

# FEDERAL REGISTER

VOLUME 35

NUMBER 7

Saturday, January 10, 1970

Washington, D.C.

Pages 377-408

**Agencies in this issue—**

Agricultural Research Service  
Agriculture Department  
Business and Defense Services  
Administration  
Civil Aeronautics Board  
Civil Service Commission  
Consumer and Marketing Service  
Emergency Preparedness Office  
Federal Aviation Administration  
Federal Communications Commission  
Federal Deposit Insurance Corporation  
Federal Highway Administration  
Federal Power Commission  
Federal Reserve System  
Food and Drug Administration  
Internal Revenue Service  
Interstate Commerce Commission  
Land Management Bureau  
Packers and Stockyards  
Administration  
Securities and Exchange Commission  
Veterans Administration

Detailed list of Contents appears inside.



Latest Edition

# Guide to Record Retention Requirements

[Revised as of January 1, 1969]

This useful reference tool is designed to keep businessmen and the general public informed concerning the many published requirements in Federal laws and regulations relating to record retention.

The 86-page "Guide" contains over 900 digests which tell the user (1) what type records must be kept, (2) who must keep

them, and (3) how long they must be kept. Each digest carries a reference to the full text of the basic law or regulation providing for such retention.

The booklet's index, numbering over 2,000 items, lists for ready reference the categories of persons, companies, and products affected by Federal record retention requirements.

**Price: 75 cents**

Compiled by Office of the Federal Register, National Archives and Records Service, General Services Administration

**Order from Superintendent of Documents, U.S. Government Printing Office  
Washington, D.C. 20402**



Area Code 202

Phone 962-8626

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., Ch. 15), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for \$2.50 per month or \$25 per year, payable in advance. The charge for individual copies is 20 cents for each issue, or 20 cents for each group of pages as actually bound. Remit check or money order, made payable to the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended (44 U.S.C. 1510). The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements are listed in the first FEDERAL REGISTER issue of each month.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER or the CODE OF FEDERAL REGULATIONS.

# Contents

## AGRICULTURAL RESEARCH SERVICE

- Rules and Regulations  
Gypsy moth and brown-tail moth; domestic quarantine notices... 382

## AGRICULTURE DEPARTMENT

See also Agricultural Research Service; Consumer and Marketing Service; Packers and Stockyards Administration.

- Rules and Regulations  
Claims against indemnity fund under programs administered by ASC county committees... 381

## BUSINESS AND DEFENSE SERVICES ADMINISTRATION

- Notices  
University of California; duty-free entry of scientific articles... 400

## CIVIL AERONAUTICS BOARD

- Notices  
*Hearings, etc.:*  
Air East, Inc., and nonpriority mail rates... 400  
Sedalia, Marshall, Boonville Stage Lines, Inc... 401

## CIVIL SERVICE COMMISSION

- Rules and Regulations  
Excepted service:  
Economic Opportunity Office... 381  
Post Office Department... 381  
Treasury Department... 381

- Notices  
Nurses; adjustment of minimum rates and rate ranges... 403

## COMMERCE DEPARTMENT

See Business and Defense Services Administration.

## CONSUMER AND MARKETING SERVICE

- Rules and Regulations  
Handling limitations:  
Grapefruit grown in Florida... 385  
Lemons grown in California and Arizona... 384  
Proposed Rule Making  
Lemons grown in California and Arizona; handling... 387

## EMERGENCY PREPAREDNESS OFFICE

- Notices  
Federal coordinating officers; appointment... 403

## FEDERAL AVIATION ADMINISTRATION

- Proposed Rule Making  
Appliance major repairs... 386  
Preflight action; familiarity of pilot in command with runway distance information... 386  
Withdrawal of notices of proposed rule making... 386

## FEDERAL COMMUNICATIONS COMMISSION

- Notices  
Canadian broadcast stations; list of changes, proposed changes and corrections in assignments (2 documents)... 404, 405

## FEDERAL DEPOSIT INSURANCE CORPORATION

- Rules and Regulations  
Securities of insured nonmember State banks; correction... 385

## FEDERAL HIGHWAY ADMINISTRATION

- Notices  
Keokuk and MacArthur bridge tolls; hearings... 399

## FEDERAL POWER COMMISSION

- Notices  
*Hearings, etc.:*  
Central Maine Power Co... 392  
Champlin Petroleum Co., et al... 388  
Cities Service Gas Co. (2 documents)... 392, 393  
Cities Service Oil Co., et al... 390  
Ferrell, Willard E., et al... 391  
Michigan Wisconsin Pipe Line Co... 393

## FEDERAL RESERVE SYSTEM

- Notices  
Broward Bancshares, Inc.; order approving action to become bank holding company... 405

## FOOD AND DRUG ADMINISTRATION

- Notices  
Certain drugs for human use; drug efficacy study implementation (2 documents)... 396, 397

## HEALTH, EDUCATION, AND WELFARE DEPARTMENT

See Food and Drug Administration.

## INTERIOR DEPARTMENT

See Land Management Bureau.

## INTERNAL REVENUE SERVICE

- Notices  
Russell, John David; granting of relief... 394

## INTERSTATE COMMERCE COMMISSION

- Notices  
Fourth section applications for relief... 406  
Motor carrier:  
Temporary authority applications... 406  
Transfer proceedings (2 documents)... 407

## LAND MANAGEMENT BUREAU

- Notices  
Idaho; termination of proposed withdrawal and reservation of lands... 394  
New Mexico; land classification (3 documents)... 394, 395

## PACKERS AND STOCKYARDS ADMINISTRATION

- Notices  
Amory Commission Co., et al.; deposing of stockyards... 395

## SECURITIES AND EXCHANGE COMMISSION

- Notices  
*Hearings, etc.:*  
Liquid Optics Corp... 402  
Southern Co., et al... 402

## TRANSPORTATION DEPARTMENT

See Federal Aviation Administration; Federal Highway Administration.

## TREASURY DEPARTMENT

See Internal Revenue Service.

## VETERANS ADMINISTRATION

- Rules and Regulations  
General Counsel; delegation of authority... 385

## List of CFR Parts Affected

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

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1970, and specifies how they are affected.

### 5 CFR

213 (3 documents) ----- 381

### 7 CFR

4 ----- 381

301 ----- 382

910 ----- 384

912 ----- 385

#### PROPOSED RULES:

910 ----- 387

### 12 CFR

335 ----- 385

### 14 CFR

#### PROPOSED RULES:

21 ----- 386

25 ----- 386

33 ----- 386

37 ----- 386

43 (2 documents) ----- 386

65 ----- 386

91 (2 documents) ----- 386

105 ----- 386

121 ----- 386

### 38 CFR

2 ----- 385

# Rules and Regulations

## Title 5—ADMINISTRATIVE PERSONNEL

### Chapter I—Civil Service Commission PART 213—EXCEPTED SERVICE Treasury Department

Section 213.3305 is amended to show that the temporary Schedule C authority covering one position of Confidential Secretary to the Deputy Special Assistant to the Secretary (Public Affairs) has been extended from December 31, 1969, to June 30, 1970. Effective January 1, 1970, subparagraph (19) of paragraph (a) of § 213.3305 is amended as set out below.

#### § 213.3305 Treasury Department.

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

(19) Until June 30, 1970, one Confidential Secretary to the Deputy Special Assistant to the Secretary (Public Affairs).

(5 U.S.C. 3301, 3302, E.O. 10577; 3 CFR 1954-1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,

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

[F.R. Doc. 70-381; Filed, Jan. 9, 1970;  
8:48 a.m.]

### PART 213—EXCEPTED SERVICE

#### Post Office Department

Section 213.3111 is amended to show that temporary positions established to staff a pilot Postal Academy Program are excepted under Schedule A subject to conditions on number and locations established by the Civil Service Commission. Appointments under the authority will not exceed 2 years and no new appointments may be made under the authority after December 31, 1971. Effective on publication in the FEDERAL REGISTER, subparagraph (14) is added to paragraph (a) of § 213.3111 as set out below.

#### § 213.3111 Post Office Department.

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

(14) Subject to conditions on number and location set by the Commission, temporary positions established to administer and operate a pilot Postal Academy Program. An appointment under this authority may not exceed 24 months. No new appointments may be made under the authority after December 31, 1971.

(5 U.S.C. 3301, 3302, E.O. 10577; 3 CFR 1954-1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,

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

[F.R. Doc. 70-379; Filed, Jan. 9, 1970;  
8:48 a.m.]

### PART 213—EXCEPTED SERVICE

#### Office of Economic Opportunity

Section 213.3373 is amended to show that one position of Special Assistant to the Assistant Director for Research, Plans, Programs, and Evaluation is excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, subparagraph (8) is added under paragraph (a) of § 213.3373 as set out below.

#### § 213.3373 Office of Economic Opportunity.

(a) *Office of the Director.* \* \* \*

(8) One Special Assistant to the Assistant Director for Research, Plans, Programs, and Evaluation.

(5 U.S.C. 3301, 3302, E.O. 10577, 3 CFR 1954-1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,

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

[F.R. Doc. 70-380; Filed, Jan. 9, 1970;  
8:48 a.m.]

## Title 7—AGRICULTURE

### Subtitle A—Office of the Secretary of Agriculture

#### PART 4—CLAIMS AGAINST INDEMNITY FUND UNDER PROGRAMS ADMINISTERED BY AGRICULTURAL STABILIZATION AND CONSERVATION COUNTY COMMITTEES

Part 4 of Subtitle A of Title 7 of the Code of Federal Regulations (26 F.R. 8659) is revised to modify the requirements under which indemnity fund claims may be paid as follows:

Sec.

- 4.1 Identification of fund.
- 4.2 Indemnification to producers for losses sustained from erroneous destruction of crops.
- 4.3 Filing of claims.
- 4.4 Processing claims.
- 4.5 Recoveries.

**AUTHORITY:** The provisions of this Part 4 issued under sec. 375, 52 Stat. 66, as amended, 7 U.S.C. 1375; sec. 403, 61 Stat. 932, 7 U.S.C. 1153; sec. 124, 70 Stat. 198, 7 U.S.C. 1812; sec. 4, 49 Stat. 164, 16 U.S.C. 590d; sec. 602, 79 Stat. 1206, 7 U.S.C. 1838; Comp. Gen. Decision A-44002, Nov. 1, 1938.

#### § 4.1 Identification of fund.

A general Indemnity Fund is maintained in the Treasury of the United States for indemnifying certain losses resulting from the discharge of responsibilities by Agricultural Stabilization and Conservation (ASC) county committees.

#### § 4.2 Indemnification to producers for losses sustained from erroneous destruction of crops.

(a) Losses sustained by producers in excess of \$10 from the destruction of crops under any program assigned or hereafter assigned to county ASC committees as a result of reliance on an erroneous notice of acreage furnished by ASC committeemen or employees of the ASC committees may be indemnified under the following conditions:

(1) The producer relied in good faith on an erroneous written notice of acreage: *Provided*, That the Deputy Administrator, State and County Operations, ASCS, may make an exception to the requirement that the notice be in writing where he determines that the producer relied in good faith on oral misinformation furnished by the county ASC committee or employees thereof;

(2) Neither the farm operator nor any other producer on the farm was in any way responsible for the error;

(3) The extent of the error was such that the farm operator could not reasonably be expected to question the erroneous notice;

(4) There was no fraud, deceit, error, or failure to cooperate on the part of the farm operator or any other producer on the farm which contributed to the erroneous determination of acreage; and

(5) The claim is made in writing to the county ASC committee within 90 days of the date of destruction of the crop. If the producer makes the claim in writing within such period but cannot determine the value of the loss at such time, he shall perfect his claim within 90 days following the earliest date the value can be established, such date to be determined by the State ASC committee. Notwithstanding the foregoing provisions of this subparagraph, the county ASC committee may extend the period for filing a claim if it determines, with the approval of the State ASC committee, that there is evidence that (i) the claim would have been eligible for

filing if it had been made within the 90-day period and (ii) the producer did not become aware of the erroneous destruction in time to file within the 90-day period.

(b) The amount of indemnification to be paid the producer shall be recommended by the county ASC committee so as to reflect the loss of net income from the crop which was destroyed. In determining such amount, the county ASC committee shall take into consideration the following:

(1) The actual yield per acre on the acreage actually harvested and the proceeds from the harvested acreage;

(2) The estimated costs which would have been incurred by the producer in producing, harvesting, and marketing the crop on the acreage destroyed had the crop on such acreage been harvested and marketed;

(3) The net return from any replacement crop produced and marketed; and

(4) The estimated amount of any ASCS program payments which would have been made with respect to the destroyed crop if such acreage had been carried to harvest and which have not been paid to the producer under other provisions of law.

#### § 4.3 Filing of claims.

(a) Claims for indemnification may be filed with the county ASC committee by the producer or his duly authorized agent. If the producer entitled to make a claim dies, the claim may be made only by his successor in interest.

(b) The party making the claim must file a written statement of facts describing (1) the circumstances under which the loss occurred, (2) the estimated value of the loss, and (3) the method used in computing the value of the loss. The claim shall be filed with the county ASC committee in the county in which the loss occurred. Since payment from the Indemnity Fund is proper only where there has been negligence or error by ASC committeemen or employees of ASC committees, it is necessary that the negligence or error be clearly indicated either in the claim itself or in an accompanying ASC committee explanation.

#### § 4.4 Processing claims.

(a) The county ASC committee shall transmit each claim to the State ASC committee with its recommendation as to whether the claim should be honored or denied.

(b) The State ASC committee shall make final determination and settlement with respect to each claim based on a written notice of acreage which does not exceed \$500.

(c) The State ASC committee shall transmit to the Fiscal Division, ASCS, for final determination and settlement each claim which exceeds \$500 and each claim, regardless of amount, based on oral information furnished by the county ASC committee or employees thereof, together with the State ASC committee's recommendation as to whether the claim should be honored or denied.

#### § 4.5 Recoveries.

The existence of the Indemnity Fund does not impair the right or lessen the obligation of the United States or other entities or persons to use other legal recourse to recover from any person the amount of any loss which was caused by his action.

Effective date: Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on January 5, 1970.

CLIFFORD M. HARDIN,  
Secretary.

[F.R. Doc. 70-334; Filed, Jan. 9, 1970;  
8:45 a.m.]

### Chapter III—Agricultural Research Service, Department of Agriculture

[P.P.D. 640, Amended]

## PART 301—DOMESTIC QUARANTINE NOTICES

### Subpart—Gypsy Moth and Brown-Tail Moth

#### REVISION OF LIST OF ESTABLISHMENTS

Pursuant to § 301.45-2 of the gypsy moth and brown-tail moth quarantine (Notice of Quarantine No. 45, 7 CFR 301.45) and § 301.45-2b(8) of the supplemental regulation (7 CFR 301.45-2b(8)), under sections 8 and 9 of the Plant Quarantine Act of 1912, as amended, and section 106 of the Federal Plant Pest Act (7 U.S.C. 161, 162, 150ee), the list of approved establishments (33 F.R. 17368) eligible to ship stone and quarry products, which are gypsy moth regulated articles, without certification or permit from areas regulated under the said notice of quarantine and supplemental regulations, is hereby revised to read as follows:

#### ESTABLISHMENT OR DEALER: ADDRESS: AND PRODUCT

##### MAINE

Hocking Granite Co.; Clark Island; Granite.  
Lime Products Corp.; Union; Lime Rock.  
Lime Products Corp.; Warren; Lime Rock.  
Rockland-Rockport Lime Co.; 457 Main Street, Rockland; Lime Rock.  
The John Swenson Granite Co., Inc.; Highpine; Granite.  
The John Swenson Granite Co., Inc.; Ogunquit; Granite.  
The John Swenson Granite Co., Inc.; Vinal Haven; Granite.

##### MASSACHUSETTS

Bates Bros. Seam-Face Granite Co.; 1372 Hancock Street, Quincy; Granite.  
Berkshire Pink Granite Co.; Lee Road, Becket; Pink Granite.  
Caniff, W. C. & Sons, Inc.; 64-84 Penn Street, Quincy; Granite.  
Carrigg, Thos. & Son, Monuments; 165 Brook Road, Quincy; Granite.  
Chester Granite Co.; Chester; Granite.  
Colonial Granite Co.; 34 Intervale Street, Quincy; Granite.  
Eastern Quarries, Inc.; Route 53, Hingham; Granite.  
Erikson, E. A., Monumental Works; 3 Garfield Street, Quincy; Granite.

Fletcher, H. E., Co.; Milford; Granite.  
Fletcher, H. E., Co.; West Chelmsford; Granite.  
Goldbranson & Co., Inc. (D)<sup>1</sup>; 106 Merrimount Road, Quincy; Granite.  
Hancock Monument Co.; 366 Centre Street, Quincy; Granite.  
Lincoln Granite Co.; 400 Centre Street, Quincy; Granite.  
McCormick-Longmeadow Stone Co.; East Longmeadow; Brown Sandstone.  
Monti, A., Granite Co., Inc.; 260-262 Centre Street, Quincy; Granite.  
Morse Granite Co. (D)<sup>1</sup>; 241-243 Willard Street, Quincy; Granite.  
Oak Hill Quarries; Box 708, Lowell; Granite.  
Otis-Chester Granite Co.; Box 24, Chester; Granite.  
Persson, Karl A.; Rockport; Granite.  
Peruzzi Bros; 86 Centre Street, Quincy; Granite.  
Plymouth Quarries, Inc.; Route 53, Hingham; Granite.  
Premier Granite & Polishing Co., Inc.; 52-64 Vernon Street, Quincy; Granite.  
Quincy Memorial Co., Inc.; 218 Willard Street, Quincy; Granite.  
Ricciardi & Son Granite Co.; 218 Willard Street, West Quincy; Granite.  
Rockport Quarries Co., Inc.; Rockport; Granite.  
Rolly, L. J. (D)<sup>1</sup>; Box 303, Highland Station, Springfield; Granite.  
Ruscitto, Antonio & Sons, Inc.; 159 Brook Road, Quincy; Granite.  
Settimelli, Emanuel & Sons, Inc.; 24 Totman Street, Quincy; Granite.  
Swingle, J. S., Inc.; Quarrywood Lane, Quincy; Granite.  
Taska Granite; Quarry Road, Becket; Granite.  
United Granite Co.; 106 Columbia Street, Quincy; Granite.  
Volpe, L. & Sons, Inc.; 3 Nightingale Avenue, Quincy; Granite.  
W. Quincy Granite & Polishing Co.; 253 Willard Street, West Quincy; Granite.

##### NEW HAMPSHIRE

Barretto Granite Corp.; Oak Street, Milford; Granite.  
Kitledge Granite Corp.; Armory Road, Milford; Granite.  
Lovejoy Granite Co.; Starch Mill Road, Mason; Granite.  
The John Swenson Granite Co., Inc.; Concord; Granite.

##### NEW YORK

Barton Mines, Inc.; North Creek; Feldspar.  
Bassett, Fred; Granville; Slate.  
Bassett, Jerry, (D)<sup>1</sup>; Middle Granville; Slate.  
Bassett, Ralph R.; Granville; Slate.  
Darius Slate Products; Middle Granville; Slate.  
Di Rienzo Bros., Stone Quarry; Yonkers; Granite.  
Dunwoodie Stone Quarry; Yonkers; Granite.  
Evergreen Slate Co. (D)<sup>1</sup>; Granville; Slate.  
Granville Slate Co.; Granville; Slate.  
Green Mt. Slate Co., Inc.; Middle Granville; Slate.  
Hadeka, Adolph; Hampton; Slate.  
Hadeka, John G.; Middle Granville; Slate.  
Hankins, The Willis, Bluestone Quarries (D)<sup>1</sup>; Hancock; Bluestone.  
Helderberg Bluestone, Inc.; East Berne; Bluestone.  
Helderberg Bluestone, Inc.; Unadilla; Bluestone.  
Hill Top Slate Co.; Middle Granville; Slate.  
Johnson & Rhodes Bluestone Co. (D)<sup>1</sup>; East Branch; Bluestone.

<sup>1</sup> (D)—Dealer.

Jones, Robert O., Slate Co.; Granville; Slate.  
 Journak, Stephen (D)<sup>1</sup>; Granville; Slate.  
 Kelly Wholesale Stone & Slate Co.; Route 17M, Monroe; Stone, slate, and bluestone.  
 Kordiyak, George, Slate Co.; Granville; Slate.  
 Labas, Andy; Route 22, Granville; Slate.  
 Lake Placid Granite Co.; Jay; Granite.  
 Loomis, John R.; Granville; Slate.  
 McCullen Quarry; Granville; Slate.  
 Mead & Sons; Middle Granville; Slate.  
 Multari Stone Quarry; Yonkers; Granite.  
 Ponda, J. A., Slate Co.; Granville; Slate.  
 Portland Monson Slate Co.; Middle Granville; Slate.  
 Potter, Ab Slate Co.; Hampton; Slate.  
 Ritchie Brothers; Middle Granville; Slate.  
 Royal Slate Co.; Granville; Slate.  
 Sheldon Slate Co., Inc.; Middle Granville; Slate.  
 Somich Brothers Slate Co.; Granville; Slate.  
 Strong, W. R. & Son (D)<sup>1</sup>; Deposit; Bluestone and flagstone.  
 Tatko Brothers Slate Co., Inc.; Middle Granville; Slate.  
 Thomas, Owen; Granville; Slate.  
 Tompkins, Paul A., Establishment of (D)<sup>1</sup>; Hancock; Bluestone.  
 Vermont Structural Slate Co.; Granville; Slate.  
 Western Slate Co.; Granville; Slate.  
 White, Karl (D)<sup>1</sup>; Hampton; Flagstone.  
 Williams Brothers Slate Co.; Middle Granville; Slate.  
 Williams, William W., Slate Co.; Middle Granville; Slate.

PENNSYLVANIA

Capital Slate Quarry; East Bangor; Slate.  
 Daly & Sons; Pen Argyl; Slate.  
 Diamond Slate Quarry; Pen Argyl; Slate.  
 Doney Slate Quarry; Pen Argyl; Slate.  
 Emerald Slate Quarry; Wind Gap; Slate.  
 National School Slate Co.; Church Street, Slatington; Slate.  
 North Bangor Slate Quarry; Bangor; Slate.  
 Penn Big Bed Slate Co., Inc.; Post Office Box 184, Slatedale; Slate.  
 Roberts & Son; Belfast; Slate.  
 Stephen & Jackson; Pen Argyl; Slate.  
 Stoddard Slate Quarry; Pen Argyl; Slate.  
 Taylor Building Block Co.; Mount Bethel; Slate.  
 Williams & Sons; Wind Gap; Slate.

