf gathering and transportation charge.

¹⁸ "Et al" party under certificate issued to Ocean Drilling & Exploration Co. (Operator) et al., Docket No. C161-1162.

¹⁹ Includes 0.41-cent upward B.T.U. adjustment. Subject to upward and downward B.T.U. adjustment.

[F.R. Doc. 69-14277; Filed, Dec. 3, 1969; 8:45 a.m.]

[Docket No. CP69-251]

MICHIGAN WISCONSIN PIPE LINE CO. AND NATURAL GAS PIPELINE COM- PANY OF AMERICA

Notice of Joint Petition To Amend

NOVEMBER 28, 1969.

Take notice that on November 19, 1969, Michigan Wisconsin Pipe Line Co. (Mich-Wis), 1 Woodward Avenue, Detroit, Mich. 48226, and Natural Gas Pipeline Company of America (Natural) 122 South Michigan Avenue, Chicago, Ill.

60603, filed in Docket No. CP69-251 a joint petition to amend the order of the Commission issued on May 20, 1969, to authorize modifications of the exchange of natural gas and the construction and operation of facilities necessary therefor, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

Petitioners propose to increase the winter exchange from the presently authorized 25,000 Mcf per day to 100,000 Mcf per day; construct and operate an additional exchange point in Wheeler

County, Tex., at the intersection of the Mich-Wis 20-inch Gageby Creek Line and a proposed 10-mile, 16-inch line to be constructed by Natural; a measuring station at the point of interconnection; the use of the Hansford County, Tex., exchange point as a point of delivery both as from Mich-Wis to Natural and from Natural to Mich-Wis; and Mich-Wis will construct a tap connection at the end of its Gageby Creek Line in Wheeler County. The petition to amend states that the proposed modification would be mutually beneficial to petitioners in reducing the required compression and travel distance as well as increasing the volume available to Mich-Wis on its Southeast Transmission system during the winter period and affording Natural more operational flexibility than that possible from the previous authorization.

Any person desiring to be heard or to make any protest with reference to said application should on or before December 22, 1969, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB,
Acting Secretary.

[F.R. Doc. 69-14352; Filed, Dec. 3, 1969; 8:45 a.m.]

[Docket No. RP70-18]

TRANSCONTINENTAL GAS PIPE LINE CORP.

Notice of Proposed Changes in Rates and Charges

NOVEMBER 28, 1969.

Take notice that on November 28, 1969, Transcontinental Gas Pipe Line Corp. (Transco) tendered for filing proposed changes in its FPC Gas Tariff, Original Volume No. 1, to become effective January 1, 1970. The proposed rate changes would increase charges for jurisdictional sales and services by approximately \$10,043,252 annually, based on sales for the 12-month period ending July 31, 1969, as adjusted. The proposed changes would increase the commodity charges of the following Transco Rate Schedules by 1 cent per Mcf: CD-1, CD-2, CD-3, G-1, G-2, G-3, OG-1, OG-2, OG-3, E-1, E-2, E-3, ACQ-2, ACQ-3, LTF-2, and LTF-3; the delivery charges of Rate Schedule S-2 would be increased by 1 cent per Mcf; and the firm transportation rates of Rate Schedules X-11 and X-42 would be increased by 0.2 cent per Mcf.

Transco states as the reasons and basis for its proposed change that its expansions during the 3 years since its last rate proceeding have been financed through borrowings at ever-increasing rates of interest, that extensive gathering facilities have been constructed to attach new supplies, that such new supplies have been purchased generally at rates higher than the system average, and that all costs of doing business have been rising in recent years. The proposed rates include a claimed rate of return of 7.25 percent.

Transco requests that the proposed tariff sheets be made effective on January 1, 1970, without suspension. In its filing Transco has indicated certain conditions it would accept as part of an order approving its proposed changes without suspension. These conditions essentially carry forward and update the obligations undertaken by Transco in its last rate proceeding in Docket No. RP67-2. In addition, there is included a moratorium under which Transco agrees, subject to exceptions for changes in laws relating to Federal income tax depreciation and cost of purchased gas, not to place in effect any rate increase prior to January 1, 1971, after full suspension under the Natural Gas Act.

Copies of the filing were served on Transco's customers and interested State commissions.

Any person desiring to be heard or to make any protest with reference to said application should on or before December 16, 1969, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Acting Secretary.

[F.R. Doc. 69-14353; Filed, Dec. 3, 1969;
8:45 a.m.]

DEPARTMENT OF THE TREASURY

Internal Revenue Service

WILLIAM C. WAGNER

Notice of Granting of Relief

Notice is hereby given that William C. Wagner of Edmonds, Wash., has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his convictions on September 21, 1933, in the Grand Haven, Mich., Court; and July 29, 1955, in the U.S. District Court for the Western District of Washington,

of crimes punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for William C. Wagner, 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 William C. Wagner to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered William C. Wagner's application and:

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

(2) 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 William C. Wagner 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 24th day of November 1969.

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

[F.R. Doc. 69-14439; Filed, Dec. 3, 1969;
8:50 a.m.]

RALPH DRAYTON WEST

Notice of Granting of Relief

Notice is hereby given that Ralph Drayton West, Moncks Corner, 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 February 4, 1942, in the U.S. District Court for the Eastern District of South Carolina, of a crime punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Ralph D. West because of such conviction, 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 conviction, it would be unlawful for Ralph D. West to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Ralph D. West's application and:

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

(2) It has been established to my satisfaction that the circumstances regarding the conviction and the applicant's record and reputation are such that the applicant will not be likely to act in a manner dangerous to public safety, and that the granting of the 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 Ralph D. West 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 conviction hereinabove described.

Signed at Washington, D.C., this 26th day of November 1969.

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

[F.R. Doc. 69-14440; Filed, Dec. 3, 1969;
8:50 a.m.]

HUMPHREY WILLIS

Notice of Granting of Relief

Notice is hereby given that Humphrey Willis, 2163 Lyman Street, Detroit, Mich., 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 14, 1938, in the Recorder's Court, Detroit, Mich., of a crime punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Humphrey Willis because of such conviction, 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 conviction, it would be unlawful for Mr. Willis to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Humphrey Willis' application and:

(1) I have found that the conviction was made upon a charge which did not

involve the use of a firearm or other weapon or a violation of chapter 44, title 18, United States Code, or of the National Firearms Act; and

(2) It has been established to my satisfaction that the circumstances regarding the conviction and the applicant's record and reputation are such that the applicant will not be likely to act in a manner dangerous to public safety, and that the granting of the 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 Humphrey Willis 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 conviction hereinabove described.

Signed at Washington, D.C., this 25th day of November 1969.

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

[P.R. Doc. 69-14441; Filed, Dec. 3, 1969;
8:50 a.m.]

Office of the Secretary

FIXED RESISTORS OF CARBON COMPOSITION FROM JAPAN

Notice of Tentative Negative Determination

NOVEMBER 28, 1969.

Information was received on August 10, 1967, that fixed resistors of carbon composition from Japan were being sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.) (referred to in this notice as "the Act"). This information was the subject of an "Antidumping Proceeding Notice" which was published in the FEDERAL REGISTER of October 25, 1967, on page 14780.

I hereby make a tentative determination that fixed resistors of carbon composition from Japan are not being, nor likely to be, sold at less than fair value within the meaning of section 201(a) of the Act (19 U.S.C. 160(a)).

Statement Of Reasons On Which This Tentative Determination Is Based: Based on available information it was determined that for fair value purposes purchase price or exporter's sales price should be compared with the applicable adjusted home market price of such or similar merchandise.

Purchase price was calculated by deducting from the f.o.b. or c.i.f. price for exportation to the United States the included freight charges and an export inspection fee.

Exporter's sales price was calculated by deducting from the resale price in the United States such applicable items as ocean freight and insurance, U.S. duty, brokerage fees, inland freight, selling expenses incurred in the United States, repacking, cost of cutting and forming lead wires, and an export inspection fee.

Adjusted home market price was computed on the basis of the weighted-average delivered price. From such price was deducted, as applicable, inland freight charges, and differences in credit terms. Where appropriate, a deduction was made for bad debts incurred in home market sales. Adjustments were made for differences in packing costs.

Comparison of purchase price or exporter's sales price with adjusted home market price revealed that adjusted home market price was not higher than purchase price or exporter's sales price except in a few instances. The exporters upon being advised of these sales at less than the adjusted home market price provided assurances that they would make no future sales at less than home market price.

In accordance with § 53.33(b), Customs Regulations (19 CFR 53.33(b)), interested parties may present written views or arguments, or request in writing, that the Secretary of the Treasury afford an opportunity to present oral views.

Any such written views, arguments, or requests should be addressed to the Commissioner of Customs, 2100 K Street NW., Washington, D.C. 20226, in time to be received by his office not later than 30 days from the date of publication of this notice in the FEDERAL REGISTER.

This tentative determination and the statement of reasons therefor are published pursuant to § 53.33 of the Customs Regulations (19 CFR 53.33).

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

[P.R. Doc. 69-14442; Filed, Dec. 3, 1969;
8:50 a.m.]

AMINOACETIC ACID (GLYCINE) FROM JAPAN

Determination of Sales at Not Less Than Fair Value

NOVEMBER 28, 1969.

On October 7, 1969, there was published in the FEDERAL REGISTER a "Notice of Tentative Negative Determination" that Aminoacetic Acid (Glycine) from Japan is not being sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)) (referred to in this notice as "the Act").

The statement of reasons for the tentative determination was published in the above-mentioned notice and interested parties were afforded until November 7, 1969, to make written submissions or requests for an opportunity to present views in connection with the tentative determination.

No written submissions or requests having been received, I hereby determine that for the reasons stated in the tentative determination, Aminoacetic Acid (Glycine) from Japan is not being, nor likely to be, sold at less than fair value (section 201(a) of the Act; 19 U.S.C. 160(a)).

This determination is published pursuant to section 201(c) of the Act (19

U.S.C. 160(c)) and § 53.33(c), Customs Regulations (19 CFR 53.33(c)).

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

[P.R. Doc. 69-14443; Filed, Dec. 3, 1969;
8:50 a.m.]

DEPARTMENT OF AGRICULTURE

Office of the Secretary

ALABAMA

Designation of Area for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named county in the State of Alabama, natural disasters have caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

ALABAMA

Baldwin.

Pursuant to the authority set forth above, emergency loans will not be made in the above-named county after June 30, 1970, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 28th day of November 1969.

CLIFFORD M. HARDIN,
Secretary of Agriculture.

[P.R. Doc. 69-14398; Filed, Dec. 3, 1969;
8:48 a.m.]

ARKANSAS

Designation of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named counties in the State of Arkansas, natural disasters have caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

ARKANSAS

Baxter.	Montgomery.
Carroll.	Newton.
Garland.	Perry.
Madison.	White.
Marion.	Yell.
Miller.	

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after June 30, 1970, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 28th day of November 1969.

CLIFFORD M. HARDIN,
Secretary of Agriculture.

[F.R. Doc. 69-14399; Filed, Dec. 3, 1969;
8:48 a.m.]

ILLINOIS

Designation of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named counties in the State of Illinois, natural disasters have caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

ILLINOIS

Calhoun.	Lawrence.
Clark.	McDonough.
Clay.	Marion.
Clinton.	Massac.
Crawford.	Monroe.
Cumberland.	Perry.
Edwards.	Pope.
Emingham.	Randolph.
Franklin.	Richland.
Gallatin.	Saline.
Hamilton.	Schuyler.
Hancock.	Wabash.
Hardin.	Washington.
Jackson.	Wayne.
Jasper.	White.
Jefferson.	Williamson.

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after June 30, 1970, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 28th day of November 1969.

CLIFFORD M. HARDIN,
Secretary of Agriculture.

[F.R. Doc. 69-14400; Filed, Dec. 3, 1969;
8:48 a.m.]

LOUISIANA

Designation of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named parishes in the State of Louisiana, natural disasters have caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

LOUISIANA

Acadia.	Catahoula.
Allen.	De Soto.
Beauregard.	East Carroll.
Bienville.	Evangeline.
Bossier.	Franklin.
Caddo.	Jackson.
Calcasieu.	Jefferson Davis.
Caldwell.	Lafayette.
Cameron.	LaSalle.
Concordia.	Lincoln.

LOUISIANA—Continued

Madison.	Sabine.
Morehouse.	Saint Martin.
Natchitoches.	Tensas.
Ouachita.	Union.
Pointe Coupee.	Vermilion.
Red River.	West Carroll.
Richland.	Winn.

Pursuant to the authority set forth above, emergency loans will not be made in the above-named parishes after June 30, 1970, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 28th day of November 1969.

CLIFFORD M. HARDIN,
Secretary of Agriculture.

[F.R. Doc. 69-14401; Filed, Dec. 3, 1969;
8:48 a.m.]

MISSISSIPPI

Designation of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named counties in the State of Mississippi, natural disasters have caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

MISSISSIPPI

Bolivar.	Humphreys.
Choctaw.	Monroe.

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after June 30, 1970, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 28th day of November 1969.

CLIFFORD M. HARDIN,
Secretary of Agriculture.

[F.R. Doc. 69-14402; Filed, Dec. 3, 1969;
8:48 a.m.]

MISSISSIPPI

Designation of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration

Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named counties in the State of Mississippi, natural disasters have caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

MISSISSIPPI

Coahoma.	Sunflower.
Lafayette.	Tallahatchie.
Leflore.	Tunica.

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after June 30, 1970, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 28th day of November 1969.

CLIFFORD M. HARDIN,
Secretary of Agriculture.

[F.R. Doc. 69-14403; Filed, Dec. 3, 1969;
8:48 a.m.]

NORTH CAROLINA

Designation of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named counties in the State of North Carolina, natural disasters have caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

NORTH CAROLINA

Bladen.	Lenoir.
Columbus.	Pender.
Duplin.	Pitt.
Greene.	Robeson.
Hoke.	Sampson.

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after June 30, 1970, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 28th day of November 1969.

CLIFFORD M. HARDIN,
Secretary of Agriculture.

[F.R. Doc. 69-14404; Filed, Dec. 3, 1969;
8:48 a.m.]

Packers and Stockyards Administration

WAYCROSS LIVESTOCK MARKET, ET AL.

Notice of Changes in Names of Posted Stockyards

It has been ascertained, and notice is hereby given, that the names of the livestock markets referred to herein, which were posted on the respective dates specified below as being subject to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), have been changed as indicated below.

Original name of stockyard, location,
and date of posting

Current name of stockyard and
date of change in name

GEORGIA

Waycross Hog & Cattle Market, Waycross, July 13, 1959.	Waycross Livestock Market, July 14, 1969.
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<i>Original name of stockyard, location, and date of posting</i>	<i>Current name of stockyard and date of change in name</i>
ILLINOIS	
Jennings Sales Company, Macomb, Dec. 3, 1959....	Jennings Sales Company, Inc., Nov. 1, 1969.
IOWA	
Mahaska Sales Co., Inc., Oskaloosa, Aug. 20, 1964...	Mahaska Sales Co., May 4, 1969.
LOUISIANA	
Franklin Livestock Auction, Inc., Winnboro, May 23, 1957.	Franklin Livestock Auction, Oct. 1, 1969.
MINNESOTA	
Porter Livestock Auction Company, Porter, Apr. 6, 1968.	Porter Livestock Auction Market Co., Sept. 1, 1969.
MISSISSIPPI	
Knight Brothers Sales, Louisville, Feb. 9, 1959....	Winston County Community Sales, Nov. 7, 1969.
WASHINGTON	
Washington Livestock Market Co., Ellensburg, Nov. 30, 1967.	Producers Livestock Marketing Association, Sept. 30, 1969.
Washington Livestock Market Co., Quincy, July 22, 1964.	Producers Livestock Marketing Association, Oct. 13, 1969.

Done at Washington, D.C., this 26th day of November 1969.

G. H. HOPPER,
Chief, Registrations, Bonds, and Reports
Branch, Livestock Marketing Division.

[F.R. Doc. 69-14397; Filed, Dec. 3, 1969; 8:47 a.m.]

DEPARTMENT OF COMMERCE

Bureau of the Census

RETAILERS' INVENTORIES, SALES, PURCHASES AND NUMBER OF ESTABLISHMENTS

Notice of Consideration To Continue Survey

Notice is hereby given that the Bureau of the Census is considering a proposal to repeat in 1970 the Annual Retail Trade Survey which has been conducted each year under title 13, United States Code, sections 181, 224, and 225, to collect data covering year-end inventories, purchases, annual sales, and number of retail stores operated as of the end of the year. This survey, covering 1969, which provides important information on retail inventories and sales-inventory ratios, is the only continuing source available on a comparable classification basis and on a sufficiently timely basis for use as the benchmark for monthly inventory estimates. It also assists in establishing a benchmark for the geographic area distribution of sales.

On the basis of information and recommendations received by the Bureau of the Census, the data will have significant application to the needs of the public, the distributive trades, and governmental agencies, and are not publicly available from nongovernment or other governmental sources.

Such a survey, if conducted, shall begin not earlier than 30 days after the publication of this notice in the *FEDERAL REGISTER*.

Reports will be required only from a selected sample of retail establishments in the United States. The sample will provide, with measurable reliability, statistics on the subjects specified above.

Reports will be requested from sample stores on the basis of their sales size, selection in Census list sample mail panel and location in Census sample areas. A group of the largest firms, in terms of number of retail stores, will be requested to report their sales and number of stores by county; but those firms which are participating monthly in the Bureau's geographic area survey will be asked to report at the national level only.

Copies of the proposed forms and a description of the collection methods are available on request to the Director, Bureau of the Census, Washington, D.C. 20233.

Any suggestions or recommendations concerning the subject matter of the proposed survey, submitted in writing to the Director of the Bureau of the Census within 30 days after the date of this publication, will receive consideration.

Dated: November 26, 1969.

GEORGE H. BROWN,
Director, Bureau of the Census.

[F.R. Doc. 69-14418; Filed, Dec. 3, 1969; 8:49 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[Docket No. FDC-D-143; NDA No. 10-042, 10-248, 10-715]

WILLIAM S. MERRELL CO.

Frenquel (Azacyclonol Hydrochloride); Notice of Opportunity for Hearing

In a notice published in the *FEDERAL REGISTER* of April 2, 1969 (34 F.R. 6003), The Wm. S. Merrell Co., division of

Richardson-Merrell, Inc., Cincinnati, Ohio 45215, the holder of new-drug applications for Frenquel (azacyclonol hydrochloride) Injection and Frenquel Tablets (20 and 100 milligrams), and any other interested person, were invited to submit any pertinent data bearing on the announced intention of the Commissioner of Food and Drugs to initiate proceedings to withdraw approval of the new-drug applications, based on a lack of substantial evidence that the drug is effective for any of the claims made in the labeling.

The Wm. S. Merrell Co. submitted material on April 29, May 13, and September 3, 1969. The information received was reviewed and, considered together with other available information, does not provide substantial evidence of effectiveness of the drug for its recommended use in man.

Therefore, notice is hereby given to The Wm. S. Merrell Co., division of Richardson-Merrell, Inc., and to any interested person who may be adversely affected, that the Commissioner of Food and Drugs proposes to issue an order under the provisions of section 505(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(e)) withdrawing approval of the new-drug applications for Frenquel Injection (NDA 10-248) containing 5 milligrams of azacyclonol hydrochloride per cubic centimeter, Frenquel Tablets containing 20 milligrams (NDA 10-042) and Frenquel Tablets containing 100 milligrams (NDA 10-715) of azacyclonol hydrochloride per tablet, and all amendments and supplements thereto, on the grounds that:

New information before the Commissioner with respect to such drug, evaluated together with the evidence available to him when the applications were approved, shows that there is a lack of substantial evidence that this drug has the effect it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in its labeling.

In accordance with the provisions of section 505 of the Act (21 U.S.C. 355) and the regulations promulgated thereunder (21 CFR Part 130), the Commissioner will give the applicant, and any interested person who would be adversely affected by an order withdrawing such approval, an opportunity for a hearing to show why approval of new-drug applications No. 10-042, 10-248, and 10-715, should not be withdrawn. Promulgation of the order will cause any drug for human use containing azacyclonol hydrochloride, to be a new drug for which an approved new-drug application is not in effect. Any such drug then on the market would be subject to regulatory proceedings.

Within 30 days after the date of publication of this notice in the *FEDERAL REGISTER*, such persons are required to file with the Hearing Clerk, Department of Health, Education, and Welfare, Office of the General Counsel, Food, Drug, and Environmental Health Division, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, a written appearance electing whether:

1. To avail themselves of the opportunity for a hearing; or
2. Not to avail themselves of the opportunity for a hearing.

If such persons elect not to avail themselves of the opportunity for a hearing, the Commissioner without further notice will enter a final order withdrawing the approval of the new-drug applications. Failure of such persons to file such a written appearance of election within 30 days following the date of publication of this notice in the *FEDERAL REGISTER* will be construed as an election by such persons not to avail themselves of the opportunity for a hearing.

The hearing contemplated by this notice will be open to the public except that any portion of the hearing that concerns a method or process which the Commissioner finds is entitled to protection as a trade secret will not be open to the public, unless the respondent specifies otherwise in his appearance.

If such persons elect to avail themselves of the opportunity for a hearing, they are required to file a written appearance requesting the hearing, giving the reasons why approval of the new-drug applications should not be withdrawn, together with a well-organized and full factual analysis of the clinical and other investigational data they are prepared to prove in support of the opposition to the notice of opportunity for a hearing. The request must set forth specific facts showing that there is a genuine and substantial issue of fact that requires a hearing. If a hearing is requested and is justified by the response to the notice of opportunity for hearing, the issues will be defined, a hearing examiner will be appointed, and he shall issue a written notice of the time and place at which the hearing will commence (34 F.R. 14596, Sept. 19, 1969).

This notice is issued pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 505, 52 Stat. 1052-53, as amended; 21 U.S.C. 355) and under authority delegated to the Commissioner (21 CFR 2.120).

Dated: November 26, 1969.

HERBERT L. LEY, Jr.,
Commissioner of Food and Drugs.

[F.R. Doc. 69-14369; Filed, Dec. 3, 1969;
8:45 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-326]

REGENTS OF THE UNIVERSITY OF CALIFORNIA

Notice of Issuance of Facility License

No request for a hearing or petition for leave to intervene having been filed following publication of the notice of proposed action in the *FEDERAL REGISTER*

on October 25, 1969 (34 F.R. 17347), the Atomic Energy Commission (the Commission) has issued Facility License No. R-116 to The Regents of the University of California. The facility license authorizes the licensee to possess, use and operate the TRIGA Mark I pulsing research reactor at Irvine, Calif.

The Commission has found that the application for facility license, as amended, complies with the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations published in 10 CFR, chapter I.

Copies of the facility license and a related Safety Evaluation prepared by the Division of Reactor Licensing may be obtained at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., or upon request addressed to the Atomic Energy Commission, Washington, D.C. 20545, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Md., this 24th day of November 1969.

For the Atomic Energy Commission.

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

[F.R. Doc. 69-14350; Filed, Dec. 3, 1969;
8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Docket 21662; Order 69-12-5]

ALLSTATES AIR CARGO, INC.

Increased Excess Valuation Rate; Order of Investigation and Suspension

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 1st day of December 1969.

By tariff revision¹ marked to become effective December 12, 1969, Allstates Air Cargo, Inc. (Allstates) an air freight forwarder, proposes to increase its excess valuation rate for air freight shipments from 15 cents to 20 cents for each \$100 (or fraction thereof) by which the declared value exceeds 50 cents per pound or \$50 per shipment, whichever is higher.

The forwarder does not present any justification in support of its proposal.

Upon consideration of all relevant matters, the Board finds that the proposed rate may be unjust, unreasonable, unjustly discriminatory, unduly preferential, or unduly prejudicial, or otherwise unlawful, and should be suspended pending investigation.

