

FEDERAL REGISTER

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Conservation Service
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Title 3—THE PRESIDENT

Proclamation 3949

RESERVE RECOGNITION DAY

By the President of the United States of America

A Proclamation

In January and May of 1968, one hundred and fifteen units from the Reserve Components of the Army, Navy and Air Force were ordered to active duty to quickly augment the Active Forces. This action provided this country with armed strength capability with which to meet possible contingencies that might have arisen as a result of the threats and actions by the North Koreans and the need for additional troops in Vietnam caused by the TET offensive.

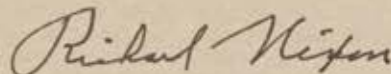
Many of these units have served in Vietnam while others have served in Korea, Japan, and the United States. Those units remaining in the United States were primarily used to strengthen the strategic reserve and participate in the Military Airlift Command operations.

By June 18th, Reserve units of the Naval Air Reserve, the Naval Reserve Mobile Construction Battalions (SEABEES), the Air National Guard, and the Air Force Reserve were demobilized and the units returned to inactive reserve status. The units of the Army National Guard and the Army Reserve have now been released.

All of these Reserve Component units responded to the Nation's call in time of need and established records of performance, both in and out of combat, which have demonstrated a level of readiness and training never before achieved by our reserve forces. In addition, many individual reservists volunteered for active duty during this period. They have truly upheld the heritage and tradition of the citizen soldier and have again proven that both the National Guard and the Reserves are a great resource for our country and one which is necessary to our national security.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby issue this proclamation in recognition of and appreciation for the patriotic, dedicated and professional service of our loyal members of the Reserve Components of the Armed Forces of the United States.

IN WITNESS WHEREOF, I have hereunto set my hand this 16th day of December, in the year of our Lord nineteen hundred and sixty-nine, and of the Independence of the United States of America the one hundred and ninety-fourth.



[F.R. Doc. 69-15079; Filed, Dec. 16, 1969; 4:16 p.m.]

Presidential Documents

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Rules and Regulations

Title 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service, Department of Justice

MISCELLANEOUS AMENDMENTS TO CHAPTER

The following amendments to Chapter I of Title 8 of the Code of Federal Regulations are hereby prescribed:

PART 212—DOCUMENTARY REQUIREMENTS: NONIMMIGRANTS; WAIVERS; ADMISSION OF CERTAIN INADMISSIBLE ALIENS; PAROLE

Paragraph (b) of § 212.1 is amended to read as follows:

§ 212.1 Documentary requirements for nonimmigrants.

(b) *British, French, and Netherlands nationals, and nationals of certain adjacent islands of the Caribbean which are independent countries.* A visa is not required of a British, French, or Netherlands national, or a national of Jamaica, Trinidad and Tobago, or Barbados, who has his residence in British, French, or Netherlands territory located in the adjacent islands of the Caribbean area, or in Jamaica, Trinidad and Tobago, or Barbados, for admission and stay in Puerto Rico or the Virgin Islands of the United States, or as an agricultural worker in the United States: *Provided*, That the authorized period for which an alien was admitted pursuant to this paragraph for temporary stay in Puerto Rico or the Virgin Islands of the United States shall be terminated automatically when such alien manifests an intention to depart or attempts to depart or departs directly for any U.S. destination outside Puerto Rico or the Virgin Islands of the United States, unless an immigration officer has authorized such alien to proceed to a destination in the continental United States.

PART 238—CONTRACTS WITH TRANSPORTATION LINES

§ 238.3 [Amended]

1. The listing of transportation lines in paragraph (b) *Signatory lines* of § 238.3 *Aliens in immediate and continuous transit* is amended by adding the following transportation line in alphabetical sequence: "Air Panama Internacional."

2. The listing of transportation lines in paragraph (b) *Signatory lines* of § 238.3 *Aliens in immediate and continuous transit* is amended by deleting the following transportation line: "Pan American-Grace Airways, Inc."

§ 238.4 [Amended]

3. The listing of transportation lines under "At Toronto" of § 238.4 *Preinspection outside the United States* is amended by adding the following transportation line in alphabetical sequence: "Wardair Canada Ltd."

PART 245—ADJUSTMENT OF STATUS TO THAT OF PERSON ADMITTED FOR PERMANENT RESIDENCE

Section 245.4 is amended to read as follows:

§ 245.4 Adjustment of status of aliens within the proviso to section 203(a) (7) of the Act.

The provisions of section 245 of the Act and this Part shall govern the adjustment of status provided for in the proviso to section 203(a) (7) of the Act. An alien who claims he is entitled to a preference status pursuant to the proviso to section 203(a) (7) of the Act shall execute and attach to his application for adjustment of status Form I-590A, Application for Classification as a Refugee under the Proviso to section 203(a) (7), Immigration and Nationality Act. The determination as to whether an alien is entitled to the claimed preference status shall be made by the district director; no appeal shall lie from his determination.

PART 251—ARRIVAL MANIFESTS AND LISTS; SUPPORTING DOCUMENTS

§ 251.1 [Amended]

The first sentence of paragraph (d) *Notations on arrival manifests* of § 251.1 *Arrival manifests and lists* is amended to read as follows: "Upon completion of the examination of each crewman listed on the Form I-418 presented by the master or agent of an arriving vessel, the examining immigration officer shall place one of the following symbols in column (5) of the Form I-418 opposite the name of the crewman: 'USC' for a crewman admitted as a United States citizen; 'RP' or 'ARC' to indicate respectively the presentation of a reentry permit or an alien registration receipt card, Form I-151, for a crewman admitted as a lawful permanent resident; 'D-1' for an alien crewman granted a conditional landing permit under section 252(a) (1) of the Act; 'D-2' for an alien crewman granted a conditional landing permit under section 252 (a) (2) of the Act; 'Parolee' for an alien crewman paroled pursuant to section 212(d) (5) of the Act; and 'Refused' for an alien crewman whose request for a landing permit has been refused."

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

This order shall be effective on the date of its publication in the *FEDERAL REGISTER*. Compliance with the provisions of section 553 of Title 5 of the United States

Code (80 Stat. 383), as to notice of proposed rule making and delayed effective date is unnecessary in this instance because the amendment to § 212.1(b) confers benefits upon persons affected thereby; the amendments to §§ 238.3(b) and 238.4 add or delete transportation lines from the listings; and the amendments to §§ 245.4 and 251.1 are editorial in nature.

Dated: December 15, 1969.

RAYMOND F. FARRELL,
Commissioner of
Immigration and Naturalization.

[F.R. Doc. 69-15020; Filed, Dec. 17, 1969; 8:48 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Airspace Docket No. 69-SO-144]

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

Alteration of Control Zone and Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the Knoxville, Tenn., control zone and transition area.

The Knoxville control zone is described in § 71.171 (34 F.R. 4557). In the description, an extension is predicated on the 045° bearing from Singleton RBN. Another extension predicated on Knoxville VORTAC 220° radial has a designated width of 2 miles each side of the radial and a designated length extending to the VORTAC.

The Knoxville transition area is described in § 71.181 (34 F.R. 4637). In the description, a basic radius circle of 21 miles predicated on McGhee-Tyson Airport is designated. An extension is predicated on Knoxville VORTAC 290° and 321° radials, has a width 5 miles each side of these radials, and extends to 27 miles northwest of McGhee-Tyson Airport.

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

Because of this revised criteria, it is necessary to alter the descriptions by taking the following actions:

CONTROL ZONE

1. Revoke the extension predicated on the 045° bearing from Singleton RBN.
2. Decrease the width of the extension predicated on Knoxville VORTAC 220° radial from 2 to 1.5 miles each side of the radial and decrease the length 1.5 miles.

TRANSITION AREA

1. Reduce the basic radius circle from 21 to 11.5 miles, which is approximately 60 percent.
2. Revoke the extension predicated on Knoxville VORTAC 290° and 321° radials.
3. Designate an extension predicated on Knoxville ILS localizer southwest course 14 miles in width and 18.5 miles in length.
4. Increase the basic radius circle from 21 to 25.5 miles in the southeast quadrant.

The above actions result in a substantial decrease in controlled airspace.

In consideration of the foregoing, notice and public procedure hereon are unnecessary and Part 71 of the Federal Aviation Regulations is amended, effective immediately, as hereinafter set forth.

In § 71.171 (34 F.R. 4557), the Knoxville, Tenn., control zone is amended to read:

KNOXVILLE, TENN.

Within a 5-mile radius of McGhee-Tyson Airport (lat. 35°48'40" N., long. 83°59'35" W.); within 2 miles each side of Knoxville ILS localizer southwest course, extending from the 5-mile radius zone to 1 mile northeast of the LOM; within 1.5 miles each side of Knoxville VORTAC 220° radial, extending from the 5-mile radius zone to 1.5 miles southwest of the VORTAC.

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

KNOXVILLE, TENN.

That airspace extending upward from 700 feet above the surface beginning at the intersection of the arc of an 11.5-mile radius circle centered on McGhee-Tyson Airport (lat. 35°48'40" N., long. 83°59'35" W.) and a line 3 miles northwest of and parallel to Knoxville VORTAC 040° radial, to and northeast along this line, to and southeast along a line 8.5 miles northeast of and perpendicular to Knoxville VORTAC 040° radial, to and southwest along a line 3 miles southeast of and parallel to Knoxville VORTAC 040° radial, to and clockwise along the arc of an 11.5-mile radius circle centered on McGhee-Tyson Airport, to and east along the Knoxville VORTAC 100° radial, to and clockwise along the arc of a 25.5-mile radius circle centered on McGhee-Tyson Airport, to and north along the west boundary of V-97, to and southwest along a line 4.5 miles southeast of and parallel to Knoxville ILS localizer southwest course, to and northwest along a line 18.5 miles southwest of and perpendicular to Knoxville ILS localizer southwest course, to and northeast along a line 9.5 miles northeast of and parallel to Knoxville ILS localizer southwest course, to and clockwise along the arc of an 11.5-mile radius circle centered on McGhee-Tyson Airport, to point of beginning.

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

Issued in East Point, Ga., on December 8, 1969.

JAMES G. ROGERS,
Director, Southern Region.

[F.R. Doc. 69-15011; Filed, Dec. 17, 1969;
8:47 a.m.]

[Airspace Docket No. 69-AL-10]

PART 73—SPECIAL USE AIRSPACE

Alteration of Restricted Area

The purpose of this amendment to Part 73 of the Federal Aviation Regulations is to alter the time of designation of the Yukon, Alaska, Restricted Area R-2205.

Restricted Area R-2205 is presently designated as continuous. Utilization reports indicate that this restricted area has been utilized for a period of only 8 months for the past 2 years. Coordination with the using agency indicates that the area is periodically utilized during the remaining 4 months. Accordingly, action is taken herein to alter R-2205 to make its time of designation coincide with its actual utilization.

Since this amendment restores airspace to the public use and relieves a restriction, notice and public procedure thereon are unnecessary, and good cause exists for making this amendment effective on less than 30 days notice.

In consideration of the foregoing, Part 73 of the Federal Aviation Regulations is amended, effective upon publication in the FEDERAL REGISTER, as hereinafter set forth.

In § 73.22 (34 F.R. 4811) R-2205 is amended by deleting "Time of Designation. Continuous." and substituting "Time of Designation. Continuous from April 1 through November 30; other times as activated by NOTAM issued by the using agency at least 24 hours in advance."

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

Issued in Washington, D.C., on December 9, 1969.

H. B. HELSTROM,
Chief, Airspace and Air
Traffic Rules Division.

[F.R. Doc. 69-15010; Filed, Dec. 17, 1969;
8:47 a.m.]

Title 16—COMMERCIAL
PRACTICES

Chapter I—Federal Trade Commission

PART 15—ADMINISTRATIVE
OPINIONS AND RULINGSSpecial Discount Package Price to New
Dealers; Correction

Paragraph (c) of § 15.384 has been corrected to read as follows:

§ 15.384 Special discount package price to new dealers.

(c) The Commission expressed the opinion that "it is unlikely that injury

could result from this one shot offer in view of its nature and the start up costs which new dealers are apt to experience." Therefore, the Commission would not object to the plan if implemented as described in paragraph (b) of this section.

(38 Stat. 717, as amended; 15 U.S.C. 41-58; 49 Stat. 1526; 15 U.S.C. 13, as amended)

Issued: December 17, 1969.

By direction of the Commission.

[SEAL]

JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 69-15016; Filed, Dec. 17, 1969;
8:48 a.m.]

Title 20—EMPLOYEES'
BENEFITSChapter V—Manpower Administration,
Department of LaborPART 602—COOPERATION OF THE
U.S. TRAINING AND EMPLOYMENT
SERVICE AND STATES IN ESTAB-
LISHING AND MAINTAINING A NA-
TIONAL SYSTEM OF PUBLIC EM-
PLOYMENT OFFICESDefinition of U.S. Training and
Employment Service

Under the reorganization provided for in Secretary's Order No. 14-69 (34 F.R. 6502), the statutory functions of the U.S. Employment Service in connection with the Wagner-Peyser Act (48 Stat. 113) are carried out by a component of the Manpower Administration designated as the U.S. Training and Employment Service instead of the U.S. Employment Service. This recognizes the fact that the Wagner-Peyser Act must be read in harmony with the totality of manpower legislation which has been enacted in recent years. Cf. *Southern Steamship Co. v. N.L.R.B.*, 316 U.S. 31, 47 (1942). Accordingly, in order that this will be clearly reflected in the regulations, and pursuant to the authority contained in section 12 of the Wagner-Peyser Act, the Secretary's Order No. 14-69, and consistent with the Notice of Delegation of Authority published concurrently therewith (34 F.R. 6502), § 602.1(e) of Title 20 of the Code of Federal Regulations is hereby amended to read as follows:

§ 602.1 Definitions.

(e) "United States Training and Employment Service" means the organizational component of the Manpower Administration in the Department of Labor which is responsible for carrying out the Department's responsibilities in connection with the Wagner-Peyser Act, and other manpower responsibilities. These were heretofore performed by the component designated as the U.S. Employment Service and statutory references to the U.S. Employment Service should accordingly now be considered as referring

to the U.S. Training and Employment Service.

The provisions of 5 U.S.C. 553 which require notice of proposed rule making, public participation, and delay in effective date are not applicable because these rules relate to public grants and benefits. Further, I do not believe such procedures will serve a useful purpose here. This amendment shall become effective immediately.

Signed at Washington, D.C., this 3d day of December 1969.

M. R. LOVELL, Jr.,
Manpower Administrator.

[P.R. Doc. 69-14975; Filed, Dec. 17, 1969; 8:45 a.m.]

Title 32—NATIONAL DEFENSE

Chapter VII—Department of the Air Force

SUBCHAPTER B—SALES AND SERVICE

PART 818—PRIVATE INDEBTEDNESS

Part 818 is revised as follows:

- Sec.
818.0 Purpose.
- Subpart A—Private Indebtedness
- 818.2 Financial responsibility of member.
818.4 Payment of debts.
- Subpart B—General Requirements for Debt Complaints To Be Accepted on Obligations Incurred on or Before June 30, 1969
- 818.6 Standards of fairness and full disclosure.
818.8 Previous efforts to resolve the matter.
818.10 Nonconforming complaints.
- Subpart C—General Requirements for Debt Complaints To Be Accepted on Obligations Incurred on and After July 1, 1969
- 818.12 Full disclosure and standards of fairness.
818.14 Certificate of compliance.
818.16 Previous efforts to resolve matter.
818.18 Nonconforming complaints.
- Subpart D—Processing Debt Complaints
- 818.20 Action required when complaint is received.
- Subpart E—Abuse of the Processing Privilege
- 818.22 Denial of the processing privilege.

AUTHORITY: The provisions of this Part 818 issued under sec. 8012, 10A Stat. 488; 10 U.S.C. 8012.

SOURCE: AFR 35-10, Oct. 31, 1969.

§ 818.0 Purpose.

This part establishes standards for considering the financial responsibility of the Air Force military members. It states conditions a complainant must meet before requests for assistance in collecting debts are accepted, and tells how to process accepted requests.

Subpart A—Private Indebtedness

§ 818.2 Financial responsibility of member.

Air Force military members are expected to discharge their just financial

obligations in a proper and timely manner. A "just financial obligation" means one in which there is no reasonable dispute as to the facts or the law, or one reduced to judgment that conforms to the Soldiers' and Sailors' Civil Relief Act (50 U.S.C. Appendix 501, et seq.), if applicable. "In proper and timely manner" means a manner which the immediate commander determines is in good faith.

§ 818.4 Payment of debts.

The Air Force is without legal authority to require a member to pay a private debt, or to divert any part of his pay for the satisfaction thereof, even though the indebtedness may have been reduced to judgment by a civil court. The enforcement of the private obligations of Air Force members is a matter for civil authorities.

Subpart B¹—General Requirements for Debt Complaints To Be Accepted on Obligations Incurred on or Before June 30, 1969

§ 818.6 Standards of fairness and full disclosure.

AF Form 459, "Application/Contract for Personal Credit", or its equivalent, must be provided by the complainant. If an equivalent of this form is not provided by the seller or lender, locally reproduce AF Form 459 on 8" x 10½" paper. Produce part I on one sheet, produce parts II and III (continued) head to foot on another sheet. Complaints of the following types need not meet the requirements of this section:

- Claims from companies furnishing utility, milk, laundry, and similar services when credit is extended solely to facilitate the service.
- Claims by accommodation indorsers, comakers or lenders against the primary liable on obligations not intended to benefit the accommodating party through payment of interest or otherwise.
- Contract for the purchase, sale, or rental of real estate.
- Claims in which the total unpaid amount does not exceed \$50.
- Claims for support of dependents.
- Claims based on a revolving or open-end credit account if the account shows the periodic interest rate and its annual rate equivalent and the balance to which it is applied to compute the charge.
- Purchase money liens on real property (this does not include other liens on real property and related obligations such as those that represent obligations for improvement or repair).
- Claims by local, State or Federal government agencies unless the claim is based on subrogation to rights arising under a private contract not excluded from processing by this section.
- Those in which the debt has been reduced to a judgment.

(a) Claims from companies furnishing utility, milk, laundry, and similar services when credit is extended solely to facilitate the service.

(b) Claims by accommodation indorsers, comakers or lenders against the primary liable on obligations not intended to benefit the accommodating party through payment of interest or otherwise.

(c) Contract for the purchase, sale, or rental of real estate.

(d) Claims in which the total unpaid amount does not exceed \$50.

(e) Claims for support of dependents.

(f) Claims based on a revolving or open-end credit account if the account shows the periodic interest rate and its annual rate equivalent and the balance to which it is applied to compute the charge.

(g) Purchase money liens on real property (this does not include other liens on real property and related obligations such as those that represent obligations for improvement or repair).

(h) Claims by local, State or Federal government agencies unless the claim is based on subrogation to rights arising under a private contract not excluded from processing by this section.

(i) Those in which the debt has been reduced to a judgment.

¹ Not applicable to claims by Federal, State, or municipal government.

§ 818.8 Previous efforts to resolve the matter.

The complainant must show that he has attempted to adjust the debt by direct contract with the member.

§ 818.10 Nonconforming complaints.

Debt complaints received, but not in compliance with the requirements of this subpart will be returned to the complainant with an explanation of the deficiency.

Subpart C¹—General Requirements for Debt Complaints To Be Accepted on Obligations Incurred on and After July 1, 1969

§ 818.12 Full disclosure and standards of fairness.

(a) The Truth-in-Lending Act (15 U.S.C. 1601) prescribes the general disclosure requirements which must be met by those offering or extending consumer credit, and Regulation Z, published by the Federal Reserve Board (12 CFR 226) prescribes the specific disclosure requirements for both open-end and installment credit transactions. In lieu of Federal Government requirements, State regulations apply to credit transactions when the Federal Reserve Board has determined that the State regulations impose substantially similar requirements and provide adequate enforcement measures. The Certificate of Compliance, paragraph (d) of this section, will be accepted as evidence of compliance with the Act and the regulation.

(b) Banks and credit unions operating on military installations shall conform to the Standards of Fairness, paragraph (e) of this section, before executing the loan or credit agreement. Should an on-base bank or credit union refer a prospective borrower to an off-base bank or credit union belonging to the same bank or credit union system, it shall advise the latter that the Department of Defense requires compliance with the Standards of Fairness before executing the loan or credit agreement.

(c) The following banks and credit unions will be denied debt processing assistance if they do not apply the Standard of Fairness to the loan or credit agreement:

(1) Credit unions chartered to serve DoD personnel but operating off the installation.

(2) Banks, wherever located, with branch banks operating on a military installation.

(d) Standards of fairness:

(1) No finance charge contracted for, made, or received under any contract shall be in excess of the charge which could be made for such contract under the law of the place in which the contract is signed in the United States by the serviceman. In the event a contract is signed with a U.S. company in a foreign country, the lowest interest rate of the State or States in which the company is chartered or does business shall apply.

(2) No contract or loan agreement shall provide for an attorney's fee in the

¹ Not applicable to claims by Federal, State, or municipal government.

event of default unless suit is filed in which event the fee provided in the contract shall not exceed 20 percent of the obligation found due. No attorney fees shall be authorized if he is a salaried employee of the holder.

(3) In loan transactions, defenses which the debtor may have against the original lender or its agent shall be good against any subsequent holder of the obligation. In credit transactions, defenses against the seller or its agent shall be good against any subsequent holder of the obligation provided that the holder had actual knowledge of the defense or under condition where reasonable inquiry would have apprised him of this fact.

(4) The debtor shall have the right to remove any security for the obligation beyond State or national boundaries if he or his family moves beyond such boundaries under military orders and notifies the creditor, in advance of the removal, of the new address where the security will be located. Removal of the security shall not accelerate payment of the obligation.

(5) No late charge shall be made in excess of 5 percent of the late payment, or \$5 whichever is the lesser amount. Only one late charge may be made for any tardy installation. Late charges will not be levied where an allotment has been timely filed, but payment of the allotments has been delayed.

(6) The obligation may be paid in full at any time or through accelerated payments of any amount. There shall be no penalty for prepayment and in the event of prepayment that portion of the finance charges which have inured to the benefit of the seller or creditor shall be prorated on the basis of the charges which would have been ratably payable had finance charges been calculated and payable as equal periodic payments over the terms of the contract and only the prorated amount to the date of prepayment shall be due. As an alternative the "Rule of 78" may be applied, in which case its operation shall be explained in the contract.

(7) No charge shall be made for an insurance premium or for finance charges for such premium unless satisfactory evidence of a policy, or insurance certificate where state insurance laws or regulations permit such certificates to be issued in lieu of a policy, reflecting such coverage has been delivered to the debtor within 30 days after the specified date of delivery of the item purchased or the signing of a cash loan agreement.

(8) If the loan or contract agreement provides for payments in installments, each payment, other than the down payment shall be in equal or substantially equal amounts, and installments shall be successive and of equal or substantially equal duration.

(9) If the security for the debt is repossessed and sold in order to satisfy or reduce the debt, the repossession and resale will meet the following conditions:

(i) The defaulting purchaser will be given advance written notice of the intention to repossess; (ii) following re-

possession, the defaulting purchaser will be served a complete statement of his obligations and adequate advance notice of the sale; (iii) he will be permitted to redeem the item by payment of the amount due before the sale, or in lieu thereof submit a bid at the sale; (iv) there will be a solicitation for a minimum of three sealed bids unless sold at auction; (v) the party holding the security, and all agents thereof, are ineligible to bid; (vi) the defaulting purchaser will be charged only those charges which are reasonably necessary for storage, reconditioning and resale and (vii) he shall be provided a written detailed statement of his obligations, if any, following the resale and promptly refunded any credit balance due him, if any.

(10) A contract for personal goods and services may be terminated at any time before delivery of the goods or services without charge to the purchaser. However, if goods made to the special order of the purchaser result in preproduction costs, or require preparation for delivery, such additional costs will be listed in the order form or contract. No termination charge will be made in excess of this amount. Contracts for delivery at future intervals may be terminated as to the undelivered portion, and the purchaser shall be chargeable only for that portion of the total cost which the goods or services delivered bear to the total goods called for by the contract. (This is in addition to the right to rescind certain credit transactions involving a security interest in real estate provided by section 125 of Public Law 90-321 (15 U.S.C. 1601) and § 226.9 of Regulation Z of the Federal Reserve Board (12 CFR Part 226).)

(e) Certificate of Compliance:

I certify that the _____
Certificate of Compliance
(Name of Creditor)

upon extending credit to _____
(Name of Obligor)

on _____ complied with the full dis-
(Date)

closure requirements of the Truth-in-Lending Act and Regulation Z (or the laws and regulations of the State of _____) and that the attached statement is a true copy of the general and specific disclosure provided the obligor as required by law.

I further certify that the Standards of Fairness set forth in § 818.28 of this part have been applied to the consumer credit transaction to which this form refers. (If the unpaid balance has been adjusted as a consequence, the specific adjustments in the finance charge and the annual percentage rate should be set forth below).

(Adjustments)

(Date of Certification) (Signature of Creditor or Authorized Representative)

(Street)

(City, State and Zip Code)

§ 818.14 Certificate of compliance.

(a) Complainants, including all those holding under the original creditor, subject to Regulation Z of the Federal

Reserve Board must submit with their request for assistance an executed Certificate of Compliance and a true copy of the general and specific disclosures which were provided the military member.

(b) Complainants, including all those holding under the original creditor, not subject to Regulation Z must submit with their requests for assistance a certification that no interest, finance charge, or other fee is in excess of that permitted by the law of the State in which the obligation was incurred.

(c) A foreign owned company having a complaint will submit with its request a true copy of the terms of the debt (English translation) and will certify its subscription to the Standards of Fairness.

§ 818.16 Previous efforts to resolve the matter.

The complainant must show that he has attempted to adjust the debt by direct contact with the member.

§ 818.18 Nonconforming complaints.

Debt complaints received, but not in compliance with the requirements of this subpart, will be returned to the complainant with an explanation of the deficiency.

Subpart D—Processing Debt Complaints

§ 818.20 Action required when complaint is received.

(a) By the CBPO Quality Control Special Actions Unit (SA). (1) Complaints that meet the requirements of subparts B and C are sent to the immediate commander of the individual concerned.

(2) Complaints that do not meet the requirements of subparts B/C are returned to the complainant.

(3) Complaints concerning separated or reassigned members:

(i) *Discharged and retired.* Complaints concerning members with no known military status and those retired are returned to the complainant using a letter similar to that in paragraph (b) (2) (iii) of this section.

(ii) *Released from active duty and assigned to the Reserve Forces.* These complaints will be forwarded to the Air Reserve Personnel Center (ARPC), 3800 York Street, Denver, CO 80205, with a copy to the complainant.

(iii) *Reassigned.* Forward such complaints to the current unit of assignment with a copy to the complainant.

(b) By the commander of the alleged debtor. (1) Direct from complainant. Send the complaint to the CBPO Quality Control Special Actions Unit (SA) for action under subparts B/C.

(2) From the CBPO Quality Control Special Actions Unit (SA).

(i) *Preliminary inquiry.* The commander thoroughly reviews all the available facts surrounding the transaction forming the basis of the complaint. These facts are obtained from the complainant's correspondence and the member concerned. This inquiry also includes a general review of the member's financial

situation over the life of the obligation complained of.

(ii) *Counseling.* The commander applies the Air Force policy to the facts of the situation, and advises the member what actions, if any, he should take to comply with the policy. In every case, the member is advised of right to advice under the legal assistance program, and to counseling available to members from the on-base credit union.

(iii) *Response to complainant.* The complainant is entitled to a courteous response from the commander. The response will not admit, nor in any way imply, an admission of liability of the member. Neither will it report any action taken against the member as a result of the complaint. The commander will not act as an intermediary for either party nor give that impression in his response. The following should be adequate response to most complaints:

Subject: (Name of Alleged Debtor)
To: (Complainant)

1. I have received your letter of (date) concerning (name of alleged debtor) and have discussed the matter with him.

2. As a result of that discussion, I advised (name of alleged debtor) of the Air Force policy concerning matters of this nature as it applies to this situation. The policy is that Air Force members are expected to discharge their just financial obligations in a proper and timely manner. A "just financial obligation" means one in which there is no reasonable dispute as to the facts or the law, or one reduced to judgment which conforms to the Soldiers' and Sailors' Civil Relief Act (50 U.S. Code Appendix 501, et seq.), if applicable. "In a proper and timely manner" means a manner which the immediate commander determines is in good faith.

3. The Air Force has no authority to arbitrate, intervene in, or enforce settlement of matters of this type. They are of a private civil nature for resolution in the civil courts only. The Air Force may take action in cases of continued financial irresponsibility. Such action is designed to improve discipline and to maintain the standards of conduct expected of Air Force personnel, but cannot be used to enforce private civil obligations. I hope the above information clarifies the limits of Air Force authority in this matter.

(iv) *Report to the Armed Forces Disciplinary Control Board.* In every case where a complainant appears to have engaged in usurious, fraudulent, misleading, or deceptive business practices, the commander will report the situation to the Armed Forces Disciplinary Control Board. (AFR 125-11 Armed Forces Disciplinary Control Boards.)

(v) *Return the file to the CBPO (SA).* The complaint letter and a copy of the commander's response to the complainant is returned to the CBPO. In addition, a summary of the case is prepared and included in the file in every case where it should be made part of the Unfavorable Information File (AFR 35-32 Control Roster Procedures). The summary will consist of a brief statement of the facts and the commander's evaluation of the case.

Subpart E—Abuse of the Processing Privilege

§ 818.22 Denial of the processing privilege.

The processing of complaints will be permanently denied by USAFMPC when:

(a) A claimant has been notified of the requirements of this part, and refuses or repeatedly fails to comply with them.

(b) A claimant, no matter what the merits of his claim, has clearly shown that he is attempting to make unreasonable use of the processing privilege.

By order of the Secretary of the Air Force.

ALEXANDER J. PALENSCAR, JR.,
Colonel, USAF, Special Activities Group, Office of The Judge Advocate General.

[F.R. Doc. 69-14983; Filed, Dec. 17, 1969; 8:46 a.m.]

Title 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans Administration PART 17—MEDICAL

Outpatient Care for Veterans

1. In § 17.60, paragraph (h) is added to read as follows:

§ 17.60 Outpatient care for veterans.

(h) *For war veterans totally disabled from service-connected disability.* Outpatient care, except outpatient dental treatment, may be authorized to treat any non-service-connected disability of a veteran of a war who has a total disability permanent in nature resulting from a service-connected disability.

2. In § 17.115, paragraph (a) is amended to read as follows:

§ 17.115 Prosthetic and similar appliances.

(a) *As a part of outpatient care.* The appliances or repairs are a necessary part of outpatient care for which the veteran is eligible under § 17.60 (a) through (d), and (f) through (h) (or a necessary part of outpatient care authorized under § 17.60a), or

(72 Stat. 1114; 38 U.S.C. 210)

These VA regulations are effective October 30, 1969.

Approved: December 10, 1969.

By direction of the Administrator.

[SEAL]

FRED B. RHODES,
Deputy Administrator.

[F.R. Doc. 69-15019; Filed, Dec. 17, 1969; 8:48 a.m.]

Title 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 535—TRANSPORTATION OF MAIL BY AIR TAXI OPERATORS

Part 535 is revised to clarify, update and reorganize instructions regarding air taxi mail service.

Accordingly, Part 535 is revised to read as follows:

Sec.

- 535.1 Air taxi mail service; general information.
- 535.2 Obtaining, starting and terminating air taxi mail service.
- 535.3 Operator qualifications and requirements.
- 535.4 Air taxi operator responsibilities.
- 535.5 Postal unit responsibilities and procedures for air taxi operations.
- 535.6 Penalties.
- 535.7 Certification and payment for services.
- 535.8 Rate adjustment.

AUTHORITY: The provisions of this Part 535 issued under 5 U.S.C. 301, 39 U.S.C. 501, 14 CFR 298.

§ 535.1 Air taxi mail service; general information.

(a) *Definitions.* (1) Terms used in this part are defined as follows:

(i) *Aircraft.* A multiengine aircraft with a gross takeoff weight of 12,500 pounds or less, unless otherwise specified.

(ii) *Air taxi mail service.* The transportation of mail between specific points by an authorized air taxi operator on schedules fixed by the Postmaster General (PMG).

(iii) *Certifying postmaster.* Only designated postmasters or their authorized representatives are authorized to certify for air taxi mail service performed.

(iv) *Department.* Post Office Department (POD).

(v) *Emergency service.* Temporary air taxi arrangements to prevent interruption of regular mail service.

(vi) *Notice of intent.* Filed by the Post Office Department with Civil Aeronautics Board (CAB) to use air taxi mail service between specific air stop points.

(vii) *Operator.* An air carrier coming within the classification of "air taxi operators" established by Part 298, Title 14, Code of Federal Regulations (CFR).

(viii) *Penalties.* A monetary sum assessed operator for mishandling mail and for certain operational irregularities.

(ix) *Pilot.* This term applies to pilot-in-command, second-in-command or co-pilot of an aircraft.

(x) *Proposal.* An offer by an operator to transport mail. Proposals are used to enable the Post Office Department to select an air taxi operator to be authorized by the Civil Aeronautics Board to transport mail by aircraft at a rate prescribed by CAB.

(xi) *Route.* Service between a specifically designated pair of terminal points, if any.

(2) *Explanation and applicability of significant forms.* (i) Forms used in the

administration of the air taxi mail service program must be complete, accurate and legible. The Director, Logistics Division, will provide necessary guidance and assistance to insure proper preparation and timely submission of forms by air taxi operators and postal units that tender mail to air taxis.

(i) Operators must comply with provisions of applicable forms. Signed forms imply full understanding by the operator and are binding as part of his agreement.

(ii) Significant forms used in establishing service, rate adjustments and for certification and payment of service include:

Form 2750, Request to Air Taxi Operators for Proposals to Transport Mail. Form 2750 is used to solicit proposals for transportation of mail by air taxi operators.

Form 2751, Proposal for Transportation of Mail by Air Taxi Operator and supplemental Forms 2751-1, Air Taxi Mail Service Proposal—Aircraft Description; 2751-2, Aircraft Modifications; 2751-3, Route Operational Profile; and 2751-B, Estimated Air Taxi Service Costs, prepared and submitted by operators interested in providing route service. Extreme care must be exercised in the preparation of these documents as they provide the basis for selection of an operator.

Form 2751-C, Rate Adjustment Request. Prepared and submitted by operators to document and substantiate requests for rate adjustment.

Form 2752, Air Taxi Mail Service Action. Published by the Department subsequent to issuance of Notice of Intent and Final Mail Rate. It provides authority to implement service, pay operator and specifies appropriate certifying post office.

Form 2755, Air Taxi Mail Service Performed. Form 2755 provides a record of service performed by the operator. The pilot completes form and turns it into the terminal postal unit at the end of each scheduled trip.

Form 2756, Certification of Air Taxi Mail Service Performed. Form 2756 is basis for payment to operator. It is prepared and submitted each week by the designated certifying postmaster.

(b) *General provisions.*—(1) *Scope.* Policies and procedures outlined in this chapter govern the establishment and operation of the Post Office Department Air Taxi Mail Service Program. It is the responsibility of each region to insure compliance with the provisions of this directive by operators under their jurisdiction.

(2) *Authority.* Part 298 of the Economic Regulations of the Civil Aeronautics Board (Part 298, Title 14, CFR) describes the means by which air taxi mail service may be authorized.

(3) *Notice of intent.* (i) When the Postmaster General determines that air taxi mail service is required, the Department will file a Notice of Intent to use air taxi service with Civil Aeronautics Board. Such service will be instituted only on notification by the Department to the air taxi operator involved that such Notice of Intent and Final Mail Rate has become effective.

(ii) An approved Notice of Intent and CAB exemption for service over an air taxi mail route pertains only to the operator named in the Notice of Intent. Exemption authority cannot be leased, delegated or transferred to another op-

erator without POD and CAB approval.

(iii) An effective Notice of Intent authorizes the transportation of mail only and does not include authority to transport persons and/or property under the exemption.

(4) *Duration of proposals.* Proposals shall continue in effect until such time the Department or the operator provide 30-day notice to terminate service. However, the Department may terminate an operator for cause without notice.

(5) *Emergency service.* (i) When temporary air taxi mail service is authorized by the Department, proposals may be solicited by the Director, Logistics Division, without formal advertisements. The lowest proposal must be accepted unless there is reason for rejecting it. Emergency service will not start until a contract is completely executed.

(ii) Emergency service will normally not exceed 90 days. Continuation of service beyond 90 days must be approved by the Department.

(iii) Emergency service may be terminated on 24-hour advance notice by either party.

(iv) Operator equipment and personnel used to perform emergency service must meet all requirements for regular air taxi mail service.

§ 335.2 Obtaining, starting and terminating air taxi mail service.

(a) *Obtaining proposals.*—(1) *Notifying operators.* When the Department has determined that a need for air taxi mail service exists, every reasonable effort will be made to notify all operators in the general area where service is sought, and any other known interested operators, of the requirements for such service.

(2) *Obtaining information.* Persons interested in providing air taxi mail service should communicate with the Regional Director of the postal region in which consideration is desired.

(3) *Submitting proposals.* (i) Each proposal with supporting information must be sent in a sealed envelope as outlined on Form 2750, Request to Air Taxi Operators for Proposals to Transport Mail.

(ii) Proposals must be mailed in time to reach appropriate regional office within the time limit specified on Form 2750. Proposals received after the time limit specified on Form 2750 will not be considered unless it is determined that their failure to arrive on time was due solely by delay in the mail for which the operator was not responsible.

(4) *Processing proposals.* Proposals for air taxi mail service will be processed in accordance with procedures outlined in Regional Instructions.

(b) *Starting service.* (1) Air taxi service is authorized only on notice by the Department that Notice of Intent and final mail rate has become effective (except when emergency service is authorized). Service is normally programmed to begin within 20 days following final approval.

(2) The operator must, well in advance of proposed inauguration date, make necessary arrangements with the Postmaster

and the airport manager of each airport to be used, concerning parking areas, landing fees, and other services.

(3) Regions must promptly notify the Department when service is started.

(4) Trip numbers will be assigned by the Director, Air Branch, Traffic Management Division, Bureau of Operations.

(c) *Schedule changes and adjustments.* (1) Trip schedules will be operated as directed by Form 2752.

(2) After the Notice of Intent is filed, no change will be permitted in any air taxi operation or schedule without prior written approval of the Bureau of Operations.

(d) *Combining Routes.* Routes shown on Form 2752 will not be combined for the convenience of an operator without prior Departmental approval.

(e) *Terminating service.*—(1) *Normal termination.* Air taxi mail service may be terminated on the 30th day after the operator has received a notice of termination from the Department. An operator also must not cease providing air taxi mail service until the 30th day after such operator has notified the Regional Director to whom the original service proposal was tendered. Cessation of service by an operator during the course of the 30-day period of notice may warrant the imposition of a pecuniary penalty. In addition, operator may be declared ineligible for future mail routes.

(2) *Availability of personnel and equipment.* Operator must have designated aircraft and qualified pilot personnel available to begin operations on date specified by the POD. Aircraft used in the mail service must be consistent with equipment indicated in proposal, and equipped and maintained in accordance with FAA and POD requirements.

(b) *Aircraft requirements.*—(1) *Aircraft used in mail service.* All aircraft used by the operator for transportation of mail must:

(i) Be multiengine, capable of maintaining engine-out minimum en route altitudes as specified by the Federal Aviation Administration Regulations, 135.145, between the points served.

(ii) Be equipped for operation under Instrument Flight Rules to enable the use of the lowest published minimums for approach and landing at airports served (except category II operations).

(iii) Have complete de-icing equipment, as specified in FAA Regulations, 135.85, which is interpreted to include functioning de-icing/anti-icing equipment protecting each blade, propeller, windshield, wing, stabilizing or control surface, and each airspeed, altimeter, rate of climb, or flight attitude instrument system.

(iv) Meet requirements of Subpart C—Maintenance Preventative, and Alterations, Part 91, General Operating and Flight Rules, FAA Regulations.

(v) In lieu of a qualified second-in-command, have an automatic pilot installed which meets FAA specifications for transportation of passengers in accordance with Part 135.77, FAA Regulations, providing pilot is qualified and authorized to operate an aircraft under IFR with the use of an auto pilot.

(vi) Provide weight capacity for mail as specified in the proposal for transportation of mail (Form 2750).

(vii) Have a performance capability which will enable operator to maintain required schedules.

(viii) Have appropriate weight and balance data on board the aircraft.

(ix) Be equipped with an operable coded radar beacon transponder having at least a mode A/3 64 code capability, replying to A/3 interrogation with code specified by ATC.

(2) *Aircraft modifications.* Modifications to aircraft must be supported by an entry in the aircraft FAA Form 357 indicating approval by supplemental Type Certificate (STC) number or FAA authorization.

(c) *Pilot personnel—(1) General requirements.* (i) Pilots assigned to air taxi aircraft transporting mail must be qualified under FAA Rules and Regulations and special POD requirements.

(ii) No person may act as a pilot-in-command or copilot when flight and duty time exceed limitations prescribed in § 535.4(c) (5).

(iii) Persons convicted of any crime involving theft or responsible for any actions which reflect unfavorably upon their integrity, shall not be assigned as crew members in aircraft transporting U.S. mail. They are subject to removal if personnel screening process shows they have been convicted of a felony.

(2) *Pilot-in-command qualifications.* The pilot-in-command of an air taxi aircraft transporting U.S. mail must:

(i) Possess at least a current FAA commercial pilot certificate with the following ratings: Multiengine land and instrument.

(ii) Comply with any local and/or State requirements prescribed for pilots.

(iii) Possess a valid medical certificate with a minimum Class II qualification.

(iv) Have at least 1,000 hours of total flight time as pilot in powered aircraft of which 50 hours will have been flown in the type aircraft in which he will serve as pilot-in-command. Flying hours must include a minimum of 50 hours night flight time and 50 hours of experience under actual instrument flight conditions.

(v) Possess a current letter of competency indicating successful accomplishment of 6-month flight check required by FAR 135.131. Authorization to operate an aircraft under IFR conditions with the use of an operable three-axis auto-pilot must be included for single pilot operations.

(vi) Be route qualified as outlined in FAA Order 8430.7A.

(3) *Copilot qualifications.* Whenever a copilot is assigned on air taxi aircraft transporting U.S. mail he must:

(i) Meet the same qualifications for pilot-in-command outlined in subparagraph (2) (i), (ii), and (iii) of this paragraph.

(ii) Have at least 250 hours total flight time as a pilot in powered aircraft, which includes a minimum of 10 hours in the type aircraft in which he will serve as copilot, 25 hours of night flight time and 25 hours of actual or simulated instrument flight.

§ 535.4 Air taxi operator responsibilities.

(a) *Administrative requirements—(1) Observance of laws and regulations.* Operators of air taxi mail service aircraft are responsible for familiarity and compliance with Federal Aviation Regulations and Post Office Department supplementary regulations governing the carriage of mail by aircraft.

They must also comply with pertinent Economic Regulations prescribed by the CAB.

(2) *Operations Manuals.* Within 10 days after service has been initiated, one complete copy of the company operations manual and subsequent revisions will be forwarded to the Director, Air Branch, Traffic Management Division, Bureau of Operations, Washington, D.C. 20260, for review and file. All operator and pilot responsibilities, procedures and actions required in the transport of mail will be adequately covered in the manual as an addendum to the appropriate section.

(3) *Acquiring alpha designations.* (i) The operator is responsible for securing three-letter alpha designators for use on postal documents and for publication in the Airmail Index from respective FAA Regional Air Traffic Division. FAA regional addresses for application are as follows:

| Region | Send application to— |
|--------------|---|
| Alaskan ---- | Chief, Air Traffic Division, AL-500, 632 Sixth Avenue, Anchorage, Alaska 99501. |
| Western --- | Chief, Air Traffic Division, WE-500, 5651 West Manchester Avenue, Post Office Box 90007, Los Angeles, Calif. 90009. |
| Southern --- | Chief, Air Traffic Division, SO-500, Post Office Box 20636, Atlanta, Ga. 30320. |
| Pacific ---- | Chief, Air Traffic Division, PC-500, Post Office Box 4009, Honolulu, Hawaii 96812. |
| Eastern ---- | Chief, Air Traffic Division, EA-500, JFK International Airport, New York, N.Y. 11430. |
| Southwest.. | Chief, Air Traffic Division, SW-500, Post Office Box 1689, Fort Worth, Tex. 76101. |
| Central ---- | Chief, Air Traffic Division, CE-500, 601 East 12th Street, Kansas City, Mo. 64106. |

(ii) When operator combines or merges with another firm which results in a change in the company name, the operator must apply for a new alpha identification code as outlined in (i) of this subparagraph.

(4) *Filing notice of change of operator name.* When an operator combines or merges his operations with another operator or redesignates the company name, it is his responsibility to file with CAB to obtain an amended exemption and/or rate order under the new name. This action will facilitate payment for mail service to the new corporation or company.

(5) *Preparation of Post Office Department forms.* Operators are responsible for insuring that pilot personnel are

properly instructed in the preparation and disposition of required Post Office Department forms and that completed forms are accurate and legible. Particular emphasis will be placed on proper preparation of Form 2755, Air Taxi Mail Service Performed (see § 535.7(a)), to insure proper payment due operator.

(6) *Registration of aircraft.* (i) Prior to the inauguration of service, operator must provide the Director, Logistics Division, of region concerned, with the make, model and "N" registration number of primary and alternate aircraft to be used on the route.

(ii) Replacement of a registered aircraft from an assigned route must be reported immediately to appropriate region. Prolonged substitution requires submission of Forms 2751 (1), (2), and (3) for the replacement aircraft.

(7) *Registration of pilot personnel.* (i) Prior to starting service over an air taxi route, operator must furnish region with a listing of a personnel who will be assigned to fly the route. The listing should include flight experience, ratings and identification numbers of certificates prescribed for pilots and copilots.

(ii) Operator must notify Director, Logistics Division, of all personnel changes within 10 calendar days and provide him with names and qualifications of replacement personnel.

(8) *Screening employees.* (i) Operators will be furnished a supply of Form 2025, Contract Personnel Questionnaire and Form FD-258, Fingerprint Chart, by appropriate Director, Logistics Division.

(ii) Each operator or person employed by an operator to handle mail must complete questionnaire form and have his fingerprints taken within 10 days after beginning service. Exceptions to this requirement are:

(a) Employees hired for an emergency of less than 10 days. This does not exempt regular, relief or substitute employees.

(b) Persons previously screened for transportation of mail within a 1-year period.

(iii) Local postmasters will provide necessary assistance in accomplishing forms and fingerprint cards.

(iv) Operators will forward completed Form 2025 and fingerprint chart to appropriate Director, Logistics Division, for further processing.

(b) *Operational policies and requirements—(1) Inspecting air taxi operations.* Air taxi operators and their employees will grant postal officials access to inspect aircraft and facilities used in connection with transporting mail, and will, on demand, exhibit and permit inspection of airworthiness certificates, aircraft logs, and other pertinent credentials covering aircraft used to transport mail. Pilots shall permit postal officials to examine their airman's certificate, 6-month competency certificate, medical certificate, FCC radio telephone operator permit, and flight log on demand.

(2) *Flight operations.* Operators will: (i) Comply with Part 135.65 FAR, by providing an accredited weather observer when necessary at airports not having this service on a full-time basis.

(ii) File a flight plan with FAA for each operation.

(iii) Compile and enter aircraft weight and balance data on Form 2768 at each stop point and leave completed form with local postal agent prior to departure.

(iv) Report promptly to appropriate regional office all accidents and incidents involving aircraft carrying mail.

(v) Not exceed flight and duty time limitations prescribed in § 535.4(c)(5).

(3) *Transportation of personnel.* (i) Air taxi mail service operators will not provide air transportation for postal inspector or officials of the Department without approval by the Bureau of Operations.

(ii) Unless the air taxi operator is authorized to carry passengers for compensation, the only persons who may be carried aboard the airplane while it is engaged in the carriage of mail are the following:

(a) Active crew members.

(b) Persons traveling to or from a crew member assignment.

(c) Employees of the air taxi operator when traveling on company business related to the route and mail service operations.

(d) Authorized representative of the FAA conducting an en route inspection.

(e) Personnel specifically designated by the Bureau of Operations. Above personnel, with the exception of those in (ii) (d), may be carried only if required airlift space and weight for mail is not compromised.

(4) *Penalties for mishandling mail and operational irregularities.* Operators are subject to pecuniary penalties for mishandling mail and for certain operational irregularities, as prescribed in this part.

(5) *Cooperating with postal inspector.* Postal inspectors are special representatives of the Postmaster General. All air taxi operators and their employees engaged in transportation of mail are required to cooperate with and assist inspectors in performing their duties which may include opening pouches and sacks and examining mail therein.

(c) *Safety responsibilities.* (1) *General.* (i) Air taxi operators must comply with all FAA safety regulations applicable to air taxi operators involving transportation of passengers, whether or not they are covered by specific instructions from the Post Office Department.

(ii) Conditions detrimental to a safe operation will be reported by air taxi operators to responsible regional postal officials for consideration and appropriate corrective action.

(2) *Aircraft engine shutdown.* (i) Aircraft engines shall be stopped when mail is being loaded or unloaded.

(ii) Aircraft engines shall not be started until all postal personnel and/or vehicles are clear of the ramp area.

(3) *Vehicles approaching parked aircraft.* Operator personnel are responsible for directing approaching postal vehicles to parked aircraft for loading/unloading of mail.

(4) *Route familiarity.* Initially, each pilot must be route-qualified prior to acting as pilot-in-command on any mail

route. Each pilot who thereafter has not flown over an assigned route and into those airports serving the route within the preceding 60 days will certify on a form provided by the operator that he knows the subject listed below in regard to the routes and airports into which he is to operate.

(i) Weather characteristics appropriate to the seasons.

(ii) Navigation facilities.

(iii) Communication procedures.

(iv) Kinds of terrain and obstruction hazards.

(v) Minimum safe flight levels.

(vi) Pertinent air traffic control procedures including terminal areas, arrival, departures, and holding and all kinds of instrument approach procedures.

(vii) Congested areas, obstructions and physical layout of each airport in the terminal area in which the pilot will operate, and for operations under IFR.

(5) *Flight and duty time limitations.* The following flight and duty time limitations apply to pilots of aircraft engaged in air taxi mail service:

(i) Total flight time of pilots may not exceed:

(a) 36 hours in any 7 days.

(b) 120 hours in any 30 consecutive days.

(c) 1,300 hours during any calendar year.

(ii) The operator may not schedule any pilot for duty aloft for more than 8 hours during any 24 consecutive hours without a rest period at or before the end of that 8 hours, equal to twice the number of hours of duty aloft since the last period, but not less than 8 hours.

(iii) Each pilot who has been on duty aloft for more than 8 hours during any 24 consecutive hours must be given, upon completion of his assigned flight or series of flights, at least 16 hours of rest before being assigned to any duty with the operator.

(iv) The operator shall relieve pilots from all further duty for at least 24 consecutive hours during any 7 consecutive days.

(v) The operator may not assign any pilot to any duty with the operator during any required rest period.

(vi) Time spent in transportation, not local in character, that the operator requires of a pilot and provides to transport the pilot to an airport at which he is to serve on a flight as a pilot, or from an airport at which he was relieved from duty to return to his home station, is not considered part of a rest period.

(vii) A pilot is not considered to be scheduled for duty in excess of flight time limitations if the flights to which he is assigned are scheduled and normally terminate within the limitations, but due to circumstances beyond the control of the operator (such as adverse weather conditions) are not at the time of departure expected to reach their destination within the scheduled time.

(viii) Each pilot shall be relieved from all duty for at least 10 consecutive hours during any 24-hour period.

(6) *Fire prevention.* Every precaution must be taken to protect mail from fire. Smoking is prohibited during loading or

unloading operations, and within 50 feet of aircraft when there is mail on board during ground operations.

(7) *Withholding mail for safety violations.* Serious offenses and violation of established POD and FAA safety requirements may result in mail being withheld from flights until the offending condition is corrected.

(d) *Performance responsibilities.* (1) *Operational proficiency.* Each operator must provide service at a minimum level of 96 percent of schedule, exclusive of conditions over which the operator has no control; e.g., bad weather, etc.

(2) *Maintaining schedules.* (i) Air taxi mail service will be operated on schedules specified on Form 2752, except when weather or other causes beyond the control of the operator intervene. Published schedules are based on block-to-block time. The operator must maintain a record of interruptions and delays and prove validity thereof.

(ii) Aircraft will be preflighted, fueled, and in position for loading a minimum of 15 minutes prior to scheduled departure from trip originating terminal. Thereafter, all schedules will be adhered to commensurate with uncontrollable delays, acquisition of weather information, en route maintenance, etc.

(iii) Failure on the part of the operator to arrange for timely and adequate preflight and snow, ice, or frost removal from aircraft to meet flight departure schedules will not be considered a weather-caused delay or cancellation.

(3) *Delay or cancellation.* (i) Operator is responsible for dispatching aircraft operating under questionable weather conditions. The operational decisions made by the pilot-in-command of the aircraft will always be accepted by air stop postal agents.

(ii) Operator must advise local postal unit of delayed departures or cancellations.

(4) *Irregular operations.* (i) The operator is responsible for promptly notifying local postal unit of any planned deviations from authorized schedule.

(ii) In the event a scheduled flight must divert to an alternate airport while airborne, the pilot, whenever possible, should advise the postal unit to be overflown of his alternate destination through air/ground communications.

(iii) Upon arrival at alternate airport, the pilot will contact the postal unit at the scheduled destination for instructions.