RHODE ISLAND

Bonner Monument, Inc.; Ashaway Road, Westerly; Granite.  
 Castellucci & Sons, Inc.; 44 Cross Street, Providence; Granite.  
 Providence Granite Co.; 210 Kinsley Avenue, Providence; Granite.  
 Providence Granite Co.; Oak Street, Westerly; Granite.  
 Starck, James A.; 11 Bassett Street, Providence; Granite.  
 Westerly Granite Co.; Bradford; Granite.

VERMONT

Acme Granite Co.; 46 Webster Street, Barre; Granite.  
 Adams Granite Co., Inc.; Lewis Street, Barre; Granite.  
 Allain Granite Co.; Granite Street, Barre; Granite.  
 Amerio Bros. Slate Co.; Fair Haven; Slate.  
 Amerio Bros. Slate Co.; Poultney; Slate.  
 Anair Memorials; Route U.S. No. 2, St. Johnsbury; Granite.  
 Anderson-Friberg Co., Inc.; Willey Street, Barre; Granite.  
 Andreoletti, E. & Sons; South Ryegate; Granite.  
 Apex Memorial Co.; Richardson Road, Barre; Granite.

Associated Memorial Products, Inc.; Circle Street, Barre; Granite.  
 Baker Slate Tile; Poultney; Slate.  
 Barre Granite Associated, Inc. (D)<sup>1</sup>; Church Street, Barre; Granite.  
 Barre Guild Consolidation Service (D)<sup>1</sup>; Church Street, Barre; Granite.  
 Barre Monumental Co. (D)<sup>1</sup>; 62 Circle Street, Barre; Granite.  
 Barre Sales Co. (D)<sup>1</sup>; West Second Street, Barre; Granite.  
 Barre Sample & Novelty Co.; Richardson Road, Barre; Granite.  
 Beach, C. R., Slate Co.; Fair Haven; Slate.  
 Beck & Beck, Inc.; 41 Center Street, Barre; Granite.  
 Bethel Quarries, Division of Rock of Ages Corp.; Bethel; Granite.  
 Better Craft Memorial Co., Inc.; West Second Street, Barre; Granite.  
 Bilodeau, J. O. & Co., Inc.; Bianchi Place, Barre; Granite.  
 Bonazzi & Bonazzi; Pioneer Street, Montpelier; Granite.  
 Brooks Granite Co., Inc.; Mill Street, Barre; Granite.  
 Brookside Memorial Co.; East Barre; Granite.  
 Brusa Bros.; West Second Street, Barre; Granite.  
 Buttura & Sons, Inc.; Boynton Street, Barre; Granite.  
 Fred Capron, Vermont Slate Products; Pittsford; Slate.  
 Celenti & Bianchi; 27½ Flint Place, Barre; Granite.  
 Celestial Memorial Co.; 40 Willey Street, Barre; Granite.  
 Cerasoli & Cerasoli; Smith Street, Barre; Granite.  
 Cetrangolo Finishing Works, Inc.; Northfield; Granite.  
 Chioldi Granite Co., Inc.; South Front Street, Barre; Granite.  
 Ciampi Saw Plant; 14 Granite Street, Barre; Granite.  
 Colombo Granite Co.; West Second Street, Barre; Granite.  
 Comoli & Co., Inc.; Burnhams Meadow, Barre; Granite.  
 Consolidated Memorials, Inc.; Boynton Street, Barre; Granite.  
 Cook, Watkins & Patch, Inc.; 15 Blackwell Street, Barre; Granite.  
 Couture Custom Polishing Co.; East Barre; Granite.  
 Coutoure's Granite Co.; East Barre; Granite.  
 Cozzi, John (D)<sup>1</sup>; 33 Elmwood Avenue, Barre; Granite.  
 D & R Slate Co.; Poultney; Slate.  
 Davidson, C. R., Co., Inc.; Barre; Granite.  
 Davidson, C. R., Co., Inc.; South Ryegate; Granite.  
 Densmore, Carl D., Co., Inc.; 967 Williston Road, South Burlington; Granite.  
 Deslets Granite Co., Inc.; 221 Barre Street, Montpelier; Granite.  
 DuBois Granite; 10 Blackwell Street, Barre; Granite.  
 Everlasting Memorial Works, Inc.; Pioneer Street, Montpelier; Granite.  
 Fair Haven Slate Co., Inc.; Fair Haven; Slate.  
 Fair Haven Slate Co., Inc.; Hydeville; Slate.  
 Gandin Bros.; South Ryegate; Granite.  
 Garand, S. L. & Co., Inc.; Pioneer Street, Montpelier; Granite.  
 Garand-Teed Quarry, Inc.; Calais; Granite.  
 Gawet, J. P. & Sons; Center Rutland; Marble.  
 Gibb, John & Co.; Willey Street, Barre; Granite.  
 Gibb, John & Co., Division of Valz Granite Co. (D)<sup>1</sup>; Willey Street, Barre; Granite.  
 Giudici Bros. & Co., Inc.; South Front Street, Barre; Granite.

Granville Slate Co.; Pawlet; Slate.  
 Grearson & Lane Co., Inc.; Burnhams Meadow, Barre; Granite.  
 Greater Barre Chamber of Commerce; 36 North Main Street, Barre; Granite.  
 Green Mountain Marble Co.; West Rutland; Marble.  
 Guardian Memorials; 700 North Main Street, Barre; Granite.  
 H & H Slate Co.; Poultney; Slate.  
 Hadeka, Adolph S.; Poultney; Slate.  
 Hadeka, John G.; Fair Haven; Slate.  
 Hadeka, John G.; Poultney; Slate.  
 Handcraft Memorials; Box 431, Barre; Granite.  
 Herberts Memorial Service; St. Johnsbury; Granite.  
 Hillside Saw Plant; Richardson Road, Barre; Granite.  
 Houle Bros., Granite Co.; South Front Street, Barre; Granite.  
 Hutchins & Perreault; East Barre; Granite.  
 Immediate Granite Deliveries (D)<sup>1</sup>; Post Office Box 233, Barre; Granite.  
 Industrial Granite Co.; Barre Street, Montpelier; Granite.  
 Johnson & Gustafson, Inc.; 7 Boynton Street, Barre; Granite.  
 Johnson's Custom Sandblast; Burnhams Meadow, Barre; Granite.  
 Jones Bros. Co., Inc.; 700 North Main Street, Barre; Granite.  
 Jones, Robert O., Slate Co.; West Pawlet; Slate.  
 Jurras Granite Co., Inc.; Granite Street, Montpelier; Granite.  
 Kordiyak, George, Slate Co.; West Pawlet; Slate.  
 LaCross Memorial, Inc.; Boynton Street, Barre; Granite.  
 Lawson Granite Co., Inc.; Quarry Street, Barre; Granite.  
 Letter Granite Co., Inc.; Boynton Street, Barre; Granite.  
 M & W Polishing Co.; Barre; Granite.  
 Mail Order Granite Co.; Bianchi Place, Barre; Granite.  
 Mascetti Granite Co., Inc.; Burnhams Meadow, Barre; Granite.  
 Maurice Memorials, Inc.; Granite Street, Barre; Granite.  
 Milne, Alexander, Granite Co.; Circle Street, Barre; Granite.  
 Minoli, Silvio A. (D)<sup>1</sup>; 102 Beckley Street, Barre; Granite.  
 Modern Granite Co., Inc.; Batchelder Street, Barre; Granite.  
 Montpelier Granite Works; Upper Granite Street, Montpelier; Granite.  
 Moriote, S., Granite Co.; Burnhams Meadow, Barre; Granite.  
 Morrison Granite Service (D)<sup>1</sup>; Willey Street, Barre; Granite.  
 Nationwide Granite Industries, Inc.; Box 181, Barre; Granite.  
 Nativi & Son, Inc.; Center Street, Barre; Granite.  
 Newmont Slate Co. (D)<sup>1</sup>; Poultney; Slate.  
 North Barre Granite, Inc.; 48 Railroad Street, Barre; Granite.  
 O'Brien Bros. Slate Co., Inc. (D)<sup>1</sup>; Fair Haven; Slate.  
 Olympic Granite Co.; East Barre; Granite.  
 Parnigoni Bros. (D)<sup>1</sup>; 89 South Main Street, Barre; Granite.  
 Peerless Granite Co.; South Front Street, Barre; Granite.  
 Peplin Granite Co.; 160½ Granite Street, Barre; Granite.  
 Perpetual Memorial Co. (D)<sup>1</sup>; Barre; Granite.  
 Pirie Quarry, Division of Rock of Ages Corp.; Barre; Granite.  
 Pirie Quarry, Division of Rock of Ages Corp.; Graniteville; Granite.  
 Potter, Ab Slate Co., Inc.; Poultney; Slate.  
 Prehoda Slate Co.; Wells; Slate.  
 R & R Granite Co.; 51 Prospect Street, Barre; Granite.

<sup>1</sup> (D)—Dealer.

Railroad Granite Co.; 140 Railroad Street, Barre; Granite.  
 Rising & Nelson Slate Co., Inc.; Poultney; Slate.  
 Rising & Nelson Slate Co., Inc.; West Pawlet; Slate.  
 Rivard Granite Co.; Mill Street, Barre; Granite.  
 Riverside Granite Co.; Mill Street, Barre; Granite.  
 Riverton Memorial Co.; East Barre Road, Barre; Granite.  
 Rock of Ages Corp.; Building Division; Barre; Granite.  
 Rock of Ages Corp.; Graniteville; Granite.  
 Rock of Ages Corp.; Graniteville; Granite.  
 Rosa, Chester Granite Co.; South Ryegate; Granite.  
 Rose-Crest Sandblasting Co.; Lewis Street, Barre; Granite.  
 Rosell Bros. Granite Co. (D)<sup>1</sup>; 193 Barre Street, Montpelier; Granite.  
 Rouleau Granite Co., Inc.; Depot Square, Barre; Granite.  
 Sanguinetti Granite Co.; Williamstown; Granite.  
 Sheldon Slate Co., Inc.; Poultney; Slate.  
 Sheldon Slate Co., Inc.; Rupert; Slate.  
 Sheridan & Poole (D)<sup>1</sup>; Montpelier; Granite.  
 Smith, E. L., Quarry, Division of Rock of Ages Corp.; Barre; Granite.  
 Smith, E. L., Quarry, Division of Rock of Ages Corp.; Graniteville; Granite.  
 South Barre Granite Co., Inc.; Circle Street, Barre; Granite.  
 South End Polishing Mill, Inc.; 19 Valliere Street, Barre; Granite.  
 Split Face Marble Corp.; Center Rutland; Marble.  
 Swanton Lime Works; Swanton; Limestone.  
 Sweeney Slate Co.; Fair Haven; Slate.  
 Taran Brothers, Inc.; Poultney; Slate.  
 Taran's Stone Quarries; Poultney; Slate.  
 Tardie Memorial; Rural Free Delivery, Montpelier; Granite.  
 Tatko Bros. Slate Co., Inc.; Poultney; Slate.  
 Thurber Granite Co.; Burnhams Meadow, Barre; Granite.  
 Trombly Memorial Co.; Granite Street, Barre; Granite.  
 Twin City Memorials; Montpelier Road, Barre; Granite.  
 Twin City Custom Sandblast, Inc.; 32 Granite Street, Barre; Granite.  
 Union Granite Memorials; Blackwell Street, Barre; Granite.  
 United Slate Co., Inc.; Poultney; Slate.  
 Usie & Perojo Granite Co.; Boynton Street, Barre; Granite.  
 Valz Granite Co.; Willey Street, Barre; Granite.  
 Vermarco Ground Products; Florence; Marble.  
 Vermarco Ground Products; West Rutland; Marble.  
 Vermarco Lime Co.; Florence; Marble.  
 Vermont Cut Slate Co.; Fair Haven; Slate.  
 Vermont Diamond Grey, Inc. (D)<sup>1</sup>; Windwood Road, Barre; Granite.  
 Vermont Granite, Inc.; Barre; Granite.  
 Vermont Marble Co.; Center Rutland; Marble.  
 Vermont Marble Co.; Florence; Marble.  
 Vermont Marble Co.; Proctor; Marble.  
 Vermont Marble Co.; West Rutland; Marble.  
 Vermont Structural Slate Co., Inc.; Fair Haven; Slate.  
 Vermont Structural Slate Co., Inc.; Hydeville; Slate.  
 Vermont Structural Slate Co., Inc.; Poultney; Slate.  
 Vermont Structural Slate Co., Inc.; West Pawlet; Slate.  
 Wells-Lamson Quarry Co., Inc.; 102 North Main Street, Barre; Granite.  
 Wells-Lamson Quarry Co., Inc.; Webster-ville; Granite.

<sup>1</sup> (D)—Dealer.

Wetmore & Morse Quarry, Division of Rock of Ages Corp.; Barre; Granite.  
 Wetmore & Morse Quarry, Division of Rock of Ages Corp.; Websterville; Granite.  
 White Marble Shop; West Rutland; Marble.  
 Wildbur Granite Co. (D)<sup>1</sup>; 72 Onward Street, Barre; Granite.  
 Williams, William W., Slate Co.; Poultney; Slate.  
 Williamson Polishing Co.; South Vine Street, Barre; Granite.  
 Woodbury Quarries, Inc.; Woodbury; Granite.  
 Zampieri & Buttura; West Second Street, Barre; Granite.

(Secs. 8, 9, 37 Stat. 318, as amended, sec. 106, 71 Stat. 33; 7 U.S.C. 161, 162, 1506e; 29 F.R. 16210, as amended, 7 CFR 301.45-2)

This notice shall become effective January 10, 1970, when it shall supersede P.P.C. 640, effective November 22, 1968.

Under a supplemental regulation designated as 7 CFR 301.45-2b(8), stone and quarry products are exempt from the certification and permit requirements of this subpart when shipped from establishments which are approved by the Director. The Director has determined that the stone and quarry establishments listed above qualify for approval and accordingly, are approved for the purposes of said supplemental regulation.

This revision of the notice of stone and quarry establishments which are approved by the Director deletes 18 previously listed establishments and adds 24 establishments to the list. This action imposes certain restrictions deemed necessary to prevent the dissemination of gypsy moth infestations and relieves certain restrictions presently imposed. It should, therefore, be made effective promptly to accomplish its purposes in the public interest and to be of maximum benefit to persons subject to the restrictions which are being relieved. Accordingly, it is found upon good cause under the administrative procedure provisions of 5 U.S.C. 553, that notice and other public procedure with respect to this revision are unnecessary and contrary to the public interest, and good cause is found for making the revision effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Hyattsville, Md., this 7th day of January 1970.

[SEAL]

D. R. SHEPHERD,  
 Director.

[F.R. Doc. 70-375; Filed, Jan. 9, 1970; 8:48 a.m.]

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

[Lemon Reg. 409]

#### PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

##### Limitation of Handling

##### § 910.709 Lemon Regulation 409.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, 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 Lemon 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 lemons, 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 lemons 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 lemons; 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 January 5, 1970.

(b) *Order.* (1) The respective quantities of lemons grown in California and Arizona which may be handled during the period January 11, 1970, through January 17, 1970, are hereby fixed as follows:

- (i) District 1: 27,900 cartons;
- (ii) District 2: 61,380 cartons;
- (iii) District 3: 96,720 cartons.

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

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

Dated: January 7, 1970.

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

[F.R. Doc. 70-376; Filed, Jan. 9, 1970; 8:47 a.m.]

[Grapefruit Reg. 71]

**PART 912—GRAPEFRUIT GROWN IN THE INDIAN RIVER DISTRICT IN FLORIDA**

**Limitation of Handling**

**§ 912.371 Grapefruit Regulation 71.**

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 912, as amended (7 CFR Part 912, 34 F.R. 12881), regulating the handling of grapefruit grown in the Indian River District 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 recommendations and information submitted by the Indian River Grapefruit 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 grapefruit, 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 Indian River grapefruit, 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 Indian River grapefruit; 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 January 8, 1970.

(b) *Order.* (1) The quantity of grapefruit grown in the Indian River District which may be handled during the period January 12, 1970 through January 18, 1970, is hereby fixed at 135,000 standard packed boxes.

(2) As used in this section, "handled," "Indian River District," "grapefruit," and "standard packed box" 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: January 8, 1970.

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

[F.R. Doc. 70-445; Filed, Jan. 9, 1970; 11:16 a.m.]

**Title 12—BANKS AND BANKING**

**Chapter III—Federal Deposit Insurance Corporation**

**SUBCHAPTER B—REGULATIONS AND STATEMENTS OF GENERAL POLICY**

**PART 335—SECURITIES OF INSURED NONMEMBER STATE BANKS**

*Correction*

In F.R. Doc. 69-15249 appearing at page 20318 in the issue for Tuesday, De-

ember 30, 1969, the following changes should be made:

1. In the instructions for § 335.42 a row of five stars should be inserted between paragraphs 1(a) and 2.

2. In § 335.71, on page 20331, the third and fourth headings in the table "C. Statement of Changes in Capital Accounts" should be changed to read "Preferred stock \$----- par" and "Common stock \$----- par".

**Title 38—PENSIONS, BONUSES, AND VETERANS' RELIEF**

**Chapter I—Veterans Administration  
PART 2—DELEGATIONS OF AUTHORITY**

**General Counsel**

In § 2.6(e), subparagraph (7) is added to read as follows:

§ 2.6 Administrator's delegations of authority to certain officials (38 U.S.C. 212(a)).

Employees occupying or acting in the positions designated in this section are delegated authority as indicated:

(e) *General Counsel and Chief Attorneys.* \* \* \*

(7) Authority is delegated to the General Counsel or his designee to make the final decision on complaints of discrimination on grounds of race, color, religion, sex, or national origin brought by an aggrieved employee or qualified applicant for employment in the Veterans Administration.

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

This VA regulation is effective December 23, 1969.

Approved: January 5, 1970.

By direction of the Administrator.

[SEAL] FRED B. RHODES,  
*Deputy Administrator.*

[F.R. Doc. 70-344; Filed, Jan. 9, 1970; 8:45 a.m.]

# Proposed Rule Making

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

[ 14 CFR Parts 21, 25, 33, 37, 43, 65,  
91, 105, 121 ]

[Dockets Nos. 1927, 7521, 8317, 8416, 8759,  
8790, 9620]

### WITHDRAWAL OF NOTICES OF PROPOSED RULE MAKING

The notices of proposed rule making listed herein are no longer under active consideration and are withdrawn. Notice 67-35 is withdrawn because its objective has been accomplished in Amendments 61-45 and 121.55. After consideration of comments on the other proposals and upon further study, the FAA has determined that those proposals are not feasible and would not achieve the desired objective.

The withdrawal of these notices does not preclude the FAA from issuing similar notices in the future or commit the FAA to any course of action.

In consideration of the foregoing, the following notices of proposed rule making are hereby withdrawn:

(1) Flight Time Limitations, published in the FEDERAL REGISTER September 4, 1963 (28 F.R. 9674), and circulated as Advance Notice of Proposed Rule Making No. 63-34, issued on August 27, 1963.

(2) Domestic, Flag, and Supplemental Air Carriers and Commercial Operators of Large Aircraft, published in the FEDERAL REGISTER August 9, 1967 (32 F.R. 11477), and circulated as Notice of Proposed Rule Making No. 67-35, issued on August 3, 1967.

(3) Parachutes, Maintenance and Other Requirements; Parachute Riggers—Certification and Standards for Performance, published in the FEDERAL REGISTER March 14, 1968 (33 F.R. 4523), and circulated as Notice of Proposed Rule Making No. 68-7, issued on March 7, 1968.

(4) Aeronautical Materials, Parts and Appliances—Airworthiness Requirements, published in the FEDERAL REGISTER April 10, 1968 (33 F.R. 5586), and circulated as Advance Notice of Proposed Rule Making No. 68-9, issued on April 3, 1968.

(5) Transport Category Airplanes—Pressure Altitude Limitation, published in the FEDERAL REGISTER July 19, 1968 (33 F.R. 10361), and circulated as Notice of Proposed Rule Making No. 68-15, issued on July 12, 1968.

(6) Turbofan Engines—Durability Requirements, published in the FEDERAL REGISTER September 10, 1968 (33 F.R. 12779), and circulated as Notice of Proposed Rule Making No. 68-22, issued on September 4, 1968.

(7) Dual Electric Ignition Type Certification Requirement for Turbine Air-

craft Engines—Proposed Deletion, published in the FEDERAL REGISTER May 30, 1969 (34 F.R. 8368), and circulated as Notice of Proposed Rule Making No. 69-22, issued on May 23, 1969.

(Sec. 313(a), Federal Aviation Act of 1958, 49 U.S.C. 1354(a); Sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on December 31, 1969.

EDWARD C. HODSON,  
Acting Director,  
Flight Standards Service.

[F.R. Doc. 70-350; Filed, Jan. 9, 1970;  
8:46 a.m.]

### [ 14 CFR Part 43 ]

[Docket No. 10054; Notice 70-2]

## MAINTENANCE, PREVENTIVE MAINTENANCE, REBUILDING, AND ALTERATION

### Appliance Major Repairs

The Federal Aviation Administration is considering amending Appendix A of Part 43 of the Federal Aviation Regulations to reclassify appliance major repairs insofar as instruments and radio equipment are concerned.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket or notice number and be submitted in duplicate to: Federal Aviation Administration, Office of the General Counsel, Attention: Rule Docket, GC-24, 800 Independence Avenue SW., Washington, D.C. 20590. All communications received on or before April 10, 1970, will be considered by the Administrator before taking action on the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

Paragraph (b) (4) of Appendix A of Part 43 lists those appliance repairs which are considered to be major. However, it has come to the attention of the Federal Aviation Administration that paragraph (b) (4) (i) does not accurately reflect present repair practices regarding aircraft instruments. Modern instruments are becoming increasingly complex and the calibration of these instruments often involves very specialized operations requiring the skills of qualified personnel and the observing of critical tolerances. Moreover, the calibration of an instrument may have an appreciable effect on the airworthiness of that instrument. Therefore, the FAA proposes to include the calibration of an instrument as a major appliance repair.