Allstates' proposal involves increasing its rate by 33 1/3 percent, but no basis has been advanced by the forwarders for

¹ Revision to Allstates Air Cargo, Inc.'s Tariff CAB No. 3 filed Nov. 12, 1969.

such increase.² With relatively few exceptions, the air freight forwarders publish excess valuation rates for general domestic traffic amounting to \$0.10 or \$0.15 per \$100 of excess declared value.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a) and 1002 thereof,

It is ordered, That:

1. An investigation be instituted to determine whether the provisions and charges in Rule No. 100, paragraph 1(b), on 4th Revised Page 9 of Allstates Air Cargo, Inc.'s CAB No. 3, and rules, regulations, and practices affecting such provisions and charges, are or will be unjust or unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and if found to be unlawful, to determine and prescribe the lawful provisions and charges, and rules, regulations, or practices affecting such provisions and charges;

2. Pending hearing and decision by the Board, the provisions and charges in Rule No. 100, paragraph 1(b), on 4th Revised Page 9 of Allstates Air Cargo, Inc.'s CAB No. 3, are suspended and their use deferred to and including March 11, 1970, unless otherwise ordered by the Board, and that no changes be made therein during the period of suspension except by order or special permission of the Board;

3. The proceeding herein be assigned for hearing before an Examiner of the Board at a time and place hereafter to be designated; and

4. Copies of this order shall be filed with the tariffs and served upon Allstates Air Cargo, Inc., who is hereby made a party to this proceeding.

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

By the Civil Aeronautics Board:

[SEAL]

MABEL MCCART,
Acting Secretary.

[F.R. Doc. 69-14409; Filed, Dec. 3, 1969;
8:48 a.m.]

² Cf., "Increased valuation and c.o.d. charges proposed by Railway Express Agency, Incorporated," 27 C.A.B. 542 (1958). The Board after investigation found REA's proposed increases in excess valuation and c.o.d. charges unjust and unreasonable chiefly on the ground that REA had failed to sustain the burden of coming forward with evidence to show what the increased costs of such services are. In similar actions, the Board suspended, pending investigation, (1) increased excess valuation charges proposed by REA (Order E-13820, May 1, 1959); (2) revision to its liability rule for parcel post shipments proposed in 1965 by WTC (Order E-22846, Nov. 4, 1965); (3) increased excess valuation charges proposed by Bekins Airvan Co. of \$1.50 per \$100 (Order E-23746, May 27, 1966); (4) increased excess valuation rates for parcel post shipments proposed by WTC Air Freight (Order 69-2-10, Feb. 3, 1969); and (5) increased excess valuation rates by Astro Air Express, Inc., and Comet Air Freight (Order 69-4-26, Apr. 4, 1969), and Eagle Air Dispatch, Inc., (Order 69-10-155, Oct. 31, 1969).

[Docket 20812]

HOUSEHOLD GOODS AIR FREIGHT FORWARDER INVESTIGATION

Notice of Hearing

Notice is hereby given pursuant to the Federal Aviation Act of 1958, as amended, that a hearing in the above-entitled proceeding is assigned to be held on January 6, 1970, at 10 a.m., e.s.t., in Room 726, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before the undersigned examiner.

Dated at Washington, D.C., December 1, 1969.

[SEAL] JOHN E. FAULK,
Hearing Examiner.

[P.R. Doc. 69-14410; Filed, Dec. 3, 1969;
8:48 a.m.]

[Docket No. 20993; Order 69-11-124]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Relating to Specific Commodity Rates

Issued under delegated authority November 26, 1969.

An agreement has been filed with the Board pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's economic regulations, between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of the Joint Conferences of the International Air Transport Association (IATA). The agreement, which has been assigned the above-designated CAB agreement number, was adopted by the Eighth Meeting of the Joint Specific Commodity Rates Board, held in New York, October 8 through October 14, 1969.

Basically, the agreement, as it applies in air transportation, extends for a further period of effectiveness certain specific commodity rates, under current or amended descriptions, adopted since the Seventh Meeting of the Joint Specific Commodity Rates Board, held in Geneva, November 12 through 15, 1968. In addition to naming a substantial number of rates to added points under existing commodity descriptions and making a limited number of adjustments to existing rates, the agreement also proposes reduced rates under a few new commodity descriptions, and these are set forth in the attachment hereto.

Pursuant to authority duly delegated by the Board in the Board's regulations, 14 CFR 385.14, it is not found, on a tentative basis, that the subject agreement is adverse to the public interest or in violation of the Act: *Provided*, That approval thereof is conditioned as hereinafter ordered.

Accordingly, It is ordered, That:

Action on Agreement CAB 21380 be and hereby is deferred with a view toward eventual approval, provided that approval shall not constitute approval of

the specific commodity descriptions contained therein for purposes of tariff publication.

Persons entitled to petition the Board for review of this order, pursuant to the Board's regulations, 14 CFR 385.50, may, within 10 days after the date of service of this order, file such petitions in support of or in opposition to our proposed action herein.

This order will be published in the FEDERAL REGISTER.

[SEAL] MABEL MCCART,
Acting Secretary.

AGREEMENT CAB 21380

REDUCED RATES UNDER NEW COMMODITY DESCRIPTIONS

IATA commodity item number, description,
and rates

- 1923---- Dried Stomach, 100 cents per kg., minimum weight 500 kgs. New York to Tel Aviv.
- 2313---- Trousers, 88 cents per kg., minimum weight 500 kgs. Tel Aviv to New York.
- 9226---- Inflatable Boats, 55 cents per kg., minimum weight 1,000 kgs. Paris to New York.
- 2418---- Shoes and Slippers, Finished, Shoe and Slipper Soles, Heels and Uppers—Excluding Any Other Parts Thereof:
 - 130 cents per kg., minimum weight 1,000 kgs. Tokyo to East Coast
 - 160 cents per kg., minimum weight 1,000 kgs. Tokyo to West Coast
 - 133 cents per kg., minimum weight 1,000 kgs. Osaka to West Coast
 - 163 cents per kg., minimum weight 1,000 kgs. Osaka to East Coast

[P.R. Doc. 69-14411; Filed, Dec. 3, 1969;
8:48 a.m.]

[Docket No. 20993; Order 69-11-115]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Relating to Specific Commodity Rates

Issued under delegated authority November 25, 1969.

An agreement has been filed with the Board pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's economic regulations, between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of the Joint Conferences of the International Air Transport Association (IATA), and adopted pursuant to the provisions of Resolution 590 dealing with specific commodity rates.

The agreement, adopted pursuant to unopposed notices to the carriers and promulgated in an IATA letter dated November 11, 1969, names additional specific commodity rates, as set forth below, which reflect significant reductions from the general cargo rates.

R-1:

Commodity Item 9513—Handicraft Products, Namely Textiles, Metal, Wood, Cork, Straw, Wicker, Leather, Clay, Ceramic, Stone and Glass Articles, 138 cents per kg., minimum weight 500 kgs., 120 cents per kg., minimum weight 1,000 kgs., Karachi to New York.

Pursuant to authority duly delegated by the Board in the Board's regulations, 14 CFR 385.14, it is not found, on a tentative basis, that the subject agreement is adverse to the public interest or in violation of the Act: *Provided*, That tentative approval thereof is conditioned as hereinafter ordered.

Accordingly, it is ordered, That:

Action on Agreement CAB 21380, R-1, be and hereby is deferred with a view toward eventual approval: *Provided*, That approval shall not constitute approval of the specific commodity descriptions contained therein for purposes of tariff publication.

Persons entitled to petition the Board for review of this order, pursuant to the Board's regulations, 14 CFR 385.50, may, within 10 days after the date of service of this order, file such petitions in support of or in opposition to our proposed action herein.

This order will be published in the FEDERAL REGISTER.

[SEAL] MABEL MCCART,
Acting Secretary.

[P.R. Doc. 69-14412; Filed, Dec. 3, 1969;
8:48 a.m.]

CIVIL SERVICE COMMISSION

ASSOCIATE DIRECTOR FOR CORREC- TIONAL PROGRAM DEVELOPMENT

Manpower Shortage; Notice of Listing

Under the provisions of 5 U.S.C. 5723, the Civil Service Commission found on November 20, 1969, a manpower shortage for the single position of Associate Director for Correctional Program Development, GS-101-15, Department of Corrections, Government of the District of Columbia, Washington, D.C. This finding will terminate when the position is filled.

The appointee to this position may be paid for the expense of travel and transportation to first post of duty, assuming other legal requirements are met.

UNITED STATES CIVIL SERVICE COMMISSION,

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

[P.R. Doc. 69-14415; Filed, Dec. 3, 1969;
8:49 a.m.]

HIGHWAY SAFETY MANAGEMENT SPECIALIST

Manpower Shortage; Notice of Listing

Under the provisions of 5 U.S.C. 5723, the Civil Service Commission found on November 20, 1969, a manpower shortage

for the single position of Highway Safety Management Specialist, GS-2125-13, National Highway Safety Bureau, Federal Highway Administration, Department of Transportation, Washington, D.C. This finding will terminate when the position is filled.

The appointee to this position may be paid for the expense of travel and transportation to first post of duty, assuming other legal requirements are met.

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

[F.R. Doc. 69-14414; Filed, Dec. 3, 1969; 8:48 a.m.]

ILLUSTRATOR (MEDICAL)

Manpower Shortage; Notice of Listing

Under the provisions of 5 U.S.C. 5723, the Civil Service Commission found a manpower shortage on November 17, 1969, for a single position of Illustrator (Medical), GS-1020-9, Veterans Administration Hospital, San Francisco, Calif. The finding is self-canceling when used.

Assuming other legal requirements are met, an appointee to this position may be paid for the expense of travel and transportation to first post of duty.

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

[F.R. Doc. 69-14413; Filed, Dec. 3, 1969; 8:48 a.m.]

DEPARTMENT OF TRANSPORTATION

Notice of Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Transportation to fill by noncareer executive assignment in the excepted service the position of Chief, Local Liaison Division, Office of Government Liaison, Assistant Secretary for Public Affairs.

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

[F.R. Doc. 69-14417; Filed, Dec. 3, 1969; 8:49 a.m.]

SMALL BUSINESS ADMINISTRATION

Notice of Grant of Authority To Make a Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Small Business Administration to fill by noncareer executive assignment in the ex-

cepted service the position of Special Assistant to the Deputy Administrator.

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

[F.R. Doc. 69-14416; Filed, Dec. 3, 1969; 8:49 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Report 468]

COMMON CARRIER SERVICES INFORMATION¹

Domestic Public Radio Services Applications Accepted for Filing²

DECEMBER 1, 1969.

Pursuant to §§ 1.227(b)(3) and 21.26 (b) of the Commission's rules, an application, in order to be considered with any

¹ All applications listed in the appendix are subject to further consideration and review and may be returned and/or dismissed if not found to be in accordance with the Commission's rules, regulations, and other requirements.

² The above alternative cutoff rules apply to those applications listed in the appendix as having been accepted in Domestic Public Land Mobile Radio, Rural Radio, Point-to-Point Microwave Radio, and Local Television Transmission Services (Part 21 of the rules).

domestic public radio services application appearing on the attached list, must be substantially complete and tendered for filing by whichever date is earlier: (a) The close of business 1 business day preceding the day on which the Commission takes action on the previously filed application; or (b) within 60 days after the date of the public notice listing the first prior filed application (with which subsequent applications are in conflict) as having been accepted for filing. An application which is subsequently amended by a major change will be considered to be a newly filed application. It is to be noted that the cutoff dates are set forth in the alternative—applications will be entitled to consideration with those listed in the appendix if filed by the end of the 60-day period, only if the Commission has not acted upon the application by that time pursuant to the first alternative earlier date. The mutual exclusivity rights of a new application are governed by the earliest action with respect to any one of the earlier filed conflicting applications.

The attention of any party in interest desiring to file pleadings pursuant to section 309 of the Communications Act of 1934, as amended, concerning any domestic public radio services application accepted for filing, is directed to § 21.27 of the Commission's rules for provisions governing the time for filing and other requirements relating to such pleadings.

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

APPLICATIONS ACCEPTED FOR FILING

DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE

File No., applicant, call sign and nature of application

- 2744-C2-P-(4)-70—The Redco Corp., Roy M. Teel and Lowry McKee doing business as Mobilfone (KKA341), C.P. for four additional channels to operate on frequencies 454.175, 454.225, 454.275 and 454.350 MHz at a new site to be identified as location No. 5: 4111 South Darlington, Tulsa, Okla.
- 2745-C2-ML-(3)-70—Empire Dispatch, Inc. (KAA279), Modification of license to change frequency 454.05 MHz control stations at location No. 1: 0.5 mile southwest of Greeley, Colo., and location No. 4: 1025 Lemay Avenue, Fort Collins, Colo., to: 454.25 MHz. Also change frequency of 459.05 MHz repeater station at location No. 3: Buckhorn Mountain, 15.5 miles west-northwest of Fort Collins, Colo., to: 459.25 MHz.
- 2834-C2-P-70—Elden Jr. Heinz, doing business as E. J. Mobile Radio Service (New), C.P. for a new 1-way station to be located at southeast corner of Bone and Spring-Valley-Paintersville Road, approximately 7 miles southwest of Jamestown, Ohio, to operate on frequency 35.58 MHz.
- 2835-C2-AL-70—Answering Service, Inc. (KIF651), Consent to assignment of license from: Answering Service, Inc. Assignor to: Aisignal International, Inc., Assignee.
- 2836-C2-P-(2)-70—Halstad Telephone Co. (KAI932), C.P. to change antenna system for frequencies 152.63 and 152.81 MHz at station located at Bygland, Minn., Also add 15F2 emission. Correct the coordinates to read: lat. 47°48'46" N., long. 96°56'02" W.
- 2837-C2-P-70—Answerphone, Inc. (KFL930), C.P. for an additional channel to operate on frequency 454.175 MHz at station located at Lookout Mountain near Golden, Colo.
- 2838-C2-P-70—Indiana Bell Telephone Co. (KSC366), C.P. to change antenna location to: 2.2 miles east-southeast of Vincennes, Ind., for frequency 152.63 MHz. Also replace transmitter for same.
- 2856-C2-P-70—Illinois Bell Telephone Co. (KSB660), C.P. to add second channel to operate on frequency 152.57 MHz at station located near Harristown, 5 miles west of Decatur, Ill.
- 2857-C2-P-70—James G. Prestwood, Jr. (KIE960), C.P. to add a second channel to operate on frequency 152.12 MHz at station located at 1350 Georgia Avenue, North Augusta, S.C.
- 2858-C2-P-70—Chicago Communication Service Inc. (KSD310), C.P. to change antenna system and replace transmitter operating on frequency 454.150 MHz at station located at 1 North La Salle Street, Chicago, Ill.
- 2859-C2-TC-70—Doctors' Exchange & Telephone Answering Service, Inc. (KLB510), Consent to transfer of control from: Dorothy M. Hamil and Evelyn Holliday Wade, Transferor to: AAA Answerphone, Inc.—Jackson, Transferee.

2884-C2-MP-(2)-70—Edward C. Smith, doing business as Answerite Professional Telephone Service (KLF658), Modification of C.P. to add control frequency 454.10 MHz to be located at Park Plaza Hotel, 431 East Central Boulevard, Orlando, Fla. Also add repeater frequency 459.100 MHz at station located at lot 15/16 Frontage Road 1 mile south of Vineland, Fla.

2885-C2-P-(6)-70—South Central Bell Telephone Co. (KIA960), C.P. to add the fifth and sixth channels to operate on frequencies 152.60 and 152.78 MHz; change antenna system for existing facilities operating on frequencies 152.63, 152.66, 152.72, 152.75 MHz at station located on Red Mountain 1 mile south of downtown Birmingham, Ala.

2886-C2-P-70—Answer-Iowa, Inc. (KCI907), C.P. to change antenna location to: KBUR-FM Tower, Burlington, Iowa, operating on frequency 152.12 MHz.

2887-C2-P-70—Cascadia Telephone Co. (New), C.P. for a new 2-way station to be located on Highway 136, approximately 1 mile south of Cascade, Iowa, to operate on frequency 152.66 MHz.

2888-C2-P-70—Marvin Barenblatt, doing business as Autophone of San Antonio (KKJ451), C.P. to replace transmitter for frequency 152.15 MHz located at 700 East Hilderbrand, San Antonio, Tex.

Correction

531-C2-P-70—Empire Communications Co. (New), Correct to read: 531-C2-P-70—Empire Communications Co. (KLF595), C.P. for an additional 1-way signaling channel to operate on frequency 158.70 MHz. All other particulars remain the same as reported on public notice dated Aug. 11, 1969. Report No. 452.

Informative

It appears that the following applications may be mutually exclusive and subject to the Commission's rules regarding ex parte presentations, by reasons of potential electrical interference.

Oregon

Empire Communications Co. (KLF595), 531-C2-P-70.
Lane Paging Inc. (New), 1895-C2-P-70.

Georgia

Georgia Mobile Telephone Co. (New), 7478-C2-P-(3)-69.
Jerry D. Vaughan (New), 6420-C2-P-(2)-69.

RURAL RADIO SERVICE

2855-C1-P/L-70—Floyd E. Dugas, doing business as Jennings Mobilphone (New), C.P. and license for a station to be located in any temporary fixed location within the territory of the grantee to operate on frequency 158.52 MHz.

2891-C1-P-70—Continental Telephone Co. of California (KNB48), C.P. to replace transmitter for frequencies 454.40 and 454.65 MHz at station located at 0.5 mile north of Highway No. 66, 5.4 miles east of Daguerre, Calif.

2892-C1-P-70—Continental Telephone Co. of California (KNB49), C.P. to replace transmitter for frequency 459.40 MHz at station located at PAA Vortac Facility, 0.8 mile south-southwest of RR. Siding, Hector, Calif.

2893-C1-P-70—Continental Telephone Co. of California (KNB49), C.P. to replace transmitter for frequency 459.65 MHz at station located at 1.5 miles south-southeast of Manix, Calif.

2899-C1-P/L-70—James T. Whitaker (KJB32), C.P. and license to reinstate expired license, Frequency: 158.49 MHz. Location: (15 units) In any temporary fixed location within the territory of the grantee.

2890-C1-P/L-70—Robert W. Beasley, doing business as Blue Mountain Phone Co. (KVD62), C.P. and license to reinstate expired license, Frequency: 158.61 MHz. Location: (10 units) In any temporary fixed location within the territory of the grantee.

MCI-North Central States, Inc. (New), The following 16 applications proposes to provide "low cost customized" interstate communications channels among fixed stations at Minneapolis, Minn.; Milwaukee, Wis.; Chicago, Ill.; and intermediate points.

2869-C1-P-70—MCI-North Central States, Inc. (New), C.P. for a new fixed station Fosbury Tower Building, Minneapolis, Minn., at lat. 44°58'23" N., long. 93°16'16" W. Frequencies 5989.7 and 6108.3 MHz on azimuth 150°54'.

2869-C1-P-70—MCI-North Central States, Inc. (New), C.P. for a new fixed station 3.5 miles southeast of Cannon Falls, Minn., at lat. 44°28'01" N., long. 92°52'38" W. Frequencies 6182.4 and 6301.0 MHz on azimuth of 331°10'; 6212.0 and 6330.7 MHz on azimuth of 137°07'.

2870-C1-P-70—MCI-North Central States, Inc. (New), C.P. for a new fixed station 5.8 miles northeast of Rochester, Minn., at lat. 44°04'16" N., long. 92°22'08" W. Frequencies 5980.0 and 6078.6 MHz on azimuth of 317°28'; 5989.7 and 6108.3 MHz on azimuth of 124°58'; 11,015 and 11,175 MHz on azimuth of 235°36'.

2871-C1-P-70—MCI-North Central States, Inc. (New), C.P. for a new fixed station 20 Second Avenue SW., Rochester, Minn., at lat. 44°01'24" N., long. 92°27'58" W. Frequencies 11,625 and 11,305 MHz on azimuth of 55°32'.

2872-C1-P-70—MCI-North Central States, Inc. (New), C.P. for a new fixed station 1.5 miles southeast of Arendahl, Minn., at lat. 43°49'05" N., long. 91°52'17" W. Frequencies 6241.7 and 6360.3 MHz on azimuth of 305°18'; 6212.0 and 6330.7 MHz on azimuth of 124°01'.

2873-C1-P-70—MCI-North Central States, Inc. (New), C.P. for a new fixed station 3 miles south of Freeburg, Minn., at lat. 43°34'02" N., long. 91°21'46" W. Frequencies 6019.3 and 6137.9 MHz on azimuth of 304°22'; 5989.7 and 6108.3 MHz on azimuth of 105°12'.

2874-C1-P-70—MCI-North Central States, Inc. (New), C.P. for a new fixed station 1.5 miles west of Sylvan, Wis., at lat. 43°25'31" N., long. 90°39'28" W. Frequencies 6241.7 and 6360.3 MHz on azimuth of 283°41'; 6202.0 and 6330.7 MHz on azimuth of 92°44'.

2875-C1-P-70—MCI-North Central States, Inc. (New), C.P. for a new fixed station 4.5 miles south of North Freedom, Wis., at lat. 43°23'41" N., long. 89°51'51" W. Frequencies 6019.3 and 6137.9 MHz on azimuth of 273°17'; 5989.7 and 6108.3 MHz on azimuth of 104°27'.

2876-C1-P-70—MCI-North Central States, Inc. (New), C.P. for a new fixed station 2.7 miles southwest of Arlington, Wis., at lat. 43°18'37" N., long. 89°25'13" W. Frequencies 6241.7 and 6360.3 MHz on azimuth of 264°45'; 6212.0 and 6330.7 MHz on azimuth of 119°25'; 11,625 and 11,305 MHz on azimuth of 167°46'.

2877-C1-P-70—MCI-North Central States, Inc. (New), C.P. for a new fixed station Sixth Street, Madison, Wis., at lat. 43°06'13" N., and long. 89°21'33" W. Frequencies 11,015 and 11,175 MHz on azimuth of 347°48'.

2878-C1-P-70—MCI-North Central States, Inc. (New), C.P. for a new fixed station 2.9 miles northwest of Lake Mills, Wis., at lat. 43°05'51" N., long. 88°55'53" W. Frequencies 5980.0 and 6078.6 MHz on azimuth of 299°44'; 5989.7 and 6108.3 MHz on azimuth of 100°12'.

2879-C1-P-70—MCI-North Central States, Inc. (New), C.P. for a new fixed station 2.3 miles northeast of Wales, Wis., at lat. 43°02'05" N., long. 88°21'29" W. Frequencies 6241.7 and 6360.3 MHz on azimuth of 380°36'; 6212.0 and 6330.7 MHz on azimuth of 88°13'.

2880-C1-P-70—MCI-North Central States, Inc. (New), C.P. for a new fixed station 1009 North Jackson Street, Milwaukee, Wis., at lat. 43°02'39" N., long. 87°54'18" W. Frequencies 5960.0 and 6078.6 MHz on azimuth of 268°31'; 5989.7 and 6108.3 MHz on azimuth of 164°09'.

2881-C1-P-70—MCI-North Central States, Inc. (New), C.P. for a new fixed station 201 Sixth Street, Racine, Wis., at lat. 42°43'35" N., long. 87°45'58" W. Frequencies 6241.7 and 6360.3 MHz on azimuth of 344°14'; 6212.0 and 6330.7 MHz on azimuth of 185°26'.

2882-C1-P-70—MCI-North Central States, Inc. (New), C.P. for a new fixed station corner of Sheridan Road and Washington Street, Waukegan, Ill., at lat. 42°31'33" N., long. 87°49'48" W. Frequencies 5960.0 and 6078.6 MHz on azimuth of 5°24'; 5989.7 MHz on azimuth of 161°17'.

2883-C1-P-70—MCI-North Central States, Inc. (New), C.P. for a new fixed station John Hancock Building, Chicago, Ill., at lat. 41°53'56" N., long. 87°37'17" W. Frequency 6241.7 MHz on azimuth of 341°25'.