(e) *Mail handling responsibilities.*

(1) *Transporting mail.* (i) The operator will transport and transfer mail as ordered on dispatch documents and related coding on pouch labels, or instructions from postal transfer employees. Mishandlings which result in delayed delivery of the mail, may subject the operator to a financial penalty.

(ii) Exchange of mail at each airport will be at the time and place authorized by the Director, Logistics Division.

(2) *Protection.* The operator is responsible and accountable for mail in his custody. Operator assumes responsibility for the mail from the time it is tendered to him for loading and until it

is unloaded and delivered to post office custody. The following requirements must be observed:

(i) Mail must not be left exposed or otherwise subjected to possible theft, rifling or damage by weather.

(ii) When a damaged pouch is discovered, it will be turned into the first available postal unit for repouching and redispach.

(3) *Loading aircraft.* (i) The pilot-in-command is responsible for loading his aircraft. He will not accept mail in excess of the allowable load, taking into consideration the gross loading and center of gravity limits of the aircraft.

(ii) POD or POD contract personnel are not authorized to load/unload or distribute mail within the aircraft.

(iii) Mail for two or more destinations will be loaded in a manner which will preserve the destination separation and facilitate unloading at off-load point.

(iv) All mail must be securely tied down in a manner that will preclude any shifting en route regardless of amount or size.

(v) Mail shall be loaded so that it does not restrict access to emergency exits.

(vi) All compartments must be checked to insure they are closed and secured prior to take-off.

(vii) Prior to each take-off the pilot will complete Form 2768, Aircraft Weight and Balance Data Card, and mail or leave it with a POD representative at each point of departure.

(4) *Disposition of mail from canceled or irregular flights.* (i) When a trip is canceled at the initial terminal or any point en route, the operator must promptly notify the nearest postal transfer clerk or postmaster.

(ii) Disposition of mail will be in accordance with instructions of the local postal unit.

(iii) If a mail flight terminates at a point short of destination due to weather or mechanical failure, the operator may, with prior approval of the Director, Logistic Division, transport the mail to destination by surface.

(5) *Unloading aircraft.* The pilot is responsible for unloading aircraft at off-load points and for security and protection of mail until tendered to authorized postal agent.

§ 535.5 Postal unit responsibilities and procedures for air taxi operations.

(a) *Management.* Postmasters of postal units located on air taxi routes will provide necessary management support in administering air taxi mail service.

(1) *Postmaster responsibilities.* Postmasters' primary responsibilities include:

(i) Certifying, preparing, and submitting Form 2756, Certification of Air Taxi Mail Service Performed, as prescribed in § 535.7(b), when designated as certifying postmaster by Form 2752, Air Taxi Mail Service Action.

(ii) Assisting operator personnel in preparation of Form 2025, and fingerprint cards for POD personnel screening requirements.

(iii) Maintaining and submitting air taxi operational reports as directed by regions.

(iv) Proper receipt and dispatch of mail to air taxis.

(v) Promptly notifying downline postal units of air taxi cancellations and delays.

(b) *Ground handling services.* The handling of mail to and from the aircraft may be performed by postal personnel or mail messenger service, whichever is determined to be more economical.

(c) *Dispatch of mail.* (1) (i) Air taxi mail service schedules are established with many close connections. Consequently, postmasters must insure that mail is dispatched in ample time so that it will be loaded for on-time departure of the air taxi. Sufficient time must be given the pilot to complete weight and balance checks and other safety requirements before scheduled takeoff.

(ii) Pouches will be separated by destination prior to delivery to the air taxi and pilot will be furnished total weight of mail for each off-load destination.

(iii) Due to the critical requirements for loading small aircraft properly, it is essential that all dispatches be accurately weighed and correctly recorded on pouch labels and dispatch records.

(2) *Routing and priority of mail:* (i) Mail will be dispatched to air taxis in accordance with the following priority:

(a) Airmail.

(b) First-class mail.

(c) Other classes (when specifically authorized by the Department).

(ii) When an overload condition occurs, priority in loading FCM must be given to that mail which will normally receive overnight delivery.

(iii) Mail cannot be routed for interline transfer to or from an air taxi route unless both air carriers are authorized to transport mail at the multielement or pound rate of pay.

(iv) Mail due connection to or from an air taxi mail route not authorized to transport mail under multielement or pound rate of pay must be routed to the postal facility at the transfer point for processing.

(3) *Air taxi mail dispatch document:* Form 2764, Dispatch Record Air Taxi Mail Service, will be used to document mail dispatched on air taxis except when an air taxi operator transports mail on a pound or multielement rate. Form 2764 consists of eight pre-carboned sheets and is used for a specific trip from Saturday through Friday of each week. The postal unit at the airport facility tendering mail to air taxis initiates the form and records daily volume of mail dispatched. A copy is given to the air taxi pilot each day the trip operates. At the end of the week, the mail volume totals will be tabulated and the second copy of the form is forwarded to the Dallas Postal Data Center. The original copy is retained by the dispatching postal unit for 2 years.

(4) *Pound and multielement rate dispatch record:*

(i) *Pound rate route.* Prepare Form 2729, Weekly Summary of Airmail Dispatched, when an air taxi transports mail for a pound rate. Separate entries will be made for airmail and FCM. Send completed forms to the Dallas Postal Data Center.

(ii) *Multielement rate route.* Mail for air taxi mail routes authorized to be paid at the multielement rate will be documented on Forms 2729 and 2713, Dispatch Record of First-class Mail by Air, in the manner prescribed for certificated air carriers. Completed forms will be sent to the Dallas Postal Data Center.

(d) *Ground safety.*—(1) *Safety precautions.* (i) The 14 safety rules set forth in chapter IV, paragraph H, POD Supervisors' Safety Handbook, Personnel Series 13, apply to all drivers and postal motor vehicles operating on airfields used by air taxi mail service aircraft. Deviations authorized by local postmasters must be in writing and made available to operators and airport managers.

(ii) Postal personnel and vehicles shall not approach aircraft until the aircraft and aircraft propellers have come to a complete stop.

(iii) Only drivers who have been especially trained and qualified shall be authorized to engage in the movement of postal vehicles on airfields.

(iv) Drivers of postal motor vehicles must not drive under any part of, or operate within 5 feet of parked aircraft.

(v) Drivers will normally approach the aircraft from the rear and turn upon approaching the wing before stopping. This will preclude backing the vehicle. If vehicle must be backed into a loading or unloading position, the pilot or employee of the operator will guide and direct the driver. When in position, the driver must:

(a) Put vehicle in neutral or park position.

(b) Set hand brake tight.

(c) SHUT ENGINE OFF.

(d) Chock planeside of truck if ramp pitches toward aircraft.

(e) *Reports.*—(1) *Mail handling irregularities.* Form 2759, Report of Irregular Handling of Mail, will be used to report air taxi mail service irregularities. The appropriate airport mail facility, transfer office, or sectional center will prepare and process Form 2759 in accordance with § 533.7(a) of this chapter. A description and classification of reportable irregularities are outlined in § 533.7(c) of this chapter.

(2) *Operational irregularity.* Postal units at air taxi stop points will:

(i) Promptly report operating irregularities to appropriate regional office. Operational irregularities include flight cancellation, late arrivals, use of unauthorized aircraft, and equipment deficiencies when aircraft used cannot accommodate the volume of mail specified in the terms of the proposal.

(ii) Advise region when volume of mail available for air taxi exceeds specified capacity of aircraft.

(iii) Advise region promptly of any air taxi incidents or of any known or suspected safety violations.

(3) *Reporting accidents.* (i) Postal units will report promptly to designated regional officials all accidents involving aircraft carrying mail.

(ii) The contents of the report should adequately describe such details as date, time, place, trip number, aircraft type

and number, weather conditions at the time of the accident, damages, injuries and classes of mail by weight, and condition of mail. A brief history of the flight and known or suspected cause factors should be included.

(iii) Mail in aircraft involved in accidents will not be disturbed except to prevent further damage until released by a representative of the National Transportation Safety Board or an FAA official. It must be guarded until the arrival of a postal official.

§ 535.6 Penalties.

(a) *Policy.* Operators are subject to monetary penalties for unjustified failure to discharge their mail service responsibilities and for specific mail handling irregularities reported on Form 2759 by postal units concerned.

(1) *Irregularities subject to penalty.* Irregularities attributed to operators will be identified, evaluated, and reported to the Department for review and imposition of a penalty, if warranted. Insure that prompt reports are submitted to Director, Logistics Division, on the following irregularities which are normally preventable and within control of the operator.

(i) Mail refusal: Inability or refusal of operator to accept mail within the agreed allocation. When mail in excess of amount specified in Form 2752 is refused, it is not considered a "refusal" but will be reported as "mail theft".

(ii) Failure to protect mail. (Fire, damage, weather, or leaving mail unattended).

(iii) Failure to notify postal unit of irregular operation.

(iv) Failure to provide specified aircraft. (Except in emergencies when equipment substitution is made with prior regional approval).

(v) Others. Includes operator performance, incidents and conditions not conducive to a good air taxi mail service operation.

(2) *Assessing penalties.* Reported irregularities are investigated by the Director, Logistics Division, to determine whether an operator should be penalized. If a penalty is warranted, the Director will forward Form 2766, Advice and Recommendations for Fines—Airmail Irregularities, with a report of circumstances to the Bureau of Operations for review and possible assessment of a penalty against the operator.

(3) *Failure to provide specified payload.* A penalty will be assessed whenever an operator uses aircraft which does not provide weight capability for mail, as specified on Form 2750. This penalty will be imposed even though all mail tendered was carried.

(i) The following example shows how to compute penalty:

(a) If specified mail capacity requirement is: 2,000 pounds, and

(b) capacity of replacement aircraft is: 1,500 pounds,

(c) required weight capacity not available: 500 pounds, or 25 percent

(d) the normal authorized route payment per mile is 0.40 cents.

The amount of the penalty is based on the authorized rate (0.40 cents) per mile, less the percentage of capacity not made available (25 percent). Using these figures, the penalty would be 0.10 cents per mile.

(ii) The Director, Logistics Division, will compute penalty and forward particulars to Air Branch, Traffic Management Division, Bureau of Operations.

§ 535.7 Certification and payment for services.

(a) *Validation of service performed.* The pilot will complete Form 2755, Air Taxi Mail Service Performed, for each scheduled trip. He will record arrival and departure time for every air stop served. At the end of the trip copies 1 and 2 will be promptly turned into the terminal postal unit. Delay in submission of form could cause delay in payment due operator.

(1) If service is provided over a route from the headout terminal to an outer terminal and returns to the headout terminal using the same aircraft and pilot, both the outbound and inbound service will be reported on one Form 2755 as a round trip.

(2) If service is provided over a route from the headout terminal to an outer terminal by one aircraft and pilot and from the outer terminal to the headout terminal by a second aircraft and pilot, each pilot will report this portion of the service on Form 2755 as a one-way trip.

(b) *Condition for payment.* (1) Full payment will be allowed when:

(i) Service is performed in accordance with published schedule.

(ii) Operator begins a trip but terminates at an intermediate stop or an alternate point because of weather or other conditions beyond the pilot's control, except mechanical failures and accidents or incidents which prevent completion of trip.

(2) *Mileage deductions.* Mileage deductions will be made for trips, or portions of trips, canceled because of mechanical failure and complete trips canceled because of weather.

(3) *Transmittal of Form 2756.* (i) At the end of each week, the postmaster of the certifying postal unit will prepare Form 2756, Certification of Air Taxi Mail Service Performed, and submit it to the Dallas Postal Data Center. Form will be dispatched in a separate envelope endorsed "Form 2756" in the lower left corner.

(ii) A copy of Form 2756 and related copies of Form 2755 for the week will be forwarded to the Director, Logistics Division, Attention: Manager, Air Transportation, for each route.

§ 535.8 Rate adjustment.

(a) *Purpose.* When air taxi operators incur costs which could not be reasonably anticipated at the time the rate for their service was established, they may petition the POD for a rate adjustment on Form 2751-C, Rate Adjustment Request. Necessary forms may be obtained from the Director, Logistics Division, of the postal region responsible for administering the route involved.

(1) *Types of adjustment.* (i) Adjustment in the rate will be considered for costs which could not have been reasonably anticipated, such as the following:

(a) Increase in aircraft requirements to comply with new safety regulations of the POD or the FAA.

(b) Increase in requirements for capacity or speed.

(c) General increase within a State or regional area involving fuel costs, wages and salaries of pilots or maintenance personnel. (Operators are normally not eligible for rate adjustments in fuel, oil or wages until 1 year from filing of Notice of Intent.)

(d) Landing or ramp fees resulting from new policies or rate changes at airports served.

(ii) Adjustments will not be allowed for increased costs, such as the following:

(a) Aircraft or equipment changes at the option of the operator.

(b) Aircraft or equipment changes required to meet FAA or postal regulations in effect at the time the rate was established by temporary contract or Notice of Intent to the Civil Aeronautics Board.

(c) Hanger costs which should have been anticipated as a normal service requirement.

(d) Landing and other airport service fees in effect on the date the proposed rate was submitted.

(e) Insurance cost increases unless resulting from an order by a state insurance board or other Government agency, or unless comparable increases are being assessed against all other ATCO operations in the area.

(2) *Filing procedures.* In adjustments which involve additional capital expenditures, the operator shall take the following steps:

(i) Document the amount of increase in capital expenditure.

(ii) For change of aircraft, he should determine the difference in capital expenditure involved between new aircraft of the type operated and new aircraft of the type required if new aircraft is actually procured. When new aircraft is not procured, the actual increase in costs will be established not to exceed the difference in cost of new aircraft of the types involved.

(iii) For each new equipment component, he should document the actual purchase price, finance costs, plus the cost of installation. The cost of installation must not exceed the established manufacturer's standard installation cost.

(iv) To determine the amortization base, deduct the residual or disposal value. Residual value for aircraft will be calculated at 15 percent of cost, as determined per subdivision (iii) above.

(v) Determine annual charge for amortization. For amortization purposes, the service life of components and aircraft is considered to be 7 years for Piston Aircraft, 10 years for Turbo Prop Aircraft, and 12 years for Jet-powered Aircraft. When used aircraft or components are involved, the amortization rate shall not exceed that for new equipment.

(vi) Submit completed forms and required documentation of added cost to

appropriate Director, Logistics Division, for evaluation and processing.

Note: The corresponding Postal Manual sections are 535.1 through 535.8.

DAVID A. NELSON,
General Counsel.

[P.R. Doc. 69-15002; Filed, Dec. 17, 1969;
8:47 a.m.]

Title 7—AGRICULTURE

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

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

[Amdt. 2]

PART 729—PEANUTS

Subpart—Regulations for Determination of Acreage Allotments and Marketing Quotas for 1969 and Subsequent Crops of Peanuts

TRANSFER OF ALLOTMENTS FOR 1970

This amendment of the allotment and marketing quota regulations for peanuts of the 1969 and subsequent crops is issued pursuant to the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1281 et seq.).

The purpose of this amendment is to extend the authority to transfer peanut acreage allotments for the 1970 crop year, pursuant to Public Law 91-122 (83 Stat. 213, approved Nov. 21, 1969).

Peanut producers are now making plans for the 1970 crop year and it is essential that this amendment be made effective as soon as possible. Accordingly, it is hereby determined and found that compliance with the notice, public procedure and 30-day effective date requirements of 5 U.S.C. 553 is impracticable and contrary to the public interest and this amendment shall become effective upon filing of this document with the Director, Office of the Federal Register.

The regulations for determination of acreage allotments and marketing quotas for 1969 and subsequent crops of peanuts (33 F.R. 18351, 18981, 34 F.R. 14201) are amended as follows:

1. Section 729.68 is revised to read as follows:

§ 729.68 Authorization of and general explanation of transfers of farm allotments for 1968, 1969, and 1970 under section 358a of the act.

(a) *Authorization of transfers.* It is hereby determined and found that transfers of peanut acreage allotments to take effect during the 1968, 1969, and 1970 crop years in accordance with the provisions of section 358a of the act will not impair the effective operation of the peanut marketing quota or price support programs. Accordingly, such transfers of allotment shall be permitted in accordance with the provisions of this section and § 729.69.

(b) *General explanation.* Three types of transfers of farm allotments within the same county to take effect during the 1968, 1969, and 1970 crop years are permitted in accordance with the terms and conditions in § 729.69. Transfers by sale would be permanent transfers of allotment and related acreage history and marketing quota. Transfers by lease would be temporary for the term of the lease not to exceed 5 years. Transfers by owner on a permanent basis or on a temporary basis not to exceed 5 years would be made from a farm owned by him to another farm in the same county owned or controlled by him. The receiving farm need not be an old farm but the total allotment transferred to the receiving farm during 1968, 1969, and 1970, in the case of sale and lease transfers but not in the case of transfers by owner on a permanent or temporary basis, shall not exceed 50 acres.

2. Paragraphs (a) and (b) of § 729.69 are revised to read as follows:

§ 729.69 Terms and conditions applicable to transfers under section 358a of the act.

(a) *Persons eligible to file applications for transfer.* (1) *Sale or lease.* The owner and operator of any old farm as defined in § 729.6 for which a peanut farm allotment is or will be established for the year in which the transfer by sale or lease is to take effect (1968-70) shall be eligible to file an application for sale or lease of all or any part of such allotment to any other owner or operator of a farm in the same county. The receiving farm need not be an old farm. If the owner and operator of the farm from which transfer by sale or lease is to be made are different persons, both such persons shall execute the application.

(2) *By owner.* The owner of any old farm as defined in § 729.6 for which a peanut farm allotment is or will be established for the year in which the transfer is to take effect (1968-70) is eligible to file an application to transfer such allotment from the farm to another farm in the same county owned or controlled by such owner. The county committee shall approve a transfer under this subparagraph requested on a nonpermanent basis to a farm controlled but not owned by the applicant only if such applicant will be the operator of the farm to which transfer is to be made for each of the years for which the transfer is requested. However, if the county committee determines that the applicant is prevented from remaining the operator of such farm for which such transfer has been approved due to conditions beyond his control, the transfer shall remain in effect. Conditions beyond his control shall include, but are not limited to death, illness, incompetency, or bankruptcy of such person.

(b) *When application to be filed.* Applications for transfers to take effect during 1970 shall be filed during the period November 26, 1969 to April 1, 1970, both dates inclusive. The final date for such period may be extended by the State committee, with the approval of

the Deputy Administrator, to a date not later than the close of the normal planting period for the State or area. The State committee, with the approval of the Deputy Administrator, may authorize the acceptance of a late-filed application in cases where the State committee determines that the late filing resulted from misunderstanding of the filing requirements after oral discussion between the applicant and a representative of the county committee.

(Secs. 358a, 375, 81 Stat. 658, as amended, 52 Stat. 60, as amended, 7 U.S.C. 1358a, 1375)

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

Signed at Washington, D.C., on December 12, 1969.

KENNETH E. FRICK,
Administrator, Agricultural Stabilization and Conservation Service.

[P.R. Doc. 69-15037; Filed, Dec. 17, 1969;
8:49 a.m.]

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

[Grapefruit Reg. 68, Amdt. 2]

PART 905—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

Limitation of Shipments

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 905, as amended (7 CFR Part 905, 34 F.R. 12426), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendation of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of grapefruit, as hereinbefore provided, will tend to effectuate the declared policy of the act.

(2) The recommendation by the committees reflect their appraisal of the potential marketing situation during the week in which Christmas Day occurs and for the period immediately following. Historically, there has been heavy purchasing of fresh grapefruit in the terminal markets prior to Christmas Day followed by a period of slow movement immediately following the holiday. Inordinate shipments in the period of slow movement tend to depress market prices and returns to growers. Hence, the curtailment of grapefruit shipments, as hereinafter specified, is necessary to prevent a buildup of grapefruit supplies in the markets during and immediately following the Christmas Day week in order to prevent unduly depressed market prices and returns to growers.

(3) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 553) in that the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than December 23, 1969. Domestic shipments of Florida grapefruit are currently regulated pursuant to Grapefruit Regulation 68 (34 F.R. 14380, 18449) and, unless sooner terminated or modified, will continue to be so regulated through September 13, 1970; determinations as to need for, and extent of, regulation under § 905.52(a)(3) of the order must await the development of the crop and the availability of information about the demand for such fruit; the recommendation and supporting information for limiting the total quantity of fresh grapefruit by prohibiting the shipment thereof, pursuant to said section, during the period December 23 through December 29, 1969, as herein provided, were promptly submitted to the Department after an open meeting on December 3, 1969, to consider recommendations for such regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; supplemental information was submitted to the Department on December 11, 1969; information regarding the provisions of the regulation recommended by the committees has been disseminated among shippers of grapefruit grown in the production area, and this regulation, including the effective time thereof, is identical with the recommendation of the committees; and compliance with this regulation will not require any special preparation on the part of persons subject thereto which cannot be completed on or before the effective time hereof.

(a) *Order.* In § 905.514 (Grapefruit Reg. 68, 34 F.R. 14380, 18449) the provisions of paragraph (a)(2) are revised to read as follows:

§ 905.514 Grapefruit Regulation 68.

(a) * * *

(2) During the period December 23 through December 29, 1969, no handler shall ship between the production area and any point outside thereof in the continental United States, Canada, or Mexico, any grapefruit grown in the production area.

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

Dated, December 12, 1969, to become effective December 23, 1969.

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

[P.R. Doc. 69-14977; Filed, Dec. 17, 1969; 8:45 a.m.]

[Orange Reg. 64, Amdt. 1]

PART 905—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

Limitation of Shipments

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 905, as amended (7 CFR Part 905, 34 F.R. 12426), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendation of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) The recommendation by the committees reflects their appraisal of the potential marketing situation during the week in which Christmas Day occurs and for the period immediately following. Historically, there has been heavy purchasing of fresh oranges in the terminal markets prior to Christmas Day followed by a period of slow movement immediately following the holiday. Inordinate shipments in the period of slow movement tend to depress market prices and returns to growers. Hence, the curtailment of orange shipments, as hereinafter specified, is necessary to prevent a buildup of orange supplies in the markets during and immediately following the Christmas Day week in order to prevent unduly depressed market prices and returns to growers.

(3) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 553) in that the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than December 23, 1969. Domestic shipments of Florida oranges are currently regulated pur-

suant to Orange Regulation 64 (34 F.R. 19067) and, unless sooner terminated or modified, will continue to be so regulated through September 13, 1970; determinations as to need for, and extent of, regulation under § 905.52(a)(3) of the order must await the development of the crop and the availability of information about the demand for such fruit; the recommendation and supporting information for limiting the total quantity of fresh oranges by prohibiting the shipment thereof, pursuant to said section, during the period December 23 through December 29, 1969, as herein provided, were promptly submitted to the Department after an open meeting on December 3, 1969, to consider recommendations for such regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; supplemental information was submitted to the Department on December 11, 1969; information regarding the provisions of the regulation recommended by the committee has been disseminated among shippers of oranges grown in the production area, and this regulation, including the effective time thereof, is identical with the recommendation of the committees; and compliance with this regulation will not require any special preparation on the part of persons subject thereto which cannot be completed on or before the effective time hereof.

(a) *Order.* In paragraph (a) of § 905.520 (Orange Reg. 64; 34 F.R. 19067) the provisions of paragraph (a)(2) preceding subdivision (1) thereof are revised and a new paragraph (a)(3) is added reading as follows:

§ 905.520 Orange Regulation 64.

(a) * * *

(2) Except as otherwise provided in paragraph (a)(3) during the period December 1, 1969, through September 13, 1970, no handler shall ship between the production area and any point outside thereof in the continental United States, Canada, or Mexico:

(3) During the period December 23 through December 29, 1969, no handler shall ship between the production area and any point outside thereof in the continental United States, Canada, or Mexico, any oranges grown in the production area.

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

Dated, December 12, 1969, to become effective December 23, 1969.

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

[P.R. Doc. 69-14978; Filed, Dec. 17, 1969; 8:45 a.m.]

[Navel Orange Reg. 188]

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

Limitation of Handling

§ 907.433 Navel Orange Regulation 188.

(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 16, 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 19, 1969, through December 25, 1969, are hereby fixed as follows:

- (i) District 1: 400,000 cartons;
- (ii) District 2: 41,000 cartons;
- (iii) District 3: 50,000 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 17, 1969.

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

[F.R. Doc. 69-15141; Filed, Dec. 17, 1969;
11:23 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

**Big Lake National Wildlife Refuge,
Ark.**

The following special regulations are issued and are effective on date of publication in the FEDERAL REGISTER.

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

ARKANSAS

BIG LAKE NATIONAL WILDLIFE REFUGE

Sport fishing on the Big Lake National Wildlife Refuge, Manila, Ark., is permitted only on the areas designated by signs as open to fishing. These open areas, comprising 4,000 acres, are delineated on a map available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, Peachtree-Seventh Building, Atlanta, Ga. 30323. Sport fishing shall be in accordance with all applicable State regulations except the following special conditions:

(1) The sport fishing season on the refuge extends year-round except closed during waterfowl season.

(2) Fishing is permitted during daylight hours only.

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.

W. L. TOWNS,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

DECEMBER 10, 1969.

[F.R. Doc. 69-14970; Filed, Dec. 17, 1969;
8:45 a.m.]

Proposed Rule Making

DEPARTMENT OF COMMERCE

Office of the Secretary

[15 CFR Part 7]

CARPETS AND RUGS

Notice of Proposed Flammability Standard

On December 3, 1968, there was published in the FEDERAL REGISTER (33 F.R. 17921) a notice of finding that a flammability standard or other regulation, including labeling, may be needed for carpets and rugs, to protect the public against unreasonable risk of the occurrence of fire leading to death, injury, or significant property damage, arising from the hazards of rapid flash burning or continuous slow burning or smoldering, and for institution of proceedings for the development of an appropriate flammability standard or other regulation. In order that the Department of Commerce, hereinafter referred to as the "Department," might receive adequate and deliberative responses representing the considered views and recommendations of interested persons and to accommodate a number of requests for additional time to respond to the December 3 notice, the Department by notice in the FEDERAL REGISTER on January 10, 1969 (34 F.R. 398), extended the period for filing comments to February 3, 1969.

After review and analysis of the comments received, analysis of material developed through research, and after further review of information previously cited in the December 3, 1968, FEDERAL REGISTER (33 F.R. 17921), it is hereby found that a flammability standard for carpets and rugs is needed to protect the public against unreasonable risk of the occurrence of fire leading to death, injury, or significant property damage arising from the hazards of rapid flash burning or continuous slow burning or smoldering.

Proposed standard. It is preliminarily found that the proposed flammability standard as set out in full at the end hereof as Appendix I:

(a) Is needed for carpets and rugs to protect the public against unreasonable risk of the occurrence of fire arising from the hazards of rapid flash burning or continuous or slow burning or smoldering, and leading to death, personal injury, or significant property damage;

(b) Is reasonable, technologically practicable and appropriate and is stated in objective terms; and

(c) Is limited to carpets and rugs which currently present the unreasonable risks specified in (a) above.

Basis for proposed flammability standard. Although there are standards for certain specialized applications, there

now exists no national flammability standard for carpets and rugs affording protection to the general public from an unreasonable risk of the occurrence of fire. An analysis of data and all comments received and research conducted pursuant to inquiry by this Department into flammability problems in carpets and rugs reveals that carpets and rugs are being produced and made available for consumer purchase which present, through ordinary use, an unreasonable risk of the occurrence of fire leading to death or personal injury, or significant property damage, arising from the foreseeable hazards of rapid flash burning or continuous slow burning or smoldering. The proposed standard would remove from the market those rugs and carpets which present either of these hazards. This analysis further reveals that the proposed standard will protect against such risks and, at the same time, is reasonable, technologically practicable and appropriate and is stated in objective terms. The current state of the art in carpet and rug manufacture can conform to this proposed standard, and rugs and carpets are, in fact, available to the public which meet the requirements of this proposed standard. This proposed standard is limited to rugs and carpets which present the hazards of rapid flash burning or continuous slow burning or smoldering. The information upon which the finding is made indicates that such items present the unreasonable risks mentioned above unless produced in conformance to the proposed standard.

In federally owned or leased buildings, a measure of protection against hazards from the flammability of carpets and rugs is afforded through the requirement of the Federal Supply Service, General Services Administration, that all rugs and carpets purchased for use in such buildings must comply with the flame resistance criteria of Federal Specification DDD-C-95, Carpets and Rugs, Wool, Nylon, Acrylic, Modacrylic. Under the test procedure prescribed therein, each of two specimens of carpet, conditioned at a prescribed temperature and relative humidity and placed in a horizontal position, is subjected to controlled ignition from a time burning tablet. Flammability is evaluated by measuring the maximum dimension of the charred area produced.

The Department proposes that all carpets and rugs, and fabrics or related materials intended to be used, or which may reasonably be expected to be used as carpets or rugs, shall be classed as "resistant to flammability" in the test method described in Appendix I. This test method is a modification of the test method in Federal Specification DDD-C-95, Carpets and Rugs, Wool, Nylon, Acrylic, Modacrylic. The method tests the resistance to flammability of rugs

and carpets only under draft-protected conditions by requiring that the maximum dimension of charred area produced under certain carefully prescribed conditions and after controlled ignition from a timed burning tablet shall not exceed a certain limit as set forth in the Standard in Appendix I. From observations made during development of this method, it can be concluded that if combustion has progressed to the limit defining failure in the test, combustion, wherever initiated, may reasonably be expected to progress in actual service to the edges of the carpet and provide a possible source for subsequent ignition of other furnishings.

The Department has (1) conducted an interlaboratory evaluation to develop the test method; (2) developed the test method for use in connection with the proposed flammability standard; and (3) used the test method on a selected sample of carpets and rugs being offered at retail outlets selling to the consuming public. The results of these latter tests are given in Appendix II.

Based on the analysis of the test data and subsequent economic investigations by the Department's Office of Textiles, the proposed standard in Appendix I has been developed.

Participation in proceedings. All interested persons are invited to submit written comments relative to the proposed flammability standard within 30 days after the date of publication of this notice in the FEDERAL REGISTER. Written comments should be submitted in at least four (4) copies to the Assistant Secretary for Science and Technology, Room 5051, U.S. Department of Commerce, Washington, D.C. 20230, and may include any data or other information pertinent to the subject.

Inspection of relevant documents. The written comments received pursuant to this notice will be available for public inspection at the Central Reference and Records Facility of the Department, Room 2122, Main Commerce Building, 14th Street between E Street and Constitution Avenue NW., Washington, D.C. 20230.

Issued: December 12, 1969.

MYRON TRIBUS,
Assistant Secretary
for Science and Technology.

[Appendix I]

CARPETS AND RUGS

PROPOSED STANDARD FOR THE RESISTANCE TO FLAMMABILITY OF CARPETS AND RUGS (METHENAMINE PILL)

1. Definitions
2. Scope and Application
3. General Requirements
4. Test Procedure
5. Labeling

1. **Definitions.** In addition to the definitions given in section 2 of the Flammable Fabrics Act, as amended (sec. 1, 81 Stat. 568; 15 U.S.C. 1191), and section 7.2 of the Procedures (33 F.R. 14642, Oct. 1, 1968), the following definitions apply for the purposes of this Standard:

(a) "Acceptance Criterion" means that at least seven out of eight individual specimens of a given carpet or rug shall meet the test criterion as defined in this Standard.

(b) "Carpet" means any type of finished product made in whole or in part of fabric or related material and intended for use or which may reasonably be expected to be used as a floor covering which is exposed to traffic in homes, offices, or other places of assembly or accommodation, and which may or may not be fastened to the floor by mechanical means such as nails, tacks, barbs, staples, adhesives, etc. Mats, hides with natural or synthetic fibers, and other similar products are included in this definition, but resilient floor coverings such as linoleum, asphalt tile and vinyl tile are not.

(c) "Rug" means, for the purposes of this Standard, the same as carpet and shall be accepted as interchangeable with carpet.

(d) "Resistant to Flammability" means that a carpet or rug complies with the acceptance criterion.

(e) "Timed Burning Tablet" means the methenamine tablet, weighing approximately 0.149 grams, sold as Catalogue No. 1588 by the Eli Lilly Co. of Indianapolis, Ind. 46206.

(f) "Test Criterion" means the basis for judging whether or not a single specimen of carpet or rug has passed the test, i.e., the charred portion of a tested specimen shall not extend to within one inch of the edge of the hole in the flattening frame at any point.

(g) "Underlayment" means any pad, cushion, mat, or other material, used between the floor and the carpet or rug.

(h) "Fire-Retardant Treatment" means any chemical or process to which a carpet or rug has been exposed, which significantly modifies the resistance to flammability, as defined in this standard, of the carpet or rug.

2. **Scope and application.** (a) This Standard provides a test method to determine the resistance to flammability of finished carpets and rugs when exposed to a standard source of ignition under carefully prescribed draft-protected conditions. It is applicable to all types of carpets and rugs used as floor covering materials regardless of their method of fabrication or whether they are made of natural or synthetic fibers or films, or combinations of or substitutes for these.

(b) This Standard requires the determination of the resistance to flammability of carpets and rugs as such. However, because an underlayment may modify the resistance to flammability of these materials under some conditions of use, where the combination of carpet and underlayment is available, consideration should be given to performing the test on the combination as it would be used in service.

3. **General requirements.**—(a) **Summary of test method.** This method involves the exposure of each of eight conditioned, replicate specimens of a given carpet or rug to a standard igniting source in a draft-protected environment and measurement of the proximity of the charred portion to the edge of the hole in the prescribed flattening frame.

(b) **Test criterion.** A specimen passes the test if the charred portion does not extend to within one inch of the edge of the hole in the flattening frame at any point.

(c) **Acceptance criterion.** If at least seven of the eight specimens meet the test criterion, the material shall be classified as resistant to flammability.

4. **Test Procedure.**—(a) **Apparatus.**—

(1) **Test chamber.** The test chamber shall consist of an open top hollow cube made of noncombustible material¹ with inside dimensions 12 x 12 x 12 inches (30.5 x 30.5 x 30.5 cm.) and a minimum of 1/4-inch (6.4 mm.) wall thickness. The flat bottom of the box shall be made of the same material as the sides and shall be easily removable. The sides shall be fastened together with screws or brackets and taped to prevent air leakage into the box during use.

(A minimum of two chambers and two extra bottoms are suggested for efficient operation.)

(2) **Flattening frame.** A steel plate 9 x 9 inches (23 x 23 cm.), 1/4-inch (6.4 mm.) thick with an 8-inch (20.3 cm.) diameter hole in its center is required to hold the carpet or rug flat during the course of the test. It is recommended that one be provided for each test chamber.

(3) **Standard igniting source.** No. 1588 methenamine timed burning tablet. These tablets shall be stored in a desiccator over a desiccant for 24 hours prior to use. (Small quantities of sorbed water may cause the tablets to fracture when first ignited. If a major fracture occurs, any results from that test shall be ignored, and it shall be repeated.)

(4) **Test specimens.** Each test specimen shall be a 9 x 9 inches (23 x 23 cm.) section of the carpet or rug to be tested. Eight specimens are required.

(5) **Circulating air oven.** A forced circulation drying oven capable of removing the moisture from the specimens when maintained at 105° C. for 2 hours.²

(6) **Dessicating cabinet.** An air- and moisture-tight cabinet capable of holding the floor covering specimens horizontally without contacting each other during the cooling period following drying, and containing an efficient desiccant, such as calcium chloride or silica gel.

(7) **Glove.** A nonhygroscopic glove (rubber, polyethylene, etc.) for raising the pile on specimens prior to testing.

¹ 1/4-inch (6.4 mm.) cement asbestos board is a suitable material.

² Option 1 of ASTM D 2654-67T, "Methods of Test for Amount of Moisture in Textile Materials," describes a satisfactory oven. ("1969 Book of ASTM Standards," Part 24, published by the American Society for Testing and Materials, 1916 Race Street, Philadelphia, Pa. 19103.)

(8) **Hood.** A hood capable of being closed and having its draft turned off during each test and capable of rapidly removing the products of combustion following each test. The front or sides of the hood should be transparent to permit observation of the tests in progress.

(9) **Mirror.** A small mirror mounted above each test chamber at an angle to permit observation of the specimen from outside of the hood.

(10) **Vacuum cleaner.** A vacuum cleaner to remove all loose material from each specimen prior to conditioning. All surfaces of the vacuum cleaner contacting the specimen shall be flat and smooth.

(b) **Sampling.**—(1) **Selection of samples.** If there is an applicable material specification, take a lot sample. If not, select a sample of the material representative of the lot and large enough to permit cutting eight specimens 9 x 9 inches (23 x 23 cm.), free from creases, fold marks, delaminations or other distortions. The sample of material representative of the lot may be more than one carpet or rug.

If the carpet or rug has had a fire-retardant treatment, or is made of fibers which have had a fire-retardant treatment, the selected sample shall be washed, dry-cleaned or shampooed 10 times in a manner normally used for that carpet or rug in service prior to cutting of specimens.

(2) **Cutting.** Cut eight 9 ± 1/4-in. (23 ± 0.6 cm.) square specimens of each carpet or rug to be tested.

(c) **Conditioning.** Clean each specimen with the vacuum cleaner until it is free from all loose ends left during the manufacturing process and from any material that may have been worked into the pile during handling.³ Care must be exercised to avoid "fuzzing" of the pile yarn.

Place the specimens in the drying oven in a manner that will permit free circulation of the air at 105° C. around them for 2 hours.⁴ Remove the specimens from the oven and place them horizontally in the desiccator with pile side up and free from contact with each other until cooled to room temperature, but in no instance less than 1 hour.

(d) **Testing.** Place the test chamber in the draft-protected environment (hood with draft off) with its bottom in place. Remove a test specimen from the desiccator, brush its surface with a gloved hand in such a manner as to raise its pile. Place the specimen on the center of the floor of the test chamber, pile side up, exercising care that the specimen is horizontal and flat. Place the flattening frame on the specimen and position a

³ The vacuum cleaning described is not intended to simulate the effects of repeated vacuum cleaning in service.

⁴ If the specimens are moist when received, permit them to air-dry at laboratory conditions prior to placement in the oven. A satisfactory preconditioning procedure may be found in ASTM D 1776-67, "Conditioning Textiles and Textile Products for Testing." ("1969 Book of ASTM Standards," Part 24, published by the American Society for Testing and Materials, 1916 Race Street, Philadelphia, Pa. 19103.)

methenamine tablet on one of its flat sides in the center of the 8-inch (20.3 cm.) hole.

Ignite the tablet by touching a lighted match or an equivalent igniting source carefully to its top.²

Continue each test until one of the following conditions occurs:

(1) The last vestige of flame or glow disappears (this is frequently accompanied by a final puff of smoke).

(2) The flaming or smoldering has approached within 1 inch of the edge of the hole in the flattening frame at any point.

When all combustion has ceased, ventilate the hood and measure the shortest distance between the edge of the hole in the flattening frame and the charred area. Record the distance measured for each specimen.

Remove the specimen from the chamber and remove any burn residue from the floor of the chamber. Before proceeding to the next test, the floor must be cooled to room temperature or replaced with one that is at room temperature.

(e) *Report*—The number of specimens of the eight tested in which the charred area does not extend to within one inch of the edge of the hole in the flattening frame shall be reported.

(f) *Interpretation of results*—If the charred area does not extend to within one inch of the edge of the hole in the flattening frame at any point for at least seven of the eight specimens, the carpet or rug meets the acceptance criterion.

5. *Labeling*—If the carpet or rug has had a fire-retardant treatment during the manufacturing process, or is made of fibers which have had a fire-retardant treatment, it shall be labeled with the letter "T."

[Appendix II]

TESTS OF SELECTED CARPETS AND RUGS

In order to determine to what extent carpets and rugs that would not pass the acceptance criterion were sold on the market, the National Bureau of Standards purchased a sample of carpets and rugs indicative of the fiber and construction types available to the public.

Forty-three separate and distinct carpets and rugs were purchased from six retail outlets. Twenty-nine of these were cut from large rolls of material, or were floor samples taken originally from rolls, and fourteen were items made up for sale in predetermined sizes. Of these forty-three carpets and rugs, 33 were labeled as having a single fiber type in the pile and 10 were labeled as containing blends of two or more fibers in the pile. The former contained the following carpet fibers: Acrylic, cotton, nylon, olefin, polyester, rayon and wool. The blends contained two or more of the following: Acetate, acrylic, cotton, modacrylic, nylon, olefin, polyester, and rayon.

² Care must be exercised to avoid igniting the carpet prior to the tablet. If more than 2 minutes elapse between the removal of the specimen from the desiccator and the ignition of the tablet, the conditioning must be repeated.

The results of the resistance to flammability tests are summarized in Table 1.

TABLE 1.—RESISTANCE OF CARPETS AND RUGS TO FLAMMABILITY

| Item | Number tested | Number meeting acceptance criterion |
|--------------------------------------|---------------|-------------------------------------|
| Carpets (from rolls) | 29 | 22 |
| Rugs and mats | 14 | 6 |
| By pile fiber material: ¹ | | |
| Acrylic | 6 | 5 |
| Cotton | 2 | 1 |
| Nylon | 10 | 10 |
| Olefin | 8 | 5 |
| Polyester | 2 | 1 |
| Rayon | 3 | 0 |
| Wool | 2 | 1 |
| Blends | 10 | 3 |
| By construction: ¹ | | |
| Indoor-Outdoor | 4 | 4 |
| Loop | 10 | 8 |
| Plush | 5 | 5 |
| Sculptured | 7 | 4 |
| Shag | 5 | 2 |
| Tweed | 1 | 1 |
| Twist | 2 | 2 |
| Rugs and mats | 14 | 6 |

¹ Fiber content and construction information as provided by the retailer. Some construction designations were combinations of three types of construction, and are listed with each type. Therefore, the individual numbers do not add up to the total number of carpets and rugs tested.

[F.R. Doc. 69-14969; Filed, Dec. 17, 1969; 8:45 a.m.]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Secretary

[24 CFR Part 31]

GUARANTEE OF PRIVATE OBLIGATIONS FOR FINANCING NEW COMMUNITY LAND DEVELOPMENT

Notice of Proposed Rule Making

Notice is hereby given that the Secretary of Housing and Urban Development proposes to issue the regulations set forth below as a new Part 31 of Title 24, pursuant to the New Communities Act of 1968 (title IV of the Housing and Urban Development Act of 1968, 42 U.S.C. 3901 et seq.). Although the proposed regulations relating to a guarantee are not subject to the rule-making requirements of 5 U.S.C. 553, interested persons are invited to submit written comments or suggestions regarding the proposed regulations to the Assistant Secretary for Metropolitan Development, 451 Seventh Street SW., Washington, D.C. 20410, within 30 days of the publication of this notice in the FEDERAL REGISTER.

The proposed regulations are as follows:

PART 31—GUARANTEE OF PRIVATE OBLIGATIONS FOR FINANCING NEW COMMUNITY LAND DEVELOPMENT

Subpart A—General

- Sec.
31.1 Statement of applicable law.
31.2 Definitions.
31.3 Information.
31.4 [Reserved].

Subpart B—New Community Criteria and Standards

- Sec.
31.5 General criteria for new communities.
31.6 Specific characteristics of a new community.
31.7 Other requirements for new community development.

Subpart C—Financial and Economic Criteria and Standards

- 31.8 Economic feasibility.
31.9 General financial plan and program.
SPECIFIC FINANCIAL ELEMENTS
31.10 Maximum Federal guarantee.
31.11 Land valuation.
31.12 Cost estimation.
31.13 Terms and conditions of borrowing.
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AUTHORITY: The provisions of this Part 31 issued under section 413 of the New Communities Act of 1968, 42 U.S.C. 3912; and sec. 7(d), Department of HUD Act, 42 U.S.C. 3535(d).

Subpart A—General

§ 31.1 Statement of applicable law.

(a) The New Communities Act of 1968 (42 U.S.C. 3901-3914) authorizes the Secretary of Housing and Urban Development to guarantee obligations issued by private developers to help finance new community development projects. It also authorizes the Secretary to make grants to State and local public bodies and agencies to supplement the Federal assistance that is otherwise available for certain water, sewer, or open-space projects if these projects are needed or desirable in connection with a new community which will make available a substantial number of housing units for persons of low and moderate income. The amount of such grants may not exceed 20 percent of project costs, and, since this is to supplement other Federal assistance, the projects must also meet the applicable requirements for regular grants under section 702 of the Housing and Urban Development Act of 1965, as amended (42 U.S.C. 3102); section 306(a)(2) of the Consolidated Farmers' Home Administration Act, as amended (7 U.S.C. 1926(a)(2)); or title VII of the Housing Act of 1961, as amended (42 U.S.C. 1500-1500e).

(b) The Act (1) amends section 202 (b)(4) of the Housing Amendments of 1955, as amended (42 U.S.C. 1492), to permit public facilities loans without regard to the population limits otherwise applicable for facilities serving a new community development; (2) amends

section 24 of the Federal Reserve Act, as amended (12 U.S.C. 371), with regard to the authority of national banks to invest in obligations guaranteed under the Act; and (3) amends section 5(c) of the Home Owners Loan Act of 1933, as amended (12 U.S.C. 1464), with regard to the authority of the Federal savings and loan associations to invest in obligations guaranteed under the Act. The Secretary is also authorized to make comprehensive planning grants under section 701 of the Housing Act of 1954, as amended (40 U.S.C. 461), to official governmental planning agencies for planning in areas where rapid urbanization is expected to occur on land developed or to be developed as a new community approved under the Act.

(c) Additional assistance to new communities may be available under other Federal laws, even though they do not refer specifically to the Act or to new communities. For example, public bodies may receive Federal assistance for water and sewer and open space, advance acquisition of land for public purposes, schools, urban transit, and other facilities which serve new communities. Federal assistance for private sponsors would generally be available on the same basis as in other communities. For example, qualifying private sponsors may receive assistance for sales, rental, and cooperative housing projects for lower income families pursuant to sections 235 and 236 of the National Housing Act, as amended (12 U.S.C. 1715z and 1715z-1).

(d) It is the declared purpose of the Act "to encourage the development of new communities that—

(1) Contribute to the general betterment of living conditions through the improved quality of community development made possible by a consistent design for the provision of homes, commercial and industrial facilities, public and community facilities, and open spaces;

(2) Make substantial contributions to the sound and economic growth of the areas in which they are located;

(3) Provide needed additions to the general housing supply;

(4) Provide opportunities for innovation in housing and community development technology and in land use planning;

(5) Enlarge housing and employment opportunities by increasing the range of housing choice and providing new investment opportunities for industry and commerce;

(6) Encourage the maintenance and growth of a diversified local homebuilding industry; and

(7) Include, to the greatest extent feasible, the employment of new and improved technology, techniques, materials, and methods in housing construction, rehabilitation, and maintenance under programs administered by the Department of Housing and Urban Development with a view to reducing the cost of such construction, rehabilitation, and maintenance, and stimulating the increased and sustained production of housing under such programs.

§ 31.2 Definitions.

For the purpose of the regulations in this part, the following terms shall mean:

(a) *Act*. The New Communities Act of 1968 (title IV of the Housing and Urban Development Act of 1968, 42 U.S.C. 3901-3914).

(b) *Secretary*. The Secretary of Housing and Urban Development or his authorized representatives.

(c) *Developer*. The private entity, approved by the Secretary to carry out a new community project, which issues obligations guaranteed or to be guaranteed under the Act.

(d) *Project*. The activities and undertakings required to carry out a plan or plans for a new community approved by the Secretary under the Act.

(e) *Land development*. The process of grading land, making, installing, or constructing water lines and water supply installations, sewer lines and sewage disposal installations, steam, gas, and electric lines and installations, roads, streets, curbs, gutters, sidewalks, storm drainage facilities, and other installations or work, whether on or off the site, which the Secretary deems necessary or desirable to prepare land for residential, commercial, industrial, or other uses, or to provide facilities for public or common use. The term "land development" shall not include any building unless it is (1) a building which is needed in connection with a water supply or sewage disposal installation or a steam, gas, or electric line or installation, or (2) a building, other than a school, which is to be owned and maintained jointly by the residents of the new community or is to be transferred to public ownership, but not prior to its completion.

(f) *Actual costs*. The costs (exclusive of rebates or discounts) incurred by a new community developer in carrying out the land development assisted under the Act. These costs may include amounts paid for labor, materials, construction contracts, land planning, engineers' and architects' fees, surveys, taxes, and interest during development, organizational and legal expenses, such allocation of general overhead expenses as are acceptable to the Secretary, and other items of expense incidental to development which may be approved by the Secretary. If the Secretary determines that there is an identity of interest between the new community developer and a contractor, there may be included as a part of actual costs an allowance for the contractor's profit in an amount deemed reasonable by the Secretary.

§ 31.3 Information.

General information on the new community program and instructions for applying for assistance under this program, as well as information on other Federal programs which are related to new communities, may be obtained from the Assistant Secretary for Metropolitan Development, U.S. Department of Housing and Urban Development, Washington, D.C. 20410.

§ 31.4 [Reserved]

Subpart B—New Community Criteria and Standards

§ 31.5 General criteria for new communities.

In determining whether a given undertaking, otherwise eligible for assistance and consistent with the purposes of the

Act, is a new community, the Secretary will apply the following general criteria:

(a) A new community must include most, if not all, of the basic activities normally associated with a city or town: housing, commerce, industry, and recreation.

(b) It must combine these varying activities in a balanced and harmonious whole, with a view to creating an environment that is an attractive place to live, work, and shop.

(c) It must have a favorable impact upon the growth and development of the area within which it is located in terms of conserving land, minimizing transportation problems, extending the range of housing choice for all who live or may in the future live in the area, promoting needed economic development, and creating new job opportunities.

(d) It must be designed for the fullest possible range of people and families of different compositions and incomes and must be open to members of all national, ethnic, and racial groups.

§ 31.6 Specific characteristics of a new community.

(a) *Size, location, and internal diversity*—(1) *Size*. No minimum or maximum size is prescribed for a new community qualifying under the Act, but its size must be significant in comparison with existing developments and communities in the area in which it is located. A new community that would be too small to have an appreciable impact in or near a metropolitan area might qualify for assistance if it were located in a rural area and were at least as large as other communities in the area.

(2) *Location*. A new community may be located in any kind of area: urban, urbanizing, or rural. Wherever located, a new community must have accessibility to highways, airports, or other public transportation facilities commensurate with its size and the anticipated requirements of its population, industry, and commerce.

(3) *Relationship to surrounding development*. If a new community involves development which adds to an existing community or to an existing residential, commercial, or industrial area, both the old and new development will be considered in determining whether the new community qualifies for assistance under the Act. To qualify, however, the new development must be substantial, and the old and new elements must be carefully integrated. The resulting total new community must be planned as a whole and must be demonstrably different from that which existed before. An addition to existing development of housing alone, or commercial and industrial facilities alone, will generally not be considered sufficient for this purpose. Whether or not the new community incorporates existing development, it should take account of this development in internal planning and site location decisions.

(4) *Internal diversity*. Although a new community need not be completely self-sufficient, it must provide in a single area the housing, public and commercial facilities, and job opportunities normally

associated with a city or town. In determining the degree of internal diversity for a given site, consideration will be given to adequacy of existing or projected facilities in the immediate area. However, the community may not consist simply of housing, or of housing with a minimum of commercial facilities serving only the immediate needs of people for neighborhood shopping. Nor may a new community be predominantly an industrial or commercial development, with a minimum supply of new housing.

(b) *Internal development plan.* A new community must have a general plan and program for its ultimate development designed to create and maintain an attractive and viable environment responsive to human needs and displaying innovative features. Among the factors which the Secretary will consider in evaluating the plan are the following:

(1) Suitability of the site for the proposed uses, harmonious relationship of these uses with surrounding development, and their protection against adverse physical encroachment;

(2) Effectiveness of the land use plan and population density and distribution in promoting harmonious interrelationships and optimum internal accessibility;

(3) Preservation and enhancement of natural features such as water bodies and steep slopes; establishment and maintenance of an accessible open-space network for conservation, natural beauty, and recreation; and effectiveness of measures to prevent environmental pollution and problems such as flooding and soil instability;

(4) Adequacy of public facilities to serve community needs, including water and sewer, health facilities, streets, walkways, and highways;

(5) Effectiveness of controls and incentives to promote attractive land utilization, urban design, and architecture; and

(6) Phasing of all features of the plan on a schedule compatible with economic feasibility and geared to the timing of land acquisition, development, and disposition as reflected in the financial plan.

(c) *Housing mix.* A new community must contain an adequate range of housing, for both sale and rental for people of all incomes, ages and family composition, including a substantial amount for people of low and moderate income. The following factors, among others, will be considered in determining the sufficiency of housing mix:

(1) Existing and projected distribution of families by income and size for the region in which the project is located;

(2) Existing and projected housing supply and demand, particularly for low and moderate income housing, in the region and market area of the project; and

(3) Income and family characteristics of persons likely to be employed in the new community.

Existing housing in standard condition or proposed to be rehabilitated within the new community boundaries, as well as new construction, may be considered

in determining adequacy of housing balance. But whether this housing is to be newly constructed or rehabilitated, the new community plan must include reasonable assurances that the units planned will actually be provided. If the development of a new community is to be carried out in stages, low and moderate income housing shall be included in every major residential stage.

(d) *Community services and government.* (1) A new community must be provided with a full range of government and public services adequate to meet the needs of all its residents. Such services may be provided by State or local government, by community organizations, or by other appropriate entities. If public facilities or utilities are to be operated by a nonpublic body, rates, and charges, capital structure, rate of return, and methods of operation of the facility or utility must be regulated by a public body or by other means satisfactory to the Secretary.