In addition to the foregoing, the FAA also believes that paragraph (b) (4) (ii) of Appendix A does not accurately reflect current maintenance practices regarding aircraft radio equipment. In this connection the adjusting as well as the calibration of VOR, ILS, and DME equipment is currently classed as a major repair. However, the FAA is aware that to the extent that an adjustment denotes a simple mechanical operation, it is no longer meaningful with respect to modern radio equipment. Most repair work on radio equipment now involves the use of electronic test equipment and special skills to measure precise values within close tolerances for performance and accuracy. Such work does not properly fall under the category of an "adjustment" but is more appropriately covered under the term "calibration". Moreover, the three types of radio equipment presently listed in paragraph (b) (4) (ii) do not cover all of the types of radio equipment now in use. It is, therefore, considered appropriate to amend paragraph (b) (4) (ii) to cover all radio equipment and to eliminate the adjusting of that radio equipment from the category of an appliance major repair.

In consideration of the foregoing, it is proposed to amend paragraph (b) (4) (i) and (ii) of Appendix A of Part 43 of the Federal Aviation Regulations to read as follows:

(b) Major repairs.

(4) Appliance major repairs.

(i) Calibration and repair of instruments.  
(ii) Calibration of radio equipment.

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

Issued in Washington, D.C., on January 6, 1970.

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

[F.R. Doc. 70-351; Filed, Jan. 9, 1970;  
8:46 a.m.]

### [ 14 CFR Part 91 ]

[Docket No. 10052; Notice 70-1]

## PREFLIGHT ACTION

### Familiarity of Pilot in Command With Runway Distance Information

The Federal Aviation Administration is considering revising § 91.5 of the Federal Aviation Regulations to restate the requirement that, prior to beginning a flight, a pilot in command of an aircraft

familiarize himself with all available information concerning the runway takeoff distance at the airport of departure and the runway landing distance at the airport of destination.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communication should identify the regulatory docket or notice number and be submitted in duplicate to the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, GC-24, 800 Independence Avenue SW., Washington, D.C. 20590. All communications received on or before April 10, 1970, will be considered by the Administrator before taking action on the proposed rule. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

Section 91.5 requires pilots in command of aircraft to familiarize themselves, prior to beginning a flight, with all available information concerning that flight.

Several general aviation accidents in the past 3 years occurring at least in part as a result of lack of knowledge of runway distance data, as well as the recent approval by the FAA of STOL runways, and the issuance of Advisory Circular No. 90-40 on intersection takeoff procedures, have served to emphasize the need to remind pilots in command of their responsibility under § 91.5 to familiarize themselves with runway distance information.

Advisory Circular No. AC 90-40, reminds the pilot in command of his responsibility for the safe operation of his aircraft during takeoffs using less than full runway length. Moreover, the ever-increasing number of aircraft, including STOL and the many different makes and models, requires that a pilot in command be increasingly aware of the performance limitations of the aircraft he proposes to fly, and not attempt to takeoff or land on a runway which is inappropriate for his aircraft. He thus must have not only the data concerning the takeoff and landing distances, but he must also give consideration to the type and condition of the runway surface, the airport elevation, wind, and

temperature; all of which have a bearing on takeoff and landing distance.

A pilot in command of a transport category civil airplane is presently prohibited by § 91.37 from taking off or landing at an airport unless he takes the gross weight and elevation under consideration, as required in the rule. However, § 91.37 does not require that a pilot in command determine the takeoff distance for piston powered airplanes, nor the landing distance for either piston or turbine powered airplanes.

The proposed revision of § 91.5 would restate the requirement that a pilot in command of any civil aircraft be familiar with the runway lengths of the airport he intends to use and the landing and takeoff distance required for the aircraft.

In consideration of the foregoing, it is proposed to amend § 91.5 to read as follows:

**§ 91.5 Preflight action.**

Each pilot in command shall, before beginning a flight, familiarize himself with all available information concerning that flight. This information must include—

(a) For a flight under IFR or a flight not in the vicinity of an airport, available weather reports and forecasts, fuel requirements, alternatives available if the planned flight cannot be completed, and any known traffic delays of which he has been advised by ATC.

(b) For any flight, runway lengths at airports of intended use, and the takeoff and landing distance required for the aircraft including takeoff and landing distance data contained in the approved aircraft flight manual, or other reliable data appropriate to the aircraft relating to aircraft performance under expected values of airport elevation, wind and temperature.

This amendment is proposed under the authority of sections 313(a), 601, 602, and 604 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1422, and 1424) and section 6(e) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Washington, D.C., on January 2, 1970.

JAMES F. RUDOLPH,  
Director, Flight Standards Service.

[F.R. Doc. 70-352; Filed, Jan. 9, 1970;  
8:46 a.m.]

## DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 910]

### LEMONS GROWN IN THE STATES OF CALIFORNIA AND ARIZONA

#### Notice of Proposed Rule Making With Respect to Approval of Expenses and Fixing of Rate of Assessment for the 1969-70 Fiscal Year

Consideration is being given to the following proposals submitted by the Lemon Administrative Committee, established pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in the State of Arizona and that part of the State of California south of a line drawn due east and west through the post office in Turlock, Calif., effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), as the agency to administer the terms and provisions thereof:

(1) That expenses that are reasonable and necessary to be incurred by the Lemon Administrative Committee during the period November 1, 1969, through October 31, 1970, will amount to \$225,990.

(2) That the rate of assessment for said period, payable by each handler in accordance with § 910.41, be fixed at \$0.018 per carton of lemons.

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

Dated: January 7, 1970.

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

[F.R. Doc. 70-377; Filed, Jan. 9, 1970;  
8:47 a.m.]

# Notices

## FEDERAL POWER COMMISSION

[Docket No RI70-952 etc.]

### CHAMPLIN PETROLEUM CO. ET AL.

#### Order Providing for Hearings on and Suspension of Proposed Changes in Rates<sup>1</sup>

DECEMBER 31, 1969.

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

The proposed changed rates and charges may be unjust, unreasonable,

<sup>1</sup> Does not consolidate for hearing or dispose of the several matters herein.

unduly discriminatory, or preferential, or otherwise unlawful.

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

The Commission orders:

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

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended

Until" column, and thereafter until made effective as prescribed by the Natural Gas Act.

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

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before February 16, 1970.

By the Commission.

[SEAL]

KENNETH F. PLUMB,  
Acting Secretary.

#### APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf		Rate in effect subject to refund dockets Nos.
									Rate in effect	Proposed increased rate	
RI70-952	Champlin Petroleum Co. (Operator) et al.	1	13	The Manufacturers Light and Heat Co.	\$418,780	11-28-69	2 1- 1-70	6- 1-70	2 14.178	2 15.1817	
RI70-953	Richard M. Stevens (Operator) et al.	1	3	Valley Gas Transmission, Inc.	1,897	11-25-69	2 1- 1-70	6- 1-70	2 13.2997	2 14.3034	
RI70-954	Marathon Oil Co.	67	12	Natural Gas Pipeline Co. of America.	733	11-28-69	2 1- 1-70	6- 1-70	2 16.71242	2 17.39137	RI66-59.
	do	68	11	do	1,219				2 16.05724	2 16.71242	RI70-345.
RI70-955	Marathon Oil Co. (Operator).	70	8	do	24,265	12- 1-69	2 1- 1-70	6- 1-70	2 16.72028	2 17.39922	RI66-59.
	do	70	8	do	2,448	12- 1-69	2 1- 1-70	6- 1-70	2 16.56188	2 17.23439	RI66-59.
RI70-956	Fred W. Shield	8	7	Trunkline Gas Co.	43,061	12- 1-69	2 1- 1-70	6- 1-70	2 14.65475	2 16.66225	
RI70-957	Mesa Development Co. (Operator) et al.	1	3	South Texas Natural Gas Gathering Co.	9,034	12- 1-69	2 1- 1-70	6- 1-70	2 15.05625	2 16.06	RI65-359.
RI70-958	Mobil Oil Corp.	52	13	Trunkline Gas Co.	25,531	12- 1-69	2 1- 1-70	6- 1-70	13.4001	2 14.4038	
	do	162	11	do	9,511	12- 1-69	2 1- 1-70	6- 1-70	2 14.4038	2 15.4076	
	do	424	6	Arkansas Louisiana Gas Co.	1,381	12- 1-69	2 1- 1-70	6- 1-70	17.0	2 17.8	RI69-23.
RI70-959	Tenneco Oil Co.	166	6	South Texas Natural Gas Gathering Co.	58,018	12- 2-69	2 1- 2-70	6- 2-70	2 17.0638	2 18.0675	
	do	107	4	Cities Service Gas Co.	190	12- 2-69	2 1- 2-70	6- 2-70	15 16 14.0	2 15.0	RI65-454.
	do	106	2	do	377	12- 2-69	2 1- 2-70	6- 2-70	12.0	2 15.0	
	do	199	1	Natural Gas Pipeline Co. of America.	444	12- 2-69	2 1- 2-70	6- 2-70	15 15.0	2 17.0	
	do	174	1	Lone Star Gas Co.	30	12- 2-69	2 1- 2-70	6- 2-70	15.0	2 16.0	
	do	213	1	Transwestern Pipeline Co.	3,252	12- 2-69	2 1- 2-70	6- 2-70	19 17.0	2 18.0	
RI70-960	N. B. Hunt (Operator) et al.	8	12	Natural Gas Pipeline Co. of America.	1,980	12- 4-69	2 1- 4-70	6- 4-70	19.8	2 20.46	RI64-559.
RI70-102	Marathon Oil Co.	93	1 to 2	Montana-Dakota Utilities Co.	111	12- 4-69	2 1- 4-70	20 Accepted	13.065	2 13.13	RI70-102.
RI70-961	Consolidation Coal Co., et al.	1	6	United Fuel Gas Co.	14,428	12- 2-69	2 1- 1-70	6- 1-70	28.0	2 29.0	
RI70-962	Texaco Inc. (Operator), et al.	395	1	Transwestern Pipeline Co.	1,828	11-26-69	2 1- 1-70	6- 1-70	18 18.275	2 19.350	
	do	315	3	Panhandle Eastern Pipe Line Co.	2,804	11-28-69	2 1- 1-70	6- 1-70	17.0	2 18.0	
RI70-963	Hunt Oil Co.	54	6	Transwestern Pipeline Co.	3,900	12- 3-69	2 1- 3-70	6- 3-70	19 19.5175	2 20.0175	RI68-86.
RI70-964	H. L. Hunt (Operator) et al.	36	9	Michigan Wisconsin Pipe Line Co.	4,148	12- 4-69	2 1- 4-70	6- 4-70	19 19.99	2 21.22.755	RI68-220.
RI70-965	H. L. Hunt et al.	31	5	Texas Gas Transmission Corp.	4,500	12- 4-69	2 1- 4-70	6- 4-70	18 18.25	2 19.75	RI68-264.
RI70-966	Hassie Hunt Trust (Operator) et al.	25	4	do	4,500	12- 4-69	2 1- 4-70	6- 4-70	18 18.25	2 19.75	RI68-263.
RI70-967	Earl Q. Gray	1	2	Northern Natural Gas Co.	1,815	12- 3-69	2 1- 4-70	6- 4-70	17.0	2 18.0675	
RI70-968	Tenneco Oil Co. (Operator) et al.	64	2	Cities Service Gas Co.	432	12- 2-69	2 1- 2-70	6- 2-70	18 14.0	2 15.0	RI66-369.
	do	181	4	do	988	12- 2-69	2 1- 2-70	6- 2-70	14.0	2 15.0	RI65-453.
	do	167	2	Texas Gas Transmission Co.	2,597	12- 2-69	2 1- 2-70	6- 2-70	18 18.25	2 19.25	
RI70-969	Texaco, Inc.	249	3	Lone Star Gas Co.	92	12- 3-69	2 1- 3-70	6- 3-70	18.8	2 19.0	RI69-822.
	do	316	3	Arkansas Louisiana Gas Co.	19	12- 3-69	2 1- 3-70	6- 3-70	17.9	2 18.0	RI67-2.
	do	230	4	Panhandle Eastern Pipe Line Co.	4,452	12- 3-69	2 1- 3-70	6- 3-70	21.5	2 24.0	RI69-822.
RI70-970	Petroleum Inc. (Operator) et al.	39	1	Transwestern Pipeline Co.	4,746	12- 3-69	2 1- 3-70	6- 3-70	19 19.142	2 20.2855	

See footnotes at end of table.

## APPENDIX A—Continued

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf		Rate in effect subject to refund in docket Nos.
									Rate in effect	Proposed increased rate	
R170-971	Hunt Oil Co. (Operator) et al.	47	5	Texas Gas Transmission Corp.	\$300	12-3-69	12-1-3-70	6-3-70	18.25	19.75	
	do.	53	4	do.	4,050	12-3-69	12-1-3-70	6-3-70	18.25	19.75	
R170-972	Edwin L. Cox (Operator) et al.	76	2	Michigan Wisconsin Pipe Line Co.	21,600	11-28-69	1-1-70	6-1-70	15.8	18.3	
R170-973	Texas Oil & Gas Corp.	63	1	Transwestern Pipeline Co.	8,162	12-1-69	1-1-70	6-1-70	17.0	18.0	
R170-795	John H. Crichton et al.	1	* 1 to 12	United Gas Pipe Line Co.	* 1,281	11-28-69	12-29-69	5-14-70	11.9000	14.0346	
R170-974	Humble Oil & Refining Co.	408	3	Transwestern Pipeline Co.	27,008	11-20-69	1-1-70	6-1-70	17.0744	18.0788	R170-388.
	do.	467	2	Natural Gas Pipeline Co. of America.	2,412	12-8-69	1-8-70	6-8-70	15.0	17.0	
RI65-599	Gulf Oil Corp.	99	5	Cities Service Gas Co.	Decrease \$345	12-1-69	12-1-69	Accepted	14.0	14.0	RI65-599.
	do.	191	3	do.	Decrease \$2,028	12-1-69	7-1-67	Accepted	14.0	14.0	RI65-599.
R170-975	do.	99	6	do.	1,505	12-1-69	1-1-70	6-1-70	14.0	15.0	RI65-599.
	do.	191	4	do.	230	12-1-69	1-1-70	6-1-70	14.0	15.0	RI65-599.
	do.	191	5	do.	415	12-1-69	1-1-70	6-1-70	14.0	15.0	RI65-599.
R170-976	Sun Oil Co.	83	4	do.	1,352	12-1-69	1-1-70	6-1-70	14.0	15.0	RI68-100.
	do.	180	1	Lone Star Gas Co.	1,210	12-1-69	1-1-70	6-1-70	14.0	15.0	
	do.	208	5	Panhandle Eastern Pipe Line Co.	505	12-1-69	1-1-70	6-1-70	15.0	16.01	
	do.	208	5	Panhandle Eastern Pipe Line Co.	2,514	12-1-69	1-1-70	6-1-70	15.0	18.015	
	do.	211	* 3	Northern Natural Gas Co.	127	12-1-69	1-1-70	6-1-70	17.0	18.015	
	do.	246	1	Arkansas Louisiana Gas Co.	94	12-1-69	1-1-70	6-1-70	15.0	16.0	
R170-977	Sun Oil Company (Operator) et al.	204	* 5	Panhandle Eastern Pipe Line Co.	37	12-1-69	1-1-70	6-1-70	17.0	18.015	
R170-978	Leonard W. Phillips, et al.	3	13	Tennessee Gas Pipeline Co., a division of Tenneco Inc.	529	12-3-69	1-3-70	6-1-70	14.4248	15.4826	
	do.	4	7	do.	264	12-3-69	1-3-70	6-1-70	14.4248	15.4826	
R170-979	General American Oil Co. of Texas.	16	* 5	Kansas-Nebraska Natural Gas Co., Inc.	320	11-29-69	1-1-70	Accepted	11.0	12.6	

\* The stated effective date is the effective date requested by Respondent.

\* Periodic rate increase.

\* Pressure base is 14.65 p.s.i.a.

\* Includes Texas tax increase which has been filed.

\* Includes letter dated Dec. 17, 1969, providing for a 17.17 cents redetermined rate for the 5-year period commencing Jan. 1, 1970.

\* Redetermined rate increase.

\* Applicable to basic acreage.

\* Applicable to added acreage.

\* Includes letter dated Nov. 24, 1969, providing for a 17.17 cents redetermined rate for the 5-year period commencing Jan. 1, 1970.

\* Increase to 15.6 cents suspended in Docket No. RI65-516 but never made effective.

\* The stated effective date is the first day after expiration of the statutory notice.

\* After 0.25-cent deduction by buyer for dehydration.

\* Respondent filing from fractured rate to first periodic increased rate.

\* Subject to a downward B.t.u. adjustment.

\* Buyer deducts from prices shown 0.75 cent for dehydration and 1.50 cents for compression.

\* Three-step periodic increase.

\* Filing from certificated rate to initial contract rate.

\* Subject to upward and downward B.t.u. adjustment.

\* Accepted for filing subject to the existing rate proceeding in Docket No. RI70-102.

\* Tax reimbursement increase.

\* Pressure base is 15.025 p.s.i.a.

\* Pressure base is 15.325 p.s.i.a.

\* Includes 0.015-cent tax reimbursement.

\* Includes 1.75 cents tax reimbursement.

\* Buyer deducts from prices shown 0.75 cent for dehydration and 1.50 cents for compression.

Mesa Development Co. (Operator), et al., requests that its proposed rate increase be permitted to become effective as of November 9, 1969. Tenneco Oil Co. and Tenneco Oil Co. (Operator), et al., request an effective date of January 1, 1970. Marathon Oil Co. requests an effective date of December 1, 1969, for its rate filing. The Hunt Entities request an effective date of January 1, 1970, for their rate increases. Leonard W. Phillips et al., request that their periodic and tax increases be permitted to become effective "immediately". Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit earlier effective dates for the aforementioned producers' rate filings and such requests are denied.

The proposed increase filed by Marathon Oil Co. (Marathon) reflects partial reimbursement of a severance tax recently enacted by the State of Wyoming. Marathon has previously filed to collect reimbursement of the tax applicable to future production which is being collected subject to refund in Docket No. RI70-102. Marathon's pro-

posed increase is to collect reimbursement of the tax applicable to past production back to January 1, 1968. Under the circumstances, we conclude that Marathon's proposed increase should be accepted for filing to be effective as of January 4, 1969, 30 days after filing, subject to the existing rate proceeding in Docket No. RI70-102.

After the amounts of tax reimbursement applicable to past production have been recovered, Marathon shall file an appropriate rate decrease under its FPC Gas Rate Schedule No. 93 to reduce the rate proposed herein so as to provide tax reimbursement for future production only. Marathon will also be required to refund any reimbursement relating to the Wyoming tax collected in this proceeding in the event the tax for any reason is held invalid upon judicial review.

The proposed rate increase filed by Consolidated Coal Co. et al., is for a sale of gas from a field located in both Virginia and West Virginia. Virginia has no formal rate ceilings. We conclude that the West Virginia increase rate ceiling be applied to Consolidated's proposed rate increase.

\* Fractured rate increase. Contractually due a base rate of 19.5 cents per Mcf.

\* Price includes 0.8-cent upward B.t.u. adjustment. Base price subject to upward and downward B.t.u. adjustment.

\* Previous amount of increase was \$1,272.

\* Subject filing is substituted for the previous increase and is suspended until May 14, 1970, the end of the suspension period in Docket No. RI70-795.

\* Renegotiated rate increase.

\* End of current suspension period in Docket No. RI70-795.

\* Filing from certificated rate to initial contract rate.

\* Subject notice of change is accepted subject to the existing rate proceeding in Docket No. RI65-599 to become effective as of the requested effective date, with waiver of notice granted.

\* Reflects 1.5 cents compression charge deducted by buyer.

\* Buyer deducts 0.75-cent dehydration charge and 1.5 cents compression charge from rate shown. Applicable only to gas delivered which is compressed by buyer.

\* Buyer deducts 0.75-cent dehydration charge from rate shown.

\* As corrected by letter dated Dec. 1, 1969, submitted on Dec. 3, 1969.

\* Buyer deducts 0.75 cent for dehydration and 1.5 cents for compression from rate shown.

\* Respondent is filing from initial certificated rate to first periodic increase under contract.

\* Applicable to acreage added by Supplement No. 1 (Oklahoma "Other" Area).

\* Applicable to acreage added by Supplement No. 3 (Oklahoma Panhandle Area).

\* Applicable to acreage added by Supplement No. 1.

\* Respondent is filing from initial certificated rate to initial contract rate.

\* Applicable to acreage added by Supplement No. 2.

\* Contract amendment dated Oct. 29, 1969, which provides for increased rate.

\* Completes filing of Nov. 20, 1969.

John H. Crichton et al. (Crichton), proposes an increase to be substituted for its recently suspended increase in rate which was suspended for 5 months until May 14, 1970, in Docket No. RI70-795. The reason for the substitute filing is that the previously suspended rate did not contain the full tax reimbursement. The new filing reflects the full contractual tax reimbursement. We believe that it would be in the public interest to permit Crichton to substitute the now proposed increase for the previously filed increase and that it be suspended until May 14, 1970, the end of the related suspension period in Docket No. RI70-795.

Gulf Oil Corp. (Gulf) has filed to reflect that the buyer commenced the deduction of a 1.5-cent compression charge as of December 1, 1966 (Rate Schedule No. 99), and July 1, 1967 (Rate Schedule No. 191). The present 14-cent rate is being collected subject to refund in Docket No. RI65-599. Gulf requests such effective dates. We conclude that Gulf's rate filings should be permitted as proposed subject to the existing rate proceeding in Docket No. RI65-599.

Concurrently with the filing of its rate increase, General American Oil Company of Texas (General American) submitted a contract amendment dated October 29, 1969, designated as Supplement No. 5 to General American's FPC Gas Rate Schedule No. 16, which provides the basis for its proposed rate increase. We believe that it would be in the public interest to accept for filing General American's proposed contract amendment to become effective as of January 1, 1970, the proposed effective date, but not the proposed rate contained therein which is suspended as hereinafter ordered.

All of the producers' proposed increased rates and charges exceed the applicable area price levels for increased rates as set forth in the Commission's statement of general policy No. 61-1, as amended (18 CFR, Chapter I, Part 2, § 2.56).

[F.R. Doc. 70-247; Filed, Jan. 9, 1970; 8:45 a.m.]

[Docket No. RI70-939 etc.]

### CITIES SERVICE OIL CO. ET AL.

#### Order Providing for Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund<sup>1</sup>

DECEMBER 31, 1969.