POINT-TO-POINT MICROWAVE RADIO SERVICE (TELEPHONE CARRIER)—Continued

- 1664-C1-ML-70—Golden West Telephone Co. (KNK51), Modification of license to change frequencies to 6197.2 and 6315.9 MHz toward Big Maria Mountain, Calif. Location: 400 East Rice Street, Blythe, Calif.
- 1665-C1-ML-70—Golden West Telephone Co. (KPJ28), Modification of license to change frequencies to 5945.2 and 6063.8 MHz toward Black Metal Mountain, Calif., and delete all facilities toward Big Maria Mountain, Calif. Location: 912 12th Street, Parker, Ariz.
- 2894-C1-P-70—The Mountain States Telephone & Telegraph Co. (KLF82), C.P. to change frequency from 2112.4 MHz to 4090 and 4170 MHz toward Tinnie, N. Mex., and add frequencies 4110 and 4190 MHz toward Alto, N. Mex. Location: 4.5 miles southeast of White Oaks, N. Mex.
- 2895-C1-P-70—The Mountain States Telephone & Telegraph Co. (KLF83), C.P. to change frequency from 2160 MHz to 3950 and 4030 MHz toward Roswell, N. Mex., and change from 2162.4 to 3970 and 4050 MHz toward White Oaks, N. Mex., and replace transmitters operating on same. Location: 4.3 miles north of Tinnie, N. Mex.
- 2896-C1-P-70—The Mountain States Telephone & Telegraph Co. (KLF84), C.P. to change frequency from 2110.8 MHz to 4110 and 4190 MHz toward Tinnie, N. Mex., and replace transmitters operating on same. Location: 311 North Richardson Street, Roswell, N. Mex.
- 2897-C1-P-70—South Central Bell Telephone Co. (KIY28), C.P. to add frequency 10,855 MHz toward Dawson Springs, Ky. Location: Approximately 5.8 miles east of Princeton, Ky.

POINT-TO-POINT MICROWAVE RADIO SERVICE (NONTTELEPHONE)

- 2843-C1-P-70—Microwave Service Co. (KUV91), C.P. to add frequency 6409.0 MHz toward Columbus, Miss., via power-split. Location: 0.5 mile northwest of West Point, Miss., at lat. 33°39'55" N., long. 88°36'50" W. (Informative: Applicant proposes to provide the television signal of WHBQ-TV to Columbus TV Cable Corp. in Columbus, Miss.)
- 2844-C1-P-70—Mountain Microwave Corp. (KCM78), C.P. to power-split frequencies 5960.0, 6019.4, 6050.0, 6078.6, and 6138.0 MHz on azimuth 27°01'. Location: 17 miles southwest of Fort Morgan, Colo., at lat. 40°01'46" N., long. 103°56'31" W. (Informative: Applicant proposes to provide the television signals of KRMA-TV, KWGN-TV, KOA-TV, KBTB, and KIZ-TV of Denver, Colo., to Community Tele-Communications, Inc., in Fort Morgan, Colo.)
- 2845-C1-ML-70 and 2846-C1-ML-70—Andrews Tower Rentals, Inc. (KLN78) (KLN79), Modification of licenses to permit carriage of audio programming of Station KWXI-FM to Radio Station KBWD in Brownwood, Tex.
- 2847-C1-MP-70—American Television Relay, Inc. (KKT84), Modification of C.P. to change frequencies to 5960.0, 6019.4, 6078.6, and 6167.6 MHz on azimuths 314°23', and 41°20'. Location: 8.2 miles southeast of Bernalillo, N. Mex., at lat. 35°12'40" N., long. 106°26'57" W.

[F.R. Doc. 69-14420; Filed, Dec. 3, 1969; 8:49 a.m.]

[Docket No. 18741; POC 69-1261]

TRI-CITY TELEPHONE CO.

Memorandum Opinion and Order
Instituting a Hearing

In the matter of petition of Tri-City Telephone Co., Schenectady, N.Y., pursuant to section 201(a) of the Communications Act of 1934, as amended, for establishment of physical connection between its facilities and those of the New York Telephone Co.

1. The Commission has before it:

(a) A "complaint" filed on May 6, 1969, by Tri-City Telephone Co., Inc. (Tri-City), a communications common carrier providing marine mobile service at Schenectady, N.Y. Tri-City requests interconnection of its facilities to those of the New York Telephone Co. on a fully automatic basis so that Tri-City's subscribers may place and receive telephone calls directly. The complainant further requests that the New York Telephone Co. be required to negotiate an agreement for the reasonable division of charges associated with interconnected telephone calls.

(b) A letter answering the complaint dated June 11, 1969, filed by New York Telephone Co. in which it alleges that it is willing to interconnect its facilities with those of Tri-City on condition that (1) Tri-City apply for and receive a certificate of public convenience and necessity from the State of New York allowing it to offer interconnected radio service; (2) Tri-City file tariffs with the State of

New York pursuant to which interconnected radio service would be offered to the public; and (3) Tri-City enter into a traffic agreement similar to those traffic agreements between the New York Telephone Co. and other interconnected miscellaneous common carriers providing radio services. In respect to the last condition, the New York Telephone Co. alleges that due to the differences in services offered by a landline telephone company and those by a mobile carrier, the traffic agreements contracted with the former are not relevant to the latter. The New York Telephone Co. further alleges that because Tri-City's radio service is limited to areas wholly within the State of New York, and because the State of New York has asserted jurisdiction over interconnected radio service, the matter presented by Tri-City is predominately local in nature and should first be presented to the New York Public Service Commission for its consideration.

(c) A reply filed by Tri-City alleging that the New York Public Service Commission does not assert jurisdiction over the interconnection of marine mobile radio facilities and landline telephone companies because of the wholly interstate nature of marine service. Tri-City further states that neither the location of the facilities used to provide the service in question nor the actual service area is completely determinative of this Commission's jurisdiction.

2. The pleading filed by Tri-City although designated a complaint is actually a petition for interconnection under sec-

tion 201(a) of the Communications Act of 1934, as amended. Under that section, the Commission has the authority, after hearing, to order the establishment of physical connection between common carriers, and to establish through routes and charges applicable thereto and the division of such charges. The interconnection contemplated would allow Tri-City's subscribers to originate and/or receive interstate toll calls. This capability provides sufficient jurisdictional basis for the Commission to order a hearing to determine whether the requested interconnection is in the public interest. See the Carpenter Radio Case, 13 F.C.C. 2d 722 (1968); 12 F.C.C. 2d 857 (1968). As to New York Telephone Co.'s allegation that basic differences in service rendered by mobile carriers and by landline telephone companies justify a different policy for each as to division of charges, we feel that if any such differences do exist, a hearing is the proper place to substantiate such allegations.

3. Accordingly, it is ordered, That pursuant to section 201(a) of the Communications Act of 1934, as amended, a hearing shall be held in this proceeding at the Commission's offices in Washington, D.C., at a time to be specified, and that the examiner to be designated to preside at the hearing shall certify the record, without preparation of an initial or recommended decision, and the Chief of the Common Carrier Bureau shall thereafter issue a recommended decision which shall be subject to the submittal of exceptions and requests for oral argument as provided in 47 CFR 1.276 and 1.277, after which the Commission shall issue its decision as provided in 47 CFR 1.282.

4. It is further ordered, That without in any way limiting the scope of the proceeding, it shall include inquiry into the following:

(a) Whether it is necessary or desirable in the public interest to establish physical connections between Tri-City Telephone Co. and New York Telephone Co., to establish through routes and charges applicable thereto and the division of such charges, and to establish and provide facilities and regulations for operating such through routes within the meaning of section 201(a) of the Communications Act of 1934, as amended; and, if so, what connections, through routes, charges, divisions, facilities, and regulations should be established.

5. It is further ordered, That a copy of this order shall be served on the Tri-City Telephone Co. and the New York Telephone Co. which are hereby designated parties to this proceeding.

Adopted: November 19, 1969.

Released: December 1, 1969.

FEDERAL COMMUNICATIONS
COMMISSION,[SEAL] BEN F. WAPLE,
Secretary.[F.R. Doc. 69-14421; Filed, Dec. 3, 1969;
8:40 a.m.]

* Chairman Burch not participating.

[Docket Nos. 17554, etc. FCC 69-1307]

WESTERN UNION TELEGRAPH CO.**Memorandum Opinion and Order
Regarding Tariff Schedules**

In the matter of proposed revisions in the rates of the Western Union Telegraph Co. for tie-line domestic interstate telegraph services, Docket No. 17554.

In the matter of proposed revisions in the domestic telegraph message tariffs of the Western Union Telegraph Co., Docket No. 18270.

In the matter of proposed revisions in the rates of the Western Union Telegraph Co., for domestic telex service, Docket No. 18598.

1. The Commission has under consideration (a) its order adopted June 28, 1967, in Docket No. 17554 (FCC 67-754) instituting an investigation and hearing into the lawfulness of certain tariffs of the Western Union Telegraph Co. (Western Union) applicable to charges for tie-line interstate telegraph services, (b) its order adopted July 29, 1968, in Docket No. 18270 (FCC 68-776) instituting an investigation and hearing into the lawfulness of new and revised rates and service classifications of Western Union applicable to its offering of domestic telegraph message service and consolidating this proceeding with the proceedings in Docket No. 17554, (c) its order adopted July 9, 1969, in Docket No. 18598 (FCC 69-747) instituting an investigation and hearing into the lawfulness of increased charges of Western Union for its offering of Domestic Telex Service and consolidating this proceeding with the proceedings in Dockets Nos. 17554 and 18270, (d) its order adopted October 15, 1969, in Docket No. 18270 (FCC 69-1139) instituting an investigation and hearing into the lawfulness of increased charges of Western Union for its offering of Money Order Service and for Tel(T)ex messages which were submitted under Transmittal No. 6381, to become effective October 15, 1969, and (e) increased charges of Western Union for Telegram Service (including Money Order) which were submitted under Transmittal Letter No. 6400, to become effective, in major part, on December 1, 1969 and, in remaining part, on January 1, 1970.

2. The revised tariff schedules provide for an increase in the 15-word charge for an interstate message in the Telegram classification from \$2.25 to \$2.75, except for Class E messages. The latter refers to messages which are accepted by the U.S. Navy or Coast Guard from personnel aboard Navy or Coast Guard vessels or at Navy and Coast Guard stations outside the continental United States and turned over to the telegraph company for transmission to a point in the same State as the transfer point. The rate for Class E messages is being increased from \$1.70 to \$2.25, effective January 1, 1970.

3. Under the express terms of paragraph 3 of our original order herein in Docket No. 18270 (July 29, 1968, FCC 68-776), the increased rates now before us are automatically placed in hearing and are now in issue in the pending proceedings. Further testimony and evidence

will be required with respect to the lawfulness thereof. We are, therefore, concerned principally with whether we should suspend the effectiveness of these increases, which would otherwise go into effect on December 1, 1969 and January 1, 1970, and whether to issue an accounting order under section 204 of the Act. The company has submitted detailed material and information to support these increases. It claims, among other things, that these increases are needed to bring the company's overall return closer to the 10 to 10½ percent claimed by the company to be appropriate. However, the Commission is unable to determine from an examination of such material whether the increased charges will be lawful under the Act. If the increased charges are permitted to become effective on the dates specified, the rights and interests of the public may be adversely affected. We therefore believe that the effectiveness of the increases should be suspended for the 3-month period permitted by statute.

4. As reflected in paragraph 1 hereof, the increases in rates now before us is the latest in a series of increases that have been filed by Western Union since the commencement of the proceedings herein more than two years ago. These frequent filings, which have effectuated increases in charges for telegrams, tie-line facilities, money orders, telex, tel(T)ex, and messenger delivery services, have made it impossible for the Commission to complete a hearing record upon which to base a resolution of the issues in the three docket cases consolidated for hearing herein. Prior to the filing of these latest increases, we had anticipated that the hearing record in this consolidated case could be closed in the near future. However, there will now be further unavoidable delays in the completion of the hearing record and decision thereon. We believe that, under the circumstances of this case, we should amend our hearing orders herein to forbid further changes in the rates in issue during the pendency of these proceedings except upon special permission by the Commission for good cause shown.

5. Accordingly, it is ordered, That, pursuant to sections 4(i), 4(j), 203(b), and 204 of the Communications Act of 1934, as amended, the operation of 29th Revised Page 6, 24th Revised Page 7 and 36th Revised Page 9 of Western Union's Tariff FCC No. 232 (T.L. 6400) is hereby suspended until March 1, 1970, as to those filed to be effective on December 1, 1969, and to April 1, 1970, as to those filed to be effective on January 1, 1970, and that during the pendency of the proceedings herein in Docket No. 18270, no changes shall be made in said tariff schedules or in the charges sought to be increased thereby, unless authorized by special permission of the Commission; and

6. It is further ordered, That, in the event a decision as to the lawfulness of the charges suspended has not been made during the aforesaid suspension period, and said increased charges go into effect, Western Union shall, until further ordered by the Commission, keep accu-

rate account or record of all amounts received by reason of the increased charges specifying by whom and in whose behalf such amounts are paid, and upon completion of the hearing and decision therein the Commission may by further order require the refund thereof, with interest, pursuant to section 205 of the Communications Act of 1934, as amended, and the carrier shall file with the Commission reports with respect to the aforementioned accounting requirements as shall be prescribed by the Chief, Common Carrier Bureau, and

7. It is further ordered, That, during the pendency of the proceedings herein in Dockets 17554 and 18598 no changes shall be made in the charges in issue in these dockets unless authorized by special permission of the Commission.

Adopted: November 25, 1969.

Released: December 1, 1969.

FEDERAL COMMUNICATIONS
COMMISSION,¹

[SEAL] BEN F. WAPLE,
Secretary.

[P.R. Doc. 69-14422; Filed, Dec. 3, 1969;
8:49 a.m.]

FEDERAL RESERVE SYSTEM**FIRST AT ORLANDO CORP.****Order Approving Acquisition of Bank
Stock by Bank Holding Company**

In the matter of the application of First at Orlando Corp., Orlando, Fla., for approval of acquisition of at least 80 percent of the voting shares of Peninsula State Bank at Daytona Beach Shores, Daytona Beach Shores, Fla.

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 section 222.3(a) of Federal Reserve Regulation Y (12 CFR 222.3(a)), an application by First at Orlando Corp., Orlando, Fla., a registered bank holding company, for the Board's prior approval of the acquisition of at least 80 percent of the voting shares of Peninsula State Bank at Daytona Beach Shores, Daytona Beach Shores, Fla.

As required by section 3(b) of the Act, the Board gave written notice of receipt of the application to the Commissioner of Banking of the State of Florida, and requested his views and recommendation with respect thereto. The Commissioner recommended approval of the application.

Notice of receipt of the application was published in the FEDERAL REGISTER on May 8, 1969 (34 F.R. 7474), 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.

¹ Chairman Burch not participating; Commissioner Johnson absent; Commissioner Wells abstaining from voting.

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 statement¹ 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 Atlanta, pursuant to delegated authority.

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

By order of the Board of Governors:
[SEAL] ROBERT P. FORRESTAL,
Assistant Secretary.

[F.R. Doc. 69-14364; Filed, Dec. 3, 1969; 8:45 a.m.]

FIRST AT ORLANDO CORP.

Order Approving Acquisition of Bank Stock by Bank Holding Company

In the matter of the application of First at Orlando Corp., Orlando, Fla., for approval of acquisition of at least 80 percent of the voting shares of Commercial Bank at Daytona Beach, Fla.

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 First at Orlando Corp., Orlando, Fla., a registered bank holding company, for the Board's prior approval of the acquisition of at least 80 percent of the voting shares of Commercial Bank at Daytona Beach, Daytona Beach, Fla.

As required by section 3(b) of the Act, the Board gave written notice of receipt of the application to the Commissioner of Banking of the State of Florida, and requested his views and recommendation with respect thereto. The Commissioner recommended approval of the application. Notice of receipt of the application was published in the FEDERAL REGISTER on May 8, 1969 (34 F.R. 7474), 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.

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 Atlanta.

² Voting for this action: Chairman Martin and Governors Robertson, Mitchell, Daane, Maisel, Brimmer, and Sherrill.

It is hereby ordered, For the reasons set forth in the Board's statement¹ 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 Atlanta, pursuant to delegated authority.

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

By order of the Board of Governors:
[SEAL] ROBERT P. FORRESTAL,
Assistant Secretary.

[F.R. Doc. 69-14365; Filed, Dec. 3, 1969; 8:45 a.m.]

FIRST AT ORLANDO CORP.

Order Approving Acquisition of Bank Stock by Bank Holding Company

In the matter of the application of First at Orlando Corp., Orlando, Fla., for approval of acquisition of at least 80 percent of the voting shares of Exchange Bank at Holly Hill, Holly Hill, Fla.

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 First at Orlando Corp., Orlando, Fla., a registered bank holding company, for the Board's prior approval of the acquisition of at least 80 percent of the voting shares of Exchange Bank at Holly Hill, Holly Hill, Fla.

As required by section 3(b) of the Act, the Board gave written notice of receipt of the application to the Commissioner of Banking of the State of Florida, and requested his views and recommendation with respect thereto. The Commissioner recommended approval of the application.

Notice of receipt of the application was published in the FEDERAL REGISTER on May 8, 1969 (34 F.R. 7475), 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.

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 Atlanta. Dissenting Statement of Governors Robertson and Brimmer, also filed as part of the original document and available upon request.

² Voting for this action: Chairman Martin and Governors Mitchell, Daane, Maisel, and Sherrill. Voting against this action: Governors Robertson and Brimmer.

It is hereby ordered, For the reasons set forth in the Board's statement¹ 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 Atlanta, pursuant to delegated authority.

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

By order of the Board of Governors:
[SEAL] ROBERT P. FORRESTAL,
Assistant Secretary.

[F.R. Doc. 69-14366; Filed, Dec. 3, 1969; 8:45 a.m.]

NORTHEASTERN BANKSHARE ASSOCIATION

Order Approving Application Under Bank Holding Company Act

In the matter of the application of Northeastern Bankshare Association, Lewiston, Maine, for approval of acquisition of at least 51 percent of the voting shares of The Peoples National Bank of Farmington, Farmington, Maine.

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 Northeastern Bankshare Association, Lewiston, Maine, a registered bank holding company, for the Board's prior approval of the acquisition of at least 51 percent of the voting shares of The Peoples National Bank of Farmington, Farmington, Maine.

As required by section 3(b) of the Act, the Board notified the Comptroller of the Currency of receipt of the application and requested his views and recommendation. The Comptroller recommended that the application be given favorable consideration.

Notice of receipt of the application was published in the FEDERAL REGISTER on August 22, 1969 (34 F.R. 13570), 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.

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 Atlanta.

² Voting for this action: Chairman Martin and Governors Robertson, Mitchell, Daane, Maisel, Brimmer, and Sherrill.

It is hereby ordered, For the reasons set forth in the Board's statement¹ 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 26th day of November 1969.

By order of the Board of Governors.²

[SEAL] ROBERT P. FORRESTAL,
Assistant Secretary.

[F.R. Doc. 69-14367; Filed, Dec. 3, 1969;
8:45 a.m.]

NORTHEASTERN BANKSHARE ASSOCIATION

Order Approving Application Under Bank Holding Company Act

In the matter of the application of Northeastern Bankshare Association, Lewiston, Maine, for approval of acquisition of at least 51 percent of the voting shares of First-Manufacturers National Bank of Lewiston and Auburn, Lewiston, Maine.

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 Northeastern Bankshare Association, Lewiston, Maine, a registered bank holding company, for the Board's prior approval of the acquisition of at least 51 percent of the voting shares of First-Manufacturers National Bank of Lewiston and Auburn, Lewiston, Maine.

As required by section 3(b) of the Act, the Board notified the Comptroller of the Currency of receipt of the application and requested his views and recommendation. The Comptroller recommended that the application be given favorable consideration.

Notice of receipt of the application was published in the FEDERAL REGISTER on August 7, 1969 (34 F.R. 12850), which provided an opportunity for interested persons to submit comments and views with respect to the proposed transaction. A copy of the application was forwarded to the U.S. Department of Justice for its consideration. The time for filing comments and views has expired and all those received have been considered by the Board.

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.

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

It is hereby ordered, For the reasons set forth in the Board's statement¹ 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 26th day of November 1969.

By order of the Board of Governors.²

[SEAL] ROBERT P. FORRESTAL,
Assistant Secretary.

[F.R. Doc. 69-14368; Filed, Dec. 3, 1969;
8:45 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 1-4563]

COMMONWEALTH UNITED CORP.

Order Suspending Trading

NOVEMBER 28, 1969.

The common stock, \$1 par value, of Commonwealth United Corp., a California corporation, being listed and registered on the American Stock Exchange, the Philadelphia-Baltimore-Washington Stock Exchange, and the Pacific Coast Stock Exchange, the 6 percent convertible subordinated debentures due 1983, being listed and registered on the American Stock Exchange and the Philadelphia-Baltimore-Washington Stock Exchange, the warrants for \$1 par common stock and the \$1.05 convertible preferred stock being listed and registered on the American Stock Exchange, and the Pacific Coast Stock Exchange pursuant to the provisions of the Securities Exchange Act of 1934 and all other securities of Commonwealth United Corp., being traded otherwise than on a national securities exchange; and

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

It is ordered, Pursuant to sections 15(c)(5) and 19(a)(4) of the Securities

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. Dissenting Statement of Governor Robertson also filed as part of the original document and available upon request.

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

Exchange Act of 1934, that trading in such securities on the American Stock Exchange, the Pacific Coast Stock Exchange, and the Philadelphia-Baltimore-Washington Stock Exchange, and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period November 29, 1969, through December 9, 1969, both dates inclusive.

By the Commission.

[SEAL]

ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 69-14372; Filed, Dec. 3, 1969;
8:46 a.m.]

[811-1041]

INTERMARK INVESTING, INC.

Notice of and Order for Hearing on Application for Order Declaring That Company Has Ceased To Be an Investment Company

NOVEMBER 24, 1969.

Notice is hereby given that Intermark Investing, Inc. ("Intermark"), Prospect Center Building, 1020 Prospect Street, San Diego, Calif. 92101, a California corporation registered as a closed-end, nondiversified management investment company under the Investment Company Act of 1940 ("Act"), has filed an application for an order of the Commission under section 8(f) of the Act declaring that Intermark has ceased to be an investment company as defined in the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations therein which are summarized below.

Intermark, under the name of Southwestern Capital Corp., registered as a closed-end, nondiversified management investment company on April 4, 1961, and operated as a licensed small business investment company ("SBIC") until September 30, 1968. At a special shareholders' meeting on September 19, 1968, 85 percent of the total shares outstanding were voted in favor of adopting a program designed to change the nature of Intermark's business from that of an investment company to that of an operating company. Intermark represents that it has taken substantial steps to implement this program. It amended its articles of incorporation on September 20, 1968, and surrendered its SBIC license on September 30, 1968. Also pursuant to this program, as of July 1, 1969, Intermark had acquired all of the outstanding stock of 19 operating companies or groups of operating companies and was negotiating to acquire others. It has brought together a management team which it believes is capable of managing an operating-holding company.

The companies or groups of companies acquired, all of which have become subsidiaries of Intermark, are Wilpac Manufacturing Co., Wheeler Enterprises, Inc. (and one other company), Topaz Transformer Products, Inc., Metro U.S.

Services, Inc., Sea Coast Equipment Co., Intermark Electronics (and one other company), Arts & Crafts Press (and two other companies), Advanced Development Corp., Community Enterprises, Inc. (and two other companies), and Associated Truck Rentals, Inc.

Intermark states that it has taken steps to dispose of its portfolio securities in orderly fashion.

As indicated in the following table, Intermark represents that as of March 31, 1969, investment securities valued at their current value constituted approximately 29.6 percent of Intermark's total assets exclusive of cash items:

Pro forma statement of assets on an unconsolidated basis: ¹	
Cash	\$148,838
Trade and other receivables, net	44,696
Other current assets	24,173
	<hr/> 217,707
Securities of wholly owned subsidiaries, valued at net asset value	4,112,690
Property, plant, and equipment less allowance for depreciation and amortization	70,775
Real property held for investment	1,265,513
Investment securities, at value	2,370,632
Other assets	118,941
Total assets	<hr/> 8,156,258
Analysis of assets:	
A. Total assets less cash items	8,007,420
B. Investment securities, at value	2,370,632
Percentage of (B) represented by (A)	29.6%

¹This statement includes those companies acquired after Mar. 31, 1969, but before the preparation of the audited financial statements upon which this exhibit is based.