(2) A new community need not be or constitute a separate political unit but may be governed through a county, city, town, or other existing political jurisdiction. Where it is contemplated that a developer or a developer-controlled organization or association will, during the course of development, perform functions normally performed by a general unit of government, provision should be made in the new community plan or plans for an orderly transfer of such functions to an appropriate governmental unit at an appropriate time.

(e) *Area planning and development.* The area within which a new community is to be situated must be covered by a comprehensive areawide plan or by ongoing planning promulgated or carried on by a duly authorized agency. The location of the new community and the internal development plan for the project must be consistent with such comprehensive plan or planning and must reflect consideration of any economic development programs, functional plans, and public works programs of relevant Federal, State, regional, city, or county agencies for the area in which the new community is located. The comprehensive plan or planning for the area must, in the Secretary's judgment, be sufficiently detailed to provide a reasonable basis for evaluating the relationship of the proposed new community to area population trends, major transportation facilities and development patterns, areawide land use, systems for water and sewerage, open space, and recreation.

(f) *Social elements of a new community.* A new community project must not only provide for a better physical environment but also serve human needs. Social considerations should be reflected in planning and all phases of the new community project, as follows:

(1) By the use of citizen advisory groups, consumer testing surveys, multidisciplinary design teams, or similar methods, new communities must be planned from the beginning so that they are responsive to needs of present and future residents and periodically reeval-

uated in terms of their success in meeting these needs as a basis for improving later stages of development.

(2) Low and moderate income housing must be located in proper relation to schools, shopping, and neighborhood facilities so as to minimize segregation by income levels and social groups.

(3) A program of citizen participation in the community activities of the project must be formulated and implemented at an early stage of occupancy by such means as home associations and civic organizations. The fee structures and membership requirements must not operate to exclude low-income residents and renters from community facilities.

(4) Special consideration must be given to establishing high quality schools and, where needed, community colleges, technical or vocational education centers, adult education courses, or job retraining facilities.

§ 31.7 Other requirements for new community development.

(a) *Capability of developer.* (1) Only private developers are eligible for guarantees under the Act. These include profit-seeking, nonprofit, or limited dividend corporations. The form of organization of the developer and changes in that form must be approved by the Secretary.

(2) The developer must have financial, technical, and administrative ability and background appropriate to the size and complexity of the project, the amount of the obligations to be guaranteed, and the period of time for project completion. The developer must have either in his own organization or available to him land development and related skills of a high order over the whole period of development. He must also have the capacity for anticipating and dealing effectively with the social concerns and problems that must be considered in planning the community or that may arise during the period of development.

(3) The developer may not engage in nontitle IV activities, either in the project itself or in related development, without approval of the Secretary. The Secretary may impose such controls and limitations on these activities or require such assurances and separation of accounts as he finds necessary to serve the purposes of the Act and protect the security interests of the United States.

(b) *Equal opportunity.* (1) The new community project must be specifically designed and implemented so as to assure compliance with all requirements imposed by, or pursuant to, any applicable statute or executive order treating with discrimination on the basis of race, creed, color, sex, or national origin. These include title VIII (Fair Housing) of the Civil Rights Act of 1968 (42 U.S.C. 3601-3619); title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e); the Civil Rights Act of 1866, as amended (42 U.S.C. 1981 and 1982); Executive Order 11063 (27 F.R. 11527); and Executive Order 11246, as amended by Executive Order 11375 (30 F.R. 12319, as amended by 32 F.R. 14303); which apply variously so as to prohibit discrimination in the use, sale, lease, or other disposition of land,

housing, or facilities in the new community and in employment in the new community or in the development of the new community project. Pursuant to the authority in each executive department to issue regulations and take other appropriate action under Executive Order 11063 with respect to its programs, discrimination on the basis of race, color, creed, or national origin in the use, sale, lease, or other disposition of any land developed for residential or related uses with assistance under the Act is hereby specifically made a violation of that Order enforceable under the terms of section 302 of the order after due notice and hearing.

(2) The Secretary may, in furtherance of subparagraph (1) of this paragraph and as a condition of the granting or continuation of assistance, require a developer: To formulate and implement an affirmative action program covering all or part of the new community project; to include appropriate equal opportunity provisions in pertinent contracts, subcontracts, covenants, or other documents; and to take such further steps as he may direct to carry out the developer's program.

(c) *Labor standards.* In any new community project, construction contracts, subcontracts, or building and loan agreements for land development assisted under the Act shall contain such labor standards clauses as the Secretary may direct in furtherance of the Act and of the regulations of the Secretary of Labor codified in 29 CFR Part 5. The provisions of such regulations with respect to ineligible contractors shall also be observed. No proceeds of new community obligations may be disbursed to a developer with respect to any such construction contract unless there has been filed, in a manner satisfactory to the Secretary, a certificate signed by the contractor or subcontractor stating that laborers and mechanics employed under the contract have been paid not less than the wages determined by the Secretary of Labor to be prevailing wages for corresponding classes of laborers and mechanics employed on construction of a similar character.

(d) *Small builders.* In any new community project, there must be provision satisfactory to the Secretary to encourage maintenance and growth of a diversified local homebuilding industry and broad participation by builders, particularly small builders.

(e) *Governmental approvals.* The developer must secure all State and local approvals required by law or determined by the Secretary to be necessary for the project.

(f) *Staging.* Major new community projects will ordinarily be planned, carried out, and financed in progressive stages, so as to provide an opportunity to test the market and minimize financial risk, with each stage resulting in a balanced and self-sufficient whole. Exceptions to this requirement, and the degree of and terms for staging, will be determined according to the scope of the project, the nature of market de-

mand, the extent of assurance that all economics of scale can in fact be obtained, and all public actions or approvals taken or obtained, the degree to which economics of scale can in fact be obtained, the possible adverse effects of contemplated major improvements upon the Government's security, the protected scheduling of housing in relation to critical housing needs, particularly needs for low and moderate income housing, and such other matters as the Secretary deems relevant. Regardless of the stage covered in the initial application, the developer must submit a general plan for the entire project which will be covered by subsequent stages.

Subpart C—Financial and Economic Criteria and Standards

§ 31.8 Economic feasibility.

A new community must be economically feasible in terms of economic base or potential for growth. Among the criteria by which feasibility will be determined are the following:

(a) Current and projected economic and demographic growth patterns and demand for and supply of industrial, commercial, and residential properties for the region in which the project is located;

(b) The market area of the project and the growth and demand trends projected within this market area;

(c) The advantages of the project, relative to other developments, including its location, the managerial and marketing skills associated with it, and its capacity to sustain a job base which, in turn, will generate demand for housing and commercial facilities.

In the case of projects in rural and depressed areas, or those beyond the urbanizing portion of a metropolitan area where advantage cannot be taken of existing growth trends, it is particularly important that there will be a large enough employment base to generate demand to sustain the projected growth rate of the new community. Feasibility will depend upon the basic conditions for industrial development, and, especially in depressed areas, the probable effectiveness of private and governmental efforts to attract stable industries and to overcome some of the major obstacles to economic development, and the degree to which commitments from industries can be secured.

§ 31.9 General financial plan and program.

A new community must be developed pursuant to a financial plan or program which must include provisions that will:

(a) Cover all anticipated project costs, including, but not limited to, costs which will be met with funds to be borrowed under the obligations guaranteed;

(b) Demonstrate the manner by which, and the sources from which, these costs will be met, including anticipated revenues from the project, financial resources of the developer, and borrowing;

(c) Provide assurances that the developer will have an adequate incentive, in

terms of equity invested and expected return, for proceeding with the approved project in an expeditious and efficient manner;

(d) Set forth a procedure for periodic updating of the financial plan to take into consideration changes in costs, revenues, market conditions, and other relevant changes affecting the plan.

SPECIFIC FINANCIAL ELEMENTS

§ 31.10 Maximum Federal guarantee.

The maximum loan which may be guaranteed under the Act is the lesser of (a) 80 percent of the Secretary's estimate of the value of the property upon completion of land development or (b) the sum of 75 percent of the Secretary's estimate of the value of the land before development and 90 percent of his estimate of the actual cost of land development. In no event shall the principal amount of the outstanding obligations guaranteed under the Act with respect to a single project exceed \$50 million. Land which is yet to be acquired at the time a commitment is made may be included as a basis for determining the maximum commitment, but, in the absence of escrow provisions under § 31.22(b)(1), only land acquired at or prior to issuance of a guarantee may be included as a basis for determining the maximum outstanding principal amount of obligations which may be guaranteed.

§ 31.11 Land valuation.

Among the principles which the Secretary will apply with respect to any valuation and which should be applied in any valuation made by or on behalf of a developer are the following:

(a) *Before development.* (1) Estimates of the "as is" value of the land prior to its development as part of a new community project must be based, to the greatest extent possible, on recent actual arm's length sales transactions of the land involved or of nearby comparable land. In all cases, where land valuations exceed actual prices paid by the developer or paid in the latest arm's length transactions, the reasons for the valuation will be fully explained and documented. Unusually high prices paid for remaining parcels needed to round out a site will be considered as unrepresentative of the values of the site as a whole. Different parcels may be valued according to their highest and best use only where supported by market demand. In any case, valuation shall not be limited to a small sample acreage or a few selected choice parcels.

(2) Valuation should not take into account any increased values resulting from the guarantees expected to be issued under the Act and the development made possible by that guarantee, as distinct from normal growth that would have been expected in any event. It is recognized, however, that market value may be increased by improvements already on the land, including those installed by the developer, and changes which have occurred in local zoning or comprehensive planning as a result of actions by the developer. Such increases

in value may be taken into account to the same extent as they would be in valuing comparable land.

(b) *After development.* Estimates of the value of the property upon completion of land development should reflect the income potential of the new community project from the sale or rental of developed land if the project is carried out as planned. Consideration should be given to the potential effect on values of existing and planned public facilities and other existing and planned development in the area. Absorption rates should be related to the proposed land uses and development schedule for the project. Weight should also be given to any factors affecting the potential value of the particular land in question, such as zoning which may be approved, access, topography, and anticipated governmental approvals.

§ 31.12 Cost estimation.

Only the actual costs of land development, as those terms are defined in § 31.2 (e) and (f), will be considered for purposes of calculating the maximum amount of obligations which may be guaranteed under the Act. The general principles that will apply in estimating actual costs of land development for this determination are as follows:

(a) Costs of land development may be included as estimated actual costs to the extent that they are expected to be incurred after the date as of which land valuation is determined by the Secretary. Planning and other organizational costs relating directly to the development of the new community proposal may be included even if incurred prior to that date.

(b) Construction costs estimates, to the fullest extent feasible, should be supported by detailed engineer's cost figures broken down by unit quantities and prices, and must be identified in terms of specific improvements.

(c) Fees and charges payable pursuant to Subpart E of this part before or during development may be included as estimated actual costs.

§ 31.13 Terms and conditions of borrowing.

(a) *Kind of obligations.* The obligations guaranteed under the Act may include any bond, debenture, note, or other obligation issued by a developer for public or private sale. To facilitate public financing, the guaranteed obligations of any number of developers may be issued to a trustee who will sell to the public, through underwriters or otherwise, certificates of participation or other securities evidencing rights in the guaranteed obligations held in trust, provided that the terms and conditions of each such transaction shall be approved by the Secretary.

(b) *Investors and lenders.* Investors in guaranteed obligations, except for public offerings, must be approved by the Secretary or must meet such standards and criteria as may be from time to time prescribed by him. In the case of a public offering, obligations must be under written under terms approved by the Secretary.

(c) *Rates of interest and maturities.* Rates of interest and any other charges relating to guaranteed obligations and the maturity and redemption privileges of such obligations must be approved by the Secretary.

(d) *Trustees and fiduciaries.* Any trustee or other person or corporation acting in a fiduciary capacity with respect to a guaranteed obligation must be a banking or other financial institution subject to governmental inspection and supervision. Approval of such a trustee or other person may be conditioned on its written agreement with the Secretary to take such steps and act under such conditions as the Secretary may prescribe for the protection of the security interests of the United States.

§ 31.14 Equity and working capital.

(a) Prior to the making by the Secretary of any guarantee, a developer must make arrangements satisfactory to the Secretary or assure that there will be adequate funds and working capital to meet cash requirements for costs and contingencies, not covered by the proceeds of guaranteed obligations, incurred or to be incurred in connection with the land development program.

(b) The Secretary may require developers to have equity in addition to funds described in paragraph (a) of this section, according to the amount of and arrangements for debt financing, and such other considerations as he determines may bear upon the risks to the United States as guarantor.

§ 31.15 Security for the guarantee.

(a) All obligations must contain, or be issued subject to, such provisions relating to the security interests of the United States as may be required by the Secretary. These shall include general provisions under which the United States shall acquire rights of subrogation on payment of a guarantee in addition to such special provisions relating to the security of the United States in the specific property, including real property being acquired and developed, or other property as may be appropriate.

(b) Unless otherwise required or approved by the Secretary, the security of the United States will include a first lien on the real property of the developer (or such portion thereof as the Secretary may determine) owned or acquired in connection with the project. The developer's title to such property and the validity of such lien must be evidenced by a title insurance policy issued by a title insurer licensed to do business in the State in which the real property is located and acceptable to the Secretary. The form and amount of any title insurance policy shall comply with standards prescribed by the Secretary. At, or prior to, the issuance of obligations guaranteed under the Act, the first lien referred to above shall be given to and held by the Secretary, or by a trustee approved by him. The instruments creating such lien and setting forth the terms and conditions under which it is given and held must be satisfactory to the Secretary. Such instruments shall in-

clude provisions for the release of real property from the lien, as such property is sold or otherwise disposed of for project purposes, in accordance with a schedule or schedules assuring that adequate release payments will be applied to the redemption of the guaranteed obligations or paid into an appropriate fund established and secured in such manner as the Secretary may require.

§ 31.16 Terms and conditions of payment under the guarantee.

(a) *Nature and scope.* The full faith and credit of the United States is pledged to the payment of any guarantee made pursuant to the Act, and the validity of such guarantee shall be incontestable in the hands of a qualified holder of a guaranteed obligation, except for fraud or material misrepresentation on the part of such holder. The guarantee may extend to both principal and interest including (1) interest, as may be provided for in the guarantee, accruing between the date of default under a guaranteed obligation and the payment in full of the guarantee, and (2) principal and interest due under any debentures issued by the Secretary toward payment of guarantees made under the Act.

(b) *Claims and payment upon default.* Upon default by a developer in payment of interest or principal under an obligation guaranteed under the Act, the first recourse of the holder thereof shall be a claim under the guarantee for payment of the defaulted interest or principal; and, upon payment thereof in accordance with the terms of such guarantee, the holder shall have no further recourse. Unless otherwise specified by the terms of a guarantee, all payments thereunder shall be made in cash from the revolving fund established pursuant to the Act.

§ 31.17 [Reserved]

Subpart D—Procedures

§ 31.18 Preapplication proposal.

The preapplication procedure is designed to provide an initial screening to determine whether or not a project appears to be within the broad framework of the Act before all of the detailed plans are completed by the developer. It will also provide the Secretary an opportunity to work with the developer from the earliest stages of project planning.

(a) *Inquiry.* After familiarizing themselves with the Act and the regulations in this part, applicants are encouraged to meet with the Assistant Secretary for Metropolitan Development or his designated representative to discuss their proposals, so that subsequent steps may be taken with a clear understanding of the goals and requirements of the program.

(b) *Proposal.* The first formal step in processing is submission of a preapplication proposal to the Assistant Secretary for Metropolitan Development, U.S. Department of Housing and Urban Development, Washington, D.C. 20410. The proposal should deal in summary form with the criteria for project evaluation set forth in Subparts B and C of this part. They need not include the detailed

supporting data required for an application. Specific instructions regarding the items which must be included in a proposal may be obtained from the Assistant Secretary for Metropolitan Development. No charge is required upon submission of a preapplication proposal.

(c) *Review and action.* The Assistant Secretary for Metropolitan Development, upon completion of his review of each proposal, will inform the applicant in writing of his findings and (1) invite submission of an application; (2) invite submission of an application, indicating the need for specific changes in the project; (3) recommend the resolution of certain critical problems before proceeding with an application; or (4) discourage an application, indicating the aspects of the proposal which do not appear to meet the requirements of the Act. An invitation to submit an application does not constitute or imply an assurance of eventual approval by the Department. If the applicant is not invited to submit an application, but nevertheless believes that the project may qualify under the Act, he may resubmit the proposal for further review with such changes as, in his opinion, will overcome the initial objections of the Assistant Secretary for Metropolitan Development.

§ 31.19 Application.

(a) *Submission.* An application may be submitted to the Assistant Secretary for Metropolitan Development following receipt of an invitation pursuant to § 31.18(b), and upon payment of the application charge specified in § 31.24. The application will be responsive to the criteria covered in Subparts B and C of this part. Specific instructions regarding the items which must be included in an application may be obtained from the Assistant Secretary for Metropolitan Development.

(b) *Letter of commitment.* Upon approval of an application, the Secretary will address a letter to the applicant stating in effect that, based upon the information contained in the applicant's proposal and application and any other information which may have been submitted by the applicant, the Secretary is prepared to enter into an agreement providing for the guarantee under the Act of a specified maximum principal amount of obligations to be issued by a specified developer, subject to approval by the Secretary of—

(1) The initial investors (in the case of a private sale of such obligations) or the terms and conditions of the underwriting (in the case of a public sale of such obligations);

(2) The rate of interest to be borne by such obligations or the formula by which such rate will be determined;

(3) The repayment and maturity provisions of such obligations;

(4) The specific measures for the protection of the security interests of the United States, liens and releases of liens, and payment of taxes; and

(5) All other terms and conditions of the financing arrangements which might affect the interests of the United States;

and subject to such further conditions as the Secretary may prescribe.

(c) *Acceptance of commitment.* The commitment contained in any letter of commitment shall expire 60 days after the issuance thereof unless accepted by the applicant prior to such expiration by payment of the commitment charge specified in § 31.25. Within 90 days after the expiration of a commitment, such commitment may be reopened by request in writing to the Secretary accompanied by payment of the commitment charge and reopening charge.

§ 31.20 Project agreement.

Following satisfaction of all conditions stated in any commitment of the Secretary, and before the making of any guarantees, the developer will be required to enter a project agreement which shall be in a form satisfactory to the Secretary. The agreement shall set forth the understandings of the Secretary and the developer with respect to the entire project, including the understandings, if any, as to how the project is to be carried out in stages. The agreement shall also set forth the developer's agreement to carry out the project in accordance with specified plans, as approved by the Secretary, and the Secretary's agreement to guarantee obligations of the developer issued pursuant to those plans, subject to the limitations set forth in the Act and this part. The agreement shall further include—

(a) An express covenant to the effect that the Government's interests in the project are not limited to its financial interests as guarantor but extend to accomplishment of the public purposes of the Act;

(b) Provisions setting forth the duties and responsibilities of the developer with respect to parts or portions of the project which will not be carried out by the developer;

(c) Provisions governing the security to be provided to the United States;

(d) Provisions setting forth the rights and remedies of the United States in the event of default, including rights to seek injunction or other equitable relief;

(e) Special provisions as necessary to assure compliance with equal opportunity, labor standards, and other particular requirements;

(f) Duties of the developer to provide information, data, and reports as required by the Secretary; to maintain adequate books and records; and to permit and provide as necessary for inspections and on-site examinations by or on behalf of the Secretary; and

(g) Such other provisions as the Secretary may require as necessary or appropriate to assure adherence to the project as approved, or the provisions of the Act or of this part, or to protect the Government against loss.

§ 31.21 Issuance of guaranteed obligations.

At the request of the developer pursuant to the Project Agreement and upon satisfaction of the conditions specified in such Agreement, the Secretary will endorse his guarantee upon obligation duly

issued by the developer pursuant to a purchase or underwriting agreement approved by the Secretary. The guarantee fee specified in § 31.27 must be paid at the time the guarantee is made.

§ 31.22 Project execution and monitoring.

(a) *Inspections and reports.* To insure that the project is being executed in a manner consistent with the objectives of the Act and as provided in the Guarantee Agreement, the developer will be required to submit periodic financial and other reports on project execution. The Secretary and his authorized representatives will also be afforded access to the project site at all reasonable times for purposes of inspection.

(b) *Use of proceeds of guaranteed obligations.* (1) *Land valuation and cost certification.* Disbursement to the developer of proceeds from the sale of obligations guaranteed under the Act must be supported by prior submission to the Secretary or his designated representative of an independent valuation of land acquired or to be acquired by the developer or certification of actual costs of land development, or a combination of such valuation and certification, in an amount no less than the proposed disbursement. Any such valuation must be prepared in accordance with the principles set forth in § 31.12 to the satisfaction of the Secretary. Any such certification must be in the form satisfactory to the Secretary and must be accompanied by such documentation as he may deem necessary to assure that such costs (i) have in fact been incurred by the developer for the project and (ii) are eligible for financing under the Act. If it is expected that guaranteed obligations will be issued and sold in anticipation of land acquisition or of costs for land development incurred in the future, appropriate provision must be made for escrow of the proceeds of sale to the extent and so long as disbursement of such proceeds is unsupported by valuation of land actually acquired or certification of actual costs incurred.

(2) *Limitations on disbursements.* If any land valuation used to support a disbursement exceeds the actual cost of such land to the developer, the Secretary may, in his discretion, establish restrictions upon the time of disbursement or use of proceeds so disbursed. Valuation of land or certification of actual costs related to development not incidental to the project, which is completed or substantially completed at the time a proposal is submitted, will not be eligible to support disbursements under this section.

(3) *Self-dealing.* The developer must disclose the full nature of all direct or indirect interests he may have, other than as developer, in any transaction (or the interest which any party thereto may have in the developer) involving land acquisition or land development which is relied upon to support a disbursement under this section. In the case of transactions requiring such disclosure, the Secretary may establish a reasonable allowance for disbursement in lieu of

reliance upon actual costs. The Secretary may have the same right in payment to contractors which reflect dealing between interested parties.

(c) *Records.* The developer must maintain, to the satisfaction of the Secretary, records of all costs incurred for the project and must require his contractors and subcontractors to maintain similar records. Upon request, all such records and all agreements relevant thereto shall be made available at all reasonable times for examination by the Secretary or his authorized representatives. Insofar as such records and agreements relate to any grants or guarantees made pursuant to this part, the financial transactions of recipients of Federal grants or of developers whose obligations are guaranteed by the United States, pursuant to this title, may be audited by the General Accounting Office under such rules and regulations as may be prescribed by the Comptroller General of the United States. The representatives of the General Accounting Office shall have access to all books, accounts, records, files, and all other papers, things, or property belonging to or in use by such developers or recipients of grants pertaining to such financial transactions and necessary to facilitate the audit.

(d) *Amendments.* As a result of changes in market demand, employment patterns, costs and revenues or other factors or conditions, it may become desirable to make certain amendments to the plans initially approved by the Secretary. All proposals for amendments by the developer must be submitted to the Secretary for approval, together with full justification therefor. Such approval will be based upon the same criteria, and will take account of the same purposes, as are set forth in this part for consideration of the initial application. The Secretary may recommend, or require, subject to conditions set forth in the Project Agreement, amendments to an approved plan when, in his opinion, such amendments are necessary or desirable to insure the financial stability of the project or to prevent situations which would impair the value of the project or its ability to carry out the purposes of the Act.

§ 31.23 [Reserved]

Subpart E—Fee and Charge Schedule

§ 31.24 Application charge.

An application charge of \$5,000, non-refundable, shall accompany the application.

§ 31.25 Commitment charge.

A commitment charge equal to 0.5 percent of the principal amount of the commitment up to \$30 million, and, in addition, 0.1 percent of the principal amount above \$30 million, shall be paid within 60 days of issuance of the commitment or at the time a guarantee is made, whichever occurs first.

§ 31.26 Reopening charges.

An expired commitment may be reopened if a request for reopening is received by the Secretary within 90 days of the expiration of the commitment.

The reopening request shall be accompanied by a charge of 0.05 percent of the expired commitment. A commitment which has expired because of the failure to pay the commitment charge may be reopened only upon payment of the commitment charge and the reopening charge. If the required 90-day period has expired, a new application, accompanied by an application charge, must be submitted.

§ 31.27 Guarantee fee.

A guarantee fee equal to 3 percent of the principal amount of obligations guaranteed by the Government shall be paid at the time of the issuance of such obligations.

§ 31.28 Annual fee.

An annual fee equal to 0.5 percent of the principal amount of guaranteed obligations outstanding shall be paid on the first anniversary date of the initial guarantee and on each following anniversary date of the guarantee, until the seventh such date; and, thereafter, an annual fee of 1 percent of the principal amount of guaranteed obligations outstanding shall be paid on each subsequent anniversary date of the initial guarantee until the total obligation is paid in full.

§ 31.29 Transfer charge.

Upon application for approval of a case involving the substitution of developers, a transfer charge of 0.05 percent of the unused portion of the commitment shall be paid.

Issued at Washington, D.C., December 12, 1969.

GEORGE ROMNEY,
Secretary of Housing and
Urban Development.

[F.R. Doc. 69-15038; Filed, Dec. 17, 1969;
8:49 a.m.]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 69-SO-151]

CONTROL ZONE AND TRANSITION AREAS

Proposed Alteration and Revocation

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Charlotte, N.C., control zone and transition area and revoke the Gastonia, N.C., and Rock Hill, S.C., transition areas.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Federal Aviation Administration, Southern Region, Air Traffic Division, Post Office Box 20636, Atlanta, Ga. 30320. All communications received within 30 days after pub-

lication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Airspace Branch. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Federal Aviation Administration, Southern Region, Room 724, 3400 Whipple Street, East Point, Ga.

The Charlotte control zone described in § 71.171 (34 F.R. 4557) would be redesignated as:

Within a 5-mile radius of Douglas Municipal Airport (lat. 35°12'53" N., long. 80°56'18" W.); within 3 miles each side of Charlotte VORTAC 003° radial, extending from the 5-mile radius zone to 8.5 miles north of the VORTAC; within 2 miles each side of Charlotte VORTAC 058° radial, extending from the 5-mile radius zone to 6 miles northeast of the VORTAC; within 2 miles each side of Charlotte VORTAC 223° radial, extending from the 5-mile radius zone to 6.5 miles southwest of the VORTAC; within 2 miles each side of Charlotte ILS localizer southwest course, extending from the 5-mile radius zone to 1 mile northeast of the OM.

The Charlotte transition area described in § 71.181 (34 F.R. 4637 and 6682) would be redesignated as:

That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Douglas Municipal Airport (lat. 35°12'53" N., long. 80°56'18" W.); within 3 miles each side of Charlotte VORTAC 058° radial, extending from the 8.5-mile radius area to 14 miles northeast of the VORTAC; within 9.5 miles west and 4.5 miles east of Charlotte VORTAC 171° radial, extending from the 5.5 NM DME Fix to 24 miles south of the VORTAC; within 9.5 miles northwest and 4.5 miles southeast of Charlotte VORTAC 223° radial, extending from the 5.5 NM DME Fix to 24 miles southwest of the VORTAC; within 9.5 miles northwest and 4.5 miles southeast of Charlotte ILS localizer southwest course, extending from the LOM to 18.5 miles southwest; within a 6.5-mile radius of Gastonia Municipal Airport, N.C. (lat. 35°12'00" N., long. 81°09'05" W.); within a 6.5-mile radius of Rock Hill Municipal Airport, S.C. (lat. 34°59'05" N., long. 81°03'30" W.).

The Gastonia, N.C., and Rock Hill, S.C., transition areas described in § 71.181 (34 F.R. 4637) would be revoked and incorporated into the Charlotte transition area.

The application of Terminal Instrument Procedures (TERPs) and current airspace criteria to the Charlotte terminal area complex, including Gastonia, N.C., and Rock Hill, S.C., requires the following actions:

Control zone. 1. Reduce the extension predicated on Charlotte ILS localizer southwest course 1 mile in length.

2. Increase the extension predicated on Charlotte VORTAC 058° radial 0.5 mile in length.

3. Increase the extension predicated on Charlotte VORTAC 223° radial 0.5 mile in length.

4. Designate an extension predicated on Charlotte VORTAC 003° radial 6 miles in width and 8.5 miles in length.

Transition area. 1. Increase the basic radius circle predicated on Douglas Municipal Airport from 8 to 8.5 miles.

2. Increase the basic radius circle predicated on Rock Hill Municipal Airport, S.C., from 5 to 6.5 miles and incorporate it into the Charlotte transition area.

3. Increase the basic radius circle predicated on Gastonia Municipal Airport, N.C., from 6 to 6.5 miles and incorporate it into the Charlotte transition area.

4. Revoke the extension predicated on Fort Mill, S.C., VORTAC 005° radial.

5. Revoke the extension predicated on Fort Mill, S.C., VORTAC 011° radial.

6. Revoke the extension predicated on Charlotte, N.C., VORTAC 003° radial.

7. Increase the extension predicated on Charlotte, N.C., VORTAC 058° radial to 6 miles in width.

8. Increase the extension predicated on Charlotte, N.C., VORTAC 171° radial to 14 miles in width and 18.5 miles in length.

9. Increase the extension predicated on Charlotte, N.C., VORTAC 223° radial to 14 miles in width and 18.5 miles in length.

10. Increase the extension predicated on Charlotte ILS localizer southwest course to 14 miles in width and 18.5 miles in length.

The proposed alteration is required to provide controlled airspace protection for IFR operations in the Charlotte terminal area complex in climb to 1,200 feet above the surface and in descent from 1,500 feet above the surface.

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

Issued in East Point, Ga., on December 8, 1969.

JAMES G. ROGERS,
Director, Southern Region.

[F.R. Doc. 69-15012; Filed, Dec. 17, 1969; 8:47 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 69-EA-125]

FEDERAL AIRWAYS

Proposed Alteration and Revocation

The Federal Aviation Administration is considering amendments to Part 71 of the Federal Aviation Regulations that would alter segments of VOR Federal airway Nos. 2 and 14 and revoke VOR Federal airway No. 142.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Federal Building,

John F. Kennedy International Airport, Jamaica, N.Y. 11430. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. The proposals contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20590. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

The Federal Aviation Administration proposes the following airspace actions:

1. Designate V-2 north alternate segment from Buffalo, N.Y., to Rochester, N.Y., via the intersection of Buffalo 034° T (042° M) and Rochester 273° T (282° M) radials.

2. Realign V-14 north alternate segment from Erie, Pa., to Buffalo, via the intersection of Erie 043° T (049° M) and Buffalo 259° T (267° M) radials, excluding the portion within Canada.

3. Revoke V-142 airway.

These proposed alterations are designed to provide for better traffic flow into the Buffalo and Rochester Terminal areas. The designation of V-2 north alternate segments obviates the requirement for V-142 airway.

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

Issued in Washington, D.C., on December 9, 1969.

H. B. HELSTROM,
Chief, Airspace and Air
Traffic Rules Division.

[F.R. Doc. 69-15013; Filed, Dec. 17, 1969; 8:47 a.m.]

FEDERAL POWER COMMISSION

[18 CFR Part 101, 141, 201, 260]

[Docket No. B-344]

REVISIONS IN UNIFORM SYSTEMS OF ACCOUNTS AND ANNUAL REPORTS FOR REPORTING YEAR 1970

Order Denying Application for Rehearing

DECEMBER 10, 1969.

On November 10, 1969, Central Hudson Gas & Electric Corp., et al., filed a joint

¹ The Cleveland Electric Illuminating Co., The Connecticut Light and Power Co., Consolidated Edison Co. of New York, Inc., Jersey Central Power & Light Co., Metropolitan Edison Co., Nevada Power Co., New Jersey Power & Light Co., New York State Electric & Gas Corp., Niagara Mohawk Power Corp., Pennsylvania Electric Co., Potomac Electric Power Co., and Sierra Pacific Power Co.

application for rehearing of the Commission's order of October 9, 1969 in this proceeding. By that order the Commission amended certain accounts in the Uniform Systems of Accounts for Class A and Class B Public Utilities and Licensees and for Class A and Class B Natural Gas Companies, and certain schedules in Annual Report Forms Nos. 1 and 2. The order included a new note 7 to the Statement of Income for the Year Schedule, page 115. The new note states:

"7. If liberalized tax depreciation is being used in the determination of taxes payable and the resultant benefits are being flowed through the income statement, disclose in the following space the amount of the difference between taxes payable when using the liberalized depreciation method and taxes payable when using the straight line depreciation method. \$-----"

The Applicants have no objection to making available to the Commission, for its own purposes, the information to be elicited by the new note. However, they contend that the requirement of public disclosure of pro forma tax effects different from actual tax effects recognized by the Commission for regulatory purposes is without justification. The Applicants' object to the requirement that the information be contained in a financial statement footnote or in any other form that is susceptible to misapplication by some financial analysts and others. They also allege that such information is not meaningful in evaluating the income statement and the requirement imposed is similar to that originally contained in paragraph 9 of Accounting Research Bulletin No. 44 (revised) of the Committee on Accounting Procedure of the American Institute of Certified Public Accountants, but subsequently deleted.

Applicants' contentions such as those that note 7 is not meaningful in interpreting the income statement and susceptible to misuse by some financial analysts are merely restatements of arguments previously made in this proceeding and were fully considered by the Commission prior to issuing Order No. 389. Moreover, this information is required by the Commission, Congressional bodies, and other governmental agencies in determining the effect of the use of liberalized tax depreciation.

Our understanding of Opinion No. 6 of the Accounting Principles Board of the American Institute of Certified Public Accountants is that paragraph 20 thereof did not delete but only revised the aforesaid paragraph 9 of Bulletin 44 pending further study. Furthermore, we are also mindful that in its written comments responding to our rulemaking notice, the American Institute of Certified Public Accountants took cognizance of the provisions of note 7 and made no objection to the substance thereof.

We conclude that Applicants' contentions are without merit to warrant modification of note 7 as set forth in our Order No. 389.

PROPOSED RULE MAKING

The Commission finds: The grounds for rehearing set forth in the application for rehearing filed herein by Central Hudson Gas & Electric Corp., et al., present no facts or principles of law which were not fully considered by the Commission when it issued its order of October 9, 1969, or which having now been considered warrant any change or modification of said order.

The Commission orders: The application for rehearing of the Commission's order of October 9, 1969, filed herein on November 10, 1969, by Central Hudson Gas & Electric Corp., et al., is hereby denied.

By the Commission.

[SEAL]

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-14986; Filed, Dec. 17 1969;
8:46 a.m.]

Notices

DEPARTMENT OF STATE

Agency for International Development HOUSING INVESTMENT GUARANTY PROJECTS IN LATIN AMERICAN COUNTRIES

Special Announcement for Ecuador

On July 11, 1969, the Agency for International Development announced in the *FEDERAL REGISTER*, volume 34, No. 132, page 11502, the reopening of the Latin American Housing Guaranty Program and establishing December 1 to December 15, 1969, as the dates for receiving new applications.

The sole purpose of this special announcement is to change the dates for receiving of applications in Ecuador to February 1 through February 15, 1970. All other terms and conditions of the announcement of July 11, 1969, will remain in full force and effect.

STANLEY BARUCH,
Director,
Housing and Urban Development.

DECEMBER 8, 1969.

[P.R. Doc. 69-15009; Filed, Dec. 17, 1969;
8:47 a.m.]

DEPARTMENT OF THE TREASURY

Internal Revenue Service

WILLIAM P. GARDNER

Notice of Granting of Relief

Notice is hereby given that William P. Gardner, Rural Route 2, Loretto, Ky., 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 March 10, 1941, in the U.S. District Court, Louisville, Ky., of three violations of the Internal Revenue liquor laws, crimes punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for William P. Gardner, because of such convictions to ship, transport or receive in interstate or foreign commerce, any firearm or ammunition, and he would be prevented under chapter 44, title 18, United States Code, from obtaining a license under that chapter as a firearms or ammunition importer, manufacturer, dealer or collector. In addition under title VII of the Omnibus Crime Control and Safe Streets Act of 1968 (82 Stat. 236; 18 U.S.C. Code, Appendix) because of such convictions it would be unlawful for Mr. William P. Gardner, to receive, possess, or transport in commerce a firearm. Notice is hereby further given that I have considered William P.

Gardner's application and have found:

(1) 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 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 requested relief to William P. Gardner from disabilities incurred by reason of his convictions, would not be contrary to the public interest.

It is ordered, Pursuant to the authority vested in the Secretary of the Treasury by section 925(c), of title 18, United States Code and delegated to me by the regulation in Title 26, Part 178, Code of Federal Regulations, that William P. Gardner be, and he hereby is, granted relief from any and all disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms, incurred by reason of the convictions hereinabove described.

Signed at Washington, D.C., this 12th day of December 1969.

[SEAL] WILLIAM H. SMITH,
Acting Commissioner
of Internal Revenue.

[P.R. Doc. 69-15039; Filed, Dec. 17, 1969;
8:49 a.m.]

AMBROSE JUNIOR GILLILAND

Notice of Granting of Relief

Notice is hereby given that Ambrose Junior Gilliland, of Ponca City, Okla., 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 January 12, 1961, in the District Court of Montgomery County, Kansas, of a crime punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Ambrose J. Gilliland 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. Gilliland to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Ambrose J. Gilliland'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 Ambrose J. Gilliland 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 11th day of December, 1969.

[SEAL] WILLIAM H. SMITH,
Acting Commissioner
of Internal Revenue.

[P.R. Doc. 69-15040; Filed, Dec. 17, 1969;
8:49 a.m.]

KIRK DOUGLAS JEYS

Notice of Granting of Relief

Notice is hereby given that Mr. Kirk Douglas Jeyes, 357 Great Bridge Boulevard, Chesapeake, Va. 23320, 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 November 20, 1962, by the Circuit Court of Norfolk County, Va., of crimes punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Kirk Douglas Jeyes, because of such convictions, to ship, transport or receive in interstate or foreign commerce any firearm or ammunition, and he would be ineligible for a license under chapter 44, title 18, United States Code as a firearms or ammunition importer, manufacturer, dealer or collector. In addition, under title VII of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (82 Stat. 236; 18 U.S.C. Appendix), because of such convictions, it would be unlawful for Mr. Jeyes to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Kirk Douglas Jeyes' application and have found:

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

(2) 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 Kirk Douglas Jays 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 12th day of December 1969.

[SEAL]

WILLIAM H. SMITH,
Acting Commissioner of
Internal Revenue.

[F.R. Doc. 69-15041; Filed, Dec. 17, 1969;
8:49 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[N-3912]

NEVADA

Notice of Classification of Public Lands for Disposal

DECEMBER 10, 1969.

1. The following public lands are hereby classified for transfer out of Federal ownership by exchange under the Point Reyes National Seashore Act of September 13, 1962 (16 U.S.C. sec. 459c):

MOUNT DIABLO MERIDIAN

ELKO COUNTY

- T. 32 N., R. 56 E.,
Secs. 1, 2, 3, 10, 11, 12;
Sec. 13, N $\frac{1}{2}$;
Sec. 14, N $\frac{1}{2}$;
Sec. 15, N $\frac{1}{2}$.
T. 33 N., R. 56 E.,
Sec. 36, NE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ W $\frac{1}{2}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$,
S $\frac{1}{2}$ SE $\frac{1}{4}$.
T. 32 N., R. 57 E.,
Sec. 6, lots 1-6, inclusive, SE $\frac{1}{4}$ NW $\frac{1}{4}$,
NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 8, S $\frac{1}{2}$ NW $\frac{1}{4}$.
T. 33 N., R. 57 E.,
Sec. 32, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$.
T. 35 N., R. 57 E.,
Sec. 2;
Sec. 12, N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$.
T. 36 N., R. 57 E.,
Sec. 2, lots 1-3, inclusive, S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$;
Sec. 10, E $\frac{1}{4}$ SE $\frac{1}{4}$;
Secs. 12, 14, 24, 26, 36.
T. 37 N., R. 57 E.,
Sec. 36.
T. 35 N., R. 58 E.,
Sec. 6.

- T. 36 N., R. 58 E.,
Secs. 6, 8, 18, 20;
Sec. 28, W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 30;
Sec. 32, N $\frac{1}{2}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$
SE $\frac{1}{4}$.
T. 37 N., R. 58 E.,
Sec. 32.
T. 42 N., R. 63 E.,
Sec. 1, lots 2-4, inclusive, SW $\frac{1}{4}$ NE $\frac{1}{4}$,
S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$.
T. 43 N., R. 63 E.,
Sec. 2, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 3, lot 1, SE $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 3, lot 1, SE $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 11, NE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 14, W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 23, NE $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 24, SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 25, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$;
Sec. 36, W $\frac{1}{2}$.
T. 44 N., R. 63 E.,
Sec. 22, SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 27, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$;
Sec. 28, E $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 33, E $\frac{1}{2}$ NE $\frac{1}{4}$;
Sec. 34, W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$
SW $\frac{1}{4}$, SE $\frac{1}{4}$.

The lands described aggregate approximately 19,000 acres.

2. Publication of the notice of proposed classification (34 F.R. 15301) segregated the affected lands from all forms of disposal under the public land laws including the mining laws except the form of disposal for which the lands are classified. The publication did not alter the applicability of the public land laws governing the use of the lands under lease, license, or permit, or governing the disposal of their mineral and vegetative resources, other than under the mining laws.

3. All applications for exchange must be accompanied by a statement from the Chief, Office of Land and Water Rights, National Park Service, San Francisco, Calif., that the proposal is feasible in accordance with 43 CFR 2244.1-2(b) (1).

4. For a period of 30 days, interested parties may submit comments to the Secretary of the Interior, LLM, 320, Washington, D.C. 20240. (43 CFR 2411.1-2(d).)

NOLAN F. KEIL,
State Director, Nevada.

[F.R. Doc. 69-14996; Filed, Dec. 17, 1969;
8:46 a.m.]

[N-1852]

NEVADA

Notice of Classification of Public Lands for Disposal

DECEMBER 10, 1969.

1. The lands described below are hereby classified for exchange under section 8 of the Taylor Grazing Act (43 U.S.C. 315g). This publication is made pursuant to the Act of September 19, 1964, 43 U.S.C. 1412.

2. One protest was received which was withdrawn after the protestant was afforded an opportunity to review the data supporting the notice of proposed classification (34 F.R. 15388).

3. The lands affected by this classification are located in Elko County and are described as follows:

MOUNT DIABLO MERIDIAN

- T. 35 N., R. 61 E.,
Sec. 10, E $\frac{1}{2}$;
Sec. 14, NW $\frac{1}{4}$;
Sec. 22, E $\frac{1}{2}$.
T. 36 N., R. 61 E.,
Sec. 12;
Sec. 14, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
Sec. 26, N $\frac{1}{2}$.
T. 37 N., R. 61 E.,
Sec. 36.
T. 36 N., R. 62 E.,
Secs. 4, 6;
Sec. 8, N $\frac{1}{2}$ N $\frac{1}{2}$.
T. 37 N., R. 62 E.,
Sec. 34.

The areas described aggregate 4,951.17 acres.

4. Publication of this notice will segregate the lands from all appropriation under the public land laws, including location under the mining laws. Publication will not alter the applicability of the public land laws governing the use of the lands under lease, license, or permit, or governing the disposal of their mineral or vegetative resources, other than under the mining laws.

5. For a period of 30 days, interested parties may submit comments to the Secretary of the Interior, LLM, 320, Washington, D.C. 20240. (43 CFR 2411.1-2(d).)

NOLAN F. KEIL,
State Director, Nevada.

[F.R. Doc. 69-14997; Filed, Dec. 17, 1969;
8:46 a.m.]

[New Mexico PEC-2-1]

NEW MEXICO

Notice of Classification

DECEMBER 12, 1969.

Pursuant to section 2 of the Act of September 19, 1964 (43 U.S.C. 1412), the lands described below are hereby classified for disposal through exchange under section 8 of the Act of June 28, 1934 (48 Stat. 1272; 43 U.S.C. 315g), as amended, for lands within Catron County, N. Mex., and are described as follows:

NEW MEXICO PRINCIPAL MERIDIAN

- T. 8 N., R. 3 W.,
Sec. 4;
Sec. 6, lots 4, 5, 6, 7, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$,
E $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$;
Sec. 22.
T. 2 S., R. 9 W.,
Sec. 20, N $\frac{1}{2}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 21, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ S $\frac{1}{2}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 22, S $\frac{1}{2}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$.
T. 2 S., R. 10 W.,
Sec. 14, NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and
SE $\frac{1}{4}$.
T. 3 S., R. 10 W.,
Sec. 34, SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$.
T. 4 S., R. 10 W.,
Sec. 4, lots 1, 2, 3, 4 and S $\frac{1}{2}$ N $\frac{1}{2}$;
Sec. 5, lots 1, 2, 3, 4 and S $\frac{1}{2}$ N $\frac{1}{2}$;
Sec. 6, lots 1, 2, 3, 4, 5, S $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$
NW $\frac{1}{4}$.
T. 4 S., R. 11 W.,
Sec. 11, SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 14, N $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 15, N $\frac{1}{2}$, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$
SE $\frac{1}{4}$;
Sec. 20, NE $\frac{1}{4}$;
Sec. 21, N $\frac{1}{2}$;
Sec. 22, N $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NW $\frac{1}{4}$.

T. 5 S., R. 11 W.,
Sec. 6, lots 6, 7, 14 and 15.
T. 6 S., R. 11 W.,
Sec. 22, NE $\frac{1}{4}$;
Sec. 35.
T. 4 S., R. 12 W.,
Sec. 24, NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ and S $\frac{1}{2}$;
Sec. 25;
Sec. 26, S $\frac{1}{2}$;
Sec. 27, S $\frac{1}{2}$;
Sec. 28, SE $\frac{1}{4}$.
T. 5 S., R. 12 W.,
Sec. 18, lots 1, 2, W $\frac{1}{2}$ NE $\frac{1}{4}$ and E $\frac{1}{2}$ NW $\frac{1}{4}$.
T. 6 S., R. 12 W.,
Sec. 11, lots 1 to 8, inclusive;
Sec. 12, lots 1 to 6, inclusive.
T. 4 S., R. 13 W.,
Sec. 25, NE $\frac{1}{4}$ SE $\frac{1}{4}$ and S $\frac{1}{2}$ S $\frac{1}{2}$;
Sec. 26, S $\frac{1}{2}$ S $\frac{1}{2}$;
Sec. 27, E $\frac{1}{2}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 28, NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ and S $\frac{1}{2}$;
Sec. 29, N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$;
Sec. 31, NW $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 32, W $\frac{1}{2}$ NW $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 35, NE $\frac{1}{4}$.
T. 4 S., R. 14 W.,
Sec. 29, S $\frac{1}{2}$;
Sec. 32, N $\frac{1}{2}$.

The areas described aggregate 12,336.16 acres.

For a period of 30 days, interested parties may submit comments to the Secretary of the Interior, LLM, 721, Washington, D.C. 20240.

W. J. ANDERSON,
State Director.

[F.R. Doc. 69-14971; Filed, Dec. 17, 1969;
8:45 a.m.]

[New Mexico 9490]

NEW MEXICO

Notice of Classification of Lands for Transfer Out of Federal Ownership

DECEMBER 12, 1969.

Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411-18) and to the regulations in 43 CFR, Parts 2410 and 2411, it is proposed to classify the public lands described below for transfer out of Federal ownership as hereinafter specified.

1. The following public lands are hereby classified for transfer out of Federal ownership by State grants and indemnity selections (43 U.S.C. 851, 852); exchanges under section 8 of the Taylor Grazing Act (43 U.S.C. 315g) and/or public sales under section 2455 of the Revised Statutes (43 U.S.C. 1171) and public uses and development under the Act of June 14, 1926 (44 Stat. 741).

NEW MEXICO PRINCIPAL MERIDIAN

T. 24 N., R. 1 W.,
Sec. 1, lots 3, 4, and S $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 10, E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 11, NW $\frac{1}{4}$;
Sec. 15, NW $\frac{1}{4}$ NE $\frac{1}{4}$ and N $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 21, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, and SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 23, S $\frac{1}{2}$;
Sec. 26, N $\frac{1}{2}$ N $\frac{1}{2}$;
Sec. 27, NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, and SW $\frac{1}{4}$;
Sec. 28;
Sec. 29, E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, and SE $\frac{1}{4}$;
Sec. 33, E $\frac{1}{2}$;
Sec. 34, W $\frac{1}{2}$.

T. 24 N., R. 2 W.,
Sec. 3, lot 1;
Sec. 8, E $\frac{1}{2}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 9, NW $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 14, SW $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 17, S $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 18, NW $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 20, W $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, and S $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 21, N $\frac{1}{2}$ S $\frac{1}{2}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 22, S $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$;
Sec. 23, NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$, and S $\frac{1}{2}$;
Sec. 24;
Sec. 30, SE $\frac{1}{4}$ NW $\frac{1}{4}$.
T. 24 N., R. 3 W.,
Sec. 3, SW $\frac{1}{4}$;
Secs. 4 and 5;
Sec. 6, lots 1 to 6, inclusive, S $\frac{1}{2}$ NE $\frac{1}{4}$, and SE $\frac{1}{4}$;
Sec. 7, lots 1, 2, and NE $\frac{1}{4}$;
Sec. 8, NW $\frac{1}{4}$;
Sec. 10;
Sec. 11, E $\frac{1}{2}$ and NW $\frac{1}{4}$;
Sec. 12, NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, and S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 13, N $\frac{1}{2}$ N $\frac{1}{2}$;
Sec. 14, N $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$;
Sec. 15, SE $\frac{1}{4}$;
Sec. 17, SE $\frac{1}{4}$;
Sec. 18, lots 1, 2, 3, and 4;
Sec. 19, lots 1, 2, 3, and 4;
Sec. 22, E $\frac{1}{2}$;
Sec. 27, E $\frac{1}{2}$;
Sec. 31, lots 3, 4, and NE $\frac{1}{4}$;
Sec. 34, E $\frac{1}{2}$.
T. 25 N., R. 3 W.,
Sec. 3, lots 3, 4, and SW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 11;
Sec. 12, W $\frac{1}{2}$;
Secs. 14 and 15;
Sec. 16, SE $\frac{1}{4}$;
Secs. 19, 20, and 21;
Sec. 22, E $\frac{1}{2}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, and SW $\frac{1}{4}$;
Secs. 28, 29, 30, and 31;
Sec. 32, NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, and SE $\frac{1}{4}$;
Sec. 33, S $\frac{1}{2}$ SE $\frac{1}{4}$.

The lands described above total 20,231.16 acres.

2. Publication of this notice segregates the affected lands from all forms of disposal under the public land laws, including the mining laws, except the form or forms of disposal for which the lands are classified. However, publication does not alter the applicability of the public land laws governing the use of the lands under lease, license, or permit, or governing the disposal of their mineral and vegetative resources, other than under the mining laws.

3. For a period of 30 days, interested parties may submit comments to the Secretary of the Interior, LLM, 721, Washington, D.C. 20240 (43 CFR 2411.12(d)).

W. J. ANDERSON,
State Director.

[F.R. Doc. 69-14972; Filed, Dec. 17, 1969;
8:45 a.m.]

[OR 5546]

OREGON

Notice of Proposed Withdrawal and Reservation of Lands

DECEMBER 11, 1969.

The Bureau of Land Management, U.S. Department of the Interior, has filed application, Serial No. OR 5546, for the withdrawal of the lands described below,

from all forms of appropriation under the public land laws including the mining laws but not the mineral leasing laws.

The applicant desires to have the Rogers Mountain Petrified Wood Area withdrawn to protect a deposit of petrified wood which is valuable for scientific, instructive, and collective purposes.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 729 Northeast Oregon Street (Post Office Box 2965), Portland, Oreg. 97208.

The authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources.

After receipt of comments from interested parties, he will prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the Bureau of Land Management.

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

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

The lands involved in the application are:

WILLAMETTE MERIDIAN

ROGERS MOUNTAIN PETRIFIED WOOD AREA

T. 10 S., R. 1 E.,
Sec. 31, fractional NW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$.

The area described aggregates 158.44 acres.

VIRGIL O. SEISER,
Chief, Branch of Lands.

[F.R. Doc. 69-14973; Filed, Dec. 17, 1969;
8:45 a.m.]

[OR 5620]

OREGON

Notice of Proposed Withdrawal and Reservation of Lands

DECEMBER 11, 1969.

The Bureau of Reclamation, U.S. Department of the Interior, has filed an application, Serial No. OR 5620, for the withdrawal of the public lands described below, from all forms of appropriation under the public land laws, including the mining laws but not from leasing under the mineral leasing laws.

The applicant desires the use of the lands in order to protect its interest in the existing Warm Springs Reservoir which is a part of the Vale Reclamation Project.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land

Management, Department of the Interior, 729 Northeast Oregon Street (Post Office Box 2965), Portland, Oreg. 97208.

The authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, to eliminate lands needed for purposes more essential than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

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

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

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

The lands involved in the application are:

WILLAMETTE MERIDIAN

- T. 22 S., R. 36 E.,
 Sec. 23, S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 36, W $\frac{1}{2}$ NW $\frac{1}{4}$.
 T. 23 S., R. 36 E.,
 Sec. 1, lots 3 and 4, SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$,
 SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 2, lots 1 and 2, S $\frac{1}{2}$ NE $\frac{1}{4}$, and SE $\frac{1}{4}$;
 Sec. 11, N $\frac{1}{2}$ NE $\frac{1}{4}$;
 Sec. 12, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ -
 SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
 Sec. 13, E $\frac{1}{2}$ and E $\frac{1}{2}$ NW $\frac{1}{4}$.
 T. 22 S., R. 37 E.,
 Sec. 31, SW $\frac{1}{4}$ NE $\frac{1}{4}$ and E $\frac{1}{2}$ NW $\frac{1}{4}$.
 T. 23 S., R. 37 E.,
 Sec. 5, NW $\frac{1}{4}$ SW $\frac{1}{4}$ and S $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 6, lot 1, SE $\frac{1}{4}$ NE $\frac{1}{4}$, and NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 7, lots 1, 2, 3, and 4, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and
 N $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 8, NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$,
 N $\frac{1}{2}$ SW $\frac{1}{4}$, and SW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 18, lots 1 and 2.