The respondents named herein have filed proposed changes in rates and charges of currently effective rate sched-

<sup>1</sup> Does not consolidate for hearing or dispose of the several matters herein.

ules for sales of natural gas under Commission jurisdiction, as set forth in appendix A hereof.

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

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

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

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act: *Provided, however,* That the supplements to the rate schedules filed by respondents, as set forth herein, shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order respondents shall each execute and file under its above-designated docket number with the Secretary of the Commission its agreement

and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, accompanied by a certificate showing service of copies thereof upon all purchasers under the rate schedule involved. Unless respondents are advised to the contrary within 15 days after the filing of their respective agreements and undertakings, such agreements and undertakings shall be deemed to have been accepted.<sup>2</sup>

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

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure [18 CFR 1.8 and 1.37(f)] on or before February 16, 1970.

By the Commission,

[SEAL]

KENNETH F. PLUMB,  
Acting Secretary.

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

#### APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf		Rate in effect subject to refund in dockets Nos.
									Rate in effect	Proposed increased rate	
RI70-939..	Cities Service Oil Co. (Operator) et al., Post Office Box 300, Tulsa, Okla. 74102.	107	11	Phillips Petroleum Co. <sup>3</sup> (Hugoton Field, Sherman County, Tex.) (RR. District No. 10).	\$161,840	11-21-69	<sup>4</sup> 1-1-70	<sup>5</sup> 1-2-70	<sup>6</sup> 11.1265	<sup>7</sup> * 12.1380	RI66-395.
RI70-940..	Texaco, Inc., Post Office Box 52332, Houston, Tex. 77052.	144	11	Phillips Petroleum Co. <sup>3</sup> (Hugoton Field, Hansford County, Tex.) (RR. District No. 10).	179	11-24-69	<sup>11</sup> 1-1-70	<sup>10</sup> 1-2-70	<sup>12</sup> 10.0973	<sup>7</sup> 12 10.7607	RI66-403.
RI70-941..	Kerr-McGee Corp., Kerr-McGee Bldg., Oklahoma City, Okla. 73102.	12	23	Phillips Petroleum Co. <sup>14</sup> (Texas Hugoton Field, Sherman County, Tex.) (RR. District No. 10).	425	11-20-69	<sup>4</sup> 1-1-70	<sup>13</sup> 1-2-70	<sup>16</sup> 10.77037	<sup>7</sup> 12 11.47801	RI66-81.
RI70-942..	Humble Oil & Refining Co., Post Office Box 2180, Houston, Tex. 77001.	<sup>17</sup> 370	1	Cities Service Gas Co. (Waynoka Field, Woods County, Okla.) (Oklahoma "Other" Area).	730	11-20-69	<sup>4</sup> 1-1-70	<sup>14</sup> 1-2-70	<sup>18</sup> 14.0	<sup>8</sup> 7 15.0	

<sup>3</sup> Phillips gathers and processes the gas and resells the residue gas to interstate pipeline companies at rates which are effective subject to refund.

<sup>4</sup> The stated effective date is the effective date requested by respondent.

<sup>5</sup> The suspension period is limited to 1 day.

<sup>6</sup> Periodic rate increase.

<sup>7</sup> Pressure base is 14.65 p.s.i.a.

<sup>8</sup> Subject to a 0.5-cent deduction for sour gas.

<sup>9</sup> Phillips gathers and processes the gas and resells the residue gas under its Rate Schedule No. 4 to Michigan-Wisconsin Pipe Line Co. at a present effective rate of 15.22 cents plus tax reimbursement which is effective subject to refund in Docket No. RI65-526. A rate of 16.22 cents plus tax reimbursement is suspended in Docket No. RI70-28 until Jan. 1, 1970, or until made effective.

<sup>10</sup> Suspended for 1 day from Jan. 1, 1970, or 1 day from any such later date that Phillips makes its related 16.22 cents rate effective subject to refund in Docket No. RI70-28.

<sup>11</sup> Or, until Phillips makes its related rate effective in Docket No. RI70-28.

<sup>12</sup> Revenue-sharing rate increase.

<sup>13</sup> Subject to a deduction of 0.4466-cent for sour gas.

<sup>14</sup> Phillips gathers and processes the gas and resells the residue gas under its Rate Schedule No. 4 to Michigan-Wisconsin Pipe Line Co. at a present effective rate of 15.22 cents plus tax reimbursement which is subject to refund in Docket No. RI65-526. A rate of 16.22 cents plus tax reimbursement is suspended in Docket No. RI70-28 until Jan. 1, 1970, or until made effective.

<sup>15</sup> Suspended for 1 day from Jan. 1, 1970 or 1 day from such later date that Phillips makes its related presently suspended 16.22 cent rate subject to refund in Docket No. RI70-28.

<sup>16</sup> Subject to downward B.t.u. adjustment also subject to a deduction of 0.4466 cent for sour gas.

<sup>17</sup> Contract dated after Sept. 28, 1960, the date of issuance of general policy statement No. 61-1, and the proposed increased rate does not exceed the initial area rate ceiling of 15 cents.

<sup>18</sup> Subject to a downward B.t.u. adjustment.

[Docket No. RI70-980 etc.]

WILLARD E. FERRELL ET AL.

**Order Providing for Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund<sup>1</sup>**

DECEMBER 31, 1969.

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

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

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

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

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act: *Provided, however*, That the supplements to the rate schedules filed

<sup>1</sup> Does not consolidate for hearing or dispose of the several matters herein.

by respondents, as set forth herein, shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order respondents shall each execute and file under its above-designated docket number with the Secretary of the Commission its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, accompanied by a certificate showing service of copies thereof upon all purchasers under the rate schedule involved. Unless respondents are advised to the contrary within 15 days after the filing of their respective agreements and undertakings, such agreements and undertakings shall be deemed to have been accepted.<sup>2</sup>

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

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

By the Commission.

[SEAL]

KENNETH F. PLUMB,  
Acting Secretary.

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

Cities Service Oil Co. (Cities) proposes a periodic rate increase to Phillips Petroleum Co. (Phillips) in Texas Railroad District No. 10. Phillips gathers and processes the gas and resells the residue gas to interstate pipeline companies at resale rates which are effective subject to refund. It cannot be determined under which of Phillips' rate schedules the gas is being resold. Cities' proposed increased rate exceeds the area increased rate ceiling for the area involved. Since Phillips' resale rates are in effect subject to refund, we conclude that Cities' rate increase should be suspended for 1 day from January 1, 1969, the proposed effective date.

Texaco, Inc. (Texaco), and Kerr-McGee Corp. (Kerr-McGee) propose revenue-sharing increases to Phillips Petroleum Co. in Texas Railroad District No. 10. Phillips gathers and processes the gas and resells the residue gas to Michigan-Wisconsin Pipe Line Co. at a present effective rate of 15.22 cents plus tax reimbursement which is effective subject to refund in Docket No. RI65-526. Texaco and Kerr-McGee's proposed increases are geared to a base rate of 16.22 cents of Phillips' which is suspended in Docket No. RI70-28 until January 1, 1970. The contract provides for revenue-sharing increases to respondents based on increased rates collected by Phillips and not merely contractually due. Consistent with prior Commission action on similar rate increase filings, we conclude that Texaco and Kerr-McGee's proposed rate increases should be suspended for 1 day from January 1, 1970, or 1 day from any such later date that Phillips make its 16.22 cents per Mcf rate effective.

The contract related to the rate filing of Humble Oil & Refining Co. (Humble) was executed subsequent to September 28, 1960, the date of issuance of the Commission's statement of general policy No. 61-1, as amended, and the proposed 15 cents per Mcf rate exceeds the area increased rate ceiling of 11 cents per Mcf for the Oklahoma "Other" Area, but does not exceed the initial service ceiling of 15 cents for the area involved. We believe, in this situation, Humble's proposed rate increase should be suspended for 1 day from January 1, 1970, the proposed effective date.

[F.R. Doc. 70-248; Filed, Jan. 9, 1970; 8:45 a.m.]

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf		Rate in effect subject to refund in dockets Nos.
									Rate in effect	Proposed increased rate	
RI70-980	Willard E. Ferrell, agent for Harmony Development Co.	20	3	Equitable Gas Co.	\$1,165	12-1-69	1-1-70	1-2-70	\$25.096	7 8 9 27.104	
RI70-981	William E. Ferrell	22	2	do	843	12-1-69	1-1-70	1-2-70	\$25.096	7 8 9 27.104	
RI70-982	Pan American Petroleum Corp.	510	1	Cities Service Gas Co.	360	11-26-69	1-1-70	1-2-70	14 15 14.0	12 13 14 15 15.0	
RI70-983	Pan American Petroleum Corp. (Operator) et al.	427	1	do	1,200	11-26-69	1-1-70	1-2-70	15 14.0	12 13 14 15 15.0	
RI70-984	E. J. Dunigan, Jr., Trustee	181	4	El Paso Natural Gas Co.	440	12-2-69	1-2-70	1-3-70	13.0	12 13 14.0	RI64-586.
RI70-985	Tenneco Oil Co.	19	2	Cities Service Gas Co.	765	12-2-69	1-2-70	1-3-70	14 15 14.0	12 13 14 15 15.0	RI66-84.
	do	231	2	do	82	12-2-69	1-2-69	1-3-70	14 15 14.0	12 13 14 15 15.0	
	do	211	1	do	173	12-2-69	1-2-70	1-3-70	14.0	30 15.0	
	do	123	2	do	1,872	12-2-69	1-2-70	1-3-70	14 15 14.0	12 13 14 15 15.0	RI66-84.
RI70-986	Sun Oil Co.	167	2	do	2,400	12-1-69	1-1-70	1-2-70	14 23 14.0	7 13 14 23 15.0	RI65-488.
RI70-987	Gulf Oil Corp.	226	6	do	4,550	12-1-69	1-1-70	1-2-70	14 27 14.0	8 13 44 27 15.0	RI65-598.
RI69-301	Sun Oil Co., DX Division	83	12	Phillips Petroleum Co.	(136)	12-10-69	1-1-70	Accepted subject to refund	11.7118	11.434	RI66-301.

<sup>2</sup> Contract dated after Sept. 28, 1969, and proposed rate is below the initial rate ceiling of 28 cents per Mcf.

<sup>4</sup> For gas delivered after Feb. 1, 1969, from new wells or wells that have been cleaned out or worked over.

<sup>5</sup> The stated effective date is the first day after expiration of the statutory notice.

<sup>6</sup> The suspension period is limited to 1 day.

<sup>7</sup> Renegotiated rate increase.

<sup>8</sup> Pressure base is 15.325 p.s.i.a.

<sup>9</sup> Converted from 25 cents and 27 cents at 62° F. to 60° F.

<sup>10</sup> Contract dated after Sept. 28, 1969, the date of issuance of general policy statement No. 61-1 and proposed price does not exceed the initial service rate ceiling.

<sup>11</sup> The stated effective date is the effective date requested by Respondent.

<sup>12</sup> Periodic rate increase.

<sup>13</sup> Pressure base is 14.65 p.s.i.a.

<sup>14</sup> Subject to a downward B.t.u. adjustment.

<sup>15</sup> Subject to a deduction of 0.75 cent by buyer for dehydration.

<sup>16</sup> Basic contract dated after Sept. 28, 1969, the date of issuance of general policy statement No. 61-1 and proposed rate does not exceed 15-cents area initial rate ceiling.

<sup>17</sup> Contract dated after Sept. 28, 1969, the date of issuance of Commission's statement of general policy No. 61-1 and proposed rate does not exceed area initial service ceiling.

<sup>18</sup> Buyer deducts from prices shown 0.75 cents for dehydration and 1.50 cents for compression.

<sup>19</sup> Buyer deducts 0.75 cent from price shown for dehydration.

<sup>20</sup> Buyer deducts 0.75 cent for dehydration. Rate also subject to downward B.t.u. adjustment.

<sup>21</sup> Not used.

<sup>22</sup> Basic contract dated after Sept. 28, 1969, the date of issuance of the Commission's statement of general policy No. 61-1 and proposed rate does not exceed the area initial rate ceiling of 15 cents per Mcf.

<sup>23</sup> Buyer deducts 0.75 cent for dehydration and 1.5 cents for compression from rate shown.

<sup>24</sup> Contract dated after Sept. 28, 1969, the date of issuance of the Commission's statement of general policy No. 61-1 and proposed rate does not exceed area initial service ceiling.

[Project 2335]

### CENTRAL MAINE POWER CO.

#### Notice of Application for Approval of Recreational Use Plan for Constructed Project

DECEMBER 29, 1969.

Public notice is hereby given that application has been filed under the regulations under the Federal Power Act (16 U.S.C. 791a-825r) by Central Maine Power Co. (correspondence to: W. M. Kimball, Vice President and Comptroller, Central Maine Power Co., 9 Green Street, Augusta, Maine 04330) for approval of a Recreational Use Plan for the constructed Williams Project No. 2335, located on the Kennebec River in the townships of Embden, Bingham, Solon, and Concord, in Somerset County, Maine.

The plan shows an existing recreation development consisting of a public picnic area around a commemorative monument near the dam. According to the application, any further recreational development is hindered by steep terrain adjoining project waters, a railroad embankment along one shore, substantial daily water level fluctuations, and poor water quality. Fishing for coldwater species in the project area, which is available to the public, is moderate to heavy.

Any person desiring to be heard or to make any protest with reference to said application should on or before February 11, 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.

KENNETH F. PLUMB,  
Acting Secretary.

[F.R. Doc. 70-356; Filed, Jan. 9, 1970;  
8:46 a.m.]

[Docket No. RP70-21]

### CITIES SERVICE GAS CO.

#### Notice of Proposed Changes in FPC Gas Tariff

DECEMBER 30, 1969.

Take notice that Cities Service Gas Co. (Cities) on December 22, 1969, tendered for filing revised tariff sheets containing a proposed "purchased gas adjustment" provision to be included as part of its FPC Gas Tariff, Second Revised Volume No. 1, to become effective January 23, 1970. The revised tariff sheets also include a provision which would require Cities to pass on (by a credit to the company's billing to each customer) to its jurisdictional customers the jurisdictional portion of refunds received from Cities' gas suppliers which are applicable to gas purchased during the effective period of its proposed purchased gas adjustment provision.

William E. Ferrell, agent for Harmony Development Co., and William E. Ferrell (both referred to herein as Ferrell) request a retroactive effective date of May 5, 1969, for their proposed rate increases. E. J. Dunigan, Jr. Trustee (Dunigan) requests an effective date of December 31, 1969. Tenneco Oil Co. (Tenneco) requests that its proposed rate increases be permitted to become effective on January 1, 1970. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit earlier effective dates for the aforementioned producers' rate filings and such requests are denied.

The contracts related to the rate filings of Ferrell, Pan American Petroleum Corp., Dunigan, Tenneco, Sun Oil Co., and Gulf Oil Corp. were executed subsequent to September 28, 1969, the date of issuance of the Commission's statement of general policy No. 61-1, as amended, and the proposed rates are above the applicable ceilings for increased rates but below the initial service ceilings for the areas involved. We believe, in this situation, the aforementioned producers' rate filings should be suspended for 1 day from the date shown in the "Effective Date" column on appendix A hereof.

Sun under its Rate Schedule No. 83 proposed a revenue-sharing rate decrease from 11.7118 cents, the currently effective rate which is in effect subject to refund in Docket No. RI66-301, to 11.4340 cents. Phillips' present resale rate of 15.22 cents is in effect subject to refund and a proposed increase to 16.22 cents is suspended in Docket No. RI70-28 until January 1, 1970. Sun's proposed decreased rate exceeds its last firm rate. Accordingly, we shall accept Sun's proposed rate subject to refund in the existing suspension proceeding in Docket No. RI66-301 effective as of January 1, 1970, the requested effective date, with waiver of notice granted.

[F.R. Doc. 70-249; Filed, Jan. 9, 1970;  
8:45 a.m.]

[Docket No. RP70-22]

**CITIES SERVICE GAS CO.****Notice of Proposed Changes in Rates and Charges**

DECEMBER 30, 1969.

The proposed purchased gas cost adjustment provision (PGA for short reference) establishes a base cost per Mcf to Cities Service of its purchased gas supply and provides for future quarterly determinations of the then annualized average cost of purchased gas. The difference between the annualized average cost and the base cost, converted to a sales basis, is the Current Unit Gas Cost Adjustment which is multiplied by the monthly volume of gas delivered to the customer to establish the monthly bill adjustment. The monthly bill adjustment is added to, or subtracted from, as the case may be, the bill computed under the effective rate.

The proposed PGA requires Cities Service to file with the Commission and post a Report of Purchased Gas Cost Adjustment showing the amount of the Current Unit Gas Cost Adjustment. Simultaneously, Cities Service shall furnish the Commission computations of the Current Unit Gas Cost Adjustment.

In support of its proposed tariff changes, Cities states, in part, as follows:

The proposed purchased gas cost adjustment provision is designed to equitably reflect in monthly billings the current unit cost of purchased gas actually being incurred by Cities Service. The effectuation of the proposed purchased gas cost adjustment provision will tend to stabilize the basic rates since the unit adjustment is expected to fluctuate within a relatively narrow range.

Stability of rates is important to pipeline companies, its customers, and to the Commission because rates contingently effective, subject to refund over extended periods of time, have an adverse effect on system planning and hence availability of capacity necessary to meet customers' gas requirements.

Cities states that copies of the filing were served on all customers purchasing gas under the company's FPC Gas Tariff and the regulatory commission of each State in which any such customer distributes gas.

Any person desiring to be heard or to make any protest with reference to this filing should on or before January 16, 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 participate as a party in any hearing to be held herein must file petitions to intervene in accordance with the Commission's rules. The filing herein is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,  
Acting Secretary.

[F.R. Doc. 70-357; Filed, Jan. 9, 1970;  
8:46 a.m.]

Take notice that Cities Service Gas Co. (Cities) on December 22, 1969, tendered for filing a request by which it seeks Commission approval of a specific method of "tracking" supplier rate changes. In the event that the Commission does not approve the proposed "tracking" rate change procedure, Cities has tendered an alternative thereto in the form of proposed changes in its FPC Gas Tariff, Second Revised Volume No. 1, to become effective January 23, 1970. The alternative revised tariff sheets would increase charges for Cities' jurisdictional customers by approximately \$1,779,494 annually, based on the test year sales volumes shown by the company in its filing in Docket No. RP69-39.

Cities states that the proposed rate increases are occasioned solely by increased purchased gas costs over and above those reflected in Docket No. RP69-39 based on increased supplier rates which are now on file with the Commission and which will become effective after suspension no later than April 27, 1970.

Also on December 22, 1969, Cities tendered for filing a proposed "purchased gas cost adjustment" provision to be included as a part of its FPC Gas Tariff, Second Revised Volume No. 1. This proposed tariff change is the subject of a separate notice.<sup>1</sup> Cities requests that the inclusion of the proposed purchased gas adjustment provision in Cities' tariff be considered by the Commission even if the tracking procedure or tariff sheets which are the subject of this notice are accepted.

Cities states that in general the proposed tracking procedure, as more fully set out in the filing herein, would permit the company to file from time to time through December 23, 1970, revised tariff sheets increasing or decreasing all rates under its F, C, I, LVS-2, P, E, and IRG-1 Rate Schedules to reflect changes in its annualized weighted average cost of purchased gas. Revised tariff sheets would not be filed unless the change from the rates previously in effect is at least 0.05 cent per Mcf, nor would such revised tariff sheets be filed within 1 month after the last prior filing. Revised tariff sheets submitted in accordance with the proposed procedure would become effective 30 days after filing or on such later date as Cities proposes.

Cities states that copies of the filings were served on all customers purchasing gas under the company's FPC Gas Tariff and the regulatory commission of each state in which any such customer distributes gas.

<sup>1</sup> Docket No. RP70-21.

Any person desiring to be heard or to make any protest with reference to this filing should on or before January 16, 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 participate as a party in any hearing to be held herein must file petitions to intervene in accordance with the Commission's rules. The filing herein is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,  
Acting Secretary.

[F.R. Doc. 70-358; Filed, Jan. 9, 1970;  
8:46 a.m.]

[Docket No. CP68-353]

**MICHIGAN WISCONSIN PIPE LINE CO.****Notice of Petition To Amend**

DECEMBER 30, 1969.

Take notice that on December 18, 1969, Michigan Wisconsin Pipe Line Co. (applicant), 1 Woodward Avenue, Detroit, Mich. 48226, filed in Docket No. CP68-353 a petition to amend the order of the Commission issued on August 20, 1968, to authorize the deletion of construction and operation of a metering station and to authorize the construction and operation of certain other natural gas facilities, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

Applicant was authorized to construct and operate approximately 18.4 miles of 12-inch supply lateral westerly from a point on applicant's Placid offshore line to receiving points in Block 7 and Block 10, South Marsh Island Area, Offshore Louisiana, and to construct and operate two measuring stations, with the purpose of attaching new natural gas reserves to be purchased from Shell Oil Co. (Shell). Applicant states that to effect economies of space Shell requested applicant to meter all gas at the platform in Block 10. Applicant has acceded to the request and requests authorization to construct only one measuring station, in Block 10, and 94,894 feet of 12-inch lateral from the Placid line to the platform in Block 10, and 4,621 feet of 8-inch lateral from the platform in Block 10 to the platform in Block 7.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 19, 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.

KENNETH F. PLUMB,  
Acting Secretary.

[F.R. Doc. 70-359; Filed, Jan. 9, 1970;  
8:46 a.m.]

## DEPARTMENT OF THE TREASURY

Internal Revenue Service

JOHN DAVID RUSSELL

### Notice of Granting of Relief

Notice is hereby given that John David Russell, Route 3, Thomson, Ga. 30824, 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 April 19, 1944, and March 23, 1959, by the U.S. District Court for the Southern District of Georgia, of a crime punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for John David Russell 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 John David Russell to receive, possess, or transport in commerce or affecting commerce, any firearm. Notice is hereby given that I have considered John David Russell's application and:

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

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

Therefore, pursuant to the authority vested in the Secretary of the Treasury by section 925(c), title 18, United States Code and delegated to me by 26 CFR 178.144, it is ordered that John David Russell be, and he hereby is, granted relief from any and all disabilities im-

posed 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 31st day of December 1969.

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

[F.R. Doc. 70-372; Filed, Jan. 9, 1970;  
8:47 a.m.]

## DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Serial No. Idaho 2013]

IDAHO

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

Notice of an application Serial No. I-2013, for withdrawal and reservation of lands was published as F.R. Doc. No. 67-14709 on page 19193 of the issue for December 20, 1967. The applicant agency has canceled its application insofar as it involved the lands described below. Therefore, pursuant to the regulations contained in 43 CFR, Part 2311, such lands will be at 10 a.m., on January 20, 1970, relieved of the segregative effect of the above-mentioned application.

The lands involved in this notice of termination are:

BOISE MERIDIAN, IDAHO

T. 6 N., R. 39 E.

Sec. 30, lots 13, 14, 16, and 20.

The area described aggregates 14.95 acres.

E. D. BARNES,  
Acting Manager, Land Office.

[F.R. Doc. 70-336; Filed, Jan. 9, 1970;  
8:45 a.m.]

[New Mexico 10643]

NEW MEXICO

### Notice of Proposed Classification of Land

JANUARY 5, 1970.

Pursuant to section 2 of the Act of September 19, 1964 (43 U.S.C. 1412), notice is hereby given of a proposal to classify the land described below for disposal through exchange, under section 8 of the Act of June 28, 1934 (48 Stat. 1269; 43 U.S.C. 315g), as amended, for lands within Roosevelt County, N. Mex.

The District Advisory Board, local governmental officials and other interested parties have been notified of this application. Information derived from discussions and other sources indicates that this land meets the criterion of 43 CFR 2410.1-3(c) (4), which authorizes classification of lands "for exchanges under appropriate authority where they are found to be chiefly valuable for public purposes because they have special values, arising from the interest of exchange

proponents, for exchange for other lands which we need for the support of a Federal program." Information concerning the land, including the record of public discussions, is available for inspection and study in the Land Office, Bureau of Land Management, U.S. Post Office and Federal Building, Santa Fe, N. Mex. 87501, and the Roswell District Office, 1902 South Main, Roswell, N. Mex. 88201.

For a period of 60 days from the date of this publication, interested parties may submit comments to the District Manager of the Roswell District Office.

The land affected by this proposal is located in Chaves County, N. Mex., and is described as follows:

NEW MEXICO PRINCIPAL MERIDIAN

T. 8 S., R. 31 E.,

Sec. 9, S $\frac{1}{2}$ ;

Sec. 10, S $\frac{1}{2}$ ;

Sec. 13, W $\frac{1}{2}$ NW $\frac{1}{4}$ ;

Secs. 14, 25, and 27;

Sec. 28, E $\frac{1}{2}$ , and N $\frac{1}{2}$ NW $\frac{1}{4}$ ;

Sec. 33, E $\frac{1}{2}$ ;

Secs. 34 and 35.

The area described aggregates 4,640 acres.

W. J. ANDERSON,  
State Director.

[F.R. Doc. 70-337; Filed, Jan. 9, 1970;  
8:45 a.m.]

[New Mexico 10012]

NEW MEXICO

### Notice of Classification

JANUARY 5, 1970.

1. Pursuant to section 2 of the Act of September 19, 1964 (43 U.S.C. 1412), the following public lands are hereby classified for transfer out of Federal ownership by exchange under section 8 of the Act of June 28, 1934 (48 Stat. 1269; 43 U.S.C. 315g), as amended:

NEW MEXICO PRINCIPAL MERIDIAN

T. 33 S., R. 14 W.,

Sec. 17, SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;

Sec. 18, lots 2, 3, 4, SE $\frac{1}{4}$ NW $\frac{1}{4}$ , and E $\frac{1}{2}$ SW $\frac{1}{4}$ ;

Sec. 19, lots 1, 2, 3, 4, NW $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;

Sec. 20, E $\frac{1}{2}$ E $\frac{1}{2}$ , NW $\frac{1}{4}$ NE $\frac{1}{4}$ , and N $\frac{1}{2}$ NW $\frac{1}{4}$ ;

Sec. 28, SW $\frac{1}{4}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , and S $\frac{1}{2}$ SE $\frac{1}{4}$ ;

Sec. 29, N $\frac{1}{2}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;

Sec. 30;

Sec. 31, N $\frac{1}{2}$  and E $\frac{1}{2}$ SE $\frac{1}{4}$ ;

T. 34 S., R. 14 W.,

Sec. 5, N $\frac{1}{2}$ NW $\frac{1}{4}$  and SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;

Sec. 6, N $\frac{1}{2}$ ;

T. 33 S., R. 15 W.,

Sec. 1, lot 3 and SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;

Sec. 7, NW $\frac{1}{4}$ NE $\frac{1}{4}$ ;

Sec. 8, NE $\frac{1}{4}$  and SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;

Secs. 9 and 10;

Sec. 11, S $\frac{1}{2}$ NE $\frac{1}{4}$  and SE $\frac{1}{4}$ ;

Sec. 12, SW $\frac{1}{4}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , and W $\frac{1}{2}$ SE $\frac{1}{4}$ ;

Sec. 13, W $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , and S $\frac{1}{2}$ ;

Sec. 14, E $\frac{1}{2}$ , E $\frac{1}{2}$ W $\frac{1}{2}$ , and NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;

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. 17, N $\frac{1}{2}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ , and S $\frac{1}{2}$ SE $\frac{1}{4}$ ;

Sec. 18, SW $\frac{1}{4}$ NE $\frac{1}{4}$  and NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;

Sec. 20, E $\frac{1}{2}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , and W $\frac{1}{2}$ SW $\frac{1}{4}$ ;

Sec. 21, N $\frac{1}{2}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ , and S $\frac{1}{2}$ S $\frac{1}{2}$ ;

Sec. 22, NE $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ , and SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;

[New Mexico 10621]

## NEW MEXICO

## Notice of Proposed Classification of Lands

JANUARY 5, 1970.

Pursuant to section 2 of the Act of September 19, 1964 (43 U.S.C. 1412), notice is hereby given of a proposal to classify the lands described below for disposal through exchange, under section 8 of the Act of June 28, 1934 (48 Stat. 1269; 43 U.S.C. 315g), as amended, for lands within Grant and Hidalgo Counties.

The District Advisory Board, local governmental officials and other interested parties have been notified of this application. Information derived from discussions and other sources indicates that these lands meet the criterion of 43 CFR 2410.1-3(c)(4), which authorizes classification of lands "for exchanges under appropriate authority where they are found to be chiefly valuable for public purposes because they have special values, arising from the interest of exchange proponents, for exchange for other lands which we need for the support of a Federal program." Information concerning the lands, including the record of public discussions, is available for inspection and study in the Land Office, Bureau of Land Management, U.S. Post Office and Federal Building, Santa Fe, N. Mex. 87501, and the Las Cruces District Office, Post Office Box 1420, Las Cruces, N. Mex. 88001.

For a period of 60 days from the date of this publication, interested parties may submit comments to the District Manager of the Las Cruces District Office.

The lands affected by this proposal are located in Grant County, New Mexico, and are described as follows:

## NEW MEXICO PRINCIPAL MERIDIAN

- T. 19 S., R. 11 W.,  
 Sec. 3, S $\frac{1}{2}$ ;  
 Sec. 5, lot 4, SW $\frac{1}{4}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$ , and E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
 Sec. 6, lots 4, 5, 6, and 7;  
 Sec. 7, lots 1 and 2;  
 Sec. 8, E $\frac{1}{2}$ E $\frac{1}{2}$ , W $\frac{1}{2}$ NW $\frac{1}{4}$ , and SW $\frac{1}{4}$ ;  
 Sec. 10, N $\frac{1}{2}$  and N $\frac{1}{2}$ S $\frac{1}{2}$ ;  
 Sec. 11, NW $\frac{1}{4}$ ;  
 Sec. 15, E $\frac{1}{2}$  and W $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
 Sec. 17, E $\frac{1}{2}$ W $\frac{1}{2}$ ;  
 Sec. 18, lots 1, 2, W $\frac{1}{2}$ E $\frac{1}{2}$ , and E $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
 Sec. 19, W $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , and NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 20, E $\frac{1}{2}$ W $\frac{1}{2}$  and SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 Sec. 22, E $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ NE $\frac{1}{4}$ , and SE $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
 Sec. 27, S $\frac{1}{2}$ N $\frac{1}{2}$ ;  
 Sec. 33, S $\frac{1}{2}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ W $\frac{1}{2}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , and NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 34, S $\frac{1}{2}$ N $\frac{1}{2}$  and SW $\frac{1}{4}$ .  
 T. 20 S., R. 11 W.,  
 Sec. 21, E $\frac{1}{2}$ SE $\frac{1}{4}$  and SW $\frac{1}{4}$ SE $\frac{1}{4}$ .  
 T. 18 S., R. 12 W.,  
 Sec. 24, SE $\frac{1}{4}$ NE $\frac{1}{4}$ .

- Sec. 23, N $\frac{1}{2}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ , and SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 24, E $\frac{1}{2}$ , E $\frac{1}{2}$ W $\frac{1}{2}$ , NW $\frac{1}{4}$ NW $\frac{1}{4}$ , and SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 Sec. 25;  
 Sec. 26, W $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , and E $\frac{1}{2}$ W $\frac{1}{2}$ ;  
 Sec. 27, E $\frac{1}{2}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ , and NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 Sec. 28, 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. 29, NE $\frac{1}{4}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ , and NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 30, lots 3, 4, N $\frac{1}{2}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ , and SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 31, W $\frac{1}{2}$ SE $\frac{1}{4}$ , and SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 34, SE $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
 Sec. 35, W $\frac{1}{2}$ E $\frac{1}{2}$  and W $\frac{1}{2}$ .

- T. 34 S., R. 15 W.,  
 Sec. 3, NE $\frac{1}{4}$ , W $\frac{1}{2}$ W $\frac{1}{2}$ , and SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 Sec. 5, W $\frac{1}{2}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , and NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 Sec. 6, NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
 Sec. 7, NW $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
 Sec. 8, N $\frac{1}{2}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 9, N $\frac{1}{2}$ N $\frac{1}{2}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ , and N $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
 Sec. 10, NW $\frac{1}{4}$ , and N $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
 Sec. 11, E $\frac{1}{2}$ E $\frac{1}{2}$ , W $\frac{1}{2}$ NE $\frac{1}{4}$ , and NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 12, N $\frac{1}{2}$ , N $\frac{1}{2}$ S $\frac{1}{2}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 14, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , and W $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
 Sec. 15, NE $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ , and SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 17, NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
 Sec. 18, SW $\frac{1}{4}$ NE $\frac{1}{4}$  and SE $\frac{1}{4}$ ;  
 Sec. 19, lot 1, N $\frac{1}{2}$ NE $\frac{1}{4}$  and SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
 Sec. 20, lots 1, 2, 3, 4, S $\frac{1}{2}$ NE $\frac{1}{4}$ , and NW $\frac{1}{4}$ ;  
 Sec. 21, lots 1, 2, 3, 4, NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , and SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
 Sec. 22, lots 1, 2, 3, 4, and N $\frac{1}{2}$ ;  
 Sec. 23, lots 2, 3, 4, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , and NW $\frac{1}{4}$ .  
 T. 33 S., R. 16 W.,  
 Sec. 13, NE $\frac{1}{4}$ .  
 T. 34 S., R. 16 W.,  
 Sec. 1;  
 Sec. 12, N $\frac{1}{2}$ N $\frac{1}{2}$  and SE $\frac{1}{4}$ NE $\frac{1}{4}$ .

The lands described above total 19,214.26 acres, and are located in Hidalgo County.

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. 70-338; Filed, Jan. 9, 1970; 8:45 a.m.]

The areas described above aggregate 4,346.46 acres.

W. J. ANDERSON,  
 State Director.

[F.R. Doc. 70-339; Filed, Jan. 9, 1970; 8:45 a.m.]

## DEPARTMENT OF AGRICULTURE

Packers and Stockyards  
 Administration

AMORY COMMISSION COMPANY  
 ET AL.

## Depositing of Stockyards

It has been ascertained, and notice is hereby given, that the livestock markets named herein, originally posted on the respective dates specified below as being subject to the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), no longer come within the definition of a stockyard under said Act and are, therefore, no longer subject to the provisions of the Act.

Name, location of stockyard, and date of posting

- Amory Commission Company, Amory, Miss., Feb. 11, 1959.  
 Farmers & Ranchers Stockyard, Columbus, Miss., June 23, 1967.  
 Mississippi Livestock Producers Association, Edwards, Miss., Feb. 16, 1959.  
 Mississippi Livestock Yards, Laurel, Miss., Oct. 30, 1965.  
 Prentiss Stockyard, Prentiss, Miss., Feb. 18, 1959.

Notice or other public procedure has not preceded promulgation of the foregoing rule since it is found that the giving of such notice would prevent the due and timely administration of the Packers and Stockyards Act and would, therefore, be impracticable and contrary to the public interest. There is no legal warrant or justification for not depositing promptly a stockyard which is no longer within the definition of that term contained in the Act.

The foregoing is in the nature of a rule granting an exemption or relieving a restriction and, therefore, may be made effective in less than 30 days after publication in the FEDERAL REGISTER. This notice shall become effective upon publication in the FEDERAL REGISTER.

(42 Stat. 159, as amended and supplemented; 7 U.S.C. 181 et seq.)

Done at Washington, D.C., this 5th day of January 1970.

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

[F.R. Doc. 70-378; Filed, Jan. 9, 1970; 8:47 a.m.]

# DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[DESI 5597]

## ETHOHEPTAZINE CITRATE PREPARATIONS ET AL.

### Drugs for Human Use; Drug Efficacy Study Implementation

Ethoheptazine citrate preparations; combination containing acetaminophen, salicylamide, amphetamine phosphate, methylatropine nitrate; combination containing aspartate potassium, aspartate magnesium; bemegride preparations; combination preparations containing promethazine hydrochloride, aspirin, phenacetin, mephentermine sulfate, with or without dihydrocodeine bitartrate; choline dihydrogen citrate; methionine; combination containing phenacetin, aspirin, dl-methamphetamine hydrochloride; carbazochrome salicylate preparations.

The Food and Drug Administration has evaluated reports received from the National Academy of Sciences-National Research Council, Drug Efficacy Study Group, on the following drugs:

A. Preparations containing ethoheptazine citrate:

1. Zactirin Tablets, 75 milligrams ethoheptazine citrate and 325 milligrams aspirin per tablet (NDA 10-894); and

2. Zactane Tablets, 75 milligrams ethoheptazine citrate per tablet (NDA 10-101); and

3. Equagesic Tablets, 150 milligrams meproamate, 75 milligrams ethoheptazine citrate, and 250 milligrams aspirin per tablet (NDA 11-702); all three preparations marketed by Wyeth Laboratories, Division of American Home Products Corp., Post Office Box 8299, Philadelphia, Pa. 19101.

B. Preparation containing acetaminophen, salicylamide, amphetamine and methylatropine:

1. Strascogesic Tablets, 300 milligrams acetaminophen, 200 milligrams salicylamide, 2 milligrams amphetamine phosphate, and 0.5 milligram methylatropine nitrate per tablet; Strassenburgh Laboratories, Division of Wallace & Tiernan, Inc., 755 Jefferson Road, Rochester, N.Y. 14623 (NDA 8-240).

C. Preparation containing aspartate potassium and aspartate magnesium:

1. Spartase Tablets, 250 milligrams aspartate potassium and 250 milligrams aspartate magnesium per tablet; Wyeth Laboratories (NDA 12-663).

D. Preparations containing bemegride:

1. Mikedimide, 50 milligrams bemegride per 10 milliliters; Panray Corp., Division of Ormont Drug and Chemical Co., Inc., 223 South Dean Street, Englewood, N.J. 07631 (NDA 11-947).

2. Megimide, 50 milligrams bemegride per 10 milliliters; Abbott Laboratories, 14th and Sheridan Road, North Chicago, Ill. 60064 (NDA 11-383).

E. Preparations containing promethazine:

1. Synalgos Capsules, 6.25 milligrams promethazine hydrochloride, 3 grains aspirin, 2.5 grains phenacetin, and 7.5 milligrams mephentermine sulfate per capsule (NDA 10-437); and

2. Synalgos-DC Capsules, 16 milligrams dihydrocodeine bitartrate, 6.25 milligrams promethazine hydrochloride, 3 grains aspirin, 2.5 grains phenacetin, and 7.5 milligrams mephentermine sulfate per capsule (NDA 11-483); Ives Laboratories, Inc., Division American Home Products Corp., 685 Third Avenue, New York, N.Y. 10017.

F. Preparation containing methionine:

1. Meonine Tablets, 0.5 gram methionine per tablet; Ives Laboratories, Inc. (NDA 5-597).

G. Preparations containing choline:

1. Choline Dihydrogen Citrate Tablets, 0.65 gram choline dihydrogen citrate per tablet; Eli Lilly and Co., Post Office Box 618, Indianapolis, Ind. 46206 (NDA 5-846).

2. Monichol, 500 milligrams choline dihydrogen citrate, 500 milligrams polysorbate 80, and 250 milligrams inositol per 5 milliliters; Ives Laboratories (NDA 8-597).

H. Preparation containing phenacetin, aspirin, methamphetamine:

1. P-A-D Tablets, 2½ grains phenacetin, 3½ grains aspirin, and 2.5 milligrams dl-methamphetamine hydrochloride per tablet; The Upjohn Co., 7171 Portage Road, Kalamazoo, Mich. 49001 (NDA 6-312).

I. Preparations containing carbazochrome salicylate:

1. Adrestat Capsules, 65 milligrams carbazochrome salicylate, 5 milligrams menadiol sodium diphosphate, 50 milligrams hesperidin (subsequently deleted from the formulation), and 100 milligrams ascorbic acid per capsule (NDA 10-816); and

2. Adrestat F Solution, 130 milligrams carbazochrome salicylate per milliliter; Organon, Inc., 375 Mount Pleasant Avenue, West Orange, N.J. 07052 (NDA 10-816).

3. Adrenosem Salicylate Syrup, 65 milligrams carbazochrome salicylate per 5 milliliters (NDA 8-644); and

4. Adrenosem Salicylate Tablets, 26 milligrams or 65 milligrams carbazochrome salicylate per tablet (NDA 8-644); and

5. Adrenosem Salicylate Solution, 130 milligrams carbazochrome salicylate per milliliter (NDA 8-644); all marketed by the S. E. Massengill Co., 527 Fifth Street, Bristol, Tenn. 37620.

These drugs are regarded as new drugs. The effectiveness classification and marketing status are described below.

A. *Effectiveness classification.* 1. The Food and Drug Administration has considered the reports of the Academy, as well as other available evidence, and has concluded that there is a lack of substantial evidence of effectiveness of:

a. Carbazochrome salicylate preparations for hematuria, metrorrhagia, and menorrhagia; prevention or treatment of retinal hemorrhage and diabetic retinitis; treatment of pulmonary bleed-

ing, gingival bleeding, epistaxis, idiopathic purpura, and familial hereditary telangiectasia.

b. Combination drug containing acetaminophen, salicylamide, amphetamine phosphate, and methylatropine nitrate for use "for colds" and "for premenstrual tension."

c. Combination drug containing meproamate, ethoheptazine citrate, and aspirin for "relief of pain which is accompanied by . . . skeletal muscle spasm"; and that this drug is "an effective and well tolerated . . . skeletal-muscle-relaxant."

2. Except as described in paragraph A.1., the drugs listed in this announcement are regarded as possibly effective for their labeled indications.

B. *Marketing status.* 1. Within 60 days of the date of publication of this announcement in the FEDERAL REGISTER, the holder of any previously approved new-drug application for a preparation containing carbazochrome salicylate, a preparation containing acetaminophen, salicylamide, amphetamine phosphate, and methylatropine nitrate, or a preparation containing meproamate, ethoheptazine citrate, and aspirin is requested to submit a supplement to his application to provide for labeling which deletes those indications for which the drug has been classified as lacking substantial evidence of effectiveness as described in paragraph A.1. above. Such supplements should be submitted under the provisions of § 130.9 (d) and (e) of the new-drug regulations (21 CFR 130.9 (d) and (e)) which permit certain changes to be put into effect at the earliest possible time, and the revised labeling should be put into use within the 60-day period. Failure to do so may result in a proposal to withdraw approval of the new-drug application.

2. The labeling of any preparation referred to in paragraph B.1. above which is on the market without an approved new-drug application should be revised if such labeling includes those indications for which the drug has been classified as lacking substantial evidence of effectiveness as described in paragraph A.1. above. Failure to delete such indications and put the revised labeling into use within 60 days after the publication date of this announcement in the FEDERAL REGISTER may cause the drug to be subject to regulatory proceedings.

3. Holders of approved new-drug applications for all drugs listed above and any person marketing these drugs without approval will be allowed 6 months from the date of publication of this announcement in the FEDERAL REGISTER to obtain and to submit in a supplemental or original new-drug application data to provide substantial evidence of effectiveness for those indications for which these drugs have been classified as possibly effective. The only material which will be considered acceptable for review must be well-organized and consist of adequate and well-controlled studies bearing on the effectiveness of the drug, and not previously submitted.

4. At the end of the 6-month period, any such data will be evaluated to determine whether there is substantial evidence of effectiveness for such uses. After that evaluation, the conclusions concerning the drugs will be published in the FEDERAL REGISTER. If no studies have been undertaken or if the studies do not provide substantial evidence of effectiveness, procedures will be initiated to withdraw approval of the new-drug applications for these drugs, pursuant to the provisions of section 505(e) of the Federal Food, Drug, and Cosmetic Act. Withdrawal of approval of the applications will cause any such drugs on the market to be new drugs for which an approval is not in effect.

The above-named holders of the new-drug applications for these drugs have been mailed a copy of the NAS-NRC report. Any interested person may obtain a copy of a report by writing to the office named below.

Communications forwarded in response to this announcement should refer to DESI 5597 which identifies this announcement and should be directed to the attention of the following appropriate office and addressed to the Food and Drug Administration, 200 C Street SW., Washington, D.C. 20204:

Requests for NAS-NRC report: Press Relations Office (CE-300).

Supplements (identified with the appropriate NDA number): Office of Marketed Drugs (MD-300), Bureau of Medicine.

Original new drug applications: Office of New Drugs (MD-100), Bureau of Medicine. All other communications regarding this announcement: Special Assistant for Drug Efficacy Study Implementation (MD-16), Bureau of Medicine.

This notice is issued pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 505, 52 Stat. 1050-53, as amended; 21 U.S.C. 352, 355) and under the authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120).

Dated: December 30, 1969.

CHARLES C. EDWARDS,  
Acting Commissioner  
of Food and Drugs.