Intermark states that the amount of its assets represented by investment securities has since been reduced to approximately 26 percent. In addition, the acquisition of any or all of the operating companies with which Intermark is negotiating would further reduce this amount.

Intermark states that only 8.7 percent of its net consolidated income before taxes was realized from investments in securities. Moreover, an analysis of the sources of Intermark's total consolidated income before taxes and indirect expenses shows that 91.1 percent of that income had as its source the operations of the subsidiaries and only 2.6 percent had as its source investments in securities.

Intermark further represents that the members of its management team take an active role in guiding the affairs of the subsidiaries and members of the subsidiary management take an active role in formulating policies of Intermark. Finally, Intermark states that it has made clear to the investing public that Intermark has changed its investment policy by declaring publicly the intent of Intermark to build an operating-holding company and to apply for deregistration as soon as eligible to do so.

Section 3(a)(1) of the Act defines an investment company as an issuer which is or holds itself out as being engaged primarily, or proposes to engage primarily, in the business of investing, re-investing, or trading in securities.

Section 3(a)(3) of the Act further defines an investment company as an issuer which is engaged or proposes to engage in the business of investing, re-investing, owning, holding, or trading in securities, and owns or proposes to acquire investment securities having a value exceeding 40 per centum of the value of such issuer's total assets (exclusive of Government securities and cash items) on an unconsolidated basis. The term "investment securities" includes all securities except Government securities, securities issued by employees' securities companies, and securities issued by majority-owned subsidiaries of the owner which are not investment companies.

Section 8(f) of the Act provides, in pertinent part, that when the Commission, upon application, finds that a registered investment company has ceased to be an investment company, it shall so declare by order, which, if necessary for the protection of investors, may be made upon appropriate conditions, and upon taking effect of such order, the registration of such company shall cease to be in effect.

In connection with some of these acquisitions, Intermark issued "Earnouts," that is, in addition to providing for a fixed number of shares of stock payable upon acquisition, the purchase and sale agreements provided for the issuance of additional shares of Intermark in annual installments for a fixed number of years with the exact number of additional shares contingent upon the increase in earnings of the company being acquired. In addition, some recipients of the contingent interests have entered into employment contracts with Intermark which provide in essence that they will continue to manage the acquired business.

It appears to the Commission that it is appropriate in the public interest and in the interest of investors that a hearing be held with respect to the application.

It is ordered, Pursuant to section 40(a) of the Act, that a hearing on the application under the applicable provisions of the Act and rules of the Commission thereunder be held on January 7, 1970, at 10 a.m. in the offices of the Commission, 500 North Capitol Street NW., Washington, D.C. 20549. At such time the Hearing Room Clerk will advise as to the room in which such hearing will be held. Any person, other than Intermark, desiring to be heard or otherwise wishing to participate in the proceeding is directed to file with the Secretary of the Commission, on or before December 31, 1969, his application pursuant to Rule 9(c) of the Commission's rules of practice. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Intermark at the address noted above, and proof of service (by affidavit, or, in the case of an attorney at

law, by certificate) shall be filed contemporaneously with the request.

The Division of Corporate Regulation has advised the Commission that it has made a preliminary examination of the application; and that, upon the basis thereof, the following matters are presented for consideration without prejudice to its specifying additional matters upon further examination:

(1) Whether the issuance of "Earnouts" violates sections 18 and 23 of the Act.

(2) Whether Intermark has ceased to be an investment company.

(3) If Intermark has ceased to be an investment company, whether it is necessary for the protection of investors that the order contain appropriate conditions.

It is further ordered, That the Secretary of the Commission shall give notice of the aforesaid hearing by mailing copies of this order by certified mail to Intermark and that notice to all persons shall be given by publication of this order in the FEDERAL REGISTER; and that a general release of the Commission in respect of this order be distributed to the press and mailed to the mailing list for releases.

By the Commission.

[SEAL]

ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 69-14373; Filed, Dec. 3, 1969; 8:46 a.m.]

[812-2647]

J. C. PENNEY EUROPE, INC.

Notice of Filing of Application for Order Exempting Company

NOVEMBER 28, 1969.

Notice is hereby given that J. C. Penney Europe, Inc., c/o A. W. Driver, Jr., Secretary, J. C. Penney Co., Inc., 1301 Avenue of the Americas, New York, N.Y. 10019 ("Applicant"), has filed an application, pursuant to section 6(c) under the Investment Company Act of 1940, 15 U.S.C. sec. 80a-1 et seq. ("Act"), for an order exempting applicant from all provisions of the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations therein which are summarized below.

1. Applicant intends to issue for offer and sale outside the United States to non-U.S. purchasers \$25 million principal amount of convertible subordinated guaranteed debentures (hereinafter called "Debentures") to be issued in 1969 with final maturity in 1989.

2. Applicant is now, and upon issuance of the Debentures referred to above will be, in compliance with all of the provisions of paragraph (b) of Rule 6c-1 under the Act and would be in compliance with the provisions of paragraph (c)(1) of such rule with respect to the Debentures if the Interest Equalization Tax (Internal Revenue Code, chap. 41, secs. 4911-4931) were in effect at the time of issuance thereof in the form in which it existed immediately prior to its expiration on September 30, 1969.

3. Applicant is a Delaware corporation with 100 shares of common stock with a par value of \$1 per share outstanding and beneficially owned by J. C. Penney Co., Inc. ("Penney") a Delaware corporation which is a general merchandise retailer. Applicant represents that either Penney or one of its wholly owned subsidiaries (other than any investment company as defined in section 3(a) of the Act) will purchase any additional equity securities which applicant may issue in the future and that neither Penney nor its wholly owned subsidiaries will dispose of any equity securities of applicant except to the applicant, to Penney, or to another wholly owned subsidiary of Penney (other than any investment company as defined in section 3(a) of the Act).

4. Applicant was formed by Penney for the purpose of making investments, including loans, in connection with various international operations of Penney and its subsidiaries outside the United States. A principal purpose of applicant is to assist in improving the balance of payments program of the United States by serving as a vehicle through which Penney may obtain funds in foreign countries for its foreign operations.

5. The common stock of Penney is registered under section 12 of the Securities Exchange Act of 1934.

6. Debt securities of Applicant heretofore issued to or now held by the public have been, and debt securities of Applicant which may hereafter be issued to or held by the public will be, guaranteed by Penney as to payment of principal, interest, and premium, if any.

7. The debentures will be offered and sold abroad to foreign nationals under circumstances designed to prevent any reoffering or resale in the United States or its territories or possessions or to any U.S. national or resident or any Canadian resident in connection with such offering. The underwriters agree that they will not offer or sell the debentures in the United States. The underwriters further represent that they will not offer or sell any debentures to nationals or residents of the United States, except for sale to an underwriter or to a dealer who will agree that it is purchasing as principal and not for reoffering or resale in the United States or its territories or possessions, or to nationals or residents thereof, and that they will not sell debentures to Canadian persons except for sales to underwriters or security dealers who will agree to purchase as principals and not for resale to Canadian persons or nationals or residents of the United States and except for sales to agents or fiduciaries who are Canadian persons but who are acting for the benefit of persons who are not Canadian persons or nationals or residents of the United States.

8. Upon completion of the long-term investment program of applicant, at least 80 percent of its assets, exclusive of U.S. Government securities and cash items, will consist of investments in or loans to foreign companies (or domestic companies, substantially all the business of which is conducted outside the United States).

9. At least 90 percent of the assets of applicant, exclusive of U.S. Government securities and cash items and short-term investments in foreign government and commercial paper, are and will be invested in or loaned to companies at least 10 percent of the equity securities of which are, or at the completion of the investment will be, owned, directly, by applicant; and any assets of applicant not invested in such companies are or will only be invested in or loaned to companies which are customers or suppliers of Penney or a subsidiary of Penney. Any of the assets invested in or loaned to investment companies will only be invested in or loaned to investment companies which are wholly owned subsidiaries of Penney.

10. Applicant will not deal or trade in securities.

11. The Treasury Department has requested the National Association of Securities Dealers, Inc., and national securities exchanges to request members and member firms to continue existing procedures on securities transactions which previously were subject to the Interest Equalization Tax (34 P.R. 15386). It is the opinion of counsel for Penney that if the Interest Equalization Tax is reinstated in the form in which it existed immediately prior to its expiration, acquisition of the debentures will be subject to the Interest Equalization Tax unless, and except to the extent that, a specific statutory exclusion or exemption is available. Even if the offering of the debentures occurs prior to reinstatement of the Interest Equalization Tax, counsel believes that the likelihood of retroactive reinstatement of such tax and the burden of paying such tax if reinstated, should have the practical effect of discouraging purchases of the debentures by U.S. persons.

12. The debentures will bear a legend in the English language prominently indicating that the debentures would, if purchased by citizens or residents of the United States, its territories or possessions, be subject to the Interest Equalization Tax unless, and except to the extent that, a specific statutory exemption or exclusion is available, if such Tax shall be extended with provisions substantially identical to those in effect on September 30, 1969.

13. It is presently contemplated that the debentures will be listed on the Luxembourg Stock Exchange.

Applicant has submitted that it is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act for the Commission to enter an order exempting the applicant from each and every provision of the Act. In addition to the foregoing statement of facts, applicant has represented the following:

1. The payment of the debentures which is guaranteed by Penney does not depend on the operation or investment policy of the applicant because the debenture holders are entitled ultimately to look to the business enterprise of Penney. Accordingly, the public policy which dictated the enactment of the Act is not applicable to the applicant, nor do the security holders of the applicant require the protection afforded by the Act.

2. The applicant's security holders will have the benefit of the information made generally available by the disclosure and reporting provisions of the Securities Exchange Act of 1934 and the New York Stock Exchange with respect to the business operations and financial condition of Penney.

Applicant agrees that this order may be issued subject to the condition that applicant will not issue, subsequent to the sale and offering of the debentures, without a further order of the Commission, any securities (except to Penney or a subsidiary of Penney which is not an investment company) in the event that the U.S. Equalization Tax is not reenacted, or is reenacted and expires, or is repealed or the rate thereof is reduced to zero and such tax is not replaced by another tax providing a comparable deterrent to the purchase of applicant's securities by U.S. persons; *Provided, however, That nothing contained in the order, or the conditions to which it may be subject, requested by the application shall preclude the applicant from being exempt from the Act by virtue solely of (i) the applicant becoming exempt from each and every provision of the Act pursuant to Rule 6e-1 under the Act or (ii) the Commission adopting, amending, or interpreting a rule under the Act which would exempt the applicant from each and every provision of the Act.*

Notice is further given that any interested person may, not later than December 16, 1969, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues, if any, of fact or of law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing hereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 69-14374; Filed, Dec. 3, 1969;
8:46 a.m.]

[812-2569]

THE MUTUAL LIFE INSURANCE COMPANY OF NEW YORK AND THE MONY VARIABLE ACCOUNT A

Notice of Application for Exemption

NOVEMBER 28, 1969.

Notice is hereby given that The Mutual Life Insurance Company of New York, 1740 Broadway, New York, N.Y. 10019, ("MONY"), a mutual life insurance company organized under the laws of the State of New York, and the MONY Variable Account A ("Account A") (herein collectively called "Applicants") have filed an application pursuant to section 6(c) of the Investment Company Act ("Act") for an order of exemption to the extent noted below from the provisions of section 22(d) of the Act. All interested persons are referred to the application on file with the Commission for a complete statement of the representations contained therein, which are summarized below.

MONY established Account A on July 31, 1968, pursuant to the provisions of section 227 of the New York Insurance Law for the purpose of providing an investment medium for certain variable annuity contracts ("Contracts") to be issued by MONY and Account A. The Contracts are designed to provide fixed and variable retirement benefits pursuant to plans qualifying under section 401, 403(a), or 403(b) of the Internal Revenue Code ("Code"), and to individuals under Contracts not issued under any such tax benefited plans. Account A is an open-end, diversified management investment company registered under the Act.

Section 22(d) provides, in pertinent part, that no registered investment company shall sell any redeemable security issued by it to any person except at a current public offering price described in the prospectus. This section has been construed as requiring that the sales charge, expressed as a percentage of the offering price, be imposed without variation on every sale by the issuer of its redeemable securities. The current public offering price of the redeemable securities of the applicants as described in applicant's prospectus is the net asset value plus a sales charge and a charge for administrative expenses. Thus section 22(d) would prohibit the proposed sale, described below, of applicants' redeemable securities without a sales charge.

Applicants propose to make no sales charges with respect to payments under group variable annuity contracts of the deposit administration type in connection with annuity plans qualified for tax deferred treatment under section 403(b) of the Internal Revenue Code, where the payments are made by transfers to Account A of fixed accumulations under similar group fixed annuity contracts that have been previously issued by MONY before variable contracts became available.

Applicants propose to permit such transfers provided that (a) the individual making the transfer has a fixed ac-

cumulation of at least \$3,000, (b) at least \$500, but no more than 50 percent of the total fixed accumulation, is transferred, and (c) the transfer is elected within 6 months. The transfer will be prorated over 25 months, or over the time until the individual's normal charges for administrative expenses will be made on these transfers.

Applicants represent that no unfair discrimination would result from elimination of the sales charges. No selling expense in connection with such transfers is anticipated. With respect to the amounts transferred, a sales charge will have already been paid that is not less than the sales charge applicable to a like amount paid initially and directly under a group variable contract. Applicants represent that the requested exemption is necessary in order to afford the individuals concerned investment opportunities substantially equal to those which now are being made available under group variable contracts and that the proposed transfers, as limited, substantially meet this need without unduly inconveniencing the applicants or adversely affecting the interests of other contract holders.

Applicants request an exemption from section 22(d) of the Act to permit such transfers to be made without an additional sales charge, and represent that the exemption is necessary and appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Section 6(c) authorizes the Commission to exempt any person, security, or transaction, or any class or classes of persons, securities, or transactions, from the provisions of the Act if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is hereby given that any interested person may, not later than December 15, 1969 at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon applicants at the address stated above. Proof of such service (by affidavit or in case of an attorney at law, by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon

said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL]

ORVAL L. DuBOIS,
Secretary.[F.R. Doc. 69-14375; Filed, Dec. 3, 1969;
8:46 a.m.]

[File 1-5827]

REVENUE PROPERTIES CO., LTD.

Order Suspending Trading

NOVEMBER 28, 1969.

The common stock, no par value, of Revenue Properties Co., Ltd., being listed and registered on the American Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of Revenue Properties Co., Ltd., being traded otherwise than on a national securities exchange; and

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

It is ordered, Pursuant to sections 15 (c) (5) and 19(a) (4) of the Securities Exchange Act of 1934, that trading in such securities on the American Stock Exchange, and trading otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period November 29, 1969 through December 8, 1969, both dates inclusive.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.[F.R. Doc. 69-14376; Filed, Dec. 3, 1969;
8:46 a.m.]

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[Docket No. B-478]

ARTHUR E. COLBETH

Notice of Loan Application

Arthur E. Colbeth, Manset, Maine 04656, has applied for a loan from the Fisheries Loan Fund to aid in financing the purchase of a used 43-foot length overall steel vessel to engage in the fishery for shrimp, whiting, flounder, and groundfish.

Notice is hereby given pursuant to the provisions of Public Law 89-85 and Fisheries Loan Fund Procedures (50 CFR Part 250, as revised) that the above-entitled application is being considered by the Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the

Interior, Washington, D.C. 20240. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, Bureau of Commercial Fisheries, within 30 days from the date of publication of this notice. If such evidence is received it will be evaluated along with such other evidence as may be available before making a determination that the contemplated operations of the vessel will or will not cause such economic hardship or injury.

JAMES F. MURDOCK,
Acting Chief,

Division of Financial Assistance.

[P.R. Doc. 69-14371, Filed, Dec. 3, 1969;
8:46 a.m.]

SMALL BUSINESS ADMINISTRATION

[Delegation of Authority No. 30-6, (Southwestern Area), Disaster No. 734, Amdt. 1]

MANAGER, DISASTER BRANCH OFFICE, HAPPY JACK, LA.

Delegations Relating to Financial Assistance Functions

I. Pursuant to the authority delegated to the Area Administrator by Delegation of Authority No. 30 (Revision 12), 32 F.R. 179, dated January 7, 1967, as amended (32 F.R. 8113, 33 F.R. 8793, 33 F.R. 17217, 33 F.R. 19097, 34 F.R. 5134, 34 F.R. 11165, 34 F.R. 12651, 34 F.R. 14712, and 34 F.R. 17464) Delegation of Authority No. 30-6, Southwestern Area, Disaster No. 734, 34 F.R. 13957, is hereby amended by revising Item I.A.1 to read as follows:

I. * * *

A. *Financial Assistance.* 1. To approve or decline disaster direct and immediate participation loans up to the total SBA share of (a) \$50,000 per household for repairs or replacement of the home and/or not to exceed an additional \$10,000 allowable for household goods and personal items, but in no event may the money loaned for physical loss or damage exceed \$55,000 for a single disaster on home loans, except for funds to refinance prior liens or mortgages, which may be approved in addition to the foregoing limits for amounts up to \$50,000; and (b) \$350,000 on disaster business loans except to the extent of refinancing of a previous SBA disaster loan; and to approve disaster guaranteed loans up to \$350,000, and to decline disaster guaranteed loans in any amount.

Effective date: November 7, 1969.

ROBERT E. WEST,
Area Administrator,
Dallas, Tex.

[P.R. Doc. 69-14378; Filed, Dec. 3, 1969;
8:46 a.m.]

[Delegation of Authority No. 30-6, (Southwestern Area), Disaster No. 734, Amdt. 1]

MANAGER, DISASTER BRANCH OFFICE, NEW ORLEANS, LA.

Delegations Relating to Financial Assistance Functions

I. Pursuant to the authority delegated to the Area Administrator by Delegation of Authority No. 30 (Revision 12), 32 F.R. 179, dated January 7, 1967, as amended (32 F.R. 8113, 33 F.R. 8793, 33 F.R. 17217, 33 F.R. 19097, 34 F.R. 5134, 34 F.R. 11165, 34 F.R. 12651, 34 F.R. 14712, and 34 F.R. 17464) Delegation of Authority No. 30-6, Southwestern Area, Disaster No. 734, 34 F.R. 14546, is hereby amended by revising Item I.A.1 to read as follows:

I. * * *

A. *Financial Assistance.* 1. To approve or decline disaster direct and immediate participation loans up to the total SBA share of (a) \$50,000 per household for repairs or replacement of the home and/or not to exceed an additional \$10,000 allowable for household goods and personal items, but in no event may the money loaned for physical loss or damage exceed \$55,000 for a single disaster on home loans, except for funds to refinance prior liens or mortgages, which may be approved in addition to the foregoing limits for amounts up to \$50,000; and (b) \$350,000 on disaster business loans except to the extent of refinancing of a previous SBA disaster loan; and to approve disaster guaranteed loans up to \$350,000, and to decline disaster guaranteed loans in any amount.

Effective date: November 7, 1969.

ROBERT E. WEST,
Area Administrator,
Dallas, Tex.

[P.R. Doc. 69-14379; Filed, Dec. 3, 1969;
8:46 a.m.]

[Delegation of Authority 30, Richmond Regional Office, Disaster 1]

MANAGER, DISASTER BRANCH OFFICE, BUENA VISTA, VA.

Delegation of Authority Rescinded

Notice is hereby given that Delegation of Authority 30, Disaster 1, 34 F.R. 14546, is hereby rescinded in its entirety.

Effective date: November 15, 1969.

THOMAS F. REGAN,
Regional Director, Richmond, Va.

[P.R. Doc. 69-14380; Filed, Dec. 3, 1969;
8:46 a.m.]

[Delegation of Authority 30, Richmond Regional Office, Disaster 2]

MANAGER, DISASTER BRANCH OFFICE, SCOTTSVILLE, VA.

Delegation of Authority Rescinded

Notice is hereby given that Delegation of Authority 30, Disaster 2, 34 F.R. 14547, is hereby rescinded in its entirety.

Effective Date: November 15, 1969.

THOMAS F. REGAN,
Regional Director, Richmond, Va.

[P.R. Doc. 69-14381; Filed, Dec. 3, 1969;
8:46 a.m.]

[Delegation of Authority 30, Richmond Regional Office, Disaster 3]

MANAGER, DISASTER BRANCH OFFICE, WAYNESBORO, VA.

Delegation of Authority Rescinded

Notice is hereby given that Delegation of Authority 30, Disaster 3, 34 F.R. 14547, is hereby rescinded in its entirety.

Effective Date: November 15, 1969.

THOMAS F. REGAN,
Regional Director, Richmond, Va.

[P.R. Doc. 69-14382; Filed, Dec. 3, 1969;
8:46 a.m.]

[Delegation of Authority 30, Richmond Regional Office, Disaster 4]

MANAGER, DISASTER BRANCH OFFICE, LOVINGSTON, VA.

Delegation of Authority Rescinded

Notice is hereby given that Delegation of Authority 30, Disaster 4, 34 F.R. 14546, is hereby rescinded in its entirety.

Effective date: November 15, 1969.

THOMAS F. REGAN,
Regional Director, Richmond, Va.

[P.R. Doc. 69-14383; Filed, Dec. 3, 1969;
8:46 a.m.]

[Delegation of Authority 30, Richmond Regional Office, Disaster 5]

MANAGER, DISASTER BRANCH OFFICE, RICHMOND, VA.

Delegation of Authority Rescinded

Notice is hereby given that Delegation of Authority 30, Disaster 5, 34 F.R. 14547, is hereby rescinded in its entirety.

Effective date: November 15, 1969.

THOMAS F. REGAN,
Regional Director, Richmond, Va.

[P.R. Doc. 69-14384; Filed, Dec. 3, 1969;
8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 1356]

MOTOR CARRIER, BROKER, WATER CARRIER AND FREIGHT FOR- WARDER APPLICATIONS

NOVEMBER 28, 1969.

The following applications are governed by Special Rule 247¹ of the Com-

¹ Copies of Special Rule 247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

mission's general rules of practice (49 CFR 1100.247 as amended), published in the *FEDERAL REGISTER* issue of April 20, 1966, effective May 20, 1966. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the *FEDERAL REGISTER*. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with section 247(d)(3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and describing in detail the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one copy of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such requests shall meet the requirements of section 247(d)(4) of the special rules, and shall include the certification required therein.

Section 247(f) of the Commission's rules of practice further provides that each applicant shall, if protests to its application have been filed, and within 60 days of the date of this publication, notify the Commission in writing: (1) that it is ready to proceed and prosecute the application, or (2) that it wishes to withdraw the application, failure in which the application will be dismissed by the Commission.

Further processing steps (whether modified procedure, oral hearing, or other procedures) will be determined generally in accordance with the Commission's general policy statement concerning motor carrier licensing procedures, published in the *FEDERAL REGISTER* issue of May 3, 1966. This assignment will be by Commission order which will be served on each party of record.

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

No. MC 730 (Sub-No. 316), filed October 30, 1969. Applicant: PACIFIC

INTERMOUNTAIN EXPRESS CO., a corporation, 1417 Clay Street, Oakland, Calif. 94612. Applicant's representative: R. N. Cooledge (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chocolate*, in bulk, in tank vehicles, from San Francisco, Calif., to Salt Lake City, Utah. Note: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

No. MC 730 (Sub-No. 317), filed November 6, 1969. Applicant: PACIFIC INTERMOUNTAIN EXPRESS CO., a corporation, 1417 Clay Street, Oakland, Calif. 94604. Applicant's representative: Earl J. Brooks (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving Elkhart, Fort Wayne, Goshen, Mishawaka, South Bend, and Warsaw, Ind.; and Bellville, Berkey, Bowling Green, Brookville, Bucyrus, Butler, Caledonia, Carey, Carlisle, Centerville, Columbus, Crestline, Dayton, Delaware, Delta, Dublin, Eaton, Edison, Englewood, Enon, Fairborn, Fairfield, Findlay, Forest Park, Fostoria, Franklin, Fremont, Gallon, Germantown, Hamilton, Harrison, Haskins, Hayesville, Hebron, Huron, Johnstown, Kettering, Lebanon, Lexington, Lindsay, Loudonville, Marion, Marysville, Mason, Miamisburg, Middletown, Milan, Monroe, Mount Gilead, Nevada, New Albany, Newark, New Lebanon, New London, Norwalk, Oregon, Perrysburg, Perrysville, Plain City, Plymouth, Port Clinton, Powell, Reynoldsburg, St. Louisville, Sandusky, Shelby, Springfield, Swanton, Sylvania, Tiffin, Tipp City, Trotwood, Troy, Upper Sandusky, Utica, Vandalia, Waterville, Wauseon, Waynesville, W. Carrollton, Westerville, Willard, Woodville, Worthington, Xenia, and Yellow Springs, Ohio, as intermediate and off-route points in connection with carrier's otherwise authorized regular-route operations, restricted to shipments moving between the named Indiana and Ohio points, on the one hand, and, on the other, Denver, Colo., and points west thereof, or Erie and Pittsburgh, Pa., and points east thereof. Note: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio, or Indianapolis, Ind.