The lands described aggregate about 2,904 acres.

VIRGIL O. SEISER,
 Chief, Branch of Lands.

[F.R. Doc. 69-14974; Filed, Dec. 17, 1969;
 8:45 a.m.]

[Wyoming 17359]

WYOMING

Notice of Amendment of Proposed Withdrawal and Reservation of Lands

DECEMBER 10, 1969.

Notice of Bureau of Land Management, U.S. Department of the Interior application, Serial No. Wyoming 17259, for the withdrawal of certain vacant public land from all forms of appropriation under the public land laws, including the mining laws but not the mineral leasing laws, pursuant to the authority

of Executive Order 10355, was published in the F.R. Doc. 69-1507 on pages 1776 and 1777 of the issue for Thursday, February 6, 1969. The subject notice is hereby amended to permit leasing under the Small Tract Act of June 1, 1938, as amended (43 U.S.C. 682a), of the land proposed for withdrawal.

DANIEL P. BAKER,
 State Director.

[F.R. Doc. 69-14995; Filed, Dec. 17, 1969;
 8:46 a.m.]

Office of the Secretary

ELMER S. HALL

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b) (6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past 6 months:

- (1) No change.
- (2) No change.
- (3) No change.
- (4) No change.

This statement is made as of December 3, 1969.

Dated: December 3, 1969.

E. S. HALL.

[F.R. Doc. 69-14998; Filed, Dec. 17, 1969;
 8:46 a.m.]

HUGH C. VAN HORN

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b) (6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past 6 months:

- (1) No change.
- (2) No change.
- (3) No change.
- (4) No change.

This statement is made as of December 3, 1969.

Dated: December 3, 1969.

HUGH C. VAN HORN.

[F.R. Doc. 69-14999; Filed, Dec. 17, 1969;
 8:47 a.m.]

DEPARTMENT OF COMMERCE

Office of the Secretary

[Dept. Organization Order 25-2B Amdt. 1]

MARITIME ADMINISTRATION

Organization and Structure

The following amendment to the order was issued by the Secretary of Commerce effective on January 1, 1970. This ma-

terial amends the material appearing at 34 F.R. 13487 of August 21, 1969.

Department Organization Order 25-2B (formerly Department Order 117-B), dated August 8, 1969, is hereby amended as follows:

1. In section 8. *Office of the Assistant Administrator for Administration*, paragraph .06 is amended to read:

".06 The Office of Personnel shall plan and administer personnel programs and activities relating to recruitment, placement, promotion, separation, employee performance evaluation, training and career development, employee recognition and incentives, employee relations and services, employee-management relations, classification, pay management, and various employee benefit programs. This Office shall also plan and administer the equal opportunity program for employment in the Maritime Administration."

2. Section 12. *Field Organization*, is amended to read:

".01a. There shall be three field organizations called Regions, each headed by a Regional Director, as specified below:

Region and Headquarters Location

Eastern Region—New York, N.Y.
 Central Region—New Orleans, La.
 Western Region—San Francisco, Calif.

"b. The Regions shall have geographic areas of responsibility as shown in exhibit 2. (A copy of which is on file with original of this document with the Office of the Federal Register.)

"c. The Regional Directors shall be responsible for all field operations and programs of the Maritime Administration within their respective regions, except ship construction and the U.S. Merchant Marine Academy, subject to national policies, determinations, procedures and directives of the appropriate office chief in Washington, D.C. The programs and activities under their jurisdiction shall include the custody and preservation of ships in the national defense reserve fleets; operation, repair and maintenance of ships; marine inspections; review and analysis of operating costs of subsidized operators; accounting and external auditing; contract compliance activities; trade promotion; development of ports and intermodal transportation systems; operation of warehouses; procurement and disposal of property and supplies; facilities management; and administrative support activities.

".02 The U.S. Merchant Marine Academy, Kings Point, N.Y. shall develop and maintain programs for the training of U.S. citizens to become officers in the U.S. merchant marine."

3. Sec. 14. *Office of Civil Rights*, is added to read as follows:

"The Office of Civil Rights shall formulate and conduct programs to assure compliance by Federal contractors and subcontractors with Executive Orders 11246 and 11375 and related regulations, and applicants for and recipients of Federal financial assistance and their contractors and subcontractors with Title VI

of the Civil Rights Act of 1964 and related regulations; plan and direct special programs to assure equal opportunity in employment in the ship and boat building and repair industries, water transportation industry, and related industries as assigned; provide assistance in communicating to minority communities the career opportunities available in the Merchant Marine; assist in the recruitment of qualified minority cadet candidates for the U.S. Merchant Marine Academy and assure equal opportunity for the Academy cadets; conduct compliance reviews of the civil rights and equal employment opportunity programs relating to Maritime Administration employees, and make recommendations for improvement."

4. Present section 14 is renumbered section 15.

LARRY A. JOBE,

Assistant Secretary for Administration,

[F.R. Doc. 69-14979; Filed, Dec. 17, 1969;
8:45 a.m.]

[Dept. Organization Order 10-5]

ASSISTANT SECRETARY FOR ADMINISTRATION

Designation and Authority

The following order was issued by the Secretary of Commerce effective on December 2, 1969. This material supersedes the material appearing at 34 F.R. 12457 of July 30, 1969.

SECTION 1. Purpose. .01 This order prescribes the scope of authority and the duties and responsibilities of the Assistant Secretary for Administration, and prescribes the organization structure of his office.

.02 This revision (a) assigns to the Assistant Secretary for Administration responsibility for the Department's Planning-Programming-Budgeting System and (b) changes the "Office of Budget" to the "Office of Budget and Program Analysis."

Sec. 2. Administrative designation. The position of Assistant Secretary of Commerce established by section 304 of Public Law 83-471 of July 2, 1954 (68 Stat. 430; 15 U.S.C. 1506) shall continue to be designated as the Assistant Secretary for Administration. The Assistant Secretary for Administration is appointed by the President by and with the advice and consent of the Senate.

Sec. 3. Scope of authority. .01 Pursuant to the authority vested in the Secretary of Commerce by law, and subject to such policies and directives as the Secretary may prescribe, the Assistant Secretary is hereby delegated the authority of the Secretary on administrative management matters of the Department. This delegation shall include the conduct of all administrative management functions required in the overall management of the Department as well as the provision of administrative management services directly to the Office of the Secretary and, as herein specified, to all or some operating units of the Department.

.02 The authority delegated to the Assistant Secretary for Administration in paragraph .01 above shall include au-

thority to carry out the Secretary's responsibilities for fulfilling the objectives and effecting compliance throughout the Department with the requirements of Title VI of the Civil Rights Act of 1964, Executive Order 11246, Executive Orders 11247 and 11375, and any other statutes, Executive Orders and regulatory provisions relating to equal opportunity under which the Secretary or the Department may have responsibilities. For purposes of carrying out these responsibilities and as required by the applicable Executive Orders or implementing regulations of the Secretary of Labor or the Civil Service Commission, the Assistant Secretary for Administration is designated as the Contracts Compliance Officer and the Director of Equal Employment Opportunity for the Department and is authorized to (a) upon recommendations of the heads of operating units, and with the approval of the respective Program Secretarial Officers involved, designate Deputy Contracts Compliance and Equal Employment Opportunity Officers for the Office of the Secretary.

.03 Subject to applicable laws and regulations, the Assistant Secretary for Administration may redelegate his authority to any officer or employee of the Department subject to such conditions in the exercise of the authority as he may prescribe; however, his authority to designate Deputy Contracts Compliance Officers and Equal Employment Opportunity Officers may not be redelegated.

Sec. 4. Office of Assistant Secretary for Administration. .01 The Office of the Assistant Secretary for Administration shall consist of:

a. Immediate Office of the Assistant Secretary:

(1) Deputy Assistant Secretary for Administration, who shall be the principal assistant of the Assistant Secretary for Administration and shall assume the latter's full duties during his absence.

(2) Special Assistant for Equal Opportunity.

b. Departmental offices:

Office of Administrative Services.
Office of Audits.
Office of Budget and Program Analysis.
Office of Emergency Readiness.
Office of Financial Management Services.
Office of Investigations and Security.
Office of Management and Organization.
Office of Personnel.
Office of Publications.

c. Financial Systems Staff.

d. Appeals Board.

.02 The Appeals Board is assigned to the Office of the Assistant Secretary for Administration for administrative purposes only.

Sec. 5. Duties and responsibilities.

.01 The Assistant Secretary for Administration shall serve as the principal adviser to the Secretary and as the chief officer of the Department on administrative management. As such, he shall be concerned with:

a. The recruitment, development, motivation, and compensation of personnel, including the effective use of human re-

sources in carrying out the programs of the Department.

b. The improvement of management structures, systems, tools and practices towards achieving the highest practical degree of effectiveness, efficiency and economy in programs of the Department.

c. The planning, budgeting and management of financial resources so as to assure optimum utilization of funds in carrying out programs of the Department.

d. The development and management of the Department's Planning-Programming-Budgeting (PPB) System required by Bureau of the Budget Bulletin No. 68-9.

e. The efficient provision of common administrative and related support services required for the effective conduct of programs of the Department. These services shall include procurement, property, space, safety, motor vehicle, mail, communications, library, and related activities.

f. The audit of operations and contracts or other agreements of the Department to determine deficiencies that may exist, to recommend corrective action, to uncover opportunities for increased efficiency and economy, and to establish a basis for settling contracts and claims.

g. The achievement by the Department of a high state of planning and readiness for responding to national emergencies and major disasters.

h. The conduct of investigations and related work as required to determine that prospective employees meet, and that present employees maintain required standards of character, loyalty, honesty and conduct; and the conduct of operations required to assure physical security of the Department's property and records.

i. The provision of printing, design, graphics, editorial and related promotional, distribution and control services as will contribute to the effectiveness of the Department's publications and other printed materials, with due regard for reasonable costs.

j. The conduct of activities to assure equal opportunity in employment within the Department, and to assure nondiscrimination in Federally-assisted programs and by contractors and subcontractors of the Department.

.02 In carrying out the above responsibilities, the Assistant Secretary for Administration shall:

a. Develop and issue policies, standards and procedures for administrative management functions throughout the Department, and provide functional appraisal and supervision in the conduct of such functions by operating units.

b. Directly provide the administrative management services required by the Office of the Secretary and, as determined by the Secretary or by agreement between the Assistant Secretary for Administration and the Program Secretarial Officer concerned, directly provide particular administrative management services to specified operating units of the Department or to other organizations.

c. Conduct a centralized audit function that shall extend to the activities of

all organizations of the Department, with such special exceptions as the Assistant Secretary for Administration may determine.

d. Conduct a centralized procurement function that shall serve the Office of the Secretary and, as determined by the Assistant Secretary for Administration, various operating units.

e. Provide central publications, printing, and related services for organizations of the Department except as the Secretary may authorize particular organizations to provide some such services, as specified, for themselves.

.03 The Assistant Secretary for Administration shall be responsible for coordination and liaison with the Bureau of the Budget, the Civil Service Commission, the General Services Administration, and the General Accounting Office on all applicable matters of administrative management, provide central liaison for the Department with the Appropriations Committees, coordinate administrative management matters with other departments and agencies, and otherwise represent the Department on such matters with public or private groups.

Sec. 6. *Savings provision.* Department Organization and Department Administrative Orders, circulars, or memoranda which are inconsistent or in conflict with this order are hereby constructively amended or superseded accordingly.

LARRY A. JOBE,
Assistant Secretary
for Administration.

[F.R. Doc. 69-14980; Filed, Dec. 17, 1969;
8:45 a.m.]

[Dept. Organization Order 20-3]

OFFICE OF BUDGET AND PROGRAM ANALYSIS

Organization and Functions

This material supersedes the material appearing at 34 F.R. 12458 of July 30, 1969.

SECTION. 1. *Purpose.* This order delegates authority to the Director, Office of Budget and Program Analysis, and prescribes the organization and functions of the Office of Budget and Program Analysis.

SEC. 2. *General.* The Office of Budget was redesignated as the Office of Budget and Program Analysis by D.O. 10-5 issued December 2, 1969. The Office shall be headed by a Director who shall report and be responsible to the Assistant Secretary for Administration. The Director shall be assisted by a Deputy Director who shall perform the functions of the Director during the latter's absence.

SEC. 3. *Delegation of authority.* Pursuant to the authority vested in the Assistant Secretary for Administration by Department Organization Order 10-5 and subject to applicable provisions of law, regulation, and instructions of the Assistant Secretary for Administration, the Director, Office of Budget and Program Analysis, is delegated the authority vested in the Assistant Secretary for Administration pertaining to budget plan-

ning and management, analysis and reporting of fiscal and program status, and the development and management of the Department's PPB System.

Sec. 4. *Organization and functions.*

.01 *The Office of Budget and Program Analysis* shall consist of:

- a. Office of the Director;
- b. Budget Coordination and Reports Division; and
- c. Review and Analysis Staff.

.02 The Director shall be the Budget Officer for the Department of Commerce, shall be the adviser to, and serve as the representative of, the Assistant Secretary for Administration in matters relating to budget formulation and execution, analysis and reporting of fiscal and program status, and the Department's planning-programming-budgeting system, and shall serve as adviser to other Departmental officials with respect to these matters. He shall represent the Department on the above matters, and shall establish and maintain close working relationships with the Bureau of the Budget, with the Appropriations Committees, and with other Government agencies.

.03 *The Budget Coordination and Reports Division.* This division shall:

- a. Establish standards, criteria and procedures for preparing budget estimates and justifications;
- b. Coordinate budget programs and activities that require consolidated action by the Department;
- c. Interpret Bureau of the Budget directives on budget matters;
- d. Coordinate the preparation of budget estimates;
- e. Maintain information on the status of Congressional actions on the Department's budget;
- f. Prepare budget summaries and analyses;
- g. Maintain the Department's budget history;
- h. Maintain liaison with Bureau of the Budget staff and with staffs of Appropriations Committees on budget matters as necessary to carry out the Division's responsibilities;
- i. Establish reporting requirements from operating units on fiscal plans and status, budget execution, and program accomplishments; and analyze, consolidate or otherwise treat the reports as will best meet the needs of the Secretary and Secretarial Officers, incorporating material furnished by the Review and Analysis Staff; and
- j. Prepare special reports or briefings for the Secretary and Secretarial Officers on significant fiscal, budget and program execution problems, incorporating material furnished by the Review and Analysis Staff.

.04 *Review and Analysis Staff.* This staff shall:

- a. Examine and analyze all budget proposals in terms of effective allocation of Departmental resources, conformance to policies, adequacy of justification and appropriation language, existence of statutory authorization, feasibility and economy of operations, accuracy and consistency of schedules, and for con-

formity with instructions governing submission of budget estimates;

b. Participate in the identification of major issues and problems to be covered by program memoranda and special analytical studies;

c. Monitor, advise and assist operating units in the development and operation of systems for integrating the results of planning and programming with budgeting, including development of criteria for and review of program memoranda and special analytical studies for completeness, timeliness, adequacy, development of alternatives, and factual content;

d. Review and evaluate the Department's program structure and recommend modifications as necessary;

e. Participate in the review of legislative proposals affecting the Department's plans and programs;

f. Examine and clear apportionment requests;

g. Provide technical assistance to operating units on budget matters;

h. Analyze fiscal and program plans and reprogramming proposals for conformance to Departmental policies and commitments, and maintain a continuous review of the status of obligations, expenditures and program progress;

i. Evaluate budgeting policies and programs and make recommendations to appropriate officials for improvements; and

j. Provide continuous liaison and be the point of contact between officials in assigned program areas and appropriate staff of the Office of the Secretary and Bureau of the Budget on budget matters.

SEC. 5. *Department of Commerce Budget Committee.*—The Department of Commerce Budget Committee shall consist of the Director as Chairman, the budget officers and the officers responsible for PPB coordination in each primary operating unit, and if not otherwise represented, the designated PPBS coordinators from each program category. The Committee will meet on call from the Chairman for the purpose of advising and assisting in the development of budget policies and programs, and systems for integration of the results of planning and programming with budgeting throughout the Department.

Effective date: December 4, 1969.

LARRY A. JOBE,
Assistant Secretary
for Administration.

[F.R. Doc. 69-14982; Filed, Dec. 17, 1969;
8:46 a.m.]

[Dept. Organization Order 15-4]

OFFICE OF POLICY DEVELOPMENT

Organization and Functions

The following order was issued by the Secretary of Commerce effective on December 2, 1969. This material supersedes the material appearing at 33 F.R. 9037 of June 19, 1968.

SECTION 1. *Purpose.* This order prescribes the responsibilities of the Office

of Policy Development in the Office of the Secretary.

SEC. 2. *General.* .01 The Office of Program Planning is hereby redesignated as the Office of Policy Development, and its functions are hereby revised as specified herein. This reconstituted office shall continue to have the status of a Departmental office.

.02 The Office of Policy Development shall be headed by a Special Assistant to the Secretary for Policy Development who shall report and be responsible to the Secretary of Commerce.

SEC. 3. *Functions.* The Office of Policy Development shall serve as the special problem solving and conceptual group on policy development matters of direct concern to the Secretary. In this capacity, the Office shall:

a. Conduct studies or evaluate matters having a vital impact on the Department's mission, objectives and accomplishments, such analyses to be carried out in the light of special concerns or interests expressed by the Secretary;

b. Develop proposals for the consideration of the Secretary with respect to the future role of the Department in establishing national policies and in providing needed services in light of changing national needs;

c. Evaluate for the Secretary the merits of existing and proposed programs of the Department;

d. Analyze at the Secretary's request, the potential effect upon the Department and its programs of outside events, trends, proposals and other developments;

e. Organize and monitor a system of periodic, evaluative briefings of the Secretary by key officials of the Department on the status of achievement of fundamental program objectives, such briefings to highlight policy, substantive and managerial problems that may exist as well as possible solutions and courses of corrective action that may be indicated, and manage a system whereby organizations of the Department regularly report to the Secretary major improvement project plans and accomplishments;

f. As determined in consultation with the Assistant Secretary for Administration, undertake analyses of selected program issues from among those identified under the Department's PPB system, and/or otherwise participate in the resolution of such issues, including the discussion thereon with the Bureau of the Budget; as assigned, organize and direct or monitor studies of such matters through in-house groups, or formulate specifications for and monitor contract studies dealing with these problems;

g. Participate in the development or review of legislative proposals having a major impact on Commerce mission, objectives and programs;

h. At the request of the Assistant Secretary for Administration, participate in formulating overall allocations of the Department's resources, and review and comment on significant program and budget plans;

i. As requested by the Secretary, review reports and recommendations sub-

mitted to the Secretary and perform other related staff work; and

j. Perform other related duties as assigned by the Secretary.

LARRY A. JOBE,
Assistant Secretary
for Administration.

[F.R. Doc. 69-14981; Filed, Dec. 17, 1969;
8:45 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[Docket No. FDC-D-142; NDA No. 10-577]

ABBOTT LABORATORIES

Tergemist; Notice of Withdrawal of Approval of New-Drug Application

Abbott Laboratories, 14th and Sheridan Road, North Chicago, Ill. 60064, holder of new-drug application No. 10-577 and all amendments and supplements thereto for the drug Tergemist (sodium ethasulfate 0.125 percent and potassium iodide 0.1 percent), was notified by a copy of the National Academy of Sciences-National Research Council report and the FEDERAL REGISTER drug efficacy study implementation announcement of July 17, 1968 (33 F.R. 10227), that there is a lack of substantial evidence that Tergemist will have the effect it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in its labeling.

In the FEDERAL REGISTER announcement, the Commissioner of Food and Drugs published his intention to initiate proceedings to withdraw approval of the new-drug application for Tergemist and invited Abbott Laboratories and any other person who might be adversely affected by removal of the drug from the market to submit any pertinent data within 30 days from the date of publication.

On August 13, 1968, Abbott Laboratories representatives discussed Tergemist with the Food and Drug Administration and on August 16, 1968, proposed protocols for definitive clinical studies of the effectiveness of the drug. The applicant's comments and proposals were reviewed. By correspondence dated August 29, 1968, and October 25, 1968, the Commissioner of Food and Drugs informed Abbott Laboratories of the review and conclusion that in the absence of substantial evidence of the effectiveness of Tergemist the Food and Drug Administration proposed to publish a notice of opportunity for a hearing on a proposal to withdraw approval of the new-drug application.

Abbott Laboratories continued to conduct clinical studies on the effectiveness of Tergemist. By letter of July 25, 1969, the firm informed the Commissioner that although the clinical testing program was incomplete, further studies were being discontinued because a sufficient number of reports had been obtained to conclude that it was imprac-

tical, if not impossible, to prove a consistent or significant difference in effectiveness between Tergemist and water or saline because the inherent hour-to-hour patient-to-patient variations in the symptomatology of the diseases being treated introduce such variables into a closely controlled study as to make a meaningful analysis unattainable. Abbott Laboratories requested withdrawal of approval of NDA 10-577 for Tergemist. It stated that marketing of the drug had been discontinued and existing stocks were being withdrawn from "Abbott's distribution centers."

The Commissioner, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 505(a), 52 Stat. 1053, as amended; 21 U.S.C. 355(e)) and under authority delegated to him (21 CFR 2.120), finds on the basis of new information evaluated together with evidence available when the application was approved that there is a lack of substantial evidence that the subject drug will have the effect it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in its labeling.

Therefore, pursuant to the foregoing finding, approval of new-drug application No. 10-577 and all amendments and supplements thereto applying to Tergemist Mucolytic Aerosol Solution is withdrawn, effective on the date of signature of this document.

According, Tergemist and any similar preparation for human use and offered for such effects will be regarded as a new drug for which an approved new-drug application is not in effect and will be subject to regulatory action.

Dated: December 1, 1969.

WINTON B. RANKIN,
Deputy Commissioner of
Food and Drugs.

[F.R. Doc. 69-14993; Filed, Dec. 17, 1969;
8:46 a.m.]

UPJOHN CO.

Notice of Withdrawal of Petition for Food Additives Melengestrol Ace- tate, Chlortetracycline

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b), 72 Stat. 1786; 21 U.S.C. 348(b)), the following notice is issued:

In accordance with § 121.52 *Withdrawal of petitions without prejudice* of the procedural food additive regulations (21 CFR 121.52), The Upjohn Co., Kalamazoo, Mich., 49001, has withdrawn its petition (CP 36-956V), notice of which was published in the FEDERAL REGISTER of March 20, 1968 (33 F.R. 4751), proposing that the food additive regulations (21 CFR Part 121, Subpart C) be amended to provide for the safe use in the feed of heifers of a combination drug containing melengestrol acetate and chlortetracycline for growth stimulation, improved feed utilization, and suppression of estrus (heat); as an aid in the prevention of liver abscess, pneumonia,

and shipping fever (hemorrhagic septiemia); and as an aid in reduction of losses due to respiratory infection (infectious rhinotrachitis, shipping fever complex).

Dated: December 8, 1969.

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

[F.R. Doc. 69-14994; Filed, Dec. 17, 1969;
8:46 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-24]

GENERAL ELECTRIC CO.

Termination of Facility License

The Atomic Energy Commission has found that the General Electric Company Thermal Critical Assembly located in the Critical Experiment Facility Building at the Vallecitos Nuclear Center in Alameda County, Calif., has been dismantled, decontaminated and disposition made of component parts in accordance with the regulations of the Commission, 10 CFR, Chapter I, and in a manner not inimical to the common defense and security or to the health and safety of the public. Therefore, pursuant to the November 3, 1969, request by the licensee, Facility License No. CX-4 held by the General Electric Co. is hereby terminated as of December 1, 1969.

Dated at Bethesda, Md., this 1st day of December 1969.

For the Atomic Energy Commission.

DONALD J. SKOVHOLT,
Acting Director,
Division of Reactor Licensing.

[F.R. Doc. 69-14976; Filed, Dec. 17, 1969;
8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 21041]

EMERY AIR FREIGHT CORP.

Notice of Prehearing Conference

Application of Emery Air Freight Corp. for disclaimer of jurisdiction or approval under section 408 of the Federal Aviation Act of 1958, as amended, of certain control relationships.

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on January 6, 1970, at 10 a.m., e.s.t., in Room 911, Universal Building, 1825 Connecticut Avenue N.W., Washington, D.C., before Examiner Ralph L. Wiser.

In order to facilitate the conduct of the conference interested parties are instructed to submit to the examiner and other parties on or before December 31, 1969, (1) proposed statements of issues; (2) proposed stipulations; (3) requests for information; (4) statements of positions of parties; and (5) proposed procedural dates.

Dated at Washington, D.C., December 12, 1969.

[SEAL] THOMAS L. WRENN,
Chief Examiner.

[F.R. Doc. 69-15035; Filed, Dec. 17, 1969;
8:48 a.m.]

[Docket No. 21483]

WINGS AND WHEELS EXPRESS, INC., AND AIR EXPRESS INTERNATIONAL CORP.

Application for Approval of Merger; Proposed Approval

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

Dated at Washington, D.C., December 15, 1969.

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

Issued under delegated authority.
Application of Wings and Wheels Express, Inc., and Air Express International Corp., for approval of merger and other relief, Docket 21483.

ORDER OF APPROVAL

By joint application filed October 1, 1969, Wings and Wheels Express, Inc. (Wings), and Air Express International Corp. (AEI), request the Board to disclaim jurisdiction over or approve without hearing pursuant to section 408 of the Federal Aviation Act of 1958, as amended (the Act), the merger of AEI into Wings. Wings already holds all of the outstanding stock of AEI. The merger will be accomplished by transferring all the assets of AEI to Wings, the assumption of all of the liabilities of AEI, and the cancellation of all the outstanding stock of AEI, which will cease to exist as a separate corporation.

According to the applicants the merger will have favorable tax consequences, will reduce the administrative complexity of the operations and will add flexibility to the conduct of business. There will be no change in the service provided to the public except that shippers will be able to deal with one company instead of two.

Included in the assets of AEI are several foreign subsidiaries in France, Switzerland, Hong Kong, Germany, Belgium and South Africa as well as a travel agency and a shippers agent. AEI owns either 99 or 100 percent of the stock of these companies, which will be transferred to Wings as a result of the merger.

On November 28, 1969, Wings filed an amendment to the application stating that the merged companies would operate under the name Wings and Wheels Express, Inc. doing business as Air Express International; that an international air freight forwarder authorization would be sought in that name; that the present international authorization

¹ The acquisition of AEI by Wings was approved by Order E-25656, September 11, 1967, Docket 18611. Since that time AEI has operated as a subsidiary of Wings.

² Wings and Wheels Express, Inc. and Air Express International Corporation, Order E-25602, August 25, 1967, Docket 18611.

of Air Express International Corp. would be surrendered simultaneously with the issuance of the new authority; and that the tariffs of the parties would be revised accordingly. The Board has previously approved the ownership of AEI by Wings and thus the applicant maintains there is no question of restraint of competition, creation of a monopoly or jeopardy to another carrier.

No comments or requests for a hearing have been filed with the Board.

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

Upon consideration of the application, we find that Wings and AEI are air carriers within the meaning of section 408 of the Act and that the merger of the two carriers is subject to that section. However, it has been further concluded that the transaction does not affect the control of an air carrier directly engaged in the operation of aircraft in air transportation, does not result in creating a monopoly and does not tend to restrain competition. Furthermore, no person disclosing a substantial interest in the proceeding is currently requesting a hearing and it is concluded that the public interest does not require a hearing. In view of the Board's previous approval of the control of AEI by Wings we conclude that approval of the instant application is consistent with the public interest.

Pursuant to authority duly delegated by the Board in the Board's Regulations, 14 CFR 385.13, it is found that the merger of AEI into Wings should be approved without hearing pursuant to section 408(b) of the Act.

Accordingly, it is ordered, That:

1. The merger of AEI into Wings be and it hereby is approved.

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

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

[SEAL] MABEL McCART,
Acting Secretary.

[F.R. Doc. 69-15036; Filed, Dec. 17, 1969;
8:48 a.m.]

FARM CREDIT ADMINISTRATION

[Farm Credit Administration Order 733]

DEPUTY DIRECTOR, LAND BANK SERVICE, ET AL.

Authority and Order of Precedence of Certain Officers To Act as Deputy Governor and Director of Land Bank Service

DECEMBER 11, 1969.

1. In the event that the Deputy Governor and Director of Land Bank Service,

¹ The operating authorization now held by Air Express International Corporation will be surrendered for cancellation upon the grant of international air freight forwarder authority in the name of Wings and Wheels Express, Inc. doing business as Air Express International.

² Section 408 does not differentiate between related and unrelated corporations.

Farm Credit Administration, is absent or is not able to perform the duties of his office for any other reason, the officer who is the highest on the following list and who is available to act is hereby authorized to exercise and perform all functions, powers, authority, and duties pertaining to the office of Deputy Governor and Director of Land Bank Service:

(1) George R. Burns, Deputy Director, Land Bank Service.

(2) Carroll K. Cardwell, Chief of Appraisals, Land Bank Service.

(3) Frank R. Hillman, Chief of Operations, Land Bank Service.

(4) James C. Burge, Associate Chief of Appraisals, Land Bank Service.

2. This order shall be effective on the above written date and supersedes Farm Credit Administration Order No. 700 (29 F.R. 12436).

E. A. JAENKE,
Governor,
Farm Credit Administration.

[F.R. Doc. 69-15018; Filed, Dec. 17, 1969;
8:48 a.m.]

FEDERAL MARITIME COMMISSION

ATLANTIC AND GULF/WEST COAST OF CENTRAL AMERICA AND MEX- ICO CONFERENCE

Notice of Agreement Filed

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

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1202, or may inspect the agreement at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, 1405 I Street NW., Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

Mr. C. D. Marshall, Chairman, Atlantic and Gulf/West Coast of Central America and Mexico Conference, 11 Broadway, New York, N.Y. 10004.

Agreement No. 8300-9, among the parties to the Atlantic and Gulf/West Coast of Central America and Mexico Conference amends the basic agreement by modifying the third paragraph of the Preamble which presently provides that the trade area covered by the agreement shall be served either by direct movement or by transshipment via Cristobal and/or Balboa, C.Z., to provide for service either by direct movement or transshipment (with no limitation with respect to transshipment ports).

Dated: December 15, 1969.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[F.R. Doc. 69-15022; Filed, Dec. 17, 1969;
8:48 a.m.]

PACIFIC COAST-AUSTRALASIAN TARIFF BUREAU

Notice of Agreement Filed

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

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1202, or may inspect the agreement at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, 1405 I Street NW., Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

Mr. J. R. Harper, Secretary, Pacific Coast-Australasian Tariff Bureau, 635 Sacramento Street, San Francisco, Calif. 94111.

Agreement No. 50-19 between the member lines of the Pacific Coast-Australasian Tariff Bureau redefines the

geographic scope covered by the basic agreement, as amended, by the addition of ports in the State of Hawaii to the trade area and specifically identifies Alaska as not being included in the trade area.

Dated: December 15, 1969.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[F.R. Doc. 69-15023; Filed, Dec. 17, 1969;
8:48 a.m.]

NEW YORK SHIPPING ASSOCIATION, INC.

Notice of Agreement Filed for Approval

Notice of agreement filed for approval by:

Mr. Alfred Giardino, Lorenz, Finn & Giardino, 21 West Street, New York, N.Y. 10006.

Agreement No. T-2336-1 between the members of the New York Shipping Association (NYSA) modifies the basic agreement which provides for a temporary assessment formula adopted by NYSA to meet its obligation provided for in collective bargaining agreements with the International Longshoremen's Association. The purpose of the modification is to extend the termination date of the temporary assessment formula from November 30, 1969, to December 31, 1969. By order served November 28, 1969, in Docket No. 69-57 the Commission instituted an investigation to determine whether Agreement No. T-2336 should be approved, modified or disapproved pursuant to section 15, Shipping Act, 1916. Agreement No. T-2336-1 will be included in Docket No. 69-57, since the Commission's order stated that in the event any modification of Agreements No. T-2336, or further agreement establishing a temporary or permanent assessment formula was filed with the Commission, such agreement would be made subject to the investigation.

Dated: December 12, 1969.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[F.R. Doc. 69-15024; Filed, Dec. 17, 1969;
8:48 a.m.]

FEDERAL POWER COMMISSION

[Docket No. E-7515]

NORTHERN STATES POWER CO. (MINNESOTA)

Notice of Application

DECEMBER 12, 1969.

Take notice that on December 8, 1969, Northern States Power Co. (applicant) filed an application pursuant to section 204 of the Federal Power Act seeking an

order authorizing the issuance of up to \$80 million in unsecured promissory notes to commercial banks and to commercial paper dealers.

Applicant is incorporated under the laws of the State of Minnesota, and is qualified to do business in North Dakota and South Dakota. It operates electric, gas, and steam heating utilities in Minnesota; electric, gas, steam heating and telephone utilities in North Dakota; and an electric utility in South Dakota.

The promissory notes to be issued by the applicant to commercial banks will be issued on various days in 1970, but no note will mature more than 12 months after date of issue or renewal. The interest rate of such notes will be at the prime loan interest rate of the banks in effect from time to time.

The promissory notes issued to commercial paper dealers will be issued on various days in 1970; no note will mature more than 9 months after date of issue nor will any note be extended or renewed. The interest rate on such notes will be dependent upon the term of the notes and the money market conditions at the time of issuance.

The proceeds from the issuance of the notes will be used, among other things, to finance in part the Applicant's 1970 construction program. Applicant estimates that construction expenditures for 1970 will total about \$159 million.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 5, 1970, file with the Federal Power Commission, Washington, D.C. 20426, petitions or protests in accordance with the requirements of the Commission's rules of practice and procedures (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-15025; Filed, Dec. 17, 1969;
8:48 a.m.]

[Docket No. CP67-35]

TENNESSEE GAS PIPELINE CO. AND TRANSCONTINENTAL GAS PIPE LINE CORP.

Notice of Petition To Amend

DECEMBER 11, 1969.

Take notice that on December 8, 1969, Tennessee Gas Pipeline Co., a division of Tenneco Inc., Post Office Box 2511, Houston, Tex. 77001, and Transcontinental Gas Pipe Line Corp., 3100 Travis Street, Houston, Tex. 77001 (Applicants), filed in Docket No. CP67-35 a petition to amend the order of the Commission issued on October 11, 1966, to authorize the delivery of natural gas on an exchange basis at four additional points of

interconnection, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

Applicants propose to deliver natural gas on an exchange basis at four additional points located at the tail-gates of four processing plants where Applicants are common purchasers of natural gas. Applicants request authorization to expand the ability of either pipeline to assist the other in the event of operating problems and/or emergencies on either of the pipeline systems.

Applicants state that since they deliver and sell natural gas under long-term contracts to joint customers, they can, through mutual dispatching arrangements, make deliveries to the other by delivery for the account of the other to such joint customers.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 5, 1970, 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.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-15026; Filed, Dec. 17, 1969;
8:48 a.m.]

[Docket Nos. RP69-41, RP70-14]

TEXAS GAS TRANSMISSION CORP.

Order Permitting Tracking of Purchased Gas Increase, Suspending Proposed Revised Tariff Sheets Pending Effectiveness of Supplier Rate Increase, and Consolidating Proceedings

DECEMBER 15, 1969.

Pipeline rates; suspension of proposed increased rates; purchased gas adjustment.

Texas Gas Transmission Corp. (Texas Gas), on November 7, 1969, tendered for filing in Docket No. RP70-14 proposed changes in its FPC Gas Tariff, Second Revised Volume No. 1,¹ designed solely

¹ The proposed revised tariff sheets are as follows: Tenth Revised Sheet No. 68-I; Eleventh Revised Sheet Nos. 68-A, 68-BB, and 70-A; Twelfth Revised Sheet Nos. 13, 15, and 68-C; Thirteenth Revised Sheet Nos. 7, 9, 19, 21, 25, 27, and 71; Sixteenth Revised Sheet Nos. 68-G, 68-H, 68-K, and 68-L; Nineteenth Revised Sheet Nos. 68-A, 68-B, 68-E, and 68-F; Twentieth Revised Sheet Nos. 45, 47, 51, 79-I, and 79-J; Twenty-First Revised Sheet Nos. 5, 11, 23, 29, 33, 41, 49, 53, 55, 59, 61, 63, 67, 69, 70, 73, and 74; Twenty-Second Revised Sheet Nos. 17, 31, 35, 37, 43, 57, and 65; and Twenty-Third Revised Sheet No. 39.

to track the rate increase filed by its supplier, United Gas Pipe Line Co. (United), on October 31, 1969, in Docket No. RP70-13 and to become effective on December 16, 1969, or such other day as the increased rates proposed by United become effective subject to refund, or otherwise.² The proposed rate changes would increase charges for Texas Gas' jurisdictional sales by \$5,031,437 annually, based upon volumes for the 12-month period ended March 31, 1969, as adjusted. Rates would be increased under all sales rate schedules.

Texas Gas requests waiver of § 154.66 (b) and (c) of the Commission's regulations to permit its filing of the proposed increased rates during the suspension period of the increased rates in Docket No. RP69-41,³ in order that the proposed increased rates may become effective coincidentally with those of United.

Texas Gas states that in view of the fact that its proposed increased rates were filed within 12 months from the date of the filing of statements A thru M, O and P in Docket No. RP69-41; the proposed rate increase is filed to compensate only for an increase in the cost of purchased gas; and there has been no material change in its facilities, sales volumes and cost of service, other than cost of purchased gas, since the Docket No. RP69-41 filing, it is only required, under § 154.63 (b) (3) of the Commission's regulations, to file with the Commission statements L, M, and N as described in § 154.63. Texas Gas submitted statement L, which consists of the balance sheets as of the beginning and end of the 12 months ended September 30, 1969 and statement M which consists of an income statement for the 12 months ended September 30, 1969. Texas Gas also submitted schedules setting forth the data and computations from which the proposed increases in rates were derived.

Texas Gas requests waiver of the filing of statement N on the grounds that it consists of an entire cost of service presentation which would merely duplicate the data which it submitted in the Docket No. RP69-41 filing. In lieu of statement N, Texas Gas incorporates by reference all the exhibits, items by reference and the prepared testimony which it submitted to the record on September 25, 1969, in Docket No. RP69-41. The company states that it is willing to supply the data required by statement N on a reasonably expeditious basis should the Commission or its staff determine that such data are necessary.

We will accept Texas Gas' filing as being in accord with our intention, as expressed in our order issued August 11, 1969, in Docket No. RP69-41, to permit Texas Gas to track supplier rate increases which increase the purchased gas costs claimed by Texas Gas in that docket. And by reason of the facts set forth by

² United, in its filing, had requested that its proposed rates become effective on Dec. 16, 1969. As hereinafter indicated those rates were suspended for 5 months to May 16, 1970.

³ Docket No. RP69-41 involves a general rate increase filed by Texas Gas on June 27, 1969, which was suspended to Jan. 12, 1970, by order issued Aug. 11, 1969.

Texas Gas, as mentioned above, it is our view that good cause exists for waiving the requirement of the filing of statement N.

However, as the increased rates proposed herein are directly and entirely based upon the proposed rate increase of United in Docket No. RP70-13, which was suspended to May 16, 1970, by order issued December 5, 1969, Texas Gas' proposed rate filing should be suspended to that same date. The proposed rate increases have not been shown to be justified and may be unjust, unreasonable, unduly discriminatory or preferential or otherwise unlawful.

In view of the fact that Texas Gas' filing in Docket No. RP70-14 proposes to further amend its tariff which is the subject of the proceedings in Docket No. RP69-41, as proposed to be amended by its filing in that docket, and that the cost and related data relied upon in support of both filings is substantially the same, it is appropriate that Docket No. RP70-14 be consolidated with the proceedings in Docket No. RP69-41 for purposes of hearing and decision.

The Commission finds:

(1) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the proposed tariff sheets listed in Footnote 1, above be suspended and the use thereof be deferred as herein provided.

(2) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that Docket No. RP70-14 be consolidated for hearing and decision with the proceedings in Docket No. RP69-41.

The Commission orders:

(A) The provisions of § 154.66 (b) and (c) of the Commission's regulations under the Natural Gas Act are waived in order to permit the filing of the proposed rate increase by Texas Gas.

(B) The requirement for the filing of Statement N, as described in § 154.63 of the Commission's regulations, is waived.

(C) Pending hearing and decision in Docket No. RP70-14, as consolidated herein, the proposed revised tariff sheets, listed in Footnote 1 above, are suspended and the use thereof is deferred until May 16, 1970, and until such further time as they are made effective in the manner prescribed by the Natural Gas Act: *Provided, however*, That Texas Gas shall not make the increase proposed herein effective prior to the date that the increased rates proposed by United in Docket No. RP70-13 are made effective.

(D) The proceedings in Dockets Nos. RP69-41 and RP70-14 are hereby consolidated for purposes of hearing and decision in the matters and issues involved therein.

By the Commission.

[SEAL]

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-15027; Filed, Dec. 17, 1969;
8:48 a.m.]

[Docket No. CP70-148]

UNITED GAS PIPE LINE CO.

Notice of Application

DECEMBER 12, 1969.

Take notice that on December 5, 1969, United Gas Pipe Line Co. (Applicant), 1500 Southwest Tower, Houston, Tex. 77002, filed in Docket No. CP70-148 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities for the transportation of natural gas in interstate commerce, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to construct and operate additional pipeline facilities needed to transport increased volumes of gas from the South Louisiana area into Applicant's Shreveport and Jackson divisions, and additional facilities to develop further the Lake Bistineau Storage Field in Bossier and Bienville Parishes, La.

Applicant states that the proposed facilities will be used to deliver increased volumes of gas to distributor customers of Applicant in its Shreveport and Jackson divisions and to deliver gas from South Louisiana into the northern part of Applicant's system in order to supplement declining supplies locally available in that area.

The total estimated cost of the proposed facilities is \$29,815,000, to be expanded over a 3-year period and to be financed through internally generated funds and short-term demand notes, and ultimately by issuance of long-term debt securities.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 5, 1970, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the commission on this application if no petition to inter-

vene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-15028; Filed, Dec. 17, 1969;
8:48 a.m.]

[Docket No. AR69-1, etc.]

PHILLIPS PETROLEUM CO. ET AL.

Order Enlarging Investigation and Proposed Rule Making

DECEMBER 15, 1969.

Area Rates—moratorium: Area rate proceeding (offshore southern Louisiana Federal domain and disputed areas), Docket No. AR69-1; Phillips Petroleum Co. et al., Docket No. RI69-753; Hunt Oil Co. et al., Docket No. RI70-72; Shell Oil Co. et al., Docket No. RI70-73; The California Co., Docket No. RI70-74.

On March 20, 1969, the Commission issued an order in Docket No. AR69-1 initiating an investigation and rulemaking proceeding for the purpose of determining whether the just and reasonable area ceiling rates prescribed in Opinion Nos. 546 and 546-A which are applicable to sales of third vintage gas-well gas produced from the Federal Domain and disputed area offshore Southern Louisiana should be raised. We also stated that it was our purpose to determine whether any such increased ceilings should be made applicable to sales of third vintage gas-well gas being made subject to refund pursuant to increased rate filings authorized by Opinion No. 546-A and whether fourth vintage area ceiling rates should be established applicable to sales of gaswell gas from the area encompassed in this proceeding. Pursuant to our order, conferences were held before Examiner Martin E. Rendelman on July 8, 30, and 31 and August 13 and 14, 1969,¹ at which the parties attempted to reach agreement with respect to the data to be furnished. As reported by the Examiner agreement could not be reached and he therefore referred the matter to the Commission for resolution.

The parties have filed a large number of petitions, motions and replies in the captioned dockets. Some of the petitions sought expansion of the new proceeding; others looked for relief from certain of the rate restrictions effected by

¹ During the periods between the above dates approximately 18 informal conferences also were held among the parties.

the decision in Docket No. AR61-2. Because the various filings were so inter-related that any resolution thereof necessarily would affect the scope and objectives of the proceedings in Docket No. AR69-1, the dockets bearing on these issues were consolidated for the purpose of oral argument, which was held before the Commission on October 24, 1969. The Commission has given close attention to the prehearing conference record in AR69-1, the various pleadings referred to above, the answers thereto, and the statements made at the oral argument. Based on our study of the foregoing, we have concluded that the public interest will best be served if the proceeding in Docket No. AR69-1 is enlarged to include the entire geographical area of Southern Louisiana, onshore as well as offshore, and to provide for a review of the just and reasonable rates for all vintages of gas produced therefrom.

Insofar as the requests for a nationwide proceeding are concerned, we reject the suggestion at this time. With the exception of the Permian Basin, there is presently pending a proceeding for each of the major producing areas. We think that institution of second-round proceedings in these areas, whether individually or on a collective basis, should await resolution of all the pending cases. With respect to the Permian Basin, we are sympathetic with the views expressed by a number of parties that a review of Permian rates should be undertaken at the earliest possible time; we are giving this matter careful consideration.

We believe that a sufficient showing has been made, on the present record, to justify a review of the ceiling rates for first and second vintage gas produced in Southern Louisiana. But a sufficient showing has not yet been made to warrant an immediate change in the moratorium provisions of Opinion No. 546, as amended in Opinion No. 546-A. The issue of the continued effectiveness of the moratorium will remain open, however, pending further developments in this proceeding, and may be given further consideration herein.

PHASING OF HEARINGS

The expanded AR69-1 proceeding should be handled in two separate phases. Phase I will be confined to a review of the just and reasonable rates for nonassociated gas discovered and produced in Southern Louisiana and contracted on or after October 1, 1968.³

This phase of the proceeding should include evidence with respect to the adequacy of gas supply and adequacy of service to consumers, the demand for gas, the cause of a gas shortage, if any, the effect of price on gas supply and demand, and other relevant economic evidence, together with data as to the current, nationwide cost of finding and producing nonassociated gas. Data should also be included which are adequate to determine the current cost of finding and producing nonassociated gas in the Federal Domain.

³Including those contracts dated prior to Oct. 1, 1968, which under the special relief granted by Opinion 546-A are treated as having been executed on or after Oct. 1, 1968.

Phase II will be confined to a review of the just and reasonable rates for first and second vintage gas in Southern Louisiana. We recognize that Phase II will involve complex issues concerning both costing and regulatory methodology. It would appear, however, that data of the character previously utilized for costing of flowing gas, when coupled with the data adduced in Phase I of the proceeding, together with pertinent trend data, may provide a basis for the review of rates for first and second vintage gas. These matters should be explored at the prehearing conference and the necessary data obtained promptly.

DATA REQUIREMENTS

The parties to the prehearing conference previously held in AR69-1 were unable to reach agreement on the issue of the collection of data. We now proceed to a resolution of the disputed matters.

In view of our determination that the rates involved in this proceeding should be reviewed in phases, the following specific data will be required, in addition to the supply and demand evidence and other relevant data.

Phase I. (a) Published data used in determining the nationwide current cost of nonassociated gas, supplemented by such data to be furnished by the major respondents as were developed by questionnaire data in Docket No. AR61-2.

(b) Data necessary to determine the current cost of new nonassociated gas in the Southern Louisiana area, the data to be reported on a company-wide composite basis for the area. Producers operating both on and offshore shall report their data in such a manner as to allow the separate identification of costs incurred in the Federal Domain and disputed area. Data shall be reported by all original AR69-1 respondents. Small producers operating only in onshore Southern Louisiana may report their data but will not be required to complete the questionnaire.

(c) Producer data as to volumes of reserves in the offshore area not contracted to interstate pipelines and data on status of shut-in gas wells.

(d) Updated drilling cost data to be furnished by the producers.

(e) Supply and deliverability data to be furnished by the pipelines.

Phase II. Composite cost data of the major respondents in the Southern Louisiana area.

In the interest of expediting the proceeding we believe that data gathering should not be phased. This is not to say that the examiner, in the exercise of his judgment, may not allow the parties additional time within which to submit certain of the cost information, where warranted.

PROCEDURE

We shall order a prehearing conference herein to take place on Tuesday, January 27, 1970.

The staff is directed to serve on all of the parties at least 2 weeks prior to the prehearing conference, a draft of a questionnaire or questionnaires which it considers adequate to meet the cost and operating data requirements of this

order, together with a suggested prehearing order incorporating proposed stipulations and schedules. We anticipate that out of this conference will come substantial agreement on data requests, and an appropriate schedule for hearings. We desire to have this proceeding expedited in every way possible. We direct the Examiner to rule on data request issues at the earliest possible date, to issue necessary questionnaires quickly, and to provide for their prompt completion. The Examiner should provide for the introduction of direct evidence by all parties, including interveners and staff, on issues such as adequacy of supply, deliverability, demand forecasts and so forth, indeed all evidence which does not depend on the reported cost data, at an early date, and should also provide for rebuttal thereto. The Examiner should further set target dates for the serving of direct cost evidence, rebuttal thereto and the commencement of formal hearings.

The Commission finds: It is necessary and appropriate for purposes of carrying out the provisions of the Natural Gas Act, particularly but not in limitation of the foregoing, sections 5, 8, 10, 14, and 16 thereof, that the investigation and proposed rulemaking heretofore instituted in Docket No. AR69-1 be enlarged to encompass the entire Southern Louisiana area and all vintages of gas produced therefrom, in order to determine whether the just and reasonable rates prescribed in Opinions Nos. 546 and 546-A should be modified and whether fourth vintage area rate ceilings should be established applicable to gas sales from the area made under contracts dated on or after the final order in this proceeding.

The Commission orders:

(A) The investigation and proposed rulemaking heretofore instituted in Docket No. AR69-1 is hereby enlarged to encompass that portion of the State of Louisiana lying south of the 31° parallel, and including all areas, both State and Federal, in the Gulf of Mexico off the shore of Louisiana, and to encompass all vintages of gas produced therefrom.

(B) All producers who have rate schedules on file with the Commission for gas sales in Southern Louisiana who were not previously made respondents in Docket No. AR69-1 are listed in Appendix A, and are hereby made respondents in this proceeding.

(C) A conference will be held on Tuesday, January 27, 1970, in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C., commencing at 10 a.m., e.s.t., between respondents, interveners, and Commission staff concerning the issues and procedures to be followed herein. The Chief Examiner or an Examiner designated by him, shall preside at the conference hereby called. The staff is hereby directed to serve on all of the parties at least 2 weeks prior to the prehearing conference, a draft of a questionnaire or questionnaires which it considers adequate to meet the cost and operating data requirements of this order, together with a suggested prehearing order incorporating proposed stipulations and schedules.

(D) Any person desiring to intervene in this proceeding, not previously having intervened or otherwise made a party hereto, may, within 30 days of the date of issuance of this order, file a petition to intervene or notice of intervention as provided by § 1.8 of the rules of practice and procedure.

(E) The Secretary shall cause a copy of this order to be published in the FEDERAL REGISTER and served upon each of the respondents to this proceeding and upon interested State Commissions as is provided for in § 1.19 of the Commission's rules of practice and procedure.

By the Commission.

[SEAL] GORDON M. GRANT,
Secretary.

APPENDIX A

ADDITIONAL RESPONDENTS

Aladdin Petroleum Corporation.
Aladdin Producing Co., Inc.
Alco Oil & Gas Corporation.
American Natural Gas Producing Co.
American Petrofina Co. of Texas.
American Well Service and Salvage, Inc., and
Ancco Petroleum Corp.
Anadarko Production Company.
An-Son Corporation.
Apache Corporation.¹
Aquitaine Oil Corporation.
Arnold, Agnes Cullen.
Arnold, Isaac.
Ashland Oil and Refining Company.
Associated Oil and Gas Explor., Inc.
Azar, Dr. Paul J.
Aztec Oil and Gas Company.
Ballard and Cordell Corporation.
Barnwell Production Company.
Bass, Perry R.
Bass, Perry R., Incorporated.
Bateman, Earl G., d.b.a. Bateman Drilling
Company.
Beck Oil Company.
Bel Oil Corporation.
Belco Petroleum Corporation.
Bintliff, David C.
Birthright Oil Company.
Bluebonnet Gas Corporation.
Bradoo Oil and Gas Company.
Bradoo Properties Incorporated.
Browder, Charles D., Jr.
Brown, George R.
Arnold H. Bruner and Company.
William T. Burton Industries Inc.
CRA Incorporated.
F. A. Callery Incorporated.
Callery Properties Incorporated.
Carter, Reese E.
Cenard Oil and Gas Company.
Central Equipment Rentals, Inc.
Chance, R. L., Sr.
Circle Drilling Company Inc.
Citiles Service Company.
Clinton Oil Company.
Coastal States Gas Prod. Co.
Cocke, W. H.
Cockrell, E., Jr.
Cole, Howard S., Jr.
Conover, William V.
Continental Inter-State Gas Co.
Cordell, J. H.
Coubia Oil Company.
Courtney, E. A.
Cox, Edwin L.
Crow David Trustee.
Crown Central Petroleum Corp.
Cunningham, James M.
Cyprus Oil Company.
Dalton, W. F. Trustee.
Damsen Exploration Corp.