[F.R. Doc. 70-346; Filed, Jan. 9, 1970;  
8:46 a.m.]

[DESI 11503]

### KANAMYCIN SULFATE INJECTION AND KANAMYCIN SULFATE CAPSULES

#### Drugs for Human Use; Drug Efficacy Study Implementation

The Food and Drug Administration has evaluated the reports received from the National Academy of Sciences-National Research Council, Drug Efficacy Study Group, on the following oral and parenteral forms of Kanamycin Sulfate:

1. Kanamycin Sulfate marketed as Kantrex Injection equivalent to 1.0 gm.

kanamycin base per 3 milliliters or 500 milligrams kanamycin base per 2 milliliters by Bristol Laboratories, Syracuse, N.Y. 13201.

2. Kanamycin Sulfate marketed as Kantrex Capsules equivalent to 500 milligrams kanamycin base per capsule by Bristol Laboratories, Syracuse, N.Y. 13201.

The Food and Drug Administration has concluded that this drug is effective for certain indications and is appropriate for use under the qualifications stated herein.

Preparations containing kanamycin sulfate are subject to antibiotic certification procedures pursuant to section 507 of the Federal Food, Drug, and Cosmetic Act. Batches of the drug in the dosage forms described above for which certification is requested should provide for labeling information in accord with labeling guidelines developed on the basis of this reevaluation of the drug and published in this announcement. The above named firm and any other holders of antibiotic applications approved for a drug of the kind described above are requested to submit supplements within 60 days following publication of this announcement in the FEDERAL REGISTER, to provide for revised labeling. Those parts of the labeling indicated below should be substantially as follows. (Optional additional information, applicable to the drug, may be proposed under other appropriate paragraph headings and should follow the information set forth below.)

#### KANAMYCIN SULFATE INJECTABLE

##### WARNING

In Patients With Impaired Kidney Function or With Prerenal Azotemia the Risk of Severe Ototoxic Reaction Which May Result in Permanent Deafness is Sharply Increased. In Such Cases the Daily Dosage Should Be Reduced, and the Interval Between Doses Should Be Lengthened. If There Is Evidence of Nitrogen Retention (Increasing NPN, BUN, Creatinine or Oliguria) During Therapy, Audiometric Tests Are Advised and Discontinuation of Drug Considered.

Older Patients and Patients Receiving a Total Dose of More Than 15 Grams of Kanamycin Sulfate Should Be Carefully Observed for Signs of Eighth Nerve Damage.

The neurotoxicity of kanamycin can result in respiratory paralysis from neuromuscular blockade, especially when the drug is given soon after anesthesia and the use of muscle relaxants.

The concurrent systemic use of other neurotoxic and/or nephrotoxic drugs, particularly streptomycin, polymyxin B, polymyxin E (colistin), neomycin, and viomycin, should be avoided.

The use of kanamycin sulfate in conjunction with potent diuretics such as ethacrynic acid (particularly when the diuretics are given intravenously) has been reported to cause rapid and irreversible deafness, and should therefore be avoided.

#### DESCRIPTION

Kanamycin sulfate is a water soluble antibiotic derived from *Streptomyces kanamyceticus*.

(Additional descriptive information to be included by the manufacturer or distributor should be confined to an appropriate description of the physical and chemical properties of the drug and the formulation.)

#### ACTION

Kanamycin sulfate is often active in vitro against many strains of *Staphylococcus aureus*, *Staphylococcus albus*, *E. coli* and many other aerobic gram-negative rods, *A. aerogenes*, *Shigella*, *Salmonella*, *K. Pneumoniae*, and many strains of *Proteus* that are frequently resistant to other antibiotics.

NOTE: See "Indications" for clinical use.

Sensitivity plate testing: The invading organism should routinely be cultured and its sensitivity demonstrated as a guide to therapy. If the Kirby-Bauer method of disc sensitivity is used, a 30 mc.g. Kanamycin disc should give a zone of over 17 mm. when tested against a Kanamycin-sensitive bacterial strain.

When administered parenterally, kanamycin sulfate yields bactericidal concentrations of the drug in tissue and body fluids. Peak serum concentrations are reached 1 hour after intramuscular injection. Levels are within the active range for sensitive organisms for 8 hours and often for as long as 12 hours. Administration of 0.5 Gm. gives concentrations ranging from 14 to 29 mc.g./ml., and a dose of 1.0 Gm. gives from 18 to 40 mc.g./ml. At the recommended dosage level, uncomplicated infections due to kanamycin-sensitive organisms should show initial bacteriologic and/or clinical response to therapy within 24 to 48 hours.

Kanamycin is distributed throughout the body fluids and inhibitory concentrations of the antibiotic are achieved in bile, pleura, peritoneal, and synovial fluids. After intramuscular injection, the ratio between spinal fluid and serum levels ranges from 1:10 in normal infants and older persons to approximately twice this high in those with meningitis. The drug is excreted rapidly, almost completely in the urine by glomerular filtration, and urine may contain concentrations 10 to 20 times higher than those in the serum. Excretion of kanamycin is low in patients with impaired renal function and dosage must be reduced in these individuals. (See *Warning*). Appreciable levels of kanamycin sulfate have been reported to appear in cord blood when tested 2-3½ hours after injection of the drug in pregnant women.

#### INDICATIONS

Kanamycin sulfate is indicated for short-term treatment of serious gram-negative infections caused by susceptible strains of micro-organisms, when less potentially toxic drugs are ineffective or contraindicated.

Kanamycin sulfate may be indicated in initiating therapy in sepsis when one or

more of the following are causative agents: *E. coli*, *Proteus*, *A. aerogenes* and *Klebsiella pneumoniae*. Bacteriologic studies to determine the causative organisms and their sensitivity to kanamycin should be performed. The decision to continue therapy with this drug should be based on results of the sensitivity tests, severity of the infection and the important additional concepts contained in the "Warning Box" above.

#### CONTRAINDICATIONS

A history of hypersensitivity to kanamycin sulfate is a contraindication for its use. Prior administration of kanamycin sulfate or other ototoxic agents which may have induced subclinical damage to the eighth nerve may contraindicate kanamycin sulfate if effective alternative therapy is available.

#### WARNING

Kanamycin sulfate is potentially nephrotoxic and neurotoxic. Refer to "Warning Box" and observe precautions below. Usage in pregnancy: The safety of this drug in human pregnancy has not been established.

**Nephrotoxicity:** (Refer to the "Warning Box" at the beginning of the labeling.) Because of the high concentration of kanamycin sulfate in the urinary excretory system, patients should be well hydrated to prevent unnecessary chemical irritation of the renal tubules. The patient's kidney function should be assessed by the usual methods prior to starting therapy, and periodically during the course of treatment. If signs of renal injury appear, such as casts, white or red cells and albumin, hydration should be improved and a decrease in dosage may be desirable. The findings usually subside when treatment is completed. However, if azotemia or a progressive decrease in urine flow occur, treatment should be stopped.

**Ototoxicity:** (Refer to the "Warning Box" at the beginning of labeling.) In patients with renal disease and impaired renal function if therapy is expected to last 5 days or more a pretreatment audiogram should be obtained and repeated during therapy. Therapy should be stopped if tinnitus or subjective hearing loss develops, or if followup audiograms show significant loss of high frequency perception.

Because of the possibility of additive effects of other ototoxic and/or neurotoxic drugs such as streptomycin, neomycin, polymyxin B, colistin, and viomycin the concurrent administration of these drugs with kanamycin sulfate should be avoided.

The risk of ototoxicity is increased when kanamycin sulfate is used in conjunction with potent diuretics and rapid and irreversible deafness may result.

**Neurotoxicity:** (Refer to the "Warning Box" at the beginning of the labeling.) Concurrent use of curariform muscle relaxants and other neurotoxic drugs (ether, tubocurarine, succinylcholine, gallamine, decamethonium, and sodium citrate) may precipitate respiratory de-

pression. If signs of respiratory paralysis appear, respiration should be assisted as required, and the drug discontinued.

**NOTE:** The risk of toxic reactions is reduced in well-hydrated patients with normal kidney function, who receive a total dose of 20 grams or less.

**Intraperitoneal use:** Kanamycin sulfate has been used following exploration for established peritonitis or after peritoneal contamination due to fecal spill during surgery. However, absorption is extremely rapid following intraperitoneal use and there is danger of respiratory paralysis from neuromuscular blockade when the patient is still under the effects of anesthetics or muscle relaxants. Moreover, there is a possibility of renal damage if the patient goes into shock. Instillation should therefore be postponed until the patient has recovered fully from the effects of anesthesia and muscle relaxants.

Kanamycin sulfate injection should not be physically mixed with other antibacterial agents but each should be administered separately in accordance with its recommended route of administration and dosage schedule.

As with other antibiotics, kanamycin sulfate administration may result in overgrowth of nonsusceptible organisms, including fungi. If superinfection occurs appropriate therapy should be instituted.

#### ADVERSE REACTIONS

Some local irritation or pain may follow intramuscular injection. In addition to the serious toxic effects described above, other adverse reactions of the drug are gastrointestinal upset, diarrhea, skin rash, drug fever, headache, and paresthesias.

#### DOSE AND ADMINISTRATION

**Intramuscular route:** Inject deeply into the upper outer quadrant of the gluteal muscle. The usual dose for adults or children should not exceed 15 mg./kg. per day, preferably in two equally divided doses at 12-hour intervals. A maximum adult dose of 1.5 grams per day should not be exceeded, even in very large persons, without specific indication. If continuously high blood levels are desired, equally divided doses may be given every 6 to 8 hours. The usual daily dose for an adult patient of average weight (150 lbs.) is 1.0 gram.

At the recommended dosage level, uncomplicated infections due to kanamycin-sensitive organisms should respond to therapy in 24 to 48 hours. If definite clinical response does not occur within 3 to 5 days, therapy should be stopped and the antibiotic sensitivity pattern of the invading organism should be rechecked. Failure of the infection to respond may be due to resistance of the organism or to the presence of septic foci requiring surgical drainage.

**Intravenous administration:** The intravenous route is used only if intramuscular administration is not possible and the increased risk of auditory damage and neuromuscular blockade are justifiable in the situation at hand. The dose

should not exceed 15 mg. per kilogram per day, and must be administered slowly. The solution for intravenous use is prepared by adding the contents of a 0.5 Gm. vial to 200 ml. of sterile diluent such as normal saline or 5 percent dextrose in water, or the contents of a 1.0 Gm. vial to 400 ml. of sterile diluent, and administered at 60 to 80 drops per minute. The total daily dose may be divided into two or three divided doses.

**Intraperitoneal use:** (Following exploration for established peritonitis or after peritoneal contamination due to fecal spill during surgery.)

**Adults:** 0.5 Gm. diluted in 20 ml. sterile distilled water may be instilled through a polyethylene catheter sutured into the wound at closure. Instillation should be postponed until the patient has recovered well from the effects of anesthesia and muscle relaxation drug to avoid possible respiratory depression or arrest.

(A note on stability of the drug may be added, at the discretion of the manufacturer.)

#### KANAMYCIN SULFATE, CAPSULES

##### DESCRIPTION

Kanamycin sulfate is a water soluble aminoglycoside antibiotic derived from *Streptomyces kanamyceticus*. It is supplied in oral formulation for topical effect within the gastrointestinal tract, because it is absorbed only very slightly when administered orally, and is excreted unchanged in the feces. It is administered orally to prepare the bowel for surgery and to diminish the blood ammonia concentration in hepatic coma.

(Additional descriptive information to be included by the manufacturer or distributor should be confined to an appropriate description of the physical and chemical properties of the drug and the formulation.)

##### ACTIONS

The oral route of administration of kanamycin sulfate is used to reduce the population of gastrointestinal bacteria. It is active in vitro against many enteric pathogens, including *E. coli*, *A. aerogenes*, *Shigella*, *Salmonella*, many strains of *Proteus* and of *Staphylococcus*.

##### INDICATIONS

Kanamycin sulfate is used as adjunctive treatment for preoperative sterilization of the bowel. Both aerobic and anaerobic flora which are susceptible to this drug are reduced in the large intestine. When accompanied by adequate mechanical cleansing, it is useful in preparing for colonic surgery.

Kanamycin sulfate is also used as adjunctive treatment of neurologic manifestations in patients with hepatic coma, to suppress bacterial growth in the intestinal tract and thereby lower blood ammonia levels.

##### CONTRAINDICATIONS

The preoperative use of this drug is contraindicated in the presence of intestinal obstruction and in those persons who have a history of prior hypersensitivity reactions to the drug.

## WARNING

Although negligible amounts of kanamycin are absorbed through intact intestinal mucosa (approximately 1 percent), the possibility of increased absorption from ulcerated or denuded areas should be considered. This may be important if the patient's renal function is limited, since the toxicity of kanamycin is increased in uremia.

Kanamycin sulfate administration may result in overgrowth of kanamycin-resistant organisms, e.g., bacteroides, some strains of Clostridia, enterococci and yeasts. If superinfection occurs, the drug should be discontinued and appropriate therapy instituted.

Usage in pregnancy: The safety of this drug in human pregnancy has not been established.

## ADVERSE REACTION

Prolonged sterilization of the bowel may lead to intestinal malabsorption.

## DOSAGE AND ADMINISTRATION (FOR ORAL USE ONLY)

For preoperative bowel sterilization: 1.0 Gm. (2 capsules) every hour for 4 hours, followed by 1.0 Gm. (2 capsules) every 6 hours for 36 to 72 hours. Duration of therapy within this range depends on the condition of the patient, the type and amount of concurrent mechanical cleansing (catharsis and enemas) and the clinical judgment of the surgeon.

For hepatic coma: 8 to 12 Gm. per day in divided doses.

The Food and Drug Administration concludes that kanamycin sulfate capsules are probably effective for the following indication: adjunctive treatment for preoperative sterilization of the bowel. This indication is included in the labeling guidelines. Batches of the drug which bear labeling with these claims and are otherwise in accord with the labeling conditions herein will be accepted for release or certification by the Food and Drug Administration for a period of 12 months from the publication date of this announcement to allow any applicant to obtain and submit data to provide substantial evidence of effectiveness of the drug for use in these conditions for which it has been evaluated as probably effective.

The following are labeled indications for which the indicated forms of the drug are classified as possibly effective:

Kanamycin Sulfate Injection—chronic pyelonephritis; pulmonary complications of cystic fibrosis; infected grafts; anthrax; staphylococcal enterocolitis; acute pyelonephritis, cystitis, and prostatitis.

Kanamycin Sulfate Capsules—treatment of intestinal infections due to *E. coli* and *Salmonella*.

Batches of such drugs labeled with these indications but otherwise in accord with the labeling conditions herein will be accepted for release or certification by the Food and Drug Administration for a

period of 6 months from the publication date of this announcement to allow any applicant to obtain and submit data to provide substantial evidence of effectiveness of the drug for use in those conditions for which it has been evaluated to be possibly effective.

The Food and Drug Administration regards the drugs as lacking substantial evidence of effectiveness for the following indications: Kanamycin Sulfate Injection—salmonellosis, shigellosis, and gastroenteritis. Kanamycin Sulfate Capsules—treatment of intestinal infections due to *Shigella*. Preparations containing the drug with labeling bearing these claims will no longer be acceptable for certification or release after the publication date of this announcement.

Any person who would be adversely affected by deletion of the claims for which the drug lacks substantial evidence of effectiveness, as described in this announcement, may submit comments or pertinent data within 30 days following the publication date of this announcement.

Representatives of the Administration are willing to meet with any interested person who desires to have a conference concerning proposed changes in the labeling set forth in this announcement. Requests for such meetings should be made to the Division of Anti-Infective Drugs (MD-140) at the address given below, within 30 days after the publication of this notice in the FEDERAL REGISTER.

A copy of the NAS-NRC report has been furnished to the firm referred to above. Any other interested person may obtain a copy by request to the appropriate office named below.

Communications forwarded in response to this announcement should be identified with the reference number, DESI 11503, and be directed to the attention of the following appropriate office and addressed to the Food and Drug Administration, 200 C Street SW., Washington, D.C. 20204:

Requests for NAS-NRC report: Press Relations Office (CE-300).

Supplements (identify with NDA number, if known): Division of Anti-Infective Drugs (MD-140), Office of New Drugs, Bureau of Medicine.

All other communications regarding this announcement: Special Assistant for Drug Efficacy Study Implementation (MD-16), Bureau of Medicine.

This notice is issued pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 507; 52 Stat. 1050-51, as amended, 59 Stat. 463, as amended; 21 U.S.C. 352, 357) and under the authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120).

Dated: December 31, 1969.

CHARLES C. EDWARDS,  
Acting Commissioner  
of Food and Drugs.

[F.R. Doc. 70-347; Filed, Jan. 9, 1970;  
8:46 a.m.]

DEPARTMENT OF  
TRANSPORTATION

## Federal Highway Administration

KEOKUK AND MacARTHUR BRIDGE  
TOLLS

## Notice of Public Hearings

The Federal Highway Administrator has received protests that the tolls charged for transit over the Mississippi River on the Keokuk Bridge at Keokuk, Iowa, and the MacArthur Bridge at Burlington, Iowa, are not reasonable and just by reason of the fact that the municipalities that own the bridges have diverted net operating revenues to defray general municipal expenses. The protestors have asked the Administrator to prescribe reasonable rates of toll for transit over those bridges pursuant to section 4 of the Bridge Act of 1906, 33 U.S.C. 494.

The Administrator has decided to conduct hearings under the Administrative Procedure Act (5 U.S.C. 554-558) for the purpose of affording all interested parties the opportunity to submit, orally or in writing, data, views, facts, and arguments relevant to the question whether the present toll rates are just and the question whether the Administrator should prescribe the reasonable rates to be charged for transit over the bridges.

In consideration of the foregoing, notice is hereby given that the Federal Highway Administrator will hold public hearings for this purpose. The hearings will be conducted before Robert N. Burchmore, a Hearing Examiner. The MacArthur Bridge hearing will be held in Burlington, Iowa, and will convene on or about February 9, 1970. The Keokuk Bridge hearing will be held in Keokuk, Iowa, and will convene on or about February 12, 1970. The exact date, time, and place of the hearings shall be prescribed by the Hearing Examiner.

Interested persons are invited to attend the hearings and present oral or written evidence on the issues set forth above, which will be made a part of the records of the hearings. Persons submitting sworn statements or testimony shall be subject to cross-examination by any other participant. Any person who desires to participate in the hearings and to offer evidence orally or in writing should notify the Hearing Examiner at the address given below, not later than February 2, 1970, stating the nature of the evidence and approximate amount of time requested for making his presentation.

The Federal Highway Administration, by a representative of the Office of its Chief Counsel, shall participate in the hearings but will not offer any evidence on its own behalf.

The Attorneys General of the States of Iowa and Illinois are invited to appear at the hearings to represent the views of their respective States on all relevant

issues including, without limitation, the question whether the existing toll schedules or either of them violates the provisions of Iowa law and whether, if there is such a violation, toll charges in excess of those permitted by State law are ipso facto unjust and unreasonable.

In addition to the powers conferred by 5 U.S.C. 556(c), the Hearing Examiner shall have power to make all rules and regulations necessary to govern the conduct of the hearings.

Upon conclusion of the hearings, the Hearing Examiner shall issue a recommended decision in each case, and thereafter certify the entire record of each case to the Federal Highway Administration. Prior to such recommended decision interested parties will be afforded reasonable opportunity, as determined by the Hearing Examiner, to submit proposed findings and briefs. Thereafter, exceptions to the recommended decision and findings of fact, together with briefs thereon, may be filed with the Federal Highway Administrator within 15 days after the date such decision and findings in each case are served.

All communications concerning the hearings should be addressed to the Hearing Examiner, Iowa Bridge Tolls, Mr. Robert N. Burchmore, Room 2140, Interstate Commerce Commission, Washington, D.C. 20423.

Issued in Washington, D.C., on January 8, 1970.

F. C. TURNER,  
Federal Highway Administrator.

[F.R. Doc. 70-444; Filed, Jan. 9, 1970;  
8:48 a.m.]

## DEPARTMENT OF COMMERCE

Business and Defense Services  
Administration

UNIVERSITY OF CALIFORNIA

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

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

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

Docket No. 69-00557-65-07520. Applicant: University of California, Berkeley Campus, Berkeley, Calif. 94720. Article: Microcalorimeter, Model Mark II and accessories. Manufacturer: Microscal Ltd., United Kingdom. Intended use of article: The article will be used for research programs on the adsorption of surfactants on metals and for a study of the adsorption of surfactants of water-mineral surfaces. Comments: No com-

ments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The applicant requires a device which is capable of detecting a temperature change of 10° centigrade, and which at the same time can accommodate a flow of a liquid through 0.1 cubic centimeters of particles. We find that these characteristics are pertinent to the purposes for which the article is intended to be used. We are advised by the National Institutes of Health (Memorandum dated Aug. 6, 1969) that it knows of no instrument or apparatus having the necessary characteristics, which is being manufactured in the United States.

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

[F.R. Doc. 70-345; Filed, Jan. 9, 1970;  
8:45 a.m.]

## CIVIL AERONAUTICS BOARD

[Dockets Nos. 21043, 18381; Order 70-1-24]

### AIR EAST, INC.

#### Order To Show Cause

Issued under delegated authority January 6, 1970.

Air East, Inc. (Air East), is an air taxi operator providing services pursuant to Part 298 of the Board's economic regulations. By Order 70-1-23, dated January 6, 1970, the Board approved Agreement CAB 20970 between Air East and Allegheny Airlines, Inc., (Allegheny). This agreement contemplates that Air East will discharge Allegheny's certificate obligation to serve Johnstown through the operation of small aircraft between Johnstown and Pittsburgh, Pa. Air East expects to initiate service with Beech 99 aircraft.

No service mail rate is currently in effect for this service by Air East. By petition filed May 26, 1969, Air East requested the establishment of final service mail rates for the transportation of priority and nonpriority mail by air between Johnstown and Pittsburgh. Air East requests that the multielement rates previously paid to Allegheny on this route pursuant to Orders E-25610 and E-17255 be established. On June 5, 1969, the Postmaster General filed an answer in support of Air East's petition.<sup>1</sup>

The rate for the air transportation of priority mail applicable to service by

<sup>1</sup> The present rates are as follows:

Priority mail by air: 24 cents per ton-mile plus 9.36 cents per pound at Johnstown and 2.34 cents per pound at Pittsburgh.