No. MC-3790 (Sub-No. 10), filed November 10, 1969. Applicant: RICHMOND TRANSFER, INC., Post Office Box 86, Excelsior Springs, Mo. 64024. Applicant's representative: Tom B. Kretzinger, 450 Professional Building, Kansas City, Mo. 64106. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, class A and B explosives, household goods as defined by the Commission, and commodities requiring

special equipment); (1) between Henrietta, Mo., and East St. Louis, Ill.; from Henrietta, Mo., over Missouri Highway 13 to its junction with Interstate Highway 70, thence over Interstate Highway 70 to East St. Louis, Ill., and return over the same route, serving no intermediate points; and (2) between Henrietta, Mo., and Springfield, Mo.; from Henrietta, Mo., over Missouri Highway 13 to Springfield, Mo., and return over the same route, serving no intermediate points. Note: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 5470 (Sub-No. 57), filed October 23, 1969. Applicant: TAJON, INC., Rural Delivery No. 5, Mercer, Pa. 16137. Applicant's representative: Don Cross, Munsey Building, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal* in dump vehicles, from points in Carbon, Dauphin, Luzerne, Northumberland, and Schuylkill Counties, Pa., to Clarksburg, W. Va. Note: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Pittsburgh, Pa.

No. MC 11207 (Sub-No. 292), filed November 10, 1969. Applicant: DEATON, INC., 317 Avenue West, Post Office Box 1271, Birmingham, Ala. 35201. Applicant's representative: A. Alvis Layne, Pennsylvania Building, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cast iron valves, including brass valves and components, and cast iron fire hydrants*, from Birmingham, Ala., and points within 10 miles of Birmingham to points in Arkansas and Oklahoma. Note: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala.

No. MC 17226 (Sub-No. 38), filed October 30, 1969. Applicant: FRUIT BELT MOTOR SERVICE, INC., 7626 West Madison Street, Forest Park, Ill. 60130. Applicant's representatives: Eugene L. Cohn, One North La Salle Street, Chicago, Ill. 60602; also J. A. Kundtz, 1050 Union Commerce Building, Cleveland, Ohio 44115. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Machinery and parts, materials and supplies* used in the manufacture, shipping, or operation of air conditioners and machinery and equipment for air conditioning, and *parts and accessories* thereof when moving in connection with and intended for installation thereon, from Chicago and Rockford, Ill.; Lafayette, McCordsville, and Oakland City, Ind.; Dawson Springs and Louisville, Ky.; Bangor, Detroit, Grand Rapids, Holland, St. Joseph, and Benton Harbor, Mich.; and St. Louis, Mo., and Jacksonville, Ark., to the plantsites of the Whirlpool Corp. at Marion, Ohio. Restriction: The

above-described operations are limited to a transportation service to be performed under a continuing contract or contracts with the Whirlpool Corp.; and (2) *air conditioners, and machinery and equipment for air conditioning and parts and accessories thereof* when moving in connection with and intended for installation thereon, from the plantsites of the Whirlpool Corp. at Marion, Ohio, to Chicago, Peoria, Moline, Rockford, and Waukegan, Ill.; Anderson, Evansville, Fort Wayne, Indianapolis, Mishawaka, and South Bend, Ind.; Davenport, Iowa; Kansas City and Olathe, Kans.; Louisville, Ky.; Benton Harbor, St. Joseph, Detroit, Highland Park, Flint, Grand Rapids, Lansing, and Saginaw, Mich.; St. Louis, Mo.; Knoxville, Nashville, and Memphis, Tenn.; and Milwaukee and Wauwatosa, Wis. Restriction: The operations described immediately above are limited to a transportation service to be performed under a continuing contract or contracts with the Whirlpool Corp. and Sears, Roebuck, & Co. Note: Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 19105 (Sub-No. 26), filed October 28, 1969. Applicant: FORBES TRANSFER COMPANY, INC., 301 A Highway South, Wilson, N.C. 27893. Applicant's representative: Vaughan S. Winborne, 1108 Capital Club Building, Raleigh, N.C. 27601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, and except class A and B explosives, household goods as defined by the Commission, and those injurious or contaminating to other lading), from Wilmington and Morehead City, N.C., to points in North Carolina. Note: Applicant states that it intends to tack the sought authority where ever it is possible, which is very limited, to authority presently held. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Raleigh or Charlotte, N.C.

No. MC 21455 (Sub-No. 16), filed November 6, 1969. Applicant: GENE MITCHELL CO., a corporation, 1106 Division Street, West Liberty, Iowa 52776. Applicant's representative: William A. Landau, 1451 East Grand Avenue, Des Moines, Iowa 50306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lead and aluminum scrap and slugs, and cardboard cartons*, between Iowa City, Iowa, and Newport, Ark. Note: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 23976 (Sub-No. 32), filed November 10, 1969. Applicant: TRANS WESTERN EXPRESS, INC., 5940 North Basin, Portland, Ore. 97217. Applicant: John G. McLaughlin, 726 Blue Cross

Building, 100 Southwest Market, Portland, Ore. 97201. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except household goods, commodities in bulk, in tank vehicles, and commodities requiring special equipment), between Portland, Ore., and Seattle, Wash., over Interstate Highway 5, serving all intermediate points in and north of Olympia, Wash. Note: Common control may be involved. If a hearing is deemed necessary, applicant requests it commence at Portland, Ore., and terminate at Seattle, Wash.

No. MC 31237 (Sub-No. 5), filed October 31, 1969. Applicant: JOSEPH M. DIGNAN & SON, INC., Post Office Box 7463, Baltimore, Md. 21227. Applicant's representative: C. F. Germelman, Post Office Box 81, Winchester, Va. 22601. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, automobiles, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), serving Top Value Enterprises, Inc., store located at West Springfield, Va., as an offroute point in connection with applicant's presently authorized regular routes between Baltimore, Md., and Alexandria, Va. Note: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 42487 (Sub-No. 735), filed November 7, 1969. Applicant: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Drive, Menlo Park, Calif. 94025. Applicant's representative: Robert M. Bowden, Commerce Supervisor, Western Traffic Service, Post Office Box 3062, Portland, Ore. 97208. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from Cody, Wyo., to points in Montana and Idaho, and those points in that part of North Dakota on and west of U.S. Highway 83. Note: Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 48956 (Sub-No. 6), filed October 31, 1969. Applicant: JAMES FLEMING TRUCKING, INC., East Street, Suffield, Conn. Applicant's representative: Thomas W. Murrett, 342 North Main Street, West Hartford, Conn. 06117. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Foods and foodstuffs, canned or preserved, and carbonated beverages*, from Oakfield, LeRoy (Genesee County), Alton (Wayne County), and Leicester (Livingston County), N.Y., to points in Connecticut, under a continuing contract or contracts with C-B Foods, Div. of Curtice-Burns, Inc. Note: Applicant holds common carrier

authority under MC 69300, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Buffalo, N.Y., or Hartford, Conn.

No. MC 50069 (Sub-No. 430), filed November 4, 1969. Applicant: REFINERS TRANSPORT & TERMINAL CORPORATION, 445 Earlwood Avenue, Oregon, Ohio 43616. Applicant's representative: J. A. Kundtz, 1050 Union Commerce Building, Cleveland, Ohio 44115. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, from Huntington, Ind. to points in the Lower Peninsula of Michigan. Note: Common control and dual operation may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. Applicant further states that no duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 52704 (Sub-No. 68), filed November 3, 1969. Applicant: GLENN McCLENDON TRUCKING COMPANY, INC., Post Office Box 49, Lafayette, Ala. 36862. Applicant's representative: John W. Cooper, 1301 City Federal Building, Birmingham, Ala. 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coin operated refrigerated drink vending machines and parts therefor*, between the plantsite of Cavalier Corp., at or near Chattanooga, Tenn., and points in Alabama, Arkansas, Florida, Georgia, Louisiana, Maryland, North Carolina, Oklahoma, South Carolina, Texas, Virginia, and West Virginia. Note: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala.

No. MC 59150 (Sub-No. 44), filed November 3, 1969. Applicant: PLOOF TRANSFER COMPANY, INC., 1901 Hill Street, Jacksonville, Fla. 32202. Applicant's representative: Martin Sack, Jr., 1754 Gulf Life Tower, Jacksonville, Fla. 32207. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gypsum products, asbestos products, and building materials*, from Westwego, La., to points in Florida. Note: Applicant states that it intends to join or tack the authority sought with its authority held under its base certificate authorizing the transportation of building and construction materials between points in Florida, on the one hand, and, on the other, points in Georgia, and with its authority granted under its Sub No. 31, authorizing the transportation of gypsum and gypsum products and building materials from points in Chatham County, Ga., to points in North Carolina, South Carolina, and Tennessee. By tacking the aforesaid authorities with the authority herein sought, applicant will be able to provide direct single line service on the commodities herein applied for from Westwego, La., to points in Georgia, North Carolina,

South Carolina, and Tennessee. If a hearing is deemed necessary, applicant requests it be held at Jacksonville, Fla., New York, N.Y. or Washington, D.C.

No. MC 61592 (Sub-No. 158), filed November 10, 1969. Applicant: JENKINS TRUCK LINE, INC., 3708 East Elm Street, Bettendorf, Iowa 52722. Applicant's representative: R. Connor Wiggins, Jr., Suite 909, 100 North Main Building, Memphis, Tenn. 38103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lemon juice and lemon flavored products*, from Jackson, Miss., and New York, N.Y., to points in the United States (except Hawaii). Note: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Jackson, Miss.

No. MC 61619 (Sub-No. 8) (Amendment) filed July 22, 1969, published in the FEDERAL REGISTER issue of August 14, 1969, and republished as amended, this issue. Applicant: GLENN L. HORMEL AND LAWSON E. LONGSTRETH, a partnership, doing business as L & H TRUCKING COMPANY, Rural Delivery No. 3, Spring Grove, Pa. Applicant's representative: John E. Fullerton, 407 North Front Street, Harrisburg, Pa. 17101. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products*, from Spring Grove, Pa., to Smyrna, Del., under a continuing contract with P. H. Glatfelter Co. Note: The purpose of this republication is to show the destination point as Smyrna, Del., in lieu of Clayton, Del., as was previously published. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 76266 (Sub-No. 117), filed October 31, 1969. Applicant: ADMIRAL-MERCHANTS MOTOR FREIGHT, INC., 2625 Territorial Road, St. Paul, Minn. 55114. Applicant's representative: William O. Turney, 2001 Massachusetts Avenue NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between St. Louis, Mo., and Cairo, Ill.; (a) from St. Louis, Mo., over Illinois Highway 3 to junction U.S. Highway 51, thence over U.S. Highway 51 to Cairo and return over the same route, as an alternate route, in connection with applicant's regular route authority, serving no intermediate points, but serving Cairo as a point of interchange only on traffic originating at or destined to points beyond Cairo, (b) from St. Louis over Interstate Highway 55 and U.S. Highway 61 to junction Missouri Highway 72, thence over Missouri Highway 72 to Illinois Highway 146 to junction Illinois Highway 3, thence over Illinois Highway 3 to Cairo and return over the same route as an alternate route in connection

with applicant's authorized regular route authority, serving no intermediate points, but serving Cairo as a point of interchange only on traffic originating at or destined to points beyond Cairo, and (c) from St. Louis over Interstate Highway 55 and U.S. Highway 61 to Sikeston, Mo., thence over U.S. Highway 60 and Interstate Highway 57 to Cairo and return over the same route, as an alternate route in connection with applicant's authorized regular route authority, serving no intermediate points, but serving Sikeston, Mo., for purpose of joinder only. Note: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., Minneapolis, Minn., or Phoenix, Ariz.

No. MC 86913 (Sub-No. 30), filed November 6, 1969. Applicant: EASTERN MOTOR LINES, INC., Post Office Box 649, Warrenton, N.C. 25789. Applicant's representative: C. M. Bullock (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Hardboards, insulation boards, plywoods and/or particleboards*, in straight or mixed truckloads; *parts, materials and accessory items* necessary for the installation thereof, from the plant and warehouse sites of the Abitibi Corp., in Wilkes County, N.C., to points in Connecticut, Delaware, District of Columbia, Illinois, Indiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, and Wisconsin; and (2) *commodities* used in the manufacture of hardboards, insulating boards, plywoods or particleboards, and *parts, materials and accessory items* incidental to the transportation and installation thereof in truckloads, from points in Connecticut, Delaware, District of Columbia, Illinois, Indiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, and Wisconsin, to the plant and warehouse sites of the Abitibi Corp., in Wilkes County, N.C. Note: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Charlotte, N.C.

No. MC 91053 (Sub-No. 10) (Correction), filed September 23, 1969, published in the FEDERAL REGISTER issue of October 23, 1969, corrected and republished as corrected this issue. Applicant: TRANS-WORLD MOVERS, INC., 3722 Chestnut Place, Denver, Colo. 80216. Applicant's representative: Walter R. Plankinton (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in the United States. Note: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant further states that it will offer all presently held authority for cancellation should the in-

stant application be granted. The purpose of this republication is to eliminate the restriction, which was shown in the previous publication. The rest of the application remains the same. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo., Kansas City, Mo. or Cheyenne, Wyo.

No. MC 94350 (Sub-No. 250), filed November 3, 1969. Applicant: TRANSIT HOMES, INC., Haywood Road, Post Office Box 1628, Greenville, S.C. 29602. Applicant's representative: Mitchell King, Jr., Post Office Box 1628, Greenville, S.C. 29602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers* designed to be drawn by passenger automobiles in initial movements and *buildings*, complete or in sections, from points in Shenandoah County, Va., to points east of the Mississippi River including Louisiana and Minnesota. Note: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Richmond, Va.

No. MC 95540 (Sub-No. 769), filed November 6, 1969. Applicant: WATKINS MOTOR LINES, INC., 1120 West Griffin Road, Lakeland, Fla. 33801. Applicant's representative: Paul E. Weaver (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Candy and confectionery*, in vehicles equipped with mechanical refrigeration, from Atlanta and Decatur, Ga., to points in New Mexico, Arizona, California, and Texas. Note: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 95540 (Sub-No. 770), filed November 6, 1969. Applicant: WARKINS MOTOR LINES, INC., 1120 West Griffin Road, Lakeland, Fla. 33801. Applicant's representative: Paul E. Weaver (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products, and articles distributed by meat packinghouses*, from points in Texas to points in Alabama, Georgia, Florida, North Carolina, South Carolina, and Tennessee. Note: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 96098 (Sub-No. 37), filed October 27, 1969. Applicant: MILTON TRANSPORTATION, INC., Rural Delivery 2, Milton, Pa. 17847. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Salt*, between points in Ohio, New York, New Jersey, Maryland, Delaware, West Virginia,

Pennsylvania, Massachusetts, Connecticut, and Rhode Island; under a continuing contract with Diamond Crystal Salt Co. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Harrisburg, Pa.

No. MC 96344 (Sub-No. 4), filed November 7, 1969. Applicant: NORTHWEST DRAYAGE CO., a corporation, 10 Angelica Street, St. Louis, Mo. 63147. Applicant's representative: Eugene L. Cohn, One North La Salle Street, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass containers (bottles or jars), caps, covers, stoppers and tops, and fiberboard boxes*, from the plantsite and other facilities of Obeare-Nester Glass Co., at Lincoln, Ill., to points in Illinois, Indiana, Iowa, Kentucky, Missouri, Ohio, Tennessee, Wisconsin, and the lower peninsula of Michigan. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 99123 (Sub-No. 4), filed November 7, 1969. Applicant: QUAST TRANSFER INC., 420 3d Street South, Winsted, Minn. 55395. Applicant's representative: Raymond J. Quast, 156 George Avenue East, Winsted, Minn. 55395. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities except those of unusual value, Classes A and B explosives, household goods, commodities in bulk, and those requiring special equipment, serving the terminal site of Yellow Freight System, Inc., located at Burnsville, Minn., as an offroute point in connection with carrier's presently authorized regular route operations to and from Minneapolis-St. Paul, Minn.* **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 100666 (Sub-No. 156), filed November 6, 1969. Applicant: MELTON TRUCK LINES, INC., Post Office Box 7666, Shreveport, La. 71107. Applicant's representatives: Wilburn L. Williamson, 600 Leininger Building, Oklahoma City, Okla. 73112; and Paul L. Caplinger, Post Office Box 7666, Shreveport, La. 71107. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Composition board and plywood, from Charleston, S.C., to points in Alabama, Mississippi, Arkansas, Louisiana, Missouri, Kansas, Oklahoma, and Texas.* **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Atlanta, Ga.

No. MC 103993 (Sub-No. 472), filed October 27, 1969. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind. 46514. Applicant's representative: Paul D. Borgheani (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building panels, sections, parts, and accessories, from*

Trenton, N.J., to points in Alabama, Arkansas, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Michigan, Missouri, Mississippi, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Virginia, West Virginia, and Wisconsin. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 106398 (Sub-No. 429), filed October 28, 1969. Applicant: NATIONAL TRAILER CONVOY, INC., 1925 National Plaza, Tulsa, Okla. 74151. Applicant's representative: Irvin Tull and Fred Rahal, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Buildings in sections, building panels, building parts and accessories in truckaway or haulaway service, from points in Hartford County, Conn., to points in the United States (except Alaska and Hawaii).* **NOTE:** Common control and dual operations may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Hartford, Conn., or New York, N.Y.

No. MC 106398 (Sub-No. 433), filed November 6, 1969. Applicant: NATIONAL TRAILER CONVOY, INC., 1925 National Plaza, Tulsa, Okla. 74151. Applicant's representative: Irvin Tull and Fred Rahal, Jr. (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers designed to be drawn by passenger automobiles, in initial movements, from Lexington County, S.C., to points in the United States (except Alaska and Hawaii).* **NOTE:** Common control and dual operations may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. Applicant further states that no duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Columbia or Charlotte, S.C.

No. MC 106398 (Sub-No. 434), filed November 10, 1969. Applicant: NATIONAL TRAILER CONVOY, INC., 1925 National Plaza, Tulsa, Okla. 74151. Applicant's representative: Irvin Tull and Fred Rahal, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers, designed to be drawn by passenger automobiles, in initial movements, from points in Henderson County, Ky., to points in the United States (except Alaska and Hawaii).* **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. Applicant further states that it seeks no duplicating authority. Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Evansville, Ind., or Louisville, Ky.

No. MC 106398 (Sub-No. 435), filed November 10, 1969. Applicant: NATIONAL

TRAILER CONVOY, INC., 1925 National Plaza, Tulsa, Okla. 74151. Applicant's representative: Irvin Tull and Fred Rahal, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers designed to be drawn by passenger automobiles, in initial movements, from Fredericksburg, Va., to points in Ohio, Kentucky, Tennessee, North Carolina, New Jersey, Virginia, West Virginia, Maryland, Pennsylvania, New York, Connecticut, Massachusetts, Vermont, New Hampshire, Delaware, and South Carolina.* **NOTE:** Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. Applicant further states that it seeks no duplicating authority. Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 106497 (Sub-No. 43), filed November 3, 1969. Applicant: PARK-HILL TRUCK COMPANY, a corporation, Post Office Box 912, Joplin, Mo. 64801. Applicant's representatives: A. N. Jacobs (same address as above) and Wilburn L. Williamson, 600 Leininger Building, Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles, from Baytown and East Baytown, Tex., to points in Arkansas, Louisiana, Oklahoma, Kansas, New Mexico, and Mississippi.* **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex., or Washington, D.C.

No. MC 106674 (Sub-No. 66), filed November 10, 1969. Applicant: SCHILLI MOTOR LINES INC., Post Office Box 122, Delphi, Ind. 46923. Applicant's representative: Robert W. Loser, 1001 Chamber of Commerce Building, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products, between Eaton, Ind., on the one hand, and, on the other, points in Illinois, Indiana, Kentucky, Michigan, Ohio, and Wisconsin.* **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind., Chicago, Ill., or Milwaukee, Wis.

No. MC 106760 (Sub-No. 121), filed November 10, 1969. Applicant: WHITEHOUSE TRUCKING, INC., 1925 National Plaza, Tulsa, Okla. 74151. Applicant's representative: Irvin Tull and Fred Rahal, Jr. (same address as applicant).

Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Bituminized fiber sewer pipe and fittings and bituminized fiber conduits and connections and meter boxes*, from Louisiana, Mo., to points in the United States (except Alaska and Hawaii). **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. Applicant further states it seeks no duplicating authority. Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Springfield, Ill.

No. MC 107012 (Sub-No. 100), filed November 7, 1969. Applicant: NORTH AMERICAN VAN LINES, INC., Lincoln Highway East & Meyer Road, Post Office Box 988, Fort Wayne, Ind. 46801. Applicant's representative: Terry G. Fewell, Post Office Box 988, Fort Wayne, Ind. 46801. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Physical fitness and gymnasium equipment and apparatus*, uncrated, from points in Fresno County, Calif., to points in the United States, excluding Hawaii, but including Alaska. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif., or Chicago, Ill.

No. MC 107227 (Sub-No. 110), filed November 6, 1969. Applicant: INSURED TRANSPORTERS, INC., 1944 Williams Street, San Leandro, Calif. 94577. Applicant's representative: John G. Lyons, 1418 Mills Tower, San Francisco, Calif. 94104. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Self-propelled container transporters*, from Redwood City, Calif., to points in the United States (except Alaska and Hawaii). **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

No. MC 107295 (Sub-No. 239), filed November 3, 1969. Applicant: PRE-FAB TRANSIT CO., a corporation, 100 South Main Street, Post Office Box 146, Farmer City, Ill. 61842. Applicant's representative: Dale L. Cox (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Steel studding and plasterboard steel faced and accessories*, from West Lake, Ohio, to points in the United States (except Washington, Oregon, California, Idaho, Utah, Nevada, Alaska, and Hawaii). **NOTE:** Applicant states that it will tack with its presently held authority where feasible. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 107295 (Sub-No. 244), filed November 4, 1969. Applicant: PRE-FAB TRANSIT CO., a corporation, 100 South Main Street, Post Office Box 146, Farmer

City, Ill. 61842. Applicant's representative: Dale L. Cox (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Composition board, particle board, fiberboard, and accessories*, from Virginia, Minn., to points in the United States in and east of Montana, Wyoming, Colorado, and New Mexico, Alaska and Hawaii. **NOTE:** Applicant states that it intends to tack where feasible, with its presently held authority. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn., or Chicago, Ill.

No. MC 107295 (Sub-No. 245), filed November 10, 1969. Applicant: PRE-FAB TRANSIT CO., a corporation, 100 South Main Street, Farmer City, Ill. 61842. Applicant's representative: Dale L. Cox, Post Office Box 146, Farmer City, Ill. 61842. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Buildings, buildings sections, building component parts, and building panels, and accessories thereto*, from Terre Haute, Ind., to points in Colorado, New Mexico, Utah, Nevada, Idaho, Montana, North Dakota, South Dakota, and Wyoming. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind., or Springfield, Ill.