Damsen Exploration Corp., Hutcheson, L. B.
and Dirks, Wayne D., d.b.a. Solatex Petro-
leum Co.
Davis Oil Company.
Del Oil and Gas Corporation.
Delta Drilling Company.
Delta Gulf Drilling Company.
Despot Incorporated.
Despot, George J.
Diamond Shamrock Corporation.
Diversa Incorporated.
Dixon Management Corporation.
Dorn and Miller Company.
Dow Chemical Company.
Drew Petroleum Incorporated.
Eason Oil Company.
Edgewater Oil Company Inc.
El Tres Petroleum Corporation.
Elsbury, Jos W., Jr.
Exchange Oil Company Limited.
Exchange Oil and Gas Company.
Falcon Seaboard Drilling Company.
Fidelity Oil and Royalty Company.
Fikes, Leland.
Frankel Oil and Gas Company.
Franks, John.
Franks Petroleum Incorporated.
Freeport Oil Company.
Gas Gathering Corporation.
Gilger, C. C.
Glasscock Chapman Incorporated.
Glassell, Alfred C., Jr.
Goodrich, H. R.
Goodrich, Hugh.
Goodrich, R. H.
Great American Minerals Company.
Great Southern Oil and Gas Co. Inc.
Great Yellowstone Corporation.
Grigsby, Jack W.
Gruy Management Service Company.
H-Tex Incorporated.
Halbouty, Michel T.
Harang, Jack F. and
Johnson, Joseph A.
Harbor Oil Company Incorporated.
Hawkins, H. L.
Hawkins, H. L. and H. L., Jr.
Hawthorne, Hugh A.
Hells Petroleum Corporation.
Hells, William O., Estate of.
Henderson, J. Harry, Jr.
Herrington, Mrs. Louise H.
Hester, B. M.
Hibbert, R. E., Agent.
Highland Resources Incorporated.*
Homa Oil and Gas Company.
Homer, Joseph F. and
Homer, Grace.
Hubbard, R. E., Jr.
J. M. Huber Corporation.
Hudson, E. J.
Hudson Gas and Oil Corp.
Roy M. Huffington Inc.
Hunt, H. L.
Hassie Hunt Trust.
Hunt Industries.
Hunt, Lamar.
Hunt, Lyda-Bunder Trusts.
Hunt, Lyda-Caroline Trusts.
Hunt, Lyda-Herbert Trusts.
Hunt, Lyda-Lamar Trusts.
Hunt, Lyda-Margaret Trusts.
Hunt, William Herbert Trust.
Hurley Oil and Gas.
Hurt Oil and Gas Corporation.
Jameson, F. E.
Johnston, Jack M.
Jones, Joseph M.
Kaplyn, T. Harry.
Kellerman, R. E.
Kilroy Properties Inc.
King, A. P., Jr.
King Resources Company.
Klempeter, T. W.
Jack E. Koch Oil Co. Inc.

LaCoastal Petroleum Corp.
Lake Washington Inc.
Lameson and Bennett Inc.
Landa Oil Company.
Langton, Claude M. Trustee.
Lawrence Oil Incorporated.
Levy, Nathan A., Jr.
Lyons and Logan.
Lyons, C. H., Sr.
Lyons Petroleum.
M.P.S. Production Co. Inc.
McCain, M. F.
McCarter, W. B., Jr.
McCord, Charles T., Jr., d.b.a. McCord Oil
Company.
McCormick, Sanford E.
McGhee, George C.
McIntyre, T. J.
McIntyre, T. J., d.b.a. McIntyre Oil Company.
McKnight, William L., d.b.a. LaGorce Oil
Company.
McLean, Harvey.
McMoran Properties Incorporated.
McWilliams-Moffett Corporation.
Magna Oil Corporation.
Main, Vernon J., Jr.
Marr, M. H.
Mayfield, M. L.
Mayronne, R. W., Jr., d.b.a. Riverside Oil
Company.
Mecom, John W.
Midwest Oil Corporation.
Miller, Irwin.
Mitchell, George and Assoc. Inc.
Moore, Homer T.
Mosbacher, Robert.
Nesbitt, William J.
Newsham, John Chauncey.
Nichols Oil and Gas Company.
North Central Oil Corporation.
O'Meara, M. P.
O'Meara, Robert W.
Occidental Petroleum Corporation.
Offshore Exploration Corporation.
Ogden, Roger H. and Schneider, George W.,
Jr.
Oil and Gas Futures Inc. Texas.
Oil and Gas Property Management Inc.
Owen, J. P.
Pano Tech Exploration Corp.
Peltier, Harvey.
Pel-Tex Petroleum Co. Inc.
Penton, Ruth I. and Penton, D. N., d.b.a.
Penton and Penton.
Petroleum Gas Producing Co.
Petroleum Incorporated.
Pioneer Oil and Gas Co. Inc.
Plaguemines Oil and Gas Co.
Prentice, Robert B.
Procter, Sterrett B.
Pubco Petroleum Corporation.
Rebstock and Reeves Drilling Co.
Robichaux, D. J., Jr.
Rowe, David A.
Royalite Oil Company Inc.
Rutherford, P. R.
Rycade Oil Corporation.
Sabinol Corporation.
Sands, Caroline Hunt.
Secure Trusts.
Sheldon, Joseph S., Jr.
Singer-Fleischaker Oil Co.
Sklar Producing Company Inc.
South Shore Oil and Devel. Co.
South Texas Natural Gas Gathering Co.
Southdown Burmah Oil Company.
Southdown Incorporated.
Southeastern Public Service Co.
Southern Minerals Corporation.
South Natural Gas Company Joint Venture.
Southland Royalty Company.
Southwest Gas Producing Co. Inc.
State Exploration Company.
Strautberg, A. T.
Stokes, Winston L.
Sword Company.
Tex-Star Oil and Gas Corp.
Texas City Refining Inc.

¹Successor to Zapata Offshore Company.

* Successor to Highland Oil Company.

Texas Crude Oil Company.
 Texas Crude Oil Incorporated.
 Texas Gulf Sulphur Company.
 Texas Oil and Gas Corp.
 Texas Petroleum Gas Company.
 Textstar Corporation, The.
 Thompson, Craft.
 Toce, Paul M.
 J. C. Trahan Drilling Cont. Inc.
 Transocean Oil Incorporated.³
 Tribune Oil Corporation.
 Trice Production Company.
 U.S. Oil of Louisiana Ltd.
 Valley Gas Transmission Inc.
 Viking Oil Corporation.
 Vincent and Welch Incorporated.
 WSC Corporation.
 W. W. F. Oil Corporation.
 Walker, Weir.
 Walker, Willard E.
 Walker, W. E. and Meeker Jr. (Operators).
 Warren American Oil Company.
 Weaver, Curt.
 Webster, C. B.
 Weiner, Ted.
 Whipple, W. J. N. and Stall, A. H.
 Incorporated.
 Whitaker, Douglas.
 Whitestone Petroleum Corp.
 Wigwam Production Corp.
 Williams Brothers Company.
 J. E. Williams Incorporated.
 Wilson Exploration Company.
 Woodfin, Gene M. Trustee.
 Woods Oil and Gas Company.
 Woods Petroleum Corp.
 Wrightsman, Charles B.
 Marshall R. Young Oil Co.

[F.R. Doc. 69-15029; Filed, Dec. 17, 1969;
 8:48 a.m.]

[Docket No. CP70-147]

EL PASO NATURAL GAS CO.

Notice of Application

DECEMBER 10, 1969.

Take notice that on December 4, 1969, El Paso Natural Gas Co. (Applicant), Post Office Box 1492, El Paso, Tex. 79999, filed in Docket No. CP70-147 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction, during the calendar year 1970, and operation of certain natural gas facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to offset declining reservoir pressures and to maintain present delivery capability from the San Juan Basin area for the 1970-71 heating season by installing an additional maximum total of 17,000 compressor brake horsepower and related appurtenances. Applicant states that such horsepower will be installed at existing and new stations as required in the San Juan Basin area, and will permit a further general reduction in operating pressures of some 60 to 70 p.s.i.a., throughout the gathering systems for the purpose of offsetting anticipated further decline in reservoir pressure.

The total estimated cost of the proposed facilities will not exceed \$10,500,000, and will be financed by use of working funds supplemented by short-term borrowings.

³ Successor to J. Ray McDermott and Company, Incorporated.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 2, 1970, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

GORDON M. GRANT,
 Secretary.

[F.R. Doc. 69-14989; Filed, Dec. 17, 1969;
 8:46 a.m.]

[Docket No. RP70-15]

NATURAL GAS PIPELINE COMPANY OF AMERICA

Order Authorizing the Filing of Proposed Revised Tariff Sheets and Prescribing Conditions

DECEMBER 9, 1969.

On November 10, 1969, Natural Gas Pipeline Company of America (Natural) tendered for filing a motion by which it seeks Commission approval of a specific method of "tracking" increased costs of gas purchased from its suppliers. Natural, as an alternative, tendered for filing revised tariff sheets¹ which would increase its jurisdictional rates by approximately \$4,230,000 annually as of December 10, 1969.

¹ Ninth revised sheet No. 6; third revised sheet No. 10-A; ninth revised sheet No. 12; third revised sheet No. 14-A; ninth revised sheet No. 15; fifth revised sheet No. 17; ninth revised sheet No. 18; tenth revised sheet No. 19-A; ninth revised sheet No. 19-B; second revised sheet No. 19-E and fourth revised sheet No. 25-O.

By Order of June 26, 1969, in Docket No. RP69-36, the Commission provided for hearing on the issues therein, which include the question whether a purchased gas cost adjustment provision should be included in Natural's Tariff. That order: *Provided, however*, That during the pendency of that proceeding, Natural would not be precluded from requesting permission to track supplier rate increases. The purchased gas cost adjustment issue was not included in the first phase of that proceeding and hearings in the second phase have not yet commenced.

Natural states that it is seeking approval of its tracking method in order to avoid the necessity of a rate change filing to reflect supplier rate increases not included in its currently pending rate increase filing in Docket No. RP69-36. Colorado Interstate Gas Co., one of Natural's pipeline suppliers, has made a rate change filing, noticed on October 9, 1969, to be effective November 18, 1969. The Commission has suspended the increase until April 18, 1970. The rate changes proposed by Colorado will increase Natural's purchased gas cost by approximately \$2,400,000 annually. United Gas Pipe Line Co., another of Natural's pipeline suppliers, has also made a rate change filing which would raise Natural's costs by about \$1 million per year. Certain of Natural's other gas suppliers have filed smaller increases in rates over those rates upon which Natural's rate filing in Docket No. RP69-36 were based.

By notice issued November 17, 1969, herein, December 3, 1969, was set as the final date for the submission of protests or petitions to intervene in this proceeding. Petitions to intervene have been filed by three of Natural's customers. No protests have been filed.

In general, Natural's proposed tracking method provides that Natural will file from time to time revised tariff sheets increasing or decreasing all rates and charges under its then effective CD-1, CD-2, PL-1, G-1, G-2, I-1 and WS rate schedules to reflect supplier rate changes. Such rate changes may reflect the full amount of rate changes by Natural's pipeline suppliers, and may reflect up to a net aggregate increase of 0.5 cent per Mcf per year from its other suppliers. Refunds of any of the increased supplier rates relating to increases made in accordance with this procedure would be flowed through to its jurisdictional customers. Revised tariff sheets submitted in accordance with this proposal would become effective 30 days after filing. No change in rates would be made under this proposal until the net aggregate of increases and decreases in the supplier rates involved would produce an increase or decrease in Natural's rate schedule CD-1 commodity charge of at least 0.02 cent per Mcf, (and commensurate changes in Natural's other rates and charges, which are calculated on the basis of the CD-1 charges). Natural's right to make any rate changes under this proposal would terminate on December 1, 1970. Any rate changes hereunder would be computed as hereinafter provided.

In the event that the use of such estimated purchase volumes results in Natural's receiving revenues during the 12 months ending November 30, 1970, in excess of \$200,000 over what would have been received if actual volumes for such period were utilized, Natural shall within 60 days from December 1, 1970, refund such excess to its jurisdictional customers.

As a part of its Motion filed on November 10, 1969, Natural submitted an alternative notice of rate change and revised tariff sheets related thereto, proposing an alternative rate increase to cover increased purchased gas costs, but only in the event that the Commission denied the "tracking" increase proposal. In view of the fact that by this order we are granting the "tracking" increase proposal motion, the alternative notice of rate change and accompanying tariff sheets are now considered to have been withdrawn.

It appears, however, that Natural's proposal of 0.02 cent per Mcf as a minimum rate increase filing under this authorization would permit such frequent filings that an unreasonable administrative burden could result. Subsequent to Natural's filing herein, the Company informed the Commission Staff that a 90-day limitation on filings, exclusive of those reflecting increases of its pipeline suppliers, would not be inappropriate. Accordingly, we shall herein authorize Natural to make no more than one rate filing in any 90-day period except in order to track the major rate increases of its pipeline suppliers which appear imminent. As provided in our recent orders concerning similar tracking proposals, the procedure herein authorized should also be conditioned to provide that Natural may not effectuate its proposed rate increases unless and until the increased purchased gas costs reflected therein are actually being incurred.

The Commission finds: Good cause exists to grant Natural's motion filed November 10, 1969.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 14 thereof, the Commission's rules of practice and procedure, and regulations under the Natural Gas Act (18 CFR, ch. I), permission is hereby granted for the filing of revised tariff sheets pursuant to Natural's proposed procedure as herein conditioned:

(B) The filings authorized hereby shall be made on the following conditions:

(1) Natural may, from time to time until December 1, 1970, file with the Commission as part of its FPC Gas Tariff, Second Revised Volume No. 1, revised tariff sheets pursuant to this order, necessary to reflect increases, and Natural shall file revised tariff sheets to reflect decreases, if any, in the rates thereunder, based upon increases or decreases in the cost of Natural's purchased gas, computed in accordance with the following provisions of this paragraph (B).

(2) Increases or decreases in Natural's CD-1, CD-2, G-1, G-2, PL-1, I-1 and

WS rates made pursuant to this order shall reflect only those changes in the cost of gas purchased by Natural from fields and sources and under those FPC gas rate schedules of suppliers which are included: (a) in the purchased gas cost computation underlying the rates filed by Natural on May 29, 1969 in Docket No. RP69-36 (shown in Exhibit 69 of that proceeding), as amended by the increased purchased volumes underlying the rates in Natural's October 31, 1969, filing therein; or (b) which are included in the purchased gas cost computation underlying any superseding rates determined in that proceeding.

(3) The aggregate net increase in Natural's CD-1, CD-2, and PL-1 commodity charges made by filings pursuant to this order to track producer rate increases shall not exceed 0.5 cent per Mcf per year (at 1,000 B.t.u. per cf and 14.65 p.s.i.a.), with equivalent increases in all other rates and charges under said Rate Schedules CD-1, CD-2, and PL-1 (other than the demand charges) and in all rates and charges under Rate Schedules G-1, G-2, I-1 and WS. No limitation shall be applicable to Natural's rate increases tracking its pipeline suppliers' rate increases.

(4) No change in rates shall be made hereunder until the net change in Natural's annualized cost of purchased gas under the applicable supplier rate schedules referred to in paragraph (2) above, determined as herein provided, produces an increase or decrease in Natural's Rate Schedule CD-1 commodity charge of at least 0.02 cent per Mcf (and commensurate changes in Natural's other rates and charges which are calculated on the basis of the CD-1 charges), based on the billing determinants upon which the rates in effect at the time when the tracking rate change is filed hereunder were based.

(5) The annualized cost of gas purchased by Natural under each supplier rate schedule shall be determined by the application of the supplier rate in effect as of the date of the filing by Natural hereunder, or the supplier rate that will be in effect on or before the proposed effective date of such filing by Natural hereunder to the volume of purchased gas, relative to such supplier, which was utilized in the cost of purchased gas schedule upon which Natural's rates in effect at the time when the tracking rate change is filed hereunder, were based.

(6) The amount of any net change in the annualized cost of purchased gas shall be the difference between the annualized cost of purchased gas computed in accordance with the above subparagraph (5), and the amount that would have been paid to such supplier, as determined by use of the supplier rates upon which Natural's rates which are in effect at the time when the tracking rate change is filed hereunder were based. Natural is authorized to file and make effective revised tariff sheets which shall contain rates changed to reflect changes in revenues equal to the total of the amounts of net change in the annualized cost of purchased gas relative to each

supplier, as computed above, less the net effect of the changes used in determining rates for previous filings under this order, if any. In computing such changed rates of Natural, changes under Rate Schedules CD-1, CD-2, and PL-1 shall be made to the commodity charges thereunder; adjustments shall be made to all other rates and charges under said Rate Schedules CD-1, CD-2 and PL-1 (other than the Demand Charge) and to all rates and charges under Rate Schedules G-1, G-2, I-1 and WS in such a manner as to retain the same rate design relationship among the rates and charges under such Rate Schedules as existed prior to the subject filing.*

(7) Revised tariff sheets filed in accordance herewith shall become effective 30 days after filing or such later date as Nature proposes.

(8) Natural's filings made pursuant to this authorization shall reflect only supplier rates which are effective as of the date of such filings, or which will become effective pursuant to motions then on file with the Commission prior to the proposed effective date of Natural's tracking increase.

(9) The period between rate change filings hereunder which are based all or in part upon producer rate changes shall be at least 90 days. This limitation shall not apply to Natural's filings hereunder reflecting rate increases or reductions of its pipeline suppliers.

(10) If, as a result of any order of the Commission which becomes final and no longer subject to review, Natural shall receive refunds, including interest, under any supplier rate schedule, which are applicable to increased rates collected thereunder which have been reflected in changes in Natural's rates by filings made hereunder, Natural shall refund to its jurisdictional customers, without further interest thereon, the jurisdiction portion of such amounts, within 30 days after accumulation of \$200,000 or more, except for the final refund which shall be made if, but only if, the total amount remaining refundable is \$50,000 or more.

(11) If, as a result of the use of the estimated purchase and sales volumes in the computations provided for herein, Natural receives revenues during the 12-month period ending November 30, 1970, from any rate increases made effective hereunder, in excess of \$200,000 over the revenues that Natural would have received from said rate increases during said period if actual purchase and sales volumes for such period had been used in the computations, Natural shall within sixty days from December 1, 1970, refund such excess to its jurisdictional customers.

(12) Natural's rate change filings made pursuant to this authorization shall contain the following information: (a) A schedule in the format of Exhibit II of Natural's motion of November 10, 1969, herein, showing supplier rate increase data. In addition to the information

* As shown in Exhibit 86, Docket No. RP69-36.

[Project No. 2685]

POWER AUTHORITY OF THE STATE OF NEW YORK

Notice of Application for Approval of Exhibits for Proposed Project Transmission Lines

DECEMBER 11, 1969.

shown in said Exhibit II, such schedule shall state the effective dates and docket numbers of all supplier rate increases contained therein; (b) Information, as required by subparagraph (a) above, showing all known rate decreases of Natural's suppliers which will become effective on or before the proposed effective date of Natural's tracking rate change; and (c) A complete showing of all billing units and computations utilized in arriving at Natural's proposed rates.

(C) The issuance of this order and approval of the tracking increase procedure set forth herein does not preclude Natural from prosecuting its application for inclusion of a purchased gas adjustment provision in its tariff to be effective on or after December 1, 1970.

(D) As a condition of this order, Natural shall execute and file in triplicate with the Secretary of this Commission within twenty (20) days of the date of this order, its written agreement and undertaking to comply with the terms of subparagraphs (B) (10) and (B) (11) hereof, signed by a responsible officer of the corporation, evidenced by proper authority from its Board of Directors, and accompanied by a certificate showing service of copies thereof upon all purchasers under the tariff sheets involved and upon all parties of record in this proceeding, as follows:

Agreement and undertaking of Natural Gas Pipeline Company of America to comply with the terms and conditions of subparagraphs (B) (10) and (B) (11) of the Federal Power Commission order issued December 11, 1969, in Docket No. RP70-15.

In conformity with the requirements of the order issued December 11, 1969, in Docket No. RP70-15, Natural Gas Pipeline Company of America hereby agrees and undertakes to comply with the terms and conditions of subparagraphs (B) (10), and (B) (11) of said order and has caused this agreement and undertaking to be executed and sealed in its name by its officer, thereupon duly authorized in accordance with the terms of the resolution of its Board of Directors, a certified copy of which is appended hereto, this day of _____, 1969.

NATURAL GAS PIPELINE COMPANY
OF AMERICA

By _____

ATTEST:

Secretary

(E) The alternative notice of rate change and revised tariff sheets related thereto which Natural submitted as a part of its motion filed on November 10, 1969, are hereby deemed to have been withdrawn.

By the Commission.

[SEAL]

GORDON M. GRANT,
Secretary.

[P.R. Doc. 69-14987; Filed, Dec. 17, 1969;
8:46 a.m.]

Public notice is hereby given that application has been submitted by Power Authority of the State of New York, licensee for Project No. 2685 (correspondence to W. S. Chapin, General Manager, Power Authority of the State of New York, 10 Columbus Circle, New York, N.Y. 10019), pursuant to Article 34 of the license for approval of Exhibits J, K, and M relating to the three 345 kv. transmission lines included in the license and to be constructed as parts of the project. This project, known as the Blenheim-Gilboa Pumped-Storage Project, will be located along the middle reaches of Schoharie Creek in the towns of Blenheim and Gilboa, Schoharie County, N.Y., some 40 miles southwest of Albany, N.Y.

The licensee is requesting approval of specific exhibits showing the design and location of the three project lines. All three lines will originate at the project switchyard adjacent to the powerplant. One line will extend to the existing New Scotland Substation of Niagara Mohawk Power Corp., located at a point southwest of Albany; the second will extend to that company's Leeds Substation to be constructed near Catskill; and the third will extend to New York State Electric & Gas Corp.'s Fraser Substation to be constructed near Delhi. The exhibits and other information submitted by the licensee describe the three lines as follows:

GILBOA-NEW SCOTLAND LINE

This line will leave the project in a northeasterly direction through the town of Gilboa in Schoharie County and will pass between Brown Mountain and Reed Hill. The line will continue to the north of Mackey, crossing County Highway 53 before shifting to a more easterly direction, where it will cross Keyzer Kill Creek, County Highway 17 and extend into the town of Broome. The line will continue in a northeasterly direction through the town of Broome, across Catskill Creek and State Highway 145, where it will enter the Town of Rensselaerville in Albany County. Triangle Lake lies about 2,500 feet south of the point where the line will cross County Highways 12 and 10. The line will turn slightly in an easterly direction and run parallel to and just south of the Berne-Rensselaerville town line. After crossing County Highway 6, the line will extend into the town of Westerlo and run parallel to and just south of the Berne-Westerlo town line. The line will cross County Highways 408, 1, and 2 and pass about midway between South Berne and Lake Onderdonk. After turning slightly to the north, the line will extend into the town of Berne where it will cross County Highways 14 and 11 and State Highway 85 just north of Braman Corners. The line

will proceed into the town of New Scotland where it will again cross State Highway 85 and Onesquethaw Creek at a point just north of Clarksville. The line will then extend to the south of Vly Creek Reservoir. Once past the reservoir, the line will meet and parallel an existing Niagara Mohawk Power Co. transmission line on a contiguous right-of-way and the project line will continue to its terminus at the existing New Scotland Substation which is located between New Scotland South Road and the Penn Central Railroad approximately 1 mile northwest of Unionville.

GILBOA-FRASER LINE

This line will leave the project in a southwesterly direction through the town of Gilboa in Schoharie County where it will cross Schoharie Creek and State Highway 30 several hundred feet north of the intersection of that highway with County Highway 13. The line will continue in a southwesterly direction across County Highway 14, Bear Kill Creek, the tracks of the Penn Central Railroad and State Highway 23, all located in the vicinity of the Schoharie and Delaware County lines. The line will cross a portion of the town of Roxbury and continue into the town of Stamford, both of which are located in Delaware County. The line will extend south of McGregor Mountain and pass midway between McGregor Mountain and the Moresville Mountain Range. The line will then turn in a more southerly direction, across Town Brook and will pass south of Cowan Mountain in the vicinity of Narrow Notch. The line will continue in a southwesterly direction through the town of Bovina south of Mount Warren, across Brush Brook north of Bovina Center, and will extend into the town of Delhi where it will cross the Little Delaware River and State Highway 28. After crossing Arbuckle Hollow Creek, the line will turn in a northwesterly direction to pass south of Scotch Mountain and cross Holmes Hollow Brook, where it will turn to the northwest and extend to the site of the proposed Fraser Substation to be located west of State Highway 10, 1 mile north of the village of Fraser, near the West Branch Delaware River.

GILBOA-LEEDS LINE

This line will leave the project in a southeasterly direction through the towns of Gilboa and Conesville in Schoharie County and will pass between Brown Mountain and Reed Hill. The line will cross Platter Kill, County Highway 59, Bear Kill, County Highway 18, Manor Kill, and County Highway 3 and will pass about 3,000 feet north of Steenburg Mountain. The line will then proceed in a more southeasterly direction, extending into the town of Durham in Greene County to a point about 3,000 feet north of Mount Pisgah. The line will extend in a southeasterly course and pass north of Cornwallville Creek, Thorp Creek and County Highway 20. The line then will pass south of East Durham and will cross Bowerly

Creek and State Highway 145. The line will then turn more easterly and extend into the town of Cairo in Greene County where it will cross Catskill Creek, State Highway 32 and County Highway 41. The line will continue through Greene County across County Highway 67 and extend through the Pottic Mountain Range. The line will extend across County Highway 49, the New York Thruway (Interstate Route 87), and U.S. Highway 9W before turning east to its terminus at the site of the proposed Leeds Substation to be located in the town of Athens, 2 miles west of the Hudson River and 2 miles north of Catskill.

Any person desiring to be heard or to make any protest with reference to said application should on or before February 6, 1970, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

GORDON M. GRANT,
Secretary.

[P. R. Doc. 69-14988; Filed, Dec. 17, 1969;
8:46 a.m.]

[Project No. 2113]

WISCONSIN VALLEY IMPROVEMENT CO.

Notice of Application for Amendment of License for Constructed Project

DECEMBER 11, 1969.

Public notice is hereby given that application for amendment of license has been filed under the Federal Power Act (16 U.S.C. 791a-825r) by Wisconsin Valley Improvement Co. (correspondence to: R. C. Wylie, Vice President and General Manager, Wisconsin Valley Improvement Co., Post Office Box 988, Wausau, Wis. 54401), for constructed Project No. 2113, located on the Wisconsin River and tributaries thereof in the State of Wisconsin.

The application seeks approval to construct the New Wood reservoir (to be located in Lincoln County near Merrill and Tomahawk) to augment the licensee's present system of 21 dams and reservoirs along the Wisconsin River and its tributaries which store water for such purposes as downstream power production, flood control, navigation, pollution abatement, and public recreation. The proposed New Wood development would consist of an earthen dam about 2,200 feet long and 28 feet high with a concrete outlet structure and a reservoir with 17,900 acre-feet of active storage capacity. At normal maximum pool elevation, 1,457 feet MSL (U.S.C. and G.S.

datum) the reservoir would have an area of about 2,350 acres. According to the application, the reservoir would provide for public fishing, camping, picnicking, and boating, public access routes and a boat ramp. An additional boat ramp and possible development of swimming beaches, hiking and horseback riding trails are planned for the future as the need arises.

Any person desiring to be heard or to make any protest with reference to said application should on or before February 10, 1970, 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 a proceeding. Persons wishing to become parties 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.

GORDON M. GRANT,
Secretary.

[P.R. Doc. 69-14990; Filed, Dec. 17, 1969;
8:46 a.m.]

FEDERAL RESERVE SYSTEM

COMMERCE BANCSHARES, INC.

Notice of Application for Approval of Acquisition of Shares of Bank

Notice is hereby given that application has been made, pursuant to section 3(a) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)), by Commerce Bancshares, Inc., which is a bank holding company located in Kansas City, Mo., for prior approval of the acquisition of more than 80 percent of the voting shares of Tipton Farmers Bank, Tipton, Mo.

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

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

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

Section 3(c) further provides that, in every case, the Board shall take into consideration the financial and managerial resources and future prospects of the company or companies and the banks

concerned, and the convenience and needs of the community to be served.

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

Dated at Washington, D.C., this 12th day of December 1969.

By order of the Board of Governors.

[SEAL] ROBERT P. FORRESTAL,
Assistant Secretary.

[P.R. Doc. 69-14991; Filed, Dec. 17, 1969;
8:46 a.m.]

UNITED CALIFORNIA BANK

Order Approving Merger of Banks

In the matter of the application of United California Bank for approval of merger with El Dorado State Bank.

There has come before the Board of Governors, pursuant to the Bank Merger Act (12 U.S.C. 1828(c)), an application by United California Bank, Los Angeles, Calif., a State member bank of the Federal Reserve System, for the Board's prior approval of the merger of that bank and El Dorado State Bank, Napa, Calif., under the charter and name of United California Bank. As an incident to the merger, the office of El Dorado State Bank would become a branch of the resulting bank. Notice of the proposed merger, in form approved by the Board, has been published pursuant to said Act.

Upon consideration of all relevant material in the light of the factors set forth in said Act, including reports furnished by the Comptroller of the Currency, the Federal Deposit Insurance Corporation, and the Attorney General on the competitive factors involved in the proposed merger,

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 said merger 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 San Francisco pursuant to delegated authority.

Dated at Washington, D.C., this 11th day of December 1969.

By order of the Board of Governors.

[SEAL] ROBERT P. FORRESTAL,
Assistant Secretary.

[P.R. Doc. 69-14992; Filed, Dec. 17, 1969;
8:46 a.m.]

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

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

FEDERAL TRADE COMMISSION

USE AND ADVERTISING OF COUPONS ENCLOSED IN PACKAGES OF CONSUMER PRODUCTS

Enforcement Policy

The Federal Trade Commission has recently been alerted to certain unfair practices in the use and advertising of coupons enclosed in packages of consumer products. Many manufacturers have been placing unreasonably short expiration dates upon the coupons enclosed in packages, with the result that the coupons have already expired when the product is bought and the package opened by the consumer. Consumers are thus induced to buy a product only to find that the enclosed coupon is worthless.

Many manufacturers have also failed to disclose on labels and in advertising that the coupon enclosed in the package has certain other limitations—for example, that it is good only for a price reduction on the next purchase of the item being sold, or that it is good only for a price reduction on the future purchase of a different product. While the coupons have been so limited, the label and advertising have contained only such bare description as "a valuable coupon enclosed" or "a 50¢ coupon inside". Thus, the consumer may be induced to buy the product in the expectation that he will have some definite use for the coupon, only to find later that the coupon is valuable on the purchase of an item he has no use for. It is an unfair practice to entice consumers to buy a product by an alluring reference, on the label or in advertising, to a coupon that is enclosed without also giving the facts necessary for a consumer to know whether that coupon will actually be of value to him.

The Commission believes that manufacturers, distributors, and advertising agents should take the following action to correct immediately such practices, or similar practices. First, coupons enclosed in consumer products must contain no expiration date; or if one is deemed necessary, it must be such as to allow purchasers of the product at least 6 months for redemption. Second, manufacturers who choose to state on labels or in advertising that a coupon is enclosed in the consumer product, must clearly and conspicuously disclose in conjunction therewith all the material terms, conditions, and limitations of the coupon—for example, that it is valuable only in obtaining a reduction on the next purchase of the same item, or on the purchase of a different size of that same product, or on the purchase of a different product altogether.

The Commission believes that each manufacturer and distributor of products using enclosed coupons should carefully review its advertising, labels, and coupons and determine whether it is complying with the guidelines set forth in this statement. The Commission expects that any new promotions instituted after January 1, 1970, will fully comply

with the guidelines set forth in this statement.

Should a subsequent investigation disclose that such changes have not been made, and the relevant facts show there is a violation of law, the Commission will move within the scope of its jurisdiction and remedial powers to correct the illegality. Where it is shown that a particular company has engaged in illegal acts and practices, it will not be a defense or justification to show that other companies are also engaged in similar activities.

The Commission recognizes that this statement of enforcement policy is necessarily cast in general terms and that questions may arise concerning its application to particular cases. The Commission's Bureau of Industry Guidance will be available to advise and assist industry members to conform their practices to the guides set forth in this statement.

Approved: November 26, 1969.

By direction of the Commission:

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 69-15017; Filed, Dec. 17, 1969;
8:48 a.m.]

OFFICE OF EMERGENCY PREPAREDNESS

IOWA

Amendment to Major Disaster Declaration of August 14, 1969

The first paragraph of the Major Disaster Declaration for the State of Iowa dated August 14, 1969, notice of which was published on August 22, 1969 (34 F.R. 13570), is amended to read as follows:

I have determined that the damages in those areas of the State of Iowa adversely affected by severe storms, heavy rains, and flooding beginning on or about June 25, 1969, are of sufficient severity and magnitude to warrant a major disaster declaration under Public Law 81-875. I, therefore, declare that such a major disaster exists in Iowa.

The change in the description of the disaster permits Federal assistance to cover damages resulting from wind and severe storms at the time of the flooding.

The Notice of Major Disaster is further amended to include the following county among those counties determined to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of August 14, 1969:

The county of:

Worth.

Dated: December 11, 1969.

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

[F.R. Doc. 69-15001; Filed, Dec. 17, 1969;
8:47 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 500-1]

LES STUDS CORP.

Order Suspending Trading

DECEMBER 11, 1969.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Les Studs Corp. and all other securities of Les Studs Corp. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period December 11, 1969, through December 20, 1969, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 69-15003; Filed, Dec. 17, 1969;
8:47 a.m.]

PUTNAM INVESTMENT PROGRAMS FOR THE ACCUMULATION OF SHARES OF THE PUTNAM GROWTH FUND ET AL.

Notice of Application for Approval of Offer of Exchange

DECEMBER 11, 1969.

In the matter of Putnam Investment Programs for the accumulation of shares of the Putnam Growth Fund, Putnam Investment Programs for the accumulation of shares of the George Putnam Fund of Boston, Putnam Investment Programs for the accumulation of shares of Putnam Vista Fund, Inc., the Putnam Programs Corp., Putnam Fund Distributors, Inc., and Mutual Fund Associates, Inc., 265 Franklin Street, Boston, Mass. 02110.

Notice is hereby given that Putnam Investment Programs for the accumulation of shares of the Putnam Growth Fund ("Growth Programs"), Putnam Investment Programs for the accumulation of shares of the George Putnam Fund of Boston ("George Programs"), Putnam Investment Programs for the accumulation of shares of Putnam Vista Fund, Inc., ("Vista Programs"), all of which are registered as unit investment trusts under the Investment Company Act of 1940 ("Act") (hereinafter collectively the "Trusts"), the Putnam Programs Corp. ("PPC"), Putnam Fund Distributors, Inc. ("Distributors") and Mutual Fund Associates, Inc. ("MPA"), (hereinafter all of the foregoing collectively "Applicants") have filed an application pursuant to sections 11(a) and 11(c) of the Act for approval of an offer of exchange described below. All interested persons are referred to the application on file with the Commission for a statement of Applicants'

representations which are summarized below.

The Putnam Growth Fund, The George Putnam Fund of Boston and Putnam Vista Fund, Inc. (the "Funds"), the shares of which are respectively the underlying investment for the above named Trusts are all open-end management investment companies registered under the Act. PPC is the sponsor-depositor for the Trusts; Distributors and MFA are the principal underwriters for the Trusts and Funds.

Each of the Funds has a different investment objective. Shareholders of each of the Funds are permitted, on proper application and the payment of a single transaction service charge of \$5, to exchange at net value their shares of one of the Funds for shares equivalent in the then dollar value of another of the Funds. Applicants represent that it is desirable for the holders of Program Certificates of the Trusts also to be able to transfer their investment from one of the Trusts to another of the Trusts when their investment needs and desires change, without suffering a second imposition of the sales and other charges to the extent that they have already been prepaid and without suffering any diminution in the rights and privileges granted to holders of Program Certificates.

It is proposed, therefore, that each of the Trusts offer to the holders of the other Trusts an opportunity whereby, upon payment of a single transaction service charge of \$5, an investment in one Trust might be liquidated at the net asset value thereof and the proceeds reinvested in another Trust at net asset value without imposition of a second sales charge to the extent that it has already been prepaid. Applicants allege that type for type, the Trusts are substantially the same. The rights, privileges, sales, and creation charges, life insurance premium charges, fixed periodic custodian fees and other applicable charges are alike for all of the Trusts. State Street Bank and Trust Co. is custodian for each Trust and performs identical functions for each.

The offer of exchange privilege is to be made by a uniform offer disclosed in the prospectuses of the Trusts which offer sets forth the mechanics by which the exchange is effected as well as the conditions, costs, consequences, and investment considerations relating to the exchange.

Section 11(a) of the Act provides that it shall be unlawful for any registered open-end company or any principal underwriter for such company to make or cause to be made an offer to the holder of a security of such company or of any other open-end investment company to exchange his security for a security in the same or another such company on any basis other than the relative net asset values of the respective securities to be exchanged, unless the terms of the offer have first been submitted to and approved by the Commission. Section 11(c) provides that the provisions of subsection (a) shall be applicable irrespec-

tive of the basis of exchange to any type of offer of exchange of the securities of a registered unit investment trust for the securities of any other investment company.

In the opinion of Applicants the granting of the application and approval of the terms of the offer of exchange under section 11(a) and 11(c) by the Commission is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provision of the Act.

Notice is further given that any interested person may, not later than January 2, 1970, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicants at 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.

[P.R. Doc. 69-15004; Filed, Dec. 17, 1969;
8:47 a.m.]

SMALL BUSINESS ADMINISTRATION

[License 05/05-0094]

ALABAMA CAPITAL, INC.

Notice of Surrender of License

By notice published November 13, 1969, in the FEDERAL REGISTER (34 F.R. 18206), the Small Business Administration (SBA) invited comments regarding the pending request of Alabama Capital, Inc., to surrender its license, allowing a pe-

riod of 15 days for that purpose. SBA received no comments.

Notice is hereby given that SBA accepted on December 2, 1969, the surrender of the license issued to Alabama Capital, Inc., Huntsville, Ala. Accordingly, the corporation no longer is licensed to operate as a small business investment company.

For SBA.

Dated: December 10, 1969.

JAMES T. PHELAN,
Acting Associate
Administrator for Investment.

[P.R. Doc. 69-15005; Filed, Dec. 17, 1969;
8:47 a.m.]

CANAVERAL CAPITAL CORP.

Approval of Application for Transfer of Control of Licensed Small Business Investment Company

On October 15, 1969, a notice of application for transfer of control was published in the FEDERAL REGISTER (34 F.R. 15857) stating that an application had been filed with the Small Business Administration (SBA) pursuant to § 107.701 of the regulations governing small business investment companies (13 CFR Part 107; 33 FR 326) for transfer of control of Canaveral Capital Corp., 301 Third Avenue, Brooklyn, N.Y. 11215, License No. 02/05-0068, a Federal Licensee under the Small Business Investment Act of 1958, as amended.

Interested persons were given until October 25, 1969, to send their written comments to SBA. No comments were received.

Having considered the application and all other pertinent information and facts with regard thereto, SBA hereby approves the application for transfer of control of Canaveral Capital Corp.

Dated: December 4, 1969.

A. H. SINGER,
Associate Administrator
for Investment.

[P.R. Doc. 69-15006; Filed, Dec. 17, 1969;
8:47 a.m.]

MIDWESTERN AREA AND OFFICES THEREIN

Notice of Redesignation

Notice is hereby given that the designation "Midwestern Area" is changed to "Midwestern Region (Region V)." The Midwestern Area Office also is hereby redesignated as the Midwestern Regional Office. The regional offices under the former Midwestern Area Office are now under the jurisdiction of the Midwestern Regional Office and are redesignated as district offices.

Effective Date: December 8, 1969.

HILARY SANDOVAL, JR.,
Administrator.

[P.R. Doc. 69-15008; Filed, Dec. 17, 1969;
8:47 a.m.]

[Delegation of Authority 30-B]

REGIONAL DIRECTOR, MIDWESTERN REGION

Delegation of Authority To Conduct Program Activities in the Field Offices

Pursuant to the authority vested in the Administrator by the Small Business Act, 72 Stat. 384, as amended; the Small Business Investment Act of 1958, 72 Stat. 689, as amended; title IV of the Economic Opportunity Act of 1964, 78 Stat. 526, as amended; and the Disaster Relief Act of 1969, 83 Stat. 125, the following authority is hereby delegated:

1. Regional Director, Midwestern Region (Region V)—A. Financing Program.

1. To approve or decline business loans not exceeding \$350,000 (SBA share) and economic opportunity loans not exceeding \$25,000 (SBA share).

2. 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) \$500,000 on disaster business loans except to the extent of refinancing of a previous SBA disaster loan; and to approve disaster guaranteed loans up to \$1 million, and to decline them in any amount.

3. To enter into business, economic opportunity and disaster loan participation agreements with banks.

4. To execute loan authorizations for Central Office approved loans and for loans approved under delegated authority, said execution to read as follows:

(Name), Administrator,
By: _____
(Name)
Regional Director

5. To cancel, reinstate, modify, and amend authorizations for business, economic opportunity, and disaster loans.

6. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.

7. To approve service charges by participating banks not to exceed 2 percent per annum on the outstanding principal balance of construction loans and loans involving accounts receivable and inventory financing.

8. To establish disaster field offices upon receipt of advice of the designation of a disaster area; to advise on the making of disaster loans; to appoint as a processing representative any bank in the disaster area; and to close disaster field offices when no longer advisable to maintain such offices.

9. To approve or reject the request of an applicant to file for a disaster loan after the period for acceptance under the original disaster declaration, or extension thereof, has expired.

10. No authority is hereby delegated to declare the nonapplicability of eligibility

limitations to a community emergency as set forth in section 120.2(e) of SBA Loan Policy Regulations.

B. Community Economic Development Program. 1. To approve or decline section 501 State development company loans without dollar limitation and section 502 local development company loans up to \$350,000 (SBA share).

2. To extend the disbursement period on sections 501 and 502 loan authorizations or undisbursed portions of sections 501 and 502 loans.

3. To execute sections 501 and 502 loan authorizations for Central Office approved loans and for loans approved under delegated authority, said execution to read, as follows:

(Name), Administrator,
By: _____
(Name)
Regional Director

4. To cancel, reinstate, modify, and amend authorizations for sections 501 and 502 loans.

5. To enter into section 502 loan participation agreements with banks.

6. To approve or decline applications for the direct guarantee of payment of rent not to exceed \$1 million.

7. To issue and modify commitment letters, said issuance to read as follows:

(Name), Administrator,
By: _____
(Name)
Regional Director

8. To disburse approved EDA loans, as authorized.

C. Loan Administration Program.

1. To take all necessary actions in connection with the administration, servicing, collection, and liquidation of all loans, with the exception of those loans classified as in litigation; and to do and perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing.

a. The assignment, endorsement, transfer, and delivery (but in all cases without representation, recourse, or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator, except as to loans classified as in litigation.

b. The execution and delivery of contracts of sale or of lease or sublease, quit-claim, bargain and sale of special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or part) of liens, satisfaction pieces, affidavits, and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing, except as to loans classified as in litigation.

c. The approval of bank applications for use of liquidity privilege under the loan guaranty plan.

d. To advertise regarding the public sale of (a) collateral in connection with

the nonjudicial liquidation of loans, and (b) acquired property.

e. Except: (a) to sell any primary obligation or other evidence of indebtedness owed to the Agency for a sum less than the total amount due thereon; and (b) to deny liability of the Small Business Administration under the terms of a participation or guaranty agreement, or the assertion of a claim for recovery from a participating bank under any alleged violation of a participation or guaranty agreement.

2. To take all necessary action in liquidating Economic Development Administration (EDA) loans which are not classified as in litigation and acquired collateral, when and as authorized by EDA.

3. To service claims arising under all lease insurance policies issued in the region, approving the payment, or recommending denial of such claims.

4. To take all actions necessary to mitigate losses from lease guaranties.

D. Procurement and Management Assistance Program. **1. To approve applications for Certificates of Competency up to but not exceeding \$250,000 bid value received from small business concerns which are located within the geographical jurisdiction of his regional office, with the exception of rereferred cases.

**2. To deny an application for a Certificate of Competency when the regional director agrees with an adverse survey report as to production or credit, unless application for an SBA loan is being filed, which, if approved, might change the credit aspects of the case.

E. Administrative. 1. To purchase reproductions of loan documents, chargeable to the revolving fund, requested by United States Attorneys in foreclosure cases.

2. To (a) purchase office supplies and equipment, including office machines and rent regular office equipment and furnishings; (b) contract for repair and maintenance of equipment and furnishings; (c) contract for services required in setting up and dismantling and moving SBA exhibits and; (d) issue Government bills of lading.

3. In connection with the establishment of disaster loan offices, to obligate Small Business Administration to reimburse General Services Administration for the rental of office space.

4. To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by this Administration.

F. Eligibility Determinations. To determine eligibility of applicants for assistance under any program of the Agency, except the SBIC program, in accordance with Small Business Administration standards and policies.

G. Size Determinations. To make initial size determinations in all cases within the meaning of the Small Business Size Standards Regulations, as amended, and further, to make product classification decisions for financial assistance purposes only. Product classification decisions for procurement purposes are made by contracting officers.

H. Legal Services. 1. To close and disburse approved SBA loans and rehabilitation loans for Department of Housing and Urban Development.

2. To close approved EDA loans, as authorized.

3. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents; and certify to the participating bank that such documents are in compliance with the participation authorization.

4. To conduct all litigation activities, including SBIC matters, as assigned, and to take all action necessary in connection with the liquidation of all loans classified as in litigation; and to do and perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing.

a. The assignment, endorsement, transfer, and delivery (but in all cases without representation, recourse, or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator, as to loans classified as in litigation.

b. The execution and delivery of contracts of sale or of lease or sublease, quit-claim, bargain and sale of special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates, and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing, as to loans classified as in litigation.

c. Except: (a) to sell any primary obligation or other evidence of indebtedness owed to the Agency for a sum less than the total amount due thereon; and (b) to deny liability of the Small Business Administration under the terms of a participation or guaranty agreement, or the assertion of a claim for recovery from a participating bank under any alleged violation of a participation or guaranty agreement.

2. To take all necessary action in liquidating Economic Development Administration (EDA) loans which are classified as in litigation, when and as authorized by EDA.

II. The specific authority in the subsections (except subsections I.D.1 and I.D.2) may be redelegated.

III. All authority delegated herein may be exercised by any Small Business Administration employee designated as acting regional director, Midwestern Region.

Effective date: December 8, 1969.

HILARY SANDOVAL, Jr.,
Administrator.

[F.R. Doc. 69-15007; Filed, Dec. 17, 1969;
8:47 a.m.]

DEPARTMENT OF LABOR

Wage and Hour Division

CERTIFICATES AUTHORIZING THE EMPLOYMENT OF FULL-TIME STUDENTS WORKING OUTSIDE OF SCHOOL HOURS AT SPECIAL MINIMUM WAGES IN RETAIL OR SERVICE ESTABLISHMENTS OR IN AGRICULTURE

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 29 U.S.C. 201 et seq.), the regulation on employment of full-time students (29 CFR, Part 519), and Administrative Order No. 595 (31 F.R. 12981), the establishments listed in this notice have been issued special certificates authorizing the employment of full-time students working outside of school hours at hourly wage rates lower than the minimum wage rates otherwise applicable under section 6 of the act. The effective and expiration dates are as indicated below. The minimum certificate rates are not less than 85 percent of the applicable statutory minimum.

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

C. R. Anthony Co., department store; 137 Plaza De Las Palmas, San Antonio, Tex.; 9-26-69 to 9-25-70.

The Barr Co., variety store; 116 South Main Street, Celina, Ohio; 9-26-69 to 9-25-70. Beatrice Super Market, foodstore; 808 Court Street, Beatrice, Neb.; 10-14-69 to 10-13-70.

The Blyth and Fargo Co., department store; Evanston, Wyo.; 10-20-69 to 10-19-70.

Chatham Drug Co., Inc. drugstore; Park Shopping Center, Siler City, N.C.; 9-22-69 to 9-21-70.

Clifton's Grocery, foodstore; 201 South A Street, McAlester, Okla.; 10-7-69 to 10-6-70. Community Memorial Hospital, hospital; Park Street, Sheldon, Iowa; 10-5-69 to 10-4-70.

Crest Stores Co., variety stores from 10-1-69 to 9-30-70; Boone, N.C.; Brevard, N.C.

Ron Davidson Chevrolet, auto dealer; 222 East High Street, Ebsburg, Pa.; 10-16-69 to 9-30-70.

Davis Super Market, Inc., foodstore; 730 East Pittsburgh Street, Greensburg, Pa.; 10-10-69 to 10-9-70.

The Dinner Horn Food Store, Inc., foodstore; 3945 Washington Boulevard, Ogden, Utah; 10-21-69 to 10-20-70.

Eagle Stores Co., Inc., variety stores; 114-16 Baltimore and Annapolis Boulevard, Glen Burnie, Md., 10-10-69 to 10-9-70; 15 East Main Street, Sylvania, N.C., 10-17-69 to 10-16-70; No. 51, Charleston Heights, S.C.; 9-23-69 to 9-22-70.

Fanties, apparel store; 504 Fourth Street, Sioux City, Iowa; 9-23-69 to 9-22-70.

Goldblatt Brothers, Inc., department store; 1505 West King Street, Decatur, Ill.; 9-27-69 to 9-26-70.

W. T. Grant Co., variety-department stores; No. 44, Macon, Ga., 9-24-69 to 9-18-70; No. 33, Peoria, Ill., 9-29-69 to 9-28-70; No. 57, Baltimore, Md., 9-29-69 to 9-28-70; No. 828, Wyckoff, N.J., 10-1-69 to 9-30-70; No. 572, Cleveland, Ohio, 10-11-69 to 10-10-70; No. 254, Steubenville, Ohio, 10-20-69 to 10-19-70; No. 458, Pittsburgh, Pa., 9-30-69 to 9-29-70; No. 803, Pittsburgh, Pa., 9-24-69 to 9-23-70.

IGA Foodliner, foodstore; Highway 63 South, Macon, Mo.; 10-18-69 to 10-17-70.

Kahanek Food Store, Inc., foodstore; 1000 West Main, Prague, Okla.; 10-17-69 to 10-16-70.

Keeling's Kountry Key Market, foodstore; 514 Lyndon Lane, Louisville, Ky.; 9-28-69 to 9-27-70.

Kistler Collister Co., department store; 1100 San Mateo NE., Albuquerque, N. Mex.; 10-20-69 to 10-19-70.

S. S. Kresge Co., variety-department stores; No. 730, Miami, Fla., 10-30-69 to 10-29-70; No. 2081, Aurora, Ill., 9-23-69 to 9-22-70; No. 253, Chicago, Ill., 9-27-69 to 9-26-70; No. 305, Chicago, Ill., 9-29-69 to 9-28-70; No. 301, Chicago Heights, Ill., 10-11-69 to 10-10-70; No. 463, Hometown, Ill., 9-21-69 to 9-20-70; No. 167, Logansport, Ind., 10-3-69 to 10-2-70; No. 154, Council Bluffs, Iowa, 10-1-69 to 9-30-70; No. 4625, Bladensburg, Md., 10-19-69 to 10-18-70; No. 414, Essex, Md., 9-26-69 to 9-25-70; No. 352, Detroit, Mich., 10-8-69 to 10-7-70; No. 405, Inkster, Mich., 9-23-69 to 9-22-70; No. 404, Pontiac, Mich., 9-26-69 to 9-25-70; No. 381, Chillicothe, Ohio, 9-27-69 to 9-26-70; No. 443, Cincinnati, Ohio, 9-23-69 to 9-22-70; No. 376, Cleveland, Ohio, 9-28-69 to 9-27-70; No. 640, Columbus, Ohio, 10-10-69 to 10-9-70; No. 644, Dayton, Ohio, 9-21-69 to 9-20-70; No. 541, Marietta, Ohio, 10-2-69 to 10-1-70; No. 203, Milford, Ohio, 9-21-69 to 9-20-70; No. 150, Portsmouth, Ohio, 9-27-69 to 9-26-70; No. 615, Harrisburg, Pa., 9-23-69 to 9-22-70; No. 739, Irving, Tex., 9-24-69 to 9-23-70; No. 4579, Kenosha, Wis., 9-27-69 to 9-26-70.

S. H. Kress and Co., variety-department store; 111 West Main Street, Gastonia, N.C.; 9-24-69 to 9-23-70.

Ted Maier Drug Co., drugstores from 10-7-69 to 10-6-70; 78 East Third, Winona, Minn.; Miracle Mall, Winona, Minn.

Marion & Dean's AG Market, foodstore; Delta, Utah; 10-3-69 to 10-2-70.

McCormick-McLellan-Green Stores, variety-department stores; No. 73, Daytona Beach, Fla., 9-23-69 to 9-22-70; No. 310, St. Petersburg, Fla., 9-21-69 to 9-20-70; No. 432, Athens, Ga., 9-21-69 to 9-20-70; No. 506, Ypsilanti, Mich., 9-24-69 to 9-23-70; No. 1073, Trenton, N.J., 9-24-69 to 9-23-70; No. 1022, Easton, Pa., 10-6-69 to 10-5-70; No. 1048, Anderson, S.C., 10-27-69 to 10-26-70; No. 1208, Houston, Tex., 10-10-69 to 10-9-70; No. 177, Waco, Tex., 10-11-69 to 10-10-70; No. 138, Charlottesville, Va., 10-1-69 to 9-30-70; No. 1069, Falls Church, Va., 10-7-69 to 10-6-70.

Millners, Inc., apparel store; Gainesville, Ga.; 9-25-69 to 9-24-70.