Nonpriority mail by air: 15.115 cents per ton-mile plus 3.32 cents per pound at Johnstown and 1.66 cents per pound at Pittsburgh.

Allegheny was established by the Board in the Domestic Service Mail Rate Investigation, Order E-25610, August 28, 1967. This rate is the same as that requested in Air East's petition.

Therefore, we propose to establish a service rate for the air transportation of priority mail by Air East at the same level as that established in Order E-25610, as amended, and the terms and provisions of that order also shall be applicable to Air East in the same manner as they were applicable to Allegheny in providing mail services between Johnstown and Pittsburgh.

However, in the case of rates for the air transportation of nonpriority mail, an open-rate situation has existed since April 6, 1967, when the Post Office petitioned for the establishment of new nonpriority mail rates in Docket 18381. The rates currently being paid air carriers (including Allegheny) for the transportation of nonpriority mail are those established by Order E-17255, July 31, 1961, in the Nonpriority Mail Rate Case, and these rates are subject to such retroactive adjustment to April 6, 1967, as the final decision in Docket 18381 may provide. Since it is equitable that Air East receive the same compensation as Allegheny would for the same services, we propose to establish a temporary service rate for nonpriority mail for Air East at the level established in Order E-17255, as amended. We will also make Air East a party to the proceedings in Docket 18381 and the temporary nonpriority mail rate established herein shall be subject to such retroactive adjustment as may be ordered in that proceeding.

Under the circumstances, the Board finds it in the public interest to fix and determine the fair and reasonable rates of compensation to be paid to Air East, Inc., by the Postmaster General for the air transportation of mail, and the facilities used and useful therefor, and the services connected therewith, between Johnstown and Pittsburgh. Upon consideration of the petition, the answer of the Postmaster General, and other matters officially noticed, the Board proposes to issue an order<sup>2</sup> to include the following findings and conclusions:

1. The fair and reasonable final service mail rates to be paid on and after January 6, 1970, to Air East, Inc., pursuant to section 406 of the Act, for the transportation of priority mail by aircraft, the facilities used and useful therefor, and the services connected therewith between Johnstown and Pittsburgh, Pa., shall be the rates established by the Board in Order E-25610, August 28, 1967, as amended, and shall be subject to the other provisions of that order;

<sup>2</sup> As this order to show cause is not a final action but merely affords interested persons an opportunity to be heard on the matters herein proposed, it is not regarded as subject to the review provisions of Part 385 (14 CFR Part 385). These provisions for Board review will be applicable to final action taken by the staff under authority delegated in § 385.14(g).

2. The fair and reasonable temporary service rates to be paid on and after January 6, 1970, to Air East, Inc., pursuant to section 406 of the Act for the transportation of nonpriority mail by aircraft, the facilities used and useful therefor, and the services connected therewith between Johnstown and Pittsburgh, Pa., shall be the rates established by the Board in Order E-17255, July 31, 1961, as amended, subject to such retroactive adjustment as may be made in Docket 18381; and

3. The service mail rates here fixed and determined are to be paid in their entirety by the Postmaster General.

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

It is ordered, That:

1. All interested persons and particularly Air East, Inc., the Postmaster General, and Allegheny Airlines, Inc., are directed to show cause why the Board should not adopt the foregoing proposed findings and conclusions and fix, determine, and publish the final and temporary rates specified above, as the fair and reasonable rates of compensation to be paid to Air East, Inc., for the transportation of priority and nonpriority mail by aircraft, the facilities used and useful therefor, and the services connected therewith as specified above;

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

3. If notice of objection is not filed within 10 days after service of this order, or if notice is filed and an answer is not filed within 30 days after service of this order, all persons shall be deemed to have waived the right to a hearing and all other procedural steps short of a final decision by the Board, and the Board may enter an order incorporating the findings and conclusions proposed herein and fix and determine the final and temporary rates specified herein;

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

5. Air East, Inc., is hereby made a party in Docket 18381; and

6. This order shall be served upon Air East, Inc., the Postmaster General, and Allegheny Airlines, Inc.

This order will be published in the FEDERAL REGISTER.

[SEAL]

HARRY J. ZINK,  
Secretary.

[F.R. Doc. 70-373; Filed, Jan. 9, 1970; 8:47 a.m.]

[Docket No. 19825 etc.; Order 70-1-16]

### SEDALIA, MARSHALL, BOONVILLE STAGE LINE, INC.

#### Order To Show Cause

Issued under delegated authority January 5, 1970.

Final service mail rates established by Orders 68-10-76, 68-10-82, through 87, 68-10-97, 68-11-59, and 69-1-145 for the transportation of mail by aircraft are currently in effect for Sedalia, Marshall, Boonville Stage Line, Inc. (Sedalia). Sedalia is an air taxi operator under 14 CFR Part 298.

On December 2, 1969, the Postmaster General filed a petition on behalf of Sedalia requesting the Board to fix new final service mail rates for this transportation of mail. The current and proposed rates per great circle aircraft mile are as follows:

Docket	Between	Rate in cents	
		Current	Proposed
19825	Kansas City, Springfield, and Joplin, Mo.	38.53	39.95
20216	Sioux City, Carroll, and Des Moines, Iowa	38.8	41.60
20217	Des Moines, Iowa, and Grand Island, Nebr.	38.8	40.43
20218	Dubuque, Waterloo, and Des Moines, Iowa	38.8	41.93
20219	Des Moines, Iowa, and Kansas City, Mo.	38.8	40.39
20226	Decorah, Mason City, and Des Moines, Iowa	38.8	41.69
20227	Sheldon, Spencer, Fort Dodge, and Des Moines, Iowa	38.8	40.74
20228	Shenandoah, Iowa, Omaha, Nebr., and Des Moines, Iowa	38.8	40.86
20229	Burlington, Ottumwa, and Des Moines, Iowa	38.8	40.92
20594	Minneapolis/St. Paul (AMF Twin Cities), Minn., and Oshkosh, Wis., via Wausau and Green Bay, Wis.	54.77	55.07

The Postmaster General states that since the submission by Sedalia of the proposals which resulted in establishment of the current rates the air taxi operator has experienced increases in costs of fuel, wages, and salaries, and insurance and new landing fees imposed since agreement on the current rates. The Postmaster General further states that these increases in costs were not known nor reasonably foreseeable at the time the original petitions were filed. Because of these increased costs, the Postmaster General petitions the new final service mail rates. Cost data submitted tend to support the requested rates.

The Postmaster General states that the proposed rates are acceptable to the Department and the carrier and represent fair and reasonable rates of compensation for the performance of these services under the present requirements of the Department.

The Board finds it is in the public interest to determine, adjust, and establish the fair and reasonable rates of compensation to be paid by the Postmaster General for the transportation

of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, between the aforesaid points. Upon consideration of the petitions and other matters officially noticed, it is proposed to issue an order<sup>1</sup> to include the following findings and conclusions:

On and after December 2, 1969, the fair and reasonable final service mail rates per great circle aircraft mile to be paid in their entirety to Sedalia by the Postmaster General pursuant to section 406 of the Act for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, shall be as follows:

Docket	Between	Cents
19825	Kansas City, Springfield, and Joplin, Mo.	39.95
20216	Sioux City, Carroll, and Des Moines, Iowa	41.60
20217	Des Moines, Iowa, and Grand Island, Nebr.	40.43
20218	Dubuque, Waterloo, and Des Moines, Iowa	41.93
20219	Des Moines, Iowa, and Kansas City, Mo.	40.39
20226	Decorah, Mason City, and Des Moines, Iowa	41.69
20227	Sheldon, Spencer, Fort Dodge, and Des Moines, Iowa	40.74
20228	Shenandoah, Iowa, Omaha, Nebr., and Des Moines, Iowa	40.86
20229	Burlington, Ottumwa, and Des Moines, Iowa	40.92
20594	Minneapolis/St. Paul (AMF Twin Cities), Minn., and Oshkosh, Wis., via Wausau and Green Bay, Wis.	55.07

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

It is ordered, That:

1. Sedalia, Marshall, Boonville Stage Line, Inc., the Postmaster General, Braniff Airways, Inc., Delta Air Lines, Inc., United Air Lines, Inc., Frontier Airlines, Inc., North Central Airlines, Inc., Ozark Air Lines, Inc., and all other interested persons are directed to show cause why the Board should not adopt the foregoing proposed findings and conclusions and fix, determine, and publish the final rates for the services specified therein as the fair and reasonable rates of compensation to be paid to Sedalia, Marshall, Boonville Stage Line, Inc.;

2. Further procedures herein shall be in accordance with 14 CFR Part 302, as specified in the attached appendix; and

3. This order shall be served upon Sedalia, Marshall, Boonville Stage Line, Inc., the Postmaster General, Braniff Airways, Inc., Delta Air Lines, Inc., United Air Lines, Inc., Frontier Airlines, Inc., North Central Airlines, Inc., and Ozark Air Lines, Inc.

<sup>1</sup> As this order to show cause is not a final action but merely provides for interested persons to be heard on these matters, it is not regarded as subject to the review provisions of Part 385 (14 CFR Part 385). These provisions will be applicable to final action taken by the staff under authority delegated in § 385.14(g).

This order will be published in the FEDERAL REGISTER.

[SEAL]

MABEL McCART,  
Acting Secretary.

## APPENDIX

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

2. If notice of objection is not filed within 10 days after service of this order, or if notice is filed and answer is not filed within 30 days after service of this order, all persons shall be deemed to have waived the right to a hearing and all other procedural steps short of a final decision by the Board, and the Board may enter an order incorporating the findings and conclusions proposed therein and fix and determine the final rate specified therein;

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

[F.R. Doc. 70-374; Filed, Jan. 9, 1970;  
8:47 a.m.]

## SECURITIES AND EXCHANGE COMMISSION

### LIQUID OPTICS CORP.

#### Order Suspending Trading

JANUARY 5, 1970.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Liquid Optics Corp., a New York corporation, and all other securities of Liquid Optics 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 January 6, 1970, through January 15, 1970, both dates inclusive.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F.R. Doc. 70-348; Filed, Jan. 9, 1970;  
8:46 a.m.]

### THE SOUTHERN CO.

#### Notice of Proposed Issue and Sale of Notes to Banks and to Dealer in Commercial Paper by Holding Company, and Exemption From Competitive Bidding; Proposed Charter Amendment; and Proposed Issue and Sale of Common Stock by Four Subsidiary Companies and Acquisition Thereof by Holding Company

JANUARY 2, 1970.

Notice is hereby given that The Southern Co. ("Southern"), 3390 Peachtree Road NE., Atlanta, Ga. 30326, a registered holding company, and four of its electric utility subsidiary companies, Alabama Power Co. ("Alabama"), Georgia Power Co. ("Georgia"), Gulf Power Co. ("Gulf"), and Mississippi Power Co. ("Mississippi"), have filed an application-declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(a), 6(b), 7, 9(a), 10, and 12(f) of the Act and Rules 43 and 50 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the application-declaration, which is summarized below, for a complete statement of the proposed transactions.

Southern proposes to issue and sell its unsecured notes to banks and to a dealer in commercial paper, from time to time prior to December 31, 1970, up to an aggregate principal amount of \$75 million outstanding at any one time. The bank notes, to be dated as of the date of issue and to mature not more than 1 year thereafter, will bear interest at the prime rate in effect at the lending bank. Southern may prepay its bank notes, in whole or in part, without penalty or premium.

Southern, as indicated, also proposes, from time to time prior to December 31, 1970, to issue and sell commercial paper in the form of short-term promissory notes to a dealer in commercial paper ("dealer"). The commercial paper notes will be issued in denominations of not less than \$50,000 and not more than \$5 million with varying maturities not to exceed 270 days and will not be prepayable prior to maturity. The commercial paper will be sold by the issuing company directly to the dealer at a discount which will not be in excess of the discount rate per annum prevailing at the date of issuance for prime commercial paper of comparable quality and of the particular maturity. No commercial paper notes will be issued having a maturity of more than 90 days at an effective interest cost which exceeds the effective interest costs at which Southern could borrow from banks in an amount

at least equal to the principal amount of such commercial paper.

It is stated that no commission or fee will be payable in connection with the issuance and sale of commercial paper. The dealer, as principal, will reoffer the commercial paper at a discount rate of one-eighth of 1 percent per annum less than the prevailing discount rate to Southern. The commercial paper will be reoffered to not more than 200 customers of the dealer identified and designated in a nonpublic list prepared in advance by the dealer. No additions will be made to such list of customers which is composed of institutional investors.

Southern will apply the net proceeds of any sale of its shares of common stock, prior to the maturity of its bank notes or commercial paper notes authorized hereunder, to pay in full or reduce the principal amount of such notes outstanding. The maximum amount of indebtedness which may be incurred by Southern pursuant to the authority hereby requested will be reduced by an amount equal to the net proceeds of such financing.

Southern proposes to use the proceeds of the proposed bank loans and sales of commercial paper notes, together with treasury funds, to acquire, from time to time, additional common stock of its electric utility subsidiaries, to pay such bank loans or commercial paper notes due, and for other corporate purposes. The acquisitions proposed to be made in 1970 are as follows: \$20 million for the purchase of 200,000 additional shares of the common stock of Alabama, \$45,500,000 for the purchase of 455,000 additional shares of the common stock of Georgia, \$4,500,000 for the purchase of 45,000 additional shares of the common stock of Gulf, and \$2 million for the purchase of 20,000 additional shares of common stock of Mississippi. Alabama, Georgia, Gulf, and Mississippi each propose to issue and sell to Southern from time to time during 1970 additional shares of their respective common stocks as shown above. It is further proposed that Georgia will increase its authorized common stock from 7,500,000 shares to 15,000,000 shares and its authorized preferred stock from 1,500,000 shares to 5,000,000 shares; that Gulf will increase its authorized common stock from 955,000 shares to 992,717 shares; and that Mississippi will increase its authorized common stock from 1,120,000 shares to 1,130,000 shares.

The total estimated construction expenses of Alabama, Georgia, Gulf, and Mississippi for 1970 are \$149,587,000, \$229,499,000, \$21,664,000, and \$19,431,000, respectively. Alabama, Georgia, Gulf, and Mississippi will use the proceeds from the sale of their common stock as set forth above to finance partially their 1970 construction programs, to pay short-term bank loans and commercial

paper notes incurred for such purposes, and for other lawful purposes.

Southern requests an exception from the competitive bidding requirements of Rule 50 in connection with the sale of commercial paper notes pursuant to clause (a) (5) (B) thereof. It is stated, in this connection, that (a) all commercial paper which Southern proposes to issue and sell will have a maturity not in excess of 270 days, (b) current rates for commercial paper for prime borrowers,

such as Southern, are published daily in financial publications, and (c) it is not practical to invite invitations for bids for commercial paper.

The filing states that no commissions have been or will be paid in connection with the proposed transactions. Fees and expenses paid or incurred, or to be paid or incurred, directly or indirectly, in connection with the proposed transactions are estimated as follows:

	Southern	Alabama	Georgia	Gulf	Mississippi	Total
Legal fees.....	\$1,100.00		\$250.00			\$1,350.00
Miscellaneous.....	700.00	\$300.00	400.00	\$300.00	\$200.00	1,900.00
Total.....	1,800.00	300.00	650.00	300.00	200.00	3,250.00

It is further stated that the issuance and sale of additional shares of common stock by Alabama has been expressly authorized by the Alabama Public Service Commission; that the issuance and sale of additional shares of common stocks of Georgia and Gulf require the respective authorizations from the Georgia Public Service Commission and the Florida Public Service Commission; and that no other State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Southern has requested authority to file a certificate of notification under Rule 24 in respect of sales of its commercial paper notes as herein proposed within 30 days after the end of each calendar quarter.

Notice is further given that any interested person may, not later than January 23, 1970, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the applicants-declarants at the above-stated address, and proof of service by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after

said date, the application-declaration, as filed or as it may be amended, may be granted and permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL]

ORVAL L. DUBOIS,  
Secretary.

[F.R. Doc. 70-341; Filed, Jan. 9, 1970; 8:45 a.m.]

## OFFICE OF EMERGENCY PREPAREDNESS

### FEDERAL COORDINATING OFFICERS

#### Appointment

Notice is hereby given that pursuant to the authority vested in me by the President under Executive Order 11495, November 18, 1969 (34 F.R. 18447, Nov. 20, 1969) to administer the Disaster Relief Act of 1969 (Public Law 91-79, 83 Stat. 125), I hereby appoint the following named persons to act as the Federal Coordinating Officers to perform the duties specified by section 9 of that act for the numbered disasters listed:

Federal coordinating officer	Disaster No.	State	Date of declaration
Donald G. Eddy.....	228	Nebraska.....	7-18-67
John D. Swanson.....	229	Kansas.....	7-18-67
Creath A. Tooley.....	231	Idaho.....	8-30-67
George E. Hastings.....	232	Texas.....	9-28-67
Ralph D. Burns.....	235	Trust Territory.	4-18-68
Joe D. Winkle.....	236	Arkansas.....	5- 3-68
Floyd B. Anderson.....	238	Ohio.....	5- 4-68
Joe D. Winkle.....	239	Arkansas.....	5-29-68
Harvey F. McPhail.....	240	Iowa.....	5-29-68
Bob Broussard.....	241	Oklahoma.....	5-29-68
Leo C. McNamee, Jr.....	242	Illinois.....	6- 5-68
Floyd B. Anderson.....	243	Ohio.....	6- 5-68
Bob Broussard.....	244	Texas.....	6-10-68
A. D. O'Connor.....	245	New Jersey.....	6-15-68
Bob Broussard.....	246	Texas.....	7- 5-68
Frank P. Bourgin.....	247	Indiana.....	7-30-68
Harvey F. McPhail.....	248	Iowa.....	8- 4-68
K. W. Gardiner.....	249	Minnesota.....	8-15-68
K. W. Gardiner.....	250	Minnesota.....	9- 9-68
Ralph D. Burns.....	251	Hawaii.....	9-13-68
William H. Hollaway.....	252	Florida.....	11- 7-68
Ralph D. Burns.....	253	California.....	1-26-69
Joe D. Winkle.....	254	Arkansas.....	2-15-69
K. W. Gardiner.....	255	Minnesota.....	4-18-69
Jack W. Coulter.....	256	North Dakota.....	4-18-69
Kent M. Hutton.....	257	South Dakota.....	4-18-69
Ralph D. Burns.....	258	Nevada.....	4-18-69
Harvey F. McPhail.....	259	Iowa.....	4-25-69
T. A. Vangen.....	260	Wisconsin.....	5- 1-69
Donald G. Eddy.....	261	Colorado.....	5-19-69
Charles S. Woods.....	262	Illinois.....	6- 5-69
Joseph W. Moody.....	263	Tennessee.....	7-11-69
T. A. Vangen.....	264	Wisconsin.....	7-11-69
Floyd B. Anderson.....	265	Kentucky.....	7-15-69
Floyd B. Anderson.....	266	Ohio.....	7-15-69
John D. Swanson.....	267	Kansas.....	7-15-69
K. W. Gardiner.....	268	Minnesota.....	8- 5-69
Harvey F. McPhail.....	269	Iowa.....	8-14-69
Ralph D. Burns.....	270	California.....	8-15-69
George E. Hastings.....	271	Mississippi.....	8-15-69
Joe D. Winkle.....	272	Louisiana.....	8-19-69
William B. Swann.....	273	Pennsylvania.....	8-19-69
Kenneth Edmunds.....	274	Virginia.....	8-23-69
A. D. O'Connor.....	275	New York.....	8-26-69
Charles S. Woods.....	276	Illinois.....	8-30-69
A. D. O'Connor.....	277	Vermont.....	8-30-69
Kenneth Edmunds.....	278	West Virginia.....	9- 3-69
Kenneth Edmunds.....	279	West Virginia.....	9-24-69
William H. Hollaway.....	280	Alabama.....	11- 7-69

Dated: January 7, 1970.

G. A. LINCOLN,  
Director,

Office of Emergency Preparedness.

[F.R. Doc. 70-340; Filed, Jan. 9, 1970; 8:45 a.m.]

## CIVIL SERVICE COMMISSION

### NURSES

#### Notice of Adjustment of Minimum Rates and Rate Ranges

Under the authority of 5 U.S.C. 5303 and Executive Order 11073, the Civil Service Commission has determined that the minimum rates and rate ranges for certain nurse positions in the State of California should be adjusted, as follows:

GS-610 NURSE SERIES  
GS-615 PUBLIC HEALTH NURSE SERIES  
PFS-610 POSTAL FIELD SERVICE NURSE

Geographic coverage: State of California (remaining portion of State not included in the geographic coverage of preceding two tables).  
Effective date: First day of the first pay period beginning on or after January 11, 1970.

Grade	PER ANNUM RATES									
	1	2	3	4	5	6	7	8	9	10
GS-4	\$7,178	\$7,362	\$7,546	\$7,730	\$7,914	\$8,098	\$8,282	\$8,466	\$8,650	\$8,834
GS-5	7,618	7,824	8,030	8,236	8,442	8,648	8,854	9,060	9,266	9,472
GS-6	7,798	8,027	8,256	8,485	8,714	8,943	9,172	9,401	9,630	9,859
GS-7	8,149	8,404	8,659	8,914	9,169	9,424	9,679	9,934	10,189	10,444
GS-8	8,731	9,013	9,295	9,577	9,859	10,141	10,423	10,705	10,987	11,269

1 Corresponding statutory rates: GS-4—tenth; GS-5—eight; GS-6—fifth; GS-7—third; GS-8—second.

Level	PER ANNUM RATES											
	1	2	3	4	5	6	7	8	9	10	11	12
PFS-6	\$7,567	\$7,790	\$8,013	\$8,236	\$8,459	\$8,682	\$8,905	\$9,128	\$9,351	\$9,574	\$9,797	\$10,020
PFS-7	7,939	8,180	8,421	8,662	8,903	9,144	9,385	9,626	9,867	10,108	10,349	10,590
PFS-8	8,582	8,842	9,102	9,362	9,622	9,882	10,142	10,402	10,662	10,922	11,182	11,442

1 Corresponding statutory rates: PFS-6—fifth; PFS-7—fourth; PFS-8—fourth.

Note: Division of Indian Health Nurses are excluded from the coverage of any of the tables of rates in this FPM letter.

[SEAL]

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

[F.R. Doc. 70-382; Filed, Jan. 9, 1970; 8:48 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Canadian List No. 262]

CANADIAN STANDARD BROADCAST STATIONS

List of New Stations, Proposed Changes in Existing Stations, Deletions, and Corrections in Assignments

DECEMBER 16, 1969.