No. MC 107403 (Sub-No. 781) (Amendment), filed October 1, 1969, published in FEDERAL REGISTER issue of October 23, 1969, and republished as amended, this issue. Applicant: MATLACK, INC., Ten West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from points in Delaware County, Ohio, to points in Alabama, Arkansas (except Fort Smith), Iowa, Illinois, Minnesota, Missouri, Tennessee, and Wisconsin. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. The purpose of this republication is to reflect the origin as points in Delaware County, Ohio, in lieu of Delaware, Ohio. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 107515 (Sub-No. 683), filed October 20, 1969. Applicant: REFRIGERATED TRANSPORT CO., INC., 3901 Jonesboro Road, SE, Post Office Box 308, Forest Park, Ga. 30050. Applicant's representative: B. L. Gundlach (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Westbury, Long Island, N.Y., to points in North Carolina, South Carolina, Georgia, Florida, Alabama, Tennessee, Mississippi, Louisiana, Arkansas, Oklahoma, and Texas. **NOTE:** Applicant states it does not contemplate tacking, however, it could tack with Sub 141 at Florence, Ala., or Sub 399 at Sylvester, Ga. If a

hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 108053 (Sub-No. 90), filed November 3, 1969. Applicant: LITTLE AUDREY'S TRANSPORTATION COMPANY, INC., Post Office Box 129, Fremont, Nebr. 68025. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Lafayette, Ind., to points in Arizona, Nevada, and New Mexico. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 108341 (Sub-No. 25), filed November 5, 1969. Applicant: MOSS TRUCKING COMPANY, INC., Post Office Box 8409, Charlotte, N.C. 28208. Applicant's representative: Morton E. Kiel, 140 Cedar Street, New York, N.Y. 10006. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Hardboards, insulation boards, plywoods and/or particleboards*, in straight or mixed truckloads, parts, materials, and accessory items necessary for the installation thereof, from the plant and warehouse sites of the Abitibi Corp. in Wilkes County, N.C., to points in Alabama, Arkansas, Colorado, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia, and (2) *commodities used in the manufacture of hardboard, insulating boards, plywoods, or particleboards, and parts, materials and accessory items incidental to the transportation and installation thereof in truckloads, on return*. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Charlotte, N.C.

No. MC 108393 (Sub-No. 20), filed November 10, 1969. Applicant: SIGNAL DELIVERY SERVICE, INC., 782 Industrial Drive, Elmhurst, Ill. 60126. Applicant's representative: J. A. Kundtz, 1050 Union Commerce Building, Cleveland, Ohio 44115. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in by retail department stores and mail-order houses, and in connection therewith, such equipment, materials, and supplies used in the conduct of such business*, between Boston, Mass., on the one hand, and, on the other, points in Massachusetts, Maine, New Hampshire, Vermont, Connecticut, Rhode Island, and New York, under a continuing contract or contracts with

Sears, Roebuck & Co. NOTE: Applicant holds common carrier under MC 118459 and subs thereunder, therefore, dual operations and common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 109337 (Sub-No. 12), filed October 27, 1969. Applicant: WATSON BROS. VAN LINES AND HEAVY HAULING CO., a corporation, 3514 South 25th Street, Omaha, Nebr. 68105. Applicant's representative: Samuel Zacharia, 711 First National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Steel bar joists and accessories*, from Norfolk, Nebr., to points in Arizona, California, Colorado, Idaho, Illinois, Indiana, Iowa, Kansas, Upper Peninsula of Michigan, Minnesota, Missouri, Montana, Nevada, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, Utah, Wisconsin, and Wyoming. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 109612 (Sub-No. 28), filed November 3, 1969. Applicant: LEE MOTOR LINES, INC., Post Office Box 728, Muncie, Ind. 47305. Applicant's representative: Donald W. Smith, 900 Circle Tower, Indianapolis, Ind., 46204. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Malt beverages*, from Detroit, Mich., St. Paul, Minn., Milwaukee, Wis., Cleveland, Ohio, Louisville, and Newport, Ky., and St. Louis, Mo., to Muncie, Anderson, and Indianapolis, Ind., and (2) *empty malt beverage containers*, from Anderson, Muncie, and Indianapolis, Ind., to Detroit, Mich., St. Paul, Minn., Milwaukee, Wis., Cleveland, Ohio, Louisville, and Newport, Ky., and St. Louis, Mo. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind., or Chicago, Ill.

No. MC 109689 (Sub-No. 211), filed November 3, 1969. Applicant: W. S. HATCH CO., a corporation, 643 South 800 West, Woods Cross, Utah. Applicant's representative: Mark K. Boyle, 345 South State Street, Salt Lake City, Utah 84111. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Lime and lime products*, from Dolomite, Utah to points in Idaho, Nevada, and Wyoming. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah.

No. MC 110420 (Sub-No. 604), filed October 27, 1969. Applicant: QUALITY CARRIERS, INC., 100 South Calumet Street, Burlington, Wis. 53105. Applicant's representative: A. Bryant Thorst (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular

routes, transporting: *Corn products, blends of corn products, and corn products blended with other products*, in bulk, from Pittsburgh, Pa., to points in Maryland, New York, Pennsylvania, Ohio, Virginia, West Virginia, and Kentucky. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 110525 (Sub-No. 945), filed November 12, 1969. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. 19335. Applicant's representatives: Edwin H. Van Deusen (same address as above) and Leonard A. Jaskiewicz, Suite 501 1730 M Street NW, Washington, D.C. 20036. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Dry chemicals*, in bulk, in tank vehicles, from the plantsite of Amoco Chemicals Corp., located in Brazoria County, Tex., approximately 12 miles south of Alvin, Tex., to points in the United States (except Alaska and Hawaii). NOTE: Applicant states tacking possibilities but states it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Houston, Tex., or Washington, D.C.

No. MC 110525 (Sub-No. 946), filed November 12, 1969. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. 19335. Applicant's representatives: Edwin H. van Deusen (same address as applicant) and Leonard A. Jaskiewicz, Suite 501, 1730 M Street NW, Washington, D.C. 20036. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Liquid ethylene*, in bulk, in tank vehicles, from Baton Rouge, La., to Orangeburg, S.C., and the plantsite of the Bromet Co., at or near Magnolia, Ark. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 111401 (Sub-No. 291), filed November 3, 1969. Applicant: GROENDYKE TRANSPORT, INC., 2510 Rock Island Boulevard, Post Office Box 632, Enid, Okla. 73701. Applicant's representative: Alvin L. Hamilton (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer*, in bulk, in tank vehicles, from the site of Williams Brothers Pipeline Terminal located at Kansas City, Kans., to points in Missouri. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., or Washington, D.C.

No. MC 113024 (Sub-No. 79), filed October 29, 1969. Applicant: ARLINGTON J. WILLIAMS, INC., Rural Delivery No. 2, Smyrna, Del. 19977. Applicant's representative: Samuel W. Earnshaw, 833 Washington Building, Washington, D.C. 20005. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Wet nitrocellulose*, in containers, for the account of Hercules, Inc., from Parlin, N.J., to Radford, Va. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 114019 (Sub-No. 199), filed November 3, 1969. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 South Pulaski Road, Chicago, Ill. 60629. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts, and articles distributed by meat packinghouses*, as described in Appendix I to the report in *Descriptions in Motor Carrier Certificates* 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles); and *foodstuffs* (except meats and packinghouse products as described above), when moving in mixed shipments with meats and packinghouse products, from Austin, Minn., Fort Dodge, Iowa, and Fremont, Nebr., to points in Connecticut, Delaware, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia. NOTE: Applicant states that it is presently authorized to perform a portion of the requested service from Austin, Minn., under its Subs 38 and 31. It is authorized to perform the remaining service by tacking its other authorities. The purpose of the instant application is to permit the transportation of foodstuffs when in mixed shipments with meats and packinghouse products and to eliminate the need for tacking. Applicant further states that no duplicating authority is being sought. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 114028 (Sub-No. 16), filed October 28, 1969. Applicant: ROWLEY INTERSTATE TRANSPORTATION COMPANY, INC., 1717 Maple Street, Dubuque, Iowa 52001. Applicant's representative: Wilmer B. Hill, 705 McLachlen Bank Building, 666 11th Street NW, Washington, D.C. 20001. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Hose nozzles and lawn sprinklers*, from Somerset, Pa., to Battle Creek, Mich. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa., or Washington, D.C.

No. MC 115311 Sub-No. 107), filed November 6, 1969. Applicant: J & M

TRANSPORTATION CO., INC., Post Office Box 488, Milledgeville, Ga. 31061. Applicant's representative: Paul M. Dantell and Bill R. Davis, 1600 First Federal Building, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Hardboard, composition boards, insulation boards, plywoods and/or particleboards, and parts, materials and accessory items* necessary for the installation thereof, from the plant and warehouse sites of the Abitibi Corp. in Wilkes County, N.C., to points in Alabama, Florida, Georgia, and South Carolina, and (2) *commodities* used in the manufacture of hardboard, composition boards, insulating boards, plywoods and/or particleboards, and parts, materials and accessory items incidental to the transportation and installation thereof, from points in Alabama, Florida, Georgia, and South Carolina to the plant and warehouse sites of the Abitibi Corp. in Wilkes County, N.C. Note: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga. or Washington, D.C.

No. MC 115841 (Sub-No. 363), filed November 10, 1969. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., 1215 West Bankhead Highway (Post Office Box 2169), Birmingham, Ala. 35201. Applicant's representative: C. E. Wesley (same address as applicant) and E. Stephen Heasley, 666 11th Street NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts, and articles* distributed by meat packing-houses, as described in *Descriptions of Motor Carriers Certificates*, 61 M.C.C. 209 and 766 (except in bulk and hides), from Amarillo, Tex., to points in the United States east of the Mississippi River, and Arkansas and Louisiana. Note: Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at New Orleans, La., or Birmingham, Ala.

No. MC 116077 (Sub-No. 280), filed November 3, 1969. Applicant: ROBERTSON TANK LINES, INC., 5700 Polk Avenue, Post Office Box 1505, Houston, Tex. 77001. Applicant's representative: Thomas E. James, The 904 Lavaca Building, Austin, Tex. 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals* (except petrochemicals), in bulk, from points in Ector County, Tex., to points in New Mexico. Note: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Houston, Tex.

No. MC 116254 (Sub-No. 105), filed November 3, 1969. Applicant: CHEMHAULERS, INC., Post Office Drawer M, Sheffield, Ala. 35660. Applicant's representative: Walter Harwood, 1822 Park-

way Towers, Nashville, Tenn. 37219. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, from points in Maury County, Tenn., to points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Louisiana, Michigan, Mississippi, Missouri, North Carolina, Ohio, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and West Virginia. Note: Applicant states that it will tack with its present authority in Sub 5 at Sheffield, Ala., and points within 15 miles thereof, and Sub 52 Certificate, at Barfield, Ark., and points within 10 miles thereof. If a hearing is deemed necessary, applicant requests it be held at Nashville or Memphis, Tenn., or Birmingham, Ala.

No. MC 116763 (Sub-No. 155), filed October 31, 1969. Applicant: CARL SUBLER TRUCKING, INC., North West Street, Versailles, Ohio 45380. Applicant's representative: Carl Subler (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from Crowell and Edmore, Mich., to points in Kentucky, Tennessee, Georgia, Alabama, Mississippi, and points in Louisiana east of the Mississippi River. Note: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Lansing, Mich.

No. MC 116763 (Sub-No. 156), filed November 3, 1969. Applicant: CARL SUBLER TRUCKING, INC., North West Street, Versailles, Ohio 45380. Applicant's representative: Carl Subler (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal and pet foods* (except in bulk), from the plantsite and storage facilities of the Campbell Soup Co. at Paris, Tex., to points in Alabama, Florida, Georgia, and Mississippi. Note: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 117344 (Sub-No. 197), filed November 10, 1969. Applicant: THE MAXWELL CO., a corporation, 10380 Evendale Drive, Cincinnati, Ohio 45215. Applicant's representative: James R. Stiverson, 50 West Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from points in Delaware County, Ohio, to points in Alabama, Arkansas, Iowa, Illinois, Minnesota, Missouri, Tennessee, and Wisconsin. Note: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 117565 (Sub-No. 19), filed August 18, 1969. Applicant: MOTOR SERVICE COMPANY, INC., 237 South Fifth Street, Coshocton, Ohio 43812. Applicant's representative: Louis J. Amato, Post Office Box E, Bowling Green, Ky.

42101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Travel trailers*, from Henderson, Ky., to points in Oklahoma, Texas and those in that part of the United States east of a line beginning at the mouth of the Mississippi River, and extending along the Mississippi River to its junction with the western boundary of Itasca County, Minn., thence northward along the western boundaries of Itasca and Koochiching Counties, Minn., to the international boundary line between the United States and Canada. Note: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn., or Louisville, Ky.

No. MC 117815 (Sub-No. 152), filed November 3, 1969. Applicant: PULLEY FREIGHT LINES, INC., 405 Southeast 20th Street, Des Moines, Iowa 50317. Applicant's representative: William L. Fairbank, 610 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Appleton, Wis., to points in Illinois, Iowa, Minnesota, Missouri, and Nebraska. Note: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa, or Milwaukee, Wis.

No. MC 118159 (Sub-No. 83), filed November 7, 1969. Applicant: EVERETT LOWRANCE, INC., 4916 Jefferson Highway, New Orleans, La. Applicant's representative: David D. Brunson, 419 Northwest Sixth Street, Oklahoma City, Okla. 73102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Wellston, Ohio, to points in Arizona, Arkansas, California, Colorado, Idaho, Kansas, Louisiana, Montana, Nevada, New Mexico, Oklahoma, Oregon, Texas, Utah, Washington, and Wyoming. Note: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla., Dallas, Tex., or Washington, D.C.

No. MC 118989 (Sub-No. 35), filed November 3, 1969. Applicant: CONTAINER TRANSIT, INC., 5223 South Ninth Street, Milwaukee, Wis. 53211. Applicant's representative: Robert H. Levy, 29 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic containers and related parts and shipping containers*, from points in Cook County, Ill., to points in Minnesota, Wisconsin, and Michigan. Note: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Milwaukee, Wis.

No. MC 118989 (Sub-No. 36), filed November 7, 1969. Applicant: CONTAINER TRANSIT, INC., 5223 South

La Salle Street, Chicago, Ill. 60603. Applicant's representative: Robert H. Levy, 29 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Containers, cans, drums, pails, and incidental parts thereof, and return of refused or rejected merchandise, from Peotone, Ill., to points in Kentucky.* NOTE: Applicant states tacking could occur by tacking Subs 3, 4, and 8, at Peotone, Ill., from other origin territories. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Milwaukee, Wis.

No. MC 119726 (Sub-No. 21), filed October 22, 1969. Applicant: N. A. B. TRUCKING CO., INC., 1007 East 27th Street, Indianapolis, Ind. Applicant's representative: James L. Beatty, 130 East Washington Street No. 1021, Indianapolis, Ind. 46204. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Glass and plastic containers, corrugated boxes, knocked down, caps, covers, and tops, from Dunkirk, Ind., to points in North Carolina, South Carolina, and Milledgeville, Ga.* NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 119908 (Sub-No. 6), filed October 30, 1969. Applicant: WESTERN LINES, INC., 3523 North McCarty, Houston, Tex. 77029. Applicant's representative: William P. Jackson, Jr., 1819 H Street NW., Federal Bar Building West, Washington, D.C. 20006. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Iron and steel articles, from Baytown and East Baytown, Tex., to points in Arkansas, Louisiana, Oklahoma, Kansas, New Mexico, and Mississippi.* NOTE: Applicant presently holds contract carrier authority under its permit MC No. 110814 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Houston, Tex.

No. MC 119908 (Sub-No. 7), filed November 10, 1969. Applicant: WESTERN LINES, INC., 3523 North McCarty, Houston, Tex. Applicant's representative: William P. Jackson, Jr., Federal Bar Building West, 1819 H Street NW., Washington, D.C. 20006. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Bleaching, cleaning, laundry and scouring compounds, materials, and supplies (including liquid drain opener) (except commodities in bulk), from Houston, Tex., to points in Louisiana, Mississippi, and Arkansas.* NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant holds contract carrier authority under MC-110814 and subs thereunder, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Houston, Tex.

No. MC 120543 (Sub-No. 63), filed October 27, 1969. Applicant: FLORIDA REFRIGERATED SERVICE, INC., Highway 301 North, Post Office Box 1297, Dade City, Fla. 33525. Applicant's representative: L. D. Fay, 1205 Universal Marion Building, Post Office Box 1086, Jacksonville, Fla. 32201. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Frozen foods, from Laredo, Tex., to points in Ohio, West Virginia, Virginia, North Carolina, South Carolina, Tennessee, Alabama, Georgia, Florida, Arkansas, Mississippi, and Louisiana.* NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga., or Columbia, S.C.

No. MC 124078 (Sub-No. 415), filed November 7, 1969. Applicant: SCHWERTMAN TRUCKING CO., a corporation, 611 South 28th Street, Milwaukee, Wis. 53246. Applicant's representative: James R. Zipperski (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer solutions, from Decatur, Ala., to points in Alabama, Georgia, Mississippi, and Tennessee.* NOTE: Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. Applicant further states that tacking is possible, but not intended. If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala.

No. MC 124154 (Sub-No. 31), filed November 10, 1969. Applicant: WINGATE TRUCKING COMPANY, INC., Post Office Box 645, Albany, Ga. 31702. Applicant's representative: W. Guy McKenzie, Jr., Post Office Box 1200, Tallahassee, Fla. 32302. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Axles, running gear assemblies and component parts and materials used in the manufacture thereof, on flatbed trailers (except commodities requiring special equipment), between points in Turner County, Ga., on the one hand, and, on the other, points in Florida, Georgia, North Carolina, South Carolina, Alabama, and Tennessee.* NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant holds contract carrier authority under MC 117504, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 125254 (Sub-No. 7), filed November 3, 1969. Applicant: DONALD L. MORGAN, doing business as MORGAN TRUCKING CO., Post Office Box 714, Muscatine, Iowa 52761. Applicant's representative: William A. Landau, 1451 East Grand Avenue, Des Moines, Iowa 50306. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Metal furniture, in boxes or crates, from Muscatine, Iowa, to points in Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri,*

Nebraska, North Dakota, South Dakota, and Wisconsin, and (2) materials, equipment and supplies, used or useful in the manufacture and distribution of metal furniture, on return. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 126149 (Sub-No. 5), filed November 10, 1969. Applicant: DENNY MOTOR FREIGHT, INC., 617 Indiana Avenue, New Albany, Ind. 47150. Applicant's representative: Donald W. Smith, 900 Circle Tower, Indianapolis, Ind. 46204. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Mechanical broadcasters and tractor attachments, from Logansport, Ind., to points in Kentucky, Virginia, Texas, Tennessee, Missouri, Michigan, and North Carolina.* NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 126305 (Sub-No. 21), filed October 31, 1969. Applicant: BOYD BROTHERS TRANSPORTATION CO., INC., Rural Delivery 1, Clayton, Ala. 36016. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Plywood, hardboard, particleboard and panels, decorative or not decorative, between Bergen County, N.J., on the one hand, and, on the other, points in the United States on and east of a line beginning at the mouth of the Mississippi River, and extending along the Mississippi River to its junction with the western boundary of Itasca County, Minn., thence northward along the western boundaries of Itasca and Koochiching Counties, Minn., to the international boundary line between the United States and Canada.* NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn., Denver, Colo., or Washington, D.C.

No. MC 127196 (Sub-No. 11), filed October 28, 1969. Applicant: ZERBIN L. KLINE AND JAMES L. KLINE, a partnership doing business as Kline Trucking, Rural Delivery No. 1, Millville, Pa. 17846. Applicant's representatives: S. Berne Smith and James W. Hagar, 100 Pine Street, Post Office Box 1166, Harrisburg, Pa. 17108. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *General commodities (except articles of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and livestock), between the plantsite of Babson Bros. Co., in Oak Brook, Ill., on the one hand, and, on the other, points in the United States (except Hawaii).* Restriction: Traffic shall either originate

at or be destined to the plantsite of Babson Bros. Co., in Oak Brook, Ill. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Chicago, Ill.

No. MC 128256 (Sub-No. 6), filed November 10, 1969. Applicant: O. W. BLOSSER, doing business as BLOSSER TRUCKING, 215 North Main Street, Middlebury, Ind. 46540. Applicant's representative: Alki E. Scopelitis, 816 Merchants Bank Building, Indianapolis, Ind. 46204. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Lumber, from Deer River, Bemidji, and Redby, Minn., and from the port of entry on the United States-Canada boundary line at or near Pigeon River, Minn., to points in Indiana. **NOTE:** Applicant states that the purpose of this application is not to tack, but tacking is possible at Middlebury, Ind., to points in Michigan and Wisconsin. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Indianapolis, Ind.

No. MC 128659 (Sub-No. 2), filed November 4, 1969. Applicant: ORBITAL TRANSPORT, INC., 2647 Karen Street, Bellmore, N.Y. 11710. Applicant's representative: William D. Traub, 10 East 49th Street, New York, N.Y. 10016. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Glass bottles, from Orangeburg, N.Y., North Bergen, Cliffwood, and Freehold, N.J., to Glen Cove, N.Y., under contract with Glen Cove Bottling Co., Inc., Glen Cove, N.Y. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 128988 (Sub-No. 3) (Correction), filed October 20, 1969, published in FEDERAL REGISTER issue of November 20, 1969, and republished, as corrected this issue. Applicant: JO/KEL, INC., Post Office Box 22265, Los Angeles, Calif. 90023. Applicant's representative: J. Max Harding, 605 South 14th Street, Post Office Box 2028, Lincoln, Nebr. 68501. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Upholstery or carpet tacking rims or strips, nails, adhesive cement, mechanic hand tools and advertising materials, racks and stands therefor, from Los Angeles, Calif., to points in the United States in and east of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and Texas; and (2) materials, equipment and supplies used in the manner and distribution of the commodities in (1) above on return. Restrictions: (1) All commodities in (1) and (2) above restricted against the transportation of commodities in bulk; and (2) limited to a transportation service performed under a continuing contract with Taylor Industries, Inc., City of Industry, Calif. **NOTE:** The purpose of this republication is to show authority sought as that of a contract carrier, in lieu of a common carrier, as previously published. If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 129414 (Sub-No. 4), filed October 20, 1969. Applicant: BELL & MOONEY, INC., Post Office Box 925, Gillette, Wyo. 82716. Applicant's representative: Robert S. Stauffer, 3539 Boston Road, Cheyenne, Wyo. 82001. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Lost circulation materials and chemicals, from Gillette and Upton, Wyo., to points in Big Horn, Yellowstone, Custer, Fallon, Prairie, Garfield, Dawson, Richland, McCone, Valley, Roosevelt, Sheridan, Petroleum, Phillips, and Daniels Counties, Mont. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Casper, Wyo., or Billings, Mont.

No. MC 133035 (Sub-No. 11), filed November 6, 1969. Applicant: DILTS TRUCKING, INC., Route 1, Crescent, Iowa 51526. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Dry fertilizer, from the plantsite of Cooperative Farm Chemicals Association at or near Lawrence, Kans., to points in Colorado, Iowa, Nebraska, Oklahoma, South Dakota, and Missouri. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant does not specify a location.

No. MC 133566 (Sub-No. 1), filed October 15, 1969. Applicant: ROBERT GANGLOFF AND ROBERT DOWNHAM, a partnership, doing business as GANGLOFF AND DOWNHAM, Post Office Box 676, Logansport, Ind. 46947. Applicant's representative: Jack H. Blanshan, 29 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Meats, meat products, meat byproducts, and articles distributed by meat packinghouses, as described in sections A and C of Appendix I to the report in Descriptions in Motor Carriers Certificates, 61 M.C.C. 209 and 766 (except commodities in bulk), (1) from the plantsite and/or cold storage facilities utilized by Wilson & Co., Inc., at Logansport, Ind., to points in Illinois, Maryland, New Jersey, New York, Pennsylvania, and West Virginia; and (2) from the warehouse and cold storage facilities utilized by Wilson & Co., Inc., at Lafayette, Ind., to points in Illinois, Maryland, New Jersey, New York, Pennsylvania, and West Virginia, restricted to traffic origination at the above named origins and destined to the above named destinations. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 133779 (Sub-No. 1) (correction), filed October 27, 1969, published in the FEDERAL REGISTER issue of November 20, 1969, corrected and republished as corrected, this issue. Applicant: FUNDIS COMPANY, a corporation, Broadway at Cornell, Lovelock, Nev.