G. C. Murphy Co., variety-department store; No. 463, Delphos, Ohio; 10-15-69 to 10-14-70.

J. J. Newberry Co., variety-department stores; No. 425, Atlanta, Ga., 9-23-69 to 9-22-70; No. 303, Hackensack, N.J., 10-11-69 to 10-10-70; No. 207, Cambridge, Ohio, 10-4-69 to 10-3-70; No. 14, Ephrata, Pa., 9-23-69 to 9-21-70; No. 35, Northampton, Pa., 9-25-69 to 9-24-70.

Nobles Super Market, Inc., foodstore; 10th and Payne Street, Tell City, Ind.; 10-7-69 to 10-6-70.

Peace Haven Association, nursing home; Walnut, Iowa; 10-9-69 to 10-8-70.

Piggly Wiggly, foodstore; 3110 Grand Avenue, Fort Smith, Ark.; 10-12-69 to 10-11-70.

Samuel Schlesinger, Inc., apparel store; 5716 Bergenline Avenue, West New York, N.J.; 10-18-69 to 10-17-70.

Shelton Supermarket, foodstore; 206 West Main, Stigler, Okla.; 10-3-69 to 10-2-70.

Spurgeon's, department stores; 516 North Adams, Carroll, Iowa; 10-7-69 to 10-6-70; 929 Main Street, Stevens Point, Wis.; 10-2-69 to 10-1-70.

Sterling Stores Co., Inc., variety store; 148 North Liberty Street, Canton, Miss.; 10-10-69 to 9-9-70.

The Stouss Hirschberg Co., department store; 20 West Federal Street, Youngstown, Ohio; 10-19-69 to 10-18-70.

Stuckey's Pecan Shop, foodstore; Lexington, Ill.; 9-23-69 to 9-22-70.

T. G. & Y. Stores Co., variety-department store; No. 184, Scottsdale, Ariz.; 9-23-69 to 9-21-70.

Ward's IGA Foodliner, foodstore; Springfield, Ky.; 10-7-69 to 10-6-70.

Whittaker, Inc., foodstore; No. 2, Harrah, Okla.; 9-29-69 to 9-28-70.

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

Albuquerque Drumstick Restaurant, Inc., restaurant; 2225 Wyoming NE, Albuquerque, N. Mex.; waitress (waiter), bus boy (girl), counter girl (boy), kitchen helper, host (hostess), takeout department personnel; 38 to 63 percent; 10-1-69 to 9-30-70.

Baskin Robbins, restaurant; 4920 Underwood Street, Omaha, Neb.; ice cream server; 41 to 67 percent; 10-13-69 to 10-12-70.

Ben Franklin Store, variety store; K & M Shopping Center, Mullins, S.C.; salesclerk, stock clerk; 10 to 45 percent; 9-24-69 to 9-23-70.

Big T Foods, foodstores, from 35 to 40 percent; Peotone, Ill., stock clerk, carryout, 10-1-69 to 9-30-70; 801 Broadway, Chesterton, Ind., carryout, 9-28-69 to 9-25-70.

Byrd's Food Stores, Inc., foodstore; 304 East Main Street, Carroboro, N.C.; bagger, carryout, janitorial, stock clerk, cashier; 18 percent; 10-3-69 to 10-2-70.

Crest Stores Co., variety store; Tarboro Shopping Center, Tarboro, N.C.; salesclerk, stock clerk; 10 to 45 percent; 10-1-69 to 9-30-70.

Eagle Stores Co., Inc., variety store; No. 23, Mullins, S.C.; salesclerk, stock clerk; 10 percent; 10-6-69 to 10-5-70.

Elliot's, Inc., apparel stores, for the occupations of salesclerk, stock clerk, credit clerk, 9 to 20 percent, 10-16-69 to 10-15-70; 118 Front Street, Beaver Dam, Wis.; 4 South Main Street, Janesville, Wis.; 5614 Sixth Avenue, Kenosha, Wis.; 200 Main, Watertown, Wis.

Fine Brothers-Matison Co., department store; 328 Front Street, Laurel, Miss.; salesclerk, gift wrapper, stock clerk; 0.3 to 11 percent; 9-23-69 to 8-23-70.

Frohsin's Department Store, department store; 68 Broad Street, Alexander City, Ala.; salesclerk, wrapper; 13 to 32 percent; 10-27-69 to 10-26-70.

W. T. Grant Co., variety-department stores: No. 365, Anaheim, Calif., salesclerk, stock clerk, 4 to 18 percent, 10-17-69 to 10-16-70; No. 579, Milford, Del., salesclerk, office clerk, stock clerk, cashier, 1 to 13 percent, 10-9-69 to 10-8-70; No. 1062, Jacksonville, Fla., salesclerk, cashier, office clerk, stock clerk, 10 percent, 9-26-69 to 9-25-70; No. 599, Mableton, Ga., salesclerk, 0.1 to 12 percent, 9-24-69 to 9-13-70; No. 575, Milton, Pa., salesclerk, stock clerk, 11 to 36 percent, 9-25-69 to 9-24-70; No. 1012, Pittsburgh, Pa., salesclerk, 6 to 20 percent, 10-9-69 to 10-8-70; No. 848, State College, Pa., salesclerk, 11 to 36 percent, 9-24-69 to 9-23-70; No. 1108, Richmond, Va., salesclerk, stock clerk, office clerk, cashier, 2 to 8 percent, 10-1-69 to 9-30-70.

Hales Super Market, foodstores, for the occupations of stock clerk, carryout, 6 to 28 percent, 10-21-69 to 10-20-70; Highway 13, Gallatin, Mo.; Hamilton, Mo.

Handy-Andy, Inc., foodstore; No. 29, San Antonio, Tex.; stock clerk, porter, checker, package clerk, office cashier, bakery salesclerk, produce clerk, dairy stock clerk, bottle clerk; 18 to 27 percent; 10-10-69 to 10-9-70.

Hi-Nabor Super Market, foodstore; 7201 Winbourne Avenue, Baton Rouge, La.; bagger, bottle clerk; 20 percent; 10-3-69 to 9-2-70.

John's Self Service, foodstore; Old Fort, N.C.; salesclerk, stock clerk, bagger; 21 percent; 10-30-69 to 10-29-70.

S. S. Kresge Co., variety-department stores, for the occupations of salesclerk, stock clerk, office clerk, checker-cashier, maintenance, customer service except as otherwise indicated: No. 4049, Macon, Ga., 11 to 22 percent, 10-3-69 to 9-16-70 (salesclerk); No. 4071, Marietta, Ga., 10 percent, 10-11-69 to 10-10-70 (salesclerk, checker-cashier); No. 4189, Savannah, Ga., 4 to 14 percent, 10-26-69 to 10-25-70 (salesclerk); No. 4337, Addison, Ill., 12 to 20 percent, 10-29-69 to 10-28-70; No. 4095, Joliet, Ill., 14 to 22 percent, 10-13-69 to 10-12-70 (salesclerk, stock clerk, checker-cashier, office clerk); No. 4322, Kankakee, Ill., 18 to 34 percent, 10-29-69 to 10-28-70; No. 554, Moline, Ill., 4 to 21 percent, 9-29-69 to 9-28-70 (salesclerk, stock clerk, checker-cashier, office clerk); No. 502, Mount Prospect, Ill., 12 to 20 percent, 9-23-69 to 9-21-70 (salesclerk, stock clerk, checker-cashier, office clerk); No. 187, Palatine, Ill., 18 to 25 percent, 9-21-69 to 9-20-70 (salesclerk, stock clerk, checker-cashier, office clerk); No. 435, Springfield, Ill., 4 to 9 percent, 9-21-69 to 9-20-70 (salesclerk, stock clerk, checker-cashier, office clerk); No. 4249, Elkhart, Ind., 3 to 10 percent, 10-7-69 to 10-6-70; No. 4196 and 4203, Indianapolis, Ind., 3 to 10 percent, 10-8-69 to 10-7-70 (salesclerk, stock clerk, office clerk, checker-cashier); No. 4336, Indianapolis, Ind., 3 to 10 percent, 10-10-69 to 10-9-70 (salesclerk, stock clerk, office clerk, checker-cashier); No. 312, Speedway, Ind., 10 percent, 10-9-69 to 10-8-70 (salesclerk, stock clerk, checker-cashier, office clerk); No. 4314, Cedar Rapids, Iowa, 13 to 25 percent, 10-30-69 to 10-29-70; No. 4505, Topeka, Kans., 15 to 25 percent, 10-9-69 to 10-8-70 (salesclerk, stock clerk, office clerk, checker-cashier); No. 4091, Bay City, Mich., 10 percent, 10-1-69 to 9-30-70 (stock clerk, maintenance, office clerk, food preparation, salesclerk, checker-cashier, customer service); No. 681, Birmingham, Mich., 10 percent, 9-29-69 to 9-28-70 (stock clerk, maintenance, office clerk, food preparation, salesclerk, checker-cashier, customer service); No. 423, Livonia, Mich., 10 percent, 9-24-69 to 9-23-70 (stock clerk, maintenance, office clerk, food preparation, salesclerk, checker-cashier, customer service); No. 4238, Melvindale, Mich., 10 percent, 10-10-69 to 10-9-70 (stock clerk, salesclerk, maintenance, checker-cashier, office clerk, food preparation, customer service); No. 501, Southfield, Mich., 10 percent, 10-17-69 to

10-16-70 (stock clerk, maintenance, office clerk, food preparation, salesclerk, checker-cashier, customer service); No. 4570, Austin, Minn., 1 to 10 percent, 10-20-69 to 10-19-70; No. 4251, Charlotte, N.C., 11 to 22 percent, 9-30-69 to 9-24-70 (salesclerk, checker-cashier); No. 4335, Kannapolis, N.C., 11 to 22 percent, 9-30-69 to 9-29-70; No. 4173, Cincinnati, Ohio, 7 to 22 percent, 10-20-69 to 10-19-70; No. 4180, Dayton, Ohio, 8 to 10 percent, 10-20-69 to 10-19-70; No. 4054, New Kensington, Pa., 6 to 29 percent, 10-1-69 to 9-30-70 (bagger, stock clerk, salesclerk); No. 97, Pittsburgh, Pa., 4 to 13 percent, 9-30-69 to 9-29-70 (salesclerk); No. 4119, Rochester, Pa., 6 to 10 percent, 10-9-69 to 10-8-70 (salesclerk); No. 4009, Washington, Pa., 6 to 29 percent, 10-1-69 to 9-30-70 (salesclerk); No. 4043, Columbia, S.C., 10 percent, 9-24-69 to 9-23-70 (salesclerk, stock clerk, office clerk); No. 4016, Greenville, S.C., 10 percent, 10-19-69 to 10-18-70 (salesclerk); No. 4023, Amarillo, Tex., 0.2 to 7 percent, 10-10-69 to 10-9-70 (salesclerk, stock clerk, office clerk, checker-cashier, customer service); No. 705, Houston, Tex., 7 to 27 percent, 9-27-69 to 9-26-70; No. 715, Houston, Tex., 7 to 27 percent, 9-27-69 to 9-26-70 (checker-cashier, stock clerk, salesclerk, maintenance); No. 4328, Houston, Tex., 7 to 27 percent, 10-29-69 to 10-28-70 (salesclerk); No. 743, Pasadena, Tex., 7 to 27 percent, 9-27-69 to 9-26-70 (salesclerk); No. 4029, San Angelo, Tex., 7 to 10 percent, 10-1-69 to 9-30-70 (salesclerk); No. 4348, Wichita Falls, Tex., 7 to 27 percent, 10-8-69 to 10-5-70; No. 4042, Fredericksburg, Va., 10 to 20 percent, 10-1-69 to 9-29-70; No. 547, Springfield, Va., 14 to 25 percent, 10-1-69 to 9-30-70; No. 4254, Oshkosh, Wis., 3 to 20 percent, 10-14-69 to 10-13-70 (salesclerk, stock clerk, office clerk, checker-cashier).

Lerner Shops, apparel stores, for the occupations of salesclerk, cashier, credit clerk; No. 196, West Palm Beach, Fla., 9 to 19 percent, 10-19-69 to 10-18-70; No. 280, Michigan City, Ind., 3 to 9 percent, 10-19-69 to 10-18-70; No. 314, Salisbury, Md., 10 percent, 10-14-69 to 10-13-70; No. 279, Grand Rapids, Mich., 5 to 10 percent, 9-25-69 to 9-24-70; No. 294, Washington, Pa., 0 to 20 percent, 10-3-69 to 10-2-70; No. 330, Houston, Tex., 4 to 11 percent, 9-30-69 to 9-29-70.

Lovett's IGA Foodliner, food store; Carmack Boulevard, Columbia, Tenn., stock clerk, bagger; 12 to 15 percent; 10-3-69 to 10-2-70.

M & M Supermarket, food store; Wilbur Dalton, Marion, N.C.; clerk, stock clerk, bagger; 15 percent; 10-10-69 to 10-9-70.

McCorry-McLellan-Green Stores, variety-department stores, for the occupations of salesclerk, office clerk, stock clerk except as otherwise indicated: No. 274, Danbury, Conn., 7 to 28 percent, 10-7-69 to 10-6-70; No. 1033, Milford, Conn., 7 to 15 percent, 10-9-69 to 10-8-70; No. 1009, Norwalk, Conn., 7 to 23 percent, 10-13-69 to 10-12-70; No. 7504, Casselberry, Fla., 4 to 15 percent, 10-8-69 to 10-7-70; No. 388, Live Oak, Fla., 7 to 24 percent, 10-21-69 to 10-20-70; Nos. 319 and 7592, Orlando, Fla., 4 to 15 percent, 10-7-69 to 10-6-70; No. 366, Pensacola, Fla., 3 to 19 percent, 10-8-69 to 9-26-70 (salesclerk, stock clerk); No. 356, Plant City, Fla., 10 to 30 percent, 10-8-69 to 10-7-70 (salesclerk, stock clerk); No. 340, Tarpon Springs, Fla., 6 to 34 percent, 9-23-69 to 9-22-70; No. 263, Titusville, Fla., 6 to 18 percent, 10-1-69 to 9-30-70 (office clerk, porter, salesclerk, stock clerk); No. 335, Carrollton, Ga., 6 to 19 percent, 10-7-69 to 10-6-70; No. 1310, Doraville, Ga., 7 to 23 percent, 10-9-69 to 10-5-70; No. 225, Monroe, Ga., 10 to 31 percent, 9-25-69 to 9-24-70 (salesclerk, stock clerk, office clerk, porter); No. 391, Matteson, Ill., 7 to 22 percent, 9-23-69 to 9-22-70; No. 1301, Baltimore, Md., 27 to 38 percent, 9-29-69 to 9-28-70;

No. 345, Ellicott City, Md., 27 to 38 percent, 10-7-69 to 10-6-70; No. 382, Fall River, Mass., 7 to 15 percent, 10-20-69 to 10-19-70; No. 641, Greenfield, Mass., 3 to 12 percent, 10-7-69 to 10-6-70; No. 377, Stirling, N.J., 9 to 20 percent, 10-3-69 to 10-2-70; No. 1040, Columbus, Ohio, 3 to 10 percent, 9-22-69 to 9-21-70; No. 267, Norwood, Ohio, 6 to 20 percent, 10-19-69 to 10-18-70; No. 210, Piqua, Ohio, 7 to 24 percent, 9-25-69 to 9-24-70; No. 381, Philadelphia, Pa., 3 to 13 percent, 10-10-69 to 10-9-70; No. 364, Scranton, Pa., 6 to 19 percent, 9-23-69 to 9-22-70 (salesclerk, stock clerk); No. 333, Wyoming, Pa., 0 to 31 percent, 9-23-69 to 9-22-70; No. 160, Sumter, S.C., 13 to 45 percent, 10-20-69 to 10-19-70 (salesclerk).

McDonald's Hamburgers, restaurant; 3594 North Lindbergh, St. Ann, Mo.; general restaurant worker; 8 to 25 percent; 10-14-69 to 10-13-70.

Memorial Hospital of Laramie County, hospital; 300 East 23d Street, Cheyenne, Wyo.; file clerk; 0.2 to 0.4 percent; 10-6-69 to 10-5-70.

Millner Aycocks, Inc., department store; 118 South Broad Street, Monroe, La.; salesclerk, cashier; 1 to 15 percent; 9-25-69 to 9-24-70.

Minimax, foodstore; 1201 Strawberry Road, Pasadena, Tex.; bagger, carryout, janitorial, stock clerk; 8 to 11 percent; 10-19-69 to 10-18-70.

Morgan & Lindsey, Inc., variety-department store; No. 3065, Baton Rouge, La.; salesclerk, stock clerk, office clerk; 8 to 27 percent; 10-10-69 to 10-9-70.

G. C. Murphy Co., variety-department stores, for the occupations of salesclerk, stock clerk, office clerk, janitorial: No. 82, Atlanta, Ga., 5 to 13 percent, 10-4-69 to 10-3-70; No. 313, Indianapolis, Ind., 11 to 26 percent, 10-3-69 to 10-2-70; No. 329, Ashland, Ky., 17 to 27 percent, 10-28-69 to 10-27-70; No. 317, Bel Air, Md., 22 to 33 percent, 10-3-69 to 10-2-70; No. 324, Okemos, Mich., 9 to 29 percent, 9-30-69 to 9-29-70; No. 327, Indiana, Pa., 16 to 26 percent, 10-28-69 to 10-27-70; No. 323, Annandale, Va., 13 to 23 percent, 10-10-69 to 10-9-70; No. 320, Hampton, Va., 11 to 20 percent, 10-15-69 to 10-14-70.

Neisner Brothers, Inc., variety-department stores, for the occupations of salesclerk, stock clerk, office clerk, 10 to 29 percent except as otherwise indicated: No. 22, Brooksville, Fla., 10-28-69 to 10-27-70; No. 190, Cape Coral, Fla., 10-18-69 to 10-17-70; No. 95, Englewood, Fla., 10-10-69 to 10-9-70; No. 5, Palatka, Fla., 10-14-69 to 10-13-70 (8 to 17 percent).

Old Fort Supermarket, foodstore; Old Fort, N.C.; salesclerk, stock clerk, bagger; 21 percent; 10-30-69 to 10-29-70.

Pence Food Center, foodstore; 124 South Martin, Osage City, Kans.; sacker, carryout, stock clerk, checker, cleanup; 8 to 25 percent; 10-28-69 to 10-27-70.

Piggly Wiggly, foodstores, for the occupations of stock clerk, package clerk, checker, 18 to 25 percent, 10-12-69 to 10-11-70; 3500 Jenny Lind, Fort Smith, Ark.; 2222 Midland Boulevard, Fort Smith, Ark.; Phoenix Village Shopping Center, Fort Smith, Ark.

Piecing Food Store of West Florida, foodstore; No. 2, Pensacola, Fla.; bagger, checker, stock clerk, market counter helper; 8 to 18 percent, 10-1-69 to 9-30-70.

Rayless Department Store, variety-department stores, from 13 to 34 percent: 217 Broad Avenue, Albany, Ga., salesclerk, stock clerk, office clerk, cleanup, 10-30-69 to 10-29-70; Lake Hill Shopping Center, Chattanooga, Tenn., salesclerk, stock clerk, office clerk, marker, cleanup, 10-11-69 to 10-10-70.

John P. Robillo & Co., foodstore; 910 Vance Avenue, Memphis, Tenn.; package clerk, salesclerk, checker, stock clerk; 8 to 19 percent; 10-10-69 to 10-9-70.

Rose's Stores, Inc., variety-department stores, for the occupations of salesclerk, stock clerk except as otherwise indicated,

10-1-69 to 9-30-70 except as otherwise indicated: No. 178, Alexander City, Ala., 13 to 32 percent (window trimmer, marker, checker, order writer, stock clerk, salesclerk, 10-9-69 to 9-8-70); No. 192, Winchester, Ky., 6 to 24 percent (salesclerk, stock clerk, office clerk, checker); No. 185, Elizabeth City, N.C., 5 to 29 percent; No. 9, Laurinburg, N.C., 6 to 24 percent (window trimmer, marker, checker, N.C., 13 to 28 percent (9-30-69 to 9-29-70); No. 186, Virginia Beach, Va., 13 to 31 percent (salesclerk).

Rusty's Food Centers, Inc., foodstore; 23d and Louisiana, Lawrence, Kans.; sacker, courtesy clerk, carryout; 12 to 20 percent; 9-23-69 to 9-22-70.

Schensul's Cafeteria, restaurant; East Grand River Avenue, Okemos, Mich.; bus boy (girl), food preparation, coffee girl (boy), short order cook, counter worker, dishwasher; 49 to 77 percent; 10-1-69 to 9-30-70.

Spee-D-Foods, Inc., foodstores, for the occupations of stock clerk, carryout, cleanup, 20 percent, 10-22-69 to 10-21-70; No. 2, Canton, Ohio; Nos. 1 and 3, North Canton, Ohio; No. 4, North Industry, Ohio.

Spurgeon's, department stores, for the occupations of salesclerk, stock clerk, receiving clerk, marker, janitorial: 317-319 Liberty Street, Morris, Ill., 9 to 15 percent, 9-25-69 to 9-24-70; 202 East Robinson Street, Knoxville, Iowa, 8 to 13 percent, 10-1-69 to 9-30-70.

Sunshine Department Store, department stores, for the occupation of salesclerk, 8 to 10 percent; 1241 Moreland Avenue SE., Atlanta, Ga., 10-7-69 to 10-6-70; 4735 Jonesboro Road, Forest Park, Ga., 10-1-69 to 9-30-70.

T. G. & Y. Stores Co., variety-department stores, for the occupations of salesclerk, stock clerk, office clerk except as otherwise indicated: No. 199, Glendale, Ariz., 19 to 35 percent, 9-27-69 to 9-26-70; No. 1600, Monroeville, Ala., 2 to 17 percent, 10-17-69 to 10-16-70; No. 782, Auburndale, Fla., 10 to 29 percent, 10-29-69 to 10-28-70; No. 729, Port Orange, Fla., 16 to 24 percent, 10-29-69 to 10-28-70; No. 446, Wichita, Kans., 19 to 31 percent, 9-26-69 to 9-25-70; No. 792, Kenner, La., 28 to 30 percent, 10-3-69 to 9-2-70; No. 746, New Iberia, La., 6 to 22 percent, 9-25-69 to 8-24-70; No. 126, Kansas City, Mo., 22 to 30 percent, 9-21-69 to 9-20-70; No. 304, Liberty, Mo., 22 to 31 percent, 10-3-69 to 10-2-70; No. 176, Santa Fe, N. Mex., 13 to 24 percent, 9-23-69 to 9-22-70; No. 464, Chickasha, Okla., 10 to 30 percent, 10-10-69 to 10-9-70; No. 459, Claremore, Okla., 24 to 30 percent, 9-27-69 to 9-26-70; No. 1001, Del City, Okla., 28 to 30 percent, 10-14-69 to 10-13-70; No. 447, El Reno, Okla., 6 to 19 percent, 9-21-69 to 9-20-70; No. 1781, Easley, S.C., 18 to 30 percent, 10-15-69, to 9-15-70 (salesclerk, stock clerk); No. 814, Austin, Tex., 30 percent, 9-27-69 to 9-26-70; No. 806, Houston, Tex., 30 percent, 10-6-69 to 10-5-70; Nos. 811 and 838, Houston, Tex., 30 percent, 10-10-69 to 10-9-70; No. 406, Plainview, Tex., 12 to 28 percent, 9-21-69 to 9-20-70; No. 815, Temple, Tex., 30 percent, 10-15-69 to 10-14-70.

Thornberry's Super Valu Market, Inc., foodstore; Winchester, Ky., stock clerk; 7 to 27 percent; 10-7-69 to 10-6-70.

West Court Food Center, foodstore; West Court Street, Marion, N.C.; salesclerk, stock clerk, bagger; 21 percent; 10-30-69 to 10-29-70.

Willards Foodland, foodstores, for the occupations of clerk, stock clerk, bagger, 15 percent, 10-10-69 to 10-9-70; Nos. 1 and 2, Marion, N.C.

Lee Wilson Co., agriculture; 2-U Ranch, Lee, Nev.; seeder, fence mender, cattle feeder; 14 to 50 percent; 9-23-69 to 8-31-70.

Younker Brothers, Inc., department store; 555 John F. Kennedy, Dubuque, Iowa; salesclerk, stock clerk, office clerk, marker, delivery clerk, messenger, porter, wrapper, cleanup; 9 to 16 percent; 10-18-69 to 10-17-70.

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

Signed at Washington, D.C. this 10th day of December 1969.

ROBERT G. GRONEWALD,
Authorized Representative
of the Administrator.

[F.R. Doc. 69-15000; Filed, Dec. 17, 1969;
8:47 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Report 470]

COMMON CARRIER SERVICES INFORMATION¹

Domestic Public Radio Services Applications Accepted for Filing²

DECEMBER 15, 1969.

Pursuant to §§ 1.227(b)(3) and 21.26(b) of the Commission's rules, and application, in order to be considered with any 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

¹All 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.

²The 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).

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.

APPENDIX

APPLICATIONS ACCEPTED FOR FILING

DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE

File No., applicant, call sign and nature of application

3330-C2-P-70—James D. and Lawrence D. Garvey, doing business as Radiofone (New), C.P. for a new 2-way station to be located at 520 Rigolds Road, Sildell, La., to operate on frequency 454.225 MHz.

3321-C2-MP-(3)-70—Southern Bell Telephone & Telegraph Co. (KIG295), Modification of C.P. to change system for frequencies 152.57 and 152.65 MHz at station located at Paris Mountain, 6 miles north of Greenville, S.C.

3322-C2-P-70—Pomona Radio Dispatch Corp. (KMD692), C.P. for an additional channel to operate on frequency 454.125 MHz at a new site to be identified as location No. 2; Sunset Ridge, approximately 3 miles north of Pomona, Calif.

3323-C2-P-70—Northwestern Bell Telephone Co. (New), C.P. for a new 2-way station to be located at 2221 Carter Road, Dubuque, Iowa, to operate on frequency 152.69 MHz.

3324-C2-P-(3)-70—Tel-Car, Inc. (New), C.P. for a new 2-way station to be located at 7 miles south-southwest of Albion, Idaho, to operate on base frequency 152.09 MHz; repeater frequency 459.150 MHz. Control facilities to operate on frequency 454.150 MHz at 538 Fourth Street West, Twin Falls, Idaho.

3325-C2-P-70—Western Communications, Inc., doing business as WESCOM (New), C.P. for a new 2-way station to be located at 202-204 South Main Street, Aberdeen, S. Dak., to operate on frequency 152.03 MHz.

3326-C2-P-70—Joseph N. Thomason, (KUA263), C.P. to change antenna system and relocate base facilities to: Pendleton Municipal Airport, Pendleton, Oreg., operating on frequency 152.21 MHz; replace transmitter for same. Delete control point, repeater and control stations.

3329-C2-P-(3)-70—Central Mobile Radio Phone Service (KQD597), C.P. to change antenna system and relocate facilities to: Frytown Road at Lytleburn Road, Dayton, Ohio, operating on frequencies 152.06 and 152.15 MHz; replace transmitter on frequency 152.06 MHz.

3330-C2-AL-70—J. B. Bacon, doing business as Telephone Message Exchange (KMM697), consent to assignment of License from: J. B. Bacon, doing business as Telephone Message Exchange, Assignor to: Pass Word, Inc., Assignee.

3344-C2-P-70—Central Telephone Co. (KDT213), C.P. to change antenna location to: North of Highway 20, approximately 3½ miles southwest of Fort Dodge, Iowa, operating on frequency 152.57 MHz. Change control point location to: 615 First Avenue North, Fort Dodge, Iowa.

3345-C2-P-(3)-70—The Mountain States Telephone & Telegraph Co. (KOE513), C.P. to change input power for frequencies 152.57, 152.63, 152.75 MHz at station located at 6 miles south-southwest of Casper, Wyo.

3346-C2-P-(3)-70—Riggs Radio Dispatch (KMA834), C.P. to change antenna location to: 514 West 19th Street, Merced, Calif., operating on base frequency 152.09 and control frequencies 75.80 and 75.84 MHz at location No. 1. Replace transmitter for base facilities.

3327-C2-P-(3)-70—Joseph N. Thomason (KOP261), C.P. to change antenna location for control station to: 712 West Columbia Avenue, Pasco, Wash., operating on frequencies 454.150 MHz (convert station to narrow band operation) and 454.200 MHz (reduce deviation and narrowband transmitter).

3353-C2-AL-70—Mobile Radio Dispatch Service, Inc. (KEA256), Consent to assignment of license from: Mobile Radio Dispatch Service, Inc., Assignor to: Mobile Radio Dispatch Service, Inc., Assignee.

DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE—CONTINUED

3359-C2-P-70—Industrial Communications, Inc., doing business as Port Arthur Mobile Phone (New), C.P. for a new 2-way station. Base frequency: 152.12 MHz; location: Goodhue Hotel, Fifth and Waco Streets, Port Arthur, Tex.

3369-C2-P-(2)-70—United Telephone Co. of Florida (KJ354), C.P. to replace transmitter operating on 152.63 MHz and correct location to read location No. 1 1320 Lee Street, Fort Myers, Fla., and add base station at location No. 1 to operate on 152.69 MHz.

Correction

2656-C2-P-(2)-70—North Shore Radio Telephone, Inc. (KSE590), Entry to read: C.P. to relocate facilities at location No. 2 to: 1741 South O'Plane Road, Warren Township, Ill., operation on frequency 152.09 and 152.18 MHz. This replaces entry on public notice dated Nov. 24, 1969, report No. 467.

Informative

It appears that the following applications may be mutually exclusive and subject to the Commission's rules regarding ex parte presentations, by reason of potential electrical interference.

New York

Mobile Radio Message Service, Inc., KEA260, File No. 2280-C2-P-70.

New Jersey

Tra-Mar Communications, Inc., KEJ888, File No. 923-C2-P-70.

Telephone Secretarial Service, KEA263, File No. 2358-C2-P-70.

Texas

RURAL RADIO SERVICE

Answer Inc. of Galveston, KLB617, File No. 1005-C2-P-70.

Joseph H. Woodford, doing business as Radiophone of Houston (New), File No. 1046-C2-P-70.

3331-C1-P-1-70—Southern Bell Telephone & Telegraph Co. (New), C.P. and license for a new fixed station to be located at 2 miles south of Cape Florida on south side of Biscayne Channel, Fla., to operate on frequencies 157.77, 157.83, 157.89, 157.92, 158.01 MHz.

3332-C1-P-1-70—United Telephone Co. of the Northwest (New), C.P. and license for a new fixed station to be located Prior Ranch, 17 miles southeast of Prosser, Wash., to operate on frequency 158.04 MHz.

POINT-TO-POINT MICROWAVE RADIO SERVICE (TELEPHONE CARRIERS)

244 CP APPLICATIONS PROPOSING A DATA COMMUNICATIONS SERVICE ACROSS THE UNITED STATES

File No., Applicant, call sign, and particulars

2826-C1-P-70—Data Transmission Co. (New), 6256.5 MHz toward South San Francisco, Calif., and 6137.9 MHz toward Chual, Calif. Location: San Bruno Mountain, 1.2 miles south of San Francisco, Calif.

2927-C1-P-70—Data Transmission Co. (New), 6004.5 MHz toward San Bruno, Calif. Location: Corner of Skyline Boulevard and West Borough, South San Francisco, Calif.

2928-C1-P-70—Data Transmission Co. (New), 6375.15 MHz toward San Bruno Mountain, Calif., and 6390.00 MHz toward Fremont Peak, Calif. Location: 10 miles southeast of Los Gatos, Calif.

2929-C1-P-70—Data Transmission Co. (New), 6078.6 MHz toward Mount Chual, Calif., and 5982.3 MHz toward Call Mountain, Calif. Location: 10 miles northeast of Salinas, Calif.

2930-C1-P-70—Data Transmission Co. (New), 6241.7 MHz toward Fremont Peak, Calif., and 6137.9 MHz toward Calandria, Calif. Location: 7.5 miles north of San Benito, Calif.

2931-C1-P-70—Data Transmission Co. (New), 6382.6 MHz toward Call Mountain, Calif., and 6323.3 MHz toward Cuesta Peak, Calif. Location: 7 miles southwest of San Ardo, Calif.

2932-C1-P-70—Data Transmission Co. (New), 6096.9 MHz toward Calandria, Calif., and 5960.0 MHz toward Broadcast Peak, Calif. Location: 5 miles north of San Luis Obispo, Calif.

- 2933-C1-P-70—Data Transmission Co. (New), 6256.54 MHz toward Cuesta Peak, Calif., and 6397.40 MHz toward Frazier Mountain, Calif. Location: 10 miles northwest of Goleta, Calif.
- 2934-C1-P-70—Data Transmission Co. (New), 6123.11 MHz toward Broadcast Peak, Calif., and 6345.5 MHz toward Mount Lukens, Calif. Location: 4 miles south of Frazier Park, Calif.
- 2935-C1-P-70—Data Transmission Co. (New), 6004.50 MHz toward Frazier Mountain, Calif., and 6123.11 MHz toward Modjeska Peak, Calif., and 6093.46 MHz toward Beverly Hills, Calif. Location: 3 miles north of La Crescenta, Calif.
- 2936-C1-P-70—Data Transmission Co. (New), 6404.8 MHz toward Mount Lukens, Calif. Location: 5000 Wilshire Boulevard, Beverly Hills, Calif.
- 2937-C1-P-70—Data Transmission Co. (New), 6256.54 MHz toward Toro Peak, Calif., and 6375.15 MHz toward Mount Lukens, Calif. Location: 10.5 miles south of Corona, Calif.
- 2938-C1-P-70—Data Transmission Co. (New), 6000.8 MHz toward Modjeska Peak, Calif., and 6177.54 MHz toward Black Butte, Calif., and 6345.50 MHz toward San Miguel, Calif. Location: 14 miles south of Palm Desert, Calif.
- 2939-C1-P-70—Data Transmission Co. (New), 6093.5 MHz toward Toro Peak, Calif., and 6093.5 MHz toward San Diego, Calif. Location: 3.7 miles southwest of Indian Springs, Calif.
- 2940-C1-P-70—Data Transmission Co. (New), 6197.2 MHz toward San Miguel Mountain, Calif. Location: Home Tower Building, 707 Broadway, San Diego, Calif.
- 2941-C1-P-70—Data Transmission Co. (New), 5945.200 MHz toward Toro Peak, Calif., and 6367.691 MHz toward Quartz Peak, Ariz. Location: 11 miles south of Desert Center, Calif.
- 2942-C1-P-70—Data Transmission Co. (New), 6004.50 MHz toward Telegraph Pass, Ariz., and 6153.78 MHz toward Black Butte, Calif. Location: 26.7 miles south of Palo Verde, Calif.
- 2943-C1-P-70—Data Transmission Co. (New), 6375.15 MHz toward Oatman Mountain, Ariz., and 6256.54 MHz toward Quartz Peak, Ariz. Location: 2.5 miles west of Liguria, Ariz.
- 2944-C1-P-70—Data Transmission Co. (New), 6256.54 MHz toward White Tank Mountain, Ariz., and 6152.76 MHz toward Telegraph Pass, Ariz. Location: 5.4 miles southeast of Montezuma, Ariz.
- 2945-C1-P-70—Data Transmission Co. (New), 5974.85 MHz toward Oatman Mountain, Ariz., and 6093.46 MHz toward Mount Ord, Ariz., and 6049.00 MHz toward Phoenix, Ariz. Location: 15 miles north of Buckeye, Ariz.
- 2946-C1-P-70—Data Transmission Co. (New), 6301.0 MHz toward White Tank Mountain, Ariz. Location: Corner of Clarendon and Central Avenue, Phoenix, Ariz.
- 2947-C1-P-70—Data Transmission Co. (New), 6345.5 MHz toward White Tank Mountain, Ariz., and 6404.8 MHz toward Pinal Peak, Ariz. Location: 4.4 miles northeast of Sunflower, Ariz.
- 2948-C1-P-70—Data Transmission Co. (New), 6152.76 MHz toward Mount Ord, Ariz., and 6226.89 MHz toward Lonestar Mountain, Ariz. Location: 7.5 miles southwest of Globe, Ariz.
- 2949-C1-P-70—Data Transmission Co. (New), 5974.85 MHz toward Pinal Peak, Ariz., and 6345.50 MHz toward Jack's Mountain, N. Mex. Location: 9 miles northeast of Safford, Ariz.
- 2950-C1-P-70—Data Transmission Co. (New), 6093.46 MHz toward Lonestar Mountain, Ariz., and 6034.15 MHz toward Flourite Ranch, N. Mex. Location: 15.5 miles southwest of Silver City, N. Mex.
- 2951-C1-P-70—Data Transmission Co. (New), 6404.80 MHz toward Aden Hills, N. Mex., and 6386.19 MHz toward Jack's Mountain, N. Mex. Location: 10 miles north of Deming, N. Mex.
- 2952-C1-P-70—Data Transmission Co. (New), 6152.76 MHz toward Flourite Ranch, N. Mex., and 6286.19 MHz toward Anthony Gap, N. Mex. Location: 20 miles southwest of Las Cruces, N. Mex.
- 2953-C1-P-70—Data Transmission Co. (New), 6034.15 MHz toward Aden Hills, N. Mex., and 6404.80 MHz toward Escondido Tract, N. Mex. Location: 4.3 miles east of Anthony, N. Mex.
- 2954-C1-P-70—Data Transmission Co. (New), 6152.76 MHz toward Anthony Gap, N. Mex., and 6226.89 MHz toward El Capitan, Tex. Location: 5 miles south of Alamogordo, N. Mex.
- 2955-C1-P-70—Data Transmission Co. (New), 6017.2 MHz toward Escondido T., N. Mex., and 6135.8 MHz toward Corral Peak, Tex. Location: 2.5 miles west of Pine Springs, Tex.
- 2956-C1-P-70—Data Transmission Co. (New), 6375.15 MHz toward El Capitan, Tex., and 6256.54 MHz toward Levinson, Tex. Location: 35 miles southeast of Pine Springs, Tex.

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- 2957-C1-P-70—Data Transmission Co. (New), 6004.50 MHz toward Corral Peak, Tex., and 6404.80 MHz toward Pecos Peak, Tex. Location: 2 miles east of Levinson, Tex.
- 2958-C1-P-70—Data Transmission Co. (New), 6152.76 MHz toward Levinson, Tex., and 6197.24 MHz toward Sierra Madera, Tex. Location: 18 miles southeast of Toyahvale, Tex.
- 2959-C1-P-70—Data Transmission Co. (New), 5945.200 MHz toward Pecos Peak, Tex., and 6345.50 MHz toward East Mesa, Tex., and 6256.540 MHz toward Thorn Ranch, Tex. Location: 30 miles south of Fort Stockton, Tex.
- 2960-C1-P-70—Data Transmission Co. (New), 6004.50 MHz toward Sierra Madera, Tex., and 6375.15 MHz toward Richland, Tex. Location: 32 miles southeast of Fort Stockton, Tex.
- 2961-C1-P-70—Data Transmission Co. (New), 6123.11 MHz toward Thorn Ranch, Tex., and 6226.89 MHz toward Government Canyon, Tex. Location: 18.2 miles south of Sheffield, Tex.
- 2962-C1-P-70—Data Transmission Co. (New), 5974.85 MHz toward Richland, Tex., and 6152.76 MHz toward East Fork, Tex. Location: 17 miles southwest of Ozona, Tex.
- 2963-C1-P-70—Data Transmission Co. (New), 6404.80 MHz toward Government Canyon, Tex., and 6375.15 MHz toward Mayfield Ranch, Tex. Location: 21 miles southwest of Socorro, Tex.
- 2964-C1-P-70—Data Transmission Co. (New), 6123.11 MHz toward East Fork, Tex., and 6219.50 MHz toward Wardlaw Ranch, Tex. Location: 22 miles northwest of Rock Springs, Tex.
- 2965-C1-P-70—Data Transmission Co. (New), 5967.395 MHz toward Mayfield Ranch, Tex., and 6345.500 MHz toward Las Moras, Tex. Location: 9.5 miles northeast of Carta Valley, Tex.
- 2966-C1-P-70—Data Transmission Co. (New), 6071.191 MHz toward Wardlaw Ranch, Tex., and 6152.76 MHz toward Uvalde, Tex. Location: 3 miles northeast of Brackettville, Tex.
- 2967-C1-P-70—Data Transmission Co. (New), 6397.395 MHz toward Las Moras, Tex., and 6305.000 MHz toward D'Hanis, Tex. Location: 3.5 miles northeast of Uvalde, Tex.
- 2968-C1-P-70—Data Transmission Co. (New), 5952.988 MHz toward Uvalde, Tex., and 6315.850 MHz toward Rio Medina, Tex. Location: 2 miles southeast of D'Hanis, Tex.
- 2969-C1-P-70—Data Transmission Co. (New), 6055.000 MHz toward D'Hanis, Tex., and 6404.8 MHz toward San Antonio, Tex. Location: 4 miles east of Rio Medina, Tex.
- 2970-C1-P-70—Data Transmission Co. (New), 6153.8 MHz toward Rio Medina, Tex. Location: 430 Soledad Avenue, San Antonio, Tex.
- 2971-C1-P-70—Data Transmission Co. (New), 6083.460 MHz toward Sierra Madera, Tex., and 6256.540 MHz toward King Mountain, Tex. Location: 14 miles northeast of Fort Stockton, Tex.
- 2972-C1-P-70—Data Transmission Co. (New), 6004.500 MHz toward East Mesa, Tex., and 6345.500 MHz toward Ector Peak, Tex. Location: 7 miles north of McCamey, Tex.
- 2973-C1-P-70—Data Transmission Co. (New), 6093.46 MHz toward King Mountain, Tex., and 6226.89 MHz toward Pipeline, Tex. Location: 10 miles southwest of Odessa, Tex.
- 2974-C1-P-70—Data Transmission Co. (New), 5974.85 MHz toward Ector Peak, Tex., and 6404.80 MHz toward Newton, Tex. Location: 12 miles south of Midland, Tex.
- 2975-C1-P-70—Data Transmission Co. (New), 6152.76 MHz toward Pipeline, Tex., and 6226.89 MHz toward Big Spring, Tex. Location: 8.6 miles northwest of Garden City, Tex.
- 2976-C1-P-70—Data Transmission Co. (New), 5974.85 MHz toward Newton, Tex., and 6375.15 MHz toward Champion, Tex. Location: 4 miles northwest of Faron, Tex.
- 2977-C1-P-70—Data Transmission Co. (New), 6123.11 MHz toward Big Spring, Tex., and 6256.54 MHz toward Sweetwater, Tex. Location: 5.2 miles southeast of Champion, Tex.
- 2978-C1-P-70—Data Transmission Co. (New), 6004.500 MHz toward Champion, Tex., and 6345.500 MHz toward Estes Ranch, Tex. Location: 9 miles east of Sweetwater, Tex.
- 2979-C1-P-70—Data Transmission Co. (New), 6093.46 MHz toward Sweetwater, Tex., and 6197.24 MHz toward Davis Ranch, Tex. Location: 2.5 miles north of Abilene, Tex.
- 2980-C1-P-70—Data Transmission Co. (New), 5945.200 MHz toward Estes Ranch, Tex., and 6256.540 MHz toward Breckenridge, Tex. Location: 1.5 miles southeast of Shackelford, Tex.
- 2981-C1-P-70—Data Transmission Co. (New), 6004.500 MHz toward Davis Ranch, Tex., and 6375.150 MHz toward Braeken, Tex. Location: 0.5 mile west of Breckenridge, Tex.
- 2982-C1-P-70—Data Transmission Co. (New), 6123.11 MHz toward Breckenridge, Tex., and 6286.19 MHz toward Mineral Wells, Tex. Location: 0.5 mile east of Brad, Tex.

POINT-TO-POINT MICROWAVE RADIO SERVICE (TELEPHONE CARRIER)—continued

- 2983-C1-P-70—Data Transmission Co. (New), 6034.15 MHz toward Broken, Tex., and 6345.50 MHz toward Weatherford, Tex. Location: 0.7 miles northeast of Mineral Wells, Tex.
- 2984-C1-P-70—Data Transmission Co. (New), 6034.46 MHz toward Mineral Wells, Tex., and 6256.54 MHz toward Burleson, Tex., and 6345.50 MHz toward Sken Park, Tex. Location: 4.3 miles southeast of Weatherford, Tex.
- 2985-C1-P-70—Data Transmission Co. (New), 6004.50 MHz toward Weatherford, Tex., and 6375.15 MHz toward Cedar Hill, Tex. Location: 2.7 miles northeast of Burleson, Tex.
- 2986-C1-P-70—Data Transmission Co. (New), 6123.1 MHz toward Burleson, Tex., and 6034.2 MHz toward Bristol, Tex., and 5974.8 MHz toward Dallas, Tex. Location: 1 mile west of Cedar Hill, Tex.
- 2987-C1-P-70—Data Transmission Co. (New), 6404.8 MHz toward Cedar Hill, Tex. Location: 1949 North Simmons Freeway, Dallas, Tex.
- 2988-C1-P-70—Data Transmission Co. (New), 6286.19 MHz toward Cedar Hill, Tex., and 6380 MHz toward Stockard, Tex. Location: 0.7 mile, southeast of Bristol, Tex.
- 2989-C1-P-70—Data Transmission Co. (New), 6108.297 MHz toward Bristol, Tex., and 6404.800 MHz toward Montalva, Tex. Location: 2.5 miles northeast of Stockard, Tex.
- 2990-C1-P-70—Data Transmission Co. (New), 6152.760 MHz toward Stockard, Tex., and 6271.297 MHz toward Russell, Tex. Location: 2 miles northeast of Montalva, Tex.
- 2991-C1-P-70—Data Transmission Co. (New), 6019.297 MHz toward Montalva, Tex., and 6049.000 MHz toward Mossy Grove, Tex. Location: 10 miles northeast of Centerville, Tex.
- 2992-C1-P-70—Data Transmission Co. (New), 6301.00 MHz toward Russell, Tex., and 6404.80 MHz toward Willis, Tex. Location: 4 miles southeast of Mossy Grove, Tex.
- 2993-C1-P-70—Data Transmission Co. (New), 6152.8 MHz toward Mossy Grove, Tex., and 6286.2 MHz toward Spring, Tex. Location: 1 mile northwest of Willis, Tex.
- 2994-C1-P-70—Data Transmission Co. (New), 6034.2 MHz toward Willis, Tex., and 6360.3 MHz toward Houston, Tex. Location: 3.8 miles west of Spring, Tex.
- 2995-C1-P-70—Data Transmission Co. (New), 6108.3 MHz toward Spring, Tex. Location: Houston National Gas Building, 1200 Travis Street, Houston, Tex.
- 2996-C1-P-70—Data Transmission Co. (New), 6093.46 MHz toward Weatherford, Tex., and 6004.50 MHz toward Jim Ned Lookout, Tex. Location: 1.5 miles northwest of Agnes, Tex.
- 2997-C1-P-70—Data Transmission Co. (New), 6256.54 MHz toward Sken Peak, Tex., and 6375.15 MHz toward Oscar, Okla. Location: 1 mile southwest of Dye, Tex.
- 2998-C1-P-70—Data Transmission Co. (New), 6123.11 MHz toward Jim Ned Lookout, Okla., and 6083.46 MHz toward Velma, Okla. Location: 1.1 miles northwest of Oscar, Okla.
- 2999-C1-P-70—Data Transmission Co. (New), 6345.50 MHz toward Oscar, Okla., and 5974.85 MHz toward Rush Springs, Okla. Location: 2.0 miles southwest of Velma, Okla.
- 3000-C1-P-70—Data Transmission Co. (New), 6226.89 MHz toward Velma, Okla., and 6375.15 MHz toward Bridge Creek, Okla. Location: 2.1 miles northeast of Rush Springs, Okla.
- 3001-C1-P-70—Data Transmission Co. (New), 6123.11 MHz toward Rush Springs, Okla., and 6286.19 MHz toward El Reno, Okla. Location: 4.2 miles southeast of Water, Okla.
- 3002-C1-P-70—Data Transmission Co. (New), 6034.15 MHz toward Bridge Creek, Okla., and 6404.80 MHz toward Guthrie, Okla., and 5974.80 MHz toward Oklahoma City, Okla. Location: 4.8 miles northeast of El Reno, Okla.
- 3003-C1-P-70—Data Transmission Co. (New), 6226.9 MHz toward El Reno, Okla. Location: Liberty Bank & Trust Co., 204 North Robinson Street, Oklahoma City, Okla.
- 3004-C1-P-70—Data Transmission Co. (New), 6152.76 MHz toward El Reno, Okla., and 6256.54 MHz toward Perry, Okla. Location: 3 miles southeast of Guthrie, Okla.
- 3005-C1-P-70—Data Transmission Co. (New), 6004.50 MHz toward Guthrie, Okla., and 6375.15 MHz toward Camp Creek, Okla. Location: 4.5 miles southwest of Noble, Okla.
- 3006-C1-P-70—Data Transmission Co. (New), 6123.11 MHz toward Perry, Okla., and 6034.15 MHz toward Warehau Creek, Okla. Location: 9 miles east of Glenoco, Okla.
- 3007-C1-P-70—Data Transmission Co. (New), 6286.19 MHz toward Camp Creek, Okla., and 6404.80 MHz toward Owasso, Okla. Location: 5 miles east of Osage, Okla.
- 3008-C1-P-70—Data Transmission Co. (New), 6152.76 MHz toward Warehau Creek, Okla., and 6256.54 MHz toward Pryor, Okla. Location: 2.4 miles northwest of Owasso, Okla.
- 3009-C1-P-70—Data Transmission Co. (New), 6004.50 MHz toward Owasso, Okla., and 6123.11 MHz toward Cleora, Okla. Location: 5 miles west of Pryor, Okla.
- 3010-C1-P-70—Data Transmission Co. (New), 6375.15 MHz toward Pryor, Okla., and 6256.54 MHz toward Redings Mill, Mo. Location: 9.2 miles southeast of Vinita, Okla.

POINT-TO-POINT MICROWAVE RADIO SERVICE (TELEPHONE CARRIER)—continued

- 3011-C1-P-70—Data Transmission Co. (New), 6004.500 MHz toward Cleora, Okla., and 6108.297 MHz toward Arma, Kans. Location: 2.2 miles southwest of Redings Mill, Mo.
- 3012-C1-P-70—Data Transmission Co. (New), 6060.00 MHz toward Redings Mill, Mo., and 6409.00 MHz toward Savonburg, Kans. Location: 1.7 miles southeast of Arma, Kans.
- 3013-C1-P-70—Data Transmission Co. (New), 6153.00 MHz toward Arma, Kans., and 6345.50 MHz toward Kincaid, Kans. Location: 3 miles northwest of Porterville, Kans.
- 3014-C1-P-70—Data Transmission Co. (New), 6083.46 MHz toward Savonburg, Kans., and 6197.24 MHz toward Paola, Kans. Location: 3.8 miles north of Kincaid, Kans.
- 3015-C1-P-70—Data Transmission Co. (New), 5945.200 MHz toward Kincaid, Kans., and 6360.297 MHz toward Olathe, Kans. Location: 6 miles northwest of Paola, Kans.
- 3016-C1-P-70—Data Transmission Co. (New), 6108.297 MHz toward Paola, Kans., and 6153.760 MHz toward Leavenworth, Kans. Location: 4.2 miles northwest of Olathe, Kans.
- 3017-C1-P-70—Data Transmission Co. (New), 6404.80 MHz toward Olathe, Kans., and 6286.19 MHz toward Nashua, Kans., and 6256.50 MHz toward Blair, Kans. Location: 3.8 miles southwest of Springdale, Kans.
- 3018-C1-P-70—Data Transmission Co. (New), 6034.15 MHz toward Leavenworth, Kans., and 6194.50 MHz toward Olathe, Mo., and 6083.50 MHz toward Kansas City, Mo. Location: 1.6 miles east of Nashua, Mo.
- 3019-C1-P-70—Data Transmission Co. (New), 6033.5 MHz toward Nashua, Mo. Location: Commerce Bank Tower, Ninth and Main Streets, Kansas City, Mo.
- 3020-C1-P-70—Data Transmission Co. (New), 6390.00 MHz toward Nashua, Mo., and 6375.15 MHz toward Warrensburg, Mo. Location: 3 miles northwest of Olathe, Mo.
- 3021-C1-P-70—Data Transmission Co. (New), 6123.11 MHz toward Olathe, Mo., and 6197.24 MHz toward Sedalia, Mo. Location: 3 miles northwest of Burlington, Mo.
- 3022-C1-P-70—Data Transmission Co. (New), 5945.20 MHz toward Warrensburg, Mo., and 6226.89 MHz toward Tipton, Mo. Location: 2.7 miles north of Sedalia, Mo.
- 3023-C1-P-70—Data Transmission Co. (New), 5974.85 MHz toward Sedalia, Mo., and 6404.80 MHz toward Ashland, Mo. Location: 3.4 miles north of Tipton, Mo.
- 3024-C1-P-70—Data Transmission Co. (New), 6152.76 MHz toward Tipton, Mo., and 6375.15 MHz toward St. Aubert, Mo. Location: 1.7 miles northwest of Ashland, Mo.
- 3025-C1-P-70—Data Transmission Co. (New), 5989.7 MHz toward Ashland, Mo., and 6152.760 MHz toward Hermann, Mo. Location: 2.2 miles southeast of St. Aubert, Mo.
- 3026-C1-P-70—Data Transmission Co. (New), 6404.800 MHz toward St. Aubert, Mo., and 6360.297 MHz toward Fox Creek, Mo. Location: 1.4 miles southeast of Hermann, Mo.
- 3027-C1-P-70—Data Transmission Co. (New), 6108.3 MHz toward Hermann, Mo., and 6034.2 MHz toward St. Louis, Mo. Location: 2.6 miles southeast of Oetters, Mo.
- 3028-C1-P-70—Data Transmission Co. (New), 6241.7 MHz toward Fox Creek, Mo. Location: The Laclede Gas Building, Eighth and Olive Streets, St. Louis, Mo.
- 3029-C1-P-70—Data Transmission Co. (New), 6049.000 MHz toward Barada, Nebr., and 5989.598 MHz toward Leavenworth, Kans. Location: 2.7 miles northwest of Blair, Kans.
- 3030-C1-P-70—Data Transmission Co. (New), 6375.150 MHz toward Paul Nebr., and 6330.593 MHz toward Blair, Kans. Location: 3.1 miles northeast of Barada, Nebr.
- 3031-C1-P-70—Data Transmission Co. (New), 6256.54 MHz toward Mills, Iowa, and 6123.11 MHz toward Barada, Nebr. Location: 3 miles northwest of Paul, Nebr.
- 3032-C1-P-70—Data Transmission Co. (New), 6404.80 MHz toward Shelby, Iowa, and 6004.50 MHz toward Paul, Nebr., and 5945.20 MHz toward Omaha, Nebr. Location: 5.6 miles west of Mineola, Tex.
- 3033-C1-P-70—Data Transmission Co. (New), 6197.2 MHz toward Mills, Nebr. Location: Woodman Building, 1700 Farnam Street, Omaha, Nebr.
- 3034-C1-P-70—Data Transmission Co. (New), 6123.11 MHz toward Sharon, Iowa, and 6152.76 MHz toward Mills, Iowa. Location: 2.8 miles northwest of Shelby, Iowa.
- 3035-C1-P-70—Data Transmission Co. (New), 5989.691 MHz toward Dedham, Iowa, and 6375.15 MHz toward Shelby, Iowa, and 5945.20 MHz toward Adair, Iowa. Location: 3 miles northwest of Sharon, Iowa.
- 3036-C1-P-70—Data Transmission Co. (New), 6404.5 MHz toward Sharon, Iowa, and 6034.2 MHz toward Webster, Iowa. Location: 2 miles northeast of Adair, Iowa.
- 3037-C1-P-70—Data Transmission Co. (New), 6197.2 MHz toward Adair, Iowa, and 6345.5 MHz toward Des Moines, Iowa. Location: 3.6 miles north of Webster, Iowa.
- 3038-C1-P-70—Data Transmission Co. (New), 5945.2 MHz toward Webster, Iowa. Location: Ninth at Pleasant Street, Des Moines, Iowa.