List of new stations, proposed changes in existing stations, deletions, and corrections in assignments of Canadian standard broadcast stations modifying the assignments of Canadian broadcast stations contained in the appendix to the recommendations of the North American Regional Broadcasting Agreement Engineering Meeting January 30, 1941.

GS-610 NURSE SERIES  
GS-615 PUBLIC HEALTH NURSE SERIES  
PFS-610 POSTAL FIELD SERVICE NURSE

Geographic coverage: San Francisco, Calif., and 85-mile radius extended to include Travis Air Force Base.  
Effective date: First day of the first pay period beginning on or after January 11, 1970.

Grade	PER ANNUM RATES									
	1	2	3	4	5	6	7	8	9	10
GS-4	\$7,178	\$7,362	\$7,546	\$7,730	\$7,914	\$8,098	\$8,282	\$8,466	\$8,650	\$8,834
GS-5	7,618	7,824	8,030	8,236	8,442	8,648	8,854	9,060	9,266	9,472
GS-6	7,798	8,027	8,256	8,485	8,714	8,943	9,172	9,401	9,630	9,859
GS-7	8,149	8,404	8,659	8,914	9,169	9,424	9,679	9,934	10,189	10,444
GS-8	8,731	9,013	9,295	9,577	9,859	10,141	10,423	10,705	10,987	11,269
GS-9	10,253	10,564	10,875	11,186	11,497	11,808	12,119	12,430	12,741	13,052
GS-10	10,936	11,278	11,620	11,962	12,304	12,646	12,988	13,330	13,672	14,014
GS-11	11,607	11,981	12,355	12,729	13,103	13,477	13,851	14,225	14,599	14,973

1 Corresponding statutory rates: GS-4—tenth; GS-5—tenth; GS-6—eighth; GS-7—sixth; GS-8—fifth; GS-9—fourth; GS-10—third; GS-11—second.

Level	PER ANNUM RATES											
	1	2	3	4	5	6	7	8	9	10	11	12
PFS-4	\$8,013	\$8,236	\$8,459	\$8,682	\$8,905	\$9,128	\$9,351	\$9,574	\$9,797	\$10,020	\$10,243	\$10,466
PFS-7	8,662	8,903	9,144	9,385	9,626	9,867	10,108	10,349	10,590	10,831	11,072	11,313
PFS-8	9,362	9,622	9,882	10,142	10,402	10,662	10,922	11,182	11,442	11,702	11,962	12,222

1 Corresponding statutory rates: PFS-6—seventh; PFS-7—seventh; PFS-8—seventh.

GS-610 NURSE SERIES

GS-615 PUBLIC HEALTH NURSE SERIES

Geographic coverage: San Diego County, Calif.  
Effective date: First day of the first pay period beginning on or after January 11, 1970.

Grade	PER ANNUM RATES									
	1	2	3	4	5	6	7	8	9	10
GS-4	\$8,810	\$9,094	\$9,378	\$9,662	\$9,946	\$10,230	\$10,514	\$10,798	\$11,082	\$11,366
GS-5	9,203	9,487	9,771	10,055	10,339	10,623	10,907	11,191	11,475	11,759
GS-6	9,340	9,624	9,908	10,192	10,476	10,760	11,044	11,328	11,612	11,896

1 Corresponding statutory rates: GS-4—eighth; GS-5—sixth; GS-6—third.

Call letters	Location	Power kw	Antenna	Schedule	Class	Antenna height (feet)	Ground system		Proposed date of commencement of operation
							Number of radials	Length (feet)	
CKEW (assignment of call letters and correction of coordinates. Now in operation).	Whitehorse, Yukon Territory, N. 60°41'35", W. 134°58'09".	1	ND-170	U	III	250	120	650	
CJNL (assignment of call letters).	Kamloops, British Columbia, N. 50°38'50", W. 120°16'15".	1	DA-1	U	III				1-12-70
CJNL (assignment of call letters).	Merritt, British Columbia, N. 50°06'29", W. 120°46'06".	1D/0.25N	ND-190	U	IV	200	120	320	1-12-70
CJAD (assignment of call letters and correction of coordinates. Now in operation).	Chibougamau, Quebec, N. 49°54'35", W. 74°22'08".	1D/0.25N	ND-180	U	IV	140	120	318	
CHGB (change of studio location. Now in operation).	La Pocatiere, Quebec, N. 47°20'45", W. 70°05'04".	10D/5N	DA-N ND-D-192	U	III				
CKYR (assignment of call letters).	Jasper, Alberta, N. 52°52'52", W. 118°04'26".	0.1	ND-150	U	IV	80	120	60-160	
CHRT (correction of coordinates).	St. Eleuthere, Quebec, N. 47°28'36", W. 69°16'14".	0.25	ND-185	U	IV	140	120	271	

[SEAL]

FEDERAL COMMUNICATIONS COMMISSION,  
WALLACE E. JOHNSON,  
Assistant Chief, Broadcast Bureau.

[F.R. Doc. 70-354; Filed, Jan. 9, 1970; 8:46 a.m.]

[Canadian List No. 263]

## CANADIAN STANDARD BROADCAST STATIONS

## List of New Stations, Proposed Changes in Existing Stations, Deletions, and Corrections in Assignments

DECEMBER 19, 1969.

List of new stations, proposed changes in existing stations, deletions, and corrections in assignments of Canadian standard broadcast stations modifying the assignments of Canadian broadcast stations contained in the appendix to the recommendations of the North American Regional Broadcasting Agreement Engineering Meeting January 30, 1941.

Call letters	Location	Power kw	Antenna	Schedule	Class	Antenna height (feet)	Ground system		Proposed date of commencement of operation
							Number of radials	Length (feet)	
CKGA (now in operation)	Gander, Newfoundland, N. 48°57'37", W. 54°39'41".	1	DA-1	U	II				
CHAM (now in operation with increased night time power.)	Hamilton, Ontario, N. 43°10'59", W. 79°51'19".	10	DA-2	U	III				
CKGF (assignment of call letters. Now in operation).	Grand Forks, British Columbia, N. 49°01'17", W. 118°27'39".	1D/0.25N	ND-183	U	IV	140	120	294	
CKVT (assignment of call letters. Now in operation).	Temiscamingue, Quebec, N. 46°44'06", W. 79°03'30".	0.25	ND-185	U	IV	170	120	293	
CKEN (delete assignment—see 1490 kc.).	Kentville, Nova Scotia	1	DA-N	U	III				
CKAD (now in operation on new frequency).	Middleton, Nova Scotia, N. 44°59'15", W. 65°01'30".	1	DA-1	U	III				
CKAD (delete assignment—see 1350 kc.).	Middleton, Nova Scotia	1D/0.25N	ND-181	U	IV				
CKEN (now in operation on new frequency).	Kentville, Nova Scotia, N. 45°06'40", W. 64°29'35".	1D/0.5N	DA-1	U	III				

[SEAL]

FEDERAL COMMUNICATIONS COMMISSION,  
WALLACE E. JOHNSON,  
Assistant Chief, Broadcast Bureau.

[F.R. Doc. 70-355; Filed, Jan. 9, 1970; 8:46 a.m.]

## FEDERAL RESERVE SYSTEM

## BROWARD BANCSHARES, INC.

## Order Approving Action To Become a Bank Holding Company

In the matter of the application of Broward Bancshares, Inc., Fort Lauderdale, Fla., for approval of action to become a bank holding company through the acquisition of at least 80 percent of

the voting shares of each of the following banks: Broward National Bank of Fort Lauderdale, Fort Lauderdale National Bank, and Coral Ridge National Bank of Fort Lauderdale, all in Fort Lauderdale, Fla.

There has come before the Board of Governors, pursuant to section 3(a)(1) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(1)) and § 222.3 (a) of Federal Reserve Regulation Y (12 CFR 222.3(a)), an application by Brow-

ard Bancshares, Inc., Fort Lauderdale, Fla., for the Board's prior approval of action whereby applicant would become a bank holding company through the acquisition of at least 80 percent of the voting shares of each of the following banks: Broward National Bank of Fort Lauderdale, Fort Lauderdale National Bank, and Coral Ridge National Bank of Fort Lauderdale, all in Fort Lauderdale, Fla.

As required by section 3(b) of the Act, the Board gave written notice of receipt of the application to the Comptroller of the Currency and requested his views and recommendation. He recommended approval of the application.

Notice of receipt of the application was published in the FEDERAL REGISTER on September 17, 1969 (34 F.R. 14487), providing an opportunity for interested persons to submit comments and views with respect to the proposal. A copy of the application was forwarded to the U.S. Department of Justice for its consideration. Time for filing comments and views has expired and all those received have been considered by the Board.

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

Dated at Washington, D.C., this 29th day of December 1969.

By order of the Board of Governors.<sup>2</sup>

[SEAL] KENNETH A. KENYON,  
Deputy Secretary.

[F.R. Doc. 70-335; Filed, Jan. 9, 1970;  
8:45 a.m.]

## INTERSTATE COMMERCE COMMISSION

### FOURTH SECTION APPLICATIONS FOR RELIEF

JANUARY 7, 1970.

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

#### LONG-AND-SHORT HAUL

FSA No. 41852—*Volcanic ash within points in southwestern territory.* Filed by Southwestern Freight Bureau, Agent (No. B-114), for interested rail carriers. Rates on volcanic ash, other than crude, in carloads, as described in the application, within southwestern territory, also between points in southwestern territory, on the one hand, and Natchez and Vicksburg, Miss., and Memphis, Tenn., also points in western trunkline and Illinois Freight Association territories, on the other.

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

<sup>1</sup> Filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551, or to the Federal Reserve Bank of Atlanta.

<sup>2</sup> Voting for this action: Vice Chairman Robertson and Governors Mitchell, Daane, Brimmer, and Sherrill. Absent and not voting: Chairman Martin and Governor Maisel.

Tariffs—Supplements 49 and 1 to Southwestern Freight Bureau, agent, tariffs ICC 4819 and 4883, respectively.

FSA No. 41853—*Pepper in mixed carloads with salt to points in southwestern territory.* Filed by Southwestern Freight Bureau, agent (No. B-115), for interested rail carriers. Rates on pepper, in packages, in mixed carloads with salt, as described in the application, from points in southwestern territory, on the one hand, to points in Illinois Freight Association, official, southern, southwestern, and western trunkline territories, on the other; also from points in official territory, Ojibway and Sarnia, Ontario, Canada, on the one hand, to points in southwestern territory, on the other.

Grounds for relief—Commodity relationship.

By the Commission.

[SEAL] H. NEIL GARSON,  
Secretary.

[F.R. Doc. 70-368; Filed, Jan. 9, 1970;  
8:47 a.m.]

[Notice 3]

### MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JANUARY 7, 1970.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67 (49 CFR Part 1131) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C.; and also in field office to which protests are to be transmitted.

#### MOTOR CARRIERS OF PROPERTY

No. MC 126512 (Sub-No. 6 TA), filed December 22, 1969. Applicant: BROAD TOP SALES AND SERVICE, INC., 11 North Carlisle Street, Greencastle, Pa. 17225. 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: *Coal*, from points in Somerset and Westmoreland Counties, Pa., to Clearbrook, Va., under a continuing contract with G.M. & W. Coal Co., Inc., of Greencastle, Pa., for 150 days. Supporting shipper: G.M. & W. Coal Co., Inc., Greencastle, Pa. 17225. Send protests to: Robert W. Rite-nour, District Supervisor, Bureau of Operations, Interstate Commerce Commis-

sion, 508 Federal Building, Post Office Box 869, Harrisburg, Pa. 17108.

No. MC 126822 (Sub-No. 31 TA), filed December 22, 1969. Applicant: PASSAIC GRAIN AND WHOLESALE COMPANY, INC., Post Office Box 23, Passaic, Mo. 64777. Applicant's representative: Warren H. Sapp, 450 Professional Building, Kansas City, Mo. 64106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hides, skins, pelts, and pieces thereof*, from Terre Haute, Ind., and Springfield, Ill., to Biddeford, Dover-Foxcroft, Hartland, and Howland, Maine; and Danvers and Salem, Mass., for 150 days. Supporting shipper: National By-Products Co., Rural Route No. 3, Galesburg, Ill. 61401. Send protests to: John V. Barry, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 1100 Federal Office Building, 911 Walnut Street, Kansas City, Mo. 64106.

No. MC 129211 (Sub-No. 3 TA), filed December 22, 1969. Applicant: M.C.B. COMPANY, INC., Vanderberg and Railroad Avenues, Marlboro, N.J. 07746. Applicant's representative: Edward Bowes, 744 Broad Street, Newark, N.J. 07102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Tableware, dinnerware, and reproduced paintings*, between Marlboro, N.J., on the one hand, and, on the other, points in New York (except New York, N.Y.), Connecticut, Pennsylvania (except Philadelphia, Pa.) and Delaware and Minneapolis, Minn.; Milwaukee, Wis.; and Birmingham, Ala.; under contract with George E. Weigl Co., for 150 days. Supporting shipper: George E. Weigl Co., 230 Fifth Avenue, New York, N.Y. Send protests to: District Supervisor Raymond T. Jones, Interstate Commerce Commission, Bureau of Operations, 410 Post Office Building, Trenton, N.J. 08608.

No. MC 134196 TA (Correction), filed December 10, 1969, published in FEDERAL REGISTER issue of December 25, 1969, corrected and republished as corrected, this issue. Applicant: LUGOFF CONSTRUCTION COMPANY, a corporation, Route No. 1, Box 341, Lugoff, S.C. 29078. Applicant's representative: J. Clator Arrants, Post Office Box 213, Camden, S.C. 29020. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canvas footwear*, in trailers having an immediately prior or immediately subsequent movement by rail, from the plant and warehouse site of B. F. Goodrich Footwear Co., Elgin, S.C., to railroad loading site, Camden, S.C., and *empty trailers*, on return for 180 days. Supporting shipper: B. F. Goodrich Footwear Co., U.S. Highway No. 1, Elgin, S.C. 29045. Send protests to: Arthur B. Abercrombie, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 601A Federal Building, 901 Sumter Street, Columbia, S.C. 29201.

By the Commission.

[SEAL] H. NEIL GARSON,  
Secretary.

[F.R. Doc. 70-369; Filed, Jan. 9, 1970;  
8:47 a.m.]

[Notice 474]

**MOTOR CARRIER TRANSFER PROCEEDINGS**

JANUARY 7, 1970.

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

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

No. MC-FC-71797. By order of December 30, 1969, the Motor Board approved the transfer to Wagner Trucking, Inc., McHenry, Md., of the certificates Nos. MC-125430 (Sub-No. 1) and MC-125430 (Sub-No. 3) issued July 20, 1965, and August 16, 1967, respectively, to Claude W. Wagner, McHenry, Md., authorizing the transportation of: Such commodities as are dealt in by retail grocery stores, and other specified commodities, between specified points in Maryland, Pennsylvania, North Caro-

lina, and West Virginia. Paul F. Sullivan, 701 Washington Building, Washington, D.C. 20005, attorney for applicants.

No. MC-FC-71800. By order of December 30, 1969, the Motor Carrier Board approved the transfer to McNeill Air Transport, Inc., Detroit, Mich., of certificate in No. MC-128899, issued July 15, 1968, to Robert P. K. McNeill, doing business as McNeill Transport Co., Detroit, Mich., authorizing the transportation of specified commodities between Detroit, Mich., on the one hand, and, on the other, Willow Run Airport, Ypsilanti, Mich., subject to certain restrictions. William B. Elmer, 22644 Gratiot Avenue, East Detroit, Mich. 48021, attorney for applicants.

No. MC-FC-71855. By order of January 6, 1970, the Motor Carrier Board approved the transfer to Jensen Charters, Inc., St. Helens, Ore., of certificate No. MC-123178 issued May 1, 1963, to Lawrence C. Jensen, doing business as Jensen Transportation, St. Helens, Ore., authorizing the transportation of: Passengers and their baggage, in round-trip charter operations, between points in specified counties in Washington and Oregon. Robert R. Hollis, 1121 Commonwealth Building, Portland, Ore. 97204, attorney for applicants.

[SEAL]

H. NEIL GARSON,  
Secretary.

[F.R. Doc. 70-370; Filed, Jan. 9, 1970; 8:47 a.m.]

[Notice 474A]

**MOTOR CARRIER TRANSFER PROCEEDINGS**

JANUARY 7, 1970.

Application filed for temporary authority under section 210(a) (b) in connection with transfer application under section 212(b) and Transfer rules, 49 CFR Part 1132:

No. MC-FC-71792. By application filed January 6, 1970, ALL-STAR TRANSPORTATION, a division of Milk Producers Marketing Co., Second and West Turnpike Road, Post Office Box 505, Lawrence, Kans. 65340, seeks temporary authority to lease the operating rights of BILYEU REFRIGERATED TRANSPORT CORPORATION, Post Office Box 688, Marshall, Mo., under section 210a (b). The transfer to ALL-STAR TRANSPORTATION, of the operating rights of BILYEU REFRIGERATED TRANSPORT CORPORATION, is presently pending.

By the Commission.

[SEAL]

H. NEIL GARSON,  
Secretary.

[F.R. Doc. 70-371; Filed, Jan. 9, 1970; 8:47 a.m.]

**CUMULATIVE LIST OF PARTS AFFECTED—JANUARY**

The following numerical guide is a list of parts of each title of the Code of Federal Regulations affected by documents published to date during January.

3 CFR	Page	7 CFR—Continued	Page	10 CFR	Page
<b>PROCLAMATIONS:</b>		301.....	382	<b>PROPOSED RULES:</b>	
3454 (see Proc. 3953).....	141	319.....	283	32.....	362
3458 (see Proc. 3953).....	141	401.....	166	150.....	231
3952.....	41	722.....	5, 168		
3953.....	141	730.....	71, 353	<b>12 CFR</b>	
<b>EXECUTIVE ORDER:</b>		780.....	71	335.....	385
May 16, 1911 (revoked in part		812.....	72	545.....	178
by PLO 4756).....	227	813.....	169	561.....	179
<b>PRESIDENTIAL DOCUMENTS OTHER</b>		814.....	172	564.....	179
<b>THAN PROCLAMATIONS AND EXECU-</b>		815.....	174		
<b>TIVE ORDERS:</b>		850.....	177	<b>13 CFR</b>	
Determination of Dec. 30,		905.....	72	121.....	355
1969.....	43	907.....	5, 178, 283		
<b>5 CFR</b>		910.....	73, 384	<b>14 CFR</b>	
213.....	70, 219, 354, 381	912.....	385	23.....	303
550.....	165	1001.....	353	25.....	303, 304
<b>7 CFR</b>		1005.....	219	39.....	84, 143-145, 305-307
4.....	381	1013.....	178	61.....	84
26.....	219	<b>PROPOSED RULES:</b>		71.....	6, 101-103, 146, 307-310, 355, 356
53.....	353	201.....	231	73.....	356
54.....	166	910.....	387	75.....	6, 146
55.....	166	966.....	105	91.....	304
56.....	166	1007.....	231	97.....	147
70.....	166	1103.....	231	121.....	84, 161, 304
210.....	166	<b>9 CFR</b>		127.....	310
215.....	281	76.....	164, 165, 220, 354, 355	135.....	161
220.....	281	78.....	74, 75	225.....	162
225.....	282			288.....	103
	282			378.....	163
				378a.....	163

## 14 CFR—Continued

	Page
PROPOSED RULES:	
21.....	386
25.....	386
33.....	386
37.....	15, 386
43.....	386
65.....	386
71.....	105, 106, 184, 322-324
91.....	324, 386
105.....	386
121.....	324, 386
127.....	324
208.....	184
214.....	184
295.....	184

## 16 CFR

13.....	7-10, 311
501.....	75
PROPOSED RULES:	
252.....	363
423.....	112
424.....	326

## 17 CFR

210.....	313
270.....	313

## 19 CFR

PROPOSED RULES:	
25.....	361

## 20 CFR

405.....	76
609.....	223

## 21 CFR

121.....	225
135c.....	76
148e.....	77
PROPOSED RULES:	
3.....	362

## 24 CFR

5.....	284
203.....	77, 179, 284
207.....	77, 179, 285
213.....	179, 285
220.....	77, 180, 285
221.....	180, 286
222.....	286
231.....	287
232.....	180, 287
234.....	180, 288
235.....	180, 288
236.....	180, 288
237.....	289
241.....	180
242.....	289

## 24 CFR—Continued

807.....	289
1000.....	180, 289
1100.....	180, 289
28 CFR	
14.....	314
29 CFR	
1500.....	221
1501.....	10
1502.....	10
1503.....	10
PROPOSED RULES:	
519.....	361

## 31 CFR

90.....	78
92.....	79
93.....	79
341.....	223
500.....	224

## 32 CFR

1.....	46
2.....	47
3.....	54
7.....	62
12.....	66
15.....	67
16.....	67
18.....	69
19.....	69
24.....	70
26.....	70

## 32A CFR

Ch. X (OIA):	
Reg. 1.....	13, 163

## 33 CFR

209.....	79
----------	----

## 36 CFR

7.....	45
PROPOSED RULES:	
7.....	105

## 38 CFR

2.....	224, 385
36.....	181

## 41 CFR

5-19.....	356
14-1.....	225
14-2.....	289
14-3.....	226
14-7.....	226
14-10.....	290
14-18.....	356

## 41 CFR—Continued

14-30.....	226
101-26.....	181
101-35.....	81
114-38.....	290
114-44.....	292
114-45.....	292, 294
114-46.....	295
114-47.....	295, 298, 300

## 42 CFR

57.....	182
201.....	317
206.....	317
PROPOSED RULES:	
78.....	362

## 43 CFR

PUBLIC LAND ORDERS:	
1545 (revoked in part by PLO 4754).....	226
1867 (revoked in part by PLO 4758).....	227
4753.....	317
4754.....	226
4755.....	226
4756.....	227
4757.....	227
4758.....	227
4759.....	227

## 45 CFR

102.....	256
103.....	256
104.....	256
105.....	256
106.....	256
111.....	256
177.....	13
220.....	315
531.....	82
1042.....	82, 83
1050.....	83

## 47 CFR

2.....	357
--------	-----

## 49 CFR

191.....	317
1033.....	45
1307.....	183

## PROPOSED RULES:

190.....	325
371.....	106
Ch. X.....	231

## 50 CFR

28.....	164, 321
32.....	228
240.....	228