89419. Applicant's representative: Pete Fundis (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Earth, infusorial or diatomaceous (diatomite); earth, diatomaceous, physically combined with alkyl naphthalene, sodium sulfonate; and wood pulp sulphite; except in bulk, from Colado Junction, located in Pershing County, and Clark located in Washoe County, Nev., to points in Fresno, Imperial, Inyo, Kern, Kings, Los Angeles, Mono, Orange, Riverside, San Diego, San Bernardino, San Luis Abispo, Santa Barbara, Tulare and Ventura Counties, Calif. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Reno and Carson City, Nev., or San Francisco, Calif. The purpose of this republication is to clarify the origin points inadvertently set forth in previous publication.

No. MC 133865 (Sub-No. 1), filed October 30, 1969. Applicant: HUBBARD VAN & STORAGE, INC., Post Office Box 743, Santa Maria, Calif. 93454. Applicant's representative: Ernest D. Salm, 3846 Evans Street, Los Angeles, Calif. 90027. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Used household goods, between points in Monterey, San Luis Obispo and Santa Barbara Counties, Calif. restricted to the transportation of traffic having a prior or subsequent movement, in containers, beyond the points authorized and further restricted to the performance of pickup and delivery service in connection with packing, crating, and containerization or unpacking, uncrating, and decontainerization of such traffic. **NOTE:** Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 133883 (Sub-No. 2), filed November 6, 1969. Applicant: GERALD N. EVENSON, Box 328, Pelican Rapids, Minn. 56572. Applicant's representative: Gene P. Johnson, 502 First National Bank Building, Fargo, N. Dak. 58102. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (1) Kitchen and bathroom cabinets and hardware and accessories used in the installation of kitchen and bathroom cabinets, from Fergus Falls, Minn., to points in the United States (except Alaska and Hawaii); and (2) materials and supplies used in the manufacture of commodities named in (1) above, from points in Arkansas, Kentucky, Tennessee, Mississippi, and Missouri, to Fergus Falls, Minn.; under contract with Central States Industries, Inc. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Fargo, N. Dak.

No. MC 134038 (Sub-No. 2), filed September 25, 1969. Applicant: MAJORS TRANSIT, INC., Post Office Box 7, Caneyville, Ky. 42721. Applicant's representative: Louis J. Amato, Post Office Box E, Bowling Green, Ky. 42101. Authority sought to operate as a common carrier,

by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment); (1) between the junction of Kentucky Highway 175 and Kentucky Highway 601 and junction of Kentucky Highway 175 and U.S. Highway 62 west of Depoy, Ky., from the junction of Kentucky Highway 175 and Kentucky Highway 601 over Kentucky Highway 175 to junction U.S. Highway 62, serving all intermediate points, (2) between Earles, Ky., and Central City, Ky., over Kentucky Highway 70, serving all intermediate points, (3) between junction Kentucky Highway 181 and Kentucky Highway 81 south of Sacramento, Ky., and junction of Kentucky Highway 181 and Kentucky Highway 601 north of Greenville, Ky., from junction of Kentucky Highway 181 and Kentucky Highway 81 over Kentucky Highway 181, serving all intermediate points, (4) between Nortonville and Greenville, Ky., over U.S. Highway 62, serving all intermediate points, (5) between junction of Kentucky Highway 85 and U.S. Highway 62 west of McHenry, Ky., and Island, Ky., over Kentucky Highway 85, serving all intermediate points, (6) between junction of Kentucky Highway 138 and U.S. Highway 431 north of Island, Ky., and junction of Kentucky Highway 138 and Kentucky Highway 81 south of Calhoun, Ky., over Kentucky Highway 138, serving all intermediate points, (7) between Beaver Dam, Ky., and Rockport, Ky., over U.S. Highway 62, serving all intermediate points, (8) between Aberdeen, Ky., and Brownsville, Ky., over Kentucky Highway 70, serving all intermediate points, (9) between Caneyville and Roundhill, Ky., over Kentucky Highway 185, serving all intermediate points, (10) between junction Kentucky Highway 187 and U.S. Highway 62 and junction Kentucky Highway 187 and Kentucky Highway 70 over Kentucky Highway 187, serving all intermediate points, (11) between Rosine and Morgantown, Ky., from Rosine over Kentucky Highway 505 to Balzeton, thence over Kentucky Highway 403 via Logansport to Morgantown, and return over the same route, serving all intermediate points, (12) between Drakesboro and Greenville, Ky., over Kentucky Highway 176, serving all intermediate points, (13) between Hartford and Centertown, Ky., over Kentucky Highway 69, serving all intermediate points, and (14) between junction Kentucky Highway 259 and U.S. Highway 62 and Meredith, Ky., over U.S. Highway 62, serving all intermediate points. Note: If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky., or Nashville, Tenn.

No. MC 134066 (Sub-No. 1), filed November 3, 1969. Applicant: LEWIS A. BAER, doing business as BAER AG. SUPPLY, Box 299, Waukegan, Iowa 50263. Applicant's representative: William L. Fairbank, 610 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, trans-

porting: *Salt*, from Waukegan, Iowa, to points in Iowa, under contract with American Salt Co. Note: If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa, or Kansas City, Mo.

No. MC 134083 (Sub-No. 1), filed November 3, 1969. Applicant: SOUTHERN ENTERPRISES, INC., 930 Catherine Street, Key West, Fla. 33040. Applicant's representative: Alan F. Wohlstetter, 1 Farragut Square S., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods* between points in Monroe and Dade Counties, Fla., restricted to the transportation of traffic having a prior or subsequent movement, in containers, and further restricted to the performance of pickup and delivery service in connection with packing, crating, containerization or unpacking, uncrating and decontainerization of such traffic. Note: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 134096 (Sub-No. 2), filed October 29, 1969. Applicant: TROPICANA TRANSPORTATION CORP., 121 Paris Street, Newark, N.J. 07105. Applicant's representative: Paul M. Daniell, 1600 First Federal Building, Atlanta, Ga. 30303. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Canned, chilled and frozen citrus products*, (2) *canned and bottled non-alcoholic drinks and drink concentrates*, and (3) *citrus animal feed (citrus pomace)*, from the plantsite of Tropicana Products, Inc., at or near Kearney, N.J., to points in Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont, under contract with Tropicana Products, Inc. Note: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 134102, filed October 13, 1969. Applicant: ARKIN TRUCK LINE, INCORPORATED, 1600 South Indiana Avenue, Chicago, Ill. 60616. Applicant's representative: George S. Mullins, 4704 West Irving Park Road, Chicago, Ill. 60641. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Printed matter*, between the plantsite of R. R. Donnelley & Sons Co., at or near Dwight, Ill., and Chicago, Ill. Note: Applicant states it has contract carrier authority under MC 60987 and subs thereunder. The Commission's records show that the holder of MC 60987 and subs thereunder to be an Indiana corporation, however, the instant application for common carrier authority is filed as an Illinois corporation. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 134116, filed October 17, 1969. Applicant: HOLLAN MOVING, INC., 107 Country Club Drive, Newark, Del. Applicant's representative: David Roeberg, 1112 King Street, Wilmington, Del. 19801. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Crated*

Thru-container shipments of used household goods, between points in New Castle, Kent, and Sussex Counties, Del.; Cecil, Kent, and Hartford Counties, Md.; Chester, Delaware, Lancaster, Montgomery, and Philadelphia Counties, Pa.; and Gloucester, Salem, and Cumberland Counties, N.J. Note: If a hearing is deemed necessary, applicant requests it be held in Delaware.

No. MC 134144, filed October 22, 1969. Applicant: WALTER S. HINE, doing business as FIELD VIEW FARMS, 707 Derby Turnpike, Orange, Conn. 06477. Applicant's representative: Thomas W. Murrett, 342 North Main Street, West Hartford, Conn. 06117. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizers, insecticides, pesticides, fungicides and herbicides*, in containers, and *grass seed*, in containers, when moving in mixed loads with the above commodities, from Derby, Conn., to points in Massachusetts, Vermont, New Hampshire, Maine, Rhode Island, and points in New York on and east of Interstate Highway 81 under a continuing contract or contracts with the Fer-Mel Corp., Wethersfield, Conn. Note: If a hearing is deemed necessary, applicant requests it be held at Hartford, Conn.

No. MC 134146, filed November 3, 1969. Applicant: CONTINENTAL TRANSFER CO., INC., 100 Albert Avenue, Metuchen, N.J. 08840. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Theatrical equipment, materials, supplies and personnel* accompanying such equipment, materials, and supplies, between points in the United States (except Alaska and Hawaii). Note: Applicant states that it does not intend to tack. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 134147, filed October 27, 1969. Applicant: EDGAR MONCRIEF, doing business as ED MONCRIEF TRUCKING CO., 615 Irwin Street, Cedartown, Ga. 30125. Applicant's representative: Karl M. Kothe, Post Office Box 268, Rome, Ga. 30161. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Rough iron castings, sand, alloys, foundry facings in bags*, between Cedartown, Ga., and Birmingham, Ala., (2) *cupola block*, between Cedartown, Ga., and Bessemer, Ala., and (3) *fire clay*, between Cedartown, Ga., and Anniston, Ala.; under contract with Cedartown Foundry and Machine Co., Inc. Note: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 134148, filed November 4, 1969. Applicant: DESERT MOVING & STORAGE CO., INC., 44822 North Yucca, Lancaster, Calif. 93534. Applicant's representative: Ernest D. Salm, 3846 Evans Street, Los Angeles, Calif. 90027. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods* between points in Kern and Los Angeles Counties, Calif., restricted to the

transportation of traffic having a prior or subsequent movement, in containers, beyond the points authorized and further restricted to the performance of pickup and delivery service in connection with packing, crating, and containerization, or unpacking, uncrating, and decontainerization of such traffic. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 134155 filed November 4, 1969. Applicant: COAST TO COAST CONTRACT CARRIERS, INC., Post Office Box 494, Lynwood, Calif. 90262. Applicant's representatives: William J. Lippman and Arthur D. Bernstein, 1824 R Street NW., Washington, D.C. 20009. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (1) *Plastic sheet, plastic lighting parts, miscellaneous plastic extrusions, and related plastic products*, from Wilmington, Calif., to points in Arizona, Colorado, Illinois, Indiana, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New York, Ohio, Pennsylvania, Texas, Washington, Wisconsin, and the District of Columbia, and (2) *materials and supplies* used in the manufacture of the commodities in (1) above, from points in Connecticut, Illinois, Kentucky, Pennsylvania, Tennessee, and West Virginia, to Wilmington, Calif., under continuing contract or contracts with J. W. Carroll & Sons, Wilmington, Calif. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

MOTOR CARRIERS OF PASSENGERS

No. MC 73133 (Sub-No. 5), filed October 6, 1969. Applicant: MAYFLOWER COACH CORP., 2720 Bronx Park E., Bronx, N.Y. Applicant's representative: Sidney J. Leshin, 501 Madison Avenue, New York, N.Y. 10022. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, from New York, N.Y., to points in Vermont, Massachusetts, Pennsylvania, and Virginia. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 116712 (Sub-No. 4), filed November 3, 1969. Applicant: MID-AMERICAN COACHES, INC., Eighth and Elm Streets, Washington, Mo. 63090. Applicant's representative: Joseph R. Nacy, 117 West High Street, Post Office Box No. 352, Jefferson City, Mo. 65101. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage* in the same vehicle with passengers, in special operations, in round-trips, sightseeing trips, and pleasure tours, beginning and ending at Washington, Hermann, Union, and New Haven, Mo., and extending to all points in the United States.

APPLICATIONS FOR BROKERAGE LICENSES

No. MC 130101, filed October 14, 1969. Applicant: JUSTUS P. BROWN, JR., doing business as ASTRO TOURS AND TRAVEL, 226 Medford Avenue, Patchogue, N.Y. 11772. For a license (BMC

5) to engage in operations as a broker at Patchogue, N.Y., in arranging for transportation in interstate or foreign commerce of *passengers and their baggage*, both as individuals and in groups, beginning and ending at Patchogue, N.Y., and extending to points in the United States.

No. MC 130102, filed October 23, 1969. Applicant: EXCURSIONS UNLIMITED, INC., 523 Mohawk Street, Columbus, Ohio 43206. Applicant's representative: James R. Stiversen, 50 West Broad Street, Columbus, Ohio 43215. For a license (BMC 5) to engage in operations as a broker at Columbus, Ohio, in arranging for transportation in interstate or foreign commerce of *passengers and their baggage*, in special and charter operations in round-trip tours, beginning and ending at points in Franklin, Pickaway, Fairfield, Licking, Delaware, Union, Madison, and Clark Counties, Ohio, and extending to points in the United States including Alaska, but excluding Hawaii.

APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN REQUESTED

No. MC 121014 (Sub-No. 2), filed November 6, 1969. Applicant: BIG SIX TRUCK SERVICE, INC., Post Office Box 148, St. Peters, Mo. 63376. Applicant's representative: Frederick H. Chetlain and Ernest A. Brooks II, Suite 1302, 411 North Seventh Street, St. Louis, Mo. 63101. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities*, (1) between St. Louis and St. Paul, Mo., from St. Louis over Missouri Highway 180 to junction Missouri Highway 115, thence over Missouri Highway 115 via St. Charles to junction Bypass U.S. Highway 40 (redesignated as Interstate Highway 70) to Gilmore, thence over St. Charles County unnumbered road to Josephville and St. Paul, and return over the same route with authority to serve St. Louis, St. Charles, St. Peters, O'Fallon, St. Paul, and Josephville, Mo., and (2) between St. Louis and St. Peters, Mo., from St. Louis over U.S. Highway 67 to West Alton, thence over Missouri Highway 94 to junction Supplementary Route "B", thence over Supplementary Route "B" to junction Supplementary Route "C", thence over Supplementary Route "C" to St. Peters, and return over the same route with authority to serve St. Louis, West Alton, Portage, De Sioux, Black Walnut, Orchard Farm, Kampville, Seeburger, Perdue, and St. Peters, Mo., and serving off-route points within 5 miles of the aforesaid route. **NOTE:** The purpose of this application is to convert applicant's certificate of registration under Docket No. MC 121014 (Sub-No. 1) to a certificate of public convenience and necessity.

No. MC 133984 (Sub-No. 2), filed November 6, 1969. Applicant: M. A. POPPERT, doing business as POPPERT TRUCKING COMPANY, 1915 North Durfee, El Monte, Calif. 91734. Applicant's representative: Donald Murchison, Suite 211, 211 South Beverly Drive, Beverly Hills, Calif. 90212. Authority

sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Store fixtures and equipment*, crated and uncrated in mixed loads, on flatbed vehicles, between plant-sites and warehouses of Hill Refrigeration Corp. located within Los Angeles County, Calif., on the one hand, and, on the other, points in Arizona, Colorado, Idaho, Montana, Nevada, Oregon, Utah, Washington, and Wyoming; under a continuing contract with Hill Refrigeration Corp.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 69-14342; Filed, Dec. 3, 1969; 9:45 a.m.]

FOURTH SECTION APPLICATION FOR RELIEF

DECEMBER 1, 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. 41812—*Anhydrous ammonia from Geismar, La., to La Platte, Nebr.* Filed by Southwestern Freight Bureau, agent (B-99), for interested rail carriers. Rates on anhydrous ammonia, in tank carloads, as described in the application, from Geismar, La., La Platte, Nebr.

Grounds for relief—market competition.

Tariff—Supplement 77 to Southwestern Freight Bureau, agent, tariff ICC 4780.

FSA No. 41813—*Chlorine from Saltville, Va.* Filed by O. W. South, Jr., agent (A6143), for interested rail carriers. Rates on chlorine, in tank carloads, from Saltville, Va., to Roanoke Rapids, N.C.

Grounds for relief—market competition.

Tariff—Supplement 165 to Southern Freight Association, agent, tariff ICC S-517.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 69-14429; Filed, Dec. 3, 1969; 8:50 a.m.]

[Notice 948]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

NOVEMBER 26, 1969.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67 (49 CFR Part 1131) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official

named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 200 (Sub-No. 231 TA), filed November 19, 1969. Applicant: RISS INTERNATIONAL CORPORATION, 903 Grand Avenue, Kansas City, Mo. 64106. Applicant's representative: Bill D. Gardner (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts, and articles distributed by meat packinghouses*, as defined in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles, and except hides), from points in the Omaha, Nebr.; Council Bluffs, Iowa, commercial zone to points in Connecticut, Delaware, Maryland, Massachusetts, New York, New Jersey, Pennsylvania, Rhode Island, Virginia, for 180 days. Supporting shipper: Beefland International, Inc., Council Bluffs, Iowa. Send protests to: Vernon V. Coble, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1100 Federal Office Building, 911 Walnut Street, Kansas City, Mo. 64106.

No. MC 41116 (Sub-No. 40 TA), filed November 20, 1969. Applicant: FOGLEMAN TRUCK LINE, INC., 1724 West Mill Street, Crowley, La. 70526. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Pulpboard*, from Pineville, La., to Vidalia, La., and Natchez, Miss., for 180 days. Supporting shipper: Pineville Kraft Corp., Post Office Box 870, Pineville, La. 71360. Send protests to: W. R. Atkins, District Supervisor, Interstate Commerce Commission, Bureau of Operations, T-4009 Federal Building, 701 Loyola Avenue, New Orleans, La. 70113.

No. MC 94201 (Sub-No. 79 TA), filed November 19, 1969. Applicant: BOWMAN TRANSPORTATION, INC., 1010 Stroud Avenue, East Gadsden, Ala. 35903. Applicant's representative: M. Bishop, 325-29 Frank Nelson Building, Birmingham, Ala. 35203. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Cast iron valves, including brass valves and/or components, and cast iron fire hydrants, between Birmingham, Ala., and points within 10 miles thereof, on the one hand, and, on the other, points in Arkansas, Florida, Georgia, Kentucky,*

Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, and Oklahoma, for 180 days. Supporting shipper: American Cast Iron Pipe Co., Post Office Box 2603, Birmingham, Ala. 35202. Attention: Mr. Walter M. Boyce, Traffic Manager. Send protests to: Clifford W. White, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 814, 2121 Building, Birmingham, Ala. 35203.

No. MC 104149 (Sub-No. 189 TA), filed November 19, 1969. Applicant: OSBORNE TRUCK LINE, INC., 530 North 31st Street, Birmingham, Ala. 35203. Applicant's representative: M. Bishop, 325-29 Frank Nelson Building, Birmingham, Ala. 35203. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Cast iron valves, including brass valves and/or components, and cast iron fire hydrants, between Birmingham, Ala., and points within 10 miles thereof, on the one hand, and, on the other, points in Alabama, Georgia, Arkansas, Oklahoma, Mississippi, Tennessee, Florida and those in that part of Louisiana east of the Mississippi River, for 180 days. Supporting shipper: American Cast Iron Pipe Co., Post Office Box 2603, Birmingham, Ala. 35202. Attention: Mr. Walter M. Boyce, Traffic Manager. Send protests to: Clifford W. White, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 814, 2121 Building, Birmingham, Ala. 35203.*

No. MC 107496 (Sub-No. 756 TA), filed November 20, 1969. Applicant: RUAN TRANSPORT CORPORATION, Third and Keosauqua Way, Des Moines, Iowa 50309. Applicant's representative: H. L. Fabritz (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Sand with additives, in bulk, in dump vehicles, from Aurora, Ill., to Waupaca and Oshkosh, Wis., for 150 days. Supporting shipper: Faskure Coated Sand Division, Aurora Metal Co., 1019 Jericho Road, Aurora, Ill. 60538. Send protests to: Ellis L. Annett, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 677 Federal Building, Des Moines, Iowa 50309.*

No. MC 113678 (Sub-No. 368 TA), filed November 20, 1969. Applicant: CURTIS, INC., Post Office Box 16004, Stockyards Station, Denver, Colo. 80216. Applicant's representative: Oscar Mandel (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, packinghouses products and articles distributed by meat packinghouses as set forth in section A and C. Descriptions in Motor Carrier Certificates, from Scottsbluff, Nebr., to points in Connecticut, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia, for 180 days. Supporting shipper: Geo. A. Hormel & Co., Post Office Box 800, Austin, Minn. 55912. Send protests to: Herbert C. Ruoff, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 2022 Federal Building, Denver, Colo. 80202.*

No. MC 117565 (Sub-No. 22 TA), filed November 20, 1969. Applicant: MOTOR SERVICE COMPANY, INC., 237 South Fifth Street, Coshocton, Ohio 43812. Applicant's representative: Louis J. Amato, 1033 State Street, Bowling Green, Ky. 42101. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Motor homes, in initial movements, in truck-away and driveway service, from the plantsite of Shasta of Ohio, Apple Creek, Ohio, to Leola, Pa.; Goshen, Ind.; Grapevine, Tex., and Columbia, S.C., for 180 days. Supporting shipper: Shasta of Ohio, Post Office Box 238, Apple Creek, Ohio 44606. Send protests to: A. M. Culver, Jr., District Supervisor, Interstate Commerce Commission, Bureau of Operations, 255 Federal Building and U.S. Courthouse, 85 Marconi Boulevard, Columbus, Ohio 43215.*

No. MC 117686 (Sub-No. 109 TA), filed November 20, 1969. Applicant: HIRSCHBACH MOTOR LINES, INC., 3324 U.S. Highway 75 North, Post Office Box 417, Sioux City, Iowa 51102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts, and articles distributed by meat packinghouses, as defined in section A and C appendix I to the Report in Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles, and except hides), from points in the Omaha, Nebr., Council Bluffs, Iowa, commercial zone to points in Arkansas and Texas, for 180 days. Note: Applicant proposes to tack to existing authority at Omaha, Nebr. Supporting shipper: Beefland International, Inc., 2700 23d Avenue, Council Bluffs, Iowa 55501. Send protests to: Carroll Russell, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 304 Post Office Building, Sioux City, Iowa 51101.*

No. MC 119627 (Sub-No. 3 TA), filed November 20, 1969. Applicant: CENTRAL STATES EXPRESS, INC., 820 Dalby Street, Ankeny, Iowa 50021. Applicant's representative: William L. Fairbank, 610 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Agricultural implements and attachments and parts when moving in mixed loads with agricultural implements, from plant and warehouse sites and experimental farms of Deere & Co. in Wapello County, Iowa, to points in Indiana, Kentucky, Michigan, Ohio, Pennsylvania, and West Virginia, for 150 days. Supporting shipper: Deere & Co., 400 19th Street, Moline, Ill. 61265. Send protests to: Ellis L. Annett, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 677 Federal Building, Des Moines, Iowa 50309.*

No. MC 125168 (Sub-No. 14 TA), filed November 19, 1969. Applicant: OIL TANK LINES, INC., Box 190, Darby, Pa. 19023. Applicant's representative: R. H. Davis (same address as above). Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Petroleum products, petroleum acid and/or petroleum waste,*

in bulk, in tank vehicles, between Bradford, Bruin, Karns City, Reno and Rouseville, Pa., on the one hand, and, on the other, Claymont and Wilmington, Del.; Cartaret, Clifton, Newark, Passaic, Paulsboro, Perth Amboy, Piscataway, Sewaren, and Woodbridge, N.J.; Great Neck and New York, N.Y.; Bristol and Philadelphia, Pa.; Charleston, Falling Rock, and Nitro, W. Va., for 180 days. Supporting shipper: American International Refining Corp., 1108 Law and Finance Building, Pittsburgh, Pa. 15219. Send protests to: Peter R. Guman, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 900 U.S. Customhouse, Second and Chestnut Streets, Philadelphia, Pa. 19106.