- 3039-C1-P-70—Data Transmission Co. (New). 6945.50 MHz toward Sherwood, Iowa, and 6241.00 MHz toward Sharon, Iowa. Location: 2.8 miles northwest of Dedham, Iowa.
- 3040-C1-P-70—Data Transmission Co. (New). 6197.94 MHz toward Stormlake, Iowa, and 6093.46 MHz toward Dedham, Iowa. Location: 0.2 mile west of Sherwood, Iowa.
- 3041-C1-P-70—Data Transmission Co. (New). 6040.80 MHz toward Webb, Iowa, and 5945.30 MHz toward Sherwood, Iowa. Location: 2.7 miles west of Stormlake, Iowa.
- 3042-C1-P-70—Data Transmission Co. (New). 6152.76 MHz toward Stormlake, Iowa, and 6375.15 MHz toward Fairville, Iowa. Location: 4.8 miles northeast of Webb, Iowa.
- 3043-C1-P-70—Data Transmission Co. (New). 6093.11 MHz toward Thompson, Iowa, and 6123.11 MHz toward Webb, Iowa. Location: 1.4 miles south of Fairville, Iowa.
- 3044-C1-P-70—Data Transmission Co. (New). 6197.94 MHz toward Freeborn, Minn., and 6945.50 MHz toward Fairville, Iowa. Location: 7.9 miles northwest of Forest City, Iowa.
- 3045-C1-P-70—Data Transmission Co. (New). 6375.15 MHz toward Wesaca, Minn., and 6345.50 MHz toward Northwood, Iowa, and 5945.20 MHz toward Thompson, Iowa. Location: 4 miles southeast of Freeborn, Minn.
- 3046-C1-P-70—Data Transmission Co. (New). 6019.297 MHz toward Montgomery, Minn., and 6137.265 MHz toward Freeborn, Minn. Location: 4.5 miles northeast of Wesaca, Minn.
- 3047-C1-P-70—Data Transmission Co. (New). 6271.297 MHz toward Wesaca, Minn., and 6152.8 MHz toward Minneapolis, Minn. Location: 3 miles southeast of Montgomery, Minn.
- 3048-C1-P-70—Data Transmission Co. (New). 6382.6 MHz toward Montgomery, Minn. Location: IDS Center, Eighth and Nicollet Mail, Minneapolis, Minn.
- 3049-C1-P-70—Data Transmission Co. (New). 6063.61 MHz toward Bailey, Iowa, and 6093.46 MHz toward Freeborn, Minn. Location: 1.8 miles north of Northwood, Iowa.
- 3050-C1-P-70—Data Transmission Co. (New). 6197.94 MHz toward Harmony, Minn., and 6315.85 MHz toward Northwood, Iowa. Location: 2.3 miles northeast of Bailey, Iowa.
- 3051-C1-P-70—Data Transmission Co. (New). 5987.50 MHz toward Waukon, Iowa, and 5945.20 MHz toward Bailey, Iowa. Location: 2.3 miles east of Harmony, Minn.
- 3052-C1-P-70—Data Transmission Co. (New). 6152.76 MHz toward Seneca, Wis., and 6241.00 MHz toward Harmony, Minn. Location: 1 mile northwest of Waukon, Iowa.
- 3053-C1-P-70—Data Transmission Co. (New). 6375.15 MHz toward Highland, Wis., and 6404.80 MHz toward Waukon, Iowa. Location: 1 mile north of Seneca, Wis.
- 3054-C1-P-70—Data Transmission Co. (New). 6094.15 MHz toward Highland, Wis., and 6145.297 MHz toward Brooklyn, Wis., and 5945.2 MHz toward Madison, Wis. Location: 1.3 miles northwest of Blue Mounds, Wis.
- 3055-C1-P-70—Data Transmission Co. (New). 6226.9 MHz toward Blue Mounds, Wis. Location: First National Bank, 1 South Pinckney Street, Madison, Wis.
- 3056-C1-P-70—Data Transmission Co. (New). 6397.395 MHz toward Blue Mounds, Wis., and 6256.54 MHz toward Rock Grove, Ill. Location: 2.1 miles southeast of Brooklyn, Wis.
- 3057-C1-P-70—Data Transmission Co. (New). 6019.297 MHz toward Brooklyn, Wis., and 6387.50 MHz toward Rockford, Ill. Location: 2.5 miles northeast of Rock Grove, Ill.
- 3058-C1-P-70—Data Transmission Co. (New). 5974.85 MHz toward Starke, Ill., and 6123.11 MHz toward Rock Grove, Ill., and 6004.5 MHz toward Como, Ill. Location: 2.5 miles north of Starke, Ill.
- 3059-C1-P-70—Data Transmission Co. (New). 6197.2 MHz toward Rockford, Ill., and 6256.5 MHz toward Big Bend, Wis. Location: 2.2 miles northwest of Como, Wis.
- 3060-C1-P-70—Data Transmission Co. (New). 5974.8 MHz toward Como, Wis., and 5945.2 MHz toward Milwaukee, Wis. Location: 2.2 miles northwest of Big Bend, Wis.
- 3061-C1-P-70—Data Transmission Co. (New). 6315.9 MHz toward Big Bend, Wis. Location: 11th and State Street, Milwaukee, Wis.
- 3062-C1-P-70—Data Transmission Co. (New). 6278.797 MHz toward Blue Mounds, Wis., and 6123.11 MHz toward Seneca, Wis. Location: 1.4 miles north of Highland, Wis.
- 3063-C1-P-70—Data Transmission Co. (New). 6226.53 MHz toward Rockford, Ill., and 6330.691 MHz toward Wheaton, Ill. Location: 1.5 miles southwest of Starke, Ill.
- 3064-C1-P-70—Data Transmission Co. (New). 6093.46 MHz toward Starke, Ill., and 6123.11 MHz toward Tinley Park, Ill. Location: 1.8 miles southwest of Wheaton, Ill.
- 3065-C1-P-70—Data Transmission Co. (New). 5969.6 MHz toward Beatrice, Ind., and 6360.3 MHz toward Wheaton, Ill., and 6404.8 MHz toward Chicago, Ill. Location: 3.0 miles west of Tinley Park, Ill.

- 3066-C1-P-70—Data Transmission Co. (New). 5945.2 MHz toward Tinley Park, Ill. Location: John Hancock Building, 875 North Michigan Boulevard, Chicago, Ill.
- 3067-C1-P-70—Data Transmission Co. (New). 6256.54 MHz toward Tinley Park, Ill., and 6288.19 MHz toward Medaryville, Ind. Location: 4 miles northwest of Porter Crossroad, Ind.
- 3068-C1-P-70—Data Transmission Co. (New). 6049.00 MHz toward Beatrice, 6019.00 MHz toward DeLong, Ind. Location: 2.6 miles southwest of Medaryville, Ind.
- 3069-C1-P-70—Data Transmission Co. (New). 6249.088 MHz toward Medaryville, Ind., and 6204.691 MHz toward Gilead, Ind. Location: 1.5 miles southwest of DeLong, Ind.
- 3070-C1-P-70—Data Transmission Co. (New). 6004.50 MHz toward DeLong, Ind., and 6093.50 MHz toward Waupecong, Ind. Location: 2.5 miles southwest of Gilead, Ind.
- 3071-C1-P-70—Data Transmission Co. (New). 6382.6 MHz toward Gilead, Ind., and 6197.2 MHz toward Tetersburg, Ind. Location: 0.2 mile east of Waupecong, Ind.
- 3072-C1-P-70—Data Transmission Co. (New). 5945.20 MHz toward Waupecong, Ind., and 6375.15 MHz toward Eden, Ind. Location: 1.2 miles southwest of Tetersburg, Ind.
- 3073-C1-P-70—Data Transmission Co. (New). 6034.15 MHz toward Greenwood, Ind., and 6123.11 MHz toward Tetersburg, Ind., and 10.795 MHz toward Indianapolis, Ind. Location: 2 miles southwest of Eden, Ind.
- 3074-C1-P-70—Data Transmission Co. (New). 11.285 MHz toward Eden, Ind. Location: One Indiana Square, Indianapolis, Ind.
- 3075-C1-P-70—Data Transmission Co. (New). 6271.297 MHz toward Eden, Ind., and 5945.20 MHz toward Taylor Hill, Ind. Location: 0.5 mile southeast of Greenwood, Ind.
- 3076-C1-P-70—Data Transmission Co. (New). 6197.94 MHz toward Greenwood, Ind., and 6315.85 MHz toward New Philadelphia, Ind., and 6404.80 MHz toward Greensburg, Ind. Location: 1.7 miles northeast of Bethany, Ind.
- 3077-C1-P-70—Data Transmission Co. (New). 6123.1 MHz toward Taylor Hill (Bethany), Ind., and 6152.8 MHz toward Pennstown, Ind. Location: 10 miles south of Greensburg, Ind.
- 3078-C1-P-70—Data Transmission Co. (New). 6375.2 MHz toward Greensburg, Ind., and 6315.9 MHz toward New Baltimore, Ohio. Location: 1.3 miles southeast of Pennstown, Ind.
- 3079-C1-P-70—Data Transmission Co. (New). 5945.2 MHz toward Pennstown, Ind., and 6063.8 MHz toward Mainville, Ohio, and 6093.5 MHz toward Cincinnati, Ohio. Location: 2.2 miles northwest of New Baltimore, Ohio.
- 3080-C1-P-70—Data Transmission Co. (New). 6404.8 MHz toward New Baltimore, Ohio. Location: Fifth and Vine Streets, Cincinnati, Ohio.
- 3081-C1-P-70—Data Transmission Co. (New). 6226.9 MHz toward New Baltimore, Ohio, and 6404.8 MHz toward Snow Hill, Ohio. Location: 2.5 miles southeast of Mainville, Ohio.
- 3082-C1-P-70—Data Transmission Co. (New). 6152.8 MHz toward Mainville, Ohio, and 6123.1 MHz toward Yatesville, Ohio. Location: 1.5 miles northwest of Snow Hill, Ohio.
- 3083-C1-P-70—Data Transmission Co. (New). 6197.2 MHz toward Snow Hill, Ohio, and 6315.9 MHz toward Columbus, Ohio. Location: 1.4 miles northwest of Yatesville, Ohio.
- 3084-C1-P-70—Data Transmission Co. (New). 5945.2 MHz toward Yatesville, Ohio. Location: 88 East Broad Street, Columbus, Ohio.
- 3085-C1-P-70—Data Transmission Co. (New). 6019.297 MHz toward Lanesville, Ind., and 6049.00 MHz toward Taylor Hill, Ind. Location: 2.7 miles northwest of South Boston.
- 3086-C1-P-70—Data Transmission Co. (New). 6375.15 MHz toward Garret, Ky., and 6256.54 MHz toward New Philadelphia, Ind., and 6330.7 MHz toward Louisville, Ky. Location: 3.2 miles east of Lanesville, Ind.
- 3087-C1-P-70—Data Transmission Co. (New). 6078.7 MHz toward Lanesville, Ind. Location: First National Bank, 101 South Fifth Street, Louisville, Ky.
- 3088-C1-P-70—Data Transmission Co. (New). 6137.50 MHz toward Lanesville, Ind., and 6312.00 MHz toward Layman Knob, Ky. Location: 2.4 miles east of Garret, Ky.
- 3089-C1-P-70—Data Transmission Co. (New). 5960.00 MHz toward Garret, Ky., and 6123.11 MHz toward Nick, Ky. Location: 1.2 miles northwest of Leitchfield, Ky.
- 3090-C1-P-70—Data Transmission Co. (New). 6360.11 MHz toward Layman Knob, Ky., and 6286.19 MHz toward Pilot Knob, Ky. Location: 1.0 mile south of Nick, Ky.
- 3091-C1-P-70—Data Transmission Co. (New). 6049.00 MHz toward Nick, Ky., and 6123.11 MHz toward South Tunnel, Tenn. Location: 3.3 miles northwest of Turnertown, Ky.

POINT-TO-POINT MICROWAVE RADIO SERVICE (TELEPHONE CARRIER)—continued

- 3092-C1-P-70—Data Transmission Co. (New), 6228.89 MHz toward Short Mountain, Tenn., and 6375.15 MHz toward Pilot Knob, Ky. Location: 1.0 mile southwest of South Tunnel, Tenn.
- 3093-C1-P-70—Data Transmission Co. (New), 6315.85 MHz toward Kelley Creek, Tenn., and 6108.297 MHz toward Cross Keys, Tenn., and 6152.76 MHz toward Nashville Repeater, Tenn., and 6093.45 MHz toward Nashville Repeater, Tenn., and 5974.85 MHz toward South Tunnel, Tenn. Location: 3.4 miles northeast of Half Acre, Tenn.
- 3094-C1-P-70—Data Transmission Co. (New), 6345.5 MHz toward Short Mountain, Tenn., and 6404.8 MHz toward Short Mountain, Tenn., and 6197.2 MHz toward Nashville City, Tenn., and 6301.0 MHz toward Nashville City, Tenn. Location: 3.5 miles south of Nashville, Tenn.
- 3095-C1-P-70—Data Transmission Co. (New), 5945.2 MHz toward Nashville Repeater, Tenn., and 6049.0 MHz toward Nashville Repeater, Tenn. Location: Life & Casualty Insurance Building, 4th and Church Streets, Nashville, Tenn.
- 3096-C1-P-70—Data Transmission Co. (New), 6360.000 MHz toward Short Mountain, Tenn., and 6071.191 MHz toward Langford Brook, Tenn. Location: 0.9 mile northeast of Cross Keys, Tenn.
- 3097-C1-P-70—Data Transmission Co. (New), 6318.850 MHz toward Cross Keys, Tenn., and 6315.350 MHz toward Crosson Creek, Tenn. Location: 2.8 miles southwest of Hampshire, Tenn.
- 3098-C1-P-70—Data Transmission Co. (New), 6083.610 MHz toward Langford Brook, Tenn., and 6226.890 MHz toward McGlamerys Stand, Tenn. Location: 2.6 miles southeast of Red Hill, Tenn.
- 3099-C1-P-70—Data Transmission Co. (New), 5974.850 MHz toward Crosson Creek, Tenn., and 6034.150 MHz toward Nixon, Tenn. Location: 2.6 miles southwest of McGlamerys Stand, Tenn.
- 3100-C1-P-70—Data Transmission Co. (New), 6226.190 MHz toward McGlamerys Stand, Tenn., 6197.240 MHz toward Ramer, Tenn. Location: 2.7 miles southeast of Nixon, Tenn.
- 3101-C1-P-70—Data Transmission Co. (New), 5960.000 MHz toward Nixon, Tenn., and 6286.190 MHz toward Grand Junction, Tenn. Location: 5.3 miles northwest of Ramer, Tenn.
- 3102-C1-P-70—Data Transmission Co. (New), 6034.150 MHz toward Ramer, Tenn., and 6390.000 MHz toward Fisherville Lake, Tenn. Location: 1.3 miles northeast of Grand Junction, Tenn.
- 3103-C1-P-70—Data Transmission Co. (New), 6187.895 MHz toward Grand Junction, Tenn., and 6241.700 MHz toward Memphis, Tenn. Location: 1.7 miles northwest of Eiba, Tenn.
- 3104-C1-P-70—Data Transmission Co. (New), 5989.7 MHz toward Fisherville Lake, Tenn. Location: Sterick Building, Memphis, Tenn.
- 3105-C1-P-70—Data Transmission Co. (New), 6028.598 MHz toward Fairlyland, Ga., and 6071.191 MHz toward Short Mountain, Tenn. Location: 2.4 miles southeast of Palmer, Tenn.
- 3106-C1-P-70—Data Transmission Co. (New), 6212.000 MHz toward Rocky Face Mountain, Ga., and 6330.691 MHz toward Kelley Creek, Tenn. Location: 1.5 miles southwest of Fairlyland, Ga.
- 3107-C1-P-70—Data Transmission Co. (New), 6390.000 MHz toward Pine Log Mountain, Ga., and 5960.000 MHz toward Fairlyland, Ga. Location: 1.4 miles northeast of Mill Creek, Ga.
- 3108-C1-P-70—Data Transmission Co. (New), 6037.50 MHz toward Rocky Face Mountain, Ga., and 5974.2 MHz toward Lindale, Ga., and 6123.1 MHz toward Sweetwater Creek, Ga., and 6108.3 MHz toward Pine Log Mountain, Ga. Location: 4 miles southeast of Rydal, Ga.
- 3109-C1-P-70—Data Transmission Co. (New), 6345.5 MHz toward Pine Log Mountain, Ga., and 6315.9 MHz toward Atlanta, Ga. Location: 0.3 mile east of Sweetwater Creek, Ga.
- 3110-C1-P-70—Data Transmission Co. (New), 6063.8 MHz toward Sweetwater Creek, Ga. Location: Peachtree Center Complex, Peachtree and Cain Streets, Atlanta, Ga.
- 3111-C1-P-70—Data Transmission Co. (New), 6404.8 MHz toward Pine Log Mountain, Ga., and 6226.9 MHz toward Pine Grove, Ala. Location: 4.5 miles southwest of Lindale, Ga.
- 3112-C1-P-70—Data Transmission Co. (New), 6153.8 MHz toward Lindale, Ga., and 6042.2 MHz toward Whitney, Ala. Location: 2 miles southeast of Pine Grove, Ala.
- 3113-C1-P-70—Data Transmission Co. (New), 6197.2 MHz toward Pine Grove, Ala., and 6345.5 MHz toward Chalkville, Ala. Location: 3 miles north of Whitney, Ala.

POINT-TO-POINT MICROWAVE RADIO SERVICE (TELEPHONE CARRIER)—continued

- 3114-C1-P-70—Data Transmission Co. (New), 5945.2 MHz toward Whitney, Ala., and 6063.8 MHz toward Birmingham, Ala. Location: 2 miles northeast of Chalkville, Ala.
- 3115-C1-P-70—Data Transmission Co. (New), 6206.9 MHz toward Chalkville, Ala. Location: Fifth Avenue and North 20th Street, Birmingham, Ala.
- 3116-C1-P-70—Data Transmission Co. (New), 6367.7 MHz toward Pine Log Mountain, Ga., and 6330.7 MHz toward Oakway, S.C. Location: 2 miles southeast of Yonah, Ga.
- 3117-C1-P-70—Data Transmission Co. (New), 6049.0 MHz toward Pink Mountain, Ga., and 6011.9 MHz toward Tryon Mountain, N.C. Location: 0.8 mile northwest of Oakway, S.C.
- 3118-C1-P-70—Data Transmission Co. (New), 6341.9 MHz toward Oakway, S.C., and 6352.9 MHz toward Olive Grove, N.C. Location: 3.2 miles southwest of Mount Valley, N.C.
- 3119-C1-P-70—Data Transmission Co. (New), 5974.85 MHz toward Tryon, N.C., and 6026.0 MHz toward New Hope, N.C., and 6063.5 MHz toward Spencer Mountain, N.C. Location: 4.5 miles west-northwest of Olive Grove, N.C.
- 3120-C1-P-70—Data Transmission Co. (New), 6236.5 MHz toward Olive Grove, N.C., and 6177.5 MHz toward Charlotte, N.C. Location: 3.9 miles southeast of Dallas, N.C.
- 3121-C1-P-70—Data Transmission Co. (New), 5945.2 MHz toward Spencer Mountain, N.C. Location: Trylong and College Streets, Charlotte, N.C.
- 3122-C1-P-70—Data Transmission Co. (New), 6404.8 MHz toward Olive Grove, N.C., and 6330.7 MHz toward Sauratown, N.C. Location: 2.7 miles south-southwest of New Hope, N.C.
- 3123-C1-P-70—Data Transmission Co. (New), 5969.7 MHz toward New Hope, N.C., and 6049.0 MHz toward Smith Mountain, N.C. Location: 2.7 miles southwest of Gap, N.C.
- 3124-C1-P-70—Data Transmission Co. (New), 6280.7 MHz toward Sauratown Mountain, N.C., and 6397.1 MHz toward Tower Hill, Va. Location: 2.7 miles north-northeast of Alax, Va.
- 3125-C1-P-70—Data Transmission Co. (New), 6180.3 MHz toward Smith Mountain, Va., and 5997.1 MHz toward Wolf Pit Mountain, Va. Location: 3.9 miles north-northeast of Tower Hill, Va.
- 3126-C1-P-70—Data Transmission Co. (New), 6264.0 MHz toward Tower Hill, Va., and 6312.1 MHz toward Watery Mountain, Va., and 6197.2 MHz toward Sandy Hook, Va. Location: 2 miles south-southeast of Eastman, Va.
- 3127-C1-P-70—Data Transmission Co. (New), 6056.4 MHz toward Wolf Pit Mountain, Va., and 5945.2 MHz toward Richmond, Va. Location: 1 mile northeast of Sandy Hook, Va.
- 3128-C1-P-70—Data Transmission Co. (New), 6256.5 MHz toward Sandy Hook, Va. Location: Second and Broad Streets, Richmond, Va.
- 3129-C1-P-70—Data Transmission Co. (New), 6115.7 MHz toward Wolfpit Mountain, Va., and 5967.4 MHz toward Kabletown, Va. Location: 2 miles northwest of Bethel, Va.
- 3130-C1-P-70—Data Transmission Co. (New), 6223.23 MHz toward Watery Mountain, Va., and 6130.5 MHz toward Front Mountain, Pa., and 10,795 MHz toward Waterford, Va. Location: 4.2 miles northwest of Round Hill, Va.
- 3131-C1-P-70—Data Transmission Co. (New), 11,245 MHz toward Kabletown, Va., and 11,405 MHz toward Darnestown, Md. Location: 2 miles east of Waterford, Va.
- 3132-C1-P-70—Data Transmission Co. (New), 10,875 MHz toward Waterford, Va., and 10,955 MHz toward Wheaton, Md. Location: 2 miles southwest of Darnestown, Md.
- 3133-C1-P-70—Data Transmission Co. (New), 11,565 MHz toward Darnestown, Md., and 11,685 MHz toward Oakland Mills, Md. Location: Wheaton Plaza, Wheaton, Md.
- 3134-C1-P-70—Data Transmission Co. (New), 10,835 MHz toward Wheaton, Md., and 10,755 MHz toward Baltimore, Md. Location: 1.3 miles south of Oakland Mills, Md.
- 3135-C1-P-70—Data Transmission Co. (New), 11,115 MHz toward Oakland Mills, Md. Location: Baltimore Street and Hopkins Place, Baltimore, Md.
- 3136-C1-P-70—Data Transmission Co. (New), 6356.5 MHz toward Overview, Pa., and 6382.6 MHz toward Kabletown, Va., and 6315.9 MHz toward Crystal Spring, Pa. Location: 2.5 miles northwest of Edenville, Pa.
- 3137-C1-P-70—Data Transmission Co. (New), 6063.5 MHz toward Front Mountain, Pa., and 6063.8 MHz toward Downey, Pa. Location: 3.3 miles southeast of Crystal Spring, Pa.
- 3138-C1-P-70—Data Transmission Co. (New), 6226.9 MHz toward Crystal Spring, Pa., and 6404.8 MHz toward Jones Mill, Pa. Location: 2.7 miles southeast of Downey, Pa.
- 3139-C1-P-70—Data Transmission Co. (New), 6044.5 MHz toward Downey, Pa., and 6153.8 MHz toward Arona, Pa. Location: 2.7 miles southeast of Jones Mill, Pa.
- 3140-C1-P-70—Data Transmission Co. (New), 6197.2 MHz toward Jones Mill, Pa., and 6315.9 MHz toward Pittsburgh, Pa. Location: 1.3 miles east of Arona, Pa.

- 3141-C1-P-70—Data Transmission Co. (New), 5945.2 MHz toward Aroua, Pa., and 5974.8 MHz toward Georgetown, Pa. Location: U.S. Steel-Mellon Building, 525 William Penn Place, Pittsburgh, Pa.
- 3142-C1-P-70—Data Transmission Co. (New), 6197.2 MHz toward Pittsburgh, Pa., and 6404.8 MHz toward Salem, Ohio. Location: 1.1 miles southeast of Georgetown, Pa.
- 3143-C1-P-70—Data Transmission Co. (New), 6993.5 MHz toward Georgetown, Pa., and 6152.8 MHz toward Shalersville, Ohio. Location: 1.5 miles southwest of Salem, Ohio.
- 3144-C1-P-70—Data Transmission Co. (New), 6345.5 MHz toward Salem, Ohio, and 6315.9 MHz toward Cleveland, Ohio. Location: 0.6 mile north of Shalersville, Ohio.
- 3145-C1-P-70—Data Transmission Co. (New), 6034.2 MHz toward Shalersville, Ohio, and 6063.8 MHz toward Amherst, Ohio. Location: Terminal Tower, Cleveland, Ohio.
- 3146-C1-P-70—Data Transmission Co. (New), 6226.9 MHz toward Cleveland, Ohio, and 6375.2 MHz toward Castalia, Ohio. Location: 2 miles southwest of Amherst, Ohio.
- 3147-C1-P-70—Data Transmission Co. (New), 6152.8 MHz toward Amherst, Ohio, and 6123.1 MHz toward Williston, Ohio. Location: 2.6 miles southwest of Castalia, Ohio.
- 3148-C1-P-70—Data Transmission Co. (New), 6286.2 MHz toward Castalia, Ohio, and 6404.8 MHz toward Oldport, Mich. Location: 1.3 miles southwest of Williston, Ohio.
- 3149-C1-P-70—Data Transmission Co. (New), 6993.5 MHz toward Williston, Ohio, and 6152.8 MHz toward Detroit, Mich. Location: 3.1 miles southwest of Oldport, Mich.
- 3150-C1-P-70—Data Transmission Co. (New), 6345.5 MHz toward Oldport, Mich. Location: Cadillac Tower, Cadillac Square and Bates Street, Detroit, Mich.
- 3151-C1-P-70—Data Transmission Co. (New), 5997.098 MHz toward Eagle Peak, Pa., and 6004.50 MHz toward Front Mountain, Pa. Location: 4.5 miles west of Overview, Pa.
- 3152-C1-P-70—Data Transmission Co. (New), 6115.68 MHz toward Palmerton, Pa., and 6245.79 MHz toward Overview, Pa., and 10,795 MHz toward Welsh Mountain, Pa. Location: 1 mile southwest of Womelsdorf, Pa.
- 3153-C1-P-70—Data Transmission Co. (New), 11,325 MHz toward Eagle Peak, Pa., and 11,245 MHz toward Guthrieville, Pa. Location: 2.3 miles southeast of East Earl, Pa.
- 3154-C1-P-70—Data Transmission Co. (New), 10,995 MHz toward Welsh Mountain, Pa., and 10,875 MHz toward Sugartown, Pa. Location: 1.2 miles southeast of Guthrieville, Pa.
- 3155-C1-P-70—Data Transmission Co. (New), 11,405 MHz toward Guthrieville, Pa., and 11,325 MHz toward Philadelphia, Pa. Location: 1.2 miles southeast of Sugartown, Pa.
- 3156-C1-P-70—Data Transmission Co. (New), 10,715 MHz toward Sugartown, Pa. Location: 2000 Market Street Building, Philadelphia, Pa.
- 3157-C1-P-70—Data Transmission Co. (New), 6357.691 MHz toward Eagle Peak, Pa., and 6226.890 MHz toward Hackettstown, N.J. Location: 3.5 miles southwest of Palmerton, Pa.
- 3158-C1-P-70—Data Transmission Co. (New), 6063.61 MHz toward Cragmoor, N.Y., and 6004.50 MHz toward Palmerton, Pa. Location: 2 miles southwest of Hackettstown, N.J.
- 3159-C1-P-70—Data Transmission Co. (New), 6315.85 MHz toward Hackettstown, N.J., and 6390.00 MHz toward Mount Everett, Mass., and 5945.20 MHz toward Cold Springs, N.Y. Location: 1.8 miles northeast of Cragmoor, N.Y.
- 3160-C1-P-70—Data Transmission Co. (New), 6197.24 MHz toward Cragmoor, N.Y., and 6256.54 MHz toward East Irvington, N.Y. Location: 1 mile northwest of Nelsonville, N.Y.
- 3161-C1-P-70—Data Transmission Co. (New), 6694.15 MHz toward Cold Springs, N.Y., and 6390.00 MHz toward New York, N.Y. Location: 0.5 mile northeast of East Irvington, N.Y.
- 3162-C1-P-70—Data Transmission Co. (New), 6198.0 MHz toward East Irvington, N.Y. Location: 38 Waldo Avenue, Riverdale, N.Y.
- 3163-C1-P-70—Data Transmission Co. (New), 6026.5 MHz toward Cragmoor, N.Y., and 6226.89 MHz toward West Farms, Mass. Location: 4.1 miles southwest of Sheffield, Mass.
- 3164-C1-P-70—Data Transmission Co. (New), 5974.85 MHz toward Mount Everett, Mass., and 6404.80 MHz toward Wachusett Mountain, Mass., and 6070.00 MHz toward Talcott Mountain, Conn. Location: 1 mile northwest of West Farms, Mass.
- 3165-C1-P-70—Data Transmission Co. (New), 6322.0 MHz toward West Farms, Mass., and 6123.11 MHz toward Hartford, Conn. Location: 2 miles northeast of Avon, Conn.
- 3166-C1-P-70—Data Transmission Co. (New), 6356.0 MHz toward Talcott Mountain, Mass. Location: 750 Main Street, Hartford, Conn.
- 3167-C1-P-70—Data Transmission Co. (New), 6152.76 MHz toward West Farms, Mass., and 6376.15 MHz toward Nobscot Hill, Mass. Location: 2.8 miles northwest of East Princeton, Mass.

- 3168-C1-P-70—Data Transmission Co. (New), 6123.11 MHz toward Wachusett Mountain, Mass., and 5960.0 MHz toward Boston, Mass. Location: 1.3 miles northwest of Nobscot, Mass.
- 3169-C1-P-70—Data Transmission Co. (New), 6293.0 MHz toward Nobscot Hill, Mass. Location: 1 Beacon Street, Boston, Mass.
- 3333-C1-P-70—American Telephone & Telegraph Co. (KGO83), C.P. to add frequencies 3730 and 4130 MHz toward Coopers Rock, W. Va. Location: 3.6 miles north of Sycamore, Pa.
- 3334-C1-P-70—American Telephone & Telegraph Co. (New), C.P. for a new fixed station to be located at Coopers Rock, 1.3 miles northwest of Pisgah, W. Va. Frequencies 3770 and 4170 MHz toward Sycamore, Pa., and Fellsburg, W. Va.
- 3335-C1-P-70—American Telephone & Telegraph Co. (New), C.P. for a new fixed station to be located at 2.5 miles east-southeast of Fellsburg, W. Va. Frequencies 3730 and 4130 MHz toward Coopers Rock, W. Va.
- 3336-C1-P-70—Missouri Telephone Co. (KPP78), C.P. to change frequencies from 6182.4 and 6301.0 MHz to 6341.72 and 6360.32 MHz. Location: Near State Highway No. 14, 1 mile south of Ozark, Mo.
- 3337-C1-P-70—Missouri Telephone Co. (KPP89), C.P. to change frequencies from 6019.3 and 6137.9 MHz to 5960.02 and 6078.63 MHz toward Ozark; change from 6049.0 and 6167.5 MHz to 6019.33 and 6137.94 MHz toward Rockaway Beach; change from 5989.6 and 6108.3 MHz to 5989.68 and 6108.28; change from 5960.0 and 6078.6 MHz to 5974.85 and 6083.46 MHz toward Blue Eye; add frequencies 6043.98 and 6167.59 MHz toward Branson Terminal, Mo.; replace transmitters and change the antenna system. Location: 3.5 miles north-northwest of Branson, Mo.
- 3338-C1-P-70—Missouri Telephone Co. (New), C.P. for a new fixed station to be located at Branson Terminal, on Highway 76, approximately 0.5 mile west of Branson, Mo.
- 3339-C1-P-70—Missouri Telephone Co. (KPP77), Modification of license to change frequencies from 6241.7 and 6360.3 MHz to 6197.24 and 6315.85 MHz. Location: West of Highway No. 13, north of Blue Eye, Mo.
- 3340-C1-P-70—Missouri Telephone Co. (KPP79), Modification of license to change frequencies from 6271.3 and 6390.0 MHz to 6301.02 and 6404.8 MHz toward (near) Branson, Mo. Location: Near the Exchange Building, on Venus Avenue, Rockaway Beach, Mo.
- 3347-C1-P-70—Bell Telephone Co. of Nevada (KPF88), C.P. to replace transmitters operating on frequencies 6004.5 and 6123.1 MHz toward Fallon, Nev. Location: Eagle Ridge, 8.8 miles southwest of Fernley, Nev.
- 3348-C1-P-70—The Mountain States Telephone & Telegraph Co. (KOV83), C.P. to add frequencies 3730 and 3810 MHz toward Towers Mountain, Ariz. Location: 238 West Adams Street, Phoenix, Ariz.
- 3349-C1-P-70—The Mountain States Telephone & Telegraph Co. (New), C.P. for a new fixed station to be located at Towers Mountain, 3.4 miles northwest of Crown King, Ariz. Frequencies 4170 and 4090 MHz toward Phoenix, Ariz.; 5989.7 and 11405 MHz toward Wickenburg, Ariz. (passive reflector) and 4150 and 4970 MHz toward Mount Francis, Ariz.
- 3350-C1-P-70—The Mountain States Telephone & Telegraph Co. (New), C.P. for a new fixed station to be located at 54 North Frontier Street, Wickenburg, Ariz. Frequencies 6241.7 and 10,955 MHz toward Wickenburg, Ariz. (passive reflector).
- 3351-C1-P-70—The Mountain States Telephone & Telegraph Co. (New), C.P. for a new fixed station to be located at Mount Francis, 5.3 miles southwest of Prescott, Ariz. Frequencies 3810 and 3730 MHz toward Prescott, Ariz., and 3720 and 3710 MHz toward Towers Mountain, Ariz.
- 3352-C1-P-70—The Mountain States Telephone & Telegraph Co. (KPL23), C.P. to add frequencies 4170 and 4090 MHz toward Mount Francis, Ariz. Location: 140 North Marina Street, Prescott, Ariz.
- 3354-C1-P-70—General Telephone Co. of the Northwest (New), C.P. for a new fixed station to be located at Kalspell Bay, 4.5 miles south of Nordman, Idaho. Frequencies 11,965 and 11,685 MHz toward Bald Mountain, Idaho (double passive).
- 3355-C1-P-70—General Telephone Co. of the Northwest Inc. (KOU44), C.P. to add frequencies 10,835 and 11,155 MHz toward Kalspell Bay, Idaho via double passive. Location: 202 Cedar Street, Sandpoint, Idaho.

POINT-TO-POINT MICROWAVE RADIO SERVICE (TELEPHONE CARRIER)—continued

- 3356-C1-P-70—American Telephone & Telegraph Co. (KLN72), C.P. to add frequencies 3710, 3790, and 4190 MHz toward Brickeys, Ark. Location: 7 miles northeast of Forrest City, Ark.
- 3357-C1-P-70—American Telephone & Telegraph Co. (New), C.P. for a new fixed station to be located at 5.2 miles southeast of Brickeys, Ark. Frequencies 3750, 3830, and 4198 MHz toward Forrest City, Ark., and 3750 and 3830 MHz toward Arkabutla, Miss.
- 3358-C1-P-70—American Telephone & Telegraph Co. (KTG40), C.P. to add frequencies 3710 and 3790 MHz toward Brickeys, Ark. Location: 1 mile southwest of Arkabutla, Miss.
- 3361-C1-MP-70—Puerto Rico Communications Authority (WWR68), Modification of construction permit (4848-C1-P-69) to change frequency 11,645 MHz to 11,565 MHz toward Aguas Buenas, P.R. Station Location: San Juan, P.R. (WWR68).

[F.R. Doc. 69-15014; Filed, Dec. 17, 1969; 8:48 a.m.]

[Docket Nos. 18759-18761; FCC 69-1335]

RKO GENERAL, INC., ET AL.

Order Designating Applications for Consolidated Hearing on Stated Issues

In regard applications of: RKO General, Inc. (WNAC-TV), Boston, Mass., Docket No. 18759, File No. BRCT-63, for renewal of broadcast license; Community Broadcasting of Boston, Inc., Boston, Mass., Docket No. 18760, File No. BPCT-4198, The Dudley Station Corp., Boston, Mass., Docket No. 18761, File No. BPCT-4277, for construction permit for new television broadcast station.

1. The Commission has before it for consideration the above-captioned applications, one requesting a renewal of license to operate on channel 7, Boston, Mass., and each of the other two requesting a construction permit for a new television broadcast station to operate on channel 7, Boston, Mass.

2. Based on the information contained in the application of Community Broadcasting of Boston, Inc. (Community), at least \$4,259,276 will be needed for the construction and first 3 months cost of operation of the proposed station, consisting of down payment on equipment—\$598,226; payments on equipment including interest—\$573,550; other items—\$500,000; payments on bank loan including interest—\$837,500; first 3 months cost of operation—\$1,750,000. Since the Commission's TV Broadcast Financial Data Report for 1968 reveals that the Boston television broadcast stations generated revenues on an average in excess of Community's anticipated first-year operating costs (\$7 million), the cash needed figure has been computed on the basis of requiring that Community demonstrate the availability of cash to meet the first 3 months of operating costs until the previously established revenues can be generated.

3. To meet its cash needed requirements, Community has established the availability of a \$2,500,000 bank loan from the State Bank and Trust Co., Boston, Mass., \$405,000 in stock subscriptions agreements, \$8,490 in cash and \$41,510 in prepaid expenses, which expenses are included in Community's estimated construction costs, for a total of \$2,955,000. While the applicant has established the availability of all the funds upon which it relies, it will still have to demonstrate the availability of at least \$1,304,276 in additional funds in order to be considered financially qualified to construct and operate the proposed station. It should be noted that the cash needed figure must be increased to the extent that it will be necessary for Community to make any repayments of principal and interest during the first year of operation in connection with any additional sources of funds used to finance the construction and operation of the station. Accordingly, appropriate financial issues have been specified.

4. The transmitter proposed by Community has not been type accepted by the Commission. Accordingly, in the event of a grant of Community's application, the grant shall be made subject to the condition that, prior to licensing, the permittee shall submit acceptable data for type acceptance of the proposed transmitter in accordance with § 73.640 of the Commission's rules.

5. Based on information contained in the application of The Dudley Station Corp. (Dudley), at least \$4,794,738 will be needed for the construction and first 3 months cost of operation of the proposed station, consisting of down payment on equipment to RCA—\$885,500; payments on equipment including interest—\$892,138; cost of transmitter—\$91,000; land and buildings—\$523,000; other items—\$907,000; first 3 months cost of operation—\$1,496,100. To meet the cash requirements, Dudley indicates that it has already obtained the proceeds of a \$30,000 loan from the Cambridge Trust Co., a \$1,000 loan from stockholder Henry M. Morgan and \$3,430 from the sale of its stock. To substantiate the availability of these funds, the applicant has submitted a balance sheet that shows \$20,174 in cash and \$14,256 in prepaid expenses that are included in the applicant's estimated construction costs, for a total of \$34,430. However, the terms of the \$30,000 bank loan provide that the loan be repaid by November 28, 1969. While Dudley has indicated that it has received reasonable assurance that the loan will be extended in 6-month increments, in the absence of a commitment from the bank to that effect, we cannot determine whether the applicant has any funds available to finance the construction and first 3 months cost of operation of the proposed station. Moreover, even assuming the availability of all the funds upon which the applicant relies, it will still have to demonstrate the availability of

additional funds in order to be financially qualified. In addition, the applicant's cash needed figure must be increased to the extent that principal and interest payments are required during the first year of operation in connection with any additional funds used to finance the station. Accordingly, appropriate issues have been specified.

6. In Suburban Broadcasters, 30 FCC 1020, 20 RR 951 (1961); our public notice of August 22, 1968 (FCC 68-847), 13 RR 2d 1903; and City of Camden (WCAM), 18 FCC 2d 412 (1969), we indicated that applicants were expected to provide full information on their awareness of and responsiveness to local community needs and interests. We find that all of the applicants have satisfactorily complied with these requirements.

7. On March 2, 1967, the Department of Justice filed a civil action in the U.S. District Court for the Northern District of Ohio against the General Tire and Rubber Co. and three of its subsidiaries, including RKO, alleging violations of sections 1 and 2 of the Sherman Antitrust Act, 15 U.S.C. sections 1 and 2.² The complaint alleged that the defendants have conspired to force suppliers from which the defendants buy products to purchase products and services from General Tire and the three subsidiaries.³ The civil action seeks, in part, to have these practices enjoined as monopolistic activities in violation of section 2 of the Sherman Antitrust Act. Evidence with respect to these alleged anticompetitive practices may be adduced under the standard comparative issue, and as in the KHJ-TV proceeding in Docket No. 16679, we are specifying a disqualification issue against RKO on our own motion. Official notice can be taken of the record in the KHJ-TV proceeding, and only new or additional evidence not adduced in that proceeding may be adduced in this proceeding. In addition, we shall provide that in the event of a grant of RKO's application, such grant shall be made subject to whatever action the Commission deems appropriate either as a result of developments and findings arising in any proceeding involving Docket No. 16679, or the pending civil action in United States v. General Tire and Rubber Co. et al.

8. Except as indicated by the issues set forth below, RKO General, Inc., is qualified to own and operate television station WNAC-TV and except as indicated by the issues set forth below, Community Broadcasting of Boston, Inc., and the Dudley Station Corp. are qualified to construct, own and operate the proposed new television broadcast station. The applications are, however, mutually exclusive in that operation by the applicants as proposed would result in

² While Dudley indicates that it will rely on a deferred credit plan from Ampex Corp. to finance the purchase of its transmitter, no such plan has been submitted.

³ United States v. The General Tire and Rubber Co., Aerojet General Corp., A. M. Byers Co., and RKO General Inc. (No. 6-67-155).

⁴ The allegations of anticompetitive practices are now before the Commission in Docket No. 16679, in connection with the renewal of RKO's license to operate Television Broadcast Station KHJ-TV, Los Angeles, Calif.

mutually destructive interference. The Commission is, therefore, unable to make the statutory finding that a grant of the applications would serve the public interest, convenience and necessity, and is of the opinion that they must be designated for hearing in a consolidated proceeding on the issues set forth below. Since this is a renewal-new applicant proceeding, RKO's past broadcast record during the previous license term, favorable and unfavorable, will be relevant. *Hearst Radio, Inc.*, 15 F.C.C. 1149, 6 R.R. 994 (1951).

9. *It is ordered*, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the above-captioned applications of RKO General, Inc., Community Broadcasting of Boston, Inc., and the Dudley Station Corp. are designated for hearing in a consolidated proceeding at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine with respect to the application of Community Broadcasting of Boston, Inc.:

(a) How the applicant will obtain sufficient additional funds to be used for the construction and first 3 months operation of the station.

(b) In view of the evidence adduced under issue "a", the extent, if any, to which the applicant's cash requirements will be increased.

(c) Whether, in view of the evidence adduced under the preceding issues, the applicant is financially qualified.

2. To determine with respect to the application of the Dudley Station Corp.:

(a) How the applicant will obtain sufficient funds to be used for the construction and first 3 months operation of the station.

(b) In view of the evidence adduced under issue "a", the extent, if any, to which the applicant's cash requirements will be increased.

(c) Whether, in view of the evidence adduced under the preceding issues, the applicant is financially qualified.

3. To determine with respect to the application of RKO General, Inc., whether in view of the evidence concerning alleged anticompetitive practices by RKO General, Inc., or its parent corporation, General Tire and Rubber Co., RKO General, Inc., should be disqualified to remain a licensee of the Commission or if not so disqualified, whether a comparative demerit should be assessed against it in this proceeding.

4. To determine which of the proposals would best serve the public interest.

5. To determine, in light of the evidence adduced pursuant to the above issues, which, if any, of the applications should be granted.

10. *It is further ordered*, That, in the event of a grant of the application of Community Broadcasting of Boston, Inc., such application shall be granted subject to the condition that, prior to licensing, the permittee shall submit acceptable data for type acceptance of its proposed transmitter in accordance with the requirements of section 73.640 of the Commission's rules.

11. *It is further ordered*, That in the event of a grant of the application of RKO General, Inc., the grant shall be subject to whatever action the Commission may deem appropriate as a result of developments and findings arising in the pending civil action of United States of America v. The General Tire and Rubber Co., Aerojet General Corp., A. M. Byers Co., and RKO General, Inc. (No. 6-67-155), filed March 2, 1967, in the U.S. District Court for the Northern District of Ohio and, further, is subject to whatever action the Commission may deem appropriate as a result of developments and findings arising in the pending FCC proceeding in Docket No. 16679.

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

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

Adopted: December 3, 1969.

Released: December 11, 1969.

FEDERAL COMMUNICATIONS
COMMISSION,⁴

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 69-15015; Filed, Dec. 17, 1969;
8:48 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 1360]

MOTOR CARRIER, BROKER, WATER CARRIER, AND FREIGHT FOR- WARDER APPLICATIONS

DECEMBER 12, 1969.

The following applications are governed by Special Rule 247¹ of the Commission'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 *FED-*

ERAL 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. 319), filed November 24, 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

⁴ Commissioner H. Rex Lee abstaining from voting.

¹ Copies of Special Rule 247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the plant-site of National Lead Co., located approximately 12 miles north of Timpie, Tooele County, Utah, as an off-route point in connection with applicant's authorized regular route operations, serving no intermediate points. Note: If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah, or San Francisco, Calif.

No. MC 2900 (Sub-No. 184), filed November 21, 1969. Applicant: RYDER TRUCK LINES, INC., 2050 Kings Road, Jacksonville, Fla. 32203. Applicant's representative: Larry D. Knox, (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Plastic liquid* in containers in vehicles equipped with mechanical refrigeration, from Strang, Tex., to points in Connecticut, Illinois, Michigan, New Jersey, and Ohio. 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 Houston, Tex., or Atlanta, Ga.

No. MC 9325 (Sub-No. 44), filed October 31, 1969. Applicant: K LINES, INC., Post Office Box 187, Lebanon, Ore. Applicant's representative: Norman E. Sutherland, 1200 Jackson Tower, Portland, Ore. 97205. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Cement*, in bulk between points in Skamania, Klickitat, and Yakima Counties, Wash. Note: Applicant controls Everts' Commercial Transport, Inc., MC 25643, and states that the applied for authority will be tacked with authority issued in MC 25643 Sub 35. If a hearing is deemed necessary, applicant requests it be held at Portland, Ore., or Seattle, Wash.

No. MC 13651 (Sub-No. 14), filed November 10, 1969. Applicant: PEOPLES TRANSFER, INC., 1400 North Black Canyon Highway, Phoenix, Ariz. 85005. Applicant's representative: A. Michael Bernstein, 1327 United Bank Building, Phoenix, Ariz. 85012. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Pipe and conduit, and materials and supplies incidental thereto*, from points in Los Angeles County, Calif., to points in New Mexico; (2) *fiberboard boxes and containers such as are used in packing fruits and vegetables*; (a) from points in Los Angeles County, Calif., to points in New Mexico; (b) between points in Maricopa County, Ariz., and points in Imperial and Riverside Counties, Calif.; and (c) from points in Maricopa County, Ariz., to points in New Mexico, El Paso and Deaf Smith Counties, Tex., and Delta and Montezuma Counties, Colo.; (3) *glass containers and closures therefor and paper cartons used in packaging of glass containers*, from points in Los Angeles, Orange, Alameda, Contra Costa, and Riverside Counties,

Calif., to points in Nevada and Arizona. 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 Phoenix or Tucson, Ariz.

No. MC 14786 (Sub-No. 15), filed November 5, 1969. Applicant: GREY-HOUND VAN LINES, INC., 13 East Lake Street, Northlake, Ill. 60164. Applicant's representatives: Eugene T. Lipfert, Suite 1100, 1660 L Street NW., Washington, D.C. 20036 and Robert J. Bernard, 10 South Riverside Plaza, Chicago, Ill. 60606. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Household goods* as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, between points in Washington, Oregon, California, Idaho, Utah, Montana, Arizona, and Nevada. Note: Applicant states that it can presently operate between all eight States by observing certain gateways. The authority sought would permit direct operations between Arizona and Nevada and between those two States and the other named States. Applicant further states that the authority sought would be tacked with present authority of applicant authorizing service to or from Arizona and Nevada in its certificates in MC 14786 and Sub No. 11. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 17211 (Sub-No. 11), filed November 14, 1969. Applicant: JESCO MOTOR EXPRESS, INC., 139 Columbus Road, Mount Vernon, Ohio 43050. Applicant's representative: A. Charles Tell, 100 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (1) *Pipe and duct used in heating, cooling, air conditioning, or exhaust systems, including materials and supplies used in the installation thereof*, (2) *building construction wall sections, including accessories and parts thereof*, from Westerville, Ohio, to points in Alabama, Connecticut, Delaware, Georgia, Illinois, Indiana, Iowa, Florida, Kentucky, Maine, Maryland, Massachusetts, Michigan, Missouri, Minnesota, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia, and (3) *equipment, materials, and supplies used in the manufacture thereof*, on return, under contract with United Sheet Metal Division of United McGill Corp. Note: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 20894 (Sub-No. 14), filed November 17, 1969. Applicant: P. CALLAHAN, INC., 5240 Comly Street, Philadelphia, Pa. 19135. Applicant's Representative: Terrence L. Bowers (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over regular and irregular 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), (I) Regular route: Between Red Lion, Southampton Township, N.J., and New York, N.Y.: From the junction of New Jersey Highway 70 and U.S. Highway 206 (known as the Red Lion Circle) over U.S. Highway 206 to junction of U.S. Highway 130, thence over U.S. Highway 130 to junction with U.S. Highway 1, thence over U.S. Highway 1 to New York, N.Y., and return over the same route, serving no intermediate points, but serving the off-route points in the New York, N.Y., commercial zone, as defined by the Commission; and (II) Irregular route: between Red Lion, Southampton Township, N.J., on the one hand, and, on the other, points in New Jersey. Note: Applicant states that the (I) and (II) authorities sought in this application are intended to be tacked at the common point of Red Lion, N.J., to provide service that the applicant is now rendering by tacking its authorized operations at Philadelphia, Pa. Applicant holds contract carrier authority under MC-119140 Subs 1 and 3, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 21455 (Sub-No. 18), filed November 21, 1969. Applicant: GENE MITCHELL CO., a corporation, 1106 Division Street, West Liberty, Iowa 52776. 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: *Beer*, from Peoria, Ill., to Cedar Rapids, Iowa. 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 29566 (Sub-No. 135), filed October 31, 1969. Applicant: SOUTHWEST FREIGHT LINES, INC., 1400 Kansas Avenue, Kansas City, Kans. 66105. Applicant's representative: Vernon M. Masters (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Glass, glass products, glass container closures, and fiberboard boxes*, from the plantsite and warehouse facilities of Obear-Nester Glass Co. at Lincoln, Ill., to points in Arkansas, Oklahoma, Iowa, Missouri, Kansas, 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 St. Louis or Kansas City, Mo.

No. MC 30844 (Sub-No. 302), filed November 21, 1969. Applicant: KROBLIN REFRIGERATED XPRESS, INC., 2125 Commercial, Post Office Box 5000, Waterloo, Iowa 50704. Applicant's representative: Truman A. Stockton, Jr., The 1650 Grant Street Building, Denver, Colo. 80202. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Materials, supplies, and products used in or*

produced by the food processing industry (except commodities in bulk), from the Lower Peninsula of Michigan to points in North Dakota and South Dakota. **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 Washington, D.C., or Chicago, Ill.

No. MC 30844 (Sub-No. 303), filed November 24, 1969. Applicant: KROBLIN REFRIGERATED XPRESS, INC., 2125 Commercial, Waterloo, Iowa 50704. Applicant's representative: Truman A. Stockton, Jr., The 1650 Grant Street Building, Denver, Colo. 80202. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia* in bulk, in tank vehicles, from the plantsite and storage facilities of the Apple River Chemical Co. at or near Niota and East Dubuque, Ill., to points in Iowa, Minnesota, Missouri, Nebraska, and Wisconsin. **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 Washington, D.C., or Chicago, Ill.

No. MC 45736 (Sub-No. 34), filed November 26, 1969. Applicant: GUIGNARD FREIGHT LINES, INC., Post Office Box 26067, Charlotte, N.C. 28206. Applicant's representative: Francis J. Ortman, 1700 Pennsylvania Avenue NW., Washington, D.C. 20006. 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 West Virginia, Virginia, Ohio, Indiana, Maryland, Pennsylvania, New Jersey, Delaware, South Carolina, Georgia, Florida, Alabama, Tennessee, New York, and Kentucky; 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 West Virginia, Virginia, Ohio, Indiana, Maryland, Pennsylvania, New Jersey, Delaware, South Carolina, Georgia, Florida, Alabama, Tennessee, New York, and Kentucky 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 46421 (Sub-No. 10) (Correction), filed October 28, 1969, published in the FEDERAL REGISTER November 27, 1969, and republished as corrected this issue. Applicant: ESCRO STORAGE & CARTAGE, INC., 360 Dingers Street, Buffalo, N.Y. 14206. Applicant's representative: Herbert M. Canter, 345 South Warren Street, Syracuse, N.Y. 13202. Au-

thority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts, dairy products, and articles distributed by meat packinghouses*, as described in sections A, B, and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Buffalo, N.Y., to points in Allegany, Livingston, Wayne, Yates, Seneca, Schuyler, Cayuga, Tompkins, Tioga, Chenango and Madison Counties, N.Y., and points in Potter, Tioga, Bradford, Susquehanna, Clinton, Lycoming, Montour, Sullivan, Wyoming, Columbia, and Lackawanna Counties, Pa., restricted to traffic having a prior movement by connecting carriers. **Note:** Applicant states no duplicate authority is being sought. Applicant further states that the requested authority cannot be tacked with its existing authority. The purpose of this application is to eliminate Elmira, N.Y., as a gateway. The purpose of this republication is to include a portion of the destination territory which was erroneously omitted from previous publication. If a hearing is deemed necessary, applicant requests it be held at Buffalo, or Syracuse, N.Y.

No. MC 50069 (Sub-No. 413), filed November 17, 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: *Liquid latex*, in bulk, in tank vehicles, from Washington, W. Va., to Gary, Ind., and Ottawa, Ill. **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 Washington, D.C.

No. MC 51146 (Sub-No. 151), filed November 12, 1969. Applicant: SCHNEIDER TRANSPORT & STORAGE, INC., 817 McDonald Street, Green Bay, Wis. 54306. Applicant's representatives: D. F. Martin (same address as applicant) and Charles W. Singer, 33 North Dearborn Street, Chicago, Ill. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Paper and paper products, products produced and distributed by manufacturers and converters of paper and paper products; and materials and supplies used in the manufacture and distribution of the foregoing commodities (except commodities in bulk and commodities which, because of size or weight, require the use of special equipment)*, between points in Marathon, Winnebago, Outagamie, and Brown Counties, Wis., on the one hand, and, on the other, points in Arizona, California, Colorado, Idaho, Montana, New Mexico, Nevada, Oregon, Utah, Washington, and Wyoming. **Note:** Common control may be involved. Applicant states that the requested authority can be tacked with its existing authority. Persons interested in the

tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. No duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 52781 (Sub-No. 2), filed November 3, 1969. Applicant: OVERCASH TRANSFER, INC., Post Office Box 26006, Charlotte, N.C. 28213. Applicant's representatives: Archie B. Culbreth and Guy H. Postell, 1273 West Peachtree Street NE., Atlanta, Ga. 30309. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (1) *Pipe, pipe fittings, and such material, supplies and equipment as are used in the installation and maintenance of sprinkler, heating, and power piping systems, and also such tools and equipment as are used for installing and maintaining the aforementioned installations*, between points in North Carolina, South Carolina, Virginia, Georgia, Alabama, and Tennessee. Restriction: The above-described operations are limited to a transportation service to be performed under special and individual contracts or agreements with persons (as defined in section 203(a) of the Interstate Commerce Act) who are engaged in the installation and maintenance of sprinkler, heating, and power piping systems, for the transportation of the commodities indicated and in the manner specified, and (2) *lumber (except plywood and veneer)* between points in North Carolina, South Carolina, Virginia, Georgia, Alabama, and Tennessee, under contract with Grinnell Corp., Charlotte, N.C., General Supply & Equipment, Charlotte, N.C., Carolina Industrial Piping, Inc., Kernersville, N.C., Monarch Sprinkler Co., Charlotte, N.C., and Forest Lumber Co., Inc., Charlotte, N.C. **Note:** If a hearing is deemed necessary, applicant requests it be held at Charlotte, N.C.

No. MC-59457 (Sub-No. 20), filed November 12, 1969. Applicant: SORENSON TRANSPORTATION COMPANY, INC., Old Amity Road, Bethany, Conn. Applicant's representative: Thomas W. Murrett, 342 North Main Street, West Hartford, Conn. 06117. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Magazines, magazine parts, magazine inserts, and mats, molds, plates, shells and vinylites used in connection with the printing of magazines*, from Kennedy International Airport, New York, N.Y., to Albany, N.Y., restricted to shipments having a prior movement by air, and (2) *bananas*, from Wilmington, Del., to Bridgeport, New Haven, Wallingford, Waterbury, and Hartford, Conn. **Note:** The authority sought in (1) seeks to eliminate the presently required "gateway" of Windsor Locks, Conn., now contained in applicant's present authority in MC 59457 Sub No. 14. 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.

No. MC 64932 (Sub-No. 483), filed November 20, 1969. Applicant: ROGERS

CARTAGE CO., a corporation, 1439 West 103d Street, Chicago, Ill. 60643. 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: *Petroleum and petroleum products*, in bulk, in tank vehicles, from Huntington, Ind., to points in 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 Indianapolis, Ind.

No. MC 73688 (Sub-No. 39), filed November 25, 1969. Applicant: **SOUTHERN TRUCKING CORPORATION**, 1500 Orenda Avenue, Post Office Box 7182, Memphis, Tenn. 38107. Applicant's representative: Charles H. Hudson, Jr., 833 Stahlman Building, Nashville, Tenn. 37201. 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*, from Birmingham, Ala., to points in Arkansas, Oklahoma, and points in that part of Tennessee on and west of U.S. Highways 45 and 45E. **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 75320 (Sub-No. 149), filed November 18, 1969. Applicant: **CAMPBELL SIXTY-SIX EXPRESS, INC.**, Post Office Box 807, Springfield, Mo. 65801. Applicant's representative: P. E. Adams (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, and except dangerous explosives, household goods as defined in *Practices of Motor Common Carrier of Household Goods*, 17 M.C.C. 467, commodities in bulk, and those requiring special equipment), (1) between Hattiesburg, Miss., and junction of U.S. Highway 98 and Mississippi Highway 15, from Hattiesburg over U.S. Highway 98 to junction Mississippi Highway 15 at or near Beaumont, Miss., as an alternate route only in connection with applicant's presently regular-route authority, serving no intermediate points, but serving junction of Mississippi Highway 15 and U.S. Highway 98 for purposes of joinder only; and (2) between Mobile and Birmingham, Ala., from Mobile over U.S. Highway 43 to junction Alabama Highway 5, thence over Alabama Highway 5 to junction U.S. Highway 11, thence over U.S. Highway 11 or Interstate Highway 59 to Birmingham, and return over the same route, as an alternate route in connection with applicant's regular-route authority, serving no intermediate points. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Jackson, Miss., or Birmingham, Ala.

No. MC 88594 (Sub-No. 14), filed November 24, 1969. Applicant: **CARLETON G. WHITAKER, INC.**, Post Office Box 93, Route 17, Deposit, N.Y. 13754.

Applicant's representative: Martin Werner, 2 West 45th Street, New York, N.Y. 10036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Milk products*, in vehicles equipped with mechanical refrigeration, from Watertown, N.Y., to points in Lackawanna and Luzerne Counties, Pa.; *returned and refused shipments of milk products*, from Lackawanna and Luzerne Counties, Pa., to Watertown, N.Y. **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 York, N.Y.

No. MC 102546 (Sub-No. 2), filed November 19, 1969. Applicant: **BLUE FLASH EXPRESS, INC.**, 1801 Cherokee Avenue, Baton Rouge, La. 70802. Applicant's representative: Edward A. Winter, 235 Rosewood Drive, Metairie, La. 70005. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Asphalt roofing products*, from the plantsite of Delta Roofing Mills, Inc., at Slidell, La., to points in Mississippi under contract with Delta Roofing Mills, Inc., Slidell, La. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at New Orleans, La., or Biloxi, Miss.

No. MC 102817 (Sub-No. 14), filed November 7, 1969. Applicant: **PERKINS FURNITURE TRANSPORT, INC.**, 1202 North Pennsylvania Street, Indianapolis, Ind. 46202. Applicant's representative: John E. Lesh, 3737 North Meridian Street, Indianapolis, Ind. 46208. Authority to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture, bed springs, mattresses, and store and office fixtures*, crated, (1) between points in Indiana, and (2) from points in Indiana (except Delphi and Tell City, Ind.), to points in Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Iowa, Kansas, Kentucky, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Jersey, New York, North Dakota, Ohio, Pennsylvania, South Dakota, Tennessee, Virginia, West Virginia, Wisconsin, and the District of Columbia. **NOTE:** Applicant states that no new territory is sought. Applicant further states that the instant application will enable applicant to transport entirely crated shipments where it now must transport mixed crated and uncrated. Applicant also 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 103926 (Sub-No. 22), filed November 24, 1969. Applicant: **W. T. MAYFIELD SONS TRUCKING CO.**, a corporation, Post Office Box 43171, Industrial Branch, Atlanta, Ga. 30336. Applicant's representative: R. J. Reynolds, Jr., 604-09 Healey Building, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prestressed and precast concrete and prestressed and precast concrete*

products, from Charlotte, N.C., to points in Georgia. **NOTE:** Applicant states that presently held authority under MC 103926 Sub 16 could be tacked with the authority herein applied for at any point in Clayton, Cobb, De Kalb, Fulton, and Gwinnett Counties, Ga. Then, applicant could transport the considered commodities from Charlotte, N.C., to points in Alabama, Florida, North Carolina, South Carolina, Tennessee, and Virginia, although, shipments moving thereby from Charlotte, N.C., to points in North Carolina and Virginia would be transported over circuitous routes. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga., or Washington, D.C.

No. MC 104149 (Sub-No. 190), filed November 3, 1969. Applicant: **OSBORNE TRUCK LINE, INC.**, 520 North 31st Street, Birmingham, Ala. 35203. Applicant's representative: Maurice F. Bishop, 327 Frank Nelson Building, Birmingham, Ala. 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pipe, plastic or iron fittings and connections, valves and jackets*, between the plantsite and warehouse facilities of Razorback Plastic Products, Inc., Fort Smith, Ark., on the one hand, and, on the other, points in Kentucky, Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Tennessee, 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 Fort Smith, Ark., or Washington, D.C.

No. MC 105566 (Sub-No. 13), filed November 25, 1969. Applicant: **SAM TANKSLEY TRUCKING, INC.**, Post Office Box 68, East Prairie, Mo. 63845. Applicant's representative: Thomas F. Kilroy, 2111 Jefferson Davis Highway, Arlington, Va. 22202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat and meat products* in vehicles equipped with mechanical refrigeration, from the facilities of The Kroger Co. in Cincinnati, Ohio, and from the facilities of the Sugar Creek Packing Co. in Washington Court House, Ohio, to Memphis, Tenn., and Dallas, Tex. **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 St. Louis, Mo., or Cincinnati, Ohio.

No. MC 106274 (Sub-No. 13), filed November 19, 1969. Applicant: **RAEFORD TRUCKING COMPANY**, a corporation, Landis Street, Post Office Box 45, Sanford, N.C. 27330. Applicant's representative: J. L. Keith (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, Maryland, Massachusetts, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, South Carolina, Virginia, West Virginia, and the District of Columbia, 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, Maryland, Massachusetts, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, South Carolina, Virginia, West Virginia, and the District of Columbia, 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.

No. MC 107295 (Sub-No. 240), filed November 3, 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: *Building products*, from Milwaukee, Wis., to points in the United States (except Washington, Oregon, Idaho, Utah, Nevada, California, Alaska, and Hawaii). **NOTE:** Applicant states that requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Madison, Wis., or Chicago, Ill.

No. MC 107295 (Sub-No. 255), filed November 17, 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: *Heating and cooling systems and equipment; humidifiers and washers, and air cleaners; and accessories thereto*, from Harrisonburg, Va., to points in New York, West Virginia, Pennsylvania, Ohio, Kentucky, Tennessee, Michigan, New Jersey, Massachusetts, Connecticut, Vermont, New Hampshire, Maine, Indiana, Illinois, Wisconsin, Minnesota, Iowa, Missouri, Arkansas, Louisiana, Texas, Oklahoma, Kansas, Nebraska, South Dakota, and North Dakota. **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 107295 (Sub-No. 256), filed November 25, 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, complete, knocked down, and in sections including all component parts, materials, supplies, and fixtures*, and when shipped

with such buildings, accessories, used in the erection, construction, and completion thereof, from Houston, Tex., to points in Oklahoma, Kansas, Nebraska, South Dakota, North Dakota, New Mexico, Colorado, Wyoming, Montana, Idaho, Utah, Washington, Oregon, California, Nevada, Arizona, Louisiana, Mississippi, Alabama, Georgia, Florida, North Carolina, South Carolina, and Minnesota. **NOTE:** Applicant states it intends to tack with MC-107295, where feasible. 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.

No. MC 107295 (Sub-No. 259), filed November 25, 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, complete, knocked down, and in sections including all component parts, materials, supplies and fixtures* and when shipped with such buildings, and accessories, used in the erection, construction and completion thereof, from Houston, Tex., to points in Oklahoma, Kansas, Nebraska, South Dakota, North Dakota, New Mexico, Colorado, Wyoming, Montana, Idaho, Utah, Washington, Oregon, California, Nevada, Arizona, Louisiana, Mississippi, Alabama, Georgia, Florida, North Carolina, South Carolina, and Minnesota. **NOTE:** Applicant states tacking possibilities with MC 10729, where feasible. 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 does not specify a location.

No. MC 108676 (Sub-No. 34), filed November 24, 1969. Applicant: A. J. METLER HAULING AND RIGGING, INC., 117 Chicamauga Avenue NE., Knoxville, Tenn. 37917. 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: *Flat glass, crated, uncrated or on shipping devices*, from points in Hawkins County, Tenn., and Kingsport, Tenn., to points in Minnesota, Iowa, Missouri, Oklahoma, Texas, and all States east thereof. **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 Knoxville, Tenn., or Atlanta, Ga.

No. MC 110483 (Sub-No. 6), filed November 3, 1969. Applicant: G. & H. TRUCK LINE, INC., 3804 Walnut Street, Post Office Box 16808, Denver, Colo. 80216. 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: (1) *General com-*

modities (except those of unusual value, high explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those injurious or contaminating to other lading), between Denver, Pueblo, and Colorado Springs, Colo., and (2) *general commodities* (except those of unusual value, high explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between Pine Bluffs, Wyo., and points within 20 miles thereof, and Denver and Greeley, Colo. **NOTE:** Applicant states it holds identical regular route authority in MC 110483 and MC 110483 Sub-No. 1. By this application it seeks to convert such regular route authority to irregular route authority and will surrender its regular route authority upon the approval of this conversion. Applicant further states that the authority here sought can and will be tacked to provide through service between Sidney and Scottsbluff, Nebr., on the one hand, and, on the other, Denver, Colorado Springs, Pueblo, and Greeley, Colo. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo., or Omaha, Nebr.

No. MC 110525 (Sub-No. 942) (Correction), filed October 31, 1969, published in the FEDERAL REGISTER issue of November 27, 1969, corrected and republished as corrected this issue. 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: *Silicon tetrachloride*, in bulk, in tank vehicles, from Dallas, Tex., to Tuscola, Ill., and Weston, Mich. **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. The purpose of this republication is to add, in bulk, in tank vehicles, to the commodity description, which was inadvertently omitted from the previously published commodity description. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 110525 (Sub-No. 944), 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, 1730 M Street NW., Suite 501, Washington, D.C. 20036. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Liquid aluminum sulphate*, in bulk, in tank

vehicles, from Johnsonburg, Pa., to Leicester, N.Y. 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 109689 (Sub-No. 212), filed November 14, 1969. Applicant: W. S. HATCH CO., a corporation, 643 South 800 West, Woods Cross, Utah 84087. Applicant's representative: Mark K. Boyle, 345 South State Street, Salt Lake City, Utah 84110. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Nitrogen tetroxide*, in bulk, in specially designed tank vehicles, moving under special permits, between Vicksburg, Miss., and Air Force Bases and Missile Test facilities located in Arizona, Arkansas, California, Colorado, Florida, Kansas, New Mexico, Nevada, and Ohio. 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, or place acceptable by the Commission and Department of the Army.

No. MC 111545 (Sub-No. 127), filed November 17, 1969. Applicant: HOME TRANSPORTATION COMPANY, INC., Post Office Box 6426, Station A, Marietta, Ga. 30060. Applicant's representative: Robert E. Born, 1425 Franklin Road SE., Marietta, Ga. 30060. 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., to points in Nebraska, Kansas, Oklahoma, Texas, Minnesota, Iowa, Missouri, Wisconsin, Illinois, Michigan, Indiana, Ohio, Kentucky, Tennessee, Georgia, North Carolina, South Carolina, Pennsylvania, New York, New Jersey, Connecticut, Rhode Island, Massachusetts, New Hampshire, Vermont, and Maine. Note: Applicant states that it knows of no present authority with which joinder could occur and has no specific intention to tack; however, it would not be agreeable to imposition of a restriction against tacking, without justification. If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala., or Washington, D.C.

No. MC 111862 (Sub-No. 21), filed November 3, 1969. Applicant: HENNES TRUCKING CO., a corporation, 338 South 17th Street, Milwaukee, Wis. 53233. Applicant's representative: Jack B. Josselson, 700 Atlas Bank Building, Cincinnati, Ohio 45202. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Cement*, between points in West Virginia under contract or contracts with P P G Industries, Inc., restricted to shipments having an immediately prior movement by rail. Note: Applicant states no duplicating authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 112801 (Sub-No. 101), filed November 21, 1969. Applicant: TRANS-

PORT SERVICE CO. a corporation, Post Office Box 50272, Chicago, Ill. 60650. 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: *Liquid chemicals*, in bulk, in tank vehicles, from the plantsite of Stepan Chemical Co., at or near Millsdale, Ill., to points in Alabama, Arizona, Arkansas, California, Colorado, Delaware, Florida, Georgia, Idaho, Kansas, Louisiana, Maine, Mississippi, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Oklahoma, Oregon, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Washington, West Virginia, Wyoming, Virginia, and the District of Columbia. 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 113106 (Sub-No. 33), filed November 24, 1969. Applicant: THE BLUE DIAMOND COMPANY, a corporation, 4401 East Fairmount Avenue, Baltimore, Md. 21224. Applicant's representative: Chester A. Zyblut, 1522 K Street NW., Washington, D.C. 20005. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Salt*, from the plantsite and storage facilities of Morton Salt Co., at or near Seneca Lake, N.Y., to points in Pennsylvania, New Jersey, Delaware, Maryland, Virginia, and the District of Columbia. 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-113362 (Sub-No. 172), filed November 14, 1969. Applicant: ELLSWORTH FREIGHT LINES, INC., 310 East Broadway, Eagle Grove, Iowa 50533. 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: *Dairy products*, from St. Paul and Minneapolis, Minn., to points in Connecticut, Massachusetts, and Rhode Island. 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., or Minneapolis, Minn.

No. MC 113388 (Sub-No. 95), filed November 17, 1969. Applicant: LESTER C. NEWTON TRUCKING CO., a corporation, Post Office Box 618, Seaford, Del. 19973. Applicant's representative: Charles Ephraim, 1411 K Street NW., Washington, D.C. 20005. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from the plantsite of Green Giant Co. in the township of West Sadsbury (Chester County), Pa., to points in Maine, New Hampshire, Vermont, New York, Massachusetts, Rhode

Island, Connecticut, Delaware, Maryland, District of Columbia, New Jersey, and West Virginia, restricted to traffic originating at said plantsite and destined to the above named States. Note: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 113556 (Sub-No. 2), filed October 31, 1969. Applicant: HAROLD W. REEDY, doing business as REEDY TRUCKING CO., 6041 East Lake Drive, Haslett, Mich. 48840. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Noncarbonated beverages*, from Lansing, Mich., to points in Illinois, Indiana, Iowa, Kentucky, Missouri, Ohio, Pennsylvania, West Virginia, Wisconsin, and New York (except Bronx, Dutchess, Kings, Nassau, New York, Orange, Putnam, Queens, Richmond, Rockland, Suffolk, Sullivan, and Westchester Counties), for the account of Orchard Grove Co., Lansing, Mich. Note: If a hearing is deemed necessary, applicant requests it be held at Lansing, Mich.

No. MC 113828 (Sub-No. 166), filed October 1, 1969. Applicant: O'BOYLE TANK LINES, INCORPORATED, 4848 Cordell Avenue, Washington, D.C. 20014. Applicant's representatives: William P. Sullivan, 1819 H Street NW., Washington, D.C. 20006, and John F. Grimm (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Corn syrup*, in bulk, from North Bergen, N.J., to points in Connecticut, New York, and Pennsylvania. Note: Applicant states that the requested authority can be tacked with its Sub-28, to serve points in Virginia, West Virginia, North Carolina and the District of Columbia, and with Sub-160 to serve points in Maryland. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 113855 (Sub-No. 210), filed November 19, 1969. Applicant: INTERNATIONAL TRANSPORT, INC., South Highway 52, Rochester, Minn. 55902. Applicant's representative: Michael E. Miller, 502 First National Bank Building, Fargo, N. Dak. 58102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Pipe* (except oil field pipe as described in *Mercer Extension—Oil Field Commodities*, 74 M.C.C. 459), from points in Tulare County, Calif., Spokane County, Wash., and Hall County, Nebr., to points in the United States (except Hawaii), and (2) *roofing and siding and machinery and equipment* used or useful in the manufacture or handling of the commodities described in (1) above, from points in Spokane County, Wash., to points in the United States (except Hawaii). Note: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant further states that it seeks no duplicating authority. If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif., or Seattle, Wash.

No. MC 115523 (Sub-No. 157), filed November 10, 1969. Applicant: CLARK

TANK LINES, a corporation, 1450 Beck Street, Salt Lake City, Utah 84110. Applicant's representative: H. E. Barker, 1450 Beck Street, Salt Lake City, Utah 84110. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Dry inorganic chemicals, minerals, fertilizers, salt and salt products, liquid chemicals, brine or bitterns*, from Little Mountain, Utah, and 5 miles thereof to points in Utah, Idaho, Washington, Oregon, California, Nevada, Arizona, New Mexico, Colorado, Wyoming, Montana, North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and Texas. **NOTE:** 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 Salt Lake City or Ogden, Utah.

No. MC 115523 (Sub-No. 158), filed November 12, 1969. Applicant: **CLARK TANK LINES**, 1450 Beck Street, Salt Lake City, Utah 84110. Applicant's representative: H. E. Barker (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Road oil, asphalt, and fuel oil*, (a) from points in Wyoming to points in Utah, (b) from points in Oregon, except Multnomah County, to points in Oregon, California, and Nevada and (c) from points in Idaho to points in Utah and Nevada. **NOTE:** Applicant states tacking could be done through MC 115523 Sub 33 at Salt Lake City, Utah, to serve the Nevada territory set forth therein. Applicant also states no duplicating authority being sought. If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah, Boise, Idaho, or Spokane, Wash.

No. MC 115840 (Sub-No. 50), filed November 24, 1969. Applicant: **COLONIAL FAST FREIGHT LINES, INC.**, 1215 West Bankhead Highway, Post Office Box 2169, Birmingham, Ala. 35201. Applicant's representatives: C. E. Wesley (same address as above), also 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: *Iron and steel articles, and contractor's equipment, materials, and supplies*, between Birmingham and Montgomery, Ala., on the one hand, and on the other, points in North Carolina and South Carolina. **NOTE:** Applicant states that it proposes to tack its lead certificate MC 115840 and Sub 19 over the Birmingham, Ala., gateway. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala.

No. MC 116254 (Sub-No. 106), filed November 19, 1969. Applicant: **CHEM-HAULERS, INC.**, Post Office Drawer M, Sheffield, Ala. 35660. Applicant's representative: Walter Harwood, 1822 Parkway Towers, Nashville, Tenn. 37219. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Spent mixed acids*, from St. Marks, Fla., to Bessemer Ala.

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 or Montgomery, Ala.

No. MC 117427 (Sub-No. 63) (Correction), filed November 7, 1969, published **FEDERAL REGISTER** issue of December 11, 1969, corrected in part, and republished as corrected, this issue. Applicant: **G. G. PARSONS TRUCKING CO.**, a corporation, Post Office Box 1085, North Wilkesboro, N.C. 28659. Applicant's representative: Francis J. Ortman, 1700 Pennsylvania Avenue NW., Washington, D.C. 20006. **NOTE:** The purpose of this partial republication is to include a portion of the destination territory in (1) above, namely, Ohio, Pennsylvania, and South Carolina, which were inadvertently omitted from previous publication. The rest of the application remains unchanged.

No. MC 117815 (Sub-No. 154), filed November 17, 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 Carrollton, Macon, Marshall, and Moberly, Mo., to points in Iowa, Illinois, and Nebraska; restricted to the transportation of traffic originating at the plantsites and storage facilities utilized by Banquet Canning Co., Division of F. M. Stamper Co. at the above-named origins. **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 117823 (Sub-No. 40), filed November 10, 1969. Applicant: **DUNKLEY REFRIGERATED TRANSPORT, INC.**, 240 West California Avenue, Salt Lake City, Utah 84115. Applicant's representative: Lon Rodney Kump, 720 Newhouse Building, Salt Lake City, Utah 84111. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Foodstuffs* when transported in the same vehicle with frozen foods, from points in Davis, Weber, Salt Lake, Utah, and Cache Counties, Utah, to points in California. **NOTE:** Applicant states it may wish to tack any authority received in this application to perform transportation of small shipments originating in Washington and Oregon and ultimately destined to California. Such a tack would be possible through issuance of authority in applicant's pending Sub-35 application which seeks authority from Washington and Oregon to Utah points. If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah.

No. MC 118959 (Sub-No. 57), filed November 3, 1969. Applicant: **JERRY LIPPS, INC.**, 130 South Frederick Street, Cape Girardeau, Mo. 63701. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes,

transporting: (1) *Iron and steel and iron and steel articles*, from the plant or warehouses of Continental Steel Corp., located in Howard County, Ind., to points in the United States on and east of U.S. Highway 85; and (2) *equipment, materials, and supplies* used in the manufacture or processing of iron and steel and iron and steel articles, from points in the United States on and east of U.S. Highway 85, to origin points named in (1) above, restricted to traffic originating at or destined to the named origins and destinations in (1) and (2) above, and further restricted against the transportation of commodities in bulk. **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 St. Louis, Mo.

No. MC 118989 (Sub-No. 36) (Correction), filed November 7, 1969, published **FEDERAL REGISTER** issue of December 4, 1969, corrected December 8, 1969, and republished as corrected this issue. 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. **NOTE:** The purpose of this partial republication is to show the correct address of applicant as 5223 South Ninth Street, in lieu of 5223 South La Salle Street, shown in previous publication. The rest of the application remains the same.

No. MC 119400 (Sub-No. 10), filed November 3, 1969. Applicant: **SIMANEK, INC.**, 150 West Seventh Street, Wahoo, Nebr. Applicant's representative: J. Max Harding, 605 South 14th Street, Post Office Box 2028, Lincoln, Nebr. 68501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Chemicals and fertilizers*, from Port Neal Industrial Complex and Big Soo Terminal, located in Woodbury County, Iowa, and plantsites, warehouses, and storage facilities utilized by Terra Chemicals International, Inc., American Cyanamid Co., and Monsanto Co. located in Woodbury County, Iowa, and Dakota County, Nebr., to points in Colorado, Illinois, Iowa, Kansas, Missouri, Nebraska, Minnesota, North Dakota, Oklahoma, South Dakota, 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 Sioux City, Iowa.

No. MC 119441 (Sub-No. 18), filed November 20, 1969. Applicant: **BAKER HI-WAY EXPRESS, INC.**, Box 484, Dover, Ohio 44622. Applicant's representative: Richard H. Brandon, 79 East State Street, Columbus, Ohio 43215. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Clay products* (except in bulk), between points in Cuyahoga County, Ohio, on the one hand, and, on the other, points in Michigan, Indiana, Illinois, Pennsylvania, and New York; and (2) *materials and supplies* (except in bulk), used in the manufacture and

shipping of clay products, from points in Michigan, Indiana, Illinois, Pennsylvania, and New York, to points in Cuyahoga County, Ohio. **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 119670 (Sub-No. 16), filed November 24, 1969. Applicant: THE VICTOR TRANSIT CORPORATION, Post Office Box 115, Winton Place Station, Cincinnati, Ohio 45232. Applicant's representative: Robert H. Kinker, Post Office Box 464, Frankfurt, Ky. 40601. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Cleaning, scouring or washing compounds; water softening compounds; and salt; except in bulk, from the plantsite and storage facilities of the A. E. Staley Manufacturing Co. at Decatur, Ill., to points in Ohio.* **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 119741 (Sub-No. 33), filed November 17, 1969. Applicant: GREEN FIELD TRANSPORT COMPANY, INC., Post Office Box 1235, Fort Dodge, Iowa 50501. Applicant's representative: Donald L. Stern, 30 City National Bank Building, Omaha, Nebr. 68102. 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 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 and hides); (1) from Fort Dodge, Iowa, to points in Illinois, Indiana, Michigan, Ohio, and Louisville, and Covington, Ky.; (2) from Sioux City, Iowa, to points in Indiana, Ohio, Michigan, and Louisville and Covington, Ky.; and (3) from Fremont, Nebr., to points in Iowa, Illinois, Indiana, Michigan, Ohio, and Louisville and Covington, Ky.* **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., or Sioux City, Iowa.

No. MC 119767 (Sub-No. 225) (Correction), filed September 23, 1969, published in FEDERAL REGISTER issue of October 9, 1969, and republished, as corrected, this issue. Applicant: BEAVER TRANSPORT CO., a corporation, 100 South Calumet Street, Post Office Box 339, Burlington, Wis. 53105. Applicant's representative: A. Bryant Thorhorst (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Yeast and whey and blends and products thereof, from Juneau, Wis., to points in Illinois, Indiana, Iowa, Michigan, Minnesota, and Ohio.* **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 show the correct docket number as MC 119767 (Sub-No. 225), in lieu of MC 119761 (Sub-No. 225), as erroneously published in previous publication. If a hearing is deemed necessary, applicant requests it be held at Milwaukee or Madison, Wis.

No. MC 120483 (Sub-No. 2), filed September 29, 1969. Applicant: STROMSBURG MOTOR FREIGHT, INC., Post Office Box 488, Grand Island, Nebr. 68801. Applicant's representative: Earl H. Scudder, Jr., 605 South 14th Street, Post Office Box 2028, Lincoln, Nebr. 68501. Authority sought to operate as a common carrier, by motor vehicle, over regular & irregular routes, transporting: (1) *General commodities (except those requiring special equipment).* (A) Regular routes: Between Stromsburg and Omaha, Nebr.: From Stromsburg over U.S. Highway 81 to its junction with U.S. Highway 30 Alternate (Nebraska Highway 92), thence over U.S. Highway 30 Alternate (Nebraska Highway 92) to Omaha, and return over the same route, serving the intermediate and off-route points of Osceola, Shelby, Rising City, Wahoo, York, Polk, Hordville, Surprise, Ulysses, Staplehurst, Seward, Bee, Dwight, Brainard, Gresham, Thayer, and Benedict. (B) Irregular routes: Between points in York and Polk Counties, Nebr., on the one hand, and, on the other, points in Nebraska on and east of U.S. Highway 385; and (2) *general commodities (except those requiring special equipment and except classes A, B, and C explosives).* Regular routes: (a) Between Stromsburg and Lincoln, Nebr.: From Stromsburg over U.S. Highway 81 to its junction with Nebraska Highway 2 (U.S. Highway 34), thence over Nebraska Highway 2 to Lincoln, and return over the same route, serving the intermediate and off-route points of Benedict, Waco, Seward, Thayer, York, and Polk; and (b) between Stromsburg and Lincoln, Nebr.: From Stromsburg over U.S. Highway 81 to its junction with Nebraska Highway 92 (U.S. Highway 30 Alternate), thence over Nebraska Highway 92 (U.S. Highway 30 Alternate) to its junction with Nebraska Highway 15, thence over Nebraska Highway 15 to its junction with Nebraska Highway 2 (U.S. Highway 34), thence over Nebraska Highway 2 to Lincoln, and return over the same route, serving all intermediate points and the off-route points of Rising City, Ulysses, Surprise, Gresham, and David City. **NOTES:** By the instant application applicant seeks to convert a certificate of registration to a certificate of public convenience and necessity. If a hearing is deemed necessary, applicant requests it be held at Omaha or Lincoln, Nebr.

No. MC 123407 (Sub-No. 64), filed November 12, 1969. Applicant: SAWYER TRANSPORT, INC., 2424 Minnehaha Avenue, Minneapolis, Minn. 55404. Applicant's representative: Alan Foss, 502 First National Bank Building, Fargo, N. Dak. 58102. 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 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, Arkansas, Colorado, Connecticut, Delaware, District of Columbia, 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, 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 Alabama, Arkansas, Colorado, Connecticut, Delaware, District of Columbia, 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, 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.

No. MC 123669 (Sub-No. 5), filed November 17, 1969. Applicant: SILVER TRUCK, INC., Box 41, Austin, Minn. 55912. Applicant's representative: A. R. Fowler, 2288 University Avenue, St. Paul, Minn. 55114. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Corrugated sheets, corrugated shipping containers, and parts thereof, from Cloquet, Minn., to points in Wisconsin and the upper Peninsula of Michigan, under contract with Weyerhaeuser Co. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.*

No. MC 124004 (Sub-No. 15), filed November 21, 1969. Applicant: RICHARD DAHN, INC., Rural Delivery No. 1, Sparta, N.J. 07871. Applicant's representative: George A. Olsen, 69 Tonnet Avenue, Jersey City, N.J. 07306. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Dry fertilizer, fertilizer materials, in bags and in bulk; (2) agricultural insecticides, fungicides, and weed killing compounds in containers, when shipped with fertilizer and/or fertilizer materials in mixed loads, from Albany, N.Y., to points in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont; and (3) animal and poultry feed and animal and poultry feed ingredients, from points in the New York, N.Y., commercial zone, as defined by the Commission to points in New York, New Jersey,*

Pennsylvania, New Hampshire, Vermont, Maine, Massachusetts, North Carolina, Virginia, Maryland, Delaware, Rhode Island, and the District of Columbia. **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 York, N.Y., or Washington, D.C.

No. MC 124854 (Sub-No. 8), filed November 28, 1969. Applicant: GRIMBROS TRUCKING CO., a corporation, 997 Loucks Mill Road, York, Pa. 17402. Applicant's representative: John M. Muselman, Post Office Box 1146, 400 North Third Street, Harrisburg, Pa. 17108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Masonry building units and materials and supplies* used in the production, distribution or use of masonry building units, between Lansing, Mich., on the one hand, and, on the other, points in Delaware, Maryland, New Jersey, New York, Pennsylvania, Virginia, West Virginia, and the District of Columbia. **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 Harrisburg, Pa., or Washington, D.C.

No. MC 127705 (Sub-No. 32), filed November 21, 1969. Applicant: KREYDA BROS. EXPRESS, INC., Post Office Box 68, Gas City, Ind. 46933. 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: *Soda Ash*, from Barborton and Painesville, Ohio, to Dunkirk, Ind. **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 127834 (Sub-No. 45), filed November 21, 1969. Applicant: CHEROKEE HAULING & RIGGING, INC., 540-42 Merritt Avenue, Nashville, Tenn. 37203. Applicant's representative: Robert M. Pearce, Post Office Box E, Bowling Green, Ky. 42101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Signs, sign poles, parts and accessories therefor*, from Clearfield, Utah, and Columbus, Ohio, to points in the United States (except Alaska and Hawaii); and (2) *materials, equipment, and supplies*, used in the manufacture of the items described in (1) above, from points in the United States (except Alaska and Hawaii) to Clearfield, Utah, and Columbus, Ohio. **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.

No. MC 128302 (Sub-No. 6), filed November 19, 1969. Applicant: THE MANFREDI MOTOR TRANSIT COMPANY, a corporation, Route 87, Newbury, Ohio 44065. Applicant's representative: John P. McMahon, 100 East 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 (except Fort Smith), Iowa, Illinois, Minnesota, Missouri, Tennessee, and Wisconsin. **NOTES:** Applicant states that the requested authority cannot be tacked with its existing authority. Applicant further states it seeks no duplicating authority. Applicant holds contract carrier authority under MC-112184 and subs thereunder, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Columbus, Ohio.

No. MC 128664 (Sub-No. 3), filed November 6, 1969. Applicant: LEON W. KARDUX, doing business as KARDUX TRANSFER, 516 West Fourth Street, 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 and 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, from points in Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, and Wisconsin, to Muscatine, Iowa. **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 128732 (Sub-No. 5), filed November 10, 1969. Applicant: TRANSPORTATION UNLIMITED OF CALIFORNIA, a corporation, 2659 South Soto, Los Angeles, Calif. 90023. Applicant's representative: Frederick J. Coffman, 521 South 14th Street, Post Office Box 806, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles* distributed by meat packinghouses, from the plantsite and storage facilities used by Sioux-Preme Packing Co. at or near Sioux Center, Iowa, to points in Arizona, California, Idaho, Montana, Nevada, New Mexico, Oregon, Texas, Utah, Washington, and Wyoming, under continuing contract with Sioux-Preme Packing Co., restricted to traffic originating at the above-named origin point. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Sioux City, Iowa.

No. MC 129107 (Sub-No. 4), filed November 3, 1969. Applicant: R. H. HARDING CO., INC., 100 Centre Drive, Rochester, N.Y. 14623. Applicant's representative: Raymond A. Richards, 23 West Main Street, Webster, N.Y. 14580. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used automo-*

biles, in secondary movements, in truck-away service, from Rochester, N.Y., to Bordentown, N.J., and Manheim, Pa.; restricted against the handling of shipments (1) for automobile manufacturers; (2) having an immediately prior or subsequent movement by rail; (3) moving on Government bills of lading; and further restricted against tacking with any other authority held by applicant, or interlining with any other carrier for through movements to other destinations. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Rochester, N.Y.

No. MC 133633 (Sub-No. 5), filed November 17, 1969. Applicant: HIGHWAY EXPRESS, INC., 712 East Second Street, Post Office Box 1326, Hattiesburg, Miss. 39401. Applicant's representative: Harold D. Miller, Jr., 700 Petroleum Building, Post Office Box 22567, Jackson, Miss. 39205. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular 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 points in Mississippi on and south of U.S. Highway 80 and/or Interstate Highway 20, restricted against the movement of traffic between Jackson, Miss., on the one hand, and on the other, Columbia and points within 10 miles thereof, Prentiss, Bassfield, and Tylertown and points within their respective commercial zones; (2) between New Orleans, La., on the one hand, and, on the other, points in Mississippi on and south of U.S. Highway 80 and/or Interstate Highway 20 (except Columbia and points within 10 miles thereof, Prentiss, Bassfield, and Tylertown and points within their respective commercial zones); and (3) between Mobile, Ala., on the one hand, and, on the other, points in Mississippi on the south of U.S. Highway 80 and/or Interstate Highway 20. **NOTE:** Applicant proposes to tack or join the separate paragraphs of the requested authority. Applicant further 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 Hattiesburg and Jackson, Miss.

No. MC 133737 (Sub-No. 1), filed November 14, 1969. Applicant: ROBERT CRAWFORD, doing business as CRAWFORD TRUCKING COMPANY, 5563 Northwest Drive, Omaha, Nebr. 68104. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Feed and feed ingredients*, from Omaha, Nebr., to Harlan, Denison, and Atlantic, Iowa, under contract with Nixon & Co. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 133854 (Sub-No. 1), filed November 20, 1969. Applicant: DOYLE REASNOR AND LEO REASNOR, a partnership, doing business as REASNOR CONSTRUCTION CO., Kinta,

Okla. 74552. Applicant's representative: Harold B. Dane, 111 South Broadway, Post Office Box 387, Stigler, Okla. 74462. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, in bulk, from the mine site of Kerr-McGee Corp. located 6 miles southeast of Stigler, Okla., to rail siding of Texas and Pacific Railroad approximately 3 miles east of Stigler, Okla., and rail siding of Fort Smith and Van Buren Railroad at McCurtain, Okla., and *rejected shipments* on return, under contract with Kerr-McGee Corp. NOTE: If a hearing is deemed necessary, applicant requests it be held at Oklahoma City or Tulsa, Okla.

No. MC 133941 (Sub-No. 2), filed November 19, 1969. Applicant: NORTH-ERN INDUSTRIAL CARRIERS LIMITED, Box 13K, Rural Route No. 2, Edmonton, Alberta, Canada. Applicant's representative: J. F. Meglen, Post Office Box 1581, Billings, Mont. 59103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Steel, casing and oil field equipment*, from the port of entry at or near Sweetgrass, Mont., on the international boundary line between the United States and Canada to points in Montana and Wyoming, with *return of rejected materials*. NOTE: Applicant states that it does not intend to tack. If a hearing is deemed necessary, applicant requests it be held at Billings, Mont.

No. MC 133982 (Sub-No. 1), filed November 12, 1969. Applicant: ALVIN P. MURPHY, doing business as MURPHY PRODUCE, Box 426, Miles City, Mont. 59301. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cheese*, in truckload lots, from Beach and Dickinson, N. Dak., to Wellsville, Utah. NOTE: If a hearing is deemed necessary, applicant requests it be held at Dickinson or Beach, N. Dak.

No. MC 134063 (Sub-No. 2), filed November 24, 1969. Applicant: FRANK R. CHULLINO, doing business as MIDWEST TRANSPORTATION COMPANY, 2802 Avenue B, Council Bluffs, Iowa 51501. Applicant's representative: Einar Viren, 904 City National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Alcoholic beverages* (except malt beverages) in containers, from points in Kentucky to Omaha, Nebr. NOTE: Applicant holds contract authority under MC 129574, and will request cancellation of contract carrier authority upon the grant of common carrier authority. This should eliminate any problem of dual authority. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 134086 (Sub-No. 2), filed November 18, 1969. Applicant: LEWIS A. HANNABASS, Box 119, Goodview, Va. 24995. Applicant's representative: Eston H. Alt, Post Office Box 81, Winchester, Va. 22601. Authority sought to operate as a *contract carrier*, by motor vehicle,

over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, and those injurious or contaminating to other lading, commodities in bulk, and commodities requiring special equipment), from points in Bedford and Roanoke Counties, Va., to points in Greenbrier, Summers, Monroe, Mercer, and McDowell Counties, W. Va., under contract with Montgomery Ward & Co. of Baltimore, Md. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 134157, filed November 3, 1969. Applicant: KANDU TRUCKING, INC., 520 North Michigan Avenue, Chicago, Ill. 60611. Applicant's representative: Gerard F. Moran (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *New and reprocessed paper products and waste papers*, between points in Illinois, Indiana, Iowa, Michigan, Ohio, and Wisconsin, under contract with International Cellulose, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 134163, filed November 19, 1969. Applicant: JOSEPH RICHARDSON, Post Office Box 146, Bridgeport, Pa. 19405. Applicant's representative: E. Stephen Heisley, 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: *Frozen foods*, from the plantsites and warehouse facilities of Pet, Inc., at or near Allentown, Pa., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia. NOTE: Applicant holds contract authority under MC 95763, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 134168, filed November 19, 1969. Applicant: PIKE COUNTY TRUCKING COMPANY, INC., Box 445, Highway 197, Elkhorn City, Ky. 41522. Applicant's representative: Fred F. Bradley, 213 St. Clair Street, Frankfort, Ky. 40601. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Crushed stone, limestone, gravel, aggregates, and agricultural lime*, from Elkhorn Stone Co., Inc., Pike County, Ky., to points in Buchanan, Dickenson, Lee, Russell, Scott, Smyth, Tazewell, Washington, and Wise Counties, Va., and points in Logan, Mingo, McDowell, and Wyoming Counties, W. Va., under contract with Elkhorn Stone Co., Inc., Pike County, Ky. NOTE: If a hearing is deemed necessary, applicant requests it be held at Lexington or Louisville, Ky., or Cincinnati, Ohio.

No. MC 134167, filed November 21, 1969. Applicant: MARY AGNES DONAHUE, doing business as DONAHUE TRUCKING CO., 12725 West Stark Street, Butler, Wis. 53007. Applicant's

representative: Nathaniel D. Rothstein, 135 West Wells Street, Milwaukee, Wis. 53203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hospital materials and supplies*, between Milwaukee, Wis., on the one hand, and, on the other, Jackson, Oconomowoc, Lake Geneva, and Green Bay, Wis. NOTE: If a hearing is deemed necessary, applicant requests it be held at Milwaukee or Madison, Wis.

MOTOR CARRIER OF PASSENGERS

No. MC 134166, filed November 24, 1969. Applicant: DUNN'S BUS SERVICE, INC., Rural Delivery 3, Sussex, N.J. Applicant's representative: W. C. Mitchell, 140 Cedar Street, New York, N.Y. 10006. 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 charter service, beginning and ending at points in Sussex County, N.J., and extending to points in Connecticut, Delaware, Maryland, Massachusetts, New York, Pennsylvania, Rhode Island, Vermont, Virginia, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Newark, N.J.

APPLICATION OF FREIGHT FORWARDERS

No. FF-382 (NATIONAL MOVERS FORWARDING CORP., Freight Forwarder Application) filed December 8, 1969. Applicant: NATIONAL MOVERS FORWARDING CORP., Post Office Box 70, Rutherford, N.J. 07070. Applicant's representative: Herbert Burstein, 30 Church Street, New York, N.Y. 10007. Authority sought under section 410, Part IV of the Interstate Commerce Act for a permit authorizing applicant to institute operation as a *freight forwarder* in interstate or foreign commerce in the forwarding of: (a) *household goods*, as defined by the Commission; (b) *unaccompanied baggage*; and (c) *privately owned automobiles*, between points in the United States, including Alaska and Hawaii.

APPLICATION IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN REQUESTED

No. MC 531 (Sub-No. 264), filed November 13, 1969. Applicant: YOUNGER BROTHERS, INC., 4904 Griggs Road, Post Office Box 14048, Houston, Tex. 77021. Applicant's representative: Wray E. Hughes (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Spent sulphuric acid*, in bulk, in tank vehicles, from Natchez, Miss., to points in Louisiana. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 60-14956; Filed, Dec. 17, 1969; 8:45 a.m.]

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| | | 1130..... | 19078 | | |

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| | |
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| 224 | 19192 |
| 241 | 19750 |
| 244 | 19340, 19603 |
| 249 | 19751 |
| 296 | 19341 |
| 297 | 19342 |
| 385 | 19140 |
| 399 | 19344 |

PROPOSED RULES:

| | |
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| 37 | 19142 |
| 39 | 19200 |
| 71 | 19080, 19297, 19374-19376, 19470, 19510, 19551, 19552, 19660, 19661, 19820 |
| 73 | 19376, 19471, 19510 |
| 93 | 19552 |
| 208 | 19297 |
| 214 | 19297 |
| 295 | 19297 |

15 CFR

| | |
|-----|-------|
| 368 | 19715 |
| 371 | 19715 |
| 374 | 19716 |
| 379 | 19716 |
| 386 | 19716 |

PROPOSED RULES:

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| 7 | 19812 |
|---|-------|

16 CFR

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|----|---|
| 13 | 19068-19071, 19346-19351, 19501, 19502, 19649-19651 |
| 15 | 19072, 19800 |

17 CFR

| | |
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| 200 | 19652 |
| 240 | 19717 |

18 CFR

PROPOSED RULES:

| | |
|-----|-------|
| 157 | 19613 |
| 101 | 19821 |
| 141 | 19821 |
| 201 | 19821 |
| 260 | 19821 |

19 CFR

| | |
|----|-------|
| 8 | 19652 |
| 16 | 19291 |

PROPOSED RULES:

| | |
|----|-------|
| 31 | 19721 |
|----|-------|

20 CFR

| | |
|-----|-------|
| 401 | 19465 |
| 602 | 19800 |
| 625 | 19656 |

21 CFR

| | |
|-----|-----------------------------------|
| 1 | 19465 |
| 14 | 19140 |
| 19 | 19653 |
| 121 | 19073, 19140, 19547, 19653, 19654 |

21 CFR—Continued

| | |
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| 148c | 19595 |
| 320 | 19654 |
| PROPOSED RULES: | |
| 3 | 19660 |
| 18 | 19142 |

24 CFR

| | |
|-----|-------|
| 6 | 19465 |
| 81 | 19656 |
| 200 | 19074 |

PROPOSED RULES:

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|----|-------|
| 31 | 19814 |
|----|-------|

25 CFR

| | |
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| PROPOSED RULES: | |
| 221 | 19468 |

26 CFR

| | |
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| 147 | 19751 |
| 194 | 19277 |
| 201 | 19277 |

28 CFR

| | |
|---|-------|
| 0 | 19656 |
|---|-------|

29 CFR

| | |
|------|-------|
| 50 | 19074 |
| 673 | 19655 |
| 850 | 19192 |
| 1500 | 19195 |

PROPOSED RULES:

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| Ch. V | 19296 |
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31 CFR

| | |
|-----|-------|
| 316 | 19402 |
| 332 | 19409 |
| 342 | 19504 |
| 500 | 19504 |
| 515 | 19504 |

32 CFR

| | |
|------|-------|
| 150 | 19607 |
| 723 | 19195 |
| 813a | 19503 |
| 818 | 19801 |
| 1606 | 19503 |

33 CFR

PROPOSED RULES:

| | |
|-----|-------|
| 110 | 19722 |
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38 CFR

| | |
|----|--------------|
| 17 | 19752, 19803 |
|----|--------------|

39 CFR

| | |
|-----|-------|
| 171 | 19352 |
| 535 | 19803 |

41 CFR

| | |
|--------|--------------|
| 1-1 | 19075 |
| 1-19 | 19353 |
| 5A-1 | 19504, 19752 |
| 5A-16 | 19505 |
| 101-20 | 19505 |
| 101-39 | 19075 |
| 101-43 | 19075 |

42 CFR

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| 57 | 19752 |
| 81 | 19354, 19758, 19759 |

PROPOSED RULES:

| | |
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| 73 | 19613 |
| 78 | 19720 |
| 81 | 19469, 19470 |

43 CFR

PUBLIC LAND ORDER:

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| 4748 | 19355 |
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PROPOSED RULES:

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| 4110 | 19200 |
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45 CFR

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|-----|-------|
| 85 | 19506 |
| 250 | 19759 |

46 CFR

| | |
|-----|-------|
| 6 | 19076 |
| 144 | 19196 |
| 154 | 19076 |
| 222 | 19547 |

47 CFR

| | |
|----|--------------|
| 1 | 19419 |
| 2 | 19421 |
| 43 | 19196 |
| 73 | 19759, 19760 |
| 74 | 19763 |
| 81 | 19419 |
| 83 | 19421 |
| 85 | 19421 |
| 87 | 19421 |
| 91 | 19765 |

PROPOSED RULES:

| | |
|----|---------------------|
| 0 | 19200 |
| 1 | 19080, 19200, 19512 |
| 21 | 19200 |
| 23 | 19200 |
| 61 | 19080 |
| 73 | 19513, 19769-19771 |
| 83 | 19513 |
| 95 | 19472 |

49 CFR

| | |
|------|--------------|
| 371 | 19547, 19611 |
| 1033 | 19077 |

PROPOSED RULES:

| | |
|------|----------------------------|
| 173 | 19511, 19722 |
| 179 | 19553 |
| 1047 | 19514 |
| 1048 | 19144, 19299, 19515, 19516 |
| 1112 | 19471 |

50 CFR

| | |
|-----|-----------------------------------|
| 12 | 19077 |
| 28 | 19548 |
| 33 | 19141, 19199, 19505, 19548, 19811 |
| 256 | 19199 |

PROPOSED RULES:

| | |
|----|-------|
| 32 | 19468 |
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