No. MC 127042 (Sub-No. 51 TA), filed November 19, 1969. Applicant: HAGEN, INC., 4120 Floyd Boulevard, Post Office Box 6, Leeds Station, Sioux City, Iowa 51108. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meat, meat products, and meat byproducts, and articles distributed by meat packing-houses* (except hides and commodities in bulk), from Omaha, Nebr., to points in Cook and Du Page Counties, Ill., points in Wisconsin, points in Michigan on and west of U.S. Highway 45, and points in Minnesota on and north of U.S. Highway 10, for 150 days. Supporting shipper: Topco Associates, Inc., 7711 Gross Point Road, Skokie, Ill. 60076. Send protests to: Carroll Russell, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 304 Post Office Building, Sioux City, Iowa 51101.

No. MC 133966 (Sub-No. 3 TA), filed November 19, 1969. Applicant: NORTH EAST EXPRESS, INC., Post Office Box 1303, Wilkes-Barre, Pa. 18703. Applicant's representative: Kenneth R. Davis, 1106 Dartmouth Street, Scranton, Pa. 18504. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Insulation and insulation materials*, from the plantsite of Certain-Teed Saint Gobain Insulation Corp., near Mountaintop, Pa., and Edwardsville, Pa., to points in Ohio, Maryland, Delaware, New York (except those in New York, N.Y., Nassau, and Westchester Counties, N.Y.) and New Jersey (except those in Passaic, Bergen, Essex, Morris, Hudson, Union, Somerset, Middlesex, and Monmouth Counties, N.J.), for 150 days. Supporting shipper: Certain-Teed Saint Gobain Insulation Corp., 100 Presidential Boulevard North, Bala Cynwyd, Pa. 19004. Send protests to: Paul J. Kenworthy, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 309 U.S. Post Office Building, Scranton, Pa. 18503.

No. MC 134153 TA, filed November 20, 1969. Applicant: JOSEPH O. DICKERSON, JR., AND JOSEPH O. DICKERSON, SR., a partnership doing business as D & D TRANSPORTATION COMPANY, 1415 Park Boulevard, Camden, N.J. 08103. Applicant's representative: L. W. Harris, 2120 North Van Pelt Street, Philadelphia, Pa. 19121. Authority sought to operate as a contract carrier, by motor

vehicle, over irregular routes, transporting: *Steel products*, finished and unfinished, in bundles, boxes and bags, for the account of Bayou Ltd., Pennsauken, N.J., from Camden, N.J., and points in the Philadelphia, Pa., commercial zone to points in New Jersey, New York, Pennsylvania, Delaware, Maryland, Virginia, Massachusetts, Connecticut, and Rhode Island, with damaged or rejected shipments, on return, for 180 days. Supporting shipper: Bayou Ltd., 800 North 36th Street, Pennsauken, N.J. 08110. Send protests to: Raymond T. Jones, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 410 Post Office Building, Trenton, N.J. 08608.

No. MC 134154 TA, filed November 20, 1969. Applicant: OPAL FLANNERY, McKee, Ky. 40447. Applicant's representative: Ollie L. Merchant, Suite 202, 140 South Fifth, Louisville, Ky. 40202. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Animal and poultry feed*, from Cincinnati, Ohio, and its commercial zone, as described by the Commission, to McKee, Ky., for 180 days. Supporting shipper: Carl Lakes, Owner, Jackson County Farm Service, Box 126, McKee, Ky. 40447. Send protests to: R. W. Schneider, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 222 Bakhaus Building, 1500 West Main Street, Lexington, Ky. 40505.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[P.R. Doc. 69-14430; Filed, Dec. 3, 1969;
8:50 a.m.]

[Notice 454]

MOTOR CARRIER TRANSFER PROCEEDINGS

DECEMBER 1, 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-71718. By order of November 20, 1969, the Motor Carrier Board approved the transfer to Toddman Transport Co., a corporation, Fort Worth, Tex., of the certificate of registration in No. MC-120750 (Sub-No. 1) issued March 23, 1964, to Magnolia Transportation Co., Inc., Houston, Tex., evidencing a right to engage in transportation in interstate or foreign commerce

corresponding in scope to the grant of authority in specialized motor carrier certificate No. 5894 dated November 17, 1960, issued by the Railroad Commission of Texas, Reagan Sayers, Rawlings, Sayers & Scurlock, 1108 Continental Life Building, Post Office Box 17007, Fort Worth, Tex. 76102, attorney for applicants.

No. MC-FC-71724. By order of November 20, 1969, the Motor Carrier Board approved the transfer to Toody's Express Co., Inc., Revere, Mass., of the certificate of registration in No. MC-27889 (Sub-No. 2), issued June 1, 1964, to Salvatore Cianciulli, doing business as Toody's Express, Revere, Mass., authorizing the transportation of general commodities between points in Massachusetts. George C. O'Brien, 15 Court Square, Boston, Mass. 02108, attorney for applicants.

[SEAL]

H. NEIL GARSON,
Secretary.

[P.R. Doc. 69-14431; Filed, Dec. 3, 1969;
8:50 a.m.]

[Notice 454A]

MOTOR CARRIER TRANSFER PROCEEDINGS

DECEMBER 1, 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 general rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 30 days from the date of service of the order. 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-71450. By order of November 24, 1969, Division 3, acting as an Appellate Division, approved the transfer to Wrentham Motor Lines, Inc., Walpole, Mass., of the operating rights in certificate No. MC-208 issued June 25, 1956, to A. R. C. Trucking, Inc., Boston, Mass. (corporate name changed to East Coast Trucking, Inc.) authorizing the transportation of general commodities, except those of unusual value, classes A and B explosives, household goods, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, over regular routes, between Nashua, N.H., and New York, N.Y., serving specified intermediate and off-route points, and, over irregular routes, between points in Hudson, Essex, Somerset, Union, Middlesex, Morris, Bergen, and Passaic Counties, N.J., on the one hand, and on the other, New York, N.Y.; paper and asbestos products, over irregular routes, between Nashua, N.H., on the one hand, and, on the other, points in Passaic, Hudson, Essex, Union, Middlesex, and Somerset

Counties, N.J.; and paper, over irregular routes, between Lawrence, Mass., on the one hand, and, on the other, points in Passaic, Hudson, Essex, Union, Middlesex, and Somerset Counties, N.J. Sanford A. Kowal, 73 Tremont Street, Boston, Mass. 02108, Attorney for transferee. George C. O'Brien, 15 Court Square, Boston, Mass. 02108, attorney for transferor.

[SEAL]

H. NEIL GARSON,
Secretary.

[P.R. Doc. 69-14432, Filed, Dec. 3, 1969;
8:50 a.m.]

[Notice 454B]

MOTOR CARRIER TRANSFER PROCEEDINGS

DECEMBER 1, 1969.

Application filed for temporary authority under section 210(a)(b) in connection with transfer application under section 212(b) and Transfer Rules, 49 CFR Part 1132:

No. MC-FC-71807. By application filed November 26, 1969, HI-LINE TRUCKING, INC., 309 East Boundary Avenue,

Plentywood, Mont. 59254, seeks temporary authority to lease the operating rights of PARAFFIN SERVICE, INC., 209 Prospect Drive, Glendive, Mont. 59330, under section 210a(b). The transfer to HI-LINE TRUCKING, INC., of the operating rights of PARAFFIN SERVICE, INC., is presently pending.

By the Commission.

[SEAL]

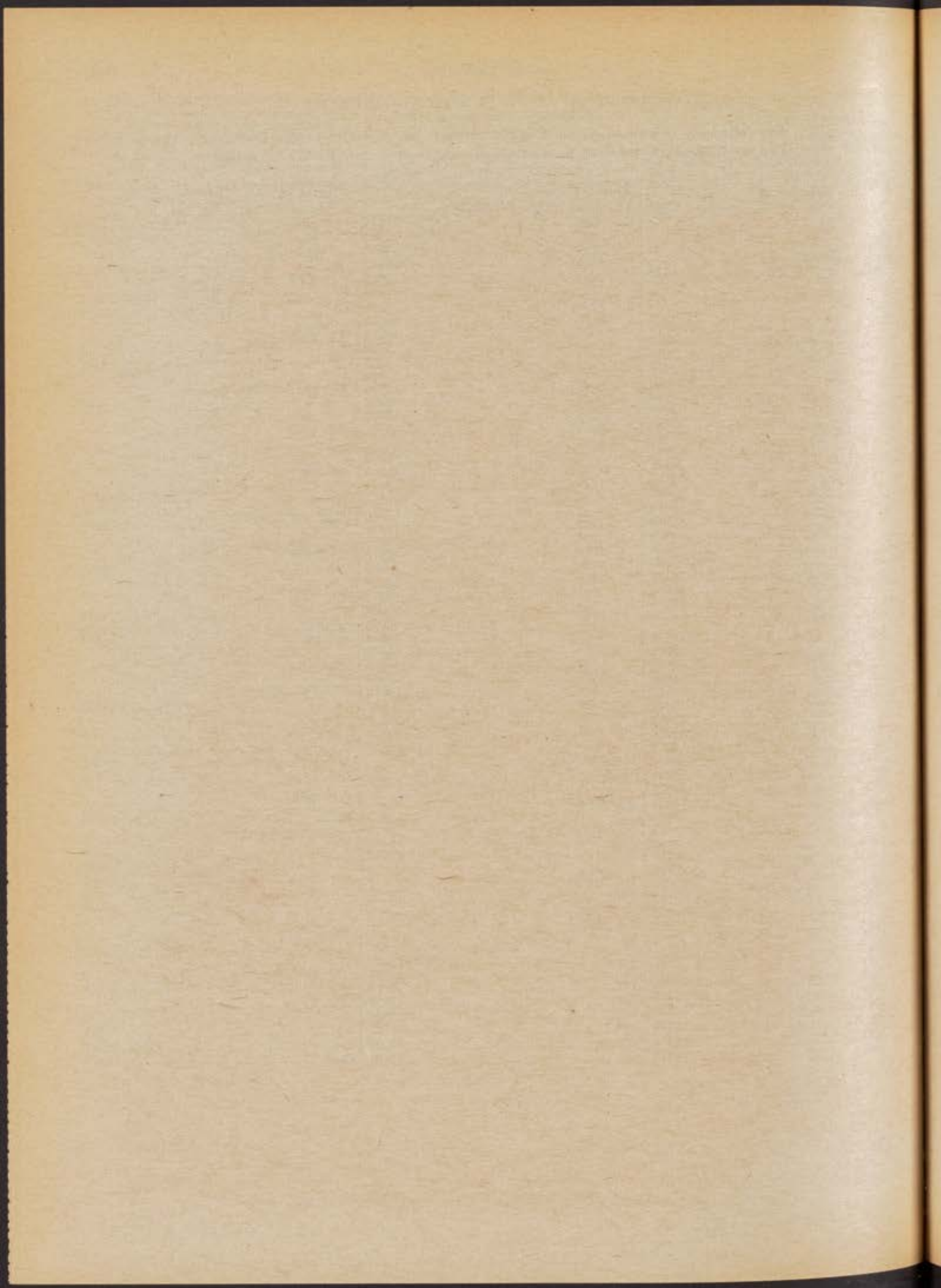
H. NEIL GARSON,
Secretary.

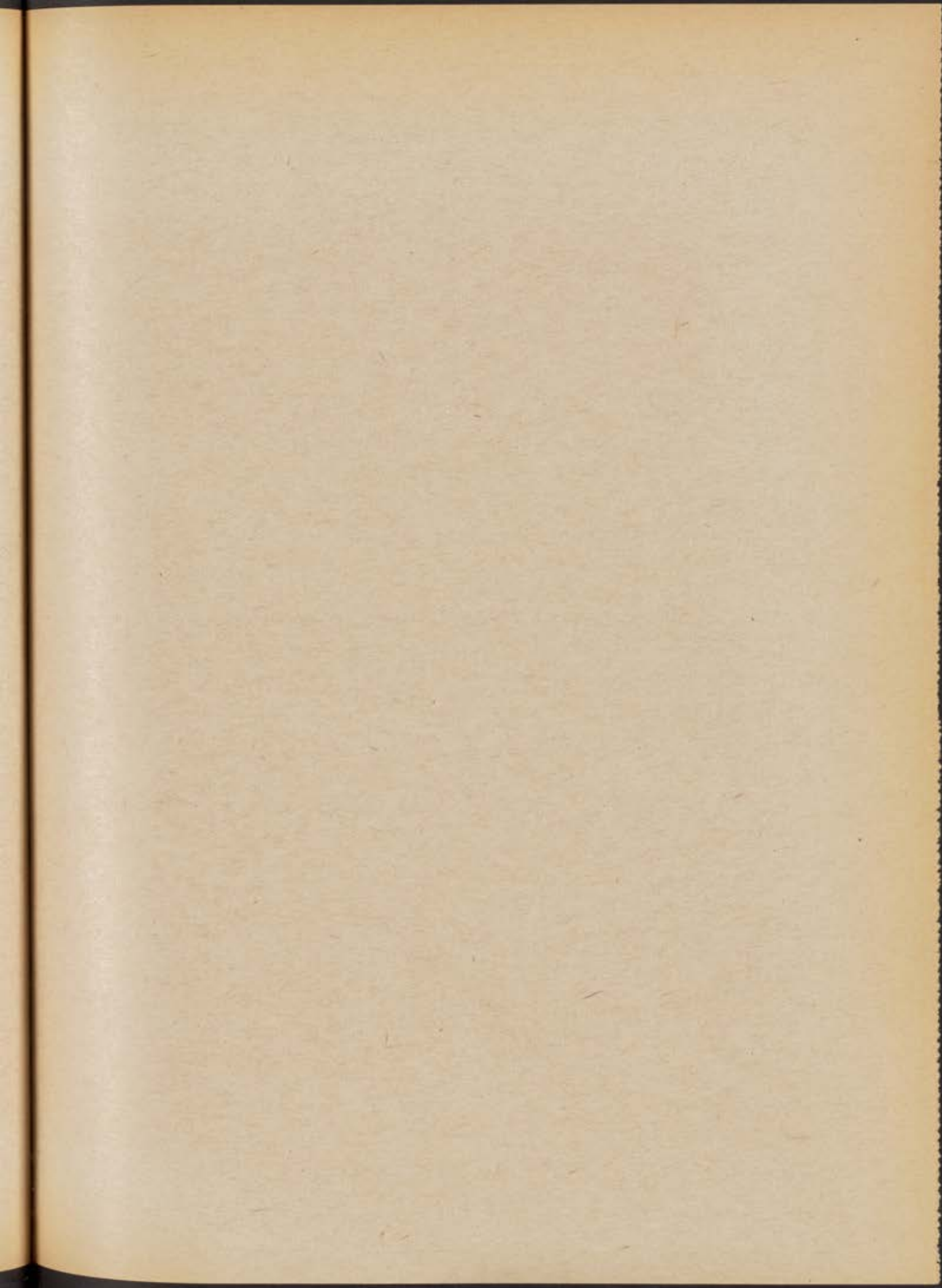
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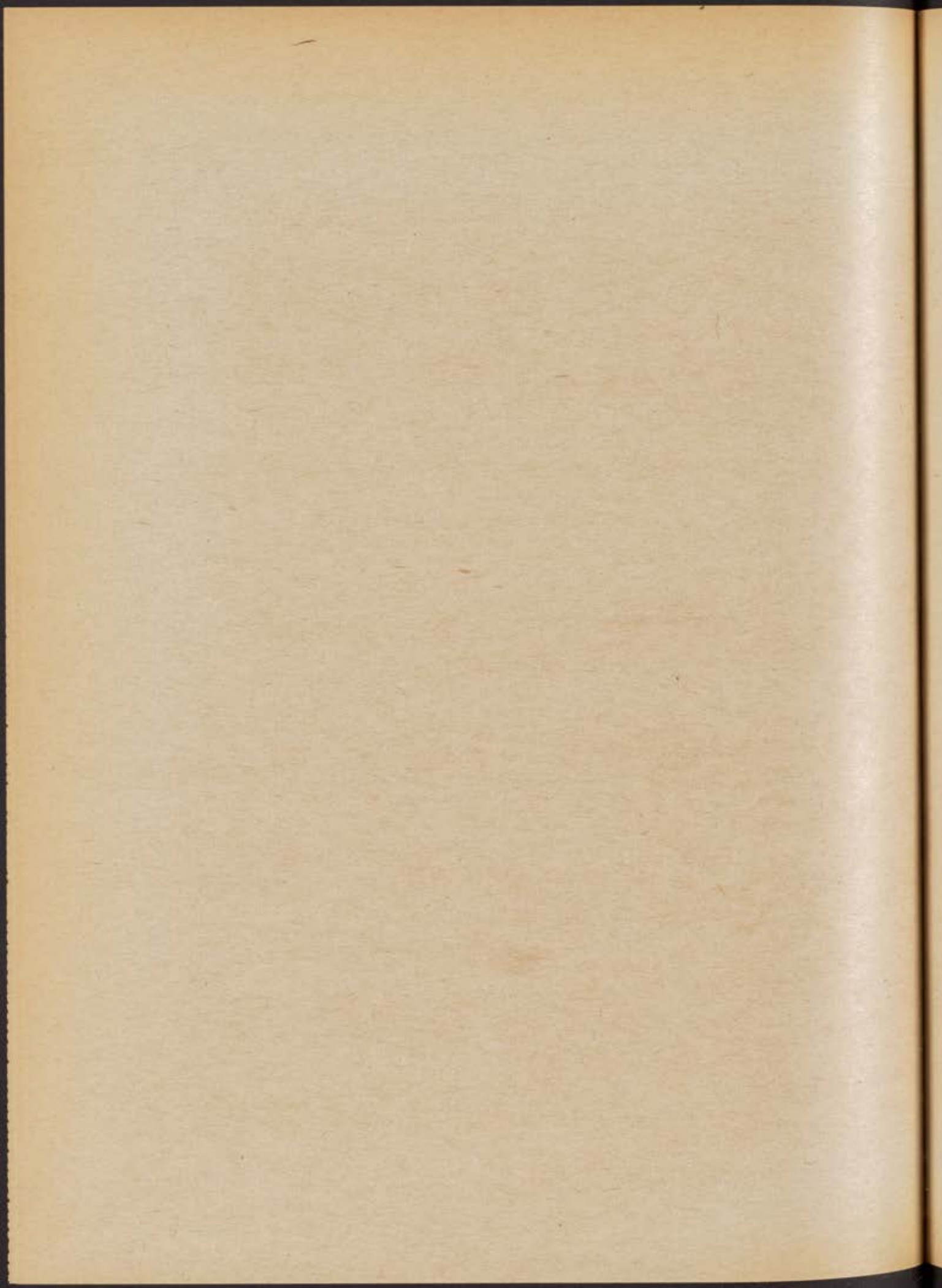
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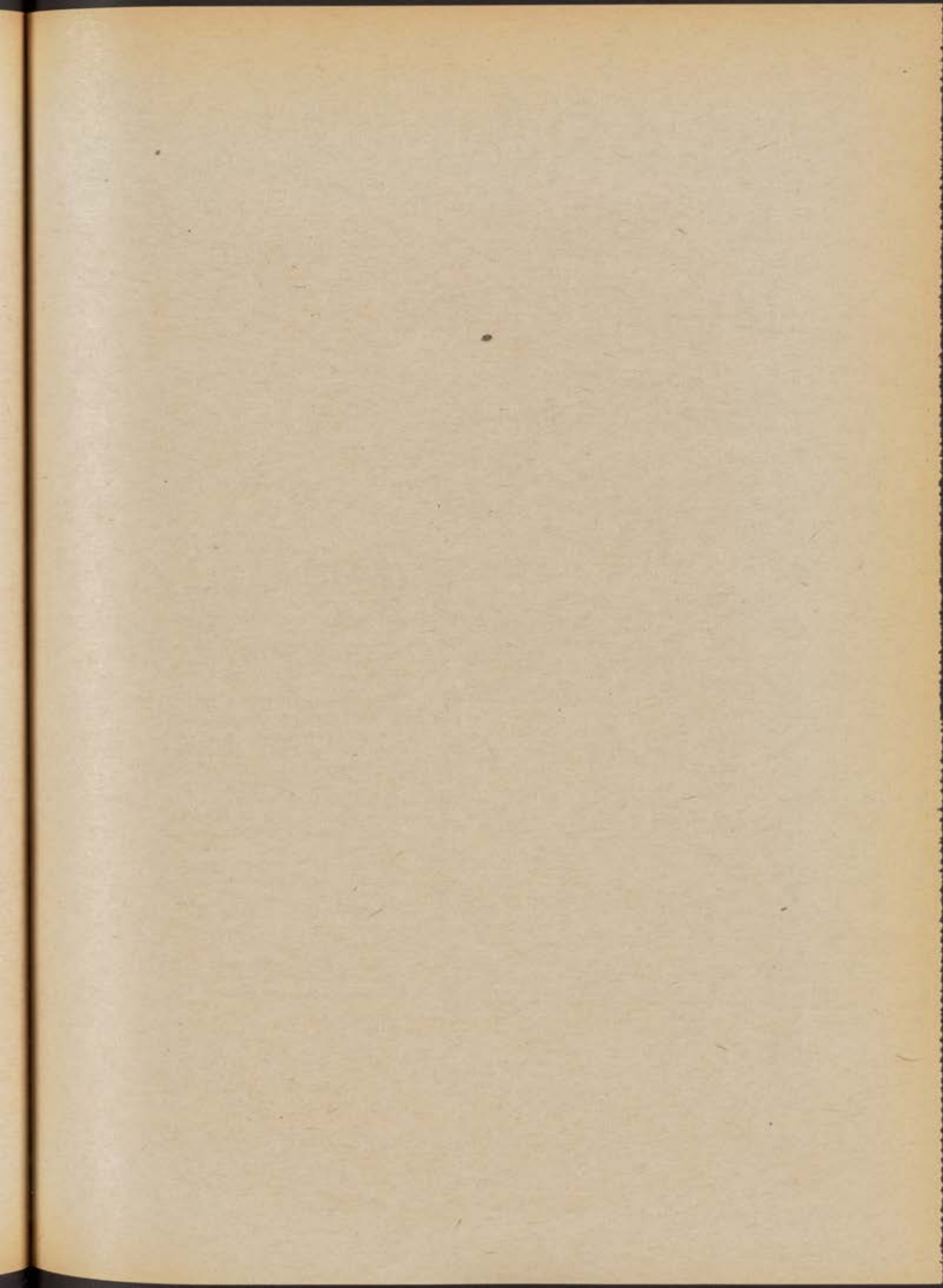
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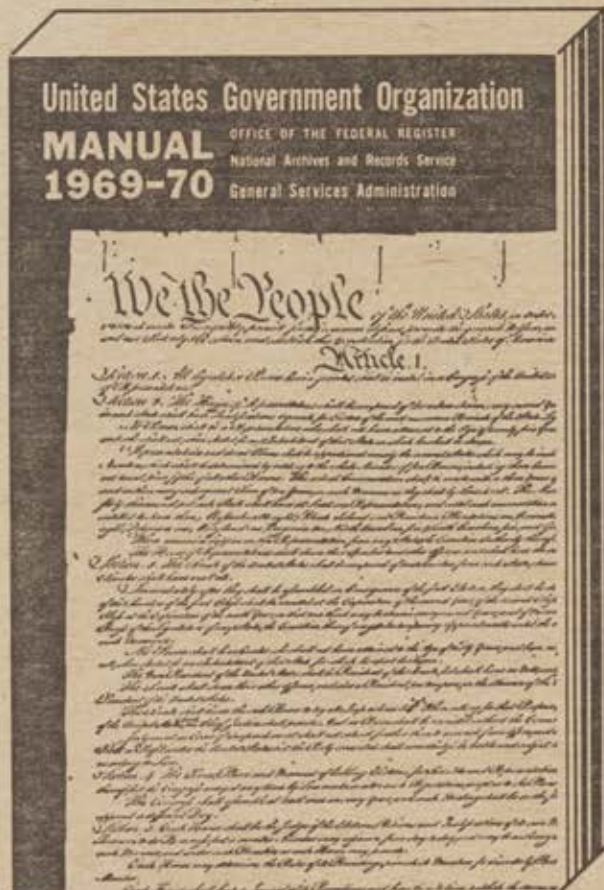








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